



FAIRBANKS CITY COUNCIL  
AGENDA NO. 2018-03  
**REGULAR MEETING FEBRUARY 5, 2018**  
FAIRBANKS CITY COUNCIL CHAMBERS  
800 CUSHMAN STREET, FAIRBANKS, ALASKA

---

WORK SESSION

6:00 p.m. Work Session – Minnie Street Corridor Study

---

*It is the mission of the City of Fairbanks to provide essential services to the residents of the City that increase the desirability of the City as a place to live, work, and visit. Essential services include not just the visible activities of police, fire, and public works employees, but also the creation and maintenance of community infrastructure, promotion of safe housing and construction standards, and the sound management of community assets.*

REGULAR MEETING

7:00 p.m.

1. ROLL CALL
2. INVOCATION
3. FLAG SALUTATION
4. CEREMONIAL MATTERS (Proclamations, Introductions, Recognitions, Awards)
5. CITIZENS' COMMENTS on consent agenda items indicated by an asterisk (\*). Testimony is limited to five minutes. Any person wishing to speak needs to complete the register located in the hallway. Normal standards of decorum and courtesy should be observed by all speakers. Remarks should be directed to the City Council as a body rather than to any particular Council Member or member of the staff. In consideration of others, please silence all cell phones and electronic devices.
6. APPROVAL OF AGENDA AND CONSENT AGENDA

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

7. APPROVAL OF MINUTES OF PREVIOUS MEETINGS

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 five minutes.

Lic. #	DBA	License Type	Licensee	Address
435	Garden Island Party Store	Package Store	Market Basket, Inc.	246 Illinois Street
703	Gavora's Liquor #1	Package Store	Market Basket, Inc.	250 Third Street
704	Gavora's Liquor #2	Package Store	Market Basket, Inc.	1255 Airport Way
1134	Thrifty Liquors	Package Store	Market Basket, Inc.	1410 Cushman Street
710	Mecca Bar	Beverage Dispensary	JRB, Inc.	549 2nd Avenue
5266	Fushimi	Restaurant/Eating Place	Fushimi, LLC	607 Old Steese Hwy, Ste. 105
5169	HooDoo Brewing Company	Brewery	Fairbanks Fermentation, LLC	1951 Fox Avenue

9. MAYOR'S COMMENTS AND REPORT

- a) Special Reports

10. UNFINISHED BUSINESS

- a) Ordinance No. 6069 – An Ordinance Ratifying a Labor Agreement Between the City of Fairbanks and the AFL-CIO Crafts Council. Introduced by Mayor Matherly. **SECOND READING AND PUBLIC HEARING.**

11. NEW BUSINESS

- \*a) Resolution No. 4824 – A Resolution in Support of Senate Bill 86, an Act Relating to the Sale or Other Disposal, Leasing, or Encumbrance of Alaska Railroad Corporation Land. Introduced by Mayor Matherly.
- \*b) Resolution No. 4825 – A Resolution in Support of House Bill 176, an Act Relating to Medical Assistance Reimbursement for Ground Emergency Medical Transportation Services. Introduced by Mayor Matherly.

- \*c) Resolution No. 4826 – A Resolution in Support of Senate Bill 63, an Act Prohibiting Smoking in Certain Places; Relating to Education on the Smoking Prohibition. Introduced by Mayor Matherly.
- \*d) Resolution No. 4827 – A Resolution Approving Participation by the City of Fairbanks in the 2017-2018 AMLJIA Loss Control Incentive Program. Introduced by Mayor Matherly.
- \*e) Ordinance No. 6070 – An Ordinance to Amend Fairbanks General Code Chapter 14, Businesses, by Adding Article VI Regulating Marijuana Establishments. Introduced by Mayor Matherly.

12. DISCUSSION ITEMS (Information and Reports)

- a) Committee Reports

13. WRITTEN COMMUNICATIONS TO THE CITY COUNCIL

14. CITIZENS' COMMENTS, oral communications to the City Council on any item not up for public hearing. Testimony is limited to five minutes.

15. COUNCIL MEMBERS' COMMENTS

16. CITY CLERK'S REPORT

17. CITY ATTORNEY'S REPORT

18. EXECUTIVE SESSION

19. ADJOURNMENT



# City of Fairbanks

Office of the City Clerk

800 Cushman Street


Fairbanks, AK 99701

(907)459-6715

Fax (907)459-6710

## MEMORANDUM

TO: Mayor Jim Matherly and City Council Members

FROM: D. Danyielle Snider, CMC, City Clerk 

SUBJECT: Liquor License Renewals

DATE: January 31, 2018

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

Lic. #	DBA	License Type	Licensee	Premises Address
435	Garden Island Party Store	Package Store	Market Basket, Inc.	246 Illinois Street
703	Gavora's Liquor #1	Package Store	Market Basket, Inc.	250 Third Street
7041	Gavora's Liquor #2	Package Store	Market Basket, Inc.	1255 Airport Way
1134	Thrifty Liquors	Package Store	Market Basket, Inc.	1410 Cushman Street
710	Mecca Bar	Beverage Dispensary	JRB, Inc.	549 2nd Avenue
5266	Fushimi	Restaurant/Eating Place	Fushimi, LLC	607 Old Steese Hwy, Ste. 105
5169	HooDoo Brewing Company	Brewery	Fairbanks Fermentation, LLC	1951 Fox Avenue

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

Per the Council's request, the Police Department has included a call report for each location (attached); however, Chief Jewkes is not recommending a protest for any of the renewals.

**There are no departmental protests to the above-listed license renewals.** Please contact me if you need any further information.

# CITY OF FAIRBANKS PUBLIC SAFETY

## Garden Island Party Store 246 Illinois St

12/27/2016- 12/27/2017

Report #	Call Time	Nature	Location	Prime Unit	Disp.	Close Time
	12/18/2017 15:41	SUSPICIOUS PERSON	246 ILLINOIS ST	O17	NRP	12/18/2017 16:20:29
	12/01/2017 22:11	ALARM	246 ILLINOIS ST	O25	NRP	12/01/2017 22:22:41
	10/18/2017 03:05	SI - FIELD CONTACT	246 ILLINOIS ST	O16	NRP	10/18/2017 03:06:25
	09/25/2017 16:47	SUSP	246 ILLINOIS ST	O1	NRP	09/26/2017 20:54:36
17003135	09/10/2017 12:17	FRAUD/FORGERY	246 ILLINOIS ST	O26	RPT	09/10/2017 14:22:00
	08/21/2017 07:44	URGENT WELFARE	246 ILLINOIS ST	O5	NRP	08/21/2017 08:06:35
	08/20/2017 18:23	DISTURBANCE -	246 ILLINOIS ST	O39	NRP	08/20/2017 18:43:41
17002634	08/03/2017 18:52	THEFT - DELTA	246 ILLINOIS ST	S7	RPT	08/03/2017 19:06:50
17001823	06/01/2017 14:23	THEFT - DELTA	246 ILLINOIS ST	O26	RPT	06/01/2017 15:27:30
	04/23/2017 01:15	SI - FIELD CONTACT	246 ILLINOIS ST	O16	NRP	04/23/2017 01:19:38
17001274	04/19/2017 23:38	ALARM BURGLARY -	246 ILLINOIS ST	O16	RPT	04/20/2017 00:26:13
	04/15/2017 23:39	SUSPICIOUS VEHICLE	246 ILLINOIS ST	O16	NRP	04/15/2017 23:52:54
17000670	03/02/2017 21:28	10-36	246 ILLINOIS ST	O39	RPT	03/02/2017 22:58:24
17000371	02/05/2017 11:48	TRESPASS SMALL	246 ILLINOIS ST	S6	RPT	02/05/2017 14:43:12
	02/04/2017 04:15	URGENT WELFARE	246 ILLINOIS ST	O16	NRP	02/04/2017 05:17:34
	01/03/2017 04:23	ALARM BURGLARY -	246 ILLINOIS ST	O35	FAB	01/03/2017 04:33:47
	12/27/2016 10:38	SUSP	246 ILLINOIS ST	O26	NRP	12/27/2016 11:04:37

Total Number of Events Listed: 17

# CITY OF FAIRBANKS PUBLIC SAFETY

## Gavora`s Liquor #1 250 Third St

12/27/2016 - 12/27/2017

Report #	Call Time	Nature	Location	Prime Unit	Disp.	Close Time
17004107	11/27/2017 11:57	THEFT - DELTA	250-02 THIRD ST	O4	RPT	11/27/2017 16:33:20
17004001	11/17/2017 15:35	THEFT - DELTA	250-02 THIRD ST	O30	RPT	11/17/2017 16:17:48
17003911	11/09/2017 12:35	THEFT - DELTA	250-02 THIRD ST	O9	RPT	11/09/2017 16:17:26
17003753	10/27/2017 13:14	TRESPASS/UNWANTE	250-02 THIRD ST	O9	RPT	10/27/2017 14:07:51
	10/20/2017 15:13	TRESPASS/UNWANTE	250-02 THIRD ST	O1	NRP	10/20/2017 15:53:09
17003521	10/10/2017 15:39	TRESPASS/UNWANTE	250-02 THIRD ST	O25	RPT	10/10/2017 16:37:31
17003356	09/27/2017 20:05	PAST THEFT - BRAVO	250-02 THIRD ST	O11	RPT	09/27/2017 22:55:32
17003286	09/22/2017 16:17	TRESPASS/UNWANTE	250-02 THIRD ST	O17	RPT	09/22/2017 17:07:47
17003251	09/19/2017 11:43	THEFT - DELTA	250-02 THIRD ST	O6	RPT	09/19/2017 15:13:08
17003198	09/15/2017 12:13	PAST THEFT - BRAVO	250-02 THIRD ST	O9	RPT	09/15/2017 14:02:11
17003191	09/14/2017 17:39	PAST THEFT - BRAVO	250-02 THIRD ST	S7	RPT	09/14/2017 18:05:32
	09/07/2017 16:02	THREAT - BRAVO	250-02 THIRD ST	O2	NRP	09/07/2017 17:33:45
17002928	08/27/2017 15:47	THEFT - DELTA	250-02 THIRD ST	O4	RPT	08/27/2017 18:34:32
17002536	07/27/2017 17:17	THEFT - DELTA	250-02 THIRD ST	O17	RPT	07/27/2017 17:39:38
17002113	06/25/2017 09:41	BURGLARY - BRAVO	250-02 THIRD ST	O1	RPT	06/25/2017 11:04:52
	06/19/2017 02:24	SI - BAR CHECK	250-02 THIRD ST	O16	NRP	06/19/2017 02:27:06
17001942	06/10/2017 20:36	THEFT - DELTA	250-02 THIRD ST	O17	RPT	06/10/2017 21:19:18
17001852	06/03/2017 12:27	THEFT - DELTA	250-02 THIRD ST	O39	RPT	06/03/2017 13:40:45
17001373	04/28/2017 14:03	THEFT - DELTA	250-02 THIRD ST	O10	RPT	04/28/2017 14:51:51
17000992	03/29/2017 20:21	THEFT - DELTA	250-02 THIRD ST	O3	RPT	03/30/2017 00:02:45
	01/31/2017 16:29	TRESPASS SMALL	250-02 THIRD ST	O8	NRP	01/31/2017 17:23:09

