



FAIRBANKS CITY COUNCIL  
AGENDA NO. 2015-24  
*REGULAR MEETING DECEMBER 14, 2015*  
FAIRBANKS CITY COUNCIL CHAMBERS  
800 CUSHMAN STREET, FAIRBANKS, ALASKA

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REGULAR MEETING

7:00 P.M.

1. ROLL CALL
2. INVOCATION
3. FLAG SALUTATION
4. CITIZENS COMMENTS, oral communications to Council on any item not up for Public Hearing. 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, kindly silence all cell phones and electronic devices.
5. 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.
6. APPROVAL OF PREVIOUS MINUTES
7. SPECIAL ORDERS
8. READING OF THE BILL OF RIGHTS

9. MAYOR'S COMMENTS AND REPORT

10. UNFINISHED BUSINESS

- a) Ordinance No. 5997 – An Ordinance Amending the 2015 Operating and Capital Budgets for the Eighth Time. Introduced by Mayor Eberhart. SECOND READING AND PUBLIC HEARING.
- b) Ordinance No. 5998 – An Ordinance Adopting the 2016 Operating and Capital Budgets. Introduced by Mayor Eberhart. SECOND READING AND PUBLIC HEARING.
- c) Ordinance No. 5999 – An Ordinance Authorizing Conveyance of Easements Requested by the ADOT for the Noble Street Upgrade and Pedestrian Facilities Projects. Introduced by Mayor Eberhart. SECOND READING AND PUBLIC HEARING.
- d) Ordinance No. 6000 – An Ordinance Amending the Collective Bargaining Agreement Between the City of Fairbanks and the Public Safety Employees Association to Establish an Intern Program for Students. Introduced by Mayor Eberhart. SECOND READING AND PUBLIC HEARING.

11. NEW BUSINESS

- \*a) Resolution No. 4702 – A Resolution Authorizing an Increase in Matching Funds and Execution of the Maintenance Agreement for the Gillam Way Reconstruction Project. Introduced by Mayor Eberhart.
- \*b) Resolution No. 4703 – A Resolution Authorizing Matching Funds and Execution of the Maintenance Agreement for the Cowles Street Reconstruction Project. Introduced by Mayor Eberhart.
- \*c) Resolution No. 4704 – A Resolution in Support of Fairbanks Metropolitan Area Transportation Systems' Complete Streets Policy. Introduced by Council Member Cleworth.

12. DISCUSSION ITEMS (INFORMATION AND REPORT)

- a) Committee Reports

13. COMMUNICATIONS TO COUNCIL

- \*a) Chena Riverfront Commission Meeting Minutes of September 9, 2015
- \*b) Chena Riverfront Commission Meeting Minutes of October 14, 2015
- \*c) Fairbanks Diversity Council Meeting Minutes of November 10, 2015
- \*d) Re-appointment to the Fact Finding Commission
- \*e) Memo Delegating a Lead Spokesperson for Labor Negotiations
- \*f) Memo Regarding Appeal of PSEA v. City ALRA Decision & Order No. 305

14. COUNCIL MEMBERS' COMMENTS

15. CITY CLERK'S REPORT

16. CITY ATTORNEY'S REPORT

17. EXECUTIVE SESSION

- a) AFL-CIO Labor Contract Negotiations
- b) PSEA v. City of Fairbanks ALRA Decision & Order – Potential Litigation

18. ADJOURNMENT

## THE BILL OF RIGHTS

### **Amendment 1 - Freedom of Religion, Press, Expression. Ratified 12/15/1791.**

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

### **Amendment 2 - Right to Bear Arms. Ratified 12/15/1791.**

A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

### **Amendment 3 - Quartering of Soldiers. Ratified 12/15/1791.**

No Soldier shall, in time of peace be quartered in any house, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by law.

### **Amendment 4 - Search and Seizure. Ratified 12/15/1791.**

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

### **Amendment 5 - Trial and Punishment, Compensation for Takings. Ratified 12/15/1791.**

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

### **Amendment 6 - Right to Speedy Trial, Confrontation of Witnesses. Ratified 12/15/1791.**

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defence.

### **Amendment 7 - Trial by Jury in Civil Cases. Ratified 12/15/1791.**

In Suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise reexamined in any Court of the United States, than according to the rules of the common law.

### **Amendment 8 - Cruel and Unusual Punishment. Ratified 12/15/1791.**

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

### **Amendment 9 - Construction of Constitution. Ratified 12/15/1791.**

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

### **Amendment 10 - Powers of the States and People. Ratified 12/15/1791.**

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

Introduced By: Mayor Eberhart  
Finance Committee Review: December 1, 2015  
Introduced: December 7, 2015

**ORDINANCE NO. 5997**

**AN ORDINANCE AMENDING THE 2015 OPERATING AND  
CAPITAL BUDGETS FOR THE EIGHTH TIME**

**WHEREAS**, this ordinance incorporates the changes outlined on the attached fiscal note to amend the 2015 operating and capital budgets; and

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

**SECTION 1.** There is hereby appropriated to the 2015 General Fund and the Capital Fund budgets the following sources of revenue and expenditures in the amounts indicated to the departments named for the purpose of conducting the business of the City of Fairbanks, Alaska, for the fiscal year commencing January 1, 2015 and ending December 31, 2015 (see pages 2 and 3) [changes shown in **bold** font]. [amendments shown in **bold underlined** font; deleted text or amounts in ~~strike through~~ font]:

REVENUE	Ordinance 5991	INCREASE (DECREASE)	AS AMENDED
Taxes, (all sources)	\$ 20,898,279	\$ -	\$ 20,898,279
Charges for Services	4,790,470	-	4,790,470
Intergovernmental Revenues	3,662,380	-	3,662,380
Licenses & Permits	2,169,367	-	2,169,367
Fines, Forfeitures & Penalties	806,223	-	806,223
Interest & Penalties	184,163	-	184,163
Rental & Lease Income	164,734	-	164,734
Other Revenues	227,302	-	227,302
Other Financing Sources (Uses)	2,534,580	-	2,534,580
<b>Total revenue appropriation</b>	<b>\$ 35,437,498</b>	<b>\$ -</b>	<b>\$ 35,437,498</b>
<b>EXPENDITURES</b>			
Mayor and Council	\$ 604,411	\$ -	\$ 604,411
Office of the City Attorney	183,315	-	183,315
Office of the City Clerk	357,101	-	357,101
Finance Department	953,159	-	953,159
Information Technology	1,687,272	-	1,687,272
General Account	5,784,583	-	5,784,583
Risk Management	1,463,293	-	1,463,293
Police Department	7,256,063	<b>474,539</b>	7,730,602
Dispatch Center	2,025,136	<b>115,264</b>	2,140,400
Fire Department	6,587,200	<b>39,884</b>	6,627,084
Public Works Department	7,781,302	-	7,781,302
Engineering Department	745,180	-	745,180
Building Department	683,531	-	683,531
<b>Total expenditure appropriation</b>	<b>\$ 36,111,546</b>	<b>\$ 629,687</b>	<b>\$ 36,741,233</b>
12/31/14 general fund balance	\$ 11,360,245	\$ -	\$ 11,360,245
Increase (Decrease) to fund balance	(464,870)	<b>(629,687)</b>	(1,094,557)
Assigned PY encumbrances	(209,178)	-	(209,178)
Nonspendable	(473,424)	-	(473,424)
Committed for snow removal	(250,000)	-	(250,000)
Assigned self insurance	(793,207)	-	(793,207)
<b>12/31/15 Unassigned balance</b>	<b>\$ 9,169,566</b>	<b>\$ (629,687)</b>	<b>\$ 8,539,879</b>
Minimum unassigned fund balance requirement is 20% of budgeted annual expenditures but not less than \$4,000,000.			<b>\$ 7,348,247</b>

## CAPITAL FUND

<u>REVENUE</u>	Ordinance 5991	INCREASE (DECREASE)	AS AMENDED
Transfer from Permanent Fund	\$ 543,065	-	\$ 543,065
Transfer from General Fund	1,624,453	-	1,624,453
Equip Replacement			
Public Works	250,000	-	250,000
Building	10,000	-	10,000
Police	240,000	-	240,000
Dispatch	140,000	-	140,000
Fire	391,500	-	391,500
IT	100,000	-	100,000
Property Repair & Replacement	145,000	-	145,000
	<u>\$3,444,018</u>	<u>\$ -</u>	<u>\$3,444,018</u>
<u>EXPENDITURES</u>			
IT Department	\$ 254,751	\$ -	\$ 254,751
Police Department	311,385	-	311,385
Dispatch	85,000	-	85,000
Fire Department	553,265	-	553,265
Public Works Department	1,762,623	-	1,762,623
PW-Prop. Repair/Replacement	1,846,467	-	1,846,467
PW-Road Maintenance	2,197,830	-	2,197,830
Total appropriation	<u>\$7,011,321</u>	<u>\$ -</u>	<u>\$7,011,321</u>
12/31/14 capital fund balance	\$6,634,841	\$ -	\$6,634,841
Increase (Decrease)	(2,881,417)	-	(2,881,417)
Assigned PY encumbrances	(685,886)	-	(685,886)
12/31/15 Assigned fund balance	<u>\$3,067,538</u>	<u>\$ -</u>	<u>\$3,067,538</u>

**SECTION 2.** All appropriations made by this ordinance lapse at the end of the fiscal year to the extent they have not been expended or contractually committed to the departments named for the purpose of conducting the business of said departments of the City of Fairbanks, Alaska, for the fiscal year commencing January 1, 2015 and ending December 31, 2015.

**SECTION 3.** The effective date of this ordinance shall be the \_\_\_\_ day of October 2015.

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**JOHN EBERHART, MAYOR**

AYES:  
NAYS:  
ABSENT:  
ADOPTED:

ATTEST:

APPROVED AS TO FORM:

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D. Danyielle Snider, CMC, City Clerk

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Paul J. Ewers, City Attorney



**FISCAL NOTE**

**ORDINANCE NO. 5997, AMENDING THE 2015 OPERATING AND  
CAPITAL BUDGETS FOR THE EIGHTH TIME**

**ESTIMATED REVENUES and OTHER FINANCING SOURCES (USES)**

\$No Change

1. Taxes
2. Charges for Services
3. Intergovernmental Revenues
4. Licenses & Permits
5. Fines, Forfeitures & Penalties
6. Interest & Penalties
7. Rental & Lease Income
8. Other Revenues
9. Other Financing Sources & (Uses)

FISCAL NOTE CONTINUED  
ESTIMATED EXPENDITURES  
**\$629,687 Increase**

1. Mayor & Council
2. City Attorney's Office
3. City Clerk's Office
4. Finance Department
5. Information Technology
6. General Account
7. Risk Management
8. Police Department - \$474,539 Increase
  - \$89,250 increase in wages due to the PSEA Order & Decision
  - \$194,039 increase in leave due to the PSEA Order & Decision
  - \$191,250 increase in benefits due to the PSEA Order & Decision
9. Dispatch - \$115,264
  - \$29,750 increase in wages due to the PSEA Order & Decision
  - \$21,764 increase in leave due to the PSEA Order & Decision
  - \$ 63,750 increase in benefits due to the PSEA Order & Decision
10. Fire Department - \$39,884
  - \$24,834 due to a 1.1% increase in wages for the period May through December 2015
  - \$3,882 due to a 1.1% increase in overtime for the period May through December 2015
  - \$11,168 due to a 1.1% increase in benefits for the period May through December 2015
11. Public Works
12. Engineering
13. Building Department

**Capital Fund**  
**\$ No Change**

1. REVENUES

- No change

2. OTHER FINANCING SOURCES (USES)

- No change

3. EXPENDITURES

**2015 Summary GENERAL FUND Budget Changes**

<b>Date</b>	<b>Account</b>	<b>Description</b>	<b>Revenues</b>	<b>Expenditures</b>	<b>Net Income</b>
12/01/14	Ord. 5961	Council Budget	\$ 36,367,511	\$ (35,586,182)	\$ 781,329
01/05/15	Ord. 5962	As Amended, AFLCIO	-	(116,558)	(116,558)
05/18/15	Ord. 5978	[Interfund transfers \$1,242,316, not included]	-	(4,500)	(4,500)
06/08/15	Ord. 5980,	IBEW	19,544	(87,962)	(68,418)
07/06/15	Ord. 5984	As Amended [Interfund transfers \$20,000, not included]	(118,873)	(51,209)	(170,082)
08/24/15	Ord. 5989	AS Amended	-	(30,045)	(30,045)
10/05/15	Ord. 5991	As Amended	431,632	(25,912)	405,720
12/14/15	Ord. 5997			(629,687)	(629,687)
					<b>167,759</b>
					<b>167,759</b>
		<b>PROPOSED:</b>			
		Projected PSEA one time 4% - 3 year contract-Removed due to PSEA Order & Decision	-	-	-
		Projected FFA 2.5% One year	-	(138,516)	(138,516)
					<b>29,243</b>
			<u>\$ 36,699,814</u>	<u>\$ (36,670,571)</u>	<u>\$ 29,243</u>

**Note:** Does not include encumbrances which are funded by prior year Fund Balance or interfund transfers subsequent to the original budget.

