



FAIRBANKS CITY COUNCIL  
AGENDA NO. 2021-20  
**REGULAR MEETING – SEPTEMBER 27, 2021**  
MEETING WILL BE HELD VIA [ZOOM WEBINAR](#) AND AT  
FAIRBANKS CITY COUNCIL CHAMBERS  
800 CUSHMAN STREET, FAIRBANKS, ALASKA

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WORK SESSION

5:30 p.m. –Employee Capital Incentive Program

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

REGULAR MEETING  
6:30 p.m.

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

NOTE: Due to concerns over the COVID-19 pandemic, special procedures are being implemented for City Council Meetings. The Mayor, 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 are asked to wear a mask or face covering unless they have been fully vaccinated (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 August 23, 2021

8. SPECIAL ORDERS

- a) The Fairbanks City Council will hear interested citizens concerned with the following Marijuana License Applications for Renewal. Public Testimony will be taken and limited to three minutes.

Lic. #	DBA	License Type	Licensee	Address
10589	Nature's Releaf, LLC	Retail Marijuana Store	Nature's Releaf, LLC	503 7th Avenue
12325	Good Cannabis	Retail Marijuana Store	Good, LLC	356 Old Steese Highway
16006	Arctic Bakery, LLC	Marijuana Product Manufacturing Facility	Arctic Bakery, LLC	1409 Well Street

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

Type/License: Package Store/License #435  
DBA: Garden Island Party Store  
Applicant: Market Basket, Inc. (all shareholders listed in packet)  
Location: 246 Illinois Street, Fairbanks  
From Owner: Market Basket, Inc.  
From DBA: Garden Island Party Store  
From Location: 246 Illinois Street, Fairbanks

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

Type/License: Package Store/License #703  
DBA: Gavora's Fine Wine  
Applicant: Market Basket, Inc. (all shareholders listed in packet)  
Location: 250 Third Street, Fairbanks

From Owner: Market Basket, Inc.  
From DBA: Gavora's Fine Wine  
From Location: 250 Third Street, Fairbanks

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

Type/License: Package Store/License #1134  
DBA: Thrifty Liquor  
Applicant: Market Basket, Inc. (all shareholders listed in packet)  
Location: 1410 Cushman Street, Fairbanks  
From Owner: Market Basket, Inc.  
From DBA: Thrifty Liquor  
From Location: 1410 Cushman Street, Fairbanks

9. MAYOR'S COMMENTS AND REPORT

- a) Special Reports

10. COUNCIL MEMBERS' COMMENTS

11. UNFINISHED BUSINESS

- a) Ordinance No. 6178, as Amended – An Ordinance to Amend FGC Chapter 78, Article XXII Motor Vehicle Impoundment and Forfeiture, to Remove Driving While License Suspended and No Insurance Convictions. Introduced by Council Member Gibson. POSTPONED from the Regular Meeting of August 23, 2021; Public Hearing was held on August 9, 2021.
- b) Resolution No. 4980 – A Resolution Amending the City Schedule of Fees and Charges for Services by Reducing the Administrative Fee for City Impounds. Introduced by Council Member Therrien. POSTPONED from the Regular Meeting of August 23, 2021.
- c) Resolution No. 4981 – A Resolution Approving the Reading of a Land Acknowledgement at the Beginning of Regular City Council Meetings. Introduced by Council Members Kun, Therrien, and Rogers. POSTPONED from the Regular Meeting of August 23, 2021.
- d) Ordinance No. 6179, as Amended – An Ordinance to Amend Fairbanks General Code Sec. 46-81 Curfew for Minors. Introduced by Council Member Kun. SECOND READING AND PUBLIC HEARING.

- e) Ordinance No. 6180, as Amended – An Ordinance Amending Fairbanks General Code Chapter 50, Article XIII, to Add American Flag Standard. Introduced by Council Member Clark. SECOND READING AND PUBLIC HEARING.

## 12. NEW BUSINESS

- \*a) Resolution No. 4983 – A Resolution to Extend the Sunset Date for the Incentive Bonus Program with the Fairbanks Police Department for Recruitment and Hiring. Introduced by Mayor Matherly.
- \*b) Resolution No. 4984 – A Resolution to Extend the Sunset Date for the Incentive Bonus Program with the Fairbanks Emergency Communications Center for Recruitment and Hiring. Introduced by Mayor Matherly.
- \*c) Resolution No. 4985 – A Resolution Authorizing the City of Fairbanks to Expend Coronavirus Local Fiscal Recovery Funds. Introduced by Mayor Matherly.
- \*d) Resolution No. 4986 – A Resolution Awarding a Contract to Stryker Corporation for Ambulance Equipment in the Amount of \$1,478,300. Introduced by Mayor Matherly and Council Members Kun and Rogers.
- \*e) Resolution No. 4987 – A Resolution Authorizing the City of Fairbanks Participation in Settlement Agreements Related to the Nationwide Opioid Litigation. Introduced by Mayor Matherly and Council Member Rogers.
- \*f) Ordinance No. 6181 – An Ordinance to Amend Fairbanks General Code Chapter 50, Article VIII, to Add Paid Family Leave and Paid Funeral Leave. Introduced by Mayor Matherly and Council Members Therrien, Rogers, Kun, and Marney.
- \*g) Ordinance No. 6182 – An Ordinance Amending the 2021 Operating and Capital Budgets for the Fourth Time. Introduced by Mayor Matherly.

## 13. DISCUSSION ITEMS (Information and Reports)

- a) Committee Reports

## 14. WRITTEN COMMUNICATIONS TO THE CITY COUNCIL

- \*a) Appointment to the Discretionary Fund Committee

## 15. COUNCIL MEMBERS' COMMENTS

16. CITY CLERK'S REPORT
17. CITY ATTORNEY'S REPORT
18. EXECUTIVE SESSION
  - a) Fairbanks Firefighters Union Labor Negotiation Strategy
19. ADJOURNMENT



FAIRBANKS CITY COUNCIL  
REGULAR MEETING MINUTES, AUGUST 23, 2021  
FAIRBANKS CITY COUNCIL CHAMBERS  
800 CUSHMAN STREET, FAIRBANKS, ALASKA

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The City Council convened at 6:30 p.m. on the above date to conduct a Regular Meeting of the Fairbanks City Council via Zoom webinar and at the City Council Chambers, 800 Cushman Street, Fairbanks, Alaska, with Mayor Jim Matherly (remotely) presiding and with the following Council Members in attendance:

Council Members Present: Shoshana Kun, Seat A  
June Rogers, Seat B  
Valerie Therrien, Seat C  
Aaron Gibson, Seat D (remotely)  
Lonny Marney, Seat E  
Jim Clark, Seat F

Absent: None

Also Present: Paul Ewers, City Attorney  
D. Danyielle Snider, City Clerk  
Mike Meeks, Chief of Staff  
Kristi Merideth, FECC Manager (remotely)  
Angela Foster-Snow, HR Director (remotely)  
Ron Dupee, Police Chief  
Tod Chambers, Fire Chief

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

### **INVOCATION**

The Invocation was given by City Clerk Snider.

### **FLAG SALUTATION**

**Mayor Matherly** asked **Ms. Kun** to lead the Flag Salutation.

### **CITIZENS' COMMENTS**

Dennis Kelley, Fairbanks – Mr. Kelley stated the Building Department had only given him 45 days to obtain an engineer's report and that he had needed 60 days. He noted that the COVID situation has made things difficult and asked for additional time to obtain the engineer's report prior to action being taken by the City. He concluded by asking for an injunction on the demolition of the property at 530 Front Street.

Robert Shields, Fairbanks – Mr. Shields asked that the City convene the Polaris Working Group as soon as possible to discuss an opportunity to apply for the U.S. Economic Development

Administration Build Back Better Regional Challenge. He gave details on the phases that would be included and furnished ideas regarding the future of the Polaris Building.

**Ms. Therrien** asked if Mr. Shields had been inside the Polaris Building. Mr. Shields stated that he has not physically entered the property, but he has read multiple reports and has watched videos showing its current condition. He added that his goal is to deconstruct the building to make better use of the materials rather than to simply demolish the building for storage in a landfill.

**Ms. Rogers** asked if Mr. Shields had any further comments. Mr. Shields explained that his interest is in asking the City Council if they would like to have the conversation around those options; he reminded them that the program application deadline is October 19, 2021.

**Mr. Clark** asked for current examples of multi-floor, profitable indoor farms. Mr. Shields stated that they are becoming quite popular worldwide, and there is a decent example in Anchorage with the “Seeds of Change” program. **Mr. Clark** asked about the ownership/responsibility of the future project. Mr. Shields stated that currently there are too many variables to consider, but he hopes to build interest in the eco-districts and urban planning tools.

**Ms. Therrien** suggested that Mr. Shields contact Explore Fairbanks and the Polaris Working Group to present the information. **Ms. Rogers** noted that a new meeting had just been scheduled for Tuesday of the following week.

**Mr. Marney** asked if the proposed project would be a for- or non-profit organization; Mr. Shields stated it would be a non-profit.

Randy Griffin, Fairbanks – Mr. Griffin shared that the special session being held by the State Legislature is to consider adding the Permanent Fund Dividend to the State Constitution. He shared his fear that such action would lead to a State income tax and invited the Council to visit his website, [pfdbudget.com](http://pfdbudget.com), to learn more about his ideas.

City Clerk Snider stated that there were no more comments to be heard in person or over Zoom and read the following written comment into the record:

Kunaan Julie Smyth, Fairbanks – Ms. Smyth spoke in favor of Resolution No. 4981 regarding the reading of a land acknowledgment and asked the Council to vote in favor of the resolution.

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

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

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

**Mr. Clark** pulled Resolution Nos. 4980 and 4981 from the Consent Agenda.

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

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

### **APPROVAL OF MINUTES OF PREVIOUS MEETINGS**

- a) Regular Meeting Minutes of July 26, 2021

PASSED and APPROVED on the CONSENT AGENDA.

### **SPECIAL ORDERS**

- a) The Fairbanks City Council heard interested citizens concerned with the following Liquor License Application for Transfer of Ownership and Location and DBA Change:

Type/License: Beverage Dispensary/License #4720  
DBA: Lefty's  
Applicant: Michael Rasmussen  
Location: 1107 College Road, Fairbanks  
From Owner: Gallantino's, Inc.  
From DBA: Gallantino's Italian Restaurant  
From Location: 1446 S. Cushman Street

**Ms. Therrien**, seconded by **Ms. Rogers**, moved to WAIVE PROTEST on the Liquor License Application for Transfer contingent upon the issuance of a Certificate of Occupancy.

**Mayor Matherly** called for Public Testimony.

Erica Hawkins, Fairbanks – Ms. Hawkins stated she lives nearby the proposed establishment, and she had many concerns with the liquor license. She gave a description of the property location and expressed her apprehensions regarding the safety of pedestrians visiting Creamer's Field and the safety of the neighborhood where there are already incidents requiring police intervention. She concluded by stating that there are many locations where alcohol can be purchased within one mile of the proposed establishment.

**Ms. Therrien** asked about Ms. Hawkins' proximity to the proposed location; Ms. Hawkins replied that there are three houses between her property and the proposed location.

Deborah Mersh, Fairbanks – Ms. Mersh stated that she lives two houses from the proposed business and noted that the traffic and congestion is already problematic. She confirmed Ms. Hawkins' claim about the nuisance problems already occurring and stated that she felt the proposed location was not appropriate for a bar.

**Ms. Therrien** asked whether the owners of the proposed establishment had visited any of the local property owners. Ms. Mersh stated that Mr. Rasmussen had inquired about opening a family restaurant several years ago but not in regard to this recent application.



**Mr. Marney** asked if there was a current neighborhood watch in place. Ms. Mersh stated that there was not but that there was a need for one. She recounted an incident where she witnessed the local coffee stand being robbed at gunpoint while she was working in her yard.

Betsy Roger, Fairbanks – Ms. Roger stated that she is a veterinarian at the emergency clinic near the proposed establishment. She added that she has witnessed inebriated individuals coming to the veterinary clinic, sometimes damaging the clinic's property. She added that due to the clinic's extended hours, it is already concern for clients who are waiting in the parking lot. She noted that the medications on-hand can be attractive to those seeking drugs. She stated that the proximity to the neighborhood and other alcohol establishments makes for a poor fit for the proposed location.

City Clerk Snider stated that there were no more comments to be heard in person or over Zoom and read the following comment into the record:

Tina Laird, Fairbanks – Ms. Laird spoke against the liquor license application, adding that her home is close enough to the proposed location that her home can be seen in the pictures provided in the application. She spoke to the devaluation of the neighboring properties and the added nuisance the establishment would create. She noted the increased crime and vandalism in the neighborhood and asked that the Council not approve the application.

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

**Ms. Therrien** expressed her displeasure at Mr. Rasmussen's absence and stated that she is not in favor of the transfer application based on the concerns of the neighboring property owners.

**Ms. Rogers** expressed agreement with Ms. Therrien and stated she would not be voting in favor of the transfer.

**Ms. Kun** thanked those who commented regarding the application and added her concern about the proximity to the elementary school. She expressed disappointment that Mr. Rasmussen did not attend the meeting, stating that she would not be supporting the motion.

**Mr. Marney** asked for Police Chief Dupee's insight on the matter. Chief Dupee added that there is a nuisance property located very near the proposed location, and the Fairbanks Police Department (FPD) has had to respond to incidents there many times, including shooting incidents. He added that he would not be in favor of a bar in that location unless there was a clear mitigation plan in place to address concerns.

**Mr. Clark** stated that this did not seem like an appropriate location for a bar and that he would not be in favor of approving the transfer.

**Mr. Gibson** stated that he was also not in support of the license transfer and asked about the requirements for the Council to officially protest the application.

City Attorney Paul Ewers stated that if the Council were to object to the issuance of the license by the Alcohol and Marijuana Control Office (AMCO), City ordinance requires that the Mayor prepare and lodge the protest. He added that the comments made could be summarized. He noted that the current motion would have to fail or be withdrawn in order to proceed in that direction.

**Ms. Therrien**, with the concurrence of the Second, WITHDREW the motion to waive protest contingent upon issuance of a Certificate of Occupancy.

**Ms. Therrien**, seconded by **Ms. Rogers**, moved to PROTEST the Liquor License Application for Transfer based on comments received from the neighboring property owners and Council Members.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO PROTEST THE LIQUOR LICENSE APPLICATION FOR TRANSFER BASED ON COMMENTS RECEIVED FROM THE NEIGHBORING PROPERTY OWNERS AND COUNCIL MEMBERS AS FOLLOWS:

YEAS: Therrien, Marney, Rogers, Gibson, Kun, Clark

NAYS: None

**Mayor Matherly** declared the MOTION CARRIED.

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

**Mayor Matherly** shared his heartbreak in learning about the State Trooper in Anchor Point who had been shot, adding that the man is currently in stable condition; he shared concerns for the man's family. He went on to speak about the Two Rivers Lodge which had recently burned down. He noted that the incident had not been officially determined to have been caused by an arson and added that it was a not a City investigation. He expressed hope that the culprit would be caught soon and shared his thoughts and prayers with the affected community. **Mayor Matherly** added that he had attended the 75th anniversary of the UAF Geophysical Institute where they heard from leaders of the Institute and learned a great deal about the program. He added that he had also attended a major concert at the Carlson Center and was excited to see how well it went with the COVID protocols in place. **Mayor Matherly** noted that school was back in session and that his children reported that some individuals are wearing masks while others are not, and the school district has left the choice up to parents. He offered his support to businesses that require masking and asked that the community be respectful of those decisions. He added that businesses are having a difficult time with the labor shortage, and he asked that people be patient with those establishments that have had to limit hours and days of service. **Mayor Matherly** concluded that the American Rescue Plan Act (ARPA) fund distribution at the City had been finalized and that the City had put approximately \$17,000,000 back into the community over the past year.

