



FAIRBANKS CITY COUNCIL
AGENDA NO. 2020-19
REGULAR MEETING – AUGUST 10, 2020
FAIRBANKS CITY COUNCIL CHAMBERS
800 CUSHMAN STREET, FAIRBANKS, ALASKA

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)
 - a) Oath of Office – Fire Chief
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, Council Members, and the public may participate remotely during this time. Citizens may have written comments read into the record if submitted to the City Clerk in advance, or citizens may provide testimony via Zoom webinar if registered to do so in advance of the meeting (the three-minute time limit applies to all forms of public testimony). 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 must wear a mask or face covering, and masks will be provided to those who do not have one. 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 July 13, 2020

8. SPECIAL ORDERS

9. MAYOR'S COMMENTS AND REPORT

- a) Special Reports
- b) Update from Police Chief Reeder
- c) Memo to Council Re: 11-Year History of City Revenues, Expenditures, and Full-Time Employees

10. COUNCIL MEMBERS' COMMENTS

11. UNFINISHED BUSINESS

- a) Ordinance No. 6133, as Amended – An Ordinance Amending FGC Chapter 46, Article IV, by Enacting Division 6 Fees for Excessive Police Responses. Introduced by Council Members Gibson, Therrien, and Pruhs. SECOND READING AND PUBLIC HEARING.
- b) 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 Therrien, Kun, and Rogers. POSTPONED from the Regular Meeting of July 27, 2020. Public Hearing was held at that time.

12. NEW BUSINESS

- *a) Resolution No. 4929 – A Resolution Authorizing the City of Fairbanks to Accept Funding from the Bureau of Justice Assistance for FFY2020 Edward Byrne Memorial Justice Assistance Grant. Introduced by Mayor Matherly.

- *b) Resolution No. 4930 – A Resolution Authorizing the City of Fairbanks to Distribute CARES Act Funds for Phase II. Introduced by Mayor Matherly.
 - *c) Resolution No. 4931 – A Resolution Authorizing the City of Fairbanks to Apply and Accept Funds from Rasmuson Foundation for a Municipal Arts & Culture Matching Grant. Introduced by Mayor Matherly.
13. DISCUSSION ITEMS (Information and Reports)
- a) Committee Reports
14. WRITTEN COMMUNICATIONS TO THE CITY COUNCIL
- *a) Chena Riverfront Commission Meeting Minutes of December 11, 2019
 - *b) Chena Riverfront Commission Meeting Minutes of February 12, 2020
 - *c) Chena Riverfront Commission Meeting Minutes of March 11, 2020
 - *d) Commission on Historic Preservation Meeting Minutes of January 13, 2020
 - *e) Appointments to the Hotel/Motel Discretionary Fund Committee
15. COUNCIL MEMBERS' COMMENTS
16. CITY CLERK'S REPORT
17. CITY ATTORNEY'S REPORT
18. EXECUTIVE SESSION
- a) PSEA Fairbanks Police Command Unit (FPCU) Labor Negotiation Strategy
 - b) Frances Pfleegor v. City of Fairbanks – Settlement Negotiations
19. ADJOURNMENT



FAIRBANKS CITY COUNCIL
REGULAR MEETING MINUTES, JULY 13, 2020
FAIRBANKS CITY COUNCIL CHAMBERS
800 CUSHMAN STREET, FAIRBANKS, ALASKA

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 (telephonically) 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
Aaron Gibson, Seat D (telephonic)
Jerry Cleworth, Seat E
David Pruhs, Seat F (telephonic)

Absent: None

Also Present: Paul Ewers, City Attorney
D. Danyielle Snider, City Clerk
Jeff Jacobson, Public Works Director (telephonic)
Mike Meeks, Chief of Staff
Nancy Reeder, Police Chief
Bob Pristash, City Engineer
Tod Chambers, Fire Chief (telephonic)

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

Police Chief Nancy Reeder swore in Lt. Amy Davis and Ofc. Alexandra Cebula to the Fairbanks Police Department. Chief Reeder welcomed them both to the City of Fairbanks.

CITIZENS' COMMENTS

Mystiek Lockery, 703 Betty Street, Fairbanks – Ms. Lockery stated she has heard about people wanting to abolish the police department, and she indicated that it is a bad idea. She stated citizens and government need to stand with a strong backbone. She stated the Black Lives Matter movement only makes noise when a White police officer kills a Black person. She stated that

every man, woman, and child should be equally important. She encouraged everyone to not get pulled into racism.

Sue Ann Santhaisouk, 1601 Marika Road, Fairbanks – Ms. Santhaisouk stated that the Wembley Avenue construction has created several problems due to the loss of the natural barrier. She stated the noise of the traffic is unbelievable, and dust is settling all over homes. She spoke to her concerns with safety and stated that may also affect property owners' ability to sell. Ms. Santhaisouk stated the neighborhood needs a barrier, and she spoke in support of Resolution No. 4924. She stated she feels she is paying doubly because she is a property tax payor, and the project has decreased the value of her home.

Janice Haman, 1605 Marika Road, Fairbanks – Ms. Haman stated she and her husband live on Marika Road, and they would like a fence all the way down Wembley Avenue. She stated she has lived there for 40 years, and now it is stressful to be at home. She stated there is no privacy, and there has been an increase of crime in the neighborhood.

Ms. Therrien asked Ms. Haman what length of fence she is asking requesting. Ms. Haman stated she understood that the fence would be like the fence along Peger Road, and it would run the whole length of Wembley Avenue. She stated it does not seem safe to have breaks in the fence.

Chris Miller, 413 Cowles Street, Fairbanks – Mr. Miller stated that the nuisance property ordinance seems toothless, and he criticized the number of calls per year specified in the ordinance. He stated there needs to be a more aggressive response from the City. He stated property owners do not always know when calls are made, and the ordinance does not protect owners from bad actors. He stated the ordinance only deals with residential – not commercial – property, and he hopes there is plans for a future ordinance relating to commercial property.

Mr. Cleworth stated it is hard to craft an ordinance that could capture all the things needed to address places like Walmart. Mr. Miller stated he has owned commercial property for 10 years and that, to his knowledge, there have never been any police calls to his property. He stated that things would have to be dealt with on a case-by-case basis.

State Senator Scott Kawasaki, 2008 Carr Avenue, Fairbanks – Sen. Kawasaki stated he grew up in Aurora Subdivision when Wembley Avenue did not even exist. He spoke of the many changes in that neighborhood and shared his concern for the private property owners. He spoke in support of the fence. He stated there was an agreement penned, and the City needs to step up and cover the maintenance for the fence.

Ms. Therrien asked Sen. Kawasaki whether he would be satisfied if the City were to take over the maintenance. Sen. Kawasaki stated the folks who live there have experienced a major change, and it would make him happy if the City would step up; he stated, however, that the City should ultimately discuss a resolution with the property owners.

David van den Berg, 332 Slater Drive, Fairbanks – Mr. van den Berg stated the Downtown Association supports revitalizing the downtown area, and he supports the nuisance property ordinance. He stated the Borough is addressing nuisance properties in their COVID-19 recovery

plan. He suggested that assessing a lien against a property may not be the best way to get an owner to pay and suggested a flat rate fine in its place.

Randy Griffin, P.O. Box 73653, Fairbanks – Mr. Griffin shared his fear for the return of Ordinance No. 6093 if leftwing Council members take over the City Council. He spoke against the ordinance and encourage people to run for City Council. He stated that if he lived within City limits, he might run for office.

City Clerk Danyielle Snider read aloud written testimony from the following three individuals:

Allison Carr, 1926 Kittiwake Drive, Fairbanks – Ms. Carr expressed her concern for mental health patients being treated as criminals and suggested the Council take more time to work on Ordinance No. 6133.

Arleigh Hitchcock, Fairbanks – Ms. Hitchcock expressed concerns that, in the wake of the George Floyd tragedy, officers may not understand when someone is having a mental health crisis. She stated it might be better to dispatch a mental health professional to deal with the problem person. Ms. Hitchcock urged the City Council to create a mental health team that can deal with issues not from a law enforcement standpoint.

Sue Sprinkle, 211 5th Avenue, Fairbanks – Ms. Sprinkle questioned why commercial properties are not included in the ordinance and indicated that it is self-serving of the City to eliminate itself from property concerns. She spoke in support of keeping the language in the ordinance that would include areas within 200 feet of a specific address. She spoke in support of holding the “bad actors” themselves accountable for the fine for excessive police responses.

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

APPROVAL OF AGENDA AND CONSENT AGENDA

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

Mr. Cleworth pulled Ordinance No. 6137, Ordinance No. 6138, and Resolution No. 4924 from the Consent Agenda.

Mr. Gibson pulled Resolution No. 4925 from the Consent Agenda.

Mayor Matherly called for objection 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 29, 2020.

APPROVED on the CONSENT AGENDA.

MAYOR'S COMMENTS AND REPORT

Mayor Matherly paid honor to the late Maxine Whitney who lived in Fairbanks and was an important community member. He spoke to the importance of masking when out in public and shared that he and the other two local mayors signed a proclamation encouraging masking throughout the borough. He read the proclamation into the record.

a) Special Reports

Jerry Evans, Explore Fairbanks – Mr. Evans spoke to the struggles in the tourism industry and to how Explore Fairbanks is working to address those challenges. He spoke to their online campaign that will help bring visitors to the City in the future. He stated there is an emphasis on creating desire to visit Fairbanks by Fairbanksans, and advertisements are being published all over the state.

b) Update from the Chief of Police

Police Chief Reeder provided an update on training at the Fairbanks Police Department (FPD) and discussed the department's challenge in getting to a full staffing level. She spoke briefly about the number of retirements at FPD recently and to the current staffing levels. She stated they are creating a more diverse workforce. She spoke about the honor of FPD being asked again to escort soldiers from the airport who are returning from overseas. She spoke positively about the future of FPD and shared that with the support of the community, the Administration, and the City Council, positive things are coming.

Mayor Matherly commended Chief Financial Officer Margarita Bell and her staff for coordinating the CARES Act relief funds. He thanked LOVE, Inc., as well, the organization that has been processing applications from individuals. He spoke about how much the community needs the funds. He echoed Mr. Griffin's comments encouraging people to run for elected office.

COUNCIL MEMBERS' COMMENTS

Ms. Rogers thanked Mayor Matherly for the joint proclamation encouraging masking.

Ms. Kun stated she had no comments.

Mr. Gibson stated he had no comments.

Mr. Pruhs thanked Chief Reeder for her report and for her efforts; he encouraged her to keep up the good work.

Ms. Therrien thanked Chief Reeder for prioritizing hiring and asked about sensitivity training. Chief Reeder spoke about the "verbal judo" training that all officers will participate in during August; she stated the training will focus on de-escalation. She stated she hopes to have staff also participate in implicit bias training in October, but that training is dependent on COVID. **Ms. Therrien** spoke about the importance of letting the community know about the training officers are taking and asked if a press release was the best way get the word out. Chief Reeder stated that

it is her goal once everyone has been trained to send two officers out of state to train as instructors. She stated that will save training funds in the future. She stated it will be a continuing education program that can grow in the community.

Mr. Cleworth stated he had no comments.

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.

A motion to ADOPT Ordinance No. 6133 was made by Ms. Therrien, seconded by Ms. Rogers, at the Regular Meeting of June 29, 2020. The motion was still on the floor.

Ms. Rogers, seconded by **Ms. Kun**, moved to SUBSTITUTE Ordinance No. 6133, as Amended, for Ordinance No. 6133.

Mr. Gibson stated the biggest change in the substitute is to the portion addressing the number of calls for multi-unit residential properties.

