



FAIRBANKS CITY COUNCIL
AGENDA NO. 2022-11
REGULAR MEETING – MAY 23, 2022
MEETING WILL BE HELD VIA [ZOOM WEBINAR](#) AND AT
FAIRBANKS CITY COUNCIL CHAMBERS
800 CUSHMAN STREET, FAIRBANKS, ALASKA

WORK SESSION
5:30 p.m. – Polaris Building Update and Discussion

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: The Mayor, Council Members, and the public may participate remotely at City Council meetings. 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); however, in-person testimony will be given preference. Masking is not required in City Council Chambers, but masks are available to attendees.

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

8. SPECIAL ORDERS

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

Lic. #	DBA	License Type	Licensee	Address
4816	Mayan Palace	Beverage Dispensary	Taco Azteca, Inc.	3401 Airport Way
5504	Mayan Palace	Beverage Dispensary – Duplicate	Taco Azteca, Inc.	3403 Airport Way
3170	The Odom Corporation	Wholesale – General	The Odom Corporation	3101 Peger Road, Bay 1

- b) The Fairbanks City Council will determine the costs and method of recovery of costs for the abatement at 530 Front Street (Lot 7, Block 8, Graehl Townsite), Fairbanks, Alaska.

Note: The purpose of this hearing is to:

- 1) Hear and consider any written objections or protests to the proposed report;
- 2) Make such revision, correction, or modification to the report or to the charges as the City Council may deem just;
- 3) Make such revision, correction, or modification to the report or the charges as the City Council may deem just; and
- 4) Determine whether to assign a personal obligation of the property owner and/or create a lien against the property.

9. MAYOR'S COMMENTS AND REPORT

- a) Special Reports

10. COUNCIL MEMBERS' COMMENTS

11. UNFINISHED BUSINESS

- a) Ordinance No. 6204, as Amended – An Ordinance Establishing an Education Reimbursement Program within Fairbanks Fire Department for Recruitment and Hiring. Introduced by Mayor Matherly and Council Members Marney and Therrien. POSTPONED from the Regular Meeting of May 9, 2022; a public hearing was held at that time.

12. NEW BUSINESS

- *a) Resolution No. 5013 – A Resolution Authorizing the City of Fairbanks to Apply for and Accept Funds from the United States Department of Justice for the FFY2022 Bulletproof Vest Partnership Grant. Introduced by Mayor Matherly.
- *b) Resolution No. 5014 – A Resolution Authorizing the City of Fairbanks to Apply for and Accept Funds from the Alaska Division of Homeland Security for the FFY2022 Emergency Management Performance Grant. Introduced by Mayor Matherly.
- *c) Resolution No. 5015 – A Resolution Authorizing the City of Fairbanks to Accept Funds from the Alaska Mental Health Trust Authority to Fund the Reentry Coalition Coordinator Position. Introduced by Mayor Matherly.
- *d) Ordinance No. 6205 – An Ordinance Repealing and Reenacting Chapter 70, Article X, Right-of-Way Permitting System and Revising and Renumbering Sections 70-321 and 70-322 Regulating Snow Removal and Planting in Certain Public Places. Introduced by Mayor Matherly.
- *e) Ordinance No. 6206 – An Ordinance Amending FGC Section 22-15(d) Absentee Voting by Personal Representative and Amending Other Sections of Chapter 22 Elections to Authorize Youth Election Workers in City Elections, to Clarify the Definition of Election Official, and to Standardize Election Terminology. Introduced by Mayor Matherly.

13. DISCUSSION ITEMS (Information and Reports)

- a) Committee Reports

14. WRITTEN COMMUNICATIONS TO THE CITY COUNCIL

- *a) Clay Street Cemetery Commission Meeting Minutes of January 5, 2022
- *b) Clay Street Cemetery Commission Meeting Minutes of February 9, 2022
- *c) Fairbanks Diversity Council Meeting Minutes of March 8, 2022
- *d) Reappointment to the Board of Plumber Examiners
- *e) Reappointments to the Fairbanks Diversity Council

15. COUNCIL MEMBERS' COMMENTS

16. CITY CLERK'S REPORT
17. CITY ATTORNEY'S REPORT
18. EXECUTIVE SESSION
19. ADJOURNMENT



800 Cushman Street
Fairbanks, AK 99701

Telephone (907)459-6702
Fax (907)459-6710

MEMORANDUM

TO: Mayor Matherly and City Council Members

FROM: D. Danyielle Snider, City Clerk



SUBJECT: Liquor License Renewals

DATE: May 17, 2022

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

Lic. #	DBA	License Type	Licensee	Address
4816	Mayan Palace	Beverage Dispensary	Taco Azteca, Inc.	3401 Airport Way
5504	Mayan Palace	Beverage Dispensary – Duplicate	Taco Azteca, Inc.	3403 Airport Way
3170	The Odom Corporation	Wholesale – General	The Odom Corporation	3101 Peger Road, Bay 1

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

The Police Department has included a call report for the above-listed locations, but **there are no department-recommended protests** for these liquor license renewals.

CITY OF FAIRBANKS PUBLIC SAFETY

Mayan Palace - 3401 Airport Way

04/25/2021 - 04/24/2022

Report #	Call Time	Nature	Location	Prime Unit	Disp.	Close Time
	04/08/2022 12:10	TRESPASS/UNWANTE	3401 AIRPORT WAY	O8	SUBL	04/08/2022 12:28:06
	01/20/2022 20:40	TRESPASS/UNWANTE	3401 AIRPORT WAY	O32	NRP	01/20/2022 21:12:26
	01/18/2022 20:13	DISTURBANCE	3401 AIRPORT WAY	O42	NRP	01/18/2022 20:47:11
	12/24/2021 00:02	INCAPACITATED	3401 AIRPORT WAY	O13	NRP	12/24/2021 00:23:22
	12/23/2021 11:28	TRESPASS/UNWANTE	3401 AIRPORT WAY	S4	NRP	12/23/2021 12:03:47
	10/26/2021 20:11	THREAT - BRAVO	3401 AIRPORT WAY	DESK	NRP	10/26/2021 20:19:08
	10/25/2021 14:24	DISTURBANCE	3401 AIRPORT WAY	O2	SUBL	10/25/2021 14:49:39
21003932	10/18/2021 03:48	DISTURBANCE	3401 AIRPORT WAY	O42	RPT	10/18/2021 05:10:40
21003322	09/10/2021 23:22	SUPPLEMENTAL-	3401 AIRPORT WAY	S3	RPT	09/11/2021 09:01:24
21003225	08/29/2021 07:04	MISCHIEF - BRAVO	3401 AIRPORT WAY	O2	RPT	08/29/2021 07:44:41
	08/25/2021 07:05	PAST MVC - ALPHA	3401 AIRPORT WAY	O7	NRP	08/25/2021 07:23:32
21003067	08/17/2021 06:30	DAMAGE/VANDALISM	3401 AIRPORT WAY	O2	RPT	08/17/2021 09:43:10
21001966	06/03/2021 06:55	SI - FIELD CONTACT	3401 AIRPORT WAY	O7	RPT	06/03/2021 07:43:56
	05/04/2021 22:45	WANTED PERSON -	3401 AIRPORT WAY	O17	NRP	05/04/2021 23:11:26

Total Number of Events Listed: **14**

Incident / Event (Search)

Link Event ID Call recv AVL Print Report

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

Rpt# Source PU EMS Fire Law Resc Othr

Loc 3403 AIRPORT WAY FAIR

X-ST Jur Service Agency FPD

Busi RA Call group

Nature QA

Caller QA Hist Alarm


Address bidSOS

Veh # Rpt only Veh RMS status Send To RMS Send Export

Include delayed events Include cancelled events View Text Re-Open

Prev Next Add Duplicate Delete Search View Exit Srch

ONESolution CAD

 No match found.

Ok

Incident / Event (Search) ✖

Link Event ID Call recv AVL Print Report

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

Rpt # Source PU EMS Fire Law Resc Oth

Loc FAIR

X-ST Jur Service Agency

Stat/Beat District RA

Busi Ph# Call group

Nature QA

Caller Alarm


Address

Veh # RMS Send Export

Include delayed events Include cancelled events View Text Re-Open

Prev Next Add Duplicate Delete Search **View** Exit Srch

ONESolution CAD

 No match found.



MEMORANDUM

City Clerk's Office

D. Danyielle Snider, City Clerk

TO: Mayor Jim Matherly and City Council Members

FROM: D. Danyielle Snider, MMC, City Clerk



SUBJECT: Determination of Demolition Costs and Method of Cost Recovery, 530 Front Street

DATE: May 17, 2022

Attached is a memorandum from Building Official Clem Clooten regarding the costs associated with the demolition of the structure(s) located at 530 Front Street (Lot 7, Block 8, Graehl Townsite), Fairbanks, owned by Stephen L. Townsend. Also attached is backup documentation regarding the demolition costs and applicable sections of the City Abatement Code. The demolition was completed on October 6, 2021.

Notice of this hearing has been sent by certified mail to the owner of the property and has been posted on the property by the City Building Official in accordance Section 902 of the City Abatement Code. Also pursuant to the Code, an advertisement of the public hearing was published in the Fairbanks Daily News Miner on Sunday, May 8, 2022 (copy of the notice is attached).

In accordance with Section 904 of the City Abatement Code, the Council must hold a hearing on the demolition cost report.

The purpose of the hearing is to:

- 1) Hear and consider any written objections or protests to the proposed report;
- 3) Make such revision, correction, or modification to the report or to the charges as the City Council may deem just;
- 4) Confirm or reject the report; and
- 5) Determine whether to assign a personal obligation of the property owner and/or to create a lien against the property.

As of the date of this memorandum, no written objections have been filed with the City Clerk's Office.

First, a motion to confirm the report is in order; the Council may discuss and modify the report or charges. If the Council approves the report, a second motion would be appropriate to determine whether to make the charges a personal obligation of the property owner and/or create a lien against the property.

If you have any questions, please contact me at 459-6774.

Thank you.



CITY OF


— FAIRBANKS

800 Cushman Street
Fairbanks, AK 99701

Building Department

Phone (907) 459-6720
Fax (907) 459-6719

To: Danyielle Snider, City Clerk

From: Clemens M. Clooten, Building Official 

Subject: Recovery of Abatement Costs
Site Address, 530 Front Street
Lot 7, Block 8 Graehl Townsite
Mailing Address: Stephen Townsend, 923 5th Ave., Fairbanks, Ak., 99701

Date: May 5, 2022

ABATEMENT COST EXPENSE SUMMARY

- | | |
|---|--------------|
| 1. Abatement and Demolition of House: | \$97,874.00 |
| 2. Abatement and Removal of Fuel Tanks: | \$11,608.00 |
| 3. Total Abatement Expenses: | \$109,482.00 |

See attached invoices

CEI CENTRAL ENVIRONMENTAL, INC.

Environmental Services

229 E. Whitney Road, Anchorage, AK 99501
 (907) 561-0125 ☎ FAX (907) 561-0178

SOLD TO:

City of Fairbanks
 800 Cushman Street
 Fairbanks, AK 99701

PROJECT DESCRIPTION/LOCATION:

Demolishment 530 Front Street

INVOICE DATE	INVOICE NO.	PROJECT NO.	CONTRACT NO.	PROGRESS BILLING
10/11/2021	13102	14292		01

CONTRACT INVOICE

ORIGINAL CONTRACT AMOUNT:	\$97,874.00
CHANGES OR AMENDMENTS:	\$11,608.00
ADJUSTED CONTRACT AMOUNT	\$109,482.00
CONTRACT COMPLETE TO DATE	<u>\$109,482.00</u>
LESS 0% Retained	-0-
LESS PREVIOUS INVOICE	<u>\$-0-</u>
TOTAL DUE THIS INVOICE	<u>\$109,482.00</u>

**TERMS: NET CASH DUE AND PAYABLE 10TH OF FOLLOWING MONTH
 NET 30 DAYS, FINANCIAL CHARGES OF 1-1/2% PER MONTH
 WILL BE CHARGED ON ALL PAST DUE ACCOUNTS.**

Thank You



CENTRAL ENVIRONMENTAL INC.
The Solutions Company

City of Fairbanks
530 Front street

Cost proposal for remove 2 UST's

Central Environmental Inc. (CEI) is pleased to provide this cost to remove/dispose of fuel, remove/dispose of 2 UST's and backfill holes.

Cost \$11,608.00

- This includes removal and disposal of fuel, removal and disposal of 2 tanks and backfill of holes.

This proposal excludes: any sampling, handling or disposal of contaminated soils.

Please don't hesitate to contact me if you have any questions.

Sean Holland
Central Environmental Inc.
1301 Well Street Fbks Ak 99701
907-699-6531
sean@ceifbx.com

ANCHORAGE
229 E Whitney Rd
Suite 200
Anchorage, AK 99501
907 561 0125

FAIRBANKS
1301 Well Street
Fairbanks, AK 99701
907 456 1153

NEVADA LICENSES
5980 West Cougar Ave
Las Vegas, NV 89139
702 362 5470
NV #0063926 NV#0047441

CALIFORNIA LICENSES
California Licenses #507052

cei-alaska.com

CITY OF FAIRBANKS PURCHASING DEPARTMENT



TABULATION OF BIDS

BID DESCRIPTION
530 Front Street Demolishment

BID NUMBER: **21-17** DATE TABULATION PUBLIC: 8/31/2021
 BID DUE DATE: **8/30/2021 @ 2:00 PM**

RECOMMEND: **Central Environmental Inc.**

SHEET **1** OF **1**

REASON: Apparent Low and Responsive Bidder Per Specifications	VENDOR: Central Environmental, Inc.	Xtreme Environmental	Rhino Construction LLC
	ADDRESS: Anchorage, AK	Fairbanks, AK	North Pole, AK
	CONTACT: Naftali Landau	Daron Tipton	Trevor Ponsford
	F.O.B.		
	PHONE: 907-561-0125	907-388-1786	907-590-0570
PREPARED BY: C. Rowlett	FAX		
	EMAIL: tali@cei-alaska.com	xtreme_envrionmental@yahoo.com	trevor@rhinoalaska.com
APPR. ENGRG/PURCH. DATE: 8/31/2021	TERMS		
	DELIVERY/DAYS ARO:		

ITEM NO	DESCRIPTION	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
1	Proposal Price for RFP 21-17		\$ 97,874.00		\$ 127,325.00		\$ 174,187.50		
2	Add Alternatate No. 1 - Decommission Fuel Tank - <u>Not Required at this time</u>	\$ 25,007.00		not provided		\$ 5,000.00			
	Proposal Form	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>			
	Signed Addendum No. 1	<input checked="" type="checkbox"/>		<input type="checkbox"/>		<input checked="" type="checkbox"/>			
	Non-Collusion Statement	<input checked="" type="checkbox"/>		<input type="checkbox"/>		<input checked="" type="checkbox"/>			
	Price Form	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>			
	Business License	<input type="checkbox"/>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>			
	TOTAL PRICE:		97,874.00		127,325.00		174,187.50		0.00
	LOCAL PREFERENCE: 5%				6,366.25		8,709.38		
	DISCOUNT:		-		-		-		-
	NET PRICE		97,874.00		120,958.75		165,478.13		0.00

Section 2 – Specifications and/or Scope of Work

1. **Introduction:** Through this solicitation, the City invites Offerors who meet the qualifications and specifications in this document to submit proposal for the purpose of demolishing and clear the property located at 530 FRONT STREET, Fairbanks, AK 99701. This property is unsafe and poses a hazard to the health and safety of employees and citizens.

2. Scope of Services:

Demolish the fire damaged house and shed, and all other structures. This will include removing all debris, filling in house foundations, and contacting the water and sewer utilities, to disconnect the water pipe at the water main in the street and plug the sewer pipe in the basement.

Items to include in pricing:

1. Mobilization
2. Agency Notifications
3. Demobilization
4. Insurance
5. Disposal

Add Alternate No. 1

Decommission Fuel Tank

- A. **Escalation Clause:** The Purchasing Agent may determine that an increase in the compensation to be paid to the contractor under the contract is required when a substantial increase for costs of goods or services is needed to fulfill the terms of the contract, only when such circumstance is due to extreme market forces beyond the control of the contractor and has already occurred. Contractor must submit a fully documented request for review of the pricing, no more than once per year, with the proposal pricing being fixed for the first year of the contract.
- B. **Award:** The City of Fairbanks anticipates awarding this contract AS A WHOLE.

If any part of the work is to be accomplished by private contract, standard public works contractual procedures will be followed.

801.2 Costs. The cost of such work will be paid from the general fund and may be made from a special assessment against the property involved and/or a personal obligation of the property owner, as the city council shall determine appropriate.

CHAPTER 9 RECOVERY OF COST OF REPAIR OR DEMOLITION

SECTION 901 - ACCOUNT OF EXPENSE, FILING OF REPORT

The director of public works shall keep an itemized account of the expense incurred in the repair or demolition of any building done pursuant to the provisions of Section 701.3, Item 3, of this code. Upon the completion of the work of repair or demolition, the director shall prepare and file with the city clerk a report specifying the work done, the itemized and total cost of the work, a description of the real property upon which the building or structure is or was located, and the names and addresses of the persons entitled to notice pursuant to Section 401.3.

