



FAIRBANKS CITY COUNCIL
AGENDA NO. 2020-06
REGULAR MEETING – MARCH 9, 2020
FAIRBANKS CITY COUNCIL CHAMBERS
800 CUSHMAN STREET, FAIRBANKS, ALASKA

WORK SESSION

5:30 p.m. – Nuisance Property Discussion

It is the mission of the City of Fairbanks to provide quality essential services to all City residents to ensure Fairbanks is a vibrant place to live, work, thrive, and visit.

REGULAR MEETING

6:30 p.m.

1. ROLL CALL
2. INVOCATION
3. FLAG SALUTATION
4. CEREMONIAL MATTERS (Proclamations, Introductions, Recognitions, Awards)
5. CITIZENS' COMMENTS, oral communications to the City Council on any item not up for public hearing. Testimony is limited to three minutes, and the comment period will end no later than 7:30 p.m. Any person wishing to speak needs to complete the register located in the hallway. Respectful standards of decorum and courtesy should be observed by all speakers. Remarks should be directed to the City Council as a body rather than to any particular Council Member or member of the staff. In consideration of others, please silence all cell phones and electronic devices.

6. APPROVAL OF AGENDA AND CONSENT AGENDA

Approval of Consent Agenda passes all routine items indicated by an asterisk (*). Consent Agenda items are not considered separately unless a Council Member so requests. In the event of such a request, the item is returned to the General Agenda.

7. APPROVAL OF MINUTES OF PREVIOUS MEETINGS

*a) Regular Meeting Minutes of December 9, 2019

8. SPECIAL ORDERS

a) The Fairbanks City Council will hear interested citizens concerned with the following Liquor License Application for Renewal. Public testimony will be taken and limited to three minutes.

Lic. #	DBA	License Type	Licensee	Premises Address
542	Geraldo's Restaurant	Beverage Dispensary	Garlic Lovers, LLC	701 College Road
1475	Pizza Hut of Fairbanks	Restaurant/ Eating Place	MP2 Alaska, LLC	89 College Road
2424	Sophie Station Hotel	Beverage Dispensary - Tourism	Fountainhead Development, Inc.	1717 University Avenue
3074	Wedgewood Resort	Beverage Dispensary - Tourism	Fountainhead Development, Inc.	212 Wedgewood Drive
3616	Wedgewood Resort - Bear Lodge	Beverage Dispensary - Tourism	Fountainhead Development, Inc.	212 Wedgewood Drive
4344	Bahn Thai Restaurant	Restaurant/ Eating Place	Somnuk, LLC	541 Third Avenue

b) The Fairbanks City Council will hear interested citizens concerned with the following Application for a New Liquor License. Public testimony will be taken and limited to three minutes.

Type: General - Wholesale
 DBA: K&L Distributors Alaska
 Applicant: White Mountain Beverage Company, LLC
 Location: 945 Elizabeth Street, Fairbanks, AK

c) The Fairbanks City Council will hear interested citizens concerned with the following Liquor License Application for Transfer of Ownership. Public testimony will be taken and limited to three minutes.

Type/License: Beverage Dispensary/License #4170
 DBA: The Library
 Applicant: Redbox, LLC
 603 Lacey Street, Fairbanks
 From: The Library/Tapas, LLC
 603 Lacey Street, Fairbanks

9. MAYOR'S COMMENTS AND REPORT

- a) Special Reports

10. COUNCIL MEMBERS' COMMENTS

11. UNFINISHED BUSINESS

- a) Ordinance No. 6124 – An Ordinance Amending the 2020 Operating and Capital Budgets for the First Time. Introduced by Mayor Matherly. SECOND READING AND PUBLIC HEARING.
- b) Ordinance No. 6125 – An Ordinance to Place Before City Voters Ratification of a Pass-through Loan from the Alaska Clean Water Fund to Golden Heart Utilities for Up to \$1.5 Million for Main Extension and Water Piping Improvements at the City-owned Wastewater Treatment Facility. Introduced by Mayor Matherly. SECOND READING AND PUBLIC HEARING.

12. NEW BUSINESS

- *a) Resolution No. 4905 – A Resolution Authorizing the City of Fairbanks to Apply for Funds from the United States Department of Homeland Security for the FFY2019 Assistance to Firefighters Grant (AFG). Introduced by Mayor Matherly.
- *b) Resolution No. 4906 – A Resolution Supporting SB 179, an Act Including Provisions Relating to a Multistate Nurse Licensure Compact. Introduced by Mayor Matherly and All City Council Members.

13. DISCUSSION ITEMS (Information and Reports)

- a) Committee Reports

14. WRITTEN COMMUNICATIONS TO THE CITY COUNCIL

- *a) Chena Riverfront Commission Meeting Minutes of July 10, 2019
- *b) Chena Riverfront Commission Meeting Minutes of September 11, 2019
- *c) Clay Street Cemetery Commission Meeting Minutes of November 6, 2019
- *d) Hotel/Motel Discretionary Fund Committee Meeting Minutes of January 10, 2020

*e) Appointment to the Building Code & Landscape Review & Appeals Commission

15. COUNCIL MEMBERS' COMMENTS

16. CITY CLERK'S REPORT

17. CITY ATTORNEY'S REPORT

18. EXECUTIVE SESSION

a) AFL-CIO Labor Negotiation Strategy

b) IBEW Labor Negotiation Strategy

19. ADJOURNMENT



FAIRBANKS CITY COUNCIL
REGULAR MEETING MINUTES, DECEMBER 9, 2019
FAIRBANKS CITY COUNCIL CHAMBERS
800 CUSHMAN STREET, FAIRBANKS, ALASKA

The City Council convened at 6:30 p.m. on the above date, following a 6:00 p.m. Work Session to set the date, location, and agenda for a 2020 Strategic Planning Session, to conduct a Regular Meeting of the Fairbanks City Council at the City Council Chambers, 800 Cushman Street, Fairbanks, Alaska, with Mayor Jim Matherly presiding and with the following Council Members in attendance:

Council Members Present: Shoshana Kun, Seat A
June Rogers, Seat B
Valerie Therrien, Seat C
Aaron Gibson, Seat D
Jerry Cleworth, Seat E
David Pruhs, Seat F

Absent: None

Also Present: Clem Clooten, Building Official
Margarita Bell, Controller/Acting Chief Financial Officer
Paul Ewers, City Attorney
D. Danyielle Snider, City Clerk
Jeff Jacobson, Public Works Director
Mike Meeks, Chief of Staff
Kristi Merideth, FECC Manager
Angela Foster-Snow, HR Director
Nancy Reeder, Police Chief
Bob Pristash, City Engineer
Jim Styers, Fire Chief
Christina Rowlett, Risk Manager/Purchasing Agent

City Clerk Danyielle Snider read the Mission Statement of the City of Fairbanks.

INVOCATION

The Invocation was given by City Clerk Danyielle Snider.

FLAG SALUTATION

Mayor Matherly asked everyone to join him in the Pledge of Allegiance.

CEREMONIAL MATTERS

Mayor Matherly stated Deputy Police Chief Dan Welborn could not attend but that he is retiring. He spoke about DC Welborn's accomplishments. **Mayor Matherly** thanked DC Welborn for his service to the City of Fairbanks and wished him well in future endeavors.

Mayor Matherly asked Lt. Peyton Merideth and his family to come forward. He thanked Lt. Merideth for his service and announced that he would be retiring from the City and moving to Idaho. **Mayor Matherly** shared that he has known Lt. Merideth for many years; he summarized Lt. Merideth's career at the Fairbanks Police Department (FPD) and shared some of his many accomplishments over his years of service. He asked everyone to join him in recognizing Lt. Merideth and Ms. Merideth for their years of service to the community.

Lt. Merideth stated he has worked at FPD since he graduated. He shared some stories about his family and thanked them for their support. He shared that it is time to relocate but stated that he loves FPD. He stated that his two favorite memories of City service were the conviction of Anthony Jenkins and the arrest of Marvin Wright.

Mayor Matherly stated he knew the day would come when many veteran FPD officers would be eligible for retirement. He spoke well of Chief Reeder and stated that FPD is a good department. He encouraged people to apply.

a) Reading of the Bill of Rights

Mayor Matherly spoke about how Frank Turney always helped each year by providing a cake for everyone to share and in helping organize a group of youth to do the reading. He announced that Cub Scouts Pack 92 would be reading the Bill of Rights this year. He stated a cake has been provided to help memorialize Mr. Turney's efforts. Cub Scout Pack 92 read the Bill of Rights.

CITIZENS' COMMENTS

Gary Evans, 159 Sacia Avenue, Fairbanks – Mr. Evans stated he is in attendance to speak in support of the Spur liquor license; he stated they have been good neighbors. He stated he has seen a noticeable improvement in the business over the past two years.

Victor Buberger, P.O. Box 58192, Fairbanks – Mr. Buberger thanked Public Works for putting effort into clearing the snow from sidewalks this year. He asked what the City's plan for the Polaris Building is and asked if the City could afford to demolish it. He asked about the subsidies involved in its demolition and in the reconstruction of a new performing arts center. He stated the Council has been dealing with the building for years and alleged that the Council has its thumb in the pie. He stated the community should be let in on what is going on.

Greg Foster, P.O. Box 70935, Fairbanks – Mr. Foster stated he works for FPD, but he is speaking tonight about his own personal views. He congratulated DC Welborn and Lt. Merideth on their well-deserved retirements and shared that Lt. Kurt Lockwood has recently left FPD for another agency. Mr. Foster stated he will continue to come and testify until an agreement can be reached; he stated the department is in crisis in regard to hiring and retention. He stated the issue of funding must be addressed, and the department needs to be supported.

Chris Miller, 413 Cowles Street, Fairbanks – Mr. Miller thanked the Council for taking care of the community through City services.

Alex Jafre, 393 Droz Drive, Fairbanks – Mr. Jafre stated The Spur has cleaned up significantly since the new owner took over. He stated they have good security and staff, and they cut people off when they have had too much. He stated he frequents the location, but he used to not go there because he did not feel safe.

Rachel Hanks, 2681 Scotch Pine Drive, North Pole – Ms. Hanks stated she is a CPA in town and a patron of The Spur. She spoke to the increased security at the location, which includes pat downs at all entrances. She stated many people came to The Spur after the HIPOW event, and they danced and had a wonderful time; she stated it is not a bad place. Ms. Hanks explained that under the new ownership there are cards hanging in the women’s restroom stalls that advise what drink to order if they want to alert the bartender that they feel unsafe. She stated if someone feels unsafe walking to their car they can request a security escort. She stated security is present and known, and it did not feel that way when it was Kodiak Jacks. She stated if the police are called because of an issue in the parking lot unrelated to the business, it reflects on the license, and it should not.

Mayor Matherly asked about the cards in the women’s restroom. Ms. Hanks explained it is a list of drinks to order if you feel unsafe – different drinks for different situations. **Mayor Matherly** stated he likes the concept. Ms. Hanks stated the security guards now have earpieces to communicate with one another; she stated they move around and do not just post at entrances.

Randy Griffin, P.O. Box 73653, Fairbanks – Mr. Griffin stated he came to honor Frank Turney by having a piece of cake; he expressed appreciation for Mr. Turney’s support of the reading of the Bill of Rights. Mr. Griffin spoke of the presidential impeachment and discussed an article about it that was in the Fairbanks Daily News Miner. He stated he did not think the impeachment of President Clinton was right either.

Sue Sprinkle, 211 5th Avenue, Fairbanks – Ms. Sprinkle thanked the Council for having the streets plowed; she stated she would like the Council to make snow removal an essential service. She expressed sadness that DC Welborn retired.

Karen Perdue, 204 Front Street, Fairbanks – Ms. Perdue stated she heard snowplows during the night, but she was so happy to be awakened by the sound. She stated she does not have the budget information, but when she hears that there are only three police officers on duty she is alarmed. She asked what the police to citizen ratio is. She stated there are big challenges, but everyone wants to feel safe.

David van den Berg, 332 Slater Drive, Fairbanks – Mr. van den Berg asked how much it would cost to add one more plow rotation to the City and asked whether that number could be isolated. He complimented Public Works for their focus on plowing the downtown core area but stated that they did not prioritize it on Black Friday or Small Business Saturday. He stated that put the downtown businesses at a competitive disadvantage. He mentioned various new businesses that have sprung up in the downtown area; he stated that businesses have done fine even with the downturn in the level of services. He asked for one more full plow rotation City-wide.

Irina Derguleva, 211 Clarkson Drive, Fairbanks – Ms. Derguleva stated she is a regular customer at The Spur, and it is her favorite place to go. She stated the staff is helpful, and she feels safe

there. She shared that the staff cares, the bartenders are attentive, and if you leave you have to go through a complete security check to get back inside. She stated there are other ways to work on problems without closing the bar down.

Kemp Lankford, 929 Cranberry Ridge, Fairbanks – Mr. Lankford stated he is the owner of Aurora Apothecary on 2nd Avenue and suggested a workshop to repurpose some existing local agencies, such as the Parking Authority. He stated there needs to be some City code enforcement. Mr. Lankford stated there needs to be a local drug, mental, and veterans court in Fairbanks and a workplace for people in rehabilitation to help them prosper.

Jack Lanam, 123 Steelhead Road, Fairbanks – Mr. Lanam spoke in support of The Spur liquor license; he stated he plays there and feels very safe. He stated if the Council revokes the license the bad crowd will simply move to another establishment. He stated it is not the business's fault that there is a lack of police, and that needs to be dealt with by the department. He stated the officers do so much with so little, and they deserve more help. He stated the locations that hire local musicians are starting to dwindle, and he asked the Council to support local musicians and arts. He added that The Spur has a quality stage to play on.

Hearing no more requests for comment, **Mayor Matherly** declared Citizens' Comments closed.

Ms. Kun asked when she could ask follow-up questions to those who spoke. **Mayor Matherly** stated the first round of Council member comments is coming up for Council members to respond to those who testified. **Ms. Kun** stated she has a question for nearly everyone who testified; **Mayor Matherly** stated that now is not the time to ask questions of those who testified.

APPROVAL OF AGENDA AND CONSENT AGENDA

Ms. Therrien, seconded by **Mr. Gibson**, moved to APPROVE the Agenda and Consent Agenda.

Ms. Kun pulled the Reappointment to the Public Safety Commission from the Consent Agenda.

Mayor Matherly called for objection to the APPROVAL of the Agenda, as Amended, and, hearing none, so ORDERED.

City Clerk Snider read the Consent Agenda, as Amended, into the record.

SPECIAL ORDERS

- a) Request for Reconsideration by Council Member Therrien of the Motion to Protest the Renewal of The Spur Liquor License (Lic. #4232) from the Regular Meeting of December 2, 2019. The written request to reconsider was filed on December 3.

Ms. Therrien, seconded by **Mr. Gibson**, moved to Reconsider the Motion to Protest the Renewal of the Spur Liquor License.

Ms. Therrien stated she was contacted by City Clerk Snider who advised her that the liquor license owner was not notified about the public hearing for the license renewal because there were no department-recommended protests filed. She stated she requested reconsideration as a courtesy to the owners.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO RECONSIDER THE MOTION TO PROTEST THE RENEWAL OF THE SPUR LIQUOR LICENSE AS FOLLOWS:

YEAS: Cleworth, Pruhs, Rogers, Gibson, Therrien

NAYS: Kun

Mayor Matherly declared the MOTION CARRIED.

The motion to PROTEST (made by Mr. Pruhs, seconded by Ms. Therrien at the December 2, 2019 meeting) was back on the floor.

Ms. Therrien requested that the owners come forward. She asked the owners why they did not attend the previous meeting and shared her concerns about security in the parking lot. She stated there were 89 police calls to the location.

Jori Clawson, 537 Gaffney Road, Fairbanks – Ms. Clawson apologized for not being present at the last Council meeting. She explained that she was travelling with a sick child, but she would never miss another renewal hearing. She stated the parking lot has just been equipped with 32 new cameras. She stated the breakdown of calls can be confusing because there are two liquor licenses at the location. Ms. Clawson stated in 2018 there were only 36 self-initiated visits from police, which was less than half of the calls to the location under the previous owner. She shared that in 2019 there were only 22 self-initiated calls. Ms. Clawson asked for reconsideration because they have worked so hard to improve the business.

Nicholas Nyquist, Fairbanks – Mr. Nyquist stated there was no protest from any departments, so he did not think it was necessary to attend the last meeting. He stated they are working hard to keep the establishment safe and fun for the community.

JD Clawson, 537 Gaffney Road, Fairbanks – Mr. Clawson stated when they opened their doors they had an initial meeting with security staff and instructed them to not let individuals in the bar who had been a problem in the past. He stated their business strategy is to not only make a profit, it is also to provide a fun and safe environment for the community. He stated he and Jori have four children, and they want them raised in a safe community. Mr. Clawson stated Jerry and Glenner are now performing comedy shows again at the location. He stated they just spent \$10,000 on new video surveillance equipment, so if the police need footage, they can provide it. He stated he was shocked by the results of the vote at the last Council meeting.

Ms. Kun stated her concern is the REDI reports; she stated there were nine in 2016 and four in 2018, and those are the most dangerous calls. Ms. Clawson stated she likes to be proactive – not reactive. She stated The Spur staff is trained to look out for fake identifications and to cut people off when they have had too much. She stated there was only one REDI call in 2019. **Ms. Kun** asked if the amount of alcohol taxes they are paying to the City is covering the cost of police staff time for the callouts to the location. Ms. Clawson stated the City brings in about \$2 million

dollars a year in alcohol taxes, and they pay their portion in order to secure police services when needed. She stated that over the last 19 months, they have paid over \$70,000 in City alcohol taxes. She stated since they took over the business, calls have decreased by more than half.

Mr. Pruhs advised the owners to show up to City Council meetings from now on. Ms. Clawson again apologized for missing the last meeting. **Mr. Pruhs** stated when the only person who shows up to testify is a police officer who has three pages of data, there is a lesson to be learned. Ms. Clawson acknowledged Mr. Pruhs' statements. **Mr. Pruhs** asked Ms. Clawson if she feels she is taking the brunt of the issues leftover from the previous owner. Ms. Clawson stated she listened to the meeting audio four times in preparation to speak to the Council, and she reiterated that their business is The Spur – not Kodiak Jacks. She stated they support the community and youth sports, and she was born and raised in Fairbanks. She stated she wants to continue trying to better the community, and she actively looks for ways to improve her establishment.

Mr. Pruhs asked for more information about the new cameras. Mr. Clawson stated they met with the security design person, and now there are no blind spots in the parking lot. He stated they now have very clear images, and it helped the previous weekend when they were accused of having an assault in the bar. He stated the police came and reviewed the video footage, and the woman had never entered the establishment. **Mr. Pruhs** asked if they have had any issues with the Alcoholic Beverage Control (ABC) Board. Mr. Clawson replied that they have not.

Ms. Therrien stated there are still 70 incidents on the call report since they took over The Spur. Ms. Clawson stated that 22 of the calls are self-initiated, and she tried to provide information about some of the other calls. She stated it should not reflect negatively on her business if she calls the police because she sees someone making a drug sale on the property; she stated that is her responsibility. **Ms. Therrien** asked if there is enough security in the parking lot at the end of the night when the location clears. Ms. Clawson responded that most of the security staff goes outside at the end of the night. She explained that security staff goes outside and roves the area, and staff does not provide drink service right up until closing time.

Mayor Matherly stated that at the Department Head meeting, Fairbanks Emergency Communications Center (FECC) Director Kristi Merideth shed some light on the callout list. He asked Ms. Merideth to come forward for a staff report. **Ms. Rogers** asked if Lt. Foster could come forward again also.

FECC Director Kristi Merideth explained the difference between assault, disturbance, and domestic violence calls. She shared that in looking through The Spur's reporting, she sees 42 calls that are based on protocol only. She stated she can pull the call information from the CAD system that includes only calls that have the words "The Spur" associated with them. She spoke to how FECC codes calls and stated that the total number of calls reported initially included supplementary and follow-up calls, which should not be counted against the establishment.

Lt. Foster stated his involvement with The Spur has a history. He stated he was assigned to the night shift for a month when he returned from the national academy, and he noticed similarities to Kodiak Jacks in the nature of the calls to The Spur. He stated, however, he has recently spoken with night shift lieutenants who have assured him that things have substantially improved at the location. He apologized for misconstruing information at the last meeting. Lt. Foster

stated the camera system will be a huge resource for FPD and stated he is more comfortable knowing they are doing a better job than when it was Kodiak Jacks.

Ms. Therrien thanked Lt. Foster and stated there is no need to apologize for sharing concerns.

Ms. Rogers thanked everyone for coming before the Council and for the conversations they have shared. She stated that it shows how important it is for owners to come to the Council to discuss issues. She invited the owners to attend future meetings to give updates to the Council.