Ms. Therrien stated that City Attorney Ewers provided a list of police calls made from large apartment complexes in Fairbanks during 2019, and she read the list. She posed the question of whether the Council wants to include vacant land in the definition of *property*. Attorney Ewers stated that leaving out vacant land may or may not have been intentional when the definition of *property* was changed. He stated that the definition could be amended.

Mr. Pruhs stated he would like to postpone the ordinance again, because he believes it needs more tweaking. He stated he would like to meet with Attorney Ewers and the ordinance sponsors to discuss some possible changes that would include commercial properties.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO SUBSTITUTE ORDINANCE NO. 6133, AS AMENDED, FOR ORDINANCE NO. 6133 AS FOLLOWS:

YEAS: Therrien, Rogers, Gibson, Cleworth

NAYS: Pruhs, Kun

Mayor Matherly declared the MOTION CARRIED.

Mr. Pruhs, seconded by **Ms. Therrien**, moved to POSTPONE Ordinance No. 6133, as Amended, to the next Regular Council Meeting.

Ms. Rogers stated the ordinance is a work in progress, and since the two sponsors of the ordinance want to continue to work on it, she is supportive of postponement.

Mr. Cleworth brought up some issues he would like the sponsors to work through before the next meeting, two of which were how to address party houses and public intoxication. He suggested lowering the number of allowable calls for single family residences.

Ms. Kun stated she supports postponement.

Ms. Rogers stated she supports postponement.

Ms. Therrien shared she looks forward to continued work on the ordinance.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO POSTPONE ORDINANCE NO. 6133, AS AMENDED, TO THE NEXT REGULAR COUNCIL MEETING AS FOLLOWS:

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

NAYS: None

Mayor Matherly declared the MOTION CARRIED.

- 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.

Mr. Pruhs, seconded by **Mr. Gibson**, moved to ADOPT Ordinance No. 6135.

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

Mr. Pruhs, **Ms. Therrien**, and **Ms. Rogers** expressed support for the ordinance.

Mr. Cleworth reminded the Council that Ms. Rogers has a conflict of interest and cannot vote on the ordinance. The conflict was acknowledged.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 6135 AS FOLLOWS:

YEAS: Gibson, Therrien, Pruhs, Cleworth, Kun

NAYS: None

ABSTAIN: Rogers

Mayor Matherly declared the MOTION CARRIED and Ordinance No. 6135 ADOPTED.

- 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.

Ms. Rogers, seconded by **Ms. Therrien**, moved to ADOPT Ordinance No. 6136.

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

Mr. Cleworth stated he supports the original ordinance but not the proposed substitute.

Ms. Therrien moved to SUBSTITUTE Ordinance No. 6136, as Amended, for Ordinance No. 6136. The motion died for lack of a second.

Mr. Cleworth, seconded by **Ms. Therrien**, moved to AMEND Ordinance No. 6136 by increasing the Fire Department budget by \$92,000 to fund the Firefighters Union Labor Agreement.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO AMEND ORDINANCE NO. 6136 BY INCREASING THE FIRE DEPARTMENT BUDGET BY \$92,000 TO FUND THE FIREFIGHTERS UNION LABOR AGREEMENT AS FOLLOWS:

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

NAYS: None

Mayor Matherly declared the MOTION CARRIED.

Mr. Cleworth, seconded by **Ms. Rogers**, moved to AMEND Ordinance No. 6136, as Amended, by increasing the Capital Fund by \$30,000 for the D Street Project.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO AMEND ORDINANCE NO. 6136, AS AMENDED, BY INCREASING THE CAPITAL FUND BY \$30,000 FOR THE D STREET PROJECT AS FOLLOWS:

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

NAYS: None

Mayor Matherly declared the MOTION CARRIED.

Ms. Therrien, seconded by **Ms. Rogers**, moved to AMEND Ordinance No. 6136, as Amended, by adding on page 6, item 7 the language, "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."

Ms. Therrien stated Chief Reeder is trying to find creative ways to fully staff FPD; she stated the Council should support her efforts.

Mr. Cleworth stated he has never seen an amendment to the budget that has no bottom line; he likened it to a 5 to 6 percent increase outside of the collective bargaining agreement. He shared his concern with adopting the two-week work schedule, because it will inevitably lead to overtime and liability to the City for staffing a tired police officer. He indicated that he would not support the amendment.

Mr. Pruhs stated he does not think that working a police officer for two straight weeks will be good for their mental health; he stated he will not support the amendment.

Ms. Rogers stated she can see both sides of the issue and that, ultimately, she supports the Chief; she stated, however, that she has a hard time with the financial impact.

Chief Reeder thanked everyone for their concerns. She stated that many other departments offer a two-week-on, two-week-off schedule, and some officers like it because it allows them more time with their families. She stated officers may maintain the regular schedule, but this provides an opportunity for quality officers from out of town to work at the department. She stated this could get her to a full staffing level, something that has not been accomplished in many years. Chief Reeder spoke about a “shots fired” call FPD took earlier that day and stated that the only three officers on shift had to respond. She stated that having a full staff is so important, and she would appreciate this tool to help with hiring efforts.

Mayor Matherly stated jobs on the North Slope are two-weeks-on and two-weeks-off, and people maintained that for years.

Ms. Rogers stated that hearing Chief Reeder’s word that the schedule has been tested and is appreciated by others makes her very comfortable in supporting the amendment.

Ms. Therrien stated she would be supporting Chief Reeder, and she sees this as a good thing.

Mr. Cleworth stated the Fire Department has tried all sorts of shifts. He stated that officers cannot leave if they are in the middle of an incident, which leads to overtime and lengthy shifts. He stated he has spoken with officers who have broken down about not having any time off; he indicated that two straight weeks is too stressful. He stated he is worried about the future budget, and unless they cut staff at the department, funds will dry up due to deficit spending.

Mayor Matherly stated this is the best time to offer this amendment because police officers all over the country are taking a beating; he added that the City needs to show its appreciation and to officers. He stated that this is about the “human factor” for him, and it is of utmost importance to support the FPD.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO AMEND ORDINANCE NO. 6136, AS AMENDED, BY ADDING ON PAGE 6, ITEM 7 THE LANGUAGE, “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.” AS FOLLOWS:

YEAS: Kun, Therrien, Rogers, Matherly

NAYS: Gibson, Pruhs, Cleworth

Mayor Matherly declared the MOTION CARRIED.

Ms. Therrien, seconded by **Ms. Rogers**, moved to AMEND Ordinance No. 6136, as Amended, by increasing the Mayor’s Office budget by \$15,600 to hire a temporary administrative assistant for Human Resources.

Mayor Matherly stated HR Director, Angela Foster-Snow, is currently traveling, so he asked Chief of Staff Mike Meeks for a staff report. Mr. Meeks stated there is a backlog of filing and paperwork in HR that needs to be caught up so they can return to business as usual.

Mr. Pruhs stated the amendment does not seem critical, and he would not vote in favor of it.

Mr. Cleworth stated the Council just keeps adding to the deficit, and he suggested that the Mayor's travel funds be used if an admin is needed.

Ms. Rogers asked Mayor Matherly if he has budget funds available to pay for a temporary HR admin. **Mayor Matherly** stated if the Council does not pass the amendment, he may consider funding the position with his budgeted funds.

Ms. Therrien suggested that since some of the work would be collection of medical records related to the COVID-19 virus, perhaps some costs could be reimbursable. She stated that getting the filing squared away could result in a cost savings to the City.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO AMEND ORDINANCE NO. 6136, AS AMENDED, BY INCREASING THE MAYOR'S OFFICE BUDGET BY \$15,600 TO HIRE A TEMPORARY ADMINISTRATIVE ASSISTANT FOR HUMAN RESOURCES AS FOLLOWS:

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

Ms. Therrien moved to AMEND Ordinance No. 6136, as Amended, by reclassifying regular wages and benefits in the Building Department in the amount of \$15,600 to hire a temporary administrative assistant to train staff. The motion died for lack of a second.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 6136, AS AMENDED, AS FOLLOWS:

YEAS: Gibson, Therrien, Pruhs, Cleworth, Rogers
NAYS: Kun
Mayor Matherly declared the MOTION CARRIED and Ordinance No. 6136, as Amended, ADOPTED.

- 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.

A motion to ADVANCE Ordinance No. 6137 was made by Ms. Kun, seconded by Mr. Cleworth, at the Regular Meeting of June 29, 2020. The motion was still on the floor.

Mr. Cleworth stated the Council should be good stewards of taxpayer dollars and spoke of the roadblocks that will come up in the next budget cycle. He stated he cannot support the way funds are being spent and shared his concern for the 2021 budget. He expressed concern that all the new revenue generated by the tax, if approved, would go toward funding labor contracts.

Ms. Therrien stated the City is in desperate times, and she hopes the ordinance passes so that City services can continue as usual.

Mr. Pruhs stated he has a problem with increasing costs to the City residents and community members that the City is supposed to be helping.

Mr. Gibson asked whether it is wise to exclude diesel fuel from the tax and suggested revisiting that issue.

Ms. Rogers asked Mr. Pruhs to clarify his earlier statement. **Mr. Pruhs** stated the Council should watch expenses; he added that nothing has been done to try to decrease operating costs.

Mayor Matherly stated all departments at the City have been encouraged to cut budgets, and everyone has sacrificed. He argued that the City has taken cost-cutting measures.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADVANCE ORDINANCE NO. 6137 TO THE NEXT REGULAR MEETING AS FOLLOWS:

YEAS: Therrien, Rogers, Gibson, Kun, Cleworth

NAYS: Pruhs

Mayor Matherly declared the MOTION CARRIED.

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.

Mr. Gibson, seconded by **Ms. Therrien**, moved to APPROVE Resolution No. 4924.

Mr. Cleworth asked City Engineer Bob Pristash for a staff report. Mr. Pristash stated the City of Fairbanks designed the project, the State DOT administered the construction, and FAST Planning passed the funding through. **Mr. Cleworth** asked whether clearing the trees in the right-of-way was the City's call or DOT's call; he asked for more information on how that came to be. Mr. Pristash stated he has emails from residents requesting that cottonwood trees be cleared because they were causing problems. He stated that direction was given to clear trees from the right-of-way. He stated that, in the end, residents got what they wanted, but it is not what they envisioned. **Mr. Cleworth** stated this is the first he has heard about the ten-foot fence with slats, and the real kicker is that DOT will not maintain the fence. Mr. Pristash stated they have been working with the residents, DOT, and Sen. Kawasaki's Office, but there has not yet been a solution.

Mayor Matherly stated he brought the issue forward because the residents have spent so much time and energy on the issue. He stated the fence would be installed and paid for by the DOT. He stated that this is the first he has heard that the 1000-foot fence may not be enough. He stated he does not feel that the residents will stop asking for help, so he felt he should introduce a resolution.

Mr. Cleworth stated he believes it is FAST Planning's problem and spoke against tasking Public Works with the additional maintenance responsibilities. He stated lots of citizens live on busy streets, and the City does not provide sound mitigation for them. He stated the best solution would be for the vegetation to grow back to create a natural sound barrier. **Mr. Cleworth** stated the City should not be throwing money at a problem that they did not create, and DOT and FAST Planning should identify a solution. He stated that the residents asked to have the vegetation removed, and that request was accommodated. He stated the City should not be penalized for it.

Mayor Matherly asked whether FAST Planning may take over maintenance if the City does not. Mr. Pristash stated he has never known FAST Planning to take care of maintenance.

Ms. Rogers stated she is not certain this resolution will satisfy the residents, and she suggested going back to the drawing board.

Ms. Kun stated she would like the fence to resemble the fence along Peger Road, but she would support the resolution as a starting point.

Mayor Matherly stated that installing a fence like the one along Peger Road is not likely; he stated he does not believe the State would pay for that type of fence.