SECTION 902 - NOTICE OF HEARING

Upon receipt of the report, the city clerk shall schedule a date for the council to hear the report and any protests or objections thereto. The clerk shall publish notice of the hearing once in a newspaper of general circulation in this jurisdiction and shall mail a copy of the notice by certified mail, postage prepaid, addressed to the owner of the property as the owner's name and address appears on the borough's property tax records, if it appears, or as known to the clerk. In addition, the building official shall cause notice of the hearing to be posted upon the property involved. Such notice will be given at least 10 days prior to the date set for the hearing and will specify the day, hour and place when the council will hear and pass upon the director's report, together with any objections or protests which may be filed as hereinafter provided by any person interested in or affected by the proposed charge.

SECTION 903 - PROTESTS AND OBJECTIONS

Any person interested in or affected by the proposed charge may file written protests or objections with the clerk at any time prior to the time set for the hearing on the report of the director. Each such protest or objection must contain a description of the property in which the signer thereof is interested and the grounds of the protest or objection. The clerk shall endorse on every such protest or objection the date of receipt. The clerk shall present such protests or objections to the council at the time set for the hearing, and no other protests or objections will be considered.

SECTION 904 - HEARING OF PROTESTS

Upon the day and hour fixed for the hearing, the council shall hear and pass upon the report of the director, together with any objections or protests. The council may make such revision, correction or modification in the report or the charge as it may deem just; and when the council is satisfied

with the correctness of the charge, the report (as submitted or as revised, corrected or modified) together with the charge, will be confirmed or rejected. The decision of the council on the report and the charge, and on all protests or objections, will be final and conclusive.

SECTION 905 - PERSONAL OBLIGATION AND PROPERTY LIEN

905.1 General. The council may order that the charge be made a personal obligation of the property owner and/or a lien against the property.

905.2 Personal Obligation. If the council orders that the charge be a personal obligation of the property owner, it shall direct the city attorney to collect the charge on behalf of the city by use of all appropriate legal remedies.

905.3 Property Lien. If the council orders that the charge be made a lien against the property, it shall direct that the lien be recorded. The lien will be paramount to all other liens except for state and borough property taxes with which it will be upon a parity. The lien will continue until paid in full.

905.4 Interest. All charges imposed by the council remaining unpaid after 30 days from the date of recording will become delinquent and will bear interest at the legal rate from and after that date.

SECTION 906 – APPEAL

Any person affected by a decision of council under Sections 904 and 905, may appeal to the State of Alaska Superior Court at Fairbanks. Any such appeal must be filed within 30 days of the council’s decision and must comply with the Alaska Rules of Appellate Procedure.



CITY OF FAIRBANKS

Notice of Hearing

The Fairbanks City Council will hold a hearing on Monday, May 23, 2022, beginning at 6:30 p.m. in City Council Chambers, 800 Cushman Street, Fairbanks, Alaska, to determine abatement costs incurred by the City of Fairbanks and the method of recovery of abatement costs for the following property:

530 Front Street, Fairbanks, Alaska
Lot 7, Block 8, Graehl Townsite

Protests or objections may be submitted for consideration by the City Council to the City Clerk. Protests or objections must contain a property description and the grounds of the protest or objection. City Council Meetings are being held remotely and in person. To learn more about remote participation, visit <https://www.fairbanksalaska.us/citycouncil/page/stay-connected-city-council> or call the Clerk's Office at 459-6774.

D. Danyielle Snider, MMC, City Clerk

ORDINANCE NO. 6204, AS AMENDED

**AN ORDINANCE ESTABLISHING AN EDUCATION REIMBURSEMENT
PROGRAM WITHIN FAIRBANKS FIRE DEPARTMENT FOR
RECRUITMENT AND HIRING**

WHEREAS, the Fairbanks Fire Department (FFD) continues to struggle to recruit paramedics; and

WHEREAS, retention of paramedic staff has been extremely difficult for more than three years; and

WHEREAS, the current cost for the City of Fairbanks at a minimum is \$16,000 for tuition and up to \$120,000 in salaries, overtime, and benefits to send one employee to complete a paramedic program; and

WHEREAS, a sign-on education reimbursement bonus of ~~\$2000~~\$1,000 for a student paramedic, already in the end stages of their education, would help attract applicants and would constitute a significant cost savings to the City; and

WHEREAS, an additional \$2,000 after three years and ~~\$4000~~\$5,000 after five years will be paid to the employee to promote retention; and

WHEREAS, a retention education reimbursement bonus of \$2,000 after three years and ~~\$4000~~\$5,000 after 5 years will be paid to paramedics hired outside of the student paramedic program as an educational reimbursement to promote retention beginning May 1, 2022.

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

SECTION 1. A Sign-on-Bonus/Retention Education Reimbursement Bonus program for Fairbanks Fire Department paramedics is hereby established, providing for a ~~\$2000~~\$1,000 sign-on education reimbursement bonus and a retention education reimbursement bonus of \$2,000 after three years and ~~\$4000~~\$5,000 after five years, for eligible applicants, subject to the terms and conditions of the Sign-on-Bonus/Retention Education Reimbursement Bonus Contract attached as Exhibit A.

SECTION 2. The education reimbursements bonuses established in this ordinance will be funded through salary savings, as available.

SECTION 3. This program will sunset on December 31, 2023, unless extended by Resolution of the City Council.

SECTION 4. That the effective date of this Ordinance shall be the 28th day of May 2022.

Jim Matherly, City Mayor

AYES:

NAYS:

ABSENT:

ADOPTED:

ATTEST:

APPROVED AS TO FORM:

D. Danyielle Snider, MMC, City Clerk

Paul J. Ewers, City Attorney

CITY OF FAIRBANKS
FISCAL NOTE

I. REQUEST:

Ordinance or Resolution No: 6204

Abbreviated Title: ORDINANCE ESTABLISHING EDUCATION REIMBURSEMENT PROGRAM

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 _____ 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			
TOTAL	\$0	\$0	\$0

FUNDING SOURCE:	2022	2023	Total
GENERAL FUND			
TOTAL	\$0	\$0	\$0

Fairbanks Fire Department education reimbursement program will provide \$8,000 over five years from salary savings. The department will provide \$1,000 as a sign-on bonus, \$2,000 after 3 years, and \$5,000 after 5 years. If the department does not have salary savings, the cost for five individuals would be \$5,000 in Year 1, \$10,000 in Year 3, and \$25,000 in Year 5. Overall, the savings in training, regular salaries and benefits, and overtime for backfill would be significant in comparison to the cost.

Reviewed by Finance Department: Initial mb Date 4/29/2022



Fairbanks Fire Department
Sign-on-Bonus/Retention Education Reimbursement Bonus Contract

This agreement is made between the CITY OF FAIRBANKS (“City”) and _____ (“Employee”).

WHEREAS, the Employee has been offered employment for the City as a Paramedic in the Fire Department (“Department”) for the first time;

WHEREAS, the Department wishes to bestow upon the Employee a Sign-on-Bonus/Retention **Education Reimbursement Bonus** as an incentive for the Employee to accept employment at the City and to remain satisfactorily employed in the Department as a Paramedic for at least five full years;

WHEREAS, Ordinance No. 6204 that enacted the Sign on-Bonus/Retention Education Reimbursement Bonus specified that payment of the education reimbursement bonus was subject to salary savings based on the originally adopted 2022 budget for that year.

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

1. The City, acting through the Department, agrees to bestow upon the Employee ~~\$2,000~~\$1,000 as a Sign-on **Education Reimbursement Bonus**, to be paid on the Employee’s first paycheck, and to pay the Employee an additional \$2,000 after three years and ~~\$4,000~~\$5,000 after five years as a Retention **Education Reimbursement Bonus**, to be paid on the Employee’s first paycheck after completing the time-period requirement, in return for the Employee accepting the City’s offer of employment and remaining employed as a paramedic for the full-time periods.
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/Retention **Education Reimbursement Bonus** and reported to the Internal Revenue Services as income on the Employee’s Form W-2. The Sign-on-Bonus/Retention **Education Reimbursement 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 **education reimbursement bonus** payments to employees.
4. In return for accepting the Sign-on-Bonus/Retention **Education Reimbursement Bonus** as provided in paragraph 1, the Employee agrees to work for the Department as a paramedic on a regular and full-time basis for at least five years beginning _____ and ending on _____ (the “ending date”). Should the Employee resign, quit, or be terminated for cause before the ending date, the Employee shall repay a prorated amount of the Sign-on-Bonus/Retention **Education Reimbursement Bonus** as provided in paragraph 5.
5. The Employee’s failure to remain employed by the Department as a paramedic for the applicable time period will trigger the Employee’s duty to repay, pro-rata, the amount paid by the Department pursuant to paragraph 1 (this amount may be more than the Employee received due to taxes or other

withholdings). 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 the City, subject to state and federal law. In addition, the Employee authorizes the City to withhold all amounts so due from any sum payable to the Employee by the Department and the City. The Employee also agrees that any tax consequences that result from the repayment of the Sign-on-~~Bonus~~/Retention **Education Reimbursement**~~Bonus~~ will be the sole and exclusive responsibility of the Employee.

6. If the Employee fails to remain employed by the Department as a paramedic for the applicable time period for reasons beyond the Employee's control (e.g., injury, illness, or death), other than termination for just cause, 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 Fire Chief and the Mayor.
7. If any part of the Agreement is found to be invalid or unenforceable, the other parts remain valid and enforceable, and the Employee agrees, represents, and warrants that they will be held to any applicable repayment of the Sign-on-~~Bonus~~/Retention **Education Reimbursement**~~Bonus~~.
8. **All Sign-on/Retention Education Reimbursement bonus payments are conditioned on the availability of funds from salary savings based on the original adopted budget for that year.**

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

IN WITNESS THEREOF:

Employee Signature

Date

Fire Chief Signature

Date

Mayor Signature

Date

PRINTED NAME of Employee

RESOLUTION NO. 5013

**A RESOLUTION AUTHORIZING THE CITY OF FAIRBANKS TO APPLY
FOR AND ACCEPT FUNDS FROM THE UNITED STATES
DEPARTMENT OF JUSTICE FOR THE FFY2022 BULLETPROOF VEST
PARTNERSHIP GRANT**

WHEREAS, the City of Fairbanks has been notified by the Bureau of Justice Assistance of the United States Department of Justice that the City of Fairbanks is eligible to apply for funding for reimbursement of body armor purchases; and

WHEREAS, the City of Fairbanks has a policy that all Fairbanks Police Officers must wear ballistic vests; and

WHEREAS, the Bulletproof Vest Partnership grant provides 50% of the retail cost for ballistic vests; and

WHEREAS, the City of Fairbanks is eligible to apply for \$3,000 to supplement the purchase of vests for newly hired officers and to replace outdated vests.

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 applying and accepting funds on behalf of the City for the Bulletproof Vest Partnership Grant.

PASSED and APPROVED this 23rd Day of May 2022.

Jim Matherly, City Mayor

AYES:
NAYS:
ABSENT:
APPROVED:

ATTEST:

APPROVED AS TO FORM:

D. Danyielle Snider, MMC, City Clerk

Paul J. Ewers, City Attorney

CITY OF FAIRBANKS
FISCAL NOTE

I. REQUEST:

Ordinance or Resolution No: 5013

Abbreviated Title: FFY22 BULLETPROOF VEST PARTNERSHIP GRANT

Department(s): POLICE DEPARTMENT

Does the adoption of this ordinance or resolution authorize:

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

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

If yes, what is the estimate? see below

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

If yes, how many positions? _____

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

II. FINANCIAL DETAIL:

PROJECTS:	Equipment	Contracts	Personnel	Total
Ballistic Vests (6 vests @ \$1000)	\$6,000			\$6,000
TOTAL	\$6,000	\$0	\$0	\$6,000

FUNDING SOURCE:	Equipment	Contracts	Personnel	Total
Grant Funds (Federal Funds)	\$3,000			\$3,000
General Fund	\$3,000			\$3,000
TOTAL	\$6,000	\$0	\$0	\$6,000

The City does not anticipate additional costs associated with this project. This is an annual grant that helps cover the cost of providing bulletproof vests for police officers.

Reviewed by Finance Department: Initial CP Date 5/16/2022

RESOLUTION NO. 5014

**A RESOLUTION AUTHORIZING THE CITY OF FAIRBANKS TO APPLY
FOR AND ACCEPT FUNDS FROM THE ALASKA DIVISION OF
HOMELAND SECURITY FOR THE FFY2022 EMERGENCY
MANAGEMENT PERFORMANCE GRANT**

WHEREAS, the City of Fairbanks received notification from the Alaska Division of Homeland Security and Emergency Management that the City is eligible to apply for Emergency Management Performance Grant (EMPG) funds to enhance response capabilities; and

WHEREAS, the City of Fairbanks will use the funds to enhance emergency planning and operations; and

WHEREAS, the City of Fairbanks plans to request \$10,000, and a required match of \$10,000 will be provided through in-kind personnel costs.

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 requesting and accepting funds on behalf of the City for the Emergency Management Performance Grant.

PASSED and APPROVED this 23rd Day of May 2022.

Jim Matherly, City Mayor

AYES:
NAYS:
ABSENT:
APPROVED:

ATTEST:

APPROVED AS TO FORM:

D. Danyielle Snider, MMC, City Clerk

Paul J. Ewers, City Attorney

CITY OF FAIRBANKS
FISCAL NOTE

I. REQUEST:

Ordinance or Resolution No: 5014

Abbreviated Title: FFY22 EMPG APPLICATION & ACCEPTANCE

Department(s): FIRE DEPARTMENT

Does the adoption of this ordinance or resolution authorize:

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

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

If yes, what is the estimate? see below

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

If yes, how many positions? _____

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

II. FINANCIAL DETAIL:

PROJECTS:	Equipment	Training	Personnel	Total
Personnel Wages & Benefits	\$0	\$0	\$20,000	\$20,000
TOTAL	\$0	\$0	\$20,000	\$20,000

FUNDING SOURCE:	Equipment	Training	Personnel	Total
Alaska Department of Homeland Security (Federal Funds)	\$0	\$0	\$10,000	\$10,000
General Fund	\$0	\$0	\$10,000	\$10,000
TOTAL	\$0	\$0	\$20,000	\$20,000

The City does not anticipate additional costs associated with this project. This grant provides funds which offset cost of hours spent on emergency planning and operations. The \$10,000 match will come from in-kind personnel costs.

Reviewed by Finance Department: Initial CP Date 5/16/2022

RESOLUTION NO. 5015

A RESOLUTION AUTHORIZING THE CITY OF FAIRBANKS TO ACCEPT FUNDS FROM THE ALASKA MENTAL HEALTH TRUST AUTHORITY TO FUND THE REENTRY COALITION COORDINATOR POSITION

WHEREAS, the City of Fairbanks has been notified by the Alaska Mental Health Trust Authority that a local Reentry Coalition is vital to the Trust's overall disability justice priorities; and

WHEREAS, the Reentry Coalition Coordinator would build community capacity for local programs designed to reduce recidivism by working with the Fairbanks Reentry Coalition and its member organizations; and

WHEREAS, the City of Fairbanks would receive \$100,000.00 per year for the duration of the grant; and

WHEREAS, the City of Fairbanks would provide in-kind administrative support and office space.

NOW, THEREFORE, BE IT RESOLVED by the City Council that the Mayor is authorized to execute all documents required for accepting funds on behalf of the City for the Alaska Mental Health Trust Authority Reentry Coalition Coordinator Position Grant.

PASSED and APPROVED this 23rd day of May 2022.

Jim Matherly, Mayor

AYES:
NAYS:
ABSENT:
APPROVED:

ATTEST:

APPROVED AS TO FORM:

D. Danyielle Snider, MMC, City Clerk

Paul Ewers, City Attorney

**CITY OF FAIRBANKS
FISCAL NOTE**

I. REQUEST:

Ordinance or Resolution No: 5015

Abbreviated Title: RESOLUTION AUTHORIZING REENTRY COALITION COORDINATOR

Department(s): MAYOR

Does the adoption of this ordinance or resolution authorize:

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

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

If yes, what is the estimate? see below

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

If yes, how many positions? 1

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

II. FINANCIAL DETAIL:

PROJECTS:	TOTAL
REENTRY COALITION COORDINATOR POSITION	\$100,000
TOTAL	\$100,000

FUNDING SOURCE:	TOTAL
GRANT FUND (ALASKA MENTAL HEALTH TRUST AUTHORITY)	\$100,000
TOTAL	\$100,000

The Alaska Mental Health Trust Authority will provide the funds for one full-time Reentry Coalition Coordinator. The City of Fairbanks would add a new position in the Mayor's Office and provide in-kind support of office space and supplies (\$7,300) and administration support (\$7,600).

Reviewed by Finance Department: Initial mb Date 5/16/2022

ORDINANCE NO. 6205

**AN ORDINANCE REPEALING AND REENACTING CHAPTER 70,
ARTICLE X, RIGHT-OF-WAY PERMITTING SYSTEM, AND
REVISING AND RENUMBERING SEC. 70-321 AND 70-322
REGULATING SNOW REMOVAL AND PLANTING IN CERTAIN
PUBLIC PLACES**

WHEREAS, Ordinance No. 5483, adopted by the City Council in 2002, adopted a comprehensive right-of-way permitting system, codified at FGC Sections 70-500 through 70-764; and

WHEREAS, minor mistakes were made in the text of the codified version of the ordinance, which are corrected by this ordinance; and

WHEREAS, the City Engineer reviewed the proposed revisions and recommends its adoption; and

WHEREAS, it is the sense of the Council that the Right-of-Way Permitting System should be adopted by reference in a manner similar to the Council's adoption of building codes in Chapter 10; and

WHEREAS, in 2009, the Council, by Ordinance No. 5786, added Sec. 70-321, Snow and ice; removal; standing; casting on public property, and Sec. 70-322, Regulation for planting in a public place, to Article X, Right-of-Way Permitting System; and

WHEREAS, these two sections are better placed in another Article, so this ordinance moves Sections 70-321 and 322 out of Article X to Article IV, Division 2, currently entitled Driveways, to be renamed Alleys, Sidewalks, Planting.

