



FAIRBANKS CITY COUNCIL  
AGENDA NO. 2015-06  
**REGULAR MEETING MARCH 23, 2015**  
FAIRBANKS CITY COUNCIL CHAMBERS  
800 CUSHMAN STREET, FAIRBANKS, ALASKA

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PRELIMINARY MEETING

6:00 p.m. Work Session: Helmericks Avenue – New Roundabout & Loop Rd Extension

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REGULAR MEETING

7:00 P.M.

1. ROLL CALL
2. INVOCATION
3. FLAG SALUTATION
4. 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.

5. 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.
6. APPROVAL OF PREVIOUS MINUTES

7. SPECIAL ORDERS

- a) The Fairbanks City Council, Sitting as a Committee of the Whole, will consider the below Liquor License Application for Renewal. Public Hearing was held on March 9, 2015. POSTPONED from the Regular Meeting of March 9, 2015.

Lic #	Establishment Name	License Type	Premise Location	Owner Name
3336	Soapy Smith's Pioneer Restaurant	Restaurant / Eating Place	543 2 <sup>nd</sup> Ave	Nicholas V. Stepovich

- b) The Fairbanks City Council, Sitting as a Committee of the Whole, will hear interested citizens concerned with the below-referenced Liquor License Application for Transfer of Ownership. Public Testimony will be taken and limited to five minutes.

Type: Package Store, License #2512  
 To: 2 Go Mart #114 / AK, Inc.  
 2110 Peger Road, Fairbanks, Alaska  
 From: 2 Go Mart #114 / Tesoro Northstore Company  
 Same Location

- c) The Fairbanks City Council, Sitting as a Committee of the Whole, will hear interested citizens concerned with the below-referenced Liquor License Application for Transfer of Ownership. Public Testimony will be taken and limited to five minutes.

Type: Package Store, License #4216  
 To: 2 Go Mart #115 / AK, Inc.  
 99 College Road, Fairbanks, Alaska  
 From: 2 Go Mart #115 / Tesoro Northstore Company  
 Same Location

- d) The Fairbanks City Council, Sitting as a Committee of the Whole, will hear interested citizens concerned with the below-referenced Liquor License Application for Transfer of Ownership. Public Testimony will be taken and limited to five minutes.

Type: Package Store, License #4565  
 To: 2 Go Tesoro / AK, Inc.  
 3569 S Cushman Street, Fairbanks  
 From: 2 Go Tesoro / Tesoro Northstore Company  
 Same Location

8. MAYOR'S COMMENTS AND REPORT

9. UNFINISHED BUSINESS

- a) Ordinance No. 5966 - An Ordinance Approving the Partners for Fish and Wildlife Program Landowner Agreement Between the City, Festival Fairbanks, and the U.S. Fish and Wildlife Service. Introduced by Mayor Eberhart. SECOND READING AND PUBLIC HEARING.

10. NEW BUSINESS

- \*a) Resolution No. 4662 - A Resolution Supporting House Bill 42 Relating to and Prohibiting Discrimination Based on Sexual Orientation or Gender Identity or Expression. Introduced by Mayor Eberhart.
- \*b) Ordinance No. 5967 – An Ordinance Amending the 2015 Operating and Capital Budgets for the Second Time. Introduced by Mayor Eberhart.
- \*c) Ordinance No. 5968 – An Ordinance Repealing Fairbanks General Code Chapter 14, Article VII Massage Practitioners Effective July 1, 2015. Introduced by Mayor Eberhart.
- \*d) Ordinance No. 5969 – An Ordinance Amending Fairbanks General Code Section 54-102 Change Orders by Increasing the Amounts Allowed for Change Orders by Administration. Introduced by Mayor Eberhart.
- \*e) Ordinance No. 5970 – An Ordinance Amending Fairbanks General Code Section 46-42 Disturbing the Peace by Adding a New Subsection Relating to Marijuana Smoke. Introduced by Council Member Pruhs.
- \*f) Ordinance No. 5971 – An Ordinance Authorizing a Limited Real Property Tax Exemption for the Retirement Community of Fairbanks – Raven Landing Expansion Project and Setting an Effective Date. Introduced by Mayor Eberhart.