Total Number of Events Listed: **21**

# CITY OF FAIRBANKS PUBLIC SAFETY

## Gavora`s Liquor #2 1255 Airport Way

12/27/2016 - 12/27/2017

Report #	Call Time	Nature	Location	Prime Unit	Disp.	Close Time
17004355	12/17/2017 14:51	THEFT FROM	1255 AIRPORT WAY	O17	RPT	12/17/2017 15:35:05
	12/16/2017 18:22	SUSP	1255 AIRPORT WAY	O25	NRP	12/16/2017 18:32:11
	12/08/2017 21:05	ALARM BURGLARY -	1255 AIRPORT WAY	O29	NRP	12/08/2017 21:14:12
17004247	12/08/2017 19:11	THEFT - DELTA	1255 AIRPORT WAY	O1	RPT	12/08/2017 21:10:59
	11/26/2017 05:28	TRESPASS/UNWANTE	1255 AIRPORT WAY	O39	NRP	11/26/2017 05:41:47
	11/20/2017 03:00	TRESPASS/UNWANTE	1255 AIRPORT WAY	O32	NRP	11/20/2017 03:05:57
17004026	11/20/2017 02:52	WANTED PERSON -	1255 AIRPORT WAY	O39	RPT	11/20/2017 03:33:04
	11/20/2017 01:52	WELFARE CHECK -	1255 AIRPORT WAY	O39	NRP	11/20/2017 02:39:04
17004004	11/17/2017 17:16	THEFT - DELTA	1255 AIRPORT WAY	O11	RPT	11/17/2017 17:54:28
17003977	11/15/2017 15:15	THEFT - DELTA	1255 AIRPORT WAY	O29	RPT	11/15/2017 15:43:47
17003658	10/20/2017 18:36	THEFT - DELTA	1255 AIRPORT WAY	O25	RPT	10/20/2017 19:33:47
17003477	10/07/2017 07:36	PAST THEFT - BRAVO	1255 AIRPORT WAY	DESK	RPT	10/07/2017 08:08:37
	09/27/2017 04:35	HARASSMENT -	1255 AIRPORT WAY	O5	911	09/27/2017 05:19:22
17003321	09/25/2017 11:50	THEFT FROM	1255 AIRPORT WAY	DESK	RPT	09/25/2017 14:37:35
	09/19/2017 11:25	TRESPASS/UNWANTE	1255 AIRPORT WAY	L6	NRP	09/19/2017 11:47:31
	08/27/2017 09:38	DUI - MOVING -	1255 AIRPORT WAY	O39	NRP	08/27/2017 10:19:11
	08/26/2017 17:22	FOUND PERSON -	1255 AIRPORT WAY	O17	NRP	08/26/2017 17:42:16
	08/21/2017 01:29	SUSP	1255 AIRPORT WAY	O16	SUBL	08/21/2017 01:37:44
17002564	08/01/2017 20:23	ALARM	1255 AIRPORT WAY	O25	FAB	08/01/2017 20:34:19
	07/29/2017 18:51	THEFT - DELTA	1255 AIRPORT WAY	O30	RPT	07/29/2017 19:29:22
	07/22/2017 13:54	SUSPICIOUS VEHICLE	1255 AIRPORT WAY	O22	NRP	07/22/2017 14:24:10
17002319	07/21/2017 17:03	PAST HIT & RUN -	1255 AIRPORT WAY	DESK	NRP	07/21/2017 17:10:32
	07/11/2017 10:00	PAST THEFT - BRAVO	1255 AIRPORT WAY	DESK	RPT	07/11/2017 10:06:12
	06/14/2017 15:31	INDECEN/LEWDNESS	1255 AIRPORT WAY	O25	NRP	06/14/2017 17:07:57
	05/30/2017 17:45	SUSPICIOUS VEHICLE	1255 AIRPORT WAY	DESK	NRP	05/30/2017 18:19:50
	05/29/2017 11:03	ALARM BURGLARY -	1255 AIRPORT WAY	O22	FAB	05/29/2017 11:15:24
	05/07/2017 16:58	INCAPACITATED	1255 AIRPORT WAY	O4	NRP	05/07/2017 17:53:29
	05/04/2017 02:25	DISTURBANCE -	1255 AIRPORT WAY	O3	NRP	05/04/2017 03:09:40
	04/30/2017 15:41	DVPO SERVICE	1255 AIRPORT WAY	O4	NRP	04/30/2017 18:24:34
	04/27/2017 06:51	10-36	1255 AIRPORT WAY	O6	UTC	04/27/2017 07:16:34
	04/27/2017 00:31	ALARM BURGLARY -	1255 AIRPORT WAY	O16	FAB	04/27/2017 00:42:48
	04/21/2017 14:40	ABUSE/NEGLECT/ABA	1255 AIRPORT WAY	O9	NRP	04/21/2017 15:41:05
	04/15/2017 01:07	PREMISE WATCH	1255 AIRPORT WAY	DESK	NRP	04/16/2017 23:46:59
	04/13/2017 11:27	TRESPASS SMALL	1255 AIRPORT WAY	O1	NRP	04/13/2017 12:00:41
	04/11/2017 13:49	SUSP PACKAGE -	1255 AIRPORT WAY	O22	NRP	04/11/2017 14:11:29
	04/11/2017 09:57	HARASSMENT - P2C	1255 AIRPORT WAY	O22	NRP	04/11/2017 11:29:50
04/05/2017 15:53	TRESPASS LETTER	1255 AIRPORT WAY	DESK	NRP	04/05/2017 16:31:42	
04/05/2017 15:51	TRESPASS LETTER	1255 AIRPORT WAY	DESK	NRP	04/05/2017 15:53:08	
04/05/2017 15:49	TRESPASS LETTER	1255 AIRPORT WAY	DESK	NRP	04/05/2017 15:50:38	
04/05/2017 15:22	TRESPASS LETTER	1255 AIRPORT WAY	DESK	NRP	04/05/2017 15:25:12	
04/05/2017 15:07	TRESPASS LETTER	1255 AIRPORT WAY	DESK	NRP	04/05/2017 15:18:23	

Report #	Call Time	Nature	Location	Prime Unit	Disp.	Close Time
	04/05/2017 14:46	TRESPASS LETTER	1255 AIRPORT WAY	DESK	NRP	04/05/2017 15:07:26
	04/05/2017 08:55	TRESPASS SMALL	1255 AIRPORT WAY	O1	NRP	04/05/2017 09:38:39
	04/04/2017 07:01	SUSPICIOUS PERSON	1255 AIRPORT WAY	O10	NRP	04/04/2017 07:33:26
	04/02/2017 20:28	DV - PHYSICAL -	1255 AIRPORT WAY	O30	NRP	04/02/2017 20:43:34
	03/23/2017 17:26	DRUGS - USE -	1255 AIRPORT WAY	O30	NRP	03/23/2017 17:48:40
17000691	03/04/2017 15:14	DISTURBANCE -	1255 AIRPORT WAY	O24	RPT	03/04/2017 16:13:12
	02/20/2017 18:18	ALARM	1255 AIRPORT WAY	O4	FAB	02/20/2017 18:28:51
	02/03/2017 18:03	PARKING COMPLAINT	1255 AIRPORT WAY	S1	NRP	02/03/2017 18:23:37
	02/02/2017 15:23	TRESPASS SMALL	1255 AIRPORT WAY	O8	NRP	02/02/2017 16:06:34
	01/16/2017 20:08	ANIMAL COMPLAINT -	1255 AIRPORT WAY	O17	NRP	01/16/2017 20:35:47
	01/08/2017 15:06	STALKING - BRAVO	1255 AIRPORT WAY	O24	NRP	01/08/2017 16:57:54
	01/04/2017 22:27	WELFARE CHECK	1255 AIRPORT WAY	O39	NRP	01/04/2017 22:46:52

Total Number of Events Listed: **53**



# CITY OF FAIRBANKS PUBLIC SAFETY

## Thrifty Liquor 1410 S Cushman St

12/27/2016 - 12/27/2017

Report #	Call Time	Nature	Location	Prime Unit	Disp.	Close Time
	12/24/2017 14:10	TRESPASS/UNWANTE	1410 S CUSHMAN ST	O30	NRP	12/24/2017 14:26:28
17004382	12/19/2017 19:16	THEFT - DELTA	1410 S CUSHMAN ST	O25	RPT	12/19/2017 22:36:01
17004372	12/18/2017 19:58	WANTED PERSON -	1410 S CUSHMAN ST	O11	RPT	12/18/2017 20:46:32
17004319	12/13/2017 21:40	THEFT - DELTA	1410 S CUSHMAN ST	S7	RPT	12/13/2017 22:25:24
	12/08/2017 01:52	SI - FLAG DOWN	1410 S CUSHMAN ST	O39	NRP	12/08/2017 01:53:00
	12/03/2017 13:39	SI - FOLLOW-UP	1410 S CUSHMAN ST	O30	NRP	12/03/2017 13:57:46
	12/02/2017 16:39	SI - FOLLOW-UP	1410 S CUSHMAN ST	O30	NRP	12/02/2017 16:43:40
	11/28/2017 11:32	SI - FOLLOW-UP	1410 S CUSHMAN ST	O6	NRP	11/28/2017 13:14:54
	11/24/2017 18:56	TRESPASS/UNWANTE	1410 S CUSHMAN ST	O1	NRP	11/24/2017 19:34:12
17004059	11/23/2017 00:00	DISTURBANCE -	1410 S CUSHMAN ST	O35	RPT	11/23/2017 00:45:03
17003280	11/18/2017 18:58	SI - FOLLOW-UP	1410 S CUSHMAN ST	O30	NRP	11/18/2017 19:11:08
	11/17/2017 09:57	DISTURBANCE -	1410 S CUSHMAN ST	O36	NRP	11/17/2017 10:07:23
	11/09/2017 10:35	ASSAULT - DELTA	1410 S CUSHMAN ST	O9	NRP	11/09/2017 10:50:48
	11/06/2017 14:14	MINOR TRAF	1410 S CUSHMAN ST	O36	NRP	11/06/2017 14:45:43
	10/25/2017 10:58	AOA - NON URGENT -	1410 S CUSHMAN ST	S1	NRP	10/25/2017 11:05:34
	10/21/2017 22:36	TRESPASS/UNWANTE	1410 S CUSHMAN ST	O5	NRP	10/21/2017 22:59:36
	10/02/2017 09:44	TRESPASS/UNWANTE	1410 S CUSHMAN ST	O26	NRP	10/02/2017 09:58:18
	09/28/2017 19:16	TRESPASS	1410 S CUSHMAN ST	O30	NRP	09/28/2017 19:51:10
17003280	09/28/2017 16:34	SI - FOLLOW-UP	1410 S CUSHMAN ST	O30	RPT	09/28/2017 16:52:50
17003280	09/22/2017 15:16	SI - FOLLOW-UP	1410 S CUSHMAN ST	O30	RPT	09/22/2017 15:40:25
17003280	09/21/2017 21:34	DISTURBANCE -	1410 S CUSHMAN ST	O30	RPT	09/21/2017 22:48:07
17003254	09/19/2017 13:43	PAST THEFT - BRAVO	1410 S CUSHMAN ST	O15	RPT	09/19/2017 14:36:41
17003208	09/16/2017 10:21	SI - FIELD CONTACT	1410 S CUSHMAN ST	O9	RPT	09/16/2017 10:55:38
	09/13/2017 22:17	DUI - PARKED -	1410 S CUSHMAN ST	O25	NRP	09/13/2017 23:01:26
17003155	09/11/2017 23:59	SI - SECURITY CHECK	1410 S CUSHMAN ST	L5	RPT	09/12/2017 01:40:16
	09/11/2017 16:25	TRESPASS/UNWANTE	1410 S CUSHMAN ST	O11	SUBL	09/11/2017 17:19:51
	09/07/2017 11:29	TRESPASS/UNWANTE	1410 S CUSHMAN ST	S1	NRP	09/07/2017 12:15:41
	09/04/2017 14:13	DISTURBANCE -	1410 S CUSHMAN ST	S1	NRP	09/04/2017 14:34:15
17002992	09/01/2017 11:10	TRESPASS	1410 S CUSHMAN ST	O29	RPT	09/01/2017 12:32:32
	08/26/2017 16:33	911 HANG-UP -	1410 S CUSHMAN ST	O2	NRP	08/26/2017 16:50:32
	08/26/2017 13:59	DISTURBANCE -	1410 S CUSHMAN ST	O1	NRP	08/26/2017 14:18:17
	08/23/2017 21:23	TRESPASS SMALL	1410 S CUSHMAN ST	O30	NRP	08/24/2017 00:33:44
17002718	08/10/2017 14:08	THEFT-SUSP DET. &	1410 S CUSHMAN ST	O39	RPT	08/10/2017 15:03:06
	08/08/2017 22:08	SUSP	1410 S CUSHMAN ST	O25	NRP	08/08/2017 22:19:07
	08/07/2017 03:18	10-36	1410 S CUSHMAN ST	O32	WAR	08/07/2017 03:24:21
	08/06/2017 14:09	DISTURBANCE -	1410 S CUSHMAN ST	O39	NRP	08/06/2017 14:31:52
	08/01/2017 17:20	SI - FIELD CONTACT	1410 S CUSHMAN ST	O25	NRP	08/01/2017 17:29:24
	07/30/2017 21:25	TRESPASS SMALL	1410 S CUSHMAN ST	O34	NRP	07/30/2017 21:34:45
17002533	07/27/2017 15:33	DISTURBANCE	1410 S CUSHMAN ST	O17	RPT	07/27/2017 16:09:45
17002524	07/26/2017 21:53	THEFT - DELTA	1410 S CUSHMAN ST	O25	RPT	07/26/2017 22:28:14
	07/24/2017 11:27	SUSP	1410 S CUSHMAN ST	O22	NRP	07/24/2017 12:25:34