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

SECTION 1. FGC Sec. 70-321 and Sec. 70-322 are hereby repealed and reenacted as Sec. 70-161 and Sec. 70-162, Article IV, Division 2, which is renamed as follows:

DIVISION 2. ALLEYS, SIDEWALKS, PLANTING

Sec. 70-161. Snow and ice; removal; standing; casting on public property.

(a) A person having control of any premise bordered by a graded or paved sidewalk must promptly remove any snow which falls on the sidewalk and must remove or sand any ice which forms on the sidewalk, to the extent that the snow or ice is an impediment to pedestrians.

(b) It is unlawful for any person to move snow or ice from private property or to hire, direct, or allow another person to move snow or ice from private property onto any sidewalk, street,

avenue, or alley in the city to the extent that the snow or ice is an impediment to use of the sidewalk, street, avenue, or alley. It is not a violation of this subsection to move snow from a sidewalk into the adjacent street.

(c) A person violating subsection (b) above is guilty of a minor offense. A person charged with violating subsection (b) must respond to the city clerk's office within 30 days of receipt of the citation. Disposition of a charge under subsection (b) may be without court appearance pursuant to AS 29.25.070 and the Alaska Minor Offense Rules upon payment of a fine of \$200.00 and payment of the state surcharge required by AS 12.55.039 and AS 29.25.074. The fines for these offenses may not be judicially reduced.

(d) The director of public works, or designee, is authorized to direct the removal of any snow or ice that is not promptly removed from a sidewalk, as provided for in subsection (a), or that was taken from private property and moved to a sidewalk, street, avenue, or alley. The cost of such removal shall be charged to the owner of the property, provided the owner or person having control of the premise fails to do so within 24 hours after having received notice from the director of public works, or designee. The cost of removal of any snow or ice done at the direction of the director of public works, or designee, under this subsection shall be set forth in the city schedule of fees and charges for services.

(e) For purposes of this section, a person has control of a premise if they are the owner or occupant of the premise.

Sec. 70-162. Regulation for planting in a public place.

(a) *Trimming, treating.* It shall be the duty of any person growing trees or plants that impact the public highway or right-of-way or who is responsible for trees or plants growing on property abutting on public places to:

- (1) Trim trees or plants so as not to cause a hazard to the public, such as impacting intersection sight distance or obscuring traffic signs, or interfering with the proper public lighting or street lighting;
- (2) To treat or remove any tree or plant which creates a nuisance or is a hazard to any public place by reason of being diseased or insect ridden.

(b) *Setback.*

- (1) *Street.* On a corner lot, trees, or plants within the sight triangular area, as determined by the city engineer, must be planted and maintained in such a manner as to not impact sight distance at intersections and compromise the safety of the traveling public. Trees and plants that impact sight distance at intersections and compromise the safety of the traveling public by impacting sight distance or obscuring signs must be removed as directed by the city engineer.
- (2) *Sidewalk.* No tree or plant may be planted in the green space between the sidewalk and the curb.

(c) The city engineer is authorized to direct the person who is responsible for trees or plants growing on property abutting on public places to trim, treat, or remove any tree or plant so as to comply with subsection (a). If the person responsible for such trees or plants fails to comply, the city engineer may arrange for the removal of such trees or plants. The cost of such trimming, treating, or removal will be charged to the person responsible, provided the person responsible fails to do so after having received notice from the city engineer. The cost of trimming, treating, or removing any tree or plant under this subsection will be set forth in the city schedule of fees and charges for services.

(d) For purposes of this section, a person is responsible for the trees and plants if they are the owner or occupant of the premise abutting the roadway or right-of-way.

SECTION 2. The current City Right-of-Way Permitting System, codified at Sections 70-500 through 70-764, is hereby repealed and reenacted as follows:

FGC Sec. 70-500. Right-of-Way Permitting System.

(a) The 2022 City of Fairbanks Right-of-Way Permitting System, attached and noted as Attachment A, is hereby adopted by the City of Fairbanks.

(b) Copies of the 2022 City of Fairbanks Right-of-Way Permitting System shall be made available at the office of the City Engineer and published online at the City of Fairbanks website.

SECTION 3. That the effective date of this ordinance is the ____ day of _____ 2022.

Jim Matherly, Mayor

AYES:
NAYS:
ABSENT:
ADOPTED:

ATTEST:

APPROVED AS TO FORM:

D. Danyielle Snider, MMC, City Clerk

Paul Ewers, City Attorney

**ATTACHMENT "A"
TO ORDINANCE NO. 6205**

2022 CITY OF FAIRBANKS

RIGHT OF WAY PERMITTING SYSTEM

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Section 500. Definitions.

The following terms and words are defined and construed to mean as provided below.

Article: References to this "article" mean 70-500 through 70-765.

Excavation: The removal, clearing away, open cuts, trenching, tunneling, boring, drilling, bulldozing, digging out, leveling, clearing, or moving of earth or soil by manual or mechanical means within the right-of-way.

Facility: All utilities and publicly and privately-owned improvements located within the rights-of-way owned or managed by the City of Fairbanks, including city and private storm drains, streetlights, and traffic control devices.

GOEs: Grants of easement (GOEs) are easement interests owned or managed by the city which are created by a specific grant, the purpose and function of which is similar to PUEs grants of easement for private surface access or installation of facilities by a single utility are not covered by this article.

Maintenance: Upkeep, repair, or improvement work on an existing facility which does not expand the area occupied by or change the location of the facility.

Permits: There are six types of permits relevant to the use of city rights-of-way:

1. *Major right-of-way permits:* Except as determined otherwise by the city engineer, the following facilities require a major permit to be authorized within the right-of-way.
 - a. Longitudinal facilities. Facilities located within the right-of-way and running generally parallel with adjoining right-of-way lines.
 - b. Aerial conductors and appurtenances thereto, the length of which exceed 1,000 feet.
 - c. Longitudinal joint use facilities.
2. *Minor right-of-way permits:* All other facilities will require a minor permit in order to be authorized within the right-of-way. The following facilities are specifically included as requiring a minor permit.
 - a. Non-longitudinal buried utility service lines including appurtenances thereto, excluding buried telephone and cable TV lines that do not cross the roadway. (See definitions "major permits".)

- b. Driveways/curb cuts and culverts.
 - c. For purposes of establishing fees, permits listed below at subsections (3)–(6) will be considered minor permits.
3. *Driveway/sidewalk/curb cut*: A permit allowing modifications of sidewalks, curbs, and right-of-way to allow vehicular access to the public right-of-way. Permit may require installation of culverts and modification of the site drainage. The permit must follow the requirements of this article and article IV, division 2 – Alleys, Sidewalks, Planting.
 4. *Encroachment permit*. A permit issued for the acknowledgement of an obstacle or intrusion of a privately owned facility into the right-of-way. The obstacle/intrusion would be largely temporary in nature and removable upon request of the city/city engineer. Notification of the city council is required. The permit must follow the requirements of this article.
 5. *Excavation permit*. A permit issued for an excavation in the public right-of-way after completion of installation of a utility facility. The permit must follow the requirements of this.
 6. *Temporary use permit*. A permit allowing use of the right-of-way for such a period as to not exceed 24 hours. The permit would be for the use of the right-of-way surface or above. Excavations are not covered by this permit. The permit must follow the requirements of this article.

Professional engineer: An engineer registered and licensed to do work in the State of Alaska.

Professional land surveyor: A land surveyor registered and licensed to do work in the State of Alaska.

PUEs: Public utility easements (PUEs) are easements created by plat or by grant creating easement interests used or are useful for utility purposes.

RCA: Regulatory Commission of Alaska

Right(s)-of-way: The terms "city right-of-way", "right-of-way" and "public place" mean all streets, avenues, ways, boulevards, drives, alleys, walkways, sidewalks, drainage areas,

PUE's, GOE's, planting strips, bicycle paths, squares, plazas, and the space above or beneath the surface of such places, to the extent the city owns or has management authority of such places.

Temporary use: Temporary obstruction or surface use of the right-of-way with duration of less than 24 consecutive hours.

Use: The term "use" means to construct, store, erect, or maintain any public or private improvements in, upon, over, or under any city right-of-way. In addition, "use" includes the permanent or temporary occupation of the right-of-way for any purpose or duration exceeding 24 hours not normally associated with the transport of people, vehicles, or equipment. Excavations within the right-of-way for any period are included under this definition of "use".

Utility: Every corporation, company, individual, or association of individuals as defined by AS 42.05.720 that owns, operates, manages, or controls any plant, pipeline, or system including, but not limited to, furnishing electrical service, telephone service, cable television service, natural or manufactured gas service, water service, sewer service, steam or district heat service to the public for compensation.

Sections 502-509. Reserved.

Section 510. Authority.

This policy is implemented pursuant to the following provisions of law:

1. AS 29.35.010(10): "All municipalities have the following general powers, subject to other provisions of law: (10) to regulate the operation and use of a municipal right-of-way, facility or service."
2. AS 42.05.251: "Public utilities have the right to a permit to use public streets, alleys, and other public ways of a city or borough ... Upon payment of a reasonable permit fee and on reasonable terms and conditions and with reasonable exceptions as the city or borough requires ..."
3. AS 29.10.200. Powers of Home Rule Municipalities.

Sections 511-519. Reserved.

Section 520. Right-of-way permitting statement.

The City of Fairbanks hereby establishes the following system to effectively manage its rights-of-way, to protect the public streets and alleys, to avoid conflicts by users of the right-of-way, to reduce construction and rehabilitation costs, and to minimize traffic delays and safety hazards to the public.

Section 521. Reserved.

Section 522. Management authority.

Management authority over the rights-of-way, as defined, including, streets, roads, PUE's, GOE's, and alleys located within the corporate limits of the City of Fairbanks, resides with the City of Fairbanks, a home rule city of the State of Alaska. Easements exclusively for a single utility outside of the right-of-way will not be managed by the city.

Section 523. Policy.

It is the policy of the City of Fairbanks to manage and regulate all use of the right-of-way by a right-of-way permitting system. It is not the intent of the city to limit the right of utility companies to maintain and operate existing facilities but to establish and control the conditions under which such actions will be undertaken within the right-of-way. By this system, the city shall authorize and regulate the placement of facilities and other uses as defined in Sec. 70-500, public and private, in the right-of-way, thereby reducing future installation costs for new facilities, insuring full and complete restoration of public facilities within the right-of-way, and minimizing traffic delays and safety hazards for the traveling public. The permitting system will include the following:

1. *Fee schedule.* A fee schedule that equitably distributes the costs of managing the right-of-way.
2. *Permanent record.* A permanent record of authorized uses of the right-of-way will be maintained.
3. *Existing permitted utility facilities.* Upon adoption, all previously permitted public and private utility facilities and improvements within the right-of-way, including all utility facilities previously owned by the city, will have

"grandfather privileges" (are permitted without additional application or the payment of a fee).

4. *Existing non-permitted facilities.* Existing non-permitted facilities within the right-of-way may, at the discretion of the city engineer, be permitted upon receipt of an application for such with best available as-builts, without payment of a fee.
5. *Duplicative.* Compliance with other applicable policies does not diminish the responsibility to meet the requirements of this policy. Any right-of-way within the city under the maintenance and control of the state or federal government, such as Airport Road, is exempt from regulation under this article.

Section 524. Costs.

Except as applicable under section 70-700, the entire cost of use of the right-of-way including construction, installation, operation, maintenance, restoration, relocation, permitting fees, and other expenses incident thereto, are the responsibility of the permittee.

Section 525. Implementation authority.

The permitting system will be implemented under the direction of the city engineer. The city engineer may change, modify, or deviate from these policies when acting in the best interest of the city and may impose additional requirements or restrictions in any permit as a condition of approval of the permit, subject to the right of appeal by a permit applicant to the city council. **APPEAL TO THE COUNCIL???**

Sections 525-539. Reserved.

Section 540. Permits required.

It is unlawful for any person, business, or corporate entity to use the right-of-way as defined in Sec. 70-500 without first having applied for and obtained a right-of-way permit, a temporary use permit, a driveway or cut permit, an encroachment permit, and/or a street excavation permit when required by this article. This includes sidewalks, curbs, and access ramps, which must be constructed to city standards. Such permits will be required as follows:

1. With the exception of utility services, all privately owned improvements within the right-of-way must be authorized by an encroachment permit.
2. Driveways and curb cuts and access ramps within the right-of-way must be authorized by driveway/curb cut permits
3. All temporary use of the right-of-way must be authorized by a temporary use permit.
4. All excavations within the right-of-way not authorized by a driveway/curb cut permit or a right-of-way permit must be authorized by a street excavation permit.
5. Use of the utilidor is subject to the utilidor agreement signed by utilidor users.
6. All other uses of the right-of-way must be authorized by a right-of-way permit as herein provided.

Section 541. Reserved.

Section 542. Individual permit required.

A permit must be obtained for each noncontiguous project involving use of the right-of-way. Such permits are subject to insurance and bonding requirements as hereinafter provided. A permit that is issued for a contiguous project may be amended without an additional "one-time" payment; lineal foot charges will apply, provided that when the project is finished a subsequent extension will require a new permit.

Section 543. Permitted activities.

Permitted activities include all work reasonably associated with maintenance and operation of the permitted facility. Replacement, rehabilitation, and reconstruction of the existing facility that does not negatively impact the right-of-way or existing facilities is permitted under this policy upon advance notice to the city engineer. Additionally, permits may require or authorize the following:

Construct and maintain adjoining structures. Permits may be issued where the right-of-way will be occupied in conjunction with the construction, reconstruction, and maintenance of structures and improvements adjoining the

right-of-way that cannot be reasonably accomplished without encroaching into the right-of-way.

Section 544. State contractor's license.

A state contractor's license is required for any work within the right-of-way, with the exception of certified public utilities performing work on their own facilities, or as approved by the city engineer.

Section 545. Traffic control plans.

Except for aerial installations and repairs and maintenance by utilities, traffic control plans are required for the construction, maintenance, or installation of permitted uses within or adjacent to the traveled way. The permittee must submit a traffic control plan for review and approval by the city engineer. Approved traffic control plans are a condition of issuance of the right-of-way permit. All traffic control plans must conform with the "Manual on Uniform Traffic Control Devices", the latest revision of Part IV of the Alaska Supplement. (See 70-604a.) **CHECK THIS CITATION**

Section 546. Staging/work areas.

Upon demonstration of need, the city may, at the request of the permittee of existing facilities, issue a permit(s) for additional access when such is needed to accomplish work on the utility or as may be necessary to meet state or federal safety codes.

Section 547. Temporary use.

Except as hereinafter provided, temporary use of the right-of-way may be authorized by a temporary use permit, where the duration of such use does not exceed 24 hours. A temporary use permit is not required for routine repair or maintenance activities that do not prevent use of the right-of-way by other permit holders or the travelling public. At the discretion of the city engineer, the city engineer or their designee may issue one or more 24-hour extensions to temporary use permits.

Section 548. Street excavation permits.

A current city street excavation permit must be obtained from the city engineering department prior to excavating in the city's rights-of-way.

Section 549.1. Driveways and curb-cuts.

No driveway or curb-cut providing access to a city-owned or maintained street may be constructed without first having obtained driveway/curb cut permit from the city engineer. The driveway permit will be administered and issued subject to provisions of this policy.

1. All driveways providing access to a city right-of-way must be constructed in accordance with the standard construction specifications and standard details of the city.
2. No person shall install a driveway culvert in any ditch, drain, or gutter in any city right-of-way without first submitting a plan for approval to the city engineer and receiving a right-of-way permit for such. Payment of the fee herein provided does not preclude payments for drainage improvements implemented by special assessments.

Section 549.2. Annexations.

Blanket permits will be issued without a permit fee for utilities associated with annexations after receipt of best available as-builts to the city engineer.

Section 549.3. Utility stubouts.

Utility stubouts within the right-of-way are owned by and permitted to the utility provider. Upon application for a permit and connection to a stubout, the permit for the stubout from the utility main to the right-of-way line will be transferred from the utility provider to the property owner in accord with the practice of the utility.

Section 549.4. Ditches and drains.

No person may create any obstruction in any ditch, drain, water passage, or gutter that may hinder the passage of water.

Section 550. Permit application.

By these sections, the city hereby establishes the permit application policy. It is the intent of this policy to establish the standards and means whereby permits may be requested.

Section 551. Reserved.

Section 552. Right-of-way permit application.

Applications for right-of-way permits must be filed with the city engineer upon a form furnished by the city and must include the following:

1. The name, address, telephone number, fax number, and e-mail address, to the extent such is available, of the owner of the facility to be permitted and, during the initial construction of the facility or subsequent maintenance thereof, the on-site contact person.
2. Subcontractors' name, address, and phone number (if applicable).
3. An accurate description of the right-of-way or portion thereof desired to be used as specified in this chapter.
4. Construction schedule and expected term of use thereafter.
5. A description of the proposed use or improvements to be installed within the right-of-way.

Section 553. Plans required.