### **COUNCIL MEMBERS' COMMENTS**

**Ms. Kun** recognized the written comments provided by Ms. Smyth and thanked Mr. Shields for his continued interest in the Polaris Work Group, noting that in 2011 he had approached her with the vertical garden idea. She spoke about the 530 Front Street property and stated that she had made a concerted effort to pay attention to look for progress being made. She stated she has

compassion for the property owner, but she is very disappointed that there appears to have been no attempt to clean up the property.

**Ms. Rogers** shared that she had also attended the anniversary event for the Geophysical Institute and spoke about the great benefit it brings to the University. She commended the work done by Crisis Now and shared her appreciation for its collaboration with the City's Fire and Police Departments. **Ms. Rogers** shared that the Fairbanks Diversity Council (FDC) had met, but there were not enough members for a quorum; she expressed hope that with the new appointees obtaining a quorum would not be an issue going forward. She thanked Ms. Kun for her comments regarding the Front Street property, adding that she too had concerns about the lack of progress. **Ms. Rogers** shared that she had attended a funeral for Babe Stevens, a longtime family friend and Fairbanks resident. She went on to share that she had also attended a Celebration of Life for the Alaskan aviation legend, Holger Jorgensen. She shared her pride in being part of such a compassionate and special community.

**Ms. Therrien** shared her disappointment in the lack of progress at the 530 Front Street property. She acknowledged the difficulty Mr. Kelley has had in obtaining an engineer's report but stated that he could have made other efforts to show that he truly had a desire to comply with the City's requests. She encouraged Mr. Shields and shared her hope that he would be able to talk to the Polaris Work Group regarding his ideas.

**Mr. Clark** thanked the Mayor for his comments.

**Mr. Marney** shared his agreement with Mr. Clark regarding the liquor license issue, adding that he appreciated the neighbors coming forth with their concerns. He stated that those are the people who know the climate of the area best.

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

### **UNFINISHED BUSINESS**

- a) Ordinance No. 6178 – An Ordinance to Amend FGC Chapter 78, Article XXII Motor Vehicle Impoundment and Forfeiture, to Remove Driving While License Suspended and No Insurance Convictions. Introduced by Council Member Gibson. POSTPONED from the Regular Meeting of August 9, 2021; Public Hearing was held at that time.

*The motion to ADOPT Ordinance No. 6178, made by Mr. Gibson and seconded by Mr. Clark, was on the floor from the August 9 Regular Meeting.*

**Mr. Gibson** shared that Council Members had before them a written amendment and asked for input or questions.

**Mr. Clark**, seconded by **Mr. Marney**, moved to AMEND Ordinance No. 6178 Section 78-961, Definitions, by changing the definition of "Previously convicted" by deleting the words "two or more times."

**Mr. Clark** spoke in favor of the amendment, stating that the Fairbanks community has an obvious issue with repeat offenders of DWI laws. He stated he feels it is the responsibility of the Council to make decisions that will help limit those offenses.

**Mr. Marney** spoke in favor the amendment, adding that it is too often that you will read about repeat offenders in the Fairbanks Daily News-Miner police blotter.

**Ms. Rogers** stated that it was a community concern that originally encouraged the discussion to change the ordinance, adding that she agreed with the amendment.

**Ms. Therrien** requested to hear from Mr. Gibson regarding the proposed amendment.

**Mr. Gibson** shared that he understood the concerns of Mr. Clark and Ms. Rogers and would support this amendment.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO AMEND ORDINANCE NO. 6178 SECTION 78-961, DEFINITIONS, BY CHANGING THE DEFINITION OF “PREVIOUSLY CONVICTED” BY DELETING THE WORDS “TWO OR MORE TIMES” AS FOLLOWS:

YEAS: Rogers, Marney, Therrien, Clark, Gibson, Kun

NAYS: None

**Mayor Matherly** declared the MOTION CARRIED.

**Ms. Kun**, seconded by **Mr. Clark**, moved to AMEND Ordinance No. 6178, as Amended, to change the length of impoundment in Section 78-963(b) from 30 days to 7 days.

City Attorney Ewers clarified that for consistency throughout the ordinance, subsections (c) and (d) of Sec. 78-973 would also need to be amended to change the 30-day impoundment to 7 days if the amendment were approved.

**Mr. Clark** asked clarification on the Alaska Statutes referenced in Sec. 78-963. Attorney Ewers stated that AS 28.35.030 addresses DUIs and AS 28.35.032 addresses the refusal to submit. He stated that those offenses have identical penalties under State law. He clarified that changes to the ordinance would address only those two offenses.

**Ms. Therrien** spoke in favor of the amendment, adding that often times the car is not owned by the offender and that this would help an owner retrieve their vehicle sooner and at a lower cost.

**Mr. Gibson** asked the City Attorney if there was another method to provide relief to the owner if the owner was not the operator of the vehicle. Mr. Ewers stated that a non-operator owner is currently able to avoid impound or forfeiture. He added that this section would not affect non-operator owners but would allow the offending drivers to get their vehicle sooner.

**Ms. Kun** clarified that this would allow first-time offenders to obtain their car after 7 days instead of 30 days. She added that it would also lower the City’s liability.

**Mr. Clark** spoke against the amendment, adding that consequences should be strict for offenses that include drinking and driving.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO AMEND ORDINANCE NO. 6178, AS AMENDED, TO CHANGE THE LENGTH OF IMPOUNDMENT IN SECTION 78-963(b) FROM 30 DAYS TO 7 DAYS AS FOLLOWS:

YEAS: Rogers, Kun  
NAYS: Clark, Gibson, Therrien, Marney  
**Mayor Matherly** declared the MOTION FAILED.

Chief of Staff Mike Meeks suggested that the ordinance be postponed and a Work Session be held in the meantime so the Council could gain a better understanding of the proposed changes.

**Ms. Rogers** spoke in favor of postponement.

**Ms. Rogers**, seconded by **Mr. Clark**, moved to POSTPONE Ordinance No. 6178, as Amended, to the Regular City Council Meeting of September 27, 2021 so that a Work Session could be held on September 13, 2021 at 5:15 p.m.

**Mr. Gibson** spoke in favor of holding the Work Session and the vote on the same date.

**Mayor Matherly** suggested an earlier start time for the work session.

**Ms. Therrien** spoke in favor of holding the Work Session and the vote on separate dates.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO POSTPONE ORDINANCE NO. 6178, AS AMENDED, TO THE REGULAR CITY COUNCIL MEETING OF SEPTEMBER 27, 2021 SO THAT A WORK SESSION COULD BE HELD ON SEPTEMBER 13, 2021 AT 5:15 P.M. AS FOLLOWS:

YEAS: Therrien, Rogers, Kun, Marney, Clark  
NAYS: Gibson  
**Mayor Matherly** declared the MOTION CARRIED.

## **NEW BUSINESS**

- a) Resolution No. 4980 – A Resolution Amending the City Schedule of Fees and Charges for Services by Reducing the Administrative Fee for City Impounds. Introduced by Council Member Therrien.

**Ms. Therrien**, seconded by **Ms. Kun**, moved to APPROVE Resolution No. 4980.

**Mr. Clark** stated that he had pulled the resolution due to his understanding that it was attached to Ordinance No. 6178.

Attorney Ewers stated that it could be decided this evening or postponed to September 27, 2021 with Ordinance No. 6178, as Amended.

**Ms. Therrien** spoke in favor of continuing the discussion and voting to reduce the administrative fee independently of Ordinance No. 6178, as Amended.

**Mayor Matherly** stated that he had been asked for his opinion regarding the reduction in the administrative fee from \$1000 to \$500. He stated he felt that keeping the fee at \$1000 was important to help discourage DWI offenders.

**Mr. Gibson**, seconded by **Mr. Clark**, moved to POSTPONE Resolution No. 4980 until the Regular City Council Meeting of September 27, 2021.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO POSTPONE RESOLUTION NO. 4980 UNTIL THE REGULAR CITY COUNCIL MEETING OF SEPTEMBER 27, 2021 AS FOLLOWS:

YEAS: Kun, Clark, Rogers, Marney, Therrien, Gibson

NAYS: None

**Mayor Matherly** declared the MOTION CARRIED.

- b) Resolution No. 4981 – A Resolution Approving the Reading of a Land Acknowledgement at the Beginning of Regular City Council Meetings. Introduced by Council Members Kun, Therrien, and Rogers.

**Ms. Kun**, seconded by **Ms. Therrien**, moved to APPROVE Resolution No. 4981.

**Mr. Clark** stated that while he understood the intention behind the resolution, he felt that it could be the beginning of a trend to single out groups, and it may potentially lead to division in the community. He added that he has no objection to Ms. Kun's personal acknowledgment during the meetings but that the resolution would set an example that could cause future issues.

**Ms. Rogers** spoke in favor of the land acknowledgement and felt that it was long overdue. She added that recognizing ancestors is a way to strengthen the community rather than divide it.

**Mr. Gibson** asked if the resolution had been reviewed by the FDC.

**Ms. Kun** stated that she had spoken with FDC members in the past, but because the FDC has been having difficulty holding meetings due to a lack of a quorum, she had decided to take the encouragement of Ms. Geiger and bring it forward to the City Council.

**Mr. Gibson** stated that the Council had previously expressed the importance of the FDC and their role in matters of this nature. He added that it was important to gain their advice on this resolution prior to a vote by the City Council.

**Mr. Marney** read Psalms 24:1. He shared his admiration for the Native culture but added that no one owns the land; it is God's.

**Ms. Kun** shared that her beliefs are centered around giving thanks to the ancestors, and that is the intent of the proposed resolution.

**Ms. Therrien** shared that the Borough Assembly provides a land acknowledgment at the beginning of each of their meetings; however, she added that she approves of involving the FDC prior to the vote on the resolution.

**Ms. Therrien**, seconded by **Ms. Rogers**, moved to POSTPONE Resolution No. 4981 until the Regular City Council Meeting on September 27, 2021 so that it could be considered by the FDC.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO POSTPONE RESOLUTION NO. 4981 UNTIL THE REGULAR CITY COUNCIL MEETING ON SEPTEMBER 27, 2021 SO THAT IT COULD BE CONSIDERED BY THE FDC AS FOLLOWS:

YEAS: Therrien, Rogers, Gibson, Kun, Marney, Clark

NAYS: None

**Mayor Matherly** declared the MOTION CARRIED.

### **WRITTEN COMMUNICATIONS TO COUNCIL**

- a) Permanent Fund Review Board Meeting Minutes of July 21, 2021

ACCEPTED on the CONSENT AGENDA.

### **COUNCIL MEMBER COMMENTS & COMMITTEE REPORTS**

**Mr. Gibson** shared that the FAST Planning Policy Board had met to discuss the Chena Riverwalk issue.

**Mr. Marney** shared that the Discretionary Fund Committee would be meeting on November 9, 2021. He added that he respected Ms. Kun's point of view and expressed appreciation that Council Members can sometimes agree to disagree.

**Mr. Clark** shared his appreciation for the previous comments. He stated that local restaurants are turning away customers due to a lack of staffing, which appears to be part of a nationwide trend. He added that there seems to be more division within the community regarding COVID and vaccinations. He encouraged people to be kind, and he invited citizens to be involved by coming and speaking at City Council meetings.

**Ms. Kun** gave a land acknowledgment. She stated that she drives for a living and asked that people to be patient regarding road construction. She asked that people also show patience with hospitality workers. She conveyed her heartbreak to hear of the fire at Two Rivers Lodge. **Ms. Kun** mentioned the reward currently being offered for information regarding the arsonist in the Two Rivers area. She requested a Work Session on employee retention, and she gave the CARE line number for anyone who might be struggling with thoughts of depression or suicide. She concluded by added that the Explore Fairbanks Board would be meeting in the following week.

Mr. Meeks shared that the Administration would be scheduling a Special Work Session to discuss employee retention.

**Ms. Rogers** shared that she would be attending the Borough Assembly meeting on Thursday as the City representative. She spoke of her frustration with speeding drivers, particularly those speeding through parking lots. She encouraged the support of local businesses and asked that people remain respectful of their employees. **Ms. Rogers** concluded by expressing her gratitude for the Council's ability to understand each other's viewpoints.

**Ms. Therrien** shared that there has not been much information on the Special Legislative Session but that the Legislative Committee was looking into it. She shared that the AML conference is mid-November, and if there are any resolutions that the City or Council Members would like to put forward, they would need to be submitted by mid-October. **Ms. Therrien** thanked the Council for their vote regarding the liquor license application and shared her appreciation for the public comments. She stated that the Permanent Fund Review Board had met on August 18, 2021 to discuss investments. She reported that the City Attorney mentioned that an amendment, which would require a Council approval and a vote by the citizens, may be necessary to make some changes recommended by the Board. She concluded by wishing her dad a happy 104th birthday.

### **CITY CLERK'S REPORT**

City Clerk Snider shared that there was a need for more election workers and encouraged those interested to call the City Clerk's Office.

**Ms. Therrien**, seconded by **Mr. Clark**, moved to ENTER Executive Session to discuss Fairbanks Firefighters Union Labor Negotiation Strategy.

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

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

### **EXECUTIVE SESSION**

a) Fairbanks Firefighters Union Labor Negotiation Strategy

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

### **ADJOURNMENT**

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

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



**Mayor Matherly** declared the meeting adjourned at 9:53 p.m.

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JIM MATHERLY, MAYOR

ATTEST:

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D. DANYIELLE SNIDER, MMC, CITY CLERK

Transcribed by: RR



# MEMORANDUM

City of Fairbanks Clerk's Office

D. Danyielle Snider, City Clerk

TO: Mayor Matherly and City Council Members

FROM: D. Danyielle Snider, MMC, City Clerk 

SUBJECT: Marijuana License Renewals

DATE: September 21, 2021

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

Lic. #	DBA	License Type	Licensee	Address
10589	Nature's Releaf, LLC	Retail Marijuana Store	Nature's Releaf, LLC	503 7th Avenue
12325	Good Cannabis	Retail Marijuana Store	Good, LLC	356 Old Steese Highway
16006	Arctic Bakery, LLC	Marijuana Product Manufacturing Facility	Arctic Bakery, LLC	1409 Well Street

Pursuant to FGC Sec. 14-214 and 3 AAC 306.060, the Council may determine whether to protest marijuana license renewals after holding a public hearing. The 60-day deadline for response to AMCO on the above-listed renewals is October 12, 2021.

Pursuant to FGC Sec. 14-215(b)(12), I have inquired about complaints filed within the past 12 months with the Fairbanks North Star Borough (FNSB), the City of Fairbanks, and AMCO in regard to the above-listed marijuana establishments. There are no complaints on file.


The Fairbanks Police Department has included a call report for the above-listed locations; however, there is no recommended protest by FPD. There are **no departmental objections** to the above-listed marijuana license renewal applications. Please contact me if you need any further information.

