



FAIRBANKS CITY COUNCIL  
AGENDA NO. 2020-17  
**REGULAR MEETING – JULY 13, 2020**  
FAIRBANKS CITY COUNCIL CHAMBERS  
800 CUSHMAN STREET, FAIRBANKS, ALASKA

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*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.

NOTE: Due to concerns over the COVID-19 pandemic, some special procedures are being implemented for City Council Meetings. Mayor Matherly and Council Members may participate telephonically during this time. Citizens may have written comments read into the record if submitted to the City Clerk in advance (the three-minute time limit applies). To help achieve social distancing, the seating in Council Chambers is spread out and limited. No more than 30 individuals will be allowed in the Chambers at the same time. Citizens arriving after the maximum number has been reached will be directed to wait in another area until it is their turn to speak to the Council. Meeting attendees are encouraged to wear a face covering, but it is not required. Those who provide testimony to the Council are asked to wipe down the microphone and table surface following their testimony. We thank you for your understanding and cooperation during this time.

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 June 29, 2020

8. SPECIAL ORDERS

9. MAYOR'S COMMENTS AND REPORT

- a) Special Reports
- b) Update from Chief of Police

10. COUNCIL MEMBERS' COMMENTS

11. UNFINISHED BUSINESS

- a) Ordinance No. 6133 – An Ordinance Amending FGC Chapter 46, Article IV, by Enacting Division 6 Fees for Excessive Police Responses. Introduced by Council Members Gibson and Therrien. POSTPONED from the Regular Meeting of June 29, 2020; public hearing was held at that time.
- b) Ordinance No. 6135 – An Ordinance Ratifying a Labor Agreement Between the City of Fairbanks and the International Brotherhood of Electrical Workers Local 1547 and Amending the 2020 City Operating Budget. Introduced by Mayor Matherly. SECOND READING AND PUBLIC HEARING.
- c) Ordinance No. 6136 – An Ordinance Amending the 2020 Operating and Capital Budgets for the Second Time. Introduced by Mayor Matherly. SECOND READING AND PUBLIC HEARING.
- \*d) Ordinance No. 6137 – An Ordinance Amending Fairbanks General Code Chapter 74, Taxation, by Adding a New Article VII, Gasoline Excise Tax. Introduced by Council Members Cleworth, Therrien, Kun, and Rogers. First Reading was POSTPONED from the Regular Meeting of June 29, 2020. Public Hearing will be held at the Second Reading.

12. NEW BUSINESS

- \*a) Resolution No. 4924 – A Resolution Authorizing Execution of a Maintenance Agreement Between the City of Fairbanks and the State of Alaska Department of Transportation and Public Facilities for the Wembley Avenue Fence. Introduced by Mayor Matherly.
- \*b) Resolution No. 4925 – A Resolution Urging the State of Alaska to Return Fairbanks City Bus 142 to Fairbanks. Introduced by Council Member Gibson.
- \*c) Ordinance No. 6138 – An Ordinance Ratifying a Labor Agreement Between the City of Fairbanks and the Fairbanks Firefighters Union, IAFF Local 1324, and Amending the 2020 City Operating Budget. Introduced by Mayor Matherly.

13. DISCUSSION ITEMS (Information and Reports)

- a) Committee Reports

14. WRITTEN COMMUNICATIONS TO THE CITY COUNCIL

- \*a) Reappointment to the Clay Street Cemetery Commission

15. COUNCIL MEMBERS' COMMENTS

16. CITY CLERK'S REPORT

17. CITY ATTORNEY'S REPORT

18. EXECUTIVE SESSION

- a) Roberts et al v. City of Fairbanks Litigation Strategy

19. ADJOURNMENT



FAIRBANKS CITY COUNCIL  
REGULAR MEETING MINUTES, JUNE 29, 2020  
FAIRBANKS CITY COUNCIL CHAMBERS  
800 CUSHMAN STREET, FAIRBANKS, ALASKA

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The City Council convened at 6:30 p.m. on the above date 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 (telephonic)  
June Rogers, Seat B (telephonic)  
Valerie Therrien, Seat C (telephonic)  
Aaron Gibson, Seat D (telephonic)  
Jerry Cleworth, Seat E  
David Pruhs, Seat F (telephonic)

Absent: None

Also Present: Margarita Bell, Chief Financial Officer  
Paul Ewers, City Attorney  
D. Danyielle Snider, City Clerk  
Jeff Jacobson, Public Works Director  
Mike Meeks, Chief of Staff  
Greg Foster, FPD Lieutenant  
Nancy Reeder, Police Chief  
Tod Chambers, Acting Fire Chief  
Mike Sanders, Housing & Homeless Coordinator  
Teal Soden, Communications Director

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** recognized Lt. Greg Foster for his 25 years of service to the City of Fairbanks and presented him with the traditional retirement gold pan. **Mayor Matherly** thanked Lt. Foster for his years of service and wished him well in future endeavors.

Lt. Foster spoke about his love for Fairbanks and about how it is a great place to raise a family. He stated he is dedicating himself to his family in the future. He stated that increasing funding for police officers and opening communication with the community would fix problems at the

Fairbanks Police Department (FPD). He expressed hope that Fairbanks will continue to be a good community.

**Mayor Matherly** reported that Facilities Manager Joe Cody is also retiring and wished him well.

### **CITIZENS' COMMENTS**

Victor Buberger, P.O. Box 58192, Fairbanks – Mr. Buberger stated he heard a complaint about Mr. Cleworth, Mr. Gibson, and Mr. Pruhs not attending a recent special meeting. He stated the Council appears to be reduced to the “boys against the girls.” He stated that the Fairbanks Fire Department (FFD) should allow for volunteer firefighters.

Randy Griffin, P.O. Box 73653, Fairbanks – Mr. Griffin expressed concern that Ordinance No. 6093 would make a resurgence in the City. He spoke in support of police officer training and shared a story about a man who changed his opinion on some issues when he participated in a police training course with officers.

Clerk Snider read into the record a written comment submitted in advance from Maliko Ubl, Chena Ridge, Fairbanks who spoke in support of defunding FPD and using an outside, non-partisan agency to investigate instances of police officer brutality, misconduct, and violence.

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

### **APPROVAL OF AGENDA AND CONSENT AGENDA**

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

**Mr. Cleworth** pulled Ordinance No. 6137 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.

### **APPROVAL OF PREVIOUS MINUTES**

a) Regular Meeting Minutes of June 15, 2020.

APPROVED on the CONSENT AGENDA.

### **MAYOR'S COMMENTS AND REPORT**

**Mayor Matherly** stated there has been an increase in COVID-19 cases in Alaska, and he is being pressured to require citizens wear masks. He stated it would be difficult to enforce masking if the Borough did not require the same, but he encouraged citizens to wear masks when in public and take precautions against the virus. He reported there will be free COVID-19 testing at the Carlson Center by appointment only and provided a phone number, 452-1776. **Mayor Matherly** stated the application process for CARES Act funding will be released on the City website soon. He

stated the funds come with firm restrictions, and the funds will be disbursed based on federal law. He stated that City employees have kept the City going during the COVID-19 outbreak, and he commended them for a job well done.

### **COUNCIL MEMBERS' COMMENTS**

**Mr. Gibson** stated he had no comments.

**Mr. Pruhs** stated he had no comments.

**Ms. Therrien** stated she had no comments.

**Ms. Rogers** thanked the Mayor for his comments on masking and stated she wholeheartedly agrees with his statements. She thanked Public Works and other City departments for their correspondence regarding issues on the agenda.

**Ms. Kun** thanked Lt. Foster for his years of service and thanked the Mayor for recognizing him.

### **UNFINISHED BUSINESS**

- a) Ordinance No. 6131 – An Ordinance Authorizing a Lease of Space in City Hall to the Boys & Girls Club of Alaska, Inc. Introduced by Mayor Matherly. SECOND READING AND PUBLIC HEARING.

**Mr. Gibson**, seconded by **Mr. Pruhs**, moved to ADOPT Ordinance No. 6131.

**Mayor Matherly** called for comment and, hearing none, declared Public Testimony closed.

**Mayor Matherly** reported the unique situation of the City having the opportunity to house the Boys & Girls Club in City Hall.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 6131 AS FOLLOWS:

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

NAYS: None

**Mayor Matherly** declared the MOTION CARRIED and Ordinance No. 6131 ADOPTED.

- b) Ordinance No. 6132 – An Ordinance Ratifying a Collective Bargaining Agreement Between the City of Fairbanks and the AFL-CIO Crafts Council and Amending the 2020 General Fund Operating Budget. Introduced by Mayor Matherly. SECOND READING AND PUBLIC HEARING.

**Mr. Pruhs**, seconded by **Ms. Therrien**, moved to ADOPT Ordinance No. 6132.

Lake Williams, 945 Senate Loop, Fairbanks – Mr. Williams spoke in support of the ordinance and asked the Council to vote in favor of it. He stated the membership ratified the agreement on March

12, 2020, and it is time to move forward. He spoke to some specific items in the contract that were negotiated in the process. He stated he hopes the Council will support Ordinance No. 6132 because the workers really need the help.

Jeremiah Record, P.O. Box 192, Ester – Mr. Record stated he is the current Shop Foreman at Public Works and shared the reasons he supports the passage Ordinance No. 6132. He stated he hopes the contract is approved so they can retain institutional knowledge at the Public Works Department. He reported that several people have left the department because of wages.

Jayla Gentry, Fairbanks – Ms. Gentry stated that she considered emailing her comments to the Council but decided to testify in person. She stated she did not know that Council Members would not physically be present. She stated she has worked for the City for about five years, but she has been a member of the Operators Union for 16 years. She stated she will be 40 years old in December, and her wage at the City is less than that of a first-year apprentice in Local 302. She stated it is not acceptable because the services Public Works provides to the community are important. Ms. Gentry stated she loves her job, but if the contract does not pass, people will not be able to afford to continue to work at Public Works. She stated she was born and raised in Fairbanks, and she loves being a City employee. She stated she loves the job because it allows her to spend time with her family. She thanked the Council for listening to her comments.

**Ms. Therrien** stated that even though Council Members are not physically present, they can still hear comments.

**Ms. Rogers** thanked Ms. Gentry for her testimony.

Tracy Morphis, 531 Golden Leaf Drive, Fairbanks – Ms. Morphis stated she has been at the Public Works Department for 13 years, and she shared her fear about the exodus that will occur if the Council does not approve the contract. She stated temporary employees do not want to come back to work at the City because the pay is too low. She stated the City needs to retain the quality employees they have on staff currently.

Hearing no more requests for comment, **Mayor Matherly** declared Public Testimony closed.

**Mr. Cleworth** stated he received several emails regarding the AFL-CIO contract and apologized for not being able to respond to them all. He spoke about the impact the contract would have on the City's budget. He stated that, with the loss in revenue in 2020, there is no way to fund the contract. He spoke to the lack of State revenue sharing and to his concerns with the SAFER grant the City accepted. **Mr. Cleworth** stated that all the revenue from the proposed gasoline tax would have to go to funding the AFL-CIO contract, and the Fairbanks Firefighter Union (FFU) contract has not even been considered yet. He shared his concerns with front-loading contracts and stated that it often costs more to do so because of the compounding effect. **Mr. Cleworth** read aloud from the previous meetings minutes when City Attorney Paul Ewers report that front-loading a labor agreement at 5% would have an impact of 7.5% over three years. **Mr. Cleworth** stated the tourist industry and local businesses are taking a huge hit, and the public does not deserve to have to pay for 5% raises to employees. **Mr. Cleworth** stated he supports some of the increases, such as the skilled mechanic raise, but he cannot support a 5% increase across the board. He stated he also does not agree with the \$100/month bonus in the third year. He stated not every Council Member agreed on the terms of the contract. He stated that if the AFL-CIO contract is passed, all

the other unions at the City are going to want the same. **Mr. Cleworth** stated it is the duty of the Council to help the Mayor balance the budget, and he is not sure how that could be done with the contract approved. He stated the City needs to take care of its employees, but it cannot afford this contract. He apologized to the employees for the vote he will make, but it will be problematic if the Council approves the contract.