Except as provided below, each application for a right-of-way permit must be accompanied by a set of plans and specifications for the proposed work within the right-of-way. Said plans must include all pertinent right-of-way lines, property boundaries, proposed improvements, drainage conditions where applicable to road reconstruction and provisions, and method of road re-construction and implementation where applicable. The plans must include a description of the work to be accomplished, limits of the work, and other pertinent data to provide the city engineer with all information necessary to evaluate the design, location, and other aspects of the planned installation. The following items may be required:

1. The facilities to be permitted must be located by station and off set relative to center line control, or where appropriate, may be tied directly to property or

- right-of-way lines, or center line control. The city engineer may require additional details be shown on the plans to ensure compliance with this section.
2. Depending upon the location and nature of the planned improvements, the city engineer may require plans and specifications submitted for the work to be stamped by a professional engineer and/or professional land surveyor as provided below.
 - a. All projects plans involving sewer, water, steam, district heat, and cable duct banks must be stamped by a registered professional engineer.
 - b. All project plans involving natural gas, buried communication cables, and joint use facilities on existing poles are exempt from the requirement such plans be stamped by a registered professional engineer or registered professional land surveyor.
 3. The plans must show all surface and buried improvements in the vicinity of the planned work as provided below.
 - a. Plans for buried facilities must show all pertinent surface and buried improvements.
 - b. Plans for surface facilities must show all pertinent surface improvements.
 4. Where required under this section, the basis of horizontal and vertical survey control must be included on the plans and is subject to approval by the city engineer.
 5. All project and storm drain discharge plans must be approved by those agencies with jurisdiction.
 6. Applications for a permit for a service line are exempt from the requirements of this section but must be accompanied by a sketch depicting the following:
 - a. For buried facilities, the property being served, including the lot, block, and subdivision or street address.
 - b. The utility main or trunk lines from which service will be obtained.
 - c. For buried utilities, the location and direction of the planned service line to the point it exits the right-of-way.

- d. The elevation of the service line at the point of connection to the main and at the point it exits the right-of-way. Elevations are required for underground services only.
7. This section does not apply to telephone/cable service drops that do not cross the roadway.

Sections 554-569. Reserved.

Section 570. Processing applications - general.

Right-of-way permit applications will be processed and issued in a timely manner, where the proposed use of the right-of-way does not unduly interfere with public safety and where the intended use can be reasonably integrated with other existing and prospective uses of the public way.

Section 571. Reserved.

Section 572. Processing applications and permits.

The city engineer, or designee, shall examine the permit application to determine if it meets the requirements of this policy.

1. If the proposed use of the right-of-way does not unduly interfere with the rights of the public or other public utilities, the application may be approved, and a draft permit will be prepared for the applicant.
2. The city engineer may attach special provisions and stipulations deemed necessary to protect the city right-of-way and the general public.
3. If the draft permit is agreeable to the applicant, it will be issued, subject to section **Existing Users** (page 12).
4. Where reasonable and practicable, the draft permit will be signed by the city within 24 hours of receipt of the signed application. Permit proposals received on Fridays and days immediately preceding a recognized holiday will be handled on the following regular working day.

5. The city shall retain the original permit and provide a copy to the permittee.

Sections 573-579. Reserved.

Section 580. Permit general requirements.

All permits approved by the city must meet the following minimum requirements. Additional requirements may be imposed by the city engineer as deemed appropriate.

Section 581. Reserved.

Section 582. Location of permitted facilities.

The permit must establish locations for facilities to assure compatibility with all present and planned future uses of the right-of-way in which the utility facility is located.

1. Facilities must be located outside of the existing or anticipated roadway whenever possible.
2. The location of the facility should allow for the safe and practical maintenance and improvement of both the facility and the roadway.
3. Facilities located above grade should be set back from the existing or planned roadway surface and should not be located so to create a visual sight distance or physical obstacle or hazard as established by codes, statutes, or as required by the city engineer.
4. Excavation, back fill or other disturbance by facility construction or maintenance activities must be finished in a manner which restores the right-of-way as herein required.

Section 583. Schedule compliance.

If work is not commenced within the period approved by the city, the permit will be suspended until such time as further approval is issued by the city engineer.

Section 584. Existing users.

If there are other existing facilities located in the right-of-way for which a permit is applied, the applicant is encouraged to provide notice of non-objection from the owner(s) of the existing facilities. If notice of non-objection is not provided, the city engineer shall

contact the owners of existing facilities to determine if there is an objection. In the event the owner of an existing facility does not provide notice of non-objection, or objects to the applicant's permit, the city engineer shall adjudicate whether the applicant's use will damage the right-of-way or the existing facility.

Section 585. Suspension with notice.

All permits are temporary and may be suspended by the city engineer upon 48 hours' notice to the permittee if:

1. The permittee requests such suspension.
2. The work does not proceed in accordance with the approved plans or is not in compliance with the local, state, and federal ordinances, codes or regulations.
3. Entry to the site by the city for the purposes of investigation and inspection has been denied.
4. The permittee has made a misrepresentation of a material fact in applying for the permit.
5. The progress of the work indicates the plan is, or will be, inadequate to protect the public, the adjoining property, the street, or utilities in the street; or the excavation, or fill, endangers or will endanger the public, the adjoining property, the street, or utilities in the street.
6. The permitted activities do not occur according to the approved schedule, or time allowed by extension.

Section 586. Suspension without notice.

The city engineer may suspend a permit without notice when the work becomes dangerous, or any structure becomes unsafe. Upon suspension, all work must cease except as approved by the city engineer.

Section 587. Failure to comply.

If work is deemed by the city to be dangerous and is not corrected by the permittee, the city engineer may correct such hazard or make the necessary repairs to render the hazard safe at the expense of the permittee.

Section 588. Occupation of the right-of-way.

During the period of the permit, the permittee is permitted to occupy such portions of the right-of-way as provided for by the permit subject to the following:

1. A reasonable amount of tools, materials, and equipment for construction may be stored in the right-of-way.
2. Excavated waste material must be piled as to not interfere with spaces that may be designated to be left free and unobstructed and not inconvenience an occupant of adjoining properties.
3. Stored waste materials may not obstruct sight distance or otherwise unreasonably compromise traffic safety.
4. Run off from construction and/or maintenance activities, industrial discharges, cooling water, and other stormwater discharges may not conduct pollutants and/or sediments into the city's storm water system and adversely impact the quality of the water discharged.
5. An erosion and sediment control plan detailing a storm water management plan, a waste control plan, and a safety plan must be prepared as required by the city engineer.

Section 589. Notice of completion.

Notice of completion must be provided by the permittee on the first business day following project completion. Final project inspection will be conducted in accordance with section 70-610.

Section 589.1. Emergency work.

In the event a permittee experiences an unexpected failure of a permitted facility, the failure of which is deemed to threaten the public health, safety or welfare, or cause a loss of product or significant facility damage/failure, the permittee is granted immediate access to the right-of-way as may reasonably be necessary to restore system service and integrity. In such event, it is the responsibility of the permittee to minimize the disturbance to the right-of-way, as well as the duration, inconvenience, hazards, and associated delays to the public.

Section 589.2. Required reporting.

The permittee shall report the emergency work as provided hereinafter:

1. The permittee shall immediately notify the City of Fairbanks Police Department Dispatch of emergency street closures.
2. If an emergency repair is not complete by the first regular working day following any event requiring emergency access to the right-of-way as provided herein, then within four hours following the beginning of the first working day following the system failure, the permittee shall file with the city engineer a report detailing the location, extent of the emergency, and traffic plans. The city engineer, at his discretion, may dictate restoration terms for affected public improvements, traffic plans, or such other conditions as may be deemed necessary.
3. If an emergency repair is complete and full traffic access has been restored by the first regular working day following the system failure, the permittee's report to the city may be limited to locational information.
4. In the event of a public safety emergency, the city has a right to use all, or any part of the surface area occupied by the permittee.

Sections 590-599. Reserved.

Section 600. Construction requirements.

All work within the right-of-way must meet the following requirements:

1. Unless other arrangements have been agreed upon, reasonable access must be provided to residences isolated by construction activities and to businesses from during regular business hours.
2. All detours will be planned and coordinated with the city engineer and will be maintained at least daily. Such routes must be swept clean of construction debris and all new potholes caused by the project must be repaired with hot mix asphalt.
3. Acceptable access must be provided for emergency vehicles at all times.
4. Accommodations must be made for mail delivery, refuse collection and utility service vehicles.
5. Disruption of access to utilities and public facilities must be minimized to the extent possible.

6. Except where alternate facilities or arrangements are provided, work areas will be confined so as to not obstruct driveways and sidewalks except where alternate facilities are provided as required.
7. All work must be performed in a neat and orderly manner and scheduled to minimize interference with the public and traffic.

Sections 601-602. Reserved.

Section 603. Survey monuments.

Prior to removing city property corners, street intersection monuments, or other survey control, the permittee must:

1. Notify the city surveyor prior to removal.
2. Agree to preserve and replace the monuments or control by a professional land surveyor in the manner required by accepted survey practices and as required by AS 34.65.040, Records of Monument.

Section 604. Excavation safety requirements.

All excavations within the right-of-way must meet the requirements of applicable law and regulation, in addition:

1. It is unlawful to create any excavation or fill within the right-of-way without adequate barricades or warning devices. Such barricades, traffic signs, and warning devices must be in conformance with the "Manual on Uniform Traffic Control Devices", the latest revision of Part IV of the Alaska Supplement and must be maintained twice daily.
2. Temporary pedestrian walkways will be constructed to provide for safe travel and convenient for users as required by the city engineer.

Section 605. Restoration and standards.

To the extent any operation or activity by a permittee materially disrupts the surface or subsurface condition of the right-of-way, the permittee shall be responsible to expeditiously restore, remove debris, repair, and reconstruct the affected property to a condition equal to, or better than the condition of the property prior to the activity, or as approved by the city engineer. All such work to restore, repair, and reconstruct the

property must comply with Design and Construction Guidelines of the City of Fairbanks Street and Drainage System and City of Fairbanks Standard Specifications for Roadway and Utility Construction. Additionally, the permittee shall be responsible to maintain the excavated area to condition satisfactory to the city engineer for a period of one year following the date of original entry into the right-of-way and shall meet the following requirements:

1. The responsibility for restoration of the right-of-way lies wholly with the party making the excavation or otherwise disrupting the condition of the right-of-way.
2. Every effort must be made to complete all work and restore the street to its original condition in the shortest possible time. Except in the case of unusual and extenuating circumstances as determined by the city engineer, the contractor shall be charged a penalty whenever the time an excavation remains open, or the street has not been restored to its original condition exceeds the maximum allowed in the following schedule:
 - a. Allowable time for commencing to completion of work under a minor permit, including back filling of excavation within the traveled way.

Residential: Three calendar days.

Business or arterial: 18 hours (maximum of six hours between 7:00 a.m. and 7:00 p.m.) For a major permit, work will be completed in accord with the terms of the permit.

- b. Additional charges for time that excavation remains open in excess of allowable time.

Residential: \$100.00 per day.

Business or arterial: \$20.00 per hour.

- c. Total allowable time for commencing excavation to final completion of roadway restoration including paving replacement, ditch grading and cleanup.

Residential: 14 calendar days.

Business or arterial: 14 calendar days.

- d. Additional charges for time street or sidewalk has not been restored to its original condition.

Residential: \$100.00 per day.

Business or arterial: \$20.00 per hour.

3. However, if the permittee fails, refuses or neglects to restore the street and/or sidewalk to its original condition within a total of 14 calendar days after commencing excavation, the city engineer is authorized and directed to have such street and/or sidewalk restored to its original condition by city work forces and/or other contractual arrangements with appropriate charge back to the original permit holder for the entire cost of such work. If an applicant feels that charges levied by the city engineer or his authorized representative are unreasonable, he may appeal to the board of appeal by a letter to the city engineer within ten city working days after the charges have been levied in writing to the contractor involved.
4. As the excavation work progresses, all affected roads and sidewalks must be thoroughly cleaned of all rubbish, excess earth, rock, and other debris deposited by the permittee.
5. All cleanup operations will be accomplished at the expense of the permittee and must be completed to the reasonable satisfaction of the city engineer.

Section 606. Pavement and concrete removal.

Where excavations or trenches are made in exposed concrete and pavement surfaces, a power-driven saw must be used to cut a kerf deep enough to permit complete breakage of the concrete or pavement without ragged edges. The edge of all pavements must be properly cut, and all loose material must be removed before new pavement is placed.

Section 607. Compaction.

Compaction of back fill material must be equal or greater to that of surrounding in situ material.

Section 608. Removal of facilities.

Abandoned underground utility facilities may not be allowed to remain in place if they would degrade the roadway or damage existing facilities.

Section 608.1. Surface facilities.

Where an existing joint use pole-line is relocated to another accessible location, the joint users will be required to also relocate. The relocation must occur within a 90-day period. After the relocation of the joint users is complete, the pole-line owner will remove the abandoned poles. Should the abandoned/orphaned poles still remain in place beyond 60 days after relocation, then the city may remove the poles and bill the pole owner for the actual costs.

Section 609. Abandoned facilities.

The city is not responsible for costs incurred by a future permittee arising or resulting from facilities found to be abandoned in place.

Section 610. Project inspection and correction.

The city has the right to inspect all projects and to determine compliance with this article.

Section 611. Reserved.

Section 612. Inspection and report.

Inspections will be conducted as deemed necessary by the city engineer, except final inspection will be conducted at the completion of the project for each permitted project. An inspection report will be prepared and filed in the permit file to acknowledge the terms and conditions of the permit have been met. A copy of the report will be provided to the permittee.

Section 613. Testing.

The city reserves the right to order or to otherwise conduct materials testing, certified compaction tests, or such other tests as the city feels are reasonably necessary to ensure the integrity of the right-of-way. If the test reveals the work is not in compliance with requirements, the permittee shall be responsible for the costs thereof pursuant. If the test reveals the work is in compliance with requirements, the city shall pay the costs thereof.

Section 614. Quality control.

The city has the right to reject the materials or workmanship if reconstruction of the right-of-way is not in compliance with city standards and ordinances and to stop work until corrections are made.

Section 615. Corrective action.

If corrections are not made by the permittee in a timely manner, the city engineer may take necessary corrective action as deemed necessary, in which case, all direct and indirect expenses incurred by the city are chargeable to the permittee. Such fees may include labor, equipment, materials, and burden as generally applicable.

Sections 616-619. Reserved.

Section 620. Fees required.

All permits issued by the city for facilities installed within the jurisdiction of the city after the effective date of this article are subject to fees and charges as herein provided.

Sections 621-622. Reserved.

Section 623. Right-of-way permit fees.

Right-of-way permit fee amounts are set forth in the current City Schedule of Fees and Charges for Services. The following permit and fee requirements are applicable (plan review, inspection, and permit processing):

1. *Major permits.* A one-time fee for each permit will be charged prior to issuance of the permit, plus a lineal foot charge for each longitudinal lineal foot of permitted facility. Aerial facilities and horizontal boring are exempted from the lineal foot charge as provided above.
2. *Minor permits.* A one-time fee for each permit will be charged prior to issuance of a minor permit involving excavations within a road prism. Where an individual permit is issued for multiple facilities, the permit fee will be computed for each facility permitted under the permit. Aerial utility services and buried telephone and cable TV facilities that do not impact the road prism/ditch line are exempt. Curb cuts, driveways, and sidewalk construction permits have reduced fees.

3. *Common trench.* For the sake of computation of fees, multiple facilities installed in a common trench will be charged a permit fee based upon a single facility. The associated fee will be apportioned equally to the common users.
4. Each facility, regardless of whether applied for separately or jointly, will be considered, for the purpose of this section, to be a separate permit.
5. Lineal foot determinations will be based upon the total plant installed at a given time and location. For example, multiple conductors installed under one project in single trench or installed aurally on a single pole line will be considered a single facility for purposes of computing lineal footage.
6. If connections to utility stubouts can be accomplished without excavation within the right-of-way, the permit for the service connection will be provided without fee.

Sections 624-644. Reserved.

Section 645. Incorrect locates.

The city is not responsible for damages arising from incorrect or incomplete locates or inaccurate or incomplete as-builts of non-city-owned facilities.

Sections 646-649. Reserved.

Section 650. Assigned facility locations.

Facilities must be located within the right-of-way as herein provided.

Section 651. Reserved.

Section 652. Location grid.

To the extent practicable, all facilities within the right-of-way must be located as shown by the document entitled assigned facility location.

Section 653. Exceptions to assigned locations.

When the permittee deems it unreasonable to place a facility at the assigned location, the permittee must apply for an exception. The request should include the following:

1. A complete written explanation; and
2. Additional plans, drawings, and sketches as necessary to show problem areas, existing facilities located within the right-of-way, and locations where the permittee would like to place the planned facility.

Section 654. Exception approval.

The city engineer shall consider the request of the permittee and approve or disapprove the request within three working days of the request.

Section 655. Disallowed relocation costs.

In the discretion of the city engineer, an "at your own risk" permit may be issued for situations of locations where a permit would normally not be available. In such a case, the facility is not entitled to reimbursement under section 70-702(3).

Section 656. Reserved.

Section 657. Burial depth.

Underground lines must be installed at a minimum crossing depth of 24 inches, but different depths of burial may be directed by the city engineer to accommodate unusual topography or street widths, especially in areas where storm drainage ditches are used adjoining the roadway.

Section 658. Existing facilities.

Much of the right-of-way is occupied by facilities which are not located in the above detailed locations. When replacement or reconstruction of existing facilities takes place, every effort will be made to conform with the assigned utility locations. Exceptions to assigned locations will be requested and approved as herein described.

Section 659. Reserved.

Section 660. As-builts - general.

With the exception of service lines, all permitted facilities within the right-of-way must be documented by adequate as-builts plans or sketches submitted by the permittee as herein provided.

Section 661. Reserved.

Section 662. As-builts required.