**2015 Summary CAPITAL FUND Budget Changes**

<b>Date</b>	<b>Account</b>	<b>Description</b>	<b>Revenues</b>	<b>Expenditures</b>	<b>Net Income</b>
12/1/2014		Ord. 5961 Council Budget	\$ 2,307,788	\$ (2,303,000)	\$ 4,788
5/18/2015		Ord. 5978 [Interfund transfer \$1,134,419, not included]	-	(2,697,830)	(2,697,830)
					<b>(2,693,042)</b>
07/06/15		Ord. 5984 As Amended Packer Trucks	-	(117,190)	(117,190)
		Ambulance Increase	-	(30,000)	(30,000)
					<b>(2,840,232)</b>
08/24/15		Ord. 5989 As Amended		(913,090)	(913,090)
					<b>(3,753,322)</b>
10/05/15		Ord. 5991		(264,325)	(264,325)
					<b>(4,017,647)</b>
			<u>\$ 2,307,788</u>	<u>\$ (6,325,435)</u>	<u>\$ (4,017,647)</u>

**Note:** Does not include encumbrances which are funded by prior year Fund Balance.

Introduced By: Mayor John Eberhart  
Finance Committee Review: December 1, 2015  
Introduced: December 7, 2015

**ORDINANCE NO. 5998**

**AN ORDINANCE ADOPTING THE 2016  
OPERATING AND CAPITAL BUDGETS**

**WHEREAS**, pursuant to City Charter Section 5.2, on October 31, 2015, Mayor Eberhart presented a recommended annual operating and capital budget estimate for 2016; and

**WHEREAS**, the proposed budget has been reviewed by the City Finance Committee (CFC) with the active participation of City Department Directors. The CFC's suggested changes to the Mayor's recommended budget are disclosed in the increase (decrease) columns;

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

**SECTION 1.** There is hereby appropriated to the 2016 General Fund and the Capital Fund budgets the following sources of revenue and expenditures in the amounts indicated to the departments named for the purpose of conducting the business of the City of Fairbanks, Alaska, for the fiscal year commencing on January 1, 2016 and ending December 31, 2016 (see pages 2 and 3):

## GENERAL FUND

<u>REVENUE</u>	MAYOR RECOMMENDS	REVIEW PERIOD INCREASE (DECREASE)	COUNCIL APPROPRIATION
Taxes, (all sources)	\$ 21,319,723	\$ -	\$ 21,319,723
Charges for Services	4,587,620	62,441	4,650,061
Intergovernmental Revenues	3,143,100	-	3,143,100
Licenses & Permits	1,863,700	-	1,863,700
Fines, Forfeitures & Penalties	927,075	(185,000)	742,075
Interest & Penalties	115,000	-	115,000
Rental & Lease Income	168,550	-	168,550
Other Revenues	222,600	-	222,600
Other Financing Sources	<u>3,980,585</u>	<u>-</u>	<u>3,980,585</u>
Total revenue appropriation	<u>\$ 36,327,953</u>	<u>\$ (122,559)</u>	<u>\$ 36,205,394</u>
 <u>EXPENDITURES</u>			
Mayor and Council	\$ 623,193	\$ (2,000)	\$ 621,193
Office of the City Attorney	181,184	1,217	182,401
Office of the City Clerk	348,581	-	348,581
Finance Department	950,407	(2,000)	948,407
Information Technology	2,315,143	(111,855)	2,203,288
General Account	5,482,342	(10,000)	5,472,342
Risk Management	1,442,817	(14,000)	1,428,817
Police Department	7,126,572	35,000	7,161,572
Dispatch Center	2,149,696	-	2,149,696
Fire Department	6,425,111	(64,601)	6,360,510
Public Works Department	7,575,425	124,000	7,699,425
Engineering Department	626,807	(6,027)	620,780
Building Department	<u>683,304</u>	<u>(3,998)</u>	<u>679,306</u>
Total expenditure appropriation	<u>\$ 35,930,582</u>	<u>\$ (54,264)</u>	<u>\$ 35,876,318</u>
12/31/15 estimated general fund balance	\$ 10,686,197	\$ -	\$ 10,686,197
Increase (Decrease) to fund balance	397,371	(68,295)	329,076
Nonspendable	(473,424)	-	(473,424)
Committed for snow removal	(250,000)	-	(250,000)
Assigned self insurance	(793,207)	-	(793,207)
12/31/16 Unassigned balance	<u>\$ 9,566,937</u>	<u>\$ (68,295)</u>	<u>\$ 9,498,642</u>

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

\$ 7,175,264

<u>CAPITAL FUND</u>			
<u>REVENUE</u>	MAYOR RECOMENDS	REVIEW PERIOD INCREASE (DECREASE)	COUNCIL APPROPRIATION
Transfer from Permanent Fund	\$ 541,254	-	\$ 541,254
Transfer from General Fund	492,509	-	492,509
Public Works	250,000	-	250,000
Building	10,000	-	10,000
Engineering	10,000	-	10,000
Police	180,000	60,000	240,000
Dispatch	140,000	-	140,000
Fire	250,000	-	250,000
IT	260,441	(104,355)	156,086
Property Repair & Replacement	145,000	-	145,000
Total revenues	<u>\$ 2,279,204</u>	<u>\$ (44,355)</u>	<u>\$ 2,234,849</u>
<u>EXPENDITURES</u>			
IT Department	\$ 241,671	\$ (85,585)	\$ 156,086
Police Department	180,000	60,000	240,000
Fire Department	210,000	-	210,000
Public Works Department	601,000	-	601,000
Road Maintenance	175,000	(75,000)	100,000
Property Repair & Replacement	552,270	(122,770)	429,500
Total expenditures	<u>\$ 1,959,941</u>	<u>(223,355)</u>	<u>1,736,586</u>
12/31/15 capital fund balance	\$ 3,067,538	\$ -	\$ 3,067,538
Increase (Decrease) to fund balance	319,263	179,000	498,263
12/31/16 assigned fund balance	<u>\$ 3,386,801</u>	<u>\$ 179,000</u>	<u>\$ 3,565,801</u>

**SECTION 2.** In response to the Alaska Labor Relations Agency Decision and Order No. 305 (November 24, 2015), and to provide the Fire Department personnel a 1.1% compensation increase, the following changes are made to the Mayor's 10/30/15 budget recommendation:

**General Fund**

**Expenditures**

Increase Police salaries and wages	\$242,914
Increase Dispatch salaries and wages	58,548
Increase Fire salaries and wages	<u>\$ 45,283</u>

Total increase to Mayor's Recommended  
Budget \$346,745

**Fund Balance Change (net income)**

Increase to fund balance at 10/30/15	\$397,371
Fund balance impact of section 2 changes	<u>(346,745)</u>
Adjusted increase to fund balance	<u>\$ 50,626</u>



**SECTION 3.** All appropriations made by this ordinance lapse at the end of the fiscal year to the extent they have not been expended or contractually committed to the departments named for the purpose of conducting the business of said departments of the City of Fairbanks, Alaska, for the fiscal year commencing on January 1, 2016 and ending December 31, 2016.

**SECTION 4.** The effective date of this ordinance shall be the \_\_\_\_ day of December 2015.

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**JOHN EBERHART, MAYOR**

AYES:  
NAYS:  
ABSENT:  
ADOPTED:

ATTEST:

APPROVED AS TO FORM:

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Danyielle Snider, CMC, City Clerk

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Paul J. Ewers, City Attorney

**ORDINANCE NO. 5999**

**AN ORDINANCE AUTHORIZING CONVEYANCE OF EASEMENTS  
REQUESTED BY THE ADOT FOR THE NOBLE STREET UPGRADE  
AND PEDESTRIAN FACILITIES PROJECTS**

**WHEREAS**, the Alaska Department of Transportation (ADOT) has funding for right of way acquisition and construction for the NOBLE STREET UPGRADE PROJECT STP-000S (413)/61725 (the "Noble Street Project"), and the CITY OF FAIRBANKS PEDESTRIAN FACILITIES UPGRADE PROJECT STP-002(277)/62127 (the "Pedestrian Project"); and

**WHEREAS**, the Noble Street Project will reconstruct driving lanes, sidewalks, utilities, traffic signals, and other amenities from Gaffney Road to First Avenue, providing pedestrians and the traveling public with safer routes; and

**WHEREAS**, construction of the Noble Street Project will require ADOT acquisition of one permanent parcel of land on City-owned Lot 9, Block 12, Fairbanks Townsite, adjoining Noble Street at First Avenue, referred to as Parcel 28, and one temporary construction easement ("TCE") on Lot 9, identified as Parcel TCE 28, for the purpose of installing a new traffic signal pole and load center and for temporary work space, together with one TCE on Block 39, Fairbanks Townsite, adjoining the Downtown Parking Garage, identified as TCE 48; and

**WHEREAS**, ADOT has performed an internal appraisal of the property, which established the value at \$4,350.00, and will compensate the City in this amount; and

**WHEREAS**, the City Property Manager has reviewed the appraisal and finds the value reasonable and supported; and

**WHEREAS**, construction of the Pedestrian Project will provide ADA compliance at several locations and will require four temporary construction easements ("TCE's"), from the City, including Parcels TCE 15A and 15B, located on Lots 2 & 3, Block 42, Aurora Subdivision, adjacent the Aurora Drive Fire Station, and Parcels TCE 115A & 115B, located on Lot 6A, Block 66, Fairbanks Townsite, adjoining 5th Avenue and upon the pedestrian walkway at that location; and

**WHEREAS**, the permanent and temporary easements are depicted on "Exhibit A," and the easement documents are shown on "Exhibit B," both attached to this Ordinance.

**WHEREAS**, it is the sense of the City Council that a conveyance of the easements over the specified City-owned real property to ADOT for the purposes mentioned hereinabove is in the best interest of the public.

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

SECTION 1. That the Mayor is hereby authorized to execute the Warranty Deed and easement documents shown on attached "Exhibit B" conveying one permanent easement and five temporary easements identified above, and to execute such other instruments as necessary to transfer the easements to ADOT, and the City Clerk is hereby authorized and directed to attest and affix the City Seal to said instruments.

SECTION 2. That conveyance of the property shall be subject to a thirty-day permissive referendum period as required under Fairbanks General Code of Ordinances Section 70-42, and the City Charter.

SECTION 3. That the effective date of this ordinance shall be the 19th day of December, 2015.

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**John Eberhart, Mayor**

AYES:  
NAYS:  
ABSENT:  
ADOPTED:

ATTEST:

APPROVED AS TO FORM:

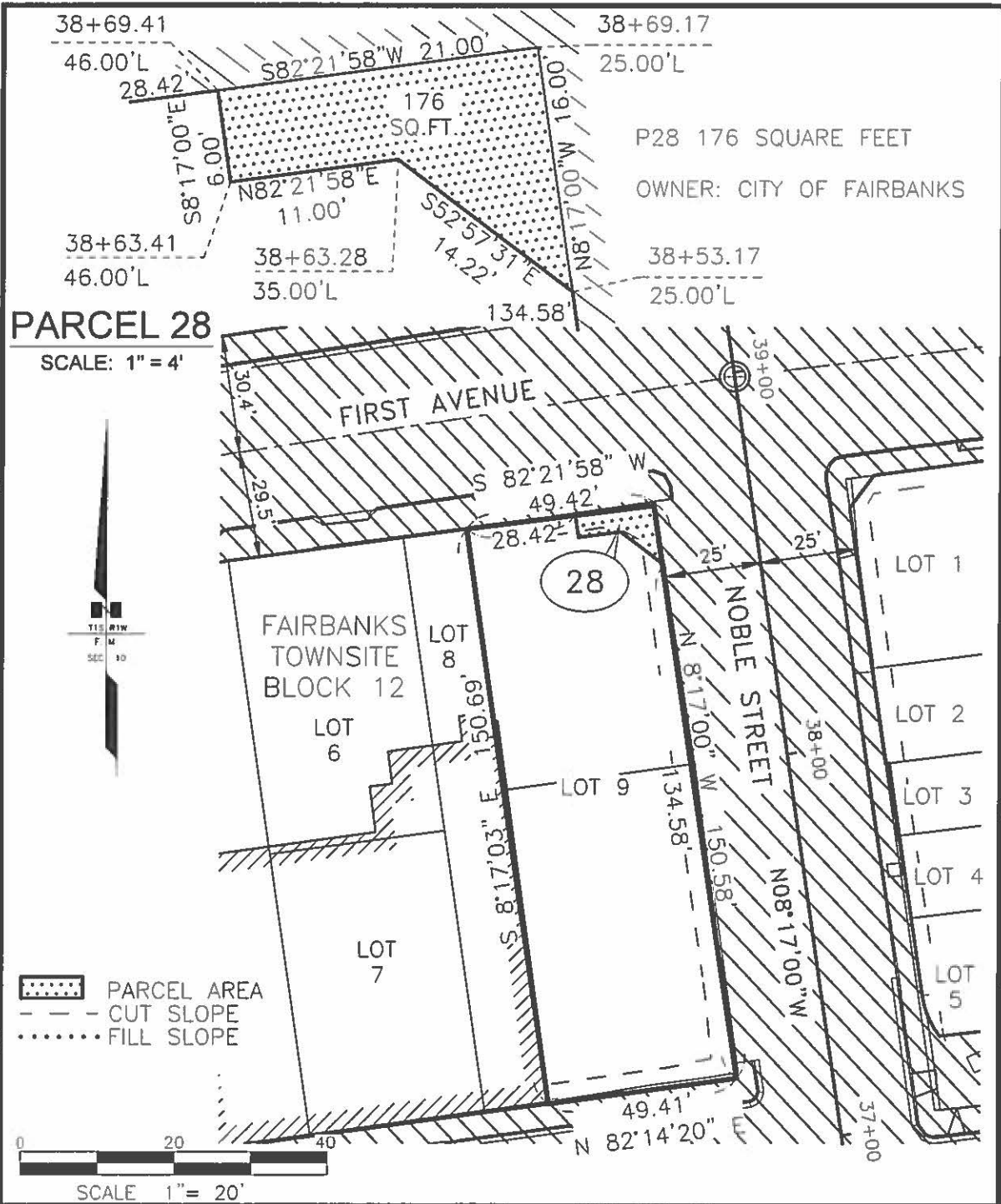
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Danyielle Snider, CMC, City Clerk