**Ms. Rogers** thanked Mr. Cleworth for his well-studied observations about a very complex issue but stated that she is not of the same mind on the issue. She stated she would like to enter into an agreement with the people that work for the City to foster trust in the relationship and do what is right by them. She stated the appearance of opposite sides needs to stop and added that she would vote in support of the ordinance.

**Mr. Gibson** thanked everyone who sent him emails or personally called him to discuss the contract. He stated this contract is unique because it was negotiated before the COVID-19 outbreak, and it is now a tough decision to make.

**Mr. Pruhs** thanked everyone who wrote letters to the Council. He shared that the contract is a complicated issue, and he cannot see a funding source to support it. He stated it is unwise to deficit spend to fund a labor contract, so he would not be voting in favor of the ordinance.

**Ms. Therrien** stated she would vote in support of the contract and shared that the gasoline tax revenue would be the funding source. She stated that employees with long-standing institutional knowledge need to be supported.

**Mayor Matherly** stated he appreciates the information Mr. Cleworth provided, but he is focused on the human factor. He stated he has advised the Council that the City needs new revenue sources, and he has been shot down each time he has presented an option. He stated all six of the Council Members voted against his effort to increase the bed tax rate. He stated nobody has brought any new revenue sources forward. **Mayor Matherly** implored the Council to support Ordinance No. 6132 because the City cannot afford to lose more employees. He stated all employees are important, but Public Works has the most publicly visible group.

**Mr. Gibson** clarified that when the bed tax increase was considered, he was not yet on the City Council. **Mayor Matherly** apologized and stated he stands corrected. **Mr. Gibson** further clarified that he introduced an amendment to the tobacco tax that would include vaping products, but the Mayor broke the tie to fail that ordinance. **Mr. Gibson** stated he would vote in favor of the ordinance but that balancing a budget in the future would be challenging. **Mayor Matherly** stated the vaping tax was complicated and would not have generated much revenue.

**Mr. Cleworth** stated that the Public Works budget needs to be adjusted each year for temporary hires. He shared that he does not think the City can afford the contract and spoke to the budget bottom line. He stated the Mayor was correct about the hotel/motel tax even though it would not have generated much revenue this year. He stated the increase may have to be brought back to the Council. He stated the Mayor will have a difficult time preparing a balanced budget for 2021.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 6132 AS FOLLOWS:



YEAS: Rogers, Kun, Gibson, Therrien  
NAYS: Cleworth, Pruhs  
**Mayor Matherly** declared the MOTION CARRIED and Ordinance No. 6132 ADOPTED.

- c) Ordinance No. 6133 – An Ordinance Amending FGC Chapter 46, Article IV, by Enacting Division 6 Fees for Excessive Police Responses. Introduced by Council Members Gibson and Therrien. SECOND READING AND PUBLIC HEARING.

**Ms. Therrien**, seconded by **Ms. Rogers**, moved to ADOPT Ordinance No. 6133.

**Mayor Matherly** called for public comment and, hearing none, declared Public Testimony closed.

**Mr. Gibson** stated that more work needs to be done on the ordinance before the vote.

**Mr. Gibson**, seconded by **Ms. Kun**, moved to POSTPONE Ordinance No. 6133 to the next Regular Meeting.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO POSTPONE ORDINANCE NO. 6133 AS FOLLOWS:

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

**Ms. Rogers** brought to the attention of the Council that there were written comments submitted in advance regarding Ordinance No. 6133 that were not read into the record.

Clerk Snider read into the record comments submitted by Maliko Ubl whose concern was with those in the community experiencing mental health crises, the poor, the homeless, and those suffering from addiction. The comments stated that the ordinance would continue placing vulnerable citizens in jail when what they need is help.

City Clerk Snider read into the record comments submitted by Sue Sprinkle of Fairbanks who questioned why the ordinance would apply only to residential properties. Ms. Sprinkle stated she has been told that an emergency response to a drug overdose would not count as a response because it is medical. She stated that is exactly why those calls should count as a response. She stated that she has made calls about nuisance properties and has been told that there is no one to respond, and she asked whether that is counted as a response. She stated that in some cases, the police just “roll by”, and she asked whether that is counted as a response. She stated that a report of gun shots should not take four phone calls to get a response from FPD. She stated she would like some assurance that FPD take reports from neighbors seriously.

City Clerk Snider read into the record comments submitted by Arleigh Hitchcock who asked the Council to consider the mental health community before passing the ordinance. She stated a task force should be formed in the wake of the killing of George Floyd that can address alternatives to policing such as the CAHOOTS model in Eugene, Oregon. She explained that is when mental health and medical professionals answer mental health calls given to them through the police

department. She stated the Mayor and City Council's response at the last City Council meeting shows that they are out of touch with community problems. Ms. Hitchcock stated that FPD needs to change the ways in which they interact with the community, and they can start by firing police officers with a violent history. She stated she was a social worker for three years and was assaulted multiple times. She stated the only time she needed to perform a physical intervention was during suicide attempts, and she stated that Fairbanks owes it to its citizens to do better.

- d) Ordinance No. 6134 – An Ordinance to Amend FGC Chapter 22 Elections by Adding New Section 22-15.1 Early Voting, Making Related Amendments, and Expanding the Requirements for Notices of Election. Introduced by Council Members Rogers, Therrien, and Kun. SECOND READING AND PUBLIC HEARING.

**Ms. Rogers**, seconded by **Ms. Kun**, moved to ADOPT Ordinance No. 6134.

**Mayor Matherly** called for public comment and, hearing none, declared Public Testimony closed.

**Ms. Rogers** spoke in support of the ordinance and stated that anything the Council can do to help get out the vote is a move forward.

**Ms. Therrien** and **Mr. Cleworth** asked Clerk Snider to comment on the ordinance. Clerk Snider stated that the ordinance would codify additional requirements for notices of election – requirements that are already being noticed. She stated that the ordinance would keep the City consistent with the Borough's proposed changes to allow for early voting. She explained that early voting differs from absentee voting in that early votes do not have to go through the canvassing process. She stated that the City's portion of the cost for the change is so insignificant that a fiscal note was not necessary. She reported that the Borough's ordinance to adopt similar changes to its code would not be addressed by the Borough Assembly until the following evening.

**Mr. Gibson** asked what would happen if the City passed the ordinance and the Borough did not pass its ordinance. Clerk Snider explained she had spoken with the Borough Clerk, and there is no indication of controversy over the ordinance at the Assembly level. She stated, however, that if the Borough's ordinance does not pass, the City will have time to revisit the ordinance.

**Mr. Cleworth** stated the only downside he sees to early voting is that candidates do not strongly campaign until right before the election, so early voters may change their minds after casting a vote.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT NO. 6134 AS FOLLOWS:

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

NAYS: None

**Mayor Matherly** declared the MOTION CARRIED.

## **NEW BUSINESS**

- a) Resolution No. 4923 – A Resolution Authorizing the City of Fairbanks to Accept Funds from the Alaska Mental Health Trust Authority for the Fairbanks Homeless and Housing Services Coordinator. Introduced by Mayor Matherly.

PASSED and APPROVED on the CONSENT AGENDA.

- b) Ordinance No. 6135 – An Ordinance Ratifying a Labor Agreement Between the City of Fairbanks and the International Brotherhood of Electrical Workers Local 1547, and Amending the 2020 City Operating Budget. Introduced by Mayor Matherly.

ADVANCED on the CONSENT AGENDA.

- c) Ordinance No. 6136 – An Ordinance Amending the 2020 Operating and Capital Budgets for the Second Time. Introduced by Mayor Matherly.

ADVANCED on the CONSENT AGENDA.

- d) Ordinance No. 6137 – An Ordinance Amending Fairbanks General Code Chapter 74, Taxation, by Adding a New Article VII, Gasoline Excise Tax. Introduced by Council Members Cleworth, Therrien, Kun, and Rogers.

**Ms. Kun**, seconded by **Mr. Cleworth**, moved to ADVANCE Ordinance No. 6137.

**Mr. Cleworth** stated he had hoped that the measure would be a good tool for funding labor contracts, although half a million dollars has been spent. He wished the Mayor luck with balancing next year's budget. He stated he cannot support raising taxes on the people when the Council has not tightened its belt, and it is embarrassing to him. He stated at the next meeting he may vote against the gasoline tax. He stated he is speaking from the heart, and he needs to let the Council know where he is coming from.

**Ms. Therrien**, seconded by **Ms. Rogers**, moved to AMEND Ordinance No. 6137 by changing the effective date to January 1, 2021.

**Mr. Gibson** asked Attorney Ewers if modifying the effective date changes anything other than losing potential revenue for 2020. Mr. Ewers stated that the only effect is that no revenue would be realized in 2020. **Mr. Gibson** asked if it would reduce the amount of revenue the City could collect under the tax cap the following year. Attorney Ewers replied that it would not.

**Mr. Pruhs** stated he is glad to hear that from Attorney Ewers, and he asked if there would be a bar for 2021 if the City collected only a partial year's revenue from the tax for 2020. Attorney Ewers stated he understood that there was a discussion at a recent Finance Committee meeting about the issue, but his understanding is that it would not reduce the amount of money that could be collected in future years. **Mr. Pruhs** stated he did not want to have a low base line.

**Mayor Matherly** asked Chief Financial Officer Margarita Bell to weigh in. Ms. Bell asked to that the question be repeated. **Mr. Cleworth** asked whether the tax cap for future years would be affected if the City collected gasoline tax funds for the remainder of 2020. Ms. Bell stated it would only reduce the amount of revenue being left on the table by the City under the cap.

**Ms. Rogers** stated she understood clearly at the Finance Committee meeting, but now she is confused with the information being presented. Ms. Bell asked Ms. Rogers to refer to page five

of the Finance Committee agenda and explained more about the revenue left on the table by the City under the tax cap within the cap.

**Ms. Therrien**, with the concurrence of the Second, WITHDREW the amendment to change the effective date of Ordinance No. 6137.

**Mr. Gibson**, seconded by **Mr. Pruhs**, moved to POSTPONE the first reading of Ordinance No. 6137 to the next Regular Council Meeting.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO POSTPONE THE FIRST READING OF ORDINANCE NO. 6137 TO THE NEXT REGULAR COUNCIL MEETING AS FOLLOWS:

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

NAYS: None

**Mayor Matherly** declared the MOTION CARRIED.

### **DISCUSSION ITEMS**

a) Committee Reports

**Mayor Matherly** stated he has spoken with City Clerk Danyielle Snider about how to proceed with Board and Commission meetings during the month of July. He stated he has not finalized that decision, but he is monitoring the situation and would keep the Council updated.

FAST Planning Board of Directors – **Mr. Gibson** reported on FAST Planning projects and stated he is encouraged by all the things happening in the City of Fairbanks.