Mr. Pruhs stated it was a series of unfortunate events, but everyone did their jobs; he thanked Ms. Therrien for requesting reconsideration. He stated he would be voting against the protest because it has become clear that the owners have worked hard to make The Spur a safe place.

Ms. Therrien shared that she still has concerns with the number of events that occur in the parking lot. She stated she would like to see a lower number of calls in the next year.

Mr. Cleworth pointed out that there was no department-recommended protest for the license, and the opinion of an officer was in conflict with the department's recommendation. He stated that since the Council had been given mixed messages, they should have postponed the vote until the owners could speak for themselves.

Mayor Matherly thanked everyone for the back-and-forth on the issue.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO PROTEST THE SPUR LIQUOR LICENSE APPLICATION FOR RENEWAL AS FOLLOWS:

YEAS: Kun
NAYS: Pruhs, Therrien, Cleworth, Gibson, Rogers
Mayor Matherly declared the MOTION FAILED.

b) The Fairbanks City Council heard interested citizens concerned with the following Liquor License Applications for Renewal:

Lic. #	DBA	License Type	Licensee	Premises Address
3969	Tony's Sports Bar	Beverage Dispensary	JNJ, Inc.	537 Gaffney Road, Suite 1
4170	The Library (formerly Tapas)	Beverage Dispensary	Tapas, LLC	603 Lacey Street

Mr. Pruhs, seconded by **Ms. Kun**, moved to WAIVE PROTEST on the Liquor License Applications for Renewal.

Ms. Kun, seconded by **Ms. Therrien**, moved to DIVIDE THE QUESTION and take each renewal application separately.

Mayor Matherly called for objection on the motion to DIVIDE THE QUESTION, and hearing none, SO ORDERED.

Ms. Kun stated she is concerned with the amount of REDI calls reported for Tony's Sports Bar.

Mr. Pruhs stated he has been to Tony’s Sports Bar many times because they have great food and friendly staff; he stated he has seen no issues.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO WAIVE PROTEST ON THE LIQUOR LICENSE APPLICATION FOR RENEWAL AS FOLLOWS:

YEAS: Therrien, Rogers, Pruhs, Gibson, Kun, Cleworth

NAYS: None

Mayor Matherly declared the MOTION CARRIED.

Frank Eagle, 912 Kellum Street, Fairbanks – Mr. Eagle stated he has never had a problem with the location. He stated it has been remodeled, and it is a beautiful establishment.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO WAIVE PROTEST ON THE LIQUOR LICENSE APPLICATION FOR RENEWAL AS FOLLOWS:

YEAS: Rogers, Gibson, Therrien, Pruhs, Cleworth, Kun

NAYS: None

Mayor Matherly declared the MOTION CARRIED.

MAYOR’S COMMENTS AND REPORT

a) Special Reports

Charity Gadapee, Explore Fairbanks – Ms. Gadapee gave a report on some of the events that took place in Fairbanks since the last Council meeting. She thanked the Council for reinvesting bed tax dollars into the local tourism industry.

Mayor Matherly asked Chief of Staff Mike Meeks for a staff report on downtown issues. Mr. Meeks stated that they define a “snow event” as six inches of snowfall as reported by the Fairbanks International Airport. He explained that when that occurs, Public Works will post signage downtown, then a night shift snow removal crew will begin. He stated they will test the standard, and the City welcomes feedback as to how the new process is working.

Mayor Matherly stated he appreciates the reading of the Bill of Rights and thanked the Scouts for coming to read them. He wished everyone a wonderful holiday and shared that volunteering is a wonderful way to spend time during the holidays. He stated Fairbanks is a great town and asked everyone to put aside differences and recognize their blessings this time of year.

COUNCIL MEMBERS’ COMMENTS

Ms. Kun listed several questions she had for those who testified earlier. She stated she had questions for everyone but was not asked after each person testified. She stated that for the sake of decorum, she would like the continuity at every meeting, and she would like to have the opportunity to ask questions to those who testify.

Ms. Rogers thanked the Scouts for attending and for reading the Bill of Rights; she also thanked everyone else who attended the meeting. She thanked the owners of The Spur for attending and shining a positive light on the establishment.

Ms. Therrien congratulated the two retiring police officers and agreed with Lt. Foster that the City should make recruiting more of a priority.

Mr. Pruhs thanked the Scouts for coming and reading the Bill of Rights, and he thanked Mr. Buberger for continuing to care about the Polaris Building. He stated the City has not spent any funds on the Polaris Building and explained that the taxes were paid by private funds. He gave assurance that nothing would happen to the Polaris Building without complete transparency and added that he works on the project pro bono because he enjoys it.

Mr. Cleworth thanked both the retiring officers for their years of service to the City and for the knowledge they have shared throughout their careers. He shared his frustration in hearing all the negativity about FPD because there has been a great deal of success with hiring over the past year. He stated three new officers were recently sworn in, and one of them, who had applied for the Chief position earlier in the year, stated that he had applied to FPD previously with no response. **Mr. Cleworth** stated internal problems like that are being corrected and spoke well of the Chief Reeder's efforts. He stated the City has budgeted for 45 sworn officer positions, a labor contract was ratified, and changes were made to help the officers with step increases. He stated there are some vacancies and some individuals on light duty, but hearing that there is only a staff of two or three is not acceptable. He stated that the City of Fairbanks staffs at a higher level than other municipalities, and employees are saving a tremendous amount of money since switching to different health care plan. He stated the conversation should be more balanced.

Mr. Gibson thanked Troop 92 specifically for attending, and he thanked everyone for attending to address issues of concern. He wished DC Welborn and Lt. Merideth well in their retirements.

UNFINISHED BUSINESS

- a) Ordinance No. 6117, as Amended – An Ordinance Amending the 2019 Operating and Capital Budgets for the Fifth Time. Introduced by Mayor Matherly. **SECOND READING AND PUBLIC HEARING.**

Ms. Kun, seconded by **Ms. Therrien**, moved to ADOPT Ordinance No. 6117, as Amended.

Chris Miller – Mr. Miller stated he is learning the City's budgeting process. He stated that while he is thankful for the attention to the core area, more efforts are needed. He stated he wished the City would have used more of the 2019 funds rather than kicking the can down the road.

Mr. Pruhs explained that \$50,000 is being added to the Public Works snow removal budget; he spoke briefly to the transfer to the Capital Fund.

Ms. Kun asked Mr. Miller if he approved of the proposed version of the ordinance. **Mr. Cleworth** pointed out that the proposed substitute is not yet on the floor. **Mayor Matherly** stated that he should have taken a motion to substitute prior to opening the public hearing.

Ms. Therrien, seconded by **Mr. Pruhs**, moved to SUBSTITUTE the proposed version of Ordinance No. 6117, as Amended.

Mayor Matherly called for objection, and hearing none, SO ORDERED.

David van den Berg – Mr. van den Berg asked how having a budget surplus helps support the idea to increase revenue. He stated the City wins budget awards every year, and he expressed confusion with why snow removal standards are so low while there is a budget surplus.

Hearing no more requests for comment, **Mayor Matherly** declared the public hearing closed.

Ms. Therrien, seconded by **Ms. Kun**, moved to AMEND Ordinance No. 6117, as Amended, by increasing the Police Department budget by \$100,000 for uniform replacement.

Mr. Pruhs asked Police Chief Reeder to provide a staff report because he needed to understand why uniforms and equipment cost so much.

Chief Reeder explained that uniforms include gun belts, holsters, magazine pouches, and hand cuffs – it is not just money for pants and shirts. She stated there are no winter coats available for new officers, and former DC Welborn gave his to one of the officers to use for the winter. She stated the supply needs to be replenished. She stated she had two officers on light duty go through the supply locker, and they found that it had not been stocked.

Mr. Gibson asked if the closet is empty. Chief Reeder stated it is not completely empty; she stated there are some odd sizes and no women’s uniforms. She stated it needs to be restocked so that new officers can get the uniform and equipment required to do the job.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO AMEND ORDINANCE NO. 6117, AS AMENDED, BY INCREASING THE POLICE DEPARTMENT BUDGET BY \$100,000 FOR UNIFORM REPLACEMENT AS FOLLOWS:

YEAS: Pruhs, Therrien, Kun, Cleworth, Gibson, Rogers
NAYS: None

Mayor Matherly declared the MOTION CARRIED.

Ms. Therrien, seconded by **Ms. Kun**, moved to AMEND Ordinance No. 6117, as Amended, by reducing the transfer to the Capital Fund by \$500,000.

Ms. Therrien stated she is concerned about putting so much of the surplus into the Capital Fund. She stated union contracts will need funding.

Mr. Cleworth stated he has seen years where there has been no money left at the end of the year; he explained the reasoning behind transferring money into the Capital Fund. He stated roads have not been resurfaced, and it causes snow removal issues and potholes in the summer. He stated that Capital funds allow the City to have available resources if the need arises, and he

spoke to the decline in State revenue sharing. **Mr. Cleworth** stated a labor contract should not be funded with an annual budget surplus, and one-time money should go towards equipment.

Mayor Matherly agreed with Mr. Cleworth and spoke against the amendment. **Mr. Pruhs** echoed Mr. Cleworth and the Mayor's statements.

Ms. Kun expressed support for the transfer to Capital for a variety of reasons; she stated the Council should work on increasing revenue the following year.

Mayor Matherly asked Ms. Kun what her ideas are for increasing revenue. **Ms. Kun** stated there are fees that could be introduced.

Mr. Gibson, seconded by **Ms. Therrien**, moved to AMEND the amendment to Ordinance No. 6117, as Amended, by reducing the Capital Fund transfer by only \$250,000 (not by \$500,000).

Ms. Rogers asked Director Jeff Jacobson for a staff report regarding the equipment at Public Works. Mr. Jacobson spoke to future capital costs and used the City Hall heating system replacement project as an example.

Mr. Cleworth asked how much replacing the heating system would cost. Mr. Meeks stated it will cost an estimated \$5 million. **Mr. Cleworth** stated that is a perfect example because the State is not going to give the City the money to replace the system.

Mr. Gibson, seconded by **Ms. Kun**, moved to CALL THE PREVIOUS QUESTION.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO CALL THE PREVIOUS QUESTION AS FOLLOWS:

YEAS: Gibson
NAYS: Cleworth, Pruhs, Rogers, Kun, Therrien
Mayor Matherly declared the MOTION FAILED.

Mr. Pruhs stated it is easy to say the Council can transfer the money to the Capital Fund at a later date, but the transfer usually happens only once at the end of the year. He spoke in support of building up a reserve for things that will need to be replaced.

Ms. Rogers stated she understands both views on the issue. She expressed appreciation for the Council's concern about the issue.

Mayor Matherly stated that he does not like to cut the discussion off when Council members still have things to say. **Mr. Gibson** stated that perhaps he should have called a point of order instead of moving the previous question because the discussion was not relevant to the motion on the floor at the time.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO AMEND THE AMENDMENT TO ORDINANCE NO. 6117, AS AMENDED, BY REDUCING THE CAPITAL FUND TRANSFER BY ONLY \$250,000 (NOT BY \$500,000) AS FOLLOWS:

YEAS: Kun, Gibson, Therrien
NAYS: Pruhs, Cleworth, Rogers, Matherly
Mayor Matherly declared the MOTION FAILED.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO AMEND ORDINANCE NO. 6117, AS AMENDED, BY REDUCING THE TRANSFER TO THE CAPITAL FUND BY \$500,000 AS FOLLOWS:

YEAS: Therrien, Kun
NAYS: Rogers, Pruhs, Gibson, Cleworth
Mayor Matherly declared the MOTION FAILED.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 6117, AS AMENDED, AS FOLLOWS:

YEAS: Gibson, Therrien, Pruhs, Cleworth, Rogers
NAYS: Kun
Mayor Matherly declared the MOTION CARRIED and Ordinance No. 6117, as Amended, ADOPTED.

Mayor Matherly called for a ten-minute recess. The meeting resumed after the brief recess.

- b) Ordinance No 6118 – An Ordinance Adopting the 2020 Operating and Capital Budgets. Introduced by Mayor Matherly. SECOND READING AND PUBLIC HEARING.

Ms. Therrien, seconded by **Mr. Gibson**, moved to ADOPT Ordinance No. 6118.

Chris Miller – Mr. Miller thanked the Council for adding funds to FPD and suggested the Public Works Department receive an additional \$400,000 for snow removal. He suggested ideas for projects the Council should focus funds toward to help make improve the community.

David van den Berg – Mr. van den Berg stated an extra \$400,000 toward the Public Works Department would fund a third snow removal rotation for the entire City. He stated that snow removal efforts in the downtown area need to increase, and he spoke to the need for abatement of problem properties.

Hearing no more requests for comment, **Mayor Matherly** declared the public hearing closed.

Ms. Kun stated she could not support the 2020 budget due to some of the things she heard during the meeting. She stated the budget is not balanced – it just follows Charter requirements.

Ms. Therrien, seconded by **Mr. Pruhs**, moved to AMEND Ordinance No. 6118 by adding \$2000 to the City Clerk’s Office budget for City Council travel.

Ms. Therrien stated sending two new Council members to the AML conference and also funding a trip to Juneau for the legislative session requires more funds.

Mr. Pruhs spoke in support of the amendment by stating that he and Mr. Cleworth will term out in 2020, and two new Council members will need to go to attend the AML conference.

Ms. Rogers stated she supports the amendment because the AML conference offers important education for new Council members.

Mr. Cleworth spoke in opposition to the amendment.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO AMEND ORDINANCE NO. 6118 BY ADDING \$2000 TO THE CITY CLERK'S OFFICE BUDGET FOR CITY COUNCIL TRAVEL AS FOLLOWS:

YEAS: Therrien, Rogers, Pruhs, Gibson, Kun
NAYS: Cleworth
Mayor Matherly declared the MOTION CARRIED.

Ms. Therrien, seconded by **Ms. Kun**, moved to AMEND Ordinance No. 6118, as Amended, by increasing the Engineering Department training budget by \$4,400.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO AMEND ORDINANCE NO. 6118, AS AMENDED, BY INCREASING THE ENGINEERING DEPARTMENT TRAINING BUDGET BY \$4,400 AS FOLLOWS:

YEAS: Rogers, Kun, Therrien, Pruhs
NAYS: Gibson, Cleworth
Mayor Matherly declared the MOTION CARRIED.

Mr. Cleworth, seconded by **Ms. Therrien**, moved to AMEND Ordinance No. 6118, as Amended, by increasing the Engineering Department "Other Outside Contracts" line item by \$15,000 and offsetting that expenditure by increasing "Fines, Forfeitures & Penalties" revenue by \$15,000.

Mr. Cleworth stated he would like to see more ticketing for moving violations. **Mr. Gibson** stated he does not want Fairbanks to be known for funding the budget by writing a lot of traffic citations. **Mr. Cleworth** stated he does not want that either, but he would like to highlight that it is an area that needs some attention.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO AMEND ORDINANCE NO. 6118, AS AMENDED, BY INCREASING THE ENGINEERING DEPARTMENT "OTHER OUTSIDE CONTRACTS" LINE ITEM BY \$15,000 AND OFFSETTING THAT EXPENDITURE BY INCREASING "FINES, FORFEITURES & PENALTIES" REVENUE BY \$15,000 AS FOLLOWS:

YEAS: Rogers, Gibson, Therrien, Pruhs, Cleworth
NAYS: Kun
Mayor Matherly declared the MOTION CARRIED.

Ms. Therrien, seconded by **Ms. Kun**, moved to AMEND Ordinance No. 6118, as Amended, by increasing the Police Department training budget by \$50,000.

Ms. Therrien stated she is concerned about having enough funds for the needed training for new police officers. She indicated that police officer training is good for the community. **Mr. Pruhs** stated he would support the amendment, but he would prefer it wait till a later time. **Ms. Rogers** agreed that the increase may be needed, but it could be dealt with in the future.

A ROLL CALL VOTE ON THE MOTION TO AMEND ORDINANCE NO. 6118, AS AMENDED, BY INCREASING THE POLICE DEPARTMENT TRAINING BUDGET BY \$50,000 AS FOLLOWS:

YEAS: Kun, Therrien
NAYS: Gibson, Pruhs, Cleworth, Rogers
Mayor Matherly declared the MOTION FAILED.

Ms. Therrien, seconded by **Ms. Kun**, moved to AMEND Ordinance No. 6118, as Amended, by increasing the Capital Fund by \$100,000 to cover replacement of the Dispatch alarm system.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO AMEND ORDINANCE NO. 6118, AS AMENDED, BY INCREASING THE CAPITAL FUND BY \$100,000 TO COVER REPLACEMENT OF THE DISPATCH ALARM SYSTEM AS FOLLOWS:

YEAS: Cleworth, Pruhs, Rogers, Gibson, Therrien
NAYS: Kun
Mayor Matherly declared the MOTION CARRIED.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 6118, AS AMENDED, AS FOLLOWS:

YEAS: Pruhs, Therrien, Cleworth, Gibson, Rogers
NAYS: Kun
Mayor Matherly declared the MOTION CARRIED and Ordinance No. 6118, as Amended, ADOPTED.

- c) Ordinance No. 6119 – An Ordinance to Amend FGC Sec. 74-151 to Include E-Cigarettes and Vaping Devices in the Definition of Tobacco Products Subject to Taxation Under Article V of Chapter 74. Introduced by Council Member Gibson. SECOND READING AND PUBLIC HEARING.

Mr. Gibson, seconded by **Mr. Kun**, moved to ADOPT Ordinance No. 6119.

Austin Decker, 541 Baranof Avenue, Fairbanks – Mr. Decker stated there is no tobacco in e-cigarettes, so grouping it with tobacco products makes no sense. He stated he was smoking three packs of cigarettes a day before he began using e-cigarettes; he stated they are not the same.

Ms. Kun asked if there is nicotine in e-cigarettes. Mr. Decker stated they do contain nicotine.

Mr. Gibson asked where the nicotine comes from. Mr. Decker stated the nicotine is added to it. **Mr. Gibson** asked whether the consumer knows what they are consuming. Mr. Decker stated the ingredients are on the label.

Jonathan Wilson, 3900 Hurst Road, North Pole – Mr. Wilson stated he used to smoke, but he saves a lot of money by vaping instead. He stated nicotine comes from tobacco and organic plants like eggplants. He spoke about how his senses have improved since he stopped smoking.

Ms. Kun asked whether the products used for vaping are taxed in other areas of Alaska. Mr. Wilson stated that, so far, they are not.

Mr. Pruhs asked if vaping products could be purchased online and, if so, whether they are taxed. Mr. Wilson stated he can buy online without paying taxes.

Mr. Gibson asked about the concentration of nicotine in an eggplant. Mr. Wilson replied it is about 0.2%.

Mr. Cleworth asked Mr. Wilson if he works in the industry; he also asked how much he pays for e-liquid. Mr. Wilson stated he is not in the industry, and e-liquid costs about \$17.00.

Alex Jafre, 393 Droz Drive, Fairbanks – Mr. Jafre stated he is a cigarette smoker, and he believes vaping products should be taxed the same.

Alex McDonald, 1215 Lance Lane, Fairbanks – Mr. McDonald spoke against the ordinance and stated that vaping products should not be taxed like tobacco products because they are not tobacco products. He stated that vaping is healthier than smoking tobacco.

Mr. Pruhs asked Mr. McDonald if he works in the industry. Mr. McDonald stated that he has a small “mom and pop” store. He stated he is not going to get rich; he just likes helping people.

David van den Berg – Mr. van den Berg stated that nicotine is an addictive substance, and vaping should be taxed. He stated he would not want his kids to use the products.

Mr. Gibson asked Mr. van den Berg how old his children are; Mr. van den Berg replied that his children are in the fourth and sixth grades. He stated his children talk about things they hear at school, but he does not know how kids are getting access to vaping products.

Hearing no more requests for comment, **Mayor Matherly** declared the public hearing closed.

Mr. Gibson explained why he introduced the ordinance. He stated he empathizes with small businesses, but big companies are profiting. He gave some statistics on underage consumption and stated addiction is happening early. He stated it is taxed in the Mat-Su Borough at 55%.

Ms. Kun stated it is not federally cleared to be taxed. She stated it is up to the courts to determine how it should be handled because it is not tobacco.

Mr. Pruhs stated that from a revenue aspect, he does not see it creating enough funds to make a difference. He stated, however, that he appreciates Mr. Gibson introducing the ordinance.

Ms. Therrien stated that a News Miner article reported that someone in the state has been diagnosed with a vaping-related illness. She stated the Council should support the ordinance if for no other reason than to deter youth from vaping.

Ms. Rogers stated that if more information is provided she may consider supporting it in the future. She stated that for now she would not be supporting the ordinance.