Report #	Call Time	Nature	Location	Prime Unit	Disp.	Close Time
	07/22/2017 11:47	DISTURBANCE -	1410 S CUSHMAN ST	O1	NRP	07/22/2017 11:58:20
	07/09/2017 22:42	DISTURBANCE -	1410 S CUSHMAN ST	O34	NRP	07/09/2017 23:00:12
	07/08/2017 00:16	TRESPASS SMALL	1410 S CUSHMAN ST	O9	NRP	07/08/2017 00:41:42
	07/07/2017 19:04	ROAD HAZARD/VID -	1410 S CUSHMAN ST	O17	NRP	07/07/2017 19:21:53
	07/04/2017 21:46	DISTURBANCE	1410 S CUSHMAN ST	O34	NRP	07/04/2017 22:15:57
	07/03/2017 23:53	SI - FLAG DOWN	1410 S CUSHMAN ST	O3	NRP	07/04/2017 00:03:42
	06/30/2017 22:10	SI - FIELD CONTACT	1410 S CUSHMAN ST	S7	ADVC	06/30/2017 22:28:19
	06/27/2017 19:31	REDDI	1410 S CUSHMAN ST	S7	NRP	06/27/2017 19:48:22
	06/26/2017 23:25	DISTURBANCE -	1410 S CUSHMAN ST	O16	NRP	06/26/2017 23:38:02
	06/26/2017 22:17	TRESPASS SMALL	1410 S CUSHMAN ST	O11	NRP	06/26/2017 22:27:23
17002135	06/26/2017 18:27	SUSP	1410 S CUSHMAN ST	O17	RPT	06/26/2017 18:57:10
	06/26/2017 18:16	SUSP	1410 S CUSHMAN ST	O11	NRP	06/26/2017 18:39:53
	06/26/2017 17:26	REDDI	1410 S CUSHMAN ST	DESK	NRP	06/26/2017 18:06:00
	06/25/2017 22:09	DISTURBANCE -	1410 S CUSHMAN ST	O17	NRP	06/25/2017 22:34:17
17002089	06/22/2017 21:22	HARAS/STALK/THREA	1410 S CUSHMAN ST	O30	RPT	06/22/2017 21:56:58
	06/21/2017 20:22	WELFARE CHECK -	1410 S CUSHMAN ST	O11	NRP	06/21/2017 20:53:15
	06/18/2017 13:13	DISTURBANCE -	1410 S CUSHMAN ST	O1	NRP	06/18/2017 13:27:48
	06/10/2017 19:45	WANTED VEHICLE -	1410 S CUSHMAN ST	O4	NRP	06/10/2017 19:51:54
	06/09/2017 00:31	REDDI	1410 S CUSHMAN ST	O32	NRP	06/09/2017 00:47:48
	06/08/2017 21:41	TRESPASS SMALL	1410 S CUSHMAN ST	O30	NRP	06/08/2017 21:56:47
	06/07/2017 20:25	DISTURBANCE -	1410 S CUSHMAN ST	O25	NRP	06/07/2017 20:41:47
	06/03/2017 03:33	SI - FIELD CONTACT	1410 S CUSHMAN ST	L6	NRP	06/03/2017 03:36:36
	05/30/2017 23:26	TRESPASS SMALL	1410 S CUSHMAN ST	O3	NRP	05/30/2017 23:46:11
	05/27/2017 12:42	REDDI	1410 S CUSHMAN ST	O1	NRP	05/27/2017 12:49:28
	05/23/2017 09:57	DRUGS - SALE -	1410 S CUSHMAN ST	O10	NRP	05/23/2017 10:38:16
	05/11/2017 16:45	REDDI	1410 S CUSHMAN ST	O17	NRP	05/11/2017 17:01:58
	05/10/2017 17:44	TRESPASS SMALL	1410 S CUSHMAN ST	O30	NRP	05/10/2017 18:16:18
17001509	05/09/2017 19:27	TRESPASS SMALL	1410 S CUSHMAN ST	O4	RPT	05/09/2017 20:20:57
	05/08/2017 13:23	SEND PROTOCOL	1410 S CUSHMAN ST	O22	NRP	05/08/2017 13:29:48
17001366	04/27/2017 23:10	DISTURBANCE -	1410 S CUSHMAN ST	O16	RPT	04/28/2017 00:14:24
	04/24/2017 13:59	REDDI	1410 S CUSHMAN ST	DESK	NRP	04/24/2017 14:16:04
	04/19/2017 11:28	DISTURBANCE -	1410 S CUSHMAN ST	O26	NRP	04/19/2017 12:12:50
	04/16/2017 05:19	SI - SECURITY CHECK	1410 S CUSHMAN ST	O16	NRP	04/16/2017 05:22:14
	04/13/2017 19:23	SUSP	1410 S CUSHMAN ST	O30	NRP	04/13/2017 20:16:14
17001159	04/11/2017 20:57	ASSAULT - DELTA	1410 S CUSHMAN ST	O39	RPT	04/11/2017 22:00:10
17000997	03/30/2017 11:19	911 LOG	1410 S CUSHMAN ST	O24	RPT	03/30/2017 13:00:34
17000800	03/13/2017 13:35	TRESPASS SMALL	1410 S CUSHMAN ST	O26	RPT	03/13/2017 17:13:01
	02/23/2017 19:22	SUSP	1410 S CUSHMAN ST	O3	NRP	02/23/2017 21:49:38
	01/13/2017 16:00	MVC - NO INJURIES -	1410 S CUSHMAN ST	O9	NRP	01/13/2017 16:54:08
	01/09/2017 07:26	REDDI	1410 S CUSHMAN ST	O22	NRP	01/09/2017 07:40:43

Total Number of Events Listed: 81

# CITY OF FAIRBANKS PUBLIC SAFETY

## Mecca Bar 549 Second Ave

12/27/2016 - 12/27/2017

Report #	Call Time	Nature	Location	Prime Unit	Disp.	Close Time
	12/22/2017 01:41	SI - SECURITY CHECK	549 SECOND AVE	O7	NRP	12/22/2017 01:45:47
17004290	12/11/2017 21:41	DISTURBANCE -	549 SECOND AVE	O32	RPT	12/11/2017 22:35:40
	12/10/2017 17:46	TRESPASS/UNWANTE	549 SECOND AVE	O1	NRP	12/10/2017 18:01:00
	12/10/2017 02:13	REDDI	549 SECOND AVE	O16	WAR	12/10/2017 02:24:15
	12/09/2017 23:23	SUSP	549 SECOND AVE	O5	NRP	12/09/2017 23:52:38
	12/02/2017 02:29	SUSP	549 SECOND AVE	O35	NRP	12/02/2017 02:39:35
17004145	12/01/2017 20:35	VIOLATING	549 SECOND AVE	O30	RPT	12/01/2017 22:13:23
	11/30/2017 15:10	URINATING/DEFECAT	549 SECOND AVE	O29	NRP	11/30/2017 15:42:04
	11/18/2017 02:58	DISTURBANCE -	549 SECOND AVE	O39	NRP	11/18/2017 03:12:10
	11/17/2017 12:16	INCAPACITATED	549 SECOND AVE	O26	NRP	11/17/2017 14:30:28
	11/14/2017 03:03	INCAPACITATED	549 SECOND AVE	O5	NRP	11/14/2017 03:23:54
	11/11/2017 00:26	SI - BAR CHECK	549 SECOND AVE	O3	NRP	11/11/2017 00:35:38
	10/25/2017 03:08	INCAPACITATED	549 SECOND AVE	O5	NRP	10/25/2017 03:26:26
	10/21/2017 21:08	DISTURBANCE -	549 SECOND AVE	O30	NRP	10/21/2017 21:15:38
	10/16/2017 16:44	DISTURBANCE -	549 SECOND AVE	O4	NRP	10/16/2017 16:58:19
	10/14/2017 02:37	SI - SECURITY CHECK	549 SECOND AVE	O35	NRP	10/14/2017 02:44:06
	10/11/2017 21:43	DISTURBANCE -	549 SECOND AVE	O4	NRP	10/11/2017 22:19:25
	10/07/2017 03:27	SI - BAR CHECK	549 SECOND AVE	O29	NRP	10/07/2017 03:31:42
17003459	10/06/2017 01:10	SI - FOLLOW-UP	549 SECOND AVE	O29	RPT	10/06/2017 01:23:52
17003459	10/06/2017 00:00	REDDI	549 SECOND AVE	O5	RPT	10/06/2017 02:46:50
	10/04/2017 04:04	INCAPACITATED	549 SECOND AVE	O5	NRP	10/04/2017 06:01:47
	10/02/2017 01:01	SI - COMMUNITY	549 SECOND AVE	O16	UTC	10/02/2017 01:12:44
	10/02/2017 00:54	REDDI	549 SECOND AVE	O39	NRP	10/02/2017 01:00:54
	09/20/2017 23:27	SI - SECURITY CHECK	549 SECOND AVE	O5	NRP	09/20/2017 23:33:38
17003271	09/20/2017 22:06	ASSAULT - BRAVO	549 SECOND AVE	O4	RPT	09/20/2017 22:58:39
17003270	09/20/2017 20:49	DAMAGE/VANDALISM	549 SECOND AVE	O25	RPT	09/20/2017 21:50:51
	09/18/2017 22:34	AOA - NON URGENT -	549 SECOND AVE	O17	NRP	09/18/2017 22:39:39
	09/14/2017 02:41	SI - AOA	549 SECOND AVE	O5	NRP	09/14/2017 02:43:20
	09/13/2017 03:33	INCAPACITATED	549 SECOND AVE	O35	NRP	09/13/2017 04:21:26
	09/11/2017 01:43	SI - FIELD CONTACT	549 SECOND AVE	O32	NRP	09/11/2017 01:48:43
	09/03/2017 22:32	INDECEN/LEWDNESS	549 SECOND AVE	O4	NRP	09/03/2017 22:54:01
17003003	09/02/2017 15:00	URINATING/DEFECAT	549 SECOND AVE	O2	RPT	09/02/2017 16:34:32
	08/27/2017 13:02	NUISANCE - BRAVO	549 SECOND AVE	O39	NRP	08/27/2017 13:53:20
	08/24/2017 15:57	SUSPICIOUS PERSON	549 SECOND AVE	O2	NRP	08/24/2017 17:18:43
	08/20/2017 23:19	DISTURBANCE -	549 SECOND AVE	S9	NRP	08/20/2017 23:28:31
	08/10/2017 01:56	REDDI	549 SECOND AVE	L6	NRP	08/10/2017 02:15:12
	08/09/2017 21:35	REDDI	549 SECOND AVE	O4	NRP	08/09/2017 22:10:16
	08/05/2017 21:04	TRESPASS SMALL	549 SECOND AVE	S10	NRP	08/05/2017 21:16:36
	07/31/2017 15:09	PARKING COMPLAINT	549 SECOND AVE	O4	NRP	07/31/2017 15:32:02
	07/29/2017 22:01	TRESPASS SMALL	549 SECOND AVE	O17	NRP	07/29/2017 22:37:41
	07/29/2017 03:44	TRESPASS LARGE	549 SECOND AVE	O9	NRP	07/29/2017 04:22:06