Ms. Therrien referenced the aerial photo of Wembley Avenue attached to the resolution and asked Mr. Pristash for more information about the fence. Mr. Pristash stated the fence will run from one property owner's existing fence to another property owner's fence. He stated the fence along Peger Road was analyzed by the DOT and was found not warranted in the Wembley Avenue case. He stated the sound barrier was dismissed by the DOT at the time of project design.

Ms. Therrien suggested that the resolution may need more work because it does not specifically say that the City will perform maintenance on the fence.

Mayor Matherly stated the length of the fence has not been discussed in past meetings.

Mr. Pruhs stated that the Council is "damned if they do, and damned if they don't," and nothing is going to be enough. He stated he would vote in favor of the fence, but the ball needs to be put back in the State's court. He stated the Peger Road fence was a "one and done" kind of thing that went up in the 1970s. He stated that the other entities need hold up their end of the deal.

Mr. Gibson stated he heard from people who are upset about the noise issue, but the fence will do nothing to solve that problem. Mr. Pristash stated it is kind of ironic, because this project scored highly as it filled in a gap for pedestrian needs. He explained that Aurora Drive and Danby Street have pedestrian facilities, but Wembley Avenue did not until the new bike/pedestrian facility was installed, which caused residents to complain that people walking on the path have access to their back yards. Mr. Pristash stated that during one of the meetings, it was discussed that building the fence would increase property security. Mr. Pristash stated the fence will have slats, and that was the best solution that was reached.

Mayor Matherly stated the fence will make the residents happy.

Ms. Rogers stated she understood the cottonwood trees were taken down at the request of the residents; she asked about the likelihood of those trees growing back. **Mr. Pristash** stated the trees were cut at ground level, and roots were not removed. **Ms. Rogers** stated she thinks they will grow back quickly, and that would make everyone happy.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO APPROVE RESOLUTION NO. 4924 AS FOLLOWS:

YEAS: Gibson, Kun, Therrien, Pruhs
NAYS: Cleworth, Rogers
Mayor Matherly declared the MOTION CARRIED and Resolution No. 4924 APPROVED.

- b) Resolution No. 4925 – A Resolution Urging the State of Alaska to Return Fairbanks City Bus 142 to Fairbanks. Introduced by Council Member Gibson.

Mr. Gibson, seconded by **Mr. Cleworth**, moved to APPROVE Resolution No. 4925.

Mr. Gibson stated he introduced the resolution because he thought it would be good for the City of Fairbanks. He stated the bus is an old City bus, and it would be a great tourist attraction. He stated somewhere like Pioneer Park or the Auto Museum would be a great place to house it.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO APPROVE RESOLUTION NO. 4925 AS FOLLOWS:

YEAS: Rogers, Gibson, Therrien, Pruhs, Cleworth, Kun
NAYS: None
Mayor Matherly declared the MOTION CARRIED and Resolution No. 4925 APPROVED.

- 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.

Ms. Therrien, seconded by **Ms. Rogers**, moved to ADVANCE Ordinance No. 6138.

Mr. Cleworth stated he pulled the ordinance because he would like to know whether the ordinance would approve any contract language changes, and, if so, he would like to see the changes. **Mr. Meeks** stated the last page of the attachment addresses propays, and if there are any changes, he would be sure to include them in the next agenda packet.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADVANCE ORDINANCE NO. 6138 AS FOLLOWS:

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

DISCUSSION ITEMS

- a) Committee Reports

Mayor Matherly combined Committee Reports with Council Members' Comments below.

WRITTEN COMMUNICATIONS TO COUNCIL

- a) Reappointment to the Clay Street Cemetery Commission

APPROVED on the CONSENT AGENDA.

COUNCIL MEMBERS' COMMENTS

Fairbanks Diversity Council (FDC) – **Ms. Rogers** invited everyone to attend the FDC meeting on Tuesday, July 14 at 5:30 p.m.

Ms. Kun stated she had no comments or report.

Ms. Rogers expressed interest in looking into the CAHOOTS program being used in Oregon.

Ms. Therrien stated there will be a Permanent Fund Review Board meeting the following week, and she will bring a report to the Council at the next meeting. She congratulated the two new police officers and shared how pleased she is that they both happen to be women.

Mr. Gibson stated he had no comments or report.

Mr. Cleworth asked for an update on CARES Act grants. Mr. Meeks stated he does not have all the numbers with him, but funds are not going as quickly as anticipated. He stated that business applications can be submitted through July 31. **Mr. Cleworth** thanked Mayor Matherly for honoring Maxine Whitney and shared some history about her. He stated he received a complaint letter from a citizen about a tall hedge on Ivy Street, and he asked the Chief of Staff to work with Public Works to investigate the issue. **Mr. Cleworth**, in reference to the City Clerk's quarterly report, asked the Council to take the Clerk's suggestion and look at revising the business license penalty. He stated he understands the complaint of the resident on Trainer Gate Road regarding train noise, and he asked the Mayor if he has had any contact with the resident. **Mayor Matherly** stated he has spoken with the resident. He stated that this is the first time he has heard such a complaint from a resident in that area, and the resident is passionate about the issue.

Mr. Pruhs thanked Ms. Therrien and Mr. Gibson for allowing Ordinance No. 6133 to continue being worked on. He thanked the City Clerk's Office for getting caught up on meeting minutes.

CITY CLERK'S REPORT

City Clerk Snider reported that candidate filing opens Wednesday, July 15, 2020 at 8:00 a.m.

Mr. Cleworth, seconded by **Ms. Therrien**, moved to ENTER Executive Session for the purpose of discussing Roberts et al v. City of Fairbanks Litigation 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 brief recess.

EXECUTIVE SESSION

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

The City Council met in Executive Session to discuss Roberts et al v. City of Fairbanks Litigation Strategy. Direction was given to legal counsel, and no action was taken.

ADJOURNMENT

Ms. Rogers, seconded by **Ms. Therrien**, moved to ADJOURN the meeting.

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

Mayor Matherly declared the meeting adjourned at 10:04 p.m.

JIM MATHERLY, MAYOR

ATTEST:

D. DANYIELLE SNIDER, MMC, CITY CLERK

Transcribed by: EB



CITY OF FAIRBANKS
Jim Matherly, Mayor
800 CUSHMAN STREET
FAIRBANKS, ALASKA 99701-4615
OFFICE: 907-459-6793
FAX: 907-459-6787
jmatherly@fairbanks.us

8/6/2020

Memo To: City Council Members

From: Jim Matherly, Mayor

Re: Financial Status

Due to some concerns that were recently brought up regarding expenditures and revenues, the attached slides are being provided to offer some insight to the recent history of the City's financial status.

The first two slides represent the audited statistical data for the past 11 years regarding revenue and expense growth compared to the Anchorage CPI. The intent of the revenue and expense slides is to show that both revenues and expenses have not kept up with inflation, as measured by our own measurement yard stick, the Anchorage CPI. The demand for services has either increased or remained level.

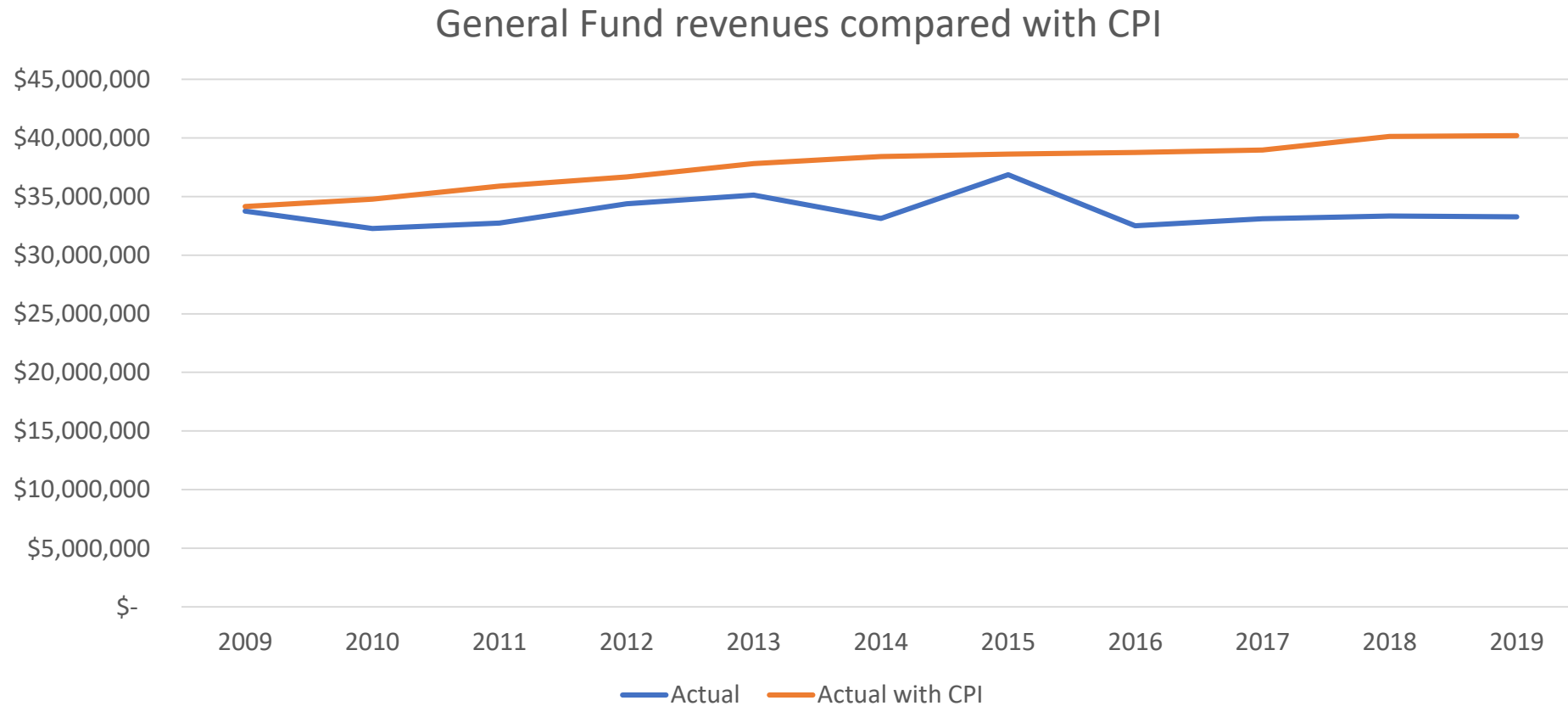
The third slide shows the 11-year statistical data for full time equivalent (FTE) employees within the City. Due to the decrease in FTE's shown on this graph, there has been significant salary savings that the City has harvested over years. A few important things to note about the information on this slide:

- The greatest cost within the city is salary
- Salary savings is significant, especially over the last six years