Mr. Cleworth stated that to him it is not a matter of health, it is a matter of consistency in City code. He stated he believes e-liquids should be taxed; he stated he actually thought it was already being taxed. He stated the devices used for vaping should not be taxed. He asked City Attorney Ewers if only the liquid would be taxed. Mr. Ewers stated he believes some of the products come inside a vaping device.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 6119 AS FOLLOWS:

YEAS: Therrien, Cleworth, Gibson
NAYS: Pruhs, Kun, Rogers, Matherly
Mayor Matherly declared the MOTION FAILED.

d) Ordinance No. 6120 – An Ordinance to Combine the Landscape Review and Appeals Commission with the Building Code Review and Appeals Commission. Introduced by Mayor Matherly. SECOND READING AND PUBLIC HEARING.

Ms. Kun, seconded by **Ms. Therrien**, moved to ADOPT Ordinance No. 6120.

Mayor Matherly called for comment and, hearing none, declared the public hearing closed.

Mr. Cleworth, seconded by **Ms. Therrien**, moved to AMEND Ordinance No. 6120 by changing the word “shall” to “which” in Sec. 2-483(c).

Mr. Ewers stated he would work with the Clerk to edit the commas in the sentence.

Mayor Matherly, called for objection to the motion to AMEND, and hearing none, so ORDERED.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 6120, AS AMENDED, AS FOLLOWS:

YEAS: Therrien, Rogers, Pruhs, Gibson, Kun, Cleworth
NAYS: None
Mayor Matherly declared the MOTION CARRIED.

- e) Ordinance No. 6121 – An Ordinance to Amend FGC Chapter 62, by Adding Article II Regarding Regulation of Unmanned Aircraft Systems. Introduced by Mayor Matherly.
SECOND READING AND PUBLIC HEARING.

Mr. Cleworth, seconded by **Ms. Therrien**, moved to ADOPT Ordinance No. 6121.

Tom Nomer, 2767 Goldhill Road, Fairbanks – Mr. Nomer stated he works with the unmanned aircraft at the University of Alaska Fairbanks (UAF). He stated it seems that the ordinance only reiterates the Alaska Statute, with the exception of the portion on annual reporting. He stated Federal Aviation Administration (FAA) restrictions are already in place, and the ordinance would not change those.

Hearing no more requests for comment, **Mayor Matherly** declared the public hearing closed.

Ms. Therrien asked Lt. Foster for a staff report. Lt. Foster stated that FPD adopted emerging technology, unmanned aerial vehicles (UAV). He spoke to the benefits of using drones in police work and stated that it is basically a flying camera to assist with investigations. He stated he has pushed hard for this program because there are such limited resources, and the drone technology will save time and money. He explained there is controlled airspace in Fairbanks because of the army base and the airport. Lt. Foster stated drone technology is helpful when vulnerable people go missing. He told of an incident in Texas where a suspect committed suicide in a field, and an officer had his own drone that he launched over the field. He stated that the officer saved the department time and resources because they did not have to dispatch an armored vehicle and additional officers. He explained that the ordinance is a policy and that if the Alaska State Troopers (AST) use the technology, a City-trained officer will be operating the equipment.

Mr. Cleworth stated he is happy to see the ordinance because people inquire about the City's policy on drone use.

Ms. Rogers stated she is particularly pleased about the use of drone technology for search and rescue. Lt. Foster spoke of a time a senior citizen wandered off from Wedgewood Resort, and they dispatched the drone. He stated the individual was found and returned to his family .

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 6121 AS FOLLOWS:

YEAS: Rogers, Gibson, Therrien, Pruhs, Cleworth, Kun

NAYS: None

Mayor Matherly declared the MOTION CARRIED and Ordinance No. 6121 ADOPTED.

WRITTEN COMMUNICATIONS TO COUNCIL

- a) Reappointment to the Public Safety Commission

Ms. Kun, seconded by **Mr. Gibson**, moved to APPROVE the Reappointment to the Public Safety Commission (PSC).

Ms. Kun stated she just wanted to advise the Council that it has not been decided as to whether the PSC will continue. She clarified that she does not have a problem with the reappointment.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO APPROVE THE REAPPOINTMENT TO THE PUBLIC SAFETY COMMISSION AS FOLLOWS:

YEAS: Kun, Gibson, Therrien, Pruhs, Cleworth, Rogers

NAYS: None

Mayor Matherly declared the MOTION CARRIED.

b) Commission on Historic Preservation Meeting Minutes of July 15, 2019

ACCEPTED on the CONSENT AGENDA.

c) Commission on Historic Preservation Meeting Minutes of August 19, 2019

ACCEPTED on the CONSENT AGENDA.

d) Commission on Historic Preservation Meeting Minutes of September 23, 2019

ACCEPTED on the CONSENT AGENDA.

COUNCIL MEMBERS' COMMENTS

Ms. Gibson stated he had no comments.

Mr. Cleworth reported he saw a news story where a firefighter at the Fairbanks Fire Department (FFD) spoke highly about his job; **Mr. Cleworth** told Fire Chief Styers that the firefighter represented the City well. **Mr. Cleworth** thanked everyone for participating in the budget process. He shared that the Parking Authority allowed food donations in lieu of paying fines for two-hour parking violations.

Mr. Pruhs read an article titled *Life of a Councilman* that was published in the Fairbanks Daily News Miner on December 1, 1953. He stated that the more things change, the more they stay the same.

Ms. Therrien wished everyone Happy Holidays and a Merry Christmas. She stated she hopes for a prosperous New Year.

Ms. Rogers echoed Ms. Therrien's comments.

Ms. Kun gave a land acknowledgement and wished everyone Happy Holidays. She provided a help line phone number for those who may need help.

Mr. Pruhs, seconded by **Mr. Gibson**, moved to ENTER Executive Session for the purpose of discussing AFL-CIO and FFU Labor Negotiation Strategies.

Mayor Matherly called for objection and, hearing none, so ORDERED.

Mayor Matherly called for a brief recess. The Council entered Executive Session following the brief recess.

EXECUTIVE SESSION

- a) AFL-CIO Labor Negotiation Strategy
- b) FFU Labor Negotiation Strategy

The City Council met in Executive Session to discuss AFL-CIO and FFU Labor Negotiation Strategies. Direction was given to the negotiating team, and no action was taken.

ADJOURNMENT

Ms. Kun, seconded by **Mr. Gibson**, moved to ADJOURN the meeting.

Mayor Matherly called for objection and, hearing none, so ORDERED.

Mayor Matherly declared the meeting adjourned at 11:52 p.m.

JIM MATHERLY, MAYOR

ATTEST:

D. DANYIELLE SNIDER, CMC, CITY CLERK

Transcribed by: EB



City of Fairbanks

Office of the City Clerk

800 Cushman Street


Fairbanks, AK 99701

(907)459-6715

Fax (907)459-6710

MEMORANDUM

TO: Mayor Jim Matherly and City Council Members

FROM: D. Danyielle Snider, CMC, City Clerk 

SUBJECT: Liquor License Renewals

DATE: March 4, 2020

Notice has been received from the State Alcohol & Marijuana Control Office (AMCO) for the following liquor license renewals:

Lic. #	DBA	License Type	Licensee	Premises Address
542	Geraldo's Restaurant	Beverage Dispensary	Garlic Lovers, LLC	701 College Road
1475	Pizza Hut of Fairbanks	Restaurant/ Eating Place	MP2 Alaska, LLC	89 College Road
2424	Sophie Station Hotel	Beverage Dispensary - Tourism	Fountainhead Development, Inc.	1717 University Avenue
3074	Wedgewood Resort	Beverage Dispensary - Tourism	Fountainhead Development, Inc.	212 Wedgewood Drive
3616	Wedgewood Resort – Bear Lodge	Beverage Dispensary - Tourism	Fountainhead Development, Inc.	212 Wedgewood Drive
4344	Bahn Thai Restaurant	Restaurant/ Eating Place	Somnuk, LLC	541 Third Avenue

Pursuant to FGC Sec. 14-178 the Council must determine whether to protest liquor license renewal applications after holding a public hearing.

Per the Council's request, the Police Department has included a call report for the locations listed.

There are **no department-recommended protests** for the above-listed applications for renewal.

CITY OF FAIRBANKS PUBLIC SAFETY

Geraldo`s Restaurant 701 College Rd

02/10/2019 - 02/09/2020

Report #	Call Time	Nature	Location	Prime Unit	Disp.	Close Time
	02/02/2020 00:46	URGENT WELFARE	701 COLLEGE RD	S1	NRP	02/02/2020 00:55:54
	12/21/2019 19:31	WELFARE CHECK -	701 COLLEGE RD	O53	NRP	12/21/2019 20:19:51
	09/19/2019 05:00	10-36	701 COLLEGE RD	O12	WAR	09/19/2019 05:15:59
	08/12/2019 06:33	ALARM BURGLARY -	701 COLLEGE RD	O34	FAB	08/12/2019 06:46:10
	08/07/2019 02:10	SUSP	701 COLLEGE RD	O21	NRP	08/07/2019 02:24:21
	07/24/2019 09:14	10-36	701 COLLEGE RD	O5	WAR	07/24/2019 09:19:19
	06/16/2019 18:09	MINOR TRAF	701 COLLEGE RD	O19	NRP	06/16/2019 18:43:42
	06/08/2019 20:19	10-36	701 COLLEGE RD	O16	WAR	06/08/2019 20:23:18
19001611	05/08/2019 10:41	PAST THEFT - BRAVO	701 COLLEGE RD	DESK	RPT	05/08/2019 11:34:08
	03/23/2019 14:15	PAST HIT & RUN -	701 COLLEGE RD	DESK	DEF	03/23/2019 19:14:06
19000975	03/20/2019 22:18	DISTURBANCE -	701 COLLEGE RD	O25	RPT	03/21/2019 00:11:12

Total Number of Events Listed: 11

CITY OF FAIRBANKS PUBLIC SAFETY

Pizza Hut 89 College Rd

02/10/2019 - 02/09/2020

Report #	Call Time	Nature	Location	Prime Unit	Disp.	Close Time
	10/17/2019 19:42	TRESPASS/UNWANTE	89 COLLEGE RD	S9	NRP	10/17/2019 19:57:24
	09/21/2019 17:48	AOA - NON URGENT -	89 COLLEGE RD	O9	NRP	09/21/2019 18:02:56
19003226	08/22/2019 12:47	FRAUD/FORGERY -	89 COLLEGE RD	O54	RPT	08/22/2019 16:33:40
	07/31/2019 20:52	SUSPICIOUS PERSON	89 COLLEGE RD	S3	NRP	07/31/2019 21:14:11
19002462	06/30/2019 02:47	10-36	89 COLLEGE RD	O16	RPT	06/30/2019 04:01:06
19002226	06/20/2019 17:12	SI - FOLLOW-UP	89 COLLEGE RD	S3	NRP	06/20/2019 17:39:47
	06/16/2019 13:40	HITRUN - NO/MINOR	89 COLLEGE RD	O41	NRP	06/16/2019 14:16:37
19002226	06/15/2019 16:16	SI - FOLLOW-UP	89 COLLEGE RD	S3	RPT	06/15/2019 17:10:41
	04/18/2019 18:13	TRESPASS/UNWANTE	89 COLLEGE RD	O19	NRP	04/18/2019 18:29:10
	04/04/2019 22:47	SUSPICIOUS PERSON	89 COLLEGE RD	O13	NRP	04/04/2019 23:05:01
	03/06/2019 12:31	THREAT - BRAVO	89 COLLEGE RD	DESK	NRP	03/06/2019 12:47:46
	03/02/2019 19:20	REDDI	89 COLLEGE RD	O29	UTC	03/02/2019 20:17:11
19000483	02/10/2019 02:25	PAST VEHICLE THEFT	89 COLLEGE RD	O5	RPT	02/10/2019 02:56:13

Total Number of Events Listed: **13**

CITY OF FAIRBANKS PUBLIC SAFETY

Sophie Station Hotel 1717 University Ave

02/10/2019 - 02/09/2020

Report #	Call Time	Nature	Location	Prime Unit	Disp.	Close Time
20000141	01/14/2020 09:52	SEXUAL ASLT -	1717 UNIVERSITY AVE	I44	RPT	01/14/2020 11:58:14
	01/04/2020 08:49	SUSP	1717 UNIVERSITY AVE	O7	NRP	01/04/2020 09:20:00
19004360	11/16/2019 07:33	WANTED PERSON -	1717 UNIVERSITY AVE	O7	RPT	11/16/2019 08:12:57
	10/27/2019 04:55	WELFARE CHECK -	1717 UNIVERSITY AVE	O2	NRP	10/27/2019 05:40:21
	10/20/2019 04:22	TRESPASS/UNWANTE	1717 UNIVERSITY AVE	O32	NRP	10/20/2019 04:50:27
	10/01/2019 09:58	PRIVATE IMPOUND	1717 UNIVERSITY AVE	DESK	NRP	10/01/2019 10:00:35
19003691	09/22/2019 16:34	THREATENING	1717 UNIVERSITY AVE	O29	RPT	09/22/2019 17:49:42
	09/20/2019 16:58	AOA - NON URGENT -	1717 UNIVERSITY AVE	O7	NRP	09/20/2019 17:10:42
	09/01/2019 05:08	TRESPASS/UNWANTE	1717 UNIVERSITY AVE	O16	NRP	09/01/2019 05:29:27
19002479	07/02/2019 08:15	SI - FOLLOW-UP	1717 UNIVERSITY AVE	I41	RPT	07/02/2019 13:33:36
	06/08/2019 07:41	TRESPASS/UNWANTE	1717 UNIVERSITY AVE	O21	NRP	06/08/2019 08:06:38
	06/08/2019 06:40	TRESPASS/UNWANTE	1717 UNIVERSITY AVE	O7	NRP	06/08/2019 06:59:28
	03/30/2019 04:26	TRESPASS/UNWANTE	1717 UNIVERSITY AVE	O5	NRP	03/30/2019 06:20:42
19000794	03/07/2019 10:50	THEFT FROM	1717 UNIVERSITY AVE	DESK	RPT	03/07/2019 15:00:18
19000787	03/06/2019 19:01	PAST THEFT - BRAVO	1717 UNIVERSITY AVE	DESK	RPT	03/06/2019 19:25:25
	02/15/2019 14:50	MVC - NO INJURIES -	1717 UNIVERSITY AVE	O21	NRP	02/15/2019 15:43:47
	02/13/2019 09:11	VIOLATION OF CRT	1717 UNIVERSITY AVE	O1	NRP	02/13/2019 11:03:06

Total Number of Events Listed: 17

CITY OF FAIRBANKS PUBLIC SAFETY

Wedgewood Resort 212 Wedgewood Dr

02/10/2019 - 02/09/2020

Report #	Call Time	Nature	Location	Prime Unit	Disp.	Close Time
	12/23/2019 00:27	TRESPASS/UNWANTE	212 WEDGEWOOD DR	O1	NRP	12/23/2019 00:37:29
	12/17/2019 07:35	TRESPASS/UNWANTE	212 WEDGEWOOD DR	O3	NRP	12/17/2019 09:02:51
	12/10/2019 22:40	SUSPICIOUS VEHICLE	212 WEDGEWOOD DR	O5	NRP	12/10/2019 22:44:18
19004160	11/04/2019 06:01	SI - FOLLOW-UP	212 WEDGEWOOD DR	S3	RPT	11/04/2019 06:24:27
19004060	11/02/2019 21:25	SI - FOLLOW-UP	212 WEDGEWOOD DR	S3	RPT	11/02/2019 21:34:39
19004160	10/28/2019 21:07	DISTURBANCE	212 WEDGEWOOD DR	O5	RPT	10/29/2019 01:00:15
	10/22/2019 12:28	OFFICER ADVICE	212 WEDGEWOOD DR	O3	NRP	10/22/2019 12:56:25
	10/03/2019 22:41	TRESPASS/UNWANTE	212 WEDGEWOOD DR	O2	NRP	10/03/2019 23:07:48
19003637	09/19/2019 17:23	VIOLATING	212 WEDGEWOOD DR	O19	RPT	09/19/2019 20:37:22
19003527	09/11/2019 17:32	TRESPASS/UNWANTE	212 WEDGEWOOD DR	S9	RPT	09/11/2019 19:36:59
19003236	08/23/2019 05:38	SUPP-	212 WEDGEWOOD DR	O3	RPT	08/27/2019 10:25:13
19003236	08/23/2019 05:20	PAST THEFT - BRAVO	212 WEDGEWOOD DR	DESK	RPT	08/23/2019 05:30:11
19002745	07/21/2019 01:17	MISSING PERSON AT	212 WEDGEWOOD DR	O5	RPT	07/21/2019 09:06:23
	07/17/2019 05:03	INCAPACITATED	212 WEDGEWOOD DR	O5	NRP	07/17/2019 05:28:05
	07/16/2019 20:02	TRESPASS/UNWANTE	212 WEDGEWOOD DR	I44	NRP	07/16/2019 20:27:49
	07/15/2019 05:44	911 HANG-UP -	212 WEDGEWOOD DR	O32	NRP	07/15/2019 06:04:30
	07/10/2019 02:30	SUSP	212 WEDGEWOOD DR	O13	NRP	07/10/2019 03:11:17
	05/20/2019 10:32	SI - ADMIN	212 WEDGEWOOD DR	O9	NRP	05/20/2019 10:39:30
	04/24/2019 03:00	DISTURBANCE	212 WEDGEWOOD DR	O25	NRP	04/24/2019 03:34:05

Total Number of Events Listed: **19**

CITY OF FAIRBANKS PUBLIC SAFETY

Bahn Thai 541 Third Ave

02/10/2019 - 02/09/2020


Report #	Call Time	Nature	Location	Prime Unit	Disp.	Close Time
19003730	09/25/2019 06:03	INCAPACITATED	541 THIRD AVE	O22	RPT	09/25/2019 11:25:04
	08/13/2019 12:40	HITRUN - NO/MINOR	541 THIRD AVE	O41	NRP	08/13/2019 13:16:37
19002870	07/29/2019 15:56	SUPPLEMENTAL-	541 THIRD AVE	O41	RPT	07/30/2019 19:19:02
19002870	07/29/2019 12:23	SUSPICIOUS VEHICLE	541 THIRD AVE	O22	RPT	07/29/2019 13:19:28
	07/25/2019 13:33	DISTURBANCE	541 THIRD AVE	O7	NRP	07/25/2019 13:44:09
	03/28/2019 16:41	PHYSICAL DOMESTIC	541 THIRD AVE	O3	NRP	03/28/2019 17:04:46
19000780	03/06/2019 15:13	TRESPASS/UNWANTE	541 THIRD AVE	O1	RPT	03/06/2019 17:02:15

Total Number of Events Listed: 7

MEMORANDUM

City of Fairbanks Clerk's Office

D. Danyielle Snider, City Clerk

TO: Mayor Jim Matherly & City Council Members
FROM: D. Danyielle Snider, CMC, City Clerk 
SUBJECT: Application for New General Wholesale Liquor License
DATE: March 4, 2020

An application has been received from the State of Alaska Alcohol and Marijuana Control Office (AMCO) for the following new liquor license:

License #: **5887**
License Type: General - Wholesale
D.B.A.: **K&L Distributors Alaska**
Licensee/Applicant: White Mountain Beverage Company, LLC
Physical Location: 945 Elizabeth Street, Fairbanks, Alaska

Pursuant to FCG Sec. 14-178 the Council must determine whether or not to protest the liquor license action after holding a public hearing.

There are **no department-recommended protests** to the issuance of this license.

Link Event ID [] Call recv [] [AVL] [Report] [Print]

Event Info Notes Times R/E Log Other Log Entry Ani/Ali Patients Employee Names Vehicles

Rpt # [] Source [] PU [] EMS Fire Law Resc Othr []

Loc 945 ELIZABETH ST FAIR []

X-ST Jur [] Service [] Agency FPD [] Stat/Beat [] District [] RA []

Busi K AND L DISTRIBUTORS Ph# () - [] Call group []

Nature [] Alarm Level [] Priority [] QA []


Caller [] Hist Alarm []

Address [] SOS []

Veh # [] To RMS Send Export

[] Include delayed event [View Text] [Re-Open]

ONESolution CAD [Close]

 No match found.


[Ok]

[Prev] [Next] [Add] [Duplicate] [Delete] [Search] [View] [Exit Srch]

MEMORANDUM

City of Fairbanks Clerk's Office

D. Danyielle Snider, City Clerk

TO: Mayor Jim Matherly & City Council Members
FROM: D. Danyielle Snider, CMC, City Clerk 
SUBJECT: Application for Transfer of Liquor License Ownership
DATE: March 4, 2020

An application has been received from the State of Alaska Alcohol and Marijuana Control Office for transfer of ownership for the following applicant:

License Type: Beverage Dispensary, License #4170
D.B.A.: **The Library**
Licensee/Applicant: Redbox, LLC
Physical Location: 603 Lacey Street, Fairbanks, Alaska

From: The Library / Tapas, LLC
Location: 603 Lacey Street, Fairbanks, Alaska

Corp/LLC Agent:	Address	Date/State of Ltd Partner/Corp	Good standing?
Redbox, LLC Saleutogi Letuligasenoa	536 Haines Avenue Fairbanks, AK 99701	04/23/2019 – AK	Yes

Please note: the Members/Officers/Directors/Shareholders (principals) listed below are the principal members. There may be additional members that we are not aware of because they are not primary members. We have listed all principal members and those who hold at least 10% shares.