Except as provided below, upon completion of the project, the permittee is required to provide certified as-builts of facilities installed within the right-of-way. The as-builts must include and be subject to the following requirements. Failure to submit as-builts in a timely manner will result in termination of the permit for the facility and, at the option of the city engineer, removal of the facility as herein provided.

1. The as-builts must be accurate, legible, and a complete reflection of conditions as constructed, including final location, stationing, elevations, and detail of all improvements. Said information must be tied to horizontal and vertical control points.
2. As-builts must be furnished prior to release or refund of bonds or deposits provided by the permittee.
3. As-built information must be obtained by accepted engineering and survey practices, which may include GPS locational references, when the technology is feasible and available.
4. All as-built drawings must be reviewed and stamped by a professional land surveyor and professional engineer (if required by design modifications).
5. This requirement to submit as-builts is subject to the following exceptions and limitations.
 - a. As-builts will not be required for aerial utility services within the right-of-way, but such facilities are subject to the requirements of **section 70-666**.
 - b. As-builts will not be required for buried utility services installed within the right-of-way, but such facilities are subject to the requirements of **section 70-665. CHECK CITATION IN a. and b?????**
 - c. The city engineer has the authority to waive or amend the requirements for as-builts as deemed necessary.

Section 663. Format required.

As-builts may be provided in either full or half-size prints. Compatible electronic media is desirable and at the option of the permittee may be provided as an alternative to the hard copy media otherwise required. If electronic media is provided, it should be in the current or compatible version of AutoCAD in use by the city at the time the as-builts are submitted and may not include fonts other than standard AutoCAD fonts.

Section 664. Technical requirements.

As-builts required by this policy will normally meet the following requirements:

1. The as-builts submitted must document facility location within:
 - a. Horizontally: Plus or minus one foot from center line; and
 - b. Vertically: (Buried utilities only) Plus or minus one-quarter foot.
2. As-builts must meet the following horizontal and vertical datum and control requirements:
 - a. Horizontal control: Horizontal control must be based upon the subdivision in which the survey is located; and
 - b. Vertical datum: Specify the datum used; the 1966 datum is preferred.
3. The as-built control intervals will be not less than 100 feet, plus all horizontal and vertical facility angle points and services.

Exceptions to the above apply to situations where "best available" as-builts fall short of these standards.

Section 665. Buried service requirements.

The location of buried utility services will be documented by an as-built sketch submitted by the permittee which accurately depicts the following information. All horizontal distances must be referenced to property corners, street intersection monuments, or other readily identifiable physical features. Vertical elevations must be based upon main line elevations or known benchmarks.

1. The property being served including the lot, block, and subdivision or street address.
2. The utility main or trunk lines from which service will be obtained.
3. A minimum of three swing ties to prominent features locating the service at the point of connection on the main and the point at which the service line exits the right-of-way. Alternate methods of locating the service may be submitted subject to approval by the city engineer.
4. The type of service and all elevations necessary to establish the vertical location of the service line (buried services only).

Section 666-699. Reserved.

Section 700. City project construction.

Existing permitted facilities affected by city street or storm drain projects will be accommodated by the city as follows.

Section 701. Reserved.

Section 702. Utility accommodation.

In the event the city plans the construction or reconstruction of any street, road, alley, or other such right-of-way in which permitted facilities are located, the city will perform as follows:

1. Notify the permittee of its intended plans and provide the permittee the opportunity to incorporate planned or needed utility modifications and upgrades within the planned project by the city. The costs of all such optional utility modifications and upgrades will be borne by the permittee.
2. If, however, in the opinion of the city, the planned street construction or reconstruction by the city requires the removal, relocation, or modification of any utility permitted under this policy, the city may:
 - a. Afford the permittee the opportunity to make the necessary modifications separate and apart from the city's project.
 - b. Or at the option of the permittee, such modifications may be incorporated as part of the city's project.

3. Unless mutually agreed otherwise, the city shall be responsible for the cost of removal, relocation, or modification of any utility conflicting with a city project.
4. The city shall not be responsible for the cost of upgrading existing utilities. The city's responsibility for costs will be based upon a like quality replacement of existing utilities. If the permittee opts to upgrade or otherwise improve the utility to be relocated, the permittee shall be responsible for such "betterment costs".

Section 703. Non-permitted utilities.

(a) Non-permitted utilities will be afforded no protection under this section. All relocation, modification, upgrade, and betterment costs associated with any city-planned project will be at the expense of the owner of the non-permitted utility. Any relocated facility must be permitted as required by this policy.

(b) In the event a facility is not constructed in the manner and location provided for by the permit issued for the facility, the city may require the facility be relocated. Such facilities will not be eligible for relocation costs by the city and will be at the expense of the permittee.

Section 704-709. Reserved.

Section 710. Liability - general.

The permittee shall assume all responsibility to restore the right-of-way, to protect existing city-owned facilities, to protect the public, and other right-of-way users as follows.

Section 711. Reserved.

Section 712. Liability.

Nothing in this chapter is intended to impose a duty on the city to inspect any activity of a permittee for purposes of assuring compliance with standards set forth in this chapter; nor does the city warrant to a permittee the right-of-way will be preserved in any particular condition.

Section 713. Performance bond.

The city engineer may require a performance bond prior to issuance of the permit to insure restoration of all city-owned improvements within the right-of-way. Bonds will not be required for local utilities unless the utility fails to complete restoration on a permitted project within the preceding 12 months. No bond will be returned until acceptable as-builts have been submitted to the city. The performance bond will be released upon project completion and satisfactory restoration of the right-of-way.

1. Bonding and back-charge. A performance bond must be provided to ensure street restoration work is completed in a satisfactory manner. Said bond will be provided during the construction period in cash, certified check, or other security form acceptable to the city engineer in a sum equal to \$75.00 per lineal foot of trench in improved streets (paved), and \$50.00 per lineal foot of trench in unimproved streets (gravel) with security minimums of \$1,500.00 and \$1,000.00, respectively and will be returned after final inspection.
2. Following release of the bond, if the permittee fails to maintain the excavated area as provided for by section 605, in addition to the other remedies provided for by this policy, the city engineer may refuse future permits to the permittee until such time as the failure has been corrected by the permittee.
3. Neither partial or entire use of the permitted area by the city engineer, public or others constitutes acceptance of work not done in accordance with this permit or relieve the permittee of liability in respect to any express warranties or responsibility for faulty materials or workmanship. The permittee shall remedy any defects in the work authorized under this permit which may appear within a period of one year for the date of substantial completion.

Section 714. Reserved.

Section 715. Surety.

All surety in lieu of bonds must be approved by the city attorney.

Section 716. Bonding, multiple permits.

Where it is probable more than one permit will be required, the applicant may post, or the city engineer may require the applicant post, bond in the amount sufficient to cover the cumulative risk. If an applicant applies for a permit to use the right-of-way and in the

opinion of the city engineer the work exceeds the amount of the presently posted bond, an additional bond may be required.

Section 717. Bond exemptions.

The State of Alaska, the Alaska Railroad Corporation (ARRC) or municipal corporations of the State of Alaska are exempt from bonding requirements otherwise required herein. These entities must furnish a certified statement assuring the city all costs for repair of damage is the liability of the permittee.

Section 718. Reserved.

Section 719. Hold harmless.

The permittee agrees to hold the city harmless from any and all suits, damages, or awards to the extent resulting or arising from any construction, installation, repair, maintenance activity, or utilization by permittee of the right-of-way associated with the permitted facilities.

Section 719.1. Commercial general liability insurance.

Except as approved by the city attorney, the permittee must provide a policy of commercial general liability insurance covering project completion, explosion hazard, underground property hazard, and contractual liability for limits not less than:

1. \$1,000,000.00 combined single limit for bodily injury sustained by one or more persons or for property damage as a result of any one occurrence;
2. \$2,000,000.00 aggregate for bodily injury sustained or for property damage during the policy year; and
3. \$1,000,000.00 umbrella for any excess during the policy year, except no umbrella coverage is required for minor permits.
4. The city is to be added as an additional insured on each of the policies required under this section and a 30-day notice of cancellation is to be given.

Section 719.2. Laws to be obeyed.

All permittees are responsible for full compliance with all federal and state laws, all local laws, ordinances and regulations, which in any manner affect those engaged or employed

by the permittee, or which may affect the conduct of the work by the permittee. The permittee shall protect and indemnify the city from any claim or liability arising from or based upon the violation of any such law, ordinance, regulation, order, or decree by permittee.

Section 719.3. Noncompliance.

The permittee is responsible to comply with each and every provision of this policy and all conditions and requirements imposed by a permit issued by the city and accepted by the permittee. Failure to comply with any such requirement may result in corrective action by the city. If, in the opinion of the city engineer, work by the permittee is non-compliant, the permittee is responsible to promptly restore the right-of-way in a manner acceptable to the city engineer. If such restoration work is not promptly accomplished by the permittee, the city may:

1. Exercise the bond provided by the permittee to ensure the work is completed in an acceptable manner; or
2. Conduct such work and the permittee shall be responsible for all associated costs incurred by the city.

Section 720-739. Reserved.

Section 740. Assignment and transfer - general.

Permits may be assigned only as provided herein.

Section 741. Reserved.

Section 742. Assignment and transfer.

Except as provided below, a permittee may not assign a right-of-way permit without written approval from the city engineer, said approval shall not be unreasonably withheld. Where a utility service is not owned by the utility, the property owner is the permittee and is responsible for the service. The permits for the utility service line will be considered an appurtenance to the property served and will flow with the transfer of title to a new owner when the property is conveyed.

Section 743. Change of address.

The owner of any existing permit is responsible to advise the city of any change of address. Notice of such must be provided to the city in writing.

Section 744-749. Reserved.

Section 750. Enforcement and appeals process.

The city engineer shall work to equitably resolve issues associated with use of the city's rights-of-way. However, if a permittee or applicant disputes a determination of the city engineer, that determination may be appealed to the mayor, council, and RCA. **APPEAL?**

Section 751. Reserved.

Section 752. Work without a permit.

Except in case of a bona fide emergency, no work within the right-of-way will be allowed without a permit. If such occurs, the city may assess the offender triple permit fees and the offender will be subject to FGC Sec. 1-15. If such failures are deemed to be systemic in nature, future permits will not be issued.

Section 753. Revocation.

The city engineer may revoke a permit that has been suspended.

Section 754. Appeals – general.

An applicant for a right-of-way permit who is dissatisfied by a determination of the city engineer regarding the terms and condition of such permit may within ten working days appeal such determination to the city mayor.

Section 755. Appeal process. REVIEW APPEAL PROCESS????

Within five days of filing the grievance, the mayor shall interview the applicant or otherwise conduct a hearing into the facts of the matter and make a decision, which decision will be delivered to the applicant.

1. An appeal of the mayor's decision may be made to the city council within 20 days of the mayor's written decision. An appeal is timely when filed with the city clerk's office within 21 working days of the date of mailing of the mayor's decision.
2. A person aggrieved by the decision of the city council can appeal to the RCA in accordance with RCA rules.
3. The appellant shall be responsible for their costs associated with making the appeal.

Sections 756-759. Reserved.

Section 760. Unauthorized encroachments.

After adoption of this permitting system, no utilities, structures, fences, culverts, driveways, ditches, or any obstruction to any existing ditch or drainage structure, or other private improvements may be placed in whole or in part within the right-of-way (excluding PUE's and GOE's) without a permit for such as may be provided for by this policy.

Sections 761-762. Reserved.

Section 763. Improvements not grandfathered.

To the extent such non-utility improvements may exist prior to the date of implementation of this policy, such private improvements will not be grandfathered under this system.

Section 764. Encroachment resolution.

If an unauthorized encroachment is found to interfere with a planned or existing use of the right-of-way by the city or public utility, the city shall resolve the encroachment as follows:

1. The city engineer shall notify the record owner of the property of the unauthorized encroachment and shall provide the owner 14 days to resolve the encroachment by either application for a right-of-way permit or by removing the facility within the right-of-way.

2. If the improvement is not removed within the period allowed, or if a permit is not issued by the city for the improvement, the city may at its option remove or relocate the facility from within the right-of-way and bill the property owner for the costs incurred.

ORDINANCE NO. 6206

AN ORDINANCE AMENDING FGC SECTION 22-15(d) ABSENTEE VOTING BY PERSONAL REPRESENTATIVE AND AMENDING OTHER SECTIONS OF CHAPTER 22 ELECTIONS TO AUTHORIZE YOUTH ELECTION WORKERS IN CITY ELECTIONS, TO CLARIFY THE DEFINITION OF ELECTION OFFICIAL, AND TO STANDARDIZE ELECTION TERMINOLOGY

WHEREAS, regular City elections are currently held in conjunction with Borough elections, and the City has sought to keep its election codes and procedures as similar as possible to that of the Borough to ensure consistency for voters; and

WHEREAS, Borough code and State law refer to absentee voting by a personal representative as “special needs voting;” the City uses the same “Special Needs Ballot Oath & Affidavit Envelope” and process as the Borough for this type of absentee voting, so the City and Borough codes should be consistent; and

WHEREAS, civic engagement is a vital part of a healthy democracy, but it can be challenging to find enough citizens willing and able to serve as election officials at local elections; and

WHEREAS, engaging young people ages 16 and 17 as election workers will provide them with more education on the election process and increase the likelihood that they will participate in local elections when they reach voting age; and

WHEREAS, youth workers would be under the supervision of precinct chairs and would not replace precinct workers required by the Fairbanks General Code; and

WHEREAS, the State of Alaska and other municipalities already permit youth ages 16 and 17 to participate as election workers in their elections; and

WHEREAS, the terms “election official” and “election judge” should be used consistently throughout the Fairbanks General Code (FGC).

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

Section 1. That FGC Sec. 22-15(d), Absentee voting by personal representative, is hereby amended as follows [new text in **bold/underline** font; deleted text in ~~striketrough~~ font]:

(d) *Absentee voting - **Special needs** by personal representative.*

(1) **A qualified voter with a disability who, because of that disability, is unable to go to a polling place to vote may vote a special needs ballot. Special needs ballots shall be issued and accounted for in accordance with the rules adopted by the state for use in state elections and in effect at the time of the local election.** ~~A qualified voter may apply for an absentee ballot through a personal representative on the day of, or not more than 20 days~~

~~before, the date of an election. The application shall be signed by the applicant and be accompanied by a letter from a licensed physician or a statement signed by two qualified voters stating that the applicant will be unable to go to the polling place because of physical disability.~~

~~(2) The personal representative shall deliver the absentee ballot to the voter as soon as practicable. Upon receipt of an absentee ballot through a personal representative, the voter shall proceed to mark the ballot in secret, place the ballot in the small envelope, place the small envelope in the larger envelope, and sign the voter's certificate on the back of the envelope in the presence of the personal representative who shall sign as attesting witness and date their signature. The voter shall then return the absentee ballot to their personal representative who shall deliver the ballot to the election official who provided the ballot. The absentee ballot must be returned to the city clerk within three days from the date it is obtained but not later than 8:00 p.m. on election day. An absentee ballot that is not returned to the city clerk by the close of business on the third day from the day it is obtained may not be counted, but the voter may vote in the election.~~

~~(3) The city clerk shall keep a record of the name and signature of each personal representative requesting an absentee ballot and the name of the person on whose behalf the ballot is requested. The city clerk shall record the date and time the absentee ballot is provided and the time the ballot is returned.~~

~~(4) A candidate for office at that election may not act as a personal representative. An individual may serve as personal representative for not more than one physically disabled voter.~~

Section 2. That FGC Sec. 22-1. – Definitions is hereby amended as follows [new text in **bold/underline** font; deleted text in ~~strikethrough~~ font]:

* * * * *

Election officials means the city clerk **and employees of the city clerk's office, temporary election workers, election board members, and members of counting or review boards** ~~or the clerk's designee, election judges and election clerks, and canvass boards.~~

* * * * *

Section 3. That FGC Sec. 22-10. – Election officials is hereby amended as follows [new text in **bold/underline** font; deleted text in ~~strikethrough~~ font]:

(a) For precincts within the city, the city council and the borough assembly shall appoint at least three **election** judges in each precinct to constitute the election board of that precinct. The city clerk is the election supervisor. One **election** judge shall be designated as chairman and shall be ordinarily responsible for administering the election in that precinct. The city clerk may appoint **additional election officials** ~~up to three election clerks~~ at any polling place where they are needed to conduct an orderly election ~~and to relieve the election judges of undue hardship.~~

- (b) All election officials should attend a training session unless personally and specifically excused for cause by the city clerk. If any appointed election official is not able or refuses to serve on election day, the city clerk may appoint a replacement for that official.
- (c) Each election ~~judge~~ **official** serving at a precinct polling place must be a qualified voter and, if possible, a resident within the precinct to which they are appointed.
- (d) All election ~~election officials~~ **judges and clerks**, before entering upon their duties, must subscribe to the oath required of all public officers by the state constitution in the manner prescribed by the city clerk.
- (e) Candidates and the contact persons or sponsors on an initiative or referendum shall not serve as election officials. Certain familial relationships may not exist between a candidate and ~~an precinct election judge, election official, or member of a ballot counting team~~ **an** in regular, runoff, or special elections. Those familial relationships are:
 - (1) Mother, mother-in-law, stepmother;
 - (2) Father, father-in-law, stepfather;
 - (3) Sister, sister-in-law, stepsister;
 - (4) Brother, brother-in-law, stepbrother;
 - (5) Spouse;
 - (6) Grandparent; or
 - (7) Person sharing the same living quarters.
- (f) **The city clerk may appoint not more than two people aged 16 and 17 as youth election workers at each precinct. A youth election worker must:**
 - (1) **Be a citizen of the United States;**
 - (2) **Obtain written permission from a parent or legal guardian;**
 - (3) **Attend mandatory training on polling place election procedures; and**
 - (4) **Serve under the supervision of the precinct chair.**

Section 4. That the effective date of this Ordinance shall be the ____ day of June 2022.