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Paul Ewers, City Attorney

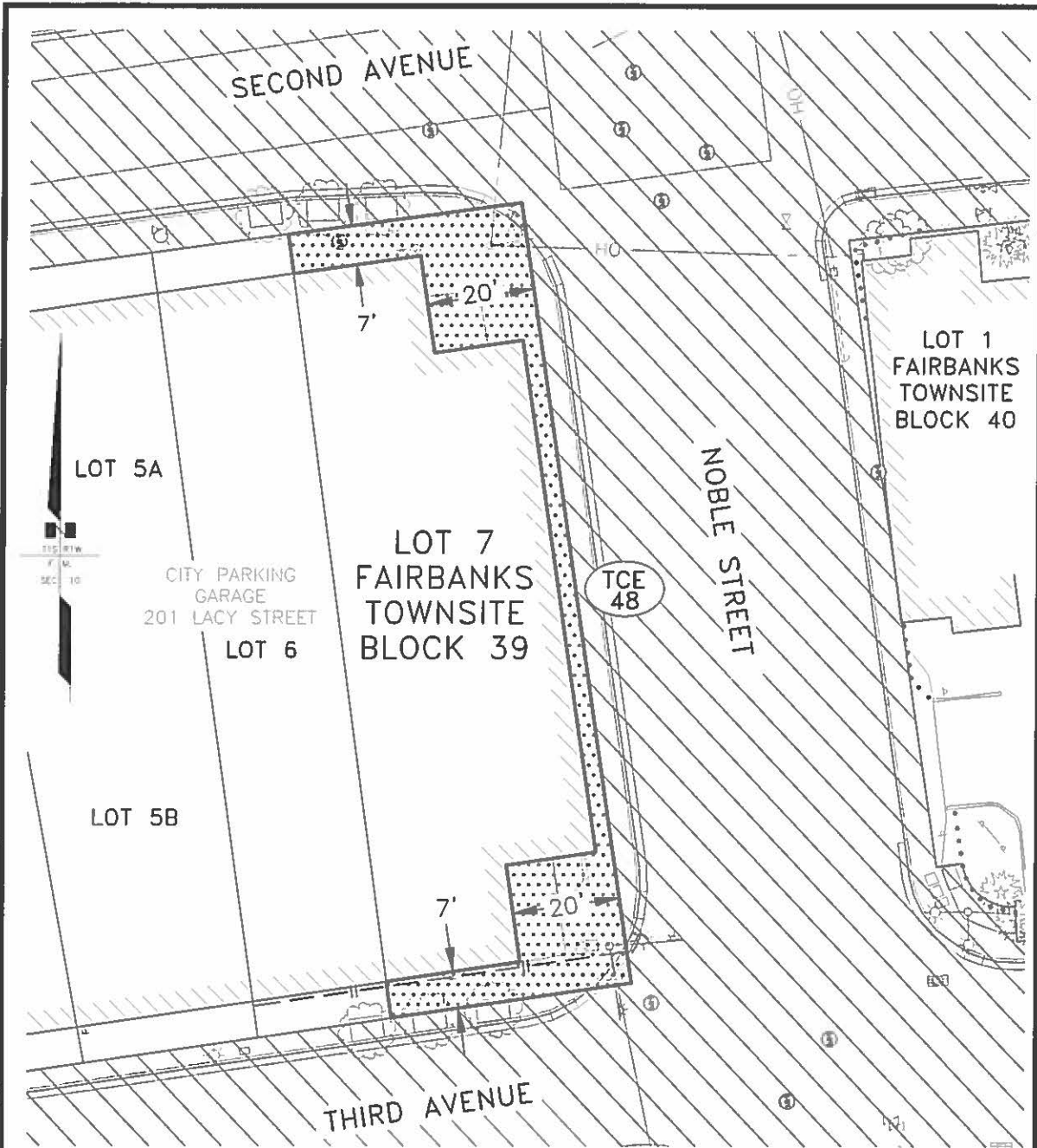
ORDINANCE NO. 5999  
EXHIBIT 'A'



K:\Eng\Hwy\61725 Noble Street\Acad\ROW\61725\_Noble Street\_P26\_10\_P30.dwg May 06, 2015 - 3:37pm

STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES		RIGHT OF WAY REQUIRED FOR FAIRBANKS NOBLE STREET UPGRADE	
	DRAWING	PROJECT NO. <u>STP-000S(413) / 61725</u>	
		AREA <u>176 S.F.</u> PARCEL NO. <u>28</u>	
INITIAL	DATE	SCALE <u>1" = 20'</u> DATE <u>5/6/15</u>	
	2 OF 2		

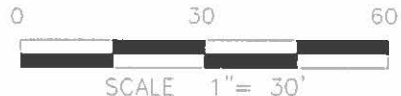
**ORDINANCE NO. 5999  
EXHIBIT 'A'**



P:\2011\11100FB\TCE\1000 TCE 111000b.dwg Jan 09, 2015 - 9:02am

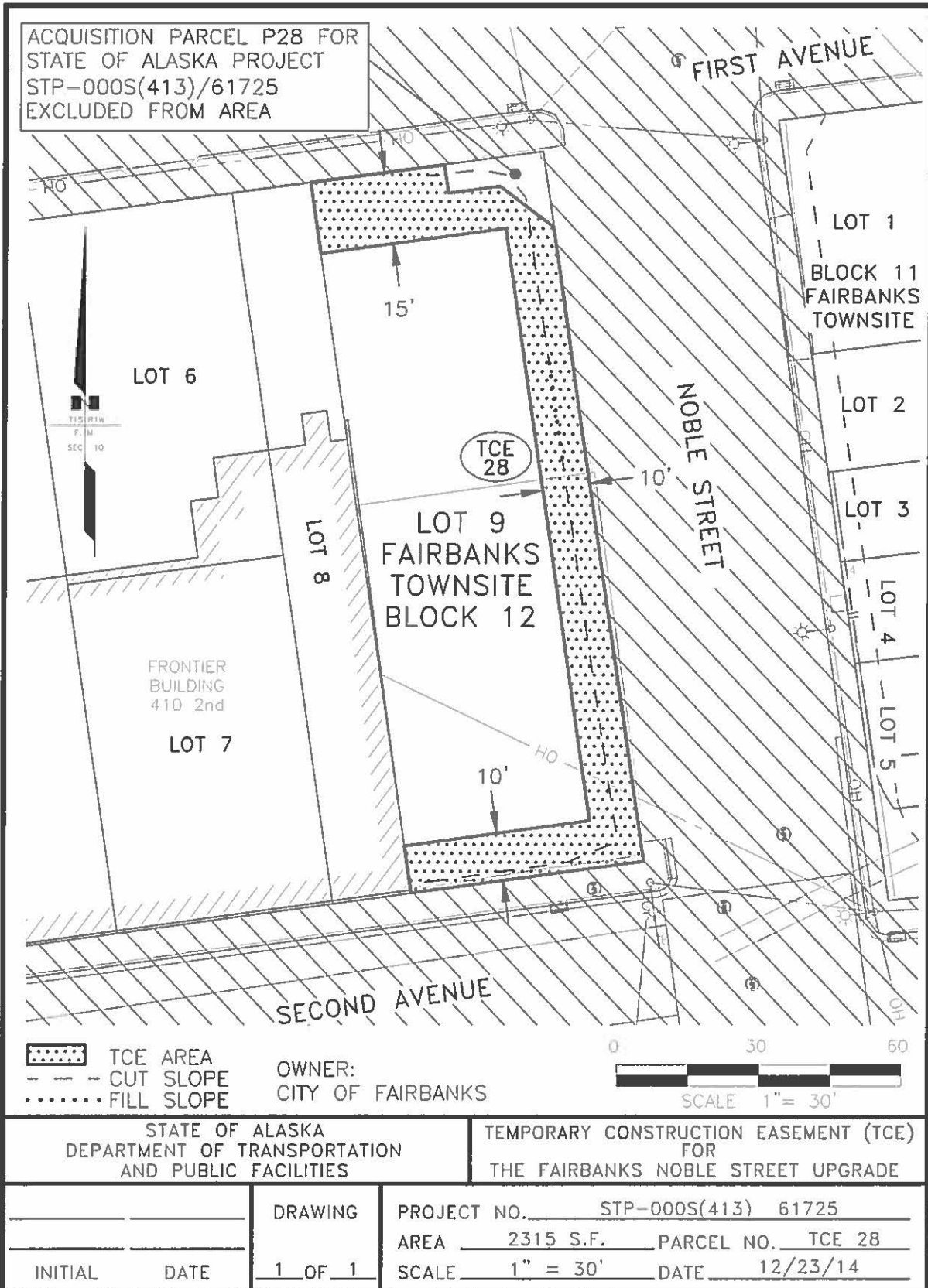
- TCE AREA
- - - CUT SLOPE
- ..... FILL SLOPE

OWNER:  
CITY OF FAIRBANKS



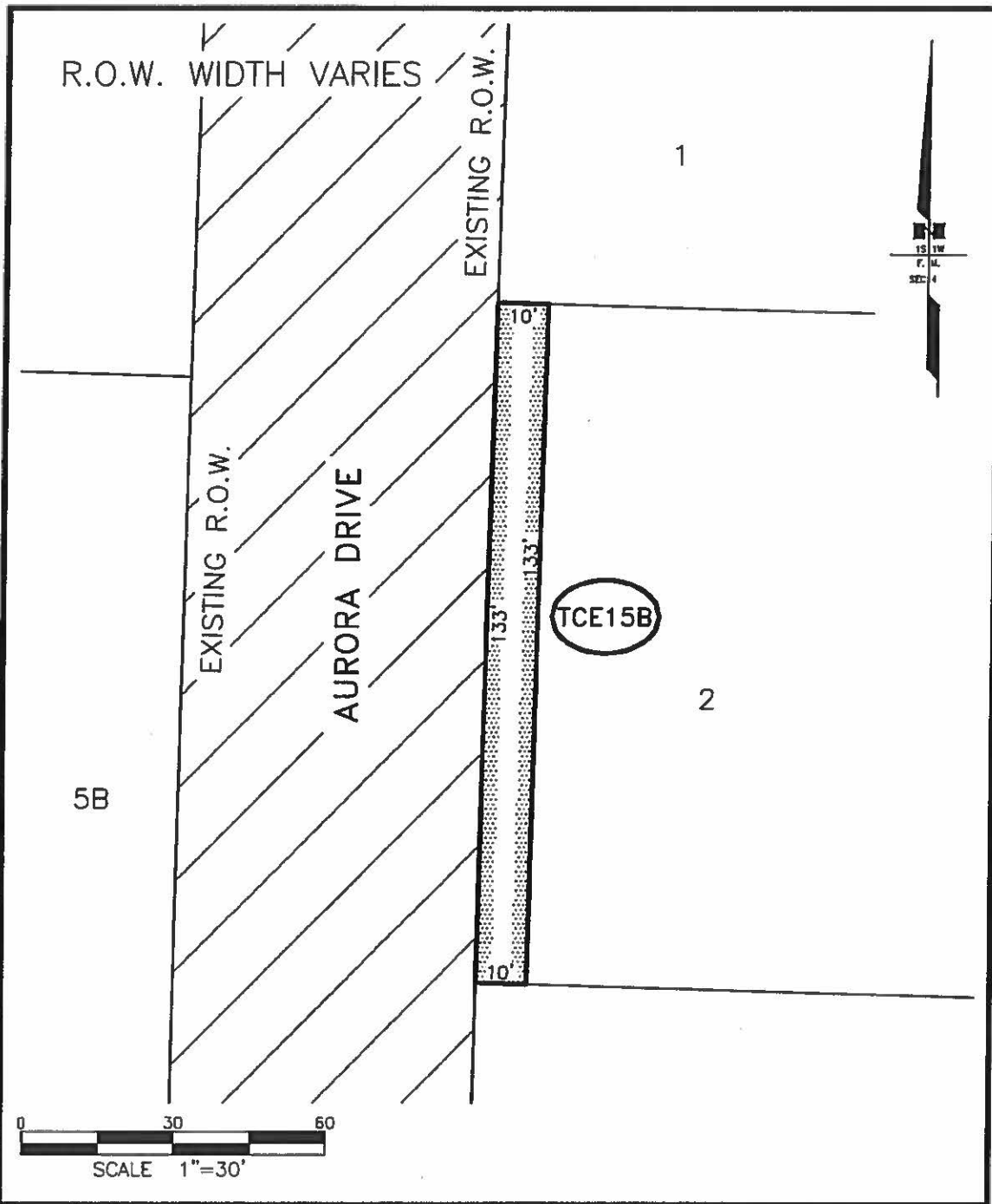
STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES		TEMPORARY CONSTRUCTION EASEMENT (TCE) FOR THE FAIRBANKS NOBLE STREET UPGRADE	
	DRAWING	PROJECT NO. <u>STP-0005(413) 61725</u>	
	1 OF 1	AREA <u>1697 S.F.</u> PARCEL NO. <u>TCE 48</u>	
INITIAL _____	DATE _____	SCALE <u>1" = 30'</u>	DATE <u>12/18/14</u>