Member/Officer/ Director:	Address	Phone	Title/Shares (%)
Luther Brice	3207 Shell Street Fairbanks, AK 99701	907-978-3017	Member – 51%
Saleutogi Letuligasenoa	536 Haines Avenue Fairbanks, AK 99701	907-378-5630	Member – 49%

Pursuant to FCG Sec. 14-178 the Council must determine whether or not to protest the liquor license action after holding a public hearing.

The Police Department has included a call report for the location; however, they are not recommending protest. **There are no department-recommended protests** to the application for transfer of ownership.

CITY OF FAIRBANKS PUBLIC SAFETY

The Library 603 Lacey Street

02/12/2019 - 02/11/2020

Report #	Call Time	Nature	Location	Prime Unit	Disp.	Close Time
20000204	01/21/2020 12:20	SI - FOLLOW-UP	603 LACEY ST	I44	RPT	01/21/2020 13:51:58
19004569	12/03/2019 00:03	VEHICLE THEFT -	603 LACEY ST	O5	RPT	12/03/2019 00:48:49

Total Number of Events Listed: **2**

ORDINANCE NO. 6124

**AN ORDINANCE AMENDING THE 2020 OPERATING
AND CAPITAL BUDGETS FOR THE FIRST TIME**

WHEREAS, this ordinance incorporates the changes outlined on the attached fiscal note to amend the 2020 operating and capital budget.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF FAIRBANKS, ALASKA, as follows [amendments shown in **bold** font; deleted text in ~~strike~~through font]:

SECTION 1. There is hereby appropriated to the 2020 General Fund and Capital Fund budgets the following sources of revenue and expenditures in the amounts indicated to the departments named for the purpose of conducting the business of the City of Fairbanks, Alaska, for the fiscal year commencing on January 1, 2020 and ending December 31, 2020 (see pages 2 and 3) [amendments shown in **bold** font; deleted text or amounts in ~~strike~~through font]:

GENERAL FUND

REVENUE	COUNCIL APPROPRIATION	PROPOSED INCREASE (DECREASE)	AMENDED APPROPRIATION
Taxes, (all sources)	\$ 21,664,300	\$ -	\$ 21,664,300
Charges for Services	5,335,400	37,692	5,373,092
Intergovernmental Revenues	1,082,400	-	1,082,400
Licenses & Permits	1,554,400	-	1,554,400
Fines, Forfeitures & Penalties	565,000	-	565,000
Interest & Penalties	315,500	-	315,500
Rental & Lease Income	150,562	-	150,562
Other Revenues	221,000	-	221,000
Other Financing Sources	4,672,235	-	4,672,235
Total revenue appropriation	<u>\$ 35,560,797</u>	<u>\$ 37,692</u>	<u>\$ 35,598,489</u>
EXPENDITURES			
Mayor Department	\$ 651,464	\$ -	\$ 651,464
Legal Department	198,100	-	198,100
Office of the City Clerk	428,817	-	428,817
Finance Department	887,565	-	887,565
Information Technology	2,310,800	55,111	2,365,911
General Account	4,599,000	20,648	4,619,648
Police Department	7,353,998	69,943	7,423,941
Communications Center	2,492,072	8,000	2,500,072
Fire Department	6,673,768	92,976	6,766,744
Public Works Department	8,342,342	182,648	8,524,990
Engineering Department	783,625	13,932	797,557
Building Department	638,629	-	638,629
Total expenditure appropriation	<u>\$ 35,360,180</u>	<u>\$ 443,258</u>	<u>\$ 35,803,438</u>
Estimated general fund balance	\$ 10,578,167	\$ -	\$ 10,578,167
Prior year encumbrances	-	(413,258)	(413,258)
Increase (Decrease) to fund balance	200,617	7,692	208,309
2020 estimated unassigned balance	<u>\$ 10,778,784</u>	<u>\$ (405,566)</u>	<u>\$ 10,373,218</u>

Minimum unassigned fund balance requirement is 20% of budgeted annual expenditures but not less than \$4,000,000.

\$ 7,160,688

CAPITAL FUND

<u>REVENUE</u>	COUNCIL APPROPRIATION	PROPOSED INCREASE (DECREASE)	AMENDED APPROPRIATION
Transfer from Permanent Fund	\$ 618,990	\$ -	\$ 618,990
Transfer from General Fund	-	-	-
Public Works	250,000	-	250,000
Garbage Equipment Reserve	249,710	-	249,710
Building	10,000	-	10,000
Police	180,000	-	180,000
Dispatch	140,000	-	140,000
Fire	240,000	-	240,000
IT	210,000	-	210,000
Property Repair & Replacement	145,000	-	145,000
Total revenue appropriation	<u>\$ 2,043,700</u>	<u>\$ -</u>	<u>\$ 2,043,700</u>
 <u>EXPENDITURES</u>			
Public Works Department	\$ 577,000	\$ 678,225	\$ 1,255,225
Garbage Equipment Reserve	-	726,302	726,302
Police Department	240,000	115,150	355,150
Communications Center	100,000	74,924	174,924
Fire Department	370,000	670,693	1,040,693
IT Department	121,730	50,440	172,170
Road Maintenance	807,921	-	807,921
Property Repair & Replacement	565,500	378,591	944,091
Total expenditure appropriation	<u>\$ 2,782,151</u>	<u>\$ 2,694,325</u>	<u>\$ 5,476,476</u>
Estimated capital fund balance	\$ 15,149,148	\$ -	\$ 15,149,148
Prior year encumbrances	-	(2,694,325)	(2,694,325)
Increase (Decrease) to fund balance	(738,451)	-	(738,451)
2020 estimated assigned fund balance	<u>\$ 14,410,697</u>	<u>\$ (2,694,325)</u>	<u>\$ 11,716,372</u>

SECTION 2. All appropriations made by this ordinance lapse at the end of the fiscal year to the extent they have not been expended or contractually committed to the departments named for the purpose of conducting the business of said departments of the City of Fairbanks, Alaska, for the fiscal year commencing on January 1, 2020 and ending December 31, 2020.

SECTION 3. The effective date of this ordinance shall be the 9th day of March 2020.

Jim Matherly, Mayor

AYES:
NAYS:
ABSENT:
ADOPTED:

ATTEST:

APPROVED AS TO FORM:

D. Danyielle Snider, CMC, City Clerk

Paul J. Ewers, City Attorney

FISCAL NOTE
ORDINANCE NO. 6124
AMENDING THE 2020 OPERATING AND CAPITAL BUDGETS
FOR THE FIRST TIME

General Fund
\$37,692 Increase in Revenue
\$443,258 Increase in Expenditures

Revenue

1. Tax Revenue
2. Charges for Services
 - \$37,692 increase for garbage collection rate changes
3. Intergovernmental Revenues
4. License and Permits
5. Other Revenue
6. Other Financing Sources

Expenditures

1. Mayor & Council
2. City Attorney's Office
3. City Clerk's Office
4. Finance Department
5. Information Technology
 - \$55,111 increase for encumbrance carryforward
6. General Account
 - \$20,648 increase for encumbrance carryforward
7. Police Department
 - \$69,943 increase for encumbrance carryforward
8. Dispatch
 - \$8,000 increase for encumbrance carryforward
9. Fire Department
 - \$62,976 increase for encumbrance carryforward

- \$30,000 increase for plan reviews

10. Public Works

- \$182,648 increase for encumbrance carryforward
- Reclassify regular wages and benefit savings, net zero budget change, to temporarily increase to two lead laborers for training until employee retires

11. Engineering

- \$13,932 increase for encumbrance carryforward

12. Building Department

Capital Fund
\$0 Increase in Revenue
\$2,694,325 Increase in Expenditures

Revenue

- Other Financing Sources

Expenditures

1. Public Works
 - \$678,225 increase for encumbrance carryforward
2. Garbage Equipment Reserve
 - \$726,302 increase for encumbrance carryforward
3. Police Department
 - \$115,150 increase for encumbrance carryforward
4. Communications Center
 - \$74,924 increase for encumbrance carryforward
5. Fire Department
 - \$670,693 increase for encumbrance carryforward
6. IT Department
 - \$50,440 increase for encumbrance carryforward
7. Road Maintenance
8. Property Repair & Replacement
 - \$378,591 increase for encumbrance carryforward

Introduced By: Mayor Jim Matherly
Finance Committee Meeting: February 18, 2020
Introduced: February 24, 2020

**ORDINANCE NO. 6124, AS AMENDED
(PROPOSED SUBSTITUTE)**

**AN ORDINANCE AMENDING THE 2020 OPERATING
AND CAPITAL BUDGETS FOR THE FIRST TIME**

WHEREAS, this ordinance incorporates the changes outlined on the attached fiscal note to amend the 2020 operating and capital budget.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF FAIRBANKS, ALASKA, as follows [amendments shown in **bold** font; deleted text in ~~font~~]:

SECTION 1. There is hereby appropriated to the 2020 General Fund and Capital Fund budgets the following sources of revenue and expenditures in the amounts indicated to the departments named for the purpose of conducting the business of the City of Fairbanks, Alaska, for the fiscal year commencing on January 1, 2020 and ending December 31, 2020 (see pages 2 and 3) [amendments shown in **bold** font; deleted text or amounts in ~~font~~]:

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Licenses & Permits	1,554,400	20,000	1,574,400
Fines, Forfeitures & Penalties	565,000	-	565,000
Interest & Penalties	315,500	-	315,500
Rental & Lease Income	150,562	-	150,562
Other Revenues	221,000	-	221,000
Other Financing Sources	4,672,235	-	4,672,235
Total revenue appropriation	<u>\$ 35,560,797</u>	<u>\$ 57,692</u>	<u>\$ 35,618,489</u>
EXPENDITURES			
Mayor Department	\$ 651,464	\$ -	\$ 651,464
Legal Department	198,100	-	198,100
Office of the City Clerk	428,817	-	428,817
Finance Department	887,565	50,000	937,565
Information Technology	2,310,800	55,111	2,365,911
General Account	4,599,000	20,648	4,619,648
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Total expenditure appropriation	<u>\$ 35,360,180</u>	<u>\$ 493,258</u>	<u>\$ 35,853,438</u>
Estimated general fund balance	\$ 10,578,167	\$ -	\$ 10,578,167
Prior year encumbrances	-	(413,258)	(413,258)
Increase (Decrease) to fund balance	200,617	(22,308)	178,309
2020 estimated unassigned balance	<u>\$ 10,778,784</u>	<u>\$ (435,566)</u>	<u>\$ 10,343,218</u>
Minimum unassigned fund balance requirement is 20% of budgeted annual expenditures but not less than \$4,000,000.			<u>\$ 7,170,688</u>

CAPITAL FUND

<u>REVENUE</u>	COUNCIL APPROPRIATION	PROPOSED INCREASE (DECREASE)	AMENDED APPROPRIATION
Transfer from Permanent Fund	\$ 618,990	\$ -	\$ 618,990
Transfer from General Fund	-	-	-
Public Works	250,000	-	250,000
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Building	10,000	-	10,000
Police	180,000	-	180,000
Dispatch	140,000	-	140,000
Fire	240,000	-	240,000
IT	210,000	-	210,000
Property Repair & Replacement	145,000	-	145,000
Total revenue appropriation	<u>\$ 2,043,700</u>	<u>\$ -</u>	<u>\$ 2,043,700</u>
 <u>EXPENDITURES</u>			
Public Works Department	\$ 577,000	\$ 678,225	\$ 1,255,225
Garbage Equipment Reserve	-	726,302	726,302
Police Department	240,000	115,150	355,150
Communications Center	100,000	74,924	174,924
Fire Department	370,000	670,693	1,040,693
IT Department	121,730	50,440	172,170
Road Maintenance	807,921	-	807,921
Property Repair & Replacement	565,500	378,591	944,091
Total expenditure appropriation	<u>\$ 2,782,151</u>	<u>\$ 2,694,325</u>	<u>\$ 5,476,476</u>
Estimated capital fund balance	\$ 15,149,148	\$ -	\$ 15,149,148
Prior year encumbrances	-	(2,694,325)	(2,694,325)
Increase (Decrease) to fund balance	(738,451)	-	(738,451)
2020 estimated assigned fund balance	<u>\$ 14,410,697</u>	<u>\$ (2,694,325)</u>	<u>\$ 11,716,372</u>

SECTION 2. All appropriations made by this ordinance lapse at the end of the fiscal year to the extent they have not been expended or contractually committed to the departments named for the purpose of conducting the business of said departments of the City of Fairbanks, Alaska, for the fiscal year commencing on January 1, 2020 and ending December 31, 2020.

SECTION 3. The effective date of this ordinance shall be the 9th day of March 2020.

Jim Matherly, Mayor

AYES:
NAYS:
ABSENT:
ADOPTED:

ATTEST:

APPROVED AS TO FORM:

D. Danyielle Snider, CMC, City Clerk

Paul J. Ewers, City Attorney

FISCAL NOTE
ORDINANCE NO. 6124, AS AMENDED
AMENDING THE 2020 OPERATING AND CAPITAL BUDGETS
FOR THE FIRST TIME

General Fund
\$57,692 Increase in Revenue
\$493,258 Increase in Expenditures

Revenue

1. Tax Revenue
2. Charges for Services
 - \$37,692 increase for garbage collection rate changes
3. Intergovernmental Revenues
4. License and Permits
 - **\$20,000 increase for fire code inspections**
5. Other Revenue
6. Other Financing Sources

Expenditures

1. Mayor & Council
2. City Attorney's Office
3. City Clerk's Office
4. Finance Department
 - **\$50,000 increase for sales tax compliance audits**
5. Information Technology
 - \$55,111 increase for encumbrance carryforward
6. General Account
 - \$20,648 increase for encumbrance carryforward
7. Police Department
 - \$69,943 increase for encumbrance carryforward
8. Dispatch
 - \$8,000 increase for encumbrance carryforward

9. Fire Department

- \$62,976 increase for encumbrance carryforward
- \$30,000 increase for plan reviews

10. Public Works

- \$182,648 increase for encumbrance carryforward
- Reclassify regular wages and benefit savings, net zero budget change, to temporarily increase to two lead laborers until employee retires to allow for training

11. Engineering

- \$13,932 increase for encumbrance carryforward

12. Building Department

Capital Fund
\$0 Increase in Revenue
\$2,694,325 Increase in Expenditures

Revenue

- Other Financing Sources

Expenditures

1. Public Works
 - \$678,225 increase for encumbrance carryforward
2. Garbage Equipment Reserve
 - \$726,302 increase for encumbrance carryforward
3. Police Department
 - \$115,150 increase for encumbrance carryforward
4. Communications Center
 - \$74,924 increase for encumbrance carryforward
5. Fire Department
 - \$670,693 increase for encumbrance carryforward
6. IT Department
 - \$50,440 increase for encumbrance carryforward
7. Road Maintenance
8. Property Repair & Replacement
 - \$378,591 increase for encumbrance carryforward

ORDINANCE NO. 6125

**AN ORDINANCE TO PLACE BEFORE CITY VOTERS RATIFICATION
OF A PASS-THROUGH LOAN FROM THE ALASKA CLEAN WATER
FUND TO GOLDEN HEART UTILITIES FOR UP TO \$1.5 MILLION
FOR MAIN EXTENSION AND WATER PIPING IMPROVEMENTS AT
THE CITY-OWNED WASTEWATER TREATMENT FACILITY**

WHEREAS, in 1997 the City sold its utility system to a consortium of buyers in exchange for \$87.5 million in cash, payoff of \$47.6 million in utility debt, and other consideration; of the total proceeds, the City received \$2 million cash from the water/wastewater purchasers; and

WHEREAS, since the sale, the Peger Road Wastewater Treatment Plant has been operated by Golden Heart Utilities (“GHU”) under the terms of a lease-purchase agreement paying \$33,075 per month to the City Permanent Fund; to-date the City has received over \$8.7 million in lease payments; and

WHEREAS, GHU has not exercised its option to purchase the treatment plant, opting to continue leasing the facility from the City; and

WHEREAS, as owner of the Wastewater Treatment Plant, the City is eligible to borrow money at a low interest rate (1.5%) from the Alaska Clean Water Fund (“ACWF”), a fund administered by the State of Alaska, Department of Environmental Conservation, to assist eligible recipients in wastewater treatment; and

WHEREAS, the Main Extension and Water Piping Improvements Project will extend a new 10” water main to the Wastewater Treatment Plant and replace existing process water systems; and

WHEREAS, the total cost of this project is \$1.45 million, and the City is eligible to borrow up to \$1.5 million from the ACWF with repayment over 10 years at 1.5% interest; and

WHEREAS, loan proceeds would be passed through to GHU, and GHU would be responsible for repayment of the loan; and

WHEREAS, all costs incurred by GHU during the construction of the project will be submitted to the City for approval and payment; and

WHEREAS, the City and GHU will enter into the attached agreement whereby GHU will provide assurances and remedies to protect the City from having to repay the loan; as part of the agreement, GHU would pay a loan origination fee of 0.5% of the actual loan amount to the City at loan inception, pay the full cost of City employee wages and

overhead for time spent administering loans and grants, provide an annual financial audit as required by the City, and obtain a loan repayment guarantee from GHU's parent company, Fairbanks Sewer and Water, Inc.; and

WHEREAS, using funds from a low interest loan from the ACWF will reduce the total cost of the project and will ultimately be a benefit to GHU's rate payers; and

WHEREAS, ratification of this ordinance by a vote of eligible city voters is required by the Alaska Constitution.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF FAIRBANKS, ALASKA, as follows:

SECTION 1. The Mayor is hereby authorized to:

(a) execute any documents necessary to apply for and accept loans through the Alaska Clean Water Fund for up to \$1.5 million for the Wastewater Treatment Plant Main Extension and Water Piping Improvement Project; and

(b) enter into the attached agreement with Golden Heart Utilities regarding the terms and conditions for repayment of the loan.

SECTION 2. The City Clerk is directed to place this ordinance on the ballot for ratification by the voters of the City of Fairbanks at the 2020 general election.

SECTION 3. This Ordinance, enacted by the Fairbanks City Council on the ____ day of March 2020, does not become effective unless and until ratified by the voters of the City of Fairbanks.

Jim Matherly, Mayor

AYES:
NAYS:
ABSENT:
ADOPTED:

ATTEST:

APPROVED AS TO FORM:

D. Danyielle Snider, CMC, City Clerk

Paul J. Ewers, City Attorney

Proposition A

INFORMATION: In 1997, the City sold its utility system to a consortium of buyers in exchange for \$87.5 million in cash, payoff of \$47.6 million in utility debt, and other consideration. Of the total proceeds, the City received \$2 million from the water/wastewater purchasers. As part of the overall utility sale, the Peger Road Wastewater Treatment Plant has been operated by Golden Heart Utilities (“GHU”) subject to a lease-purchase agreement paying \$33,075 per month to the City Permanent Fund. GHU has not exercised its option to purchase the treatment plant, opting to continue leasing the facility from the City. Over \$8.7 million has been received in lease payments to date.

The City is eligible to borrow funds from the Alaska Clean Water Fund at 1.5% interest and proposes to borrow up to \$1.5 million for the Wastewater Treatment Plant Main Extension and Water Piping Improvement Project. GHU has agreed to repay this loan and interest in full, plus pay the City a 0.5% loan origination fee and other costs. GHU estimates that ratepayers will see an increase of approximately 0.4% to pay for this project. Using conventional financing sources, the increase would be approximately 0.73%.

QUESTION: Should City of Fairbanks Ordinance No. 6125 be ratified?

A “yes” vote ratifies Ordinance No. 6125, which authorizes the Mayor to enter into agreements with the State of Alaska and Golden Heart Utilities (GHU) to borrow up to \$1.5 million at 1.5% interest from the Alaska Clean Water Fund for the Main Extension and Water Piping Improvement Project at the Peger Road Wastewater Treatment Plant, with GHU to pay in full all principal, interest, and fees.

A “no” vote rejects Ordinance No. 6125.

YES _____

NO _____

LOAN REIMBURSEMENT AGREEMENT

BETWEEN

City of Fairbanks, Alaska

And

Golden Heart Utilities, Inc.