### **WRITTEN COMMUNICATIONS TO COUNCIL**

a) Appointment to the Fairbanks Diversity Council

APPROVED on the CONSENT AGENDA.

b) Reappointment to the Fairbanks Diversity Council

APPROVED on the CONSENT AGENDA

### **COUNCIL MEMBERS' COMMENTS**

**Mr. Gibson** stated he had no comments.

**Mr. Pruhs** recognized Mr. Cleworth for being the only Council Member physically at the meeting and for being firm in his stance on the labor contract before of a room full of employees.

**Ms. Therrien** suggested that the Fairbanks Diversity Council provide the Council with recommendations regarding racism and FPD. She thanked Lt. Foster for his years of service and for all the times he has come to the Council to speak.

**Ms. Rogers** thanked Lt. Foster for his years of service to the community. She asked if there could be a joint proclamation from local mayors regarding racism.

**Ms. Kun** stated she had no comments.

*Council Member Cleworth was not called upon to provide Council Member Comments.*

**Mr. Cleworth**, seconded by **Mr. Gibson**, moved to ENTER Executive Session for the purpose of discussing FFU Labor Negotiation Strategy.

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

**Mayor Matherly** called for a brief recess. The Council reconvened in Executive Session following the recess.

### **EXECUTIVE SESSION**

a) FFU Labor Negotiation Strategy

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

### **ADJOURNMENT**

**Mr. Pruhs**, 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 8:49 p.m.

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JIM MATHERLY, MAYOR

ATTEST:

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D. DANYIELLE SNIDER, MMC, CITY CLERK

Transcribed by: EB

**ORDINANCE NO. 6133**

**AN ORDINANCE AMENDING FGC CHAPTER 46, ARTICLE IV, BY ENACTING  
DIVISION 6 FEES FOR EXCESSIVE POLICE RESPONSES**

**WHEREAS**, Alaska Statute 29.35.125 provides that municipalities may impose a fee on the owners of residential property for excessive police responses to the property; and

**WHEREAS**, excessive police responses constitute a misuse of the limited law enforcement resources available to the City; and

**WHEREAS**, enacting the excessive police response provisions of this ordinance will give the City additional means to deal with properties that consume excessive City resources; and

**WHEREAS**, the proposed ordinance provides notice provisions, whereby a responsible property owner will be able to take corrective action to avoid the imposition of any fees or other action.

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

**Section 1.** That FGC Chapter 46, Article IV, is amended by adding a new Division 6. Fees for Excessive Police Responses, as follows:

**ARTICLE IV. OFFENSES INVOLVING NUISANCES**

**DIVISION 6. FEES FOR EXCESSIVE POLICE RESPONSES.**

**Sec. 46-230. Definitions.**

The following words, terms, and phrases, when used in this division, have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Excessive police response* means each police response in excess of ten to a property in a calendar year.

*Mobile home* means any vehicle or structure designed and constructed in such a manner as will permit occupancy as sleeping quarters for one or more persons, or the conduct of any business or profession, occupation, or trade, and so designed that it is or may be mounted on wheels and used as a conveyance on highways or city streets, propelled or drawn by its own or other motive power.

*Owner* means the record owner of the property as shown in the real property tax records of the Fairbanks North Star Borough.

*Permit* means to allow, consent to, acquiesce by failure to prevent, or expressly assent or agree to the doing of an act.

*Person* means any natural person, agent, association, firm, partnership, or corporation capable of owning, occupying, or using property in the city.

*Police Chief or Chief* means the Chief of the Fairbanks Police Department or designee assigned to carry out the duties of the Police Chief under this article.

*Police response* means that one or more police officers goes to a property in response to a call for assistance, a complaint, an emergency, a potential emergency, or a reasonable suspicion of unlawful activity witnessed by a police officer, and any response determined by a sergeant or higher ranking police officer to be related to activities on the property and reasonably preventable; however, the term "police response" does not include a response to:

1. Receipt of false information, unless the false information was provided by an occupant or owner of the property;
2. A false alarm, unless the false alarm was caused, permitted, or allowed by an occupant or owner of the property;
3. A call involving potential child neglect, potential domestic violence as defined in AS 18.66.990, or potential stalking under AS 11.41.260 or 11.41.270;
4. A report of a sexual assault or abuse as defined in AS 11.41.410 – 455, unless the owner is a suspect in the crime or allowed the offense to occur and the victim does not reside in the residence;
5. A medical emergency for a serious medical condition, serious bodily injury, or death.

*Property* means any property, including land and that which is affixed, incidental, or appurtenant to land.

#### **Sec. 46-231. Excessive police responses prohibited.**

(a) The owner of any property within the city is responsible for the excessive police responses to that property and is liable for the penalties imposed by this division.

(b) Each excessive police response will constitute, except where otherwise provided, a separate violation for which a separate fee may be assessed.

**Sec. 46-232. Fee for excessive police responses.**

(a) Subject to subsection (b), the owner of property shall pay the city a fee of \$500.00 per excessive police response.

(b) A person is exempt from liability for the fee established by subsection (a) if:

- (1) The owner is a federal, state, or local government agency;
- (2) The property responded to is used exclusively for nonprofit, religious, charitable, cemetery, hospital, or educational purposes;
- (3) The city has not provided notice to the owner as provided for in Sec. 46-233; or
- (4) Any person has taken appropriate corrective action and has given written notice to the Police Chief of the action as required by Sec. 46-234.

(c) If a property has more than one owner, all owners shall be jointly liable for any fee imposed under this section.

(d) If the unit requiring excessive police responses is a mobile home located in a mobile home park, the fee will be imposed on the owner of the mobile home and not on the owner or operator of the mobile home park, unless the mobile home park owner's or operator's conduct required the excessive police response.

(e) If the Police Chief determines appropriate corrective action was taken with respect to a specific property, the count of police responses to the property will be reset to zero, effective the date of the determination. After resetting, all provisions in this chapter referring to a calendar year shall mean remainder of the calendar year beginning from the date previous corrective action was taken.

**Sec. 46-233. Notice to liable persons for excessive police responses.**

(a) When it has been determined by the city that a violation of Sec. 46-231 has occurred, the city shall notify the owner in writing, and the notice of violation will contain the following information:

- (1) The name of the owner, street address, or a legal description sufficient for identification of the property;
- (2) A statement that the number of police responses to the property exceeds ten within the calendar year, along with a listing of the police responses to the property that have occurred within the calendar year, that there has been a violation under this Division, and that the failure to take appropriate corrective action may result in the imposition of a fee;



- (3) A statement that the owner is liable for a fee for each excessive police response to the property during the calendar year unless, within 30 days of the date notice is accomplished, the owner takes appropriate corrective action and provides the Police Chief with written notice;
- (4) The amount of the fee per excessive police response; and,
- (5) The name and telephone number of a city representative to contact concerning the notice.

(b) Service of notice of violation must be made either personally or by first class mail, postage prepaid, return receipt requested, addressed to the owner of the property at the address listed in the real property tax records of the borough, or by electronic means if such method gives the owner actual notice of the violation. If the mailed notice is returned without the owner's signature, actual notice shall be conclusively presumed on the date the mailed notice is returned to the city.

(c) The failure of any person to receive notice of violation will not invalidate or otherwise affect the proceedings under this division.

**Sec. 46-234. Corrective action.**

(a) An owner of property will have 30 days from the date notice is accomplished, as required under Sec. 46-233, to take appropriate corrective action and provide written notice to the Police Chief that such action has been taken. Appropriate corrective action is action reasonably expected to correct the cause of the police responses to the property. The Police Chief is authorized to determine whether corrective action is appropriate under the circumstances. The Police Chief's determination must be in writing and issued within five days of receipt of the person's written notice of the action taken. Should the Police Chief determine the action taken is not appropriate corrective action, the Police Chief must explain the reasons, and the owner shall have ten days from the date of the determination to take appropriate corrective action and submit written notice of the action taken. The ten-day extension will be provided only once in a calendar year for each property receiving excessive police responses.

(b) Any owner who takes appropriate corrective action may not be assessed fees for additional police responses to the property that occur during the 30-day period described in subsection (a). There is a conclusive presumption that appropriate corrective action was taken if there are no additional police responses to the property from the end of the 30-day period described in subsection (a) until the earlier of:

- (1) The end of the calendar year; or
- (2) Ninety days.

**Sec. 46-235. Lien on property.**

(a) A fee imposed under Sec. 46-232 is a lien on the property to which there have been an excessive number of police responses.

(b) The lien becomes effective upon the recording of a notice of the lien.

(c) When a notice of the lien has been recorded under subsection (b), the lien has priority over all other liens except:

- (1) Liens for property taxes, special assessments, and sales and use taxes;
- (2) Liens perfected before the recording of the lien under this section; and
- (3) Mechanics' and materialmen's liens for which claims of lien under AS 34.35.070 or notices of right to lien under AS 34.35.064 have been recorded before the recording of the lien under this section.

**Sec. 46-236. Appeal rights.**

Any owner determined liable for fees for excessive police responses under this division may, within 30 days of service of notice of violation, apply for a hearing on the determination. The application must be in writing and filed with the Mayor's office. The hearing will be held before the Mayor or designee within fifteen business days of receiving a timely application. The hearing will be limited to the issue of whether the person is liable for each fee imposed under this division, as found by the Police Chief. Within 30 days of the written decision of the Mayor or designee, a person aggrieved by the decision may appeal to the superior court of the Fourth Judicial District in Fairbanks in accordance with the Alaska Rules of Appellate Procedure.

**Section 2.** That the effective date of this Ordinance shall be the \_\_\_\_ day of June 2020.

\_\_\_\_\_  
Jim Matherly, City Mayor

AYES:  
NAYS:  
ABSENT:  
ADOPTED:

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
D. Danyielle Snider, MMC, City Clerk

\_\_\_\_\_  
Paul J. Ewers, City Attorney

**ORDINANCE NO. 6133, AS AMENDED  
(PROPOSED SUBSTITUTE)**

**AN ORDINANCE AMENDING FGC CHAPTER 46, ARTICLE IV, BY ENACTING  
DIVISION 6 FEES FOR EXCESSIVE POLICE RESPONSES**

**WHEREAS**, Alaska Statute 29.35.125 provides that municipalities may impose a fee on the owners of residential property for excessive police responses to the property; and

**WHEREAS**, excessive police responses constitute a misuse of the limited law enforcement resources available to the City; and

**WHEREAS**, enacting the excessive police response provisions of this ordinance will give the City additional means to deal with properties that consume excessive City resources; and

**WHEREAS**, the proposed ordinance provides notice provisions, whereby a responsible property owner will be able to take corrective action to avoid the imposition of any fees or other action.

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

**Section 1.** That FGC Chapter 46, Article IV, is amended by adding a new Division 6. Fees for Excessive Police Responses, as follows [proposed amendments – new text in **bold/underline** font; deleted text in ~~striketrough~~ font]:

**ARTICLE IV. OFFENSES INVOLVING NUISANCES**

**DIVISION 6. FEES FOR EXCESSIVE POLICE RESPONSES.**

**Sec. 46-230. Definitions.**

The following words, terms, and phrases, when used in this division, have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

**Dwelling unit means a structure or portion thereof providing independent and complete cooking, living, sleeping, and toilet facilities for a person or group of persons living as a single housekeeping unit.**

*Excessive police response* means each police response in excess of **the limit set in Sec. 46-231** ~~ten to a property in a calendar year.~~

*Mobile home* means any vehicle or structure designed and constructed in such a manner as will permit occupancy as sleeping quarters for one or more persons, or the conduct of any business or profession, occupation, or trade, and so designed that it is or may be mounted on wheels and used as a conveyance on highways or city streets, propelled or drawn by its own or other motive power.