# MEMORANDUM

City of Fairbanks Clerk's Office

D. Danyielle Snider, City Clerk

TO: Mayor Matherly and City Council Members

FROM: D. Danyielle Snider, MMC, City Clerk 

SUBJECT: Application for Liquor License Transfer – Controlling Interest Only

DATE: September 21, 2021

An application has been received by the State Alcohol and Marijuana Control Office (AMCO) for transfer of controlling interest for the following liquor license applicant:

License Type/No.: Package Store, License #435  
DBA: **Garden Island Party Store**  
Licensee/Applicant: Market Basket, Inc.  
Physical Location: 246 Illinois Street, Fairbanks AK

Corp/LLC Agent:	Address	Phone	Date/State of Incorporation	Good standing?
Market Basket, Inc. Daniel Gavora	PO Box 73883 Fairbanks, AK 99707	907-456-4425	04/25/1963 – AK	Yes

Member/Officer/Director:	Address	Phone	Title/Shares (%)
Daniel Gavora	2575 St. Elias Drive Fairbanks, AK 99712	907-488-9200	Shareholder – 8.2%
Matthew Gavora	14619 NE 82nd Avenue Vancouver, WA 98662	360-828-0526	Shareholder – 8.2%
Alexandra Gavora	PO Box 2838 Friday Harbor, WA 98250	360-378-2313	VP/Secretary – 8.2%
Nicholas Gavora	PO Box 73023 Fairbanks, AK 99707	907-687-5206	Shareholder – 21.25%
Cali Gavora	PO Box 73883 Fairbanks, AK 99707	907-987-4496	Shareholder – 21.25%
Carrie Gavora	5253 Watson Street, NW Washington DC 20016		Shareholder – 8.2%
Jennifer Button	2755 Saint Elias Drive Fairbanks, AK 99712		Shareholder – 8.2%
Jessica Gavora	5141 Palisade Lane NW Washington DC 20016		Shareholder – 8.2%
Steven Gavora	349 Wells Street Fairbanks, AK 99701		Shareholder – 8.2%

This transfer of controlling interest would split Rudy Gavora's share between Nicholas Gavora and Cali Gavora.

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

The Fairbanks Police Department (FPD) has reported only one call for this location within the past year (see attached), and FPD is not recommending protest.

There are **no departmental objections** to the transfer of controlling interest for this license.

# CITY OF FAIRBANKS PUBLIC SAFETY

Call Time	Event ID	Rpt #	Street	Nature	Additi
10/10/2020 15	2020103253		246 ILLINOIS ST	DISTURBANCE VER	(S) (N
10/13/2020 00	2020103882		246 ILLINOIS ST	ALARM BURGLARY	(S) (N
11/21/2020 20	2020113952		246 ILLINOIS ST	TRESPASS/UNWANT	(S) (N
01/16/2021 21	2021003906		246 ILLINOIS ST	SI - FIELD CONT	(N)BRA
02/14/2021 15	2021011104		246 ILLINOIS ST	MENTAL DISORDER	(S) (N
02/15/2021 14	2021011362		246 ILLINOIS ST	TRESPASS/UNWANT	(S) (N
03/08/2021 22	2021016767		246 ILLINOIS ST	ADMINISTRATIVE	(S) (N
04/25/2021 19	2021029037		246 ILLINOIS ST	MENTAL DISORDER	(S) (N
04/27/2021 16	2021029523	21001463	246 ILLINOIS ST	THEFT - DELTA	(S) (N
05/14/2021 10	2021034208		246 ILLINOIS ST	DVPO SERVICE	(S) (N
05/28/2021 22	2021038465		246 ILLINOIS ST	10-36	(N)BRA
06/01/2021 00	2021039329	21001920	246 ILLINOIS ST	SUSPICIOUS PERS	(S) (N
06/02/2021 21	2021039912		246 ILLINOIS ST	DVPO SERVICE	(S) (N
06/11/2021 13	2021042526		246 ILLINOIS ST	DVPO SERVICE	(S) (N
06/18/2021 23	2021045002		246 ILLINOIS ST	SUSPICIOUS PERS	(S) (N
06/30/2021 17	2021048699	21002393	246 ILLINOIS ST	ASSAULT CHARLIE	(S) (N
07/07/2021 21	2021051152	21002488	246 ILLINOIS ST	THEFT - DELTA	(S) (N
07/08/2021 17	2021051424	21002488	246 ILLINOIS ST	SI - FOLLOW-UP	(N)BRA
07/25/2021 03	2021056538		246 ILLINOIS ST	ALARM BURGLARY	(S) (N
08/03/2021 20	2021059548	21002903	246 ILLINOIS ST	THEFT OR VEH TH	(S) (N
08/15/2021 18	2021062945		246 ILLINOIS ST	911 HANG-UP - C	(S) (N
08/20/2021 16	2021064190		246 ILLINOIS ST	URGENT WELFARE	(S) (N
08/24/2021 12	2021065287		246 ILLINOIS ST	AOA - NON URGEN	(S) (N
08/30/2021 10	2021066969		246 ILLINOIS ST	DVPO SERVICE	(S) (N

CFS


Garden Island

# MEMORANDUM

City of Fairbanks Clerk's Office

D. Danyielle Snider, City Clerk

TO: Mayor Matherly and City Council Members

FROM: D. Danyielle Snider, MMC, City Clerk 

SUBJECT: Application for Liquor License Transfer – Controlling Interest Only

DATE: September 21, 2021

An application has been received by the State Alcohol and Marijuana Control Office (AMCO) for transfer of controlling interest for the following liquor license applicant:

License Type/No.: Package Store, License #703  
DBA: **Gavora's Fine Wine**  
Licensee/Applicant: Market Basket, Inc.  
Physical Location: 250 Third Street, Fairbanks AK

Corp/LLC Agent:	Address	Phone	Date/State of Incorporation	Good standing?
Market Basket, Inc. Daniel Gavora	PO Box 73883 Fairbanks, AK 99707	907-456-4425	04/25/1963 – AK	Yes

Member/Officer/Director:	Address	Phone	Title/Shares (%)
Daniel Gavora	2575 St. Elias Drive Fairbanks, AK 99712	907-488-9200	Shareholder – 8.2%
Matthew Gavora	14619 NE 82nd Avenue Vancouver, WA 98662	360-828-0526	Shareholder – 8.2%
Alexandra Gavora	PO Box 2838 Friday Harbor, WA 98250	360-378-2313	VP/Secretary – 8.2%
Nicholas Gavora	PO Box 73023 Fairbanks, AK 99707	907-687-5206	Shareholder – 21.25%
Cali Gavora	PO Box 73883 Fairbanks, AK 99707	907-987-4496	Shareholder – 21.25%
Carrie Gavora	5253 Watson Street, NW Washington DC 20016		Shareholder – 8.2%
Jennifer Button	2755 Saint Elias Drive Fairbanks, AK 99712		Shareholder – 8.2%
Jessica Gavora	5141 Palisade Lane NW Washington DC 20016		Shareholder – 8.2%
Steven Gavora	349 Wells Street Fairbanks, AK 99701		Shareholder – 8.2%

This transfer of controlling interest would split Rudy Gavora's share between Nicholas Gavora and Cali Gavora.

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

The Fairbanks Police Department (FPD) has reported only one call for this location within the past year (see attached), and FPD is not recommending protest.

There are **no departmental objections** to the transfer of controlling interest for this license.

# CITY OF FAIRBANKS PUBLIC SAFETY

Call Time	Event ID	Rpt #	Street	Nature	Additi
09/25/2020 19	2020099327		250-04 THIRD ST	OFFICER ADVICE	(S) (N
09/26/2020 13	2020099505		250-04 THIRD ST	PAST DISTURBANC	(S) (N
11/13/2020 06	2020111808	20004368	250-04 THIRD ST	FOUND PROPERTY	(S) (N
12/07/2020 13	2020117832	20004610	250-04 THIRD ST	PAST HIT & RUN	(S) (N
01/06/2021 19	2021001449		250-04 THIRD ST	STALKING - DELT	(S) (N

CFS


Gawors Fine Wine

# MEMORANDUM

City of Fairbanks Clerk's Office

D. Danyielle Snider, City Clerk

TO: Mayor Matherly and City Council Members

FROM: D. Danyielle Snider, MMC, City Clerk 

SUBJECT: Application for Liquor License Transfer – Controlling Interest Only

DATE: September 21, 2021

An application has been received by the State Alcohol and Marijuana Control Office (AMCO) for transfer of controlling interest for the following liquor license applicant:

License Type/No.: Package Store, License #1134  
DBA: Thrifty Liquor  
Licensee/Applicant: Market Basket, Inc.  
Physical Location: 1410 Cushman Street, Fairbanks AK

Corp/LLC Agent:	Address	Phone	Date/State of Incorporation	Good standing?
Market Basket, Inc. Daniel Gavora	PO Box 73883 Fairbanks, AK 99707	907-456-4425	04/25/1963 – AK	Yes

Member/Officer/Director:	Address	Phone	Title/Shares (%)
Daniel Gavora	2575 St. Elias Drive Fairbanks, AK 99712	907-488-9200	Shareholder – 8.2%
Matthew Gavora	14619 NE 82nd Avenue Vancouver, WA 98662	360-828-0526	Shareholder – 8.2%
Alexandra Gavora	PO Box 2838 Friday Harbor, WA 98250	360-378-2313	VP/Secretary – 8.2%
Nicholas Gavora	PO Box 73023 Fairbanks, AK 99707	907-687-5206	Shareholder – 21.25%
Cali Gavora	PO Box 73883 Fairbanks, AK 99707	907-987-4496	Shareholder – 21.25%
Carrie Gavora	5253 Watson Street, NW Washington DC 20016		Shareholder – 8.2%
Jennifer Button	2755 Saint Elias Drive Fairbanks, AK 99712		Shareholder – 8.2%
Jessica Gavora	5141 Palisade Lane NW Washington DC 20016		Shareholder – 8.2%
Steven Gavora	349 Wells Street Fairbanks, AK 99701		Shareholder – 8.2%

This transfer of controlling interest would split Rudy Gavora's share between Nicholas Gavora and Cali Gavora.

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

The Fairbanks Police Department (FPD) has reported only one call for this location within the past year (see attached), and FPD is not recommending protest.

There are **no departmental objections** to the transfer of controlling interest for this license.



## CITY OF FAIRBANKS PUBLIC SAFETY

CFS

Thrifty Liquor

Call Time	Event ID	Rpt #	Street	Nature	Additi
08/31/2020 10	2020092394		1410 S CUSHMAN ST	DISTURBANCE PHY	
08/31/2020 12	2020092434		1410 S CUSHMAN ST	DISTURBANCE VER	
09/10/2020 08	2020095034	20003325	1410 S CUSHMAN ST	SI - FOLLOW-UP	
09/11/2020 21	2020095493		1410 S CUSHMAN ST	OFFICER ADVICE	
09/16/2020 16	2020096800		1410 S CUSHMAN ST	SI - DIP	
09/22/2020 16	2020098464	20003569	1410 S CUSHMAN ST	THEFT OR VEH TH	
09/22/2020 16	2020098467	20003568	1410 S CUSHMAN ST	DISTURBANCE PHY	
09/22/2020 18	2020098483	20003572	1410 S CUSHMAN ST	ASSAULT CHARLIE	
09/22/2020 23	2020098579		1410 S CUSHMAN ST	MENTAL DISORDER	
09/25/2020 23	2020099379		1410 S CUSHMAN ST	911 HANG-UP - C	
09/26/2020 09	2020099440	20003620	1410 S CUSHMAN ST	ASSAULT CHARLIE	
09/28/2020 03	2020099884		1410 S CUSHMAN ST	SI - FIELD CONT	
09/28/2020 20	2020100108	20003655	1410 S CUSHMAN ST	DISTURBANCE PHY	
09/29/2020 21	2020100384		1410 S CUSHMAN ST	TRESPASS/UNWANT	
09/30/2020 17	2020100614		1410 S CUSHMAN ST	TRESPASS/UNWANT	
09/30/2020 21	2020100667		1410 S CUSHMAN ST	SI - FIELD CONT	
10/02/2020 17	2020101176		1410 S CUSHMAN ST	SI - FLAG DOWN	
10/07/2020 20	2020102549		1410 S CUSHMAN ST	MINOR TRAF VIOL	
10/14/2020 10	2020104203	20003855	1410 S CUSHMAN ST	PAST THEFT - BR	
10/19/2020 18	2020105662		1410 S CUSHMAN ST	DISTURBANCE PHY	
10/20/2020 22	2020105965		1410 S CUSHMAN ST	TRESPASS/UNWANT	
10/26/2020 23	2020107546		1410 S CUSHMAN ST	DISTURBANCE PHY	
10/27/2020 00	2020107555	20004036	1410 S CUSHMAN ST	THEFT OR VEH TH	
10/27/2020 02	2020107576	20004036	1410 S CUSHMAN ST	SUPPLEMENTAL-AL	
11/09/2020 14	2020110921	20004248	1410 S CUSHMAN ST	PAST THEFT - BR	
11/13/2020 00	2020111766		1410 S CUSHMAN ST	OFFICER ADVICE	
11/17/2020 23	2020112971	20004357	1410 S CUSHMAN ST	SUPPLEMENTAL-AL	
11/18/2020 01	2020112991	20004357	1410 S CUSHMAN ST	SUPPLEMENTAL-AL	
11/19/2020 21	2020113483		1410 S CUSHMAN ST	AOA - NON URGEN	
01/10/2021 16	2021002407	21000123	1410 S CUSHMAN ST	PAST THEFT - BR	
01/13/2021 04	2021003023	21000154	1410 S CUSHMAN ST	SEXUAL ASLT - B	



Call Time	Event ID	Rpt #	Street	Nature	Additi
01/22/2021 18	2021005350		1410 S CUSHMAN ST	DISTURBANCE VER	
02/07/2021 13	2021009313	21000502	1410 S CUSHMAN ST	PAST THEFT - BR	
02/13/2021 08	2021010723		1410 S CUSHMAN ST	SUSPICIOUS PERS	
02/16/2021 22	2021011714		1410 S CUSHMAN ST	TRESPASS/UNWANT	
02/22/2021 23	2021013336		1410 S CUSHMAN ST	SI - FLAG DOWN	
02/23/2021 12	2021013422	21000693	1410 S CUSHMAN ST	PAST THEFT - BR	
03/03/2021 21	2021015488	21000804	1410 S CUSHMAN ST	THEFT OR VEH TH	
03/03/2021 23	2021015501	21000804	1410 S CUSHMAN ST	SI - FOLLOW-UP	
03/06/2021 14	2021016136	21000804	1410 S CUSHMAN ST	SUPP-SUSPECT/EV	
03/11/2021 23	2021017509	21000902	1410 S CUSHMAN ST	PAST THEFT - BR	
03/12/2021 06	2021017553	21000902	1410 S CUSHMAN ST	SUPPLEMENTAL-AL	
03/15/2021 12	2021018308		1410 S CUSHMAN ST	DISTURBANCE PHY	
03/28/2021 12	2021021595		1410 S CUSHMAN ST	911 HANG-UP - C	
04/02/2021 16	2021022908	21001175	1410 S CUSHMAN ST	PAST THEFT - BR	
04/02/2021 20	2021022970		1410 S CUSHMAN ST	INCAPACITATED P	
04/03/2021 11	2021023130		1410 S CUSHMAN ST	PHYSICAL DOMEST	
04/03/2021 15	2021023188	21001188	1410 S CUSHMAN ST	PAST THEFT - BR	
04/03/2021 16	2021023197		1410 S CUSHMAN ST	SI - FIELD CONT	
04/04/2021 15	2021023435	21001196	1410 S CUSHMAN ST	THEFT OR VEH TH	
04/10/2021 11	2021024948		1410 S CUSHMAN ST	ADMIN ~ INFO/RE	
04/18/2021 02	2021026977	21001349	1410 S CUSHMAN ST	10-36	
04/21/2021 14	2021027851		1410 S CUSHMAN ST	DISTURBANCE INT	
04/28/2021 14	2021029766	21001479	1410 S CUSHMAN ST	PAST THEFT - BR	
04/28/2021 15	2021029784		1410 S CUSHMAN ST	SI - FIELD CONT	
04/28/2021 18	2021029826		1410 S CUSHMAN ST	DISTURBANCE PHY	
04/29/2021 13	2021030029		1410 S CUSHMAN ST	INCAPACITATED P	
05/02/2021 14	2021030856		1410 S CUSHMAN ST	AOA - NON URGEN	
05/03/2021 15	2021031129		1410 S CUSHMAN ST	INCAPACITATED P	
05/03/2021 15	2021031134		1410 S CUSHMAN ST	TRESPASS/UNWANT	
05/04/2021 21	2021031563		1410 S CUSHMAN ST	SUSPICIOUS PERS	
05/09/2021 13	2021032836	21001624	1410 S CUSHMAN ST	ASSAULT - BRAVO	
05/13/2021 13	2021033974	21001682	1410 S CUSHMAN ST	SI - FIELD CONT	
05/15/2021 08	2021034501		1410 S CUSHMAN ST	SI - FIELD CONT	
05/20/2021 08	2021035858		1410 S CUSHMAN ST	TRESPASS/UNWANT	
05/21/2021 18	2021036295		1410 S CUSHMAN ST	TRESPASS/UNWANT	