**ORDINANCE NO. 5999  
EXHIBIT 'A'**



P:\2011\11100\FB\ATCEL\1000 TCE 11100fb.dwg Jan 08, 2015 - 4:26pm

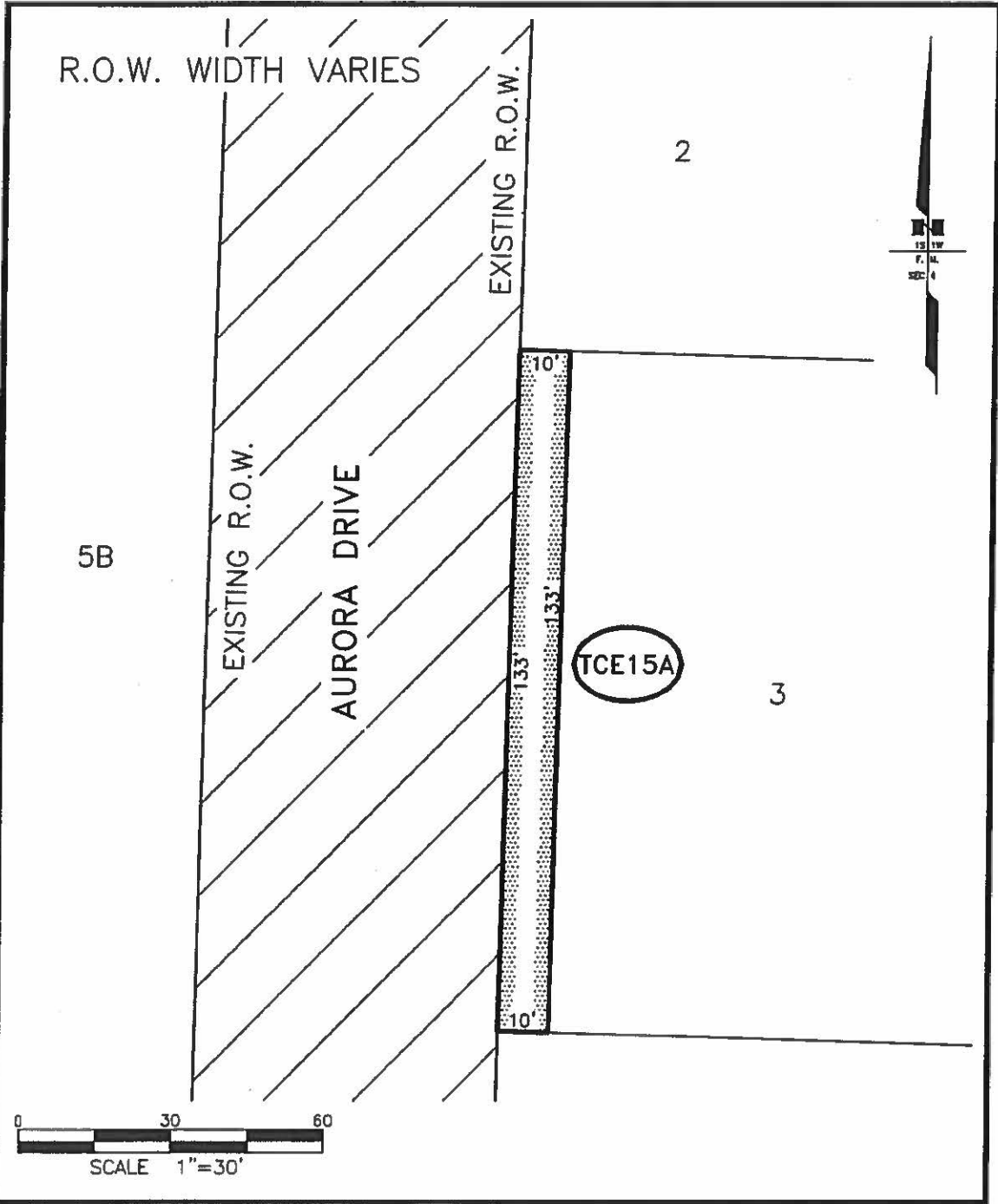
ORDINANCE NO. 5999  
EXHIBIT 'A'



H:\Projects\Fiber\_NP\62127\_COF\_Ped\_Fac\_Upgrade\04 - PS&E\10 - Drafting\Aurora\_TCEB-041615.dwg May 05, 2015 - 10:52am

STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES		TEMPORARY CONSTRUCTION EASEMENT CITY OF FAIRBANKS PEDESTRIAN FACILITIES UPGRADE	
DRAWING		PROJECT NO. <u>STP-0002(277)/62127</u>	
2 OF 2		AREA <u>1330 S.F.</u>	PARCEL NO. <u>TCE15B</u>
INITIAL	DATE	SCALE <u>1" = 30'</u>	DATE <u>04-17-2015</u>

ORDINANCE NO. 5999  
EXHIBIT 'A'




H:\Projects\Public Works\62127\_COP\_Ped\_Facilities\figs\62127\_COP\_Ped\_Facilities\Aurora\_TCE-041615.dwg May 05, 2015 - 10:50am

STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES		TEMPORARY CONSTRUCTION EASEMENT CITY OF FAIRBANKS PEDESTRIAN FACILITIES UPGRADE	
DRAWING		PROJECT NO. STP-0002(277)/62127	
2 OF 2		AREA 1330 S.F. PARCEL NO. TCE15A	
INITIAL	DATE	SCALE 1" = 30'	DATE 04-17-2015



**ORDINANCE NO. 5999  
EXHIBIT 'B' - 12 PAGES**

 <p>STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES</p> <p><b>WARRANTY DEED</b> (Corporate/Partial Property)</p>	<p>PROJECT NAME: FAIRBANKS NOBLE STREET UPGRADE</p> <p>STATE PROJECT #: 61725</p> <p>FEDERAL-AID PROJECT #: 000S(413)</p> <p>PARCEL #: 28</p>
--	---

The GRANTOR, the City of Fairbanks, whose mailing address is 800 Cushman Street, Fairbanks, Alaska 99701, for and in consideration of TWO THOUSAND ONE HUNDRED TWELVE DOLLARS (\$2,112.00), and other valuable consideration, in hand paid, conveys and warrants to the GRANTEE, STATE OF ALASKA, DEPARTMENT OF TRANSPORTATION & PUBLIC FACILITIES, whose mailing address is 2301 Peger Road, Fairbanks, Alaska 99709-5399, the following-described real estate, located in the State of Alaska:

A portion of Lot 9, Block 12 of the Fairbanks Townsite as shown on the Map of the Official Survey of the Fairbanks Townsite, Alaska, reproduced by Karl Thiele, U.S. Surveyor General, 1922, Records of the Fairbanks Recording District, Fourth Judicial District, State of Alaska, more particularly described as follows:

BEGINNING at the northeast corner of Lot 9;

THENCE S82°21'58"W a distance of 21.00 feet along the northerly boundary of Lot 9 adjoining First Avenue;

THENCE S8°17'00"E a distance of 6.00 feet;

THENCE N82°21'58"E a distance of 11.00 feet;

THENCE S52°57'31"E a distance of 14.22 feet to the easterly boundary of Lot 9 adjoining Noble Street;

THENCE N8°17'00"W a distance of 16.00 feet to Point of Beginning;

which lies within the right-of-way lines of Alaska Project No. 000S(413)/61725, delineated as to said tract of land on the plat attached hereto and made a part hereof as pages 4 and 5 of this instrument and designated as Parcel No. 28.

Said parcel, containing 176 square feet, more or less, in addition to existing right-of-way, is hereby conveyed to the STATE OF ALASKA, DEPARTMENT OF TRANSPORTATION & PUBLIC FACILITIES.

GRANTOR  
City of Fairbanks

\_\_\_\_\_  
By: John Eberhart  
Title: Mayor

ATTEST:

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

(City seal)

APPROVED AS TO FORM:

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

**ACKNOWLEDGMENT**

THIS IS TO CERTIFY that on this \_\_\_\_\_ day of \_\_\_\_\_, 2015, the undersigned, a Notary Public for the State of Alaska, duly commissioned and sworn as such, personally appeared JOHN EBERHART, and D. DANYIELLE SNIDER, and that they acknowledged before me that they executed the same for and on behalf of The City of Fairbanks and under the authority of said municipal corporation so granted by the City Council, as their free and voluntary act and deed of said corporation.

IN WITNESS, I have set my hand and affixed my official seal on this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Notary Public  
My Commission Expires: \_\_\_\_\_

**CERTIFICATE OF ACCEPTANCE**

THIS IS TO CERTIFY that the STATE OF ALASKA, DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES, Grantee herein, acting by and through its Commissioner, hereby accepts for public purposes the real property, or interest therein, described in this instrument and consents to the recordation thereof.

IN WITNESS WHEREOF, I have hereunto set my hand this \_\_\_ day of \_\_\_\_\_, 20\_\_.

DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

By: \_\_\_\_\_  
For the Commissioner

Filed for Record at the Request of and Return to:  
State of Alaska  
DOT&PF – Right of Way Dept.  
2301 Peger Road, MS 2553  
Fairbanks, AK 99709-5399  
State Business-No Charge



STATE OF ALASKA  
DEPARTMENT OF TRANSPORTATION  
AND PUBLIC FACILITIES

**TEMPORARY CONSTRUCTION  
EASEMENT**  
(Corporate/Partial Property)

PROJECT NAME: FAIRBANKS NOBLE STREET  
UPGRADE

STATE PROJECT #: 61725

FEDERAL-AID PROJECT #: 000S(413)

PARCEL #: TCE 28

The GRANTOR, the CITY OF FAIRBANKS, whose mailing address is 800 Cushman Street, Fairbanks, Alaska 99701, for and in consideration of TWO THOUSAND TWO HUNDRED AND THIRTY EIGHT DOLLARS (\$2,238.00), and other valuable consideration, in hand paid, conveys and warrants to the GRANTEE, STATE OF ALASKA, DEPARTMENT OF TRANSPORTATION & PUBLIC FACILITIES, whose mailing address is 2301 Peger Road, Fairbanks, Alaska 99709-5399, its successors and assignees, an unrestricted temporary easement, over, and across the following-described tract of land located in the State of Alaska:

TCE 28

A portion of Lot 9, Block 12 of the Fairbanks Townsite as shown on the Map of the Official Survey of the Fairbanks Townsite, Alaska, reproduce by Karl Thiele, U.S. Surveyor General, 1922, Records of the Fairbanks Recording District, Fourth Judicial District, State of Alaska, more particularly described as follows:

All that part of the parcel of land as delineated on the plat as TCE 28 attached hereto and made a part hereof as page 4 of this instrument and containing 2,315 square feet, more or less;

which lies adjacent to right-of-way lines of Alaska Project No. 61725, delineated as to said tract of land on the plat attached hereto. Said parcel, is hereby granted to the State of Alaska for the purpose of upgrading pedestrian facilities, utilities, landscaping and match grading driveways.

The Grantor hereby covenants with the State of Alaska that the Grantor has good title to the above-described tract of land, and covenants that the State of Alaska shall have quiet and peaceable possession thereof and use thereof during the period of the temporary construction easement. The period shall begin on the day the contract is award and continue for the duration of the project, at which time this easement shall expire and be of no force and effect.

GRANTOR  
City of Fairbanks

\_\_\_\_\_  
By: John Eberhart  
Title: Mayor

ATTEST:

APPROVED AS TO FORM:

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

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

(City seal)

**ACKNOWLEDGMENT**

THIS IS TO CERTIFY that on this \_\_\_\_\_ day of \_\_\_\_\_, 2015, the undersigned, a Notary Public for the State of Alaska, duly commissioned and sworn as such, personally appeared JOHN EBERHART, and D. DANYIELLE SNIDER, and that they acknowledged before me that they executed the same for and on behalf of The City of Fairbanks and under the authority of said municipal corporation so granted by the City Council, as their free and voluntary act and deed of said corporation.

IN WITNESS, I have set my hand and affixed my official seal on this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Notary Public  
My Commission Expires: \_\_\_\_\_

**CERTIFICATE OF ACCEPTANCE**

THIS IS TO CERTIFY that the STATE OF ALASKA, DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES, Grantee herein, acting by and through its Commissioner, hereby accepts for public purposes the real property, or interest therein, described in this instrument and consents to the recordation thereof.

IN WITNESS WHEREOF, I have hereunto set my hand this \_\_\_ day of \_\_\_\_\_, 20\_\_.

DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

By: \_\_\_\_\_  
For the Commissioner

Filed for Record at the Request of and Return to:  
State of Alaska  
DOT&PF – Right of Way Dept.  
2301 Peger Road, MS 2553  
Fairbanks, AK 99709-5399  
State Business-No Charge



STATE OF ALASKA  
DEPARTMENT OF TRANSPORTATION  
AND PUBLIC FACILITIES

**TEMPORARY CONSTRUCTION  
EASEMENT**

(Corporate/Partial Property)

PROJECT NAME: FAIRBANKS NOBLE STREET  
UPGRADE

STATE PROJECT #: 61725

FEDERAL-AID PROJECT #: 000S(413)

PARCEL #: TCE 48

The GRANTOR, the CITY OF FAIRBANKS, whose mailing address is 800 Cushman Street, Fairbanks, Alaska 99701, for and in consideration of ZERO DOLLARS (\$-0-), and other valuable consideration, in hand paid, conveys and warrants to the GRANTEE, STATE OF ALASKA, DEPARTMENT OF TRANSPORTATION & PUBLIC FACILITIES, whose mailing address is 2301 Peger Road, Fairbanks, Alaska 99709-5399, its successors and assignees, an unrestricted temporary easement, over, and across the following-described tract of land located in the State of Alaska:

TCE 48

A portion of Lot 7, Block 39 of the Fairbanks Townsite as shown on the Map of the Official Survey of the Fairbanks Townsite, Alaska, reproduce by Karl Thiele, U.S. Surveyor General, 1922, Records of the Fairbanks Recording District, Fourth Judicial District, State of Alaska, more particularly described as follows:

All that part of the parcel of land as delineated on the plat as TCE 48 attached hereto and made a part hereof as page 5 of this instrument and containing 1,697 square feet, more or less;

which lies adjacent to right-of-way lines of Alaska Project No. 61725, delineated as to said tract of land on the plat attached hereto. Said parcel, is hereby granted to the State of Alaska for the purpose of upgrading pedestrian facilities, utilities, landscaping, and match grading driveways.

The Grantor hereby covenants with the State of Alaska that the Grantor has good title to the above-described tract of land, and covenants that the State of Alaska shall have quiet and peaceable possession thereof and use thereof during the period of the temporary construction easement. The period shall begin on the day the contract is award and continue for the duration of the project, at which time this easement shall expire and be of no force and effect.

GRANTOR  
City of Fairbanks

\_\_\_\_\_  
By: John Eberhart  
Title: Mayor

ATTEST:

APPROVED AS TO FORM:

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

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

(City seal)

**ACKNOWLEDGMENT**

THIS IS TO CERTIFY that on this \_\_\_\_\_ day of \_\_\_\_\_, 2015, the undersigned, a Notary Public for the State of Alaska, duly commissioned and sworn as such, personally appeared JOHN EBERHART, and D. DANYIELLE SNIDER, and that they acknowledged before me that they executed the same for and on behalf of The City of Fairbanks and under the authority of said municipal corporation so granted by the City Council, as their free and voluntary act and deed of said corporation.

IN WITNESS, I have set my hand and affixed my official seal on this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Notary Public  
My Commission Expires: \_\_\_\_\_



**CERTIFICATE OF ACCEPTANCE**


THIS IS TO CERTIFY that the STATE OF ALASKA, DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES, Grantee herein, acting by and through its Commissioner, hereby accepts for public purposes the real property, or interest therein, described in this instrument and consents to the recordation thereof.

IN WITNESS WHEREOF, I have hereunto set my hand this \_\_\_ day of \_\_\_\_\_, 20\_\_.

DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

By: \_\_\_\_\_  
For the Commissioner

Filed for Record at the Request of and Return to:  
State of Alaska  
DOT&PF – Right of Way Dept.  
2301 Peger Road, MS 2553  
Fairbanks, AK 99709-5399  
State Business-No Charge

 <p style="text-align: center;">STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES</p> <p style="text-align: center;"><b>TEMPORARY CONSTRUCTION EASEMENT</b> (Corporate/Partial Property)</p>	<p>PROJECT NAME: CITY OF FAIRBANKS PEDESTRIAN FACILITIES UPGRADES</p> <p>STATE PROJECT #: 62127</p> <p>FEDERAL-AID PROJECT #: STP-0002(277)</p> <p>PARCEL #: 15A &amp; B AND 115A &amp; B</p>
--	---

The GRANTOR, the CITY OF FAIRBANKS, whose mailing address is 800 Cushman Street, Fairbanks, Alaska 99701, for and in consideration of Zero DOLLARS (\$-0-), and other valuable consideration, in hand paid, conveys and warrants to the GRANTEE, STATE OF ALASKA, DEPARTMENT OF TRANSPORTATION & PUBLIC FACILITIES, whose mailing address is 2301 Peger Road, Fairbanks, Alaska 99709-5399, its successors and assignees, an unrestricted temporary easement, over, and across the following-described tract of land located in the State of Alaska:

TCE 15A

Located within Section 4, Township 1 South, Range 1 West, Fairbanks Meridian, Fairbanks Recording District, Fourth Judicial District, State of Alaska, more particularly described as follows:

A portion of Lot 2, Block 42 of the 3<sup>rd</sup> Addition to Revision "A" of Aurora Subdivision according to the plat filed July 29, 1968 as Plat No. 68-6744, as shown on the plat as TCE 15A attached hereto and made a part hereof as pages 4 and 5 of this instrument and containing 1,330 square feet;

AND

TCE 15B

Located within Section 4, Township 1 South, Range 1 West, Fairbanks Meridian, Fairbanks Recording District, Fourth Judicial District, State of Alaska, more particularly described as follows:

A portion of Lot 3, Block 42 of the 3<sup>rd</sup> Addition to Revision "A" of Aurora Subdivision according to the plat filed July 29, 1968 as Plat No. 68-6744, as shown on the plat as TCE 15B attached hereto and made a part hereof as pages 6 and 7 of this instrument and containing 1,330 square feet;

AND

TCE 115A & B

Located within Section 10, Township 1 South, Range 1 West, Fairbanks Meridian, Fairbanks Recording District, Fourth Judicial District, State of Alaska, more particularly described as follows:

A portion of Lot 6A, Block 66A, of the Townsite of Fairbanks according to the Survey of said townsite, known as the L.S. Robe Map of 1909, reproduced by Karl Theile, US Surveyor – General, in 1922, as shown on the plat as TCE 115A and 115B attached hereto and made a part hereof as pages 8 through 11 of this instrument and containing a total of 607 square feet;

which lie adjacent to right-of-way lines of Alaska Project No. 61725. Said parcels, are hereby granted to the State of Alaska for the purpose of upgrading pedestrian facilities, utilities, landscaping and match grading driveways.

The Grantor hereby covenants with the State of Alaska that the Grantor has good title to the above-described tract of land, and covenants that the State of Alaska shall have quiet and peaceable possession thereof and use thereof during the period of the temporary construction easement. The period shall begin on the day the contract is award and continue for the duration of the project, at which time this easement shall expire and be of no force and effect.

GRANTOR  
City of Fairbanks

\_\_\_\_\_  
By: John Eberhart  
Title: Mayor

ATTEST:

APPROVED AS TO FORM:

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

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

(City seal)

**ACKNOWLEDGMENT**

THIS IS TO CERTIFY that on this \_\_\_\_\_ day of \_\_\_\_\_, 2015, the undersigned, a Notary Public for the State of Alaska, duly commissioned and sworn as such, personally appeared JOHN EBERHART, and D. DANYELLE SNIDER, and that they acknowledged before me that they executed the same for and on behalf of The City of Fairbanks and under the authority of said municipal corporation so granted by the City Council, as their free and voluntary act and deed of said corporation.

IN WITNESS, I have set my hand and affixed my official seal on this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Notary Public  
My Commission Expires: \_\_\_\_\_

**CERTIFICATE OF ACCEPTANCE**

THIS IS TO CERTIFY that the STATE OF ALASKA, DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES, Grantee herein, acting by and through its Commissioner, hereby accepts for public purposes the real property, or interest therein, described in this instrument and consents to the recordation thereof.

IN WITNESS WHEREOF, I have hereunto set my hand this \_\_\_ day of \_\_\_\_\_, 20\_\_.

DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

By: \_\_\_\_\_  
For the Commissioner

Filed for Record at the Request of and Return to:  
State of Alaska  
DOT&PF -- Right of Way Dept.  
2301 Peger Road, MS 2553  
Fairbanks, AK 99709-5399  
State Business-No Charge

**ORDINANCE NO. 6000**

**AN ORDINANCE AMENDING THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF FAIRBANKS AND THE PUBLIC SAFETY EMPLOYEES ASSOCIATION TO ESTABLISH AN INTERN PROGRAM FOR STUDENTS**

**WHEREAS**, the City of Fairbanks and PSEA ratified a collective bargaining agreement (CBA), effective January 1, 2011 through December 31, 2013; and

**WHEREAS**, changes to the collective bargaining agreement are subject to member ratification and City Council approval; and

**WHEREAS**, Section 2.3 of the January 1, 2011 CBA specifies that if the Agreement terminates during the course of negotiations, the terms and conditions of the Agreement shall be extended until a new Agreement is reached; and

**WHEREAS**, the City of Fairbanks Police Department wishes to establish an intern program for students interested in careers in law enforcement; and

**WHEREAS**, the City and PSEA collectively bargained and tentatively agreed to amend the current CBA to establish an intern program;

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

**SECTION 1.** The Letter of Agreement amending the current CBA between the City of Fairbanks and PSEA, attached as Exhibit A, is approved and ratified.

**SECTION 2.** The effective date of this Ordinance will be the \_\_\_\_ day of December 2015.

---

**John Eberhart, City Mayor**

AYES:  
NAYS:  
ABSENT:  
ADOPTED:

ATTEST:

APPROVED AS TO FORM:

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

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

**Letter of Agreement**  
**between**  
**City of Fairbanks (City)**  
**and**

**Public Safety Employees Association (PSEA)**  
**Police Department Student Interns**

The City and PSEA have negotiated an amendment to the current collective bargaining agreement (CBA). The City and PSEA hereby agree as follows:

The CBA is amended to add the following language to Section 29:

**Section 29.6. Student Interns.** The City and PSEA agree to establish and maintain an efficient and effective internship program for students enrolled in qualified educational institutions. The purpose of the internship program is to develop, train and mentor students interested in law enforcement related careers covered by the existing CBA. Interns will not displace members within work areas covered by the CBA. Interns will not work more than 20 hours per week and will not receive wages or benefits. Interns must be actively enrolled in an undergraduate or graduate level degree program from an accredited university pursuing a degree relevant to a career in law enforcement or emergency management. Student interns must be recommended by their academic advisor. The City Human Resources Director and Chief of Police will jointly verify eligibility. The Chief of Police will report to PSEA when student interns are selected and when internships end.

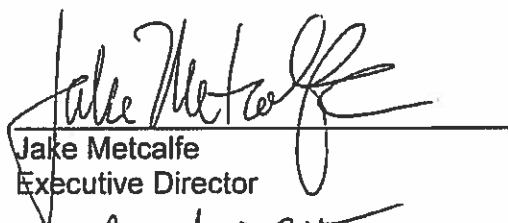
For City of Fairbanks

For PSEA



John Eberhart  
City Mayor

Date: 3. December 2015



Jake Metcalfe  
Executive Director

Date: December 7, 2015

**RESOLUTION NO. 4702**

**A RESOLUTION AUTHORIZING AN INCREASE IN MATCHING FUNDS  
AND EXECUTION OF THE MAINTENANCE AGREEMENT FOR THE  
GILLAM WAY RECONSTRUCTION PROJECT**

**WHEREAS**, the Gillam Way Upgrade Project, a project of great importance to the City of Fairbanks, has been approved for funding by the local Metropolitan Planning Organization (“MPO”) also known as Fairbanks Metropolitan Area Transportation System (“FMATS”); and

**WHEREAS**, City Council approved matching funds in the amount of \$227,556 to reconstruct Gillam Way from Airport Way to 20<sup>th</sup> Avenue to include improved pedestrian facilities and drainage improvements (Resolution #4430); and

**WHEREAS**, the project was extended to include Gillam Way from Airport Way to 22<sup>nd</sup> Avenue to include improved pedestrian facilities and drainage improvements; and

**WHEREAS**, the City currently maintains this street and will continue to do so after reconstruction; and

**WHEREAS**, the project construction cost is currently estimated at \$5,494,000 with a City matching contribution estimate of \$301,761, resulting in an increase of \$74,205; and

**WHEREAS**, the City has been awarded a state legislative grant and will use these funds to provide the match;

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

**PASSED and APPROVED this 14th day of December 2015.**

---

**John Eberhart, City Mayor**

AYES:  
NAYS:  
ABSENT:  
APPROVED:

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: 4702

Abbreviated Title: GILLAM WAY RECONSTRUCTION MATCH AND MAINTENANCE AGREEMENT

Department(s): ENGINEERING

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:	2016	2017	2018	Total
Reconstruct Gillam Way (20th Avenue to 22nd Avenue)	\$33,863	\$9,752	\$30,590	\$74,205
Reconstruct Gillam Way (Airport Way to 20th Avenue)	\$20,318	\$6,773	\$200,465	\$227,556
<b>TOTAL</b>	<b>\$54,181</b>	<b>\$16,525</b>	<b>\$231,055</b>	<b>\$301,761</b>

FUNDING SOURCE:	2016	2017	2018	Total
Designated Legislative Grant (State Funds)	\$33,863	\$9,752	\$30,590	\$74,205
Designated Legislative Grant (State Funds)	\$20,318	\$6,773	\$200,465	\$227,556
<b>TOTAL</b>	<b>\$54,181</b>	<b>\$16,525</b>	<b>\$231,055</b>	<b>\$301,761</b>

The operations and maintenance costs associated with these improvements will be performed by Public Works and incorporated in the annual general fund budget.