*Owner* means the record owner of the property as shown in the real property tax records of the Fairbanks North Star Borough.

*Permit* means to allow, consent to, acquiesce by failure to prevent, or expressly assent or agree to the doing of an act.

*Person* means any natural person, agent, association, firm, partnership, or corporation capable of owning, occupying, or using property in the city.

*Police Chief or Chief* means the Chief of the Fairbanks Police Department or designee assigned to carry out the duties of the Police Chief under this article.

*Police response* means that one or more police officers goes to a property in response to a call for assistance, a complaint, an emergency, a potential emergency, or a reasonable suspicion of unlawful activity witnessed by a police officer, and any response determined by a sergeant or higher ranking police officer to be related to activities on the property and reasonably preventable; however, the term "police response" does not include a response to:

1. Receipt of false information, unless the false information was provided by an occupant or owner of the property;
2. A false alarm, unless the false alarm was caused, permitted, or allowed by an occupant or owner of the property;
3. A call involving potential child neglect, potential domestic violence as defined in AS 18.66.990, or potential stalking under AS 11.41.260 or 11.41.270;
4. A report of a sexual assault or abuse as defined in AS 11.41.410 – 455, unless the an occupant or owner of the property is a suspect in the crime or allowed the offense to occur and the victim does not reside in the dwelling unit residence;
5. An ~~medical~~ emergency for a serious medical or psychological condition, serious bodily injury, or death.

*Property* means any residential property, defined as an individual parcel, tract, or lot shown on the most recent plat of record, containing one or more dwelling units

or a mobile home including land and that which is affixed, incidental, or appurtenant to land.

**Sec. 46-231. Excessive police responses prohibited.**

(a) **Any police response in excess of the following is an excessive police response subject to the fees set in Sec. 46-232(a):**

- (1) Single family dwelling unit: 10**
- (2) Duplex, triplex, or fourplex: 15**
- (3) Property with 5 to 25 dwelling units: 25**
- (4) Property with more than 25 dwelling units: 40**

(ba) The owner of any property within the city is responsible for the excessive police responses to that property and is liable for the penalties imposed by this division.

(cb) Each excessive police response will constitute, except where otherwise provided, a separate violation for which a separate fee may be assessed.

**Sec. 46-232. Fee for excessive police responses.**

(a) Subject to subsection (b), the owner of property shall pay the city a fee of \$500.00 per excessive police response.

(b) A person is exempt from liability for the fee established by subsection (a) if:

- (1) The owner is a federal, ~~state~~, or local government agency;
- (2) The property responded to is used exclusively for nonprofit, religious, charitable, cemetery, hospital, or educational purposes;
- (3) The city has not provided notice to the owner as provided for in Sec. 46-233; or
- (4) Any person has taken appropriate corrective action ~~and has given written notice to the Police Chief of the action as required by~~ under Sec. 46-234.

(c) If a property has more than one owner, all owners shall be jointly liable for any fee imposed under this section.

(d) If the property ~~unit~~ requiring excessive police responses is a mobile home located in a mobile home park, the fee will be imposed on the owner of the mobile home and not on the owner or operator of the mobile home park, unless the mobile home park owner's or operator's conduct required the excessive police response.

(e) If the Police Chief determines appropriate corrective action was taken with respect to a specific property, the count of police responses to the property will be reset to zero, effective the date of the determination. After resetting, all provisions in this **division** ~~chapter~~ referring to a calendar year shall mean remainder of the calendar year beginning from the date previous corrective action was taken.

**Sec. 46-233. Notice to liable persons for excessive police responses.**

(a) When it has been determined by the city that a violation of Sec. 46-231 has occurred, the city shall notify the owner in writing **of the violation.**, and ~~T~~**the** notice of violation will contain the following information:

- (1) The name of the owner, street address, or a legal description sufficient for identification of the property;
- (2) A statement that the number of police responses to the property exceeds **the number allowed in Sec. 46-231** ~~ten within the calendar year~~, along with a listing of the police responses to the property that have occurred within the calendar year, that there has been a violation under this ~~d~~**Division**, and that the failure to take appropriate corrective action may result in the imposition of a fee;
- (3) A statement that the owner is liable for a fee for each excessive police response to the property during the calendar year unless, within 30 days of the date notice is accomplished, the owner takes appropriate corrective action **as outlined in Sec. 46-234** and provides the Police Chief with written notice;
- (4) The amount of the fee per excessive police response; and,
- (5) The name and telephone number of a city representative to contact concerning the notice.

(b) Service of notice of violation must be made either personally or by first class mail, postage prepaid, return receipt requested, addressed to the owner of the property at the address listed in the real property tax records of the borough, or by electronic means if such method gives the owner actual notice of the violation. If the mailed notice is returned without the owner's signature, actual notice shall be conclusively presumed on the date the mailed notice is returned to the city.

(c) The failure of any person to receive notice of violation will not invalidate or otherwise affect the proceedings under this division.

**Sec. 46-234. Corrective action.**

(a) An owner of property will have 30 days from the date notice is accomplished, as required under Sec. 46-233, to **consult with the Police Chief and propose** take

~~appropriate corrective action and provide written notice to the Police Chief that such action has been taken. Appropriate corrective action is action reasonably expected to correct the cause of the police responses to the property. The Police Chief is authorized to determine whether corrective action is appropriate under the circumstances **and to set time limits for the property owner to implement appropriate corrective action.** The Police Chief's determination must be in writing and issued within five days of receipt of the person's written notice of the action taken. Should the Police Chief determine the action taken is not appropriate corrective action, the Police Chief must explain the reasons, and the owner shall have ten days from the date of the determination to take appropriate corrective action and submit written notice of the action taken. The ten-day extension will be provided only once in a calendar year for each property receiving excessive police responses.~~

(b) Any owner who takes appropriate corrective action may not be assessed fees for additional police responses to the property that occur during the **time 30-day periods** described in subsection (a). ~~There is a conclusive presumption that appropriate corrective action was taken if there are no additional police responses to the property from the end of the 30-day period described in subsection (a) until the earlier of:~~

- ~~(1) The end of the calendar year; or~~
- ~~(2) Ninety days.~~

#### **Sec. 46-235. Lien on property.**

(a) A fee imposed under Sec. 46-232 is a lien on the property to which there have been an excessive number of police responses.

(b) The lien becomes effective upon the recording of a notice of the lien.

(c) When a notice of the lien has been recorded under subsection (b), the lien has priority over all other liens except:

- (1) Liens for property taxes, special assessments, and sales and use taxes;
- (2) Liens perfected before the recording of the lien under this section; and
- (3) Mechanics' and materialmen's liens for which claims of lien under AS 34.35.070 or notices of right to lien under AS 34.35.064 have been recorded before the recording of the lien under this section.

#### **Sec. 46-236. Appeal rights.**

Any owner determined liable for fees for excessive police responses under this division may, within 30 days of service of notice of violation, apply for a hearing on the determination. The application must be in writing and filed with the Mayor's office. The

hearing will be held before the Mayor or designee within fifteen business days of receiving a timely application. The hearing will be limited to the issue of whether the person is liable for each fee imposed under this division, as found by the Police Chief. Within 30 days of the written decision of the Mayor or designee, a person aggrieved by the decision may appeal to the superior court of the Fourth Judicial District in Fairbanks in accordance with the Alaska Rules of Appellate Procedure.

**Section 2.** That the effective date of this Ordinance will be the 1st day of August 2020.

\_\_\_\_\_  
Jim Matherly, Mayor

AYES:  
NAYS:  
ABSENT:  
ADOPTED:

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
D. Danyielle Snider, MMC, City Clerk

\_\_\_\_\_  
Paul J. Ewers, City Attorney



**ORDINANCE NO. 6135**

**AN ORDINANCE RATIFYING A LABOR AGREEMENT BETWEEN THE CITY OF FAIRBANKS AND THE INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS LOCAL 1547, AND AMENDING THE 2020 CITY OPERATING BUDGET**

**WHEREAS**, the three-year collective bargaining agreement between the City of Fairbanks and the International Brotherhood of Electrical Workers Local 1547 (IBEW), effective January 1, 2018, through December 31, 2020, includes “reopener” provisions for wages and benefits for years two and three; and

**WHEREAS**, IBEW and the City Administration have reached a tentative agreement regarding wages and benefits for year three (2020).

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

**SECTION 1.** That the wage and benefit terms for 2020 of the January 1, 2018 through December 31, 2020 collective bargaining agreement between the City and IBEW, as shown in Attachment A (the “Agreement”), are hereby ratified.

**SECTION 2.** That the terms of the Agreement are ratified by the IBEW membership.

**SECTION 3.** That the 2020 City budget is hereby amended to provide funding for the terms of the Agreement.

**SECTION 4.** That the effective date of this ordinance is August 1, 2020.

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**Jim Matherly, Mayor**

AYES:  
NAYS:  
ABSENT:  
ADOPTED:

ATTEST:

APPROVED AS TO FORM:

---

D. Danyielle Snider, MMC, City Clerk

---

Paul J. Ewers, City Attorney

**CITY OF FAIRBANKS  
FISCAL NOTE**

**I. REQUEST:**

Ordinance or Resolution No: 6135

Abbreviated Title: IBEW CBA - WAGE OPENER

Department(s): ALL DEPARTMENTS

Does the adoption of this ordinance or resolution authorize:

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

2) additional support or maintenance costs? Yes  No

If yes, what is the estimate? \_\_\_\_\_

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

If yes, how many positions? \_\_\_\_\_

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

**II. FINANCIAL DETAIL:**

PROJECTS:	2020
EMPLOYEE BENEFITS	\$64,650
ONE-TIME BONUS	\$45,000
<b>TOTAL</b>	<b>\$109,650</b>

FUNDING SOURCE:	TOTAL
CITY GENERAL FUND	\$109,650
<b>TOTAL</b>	<b>\$109,650</b>

This agreement provides .925 cents to health care as of January 1, 2020 and .25 cents to pension as of date of ratification. In addition, the City will provide a one-time bonus from 2020 salary savings of \$1,500 on December 1, 2020 to employees who positions are represented by IBEW that are employed on the date of ratification.

Reviewed by Finance Department: Initial mb Date 6/19/2020

# ATTACHMENT A

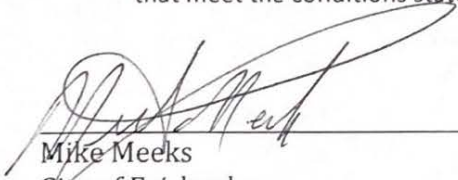
(to Ordinance No. 6135)

**AGREEMENT ON REOPENER NEGOTIATIONS  
FOR 2020 OF THE 2018 – 2020 CBA  
BETWEEN  
THE CITY OF FAIRBANKS  
AND  
IBEW LOCAL 1547**

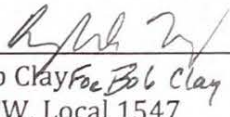
**THE CITY WILL PAY:**

- 1.) An additional 25 cents per hour to the employees' pension, bringing the total City pension payment to \$7 per hour. This additional payment will start one pay period after IBEW and the City Council ratify this agreement. There will not be a retro payment associated with the pension contribution.
- 2.) An additional 92.5 cents per hour to health care costs, bringing the employees' monthly contribution costs down to \$809. This additional payment will start one pay period after IBEW and the City Council ratify this agreement. The City will make this contribution retroactive to January 1, 2020 and the additional payment will be paid one pay period after IBEW and the City Council ratify the agreement.
- 3.) An additional one-time payment of \$1500 to each IBEW member. Conditions for this payment are:
  - Must be a City employee **AND** have the employee's position represented by IBEW on the date of ratification by both the City Council and IBEW members. **AND**
  - Must still be an employee of the City and that position represented by IBEW on December 1, 2020.