Call Time	Event ID	Rpt #	Street	Nature	Additi
05/22/2021 16	2021036554	21001798	1410 S CUSHMAN ST	ROBBERY - PERSO	
05/24/2021 16	2021037145		1410 S CUSHMAN ST	DRUGS - SALE -	
05/25/2021 21	2021037565		1410 S CUSHMAN ST	SUPPLEMENTAL-AL	
06/01/2021 23	2021039603		1410 S CUSHMAN ST	DISTURBANCE PHY	
06/03/2021 22	2021040240	21001974	1410 S CUSHMAN ST	THEFT - DELTA	
06/11/2021 18	2021042629		1410 S CUSHMAN ST	ADMIN - INFO/RE	
06/16/2021 09	2021044136		1410 S CUSHMAN ST	DISTURBANCE INT	
06/16/2021 16	2021044245		1410 S CUSHMAN ST	DISTURBANCE PHY	
06/16/2021 18	2021044294		1410 S CUSHMAN ST	TRESPASS/UNWANT	
06/17/2021 15	2021044575	21002185	1410 S CUSHMAN ST	THEFT OR VEH TH	
06/29/2021 22	2021048486	21002379	1410 S CUSHMAN ST	ASSAULT - STABB	
07/05/2021 23	2021050569	21002449	1410 S CUSHMAN ST	SUPPLEMENTAL-AL	
07/19/2021 13	2021054669	21002648	1410 S CUSHMAN ST	THEFT OR VEH TH	
07/20/2021 23	2021055117	21002670	1410 S CUSHMAN ST	DISTURBANCE PHY	
07/26/2021 20	2021057042		1410 S CUSHMAN ST	TRAF HAZ/VEH/CO	
07/27/2021 11	2021057198	21002776	1410 S CUSHMAN ST	DISTURBANCE PHY	
07/30/2021 15	2021058120		1410 S CUSHMAN ST	SUSPICIOUS PERS	
08/30/2021 14	2021067025		1410 S CUSHMAN ST	DISTURBANCE PHY	
08/30/2021 18	2021067080		1410 S CUSHMAN ST	TRESPASS/UNWANT	

**ORDINANCE NO. 6178, AS AMENDED**

**AN ORDINANCE TO AMEND FGC CHAPTER 78, ARTICLE XXII, MOTOR VEHICLE IMPOUNDMENT AND FORFEITURE, TO REMOVE DRIVING WHILE LICENSE SUSPENDED AND NO INSURANCE CONVICTIONS**

**WHEREAS**, Article XXII of Chapter 78 of the Fairbanks General Code, Motor Vehicle Impoundment and Forfeiture, was originally enacted in 1998 pursuant to the authority of AS 28.35.038; and

**WHEREAS**, Article XXII was amended in 2002 to add Driving While License Suspended and No Insurance to the offenses that would subject a vehicle to impoundment or forfeiture; and

**WHEREAS**, it is the sense of the Council that impoundment and forfeiture of vehicles under Article XXII should be limited to vehicles used in the commission of the crimes of driving while intoxicated and refusal, as originally enacted.

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

**Section 1.** That Fairbanks General Code Chapter 78, Article XXII, Motor Vehicle Impoundment and Forfeiture is amended as follows [new text in **bold/underline** font; deleted text in ~~striketrough~~ font]:

**ARTICLE XXII. - MOTOR VEHICLE IMPOUNDMENT AND FORFEITURE**

**Sec. 78-961. Definitions.**

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

*Assessed or appraised value* of a motor vehicle shall be based upon the **Kelley Blue** ~~Automobile Dealers Association Book (KBB Blue Book)~~ for the same or similar make and model and accessorized motor vehicle. Should there be no **KBB Blue Book** value, the value shall be \$500.00.

*Driver* means a person who drives or is in actual physical control of a vehicle.

*Motor vehicle* means a vehicle which is self-propelled except a vehicle moved by human or animal power.

*Previously convicted* means having been convicted in this or another jurisdiction within ten years preceding the date of the present offense, of operating a motor vehicle, aircraft or watercraft while intoxicated under AS 28.35.030 or another law or ordinance with

substantially similar elements, or a refusal to submit to a chemical test under AS 28.35.032 or another law or ordinance with substantial similar elements, ~~or driving a motor vehicle while license suspended, canceled, revoked, or limited under AS 28.15.291 or another law or ordinance with substantially similar elements, or driving a motor vehicle without insurance or other security under FGC section 78-929 or another law or ordinance with substantially similar elements.~~

*Registered owner* refers to the owner of the vehicle at the time of the offense as shown in the vehicle ownership records of the state division of motor vehicles or another agency with similar responsibilities in another state but may include subsequent good-faith purchases.

*Regulated lienholder* means an entity whose lien on the vehicle is a result of lending activities that are subject to regulation by any federal or state agency, commission or department.

*Vehicle* means a device in, upon or by which a person or property may be transported or driven upon immediately over a highway, road or other public right-of-way.

#### **Sec. 78-962. Purpose; public nuisance.**

A motor vehicle that is operated, driven or in actual physical control of an individual arrested for or charged with a violation of AS 28.35.030, pertaining to driving while intoxicated, ~~or; a violation of AS 28.35.032, pertaining to refusal to submit to chemical tests; or a violation of AS 28.15.291, pertaining to driving while license canceled, suspended, revoked, or limited; or a violation of FGC section 78-929, pertaining to insurance or other security requirements,~~ may be impounded and may be forfeited to the city in accordance with this article. The purpose of this article is to protect the public by removing public nuisances and deterring driving while intoxicated. A vehicle operated in violation of the afore-stated statutes is declared to be a public nuisance for which the registered owners shall be legally responsible subject only to defenses set forth by law.

#### **Sec. 78-963. Presumptions; vehicle seizure.**

(a) It shall be presumed that a vehicle operated by or driven by or in the actual physical control of an individual arrested for or charged with a violation of AS 28.35.030 or AS 28.35.032, ~~or AS 28.15.291, or FGC section 78-929~~ has been so operated by the registered owner or has been operated by another person with the knowledge and consent of the registered owner.

(b) A vehicle used in the alleged violation of AS 28.35.030 or AS 28.35.032, ~~or AS 28.15.291, or FGC section 78-929~~ shall be impounded for 30 days if the person driving, operating, or in the actual physical control of the vehicle has not been previously convicted, and shall be forfeited to the city if the person **driving, operating, or in the actual physical control of the vehicle** has been previously convicted.

(c) Impoundment may occur through a seizure of the vehicle incident to an arrest at the discretion of the arresting officer or by a court order.

**Sec. 78-964. Jurisdiction; hearings; costs.**

(a) Civil impoundment or forfeiture cases may be heard and decided by ~~either the district court, an administrative hearing officer, or the parking authority,~~ which throughout this article may be referred to as "the court" or "a court." ~~Hearings before an administrative hearing officer shall take place no less than seven days and no more than 30 days after the registered owner or lienholder requests a hearing.~~ At the request of the city or a claimant, a civil proceeding under this section may ~~shall~~ be postponed until the conclusion of any pending criminal charges arising out of the incident giving rise to the proceeding under AS 28.35.030 or AS 28.35.032, ~~AS 28.15.291 or FGC section 78-929.~~

(b) The court shall award the prevailing party in an impoundment or forfeiture case ~~its~~ reasonable attorney's fees and costs pursuant to Rule 82, Alaska Rules of Civil Procedure. ~~Costs shall include but are not limited to filing costs, advertising costs, police officer time required for testimony, prosecution costs, and other costs incurred in processing the case.~~

**Sec. 78-965. Notice to lienholders and parties of record; service by publication; failure to appear.**

(a) A lienholder and any party having an interest in the vehicle as shown by the vehicle ownership records of ~~by~~ the division of motor vehicles or any agency in any state where the vehicle is registered shall be served with notice of the civil action by certified mail sent to the address of record as shown in the ownership records. In a forfeiture action, the city may serve a party of record personally or by publication if mail service is unsuccessful.

(b) Service by publication in a forfeiture proceeding shall describe the vehicle, the date and place of impoundment and a contact person and shall be published once per week for two consecutive weeks in a newspaper of general circulation.

(c) Any party who fails to appear within 30 days of service of notice of an impoundment or forfeiture waives the right to object to impoundment or forfeiture. Any party who requests a hearing in a civil action shall be deemed served. For actions filed in district court, district court civil rules ~~shall~~ apply. Requests for release of a vehicle made by a person or entity not charged with a violation of AS 28.35.030 or AS 28.35.032, ~~AS 28.15.291 or FGC section 78-929~~ must be brought in the forum of the civil action.

**Sec. 78-966. Avoidance of impoundment or forfeiture by owners and lienholders; defenses.**

(a) An owner or lienholder of record may avoid impoundment or forfeiture of that person's interest if they ~~the claimant~~ can establish by a preponderance of the evidence that:

- (1) The owner or lienholder ~~claimant~~ had an interest in the motor vehicle at the time of the alleged violation or which was acquired in good faith after the violation and not to avoid impoundment or forfeiture;
- (2) A person other than the owner or lienholder ~~claimant~~ was in possession of the vehicle and was responsible for the act which resulted in impoundment or forfeiture; and
- (3) Before permitting the operator to gain custody or control of the vehicle, the owner or lienholder ~~claimant~~ did not know or have reasonable cause to believe that the vehicle would be operated in violation of AS 28.35.030 or AS 28.35.032, ~~AS 28.15.291 or FGC section 78-929.~~

(b) A regulated lienholder may meet the requirements of this section by filing with the court a copy of the vehicle's certificate of title or other security instrument reflecting the lien, with an affidavit stating the amount of the lien, ~~and~~ that the lienholder is a regulated lienholder, and that the lienholder was not in possession of the vehicle at the time of the act which resulted in the seizure of the vehicle.

(c) A regulated lienholder ~~has~~ shall have no duty to inquire into the driving record of any loan applicant or any member of the loan applicant's family or household, and failure to do so ~~may~~ shall not be used ~~as~~ able as evidence against the regulated lienholder in any forfeiture proceeding or other civil action.

(d) A regulated lienholder's interest in a vehicle is ~~shall~~ not be subject to forfeiture in any case where:

- (1) The individual who allegedly used the vehicle in violation of AS 28.35.030 or AS 28.35.032, ~~AS 28.15.291 or FGC section 78-929~~ is not the person whose dealings with the lienholder gave rise to the lien; or
- (2) The vehicle which the individual was driving, operating or was in actual physical control of at the time of the violation was not the vehicle involved in a prior conviction.

(e) An acquittal in a criminal proceeding under AS 28.35.030 or AS 28.35.032, ~~AS 28.15.291 or FGC section 78-929~~ shall constitutes a defense against impoundment or forfeiture of a vehicle if the civil proceeding is based on the same conduct that forms the basis for the criminal charge.

~~(f) A person convicted under FGC section 78-929(b) for the first time may avoid the 30-day impoundment under this article: (1) by presenting proof of insurance in effect no later than 30 days after the date of the offense; (2) by paying the applicable fine under section 78-929; (3) by paying the applicable charges for towing and storage; and (4) by paying an administrative fee of \$140.00.~~

### **Sec. 78-967. Presumptions; knowledge of violation.**

~~(a) When a person other than the claimant was in possession of the vehicle and was driving with a suspended, revoked or canceled license, or without a valid driver's license, or in violation of a limited license, it shall be presumed that the claimant had reasonable cause to believe that the vehicle would be used in violation of AS 28.35.030, AS 28.35.032, AS 28.15.291 or FGC section 78-929. This subsection shall not apply to regulated lienholders.~~

~~-(b) When the owner claimant and driver are not the same person but and have a familial relationship, such as husband/wife, father/daughter, mother/stepson, etc., it shall be presumed that the owner claimant is responsible and that the vehicle was operated by the driver with the knowledge and consent of the owner claimant.~~

### **Sec. 78-968. Hearing notification.**

Upon notification from the court of the time and place for a hearing in a civil action, the city shall provide to every person, unless such person was notified by the court, who has an ascertainable ownership or security interest in the vehicle written notice that includes:

- (1) A description of the motor vehicle;
- (2) The time and place of the forfeiture or impound hearing;
- (3) The legal authority under which the vehicle may be impounded or forfeited; and
- (4) Notice of the right to intervene to protect the interest in the motor vehicle.

### **Sec. 78-969. Seizure; evidence; burden of proof.**

(a) A seizure of a vehicle under this Article is legally unjustified only if there was:

- (1) No reasonable suspicion for the stop of the vehicle leading to an arrest for driving while intoxicated based on the operation, driving, or actual physical control of the vehicle; or
- (2) No probable cause for the arrest of an individual for driving while intoxicated based on the individual's operation, driving, or actual physical control of the vehicle.

(b) For purposes of proceedings in an administrative forum, the police report, which may include the narrative, accompanying documents, computer printouts from data bases operated by police agencies and/or government agencies regulating motor vehicles showing the ownership of the vehicle, the driver's license status, and the record of criminal convictions of the driver, and/or tape recordings, is admissible evidence so long as it is

signed with either the name, initials, badge number, or other identifying mark of an employee of the city in a statement made under oath.

(c) The burden of proof for an action under this article is preponderance of the evidence.

**Sec. 78-970. Resolution agreement between city and owner/lienholder.**

(a) The city may enter into an agreement with the registered owner or lienholder of the vehicle to resolve a civil impound or forfeiture action and permit release of the vehicle. Any such agreement shall include:

- (1) Acceptance by the owner or lienholder of responsibility for meeting the requirements of this section;
- (2) Agreement that the owner or lienholder will take reasonable steps to prevent the person arrested for or charged with a violation of AS 28.35.030, or AS 28.35.032, ~~or AS 28.15.291 or FGC section 78-929~~ from operating the vehicle until properly licensed; and
- (3) Agreement by the owner or lienholder that failure to fulfill the obligations under the agreement may result in forfeiture of the vehicle at the option of the city unless the lienholder is regulated and is required by law or the terms of the security agreement to relinquish possession of the vehicle upon payment of the lien or cure of any default.

**Sec. 78-971. Release of motor vehicle.**

A person seeking to redeem a vehicle must obtain an order from the court authorizing release of the vehicle, unless the release is made under an agreement with the city or if the underlying criminal case is dismissed or resolved in a manner whereby the defendant is not convicted under AS 28.35.030 or 28.35.032. A release will ~~shall~~ not be granted unless the person can:

- (1) Provide proof of ownership or, if a lienholder, a legal right to repossess the vehicle; and
- (2) Pay or provide proof of payment of any costs imposed, including the impound fees, storage fees, and any court costs imposed. The impound fee ~~is shall be~~ the actual cost of impound plus an administrative charge to offset the city's processing costs. If the city agrees or the court finds that seizure of a vehicle was not legally ~~un~~justified, or if the underlying criminal case is dismissed or resolved in a manner whereby the defendant is not convicted under AS 28.35.030 or 28.35.032, the vehicle will ~~shall~~ be released at no cost. ~~If the person seeking to reclaim the vehicle does so within five days after the court's finding. A vehicle not claimed it within ten five days after the court's decision, the vehicle is subject to the daily~~



storage fee, as provided in the City's Schedule of Fees and Charges for Services, for every day thereafter until the vehicle is reclaimed  
~~provisions of AS 28.10.502, relating to towing and storage liens.~~

**Sec. 78-972. Bail release of motor vehicle; vehicle bond; amount of bond; costs; retrieval of personal items.**

~~(a) A person not charged with a violation of AS 28.35.030, AS 28.35.032, AS 28.15.291 or FGC section 78-929 may petition the court for a bail release of a motor vehicle before a civil action is filed.~~

~~(b)~~ A vehicle return bond will ~~shall~~ be set for each vehicle alleged in the complaint to have been used in an alleged violation of AS 28.35.030 or AS 28.35.032, ~~AS 28.15.291 or FGC section 78-929~~. The bond must ~~may~~ be posted in cash ~~only~~. The purpose of this bond is to secure the presence of the vehicle and to provide security to be forfeited if the vehicle is sold, transferred, or encumbered after the vehicle has been released pending hearing. If a vehicle is not returned on a return bond, the city may forfeit the bond funds and seize the vehicle to implement the impoundment or forfeiture ordered by the court. The court may not modify the bond requirement or release a posted bond for a vehicle which has been impounded for a period less than the vehicle would have been impounded for if the person was convicted.