RECITALS

Whereas, the Wastewater Treatment Plant, located at 4247 Peger Road, Fairbanks, Alaska, is owned by the City of Fairbanks and leased and operated by Golden Heart Utilities, Inc., and more particularly described on attached “EXHIBIT A”; and

Whereas, the City of Fairbanks has applied for a loan from the Alaska Clean Water Fund FY20 in the amount of **\$1,500,000**, with an interest rate of 1.5 percent; and

Whereas, the loan proceeds would be passed on to Golden Heart Utilities, Inc., and used to fund Alaska Clean Water Fund Project Number _____, which would extend a new 10” water main and replace the exiting process water system; and

Whereas, this upgrade to the Wastewater Treatment Plant will increase its efficiency and extend the life of the plant; and

Whereas, financing this project by way of a low-interest loan from the Alaska Clean Water Fund will reduce the cost of the project which will ultimately benefit water and sewer rate payers; and

Whereas, under the terms of this Loan Reimbursement Agreement, Golden Heart Utilities, Inc., will be responsible for repayment of the loan proceeds; and

Whereas, in addition to other assurances set out below, Golden Heart Utilities’ parent company, Fairbanks Sewer and Water, Inc., will guarantee the repayment of the loan.

TERMS AND CONDITIONS

1. Golden Heart Utilities, Inc. (“GHU”), whose address is 3691 Cameron Street, #201, Fairbanks, Alaska, 99709, promises to pay to the order of the City of Fairbanks (“the City”), whose address is 800 Cushman Street, Fairbanks, Alaska, 99701, the principal sum of **ONE MILLION, FIVE HUNDRED THOUSAND and 00/100 DOLLARS (\$1,500,000.00)**, representing the loan proceeds to the City from the Alaska Clean Water Fund FY20 loan for

Project Number _____. GHU promises to pay interest on the unpaid balance accruing at the rate of ONE- AND ONE-HALF PERCENT (1.5%) per annum, compounded monthly on the balance remaining from time to time unpaid.

The principal and interest shall be payable to the City at 800 Cushman Street, Fairbanks, Alaska, 99701 or at such other place as the City shall designate in writing, in ten annual installments of approximately ONE HUNDRED SIXTY-TWO THOUSAND, SIX HUNDRED FIFTY-TWO and 00/100 DOLLARS (\$162,652.00), with the exact amount of the annual payment to be as determined by the State of Alaska under the terms of the Clean Water Fund loan. The first payment will be due on the ___ day of _____ 202____. Subsequent annual loan payments by GHU to the City will be due six months before the date that the yearly payment is due and owing to the State of Alaska under the terms of the Clean Water Fund loan and shall continue on the same basis until such time as the principal and interest are paid in full. GHU has the right to prepay the annual payment or the entire loan balance at anytime without penalty.

2. The City agrees to remit payment to the State under the terms of the Clean Water Fund loan between the City and the State by use of funds paid by GHU to the City under the terms of this Agreement and for that purpose.

3. GHU agrees to pay to the City a loan origination fee of 0.5% of the loan amount, due and payable at the time the loan proceeds are disbursed by the City to GHU. GHU agrees to pay the full cost of City employee wage and overhead, in the same manner as currently calculated by the Alaska Department of Transportation & Public Facilities for engineering reimbursement and subject to upward annual adjustments, for any time spent administering the

Loan Reimbursement Agreement

ACWF loan, this loan repayment agreement, or any grants associated with this project. All costs incurred by GHU under this section will be separate from any costs associated with the loan.

4. GHU shall comply with all present and future contractual requirements of the contract between the City and the State Department of Environmental Conservation for Project Number _____, including any demand for loan repayment in full by the State in the event of violation of the terms of the loan or for any other reason, as well as any regulatory requirements of the State of Alaska regarding use of these loan funds. The City agrees to provide written notice to GHU, within ten working days, of any assertion or notice of violation of the Clean Water Fund loan provisions, notice or request for audit or inspection, or any other such State action implicating GHU's performance of Clean Water Fund Project Number _____, repayment of the loan by GHU or the City, or cessation or extension of the Clean Water Fund or related loan programs.

5. Any and all structures and/or equipment constructed or purchased as part of Clean Water Fund Project Number _____ with funds from the above-referenced loan will not be considered "betterments or improvements" under the terms of the Lease Agreement between the City and GHU dated October 6, 1997 and amended on November 20, 2017, and will remain the property of the City until such time as the loan is paid in full by GHU. Upon full repayment by GHU, the City will transfer title to GHU of assets acquired with loan funds. Loan payments made by GHU will be considered as lease payments and when the loan is paid in full are equivalent to the fair market value of the assets.

6. GHU shall list the City as a lienholder on the title of any equipment or vehicles purchased with funds from the loan that are required to be registered under the laws of the State

Loan Reimbursement Agreement

Page 3 of 9

of Alaska, and GHU further agrees that the City will have the right to secure its interest in all property acquired with loan proceeds by any legal means available.

7. In the event of partial prepayment of this obligation, the payment funds will be applied towards the satisfaction of those payments next falling due hereunder. Payment proceeds will be applied first to the satisfaction of accrued interest up to the actual date of such payment, with the excess to be applied in reduction of outstanding principal.

8. In the event that any payment falling due hereunder is not paid within 30 days after the due date thereof, the City may, at any time while such delinquency continues, declare the entire unpaid balance of this obligation, to include the outstanding principal balance, accrued interest, and all other amounts payable, immediately due and owing. Upon default of payment, the City shall give GHU written notice of default via U.S. Postal Service, registered mail. GHU shall have 30 days to cure after receipt of written notice of default. GHU may cure the default by making full payment of any principal and accrued interest (including interest on these amounts) whose payment to the City is overdue.

9. GHU agrees to provide the City, upon request, a copy of GHU's audited financial statements. GHU agrees that it will maintain a debt to equity percentage (total liabilities less Contributions in Aid of Construction (CIAC)/shareholders' equity) not to exceed 160%.

10. The City may delay or forgo enforcing any of its rights or remedies under this Agreement without losing them.

11. GHU may not assign or transfer any of its rights or obligations under this Agreement without the express written consent of the City. Should GHU exercise its purchase option under the Lease Agreement between the City and GHU dated October 6, 1997 amended

Loan Reimbursement Agreement

Page 4 of 9

on November 20, 2017, the City has the right to declare the entire unpaid balance of GHU's obligation, to include the outstanding principal balance, accrued interest, and all other amounts payable, immediately due and owing.

12. GHU shall indemnify, defend, protect, and hold the City and each of the City's employees, officers and agents free and harmless from and against any and all claims, liabilities, penalties, losses, or expenses (including attorney's fees) for death of or injury to any person or damage to any property whatsoever, arising from or caused in whole or part, directly or indirectly, by GHU's undertaking in regards to Project Number _____ or in regards to this Agreement.

13. By signing below, GHU's parent, Fairbanks Sewer and Water, Inc., agrees to guarantee the loan repayment obligations of GHU in the event of default by GHU.

14. The benefits of this Agreement shall inure to and the burdens shall be binding upon the lawful successors and assigns of the respective parties.

15. This Agreement shall be governed by and construed in accordance with the laws of the State of Alaska, with all disputes over the terms of this agreement to be adjudicated by the Alaska Superior Court, Fourth Judicial District, Fairbanks, Alaska.

THE CITY OF FAIRBANKS

Date: _____

By: Jim Matherly, Mayor

State of Alaska)
) ss
Fourth Judicial District)

ACKNOWLEDGMENT

THIS IS TO CERTIFY that on this _____ day of _____ 2020 before me, the undersigned, a NOTARY PUBLIC in and for the State of Alaska, personally appeared Jim Matherly, the Mayor of the City of Fairbanks, and that he acknowledged before me that he executed the same on behalf of said City with authority so to do.

IN WITNESS WHEREOF, my hand and official seal.

Notary Public for the State of Alaska
My Commission Expires: _____

GOLDEN HEART UTILITIES, INC.

Date: _____

By: _____
Its: President

State of Alaska)
) ss
Fourth Judicial District)

ACKNOWLEDGMENT

THIS IS TO CERTIFY that on this _____ day of _____ 2020 before me, the undersigned, a NOTARY PUBLIC in and for the State of Alaska, personally appeared _____, the President of Golden Heart Utilities, Inc., and that she/he acknowledged before me that she/he executed the same on behalf of said corporation with authority so to do.

IN WITNESS WHEREOF, my hand and official seal.

Notary Public for the State of Alaska
My Commission Expires: _____

FAIRBANKS SEWER AND WATER, INC.

Date: _____

By: _____
Its: _____

State of Alaska)
) ss
Fourth Judicial District)

ACKNOWLEDGMENT

THIS IS TO CERTIFY that on this _____ day of _____ 2020 before me, the undersigned, a NOTARY PUBLIC in and for the State of Alaska, personally appeared _____, the President of Fairbanks Sewer and Water, Inc., and that she/he acknowledged before me that she/he executed the same on behalf of said corporation with authority so to do.

IN WITNESS WHEREOF, my hand and official seal.

Notary Public for the State of Alaska
My Commission Expires: _____

“EXHIBIT A”
Loan Reimbursement Agreement

A tract of ground described by three separate deeds filed in the Fairbanks District Recorder’s Office in Book 272 at Page 647, and in Book 380 at Page 688, and in Book 275 at Page 349, situated within the NW ¼ of the W ¼ and Government Lot 1, Section 28, T.1S., R.1W., Fairbanks Meridian, consolidated below without changing the intent of any of three said deeds, and more particularly described as follow:

Commencing at the Section corner common the Sections 20, 21, 28 and 29, T.1S., R.1W. F.M.; thence southerly 990 feet along the section line common to Sections 28 and 29 T.1S., R.1W. F.M. to the S-N-N 1/256 corner common to Sections 28 and 29 T.1S., R.1W. F.M, the TRUE POINT OF BEGINNING of this consolidation of descriptions of a contiguous tract; thence easterly 330 feet to the SW-NW-NW 1/256 corner of Section 28, T.1S., R.1W. F.M.; thence northerly 330 feet to the CW-NW-NW 1/256 corner of Section 28, T.1S., R.1W. F.M.; thence continuing along the northerly extension of the same line 30.00 feet to a point; thence easterly 990 feet to a point on the westernmost north-south 1/16 line of Section 28 T.1S., R.1W. F.M.; thence southerly 30.00 feet along the westernmost 1/16 line of Section 28 T.1S., R.1W. F.M., to the C-N-NW 1/64 corner on the westernmost N-S line of Section 28 T.1S., R.1W. F.M; thence southerly 660 feet along the westernmost N-S 1/16 line to the NW 1/16 corner of Section 28 T.1S., R.1W. F.M.; thence continuing along the southerly extension of the same line 102.63 feet to a point lying offset 100.00 feet north of the centerline of the Chena Lakes Flood Control Project; thence South 82° 42’ 37” West parallel to and offset 100.00 feet north of said centerline a distance of 814.57 feet to ta point; thence continuing parallel and offset 100.00 feet north of said centerline along a tangent curve to the right, said curve having a radius of 1809.86 feet and a delta angle of 16° 14’ 40” through an arc length of 513.13 feet to a point on the section line common to Sections 28 and 29, T.1S., R.1W. F.M.; thence northerly along said section line to the S-N-N 1/256 corner common to sections 28 and 29, T.1S., R.1W. F.M., the TRUE POINT OF BEGINNING of this consolidated description of a contiguous tract, said description containing and area of 23.6 acres, more or less.

RESOLUTION NO. 4905

**A RESOLUTION AUTHORIZING THE CITY OF FAIRBANKS TO APPLY
FOR FUNDS FROM THE UNITED STATES DEPARTMENT OF
HOMELAND SECURITY FOR THE FFY2019 ASSISTANCE TO
FIREFIGHTERS GRANT (AFG)**

WHEREAS, the City of Fairbanks has been notified by the United States Department of Homeland Security that the City of Fairbanks is eligible to apply for the Assistance to Firefighters Grant (AFG) Program to enhance operations and safety; and

WHEREAS, the City of Fairbanks plans to use the funds to purchase three ambulance gurney loading systems with powered cots and to provide paramedic training to include tuition and backfill for two firefighters; and

WHEREAS, the City of Fairbanks plans to request \$346,100, and a 10% match is required; and

WHEREAS, the City of Fairbanks is providing a match in the amount of \$13,000 from the Capital Fund and \$21,610 from the General Fund.

NOW, THEREFORE, BE IT RESOLVED by the City Council that the Mayor or his designee is authorized to execute any and all documents required to apply for funds on behalf of the City for this grant.

PASSED and APPROVED this 9th Day of March 2020.

Jim Matherly, City Mayor

AYES:
NAYS:
ABSENT:
APPROVED:

ATTEST:

APPROVED AS TO FORM:

D. Danyielle Snider, CMC, City Clerk

Paul J. Ewers, City Attorney

CITY OF FAIRBANKS
FISCAL NOTE

I. REQUEST:

Ordinance or Resolution No: 4905

Abbreviated Title: FFY2019 AFG GRANT PROGRAM

Department(s): FIRE DEPARTMENT

Does the adoption of this ordinance or resolution authorize:

1) additional costs beyond the current adopted budget? Yes _____ No X

2) additional support or maintenance costs? Yes _____ No X

If yes, what is the estimate? see below

3) additional positions beyond the current adopted budget? Yes _____ No X

If yes, how many positions? _____

If yes, type of positions? _____ (F - Full Time, P - Part Time, T - Temporary)

II. FINANCIAL DETAIL:

PROJECT EXPENSES:	Equipment	Contracts	Personnel	Total
Ambulance Gurney Loading Systems	\$130,000			\$130,000
Paramedic Training (Tuition & Backfill)		\$61,100	\$155,000	\$216,100
				\$0
				\$0
				\$0
				\$0
TOTAL	\$130,000	\$61,100	\$155,000	\$346,100

FUNDING SOURCE:	Equipment	Contracts	Personnel	Total
United States Department of Homeland Security	\$117,000	\$54,990	\$139,500	\$311,490
City of Fairbanks Capital Fund	\$13,000			\$13,000
City of Fairbanks General Fund		\$6,110	\$15,500	\$21,610
TOTAL	\$130,000	\$61,100	\$155,000	\$346,100

The Ambulance Gurney Loading System with powered cots will reduce lifting injuries to firefighters. The maintenance cost will be included in the Fire Department's annual General Fund budget. Paramedic training would be provided for two currently staffed firefighters.

Reviewed by Finance Department: Initial cp Date 3/2/2020

RESOLUTION NO. 4906

**A RESOLUTION SUPPORTING SB 179, AN ACT INCLUDING
PROVISIONS RELATING TO A MULTISTATE NURSE LICENSURE
COMPACT**

WHEREAS, the State of Alaska's university system currently cannot keep up with the demand for skilled nurses; and

WHEREAS, thirty-four states have joined the nurse licensure compact, and eleven states currently have legislation pending that would allow them to join; and

WHEREAS, moving the State of Alaska into the multistate nurse licensure compact would help reduce nursing shortages throughout the state; and

WHEREAS, moving the State of Alaska into a multistate nurse licensure compact would make it easier for military dependents who transfer to Alaska to obtain employment in the nursing field.

NOW, THEREFORE, BE IT RESOLVED that the Fairbanks City Council requests the legislators in the Alaska House and Senate to adopt SB 179, "An Act relating to the licensure of nursing professionals; relating to a multistate nurse licensure compact; and providing for an effective date."

AND BE IT FURTHER RESOLVED that the City Clerk is directed to forward copies of this Resolution to members of the Alaska House and Senate.

PASSED and **APPROVED** this 9th day of March 2020.

Jim Matherly, Mayor

AYES:
NAYS:
ABSENT:
APPROVED:

ATTEST:

APPROVED AS TO FORM:

D. Danyielle Snider, CMC, City Clerk

Paul Ewers, City Attorney

SENATE BILL NO. 179

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-FIRST LEGISLATURE - SECOND SESSION

BY THE SENATE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

Introduced: 2/5/20

Referred: Health and Social Services, Labor and Commerce, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the licensure of nursing professionals; relating to a multistate nurse**
2 **licensure compact; and providing for an effective date."**

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 *** Section 1.** AS 08.02.010(a) is amended to read:

5 (a) An acupuncturist licensed under AS 08.06, an audiologist or speech-
6 language pathologist licensed under AS 08.11, a behavior analyst licensed under
7 AS 08.15, a person licensed in the state as a chiropractor under AS 08.20, a
8 professional counselor licensed under AS 08.29, a dentist under AS 08.36, a dietitian
9 or nutritionist licensed under AS 08.38, a massage therapist licensed under AS 08.61,
10 a marital and family therapist licensed under AS 08.63, a medical practitioner or
11 osteopath under AS 08.64, a direct-entry midwife certified under AS 08.65, a
12 registered nurse licensed under AS 08.68 or AS 08.69, or advanced practice
13 registered nurse under AS 08.68, an optometrist under AS 08.72, a licensed
14 pharmacist under AS 08.80, a physical therapist or occupational therapist licensed

Pages 2-11 omitted

1 **Chapter 69. Multistate Nurse Licensure Compact.**

2 **Sec. 08.69.010. Compact enacted.** The Multistate Nurse Licensure Compact
3 as contained in this section is enacted into law and entered into on behalf of the state
4 with all other states and jurisdictions legally joining it in a form substantially as
5 follows:

6 **ARTICLE I**

7 **Findings and Declaration of Purpose**

8 (a) The legislature finds that:

9 (1) The health and safety of the public are affected by the degree of
10 compliance with and the effectiveness of enforcement activities related to state nurse
11 licensure laws;

12 (2) Violations of nurse licensure and other laws regulating the practice
13 of nursing may result in injury or harm to the public;

14 (3) The expanded mobility of nurses and the use of advanced
15 communication technologies as part of our nation's health care delivery system require
16 greater coordination and cooperation among states in the areas of nurse licensure and
17 regulation;

18 (4) New practice modalities and technology make compliance with
19 individual state nurse licensure laws difficult and complex;

20 (5) The current system of duplicative licensure for nurses practicing in
21 multiple states is cumbersome and redundant for both nurses and states; and

22 (6) Uniformity of nurse licensure requirements throughout the states
23 promotes public safety and public health benefits.

24 (b) The general purposes of this Compact are to:

25 (1) Facilitate the states' responsibility to protect the public's health and
26 safety;

27 (2) Ensure and encourage the cooperation of party states in the areas of
28 nurse licensure and regulation;

29 (3) Facilitate the exchange of information between party states in the
30 areas of nurse regulation, investigation and adverse actions;

31 (4) Promote compliance with the laws governing the practice of

1 nursing in each jurisdiction;

2 (5) Invest all party states with the authority to hold a nurse accountable
3 for meeting all state practice laws in the state in which the patient is located at the time
4 care is rendered through the mutual recognition of party state licenses;

5 (6) Decrease redundancies in the consideration and issuance of nurse
6 licenses; and

7 (7) Provide opportunities for interstate practice by nurses who meet
8 uniform licensure requirements.

9 ARTICLE II

10 Definitions

11 As used in this compact, unless the context clearly requires a different construction,

12 (1) "Adverse action" means any administrative, civil, equitable or
13 criminal action permitted by a state's laws which is imposed by a licensing board or
14 other authority against a nurse, including actions against an individual's license or
15 multistate licensure privilege such as revocation, suspension, probation, monitoring of
16 the licensee, limitation on the licensee's practice, or any other encumbrance on
17 licensure affecting a nurse's authorization to practice, including issuance of a cease
18 and desist action.

19 (2) "Alternative program" means a non-disciplinary monitoring
20 program approved by a licensing board.

21 (3) "Coordinated licensure information system" means an integrated
22 process for collecting, storing and sharing information on nurse licensure and
23 enforcement activities related to nurse licensure laws that is administered by a
24 nonprofit organization composed of and controlled by licensing boards.

25 (4) "Current significant investigative information" means:

26 (A) Investigative information that a licensing board, after a
27 preliminary inquiry that includes notification and an opportunity for the nurse
28 to respond, if required by state law, has reason to believe is not groundless and,
29 if proved true, would indicate more than a minor infraction; or

30 (B) Investigative information that indicates that the nurse
31 represents an immediate threat to public health and safety regardless of

1 whether the nurse has been notified and had an opportunity to respond.

2 (5) "Encumbrance" means a revocation or suspension of, or any
3 limitation on, the full and unrestricted practice of nursing imposed by a licensing
4 board.

5 (6) "Home state" means the party state which is the nurse's primary
6 state of residence.

7 (7) "Licensing board" means a party state's regulatory body
8 responsible for issuing nurse licenses.

9 (8) "Multistate license" means a license to practice as a registered or a
10 licensed practical/vocational nurse (LPN/VN) issued by a home state licensing board
11 that authorizes the licensed nurse to practice in all party states under a multistate
12 licensure privilege.

13 (9) "Multistate licensure privilege" means a legal authorization
14 associated with a multistate license permitting the practice of nursing as either a
15 registered nurse (RN) or LPN/VN in a remote state.

16 (10) "Nurse" means RN or LPN/VN, as those terms are defined by
17 each party state's practice laws.

18 (11) "Party state" means any state that has adopted this Compact.

19 (12) "Remote state" means a party state, other than the home state.

20 (13) "Single-state license" means a nurse license issued by a party state
21 that authorizes practice only within the issuing state and does not include a multistate
22 licensure privilege to practice in any other party state.