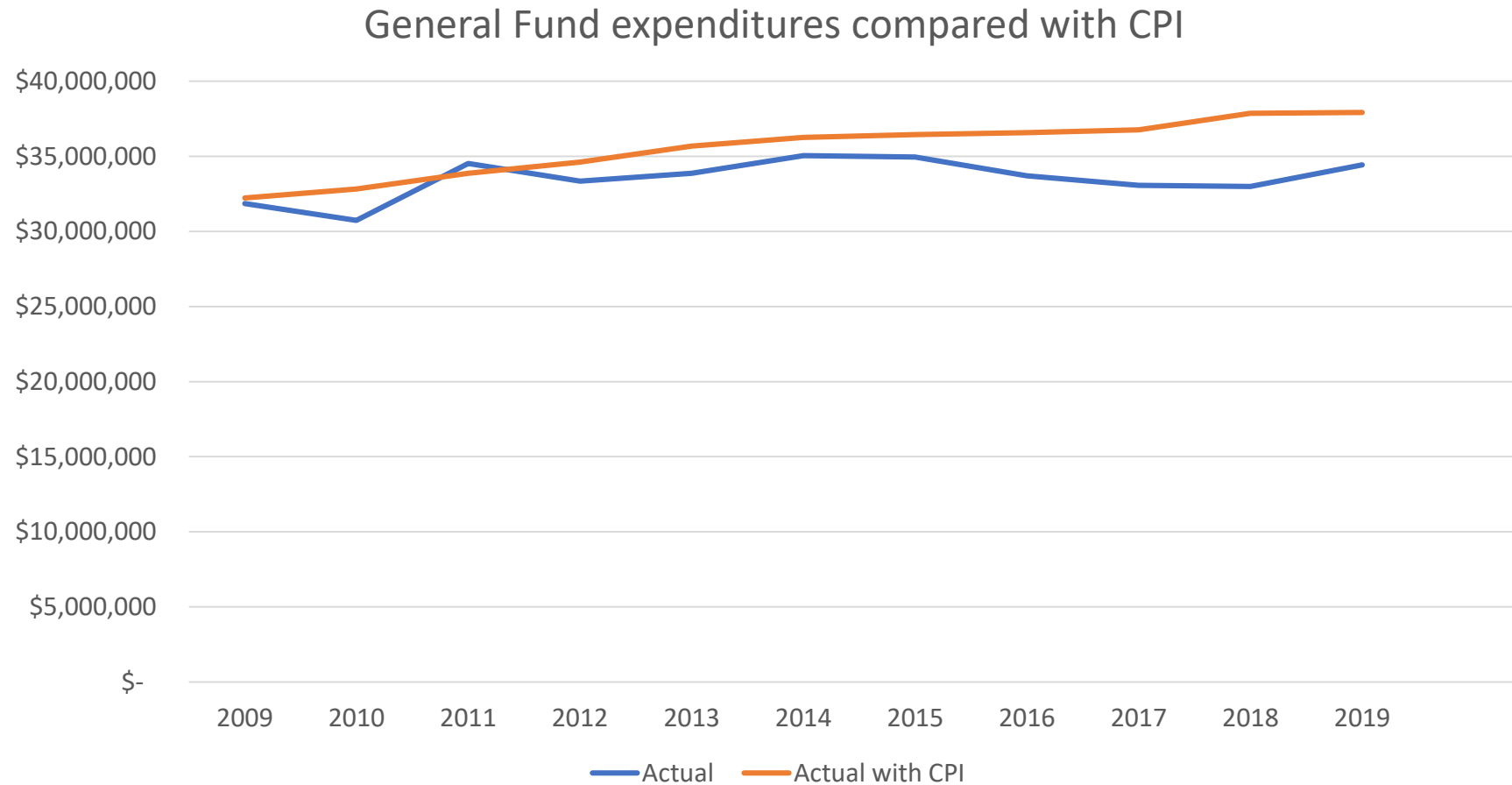
Due to the fact that we have lost many employees to the private sector or other agencies and have experienced difficulties in hiring new employees, there is a strong indication that the city does not offer competitive wages to attract new employees and retain the qualified employees that we need to keep city services at the level that the citizens demand.

This information is provided so that you can make informed decisions.

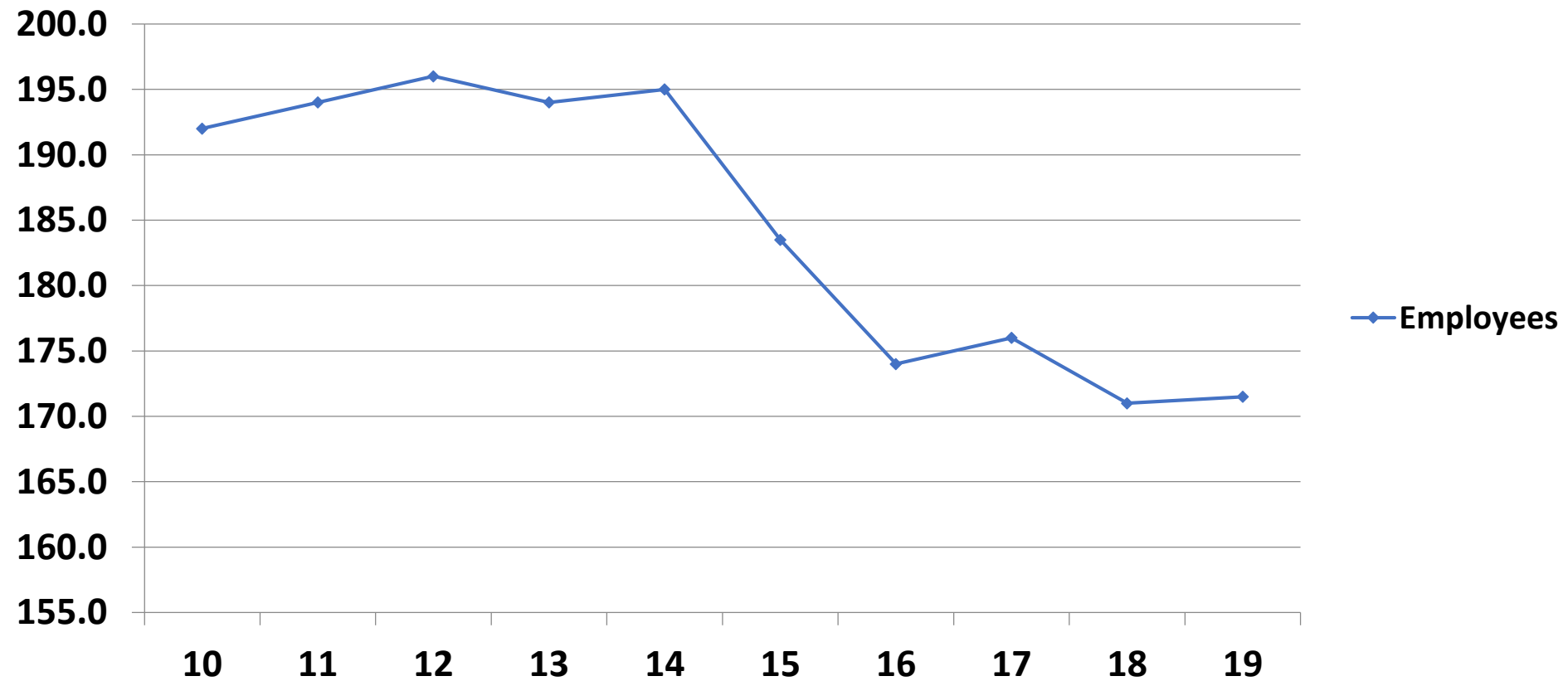
General Fund Revenues verses CPI



General Fund Expenditures versus CPI



Full Time Equivalent Employees (Actual on December 31)



ORDINANCE NO. 6133, AS AMENDED

**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 ~~strikethrough~~ 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:

Commercial property means an individual parcel, tract, or lot shown on the most recent plan of record that is not a residential property.

Commercial unit means an area within a commercial property that is readily identifiable by visual inspection as an area used by a single business or commercial enterprise.

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.

6. A call from the tenant or owner of commercial property used as a retail store for police assistance with theft or attempted theft from the retailer.
7. A call from the tenant or owner of commercial property used as a licensed premise under authorization of the Alcohol and Marijuana Control Office for police assistance with:
 - A. An underage person seeking admittance or service;
 - B. An impaired person seeking admittance or service;
 - C. An impaired person preparing to operate a motor vehicle.

Property means any real estate, residential or commercial.

~~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.~~

Residential property means an individual parcel, tract, or lot shown on the most recent plan of record containing one or more dwelling units, or a mobile home.

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 5 in a calendar year; or
- (2) Commercial unit Duplex, triplex, or fourplex: 15 in a calendar year.
- (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 **and the tenant of a unit thereon** shall **jointly** pay the city a fee of \$500.00 per excessive police response **to the dwelling unit or commercial unit.**

(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 **or tenant** 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 **or more than one tenant**, all owners **and all tenants** 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 **and tenant** in writing **of the violation**, and ~~the~~ **T**he notice of violation will contain the following information:

- (1) The name of the owner **and tenant**, 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 **and tenant are** 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 **or tenant** 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 **and tenant** at the address listed in the real property tax records of the borough, or by electronic means if such method gives the owner **and tenant** actual notice of the violation. If the mailed notice is returned without the owner's **or tenant'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 **or tenant** 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. Collection; 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.

(d) Excessive police response fees may be collected in any lawful manner, including bringing an action in court for a personal judgment against any person liable for the fee under this division.

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 **September** 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

Introduced by: Council Members Therrien, Kun, and Rogers
Finance Committee Review: February 18, March 3,
June 23, July 21, and August 4, 2020
Introduced: June 29, 2020

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. 74-301.

- (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. 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. 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 their duly authorized representative a copy of any return or report filed by them, 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, 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.

Jim Matherly, City 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: 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:

PROJECTS:	TOTAL
GENERAL FUND EXPENDITURES	\$500,000
TOTAL	\$500,000

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

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

Introduced by: Mayor Matherly
Finance Committee Review: August 4, 2020
Introduced: August 10, 2020

RESOLUTION NO. 4929

**A RESOLUTION AUTHORIZING THE CITY OF FAIRBANKS TO
ACCEPT FUNDING FROM THE BUREAU OF JUSTICE ASSISTANCE
FOR THE FFY2020 EDWARD BYRNE MEMORIAL JUSTICE
ASSISTANCE GRANT**

WHEREAS, the City of Fairbanks received notification of funding through the Bureau of Justice Assistance for the FFY2020 Edward Byrne Memorial Justice Assistance Grant (JAG) Program in the amount of \$22,709 to support a range of programs for law enforcement; and

WHEREAS, the City of Fairbanks will use the funds to update tasers and National Incident-Based Reporting System (NIBRS) compliance training; and

WHEREAS, the City of Fairbanks is not required to provide a match.

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

PASSED and APPROVED this 10th Day of August 2020.

Jim Matherly, City Mayor

AYES:
NAYS:
ABSENT:
APPROVED:

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: 4929

Abbreviated Title: FFY2020 JUSTICE ASSISTANCE GRANT (JAG) FEDERAL PROGRAM

Department(s): POLICE

Does the adoption of this ordinance or resolution authorize:

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

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

If yes, what is the estimate? see below

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

If yes, how many positions? _____

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

II. FINANCIAL DETAIL:

PROJECTS:	Equipment	Training	Personnel	Total
Tasers	\$22,027			\$22,027
NIBRS Compliance Training		\$682		\$682
				\$0
TOTAL	\$22,027	\$682	\$0	\$22,709

FUNDING SOURCE:	Equipment	Training	Personnel	Total
FFY2020 Edward Byrne Memorial JAG	\$22,027	\$682		\$22,709
TOTAL	\$22,027	\$682	\$0	\$22,709

The operations and maintenance costs associated with this equipment will be incorporated in the annual general fund budget.

Reviewed by Finance Department: Initial cp Date 8/3/2020

RESOLUTION NO. 4930

**A RESOLUTION AUTHORIZING THE CITY OF FAIRBANKS
TO DISTRIBUTE CARES ACT FUNDS FOR PHASE II**

WHEREAS, the Fairbanks City Council approved Resolution No. 4914 accepting funds from the State of Alaska, Department of Commerce, Community, and Economic Development, Division of Community and Regional Affairs, that had been allocated to the City through the Federal CARES Act; and

WHEREAS, the City of Fairbanks was awarded Coronavirus Relief Funds in the amount of \$16,005,137.24 for necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19); and

WHEREAS, the City Council approved Resolution No. 4919 authorizing the following allocation of the funds: \$1,005,137.24 for direct expenses and administration costs, \$5,250,000 for medical facilities, \$5,250,000 for businesses, and \$4,500,000 for individuals/families; and

WHEREAS, Resolution No. 4919 authorized the Mayor to adjust the distribution amounts if by the deadline for funds distribution any category had not reached its distribution amount and there was excess demand for funds in another category; and

WHEREAS, the City's CARES Act funds committee, having reviewed the distribution of funds to date, recommends allocation of funds as follows: \$1,005,137.24 for direct expenses and administration costs, \$8,750,000 for medical facilities, \$5,250,000 for businesses, and \$1,000,000 for individuals/families; and

WHEREAS, the committee recommends that the City address the needs of local businesses and medical facilities by offering additional grants in a second phase of funding.