Jim Matherly, Mayor

AYES:
 NAYS:
 ABSENT:
 APPROVED:

ATTEST:

APPROVED AS TO FORM:

 D. Danyielle Snider, MMC, City Clerk

 Paul Ewers, City Attorney



CLAY STREET CEMETERY COMMISSION
REGULAR MEETING MINUTES – JANUARY 5, 2022
HELD VIA TELECONFERENCE (459-6769) AND
IN FAIRBANKS CITY COUNCIL CHAMBERS
800 CUSHMAN STREET, FAIRBANKS, ALASKA



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

Members Present: George Dalton, Seat A
 Janet Richardson, Seat D (telephonic)
 Karen Erickson, Seat F (telephonic)
 Victoria Dowling, Seat G
 Jeff Jacobson, PW Director & Ex-Officio Member (telephonic)

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

Also Present: Rochelle Rodak, Deputy City Clerk II

APPROVAL OF MEETING MINUTES

a) Regular Meeting Minutes of November 3, 2021

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

Chair Kilbourn took a voice vote on the motion to APPROVE the meeting minutes, and all members voted in favor.

APPROVAL OF AGENDA

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

Mr. Jacobson asked to add City Capital Project Funding to New Business as Item (a).

Chair Kilbourn took a voice vote on the motion to APPROVE the Agenda, as amended, and all members voted in favor.

CITIZENS COMMENTS

Brian Beal, Fairbanks – Mr. Beal shared that he was grateful for the Commission convening to do the work on behalf of the greater Fairbanks area.

UNFINISHED BUSINESS

a) 2022 Room Rental Tax Grant Status

Chair Kilbourn shared that the proposed award of \$8,710 would be confirmed by the City Council at the next regular City Council meeting and asked about the availability of the funds.

Deputy City Clerk Rodak stated that she would research the availability and communicate her findings to the Commission via email.

b) Pioneer Marker Status

Chair Kilbourn stated that Ms. Jones indicated that the markers had been ordered but that she had not seen a proof of the final order.

c) Order to Quiring Monuments

Chair Kilbourn shared that Ms. Jones had also confirmed that the additional markers were ordered; she stated she had no additional information.

NEW BUSINESS

a) City Capital Project Funding

Mr. Jacobson announced that the City Council had approved \$50,000 to assist in the renovation of the missing and destroyed markers at the Clay Street Cemetery. He went on to state that the funds can be used to purchase approximately 100 additional makers, noting that the grant funds awarded to the Discretionary Fund Committee may be used for more markers, beatification of the cemetery, printing of literature, or other needs of the Commission.

Mr. Dalton expressed his appreciation of the Council's decision.

Chair Kilbourn shared her excitement at the challenge to locate and identify 100 graves.

NEXT MEETING DATE

The next Regular Meeting of the Clay Street Cemetery Commission is scheduled for Wednesday, February 2, 2022, at 5:00 p.m.

ADJOURNMENT

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

Chair Kilbourn declared the meeting ADJOURNED at 5:13 p.m.



Aldean Kilbourn, Chair



Rochelle Rodak, Deputy Clerk II

Transcribed by: RR



CLAY STREET CEMETERY COMMISSION
REGULAR MEETING MINUTES – FEBRUARY 9, 2022
HELD VIA TELECONFERENCE (459-6769) AND
IN FAIRBANKS CITY COUNCIL CHAMBERS
800 CUSHMAN STREET, FAIRBANKS, ALASKA



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

Members Present: George Dalton, Seat A
 Michael Gibson, Seat B (telephonically)
 Janet Richardson, Seat D (telephonically)
 Julie Jones, Seat E (telephonically)
 Victoria Dowling, Seat G
 Jeff Jacobson, PW Director & Ex-Officio Member (telephonically)

Absent: Karen Erickson, Seat F

Also Present: Rochelle Rodak, Deputy City Clerk II

APPROVAL OF MEETING MINUTES

a) Regular Meeting Minutes of January 5, 2022

J. Richardson, seconded by **V. Dowling**, moved to APPROVE the meeting minutes.

Chair Kilbourn took a voice vote on the motion to APPROVE the meeting minutes, and all members voted in favor.

APPROVAL OF AGENDA

J. Jacobson stated he had a question regarding a historical figure, Falcon Joslin, who had been featured in a story by the Historical Society.

J. Richardson stated that there was no one with that name listed in the records of the cemetery. She also noted that the name was not found in the Birch Hill Cemetery records either.

V. Dowling added an update to Catholic Research under Unfinished Business.

Chair Kilbourn took a voice vote on whether to APPROVE the Agenda, as amended, and all members voted in favor.

FINANCIAL REPORT

Chair Kilbourn asked for clarification on the percentage of Discretionary Grant funds available.

J. Jones confirmed that the entirety of the awarded amount had been deposited, adding that the Finance Department does not typically withhold 10% for the Commission as they are a function of the City.

M. Gibson asked if there had been a donation in the amount of \$200 received from the Igloo No. 4, explaining that they had extra funds that needed to be spent on cemetery functions. **Chair Kilbourn** confirmed that the Commission had not received the donation at the time of the report.

UNFINISHED BUSINESS

a) Pioneer Marker Status

J. Jones reported that the Pioneer markers should be arriving at Public Works if they have not already.

b) Order to Quiring Monuments

J. Jones reported that the order was in process and she would let J. Jacobson know when the items have shipped.

c) Catholic Research

V. Dowling stated that she was able to speak with someone at the Immaculate Conception Church, through contacts at her parish, and would be meeting to look at the paper records they had on file.

NEW BUSINESS

a) Approval of Fairbanks Precast & Rebar order for 100 cemetery pads in the amount of \$4,850 to be disbursed from the Public Works Account No. 5703: Buildings and Maintenance.

J. Jones, seconded by **M. Gibson**, moved to APPROVE the cemetery pads order.

J. Jacobson asked that the order be forwarded to him so that his department could be watching for the shipment, as well as tracking the expense of the Capital funds.

Chair Kilbourn asked who the most appropriate contact would be. Deputy Clerk Rodak indicated that forwarding the forms to the City Clerk's Office would ensure that all appropriate parties had access to the information. **J. Jacobson** agreed that he could obtain the documentation from the Deputy Clerk.

Chair Kilbourn asked Deputy Clerk Rodak to clarify the distribution of the Capital funds allocated by the City Council. Deputy Clerk Rodak explained that the funds will not be distributed to the Clay Street account, nor will they be included on the financial reporting from the Finance Department. She added that the funds will be kept in the Capital Projects account and that she would assist in tracking the spending.

OPEN AGENDA

J. Jones stated that Jomo Stewart, Director of the Fairbanks Economic Development Corporation, has indicated that he will provide a team of workers to help at the Cemetery once the Commission decides on workdays for marker placement this summer.

Chair Kilbourn asked if there was a scheduled time for the new gate to be installed. **J. Jacobson** indicated that it would be dependent upon the weather, and a date had not yet been established.

NEXT MEETING DATE

The next Regular Meeting of the Clay Street Cemetery Commission is scheduled for Wednesday, March 2, 2022, at 5:00 p.m.

ADJOURNMENT

G. Dalton, seconded by **V. Dowling**, moved to ADJOURN the meeting.

Chair Kilbourn declared the meeting ADJOURNED at 5:20 p.m.



Aldean Kilbourn, Chair



Rochelle Rodak, Deputy Clerk II

Transcribed by: RR



FAIRBANKS DIVERSITY COUNCIL
 REGULAR MEETING MINUTES
 MARCH 8, 2022, 5:30 – 7:00 P.M.
 HELD VIA [ZOOM WEBINAR](#) AND AT
 FAIRBANKS CITY COUNCIL CHAMBERS
 800 CUSHMAN STREET, FAIRBANKS, ALASKA



The **Fairbanks Diversity Council (FDC)** convened at 5:30 p.m. on the above date to conduct a Regular Meeting via Zoom Webinar and at the City Council Chambers, 800 Cushman Street, Fairbanks, Alaska with Chair Andrew Aquino (Seat G) presiding (Z) and with the following members in attendance [Z = Zoom; P = In Person]:

Members Present:	(P) Timothy Ledna, Seat A	(P) Wendy Tisland, Seat H
	(Z) Juanita Webb, Seat D	(Z) Cheyenna Kuplack, Seat J
	(Z) Shelissa Thomas, Seat E	(P) Angela Foster-Snow, HR Director
	(Z) Dorothy Shockley, Seat F	(Z) June Rogers, Council Member

Members Absent:	Robert Dorton, Seat B	<i>Vacant</i> , Seat K
	Jose Martinez II, Seat C	Jim Matherly, Mayor
	Kelvin Lee, Seat I	

Also Present: (P) Rochelle Rodak, Deputy Clerk (Z) D. Danyielle Snider, City Clerk

CALL TO ORDER & READING OF THE FDC MISSION STATEMENT

Chair Aquino called the meeting to order and read the FDC mission statement.

PLEDGE OF ALLEGIANCE

Chair Aquino led the FDC in the Pledge of Allegiance.

APPROVAL OF AGENDA

T. Ledna, seconded by **D. Shockley**, moved to APPROVE the Agenda.

There being no objections, the Agenda was APPROVED.

INTRODUCTION OF MEMBERS

Chair Aquino asked the following introductory questions to members: Describe how you might show up representing the FDC with individuals who have divergent viewpoints or strategies. How would you prioritize leading with the FDC's mission and values?

Chair Aquino shared that he has been trying to be more externally aware of each situation while trying to recognize how others perceive his behavior. He added that he would use that information to help find common ground and a way to share the mission and intent of the FDC.

D. Shockley shared her appreciation for Chair Aquino's introductory questions and gave a land acknowledgment. She answered the question by sharing how she strives to be aware of her

situation and her ability to speak freely, adding that she would share the values of the FDC by making others comfortable sharing who they are and where they come from.

W. Tisland stated that she has tried to genuinely consider each person and their viewpoints without judgement and to lead by example by attending FDC meetings and helping the group move forward with its goals.

J. Webb shared that when she regularly interacts with the disabled community, she has tried to pay attention to her audience and seeks out others for follow up in some situations.

T. Ledna stated that he has tried to remain aware of his internal biases, assume positive intentions, and remain humble in the sense that there are more perceptions to each situation than his own when interacting with others in general and on behalf of the FDC.

S. Thomas stated that it is important for her to let others speak freely while actively listening and paying attention to the message her own body language may be sending. She added that she attempts to consider others' multiple perspectives while appreciating their ability to discuss situations that may bring them to the FDC.

J. Rogers agreed with many of the others' comments, adding that she too tries to be an active listener in all situations while keeping the idea that our community is part of a much larger family.

C. Kuplack stated that she tries to recognize all people and their values when representing the FDC, while encouraging people to use their voices as a source of strength.

A. Foster-Snow shared that she attempts to be humble and listen to what people are trying to say while making people aware that the FDC is a resource and members want to hear from them.

Deputy Clerk Rochelle Rodak stated that her role is to listen and facilitate communications between the public and the FDC, which requires that she withhold judgement and communicate her role clearly to anyone she is interacting with on the FDC's behalf.

REPORT FROM THE CHAIR

Chair Aquino shared that Abigail North had resigned from the FDC and that Mayor Matherly would be reviewing applications on file. He went on to recognize International Women's Day, sharing that it is important to learn how to intersect different communities. He gave an example of an early female liberation leader who was later criticized for segregating the women who marched with her by ethnicity and race.

APPROVAL OF PREVIOUS MINUTES

a) Regular Meeting Minutes of February 8, 2022

W. Tisland, seconded by **C. Kuplack**, moved to APPROVE the meeting minutes as presented.

There being no objection, the minutes were APPROVED.

UNFINISHED BUSINESS

a) Resolution No. 4981, Reading of Land Acknowledgment at City Council Meetings.

D. Shockley, seconded by **Chair Aquino**, moved to change the FDC's recommendation on City Council Resolution No. 4981 by replacing its former recommendation with one endorsing the original language of the resolution.

D. Shockley shared that she had been successful in meeting with the Executive Director and Chair of the Denakkanaaga Council. She indicated that they were reluctant to accept the amended version of the land acknowledgment, noting that they had discussed the original language in detail with former City Council Member Shoshanna Kun; she reported that by not naming the Ch'ena tribe, the acknowledgment was more inclusive rather than singling out one tribe. She added that they seemed perplexed that the acknowledgment had not gone through the FDC prior to being introduced by the City Council. **D. Shockley** shared that she thought it had also been done backwards and that, in the future, it would be helpful for the FDC to vet items prior to going before the City Council. She went on to extend the Denakkanaaga invite for FDC members to attend their meetings and gatherings and their desire to form a working relationship with the FDC. **D. Shockley** concluded by stating that she preferred the amended version of the land acknowledgment but would like to respect the opinions of the Denakkanaaga Elders by recommending that the City Council accept the original version of the land acknowledgment.

Chair Aquino shared his desire to recommend the original language to the City Council, adding that he would like to entertain the option of developing an FDC land acknowledgment in the future.

J. Rogers thanked **D. Shockley** for having the meeting with Denakkanaaga and spoke to the process regarding the land acknowledgment. She stated that former City Council Member Kun had very good intentions when she brought the resolution forward and that some City Council Members had expressed a desire for the FDC to provide a recommendation prior to voting.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO CHANGE THE FDC'S RECOMMENDATION ON CITY COUNCIL RESOLUTION NO. 4981 BY REPLACING ITS FORMER RECOMMENDATION WITH ONE ENDORSING THE ORIGINAL LANGUAGE OF THE RESOLUTION AS FOLLOWS:

YEAS: Ledna, Webb, Thomas, Shockley, Aquino, Tisland, Kuplack

NAYS: None

ABSENT: Dorton, Martinez, Lee

Chair Aquino declared the MOTION CARRIED.

b) Diversity Action Plan (DAP) Review

i) Proposed changes to Goals 3 and 4 (submitted by C. Kuplack and Chair Aquino)

T. Ledna, seconded by **S. Thomas**, moved to APPROVE the proposed changes to Goals 3 and 4 of the DAP.

C. Kuplack explained the changes made to Goal 3 and asked A. Foster-Snow about how often hiring procedures are reviewed; she asked whether the new Chief of Staff had been given the opportunity to review the processes. **A. Foster-Snow** shared that the procedures had been worked through in the past but there was opportunity to update, adding that the FDC could have the opportunity to review and provide suggestions. She shared that the Affirmative Action Plan had been presented to the FDC in prior years, and she indicated that it could be done again to inform current members. **A. Foster-Snow** shared that future developments and strategies could be brought to the FDC for their information and input, adding that recruitment and retention is a complicated process with all the various unions represented at the City.

J. Rogers asked if there had been much involvement from the FDC in the interview process. **A. Foster-Snow** stated that S. Thomas had participated multiple times and Chair Aquino had also participated recently. She added that the Fairbanks Police Department (FPD) and the Fairbanks Fire Department (FFD) may repeatedly ask the same people to participate due to their familiarity with the process, but she encouraged anyone who is willing to volunteer. **S. Thomas** shared that she had participated in the last four or five interviews, noting that the City administration had been very easy to work with regarding scheduling. She added that the FPD had been making an effort to be more diverse, but it is difficult given the lack of diversity amongst applicants. **Chair Aquino** stated that participation is a great tool to help educate FDC members on the hiring process so that they can make more informed decisions and recommendations.

A. Foster-Snow shared some of the issues regarding hiring and retention at the City, including the high cost of training for many of the public safety positions.

D. Shockley expressed concern that reviewing the goals annually would not provide enough accountability; she suggested that the group consider a formal evaluation process. **Chair Aquino** stated that he believed the review process had been approved with DAP Goals 1 and 2, adding that the FDC still needed to provide the metrics they wished to see reported.

W. Tisland stated that it would be helpful to give A. Foster-Snow the opportunity to provide some reports that may already be available so that the FDC could decide which reports they prefer. **A. Foster-Snow** stated that she could provide reporting for employees as well as applicants.

Chair Aquino asked if updated reporting could be added as an agenda item when changes occur. **A. Foster-Snow** indicated that it would be possible; she stated, however, that she would also like to preface any and all reporting with the various recruitment and hiring restrictions and requirements in place within each bargaining unit. She indicated that she could present that information to the group at a future meeting.

Chair Aquino, seconded by **D. Shockley**, moved to AMEND the proposed changes by striking the land acknowledgement from page 8 in the packet.

Chair Aquino called for objection on the motion to AMEND, and, hearing none, the motion CARRIED.

Chair Aquino, seconded by **W. Tisland**, moved to DIVIDE THE QUESTION and consider Goals 3 and 4 separately.

Chair Aquino called for objection to the motion to DIVIDE THE QUESTION, and, hearing none, the motion CARRIED.

T. Ledna, seconded by **D. Shockley**, moved to APPROVE the proposed changes to Goal 3.

Chair Aquino read through the proposed changes.

Chair Aquino called for objection on the motion to APPROVE the changes to Goal 3, and, hearing none, the motion CARRIED.

T. Ledna, seconded by **C. Kuplack**, moved to APPROVE the proposed changes to Goal 4.

Chair Aquino summarized the original proposed changes.

A. Foster-Snow shared that the Administration would like to see the FDC recommend at least one annual training for all City employees.