Report #	Call Time	Nature	Location	Prime Unit	Disp.	Close Time
17002527	07/27/2017 01:06	ASSAULT - DELTA	549 SECOND AVE	O35	RPT	07/27/2017 01:27:59
	07/25/2017 14:51	PARKING COMPLAINT	549 SECOND AVE	O4	NRP	07/25/2017 16:17:32
	07/23/2017 23:48	SUSP	549 SECOND AVE	O16	NRP	07/24/2017 00:54:30
17002473	07/23/2017 18:26	911 HANG-UP -	549 SECOND AVE	O17	RPT	07/23/2017 20:07:35
	07/22/2017 01:18	SI - BAR CHECK	549 SECOND AVE	O29	NRP	07/22/2017 01:21:22
	07/14/2017 22:00	INCAPACITATED	549 SECOND AVE	O35	NRP	07/14/2017 22:40:42
17002267	07/06/2017 23:10	DISTURBANCE -	549 SECOND AVE	O3	RPT	07/07/2017 01:05:49
	06/18/2017 22:29	SEND PROTOCOL	549 SECOND AVE	O30	NRP	06/18/2017 22:59:06
	06/17/2017 00:41	SI - FIELD CONTACT	549 SECOND AVE	O3	NRP	06/17/2017 00:48:40
	06/16/2017 01:35	TRESPASS SMALL	549 SECOND AVE	O35	NRP	06/16/2017 02:08:52
17001977	06/14/2017 00:51	SI - FOLLOW-UP	549 SECOND AVE	O16	RPT	06/14/2017 01:18:26
	06/08/2017 20:04	DISTURBANCE -	549 SECOND AVE	O11	SUBL	06/08/2017 20:18:55
	06/03/2017 02:08	SI - FIELD CONTACT	549 SECOND AVE	O3	NRP	06/03/2017 02:11:37
	06/02/2017 00:51	TRESPASS SMALL	549 SECOND AVE	O3	NRP	06/02/2017 01:39:24
	05/17/2017 18:21	HARASSMENT -	549 SECOND AVE	O26	NRP	05/17/2017 18:36:27
	05/17/2017 00:58	OTHER NOISE -	549 SECOND AVE	O17	NRP	05/17/2017 01:11:50
	05/09/2017 18:37	DISTURBANCE -	549 SECOND AVE	O26	NRP	05/09/2017 18:52:27
	04/22/2017 23:34	AOA - NON URGENT -	549 SECOND AVE	O35	NRP	04/22/2017 23:46:03
17001240	04/16/2017 22:25	DISTURBANCE -	549 SECOND AVE	O30	RPT	04/16/2017 23:10:49
	04/16/2017 13:43	SUSP	549 SECOND AVE	O30	NRP	04/16/2017 14:01:38
	04/12/2017 01:15	SI - BAR CHECK	549 SECOND AVE	O35	NRP	04/12/2017 01:17:59
	04/08/2017 03:28	INCAPACITATED	549 SECOND AVE	O16	NRP	04/08/2017 04:19:11
	04/06/2017 00:32	TRESPASS SMALL	549 SECOND AVE	O16	NRP	04/06/2017 01:03:26
	04/05/2017 01:17	TRESPASS SMALL	549 SECOND AVE	O34	NRP	04/05/2017 01:36:02
	04/01/2017 03:19	DISTURBANCE -	549 SECOND AVE	O16	NRP	04/01/2017 03:33:36
17001022	04/01/2017 00:50	WEAPONS INCIDENT	549 SECOND AVE	O16	RPT	04/01/2017 01:43:29
17000920	03/23/2017 00:08	AOA - NON URGENT -	549 SECOND AVE	O34	RPT	03/23/2017 01:05:16
	03/06/2017 01:15	AOA - NON URGENT -	549 SECOND AVE	O16	NRP	03/06/2017 02:07:56
	02/26/2017 14:24	SEND PROTOCOL	549 SECOND AVE	O26	NRP	02/26/2017 14:32:53
	02/24/2017 11:38	DISTURBANCE -	549 SECOND AVE	O27	NRP	02/24/2017 11:48:19
	02/17/2017 19:24	DISTURBANCE	549 SECOND AVE	O3	NRP	02/17/2017 19:43:57
	02/02/2017 00:26	TRESPASS SMALL	549 SECOND AVE	O34	NRP	02/02/2017 00:38:29
	02/01/2017 17:33	DISTURBANCE -	549 SECOND AVE	O4	NRP	02/01/2017 17:40:25
	01/31/2017 20:43	THREATENING	549 SECOND AVE	O17	NRP	01/31/2017 21:08:53
	01/29/2017 17:45	10-36	549 SECOND AVE	O17	WAR	01/29/2017 17:49:56
	01/18/2017 23:54	TRESPASS SMALL	549 SECOND AVE	O34	NRP	01/19/2017 00:11:50
	01/17/2017 19:57	OTHER NOISE -	549 SECOND AVE	O8	NRP	01/17/2017 20:32:09
	01/01/2017 05:15	SUSP	549 SECOND AVE	O35	NRP	01/01/2017 05:44:07

Total Number of Events Listed: 79

# CITY OF FAIRBANKS PUBLIC SAFETY

FUSHIMI 607 Old Steese Hwy Ste 105

01/07/2017 - 01/07/2018

Report #	Call Time	Nature	Location	Prime Unit	Disp.	Close Time
17004450	12/25/2017 22:38	THEFT - DELTA	607 OLD STEESE HWY	O29	RPT	12/25/2017 23:41:39
17003939	11/13/2017 11:20	SI - FOLLOW-UP	607 OLD STEESE HWY	O36	RPT	11/13/2017 11:28:59
17003786	10/30/2017 18:53	PAST THEFT - BRAVO	607 OLD STEESE HWY	O11	RPT	10/30/2017 20:43:25
	10/12/2017 17:15	REDDI	607 OLD STEESE HWY	O25	NRP	10/12/2017 17:37:06
	10/12/2017 14:25	OFFICER ADVICE	607 OLD STEESE HWY	O25	NRP	10/12/2017 16:56:00
17003453	10/05/2017 15:37	THEFT - OVERRIDE -	607 OLD STEESE HWY	O25	RPT	10/05/2017 22:30:53
	09/23/2017 20:18	FOUND PROPERTY -	607 OLD STEESE HWY	O17	NRP	09/23/2017 20:39:11
17002458	07/22/2017 16:34	PAST THEFT - BRAVO	607 OLD STEESE HWY	DESK	RPT	07/22/2017 17:05:31
	04/15/2017 12:08	REDDI	607 OLD STEESE HWY	DESK	NRP	04/15/2017 13:44:28
	03/06/2017 01:02	SI - FIELD CONTACT	607 OLD STEESE HWY	O16	NRP	03/06/2017 01:05:00
	02/27/2017 02:00	SI - FIELD CONTACT	607 OLD STEESE HWY	O16	NRP	02/27/2017 02:09:04
	02/26/2017 03:52	SI - FIELD CONTACT	607 OLD STEESE HWY	O16	NRP	02/26/2017 04:11:16

Total Number of Events Listed: 12

**CITY OF FAIRBANKS PUBLIC SAFETY**

**HOO DOO BREWING CO 1951 Fox Ave**

01/07/2017 - 01/07/2018

<b>Report #</b>	<b>Call Time</b>	<b>Nature</b>	<b>Location</b>	<b>Prime Unit</b>	<b>Disp.</b>	<b>Close Time</b>
	01/12/2017 18:11	SI - COMMUNITY	1951 FOX AVE	S7	NRP	01/12/2017 18:24:52
	01/12/2017 18:10	10-36	1951 FOX AVE	S7	NRP	01/12/2017 18:10:54

Total Number of Events Listed: **2**

**ORDINANCE NO. 6069**

**AN ORDINANCE RATIFYING A LABOR AGREEMENT  
BETWEEN THE CITY OF FAIRBANKS AND THE AFL-CIO  
CRAFTS COUNCIL**

**WHEREAS**, the three-year collective bargaining agreement between the City of Fairbanks and the AFL-CIO Crafts Council, effective January 1, 2017, through December 31, 2019, includes “reopener” provisions for wages and benefits for years two and three, and

**WHEREAS**, the AFL-CIO and City Administration have reached a tentative agreement regarding 2018 wages and benefits and have agreed to a formula that addresses the procedure for wage and benefit increases in 2019.

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

**SECTION 1.** That the attached proposal, detailing wage and benefit terms for years 2018 and 2019 of the January 1, 2017 through December 31, 2019 collective bargaining agreement between the City and the AFL-CIO Crafts Council, is hereby ratified.

**SECTION 2.** That this ordinance becomes effective upon ratification of the Letter of Agreement by the AFL-CIO Crafts Council bargaining units.

**SECTION 3.** That once ratified, the terms of the Letter of Agreement are effective starting January 1, 2018.

---

**Jim Matherly, City Mayor**

AYES:  
NAYS:  
ABSENT:  
ADOPTED:

ATTEST:

APPROVED AS TO FORM:

---

D. Danyielle Snider, CMC, City Clerk

---

Paul J. Ewers, City Attorney

**CITY OF FAIRBANKS**

**FISCAL NOTE**

**I. REQUEST:**

Ordinance or Resolution No: 6069

Abbreviated Title: AFLCIO LABOR AGREEMENT- 2 YEAR

Does the adoption of this ordinance or resolution authorize:

1) additional costs beyond the current adopted budget?	Yes	X	No	
2) additional support or maintenance costs?	Yes		No	X
If yes, what is the estimate?				
3) additional positions beyond the current adopted budget?	Yes		No	X
If yes, how many positions?				
If yes, type of positions?		(F - Full Time, P - Part Time, T - Temporary)		

**II. FINANCIAL DETAIL:**

ESTIMATED EXPENDITURES	FY 2018	FY 2019	FY 2020 & BEYOND
Personnel Wages & Benefits	\$49,586	\$ 99,177	\$99,177
TOTAL	<b>\$49,586</b>	<b>\$99,177</b>	<b>\$99,177</b>
ESTIMATED FUNDING SOURCES	FY 2014	FY 2016	FY 2016
General Fund	\$49,586	\$99,177	\$99,177
Other			
TOTAL	<b>\$49,586</b>	<b>\$99,177</b>	<b>\$99,177</b>

The average CPI rate for 2015, 2016, and 2017 is  $((.5+.4+.5)/3)$  .47 which results in an AFLCIO increase of 1.5% in 2018. It is not anticipated that the CPI rate for 2018 will increase past the 1.5% level, therefore, the FY 2019 cost is also calculated using 1.5%

Reviewed by Finance Department: \_\_\_\_\_ Initial CGR Date 1/12/2018



City Proposal

Section 23: Schedule "A" Wages

Package rate increases will be in a range from 1.5% CPI to 3% CPI as measured by the Anchorage CPI. A three year average (use the previous three years, not counting current year) will be utilized and if that three year average falls below the 1.5% CPI, then the City will pay a 1.5% package increase. If the three year average is above 3% Anchorage CPI then the City will pay a 3% package increase. If the 3 year Anchorage CPI is between 1.5% and 3%, then the City will pay the actual 3 year CPI average. The parties agree to use this formula to determine increases to the wage package for the remaining years on this contract effective January 1, 2017 through December 31, 2019 as well as future years if reaffirmed by both parties.