Reviewed by Finance Department:

Initial mb

Date 12/7/2015

**RESOLUTION NO. 4703**

**A RESOLUTION AUTHORIZING MATCHING FUNDS AND EXECUTION  
OF THE MAINTENANCE AGREEMENT FOR THE COWLES STREET  
RECONSTRUCTION PROJECT**

**WHEREAS**, the Cowles Street Reconstruction Project, a project of great importance to the City of Fairbanks, has been approved for funding by the local Metropolitan Planning Organization (“MPO”) also known as Fairbanks Metropolitan Area Transportation System (“FMATS”); and

**WHEREAS**, the Cowles Street Reconstruction project will reconstruct Cowles Street from 1<sup>st</sup> Avenue to East Cowles to include improved pedestrian facilities and drainage improvements; and

**WHEREAS**, the City currently maintains this street and will continue to do so after reconstruction; and

**WHEREAS**, the project construction cost is currently estimated at \$7,253,668 with a City required matching contribution of \$388,227; and

**WHEREAS**, the City has been awarded a state legislative grant and will use these funds to provide the match;

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

**PASSED and APPROVED this 14th day of December 2015.**

---

**John Eberhart, City Mayor**

AYES:  
NAYS:  
ABSENT:  
APPROVED:

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: 4703

Abbreviated Title: COWLES STREET RECONSTRUCTION MATCH AND MAINTENANCE AGREEMENT

Department(s): ENGINEERING

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:	2016	2017	2018	Total
Reconstruct Cowles Street (1st Avenue to East Cowles)	\$21,828	\$18,103	\$348,296	\$388,227
<b>TOTAL</b>	<b>\$21,828</b>	<b>\$18,103</b>	<b>\$348,296</b>	<b>\$388,227</b>

FUNDING SOURCE:	2016	2017	2018	Total
Designated Legislative Grant (State Funds)	\$21,828	\$18,103	\$348,296	\$388,227
<b>TOTAL</b>	<b>\$21,828</b>	<b>\$18,103</b>	<b>\$348,296</b>	<b>\$388,227</b>

The operations and maintenance costs associated with these improvements will be performed by Public Works and incorporated in the annual general fund budget.

Reviewed by Finance Department:

Initial mb

Date 12/7/2015

**RESOLUTION NO. 4704**

**A RESOLUTION IN SUPPORT OF FAIRBANKS METROPOLITAN AREA  
TRANSPORTATION SYSTEMS' COMPLETE STREETS POLICY**

**WHEREAS**, on April 14, 2003, the Governor of the State of Alaska designated the Fairbanks Metropolitan Area Transportation System (FMATS) as the Metropolitan Planning Organization (MPO) and the Policy Committee as the policy body providing for the direction of transportation planning in the MPO in accordance with Federal Law; and

**WHEREAS**, Title 23 of the United States Code provides for funding to FMATS to coordinate the planning and construction of all urban transportation facilities with a continuing, cooperative and comprehensive transportation planning process; and

**WHEREAS**, in accordance with 23 USC Sec. 134, it is in the national interest to encourage and promote the safe and efficient management, operation and development of surface transportation systems that serve the mobility needs of people and freight and foster economic development within and through urbanized areas and minimize transportation-related fuel consumption and air pollution; and

**WHEREAS**, to accomplish this objective, the MPO, in coordination with the State, develops transportation plans and programs that provide for transportation facilities (including pedestrian walkways and bicycle transportation facilities) which will function as an intermodal transportation system for the State, the metropolitan area, and the nation; and

**WHEREAS**, FMATS developed and unanimously adopted a Complete Streets Policy on October 21, 2015; and

**WHEREAS**, the principles of Complete Streets are context-sensitive and should complement and support the adjoining land uses and community character, emphasize connectivity, ensure the right of way is planned, funded, designed and operated with consideration of safe access for all users of all ages and mobility and all users being equally deserving of safe facilities to accommodate their travel, encourage the use of the latest and best design standards, allow flexibility in balancing user needs including maintenance needs and temporary snow storage, meet performance standards and include next steps for implementation of the policy; and

**WHEREAS**, the Complete Streets Policy promotes the principles of Complete Streets to be considered at all phases of planning and project development in the establishment of a multi-modal transportation system and is a commitment that future transportation projects will take into account the needs of everyone using the road right-of-way as early as practicable and throughout the process to integrate the needs of all users into everyday transportation planning practices so that a complete network of roads serves all users.

**NOW THEREFORE BE IT RESOLVED**, that the City of Fairbanks City Council fully supports the FMATS Complete Streets Policy and will consider this policy in the design and implementation of projects within the City of Fairbanks, as applicable, and will encourage training and educational opportunities for the successful implementation of the FMATS Complete Streets Policy.

**PASSED AND APPROVED** this 14th day of December, 2015.

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**John Eberhart, Mayor**  
**City of Fairbanks**

AYES:  
NAYS:  
ABSENT:  
APPROVED:

ATTEST:

APPROVED AS TO FORM:

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D. Danyielle Snider, CMC, City Clerk

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Paul Ewers, City Attorney

**Fairbanks North Star Borough / City of Fairbanks  
CHENA RIVERFRONT COMMISSION  
MINUTES  
September 9, 2015**

The Fairbanks North Star Borough/City of Fairbanks Chena Riverfront Commission (CRFC) met on Wednesday, September 9, 2015 Chair Plager presiding. The following Commission members were in attendance: Lee Wood, John Jackovich, Bob Henszey, Gordy Schlosser, Ian Olson and Buki Wright.

Absent Commissioners: Sue Rainey, Kelley Hegarty Lammers, Julie Jones and Carrie McEnteer.

Also present were: Christine Nelson; FNSB Community Planning Director; Lissa Hughes, TVWA; Barry Hooper, DOT; Donna Gardino, FMATS; Steve Taylor, FNSB Parks & Recreation; and Laura McLean, FNSB Recording Clerk.

**1. CALL TO ORDER**

**Plager** called the meeting to order at 12:07 p.m.

**2. APPROVAL OF AGENDA**

*A motion was made by Henszey, seconded by Schlosser to approve the Agenda for September 9, 2015. There were no objections.*

**3. APPROVAL OF MINUTES OF July 8, 2015 and August 12, 2015.**

*A motion was made by Schlosser, seconded by Jackovich to approve the minutes for July 8, 2015. There were no objections.*

*A motion was made by Jackovich, seconded by Henszey to approve the minutes for August 12, 2015. There were no objections.*

**4. COMMUNICATIONS TO THE COMMISSION**

**Plager** commented that the Commission received a letter from Representative Kawasaki regarding the letter which Ms. Wood sent to the Editor at the NewsMiner. This letter will be further discussed during “New Business.”

**Nelson** addressed the Commission. She stated that the attorney assignments within the Borough have been shuffled due to changes within the Legal department. She stated that Wendy Doxey will now be the attorney for the CRFC.

**Nelson** further commented that it is Borough policy that all Boards and Commission members be provided Borough e-mail addresses so that personal e-mails and personal computers are not at risk. These new e-mail addresses will be established for each Commissioner in the near future.

**Plager** requested that the “packets” for the CRFC also be posted on the Borough web page. **Nelson** commented that this will be done.

It was determined that “packets” will be sent electronically to all CRFC members prior to each meeting and will also be posted online on the Borough web page.

**Wood** commented that she has issue with the public having access to documents that are “in the works.”

**Jackovich** added that this is what the Open Meetings Act is all about to provide transparency to the public regarding items that are “in the works.”

**Olson** stated that there is a difference between a “draft” that is available and a working copy that the CRFC is using to try and resolve issues. He suggested that the working copies not be out for public review.

After further discussion, it was decided that the Recording Clerk will distribute to the Commission a “packet” prior to the meeting date which contains the agenda, minutes to be approved and any correspondence that the Commission may have received so that the Commissioners may have ample time to print the documents and review them prior to attending the meeting. This “packet” will also be posted on the Borough web page for Commissioners to print and/or review prior to attending the meeting.

In conclusion, **Nelson** reminded the Commissioners that they cannot “Reply All” when responding to an e-mail from another Commissioner as that violates the Open Meetings Act.

**Plager** inquired when the Commission will be introduced to Ms. Doxey. **Nelson** responded that she will ask Doxey if she would be able to attend a CRFC meeting to discuss the Open Meetings Act and will let the Commission know as soon as possible.

## 5. PUBLIC COMMENTS

None

## 6. NEW BUSINESS

### A. Downtown Neighborhoods zoning (Wood)

The Commission reviewed a letter written by Rep. Kawasaki about retaining the character of local communities and taking them into account when rezoning neighborhoods. This letter was written in response to a letter that was written to the NewsMiner Editor by Lee Wood.

**Wood** gave a brief presentation to the Commission explaining what has transpired to date to prompt her to write this letter to the Editor.

**Nelson** provided a copy of the Vision Fairbanks Plan and clarified that the neighborhood that Wood is referring to is outside of the Vision Fairbanks Plan area. It is designated as “Neighborhood Planning Area” but Vision Fairbanks did not do any neighborhood planning.

**Plager** asked if in the last Comprehensive Plan Update, was this area rezoned? **Nelson** clarified that the Comp Plan is different from the rezone. She further commented that there is the process for determining if this neighborhood is within a historic district, however being a historic district does not protect the neighborhood from rezones or the tearing down of historic structures. The only other “tool” that might be used to protect this neighborhood is the Comprehensive Plan, but all of the Comp Plan designations are so broad and vague that it most likely will not be effective. She stated that a Comp Plan amendment process by which people nominate areas and designations is a thought for change. She will continue to monitor this possibility and will check with the new Mayor when he takes office to see if an amendment to the Comp Plan might be a possibility. She will keep the CRFC apprised of this situation.

**Jackovich** added that there has been some effort through the Historical Society to identify any historic properties from Barnette to Lathrop.

**Wood** asked how much of the neighborhood between Barnette and Lathrop and First Avenue and Airport is designated "Urban development." **Nelson** responded that she believes most if not all is designated Urban development.

## 7. UNFINISHED BUSINESS

### A. Plan Update scheduling of meetings (Durham)

Durham was not available for the meeting. **Nelson** advised the Commission that the CRFC Update is scheduled for hearing at the Parks & Recreation Commission meeting on September 21, 2015. After this meeting, the Plan update will then go to the Planning Commission on October 27, 2015 for review and approval. If it stays on this schedule, it could be heard by the Assembly in December.

### B. Liaisons & Ex-Officio members – final review

**Plager** provided the Commission with a draft of Rule 17 to the CRFC Rules and Procedures which concerns Liaisons & Exofficio members. She highlighted the substantial changes and requested any additional changes from the Commission.

**Nelson** added that the document will need to be reviewed by the Legal department. She will forward this to Ms. Doxey for review and will report back.

### C. Airport Way West update & thank you letter to Mayor / Assembly

**Plager** questioned if the CRFC was going to do a thank you letter to the Mayor for his support to allow the Borough to accept the property from DOT along the river in this area.

**Plager** volunteered Wright to draft a thank you letter to the Mayor.

**Hooper** addressed the Commission to answer some of the questions which they had about the process and how this project is expected to proceed. His input at the meeting was not audible.

**Hooper** commented that he may be able to give the Commission an update sometime after the first of the year.

### D. Annual review report from August meeting

**Plager** provided the Commission with a list of accomplishments that she felt the CRFC has accomplished within the last year and a half. She stated that she would like to provide annual CRFC updates to the City Council and the Borough Assembly. She welcomed any suggestions as to how to make this happen.

**Olson** added that it should be akin to this document and delivered in a verbal form to the City Council and the Borough Assembly.

**Nelson** suggested talking with the new Mayor to see how he would like to accomplish this. Perhaps this could happen in a work session.

**Taylor** announced that with respect to the Pioneer Park river park, and with the Commissions' approval, he would be happy to see if Jason Avery, Park Manager, to attend a meeting to discuss his thoughts and plans for the riverfront area of the Park. **Jackovich** commented that this is a great idea. The Commission will look at inviting Mr. Avery for the November meeting.



E. Correspondence distribution process (McLean)

It was decided that any resolutions or letters or other forms of correspondence will be included with the e-mailed packets to the Commissioners each month should anything be sent to McLean for distribution to the Commission.

**8. STAFF AND LIASION COMMENTS**

**Taylor** announced that construction is underway at Snedden Park for a picnic pavilion which is funded by the Snedden Foundation.

**Hooper** announced that DOT is submitting for local planning approval for the Steese to Front Street connector and for the Wendell Street Bridge. His comments were not entirely audible. He stated that he will bring something to the next meeting to share.

**9. COMMISSIONERS COMMENTS**

**Henszey** thanked DOT for cleaning up pedestrian/bike path under the Peger Street bridge. He further commented that there is still sediment under the Cushman and Barnette Street bridges on the pedestrian/bike path. He further commented that he will be on vacation for the October meeting.

**Jackovich** commented that he will be out of state for the October meeting.

**10. AGENDA SETTING FOR October 14, 2015 COMMISSION MEETING**

**11. ADJOURNMENT**

A motion was made by Schlosser, seconded by Henszey, to adjourn the meeting at 1:30 p.m. There were no objections.

**Fairbanks North Star Borough / City of Fairbanks  
CHENA RIVERFRONT COMMISSION  
MINUTES  
October 14, 2015**

The Fairbanks North Star Borough/City of Fairbanks Chena Riverfront Commission (CRFC) met on Wednesday, October 14, 2015 Chair Plager presiding. The following Commission members were in attendance: Lee Wood, Sue Rainey, Gordy Schlosser, and Ian Olson.

Absent Commissioners were: John Jackovich, Kelley Hegarty-Lammers, Bob Henszey, Carrie McEnteer, Julie Jones, Buki Wright.