NOW, THEREFORE, BE IT RESOLVED by the City Council as follows:

Section 1. The Council approves the committee's recommendations for the distribution amounts as follows: \$1,005,137.24 for direct expenses and administration costs, \$8,750,000 for medical facilities, \$5,250,000 for businesses, and \$1,000,000 for individuals/families, and authorizes a second phase of funding for grants to local businesses and medical facilities.

Section 2. The Council authorizes the Mayor to enter into agreements with RFP responders for grant administration services according to the recommendations of the committee.

Section 3. The Mayor is authorized to execute any documents required for distribution of CARES Act funds.

Section 4. The Mayor is authorized to adjust the distribution amount if, by the deadline for funds distribution, any category has not reached its distribution amount and there is excess demand for funds in another category.

PASSED and APPROVED this 10th Day of August 2020.

Jim Matherly, City Mayor

AYES:
NAYS:
ABSENT:
APPROVED:

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: 4930

Abbreviated Title: CARES ACT FUND DISTRIBUTION PHASE II

Department(s): ALL

Does the adoption of this ordinance or resolution authorize:

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

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

If yes, what is the estimate? see below

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

If yes, how many positions? 1

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

II. FINANCIAL DETAIL:

EXPENDITURES:	2020	2021	2022	Total
COVID-19 EXPENDITURES & ADMINISTRATION	\$1,005,137	\$0	\$0	\$1,005,137
COVID-19 EXPENDITURES MEDICAL FACILITIES	\$8,750,000	\$0	\$0	\$8,750,000
COVID-19 EXPENDITURES BUSINESSES	\$5,250,000	\$0	\$0	\$5,250,000
COVID-19 EXPENDITURES INDIVIDUALS/FAMILIES	\$1,000,000	\$0	\$0	\$1,000,000
TOTAL	\$16,005,137	\$0	\$0	\$16,005,137

FUNDING SOURCE:	2020	2021	2022	Total
FEDERAL CARES ACT	\$16,005,137	\$0	\$0	\$16,005,137
TOTAL	\$16,005,137	\$0	\$0	\$16,005,137

The CARES Act Fund (Coronavirus Relief Funds) will be used to recover allowable expenditures, hire a temporary CARES Fund Coordinator, and provide administration costs to financial institutions and organizations. The funds will also provide grants to medical facilities, local businesses, and individuals/families within City limits.

Reviewed by Finance Department: Initial mb Date 8/4/2020

Introduced by: Council Members Rogers, Pruhs, Therrien, and Kun
Finance Committee Review: August 4, 2020
Introduced: August 10, 2020

RESOLUTION NO. 4931

A RESOLUTION AUTHORIZING THE CITY OF FAIRBANKS TO APPLY FOR AND ACCEPT FUNDS FROM RASMUSON FOUNDATION FOR A MUNICIPAL ARTS & CULTURE MATCHING GRANT

WHEREAS, the City of Fairbanks received notification from the Rasmuson Foundation about a Municipal Arts & Culture Matching Grant Program to fund arts and culture organizations whose local revenue sources are disrupted by the COVID-19 pandemic; and

WHEREAS, the Rasmuson Foundation will provide matching funds for Municipal allocations of direct Coronavirus Aid, Relief, and Economic Security (CARES) Act Funds to local arts and culture organizations; and

WHEREAS, the City of Fairbanks provided CARES Act Funds to six arts and culture organizations in the amount of \$38,700 and will seek matching funds on behalf of these organizations.

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

PASSED and APPROVED this 10th Day of August 2020.

Jim Matherly, City Mayor

AYES:
NAYS:
ABSENT:
APPROVED:

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: 4931

Abbreviated Title: RASMUSON FOUNDATION MUNICIPAL MATCHING GRANT

Department(s): FINANCE

Does the adoption of this ordinance or resolution authorize:

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

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

If yes, what is the estimate? see below

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

If yes, how many positions? _____

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

II. FINANCIAL DETAIL:

EXPENDITURES:	2020	2021	2022	Total
LOCAL ARTS & CULTURE ORGANIZATION GRANTS	\$77,400	\$0	\$0	\$77,400
TOTAL	\$77,400	\$0	\$0	\$77,400

FUNDING SOURCE:	2020	2021	2022	Total
FEDERAL CARES ACT FUNDS	\$38,700	\$0	\$0	\$38,700
RASUMUSON FOUNDATION	\$38,700	\$0	\$0	\$38,700
TOTAL	\$77,400	\$0	\$0	\$77,400

The City of Fairbanks will request matching funds for arts & culture organizations that received City of Fairbanks CARES Act Funds.

Reviewed by Finance Department: Initial mb Date 8/4/2020

CHENA RIVERFRONT COMMISSION

MINUTES

December 11, 2019 12:00 PM

A regular meeting of the Chena Riverfront Commission was held in the Ester Conference Room, 2nd Floor, Borough Administration Center, 907 Terminal Street, Fairbanks, Alaska. The meeting was called to order at 12:04 p.m. by Buki Wright, Chair.

A. ROLL CALL

MEMBERS PRESENT: Bob Henszey, Diana Campbell, Gordy Schlosser, Lee Wood, Annette Freiburger, Brenda Naaktgeboren and Buki Wright

MEMBERS ABSENT: Kelley Hegarty-Lammers, Julie Jones, Wade Binkley and Greg Barker

OTHERS PRESENT: Carl Heim, Joe Kemp, Melissa Kellner, Arleigh Hitchcock, Nancy Durham, Kellen Spillman and Laura Melotte

B. MESSAGES

1. Chairman's Comments

Welcome to all present

2. Communications to the Chena Riverfront Commission

None

3. Citizen's Comments

Arleigh Hitchcock introduced herself and stated that she is now the Programs Manager at Tanana Valley Watershed Association.

4. Disclosure and Statement of Conflict

None

C. APPROVAL OF AGENDA AND CONSENT AGENDA

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

D. *MINUTES

*November 13, 2019

MOTION: Moved by **Mr. Henszey**, seconded by **Ms. Freiburger** that the Agenda and Consent Agenda be approved.

VOTE: No objections

MEETING AGENDA AND CONSENT APPROVED WITHOUT OBJECTION

E. UNFINISHED BUSINESS

1. Ordinance 2019-034 Telephonic Participation Letter

Mr. Jim Williams, FNSB Chief of Staff, addressed the Commission and gave a brief history of how this ordinance came about.

Ms. Campbell commented that she finds this ordinance rather restrictive.

Ms. Wood spoke in opposition of this ordinance.

Ms. Freiburger commented that the ordinance could cause difficulties for this commission to do its work in a timely manner.

Mr. Wright commented that he understands the need to maintain quorums with regard to commission meetings but finds it disappointing that the affected commissions were not asked to comment before approving the ordinance.

Further discussion ensued.

Mr. Wright queried the process to introduce another ordinance to change this ordinance. Mr. Williams suggested a letter to the Mayors office citing the things that the commission would like to be changed as well as the reasons for the change.

Ms. Campbell commented that telephonic participation is common in this day and age.

Mr. Williams stated that with governance, there has to be space and time for the members of the public to engage with appointed and elected officials.

Mr. Wright requested that the commission review the ordinance and draft a letter to the Mayor sooner than later.

2. Continued Discussion on Board & Commission Policy

Mr. Spillman addressed the commission with regard to this topic.

Mr. Spillman announced that with changes in policy, this commission will no longer be able to draft resolutions. The commission may send memorandums or letters.

Following further discussion, it was determined that **Mr. Wright** will meet with Mr. Spillman and then Mr. Williams and will report back at the February meeting.

3. Current DOT projects

Mr. Kemp reviewed the DOT Project list with the commission. He informed the commission that the bridge railing design for the University Avenue project is no longer an option.

Questions and answers followed.

4. CRFC Project List

The commission reviewed the current CRFC Project list. There were no updates to note.

F. NEW BUSINESS

1. DOT Presentation on Gaffney Road, Airport Way, Richardson Highway and Steese Highway Interchange (GARS)

Carl Heim, DOT, addressed the commission and gave a comprehensive overview of this project.

Questions and answers followed.

G. COMMISSIONER'S COMMENTS

Mr. Wright commented that he will not be in attendance at the February and March meetings. Ms. Freiburger will chair the meetings.

Arleigh Hitchcock introduced herself and gave a brief summary of her background with relation to Tanana Valley Watershed Association.

H. AGENDA SETTING

The commission reviewed items that will be carried forward to the next meeting.

I. ADJOURNMENT

The next meeting will be on February 12, 2020 at 12:00 p.m. There being no further business, the meeting was adjourned at 1:28 p.m.

CHENA RIVERFRONT COMMISSION

MINUTES

February 12, 2020 at 12:00 PM

A regular meeting of the Chena Riverfront Commission was held in the Ester Conference Room, 2nd Floor, Borough Administration Center, 907 Terminal Street, Fairbanks, Alaska. The meeting was called to order at 12:05 p.m. by Annette Freiburger, Vice-Chair.

A. ROLL CALL

MEMBERS PRESENT: Bob Henszey, Wade Binkley, Brenda Naaktgeboren and Annette Freiburger

MEMBERS EXCUSED: Lee Wood (excused), Julie Jones, Kelley Hegarty-Lammers (excused), Diana Campbell (excused), Greg Barker (excused), Gordy Schlosser (excused) and Buki Wright (excused)

OTHERS PRESENT: Clark Milne, City of Fairbanks; Arleigh Hitchcock, TVWA; John Netardus, DOT; and Brian Charlton, FNSB Parks & Rec.; Nancy Durham, FNSB Floodplain Administrator and Laura Melotte, FNSB

B. MESSAGES

1. Chairman's Comments

Ms. Freiburger stated that the commission has not established a quorum therefore no business can be conducted.

2. Communications to the Chena Riverfront Commission

Brian Charlton, FNSB Parks and Rec, addressed the commission and stated that he is meeting with Mitch Osborne and Fairbanks Soil and Water on February 13, 2020 to look at a bank stabilization project at Grahel Park.

3. Citizen's Comments

None

4. Disclosure and Statement of Conflict

None

C. APPROVAL OF AGENDA AND CONSENT AGENDA

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

D. *MINUTES

December 11, 2019 meeting minutes

No action was taken with regard to this item due to a lack of quorum.

E. UNFINISHED BUSINESS

1. Ordinance 2019-034 Telephonic Participation Letter

No action was taken with regard to this item due to a lack of quorum.

2. Continued Discussion on Board & Commission Policy

No action was taken with regard to this item due to a lack of quorum.

3. Current DOT projects

John Netardus reviewed the DOT project list with the commission. A question and answer period followed.

4. CRFC Project List

F. NEW BUSINESS

1. CIP List Update

No action was taken with regard to this item due to a lack of quorum.

2. Title 17 Amendment: Lots Adjacent to River

No action was taken with regard to this item due to a lack of quorum.

G. COMMISSIONER'S COMMENTS

None

H. EXCUSE FUTURE ABSENCES

None

I. AGENDA SETTING

Items from the February 12, 2020 meeting will be moved forward to the March 11, 2020 meeting.