23 (14) "State" means a state, territory or possession of the United States
24 and the District of Columbia.

25 (15) "State practice laws" means a party state's laws, rules and
26 regulations that govern the practice of nursing, define the scope of nursing practice,
27 and create the methods and grounds for imposing discipline. "State practice laws" do
28 not include requirements necessary to obtain and retain a license, except for
29 qualifications or requirements of the home state.

30 ARTICLE III

31 General Provisions and Jurisdiction

1 (a) A multistate license to practice registered or licensed practical/vocational
 2 nursing issued by a home state to a resident in that state will be recognized by each
 3 party state as authorizing a nurse to practice as a registered nurse (RN) or as a licensed
 4 practical/vocational nurse (LPN/VN), under a multistate licensure privilege, in each
 5 party state.

6 (b) A state must implement procedures for considering the criminal history
 7 records of applicants for initial multistate license or licensure by endorsement. Such
 8 procedures shall include the submission of fingerprints or other biometric-based
 9 information by applicants for the purpose of obtaining an applicant's criminal history
 10 record information from the Federal Bureau of Investigation and the agency
 11 responsible for retaining that state's criminal records.

12 (c) Each party state shall require the following for an applicant to obtain or
 13 retain a multistate license in the home state:

14 (1) Meets the home state's qualifications for licensure or renewal of
 15 licensure, as well as, all other applicable state laws;

16 (2) Has graduated or is eligible to graduate from a licensing board-
 17 approved RN or LPN/VN prelicensure education program; or has graduated from a
 18 foreign RN or LPN/VN prelicensure education program that (a) has been approved by
 19 the authorized accrediting body in the applicable country and (b) has been verified by
 20 an independent credentials review agency to be comparable to a licensing board-
 21 approved prelicensure education program;

22 (3) Has, if a graduate of a foreign prelicensure education program not
 23 taught in English or if English is not the individual's native language, successfully
 24 passed an English proficiency examination that includes the components of reading,
 25 speaking, writing and listening;

26 (4) Has successfully passed an NCLEX-RN or NCLEX-PN
 27 Examination or recognized predecessor, as applicable;

28 (5) Is eligible for or holds an active, unencumbered license;

29 (6) Has submitted, in connection with an application for initial
 30 licensure or licensure by endorsement, fingerprints or other biometric data for the
 31 purpose of obtaining criminal history record information from the Federal Bureau of

1 Investigation and the agency responsible for retaining that state's criminal records;

2 (7) Has not been convicted or found guilty, or has entered into an
3 agreed disposition, of a felony offense under applicable state or federal criminal law;

4 (8) Has not been convicted or found guilty, or has entered into an
5 agreed disposition, of a misdemeanor offense related to the practice of nursing as
6 determined on a case-by-case basis;

7 (9) Is not currently enrolled in an alternative program;

8 (10) Is subject to self-disclosure requirements regarding current
9 participation in an alternative program; and

10 (11) Has a valid United States Social Security number.

11 (d) All party states shall be authorized, in accordance with existing state due
12 process law, to take adverse action against a nurse's multistate licensure privilege such
13 as revocation, suspension, probation or any other action that affects a nurse's
14 authorization to practice under a multistate licensure privilege, including cease and
15 desist actions. If a party state takes such action, it shall promptly notify the
16 administrator of the coordinated licensure information system. The administrator of
17 the coordinated licensure information system shall promptly notify the home state of
18 any such actions by remote states.

19 (e) A nurse practicing in a party state must comply with the state practice laws
20 of the state in which the client is located at the time service is provided. The practice
21 of nursing is not limited to patient care, but shall include all nursing practice as
22 defined by the state practice laws of the party state in which the client is located. The
23 practice of nursing in a party state under a multistate licensure privilege will subject a
24 nurse to the jurisdiction of the licensing board, the courts and the laws of the party
25 state in which the client is located at the time service is provided.

26 (f) Individuals not residing in a party state shall continue to be able to apply
27 for a party state's single-state license as provided under the laws of each party state.
28 However, the single-state license granted to these individuals will not be recognized as
29 granting the privilege to practice nursing in any other party state. Nothing in this
30 Compact shall affect the requirements established by a party state for the issuance of a
31 single-state license.

1 (g) Any nurse holding a home state multistate license, on the effective date of
 2 this Compact, may retain and renew the multistate license issued by the nurse's then-
 3 current home state, provided that:

4 (1) A nurse, who changes primary state of residence after this
 5 Compact's effective date, must meet all applicable Article III.c. requirements to obtain
 6 a multistate license from a new home state.

7 (2) A nurse who fails to satisfy the multistate licensure requirements in
 8 Article III.c. due to a disqualifying event occurring after this Compact's effective date
 9 shall be ineligible to retain or renew a multistate license, and the nurse's multistate
 10 license shall be revoked or deactivated in accordance with applicable rules adopted by
 11 the Interstate Commission of Nurse Licensure Compact Administrators
 12 ("Commission").

13 ARTICLE IV

14 Applications for Licensure in a Party State

15 (a) Upon application for a multistate license, the licensing board in the issuing
 16 party state shall ascertain, through the coordinated licensure information system,
 17 whether the applicant has ever held, or is the holder of, a license issued by any other
 18 state, whether there are any encumbrances on any license or multistate licensure
 19 privilege held by the applicant, whether any adverse action has been taken against any
 20 license or multistate licensure privilege held by the applicant and whether the
 21 applicant is currently participating in an alternative program.

22 (b) A nurse may hold a multistate license, issued by the home state, in only
 23 one party state at a time.

24 (c) If a nurse changes primary state of residence by moving between two party
 25 states, the nurse must apply for licensure in the new home state, and the multistate
 26 license issued by the prior home state will be deactivated in accordance with
 27 applicable rules adopted by the Commission.

28 (1) The nurse may apply for licensure in advance of a change in
 29 primary state of residence.

30 (2) A multistate license shall not be issued by the new home state until
 31 the nurse provides satisfactory evidence of a change in primary state of residence to

1 the new home state and satisfies all applicable requirements to obtain a multistate
2 license from the new home state.

3 (d) If a nurse changes primary state of residence by moving from a party state
4 to a non-party state, the multistate license issued by the prior home state will convert
5 to a single-state license, valid only in the former home state.

6 ARTICLE V

7 Additional Authorities Invested in Party State Licensing Boards

8 (a) In addition to the other powers conferred by state law, a licensing board
9 shall have the authority to:

10 (1) Take adverse action against a nurse's multistate licensure privilege
11 to practice within that party state.

12 (A) Only the home state shall have the power to take adverse
13 action against a nurse's license issued by the home state.

14 (B) For purposes of taking adverse action, the home state
15 licensing board shall give the same priority and effect to reported conduct
16 received from a remote state as it would if such conduct had occurred within
17 the home state. In so doing, the home state shall apply its own state laws to
18 determine appropriate action.

19 (2) Issue cease and desist orders or impose an encumbrance on a
20 nurse's authority to practice within that party state.

21 (3) Complete any pending investigations of a nurse who changes
22 primary state of residence during the course of such investigations. The licensing
23 board shall also have the authority to take appropriate action(s) and shall promptly
24 report the conclusions of such investigations to the administrator of the coordinated
25 licensure information system. The administrator of the coordinated licensure
26 information system shall promptly notify the new home state of any such actions.

27 (4) Issue subpoenas for both hearings and investigations that require
28 the attendance and testimony of witnesses, as well as, the production of evidence.
29 Subpoenas issued by a licensing board in a party state for the attendance and
30 testimony of witnesses or the production of evidence from another party state shall be
31 enforced in the latter state by any court of competent jurisdiction, according to the

1 practice and procedure of that court applicable to subpoenas issued in proceedings
 2 pending before it. The issuing authority shall pay any witness fees, travel expenses,
 3 mileage and other fees required by the service statutes of the state in which the
 4 witnesses or evidence are located.

5 (5) Obtain and submit, for each nurse licensure applicant, fingerprint
 6 or other biometric-based information to the Federal Bureau of Investigation for
 7 criminal background checks, receive the results of the Federal Bureau of Investigation
 8 record search on criminal background checks and use the results in making licensure
 9 decisions.

10 (6) If otherwise permitted by state law, recover from the affected nurse
 11 the costs of investigations and disposition of cases resulting from any adverse action
 12 taken against that nurse.

13 (7) Take adverse action based on the factual findings of the remote
 14 state, provided that the licensing board follows its own procedures for taking such
 15 adverse action.

16 (b) If adverse action is taken by the home state against a nurse's multistate
 17 license, the nurse's multistate licensure privilege to practice in all other party states
 18 shall be deactivated until all encumbrances have been removed from the multistate
 19 license. All home state disciplinary orders that impose adverse action against a nurse's
 20 multistate license shall include a statement that the nurse's multistate licensure
 21 privilege is deactivated in all party states during the pendency of the order. Nothing in
 22 this Compact shall override a party state's decision that participation in an alternative
 23 program may be used in lieu of adverse action. The home state licensing board shall
 24 deactivate the multistate licensure privilege under the multistate license of any nurse
 25 for the duration of the nurse's participation in an alternative program.

26 ARTICLE VI

27 Coordinated Licensure Information System and Exchange of Information

28 (a) All party states shall participate in a coordinated licensure information
 29 system of all licensed registered nurses (RNs) and licensed practical/vocational nurses
 30 (LPNs/VNs). This system will include information on the licensure and disciplinary
 31 history of each nurse, as submitted by party states, to assist in the coordination of

1 nurse licensure and enforcement efforts.

2 (b) The Commission, in consultation with the administrator of the coordinated
3 licensure information system, shall formulate necessary and proper procedures for the
4 identification, collection and exchange of information under this Compact.

5 (c) All licensing boards shall promptly report to the coordinated licensure
6 information system any adverse action, any current significant investigative
7 information, denials of applications (with the reasons for such denials) and nurse
8 participation in alternative programs known to the licensing board regardless of
9 whether such participation is deemed nonpublic or confidential under state law.

10 (d) Current significant investigative information and participation in nonpublic
11 or confidential alternative programs shall be transmitted through the coordinated
12 licensure information system only to party state licensing boards.

13 (e) Notwithstanding any other provision of law, all party state licensing boards
14 contributing information to the coordinated licensure information system may
15 designate information that may not be shared with non-party states or disclosed to
16 other entities or individuals without the express permission of the contributing state.

17 (f) Any personally identifiable information obtained from the coordinated
18 licensure information system by a party state licensing board shall not be shared with
19 non-party states or disclosed to other entities or individuals except to the extent
20 permitted by the laws of the party state contributing the information.

21 (g) Any information contributed to the coordinated licensure information
22 system that is subsequently required to be expunged by the laws of the party state
23 contributing that information shall also be expunged from the coordinated licensure
24 information system.

25 (h) The Compact administrator of each party state shall furnish a uniform data
26 set to the Compact administrator of each other party state, which shall include, at a
27 minimum:

- 28 (1) Identifying information;
29 (2) Licensure data;
30 (3) Information related to alternative program participation; and
31 (4) Other information that may facilitate the administration of this

1 Compact, as determined by Commission rules.

2 (i) The Compact administrator of a party state shall provide all investigative
3 documents and information requested by another party state.

4 ARTICLE VII

5 Establishment of the Interstate Commission of Nurse Licensure Compact Administrators

6 (a) The party states hereby create and establish a joint public entity known as
7 the Interstate Commission of Nurse Licensure Compact Administrators.

8 (1) The Commission is an instrumentality of the party states.

9 (2) Venue is proper, and judicial proceedings by or against the
10 Commission shall be brought solely and exclusively, in a court of competent
11 jurisdiction where the principal office of the Commission is located. The Commission
12 may waive venue and jurisdictional defenses to the extent it adopts or consents to
13 participate in alternative dispute resolution proceedings.

14 (3) Nothing in this Compact shall be construed to be a waiver of
15 sovereign immunity.

16 (b) Membership, Voting and Meetings

17 (1) Each party state shall have and be limited to one administrator. The
18 head of the state licensing board or designee shall be the administrator of this Compact
19 for each party state. Any administrator may be removed or suspended from office as
20 provided by the law of the state from which the Administrator is appointed. Any
21 vacancy occurring in the Commission shall be filled in accordance with the laws of the
22 party state in which the vacancy exists.

23 (2) Each administrator shall be entitled to one (1) vote with regard to
24 the promulgation of rules and creation of bylaws and shall otherwise have an
25 opportunity to participate in the business and affairs of the Commission. An
26 administrator shall vote in person or by such other means as provided in the bylaws.
27 The bylaws may provide for an administrator's participation in meetings by telephone
28 or other means of communication.

29 (3) The Commission shall meet at least once during each calendar
30 year. Additional meetings shall be held as set forth in the bylaws or rules of the
31 commission.

1 (4) All meetings shall be open to the public, and public notice of
 2 meetings shall be given in the same manner as required under the rulemaking
 3 provisions in Article VIII.

4 (5) The Commission may convene in a closed, nonpublic meeting if
 5 the Commission must discuss:

6 (A) Noncompliance of a party state with its obligations under
 7 this Compact;

8 (B) The employment, compensation, discipline or other
 9 personnel matters, practices or procedures related to specific employees or
 10 other matters related to the Commission's internal personnel practices and
 11 procedures;

12 (C) Current, threatened or reasonably anticipated litigation;

13 (D) Negotiation of contracts for the purchase or sale of goods,
 14 services or real estate;

15 (E) Accusing any person of a crime or formally censuring any
 16 person;

17 (F) Disclosure of trade secrets or commercial or financial
 18 information that is privileged or confidential;

19 (G) Disclosure of information of a personal nature where
 20 disclosure would constitute a clearly unwarranted invasion of personal privacy;

21 (H) Disclosure of investigatory records compiled for law
 22 enforcement purposes;

23 (I) Disclosure of information related to any reports prepared by
 24 or on behalf of the Commission for the purpose of investigation of compliance
 25 with this Compact; or

26 (J) Matters specifically exempted from disclosure by federal or
 27 state statute.

28 (6) If a meeting, or portion of a meeting, is closed pursuant to this
 29 provision, the Commission's legal counsel or designee shall certify that the meeting
 30 may be closed and shall reference each relevant exempting provision. The
 31 Commission shall keep minutes that fully and clearly describe all matters discussed in

1 a meeting and shall provide a full and accurate summary of actions taken, and the
 2 reasons therefor, including a description of the views expressed. All documents
 3 considered in connection with an action shall be identified in such minutes. All
 4 minutes and documents of a closed meeting shall remain under seal, subject to release
 5 by a majority vote of the Commission or order of a court of competent jurisdiction.

6 (c) The Commission shall, by a majority vote of the administrators, prescribe
 7 bylaws or rules to govern its conduct as may be necessary or appropriate to carry out
 8 the purposes and exercise the powers of this Compact, including but not limited to:

9 (1) Establishing the fiscal year of the Commission;

10 (2) Providing reasonable standards and procedures:

11 (A) For the establishment and meetings of other committees;

12 and

13 (B) Governing any general or specific delegation of any
 14 authority or function of the Commission;

15 (3) Providing reasonable procedures for calling and conducting
 16 meetings of the Commission, ensuring reasonable advance notice of all meetings and
 17 providing an opportunity for attendance of such meetings by interested parties, with
 18 enumerated exceptions designed to protect the public's interest, the privacy of
 19 individuals, and proprietary information, including trade secrets. The Commission
 20 may meet in closed session only after a majority of the administrators vote to close a
 21 meeting in whole or in part. As soon as practicable, the Commission must make public
 22 a copy of the vote to close the meeting revealing the vote of each administrator, with
 23 no proxy votes allowed;

24 (4) Establishing the titles, duties and authority and reasonable
 25 procedures for the election of the officers of the Commission;

26 (5) Providing reasonable standards and procedures for the
 27 establishment of the personnel policies and programs of the Commission.
 28 Notwithstanding any civil service or other similar laws of any party state, the bylaws
 29 shall exclusively govern the personnel policies and programs of the Commission; and

30 (6) Providing a mechanism for winding up the operations of the
 31 Commission and the equitable disposition of any surplus funds that may exist after the

1 termination of this Compact after the payment or reserving of all of its debts and
2 obligations;

3 (d) The Commission shall publish its bylaws and rules, and any amendments
4 thereto, in a convenient form on the website of the Commission.

5 (e) The Commission shall maintain its financial records in accordance with the
6 bylaws.

7 (f) The Commission shall meet and take such actions as are consistent with the
8 provisions of this Compact and the bylaws.

9 (g) The Commission shall have the following powers:

10 (1) To promulgate uniform rules to facilitate and coordinate
11 implementation and administration of this Compact. The rules shall have the force and
12 effect of law and shall be binding in all party states;

13 (2) To bring and prosecute legal proceedings or actions in the name of
14 the Commission, provided that the standing of any licensing board to sue or be sued
15 under applicable law shall not be affected;

16 (3) To purchase and maintain insurance and bonds;

17 (4) To borrow, accept or contract for services of personnel, including,
18 but not limited to, employees of a party state or nonprofit organizations;

19 (5) To cooperate with other organizations that administer state
20 compacts related to the regulation of nursing, including but not limited to sharing
21 administrative or staff expenses, office space or other resources;

22 (6) To hire employees, elect or appoint officers, fix compensation,
23 define duties, grant such individuals appropriate authority to carry out the purposes of
24 this Compact, and to establish the Commission's personnel policies and programs
25 relating to conflicts of interest, qualifications of personnel and other related personnel
26 matters;

27 (7) To accept any and all appropriate donations, grants and gifts of
28 money, equipment, supplies, materials and services, and to receive, utilize and dispose
29 of the same; provided that at all times the Commission shall avoid any appearance of
30 impropriety or conflict of interest;

31 (8) To lease, purchase, accept appropriate gifts or donations of, or

1 otherwise to own, hold, improve or use, any property, whether real, personal or mixed;
 2 provided that at all times the Commission shall avoid any appearance of impropriety;

3 (9) To sell, convey, mortgage, pledge, lease, exchange, abandon or
 4 otherwise dispose of any property, whether real, personal or mixed;

5 (10) To establish a budget and make expenditures;

6 (11) To borrow money;

7 (12) To appoint committees, including advisory committees comprised
 8 of administrators, state nursing regulators, state legislators or their representatives, and
 9 consumer representatives, and other such interested persons;

10 (13) To provide and receive information from, and to cooperate with,
 11 law enforcement agencies;

12 (14) To adopt and use an official seal; and

13 (15) To perform such other functions as may be necessary or
 14 appropriate to achieve the purposes of this Compact consistent with the state
 15 regulation of nurse licensure and practice.

16 (h) Financing of the Commission

17 (1) The Commission shall pay, or provide for the payment of, the
 18 reasonable expenses of its establishment, organization and ongoing activities.

19 (2) The Commission may also levy on and collect an annual
 20 assessment from each party state to cover the cost of its operations, activities and staff
 21 in its annual budget as approved each year. The aggregate annual assessment amount,
 22 if any, shall be allocated based upon a formula to be determined by the Commission,
 23 which shall promulgate a rule that is binding upon all party states.

24 (3) The Commission shall not incur obligations of any kind prior to
 25 securing the funds adequate to meet the same; nor shall the Commission pledge the
 26 credit of any of the party states, except by, and with the authority of, such party state.

27 (4) The Commission shall keep accurate accounts of all receipts and
 28 disbursements. The receipts and disbursements of the Commission shall be subject to
 29 the audit and accounting procedures established under its bylaws. However, all
 30 receipts and disbursements of funds handled by the Commission shall be audited
 31 yearly by a certified or licensed public accountant, and the report of the audit shall be

1 included in and become part of the annual report of the Commission.

2 (i) Qualified Immunity, Defense and Indemnification

3 (1) The administrators, officers, executive director, employees and
 4 representatives of the Commission shall be immune from suit and liability, either
 5 personally or in their official capacity, for any claim for damage to or loss of property
 6 or personal injury or other civil liability caused by or arising out of any actual or
 7 alleged act, error or omission that occurred, or that the person against whom the claim
 8 is made had a reasonable basis for believing occurred, within the scope of
 9 Commission employment, duties or responsibilities; provided that nothing in this
 10 paragraph shall be construed to protect any such person from suit or liability for any
 11 damage, loss, injury or liability caused by the intentional, willful or wanton
 12 misconduct of that person.

13 (2) The Commission shall defend any administrator, officer, executive
 14 director, employee or representative of the Commission in any civil action seeking to
 15 impose liability arising out of any actual or alleged act, error or omission that occurred
 16 within the scope of Commission employment, duties or responsibilities, or that the
 17 person against whom the claim is made had a reasonable basis for believing occurred
 18 within the scope of Commission employment, duties or responsibilities; provided that
 19 nothing herein shall be construed to prohibit that person from retaining his or her own
 20 counsel; and provided further that the actual or alleged act, error or omission did not
 21 result from that person's intentional, willful or wanton misconduct.