~~(b)~~ If a person charged with a violation of AS 28.35.030 or AS 28.35.032, ~~AS 28.15.291 or FGC section 78-929~~ has no previous convictions for those statutes, the minimum vehicle return bond is ~~shall be~~ \$500.00. Where the person charged has been previously convicted of either ~~any~~ of the offenses above, the minimum vehicle bond will ~~shall~~ be specified in the City's Schedule of Fees and Charges for Services, which may be amended by city council resolution. A vehicle return bond may be set above the minimum if the vehicle appears to have unusually high value for its age but not to exceed twice the minimum amount.

~~(c)~~ A vehicle under this section may be released pending hearing upon proof of ownership of the vehicle, payment of the vehicle return bond, and payment of towing and storage fees, including the administrative fee as set forth in the City's Schedule of Fees and Charges for Services, to offset the city's processing costs.

~~(d)~~ The court may order all or any part of the vehicle return bond to be forfeited to the city and may also order that the proceeds of any sale, transfer, or encumbrance be forfeited if the vehicle has been sold, transferred, or encumbered while subject to a vehicle return bond, if the vehicle is not returned in accordance with an order entered in the case requiring impoundment or forfeiture.

(e) The vehicle owner, or a person with the owner's written permission, may retrieve personal items from the impounded vehicle upon payment of the access fee as set forth in the City's Schedule of Fees and Charges for Services.

**Sec. 78-973. Impoundment; seizure incident to arrest; impoundment period; abandoned vehicle disposal; personal property in vehicles.**

(a) A motor vehicle that is operated, driven, or in the actual physical control of a person arrested for or charged with a violation of AS 28.35.030 or AS 28.35.032, ~~AS 28.15.291 or FGC section 78-929~~ may be ordered impounded either upon conviction of the person for the offense or upon the decision of the court in a separate civil proceeding. To obtain an order for the impoundment in a contested proceeding, the city must establish by a preponderance of the evidence that the vehicle was operated, driven, or in the actual physical control of a person who was acting in violation of AS 28.35.030 or AS 28.35.032; ~~AS 28.15.291 or FGC section 78-929.~~

(b) If the motor vehicle is seized incident to an arrest or otherwise prior to a conviction or court-ordered impoundment, the vehicle may not be held more than two days without a court order obtained to continue its detention. For purpose of computing the two-day period, Saturdays, Sundays and city legal holidays are not ~~to be~~ included.

(c) A vehicle which is ordered impounded under this section will ~~shall~~ be held for a period of 30 days. An impoundment order may be made either upon conviction of the person of a violation of AS 28.35.030 or AS 28.35.032, ~~AS 28.15.291 or FGC section 78-929~~, or upon decision of a court in a separate civil action.

(d) The owner of a vehicle ordered impounded under this section must pay any fees owed and must retrieve the vehicle within 30 days after the completion of the 30-day impoundment. ~~which are not claimed at the end of the 30-day court-ordered period of impoundment may be disposed of pursuant to the provisions of AS 28.10.502. Daily impound fees will cease accruing after the completion of the 30-day impoundment but will start accruing if the vehicle has not been retrieved within 30 days after the completion of the impoundment. Vehicles not retrieved within 90 days of the completion of the 30-day impoundment will be considered abandoned and may be disposed of without further notice to the owner.~~ If the contents of the vehicle have not been recovered before such disposal, the contents may be disposed of with the vehicle. ~~Charges for towing, access to the impounded vehicle and storage fees are as set forth in the city's schedule of fees and charges for services.~~

**Sec. 78-974. Forfeiture process.**

(a) A motor vehicle that is operated, driven, or in the actual physical control of a person arrested or charged with a violation of AS 28.35.030 or AS 28.35.032, ~~AS 28.15.291 or FGC section 78-929~~ may be forfeited to the city either upon conviction of either ~~any~~ of the offenses listed above or upon decision of a court in a separate civil proceeding. To obtain an order of forfeiture in a contested proceeding, the city must establish by a preponderance of the evidence that the vehicle was operated, driven, or in the physical control of the person acting in violation of either offense and that the individual has been previously convicted.

(b) A motor vehicle may be seized and towed to a secure location by a police officer or a police officer's designee upon an order issued by a court having jurisdiction over the motor vehicle upon a showing of probable cause that the motor vehicle may be forfeited or impounded under this section. Seizure without a court order may be made if:

- (1) The impoundment is incident to an arrest;
- (2) The motor vehicle has been ordered impounded or forfeited and that order has not yet been executed; or
- (3) There is probable cause to believe that the motor vehicle was operated, driven or in the actual physical control of a person in violation of AS 28.35.030 or AS 28.35.032, ~~AS 28.15.291 or FGC section 78-929.~~

~~(c) A court may order impoundment of a motor vehicle subject to forfeiture in a civil action for a minimum of 30 consecutive days.~~

**Sec. 78-975. Custody of vehicle; police department; inventory; retrieval of ignition interlock devices.**

(a) A motor vehicle seized for the purpose of forfeiture or impoundment will ~~should~~ be held in the custody of the city or a private impound yard authorized by the city to retain custody of the vehicle, subject only to the orders and decrees of the court having jurisdiction over any forfeiture or impoundment proceedings. When a motor vehicle is seized, the city ~~police chief or an authorized designee~~ may:

- (1) Remove the motor vehicle and any contents in the vehicle to a place designated by the court; or
- (2) Take custody of the motor vehicle and any contents of the vehicle and remove it to an appropriate location for disposition; and
- (3) Allow the owner of an ignition interlock device installed in a vehicle held pending forfeiture to retrieve the device upon a showing of proof of ownership and execution of a written agreement to assume liability for damage caused during retrieval. The city will cross check impounded vehicles against a data base provided by ignition interlock owners and notify device owners of vehicle impound. The fee for this service and access shall be as provided in the Ccity's Schedule of Fees and Charges for Services.

(b) Following a forfeiture, the police department shall make an inventory of the contents of any motor vehicle seized. Personal property can be recovered from the vehicle in the same manner as set forth in section 78-972~~3~~(e).

(c) A person in a forfeiture action claiming an interest in the property shall file, within 30 days after service or completion of publication, a notice of claim setting out the nature of the interest, the date it was acquired, the consideration paid, and an answer to the city's allegations. If a claim and answer is not filed within the required time, the motor vehicle may ~~must~~ be forfeited to the city without further proceedings. For a regulated lienholder, the notice of claim and answer is met by the filing of information required in section 78-966 and by adding to the affidavit a statement of the original amount of the loan giving rise to the lien and the current balance due on that loan.

(d) A claimant may petition the court for sale of a motor vehicle before final disposition of court proceedings. The court shall grant a petition for sale upon a finding that the sale is in the best interest of the city. Proceeds from the sale plus interest to the date of final disposition of the court proceedings become the subject of the forfeiture action.

**Sec. 78-976. Disposition of forfeited property; return to claimant.**

(a) Property forfeited under this article will ~~shall~~ be disposed of by the city ~~police department~~ in accordance with this section. Property forfeited includes both the vehicle and its contents if those contents have not been recovered before the date of disposal. The city ~~police department~~ may:

- (1) Sell the property in a manner that will yield the best price and use the proceeds for payment of all expenses of seizure, custody, court costs, and attorney's fees;
- (2) Take custody of the property and use it in the enforcement of city and state criminal codes or for other public purpose; or
- (3) Destroy the property.

(b) When a claimant to a motor vehicle is entitled to its possession, the court shall order that:

- (1) The vehicle be delivered to the claimant immediately subject to costs as described in section 78-971; or
- (2) If the claimant is entitled to some value less than the total value of the motor vehicle, the claimant is entitled to receive either the value of the claimant's interest after the sale of the vehicle or upon request and payment of the difference in value by the claimant, the motor vehicle itself.

(c) When a vehicle is sold and lienholder interest exceeds the sale price, the owner may be held responsible for the difference and the city's cost.

**Sec. 78-977. - Multiple ownership on certificate of title.**

In a contested forfeiture proceeding concerning a vehicle titled in the names of more than one owner on the certificate of title, the court shall proceed as follows:

- (1) If one owner does not avoid forfeiture, the court may order the forfeiture of the entire interest of all the owners in a vehicle which is titled in the names of more than one owner in the disjunctive, which is signified by the word "or."
- (2) If **one** ~~such~~ owner does not avoid forfeiture, the court shall order the forfeiture of the interest of any owner in a vehicle which is titled in the names of more than one owner in the conjunctive which is signified by the word "and." Owners of a vehicle titled in the names of more than one owner in the conjunctive are presumed to own the vehicle in equal shares. Under this subsection, the court shall order that the vehicle be sold at public auction and further order that the proceeds from the sale of the vehicle be held by the city's department of finance. After deduction of the reasonable costs of the auction, the amount of the proceeds of the auction for the sale of that vehicle which is equal to the interests of the owners whose interests have not been forfeited **will** ~~shall~~ be returned to those owners if those owners apply to the department of finance within 60 days of the auction. If the owners whose interests have not been forfeited do not apply within that period, those funds become the property of the city subject to the rights of any other claimant to those funds.

**Section 2.** That the effective date of this ordinance is the \_\_\_\_\_ day of August 2021.

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**Jim Matherly, Mayor**

AYES:  
NAYS:  
ABSENT:  
ADOPTED:

ATTEST:

APPROVED AS TO FORM:

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D. Danyielle Snider, MMC, City Clerk

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Paul Ewers, City Attorney

**RESOLUTION NO. 4980**

**A RESOLUTION AMENDING THE CITY SCHEDULE OF FEES  
AND CHARGES FOR SERVICES BY REDUCING THE  
ADMINISTRATIVE FEE FOR CITY IMPOUNDS**

**WHEREAS**, the City Council is considering Ordinance No. 6178 that would amend Chapter 78, Article XXII, Motor Vehicle Impoundment and Forfeiture; and

**WHEREAS**, in discussing changes to Chapter 78, Article XXII, the Council considered changes to the current fee schedule.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAIRBANKS, ALASKA**, to approve the attached version of the *Schedule of Fees and Charges for Services* amending the administrative fee for City impounds, effective August 23, 2021.

**PASSED** and **APPROVED** this 23rd day of August 2021.

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**Jim Matherly, Mayor**

AYES:  
NAYS:  
ABSENT:  
ADOPTED:

ATTEST:

APPROVED AS TO FORM:

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D. Danyielle Snider, MMC, City Clerk

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Paul J. Ewers, City Attorney

## City of Fairbanks Schedule of Fees and Charges for Services

As of Resolution No. 4980 - Effective August 23, 2021

Category	Code Sec.	Topic	Current Fee	Proposed Fee	Description
<b>Garbage Collection</b>	66-22	Single Family Dwelling	\$ 88.00		Per quarter (rounded from \$88.13)
		Duplex	\$ 176.00		
		Triplex	\$ 264.00		
		Fourplex	\$ 352.00		
	66-23	Senior Rate	\$ 68.00		Per quarter (rounded from \$68.35)
	66-42	Improper containment or disposal of household medical wastes (sharps)	\$ 200.00		Employee health risk exposure and work loss time
	66-42	Improper containment or disposal of hazardous wastes	\$ 25.00		
	66-42	Improper containment or disposal of ashes	\$ 25.00		
	66-62	Container/receptacle abatement	\$ 25.00		
	66-24	Oversized Garbage Pickup (no freezers or refrigerators)	\$ 85.00		Per trip, pre-paid
<b>Vehicle Impound Fees</b>	78-972	Admin Fee	<del>\$ 1,000.00</del>	<b>\$ 500.00</b>	
		Vehicle Bail Schedule (1st offense)	\$ 500.00		Note: Set by 78-972(c)
		Vehicle Bail Schedule (previously convicted)			
		Vehicle Age:			
		20 years or older	\$ 1,000.00		
		15 - 19 years	\$ 2,000.00		
		10 - 14 years	\$ 3,000.00		
		5 - 9 years	\$ 4,000.00		
		0 - 4 years	\$ 10,000.00		
		Tow Fee	\$ 135.00		Flat tow charge
		Storage fees	\$ 20.00		Per day
		Access Fee	\$ 75.00		Per hour, one-hour minimum per trip
<b>Public Works</b>		Public Works Hourly Staff Rate	\$ 80.00		Per hour for specialty, non-fire mechanic Public Works staff time (1-hour minimum)
		Public Works Fire Bay Rate	\$ 50.00		Per hour; max of \$250 per day (1-hour minimum)
		Public Works Fire Bay Mechanic(s) Rate	\$ 190.00		\$95 per hour rate for 2 specialty fire mechanics (2 mechanics for safety; 1-hour minimum)
		Public Works Mechanic, Contract Rate	Negotiated		Per MOA with outside agency

**RESOLUTION NO. 4981**

**A RESOLUTION APPROVING THE READING OF A LAND  
ACKNOWLEDGEMENT AT THE BEGINNING OF REGULAR CITY  
COUNCIL MEETINGS**

**WHEREAS**, the esteemed Denakkanaaga Elders have crafted and approved of the Land Acknowledgement set out below to be used in various publications, on appropriate signage, prior to meetings and conferences, as well as other suitable uses; and

**WHEREAS**, a Land Acknowledgement can function as a living celebration of Indigenous communities; and

**WHEREAS**, a Land Acknowledgement, by itself, is a small gesture, but it becomes meaningful when coupled with authentic relationships and informed action.

**NOW, THEREFORE, BE IT RESOLVED** that the Fairbanks City Council directs that the following Land Acknowledgement be read at the beginning of Regular City Council meetings:

We respectfully acknowledge the Dena people upon whose traditional lands we reside. We honor the Dena who have been the stewards of Interior lands and waters for centuries, the Elders who lived here before, the Dena people of today, and future generations to come. We also recognize that Alaskan Native people would traditionally gather here and harvest Native foods.