Payment of the \$1500, less taxes, will be made one pay period after December 1, 2020 to those that meet the conditions stated above.

  
Mike Meeks  
City of Fairbanks

  
Date

  
Bob Clay  
IBEW, Local 1547

  
Date

**ORDINANCE NO. 6136**

**AN ORDINANCE AMENDING THE 2020 OPERATING  
AND CAPITAL BUDGETS FOR THE SECOND 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:**

**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):

## GENERAL FUND

REVENUE	COUNCIL APPROPRIATION	PROPOSED INCREASE (DECREASE)	AMENDED APPROPRIATION
Taxes, (all sources)	\$ 21,664,300	\$ (1,867,527)	\$ 19,796,773
Charges for Services	5,373,092	-	5,373,092
Intergovernmental Revenues	1,082,400	(274,000)	808,400
Licenses & Permits	1,574,400	-	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>\$ 35,618,489</u>	<u>\$ (2,141,527)</u>	<u>\$ 33,476,962</u>
<b>EXPENDITURES</b>			
Mayor Department	\$ 651,464	\$ 18,275	\$ 669,739
Legal Department	198,100	10,215	208,315
Office of the City Clerk	428,817	10,965	439,782
Finance Department	937,565	25,585	963,150
Information Technology	2,365,911	-	2,365,911
General Account	4,619,648	(1,530,000)	3,089,648
Police Department	7,423,941	3,655	7,427,596
Communications Center	2,500,072	3,655	2,503,727
Fire Department	6,766,744	7,310	6,774,054
Public Works Department	8,524,990	274,055	8,799,045
Engineering Department	797,557	32,895	830,452
Building Department	638,629	18,275	656,904
Total expenditure appropriation	<u>\$ 35,853,438</u>	<u>\$ (1,125,115)</u>	<u>\$ 34,728,323</u>
Estimated general fund balance	\$ 10,578,167	\$ -	\$ 10,578,167
Prior year encumbrances	(413,258)	-	(413,258)
Increase (Decrease) to fund balance	<u>178,309</u>	<u>(603,154)</u>	<u>(424,845)</u>
2020 estimated unassigned balance	<u>\$ 10,343,218</u>	<u>\$ (603,154)</u>	<u>\$ 9,740,064</u>
Minimum unassigned fund balance requirement is 20% of budgeted annual expenditures but not less than \$4,000,000.			<u>\$ 6,945,665</u>

## **CAPITAL FUND**

<b>REVENUE</b>	<b>COUNCIL APPROPRIATION</b>	<b>PROPOSED INCREASE (DECREASE)</b>	<b>AMENDED APPROPRIATION</b>
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>
<b>EXPENDITURES</b>			
Public Works Department	\$ 1,255,225	\$ -	\$ 1,255,225
Garbage Equipment Reserve	726,302	-	726,302
Police Department	355,150	-	355,150
Communications Center	174,924	-	174,924
Fire Department	1,040,693	10,000	1,050,693
IT Department	172,170	-	172,170
Road Maintenance	807,921	-	807,921
Property Repair & Replacement	944,091	-	944,091
Total expenditure appropriation	<u>\$ 5,476,476</u>	<u>\$ 10,000</u>	<u>\$ 5,486,476</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	<u>(738,451)</u>	<u>(10,000)</u>	<u>(748,451)</u>
2020 estimated assigned fund balance	<u>\$ 11,716,372</u>	<u>\$ (10,000)</u>	<u>\$ 11,706,372</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 13th day of July 2020.

\_\_\_\_\_  
**Jim Matherly, Mayor**

AYES:  
NAYS:  
ABSENT:  
ADOPTED:

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
D. Danyielle Snider, MMC, City Clerk

\_\_\_\_\_  
Paul J. Ewers, City Attorney

**FISCAL NOTE**  
ORDINANCE NO. 6136  
AMENDING THE 2020 OPERATING AND CAPITAL BUDGETS  
FOR THE SECOND TIME

**General Fund**  
**\$2,141,527 Decrease in Revenue**  
**\$1,125,115 Decrease in Expenditures**

**Revenue**

1. Tax Revenue
  - \$132,473 increase for property taxes
  - \$2,000,000 decrease for hotel/motel taxes
2. Charges for Services
3. Intergovernmental Revenues
  - \$274,000 decrease for municipal assistance
4. License and Permits
5. Other Revenue
6. Other Financing Sources

**Expenditures**

1. Mayor's Office
  - \$3,655 increase in benefits and one-time bonus for IBEW CBA (Ordinance 6135)
  - \$14,620 increase in benefits and one-time bonus for FGC Employees
2. City Attorney's Office
  - \$3,655 increase in benefits and one-time bonus for IBEW CBA (Ordinance 6135)
  - \$6,560 increase in benefits and one-time bonus for FGC Employees
3. City Clerk's Office
  - \$7,310 increase in benefits and one-time bonus for IBEW CBA (Ordinance 6135)
  - \$3,655 increase in benefits and one-time bonus for FGC Employees



4. Finance Department
  - \$25,585 in benefits and one-time bonus for IBEW CBA (Ordinance 6135)
5. Information Technology
6. General Account
  - \$20,000 increase for OSHA compliance
  - \$1,550,000 decrease for contributions to Explore Fairbanks
7. Police Department
  - \$3,655 increase in benefits and one-time bonus for IBEW CBA (Ordinance 6135)
8. Dispatch
  - \$3,655 increase in benefits and one-time bonus for IBEW CBA (Ordinance 6135)
9. Fire Department
  - \$7,310 increase in benefits and one-time bonus for IBEW CBA (Ordinance 6135)
10. Public Works
  - \$270,400 increase in salaries and benefits for AFLCIO CBA (Ordinance 6132)
  - \$3,655 increase in benefits and one-time bonus for IBEW CBA (Ordinance 6135)
11. Engineering
  - \$32,895 increase in benefits and one-time bonus for IBEW CBA (Ordinance 6135)
12. Building Department
  - \$18,275 increase in benefits and one-time bonus for IBEW CBA (Ordinance 6135)

**Capital Fund**  
**\$0 Increase in Revenue**  
**\$10,000 Increase in Expenditures**

**Revenue**

- Other Financing Sources

**Expenditures**

1. Public Works
2. Garbage Equipment Reserve
3. Police Department
4. Communications Center
5. Fire Department
  - \$10,000 increase for brush truck improvements
6. IT Department
7. Road Maintenance
8. Property Repair & Replacement

Introduced By: Mayor Matherly  
Finance Committee Review: June 23, 2020  
and July 7, 2020  
Introduced: June 29, 2020

**ORDINANCE NO. 6136, AS AMENDED  
(PROPOSED SUBSTITUTE)**

**AN ORDINANCE AMENDING THE 2020 OPERATING  
AND CAPITAL BUDGETS FOR THE SECOND 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:**

**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 ~~strikethrough~~ font]:

## GENERAL FUND

REVENUE	COUNCIL APPROPRIATION	PROPOSED INCREASE (DECREASE)	AMENDED APPROPRIATION
Taxes, (all sources)	\$ 21,664,300	\$ (1,867,527)	\$ 19,796,773
Charges for Services	5,373,092	-	5,373,092
Intergovernmental Revenues	1,082,400	(274,000)	808,400
Licenses & Permits	1,574,400	-	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>\$ 35,618,489</u>	<u>\$ (2,141,527)</u>	<u>\$ 33,476,962</u>
<b>EXPENDITURES</b>			
Mayor Department	\$ 651,464	\$ 33,875	\$ 685,339
Legal Department	198,100	10,215	208,315
Office of the City Clerk	428,817	10,965	439,782
Finance Department	937,565	25,585	963,150
Information Technology	2,365,911	-	2,365,911
General Account	4,619,648	(1,530,000)	3,089,648
Police Department	7,423,941	3,655	7,427,596
Communications Center	2,500,072	3,655	2,503,727
Fire Department	6,766,744	99,310	6,866,054
Public Works Department	8,524,990	274,055	8,799,045
Engineering Department	797,557	32,895	830,452
Building Department	638,629	18,275	656,904
Total expenditure appropriation	<u>\$ 35,853,438</u>	<u>\$ (1,017,515)</u>	<u>\$ 34,835,923</u>
Estimated general fund balance	\$ 10,578,167	\$ -	\$ 10,578,167
Prior year encumbrances	(413,258)	-	(413,258)
Increase (Decrease) to fund balance	178,309	(710,754)	(532,445)
2020 estimated unassigned balance	<u>\$ 10,343,218</u>	<u>\$ (710,754)</u>	<u>\$ 9,632,464</u>

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

\$ 6,967,185

## 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	\$ 1,255,225	\$ -	\$ 1,255,225
Garbage Equipment Reserve	726,302	-	726,302
Police Department	355,150	-	355,150
Communications Center	174,924	-	174,924
Fire Department	1,040,693	10,000	1,050,693
IT Department	172,170	-	172,170
Road Maintenance	807,921	<b>30,000</b>	837,921
Property Repair & Replacement	944,091	-	944,091
Total expenditure appropriation	<u>\$ 5,476,476</u>	<u>\$ 40,000</u>	<u>\$ 5,516,476</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)	(40,000)	(778,451)
2020 estimated assigned fund balance	<u>\$ 11,716,372</u>	<u>\$ (40,000)</u>	<u>\$ 11,676,372</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 13th day of July 2020.

\_\_\_\_\_  
**Jim Matherly, Mayor**

AYES:  
NAYS:  
ABSENT:  
ADOPTED:

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
D. Danyielle Snider, MMC, City Clerk

\_\_\_\_\_  
Paul J. Ewers, City Attorney

**FISCAL NOTE**  
ORDINANCE NO. 6136, AS AMENDED  
AMENDING THE 2020 OPERATING AND CAPITAL BUDGETS  
FOR THE SECOND TIME

**General Fund**  
**\$2,141,527 Decrease in Revenue**  
**\$1,017,515 Decrease in Expenditures**

**Revenue**

1. Tax Revenue
  - \$132,473 increase for property taxes
  - \$2,000,000 decrease for hotel/motel taxes
2. Charges for Services
3. Intergovernmental Revenues
  - \$274,000 decrease for municipal assistance
4. License and Permits
5. Other Revenue
6. Other Financing Sources

**Expenditures**

1. Mayor's Office
  - \$3,655 increase in benefits and one-time bonus for IBEW CBA (Ordinance 6135)
  - \$14,620 increase in benefits and one-time bonus for FGC Employees
  - **\$15,600 increase in salary and benefits for a temporary administration assistant in the HR department**
2. City Attorney's Office
  - \$3,655 increase in benefits and one-time bonus for IBEW CBA (Ordinance 6135)
  - \$6,560 increase in benefits and one-time bonus for FGC Employees

3. City Clerk's Office

- \$7,310 increase in benefits and one-time bonus for IBEW CBA (Ordinance 6135)
- \$3,655 increase in benefits and one-time bonus for FGC Employees

4. Finance Department

- \$25,585 in benefits and one-time bonus for IBEW CBA (Ordinance 6135)