22 (3) The Commission shall indemnify and hold harmless any
 23 administrator, officer, executive director, employee or representative of the
 24 Commission for the amount of any settlement or judgment obtained against that
 25 person arising out of any actual or alleged act, error or omission that occurred within
 26 the scope of Commission employment, duties or responsibilities, or that such person
 27 had a reasonable basis for believing occurred within the scope of Commission
 28 employment, duties or responsibilities, provided that the actual or alleged act, error or
 29 omission did not result from the intentional, willful or wanton misconduct of that
 30 person.

31 ARTICLE VIII

Rulemaking

(a) The Commission shall exercise its rulemaking powers pursuant to the criteria set forth in this Article and the rules adopted thereunder. Rules and amendments shall become binding as of the date specified in each rule or amendment and shall have the same force and effect as provisions of this Compact.

(b) Rules or amendments to the rules shall be adopted at a regular or special meeting of the Commission.

(c) Prior to promulgation and adoption of a final rule or rules by the Commission, and at least sixty (60) days in advance of the meeting at which the rule will be considered and voted upon, the Commission shall file a notice of proposed rulemaking:

(1) On the website of the Commission; and

(2) On the website of each licensing board or the publication in which each state would otherwise publish proposed rules.

(d) The notice of proposed rulemaking shall include:

(1) The proposed time, date and location of the meeting in which the rule will be considered and voted upon;

(2) The text of the proposed rule or amendment, and the reason for the proposed rule;

(3) A request for comments on the proposed rule from any interested person; and

(4) The manner in which interested persons may submit notice to the Commission of their intention to attend the public hearing and any written comments.

(e) Prior to adoption of a proposed rule, the Commission shall allow persons to submit written data, facts, opinions and arguments, which shall be made available to the public.

(f) The Commission shall grant an opportunity for a public hearing before it adopts a rule or amendment.

(g) The Commission shall publish the place, time and date of the scheduled public hearing.

(1) Hearings shall be conducted in a manner providing each person

1 who wishes to comment a fair and reasonable opportunity to comment orally or in
2 writing. All hearings will be recorded, and a copy will be made available upon request.

3 (2) Nothing in this section shall be construed as requiring a separate
4 hearing on each rule. Rules may be grouped for the convenience of the Commission at
5 hearings required by this section.

6 (h) If no one appears at the public hearing, the Commission may proceed with
7 promulgation of the proposed rule.

8 (i) Following the scheduled hearing date, or by the close of business on the
9 scheduled hearing date if the hearing was not held, the Commission shall consider all
10 written and oral comments received.

11 (j) The Commission shall, by majority vote of all administrators, take final
12 action on the proposed rule and shall determine the effective date of the rule, if any,
13 based on the rulemaking record and the full text of the rule.

14 (k) Upon determination that an emergency exists, the Commission may
15 consider and adopt an emergency rule without prior notice, opportunity for comment
16 or hearing, provided that the usual rulemaking procedures provided in this Compact
17 and in this section shall be retroactively applied to the rule as soon as reasonably
18 possible, in no event later than ninety (90) days after the effective date of the rule. For
19 the purposes of this provision, an emergency rule is one that must be adopted
20 immediately in order to:

21 (1) Meet an imminent threat to public health, safety or welfare;

22 (2) Prevent a loss of Commission or party state funds; or

23 (3) Meet a deadline for the promulgation of an administrative rule that
24 is required by federal law or rule.

25 (l) The Commission may direct revisions to a previously adopted rule or
26 amendment for purposes of correcting typographical errors, errors in format, errors in
27 consistency or grammatical errors. Public notice of any revisions shall be posted on
28 the website of the Commission. The revision shall be subject to challenge by any
29 person for a period of thirty (30) days after posting. The revision may be challenged
30 only on grounds that the revision results in a material change to a rule. A challenge
31 shall be made in writing, and delivered to the Commission, prior to the end of the

1 notice period. If no challenge is made, the revision will take effect without further
 2 action. If the revision is challenged, the revision may not take effect without the
 3 approval of the Commission.

4 ARTICLE IX

5 Oversight, Dispute Resolution and Enforcement

6 (a) Oversight

7 (1) Each party state shall enforce this Compact and take all actions
 8 necessary and appropriate to effectuate this Compact's purposes and intent.

9 (2) The Commission shall be entitled to receive service of process in
 10 any proceeding that may affect the powers, responsibilities or actions of the
 11 Commission, and shall have standing to intervene in such a proceeding for all
 12 purposes. Failure to provide service of process in such proceeding to the Commission
 13 shall render a judgment or order void as to the Commission, this Compact or
 14 promulgated rules.

15 (b) Default, Technical Assistance and Termination

16 (1) If the Commission determines that a party state has defaulted in the
 17 performance of its obligations or responsibilities under this Compact or the
 18 promulgated rules, the Commission shall:

19 (A) Provide written notice to the defaulting state and other
 20 party states of the nature of the default, the proposed means of curing the
 21 default or any other action to be taken by the Commission; and

22 (B) Provide remedial training and specific technical assistance
 23 regarding the default.

24 (2) If a state in default fails to cure the default, the defaulting state's
 25 membership in this Compact may be terminated upon an affirmative vote of a majority
 26 of the administrators, and all rights, privileges and benefits conferred by this Compact
 27 may be terminated on the effective date of termination. A cure of the default does not
 28 relieve the offending state of obligations or liabilities incurred during the period of
 29 default.

30 (3) Termination of membership in this Compact shall be imposed only
 31 after all other means of securing compliance have been exhausted. Notice of intent to

1 suspend or terminate shall be given by the Commission to the governor of the
 2 defaulting state and to the executive officer of the defaulting state's licensing board
 3 and each of the party states.

4 (4) A state whose membership in this Compact has been terminated is
 5 responsible for all assessments, obligations and liabilities incurred through the
 6 effective date of termination, including obligations that extend beyond the effective
 7 date of termination.

8 (5) The Commission shall not bear any costs related to a state that is
 9 found to be in default or whose membership in this Compact has been terminated
 10 unless agreed upon in writing between the Commission and the defaulting state.

11 (6) The defaulting state may appeal the action of the Commission by
 12 petitioning the U.S. District Court for the District of Columbia or the federal district in
 13 which the Commission has its principal offices. The prevailing party shall be awarded
 14 all costs of such litigation, including reasonable attorneys' fees.

15 (c) Dispute Resolution

16 (1) Upon request by a party state, the Commission shall attempt to
 17 resolve disputes related to the Compact that arise among party states and between
 18 party and non-party states.

19 (2) The Commission shall promulgate a rule providing for both
 20 mediation and binding dispute resolution for disputes, as appropriate.

21 (3) In the event the Commission cannot resolve disputes among party
 22 states arising under this Compact:

23 (A) The party states may submit the issues in dispute to an
 24 arbitration panel, which will be comprised of individuals appointed by the
 25 Compact administrator in each of the affected party states and an individual
 26 mutually agreed upon by the Compact administrators of all the party states
 27 involved in the dispute.

28 (B) The decision of a majority of the arbitrators shall be final
 29 and binding.

30 (d) Enforcement

31 (1) The Commission, in the reasonable exercise of its discretion, shall

1 enforce the provisions and rules of this Compact.

2 (2) By majority vote, the Commission may initiate legal action in the
3 U.S. District Court for the District of Columbia or the federal district in which the
4 Commission has its principal offices against a party state that is in default to enforce
5 compliance with the provisions of this Compact and its promulgated rules and bylaws.
6 The relief sought may include both injunctive relief and damages. In the event judicial
7 enforcement is necessary, the prevailing party shall be awarded all costs of such
8 litigation, including reasonable attorneys' fees.

9 (3) The remedies herein shall not be the exclusive remedies of the
10 Commission. The Commission may pursue any other remedies available under federal
11 or state law.

12 ARTICLE X

13 Effective Date, Withdrawal and Amendment

14 (a) This Compact shall become effective and binding on the earlier of the date
15 of legislative enactment of this Compact into law by no less than twenty-six (26) states
16 or December 31, 2018. All party states to this Compact, that also were parties to the
17 prior Nurse Licensure Compact, superseded by this Compact, ("Prior Compact"), shall
18 be deemed to have withdrawn from said Prior Compact within six (6) months after the
19 effective date of this Compact.

20 (b) Each party state to this Compact shall continue to recognize a nurse's
21 multistate licensure privilege to practice in that party state issued under the Prior
22 Compact until such party state has withdrawn from the Prior Compact.

23 (c) Any party state may withdraw from this Compact by enacting a statute
24 repealing the same. A party state's withdrawal shall not take effect until six (6) months
25 after enactment of the repealing statute.

26 (d) A party state's withdrawal or termination shall not affect the continuing
27 requirement of the withdrawing or terminated state's licensing board to report adverse
28 actions and significant investigations occurring prior to the effective date of such
29 withdrawal or termination.

30 (e) Nothing contained in this Compact shall be construed to invalidate or
31 prevent any nurse licensure agreement or other cooperative arrangement between a

1 party state and a non-party state that is made in accordance with the other provisions
2 of this Compact.

3 (f) This Compact may be amended by the party states. No amendment to this
4 Compact shall become effective and binding upon the party states unless and until it is
5 enacted into the laws of all party states.

6 (g) Representatives of non-party states to this Compact shall be invited to
7 participate in the activities of the Commission, on a nonvoting basis, prior to the
8 adoption of this Compact by all states.

9 ARTICLE XI

10 Construction and Severability

11 This Compact shall be liberally construed so as to effectuate the purposes
12 thereof. The provisions of this Compact shall be severable, and if any phrase, clause,
13 sentence or provision of this Compact is declared to be contrary to the constitution of
14 any party state or of the United States, or if the applicability thereof to any
15 government, agency, person or circumstance is held invalid, the validity of the
16 remainder of this Compact and the applicability thereof to any government, agency,
17 person or circumstance shall not be affected thereby. If this Compact shall be held to
18 be contrary to the constitution of any party state, this Compact shall remain in full
19 force and effect as to the remaining party states and in full force and effect as to the
20 party state affected as to all severable matters.

21 * **Sec. 24.** AS 09.55.560(2) is amended to read:

22 (2) "health care provider" means an acupuncturist licensed under
23 AS 08.06; an audiologist or speech-language pathologist licensed under AS 08.11; a
24 chiropractor licensed under AS 08.20; a dental hygienist licensed under AS 08.32; a
25 dentist licensed under AS 08.36; a nurse licensed under AS 08.68 or AS 08.69; a
26 dispensing optician licensed under AS 08.71; a naturopath licensed under AS 08.45;
27 an optometrist licensed under AS 08.72; a pharmacist licensed under AS 08.80; a
28 physical therapist or occupational therapist licensed under AS 08.84; a physician or
29 physician assistant licensed under AS 08.64; a podiatrist; a psychologist and a
30 psychological associate licensed under AS 08.86; a hospital as defined in
31 AS 47.32.900, including a governmentally owned or operated hospital; an employee

1 of a health care provider acting within the course and scope of employment; an
 2 ambulatory surgical facility and other organizations whose primary purpose is the
 3 delivery of health care, including a health maintenance organization, individual
 4 practice association, integrated delivery system, preferred provider organization or
 5 arrangement, and a physical hospital organization;

6 * **Sec. 25.** AS 09.65.095(c)(1) is amended to read:

7 (1) "health care provider" means a nurse licensed under AS 08.68 or
 8 AS 08.69, a physician licensed under AS 08.64, and a person certified by a hospital as
 9 competent to take blood samples;

10 * **Sec. 26.** AS 12.62.400(a) is amended to read:

11 (a) To obtain a national criminal history record check for determining a
 12 person's qualifications for a license, permit, registration, employment, or position, a
 13 person shall submit the person's fingerprints to the department with the fee established
 14 by AS 12.62.160. The department may submit the fingerprints to the Federal Bureau
 15 of Investigation to obtain a national criminal history record check of the person for the
 16 purpose of evaluating a person's qualifications for

17 (1) a license or conditional contractor's permit to manufacture, sell,
 18 offer for sale, possess for sale or barter, traffic in, or barter an alcoholic beverage
 19 under AS 04.11;

20 (2) licensure as a mortgage lender, a mortgage broker, or a mortgage
 21 loan originator under AS 06.60;

22 (3) admission to the Alaska Bar Association under AS 08.08;

23 (4) licensure as a collection agency operator under AS 08.24;

24 (5) a certificate of fitness to handle explosives under AS 08.52;

25 (6) licensure as a massage therapist under AS 08.61;

26 (7) licensure to practice nursing under AS 08.68 or AS 08.69, or
 27 certification as a nurse aide under AS 08.68;

28 (8) certification as a real estate appraiser under as 08.87;

29 (9) a position involving supervisory or disciplinary power over a minor
 30 or dependent adult for which criminal justice information may be released under
 31 AS 12.62.160(b)(9);

Pages 34-38 omitted

CHENA RIVERFRONT COMMISSION

MINUTES

July 10, 2019 12:00 PM

A regular meeting of the Chena Riverfront Commission was held in the Ester Conference Room, 2nd Floor, Borough Administration Center, 907 Terminal Street, Fairbanks, Alaska. The meeting was called to order at 12:08 p.m. by Buki Wright.

A. ROLL CALL

MEMBERS PRESENT: Kelley Hegarty-Lammers, Bob Henszey, Diana Campbell, Julie Jones, Wade Binkley, Gordy Schlosser, Annette Frieburger and Buki Wright

MEMBERS ABSENT: Lee Wood, Greg Barker (excused),

OTHERS PRESENT: Russ Johnson, DOT; Jakob Rahlfs, DOT; Jill Baxter McIntosh, DOT; Duane Davis, DOT; Joe Kemp, DOT; Cynthia Nelson, TVWA; Brian Charlton, FNSB Parks & Rec; Chad Hosier, FNSB Public Works; Nancy Durham, FNSB Floodplain Manager; Melissa Kellner, FNSB Community Planning and Laura Melotte, FNSB Recording Clerk.

B. MESSAGES

1. Chairman's Comments

None

2. Communications to the Chena Riverfront Commission

None

3. Citizen's Comments

None

4. Disclosure and Statement of Conflict

Commissioner Henszey commented that he may have a perceived conflict with item "E2". He stated that he wrote the letter. **Chair Wright** determined that Commissioner Henszey does not have a conflict.

C. APPROVAL OF AGENDA AND CONSENT AGENDA

Approval of Consent Agenda passes all routine items indicated by asterisk (*) on agenda. Consent Agenda items are not considered separately unless any Chena Riverfront Commission member or citizen so requests. In the event of such request, the item is returned to the general agenda.

D. *MINUTES

MOTION: Moved by **Commissioner Schlosser**, seconded by **Commissioner Campbell** that the Agenda and Consent Agenda be approved.

VOTE: No objections

MEETING AGENDA AND CONSENT APPROVED WITHOUT OBJECTION

E. UNFINISHED BUSINESS

1. Salcha-Badger Subarea Plan Resolution of Support – K.Spilman/M. Kellner

Ms. Kellner gave a comprehensive presentation to the Commission with regard to this project. A question and answer session followed Ms. Kellners presentation.

MOTION: Moved by **Commissioner Henszey**, seconded by **Commissioner Schlosser** that the Resolution of support be approved by this commission. .

Commissioner Henszey commented that he had several minor technical edits for the Resolution of Support. **Commissioner Jones** added an additional technical edit for the Resolution of Support.

VOTE: No objections. All in favor as amended with minor edits.

2. High-Risk Streambank Erosion Areas letter – Bob Henszey

Commissioner Henszey addressed the commission with regard to this topic. Discussion ensued.

MOTION: Moved by **Commissioner Schlosser**, seconded by **Commissioner Binkley** that the Letter of Support be approved by this commission and forwarded to Mayor Ward.

Commissioner Henszey commented that he had several minor technical edits for the Resolution of Support. **Commissioner Jones** added an additional technical edit for the Resolution of Support.

Commissioner Campbell advised of a technical edit within the first sentence of the letter.

VOTE: No objections. All in favor as amended with the minor edit.

3. Update on Current DOT&PF projects

a. Wendell Avenue Bridge – Russ Johnson

Russ Johnson, DOT, addressed the commission with regard to this item and gave an informal presentation as to the status of this project. A question and answer period followed the presentation.

b. Chena Riverwalk Phase III – Ivet Hall

The commission did not discuss this item. This item will be placed on a future agenda for discussion and presentation.

4. Bailey Bridge update

Ms. Kellner commented that discussion for the MOA for this project continues. She will report back at a later date if she has anything else to report.

5. River Safety Signage – Wade Binkley

Commissioner Binkley gave a brief update on this project. He stated that it was suggested that the TVWA take the lead for obtaining funding for this project.

Ms. Nelson commented that the TVWA Board of Directors is fully supportive of this project however, they would like to request a Letter of Support when the time comes to apply for funding.

6. Review of CRFC Project List

The Commission reviewed the project list and provided several needed updates. **Ms. Durham** will make the suggested updates and bring this item back at the next meeting.

Further discussion ensued but was not clear due to excessive side talking.

F. NEW BUSINESS

None

G. COMMISSIONER'S COMMENTS

Commissioner Henszey commented that he is giving a presentation at the Murie Building lecture hall regarding the Chena River and how it has changed over the last 100 years.

Commissioner Henszey stated that Mitch Osborn has invited the commission to take a field trip for the August meeting and see his underwater radar to look at fish in the Chena River.

H. AGENDA SETTING

I. ADJOURNMENT

Moved to adjourn by **Commissioner Jones**, seconded by **Commissioner Freiburger**.

The next meeting will be on August 14, 2019 at 12:00 p.m. There being no further business, the meeting was adjourned at 1:34 p.m.

CHENA RIVERFRONT COMMISSION

MINUTES

September 11, 2019 12:00 PM

A regular meeting of the Chena Riverfront Commission was held in the Ester Conference Room, 2nd Floor, Borough Administration Center, 907 Terminal Street, Fairbanks, Alaska. The meeting was called to order at 12:00 p.m. by Julie Jones

As neither the Chair or Vice-Chair was in attendance, Commissioner Julie Jones volunteered to chair the meeting.

A. ROLL CALL

MEMBERS PRESENT: Bob Henszey, Diana Campbell, Julie Jones, Gordy Schlosser, Lee Wood and Annette Freiburger

MEMBERS EXCUSED: Kelley Hegarty-Lammers, Wade Binkley, Greg Barker and Buki Wright

OTHERS PRESENT: Andrew Ackerman, City of Fairbanks; Brian Charlton, FNSB Parks & Rec; Joe Kemp, DOT; Nancy Durham, FNSB Floodplain Manager; Kellen Spillman, FNSB Department of Community Planning; Tracy VanAirdale, Bettisworth North; Cory Dirutigliano, Bettisworth North; Kristi Everett, TVWA; Martin Gutoski, FNSB Historic Preservation Commission; Melissa Kellner, FNSB Long Range Planner and Laura Melotte, FNSB Recording Clerk.

B. MESSAGES

1. Chairman's Comments

None

2. Communications to the Chena Riverfront Commission

Mr. Spillman announced that the Department of Community Planning received in the mail a CD that contains the draft Environmental Impact Statement for the Alaska LNG project.

Commissioner Campbell will review the CD documents and report back if necessary.

3. Citizen's Comments

Mr. Gutoski stated that he would like to speak to the Commission with regards to item #Fb.

Kristi Everett, TVWA, announced that Cynthia Nelson is no longer with TVWA. She has accepted a position with DOT. Ms. Nelson will be joining the Board of Directors for Tanana Valley Watershed Association.

4. Disclosure and Statement of Conflict

C. APPROVAL OF AGENDA AND CONSENT AGENDA

Approval of Consent Agenda passes all routine items indicated by asterisk (*) on agenda. Consent Agenda items are not considered separately unless any Chena Riverfront Commission member or citizen so requests. In the event of such request, the item is returned to the general agenda.

D. *MINUTES

July 10, 2019

MOTION: Moved by **Commissioner Schlosser**, seconded by **Commissioner Henszey** that the Agenda and Consent Agenda be approved.

VOTE: No objections

MEETING AGENDA AND CONSENT APPROVED WITHOUT OBJECTION

E. UNFINISHED BUSINESS

a) Chena Riverwalk Phase III

This item will be placed on the October agenda for discussion.

b) Current DOT Projects – Joe Kemp

Mr. Kemp provided an update with regard to ongoing DOT projects.

Commissioner Henszey suggested that he and **Commissioner Schlosser** arrange a meeting with Mayor Ward to discuss the Airport Way West project. They will report back at the next CRFC meeting.

c) CRFC Project Lis

This item was not discussed. This item will be placed on the October meeting agenda.

F. NEW BUSINESS

a) Capital Improvement Program (CIP)- Kellen Spillman

Mr. Spillman gave a comprehensive presentation to the Commission with regard to this project. A question and answer session followed Mr. Spillmans presentation.

b) Ordinance 2019-034 (Telephonic Participation) – Kellen Speilman

Mr. Spillman addressed the Commission with regard to this item. The ordinance was compared to the Commissions' current rules.