S. Thomas, seconded by **W. Tisland**, moved to AMEND Goal 4 by adding a requirement of the FDC to recommend at least one annual training opportunity for all City employees.

Chair Aquino suggested formatting for the additional item to mirror that of Item 1 of Goal 4.

T. Ledna excused himself momentarily.

Chair Aquino called for objection to the motion to AMEND, and, hearing none, the motion CARRIED.

Chair Aquino called for objection on the motion to APPROVE the changes to Goal 4, and, hearing none, the motion CARRIED.

NEW BUSINESS

a) Diversity Action Plan (DAP) Review

i) Proposed changes to Goal 5 and 6 (submitted by T. Ledna)

T. Ledna stated that there had not been many changes to be made other than possibly combining the two goals as they are very intertwined and similar. He noted that he thought the FDC had missed an opportunity to participate in the MLK Day of Service.

Chair Aquino stated that it would be appropriate for T. Ledna to contact K. Lee and discuss combining the two goals as well as any other proposed changes, as the vote would not happen at this meeting. Deputy Clerk Rodak stated that it would be appropriate to vote on whether to combine Goals 5 and 6.

C. Kuplack, seconded by **T. Ledna**, moved to combine Goals 5 and 6.

Chair Aquino called for an objection to the motion, and, hearing none, the motion CARRIED.

A. Foster-Snow stated that City employees are encouraged to participate in the MLK Day of Service each year. **T. Ledna** stated that it could be more successful if the FDC organized an event to help facilitate individuals who would like to participate but may not take initiative to do so on their own. He indicated that he would bring more information on this idea to the next meeting.

FDC MEMBERS' COMMENTS

T. Ledna encouraged members to visit the Fairbanks Community Bingo website at www.fairbankscommunitybingo.com. He expressed the need for volunteers at the Fairbanks Community Bingo events which occur every second Friday of each month starting on April 8, 6:00 p.m. – 8:00 p.m. at Murphy's Hall in the Immaculate Conception Church. He thanked J. Rogers for her participation in gathering prizes for the last event.

J. Rogers shared that the Reentry Coalition would need volunteers for the Fairbanks Reentry Simulation that would happen at the Birch Hill Ski Lodge on April 28, 10:00 a.m. – 2:00 p.m.

D. Shockley noted that the coming week had historically been a very big time of celebration in Fairbanks and hoped that people would come out and participate in the Interior Native New Year events.

C. Kuplack shared that the Alaska Native Claims Settlement Act (ANCSA) Symposium would occur on April 12-13 and would be held both virtually and in person at the UAF Ballroom.

W. Tisland shared that her former position at the Fairbanks North Star Borough (FNSB) as the Equal Opportunity and Compliance Officer is open for applications through March 13, 2022.

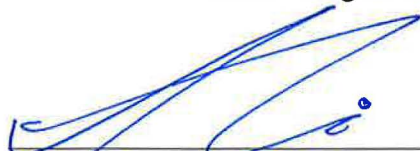
MEETING DATES

Chair Aquino stated that the next regular meeting would be held on Tuesday, April 12, 2022.


ADJOURNMENT

T. Ledna, seconded by **D. Shockley**, moved to ADJOURN the meeting.

There being no objections, the meeting was adjourned at 7:24 p.m.



Andrew Aquino, Chair



D. Danyielle Snider, MMC, City Clerk

Transcribed by: RR

City of Fairbanks



MEMORANDUM

To: City Council Members
From: Jim Matherly, City Mayor
Subject: Request for Concurrence – Board of Plumber Examiners
Date: May 18, 2022

The term of Seat C on the Board of Plumber Examiners currently filled by Sean Randle will expire on June 30, 2022.

Mr. Randle has applied for continued service on the Board. I hereby request your concurrence to the following **reappointment**:

Seat C Mr. Sean Randle Term to Expire: June 30, 2025

Mr. Randle's application is attached.

Thank you.

dds/



Board Details

The Board of Plumber Examiners is empowered to perform the duties as prescribed in Sections 2-306 through 2-309, as well as Sections 14-291 through 14-301 of the Fairbanks General Code (FGC).

Overview

Size 6 Seats

Term Length 3 Years

Term Limit N/A

Additional

Board/Commission Characteristics

The Board of Plumber Examiners shall consist of five members, at least three members of the board shall be residents of the City, each member shall serve a three-year term. The members shall be appointed by the Mayor, subject to confirmation by the City Council. The chairman shall be elected by the Board of Examiners subject to approval by the City Council, and shall serve in this capacity for one year. The City Building Official shall be a non-voting, ex officio member of the board and shall act as secretary.

Meetings

The Board of Plumber Examiners shall meet at least once each quarter and all meetings shall be open to the public. The chairman in his discretion is authorized to call special meetings, or a majority of the members may require a special meeting to be called. A majority of the board shall constitute a quorum for the transaction of business, and three affirmative votes shall be necessary to carry any question. Permanent records, or minutes, shall be kept. The minutes shall promptly be filed in the Office of the City Clerk and shall be open to inspection by any person.

Enacting Legislation

FGC 2-306 through 2-309

Enacting Legislation Website

<http://bit.ly/2Csgr3v>

Joint Commission Details

N/A

Email the Commission Members

boardofplumberexaminers@fairbanks.us

Profile

Sean
First Name

Randle
Last Name

[Redacted]
Email Address

Are you a City of Fairbanks resident? *

Yes

[Redacted]
Primary Phone

[Redacted]
Alternate Phone

Which Boards would you like to apply for?

Board of Plumber Examiners: Submitted

Interests and Experiences

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

Because I feel a sense of civic duty to my community. My experience is 27 years in the plumbing/mechanical industry.

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

I have lived in the Fairbanks area for 35 years. I graduated from North Pole High School and I completed a 5 year apprenticeship thru local 375. I have been doing plumbing and mechanical work for the past 27 years. I am currently a employee of Western Mechanical and have been for the last 20 years.

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

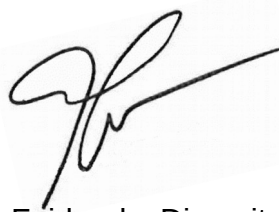
Alaska State Plumbing License , Mechanical Administrators License, City of Fairbanks Master Plumbing License

City of Fairbanks



MEMORANDUM

To: City Council Members
From: Jim Matherly, City Mayor
Subj: Request for Concurrence – Fairbanks Diversity Council
Date: May 18, 2022



The terms of Seat A and Seat E on the Fairbanks Diversity Council currently filled by Mr. Timothy Ledna and Dr. Shelissa Thomas, respectively, will expire on June 30, 2022.

Both individuals have expressed an interest in remaining on the Council. I hereby request your concurrence to following **re-appointments**:

Seat A	Mr. Timothy Ledna	Term to Expire: June 30, 2025
Seat E	Dr. Shelissa Thomas	Term to Expire: June 30, 2025

Application materials from each applicant are attached.

Thank you.

dds/




Board Details


The purpose of the Fairbanks Diversity Council (FDC) is to provide a citizens' forum to the City Council and the Borough Assembly, provide advice and recommendations to promote equal opportunity for all members of the public, serve as a diversity advisory board, and recommend adoption of a Diversity Action Plan.

The Fairbanks Diversity Council has adopted the following Mission Statement:

The City of Fairbanks recognizes that our community is a diverse one, with a wide variety of ethnic backgrounds, cultures, beliefs and orientations and recognizes this diversity as an asset and resource for our community. The establishment of a Fairbanks Diversity Council can provide the City Council and Fairbanks North Star Borough Assembly with advice and recommendations to promote equal opportunity for all members of the public.

Overview

 **Size** 13 Seats

 **Term Length** 3 Years

 **Term Limit** N/A

Additional

Board/Commission Characteristics

The FDC will consist of 11 voting members, 10 of which will be appointed by the City Mayor and subject to approval by the City Council. All members must be members of the Fairbanks community. One of the voting members will be appointed by the Fairbanks North Star Borough (FNSB) Mayor, subject to confirmation by the Borough Assembly. All appointments of the public members shall be for three-year terms, without compensation. The City Mayor shall serve as the non-voting Chairperson of the FDC. The Mayor may appoint a chairperson from the membership of the FDC. If the Mayor appoints a chairperson, the person will remain a voting member and will serve a one-year term as chairperson. The FDC will choose a vice chairperson from among its members. The person chosen will serve a one-year term as vice chairperson. When the term of the chairperson expires, the vice chairperson will become the chairperson, and the FDC will choose a new vice chairperson from among its members. If the Mayor chooses to serve as the chairperson, the vice chairperson will not progress to the chairperson position. The Mayor will remain a non-voting member of the FDC even if not serving as chairperson. The FDC may organize committees and adopt administrative rules and procedures to accomplish its purposes.

Meetings

A quorum shall be necessary to conduct a meeting. A quorum shall consist of six public voting members of the FDC. The business of the FDC shall be transacted by a majority vote of voting members present after a quorum is established. All meetings shall be held, and notices and agendas shall be posted, in compliance with the Alaska Open Meetings Act. Meetings are held on the second Tuesday of each month at 5:30 p.m. in the City Council Chambers at City Hall. Minutes of FDC proceedings shall be kept and filed in accordance with applicable laws dealing with public records. In all matters of parliamentary procedure not covered by rules and procedures adopted under Ordinance No. 5939, the current version of Robert's Rules of Order will govern. The FDC shall keep permanent records or minutes of all meetings. The minutes shall promptly be filed in the office of the City Clerk and shall be open to public inspection. The City Clerk shall supply the FDC with administrative support.

<https://www.fairbanksalaska.us/bc-diversity> Approved Resolutions

Enacting Legislation

FGC 2-231 through 2-235

Enacting Legislation Website

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

Joint Commission Details

The FDC shall include 11 public voting members broadly selected to represent the diverse people of the Fairbanks community. Ten members shall be appointed by the City Mayor subject to the approval of the City Council. One member shall be appointed by the Fairbanks North Star Borough Mayor subject to the approval of the Fairbanks North Star Borough Assembly.

Email the Commission Members

diversitycouncil@fairbanks.us

Profile

Timothy

First Name

Ledna

Last Name

[Redacted]

Email Address

[Redacted]

Street Address

[Redacted]

Suite or Apt

Fairbanks

City

AK

State

[Redacted]

Postal Code

Mailing Address

[Redacted]

Are you a City of Fairbanks resident? *

Yes

[Redacted]

Primary Phone

[Redacted]

Alternate Phone

Which Boards would you like to apply for?

Fairbanks Diversity Council: Submitted

Interests and Experiences

Question applies to Fairbanks Diversity Council

Please tell us how your diversity will benefit and contribute to the mission and purpose of the Fairbanks Diversity Council. You may list any group, club, organization, etc. that you are formally affiliated with.

I am a caring and productive helping professional with a 20-year record of successful service to non-profit organizations and educational institutions. While I am most proud of being the adoptive father of two children (10 years ago), I also feel honored to have been an advocate for struggling communities, at-risk college students, the poor, and other under-served populations. As a currently licensed Therapeutic Foster Parent for the State of Alaska, I can represent foster parents and foster youth on the diversity council. I am also a life-long person of faith who can share from a Catholic perspective. And finally, as a recent transplant from the lower-48, I bring an "outsider's" view to my new home.

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

I am interested in service on this board because I was asked to by Bobby Dorton. After review of the group's mission, I feel confident in saying that I too want to "promote equal opportunity for all members of the public." Previously, as a Case Manager for Homeless Families with the Grand Junction Housing Authority, or as a Child Abuse Prevention Specialist with the Las Vegas Rape Crisis Center, I assisted vulnerable populations during difficult times. Most recently at the Fairbanks Native Association, I supported others as a Mental Health Clinician (therapist); I worked with clients building their self-efficacy, facilitating behavior change, improving ability to establish and maintain relationships, enhancing coping skills, and encouraging personal growth and self-awareness to reach full potential. I hold an Associates of Arts Degree in Spanish from Otero Junior College, a Bachelors of Arts Degree in the Humanities from Loyola University Chicago, a Master of Arts Degree in Systematic Theology from the University of Notre Dame, and a Master of Science Degree in Clinical Mental Health Counseling from the University of Nevada Las Vegas. I also have a Teaching English as a Foreign Language Certificate (TEFL/ TESOL) from the University of Arizona. I am a Nationally Certified Counselor (NCC) and Qualified Addictions Professional (QAP). I am trained in Trauma-Focused Cognitive Behavioral Therapy from the Medical University of South Carolina and I am a Certified Gatekeeper for suicide prevention from the QPR Institute (Question, Persuade, Refer). When not at work, I like to volunteer in my community; for example, I served as a tutor for the Children's Literacy Project in La Junta, Colorado a couple years ago and more recently was a volunteer for Fairbanks Youth Advocates as a member of the Board of Directors.

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

I was born in Denver but raised in Chicago. My favorite residence, however, was in Logan, Utah. So far, my year and half in Alaska has been really good, especially the year I spent living in a cabin in the woods. Please see attached resume.

Upload a Resume

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

National Certified Counselor Licensed Foster Parent, Alaska

Timothy Ledna

Gallup StrengthsFinder® Strategic – Intellection – Focus – Context – Futuristic

Fairbanks, Alaska –

Summary

I am a caring and productive helping professional with a 20-year record of successful service to non-profit organizations and educational institutions. I am looking for opportunities to empower others, build client self-efficacy, strengthen communities, and /or research the role of mindfulness in the work place. While I am most proud of being the adoptive father of two children, I also feel honored to have been an advocate for struggling communities, at-risk college students, the poor, and other under-served populations.

Education

Master of Science, Mental Health Counseling	University of Nevada-Las Vegas, 2009
Master of Arts, Theology	University of Notre Dame, 2006
Bachelor of Arts, Humanities	Loyola University Chicago, 2002
Associate of Arts, Spanish	Otero Junior College, 2020
Certificate, Teaching English as a Foreign Languages (TEFL/TESOL)	University of Arizona, 2021

Experience

Mental Health Clinician for the Alaska Native Pandemic Project

Fairbanks Native Association

June 2020 – Present

The Fairbanks Native Association is a 501(c)(3) non-profit organization; incorporated in the State of Alaska in 1967 as the first Civil Rights groups in the interior, its goal was to provide a political voice and sense of belonging to Alaska Natives. Today, Fairbanks Native Association (FNA) is a community organization providing Behavioral Health Services, Education, and Community Services to the Fairbanks North Star Borough and clients from all over the state..

- Provide direct services to consumers including crisis intervention, mental health assessment, and therapy for individuals, groups, children, married couples, and families, at a level established by the unit
- Develop comprehensive mental health and case management plans in an accurate and timely manner
- Assess crisis situations and determines the best intervention utilizing local community agencies and FNA resources
- Provide on-going clinical training to BHS staff, to include facilitation of groups to model appropriate group techniques
- Participate in clinical case staffing in collaboration with clinical team
- When necessary, coordinates case conferences with other service providers
- Carries a case load of eight (8) consumers
- Provide immediate service until stabilized; refers to other treatment or support services
- Participate in professional development and quality assurance activities for individuals as well as the unit to improve the quality of service provided

- Provide case management/file documentation in accordance with established standards, and submit reports (i.e., required for MIS reporting, consumer billing, etc.) and other data in an accurate and timely manner
- Attend staff meetings and in-service trainings, and presents cases for routine/problematic staffing as needed, including participation in interdisciplinary treatment team
- Participates as a member of the treatment team

Behavioral Management Consultant at Private Practice

July 2017 – June 2020

Nationally Certified Counselor by the National Board of Certified Counselors providing behavioral management, assessment, talk therapy, emotional support, consultation, and coaching.

- Provided behavioral assessments for family, individual, adolescent and child clients
- Responded as a crisis interventionist for at-risk youth and families from diverse ethno-cultural and racial backgrounds
- Worked with clients presenting wide range of conditions, including physical and mental abuse, family issues, acculturation, and adjustment
- Provided initial individual psychotherapy services to culturally diverse adolescents and young adults ages 17 - 25 diagnosed with attention disorders, anxiety, depression and bereavement
- Developed and implemented mental, emotional, behavioral short-term and long-term goals in collaboration with the client using various modalities for treatment
- Cultivated and role-model positive, productive relationships with clients, families, and community members to promote effective assimilation and socially acceptable behavior

Associate Director / Hall Director at Graceland University, Residence Life

July 2016 – June 2018

Founded in 1895, and sponsored by The Community of Christ, Graceland University is a small, private, residential college grounded in the liberal arts. The main campus serves approximately 1,000 students on 170 acres of rolling hills in southern Iowa.

- Facilitated the selection, training, and supervision of 17 student staff leaders called House Presidents
- Consulted and advised students daily in a number of areas, including: personal and academic concerns, House (floor) relationships, university procedures, and accessing college resources
- Provided a “ministry of presence” by being accessible and visible on each floor of assigned men’s residence hall and at campus events, showing support for both students and the university
- Acted as chief student conduct officer for assigned men’s residence hall by hearing on average 2 conduct cases per week, determining student’s responsibility for violations, and assigning educational sanctions
- Responded to maintenance problems, security issues, mental health urgencies, medical situations, and other emergencies during business hours and on a 24-hour basis one week per month when “on duty” for all of campus housing
- Participated in weekly Council of House Presidents meetings, weekly Enrollment and Persistence Committee meetings, bi-monthly Program Review Committee meetings, and helped to plan and execute 3 off-campus training retreats per year
- Actively participated in the work of the Upper Midwest Region of the Association of College and University Housing Officers-International, serving on the Membership and Involvement Committee and then the Communications Committee

Assistant Director for Residential Education at Radford University, Housing and Residential Life

March 2014 – April 2016

Student Affairs Officer for Radford University, a comprehensive public institution of nearly 10,000 students located in Southwest Virginia; over 3,000 students live on campus in 15 residence halls.