Example 1. 3 year Anchorage CPI average = 1.1%, city pays 1.5%

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

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



Michael Meeks



Lake Williams

**RESOLUTION NO. 4824**

**A RESOLUTION IN SUPPORT OF SENATE BILL 86, AN ACT  
RELATING TO THE SALE OR OTHER DISPOSAL, LEASING, OR  
ENCUMBRANCE OF ALASKA RAILROAD CORPORATION LAND**

**WHEREAS**, the Alaska Legislature is considering amendment of AS 42.40.120(c) to incorporate the authorization for the Alaska Railroad (ARRC) to dispose or encumber its entire interest in land; and

**WHEREAS**, the ARRC will be able to react much more quickly with respect to real estate opportunities that could potentially be funded by sale or encumbrance of ARRC land; and

**WHEREAS**, the sale of ARRC land could increase private development and expand the local tax base; and

**WHEREAS**, sale of ARRC land will provide the opportunity for individuals to acquire investment and recreational property, promoting economic growth and development.

**NOW, THEREFORE, BE IT RESOLVED** that the Fairbanks City Council supports the passage of Senate Bill 86.

**PASSED** and **APPROVED** this 5th day of February 2018.

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

AYES:  
NAYS:  
ABSENT:  
APPROVED:

ATTEST:

APPROVED AS TO FORM:

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

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

**SENATE BILL NO. 86**

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTIETH LEGISLATURE - FIRST SESSION

**BY SENATOR COGHILL**

**Introduced: 3/10/17**

**Referred: Resources, Finance**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to the sale or other disposal, leasing, or encumbrance of Alaska**  
2 **Railroad Corporation land; and providing for an effective date."**

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

4 **\* Section 1.** AS 42.40.120(b) is amended to read:

5 (b) Within 60 days after its first meeting, the board shall delegate the  
6 following activities of the corporation to the chief executive officer or other executive  
7 officers designated by the board:

8 (1) leasing subject to **AS 42.40.350(b) and (d)** [AS 42.40.285 AND  
9 42.40.350(b) AND (d)], granting easements in, issuing permits for the use of, or  
10 conveying other interests in property that do not constitute a transfer of the  
11 corporation's entire interest in land;

12 (2) establishing specific rates, tariffs, divisions, and contract rate  
13 agreements;

14 (3) making routine changes in service levels;

- 1 (4) establishing procurement and accounting procedures for the
- 2 corporation; and
- 3 (5) performing procurement activities.

4 \* **Sec. 2.** AS 42.40.120(c) is amended to read:

5 (c) Notwithstanding (a) and (b) of this section, specific board approval is  
6 required for the following:

- 7 (1) issuing bonds upon approval by the legislature;
- 8 (2) mortgaging or pledging corporation assets;
- 9 (3) donating property or other assets belonging to the corporation;
- 10 (4) acting as a surety or guarantor;
- 11 (5) adopting a long-range capital improvement and program plan;
- 12 (6) adopting annual reports;
- 13 (7) effecting general, comprehensive increases and decreases in rates;
- 14 (8) expanding or reducing services in a major way;
- 15 (9) expanding the main or branch rail lines including spur, industrial,
- 16 team, switching, or side tracks, other than performing routine track alignment as
- 17 necessary to maintain existing service levels;
- 18 (10) selecting independent auditors and accountants;
- 19 (11) entering into collective bargaining agreements;
- 20 (12) adopting annual budgets;
- 21 (13) beginning a capital project with an estimated completion cost of
- 22 more than \$500,000 or an estimated completion time of more than one year;
- 23 (14) exchanging, donating, selling, or otherwise conveying, **disposing**
- 24 **of, or encumbering** its entire interest in land [SUBJECT TO APPROVAL BY THE
- 25 LEGISLATURE];
- 26 (15) exercising the power of eminent domain.

27 \* **Sec. 3.** AS 42.40.350(b) is amended to read:

28 (b) Railroad utility corridors shall be of a width at least 100 feet on both sides  
29 of the centerline of the extended main or branch line, unless the corporation does not  
30 own or control sufficient land to allow a corridor of that width. Railroad utility  
31 corridors may be surveyed by the metes and bounds method. The corporation may not

1 convey **or encumber** its entire interest in land within a utility corridor except as  
 2 provided in **AS 42.40.120(c)(14)** [AS 42.40.285], 42.40.370(d), and 42.40.400.  
 3 However, the corporation may lease, subject to [AS 42.40.285 AND] (d) of this  
 4 section, grant easements in or permits for, or otherwise authorize use of portions of a  
 5 utility corridor for transportation, communication, and transmission purposes and  
 6 support functions associated with those purposes, and for commercial and other uses  
 7 authorized under this chapter if the use does not restrict other parallel uses of the  
 8 utility corridor.

9 \* **Sec. 4.** AS 42.40.350(c) is amended to read:

10 (c) The corporation may lease, subject to [AS 42.40.285 AND] (d) of this  
 11 section, grant easements in or permits for, or otherwise authorize use of portions of  
 12 rail land. **The** [HOWEVER, THE] corporation may [NOT] convey **or encumber**  
 13 its entire interest in rail land [EXCEPT] as provided in **AS 42.40.120(c)(14),**  
 14 **42.40.285(2)** [AS 42.40.285, 42.40.352], 42.40.370(d), and 42.40.400.

15 \* **Sec. 5.** AS 42.40.350(d) is amended to read:

16 (d) A lease, [OR] disposal, **or encumbrance** of land approved by the **board**  
 17 [LEGISLATURE] under **AS 42.40.120(c)(14)** [AS 42.40.285] by the corporation to a  
 18 party other than the state shall be made at fair market value as determined by a  
 19 qualified appraiser or by competitive bid.

20 \* **Sec. 6.** AS 42.40.352 is repealed and reenacted to read:

21 **Sec. 42.40.352. Public notice and accounting for sale or other disposal or**  
 22 **encumbrance of land.** (a) Before exchanging, donating, selling, or otherwise  
 23 conveying, disposing, or encumbering the corporation's entire interest in land under  
 24 AS 42.40.120(c)(14), the corporation shall

25 (1) publish public notice of the proposed action; and

26 (2) provide notice to persons having a leasehold interest in the land  
 27 proposed to be sold.

28 (b) The corporation shall separately account for the proceeds from the  
 29 exchange, donation, sale, or other conveyance or disposal of the corporation's entire  
 30 interest in land and shall report the earnings and balance in the account in the annual  
 31 report required by AS 42.40.260. Money in the account may be appropriated in

- 1           accordance with 45 U.S.C. 1207(a) (Alaska Railroad Transfer Act of 1982).
- 2       \* **Sec. 7.** AS 42.40.285(1) and 42.40.285(4) are repealed.
- 3       \* **Sec. 8.** This Act takes effect immediately under AS 01.10.070(c).

**RESOLUTION NO. 4825**

**A RESOLUTION IN SUPPORT OF HOUSE BILL 176, AN ACT  
RELATING TO MEDICAL ASSISTANCE REIMBURSEMENT FOR  
GROUND EMERGENCY MEDICAL TRANSPORTATION SERVICES**

**WHEREAS**, the City of Fairbanks provides emergency medical services to citizens and visitors in Interior Alaska; and

**WHEREAS**, the City of Fairbanks receives partial reimbursement for the cost of providing emergency medical services to Medicaid beneficiaries; and

**WHEREAS**, the city of Fairbanks emergency medical service providers incur additional uncompensated costs when providing services to Medicaid beneficiaries; and

**WHEREAS**, Federal Centers for Medicare and Medicaid Services provide supplementary reimbursement of uncompensated costs incurred by emergency medical service providers in the treatment and transportation of Medicaid beneficiaries in states participating in the Ground Emergency Medical Transportation program; and

**WHEREAS**, the Centers also provide reimbursement for the administrative costs associated with administration of the Ground Emergency Medical Transportation program; and

**WHEREAS**, the Ground Emergency Medical Transportation program is not part of any Medicaid expansion effort and is not associated with the Affordable Care Act; and

**WHEREAS**, enacting Ground Emergency Medical Transportation is a first step in facilitating implementation of the Ground Emergency Medical Transportation program in Alaska.

**NOW, THEREFORE, BE IT RESOLVED** that the Fairbanks City Council supports legislation facilitating implementation of the Ground Emergency Medical Transportation program in Alaska.

**PASSED** and **APPROVED** this 5th day of February 2018.

---

**Jim Matherly, Mayor**

AYES:  
NAYS:  
ABSENT:  
APPROVED:

ATTEST:

APPROVED AS TO FORM:

---

D. Danyielle Snider, CMC, City Clerk

---

Paul Ewers, City Attorney



**CS FOR HOUSE BILL NO. 176(HSS)**

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTIETH LEGISLATURE - FIRST SESSION

BY THE HOUSE HEALTH AND SOCIAL SERVICES COMMITTEE

Offered: 4/19/17

Referred: Finance

Sponsor(s): REPRESENTATIVES FANSLER, Gara

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to medical assistance reimbursement for emergency medical**  
2 **transportation services; and providing for an effective date."**

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

4 **\* Section 1.** AS 47.07 is amended by adding a new section to read:

5 **Sec. 47.07.085. Supplemental reimbursement for emergency medical**  
6 **transportation services.** (a) The department shall develop a program to provide  
7 supplemental reimbursement to eligible emergency medical transportation service  
8 providers for the cost of providing services to medical assistance recipients. Except as  
9 provided in (b) of this section, the amount of the supplemental reimbursement paid to  
10 a provider must be equal to the amount of federal financial participation that the  
11 department receives for the nonfederal matching funds paid by the provider through  
12 intergovernmental transfers or certified public expenditures, less any administrative  
13 expenses. Under the program, the department shall use intergovernmental transfers, or  
14 certified public expenditures, or both, for the nonfederal share of emergency medical

1 transportation services that are eligible for federal financial participation under the  
2 medical assistance program.

3 (b) The amount a provider receives in supplemental reimbursements under the  
4 program, when combined with the amount the provider receives from all other  
5 sources, including medical assistance reimbursement under the state plan, may not  
6 exceed the provider's actual cost for providing emergency medical transportation  
7 services to medical assistance recipients.

8 (c) An emergency medical transportation service provider is eligible to  
9 participate in the program if the provider

10 (1) is enrolled with the department as a medical assistance provider;

11 (2) voluntarily enters into an agreement with the department to  
12 participate in the program;

13 (3) is owned or operated by the state, a political subdivision of the  
14 state, or a federally recognized tribe or tribal organization;

15 (4) charges for emergency medical transportation services on a fee-for-  
16 service or other federally permissible basis; and

17 (5) certifies that the provider's expenditures for emergency medical  
18 transportation services qualify for federal financial participation.

19 (d) The department may charge an administrative fee to a provider who  
20 participates in the program to cover the department's costs for administering the  
21 program. The administrative fee may not exceed 20 percent of a provider's cost for  
22 providing emergency medical transportation services.

23 (e) If the United States Department of Health and Human Services revokes  
24 approval of the program, the department shall provide notice to the legislature. The  
25 department shall submit written notice to the secretary of the senate and the chief clerk  
26 of the house of representatives as early as possible after the United States Department  
27 of Health and Human Services expresses its intent to revoke approval of the program.