5. Information Technology

6. General Account

- \$20,000 increase for OSHA compliance
- \$1,550,000 decrease for contributions to Explore Fairbanks

7. Police Department

- \$3,655 increase in benefits and one-time bonus for IBEW CBA (Ordinance 6135)
- **Letter of Agreement to offer alternate work schedule. This agreement increases annual hours from 2,080 to 2,184 for an additional cost of \$5,200 per employee. This cost will be covered by salary savings.**

8. Dispatch

- \$3,655 increase in benefits and one-time bonus for IBEW CBA (Ordinance 6135)

9. Fire Department

- \$7,310 increase in benefits and one-time bonus for IBEW CBA (Ordinance 6135)
- **\$92,000 increase in salaries and benefits for FFU CBA**

10. Public Works

- \$270,400 increase in salaries and benefits for AFLCIO CBA (Ordinance 6132)
- \$3,655 increase in benefits and one-time bonus for IBEW CBA (Ordinance 6135)



11. Engineering

- \$32,895 increase in benefits and one-time bonus for IBEW CBA (Ordinance 6135)

12. Building Department

- \$18,275 increase in benefits and one-time bonus for IBEW CBA (Ordinance 6135)
- **Reclassify regular wages and benefits (\$15,600) to hire a temporary administration assistant to train staff**

**Capital Fund  
\$0 Increase in Revenue  
\$40,000 Increase in Expenditures**

**Revenue**

- Other Financing Sources

**Expenditures**

1. Public Works
2. Garbage Equipment Reserve
3. Police Department
4. Communications Center
5. Fire Department
  - \$10,000 increase for brush truck improvements
6. IT Department
7. Road Maintenance
  - **\$30,000 increase for D Street project**
8. Property Repair & Replacement

## **ORDINANCE NO. 6137**

### **AN ORDINANCE AMENDING FAIRBANKS GENERAL CODE CHAPTER 74, TAXATION, BY ADDING A NEW ARTICLE VII, GASOLINE EXCISE TAX**

**WHEREAS**, the Charter for the City of Fairbanks contains a tax cap which allows the City to raise the cap amount each year to account for inflation, new construction, and voter approved additional services; and

**WHEREAS**, the original tax cap was changed years ago which created a "cap within the cap" making it very difficult to collect any increases that are otherwise allowed each year; and

**WHEREAS**, the implementation of an excise tax only on gasoline sold within the city limits will allow the City to collect increases allowed under the tax cap; and

**WHEREAS**, if the revenues generated by the gasoline excise tax exceed the amount allowed by the Tax Cap formula, then the mill rate will be reduced as required by the Charter.

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

**Section 1.** Fairbanks General Code Chapter 74, Taxation, is hereby amended by adding a new Article VII, Gasoline Excise Tax, as follows:

#### **ARTICLE VII. GASOLINE EXCISE TAX**

##### **Sec. 74-300. Definitions.**

The following words, terms, and phrases, when used in this article, have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning. Any words, terms, and phrases not defined in this section will have the meaning given in AS 43.40.100 or regulations adopted by the state to implement its motor fuel tax pursuant to AS 43.40:

*Certificate of registration* means the certificate issued by the chief financial officer under section 74-302.

*Certificate of use* means the certificate provided to the State of Alaska Department of Revenue, Tax Division, that is obtained by the dealer from a

gasoline purchaser at the time of the first sale or transfer of the gasoline to that purchaser stating the gasoline that has been or will be purchased or received is not intended for use as taxable gasoline.

*Chief Financial Officer* means the chief financial officer of the City of Fairbanks or designee.

*City* means the City of Fairbanks.

*Common storage tank* means a storage tank serving taxable and exempt uses, or multiple taxable uses to which various tax rates apply.

*Direct-buying retailer* means a person who is engaged in the sale of gasoline at retail in the city and who brings, or causes to be brought, gasoline into the city.

*Distributor* means a person who:

- (1) Brings gasoline, or has gasoline brought, or causes it to be brought, into the city and who sells or distributes gasoline to others for resale in the city; or
- (2) Ships or transports gasoline to a retailer in the city for sale by the retailer; and
- (3) Includes qualified dealers.

*Department* means the Finance Department of the city.

*Export* means the transport of gasoline as cargo out of the city by or for the seller or purchaser and intended for use or resale outside city limits.

*Gasoline* means a liquid substance refined, compounded, or produced primarily for the purpose of use in an engine. This does not include aviation fuel or diesel fuel.

*Official use* means use by a federal, state, or local government agency but does not include: (1) consumption by a contractor who purchases gasoline either for its own account or as the agent of a governmental agency for use in the performance of a contract with that agency; (2) use in a private vehicle; or (3) sales of gasoline.

*Person* includes an individual, company, partnership, limited liability partnership, joint venture, joint agreement, limited liability company, association (mutual or otherwise), corporation, estate, trust, business trust, receiver, trustee, syndicate, a direct buying retailer, distributor, or any combination acting as a unit.

*Qualified dealer* means a person who refines, imports, manufactures, produces, compounds, or wholesales gasoline.

*Retailer* means a person in the city who is engaged in the business of selling gasoline at retail.

*Tax* means the gasoline excise tax as levied under this article.

*Wholesale price* means the established price for which a distributor sells gasoline to a retailer.

**Sec. 74-301. Imposition of excise tax on gasoline.**

(a) The city hereby levies an excise tax on the distribution of gasoline brought into the city in the amount of five cents per gallon.

(b) It is the intent and purpose of this article to provide for the collection of the excise tax from the person who brings, or causes to be brought, gasoline into the city. The excise tax is levied when:

- (1) A person brings, or causes to be brought, gasoline into the city from outside the city for sale; or
- (2) A person ships or transports gasoline to a retailer in the city for sale by a retailer.

**Sec. 74-301.1. Exemptions; no deferral for mixed purchases.**

(a) The following transactions are exempt from the tax levied by Sec. 74-300.

- (1) gasoline that is sold or transferred between distributors;
- (2) gasoline that is sold or transferred to a person obtaining gasoline with a valid certificate of use;
- (3) gasoline that is exported outside City limits;
- (4) gasoline that is purchased for use by federal, state, or local government agencies, unless the gasoline is purchased for the purpose of resale; and
- (5) loss of volume of gasoline that occurs during handling, transportation, and storage, including loss of volume due to temperature changes of gasoline.

(b) The election to defer payment of gasoline tax provided by the state to certain persons pursuant to 15 AAC 40.320 for sales or transfers for mixed uses is not provided by the city. A sale or transfer of gasoline for mixed use purposes to a common storage tank will be fully taxed, and after resale or

use for an exempt purpose the purchaser may apply for a credit with appropriate documentation in accordance with sections 74-303.3.

**Sec. 74-301.2. Due date; delinquency.**

The obligation for the payment of the tax is upon the distributor. All taxes imposed by this article shall become a liability to the distributor at the time of sale and are delinquent if not paid when due.

**Sec. 74-302. Registration and certification.**

(a) All persons subject to this article must possess a current certificate of registration for the purpose of remitting the tax under this article, prior to commencing business or opening additional places of business.

(b) All persons requiring a certificate of registration under (a) of this section must first possess a valid state motor fuel distribution license issued in accordance with AS 43.40.100(3) and 15 AAC 40.600.

(c) Upon receipt of a properly executed application for the certificate of registration, on a form prescribed by the chief financial officer, the chief financial officer will issue without charge a certificate of registration. The certificate of registration shall bear the name of the distributor, and the address of the registered place of business. The certificate must be prominently displayed at the place of business named on the certificate.

(d) The certificate of registration is neither assignable nor transferable. The distributor shall immediately surrender the certificate to the chief financial officer if the distributor ceases to do business at the location named on the certificate, or if the distributor otherwise sells, assigns, transfers, conveys, or abandons the distributor's business to any person or any other entity. When there is change of address for the distributor's place of business, a new certificate of registration is required bearing the same registration number but showing the new location address.

(e) A distributor must submit a new updated application as prescribed by the chief financial officer upon any change in form of ownership, business name, or contact information. The chief financial officer, after receipt of the updated application shall then determine whether a new certificate of registration should be issued. If a new certificate of registration is issued, the distributor must first surrender the prior certificate of registration to the chief financial officer before taking possession of the new certificate.

(f) The chief financial officer may revoke a certificate of registration if a person fails to comply with any of the provisions of this article. A distributor

may not engage in any activities covered by this article while the certificate of registration is revoked.

(g) Any distributor who violates any requirement of this section is subject to the penalties provided under this article. The city is entitled to injunctive relief to prevent the distributor from engaging in activities covered under this article until the distributor complies with the requirements of this section.

**Sec. 74-303. Tax return; transmittal; and payment of taxes due.**

(a) On or before the 15th day of each calendar month, the distributor shall file with the chief financial officer a tax return and remit payment for the preceding month upon forms furnished by the city for each place of business. The tax return shall state the wholesale value of the gasoline sold by the distributor during the preceding calendar month, and other information which the chief financial officer requires. If a distributor ceases to sell gasoline, the distributor shall immediately file with the chief financial officer a return for the period ending with the cessation.

(b) Every distributor holding a certificate of registration in the city shall sign and transmit the return together with applicable taxes to the city on or before the proper date.

(c) A return shall be filed by every distributor possessing a current certificate of registration, even if the distributor has not engaged in taxable transactions during the reporting period.

(d) All returns must be received by the city clerk's office no later than 4:00 p.m. on the 15th day of the month following tax collection. Postmarks will not be considered.

**Sec. 74-303.1. Estimated tax.**

If the city is unable to ascertain the tax due to be remitted by a distributor by reason of the failure of the distributor to keep accurate books, allow inspection, failure to file a return or falsification of records, the city may make an estimate of the tax due based on any available evidence. Notice of the city's estimate of taxes due shall be mailed to the distributor. Unless the distributor files an accurate monthly report covering the time period subject to the city's estimate or files an appeal within 30 days of the mailing of the city's estimate, the city's estimate shall become final for the purpose of determining the distributor's tax liability.

**Sec. 75-303.2. Administrative appeals.**

(a) A distributor may appeal to the city mayor any estimated tax, penalties, costs fees, or other decision under this article made by the chief financial officer. Any appeal must be filed within 30 days after the notice of any decision is mailed to the distributor. The failure to appeal a decision of the chief financial officer renders the decision final.

(b) The appeal must state the legal and factual basis for the appeal and include all written evidence relevant to the appeal within the appellant's possession. If the appeal raises relevant questions of fact, the city mayor or designee shall conduct a hearing. At the hearing, the parties shall have the right to present testimony and cross-examine witnesses. The mayor or designee shall then issue a written or recorded decision that includes findings of fact.

(c) An administrative appeal decision by the city mayor is a final decision that shall be enforced under this article unless stayed by court order or by agreement of the city and appellant. The city mayor's final decision may be appealed to superior court in the fourth judicial district as provided by state law.

**Sec. 74-303.3. Presumption; credit.**

(a) Every wholesale sale of gasoline which is made within the city, unless explicitly exempted by this article or a subsequent ordinance, shall be presumed to be subject to the tax imposed under this article in any action to enforce the provisions of this article.

(b) A credit shall be allowed for taxes erroneously paid under protest. Such credit shall be made by the chief financial officer after receipt and review of documentation and amended return supporting such request. Upon receipt of such documentation, the chief financial officer shall examine the documentation and shall submit the decision in writing within 15 days.