**PASSED** and **APPROVED** this 23rd day of August 2021.

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**Jim Matherly, Mayor**

AYES:  
NAYS:  
ABSENT:  
APPROVED:

ATTEST:

APPROVED AS TO FORM:

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D. Danyielle Snider, MMC, City Clerk

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Paul Ewers, City Attorney



**ORDINANCE NO. 6179, AS AMENDED**

**AN ORDINANCE AMENDING FAIRBANKS GENERAL CODE  
SECTION 46-81 CURFEW FOR MINORS**

**WHEREAS, simplifying the curfew for minors will make it easier to understand and easier to enforce.**

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

**SECTION 1.** Fairbanks General Code Section 46-81(a), Curfew for minors, is hereby amended as follows [deleted text in ~~striketrough~~ font; new text in **bold/underline** font]:

**Sec. 46-81. Curfew for minors**

(a) It is unlawful for any minor under the age of 18 to be on the public streets, alleys, parks, places of amusement or entertainment, vacant lots or other public ways or in any public place in the city between (i) ~~11:00 p.m. on Sunday, Monday, Tuesday, Wednesday or Thursday, until 5:00 a.m. of the following day; and 1:00 a.m. on any Saturday and Sunday until~~ **and** 5:00 a.m. of the same day and (ii) ~~1:00 a.m. on any day until 5:00 a.m. of the same day during June through August, unless the minor comes within one the following exceptions:~~

\* \* \* \* \*

**SECTION 2.** That the effective date of this ordinance is the \_\_\_\_ day of September 2021.

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

AYES:  
NAYS:  
ABSENT:  
ADOPTED:

ATTEST:

APPROVED AS TO FORM:

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

\_\_\_\_\_  
Paul Ewers, City Attorney

**ORDINANCE NO. 6180, AS AMENDED**

**AN ORDINANCE AMENDING FAIRBANKS GENERAL CODE  
CHAPTER 50, ARTICLE XIII, TO ADD AMERICAN FLAG STANDARD**

**WHEREAS**, the United States Code, Title 4, Section 8, provides that the flag of the United States of America should never have placed upon it, nor any part of it, nor attached to it any mark, insignia, letter, word, figure, design, picture, or drawing of any nature; and

**WHEREAS**, Title 4 Section 8, prohibits the flag from being used as wearing apparel, and

**WHEREAS**, Title 4, Section 8, allows for a flag patch to be affixed to the uniform of military personnel, firemen, policemen, and members of patriotic organizations; and

**WHEREAS**, in keeping with these federal guidelines, the City code is amended to address the display of the flag by City employees while on duty and while in uniform.

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

**SECTION 1.** Fairbanks General Code Section Chapter 50, Article XIII, is amended by adding Section 50-472, American Flag Standard:

**Sec. 50-472. American Flag Standard.**

(a) **No employee may display any altered depiction of the flag on any City property or wear any altered depiction of the flag on or about their clothing while on duty.** ~~Except as provided in subparts (b) and (c), no employee may wear the flag of the United States of America or any depiction of the flag on or about their clothing while on duty.~~

(b) A flag patch may be affixed to the uniform of fire personnel or police officers so long as the flag patch complies with the requirements and restrictions of United States Code Title 4, Section 8.

(c) An employee may wear a lapel flag pin that complies with the requirements of United States Code Title 4, Section 8.

(d) These restrictions apply to employees while on duty and while in uniform.

**SECTION 2.** That the effective date of this ordinance is the \_\_\_\_ day of September 2021.

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**Jim Matherly, Mayor**

AYES:  
NAYS:  
ABSENT:  
ADOPTED:

ATTEST:

APPROVED AS TO FORM:

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D. Danyielle Snider, MMC, City Clerk

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Paul Ewers, City Attorney

**RESOLUTION NO. 4983**

**A RESOLUTION TO EXTEND THE SUNSET DATE FOR THE  
INCENTIVE BONUS PROGRAM WITH THE FAIRBANKS POLICE  
DEPARTMENT FOR RECRUITMENT AND HIRING**

**WHEREAS**, an Incentive Bonus Program for recruitment and hiring at the Fairbanks Police Department was established by the City Council on June 19, 2017, with the adoption of Ordinance No. 6050 and reestablished by the City Council on April 13, 2020, with the adoption of Ordinance No. 6129; and

**WHEREAS**, Ordinance No. 6129 specified that the program would sunset on December 31, 2021, unless extended by Resolution of the City Council; and

**WHEREAS**, the reasons for providing a bonus to lateral hires were: (1) the cost to the City of sending an officer to the Police Academy (approximately \$45,000); and (2) a one-time, sign-on bonus of \$20,000 for a lateral hire would help attract applicants and would constitute a significant cost savings to the City; and

**WHEREAS**, while the bonus program has helped in attracting twelve lateral hires since 2017, the Department's staffing levels continue to be a challenge due to retirements and transfers; and

**WHEREAS**, the Council finds that there continues to be a need for the bonus program; and

**WHEREAS**, the Department continues to have salary savings from unfilled positions that will fund the bonus program.

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

**SECTION 1.** An incentive bonus program for recruitment and hiring within the Fairbanks Police Department is hereby approved as follows:

- (a) An applicant who is a certified police officer in the State of Alaska or is able to meet Alaska Police Standards Council (APSC) certification standards without attending a basic officer academy will be paid a \$20,000 "sign-on bonus" in their first paycheck following completion of Field Training, subject to the payback provisions specified in the attached Sign-on Bonus Agreement.

- (b) If an active City of Fairbanks employee recruits a new officer, as defined in subsection (a), who successfully completes the hiring process, the employee will receive a recruitment bonus of \$5,000.

**SECTION 2.** The bonuses established in Section 1 may only be funded by salary savings from unfilled, budgeted positions, if available.

**SECTION 3.** This program will sunset on December 31, 2022, unless extended by Resolution of the City Council.

**PASSED and APPROVED this 27th day of September 2021.**

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**Jim Matherly, City Mayor**

AYES:

NAYS:

ABSENT:

ADOPTED:

ATTEST:

APPROVED AS TO FORM:

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D. Danyielle Snider, MMC, City Clerk

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Paul J. Ewers, City Attorney

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

**I. REQUEST:**

Ordinance or Resolution No: 4983

Abbreviated Title: FAIRBANKS POLICE DEPARTMENT INCENTIVE BONUS

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:**

EXPENDITURES:	2022	2023	Total
SALARY AND BENEFITS			\$0
<b>TOTAL</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

FUNDING SOURCE:	2022	2023	Total
GENERAL FUND			\$0
<b>TOTAL</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Fairbanks Police Department recruitment incentive bonuses will be paid from salary savings. The City paid a \$20,000 bonus to twelve employees as follows: one employee in 2017, two employees in 2018, four employees in 2019, three employees in 2020, and two employees in 2021.

Reviewed by Finance Department:

Initial mb

Date 9/21/2021



**Fairbanks Police Department**  
**Sign-On Bonus Contract**  
Amended April 27, 2020

This agreement is made between the CITY OF FAIRBANKS ("City") and \_\_\_\_\_ ("Employee").

WHEREAS, this contract will apply to an Employee who begins employment for the City in the Police Department ("Department") for the first time as a POLICE OFFICER and meets the City requirements as a lateral-hire Police Officer; and

WHEREAS, the Department wishes to bestow upon the Employee a "Sign-on Bonus" as an incentive for the Employee to accept employment at the City and to remain satisfactorily employed in the Department for at least four full years;

THEREFORE, the City and the Employee agree to the following terms:

1. The City, acting through the Department, agrees to bestow upon the Employee the amount of \$20,000.00 as a Sign-on Bonus in return for the Employee accepting the City's offer of employment. This amount shall be paid directly to the Employee on the Employee's first paycheck following the successful completion of field training.
2. The City will apply all required federal and state tax deductions and will report all payments made under this Agreement as required by federal and state law. Taxes shall be withheld as bonus earnings from the Sign-on Bonus and reported to the Internal Revenue Services as income on the Employee's Form W-2. The Sign-on Bonus is not considered "salary" and shall not be included for purposes of retirement benefit calculations or salary increases.
3. The Department will adhere to all relevant City and Department policies during the hiring process and in making bonus payments to employees.
4. In return for accepting the Sign-on Bonus as provided in paragraphs 1 and 2 above, the Employee agrees to work for the Department on a regular and full-time basis for at least four years beginning "Start Date" and ending on "4 Year Date". Should the Employee resign, quit, or be terminated for cause before the above stated ending date, the Employee shall repay a prorated amount of the Sign-on Bonus as provided in the following paragraphs.
5. The Employee's failure to remain employed by the Department for four years will trigger the Employee's duty to repay, pro-rata, the amount paid by the City pursuant to paragraph 1, above. (This amount may be more than the Employee received due to tax or other withholdings.) For example, if the Employee leaves one year prior to the end date, they will repay 12/48 of such amount. To facilitate this repayment, the Employee, by signing below, expressly gives the City a lien on their salary, wages, and other sums payable to them by the City. In addition, the Employee hereby authorizes the City to withhold all amounts so due from any sum payable to the Employee by the Department or the City. The Employee also agrees that any tax consequences resulting from the repayment of the Sign-on Bonus or any portion thereof will be the sole and exclusive responsibility of the Employee.

6. If the Employee fails to remain employed by the Department for four years for reasons beyond their control (e.g. injury, illness or death), other than just cause termination, the Department may in its sole discretion waive all or part of the liability owed by the Employee. Any such waivers must be approved in writing by both the Chief of Police and the Mayor.
7. If any part of the Agreement is found to be invalid or unenforceable, the other parts shall remain valid and enforceable and Employee agrees, represents, and warrants that they will be held to any applicable repayment of the Sign-on Bonus.

BY SIGNING BELOW, the Employee certifies that they have not accepted a financial incentive for accepting employment at the City, other than as described in this Agreement.

IN WITNESS THEREOF:

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Chief of Police Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Mayor Signature

\_\_\_\_\_  
Date

cc: Personnel File



**RESOLUTION NO. 4984**

**A RESOLUTION TO EXTEND THE SUNSET DATE FOR THE INCENTIVE  
BONUS PROGRAM WITH THE FAIRBANKS EMERGENCY  
COMMUNICATIONS CENTER FOR RECRUITMENT AND HIRING**

**WHEREAS**, an Incentive Bonus Program for recruitment and hiring at the Fairbanks Emergency Communications Center (FECC) was established by the City Council on April 22, 2019, with the adoption of Ordinance No. 6102; and

**WHEREAS**, the ordinance specified that the program would sunset on December 31, 2020, unless extended by Resolution of the City Council; and

**WHEREAS**, the program was extended with Resolution No. 4945 until December 31, 2021; and

**WHEREAS**, FECC currently has five dispatcher vacancies and anticipates a couple of retirements in the next few years; and

**WHEREAS**, it currently costs the City of Fairbanks a minimum of \$20,170 in salaries and benefits to support one employee through the Dispatch Academy, which does not include additional training costs such as travel; and

**WHEREAS**, a one-time sign-on bonus of \$15,000 for a lateral hire would help attract applicants and would constitute a significant cost savings to the City; and

**WHEREAS**, all lateral hire bonuses will be funded through salary savings.

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

**Section 1.** An applicant who is a certified dispatcher in the IAED Protocols or is able to meet certifications required by established FECC standards will be paid \$15,000 “sign-on bonus” in two installments. One payment, half of the “sign-on” bonus, will be paid the first paycheck after completing the Communications Training Program. The second payment of the remaining “sign-on” bonus will be paid on the first paycheck after completing the probation period, subject to the payback provisions specified in the attached Sign-on Bonus Agreement.

**Section 2.** If an active City of Fairbanks employee recruits a new dispatcher (defined in Section 1) who successfully completes the training process and probationary period, the employee will receive a recruitment bonus of \$5,000. The City of Fairbanks employee will receive half of the recruitment bonus upon the employee completing the Communications Training Program. The second half of the bonus will be paid upon the employee completing the probation period.

**Section 3.** The bonuses established in Sections 1 and 2 of this resolution will be funded through savings from budgeted salaries as available. This program will sunset on December 31, 2022 unless extended by Resolution of the City Council.

**PASSED and APPROVED this 27th day of September 2021.**

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**Jim Matherly, City Mayor**

AYES:

NAYS:

ABSENT:

ADOPTED:

ATTEST:

APPROVED AS TO FORM:

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D. Danyielle Snider, MMC, City Clerk

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Paul J. Ewers, City Attorney

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

**I. REQUEST:**

Ordinance or Resolution No: 4984

Abbreviated Title: FECC INCENTIVE BONUS

Department(s): FECC

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:**

<b>EXPENDITURES:</b>	<b>2022</b>	<b>2023</b>	<b>Total</b>
SALARY AND BENEFITS			\$0
<b>TOTAL</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>FUNDING SOURCE:</b>	<b>2022</b>	<b>2023</b>	<b>Total</b>
GENERAL FUND			\$0
<b>TOTAL</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Fairbanks Emergency Communications Center recruitment incentive bonuses will be paid from salary savings. The City paid a \$15,000 bonus to one employee in 2019/2020.

Reviewed by Finance Department:

Initial mb

Date 9/21/2021



## Fairbanks Emergency Communications Center Sign-On Bonus Agreement

This agreement is made between the CITY OF FAIRBANKS ("the City") and \_\_\_\_\_ ("Employee").

WHEREAS, pursuant to Ordinance No. 6102, as Amended, the City is offering a sign-on bonus to a person who begins employment for the City of Fairbanks Emergency Communications Center (FECC) for the first time as a DISPATCHER and who meets the City requirements as a Lateral-Hire Dispatcher; and

WHEREAS, in return for the bonus, the Employee agrees to the terms and conditions set out below.

The City and the Employee agree to the following terms:

1. The City agrees to pay the Employee \$15,000.00 as a Sign-on Bonus in return for the Employee accepting the City's offer of employment. Half of this amount will be paid directly to the Employee on the Employee's first paycheck following the completion of the Communications Training Program. The second half of this amount will be paid directly to the Employee on the Employee's first paycheck following the completion of the probation period.
2. The City will apply all required federal and state tax deductions and will report all payments made under this Agreement as required by federal and state law. Taxes will be withheld as bonus earnings from the Sign-on Bonus and reported to the Internal Revenue Services as income on the Employee's Form W-2. The Sign-on Bonus is not considered "salary" and will not be included for purposes of retirement benefit calculations or salary increases.
3. The Department will adhere to all relevant City and Department policies during the hiring process and in making bonus payments to employees.
4. In return for accepting the Sign-on Bonus the Employee agrees to work for the Department, on a regular and full-time basis for at least three years beginning \_\_\_\_\_ and ending on \_\_\_\_\_. Should the Employee resign, quit, or be terminated for cause before the above-stated ending date, the Employee shall repay a prorated amount of the Sign-on Bonus as provided for in the following paragraphs.
5. The Employee's failure to remain employed by the Department for three years will trigger the Employee's duty to repay, pro-rata, the amount paid by the Department pursuant to paragraph 1, above. (This amount may be more than the Employee received due to tax or other withholdings.) For example, if the Employee leaves one year prior to the end date, they will repay 12/36 of such amount. To facilitate this repayment, the Employee, by signing below, expressly gives the City a lien on all their salary, wages, and other sums payable to them by City. In addition, the Employee hereby authorizes the City to withhold all amounts so due from any sum payable to the Employee by the Department and City. The Employee also agrees that any tax consequences that result from the repayment of the Sign-on Bonus or any portion thereof will be the sole and exclusive responsibility of the Employee.

6. If the Employee fails to remain employed by the Department for three years for reasons beyond their control (e.g. injury, illness or death), other than just cause termination, the Department may in its sole discretion waive all or part of the liability owed by the Employee. Any such waivers must be approved in writing by both the FECC Manager and the Mayor.
7. If any part of the Agreement is found to be invalid or unenforceable, the other parts will remain valid and enforceable, and Employee agrees, represents, and warrants that they will be held to any applicable repayment of the Sign-on Bonus.

BY SIGNING BELOW, the Employee certifies that they have not accepted a financial incentive for accepting employment at the City, other than as described in this Agreement.