28 (f) Supplemental reimbursement payments are subject to appropriation.

29 (g) In this section,

30 (1) "emergency medical transportation services" includes ground,  
31 water, or air transportation services provided to a medical assistance recipient during a

1 medical emergency;

2 (2) "program" means the supplemental reimbursement program  
3 developed by the department under this section;

4 (3) "provider" means an eligible emergency medical transportation  
5 service provider;

6 (4) "state plan" means the state plan for medical assistance coverage  
7 developed under AS 47.07.040.

8 \* **Sec. 2.** The uncodified law of the State of Alaska is amended by adding a new section to  
9 read:

10 MEDICAID STATE PLAN AMENDMENT; NOTICE TO REVISOR OF  
11 STATUTES. The Department of Health and Social Services shall amend and submit for  
12 federal approval a state plan for medical assistance reimbursement consistent with this Act.  
13 The commissioner of health and social services shall certify to the revisor of statutes if all of  
14 the provisions of AS 47.07.085, enacted by sec. 1 of this Act, are approved by the United  
15 States Department of Health and Human Services.

16 \* **Sec. 3.** The uncodified law of the State of Alaska is amended by adding a new section to  
17 read:

18 CONDITIONAL EFFECT. AS 47.07.085, enacted by sec. 1 of this Act, takes effect  
19 only if the commissioner of health and social services certifies to the revisor of statutes under  
20 sec. 2 of this Act, on or before November 1, 2018, that all of the provisions added by  
21 AS 47.07.085 have been approved by the United States Department of Health and Human  
22 Services.

23 \* **Sec. 4.** If AS 47.07.085, enacted by sec. 1 of this Act, takes effect, it takes effect on the  
24 day after the date the commissioner of health and social services makes a certification to the  
25 revisor of statutes under sec. 2 of this Act.

**RESOLUTION NO. 4826**

**A RESOLUTION IN SUPPORT OF SENATE BILL 63, AN ACT  
PROHIBITING SMOKING IN CERTAIN PLACES; RELATING TO  
EDUCATION ON THE SMOKING PROHIBITION**

**WHEREAS**, Senate Bill 63 seeks to protect Alaskan employees from the adverse health effects of secondhand smoke by providing a statewide smoke-free workplace law for businesses and public places; and

**WHEREAS**, the financial burden of caring for those that fall victim to tobacco-related illness due to secondhand smoke costs the State of Alaska tens of millions of dollars annually; and

**WHEREAS**, current laws prohibit smoking in the workplace in many areas of the state including healthcare facilities, schools, childcare facilities, and public meeting rooms in government buildings; and

**WHEREAS**, more than one thousand Alaska businesses and organizations representing all regions of the state have signed resolutions in support of a statewide, smoke-free workplace law.

**NOW, THEREFORE, BE IT RESOLVED** that the Fairbanks City Council supports the passage of Senate Bill 63.

**PASSED** and **APPROVED** this 5th day of February 2018.

---

**Jim Matherly, Mayor**

AYES:  
NAYS:  
ABSENT:  
APPROVED:

ATTEST:

APPROVED AS TO FORM:

---

D. Danyielle Snider, CMC, City Clerk

---

Paul Ewers, City Attorney

**HOUSE CS FOR CS FOR SENATE BILL NO. 63(JUD)**

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTIETH LEGISLATURE - SECOND SESSION

BY THE HOUSE JUDICIARY COMMITTEE

Offered: 1/26/18

Referred: Rules

Sponsor(s): SENATORS MICCICHE, Meyer, Gardner, Giessel, Stevens, Bishop, Costello, Begich, Wielechowski

REPRESENTATIVES Kopp, Spohnholz, Guttenberg, Kito, Foster, Grenn, Kawasaki, Birch, Drummond, Gara, Josephson, Ortiz, Millett, Pruitt, Johnston, Johnson, Wool, Tarr, Kreiss-Tomkins, Parish, Fansler

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act prohibiting smoking in certain places; relating to education on the smoking  
2 prohibition; and providing for an effective date."

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

4 \* **Section 1.** The uncodified law of the State of Alaska is amended by adding a new section  
5 to read:

6 LEGISLATIVE INTENT. It is the intent of the legislature that nothing in this Act is  
7 intended to alter applicable law relating to liability of a manufacturer, dispenser, or other  
8 person for a cause of action that may arise from smoking tobacco, e-cigarettes, or other oral  
9 smoking devices in an enclosed area or to otherwise limit the state immunity from liability  
10 provided for in state law. In this section, "e-cigarette," "enclosed area," and "smoking" have  
11 the meanings given to those terms in AS 18.35.399.

12 \* **Sec. 2.** AS 18.35 is amended by adding new sections to read:

13 **Article 4. Prohibition of Smoking in Certain Places.**

14 **Sec. 18.35.301. Prohibition of smoking.** (a) An individual may not smoke in

1 an enclosed area in a public place, including an enclosed area

2 (1) at an entertainment venue or a sports arena;

3 (2) on a bus, in a taxicab, on a ferry, or in another vehicle used for  
4 public transportation;

5 (3) at a public transit depot, bus shelter, airport terminal, or other  
6 public transportation facility;

7 (4) at a retail store or shopping center;

8 (5) at a place of government or public assembly located on property  
9 that is owned or operated by the state, a municipality, or a regional educational  
10 attendance area, or by an agent of the state, a municipality, or a regional educational  
11 attendance area.

12 (b) An individual may not smoke in an enclosed area

13 (1) in an office building, office, hotel, motel, restaurant, bar, retail  
14 store, or shopping center;

15 (2) in a common area in an apartment building or multiple-family  
16 dwelling;

17 (3) in a place of employment, including a vehicle;

18 (4) at a public or private educational facility;

19 (5) at a health care facility, including residential units in the health care  
20 facility;

21 (6) in a building or residence that is used to provide paid child care,  
22 whether or not children are present in the building or residence, or care for adults on a  
23 fee-for-service basis; however, nothing in this paragraph is intended to prohibit an  
24 individual from smoking in a private residence that is in a building where another  
25 residence provides paid child care or care for adults;

26 (7) on a vessel operating as a shore-based fisheries business under  
27 AS 43.75.

28 (c) An individual may not smoke outdoors

29 (1) within 10 feet of playground equipment located at a public or  
30 private school or a state or municipal park while children are present;

31 (2) in a seating area for an outdoor arena, stadium, or amphitheater;

1 (3) at a place of employment or health care facility that has declared  
2 the entire campus or outside grounds or property to be smoke-free;

3 (4) within

4 (A) 10 feet of an entrance to a bar or restaurant that serves  
5 alcoholic beverages;

6 (B) 20 feet of an entrance, open window, or heating or  
7 ventilation system air intake vent at an enclosed area at a place where smoking  
8 is prohibited under this section; or

9 (C) a reasonable distance, as determined by the owner or  
10 operator, of an entrance, open window, or heating or ventilation system air  
11 intake vent of

12 (i) a vessel covered by this section; or

13 (ii) a long-term care facility as defined in AS 47.62.090.

14 (d) Notwithstanding (a) and (b) of this section, unless the owner or operator  
15 prohibits it, an individual may smoke at a retail tobacco or e-cigarette store that

16 (1) is in a building that

17 (A) is freestanding; or

18 (B) if it is attached to another business or building,

19 (i) has a separate entrance;

20 (ii) is separated from the other business or building in a  
21 manner that does not allow e-cigarette vapor or aerosol to travel into  
22 the other business or building;

23 (iii) the other business or building does not serve as a  
24 residence, child care facility, facility providing care for adults on a fee-  
25 for-service basis, school, or health care facility; and

26 (iv) smoking is limited to the use of an e-cigarette;

27 (2) is not

28 (A) a business that is licensed under AS 04.11 to serve  
29 alcoholic beverages at an outdoor location;

30 (B) a business that is licensed under AS 05.15 to sell pull-tabs;

31 or

1 (C) a retail store that is within an indoor public place or  
2 workplace.

3 (e) Notwithstanding (a) and (b) of this section, smoking may be permitted in a  
4 separate enclosed smoking area located in a terminal for international passengers who  
5 are in transit in a state-owned and state-operated international airport and who are  
6 restricted by federal law from leaving the airport, if the smoking area is vented directly  
7 to an outdoor area that is not an area where smoking is prohibited under (c) of this  
8 section.

9 (f) Notwithstanding (b) of this section, unless the owner or operator prohibits  
10 it, an individual may smoke

11 (1) in a vehicle that is a place of employment when the vehicle is used  
12 exclusively by one person;

13 (2) on a vessel when the vessel is engaged in commercial fishing or  
14 sport charter fishing.

15 (g) Notwithstanding (a) and (b) of this section, an individual may smoke at

16 (1) a private club if the private club

17 (A) has been in continuous operation at the same location since  
18 January 1, 2017;

19 (B) is not licensed to serve alcoholic beverages; and

20 (C) is not a place of employment;

21 (2) an e-cigarette store if the e-cigarette store has been in continuous  
22 operation at the same location since January 1, 2017.

23 (h) Nothing in this section prohibits an individual from smoking

24 (1) at a private residence, except a private residence described in (b) of  
25 this section or while a health care provider is present;

26 (2) in a stand-alone shelter if the stand-alone shelter meets the  
27 following requirements:

28 (A) food or drink may not be sold or served in the stand-alone  
29 shelter; and

30 (B) the stand-alone shelter meets the minimum distance  
31 requirements of (c) of this section; or



1 (3) in an establishment licensed under AS 17.38 that is freestanding if  
 2 the smoking is in accordance with regulations adopted by the Marijuana Control  
 3 Board created under AS 17.38.080.

4 (i) In this section,

5 (1) "freestanding" means a building that is not supported by another  
 6 structure and does not share ventilation or internal air space with an adjoining  
 7 structure and smoke from the building cannot travel into the adjoining structure;

8 (2) "health care provider" has the meaning given in AS 09.65.300;

9 (3) "private club" means an organization, legal entity, or informal  
 10 association of persons that

11 (A) is the owner, lessee, or occupant of a building or portion of  
 12 a building used exclusively for club purposes at all times;

13 (B) is operated solely for a recreational, fraternal, social,  
 14 patriotic, political, benevolent, or athletic purpose; and

15 (C) has been granted exemption from the payment of federal  
 16 income tax as a club under 26 U.S.C. 501;

17 (4) "retail tobacco or e-cigarette store"

18 (A) means a store

19 (i) that primarily sells cigarettes, e-cigarettes, cigars,  
 20 tobacco and products containing tobacco, and pipes and other smoking  
 21 or e-cigarette accessories;

22 (ii) in which the sale of other products is incidental; and

23 (iii) that derives at least 90 percent of its gross revenue  
 24 from the sale of cigarettes, e-cigarettes, cigars, tobacco and products  
 25 containing tobacco, and pipes and other smoking or e-cigarette  
 26 accessories;

27 (B) does not include

28 (i) a tobacco or e-cigarette department or section of a  
 29 business that does not meet the criteria in (A) of this paragraph; or

30 (ii) a business that is also a restaurant or grocery store.

31 **Sec. 18.35.306. Notice of prohibition.** (a) A person who is in charge of a place

1 or vehicle where smoking is prohibited under AS 18.35.301 shall conspicuously  
2 display in the place or vehicle a sign that

3 (1) reads "Smoking Prohibited by Law--Fine \$50";

4 (2) includes the international symbol for no smoking; or

5 (3) includes the words "No Puffin" with a pictorial representation of a  
6 puffin holding a burning cigarette enclosed in a red circle crossed with a red bar.