**Sec. 74-303.4. Tax returns; confidential information.**

(a) All returns filed with the city for the purpose of complying with the terms of this article and all data obtained from such returns are declared to be confidential, and such returns and data obtained from such returns shall be kept from inspection of all persons except the chief financial officer, and the city attorney; nevertheless, upon the advice of the city attorney, the chief financial officer may present to the finance committee or city council in private sessions assembled, any return or data obtained from such returns.

(b) It is unlawful for any city employee to publicly divulge to another any financial information obtained from any return filed with the city or from any data obtained from any such returns unless authorized by distributor or other person receiving such information is permitted to view such returns under the terms of this article.

(c) It shall be the duty of the chief financial officer to safely keep the returns referred to in this article and all data taken from such returns secure from public inspection and secure from all private inspection except as provided in the article; and the chief financial officer may, after six years from the date any such return has been filed, destroy the return.

(d) The use of such returns in a criminal or civil action brought to enforce the terms of this article against any person shall not be deemed a violation of this article; and the city in the prosecution of any such action may allege, prove and produce any return theretofore filed by and in behalf of the defendant, including any data obtained from such return, other provisions of this article to the contrary notwithstanding.

(e) Nothing contained in this article shall be construed to prohibit the delivery to a person or his duly authorized representative a copy of any return or report filed by him, nor to prohibit the publication of statistics so classified as to prevent the identification of particular reports or returns and their items.

**Sec. 74-304. Recordkeeping duty; investigation.**

(a) A distributor under this article shall keep a complete and accurate record of all gasoline manufactured, purchased, or acquired. The records, except in the case of a manufacturer, must include:

- (1) A written statement containing the name and address of the seller and the purchaser;
- (2) The date of delivery;
- (3) The quantity of gasoline;
- (4) The trade name and brand; and
- (5) The price paid for each brand of gasoline purchased. The distributor shall keep such other records as the director prescribes. All statements and records required by this section shall be preserved for six years and shall be offered for inspection upon demand by the city.

(b) A distributor may not issue or accept a written statement that falsely indicates the name of the customer, the type of merchandise, the price, the discounts, or the terms of sale.



(c) Where an invoice is given or accepted by a distributor:

- (1) A statement that makes the invoice a false record of the transaction may not be inserted in the invoice; and
- (2) A statement that should be included in the invoice may not be omitted from the invoice if the invoice does not reflect the transaction involved without the statement.

(d) In addition to all other record keeping requirements under this article, a distributor shall maintain all written and electronic records relating to any gasoline purchased, manufactured, or acquired or sold which is covered under this article, for a period of six years after such transaction, including but not limited to:

1. All local, state, and federal tax reports and forms;
2. All accounting records;
3. All purchase and sales invoices; and
4. All documentary evidence supporting any exemption provided under this article.

(e) Upon reasonable notice, a distributor shall make all records and materials specified in subsections (a) and (d) of this section available for the chief financial officer's or authorized representative's inspection during customary business hours.

(f) The chief financial officer may conduct random audits of distributor's monthly tax returns by examining any of the records and materials specified in subsections (a) and (d) of this section and other data deemed necessary.

(g) For the purpose of ascertaining the correctness of a return or for the purpose of determining the amount of tax due, the chief financial officer or mayor may hold investigations and hearings concerning any matters covered by this article and may examine any relevant books, papers, records or memoranda of any such person, and may require the attendance of such person, or any officer or employee of such person. The mayor shall have the power to administer oaths to such persons. The mayor shall issue all formal subpoenas to compel attendance or to require production of relevant books, papers, records or memoranda.

(h) All subpoenas issued under the terms of this article may be served by any person. The fees of witnesses for attendance and trial shall be the same as the fees of witnesses before the superior court, such fees to be paid when the witness is excused from further attendance. When a witness is subpoenaed at the instance of any party to any such proceeding, the mayor may require that the cost of service of the subpoena and the fee of the witness be borne by the party at whose instance the witness is summoned.

In such case the mayor may, at his discretion, require a deposit to cover the cost of such service and witness fees. A subpoena issued shall be served in the same manner as a subpoena issued out of a court of record.

(i) The superior court, upon the application of the city, is empowered to compel obedience to such subpoena and compel the attendance of witnesses, the production of relevant books, papers, records or memoranda in the same manner and extent as witnesses may be compelled to obey the subpoenas and order of the court. For purposes of this section, the term "witness," in addition to any person covered under the terms of this article, shall include any person or entity with knowledge or information relevant to sales made under this article.

(j) The mayor, or any party in an investigation or hearing before the mayor, may cause the deposition of witnesses residing within or outside the state to be taken in the manner prescribed by law for like depositions in civil actions in courts of this state, and to that end compel the attendance of witnesses and the production of relevant books, papers, records or memoranda.

**Sec. 74-305. Unlawful possession or sale.**

A person who offers to sell or dispose of gasoline to others for the purpose of resale without being registered to do so is considered to have possession of gasoline as a distributor and is personally liable for the tax, plus a penalty of 25 percent.

**Sec. 74-305.1. Recovery of taxes.**

(a) Taxes due but not paid may be recovered by the city by an action at law against the distributor. Gasoline excise tax returns shall be prima facie proof of taxes not transmitted.

(b) In addition to any other remedies and administrative procedures provided under this article, the city may file a civil action against any distributor for recovery of any tax, unremitted tax, penalties, interest, costs, and fees, that have not been paid or remitted when due.

(c) Any person who holds an ownership interest in a distributor, or any other person who is an agent of the distributor, is personally liable for all taxes, penalties, and interest due from such distributor under this article.

**Sec. 74-305.2. Tax lien.**

(a) Any tax, unremitted tax, penalties, interest, costs and fees that this article requires a distributor to pay or remit shall constitute a lien in favor of

the city upon all assets, earnings, revenue and property of the distributor. This lien arises when any such payment or remittance is not made when due and continues until the payment or remittance is fully satisfied through execution, foreclosure sale, or any other legal means. This lien is not valid as against a mortgagee, pledge, purchaser, or judgment creditor until notice of the lien is recorded in the office of the district recorder for the fourth judicial district.

(b) When recorded, a lien authorized under this section has priority over all other liens except those for property taxes and special assessments and all liens perfected before the recording of the excise tax lien for amounts actually advanced before the recording of the excise tax lien and mechanics' and materialmen's liens which have been recorded before the recording of the excise tax lien. Upon such filing, the lien is superior to all other liens except as otherwise provided by state or federal law.

### **Sec. 74-305.3. Foreclosure.**

(a) Delinquent gasoline excise tax liens on real property may be enforced by foreclosure.

(b) Tax liens shall be foreclosed in the manner provided for in sections 58-49 through 58-61.

### **Section 74-305.4. Interest rate; administrative costs.**

(a) A simple interest rate of 1.25 percent per month, or a lesser rate if required by state law, will accrue on all unremitted taxes, not including penalty and administrative fees, from the original due date provided under this section until remitted in full.

(b) In addition to any other penalties imposed under this article, a distributor shall pay any administrative fees, outside collection agency fees, attorney fees, and other costs and fees incurred by the city or its agent(s) in connection with any collection, or attempted collection, from the seller of any unremitted tax, unpaid interest, or unpaid penalties due under this article.

(c) The city will apply a distributor's payment in the following order: first to any unpaid administrative fees, outside collection agency fees, attorney fees, and other collection costs and fees; second to any unpaid penalties; third to any unpaid interest that has accrued on unremitted taxes; and fourth, to the principal of any unremitted taxes.

**Section 74-306. Penalties for violations.**

(a) *Failure to file or remit.* A distributor having taxable transactions under this article in the city and who thereafter fails to file a gasoline tax return or remit the collected tax as required by this article shall incur a civil penalty of \$100.00 if the return or the tax is received later than the last day of the month in which it is due and shall incur a civil penalty of \$1,000.00 if the return or the tax is received later than the last day of the next month following the month in which it was due.

(b) *Non-retention of records.* A distributor who does not provide required records upon request as listed in section 74-304 shall incur a civil penalty of \$1,000.00.

(c) *False statements.* Any person who makes any false statement to the chief financial officer or mayor which is material in determining whether a transaction is taxable under this article is guilty of a misdemeanor and shall be punished as provided in section 1-15.

(d) *Certificate of registration.* Any person and any officer of a corporate distributor failing to file a certificate of registration or failing to furnish the data required in connection with such certificate or failing to display or surrender the certificate of registration as required by this article, or attempting to assign or transfer such certificate shall be guilty of a misdemeanor and shall be punished as provided in section 1-15.

(e) *Penalty.* Any person who violates any of the provisions of this article shall be guilty of a misdemeanor and shall be punishable as provided in section 1-15. A separate offense shall be deemed committed upon each day of a continuing violation.

**Sec. 74-307. Collection policy.**

It shall be the policy of the city that delinquent taxes shall be promptly collected without offset, compromise, or time extensions for payment.

**Sec. 74-308. Rules and regulations.**

(a) The mayor is empowered to enact rules and regulations to implement the tax levied under this article.

(b) The chief financial officer shall take all lawful and necessary actions to administer this article including, but not limited to, adopting and revising procedures, fees, and written guidelines for the determination of the taxability of transactions.

(c) The chief financial officer may also take other lawful actions to administer this article including, but not limited to, issuing written determinations, upon request, of the taxability of transactions and contracting services for collection of delinquent accounts.

(d) With the approval of the chief financial officer, the finance department staff shall prepare, implement, and revise forms for the administration of this article.

**Section 2.** That the effective date of this Ordinance shall be the 1st day of January 2021.

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**Jim Matherly, City Mayor**

AYES:  
NAYS:  
ABSENT:  
ADOPTED:

ATTEST:

APPROVED AS TO FORM:

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D. Danyielle Snider, MMC, City Clerk

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Paul J. Ewers, City Attorney

**CITY OF FAIRBANKS**  
**FISCAL NOTE**

**I. REQUEST:**

Ordinance or Resolution No: 6137

Abbreviated Title: GASOLINE EXCISE TAX

Department(s): ALL DEPARTMENTS

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? \_\_\_\_\_

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:**

<b>PROJECTS:</b>	<b>TOTAL</b>
GENERAL FUND EXPENDITURES	\$500,000
<b>TOTAL</b>	<b>\$500,000</b>

<b>FUNDING SOURCE:</b>	<b>TOTAL</b>
GENERAL FUND REVENUE - GASOLINE EXCISE TAX	\$500,000
<b>TOTAL</b>	<b>\$500,000</b>

The ordinance would levy an excise tax on the distribution of gasoline brought into the City in the amount of five cents per gallon beginning January 1, 2021. The obligation for the payment of the tax is upon the distributor.

Reviewed by Finance Department: Initial mb Date 6/24/2020

**RESOLUTION NO. 4924**

**A RESOLUTION AUTHORIZING EXECUTION OF A MAINTENANCE AGREEMENT BETWEEN THE CITY OF FAIRBANKS AND THE STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES FOR THE WEMBLEY AVENUE FENCE**

**WHEREAS**, certain property owners have requested the State of Alaska, Department of Transportation and Public Facilities (ADOT&PF) to construct a fence along the property owners' property lines within the City's right-of-way on the north side of Wembley Avenue as shown on the attached figure; and

**WHEREAS**, ADOT&PF has agreed to fund and build the requested fence but will not be responsible for the maintenance of the fence in the City right-of-way; and

**WHEREAS**, designation of maintenance responsibility is required to use project funds to build the fence; and

**WHEREAS**, the fence will provide a measure of security and help mitigate other concerns of the residents in the area; and

**WHEREAS**, it has been requested by all parties that the City assume maintenance of the constructed fence.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Fairbanks, that the Mayor is hereby authorized to execute a maintenance agreement with the ADOT&PF for the Wembley Avenue fence.