Also present were: Christine Nelson; FNSB Community Planning Director; Kellen Spillman, FNSB Community Planning Deputy Director; Wendy Doxey, FNSB Assistant Borough Attorney; Jewelz Barker, TVWA; Jackson Fox, City of Fairbanks; Sarah Schacher, DOT Project Manager; Duane Davis, DOT Design Engineer; Leslie Daughtery, DOT Bridge Engineer; Fred Rohn; FNSB Computer Services; and Laura McLean, FNSB Recording Clerk.

**1. CALL TO ORDER**

**Plager** called the meeting to order at 12:00 p.m.

**2. APPROVAL OF AGENDA**

**Plager** suggested rearranging the agenda as Ms. Doxey's time is limited today.

*A quorum was not established, therefore no motion was made.*

**3. APPROVAL OF MINUTES OF September 9, 2015**

*As there was not a quorum, Approval of the Minutes of September 9, 2015, will be deferred to the November meeting.*

**4. COMMUNICATIONS TO THE COMMISSION**

**Nelson** introduced Fred Rohn with FNSB Computer Coordinator. **Rohn** presented Commissioners with information regarding the Borough-issued e-mail accounts that have been established for CRFC Commissioners. Legal will look into whether or not e-mail accounts should be established for Ex-Officios and Liaisons and will report back.

**Nelson** introduced Wendy Doxey, FNSB Assistant Attorney. **Doxey** spoke to the reason for the new Borough e-mail accounts. She stated that one of the reasons is so that personal and business e-mail accounts not belonging to the Borough could be subject to examination should any litigation arise.

**Spillman** addressed the Commission. He stated that the American Planning Association (APA) Alaska Chapter has recently been talking about nominating a place in Alaska to enter into the National APA "Great Places in America" competition. The APA Alaska Chapter Regional Representative for the Fairbanks Region is considering the Chena River for entry

into the “Great Public Spaces” category. Spillman will report back with additional information at a later date.

**McLean** distributed re-appointment memos to those members whose terms will be expiring at the end of the calendar year (handed out to Rainey, mailed to Henszey, McEnteer, Jackovich). It was requested that if a Commissioner wishes to renew their appointment to the Commission, they will need to indicate such on the memo and return it along with an updated application no later than November 13, 2015, so that Commissioners can be confirmed during the December 10 , 2015 Assembly meeting.

## 5. PUBLIC COMMENTS

None

## 6. NEW BUSINESS

None

## 7. UNFINISHED BUSINESS

- A. Steese Expressway to Front Street Bicycle/Pedestrian Path – Sarah Schacher, DOT Project Manager
- B. Wendell Street bridge update – Sarah Schacher, DOT Project Manager

**Spillman** addressed the Commission. He introduced Sarah Schacher from the DOT&PF and stated that she will be giving a brief presentation regarding these two projects and further commented that these are projects that the Commission has seen several times in the past. He distributed copies of a resolution of support and scoping comments that the Commission has previously offered and a letter of support from FNSB Parks & Rec Department. Staff reports are still being written for these projects. The projects will be heard before the Planning Commission on October 27, 2015.

**Sarah Schacher** addressed the Commission and further introduced Project Design Engineer **Duane Davis** who gave the presentations regarding both of these projects.

A question and answer period was held following the presentation.

**Olson** inquired if DOT&PF would be acquiring right-of-way property with the Wendell Street Bridge project. **Davis** responded that yes, they would, not only with this project but with the Graehl Park project as well. These acquisitions would be for temporary construction purposes only.

**Rainey** inquired how parking would be impacted at Graehl Park. **Davis** responded that they are looking at increasing the number of parking spaces between the boat launch and the bridge. Parking adjacent to the playground area will become parallel parking, which reduces the parking capacity. One solution to the reduced parking spaces by the playground would be to develop additional parking at Nelson Park on the other side of the Steese Highway, connected by the pedestrian/bicycle path under the bridge.

**Olson** asked if they would be repaving at Graehl Park. **Davis** stated that they just repaved the area two summers ago. They will do minor paving to repair what is damaged when they install curbs and gutters adjacent to the park.

**Olson** commented that parallel parking may create a situation where people will not want to park parallel therefore will not use the park. **Schacher** clarified that they are trying to make this so that it is parking for Graehl Park rather than for the businesses in the area.

**Plager** inquired about the plans for the existing trail that crosses through the park at this time. **Davis** reiterated that they are working closely with Parks & Rec to re-route the trail to remove it from the flood zone area. **Spillman** added that there is a letter within the items that he distributed today from Parks & Rec stating that they do support the dirt path being relocated as DOT is suggesting.

**Davis** reminded the Commission that when the Chena River is high, this area of the park becomes flooded.

**Plager** questioned if a different configuration was considered to maintain pull-in parking at the Park. **Davis** reiterated that they had.

**Olson** questioned if the playground equipment could be moved to accommodate pull in parking. **Davis** stated that to move it would place it in the flood zone.

**Rainey** questioned the acreage of Graehl Park. **Davis** replied that he did not know the size of the park.

**Wood** asked what the area difference was for parallel parking spaces versus nose-in parking. **Davis** responded that the minimum size parking space is 8.5 feet wide by 20 feet long. **Spillman** added that it is against State law to park within ten feet of the centerline of a road. Therefore, the parking situation as it is right now is in violation of this law. **Davis** added that parking statutes in this area have never been enforced. When they design a new facility, they cannot design it such that it encourages people to break the law.

**Olson** questioned if the road adjacent to the park was a single lane road. **Davis** replied that it is not a single lane road. There is sufficient space for a two lane road with parallel parking.

**Plager** commented that if they intend to create parallel parking, she would like to see Nelson Park developed to accommodate the additional parking.

**Plager** asked if there was sufficient radius for a bicycle to make the turn where the bike path comes up from under the Wendell Street Bridge near Play It Again Sports. **Davis** replied that there was ample space, approximately 16-17 feet.

**Wood** asked if there has been any thought about moving some of the activities and amenities at Graehl Park over to Nelson Park. **Davis** stated that there had not been any that he is aware of. **Spillman** added that this is something that Parks & Rec and the Park Commission could work through, further developing Nelson Park. **Davis** suggested that this would be a good project for the CRFC to pursue.

**Davis** concluded that they hope to have the Graehl Park project in construction next summer and Wendell Bridge will follow in 2017. Wendell Bridge will most likely be completely closed for two seasons as there is not enough room to construct a temporary bridge.

**Rainey** asked if the height of Wendell Street Bridge will be an issue like the height of the Barnette Street Bridge is. **Davis** replied that it will not have the same clearance height issues like the Barnette Bridge does. **Schacher** added that there was no way that they were going to get the Barnette Street Bridge any higher than it is without building an overpass due to the existing river bank in the area. The banks at Wendell Street are higher than the banks at Barnette.

**Spillman** encouraged any Commissioner who wanted to submit written comments regarding these projects, do so on their own. Comments may be directed to [planning@fnsb.us](mailto:planning@fnsb.us). Any comments received will be presented to the Planning Commission. Verbal testimony will also be accepted.

Due to other commitments, Nelson excused herself from the meeting at 1:00 p.m.

#### C. CRFC Plan update – Durham

**McLean** conveyed to the Commission that the Plan update did go before the Parks & Recreation Commission on September 26, 2015. It is now scheduled to be heard before the Planning Commission on November 10, 2015.

This creates a problem as November 11<sup>th</sup> is the regularly scheduled date for the CRFC meeting. As this is a holiday, the CRFC can either meet on the 10<sup>th</sup> or the 12<sup>th</sup>. If the Commission chooses to meet on the 10<sup>th</sup>, the update will not have gone before the Planning Commission yet. If the CRFC meets on the 12<sup>th</sup>, the Plan update will have been heard at the Planning Commission and a report can be given to the CRFC.

The CRFC decided to meet on November 12<sup>th</sup> to receive updated information regarding the Plan update.

#### D. Airport Way West project update

**Schlosser** reported that he needs to meet with Hooper at this point. They are working on securing funding for the riverbank restoration in this area for next year. He will report back as this project progresses.

**Wood** asked if the change in Mayors' will have any effect on this project. **Schlosser** stated that he was not sure.

**Plager** questioned if the Commission was going to submit anything to the Borough Assembly regarding the acquisition of the parcel of land that was to be deeded to the Borough. It was agreed upon that as of last meeting, Wright would be drafting this letter.

### **8. STAFF AND LIASION COMMENTS**

**Barker** announced that she will be resigning from TVWA effective December 31, 2015, but plans to continue to work on on-going projects under contract for another 9 months.

**9. COMMISSIONERS COMMENTS**

**Olson** thanked DOT for their presentation.

**Plager** distributed the draft Annual Report which will be discussed at the next meeting.

**10. AGENDA SETTING FOR November 12, 2015 COMMISSION MEETING**

- A. Chena Riverfront Plan update
- B. Letter of support to Assembly regarding Airport Way West project
- C. Thank you letter to Assembly regarding acquisition of land at Airport Way West
- D. Annual Report to the Borough and City of Fairbanks

**11. ADJOURNMENT**

/I



FAIRBANKS DIVERSITY COUNCIL  
 REGULAR MEETING MINUTES  
 NOVEMBER 10, 2015 – 5:30 PM  
 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 at the City Council Chambers, 800 Cushman Street, Fairbanks, Alaska, with Chair John Eberhart presiding and with the following members in attendance:

- Members Present:**
- |   |                                 |
|---|---------------------------------|
| Ana Maria Richards, Seat A                        | Kathleen Wattum, Seat I         |
| June Rogers, Seat D                               | Jo Ann Borges, Seat K           |
| Travis Cole, Seat E (arrived at 5:38)             | Rita Davis, Seat L              |
| Trina Bailey, Seat F (arr. at 5:41, left at 7:03) | Jeff Walters, Seat M            |
| Doris Lenahan, Seat G                             | Angela Foster-Snow, HR Director |
| Rosalind Kan, Seat H (arrived at 6:32)            |                                 |
- Absent:**
- |                         |                                  |
|-------------------------|----------------------------------|
| Shirley Lee, Seat B     | Amanda Frank, Seat N             |
| Montean Jackson, Seat C | Vacancy, Seat O                  |
| Douglas Toelle, Seat J  | Bernard Gatewood, Council Member |
- Also Present:**
- |                                 |                              |
|---------------------------------|------------------------------|
| D. Danyielle Snider, City Clerk | Jim Williams, Chief of Staff |
|---------------------------------|------------------------------|

**APPROVAL OF AGENDA**

*There was no quorum at the start of the meeting, so the Council returned to this item for consideration after reaching a quorum.*

**Ms. Davis**, seconded by **Ms. Bailey**, moved to APPROVE the Agenda.

**Chair Eberhart** called for objection and, hearing none, declared the MOTION CARRIED.

**Chair Eberhart** stated that Ms. Green is relocating out of the area and has resigned from the Council. He encouraged others to apply to serve on the FDC.

**APPROVAL OF PREVIOUS MINUTES**

*There was no quorum at the start of the meeting, so the Council returned to this item for consideration after reaching a quorum.*

a) Meeting Minutes of October 13, 2015

**Ms. Bailey**, seconded by **Ms. Richards**, moved to APPROVE the Meeting Minutes of October 13, 2015.

**Chair Eberhart** called for objection and, hearing none, declared the MOTION CARRIED.

## GUEST SPEAKER

- a) Christina Davies, Interior Alaska Center for Non-violent Living Prevention Coordinator: Green Dot Program

*Christina Davis was not present due to a change in staffing. Instead the presenter was Ms. Kara Carlson. Hope Finkelstein and Karen Taber were also present representing the Fairbanks Wellness Coalition.*

Ms. Carlson shared her background and spoke about what led her to the field of violence prevention. She spoke to changing the culture of violence in our community and to the Green Dot Program. Ms. Carlson led the group through an exercise on possible barriers to success of the program. A brief question, answer and comment session ensued following Ms. Carlson's presentation.

Ms. Finkelstein spoke briefly to the mission and activities of the Alaska Wellness Coalition.

Ms. Taber spoke to Fairbanks Wellness Coalition's focus on suicide prevention.

## UNFINISHED BUSINESS

- a) Diversity Action Plan

Chief of Staff Jim Williams spoke to the six goals in the draft of the diversity action plan (DAP). He reviewed the status of all the tasks listed under each goal.

**Chair Eberhart** encouraged FDC Members to come and speak to the City Council during their consideration of the 2016 City budget in support of not only the two FPD cold case investigator positions, but also in support of some funding for the FDC.

City HR Director Angela Foster-Snow spoke to the City's hiring process, specifically to the FPD oral boards. She asked anyone interested in participating to contact her.

**Chair Eberhart** asked members if there was any objection to inviting UAF Professor Rob Prince to come speak to the group. No members objected.

UAF Department of Journalism Chair Rob Prince spoke to their Dark Winter Nights Storytelling Program and shared that the date of their next event will be November 21, 2015, at 7 p.m. at the Hering Auditorium.

*The group returned to the discussion on the DAP.*

Ms. Foster-Snow spoke to the make-up of hiring panels in the past; she stated that panels can vary with each new hire. **Mr. Cole** expressed an interest in serving on a future panel.

Mr. Williams continued reviewing the updated DAP. Members elected to task the Policy and Procedure Committee with the initial drafting of an Affirmative Action Plan. Members



discussed ways to have FDC representation at City Council meetings. They talked about how the Education and Outreach Committee should make regular reports to the City Council.

**Ms. Wattum** expressed concern that Committee meetings have not been happening regularly. The group discussed alternative possibilities for meeting forums and locations.

**Ms. Richards** spoke to her concern that Ms. Frank has been absent for some time; she indicated that she has tried to reach her a number of times without success.