IN WITNESS THEREOF:

\_\_\_\_\_  
FECC Dispatcher

\_\_\_\_\_  
Date

\_\_\_\_\_  
FECC Manager, Kristi Merideth

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

**RESOLUTION NO. 4985**

**A RESOLUTION AUTHORIZING THE CITY OF FAIRBANKS TO  
EXPEND CORONAVIRUS LOCAL FISCAL RECOVERY FUNDS**

**WHEREAS**, the City of Fairbanks was awarded \$5,551,822.00 to support urgent COVID-19 response efforts, replace lost public sector revenue, support immediate economic stabilization, and address systemic public health and economic challenges; and

**WHEREAS**, the City of Fairbanks approved Resolution No. 4971 accepting funds from the United States Department of Treasury for the Coronavirus Local Fiscal Recovery Funds through the American Rescue Plan Act of 2021; and

**WHEREAS**, the City of Fairbanks approved Resolution No. 4977 allocating \$1,521,822.00 to address negative economic impacts by providing grants to small businesses in tourism, travel, and hospitality sectors and \$4,030,000.00 to replace public sector revenue loss; and

**WHEREAS**, the City of Fairbanks will use \$4,030,000.00 for medical equipment (\$1,128,200.00), snow blowers (\$520,000.00), fire engine (\$800,000.00), fuel pump upgrade (\$250,000.00), jet truck (\$500,000.00), ambulance (\$280,000.00), sidewalk tractor (\$250,000.00), and excavator (\$301,800.00).

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

**PASSED and APPROVED this 27th Day of September 2021.**

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**Jim Matherly, City Mayor**

AYES:  
NAYS:  
ABSENT:  
APPROVED:

ATTEST:

APPROVED AS TO FORM:

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D. Danyielle Snider, MMC, City Clerk

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Paul J. Ewers, City Attorney

# CITY OF FAIRBANKS

## FISCAL NOTE

### I. REQUEST:

Ordinance or Resolution No: 4985

Abbreviated Title: CORONAVIRUS LOCAL FISCAL RECOVERY FUNDS EXPENDITURES

Department(s): FIRE & PUBLIC WORKS

Does the adoption of this ordinance or resolution authorize:

- 1) additional costs beyond the current adopted budget? Yes X No
- 2) additional support or maintenance costs? Yes        No X
- If yes, what is the estimate? 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	Contracts	Personnel	Total
MEDICAL EQUIPMENT	\$1,128,200			\$1,128,200
SNOW BLOWERS [2 @ \$260,000]	\$520,000			\$520,000
FIRE ENGINE	\$800,000			\$800,000
FUEL PUMP UPGRADE	\$250,000			\$250,000
JET TRUCK	\$500,000			\$500,000
AMBULANCE	\$280,000			\$280,000
SIDEWALK TRACTOR	\$250,000			\$250,000
EXCAVATOR	\$382,000			\$382,000
<b>TOTAL</b>	<b>\$4,110,200</b>	<b>\$0</b>	<b>\$0</b>	<b>\$4,110,200</b>

FUNDING SOURCE:	Equipment	Contracts	Personnel	Total
GRANT FUND [FEDERAL]	\$4,030,000			\$4,030,000
CAPITAL FUND	\$80,200			\$80,200
<b>TOTAL</b>	<b>\$4,110,200</b>	<b>\$0</b>	<b>\$0</b>	<b>\$4,110,200</b>

The operation and maintenance costs associated with these purchases will be performed or contracted by Public Works or Fire Department and incorporated in the annual general fund budget.

Reviewed by Finance Department: Initial mb Date 9/16/2021

Introduced by: Mayor Matherly  
and Council Members Kun and Rogers  
Finance Committee Review: August 17 & September 21, 2021  
Introduced: September 27, 2021

**RESOLUTION NO. 4986**

**A RESOLUTION AWARDING A CONTRACT TO STRYKER FOR  
AMBULANCE EQUIPMENT IN THE AMOUNT OF \$1,478,300**

**WHEREAS**, in accordance with FGC Chapter 54, Article VI, Sole Source Purchasing, the Purchasing Agent has determined that there is only one source for this purchase; and

**WHEREAS**, the contract would be in the amount of one million, four hundred seventy-eight thousand, three hundred dollars and zero cents (\$1,478,300.00); and

**WHEREAS**, the contract would be for ten-years to provide medical equipment, training, maintenance, and a guaranteed technology refresh at year five to year ten without additional cost; and

**WHEREAS**, the contract would allow the Fire Department to standardize their medical equipment as well as the equipment for Police Department vehicles and City buildings; and

**WHEREAS**, the funding would be provided from the Coronavirus Local Fiscal Recovery Funds and General Fund.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Fairbanks, that the Mayor is hereby authorized to execute a contract and such other documents in a form approved by the City Attorney as may be necessary to effect award of this contract.

**PASSED and APPROVED this 27th Day of September 2021.**

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**Jim Matherly, City Mayor**

YEAS:  
NAYS:  
ABSENT:  
APPROVED:

ATTEST:

APPROVED AS TO FORM:

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D. Danyielle Snider, MMC, City Clerk

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Paul J. Ewers, City Attorney



# CITY OF FAIRBANKS

## FISCAL NOTE

### I. REQUEST:

Ordinance or Resolution No: 4986

Abbreviated Title: AWARDING CONTRACT TO STRYKER FOR MEDICAL EQUIPMENT

Department(s): FIRE

Does the adoption of this ordinance or resolution authorize:

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

2) additional support or maintenance costs? Yes X No \_\_\_\_\_

If yes, what is the estimate? see below

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

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

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

### II. FINANCIAL DETAIL:

PROJECTS:	2021	2022	2023-2030	Total
ADVANCED LIFE SUPPORT (ALS) EQUIPMENT & SERVICES	\$ 1,128,200	\$ 38,900	\$ 311,200	\$ 1,478,300
LESS CURRENT CONTRACTUAL COSTS		\$ (16,500)	\$ (132,000)	\$ (148,500)
<b>TOTAL</b>	<b>\$ 1,128,200</b>	<b>\$ 22,400</b>	<b>\$ 179,200</b>	<b>\$ 1,329,800</b>

FUNDING SOURCE:	2021	2022	2023-2030	Total
GRANT FUND (FEDERAL)	\$ 1,128,200			\$ 1,128,200
GENERAL FUND		\$ 22,400	\$ 179,200	\$ 201,600
<b>TOTAL</b>	<b>\$ 1,128,200</b>	<b>\$ 22,400</b>	<b>\$ 179,200</b>	<b>\$ 1,329,800</b>

The City of Fairbanks will enter a ten-year contract with Stryker to provide Advanced Life Support (ALS) equipment and maintenance services. The City can upgrade the equipment for no additional cost after the fifth year and can terminate the contract prior to ten years. The City has opted to pay the full price for the equipment in 2021 and will only pay the maintenance costs in the remaining years of the contract. This fiscal note reflects the increase in maintenance costs for Years 2022 to 2030.

Reviewed by Finance Department:

Initial mb

Date 9/16/2021

**RESOLUTION NO. 4987**

**A RESOLUTION AUTHORIZING CITY OF FAIRBANKS PARTICIPATION IN  
SETTLEMENT AGREEMENTS RELATED TO THE NATIONWIDE OPIOID  
LITIGATION**

**WHEREAS**, opioids have devastated individuals and significantly harmed communities throughout Alaska; and

**WHEREAS**, opioid impacts have resulted in increased demands on law enforcement, on healthcare, including behavioral healthcare, on emergency medical services, on educational supportive services, and on emergency and transitional housing services; and

**WHEREAS**, municipalities in Alaska are uniquely suited to help use and distribute opioid settlement funds because of the array of services provided by municipalities and by local providers; and

**WHEREAS**, opioid settlement funds should be available to reimburse existing services and create new opioid-related municipal services, like services for people experiencing homelessness, police, fire/EMS, behavioral health, and other healthcare, in addition to providing grants to local entities who provide opioid support services; and

**WHEREAS**, it is in the interest of the City to maximize the amount of settlement funding that will come to the State of Alaska; and

**WHEREAS**, municipalities in Alaska encourage the State of Alaska to distribute opioid settlement funds in a manner that provides stable short- and long-term funding to abate the opioid impacts in Alaska's municipalities.

**NOW, THEREFORE, BE IT RESOLVED** that the Fairbanks City Council agrees to the terms of the opioid litigation settlement, as proposed, and authorizes the Mayor to enter into such settlements and any other future similar settlements, to forgo future litigation, and to use the settlement funds for opioid abatement.

**BE IT FURTHER RESOLVED** that the City of Fairbanks urges the State of Alaska to create a settlement structure, in collaboration with participating Alaska municipalities, that addresses local needs, supports residents and service providers, and protects the settlement funds from legislative action beyond the terms agreed to by the parties to the settlement.

**PASSED** and **APPROVED** this 27th day of September 2021.

---

**Jim Matherly, Mayor**

AYES:  
NAYS:  
ABSENT:  
APPROVED:

ATTEST:

APPROVED AS TO FORM:

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D. Danyielle Snider, MMC, City Clerk

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Paul Ewers, City Attorney

**ORDINANCE NO. 6181**

**AN ORDINANCE TO AMEND FAIRBANKS GENERAL CODE  
CHAPTER 50, ARTICLE VIII, TO ADD PAID FAMILY LEAVE AND  
PAID FUNERAL LEAVE**

**WHEREAS**, Fairbanks General Code Chapter 50, Article VIII, Leave; Health Benefits; Retirement, sets forth the City's policy and procedure for providing leave, health, and retirement benefits for non-union City employees whose terms and conditions of employment are covered by the Fairbanks General Code; and

**WHEREAS**, the City recognizes workplace benefits are an important part of balancing work, family, and medical needs, and that benefits such as paid family and funeral leave can help employees meet their personal and family health care needs, while also fulfilling work responsibilities; and

**WHEREAS**, the City realizes benefits such as paid family and funeral leave can play a vital role in retaining and attracting key employees, as well as in reducing turnover and its related costs and that it is more efficient to retain a quality employee than to recruit, train, and orient a replacement employee of the same quality; and

**WHEREAS**, the current ordinance does not provide employees with paid family leave and paid funeral leave; and

**WHEREAS**, it is the intent of the City to provide paid family leave in the form of medical maternity leave and parental leave to eligible employees following the birth of an employee's child or the placement of a child with an employee in connection with adoption with the purpose of providing economic relief to the eligible employee enabling the employee to recover from childbirth or care for and bond with a newborn or a newly adopted child; and

**WHEREAS**, it is the intent of the City to provide paid funeral leave in the form of paid time off to attend a funeral with the purpose of providing economic relief to the eligible employee.

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

**Section 1.** That Fairbanks General Code Chapter 50, Article VIII Leave; Health Benefits; Retirement, is hereby amended to add Section 50-288 Paid Family Leave and Sec. 50-289 Paid Funeral Leave as follows:

## **Sec. 50-288. Paid Family Leave.**

Paid family leave in the form of paid medical maternity leave (“Paid MML”) and paid parental leave (“PPL”) is available to eligible employees.

### **(a) Paid Medical Maternity Leave.**

#### Definitions:

*Disability* - physical or mental impairment that substantially limits one or more major life activity.

*Related Medical Condition* - a physical or mental condition intrinsic to pregnancy or childbirth.

#### Eligibility Requirements:

1. Be a female employee who experiences a disability relating to the employee’s pregnancy, childbirth, or related medical condition; and,
2. Be an employee who has worked as a permanent regular full or part-time employee for at least six months immediately preceding the date of the requested leave. Temporary employees and interns are not eligible for this benefit. The six months of employment do not need to be consecutive; and,
3. Be an employee who is currently on leave pursuant to the Family and Medical Leave Act (“FMLA”) or/and the Alaska Family Leave Act (“AFLA”).

#### Maximum Paid MML

An eligible employee may receive Paid MML up to the weeks listed below for the expressed years of employment:

Employment Period:	Paid MML availability:
6 months up to 3 years	2 weeks
3 years up to 5 years	3 weeks
5 years or more	4 weeks

### **(b) Paid Parental Leave.**

#### Eligibility Requirements:

1. Be a spouse or committed partner of a female who has given birth to a child; or
2. Be an employee who has adopted a child aged 17 or younger; and
3. Be an employee who has worked as a permanent regular full or part-time employee for at least six months immediately preceding the date

of the requested leave. Temporary employees and interns are not eligible for this benefit.

#### Maximum PPL

An eligible employee may receive a maximum of two weeks of PPL per birth or adoption of a child/children.

#### (c) Amount, Time Frame, and Duration of Paid Family Leave.

1. Approved paid family leave may be taken at any time during the 6-month period immediately following the birth or adoption of a child. Paid family leave may not be used or extended beyond this 6-month time frame.
2. The eligible employee must take paid family leave in one continuous period of leave and must use all paid family leave during the 6-month time frame listed in this section. Any unused paid family leave will be forfeited at the end of the 6-month time frame.
3. The eligible employee shall not receive more than the number of weeks allowed of paid family leave in a rolling 6-month period, regardless of whether more than one birth or adoption event occurs within that 6-month time frame.
4. Multiple births or adoptions (e.g., the birth of twins or adoption of siblings) will not increase the total amount of paid time available or granted to the eligible employee for that event.
5. Paid MML and PPL may not be used consecutively or concurrently within the rolling 6-month period.
6. Each week of paid family leave will be compensated at 100 percent of the employee's regular, straight-time weekly pay minus all regular deductions and will be paid on regularly scheduled pay dates.
7. The eligible employee shall not receive payment for or otherwise cash-out leave available pursuant to this section. Upon termination of employment, an employee will not be paid for any unused paid family leave for which the employee was eligible.

#### (d) Coordination with Other Policies.

1. Paid family leave taken under this section will run concurrently with FMLA and/or AFLA leave taken, as applicable; thus, any leave taken pursuant to this section will be counted toward the applicable number of weeks of available FMLA or AFLA leave per the specified FMLA or AFLA period. All other requirements and provisions under the FMLA or AFLA will apply. The total amount of leave granted to the eligible employee pursuant to this section may not exceed the FMLA or AFLA leave period.

2. After the paid family leave (and any short-term disability leave for employees giving birth) is exhausted, the balance of FMLA or AFLA leave (if applicable) will be compensated through the eligible employee's accrued sick, vacation, and personal leave time. Upon exhaustion of accrued sick, vacation, and personal leave time, any remaining leave will be unpaid.
3. If the eligible employee and employee's family participate in the City's group health plan, the City shall maintain coverage during paid family leave on the same terms as if the employee had continued to work.
4. If a City holiday occurs while the eligible employee is on paid family leave, such day will be charged to holiday pay; however, such holiday pay will not extend the total paid family leave entitlement.
5. If the eligible employee is on paid family leave when the City offers administrative leave (known as an "admin day"), that time will be recorded as paid family leave. Administrative leave will not extend the paid family leave entitlement.
6. An eligible employee who takes paid family leave shall be afforded the same or equivalent job protection as provided by the FMLA or AFLA for the period of time the employee is on paid family leave.

(e) Requests for Paid Family Leave.

1. The eligible employee must provide the employee's supervisor and the human resource department with notice of the request for paid family leave at least 30 days prior to the proposed date of the leave (or if the leave was not foreseeable, as soon as possible). The employee must complete the necessary human resource forms and provide all documentation as required by the human resource department to substantiate the request.
2. Upon receipt of a request for paid family leave from an eligible employee, the human resource department will inform the employee whether the employee is eligible for paid leave under this section and whether such leave is granted. Should the employee be granted leave, the human resource department will provide the employee with a notice that specifies any additional information required, as well as their rights and responsibilities.

(f) The City has the exclusive right to interpret all paid family leave policies related to this section.

(g) Notwithstanding any other provision in this chapter to the contrary, the provisions of this section will apply to all city employees.

**Sec. 50-289. Paid Funeral Leave.**

(a) A permanent full or part-time employee may be granted up to three consecutive working days of paid funeral leave to attend the funeral of a deceased immediate family member of the employee, or one working day of paid funeral leave to attend the funeral of a deceased extended family member of the employee.

(b) If approved, the employee will be granted paid funeral leave for days off to attend the funeral of a deceased immediate or extended family member.

(c) Leave days must be approved by the Department Head or Mayor. Upon approval, the employee must provide the human resource department with notice of the request for paid funeral leave prior to the leave (or if the leave was not foreseeable, as soon as possible) and complete the necessary human resource forms.