J. ADJOURNMENT

The next meeting will be on March 11, 2020 at 12:00 p.m. There being no further business, the meeting was adjourned at 12:30 p.m.

CHENA RIVERFRONT COMMISSION

MINUTES

March 11, 2020 at 12:00 PM

A regular meeting of the Chena Riverfront Commission was held in the Ester Conference Room, 2nd Floor, Borough Administration Center, 907 Terminal Street, Fairbanks, Alaska. The meeting was called to order at 12:06 p.m. by Annette Freiberger, Vice Chair.

A. ROLL CALL

MEMBERS PRESENT: Wade Binkley, Diana Campbell, Annette Freiberger, Bob Henszey, Kelley Hegarty-Lammers, Gordy Schlosser and Lee Wood.

MEMBERS ABSENT: Brenda Naaktgeboren (excused), Julie Jones and Buki Wright (excused)

OTHERS PRESENT: John Natardus, DOT; Melissa Kellner, FNSB Community Planning Department; Andrew Ackerman, City of Fairbanks and Laura Melotte, FNSB Recording Clerk

B. MESSAGES

1. Chairman's Comments

Vice-Chair Freiberger commented regarding future meetings in the midst of the pandemic and that meetings should only be held if absolutely necessary and at no risk to commission members or the public.

2. Communications to the Chena Riverfront Commission

None

3. Citizen's Comments

None

4. Disclosure and Statement of Conflict

None

C. APPROVAL OF AGENDA AND CONSENT AGENDA

Approval of Consent Agenda passes all routine items indicated by asterisk (*) on agenda. Consent Agenda items are not considered separately unless any Historic

Commission member or citizen so requests. In the event of such request, the item is returned to the general agenda.

D. *MINUTES

*Minutes of December 11, 2019

*Minutes of February 12, 2020

MOTION: Moved by **Commissioner Campbell** seconded by **Commissioner Hegarty-Lammers** that the Agenda and Consent Agenda be approved to include the minutes of December 11, 2019 and February 12, 2020.

VOTE: No objections

MEETING AGENDA AND CONSENT APPROVED WITHOUT OBJECTION

E. UNFINISHED BUSINESS

1. Ordinance 2019-034 Telephonic Participation Letter

The commission reviewed the draft letter that Commissioner Jones provided. **Commissioner Campbell** made several suggestions for revisions of the document. Additionally, it was suggested that the commission letterhead logo be updated. This will be added to a future agenda for discussion.

Further discussion ensued with regard to the draft letter to the Assembly.

MOTION: Moved by **Commissioner Hegarty-Lammers** seconded by **Commissioner Schlosser** to add language that in the event of a public pandemic, this commission (all members) would be allowed to participate in their regularly scheduled meetings by teleconference

Following additional discussion, **Commissioner Hegarty-Lammers** withdrew her motion. **Commissioner Schlosser** concurred.

Melissa Kellner, FNSB Long Range Planner, addressed the commission. She stated that the Historic Preservation Commission is also drafting a letter with regard to this topic and would like to coordinate submittal to the Mayors' office so that the administration and the assembly received them at the same time.

MOTION: Moved by **Commissioner Binkley** seconded by **Commissioner Henszey** to direct Commissioner Campbell to make the technical edits as discussed and forward the letter on to the FNSB Assembly, the FNSB Mayor and the City of Fairbanks Mayor.

VOTE: No objections

2. Continued Discussion on Board & Commission Policy

Mr. Spillman addressed the commission with regard to this item.

Commissioner Hegarty-Lammers commented that she thinks this policy is limiting the commissions' freedom of speech while the commission tries to do its due diligence to represent community members' interests on the riverfront.

Commissioner Campbell concurred with Commissioner Hegarty-Lammers.

Mr. Spillman suggested that the commission draft another letter to convey the commissions' displeasure with not being able to do resolutions. He further commented that the commission could direct a member of the commission to write the letter.

Following further discussion, the commission decided to table this item to the end of this meeting.

MOTION: Moved by **Commissioner Binkley** seconded by **Commissioner Henszey** to direct Commissioner Campbell to make the technical edits as discussed and forward the letter on to the FNSB Assembly, the FNSB Mayor and the City of Fairbanks Mayor.

VOTE: No objections

The commission revisited this agenda item. **Commissioner Hegarty-Lammers** provided a draft letter expressing the concerns of this commission to Mayor Ward.

MOTION: Moved by **Commissioner Hegarty-Lammers** seconded by **Commissioner Campbell** that the commission send a letter with the draft proposed language regarding this topic to Mayor Ward as soon as possible.

AMENDED MOTION:

Moved by **Commissioner Wood** seconded by **Commissioner Hegarty-Lammers** that the letter also be sent to Mayor Matherly at the City of Fairbanks.

AMENDED MOTION VOTE:

No objections on the amended motion.

VOTE: No objections on the main motion.

3. Current DOT projects

The commission reviewed the current list of DOT projects presented by John Netardus. The commission queried some of the specifics of certain projects.

4. CRFC Project List

The commission reviewed its own project list.

Mr. Spillman commented that Community Planning may have extra funds to put toward the river safety signage project. He will report back at the next meeting.

Commissioner Binkley spoke to the commission regarding a possible collaboration with Tanana Valley Watershed Association and funding for the river safety signage project. He will report back on this topic at the next meeting.

F. NEW BUSINESS

1. CIP List Update

Mr. Spillman spoke to the commission with regard to this agenda item. He stated that the project that this commission nominated did not make the 10 year plan.

Discussion ensued with regard to the Chena Riverwalk project and funding resources.

2. Title 17 Amendment: Lots Adjacent to River

Mr. Spillman updated the commission regarding this topic and the letter that this commission sent to Mayor Ward in support of Title 17 amendments. He stated that at this time, the Mayors' office has not taken action on the request.

It was decided that Mr. Spillman will reach out to the mayors' office again and report back at the next meeting.

G. COMMISSIONER'S COMMENTS

There were no comments from commissioners.

H. AGENDA SETTING

The commission reviewed topics that will be added to the April 8, 2020 meeting.

Commissioner Hegarty-Lammers suggested adding "CRFC Rules of Order" to the April agenda for discussion.

I. ADJOURNMENT

The next meeting will be on April 8, 2020 p.m. There being no further business, the meeting was adjourned at 1:05 p.m.

HISTORIC PRESERVATION COMMISSION

MINUTES

January 13, 2020

A regular meeting of the Historic Preservation Commission was held in the Chizmar Room, 1st Floor, Borough Administrative Center, 907 Terminal Street, Fairbanks, Alaska. The meeting was called to order at 5:30 p.m. by Molly Proue, Chair.

MEMBERS PRESENT: Martin Gutoski, Matthew Reckard, Patricia Peirsol, Amy Viltrakis, Brenda Sadler and Molly Proue

MEMBERS EXCUSED: None

OTHERS PRESENT: Patricia Schmidt and Jeanne Creamer, Friends of the SS Nenana; Melissa Kellner, FNSB Staff Representative; Kristina Heredia, FNSB Representative and Laura Melotte, FNSB Recording Clerk

A. ROLL CALL

B. MESSAGES

1. Chairman's Comments

None

2. Staff's Comments

Ms. Heredia introduced Sarah Bingham who recently started as a Planner II in Community Planning.

Ms. Heredia requested that the commissioners please respond to the e-mail each month requesting attendance intentions so that a quorum can be established.

Ms. Kellner addressed the commission and stated that she had been contacted by Julie Jones with Festival Fairbanks. Ms. Jones wanted Ms. Kellner to convey to the commission that there are two vacant seats on the Clay Street Cemetary Commission.

Ms. Kellner noted that the February meeting will be held on a different day due to the Presidents Day holiday.

Ms. Kellner announced that Janet Matheson received the Lifetime Achievement in Historic Preservation award from the Alaska Association for Historic Preservation.

3. Citizen's Comments

None

4. Disclosure and Statement of Conflict of Interest

Commissioner Proue reminded the commission that she will have to recuse herself from any DOT&PF items.

C. APPROVAL OF AGENDA AND CONSENT AGENDA

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

MOTION: Moved by **Commissioner Reckard**, seconded by **Commissioner Peirsol** to approve the Agenda and Consent Agenda reordering the agenda to move item F2 to E1, removing item F6 and removing the minutes of October 21, 2019 for corrections.

VOTE: No objections

Commissioner Peirsol clarified that she had heard that DOT has a section of Bailey Bridge that they use for training and potential emergencies.

Clarification was provided with regard to the Falcon Joslin house. The minutes should have reflected that Commissioner Proue proposes to work with the owners of the house to get it a historical designation overlay.

Commissioner Peirsol stated that what she meant to imply, with regard to Pioneer Park, was she suggested that this commission proceed with submittal of the nomination to the National Register.

Other minor edits were addressed.

MOTION: Moved by **Commissioner Viltrakis** seconded by **Commissioner Reckard** to approve the amended minutes of October 21, 2019.

VOTE: No objections

D. *MINUTES

*October 21, 2019

MOTION: Moved by **Commissioner Viltrakis** seconded by **Commissioner Reckard** to approve the amended minutes of October 21, 2019.

VOTE: No objections

E. UNFINISHED BUSINESS

1. Friends of the SS Nenana grant application and letter of support

Trish Schmidt, Friends of the SS Nenana, addressed the commission and gave an update on the status of this project.

Commissioner Reckard offered information regarding grants through the Office of History and Archaeology.

Further discussion ensued with regard to grant opportunities.

Commission Proue suggested the commission write a letter of support for the efforts of the Friends of the SS Nenana.

Commissioner Peirsol volunteered to draft a letter of support.

2. OHA CLG grant

The commission agreed that an application will not be submitted with regard to this grant by the end of the month. Discussion ended. The commission will bring this item back the next time a grant application opportunity opens.

3. Bailey Bridge

Commissioner Peirsol stated that she spoke to the land trust to see if they had any further information and they don't.

She stated that the work is expected to begin in March 202 so there is still time to get further information from the land trust.

Commissioner Peirsol will continue to monitor this project and report back.

4. Prioritization List

The commission discussed the list.

Commissioner Proue spoke to Community Outreach and Education. She provided a handout regarding "Building Funerals".

The commission discussed holding a "funeral" for the anniversary of the demolition of the Masonic Temple.

Commissioner Gutoski queried if the historic sign that was placed by this commission at the Masonic Temple is gone. **Commissioner Proue** will check and report back.

The commission further discussed this topic.

Commissioner Peirsol volunteered to speak to the Downtown Association to see if they would be interested in planning an event in March to commemorate the demolition of the Masonic Temple. She will report back.

Commissioner Reckard suggested making a motion to direct Commissioner Proue to develop a presentation to provide to the NewsMiner.

Further discussion ensued with regard to this topic.

Commissioner Gutoski spoke to the topic of Tax Exemptions for historic properties.

MOTION: Moved by **Commissioner Reckard**, seconded by **Commissioner Gutoski** to direct Commissioner Proue to proceed with a social media presentation for the Masonic Temple for presentation on March 17, 2020.

VOTE: No objections

5. Section 106 Projects

Commissioner Proue suggested skipping this item as she will have to recuse herself and the commission will lose its quorum.

6. Ordinance 2019-034 on telephonic participation

Commissioner Proue provided a draft letter to the administration with regard to this topic.

Ms. Kellner provided a draft letter with regard to this topic from the Chena Riverfront Commission.

Further discussion ensued.

Ms. Kellner queried if this commission would like to do a joint letter with the Chena Riverfront Commission. Following further discussion, the commission determined that they would like to do a separate letter of their own.

Commissioner Proue will provide via e-mail a letter that she drafted with regard to this topic.

7. Minnie Street Corridor Study

Ms. Heredia spoke to this topic. She stated that the NPO has adopted the Minnie Street plan with slight modifications that were provided by the Community Planning Department and the Planning Commission. She had no further information.