**Chair Eberhart** stated that he would attempt to contact Ms. Frank.

**Ms. Wattum** suggested combining the Media & Communications Committee and the Education & Community Outreach Committee.

Members discussed what may be considered appropriate or inappropriate use of email and social media as it relates to the City of Fairbanks and its employees. They requested a future presentation on the Open Meetings Act (OMA) and how it relates to the use of email and social media by members.

**Mr. Walters** asked if the group could have a proactive discussion about the Fairbanks Four case before a decision is made by Judge Lyle. **Chair Eberhart** agreed that the issue should be discussed by the FDC at a future meeting. Members discussed inviting an objective party to come speak to the FDC on the Fairbanks Four case. They talked about a number of possibilities for speakers.

Mr. Williams stated that he needs a final recommendation on the DAP tone and format from the Media & Communications Committee before he can finalize the draft and put it before the City Council for approval. **Ms. Wattum** stated that the Committee discussed the DAP and that she will relay a summary of that discussion to Mr. Williams.

### **FDC MEMBERS COMMENTS**

**Ms. Lenahan** stated that she had no comments.

**Ms. Borges** spoke to the urgency in being prepared for the outcome to the Fairbanks Four case.

**Mr. Walters** welcomed Mr. Cole to the FDC. He spoke to the good meeting held with Chief Aragon and other members of the LGBT community. He invited everyone to attend the upcoming LGBT forum on Saturday, November 14 at the Unitarian Church from 10:30 – 3:30. He spoke to the alignment of the Media & Communications Committee and the Education & Community Outreach Committee and agreed that there should be a discussion on whether to combine the two groups.

Ms. Foster-Snow encouraged everyone check out “Humans of New York” on Facebook or Instagram. She stated that if members shared in that forum, it may be a nice way to tell the story of the FDC. She announced On behalf of Trina Bailey, Ms. Foster-Snow announced that Denali Elementary School PTA will host a Native Heritage Night on Friday, November 13 at 6 p.m.

She encouraged FDC members to get involved with the City HR Department and invited members to stop by her office.

**Ms. Kan** spoke to the success of the International Friendship Day event and requested feedback from anyone who attended. She spoke to the importance of getting the word out about the event.

**Ms. Davis** stated that it was a good meeting.

**Ms. Wattum** stated that she had no comments.

**Ms. Rogers** reminded everyone of the quote that Ms. Kan mentioned at the last meeting, to be “for something rather than against something.”

**Mr. Cole** stated that he likes Alaska Wellness Coalition’s handout promoting non-drinking among teens by looking at the positive teen drinking statistics in Alaska. He stated that the FDC needs to be proactive when it comes to the Fairbanks Four case; he stated that he loves Fairbanks and enjoys the diversity in the community. He emphasized the need to show respect to others.

**Ms. Richards** stated that she likes the idea of “Humans of Fairbanks” and suggested that it would be great for the FDC to own the idea. She stated that she will be out of town the week of November 22.


**Chair Eberhart** stated that he teaches a class on Saturdays and would not be able to attend the LGBT forum. He thanked Ms. Kan for the invite to International Friendship Day and stated that it was a great event that was very well-attended. He shared that Ms. May Green has resigned from the FDC and encouraged interested individuals to contact the Borough as Ms. Green’s seat is Borough-appointed. He expressed his sadness that Chief of Staff Jim Williams will be taking a position as the FNSB Chief of Staff and will be leaving City of Fairbanks; he and FDC members congratulated Mr. Williams on his new position.

### MEETING DATES

- a) Next Meeting Date – December 8, 2015

### ADJOURNMENT

**Chair Eberhart** called for objection to adjourning the meeting and hearing none, declared the meeting ADJOURNED at 8:14 p.m.

  
\_\_\_\_\_  
Mayor John Eberhart, Chair

  
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Danyielle Snider, CMC, City Clerk

Transcribed by: DS

*City of Fairbanks*



**MEMORANDUM**

To: City Council Members  
From: John Eberhart, City Mayor  
Subject: Request for Concurrence – Fact Finding Commission  
Date: December 9, 2015

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The term of Mr. Sean Reilly on the Fact Finding Commission will expire on December 31, 2015. Mr. Reilly has applied for re-appointment. I hereby request your concurrence to the following:

Seat C: Mr. Sean Reilly                      Term to expire: December 31, 2020

Mr. Reilly's application is attached.


Thank you.




dds/




# FACT FINDING COMMISSION




## BOARD DETAILS


 **OVERVIEW**

-  **SIZE** 5 Seats
-  **TERM LENGTH** 5 Years
-  **TERM LIMIT** N/A

The Fact Finding Commission shall assist the City Council in the investigation, collection, assessment, and analysis of any issue referred to the Commission where facts are in dispute or are unknown. It shall establish facts and issue findings to the City Council. Matters shall be referred to the Commission as the City Council and Mayor deem appropriate; and when so referred, shall be referred by motion with a description of the scope and issues requiring factual determination. The Fact Finding Commission shall have the power to administer oaths, subpoena witnesses and compel the production of books, papers, and other relevant evidence. The Commission shall request the Mayor to issue subpoenas as required.

 **CONTACT**

-  Office of the City Clerk
-  (907) 459-6771
-  [cityclerk@ci.fairbanks.ak.us](mailto:cityclerk@ci.fairbanks.ak.us)

 **DETAILS**

### BOARD/COMMISSION CHARACTERISTICS

The Fact Finding Commission shall consist of five members appointed by the mayor, subject to confirmation by the City Council; each member shall serve a five-year term. At least three members of the Commission shall be residents of the City. The Commission shall consist of two members who are experienced in the fields of law or judicial enforcement and three members from the public at large. Meetings are called when the subject matter warrants. The chairman is authorized to call meetings, or a majority of the members may require that a meeting be called.

### MEETINGS

All meetings shall be open to the public, except that closed meetings may be held as provided by law. A majority of the Commission shall constitute a quorum; three affirmative votes shall be necessary to carry any question. Minutes shall be kept as a permanent record of all meetings and shall be filed in the Office of the City Clerk.

[Meeting Minutes](#)

### ENACTING LEGISLATION

FGC 2-396 through 2-400; Ordinance No. 5963

### ENACTING LEGISLATION WEBSITE

<http://bit.ly/1sG9Rfd>

### JOINT COMMISSION DETAILS

N/A

### EMAIL THE COMMISSION MEMBERS

[factfindingcommission@ci.fairbanks.ak.us](mailto:factfindingcommission@ci.fairbanks.ak.us)

**Sean P. Reilly**

[REDACTED]  
[REDACTED]  
Fairbanks, Alaska 99701  
[REDACTED]

**Position Sought:** City of Fairbanks Boards and Commissions

**Highlights of Qualifications:**

- Familiar with human resources policies and procedures
- Understand sensitive and diverse cultures and lifestyles
- Skill in establishing and maintaining cooperative working relationships with other employees
- Ability to work independently as well as with teams
- Excellent knowledge of community resources
- Able to think creatively to give the greatest benefit to the consumer
- Strong communication skills to include public speaking and community interaction

**Summary of Qualifications:**

- Analyzed training needs to develop new training programs or modify and improve existing programs.
- Implemented organizational training manuals, multimedia visual aids, and educational materials.
- Ability to maintain confidentiality of all records information.
- Prepared affidavits or other documents, such as legal correspondence, and organize and maintain documents in paper or electronic filing system.
- Investigated facts and law of cases and search pertinent sources, such as public records, to determine causes of action and to prepare cases.
- Gathered and analyzed data, such as statutes, decisions, and legal articles, and codes.
- Skilled in operating personal computer utilizing a variety of computer software.
- Skilled in managing multiple priorities and tasks concurrently and meet deadlines.
- Knowledge of customer service concepts and practices.

**Education:**

Amberton University	Garland, Texas	MS Human Resource Training and Development
Rhode Island College	Providence, Rhode Island	BA Psychology
Horry G'town Tech. College	Conway, South Carolina	APS - Paralegal Studies

**Employment:**

Independent HR Consultant,	Myrtle Beach South, Carolina	1/2011 – 3/2012
Paralegal Intern,	Family Court of Horry County	3/2009 – 9/2009
BCBS of SC, Surfside, SC	Customer Service Representative	7/2006 – 1/2007
Metglas, Conway, SC	Quality Assurance Technician	1/2006 – 7/2006
UMS, Wilmington, NC	Warehouse Manager	7/2005 – 1/2006
Lowes, Wilmington, NC	Customer Service Representative	11/2004 – 7/2005

# Application Form

Status: on agenda

## Profile

Please note that profile information may be available to the public.

Sean

First Name

Reilly

Last Name

[Redacted]

Email Address

[Redacted]

Street Address

[Redacted]

Suite or Apt

Fairbanks

City

AK

State

[Redacted]

Postal Code

## Mailing Address

[Redacted]

## City Resident

Choose your residency status.

[Redacted]

Primary Phone

[Redacted]

Alternate Phone

Employer

Job Title

## Which Boards would you like to apply for?

Fact Finding Commission

## Interests & Experiences

Question applies to Fairbanks Diversity Council.

**Please tell us how your diversity will benefit and contribute to the mission and purpose of the Diversity Council.**

Please tell us about yourself and why you want to serve.

**Why are you interested in serving on a board or commission? What life experience can you contribute to the benefit of the board or commission?**

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I would like to become a board/commission member so that I may use my education and skills to help continue growing the Fairbanks community. I have been a member of the FNSB Planning Commission for one year.

**Brief Personal Biography (or attach resume):**

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Resume attached.


  
Upload a Resume

**Professional Licenses/Training:**

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MS - Human Resource Training and Development Certificate of Completion - HR Management

**MEMORANDUM**

**TO:** Mayor and Council  
**FROM:** Paul Ewers, City Attorney   
**CC:** JB Brainerd  
**SUBJECT:** Delegating a Lead Spokesperson for Labor Negotiations  
**DATE:** December 10, 2015

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I am writing this memo at the request of Council Member Pruhs. He is proposing that the spokesperson responsibility for labor negotiations be transferred from the Mayor's Office to the City Attorney's Office. FGC Sec. 42-1 provides that the mayor has basic responsibility for labor relations unless the Council by majority vote selects a different spokesperson. By way of this memo, Council Member Pruhs is asking the Council to approve the transfer of the labor spokesperson responsibility to the City Attorney's Office.

The departure of Chief of Staff Jim Williams and the imminent departure of Amber Courtney has left the Mayor's Office shorthanded. Jim Williams played a major role in contract negotiations. It is likely that his replacement will need some time to get up to speed on the city's various collective bargaining agreements. Given this situation, Council Member Pruhs believes it makes sense to move the primary responsibility for labor negotiations to the City Attorney's Office.

If Council Member Pruhs' proposal is approved by the Council, Deputy City Attorney JB Brainerd and I initially would work in tandem as the City's lead negotiators for labor contracts. We would work in conjunction with the Mayor's Office, and I envision the new Chief of Staff becoming part of the negotiating team.

This memo will appear as a consent-agenda item (13e). If there are any questions or concerns about the transfer, this item should be pulled from the consent agenda. If it is not pulled from the consent agenda, then the transfer will be approved.



**City of Fairbanks**

**From the  
Office of the City Attorney**

## **MEMORANDUM**

**TO:** Mayor and Council  
**FROM:** Paul Ewers, City Attorney  
**RE:** Appeal of PSEA v. City, ALRA's Decision and Order No. 305  
**DATE:** December 9, 2015

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Today, Wednesday, December 9, I filed a Notice of Appeal and related documents with the state superior court. This filing is the first step in appealing the Alaska Labor Relations Agency (ALRA) Decision and Order No. 305 in PSEA v. City of Fairbanks, ALRA case no. 14-1658-ULP. Normally, I would not have filed the appeal documents without the approval of the council. However, under the circumstances (discussed below), I felt that in order to best protect the interest of the city, I could not wait until after the council meeting on December 14 to file the appeal.

This memorandum will be on the agenda of the December 14 meeting. The appeal can be withdrawn or go forward depending on the will of the council. While the memo will be listed as a consent-agenda item (13f), I would suggest that it be pulled from the consent agenda and a voice vote taken on whether to go forward with the appeal. That way the record is clear that the council approved the appeal or directed that it be dismissed.

You have previously received copies of the ALRA's Decision and Order No. 305. The three-member Board Panel found that the City had committed an unfair labor practice by ratifying the tentative agreement reached by the City and PSEA, then reconsidering its ratification and voting not to ratify the agreement. The Board Panel found that the City and PSEA had a valid and enforceable contract. The Panel ordered the City to execute the collective bargaining agreement.

Along with the Notice of Appeal, I filed a motion for a stay (of the implementation of the ALRA order) during the pendency of the appeal. I believe a stay is needed to clarify the legal standing of the parties and to prevent possible, unnecessary legal disputes. It has been reported that PSEA members are or were contemplating filing criminal charges against or even

arresting members of the City Council if they took any action that PSEA viewed as a violation of the ALRA's order. I brought these concerns to the attention of PSEA's attorney on Friday evening. He received my email and responded that he would get back to me, but as of this writing, I have not heard anything. Hopefully, a stay will ensure that this matter is addressed in the proper manner and in the proper venue (the superior court).

If you have any questions, please let me know.

**[UPDATE:** On Thursday, December 10, 2015, Officer Ron Dupee, president of PSEA Local 803, came to my office and apologized for the email I had received from a Local 803 member concerning possible criminal charges for violation of ALRA orders. He stated that this email was not authorized by the union.]