**PASSED and APPROVED this 13th Day of July 2020.**

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**Jim Matherly, City Mayor**

AYES:  
NAYS:  
ABSENT:  
APPROVED:

ATTEST:

APPROVED AS TO FORM:

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D. Danyielle Snider, MMC, City Clerk

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Paul J. Ewers, City Attorney

**CITY OF FAIRBANKS**  
**FISCAL NOTE**

**I. REQUEST:**

Ordinance or Resolution No: 4924

Abbreviated Title: MAINTENANCE AGREEMENT WITH DOT&PF FOR WEMBLEY AVENUE FENCE

Department(s): PUBLIC WORKS

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 X No \_\_\_\_\_

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:**

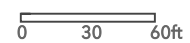
PROJECTS:	Personnel	Maintenance	Contract	Total
WEMBLEY AVE FENCE				\$0
				\$0
				\$0
				\$0
				\$0
				\$0
<b>TOTAL</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

FUNDING SOURCE:	Personnel	Maintenance	Contract	Total
GENERAL FUND BUDGET				\$0
				\$0
				\$0
<b>TOTAL</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

The cost of building the fence will be funded by the State of Alaska DOT & PF. The cost of maintenance for the Wembley Avenue fence is estimated to be \$5,000.00 per year. The maintenance costs associated with these improvements will be incorporated in the annual general fund budget.

Reviewed by Finance Department: Initial cp Date 7/8/2020





**RESOLUTION NO. 4925**

**A RESOLUTION URGING THE STATE OF ALASKA TO RETURN  
FAIRBANKS CITY BUS 142 TO FAIRBANKS**

**WHEREAS**, in June, an Army National Guard Chinook helicopter carried Fairbanks City Bus 142 away from its former resting place near the Teklanika River, close to Denali National Park; and

**WHEREAS**, the Alaska Departments of Transportation, Natural Resources, and Military and Veterans' Affairs were all involved in the operation, which was conducted at the request of the Denali Borough; and

**WHEREAS**, the removal effort was called "Operation Yutan" in reference to the Yutan Construction Company, the company that moved the bus (and two others) to the location in the 1950s to be used as housing for workers building a mining road; and

**WHEREAS**, Christopher McCandless, the subject of the popular book "Into the Wild" and movie of the same name, lived briefly in the bus in 1992 before dying of starvation; and

**WHEREAS**, since then the bus had attracted numerous tourists, many of whom had to be rescued and several of whom died attempting to cross the Teklanika River; and

**WHEREAS**, the bus is currently being stored at an undisclosed location; and

**WHEREAS**, the Fairbanks North Star Borough and other private individuals have expressed interest in displaying the bus for public viewing; and

**WHEREAS**, the City supports the efforts by Fairbanks entities to obtain the bus for display here in Fairbanks.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Fairbanks, that the City urges the State of Alaska to coordinate with local entities to return Fairbanks City Bus 142 to Fairbanks so it can be made available for public display.

**PASSED and APPROVED this 13th Day of July 2020.**

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**Jim Matherly, City Mayor**

AYES:  
NAYS:  
ABSENT:  
APPROVED:

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
D. Danyielle Snider, MMC, City Clerk

\_\_\_\_\_  
Paul J. Ewers, City Attorney

**ORDINANCE NO. 6138**

**AN ORDINANCE RATIFYING A LABOR AGREEMENT  
BETWEEN THE CITY OF FAIRBANKS AND THE FAIRBANKS  
FIREFIGHTERS UNION, IAFF LOCAL 1324, AND AMENDING  
THE 2020 CITY OPERATING BUDGET**

**WHEREAS**, the collective bargaining agreement between the City of Fairbanks and the Fairbanks Firefighters Union, IAFF Local 1324 (FFU), effective October 1, 2018, through September 30, 2021, includes provisions for wages and benefits for remaining years 2019, 2020, and 2021; and

**WHEREAS**, the FFU and the City Administration have reached a tentative agreement regarding 2020 wages and benefits.

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

**SECTION 1.** That the wage and benefit terms for 2020 of the October 1, 2018, through September 30, 2021, collective bargaining agreement between the City and the FFU, shown in Attachment A (the “Agreement”), are hereby ratified.

**SECTION 2.** That the terms of the Agreement are subject to ratification by the FFU membership.

**SECTION 3.** That the 2020 City budget is hereby amended to provide funding for the terms of the Agreement.

**SECTION 4.** That the effective date of this ordinance is the 27th day of July 2020.

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**Jim Matherly, City Mayor**

AYES:  
NAYS:  
ABSENT:  
ADOPTED:

ATTEST:

APPROVED AS TO FORM:

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D. Danyielle Snider, MMC, City Clerk

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Paul J. Ewers, City Attorney

**CITY OF FAIRBANKS**  
**FISCAL NOTE**

**I. REQUEST:**

Ordinance or Resolution No: 6138

Abbreviated Title: FAIRBANKS FIREFIGHTERS UNION CBA - WAGE OPENER

Department(s): FIRE DEPARTMENT

Does the adoption of this ordinance or resolution authorize:

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

2) additional support or maintenance costs? Yes        No X

If yes, what is the estimate?       

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:**

EXPENDITURES:	2020	2021
FIRE STAFF WAGES & BENEFITS	\$92,000	\$87,000
<b>TOTAL</b>	<b>\$92,000</b>	<b>\$87,000</b>

REVENUES:	2020	2021
CITY GENERAL FUND	\$92,000	\$87,000
<b>TOTAL</b>	<b>\$92,000</b>	<b>\$87,000</b>

In 2020, this agreement provides a total package increase of 1.63% by increasing wages and benefits with health care increasing from \$1,583.12 to \$1,670.92 (total cost of \$47,412). In 2021, the total estimated package increase of 1.5% includes an estimated increase in health care from \$1,670.92 to \$1,758.72 (total cost of \$47,412).

Prepared by Finance Department: Initial mb Date 7/2/2020

**2020 IAFF 1324 Wage Opener  
Appendix C  
City Counter  
26 June 2020**

**Cost of Living: Effective 1/1/20**

1) Package rate increases will be in a range from 1.5% CPI to 3% CPI as measured by the Anchorage CPI-U. A three-year average (use the previous three years, not counting current year) will be utilized and if that three-year average falls below the 1.5% CPI, then the City will pay a 1.5% wage Increase. If the three-year average is above 3% Anchorage CPI then the City will pay a 3% wage Increase. If the 3-year Anchorage CPI-U is between 1.5% and 3%, then the City will pay the actual 3-year CPI average. The parties agree to use this formula to determine increases to the wages for the remaining years on this contract effective January 1, 2020 through October 31, 2021.

Example 1. 3-year Anchorage CPI average = .8%, city pays 1.5%

Example 2. 3-year Anchorage CPI average = 2.1%, city pays 2.1%

Example 3. 3-year Anchorage CPI average = 3.4%, city pays 3%

2020 3-year average Anchorage CPI-U = 1.633% Health Care costs will be paid from this 1.633% that will keep the City contribution for 2020 at 80%. The remaining money will be paid toward wages

2021 3-year average Anchorage CPI-U = To Be Determined

**Suppression  
Members (56 hour)  
2020 wage chart**

	EMT I/II	EMT III	Paramedic
Recruit Firefighter (0-6 Months)	\$18.10	\$18.93	\$20.03
Firefighter I (6-12 Months)	\$19.89	\$20.72	\$21.82
Firefighter II ( 1-3 Years)	\$23.43	\$24.26	\$25.36
Firefighter III (3-5 Years)	\$25.62	\$26.45	\$27.55
Firefighter IV ( 5+ Years)	\$27.81	\$28.64	\$29.74
Driver/Engineer	\$29.45	\$30.28	\$31.38
Captain	\$31.92	\$32.47	\$33.85
Battalion Chief	\$34.73	\$35.56	\$36.66


	<b>Administrative Members (40 hour) 2020 wage chart</b>		
RDFM	\$29.79		
Deputy Fire Marshal I	\$33.93		
Deputy Fire Marshal II	\$39.02		
Deputy Fire Marshal III	\$43.91		
Admin Assistant	\$27.91		
Admin Assistant (5+ Yrs.)	\$28.47		
Clerk	\$25.19		
Clerk (5+ Years)	\$25.93		

- 2) Section 16.2 A(paramedic), B and C (EMTIII), G(Data) prepays will stop and section 16.2 will be edited.
- 3) Effective dates and retro pay:
  - a) Wages will be effective 1/1/20 and 1/1/21.
  - b) 2020: Wages and health care retro check will be paid the second pay period following ratification of the wage opener by the City Council
  - c) 2021:
    - i) Health care adjustment will take place 12/1/20.

*City of Fairbanks*



**MEMORANDUM**

To: City Council Members  
From: Jim Matherly, City Mayor   
Subj: Request for Concurrence – Clay Street Cemetery Commission  
Date: July 8, 2020

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The term of Seat F on the Clay Street Cemetery Commission currently filled by Ms. Karen Erickson will expire on August 31, 2020.

Ms. Erickson wishes to continue serving on the Commission. I hereby request your concurrence to the following **re-appointment**:

Ms. Karen Erickson          Seat F          Term to Expire: August 31, 2023

Ms. Erickson's application is attached.

Thank you.

dds/





## Board Details

The Clay Street Cemetery Commission shall advise the City Council and Mayor regarding the restoration, improvement, and maintenance of the Clay Street Cemetery. It shall provide and update a long-term plan for the cemetery.

### Overview

**Size** 8 Seats

**Term Length** 3 Years

**Term Limit** N/A

### Additional

#### Board/Commission Characteristics

The Clay Street Cemetery Commission shall consist of seven members, three of whom must be residents of the City, appointed by the Mayor and confirmed by the City Council. One member shall be active in the study of Fairbanks history, one member shall have experience or interest in maintaining the cemetery and five members shall represent the community at large (or four members shall be at-large representatives if a Council Member is appointed to the Commission). The City Public Works Director shall be an ex-officio member of the Commission. Appointed members shall serve a three-year term. A chairperson shall be selected from among the Commission's members.

#### Meetings

The Commission shall conduct regular public meetings, including public hearings required as a condition of receipt of grants. If authorized by the City Council, the Commission may convene into executive session in accordance with state law.

#### Enacting Legislation

FGC 2-485 through 2-488

#### Enacting Legislation Website

<http://bit.ly/2lJa2Yf>

#### Joint Commission Details

N/A

#### Email the Commission Members

[claystreetcemeterycommission@fairbanks.us](mailto:claystreetcemeterycommission@fairbanks.us)

**Profile**

Karen J Erickson  
First Name Last Name

[Redacted]  
Email Address

[Redacted] [Redacted]  
Street Address Suite or Apt

Fairbanks AK [Redacted]  
City State Postal Code

**Mailing Address**

[Redacted]

**Are you a City of Fairbanks resident? \***

No

[Redacted] [Redacted]  
Primary Phone Alternate Phone

Retired Alaska Court System Retired  
Employer Job Title

**Which Boards would you like to apply for?**

Clay Street Cemetery 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?**

The Clay Street Cemetery is a personal interest of mine and I would like to continue serving.

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

I have lived in Fairbanks since July 1974 and have been doing private research on the Clay St. Cemetery since approx. 1978. I prepared the application which allowed the cemetery to be put on the National Register.

Upload a Resume

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

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N/A