This item will be added to a future agenda for discussion and/or action.

F. NEW BUSINESS

1. Capital Improvement Program (CIP) project review

Ms. Kellner addressed the commission with regard to this topic.

Discussion centered on the nomination of the SS Nenana as a Capital Improvement Project.

MOTION: Moved by **Commissioner Reckard**, seconded by **Commissioner Viltrakis** to direct Commissioner Proue to ask the assembly to remove the proposal for salvage on the SS Nenana and substitute the proposal for repair.

VOTE: No objections

This item will remain on the agenda for further discussion.

2. Teaching with Historic Places lesson plan for the SS Nenana

Commissioner Proue gave an overview of this topic.

Commissioner Proue will follow up with Darrell Lewis, the originator of this idea, and report back.

3. Fort Wainwright Cultural Resources Working Group report

Ms. Heredia addressed the commission with regard to this topic.

Ms. Heredia will let the commission know when the next meeting of the FT Wainwright Cultural Resources Working Group is.

4. Historically Significant zoning overlay and historic districts

Ms. Kellner spoke to this topic. She apprised the commission of the various zoning overlays within the borough. Questions and answers followed.

This item will remain on the agenda for further updates and discussion.

5. Pioneer Park nomination to the National Register

Ms. Kellner gave a brief update with regard to this topic. She stated that the next step is to submit the nomination to SHPO.

Commissioner Proue provided a handout that describes the process once a nomination is made.

Commissioner Peirsol stated that she would like to see this move forward. She does not want to see it wait any longer. **Commissioner Reckard** concurred.

Further discussion ensued.

MOTION: Moved by **Commissioner Peirsol**, seconded by **Commissioner Reckard** to proceed to submit the application to add Pioneer Park to the National Register reserving the right to submit a more recent map.

VOTE: No objections

6. Commissioners with Expiring Terms

This item was removed by the motion to adopt the agenda.

7. Election of Officers

Commissioner Peirsol nominated Commissioner Proue for the position of Chair. **Commissioner Proue** accepted the nomination.

MOTION: Moved by **Commissioner Peirsol**, seconded by **Commissioner Viltrakis** to appoint Commissioner Proue as Chair.

VOTE: No objections

Commissioner Proue nominated Commissioner Peirsol for the position of Vice-Chair. **Commissioner Peirsol** accepted the nomination.

MOTION: Moved by **Commissioner Proue**, seconded by **Commissioner Reckard** to appoint Commissioner Peirsol as Vice-Chair.

VOTE: No objections

G. EXCUSE FUTURE ABSENCES

Commissioner Reckard commented that he will be out of state for the next six weeks and will not attend the February meeting.

Commissioner Gutoski commented that he will be out of state for the February meeting but will be calling in.

H. COMMISSIONERS COMMENTS / COMMUNICATIONS

Commissioner Proue commented that she heard from a member of the SHPO staff that there will be another training offered through SHPO in April.

Commissioner Peirsol requested that applications for each oncoming commissioners be provided in the future.

Commissioner Peirsol stated that the Parks Service is planning a training in Fairbanks regarding the SS Nenana and other structures in Pioneer Park.

Commissioner Viltrakis announced that one of the historical buildings in Salcha, the Sno-Shoe Inn, burned down.

Commissioner Sadler announced that the City of North Pole has a new school at Hurst and Badger Roads.

Commissioner Reckard stated that he is going to visit one of the longest single span covered bridges in the world in California.

Commissioner Gutoski commented regarding the CIP and some of the nominations.

Commissioner Peirsol commented that she received a message from Owen Guthrie. He stated that it will be summer before they abate the Bailey Bridge components.

I. AGENDA SETTING

The agenda was set.

J. ADJOURNMENT


Moved to adjourn by **Commissioner Viltrakis**, seconded by **Commissioner Peirsol**.

The next meeting will be on February 24, 2020 at 5:30 p.m. There being no further business, the meeting was adjourned at 8:00 p.m.

City of Fairbanks



MEMORANDUM

To: City Council Members
From: Jim Matherly, City Mayor 
Subject: Request for Concurrence – Hotel/Motel Discretionary Fund Committee
Date: August 5, 2020

The term of Seat C on the Hotel/Motel Discretionary Fund Committee expired on June 30, 2020. Also, Seat D was recently vacated when a member relocated out of state. Ms. Samantha Kirstein and Ms. Traci Gatewood have each applied to serve on this valuable Committee.

I hereby request your concurrence to the following **appointments**:

Seat C	Samantha Kirstein	Term to Expire: June 30, 2023
Seat D	Traci Gatewood	Term to Expire: June 30, 2021

The applications and resumes of both individuals are attached.

Thank you.

dds/



Hotel/Motel Discretionary Fund Committee

Board Details

The Hotel/Motel Discretionary Fund acts in an advisory capacity to the City Council; assures that funding is provided to organizations that guarantee the furtherance of the promotion of the tourist industry and other economic development and the funding of services for the general public; reviews applications from organizations applying for grant dollars and makes recommendations to the City Council for fund distribution; reviews Fairbanks General Code (FGC), Section 74 and makes recommendations to the City Council for modifications and/or additions.

Overview

Size 6 Seats

Term Length 3 Years

Term Limit 2 Terms

Additional

Board/Commission Characteristics

The Hotel/Motel Discretionary Fund Committee shall consist of five community members and a Council person who will function as the Chairman, all appointed by the Mayor. Each member shall serve a three-year term with a limit of two consecutive full terms.

Meetings

Hotel/Motel Discretionary Fund Committee Meetings are held annually in November and December at City Hall in the Council Chambers. Please contact the Office of the City Clerk for meeting dates and times.

Enacting Legislation

FGC Chapter 74, Article IV, Hotel-Motel Tax

Enacting Legislation Website

<http://bit.ly/2Cv4euM>

Joint Commission Details

N/A

Email the Commission Members

hotel-moteldiscretionaryfundcommittee@fairbanks.us

Profile

Samantha

First Name

Kirstein

Last Name

Email Address

Street Address

Suite or Apt

Fairbanks

City

AK

State

Postal Code

Mailing Address

Are you a City of Fairbanks resident? *

No

Primary Phone

Alternate Phone

Fairbanks Community Food Bank

Employer

Community Development Director

Job Title

Which Boards would you like to apply for?

Hotel/Motel Discretionary Fund Committee: Submitted

Interests and Experiences

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

I have over 30 years experience in non-profit management and grant writing. I know most of the local (Tanana Valley) non-profits. June Rogers thought I would be an asset to this Hotel/Motel Discretionary Fund Committee and invited me to apply. In early 1990's I applied (for the Fairbanks Community Food Bank) through the City process, then that process for health and social services was moved to the Borough. My agency has received funding every year from 1990-2020 from a City or Borough funding source, and I am very familiar with how the local processes work. My agency has never received funding through the City Hotel/Motel Discretionary Fund Committee.

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

Resume is attached

Upload a Resume

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

1998 Society for Human Resource Management 2004 UAF/Foraker Certificate for Non-Profit Management 2005-present Nat'l Restaurant Association, Serve Safe Manager's Certificate 1964-2007 B.Theology, M. Theology, M.Divinity, Doctor Ministry

Samantha Castle Kirstein

- Objective** I have lived in and around Alaska for over 60 years and I want to continue to work to make it a better place and to use Alaska's resources wisely.
- Experience**
- 2015 to present Fairbanks Community Food Bank, Fairbanks, AK
Community development director
- 1990-2015 Fairbanks Community Food Bank, Fairbanks, AK
Executive Director
Human Resource Management, supervision of all accounting and grant reporting, implement policies of the Board of Directors, overall program management, and community relations and fund and other resource raising
- 1989-90 Alaska Professional Hunters Assn., Fairbanks, AK
Executive Director
- Implement policies of the Board of Directors
- 1983-89 The Computer Center Fairbanks, AK
Purchasing Manager
- Purchasing Manager in three locations: Fairbanks, Anchorage, Juneau
- 1978-83 Denali Park Aircraft Concession McKinley, AK
Owner and Operator
- 1967-1983 Wood River Lodge, L&S Outfitters, Denali Wilderness Lodges, Wood River, Kodiak, Savoonga, Gambell, Mekoryuk, Point Hope
Owner and Operator
- Education**
- 1964-67 UAF
 - 1985-89 Univ of the South, Education for Ministry, EFM
 - 1998 Society for Human Resource Management Professional Human Resource Manager (PHR Certificate)
 - 2004 UAF/Foraker Certificate for Non-Profit Management
 - 2005-2019 Natil Resturant Ass, Serve Safe Manager's Certificate
 - 2004 Beacon University, B.Th
 - 2005 Beacon University, M. Th.
 - 2006 Beacon University, M.Div.
 - 2007 Beacon University, D. Min.

**Community
Organizations &
Awards**

- 1970-83 worked as advisor to Alaska Board of Education for Correspondence Study. Also worked with Railbelt School District in Development of their home school program
- 1984-87 Treasurer & Member of Women in Crisis Counseling Assistance Board
- 1987-89 Love, Inc.
- 1983 – 1995 St. Matthew’s Sunday School, Vestry and Newsletter Editor
- 1988-1990 Alaska Board of Game, Chair and Member
- 1988-90 Alaska Joint Board of Fish and Game, Chair and Member
- 1988-90 Commercial Big Game Guide Board, Chair and Member
- 1989-94 Tanana Valley State Forest Advisory Council, Chair and Member
- 1991-93 Alaska Fish and Wildlife Safeguard
- 1992-98 Volunteer Action Center, United Way
- 1993-97 Malemute Band Parents Association, Treasurer
- 1993-94 Fairbanks Youth Symphony
- 1993 – 2000 Daughters of the King (Episcopal)
- 1990 – present Sisters of Charity Associate
- 1993-94 College Rotary Club, Newsletter Editor
- 1990 – present, Pioneers of Alaska
- 1992 – 2003 Bible Study Fellowship, Secretary
- 1990 – present, Arctic Alliance for People
- 1996 - United Way Board of Directors Agency Liaison
- 2000 - Dr. Martin Luther King, Jr. Community Service Award
- 2000 – present Optimist Club
- 2001– present, President and member, Alaska Food Coalition
- 2003 – Epsilon Sigma Phi State Friends of Cooperative Extension
- 2005 – Chair, Community Covenant Church Council
- 2005 –Tanana Valley State Fair Board of Directors, Board Secretary 2006 and 2007
- 2006 – Alaska Cooperative Extension Service Statewide Advisory Board
- 2007 – Girl Scout Woman of Distinction Award
- 2008 – Friend of Education Award (FNSB)
- 2013 – Alaska Health Achievement Award, Alaska Public Health Association
- 2013 – Stephen Ministry training and commissioning
- 2013 – Quota Club Community Champion
- 2016 - Chaplain, Denali Center (long term care home)
- 2016 - Graduated, Citizen Police Academy
- 2016 – Fairbanks Memorial Hospital Hospice Patient Care Volunteer
- 2016 - Completed Basic course work for International Police Chaplains training

Profile

Traci Gatewood
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? *

Yes

[Redacted] [Redacted]
Primary Phone Alternate Phone

G2 Diversified Services Owner
Employer Job Title

Which Boards would you like to apply for?

Hotel/Motel Discretionary Fund Committee: Submitted

Interests and Experiences

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

I am a small business owner who has a desire to use my skills to serve the Fairbanks community. I have over 22 years of experience in project development and grant writing. I served as the Fairbanks North Star Borough School District's Director of Grants and Special Projects for approximately eight years. During that time, I wrote and managed grants, developed and provided grant compliance training, and co-wrote the district's Guide to Grants Management. Additionally, I evaluated project designs, management plans, and budgets for federal, state, and local grant proposals to determine if they would be recommended for grant funding. Finally, I assisted the National Grants Management Association with developing and vetting criteria for the Certified Grants Management Specialist credential. I have continued to provide project planning and limited grant writing assistance through my business. I believe my knowledge and skills would be a good fit for the Hotel-Motel Discretionary Fund Committee.