7 (b) A person in charge of a building at which smoking is prohibited within a  
8 specific distance from the entrance of the building under AS 18.35.301(c)(4) shall  
9 conspicuously display a sign that reads "Smoking within (number of feet) Feet of  
10 Entrance Prohibited by Law--Fine \$50" visible from the outside of each entrance to  
11 the building.

12 (c) The department shall furnish signs required under this section to a person  
13 who requests them with the intention of displaying them.

14 **Sec. 18.35.311. Duty of employers and building managers.** (a) An employer  
15 may not permit an employee, customer, or other person to smoke inside an enclosed  
16 area at a place of employment.

17 (b) The owner, operator, manager, or other person who manages a building or  
18 other place where smoking is prohibited under AS 18.35.301 may not provide ashtrays  
19 or other smoking accessories for use in that building or place.

20 (c) An employer may not require an employee, customer, or other person to  
21 enter a stand-alone shelter as defined in AS 18.35.301(h) for a purpose other than  
22 smoking.

23 **Sec. 18.35.316. Powers and duties of the commissioner.** (a) The  
24 commissioner

25 (1) shall administer and enforce the requirements of AS 18.35.301 -  
26 18.35.399;

27 (2) may adopt regulations under AS 44.62 (Administrative Procedure  
28 Act) necessary to carry out the duties under this section.

29 (b) In addition to other powers granted the commissioner under AS 18.35.301  
30 - 18.35.399, the commissioner may delegate to another agency the authority to  
31 implement and enforce one or more provisions of AS 18.35.301 - 18.35.399.

1           **Sec. 18.35.321. Public education.** (a) The commissioner shall ensure that  
2 employers, property owners, property operators, and other members of the public are  
3 provided ongoing access to

4                   (1) a program of education regarding the requirements in AS 18.35.301  
5 - 18.35.399;

6                   (2) an electronically published printable brochure that summarizes the  
7 requirements in AS 18.35.301 - 18.35.399.

8           (b) The program of education under (a) of this section may be provided in  
9 combination with the comprehensive smoking education, tobacco use prevention, and  
10 tobacco control program established in AS 44.29.020(a)(14).

11           **Sec. 18.35.326. Nonretaliation.** (a) An employer may not discharge or in any  
12 other manner retaliate against an employee because the employee cooperates with or  
13 initiates enforcement of a requirement in AS 18.35.301 - 18.35.399.

14           (b) The owner or operator of a vehicle or other place that is subject to a  
15 requirement in AS 18.35.301 - 18.35.399 may not retaliate against a customer or other  
16 member of the public for cooperating with or initiating enforcement of a requirement  
17 in AS 18.35.301 - 18.35.399.

18           **Sec. 18.35.331. Conflicts with local requirements.** Nothing in AS 18.35.301  
19 - 18.35.399 prohibits a municipality from adopting an ordinance imposing additional

20                   (1) limitations on smoking;

21                   (2) duties on employers, owners, operators, and other persons who are  
22 subject to the requirements of AS 18.35.306 or 18.35.311 related to smoking; or

23                   (3) limitations on smoking in an outdoor area at a municipal park  
24 designated as a children's playground.

25 \* **Sec. 3.** AS 18.35.340(a) is amended to read:

26           (a) The commissioner shall develop and maintain a procedure for processing  
27 reports of violations of **AS 18.35.301, 18.35.306, 18.35.311, and 18.35.326**  
28 [AS 18.35.300, 18.35.305, AND 18.35.330].

29 \* **Sec. 4.** AS 18.35.340(b) is amended to read:

30           (b) If, after investigating a report made under this section, the commissioner  
31 determines that a violation has occurred, (1) the commissioner may file a civil

1 complaint in the district court to enforce the provisions of AS 18.35.301 - 18.35.399  
 2 [AS 18.35.300 - 18.35.365]; or (2) an employee of the department designated by the  
 3 commissioner to enforce the provisions of AS 18.35.301 - 18.35.399 [AS 18.35.300 -  
 4 18.35.365] may issue a citation under AS 18.35.341(b). If an employee of the  
 5 department issues a citation, the violation shall be processed and disposed of under  
 6 AS 18.35.341.

7 \* **Sec. 5.** AS 18.35.340(c) is amended to read:

8 (c) A person who violates AS 18.35.301 [AS 18.35.300 OR 18.35.305] and  
 9 against whom the commissioner has filed a civil complaint under this section is  
 10 punishable by a civil fine of [NOT LESS THAN \$10 NOR MORE THAN] \$50. A  
 11 person who violates AS 18.35.306 or 18.35.311 [AS 18.35.330] and against whom the  
 12 commissioner has filed a civil complaint under this section is punishable by a civil  
 13 fine of not less than \$50 [\$20] nor more than \$300. Each day a violation of  
 14 AS 18.35.306 or 18.35.311 [AS 18.35.330] continues after a civil complaint for the  
 15 violation has been filed and served on the defendant constitutes a separate violation. A  
 16 person who violates AS 18.35.326 and against whom the commissioner has filed a  
 17 civil complaint under this section is punishable by a civil fine of not more than  
 18 \$500.

19 \* **Sec. 6.** AS 18.35.341(a) is amended to read:

20 (a) A peace officer may issue a citation for a violation of AS 18.35.301,  
 21 18.35.311, or 18.35.326 [AS 18.35.300 OR 18.35.305] committed in the officer's  
 22 presence or for a violation of AS 18.35.306 [AS 18.35.330]. The provisions of  
 23 AS 12.25.175 - 12.25.230 apply to the issuance of a citation under this subsection.

24 \* **Sec. 7.** AS 18.35.341(b) is amended to read:

25 (b) An employee of the department designated by the commissioner to enforce  
 26 the provisions of AS 18.35.301 - 18.35.399 [AS 18.35.300 - 18.35.365] may issue a  
 27 citation for a violation of AS 18.35.301, 18.35.306, 18.35.311, or 18.35.326  
 28 [AS 18.35.300, 18.35.305, OR 18.35.330] regardless of whether the violation was  
 29 committed in the employee's presence. A citation issued under this subsection shall be  
 30 in the same form and shall be processed in the same manner as a citation issued by a  
 31 peace officer under (a) of this section. An employee of the department may not arrest a

1 person for a violation of AS 18.35.301, 18.35.306, 18.35.311, or 18.35.326  
 2 [AS 18.35.300, 18.35.305, OR 18.35.330].

3 \* **Sec. 8.** AS 18.35.341(c) is amended to read:

4 (c) A person who violates AS 18.35.301, 18.35.306, 18.35.311, or 18.35.326  
 5 [AS 18.35.300, 18.35.305, OR 18.35.330] is guilty of a violation as defined in  
 6 AS 11.81.900(b) and upon conviction is punishable by a fine of [NOT LESS THAN  
 7 \$10 NOR MORE THAN] \$50 for a violation of AS 18.35.301, [AS 18.35.300 OR  
 8 18.35.305 AND] by a fine of not less than \$50 [\$20] nor more than \$300 for a  
 9 violation of AS 18.35.306 or 18.35.311, and by a fine of not more than \$500 for a  
 10 violation of AS 18.35.326 [AS 18.35.330]. Each day a violation of AS 18.35.306 and  
 11 18.35.311 [AS 18.35.330] continues after a citation for the violation has been issued  
 12 constitutes a separate violation.

13 \* **Sec. 9.** AS 18.35.341(d) is amended to read:

14 (d) The supreme court shall establish a schedule of bail amounts for violations  
 15 of AS 18.35.301, 18.35.306, 18.35.311, and 18.35.326 [AS 18.35.300, 18.35.305,  
 16 AND 18.35.330], but in no event may the bail amount exceed the maximum fine that  
 17 may be imposed for the violation under (c) of this section. The bail amount for a  
 18 violation must appear on the citation.

19 \* **Sec. 10.** AS 18.35.342 is amended to read:

20 **Sec. 18.35.342. Multiple fines prohibited.** A person may not be fined more  
 21 than once for each violation of AS 18.35.301, 18.35.306, 18.35.311, or 18.35.326  
 22 [AS 18.35.300, 18.35.305, OR 18.35.330].

23 \* **Sec. 11.** AS 18.35.343 is amended to read:

24 **Sec. 18.35.343. Injunctions.** The commissioner or any affected party may  
 25 institute an action in the superior court to enjoin repeated violations of AS 18.35.301,  
 26 18.35.306, 18.35.311, or 18.35.326 [AS 18.35.300, 18.35.305, or 18.35.330].

27 \* **Sec. 12.** AS 18.35.350 is amended to read:

28 **Sec. 18.35.350. Enforcement authority.** The commissioner or the  
 29 commissioner's designee is responsible for enforcing the provisions of AS 18.35.301 -  
 30 18.35.399 [AS 18.35.300 - 18.35.365]. This section does not limit the authority of  
 31 peace officers.

1 \* **Sec. 13.** AS 18.35 is amended by adding a new section to read:

2 **Sec. 18.35.399. Definitions.** In AS 18.35.301 - 18.35.399,

3 (1) "business" means a for-profit or nonprofit sole proprietorship,  
4 partnership, joint venture, corporation, professional corporation, private club, retail  
5 seller of goods or services, or other business entity;

6 (2) "commissioner" means the commissioner of health and social  
7 services or the commissioner's designee;

8 (3) "department" means the Department of Health and Social Services;

9 (4) "e-cigarette" means any product containing or delivering nicotine  
10 or any other substance intended for human consumption that can be used by a person  
11 through inhalation of vapor or aerosol from the product, of any size or shape, whether  
12 the product is manufactured, distributed, marketed, or sold as an e-cigarette, e-cigar, e-  
13 pipe, e-hookah, vape pen, or any other product name or descriptor; "e-cigarette" does  
14 not include drugs, devices, or combination products authorized for sale by the United  
15 States Food and Drug Administration as those terms are defined in 21 U.S.C. 301 -  
16 392 (Food, Drug, and Cosmetic Act), unless the use of those products simulate  
17 smoking or expose others to vapor or aerosol;

18 (5) "employee" means a person who is employed by a business for  
19 compensation or works for a business as a volunteer without compensation;

20 (6) "employer" means the state, a municipality, a regional educational  
21 attendance area, and a person or a business with one or more employees;

22 (7) "enclosed area" means space between a floor and a ceiling that is  
23 bounded on two or more sides by a combination of walls, doorways, windows, or  
24 other physical barriers that may be open, partially open, closed, retractable, temporary,  
25 or permanent;

26 (8) "health care facility" means an office or institution providing care  
27 or treatment for physical, mental, emotional, or other medical, dental, physiological, or  
28 psychological diseases or conditions; private, municipal, or state hospital; independent  
29 diagnostic testing facility; primary care outpatient facility; skilled nursing facility;  
30 kidney disease treatment center, including freestanding hemodialysis units;  
31 intermediate care facility; ambulatory surgical facility; Alaska Pioneers' Home or

1 Alaska Veterans' Home administered by the department under AS 47.55; long-term  
 2 care facility; psychiatric hospital; residential psychiatric treatment center, as defined in  
 3 AS 18.07.111 or AS 47.32.900, and other facilities, places of employment, or offices  
 4 operated for use by doctors, nurses, surgeons, chiropractors, physical therapists,  
 5 physicians, psychiatrists, or dentists or other professional health care providers to  
 6 provide health care;

7 (9) "place of employment" means work areas, private offices, hotel and  
 8 motel rooms, employee lounges, restrooms, conference rooms, classrooms, cafeterias,  
 9 hallways, vehicles, and other employee work areas that are under the control of an  
 10 employer;

11 (10) "public place" includes

12 (A) an area to which the public is invited or into which the  
 13 public is admitted;

14 (B) a place where services, goods, or facilities are offered to  
 15 the public;

16 (11) "smoking" means using an e-cigarette or other oral smoking  
 17 device or inhaling, exhaling, burning, or carrying a lighted or heated cigar, cigarette,  
 18 pipe, or tobacco or plant product intended for inhalation.