- Worked strategically and directly with the Associate V.P. for Student Affairs and the Assistant Provost of Academic Programs to facilitate the development of 2 new Living Learning Communities and to enhance 5 existing Living Learning Communities
- Advanced the faculty-led vision of the newly approved Living Learning Communities called RU Makers and ECO, expanding the student experience for 60+ residents
- Supervised the Student Assistant for Residential Education and acted as faculty advisor for 15+ student leaders
- Chaired or co-facilitated the established Living Learning Community Steering Committees, including Honors Housing, the Community of Artists, and Biology Connections
- Acted as part of the Assistant Director / Director level on-call management team, responding to high-level emergency situations as needed during week long duty rotations 2 or 3 times each semester
- Assessed satisfaction, learning outcomes, and institutional retention goals within Living Learning Communities, conducted 5 or more student survey's or focus groups each semester, and tracked results from surveys, focus groups, and institutional data using the WEAVE platform
- Integrated into my work the research and knowledge gained from the Ruffalo Noel Levitz professional consultants, a nationally known enrollment management company
- Controlled annual Living Learning Community programming finances, co-wrote fiscal year budget initiative proposals, and managed university small purchase card use, including reconciling monthly spending with reports
- Served on university and departmental committee assignments, including Chair of the Programming Review Committee, member of the McConnell Library Student Engagement Action League, and member of the Scholar-Citizen Faculty Advisory Council

Residence Director, Living Learning Community at Utah State University, Housing Services

July 2009 - Jan 2014

Professional staff leader for a 500 bed residence hall called the Living Learning Community (LLC). USU is a 400 acre, Land-Grant and Space-Grant institution of 25,000+ students. There are over 2,500 single student beds on campus.

- Recruited, retained, and cared for students' basic residential needs; oversaw 22% increase in my area's retention from 2013 to 2014
- Supervised 11 resident assistants, 3 peer mentors, 1 office manager, 4 receptionists, 7 sustainability student leaders, 2 AmeriCorps
- Designed and implemented the faculty mentor program for the LLC and collaborated heavily with 3 faculty mentors each year
- Managed office supply budget, \$10,000+ activities budget, and provided financial oversight to 15+ student staff 'P-Card' accounts
- Developed and directed Theme Housing for my area including complete supervision of Honors House, Leadership House, Study Intensive Suites, Interfaith House, and EcoHouse; the later three being conceived of by me and implemented during my tenure
- Organized diversity and social justice programming including annual 'Shanty Town' with 50 participants

and 'Social Class Dinner' with 100+ participants, provided advisement for large scale social programming including 'Casino Night' with 500 participants, and large scale educational programming including 200 mile road trip to the Spanish Fork Hindu Temple for the Festival of Colors

- Worked as an initial professional helper for students in crisis including those suffering from depression, anxiety problems, suicide attempts, cutting, or other self-harm issues; worked with other campus departments including Counseling and Psychological Services
- Coordinated the initial Residence Life student staff selection process including over 100+ applications and reference letters each year
- Co-taught the Residence Life Leadership Class each spring semester for five years, instructing on topics such as peer-to-peer helpers

Interim Principal Investigator at T.E.A.M. (Together Everyone Achieves More) Youth Mentoring

June 2009 - May 2014

The Department of Workforce Services, Office of Work & Family Life, provided grant funds to create and expand quality afterschool programs for youth in Middle, Junior High and High School. This Safe Passages Grant was administered by Utah State University to create Y.F.P. & T.E.A.M.

- Began in this community organization as a volunteer mentor, continued later as a formal community partner representing the Living Learning Community at Utah State University, and ended as the principle investigator (grant administrator) for T.E.A.M (Together Everyone Achieves More)
- Recruited college-level volunteers from Utah State University residence halls to act as mentors for middle-school and high-school aged children, developed and assisted with training 50+ mentors each year
- Assessed the needs of 50+ at-risk youth and helped track involvement levels, persistence, and achievement of learning outcomes for these participants
- Designed and assisted in the delivery of the program and the curriculum for 10+ major activities each year including college readiness events for high school youth
- Completed grant administration responsibilities including financial reporting and auditing

Student Intern Counselor at WestCare, Nevada

January 2009 - May 2009 (Spring Semester)

WestCare, a family of nonprofit organizations serving seventeen states, provides a wide spectrum of health and human services in both residential and outpatient environments. Services include substance abuse treatment, runaway shelters, domestic violence prevention, and mental health programs.

- Academic semester mental health services provider and intern counselor for regional mental health facility
- Acted as a facilitator for 1 therapeutic women's group and 1 therapeutic men's group serving over 50 clients in total
- Provided guidance to group participants in drug addiction recovery, led discussion topics, gave presentations to clients about basic living skills
- Collaborated with Certified Drug and Alcohol counselors in conducting assessments, helped identify useful information and resources to new client members, assessed initial disclosures of drug or alcohol abuse, created treatment plans in collaboration with Licensed Counselors
- Reported all relevant client information in record keeping databases as required by company policy or state law

Psycho-Social Rehabilitation Provider at Clark County Nevada Community Agencies

June 2007 - May 2009

Clark County Nevada social service agencies (e.g. Compass Behavioral Health, Eagle Quest) utilized independent contractors to fill part-time, entry-level mental health provider positions.

- Contracted rehabilitative intervention specialist (psycho-social rehabilitation provider) for emotionally distressed or behaviorally challenged youth and families
- Customized treatment goals with clinicians, included concrete skills training such as self-care, monitoring for safety, and anger management
- Demonstrated basic living skills, household management, and communication / social techniques to over 25+ youth clients over a 2 year period, separately taught parenting skills and organization concepts to adults in the home
- Made appropriate referrals into the community and designed other services for one to one support in keeping with the continuum of care model for client success and transition

Abuse Prevention Specialist at Child Assault Prevention / Rape Crisis Center

December 2007 - November 2008

Founded in 1974 as Community Action Against Rape, The Rape Crisis Center now serves all of Clark County Nevada by supporting victims in the immediate aftermath and long-term recovery following sexual abuse and by providing assault prevention and education programs in schools and neighborhoods.

- Classroom facilitator and child abuse prevention specialist for Clark County School District through a grant administered by The Rape Crisis Center, Child Assault Prevention Program
- Gave 36+ presentations that provided basic child assault prevention skills to 1st through 5th grade classrooms
- Collaborated with teachers and school counselors in identifying useful information to provide to at-risk children
- Conducted 50+ one-to-one interviews during presentation 'review time' with individual children who self-identified as needing a trusted adult to talk to
- Assessed initial disclosures of abuse and reported all suspected cases of child abuse to local authorities for additional follow-up

Youth Advocate at Youth Advocate Programs / Clark County Juvenile Probation

April 2007 - August 2007 (Summer Position)

Youth Advocate Programs Inc. (YAP) traces its roots to a 1975 ruling that prohibited young people from being incarcerated with adult inmates at the State Correctional Institution in Camp Hill, PA. Today, YAP is one of the largest non-profit agencies providing exclusively non-residential, community-based programs.

- Summer mentor for young at-risk clients adjudicated to juvenile probation
- Developed intensive, supportive relationships with 4 families and their youth
- Insured clients participated regularly in probationary expectations and attended mandatory court dates.
- Monitored behaviors while rewarding positives
- Conducted psycho-educational sessions with juvenile sex offenders with the goal of reducing rate of client re-offending
- Connected client families and youth to community resources and support activities

Case Manager, Next Step Housing Program at Grand Junction Housing Authority

July 2005 - June 2007

The Grand Junction Housing Authority (GJHA) provides services and programs to financially needy people in the Grand Valley region of Colorado, including over 500 quality apartments operated by the Housing Authority. In addition, the GJHA helps over 1,200 individuals and families pay rent in market-rate apartments throughout the community, works with home owners to avert foreclosure, helps young families develop their own strengths to become self-sufficient, and assists elders and people with disabilities access supportive services to remain as independent and as healthy as possible.

- Began in agency as a Housing Assistant (volunteer), helped manage client cases with the specialists, reviewed barriers to housing for families or disabled, assisted Family Reunification Program
- Continued in organization as Housing Advocate (part-time employment), coordinated housing efforts with clients for new Colorado State funded tenant based rental assistance program, developed effective strategies for communicating policies to clients, negotiated living arrangements for clients with landlords and property managers, acted as liaison for clients to the community and connected clients to resources available
- Finished (full-time employment) working as Next Step Housing Program Case Manager responsible for client family home visits, creating self-sufficiency plans and work goals, and all crisis intervention

Direct Care Staff Member at The Center For The Homeless

August 2003 - August 2004

The Center has served more than 55,000 men, women, children and veterans by linking them with the programs, agencies, and people who can help them break the cycle of homelessness. Campus consists of a residential building, administrative building, children's natural play area, a universal sports court and a Veteran's Center.

- Direct care staff member for a population of 200+ residents
- Mainly responsible for conflict resolution, in-house chore processing, and periodic supervision of (ten) team leaders
- Sometimes coordinated guest-client activities, managed maintenance requests, and /or acted as front desk coordinator
- Became a member of the Resident Advisory Committee, worked to enforce resident drug and alcohol policies, and promoted servant leadership

Certifications

National Certified Counselor

National Board of Certified Counselors, September 2019

Certificate of Completion in Empowerment and Training

Tracy Knofla: High Impact Training, May 2015

Certificate of Completion in LGBTQ Campus Roadmap Training

Paperclip Communications Pte Ltd, October 2013

Certificate of Training in the Principles of Operational Excellence

The Shingo Prize and the Jon M. Huntsman School of Business at Utah State University, August 2012

Certified Crisis Management First Responder

USU / Cache County Utah Community Emergency Response Team, October 2009

Licensed Resource Family (Foster Care) Provider

Utah Department of Children and Family Services, November 2009

Certificate of Completion in College Level Teaching

University of Nevada Las Vegas, September 2008

Certified Health Care Provider: Adult, Child, & Infant CPR

American Red Cross, March 2008

Certificate of Completion in Child Assault Prevention Facilitator Training

Child Assault Prevention Program, February 2008

Certificate of Training in Fire Safety

Grand Junction Colorado Fire Department, April 2007

Certificate of Training in Microsoft Office

Park University, August 2005

Certificate of Completion in Leadership Training

Gabriel Richard Institute, January 2003

Certificate of Achievement in Adult Formation

St. Joseph College, May 2002

Publications and Presentations

"Theme Housing: Considering New Special Interest Communities in a Residence Life Program"

Professional article for "The Angle", a quarterly publication of the Association of Intermountain Housing Officers
March 1, 2013

Authors: Timothy Ledna

"Religion and Spirituality as a Diversity Issue"

Professional Panel Presentation at Utah State University's Symposium for Inclusive Excellence
October 10, 2013, Authors: Timothy Ledna, Bonnie Glass-Coffin, Dennis Kohler

"Programming Free Community Development"

Professional Presentation at the Association of Intermountain Housing Officers Annual Conference
November 10, 2012, Authors: Timothy Ledna, Jamie Lloyd, Tem (TJ) Sedgwick

"Unconditional Creativity in Youth Behavioral Interventions"

Professional presentation to the Northern Region's Foster / Adopt Cluster of the Utah Department of Child and Family Services October 10, 2011, Author: Timothy Ledna

"Letting Go of Control: Community Standards for Residence Halls"

Professional Presentation at the Association of Intermountain Housing Officers Annual Conference
November 13, 2010, Authors: Timothy Ledna, Tem (TJ) Sedgwick

"Building the Future Through Professional, Social, and Cultural Etiquette"

Professional Presentation at the Association of Intermountain Housing Officers Annual Conference

November 5, 2008, Authors: Timothy Ledna, Richard Clark

Volunteer Work

Literacy Tutor for The Children's Literacy Center / Project (La Junta, Colorado)

August 2018 - July 2019 (1 year)

Organization Volunteer for "The Spread" Free Public Meal at Community of Christ (Lamoni, Iowa)

September 2016 - May 2018 (1 year 7 months)

Organization Volunteer at Free Clinic of Pulaski County

January 2016 - January 2016 (1 month)

Organization Volunteer at Friends of Homeless Animals

November 2015 - November 2015 (1 month)

Special Events Volunteer at Cache Humane Society (Cache County Utah)

October 2013 - September 2014 (1 year)

Organization Volunteer at Utah Foster Care Foundation

July 2009 - June 2014 (5 years)

Quality Improvement Committee Member at Utah Department of Child and Family Services

November 2009 - December 2014 (5 years)

Board of Directors at BEST Coalition for the Prevention of Substance Abuse

March 2008 - February 2009 (1 year)

Child Haven Volunteer at Clark County Nevada Department of Family Services

June 2007 - May 2009 (2 years)

Organization Volunteer at Habitat for Humanity International

April 2006 - April 2006 (1 month)

Board Parliamentarian at Highwood Illinois Public Library

September 2002 - August 2003 (1 year)

Special Events Volunteer at Mesa County Colorado Library

June 2005 - May 2007 (2 years)

Soup Kitchen Volunteer at Franciscan Outreach of Chicago

August 1999 - May 2002 (2 years 10 months)

Vice President at Amnesty International, Loyola University Chicago

January 1999 - December 1999 (1 year)

Organization Member at Northwest Indiana Interfaith Citizens Organization

August 1996 - July 1998 (2 years)

Profile

Dr. Shelissa

First Name

Thomas

Last Name

[Redacted]

Email Address

Mailing Address

[Redacted]

Are you a City of Fairbanks resident? *

Yes

[Redacted]

Primary Phone

[Redacted]

Alternate Phone

Which Boards would you like to apply for?

Fairbanks Diversity Council: Submitted

Interests and Experiences

Question applies to Fairbanks Diversity Council

Please tell us how your diversity will benefit and contribute to the mission and purpose of the Fairbanks Diversity Council. You may list any group, club, organization, etc. that you are formally affiliated with.

I would like to apply for the position of Fairbanks Diversity Council Board Member. I am an active community member with a background in Re-integration & Behavioral Health Services and treatment and would love the chance to give back by lending my advisory skills to the Fairbanks Community Diversity board. I am a Chemical Dependency Counselor by profession and work with clients on an individual basis to explore personal issues and to work toward achieving personal goals. I have a strong background in human development and possess a broad range of counseling skills. In addition, one of my areas of expertise is in counseling individuals who have drug, alcohol and mild behavioral health disorders. With this background and knowledge, I believe I would serve as an excellent adviser and Board Member this community and organization. I've been praised for my ability to reach people who've built up walls of self-protection and other such defense mechanisms by assisting those individuals with fair and healthy implementations or negotiations to make their lives simpler. I would be thrilled to have the opportunity to serve on your board and put my knowledge to use. I am a currently an active board member on the health & social Service commission board for over three years. I am confident you'll find me a good fit for your needs as a Fairbanks Diversity Board Member. Please contact me by phone or email at a convenient time for you so that we may set up an in-person meeting. I look forward to hearing from you and thank you so much for your time.

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

I am interested in volunteering and serving on the Fairbanks Diversity Council Board so that I may represent the Fairbanks community's interest in preserving value, friendliness and diversity. I believe we have a very unique community that is rich in diversity. Preserving the community's appeal does not come without hard work and I believe our past and present boards have done a wonderful job in making Fairbanks a place that each and every one of us is proud to call home. I am therefore seeking to join the Board to continue this tradition. My relevant experiences include serving on the Board of Health and Social Services Commission and thereby an understanding of Robert's Rules. I am interested in serving as a Fairbanks Community Diversity Board Member because I am very much aligned with the goals and focus of the Fairbanks Diversity Board and I would like to use the skills gained in my time as a CEO to assist my community with reaching its objectives. I have been a Board Member for Health and Social Services Commission board for 4 plus years. I have experience in chairing meetings and strategic solutions. My administrative experience and proven leadership skills will prove useful to the Diversity Board. Enhancing staff performance and resourcefulness are some of my key strengths. I get along well with others and thrive on finding resolutions to problems. I am confident that these qualities together with my commitment to work will be an asset to your organization. Some of my personal achievements in my professional capacity I can bring to your organization are as follows: • Represent the organization and serve as a spokesperson. • Take an active part in the budget planning process. • Offer a broad knowledge of programs, policies and implementation strategies.

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

I am a proud mother of four children ranging in age from thirteen to thirty years of age. I am the loving grandmother to four amazing grandchildren. I have been married to Timothy Thomas for seventeen amazing years and counting. I was born in Alexandria Louisiana. However, I lived most of my childhood in Baton Rouge, Louisiana. My husband is originally from New Orleans Louisiana. I come from family that is bilingual with creole French being their first language. I have lived in Fairbanks Alaska for 28 years, I first arrived in Fairbanks by way of the United States military. After my first few months here in Fairbanks I fell in love with the scenery and the slow pace of life that I deem safe living. I and my husband established and created a non-profit organization that services those who have been incarcerated and desire to rebuild their lives over, we provided rehabilitation behavioral health services since 2011. I am a licensed Chemical Dependency counselor who has a passion for the work I do. I know that I can bring much benefit with my experience, educational qualifications and skills and I look forward to putting these towards a good cause. I created fairbanks first Crisis Stabilization center for individuals who are experiencing any state of crisis. We own and operate several sober living homes. We operate several residential & outpatient treatment facilities and a Detox Center. Please contact me by phone or email.

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

Chief Clinician Chemical Dependency Addiction Counselor