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

See attached resumé.

Upload a Resume

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

Before moving into Human Resources, I was a Certified Grants Management Specialist. I have attended and provided many trainings on proposal development, grants and budget management, and grants compliance.

PROFESSIONAL SUMMARY

- ◆ *MS, Business Organizational Management Concentration: Human Resource Management*
- ◆ *BS, Psychology*
- ◆ *Twenty-two (22) years of experience in organizational, personnel, budget, project, and grants management*
- ◆ *Demonstrated organizational leadership-people, data, and tasks*
- ◆ *Ability to quickly assimilate information and utilize it to develop/improve programs or processes*
- ◆ *Demonstrated ability to work effectively and respectfully with diverse teams*
- ◆ *Demonstrated ability to articulate thoughts and ideas effectively using oral, written and nonverbal communication skills in a variety of forms and contexts*

RELEVANT PROFESSIONAL EXPERIENCE

Small Business Owner/Consultant

G2 Diversified Services

06/16 to present

- ◆ Conduct organizational assessments and develop comprehensive reports, including prioritized recommendations and timelines, that identify areas where action is needed to improve organizational functioning or address compliance issues/areas of risk.
- ◆ Work with businesses to address day-to-day staff operations and HR compliance concerns, as well as, to develop HR practices aligned to the organization’s business objectives and strategic plans. Conduct workplace personnel investigations.
- ◆ Lead strategic planning sessions that result in concrete goals, objectives, and action plans that guide organizational direction.
- ◆ Provide professional guidance, mentoring and support to management level staff.
- ◆ Provide customized training for organizational and employee development.

Executive Director of Human Resources

Fairbanks North Star Borough School District

05/13 to 07/16

- ◆ Participated on the Superintendent’s Executive Team that sets strategic and operational direction for the school district.
- ◆ Developed and recommended policies and actions pertaining to personnel management, including the functions of recruitment, selection, placement, orientation, evaluation, employee benefits, salary placement, termination, and leadership development.
- ◆ Assisted with the direction of the leadership and management development program for administrators throughout the district; assisted administrators with personnel matters in areas such as performance management.
- ◆ Directed the recruitment program of the district, including the advertising and processing of all applications for employment. Established proper screening procedures and recommended applicants for employment. Oversaw the development and maintenance of job descriptions for positions in the district.
- ◆ Provided guidance and support on matters pertaining to retirements, leaves of absence, assignments, transfers, salary administration, employee benefits, and reductions in force.
- ◆ Oversaw and participated in the development of strategies for negotiating new labor contracts, preparation of collective bargaining proposals, contract maintenance, and grievance resolution, including arbitration.
- ◆ Maintained responsibility for compliance with federal and state legislation pertaining to all personnel matters, including seeking legal guidance when appropriate.
- ◆ Oversaw labor and employee relations and EEO functions, including personnel investigations.
- ◆ Oversaw and managed Americans with Disabilities Act compliance; through interactive dialogue, worked with supervisors and employees to determine if reasonable accommodations were warranted.

Grants and Special Projects Director

Fairbanks North Star Borough School District

09/05 to 04/13

- ◆ Successfully restructured the Grants Department that was frequently out of compliance and underperforming with a team of 2.5 FTE staff to improve operations, to align with district policies and to comply with state and federal regulations.
- ◆ Led a team of staff from 16 different departments to facilitate the development of the Educational Technology Plan; authored the plan.
- ◆ Led the development of the district's plan to effectively utilize ARRA Stabilization funding; managed the expenditures for the \$8.9 million budget; received extremely positive feedback from auditor tasked with monitoring compliance.
- ◆ Led strategic planning sessions of the CTE leadership team and the CTE advisory council to help revitalize the district's Career Technical Education Program.
- ◆ Co-wrote the school district's Guide to Grants Management.
- ◆ Directly managed the Department of Defense Education Activity, Smaller Learning Communities, Carl Perkins, Youth First, AK Construction Academy, and CTE Implementation grants.
- ◆ Prepared grant applications for local, state, federal and private funding sources.
- ◆ Evaluated project designs, management plans, and budgets for federal Department of Education and Fairbanks North Star Borough grant proposals to determine if they would be recommended for grant funding.
- ◆ Worked collaboratively with district departments and community agencies to meet project/program goals, objectives, and deliverables.
- ◆ Negotiated contract and grant amendments with government agencies, while ensuring compliance with district, state and federal regulations.
- ◆ Provided oversight, training, and support to grant managers to ensure that the administration of district grants adhere to district, state and federal policies and regulations.
- ◆ Conducted mock site visits to prepare schools, departments and staff for compliance monitoring visits from state and federal agencies.
- ◆ Prepared and presented grant management training on topics such as Compliance: Governing Grant Documentation and Regulations, Filing and Record Keeping, and Budget Development and Revisions.

Safe Schools/Healthy Students (SS/HS) Grant Director

Fairbanks North Star Borough School District

11/03 to 08/05

- ◆ Renegotiated with the federal government components of the grant to align to district needs.
- ◆ Managed the day-to-day operations of the SS/HS program, including managing the \$1M per year budget.
- ◆ Lead strategic planning sessions to formulate the direction of the Safe Schools Healthy Students project and to prepare long and short range goals in collaboration with grantors, community agencies, and program staff.
- ◆ Collaborated with multiple community agencies, including the Division of Juvenile Justice, Division of Behavioral Health, Fairbanks Community Behavior Health, Fairbanks Native Association, Fairbanks Police Department, and Resource Center for Parents and Children, to implement the project.
- ◆ Worked with principals at 32 schools to identify and address their school's needs in relation to the SS/HS project.
- ◆ Implemented within schools model prevention programs, including *Olweus Bullying Prevention Program*, *Second Step* violence prevention curriculum, and *Parenting Wisely*.
- ◆ Oversaw the development and implementation of the district-and-community-wide *15+ Make Time to Listen, Take Time to Talk...about Bullying* media campaign.
- ◆ Led the development of the framework for the PASS (Positive Alternative to School Suspension), GIS+ (Guided Independent Study Plus), and LIFT (Learners in Full Transition) Programs.
- ◆ Collaborated with community providers and district staff to develop the framework and procedures for conducting threat assessments.
- ◆ Developed, hosted, and provided training for the Family Toolbox Parenting Education workshops.
- ◆ Chaired the SS/HS Advisory Committee that included Fairbanks Community Behavioral Health Center, the Fairbanks Police Department, Fairbanks Native Association, Fairbanks Youth Facility, Alaska State Department of Health and Social Services, Resource Center for Parents and Children, and Fairbanks Public Health Center.
- ◆ Developed and distributed within schools and the community a comprehensive Community Resource Guide.

Education & Training Program Manager

Adult Learning Programs of Alaska

07/01 to 11/03

- ◆ Concurrently completed a Master's degree in Business Organizational Management Concentration: Human Resource Management; used knowledge gained to assist with agency restructuring.
- ◆ Conducted job analyses and developed new job descriptions as part of the agency's restructuring process.
- ◆ Analyzed compensation structure and revised to ensure fairness and improve employee retention.
- ◆ Revised performance appraisal tool to align with agency goals.
- ◆ Recruited and advertised for open positions and processed applications.
- ◆ Developed a system for and maintained personnel files for all employees.
- ◆ Performed background checks on new hires.
- ◆ Managed employee benefits, including COBRA, medical, dental, vision, long term disability, and retirement.
- ◆ Provided employee orientation to new hires.
- ◆ Wrote HR procedure manual.
- ◆ Facilitated Myers Briggs Type Inventory training as well as Communication Skills, Conflict Management and Suicide Awareness workshops.
- ◆ Responsible for the recruitment, supervision, and performance evaluation of a department of 40+ employees
- ◆ Managed, monitored outcomes, and submitted required reports for six federally and state funded programs.
- ◆ Developed and managed expenditures for \$850,000 budget.
- ◆ Liaised with state, educational, and other private and public agencies in planning, collaboration, promotion, and execution of organizational activities
- ◆ Prepared and submitted verbal and written reports to Board of Directors, state and federal funding agencies, and community agencies.
- ◆ Received the administrator of the year award from the Alaska Adult Basic Education Association.

Work First! Grant Program Manager

Peer Helper Grant Project Manager

Senior Community Employment Program Manager

Adult Learning Programs of Alaska

11/98 to 07/01

- ◆ Managed day-to-day operations, including budget management, of Work First! Program, Peer Helper Project, and the Senior Community Employment Program.
- ◆ Recognized for exceptional management of the WF! Program; grantor chose to continue for another contract period without a competitive bidding process.
- ◆ Responsible for the recruitment, supervision, and performance evaluation of a department of five full-time employees and 15+ part-time senior employees.
- ◆ Assessed clients' ability to succeed in the workforce and jointly developed individual career plans using information obtain from administering and interpreting assessments designed to indicate skill level, employment interests, and barriers.
- ◆ Coordinated with state and community agencies to direct and refer clients to appropriate resources.
- ◆ Provided to over 400 welfare-to-work clients services and supports to include guidance, mentoring, and training in order to prepare them to obtain and sustain employment.
- ◆ Worked with community agencies to assess their personnel needs and to place senior employees within their organizations for training; provided staff development and support to senior employees; conducted performance appraisals and provided employee counseling as needed.
- ◆ Developed and maintained tracking system for clients from multiple programs from referral to program completion.
- ◆ Facilitated job readiness workshops to include résumé writing, application preparation, and effective interviewing techniques.
- ◆ Completed requirements to become Myers Briggs trainer; facilitated training for the agency and the community.
- ◆ Helped to craft the vision for restructuring the agency; authored several papers on change management and its impact on employee development and retention.

Natural Helpers Grant Coordinator

Fairbanks Crisis Clinic Foundation

06/98 to 12/98

02/96 to 06/97

- ◆ Managed day-to-day operations of Natural Helpers Program.
- ◆ Developed curricula and provided training to students and school district staff; supervised 11 advisors and two assistants.
- ◆ Facilitated communication skills, conflict management, suicide awareness, and other workshops related to healthy adolescent behavior.
- ◆ Developed and maintained evaluation tool to monitor effectiveness of the Natural Helpers Program.

EDUCATION

Master of Science, Business Organizational Management, Concentration: Human Resource Management

University of La Verne, November 2001, GPA 4.0

Bachelor of Science, Psychology (Cum Laude)

University of Alaska Fairbanks (UAF), May 1995

COMMUNITY AFFILIATIONS/CIVIC PARTICIPATION

- ◆ Fairbanks North Star Borough Salaries and Emoluments Commission: Commissioner 2017
- ◆ City of Fairbanks Fact Finding Commission: Commissioner 2017-2021
- ◆ Bright Futures Fairbanks: Volunteer Planner 2017
- ◆ Northern AK Chapter Society for Human Resource Management: VP Programs 2017
- ◆ Fairbanks North Star Borough Health and Social Services Commission: Commissioner 2011-2013
- ◆ Big Brothers Big Sisters: Board Member 2011-2013
- ◆ United Way of the Tanana Valley: First Vice President 2010-2013
- ◆ UAF Community and Technical College: Community Advisory Board Member 2009-2013
- ◆ Adult Learning Programs of Alaska: Board Member 2006-2008
- ◆ Alpha Kappa Alpha Sorority, Inc.: Member 1988-present

ACADEMIC HONORS

- ◆ Psi Chi Honor Society
- ◆ Phi Kappa Phi Honor Society
- ◆ Golden Key National Honor Society