Further discussion ensued.

Martin Gutoski, member of the FNSB Historic Preservation Commission, spoke to this topic. He stated that he is not pleased with this ordinance as it makes it difficult for each commission to establish quorum.

G. EXCUSE FUTURE ABSENCES

Commissioner Jones stated that she will not be in attendance for the October 9, 2019 meeting.

H. COMMISSIONER'S COMMENTS

Brian Charlton announced that Parks & Rec has a streambank restoration project starting at Chena Lakes.

Ms. Kellner commented that the Historic Preservation Commission will be discussing Ordinance 2019-034 at their next meeting on Monday, September 23rd at 5:30 pm in the Noel Wien Library Conference Room.

H. AGENDA SETTING

I. ADJOURNMENT

Moved to adjourn by **Commissioner Henszey**, seconded by **Commissioner Campbell**.

The next meeting will be on October 9, 2019 at 12:00 p.m. There being no further business, the meeting was adjourned at 1:05 p.m.



CLAY STREET CEMETERY COMMISSION
REGULAR MEETING MINUTES – NOVEMBER 6, 2019
FAIRBANKS CITY COUNCIL CHAMBERS
800 CUSHMAN STREET, FAIRBANKS, ALASKA



The **Clay Street Cemetery Commission** convened at 5:00 p.m. on the above date to conduct a Regular Meeting at the City Council Chambers, 800 Cushman Street, Fairbanks, Alaska, with Chair Aldean Kilbourn (Seat C) presiding and with the following members in attendance:

Members Present: George Dalton, Seat A
 Frank Turney, Seat D
 Karen Erickson, Seat F

Absent: Michael Gibson, Seat B
 Julie Jones, Seat E
 Vacant, Seat G

APPROVAL OF MEETING MINUTES

a) Regular Meeting Minutes October 2, 2019

Ms. Erickson, seconded by **Mr. Dalton**, moved to APPROVE the Regular Meeting Minutes of October 2, 2019.

Chair Kilbourn called for objection, and hearing none, so ORDERED.

APPROVAL OF AGENDA

Ms. Erickson, seconded by **Mr. Dalton**, moved to APPROVE the Agenda

Chair Kilbourn called for objection, and hearing none, so ORDERED.

COMMUNICATIONS TO COMMISSION

a) Jack & Charlotte Wilbur Marker Request from Jack Wilbur

Chair Kilbourn reported on the Request for Marker Placement of Jack and Charlotte Wilbur.

Ms. Erickson, seconded by **Mr. Dalton**, moved to APPROVE the Request for Marker Placement of Jack and Charlotte Wilbur.

Chair Kilbourn called for objection, and hearing none, so ORDERED.

EVENTS & PUBLIC RELATIONS

Chair Kilbourn proposed a schedule for work parties to take place in April, and she asked that everyone think of dates that will work if the weather is warm. She reported she had no response from the Boy Scouts Office in regard to the Clay Street Cemetery and requests for services.

UNFINISHED BUSINESS

- a) Marker Placement Order – 2018 Bed Tax Funds

Chair Kilbourn reported that the 2018 Bed Tax Funds paid for the markers they ordered, but they also had enough to purchase more rack cards with the correct photo accreditation to Frank Turney.

- b) Private John White

Mr. Turney stated he continues to work on correcting the headstone of Private John White, and he would have more information at the next meeting.

- c) Desiree Williams Information Request, Ernest J Couse

Chair Kilbourn read an email written by Desiree Williams about her relative Ernest J. Couse. **Chair Kilbourn** stated she did not know how to follow up on the request and asked if anyone had any ideas.

Commission members discussed cemetery history and sources of records that would relate to its history. **Chair Kilbourn** shared some of the research that she has been doing and other events relating to cemetery history.

Ms. Jones asked whether the American Legion is supposed to put a religious symbol on Private White's grave marker, and **Mr. Dalton** asked whether he had any family they could ask. **Mr. Turney** stated he had no contact with the family. **Ms. Jones** stated she would find out if the dog tags can be inset in the marker. **Mr. Turney** stated the dog tags are with Deputy Clerk Braniff.

NEW BUSINESS

- a) December 4, 2019 Meeting

Chair Kilbourn asked members whether they felt a December meeting was necessary.

Ms. Erickson, seconded by **Mr. Turney**, moved to CANCEL the Regular Clay Street Cemetery Commission meeting of December 2019 and schedule the next meeting for January 8, 2020.

Chair Kilbourn called for objection, and hearing none, so
ORDERED.

- b) Spring 2020 Work Parties

This item was discussed earlier in the meeting.

c) 2019 Bed Tax Funds – Photos of Cemetery for Display

Commission members discussed what they should do with the funds. Photo markers and display format were discussed. **Ms. Erickson** stated she has relentlessly searched for photos and shared a photo that she managed to secure.

Members discussed old photos and ways to find more photos that could be displayed at the cemetery. **Ms. Erickson** shared her frustration with how difficult it is to find old photos of the cemetery, and **Chair Kilbourn** stated she was considering asking the News Miner to put something out to the community requesting photos to be used for historic signs. Commission members approved of Chair Kilbourn leaving no stone unturned while looking for historic photos. Members spoke at length about the archives process at the University and shared frustrations about the University's policy to not keep photos from cemeteries.

OPEN AGENDA

Members discussed some of the marker requests that have been received by the Commission.

NEXT MEETING DATE

The next Regular Meeting of the Clay Street Cemetery Commission is scheduled for Wednesday, January 8, 2020.

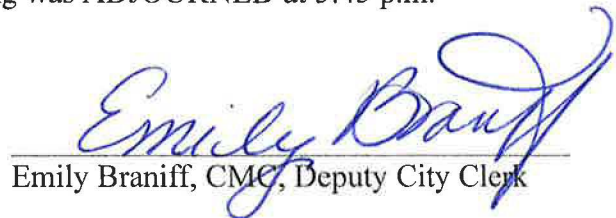
ADJOURNMENT

Ms. Erickson, seconded by **Mr. Turney**, moved to ADJOURN the meeting.

There being no objection, the meeting was ADJOURNED at 5:45 p.m.



Aldean Kilbourn, Chair



Emily Braniff, CMC, Deputy City Clerk

Transcribed by: EB



HOTEL/MOTEL DISCRETIONARY FUND COMMITTEE
 MEETING MINUTES – JANUARY 10, 2020, 12:00 P.M.
 FAIRBANKS CITY COUNCIL CHAMBERS
 800 CUSHMAN STREET, FAIRBANKS, ALASKA



The Hotel-Motel Discretionary Fund Committee convened at 12:10 p.m. on the above date to conduct the Wrap-up Meeting at the City Council Chambers, 800 Cushman Street, Fairbanks, Alaska, with Council Member June Rogers (Seat F) presiding and with the following members in attendance:

Members Present: Kathryn Fitzgerald, Seat A
 Ron Woolf, Seat B
 Jim Soileau, Seat E

Absent: John Nobles, Seat C
 John Kohler, Jr., Seat D

Also Present: Diana Hebel, Deputy City Clerk I

Chair Rogers pointed out that John Kohler had sent an email with reasons for his absence.

APPROVAL OF MEETING MINUTES

a) Regular Meeting Minutes of December 16, 2019

Ms. Fitzgerald, seconded by **Mr. Soileau**, moved to APPROVE the Regular Meeting Minutes of December 16, 2019.

Chair Rogers called for objection and, hearing none, so ORDERED.

NEW BUSINESS

a) Review of Hotel/Motel Discretionary Fund Grant Application and Committee Process

Chair Rogers asked if there were any proposed revisions to the application or process. **Ms. Fitzgerald** expressed that there may be a need for more of a breakdown in miscellaneous income/expenses. **Mr. Woolf** stated he thought it would be sufficient to ask questions of the applicants at their presentations. After a thorough discussion, it was decided that no change was necessary.

A question arose as to whether the Committee could have a private meeting or hold an executive session for the purpose of determining eligibility and/or distribution amounts. **Chair Rogers** stated that the Commission could not have a private meeting; she explained that the purposes for holding Executive Sessions are limited. She asked Deputy Clerk Hebel to contact City Clerk Snider to verify. Clerk Snider, via telephone, stated that the Committee should not meet in Executive Session, and it was ruled out as an option.

After some discussion on transparency of applicant financial records, **Chair Rogers** stated that greater transparency could be accomplished through asking questions. Members continued to discuss the Q & A process following presentations. **Mr. Woolf** requested that the group move on. **Mr. Soileau** added that questions need not be planned in advance, and if he has questions for an applicant, he will ask them.

Chair Rogers asked the Committee whether the two-minute time limit is adequate. She indicated that the meeting may need to be spread over two evenings if the time limit is extended. Following Committee discussion, **Chair Rogers** summarized the consensus of the group:

- A one-night meeting desired
- A two-minute time limit for questions is desired
- The current process for questions is adequate to meet the Commission's goals

b) Discussion Regarding Hotel/Motel Discretionary Fund Logo

Chair Rogers reiterated the logo discussion from previous meeting. She stated that, unless anyone has specific thoughts on ways to change the logo, the logo should remain the same.

Mr. Soileau, seconded by **Mr. Woolf**, moved to keep the current logo as the official logo.

There was no vote taken on this motion.

Ms. Fitzgerald stated she thought the Committee previously decided to keep the current logo, and the only question now was in finding a more professional, higher-resolution version to post to the website.

NEXT MEETING


The next regular meeting is to occur in November 2020 (the exact date to be determined by the Committee).

ADJOURNMENT

Mr. Woolf, seconded by **Mr. Soileau**, moved to ADJOURN the meeting.

Chair Rogers, hearing no objection, declared the meeting
ADJOURNED at 12:59 p.m.


June Rogers, Chair


Diana Hebel, Deputy City Clerk I

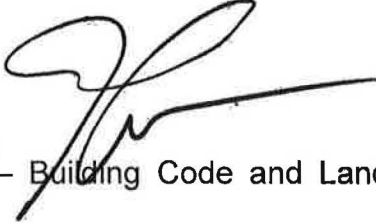
Transcribed by: DH

City of Fairbanks



MEMORANDUM

To: City Council Members
From: Jim Matherly, City Mayor
Subject: Request for Concurrence – Building Code and Landscape Review and Appeals Commission
Date: March 3, 2020



There is a vacancy in Seat A of the Building Code and Landscape Review and Appeals Commission. I hereby request your concurrence to the following **appointment**:

Seat A Steven Labrenz Term to Expire: December 31, 2024

Mr. Labrenz's application and resume are attached.

Thank you.

dds/



City of Fairbanks, Alaska


Building Code & Landscape Review & Appeals Commission

Board Details

The purpose of the Building Code Review and Appeals Commission is:

- 1) To review the building, electrical, plumbing, fire prevention, residential, mechanical, fuel gas and abatement codes and related provisions of the Fairbanks Code of Ordinances and make recommendations regarding building construction and housing codes adopted by the City,
- 2) To investigate and review all operations of the building department of the City, to submit recommendations on policy to the City Council, and to make recommendations on administration to the mayor, and
- 3) To hear and determine in the first instance all appeals from final staff decisions relating to building construction within the City including the Uniform Code for the Abatement of Dangerous Buildings. Any decision of the board may be appealed to the superior court in accordance with the appellate rules of the state court system, and
- 4) To review any disputes arising from the Building Official's application of the prescriptive design method, an applicant's election to use the professional design method, or an applicant's election to use the alternative compliance method.

Overview

 **Size** 12 Seats

 **Term Length** 5 Years

 **Term Limit** N/A

Additional

Board/Commission Characteristics

The Building Code and Landscape Review and Appeals Commission consists of nine regular members appointed by the Mayor, subject to confirmation by the City Council, and each member shall serve a five-year term. The members of the Commission must reside or work within the City and have experience with the design or construction of structures or with landscaping. The Building Official shall be an ex officio member of the Commission, who may provide information and recommendations but may not vote on any matter. Two alternate members are appointed by the Mayor, subject to City Council confirmation, to serve in the place of any absent member or otherwise assist the Commission as directed by the chairman. A secretary, who need not be a Commission member, shall be selected by its regular members.

Meetings

Meetings of the Building Code and Landscape Review and Appeals Commission are called by the chairman or a majority of the regular members. All meetings shall be open to the public. A majority (five members) of the Commission shall constitute a quorum, and a majority vote of those present and voting shall be necessary to carry any question. Minutes shall be kept as a permanent record of all meetings and shall be filed in the Office of the City Clerk.

Enacting Legislation

FGC 2-481 through 2-484

Enacting Legislation Website

<http://bit.ly/2Cw8nP4>

Joint Commission Details

N/A

Email the Commission Members

buildingcode&landscapereview&appealscommission@fairbanks.us

Profile

Steven

First Name

Labrenz

Last Name

[Redacted]

Email Address

[Redacted]

Street Address

[Redacted]

Suite or Apt

Fairbanks

City

AK

State

[Redacted]

Postal Code

Mailing Address

[Redacted]

Are you a City of Fairbanks resident? *

Yes

[Redacted]

Primary Phone

[Redacted]

Alternate Phone

Siemens

Employer

Sales Executive

Job Title

Which Boards would you like to apply for?

Building Code & Landscape Review & Appeals Commission: Submitted

Interests and Experiences

Why are you interested in serving on a City board or commission? What experiences can you contribute to the benefit of the board or commission?

I'm interested in serving on a City Board so I can share my building and contracting knowledge to the residents of Fairbanks. I'd like to contribute and give back to my community. I have worked for my family's landscaping business, Labrenz Landscaping here in Fairbanks throughout my childhood and young adult life which could provide insight from a contractor's perspective. In my professional career, as an account representative for Siemens Building Technologies, I have first hand experience in new construction, servicing the needs of established commercial real estate owners and of building and fire alarm codes.

Please provide a brief personal biography in the space below, or attach a resume.

Please see "Summary" section in my resume.

Upload a Resume

List any professional licenses or training you believe are relevant to the seat you are applying for.

LEED Green Associate Credential ID: 11087207-GREEN-ASSOCIATE Electrical Pre-Apprenticeship
Credential ID: ca2ele12.51611702 ASHRAE-242283 Energy Conservation Certificate of Completion

Contact



Top Skills

Leadership
Project Management
Technical Product Sales

Languages

Italian

Certifications

Electrical Pre-Apprenticeship
Certification

Steven Labrenz

Dynamic sales engineer managing & growing building automation digital control solutions for clients in Interior Alaska.

Fairbanks, Alaska

Summary

Steven Labrenz is an experienced technical sales professional for Siemens Smart Infrastructure's Building Technologies business unit. Steven supports Siemens established customers within Interior Alaska with direct digital control building automation solutions and preventative maintenance based service agreements. His focus is on service sales for customers within the Healthcare, K-12 Schools, Higher Education, Government and Private Commercial vertical markets,

As a technology partner, consultant, service provider, system integrator and product supplier, Steven leverages' Building Technologies service offerings in fire protection, security, building automation, heating, ventilation and air conditioning (HVAC) and energy management products to create Smart Buildings for his customers. His sales territory includes the City of Nuiqsut in the arctic, Yukon River native villages, Galena, Delta Junction, Tok, Nome, Cantwell, Healy, Nenana and Fairbanks (the 2nd largest city in Alaska).

Steven Labrenz earned his Bachelor of Science in Business Degree from the Carlson School of Management at the University of Minnesota in 2011 and majored in marketing. Steven also studied in Venice, Italy for a semester at a prestigious business school consortium and gained a deep understanding of Italian culture and history, the functions and structures of the European Union, and advanced international economics and business law.

Steven enjoys being active outdoor and living the Alaska lifestyle. Some of his hobbies include, hunting & fishing, snowmobiling, traveling to new countries, cross country skiing and ice hockey. Steven is very excited to be working and living in his hometown of Fairbanks, Alaska.

Steven's Specialties: Gallup Poll's Strengths Finder 2.0 Skills Assessment;

1. Achiever
2. Communication
3. Activator
4. Significance
5. Responsibility

Experience

Siemens

4 years 8 months

Sales Executive

July 2016 - Present (3 years 8 months)

Fairbanks, AK

Promoted to a Sales Executive after successful completion of a 1 yr. training program. As a Sales Executive, I manage, grow and develop customer accounts within the service department of the Building Technologies business unit. I help maintenance managers and building owners with Building Automation, Fire Alarm and Electrical Service needs covering Fairbanks and other nearby regions in the Interior of Alaska. Reporting to the General Manager of the Siemens Alaska Branch, I sell projects, service contracts, building automation software and small quote solutions to customers in K-12, University, Government & Healthcare markets.

Sales Associate - Sales Development Program

July 2015 - June 2016 (1 year)

Fairbanks, AK

Selected into a 12-month program featuring classroom instruction, six-months of hands-on training as well as a mentorship with a successful sales professional. My training combined in-classroom sessions, online lessons, and on the job experiences. I developed knowledge of Siemens products, technology, personnel, culture, policies, practices and regulations. Completed structured On-The Job activities in Job Documentation, System Design and Installation and Estimating. Shadowed Siemens technicians to gain deep hands-on understanding of Siemens highly technical products as they relate to the automation controls industry.

Advantage Solutions: Sales, Marketing, Technology

3 years 2 months

Associate Business Development Manager

May 2014 - June 2015 (1 year 2 months)

Greater Chicago Area

Earned promotion following superior performance in previous role as a retail planning and reporting specialist. Responsible for managing \$500,000+ in clients merchandising projects at 8,000 Walgreen's drug stores. Supported the distribution, marketing, promotion, display and mailing activities for clients Johnson & Johnson, Energizer and Novartis. Created and delivered client-focused merchandising programs for manufacturers products. Managed marketing, mailing and point of sale materials in response to RFP's from clients who wanted the best in class merchandising services. Supported all aspects of representative scheduling, business development and program result analysis on the Retail Synergy Program for new client business at Walgreens Corporation.

Retail Planning & Reporting Specialist

June 2013 - May 2014 (1 year)

Seattle, WA

Achieved promotional advancement from earlier position as Leadership Development Associate. Accountable for planning Novartis International AG's 6,500 U.S. grocery retail activation accounts for more than 150 stock keeping units. Executed retail client plans and designed customer sale sheets for sales representatives on a monthly basis. Analyzed key performance indicators, sales trends and business opportunities. Implemented retail distribution summary reports by monitoring issues throughout monthly projects and provided feedback to Novartis's retail management team.

Leadership Development Associate

May 2012 - June 2013 (1 year 2 months)

Greater Minneapolis-St. Paul Area

Selected into my company's year-long national leadership training program. Merchandised client's products and performed customer presentations within a Minneapolis territory of 10 grocery stores and validated new business opportunities using syndicated market research. Received mentoring and gained access and networked with senior decision makers and key leaders, and learned what it is like to work as part of a large sales and marketing company.

Priority Metrics Group

Marketing Research Analyst

January 2012 - December 2012 (1 year)

Roebuck, SC 29376

Responsible for providing support for the research marketing function through research and analysis of the company's international client markets, competition and product mix. Generated over 25 reports that profited \$3,000. Analyzed competitive macro and micro-environment and future trends, audited reports and engaged in retail field marketing activities to create detailed qualitative and quantitative power point decks for client recommendations.

YMCA of the Greater Twin Cities

Counselor-Camp St. Croix

June 2010 - August 2011 (1 year 3 months)

Hudson, WI

Lead children from the Twin Cities metro in a multitude of Summer camp activities at Camp St. Croix, an organization providing exceptional outdoor programs. Taught the importance of a healthy lifestyle and living by the YMCA's four core values: honesty, caring, respect and responsibility. Scheduled and coordinated special events working 40 hours a week from June through end of August in the Summer.

University of Minnesota Alumni Association

Alumni Relations Specialist

September 2008 - February 2009 (6 months)

Minneapolis, Minnesota

Education

University of Minnesota - Carlson School of Management

Bachelor of Science in Business- (BSB), Business, Management, Marketing, Operations and Finance · (2008 - 2011)

CIMBA

Fall Semester Study abroad. Venice, Italy · (2010 - 2010)

SIEMENS

February 17, 2020

City of Fairbanks
Boards & Commissions
8000 Cushman St
Fairbanks, AK 99701

Re: Steve Labrenz –Building Code & Landscaping Review & Appeals Commission

To whom it may concern,

Steve Labrenz has been a building professional with Siemens Industry since 2015. He has strong ties to Fairbanks and a desire to be more engage to the community. I believe he would be an asset to the Building Code & Landscape Review & Appeals Commission. His knowledge of building uses, building systems, and landscaping will make him a valuable member of this commission.

Sincerely,



Doug Schutte
Service Sales Manager

**Unrestricted
Siemens Industry, Inc.
Smart Infrastructure**

5333 Fairbanks St, Suite B
Anchorage, AK 99518

Tel: (907) 563-2242
Fax: (907) 563-6139

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