(d) Upon the employee's return, proper documentation is required to be presented to the human resource department. If proper documentation is not provided within 30 days, the paid funeral leave will be reimbursed from the employee's personal annual leave bank at 100 percent of the employee's regular, straight-time pay minus any regular deductions or other appropriate means.

(e) The City has the exclusive right to interpret all funeral leave policies related to this section.

(f) Notwithstanding any other provision in this chapter to the contrary, the provisions of this section will apply to all city employees.

**Section 2.** That the effective date of this Ordinance shall be the 1st day of January 2022.

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**Jim Matherly, City Mayor**

AYES:

NAYS:

ABSENT:

ADOPTED:

ATTEST:

APPROVED AS TO FORM:

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D. Danyielle Snider, MMC, City Clerk

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Paul J. Ewers, City Attorney



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

**I. REQUEST:**

Ordinance or Resolution No: 6181

Abbreviated Title: ORDINANCE TO ADD PAID FAMILY LEAVE AND PAID FUNERAL LEAVE

Department(s): ALL

Does the adoption of this ordinance or resolution authorize:

1) additional costs beyond the current adopted budget? Yes \_\_\_\_\_ No see below

2) additional support or maintenance costs? Yes \_\_\_\_\_ No X

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

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

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

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

**II. FINANCIAL DETAIL:**

EXPENDITURES:	2021	2022	2023	Total
SALARY AND BENEFITS				\$0
<b>TOTAL</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

FUNDING SOURCE:	2021	2022	2023	Total
GENERAL FUND				\$0
<b>TOTAL</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

This Ordinance provides paid family leave and paid funeral leave. These benefits will not impact the general fund budget since the City budgets for an employee's standard work week and potential annual leave cash out; however, there is a value of this benefit to an eligible employee. The value of family leave for the lowest paid employee is \$2,240 for 2 weeks, \$3,360 for 3 weeks, and \$4,480 for 4 weeks; whereas, the value of leave for the highest paid employee is \$6,400 for 2 weeks, \$9,600 for 3 weeks, and \$12,800 for 4 weeks. The value of 3 days of funeral leave for the lowest paid employee is \$670; whereas, the value for the highest paid employee is \$1,920.

Reviewed by Finance Department:

Initial mb

Date 9/16/2021

Introduced By: Mayor Matherly  
Finance Committee Review: September 21, 2021  
Introduced: September 27, 2021

**ORDINANCE NO. 6182**

**AN ORDINANCE AMENDING THE 2021 OPERATING  
AND CAPITAL BUDGETS FOR THE FOURTH TIME**

**WHEREAS**, this ordinance incorporates the changes outlined on the attached fiscal note to amend the 2021 operating and capital budget.

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

**SECTION 1.** There is hereby appropriated to the 2021 General Fund and Capital Fund budgets the following sources of revenue and expenditures in the amounts indicated to the departments named for the purpose of conducting the business of the City of Fairbanks, Alaska, for the fiscal year commencing on January 1, 2021 and ending December 31, 2021 (see pages 2 and 3):

## GENERAL FUND

REVENUE	COUNCIL APPROPRIATION	INCREASE (DECREASE)	AMENDED APPROPRIATION
Taxes (all sources)	\$ 21,464,578	\$ 800,000	\$ 22,264,578
Charges for Services	5,391,800		5,391,800
Intergovernmental Revenues	2,042,150	476,000	2,518,150
Licenses and Permits	2,137,950		2,137,950
Fines and Forfeitures	436,500		436,500
Interest and Penalties	130,500		130,500
Rental and Lease Income	136,762		136,762
Other Revenues	220,000		220,000
Other Financing Sources	2,489,364		2,489,364
Total revenue appropriation	\$ 34,449,604	\$ 1,276,000	\$ 35,725,604
EXPENDITURES			
Mayor Department	\$ 695,554	\$ -	\$ 695,554
Legal Department	220,493		220,493
Office of the City Clerk	433,465		433,465
Finance Department	1,009,811		1,009,811
Information Technology	2,323,802		2,323,802
General Account	4,164,510	1,056,000	5,220,510
Police Department	7,410,915		7,410,915
Communications Center	2,572,479		2,572,479
Fire Department	7,453,687		7,453,687
Public Works Department	9,159,140		9,159,140
Engineering Department	926,268		926,268
Building Department	680,389		680,389
Total expenditure appropriation	\$ 37,050,513	\$ 1,056,000	\$ 38,106,513
Estimated general fund balance	\$ 13,297,941	\$ -	\$ 13,297,941
Prior year encumbrances	(518,563)	-	(518,563)
Transfers to other funds	(2,400,000)	-	(2,400,000)
Increase (Decrease) to fund balance	317,654	220,000	537,654
2021 estimated unassigned balance	\$ 10,697,032	\$ 220,000	\$ 10,917,032
Minimum unassigned fund balance requirement is 20% of budgeted annual			\$ 7,621,303

## **CAPITAL FUND**

<u>REVENUE</u>	<u>COUNCIL APPROPRIATION</u>	<u>INCREASE (DECREASE)</u>	<u>AMENDED APPROPRIATION</u>
Transfer from Permanent Fund	\$ 648,139	\$ -	\$ 648,139
Transfer from General Fund	2,000,000	-	2,000,000
Property Repair & Replacement	145,000	-	145,000
Public Works	250,000	-	250,000
Garbage Equipment Reserve	255,750	-	255,750
IT	70,000	-	70,000
Police	180,000	-	180,000
Communications Center	140,000	-	140,000
Fire	290,000	-	290,000
Building	10,000	-	10,000
	<hr/>	<hr/>	<hr/>
Total revenue appropriation	\$ 3,988,889	\$ -	\$ 3,988,889
	<hr/>	<hr/>	<hr/>
<u>EXPENDITURES</u>			
Property Repair & Replacement	\$ 2,256,055	\$ 140,000	\$ 2,396,055
Public Works Department	1,146,837	80,200	1,227,037
IT Department	240,305	-	240,305
Police Department	463,078	-	463,078
Fire Department	761,878	-	761,878
Road Maintenance	567,776	-	567,776
	<hr/>	<hr/>	<hr/>
Total expenditure appropriation	\$ 5,435,929	\$ 220,200	\$ 5,656,129
	<hr/>	<hr/>	<hr/>
Estimated capital fund balance	\$ 13,895,485	\$ -	\$ 13,895,485
Prior year encumbrances	(1,547,570)	-	(1,547,570)
Increase (Decrease) to fund balance	100,530	(220,200)	(119,670)
2021 estimated assigned fund balance	<u>\$ 12,448,445</u>	<u>\$ (220,200)</u>	<u>\$ 12,228,245</u>

**SECTION 2.** All appropriations made by this ordinance lapse at the end of the fiscal year to the extent they have not been expended or contractually committed to the departments named for the purpose of conducting the business of said departments of the City of Fairbanks, Alaska, for the fiscal year commencing on January 1, 2021 and ending December 31, 2021.

**SECTION 3.** The effective date of this ordinance shall be the 11th day of October 2021.

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**Jim Matherly, Mayor**

AYES:

NAYS:

ABSENT:

ADOPTED:

ATTEST:

APPROVED AS TO FORM:

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D. Danyielle Snider, MMC, City Clerk

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Paul J. Ewers, City Attorney

**FISCAL NOTE**  
ORDINANCE NO. 6182  
AMENDING THE 2021 OPERATING AND CAPITAL BUDGETS  
FOR THE FOURTH TIME

**GENERAL FUND**  
**\$1,276,000 Increase in Revenue**  
**\$1,056,000 Increase in Expenditures**

**Revenue**

1. Taxes
  - \$800,000 increase to room rental taxes
2. Charges for Services
3. Intergovernmental Revenues
  - \$396,000 increase to State of Alaska PERS on behalf payments
  - \$80,000 increase to State of Alaska SART payment
4. License and Permits
5. Fines and Forfeitures
6. Interest and Penalties
7. Rental and Lease Income
8. Other Revenues
9. Other Financing Sources

**Expenditures**

1. Mayor Department
2. Legal Department
3. City Clerk's Office
4. Finance Department
5. Information Technology
6. General Account
  - \$20,000 increase to credit card fees
  - \$15,000 increase to steam (utility)
  - \$5,000 increase to advertising

- \$620,000 increase to contributions to agencies (Explore Fairbanks)
  - \$396,000 increase to State of Alaska PERS on behalf payments
7. Police Department
  8. Communications Center
  9. Fire Department
  10. Public Works Department
  11. Engineering Department
  12. Building Department

**CAPITAL FUND**  
**\$0 Increase in Revenue**  
**\$220,200 Increase in Expenditures**

**Revenue**

1. Other Financing Sources

**Expenditures**

1. Property Repair & Replacement
  - \$100,000 increase for Police Station 2nd Balcony Enclosure
  - \$40,000 increase for roof repair at City Hall and Police Station
2. Public Works
  - \$80,200 increase to purchase excavator (remaining balance for the Coronavirus Local Fiscal Recovery Funds project, total cost \$382,000)
3. Garbage Equipment Reserve
4. IT Department
5. Police Department
6. Communications Center
7. Fire Department
8. Road Maintenance

*City of Fairbanks*



**MEMORANDUM**

To: City Council Members  
From: Jim Matherly, City Mayor  
Subject: Request for Concurrence – Discretionary Fund Committee  
Date: September 23, 2021

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Currently there is one vacancy on the Discretionary Fund Committee, and the group will begin meeting in November for the upcoming grant season. To fill the Committee vacancy, I hereby request your concurrence to the following **appointment**:

Seat E      Ms. Rachael Kvapil      Term to Expire: June 30, 2024

Ms. Kvapil's application and resume are attached.

Thank you.

dds/






# Discretionary Fund Committee

## Board Details

The Discretionary Fund Committee acts in an advisory capacity to the City Council by reviewing applications from organizations applying for grant dollars and making recommendations for fund distribution. The primary purpose of discretionary grants is the promotion of the tourism industry and other economic development in the City of Fairbanks.

## Overview

 **Size** 6 Seats

 **Term Length** 3 Years

 **Term Limit** 2 Terms

## Additional

### Board/Commission Characteristics

The Discretionary Fund Committee consists of five community members and a Council person who functions as the Chair, all appointed by the Mayor. Each member serves a three-year term with a limit of two consecutive full terms.

### Meetings

Discretionary Fund Committee Meetings are held annually in November, December, and January 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 V, Room Rental Tax

### Enacting Legislation Website

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

### Joint Commission Details

N/A

### Email the Commission Members

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

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**Profile**

Rachael

First Name

Kvapil

Last Name

Email Address

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**Mailing Address**

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**Are you a City of Fairbanks resident? \***☒ YesPrimary PhoneAlternate Phone

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

Discretionary Fund Committee: Submitted

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**Interests and Experiences**

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**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?**

Supporting organizations that promote tourism in Fairbanks is vital to the economic health of our community. However, the financial support the city can give to non-profits is limited and should be allocated to organizations with a thought-out plan on increasing visitors to Interior Alaska. I served on the Fairbanks Arts Association Bed-Tax Committee for several years, which reviewed, ranked, and allocated funds to organizations who applied under FAA's umbrella. I am familiar with the application process, the information provided by organizations, and projects funded in the past. In my past position on FAA's Bed-Tax Committee, I reviewed each application thoroughly, listened to testimony, and asked pertinent questions when applicable.

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

See attached resume

Upload a Resume

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

N/A

## Contact



[www.linkedin.com/in/rachaelkvapil](http://www.linkedin.com/in/rachaelkvapil)  
(LinkedIn)  
[www.pagesculptorstudios.com](http://www.pagesculptorstudios.com)  
(Company)

## Top Skills

Web Designer and Page Layout  
Videographer  
Copywriter

## Languages

Spanish

## Certifications

Marketing Foundations: Integrated  
Marketing Strategies  
Premiere Pro CC 2017 Essential  
Training: The Basics

## Honors-Awards

Special Recognition Award for "How  
to Dipnet Salmon at Chitina Video  
Series"  
Goldie Award

## Publications

AGC Technology: Help From Above  
Construction industry reaches out to  
reduce suicide rates  
Member Profile: Aaron Plumbing  
And Heating Co.  
Dare County Special Olympics  
Makes a Difference in Athletes' lives  
Six Team roster runs up the score  
with top-notch players

# Rachael Kvapil

Owner at Pagesculptor Studios  
Fairbanks

## Summary

Pagesculptor Studios is a marketing and media firm that works with small-to-mid sized businesses on media campaigns, community outreach, and maintaining a positive relationship with the public.

Specialties: Copywriting, Editing, Publication Layout, Web Design, Radio, Video

## Experience

### Pagesculptor Studios

Owner

January 2004 - Present (17 years 7 months)  
Fairbanks, Alaska

Pagesculptor Studios is a marketing and public relations firm that works with small-to-mid sized businesses on promotions, community outreach, and maintaining a positive relationship with the public.

### Alaska Department of Fish and Game

Publication Technician

August 2007 - Present (14 years)  
Fairbanks, Alaska, United States

Edit and format technical reports for Region III Sport Fish Division.

### The Associated General Contractors of Alaska

Freelance Writer

February 2011 - Present (10 years 6 months)  
Fairbanks, Alaska, United States

Writing construction articles featuring projects, companies, and issues affecting the industry.

### AK Radio

Reporter/Audio Editor

December 2003 - August 2008 (4 years 9 months)

\*Developed story ideas, conducted interviews, and produced radio pieces for a statewide public radio show.

#### Fairbanks Arts Association

Education Director/Program Director

September 2004 - June 2007 (2 years 10 months)

\*Doubled the number of school students attending daytime performances held by local arts organizations.

\*Increased the number of Fairbanks North Star Borough School District Artist-In-School residencies from 18 weeks to 34 weeks.

\*Reinstated FAA's newsletter 'State of the Arts.' For two years I took responsibility for writing, layout, and distribution. In 2006, I began directing a layout editor, giving more focus to writing and distribution.

\*Wrote and designed FAA's Annual Report in 2006.

\*Served as a technical liaison with computer support in an effort to update the office technology and the technology behind FAA's website.

\*Developed workshops for FAA's annual Art EXPO; recruited artists for Very Special Arts Festival in addition to coordinating the event; worked with Alaska State Council on the Arts staff to develop Governor's Award Ceremony in Fairbanks.

#### AK This Month

Freelance Writer

December 2003 - December 2006 (3 years 1 month)

\*Conducted interviews and wrote monthly features on the state's entertainment industry.

#### Alaska Cooperative Extension Service

Writer

March 2004 - December 2004 (10 months)

\*Researched and wrote several historical documents for CES 75th Anniversary publication and presented a preliminary layout.

\*Created PowerPoint presentation about the 75th Anniversary for statewide delivery.

### Northstar Weekly

#### Freelance Writer

January 2002 - December 2004 (3 years)

\*Developed news leads, conducted interviews, and wrote stories about issues and events affecting Interior Alaska.

### Doney Advertising

#### Production Manager

April 2004 - October 2004 (7 months)

\*Developed advertising campaigns/strategies with agency clients for print, radio, and television.

\*Served as public relations contact for Airport Way Frontage Roads Project constructed by H&H Contractors and the Alaska Department of Transportation.

### Tanana Valley Television

#### Field Reporter/Assistant News Director

November 1999 - April 2003 (3 years 6 months)

\*Conducted interviews, wrote copy, and edited video clips for televised news pieces and/or revision for print in the Northstar Weekly.

\*Assisted News Director with disciplinary actions, daily news schedule/ assignments, and communications with station manager as well as took on his/ her responsibilities in his/her absence.

\*Troubleshoot computers, printers, and Internet protocols in the newsroom and made recommendations for upgrades to station's network technician.

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## Education

### University of Alaska Fairbanks

Bachelors of Arts, Journalism, Marketing, Communications · (1997 - 1999)

### Prince William Sound Community College

A.A.S., Broadcast Communications · (1993 - 1995)