19 \* **Sec. 14.** AS 18.35.300, 18.35.305, 18.35.310, 18.35.320, 18.35.330, 18.35.355, and  
 20 18.35.365 are repealed.

21 \* **Sec. 15.** The uncodified law of the State of Alaska is amended by adding a new section to  
 22 read:

23 **APPLICABILITY.** AS 18.35.301, 18.35.306, 18.35.311, 18.35.316, 18.35.321,  
 24 18.35.326, and 18.35.331, added by sec. 2 of this Act, AS 18.35.340(a) - (c), as amended by  
 25 secs. 3 - 5 of this Act, AS 18.35.341(a) - (d), as amended by secs. 6 - 9 of this Act,  
 26 AS 18.35.342, as amended by sec. 10 of this Act, AS 18.35.343, as amended by sec. 11 of this  
 27 Act, AS 18.35.350, as amended by sec. 12 of this Act, and AS 18.35.399, added by sec. 13 of  
 28 this Act, apply to violations or failures to comply that occur on or after the effective date of  
 29 secs. 2 - 13 of this Act.

30 \* **Sec. 16.** The uncodified law of the State of Alaska is amended by adding a new section to  
 31 read:

1           TRANSITION: REGULATIONS. The Department of Health and Social Services may  
2 adopt regulations necessary to implement AS 18.35.301, 18.35.306, 18.35.311, 18.35.316,  
3 18.35.321, 18.35.326, and 18.35.331, added by sec. 2 of this Act, AS 18.35.340(a) - (c), as  
4 amended by secs. 3 - 5 of this Act, AS 18.35.341(a) - (d), as amended by secs. 6 - 9 of this  
5 Act, AS 18.35.342, as amended by sec. 10 of this Act, AS 18.35.343, as amended by sec. 11  
6 of this Act, AS 18.35.350, as amended by sec. 12 of this Act, and AS 18.35.399, added by  
7 sec. 13 of this Act. The regulations take effect under AS 44.62 (Administrative Procedure  
8 Act), but not before the effective date of the section being implemented.

9       \* **Sec. 17.** Section 16 of this Act takes effect immediately under AS 01.10.070(c).

10       \* **Sec. 18.** Except as provided in sec. 17 of this Act, this Act takes effect October 1, 2018.



**RESOLUTION NO. 4827**

**A RESOLUTION APPROVING PARTICIPATION BY THE CITY  
OF FAIRBANKS IN THE 2017-2018 AMLJIA LOSS CONTROL  
INCENTIVE PROGRAM**

**WHEREAS**, the City of Fairbanks is a member of the Alaska Municipal League Joint Insurance Association (AMLJIA); and

**WHEREAS**, the AMLJIA provides comprehensive risk management assistance and workers' compensation, liability, and property coverage for the City of Fairbanks; and

**WHEREAS**, the AMLJIA developed the Loss Control Incentive Program to help reduce member losses individually and pool-wide; and

**WHEREAS**, the AMLJIA will provide all written program materials necessary and will offer assistance to participants; and

**WHEREAS**, members who participate in the Loss Control Incentive Program and complete the required activities will have the opportunity to earn a discount on their contribution; and

**WHEREAS**, it is the policy of the City of Fairbanks to provide a safe environment for its employees, citizens, and visitors; and

**WHEREAS**, participation in the Loss Control Incentive Program will promote a safe environment.

**NOW, THEREFORE, BE IT RESOLVED** that the City of Fairbanks is approved to participate in the AMLJIA Loss Control Incentive Program for the 2017-2018 policy year.

**PASSED and APPROVED this 5th day of February 2018.**

---

**Jim Matherly, City Mayor**

AYES:  
NAYS:  
ABSENT:  
APPROVED:

ATTEST:

APPROVED AS TO FORM:

---

D. Danyielle Snider, CMC, City Clerk

---

Paul J. Ewers, City Attorney

**ORDINANCE NO. 6070**

**AN ORDINANCE TO AMEND FAIRBANKS GENERAL CODE CHAPTER 14, BUSINESSES, BY ADDING ARTICLE VI REGULATING MARIJUANA ESTABLISHMENTS**

**WHEREAS**, the Fairbanks City Council is the local regulatory authority for licensing marijuana establishments in the corporate limits of the City of Fairbanks, per state law and City Council Resolution No. 4740; and

**WHEREAS**, guidelines are needed for the review and approval of applications for marijuana establishment licenses within the city.

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

**Section 1.** Fairbanks General Code Chapter 14 is hereby amended by adding a new Article VI. Marijuana Establishments as follows:

**CHAPTER 14. BUSINESSES**

**ARTICLE VI. MARIJUANA ESTABLISHMENTS**

**Sec. 14-211. Local Control.**

The city council may exercise local control of marijuana establishments to the fullest extent allowed by state law.

**Sec. 14-212. Number of licenses authorized.**

(a) The number of marijuana establishment licenses authorized within the city limits is the number authorized by state law or as set forth below:

- (1) Retail marijuana store: 12 allowed within the city limits.
- (2) Marijuana cultivation facility: as authorized by state law.
- (3) Marijuana testing facility: as authorized by state law.
- (4) Marijuana product manufacturing facility: as authorized by state law.

**Sec. 14-213. Restrictions on marijuana establishments.**

(a) No onsite consumption of marijuana at any marijuana establishment is allowed in the city, even if authorized by state law.

(b) No marijuana cultivation facility may be located within 1,000 feet of a dwelling. As used in this section, "dwelling" means a building or portion thereof designed or used exclusively for residential purposes, but not including hotels, motels, guest rooms, boarding homes, group homes, or nursing homes.

(c) No retail marijuana store may be located within 1,000 feet of a school or within 1,000 feet of a drug or alcohol rehabilitation facility. As used in this section, "school" means a building whose primary use is for instruction, on a daily basis, of students grades K through 12, and "drug or alcohol rehabilitation facility" means a building whose primary use is for treatment of persons seeking rehabilitation and recovery from drug or alcohol abuse or addiction.

(d) Any distance requirement in this section shall be measured by using a straight line from the closest points of the primary structure of the referenced marijuana establishment and the primary structure of the dwelling, school, or rehabilitation facility.

(e) Marijuana establishment licenses approved by the state Alcohol and Marijuana Control Office (AMCO) or previously considered by the City Council and pending before AMCO prior to the effective date of this ordinance shall not be subject to the restrictions in subsections (b), (c), and (d) above.

**Sec. 14-214. Procedure for review of licenses.**

(a) Upon receipt of notice from AMCO that it is considering an application for a transfer, renewal, or new marijuana establishment license of any type, the city clerk will direct the fire and police chiefs, the building official, and the chief financial officer to make appropriate investigations within their respective areas of responsibility and to forward written statements to the clerk's office of any reasons why the city should object to the approval of the application.

(b) The city clerk will report to the city council any objections to approval of an application which have been submitted.

(c) For all new marijuana establishment licenses and license transfers referred to the city by AMCO:

- (1) The city clerk will duly advertise in a newspaper of general circulation in the Fairbanks area the date, time, and place where the city council will consider the proposed application and in addition, for all new marijuana establishment licenses,

will send copies of such advertisement by mail to all owners of record of land within 1,000 feet of where the marijuana establishment will be located under the proposed new-license; and

- (2) On the date and time set for consideration of the proposed application, the city council will hear all interested citizens who may wish to express their opinions on the application.

(d) The city council will determine by motion whether or not to object to the approval by AMCO of the application for the transfer, renewal, or new marijuana establishment license. The city council will consider any written objection, protest, suggested condition, petition, and any testimony received at the public hearing when it considers the application. If the city council objects to approval of the application, the city clerk will prepare and lodge an appropriate protest with AMCO within 60 days of receipt of the proposed application.

**Sec. 14-215. City council review of license issuance, renewal or transfer.**

(a) Upon receipt of notification from AMCO that it has before it an application for the issuance, renewal, or transfer of a marijuana establishment license, the city council will determine whether to protest approval of the application. The city council may protest the issuance, transfer, or renewal of a license if it determines any of the following conditions exist:

- (1) Noncompliance with any of the restrictions set forth in Sec. 14-213.
- (2) The business operated under the license is, on the date the city council considers the application, delinquent in the payment of any sales tax or penalty or interest on such taxes arising out of the operation of the licensed premises.
- (3) There are delinquent property taxes or local improvement district assessments or penalty or interest arising out of real or personal property owned in whole or in part by any person named in the application as an applicant where such property is used, or is to be used, in whole or in part, in the business conducted or to be conducted under the licenses.
- (4) There is a delinquent charge or assessment owing the city by licensee for a municipal service provided for the benefit of the business conducted under the license or for a service or an activity provided or conducted by the city at the request of or arising out of an activity of the business conducted under the license.

- (5) The business to be operated under the license would violate the zoning code of the borough.

(b) The city council will also consider the following factors in determining whether to protest the approval of the application:

- (1) The character of the surrounding neighborhood and whether the issuance of the license would adversely impact the health, welfare, or public safety of the neighborhood in which the marijuana establishment is proposed to be located, or otherwise would not be in the best interest of the public.
- (2) Actual and potential law enforcement problems, including the proximity of the premises to law enforcement stations and patrols.
- (3) The concentration of other marijuana licenses in the same vicinity.
- (4) Whether the surrounding area experiences an unacceptable rate of crime.
- (5) The adequacy of parking facilities.
- (6) The safety of ingress to and egress from the premises.
- (7) Compliance with state and local fire, building, and health and safety codes.
- (8) The degree of control the licensee has or proposes to have over the conduct of the licensed business.
- (9) The history of convictions of the applicants and affiliates of the applicants for:
  - a. Any felony involving moral turpitude;
  - b. Any violation of AS 11.71 (Controlled Substances) or AS 17.38 (Regulation of Marijuana); and
  - c. Any violation of the marijuana laws of another state as a licensee of that state.
- (10) Whether the applicant or the applicant's affiliates are untrustworthy, unfit to conduct a licensed business, or constitute a potential source of harm to the public.

- (11) Any other factor the city council determines is relevant to a particular application.

**Sec. 14-216. Access for enforcement; penalties.**

(a) All marijuana establishments must provide the Chief of Police with their current hours of operation.

(b) Owners of marijuana establishments, their employees, and all patrons in such establishments must permit and aid the entry of any law enforcement officer during all hours of operation and at any other time when there are two or more persons in the licensed establishment.

(c) Any person who violates or fails to comply with the provisions of subsection (b) of this section will be guilty of a misdemeanor and upon conviction will be fined as provided in FGC Sec. 1-15.

(d) Lack of knowledge, lack of intent, or absence from the premises is not a defense to any criminal action brought under this section against any employee in charge of a marijuana establishment.

(e) The following evidence will constitute a prima facie case of violation of this section in any criminal action against any employee in charge of the establishment or against any owner:

- (1) A law enforcement officer knocked heavily at the public entrance of the establishment and the entrance was not opened within one minute thereafter to permit entry; and
- (2) The officer heard sound emanating from within the establishment that was consistent with the sound of two or more persons in the establishment.

**Sec. 14-216. State law incorporated.**

(a) The city hereby incorporates by reference Alaska Statute 17.38 inclusive as if set forth fully in this chapter.

(b) If a conflict should arise or exist between the provisions of AS 17.38 and this Article, the requirements of this Article will take precedence and will be deemed the applicable law within the City of Fairbanks.

**Section 2.** That the effective date of this Ordinance is the \_\_\_ day of February 2018.

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

AYES:  
NAYS:  
ABSTAIN:  
ABSENT:  
ADOPTED:

ATTEST:

APPROVED AS TO FORM:

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

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