11. DISCUSSION ITEMS (INFORMATION AND REPORT)

- a) Committee Reports

12. COMMUNICATIONS TO COUNCIL

- \*a) Fairbanks Diversity Council Resolution No. 2015-01
- \*b) Clay Street Cemetery Commission Meeting Minutes of February 4, 2015

\*c) Fairbanks Diversity Council Meeting Minutes of January 13, 2015

\*d) Chena Riverfront Commission Meeting Minutes of February 11, 2015

13. COUNCIL MEMBERS' COMMENTS

14. CITY CLERK'S REPORT

15. CITY ATTORNEY'S REPORT

16. EXECUTIVE SESSION – Labor Negotiations: Fairbanks Fire Fighters Union (FFU) and International Brotherhood of Electrical Workers (IBEW)

17. ADJOURNMENT



# City of Fairbanks

Office of the City Clerk

800 Cushman Street


Fairbanks, AK 99701

(907)459-6715

Fax (907)459-6710

## MEMORANDUM

TO: Mayor John Eberhart and City Council Members

FROM: D. Danyielle Snider, CMC, City Clerk 

SUBJECT: Liquor License Renewal Postponed from March 9, 2015 Regular Meeting

DATE: March 19, 2015

At the Regular City Council Meeting of March 9, 2015, the Council POSTPONED action on the following application for liquor license renewal due to a recommendation for protest by the Fairbanks Fire Department.

Lic. #	Establishment Name	License Type	Premises Location	Licensee
3336	Soapy Smith's Pioneer Restaurant	Restaurant / Eating Place	543 2 <sup>nd</sup> Avenue	Nicholas V. Stepovich

Pursuant to FGC Sec. 14-178 the Council must determine whether or not to protest liquor license renewals after holding a public hearing. Public hearing was held at the Regular City Council Meeting of March 9, 2015.

**The Fire Department has recommended a protest for Soapy Smith's, License #3336, due to non-compliance with Fire Code requirements (see attached memorandum from the Fire Department).**

Please note that there are no other departmental protests. Please contact me if you need any further information.



# Fairbanks Fire Department

1101 Cushman St., Fairbanks, AK. 99701-4620  
(907)450-6615 Fax (907) 450-6666  
TDD / TTY (800) 770-8973 RELAYalaska



Warren Cummings, Fire Chief

## MEMORANDUM

**DATE:** March 2, 2015

**TO:** Warren Cummings, Fire Chief

**FROM:** Ernie Misewicz, Asst. Chief / Fire Marshal *JAM*

**SUBJECT:** Recommend Protest ABC License  
Soapy Smith's 543 Second Ave.

The City Clerk's Office provided us with a list of facilities to review for purpose of renewing ABC License.

We have no issues (protest) for any of them **EXCEPT...**

We recommend the ABC license be protested for "Soapy Smith's" 543 Second Ave based on...

**"Non-compliance with Fire Code requirements"**

- 1) 2012-11-02 An ABC License Fire Inspection was conducted. In the report the owner was advised the fire sprinkler system and kitchen hood system needed to be serviced and report provided to our office. Several site visits were made to verify compliance (11/16/12, 1/15/13, and 2/12/13).  
Noncompliance with original inspection request.
- 2) 2013-03-14 A follow up letter was sent to the business owner requesting the service report for the fire sprinkler and cleaning / service report for the kitchen hood.
- 3) 2013-06-28 a second letter was sent to the owner reminding them of the code requirement and again requesting the systems be inspected / serviced and reports submitted.
- 4) To date these inspections have not been completed.

We had an inspection scheduled for 2015-03-02 but owners canceled and re-scheduled for Tuesday 2015-03-03. We will provide follow up to your office once this inspection is completed.

Any questions....please advise. Thanks....

**SMOKE & CO DETECTORS.....*Don't Stay Home Without Them***



# Fairbanks Fire Department

1101 Cushman St., Fairbanks, AK. 99701-4620  
(907)450-6615 Fax (907) 450-6666  
TDD / TTY (800) 770-8973 RELAYalaska

Warren Cummings, Fire Chief



## MEMORANDUM

**DATE:** March 5, 2015  
**TO:** Warren Cummings, Fire Chief  
**FROM:** Ernie Misewicz, Asst. Chief  
**SUBJECT:** Soapy Smith's 543 Second Ave  
Inspection Follow Up

Please find attached the recent fire safety inspection for the above facility. During the inspection several deficiencies noted were the same or similar to ones found in past inspections. The major items were:

- 1) Found person residing / sleeping in closet in basement;
- 2) Inspection and repairs of fire sprinkler system;
- 3) Inspection and repairs of the kitchen hood fire system;
- 4) Cooking appliances not under the kitchen exhaust hood (this has been a continuing problem as far back as the early 90's...appears appliances are moved for re-inspection then back)

I have spoken with the owner (Nick Stepovich) afternoon of 3/5/15 regarding this inspection and the concerns. His general response to this inspection was we (the FD) were creating undue hardship on small businesses. The City should give some credit to him since he has not had any FD response in 20+ years. Also these items should not be an issue in that the City has approved his ABC license in the past. I explained that the problems noted had been identified in the past and that we did approve the ABC license renew request based on being able to work with him to correct. He restated his dislike for the process the City goes thru and that they should not work to drive small business away.

I again restated to Mr. Stepovich we would work with him. We have a follow up inspection slated for March 26<sup>th</sup> at 3 PM. I had asked him to start the correction of the deficiencies noted and to have a plan to correct the major issues.

Any questions please advise.

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**SMOKE & CO ALARMS**.....*Don't Stay Home Without Them*


# MEMORANDUM

City of Fairbanks Clerk's Office

D. Danyielle Snider, CMC, City Clerk

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TO: Mayor John Eberhart  
City Council Members

FROM: D. Danyielle Snider, CMC, City Clerk 

SUBJECT: Application for Liquor License Transfer - Ownership

DATE: March 19, 2015

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An application has been received by the State Alcohol Beverage Control Board for transfer of ownership for the following liquor license applicant:

License Type: Package Store, License #2512  
DBA: 2 Go Mart #114  
Licensee/Applicant: AK, Inc.  
Physical Location: 2110 Peger Road, Fairbanks AK

From: 2 Go Mart #114 / Tesoro Northstore Company  
2110 Peger Road, Fairbanks, AK

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

Please note that there are no departmental objections to the transfer of this license.




# MEMORANDUM

City of Fairbanks Clerk's Office

D. Danyielle Snider, CMC, City Clerk

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TO: Mayor John Eberhart  
City Council Members

FROM: D. Danyielle Snider, CMC, City Clerk 

SUBJECT: Application for Liquor License Transfer - Ownership

DATE: March 19, 2015

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An application has been received by the State Alcohol Beverage Control Board for transfer of ownership for the following liquor license applicant:

License Type: Package Store, License #4216

DBA: 2 Go Mart #115

Licensee/Applicant: AK, Inc.

Physical Location: 99 College Road, Fairbanks AK

From: 2 Go Mart #115 / Tesoro Northstore Company  
99 College Road, Fairbanks, AK

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

Please note that there are no departmental objections to the transfer of this license.


# MEMORANDUM

City of Fairbanks Clerk's Office

D. Danyielle Snider, CMC, City Clerk

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TO: Mayor John Eberhart  
City Council Members

FROM: D. Danyielle Snider, CMC, City Clerk 

SUBJECT: Application for Liquor License Transfer - Ownership

DATE: March 19, 2015

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An application has been received by the State Alcohol Beverage Control Board for transfer of ownership for the following liquor license applicant:

License Type: Package Store, License #4565

DBA: 2 Go Tesoro

Licensee/Applicant: AK, Inc.

Physical Location: 3569 S Cushman Street, Fairbanks AK

From: 2 Go Tesoro / Tesoro Northstore Company  
3569 S Cushman Street, Fairbanks, AK

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

Please note that there are no departmental objections to the transfer of this license.

**ORDINANCE NO. 5966**

**AN ORDINANCE APPROVING THE PARTNERS FOR FISH AND WILDLIFE PROGRAM LANDOWNER AGREEMENT BETWEEN THE CITY, FESTIVAL FAIRBANKS, AND THE U.S. FISH AND WILDLIFE SERVICE**

**WHEREAS**, Festival Fairbanks has been the long-time lessee of Lots 3 and 4, Block 4, Townsite of Fairbanks, known as Golden Heart Plaza, property owned by the City of Fairbanks; and

**WHEREAS**, Festival Fairbanks wishes to participate in a project sponsored by the U.S. Fish and Wildlife Service (USFWS) to put in place certain wildlife management practices along the banks of the Chena River; and

**WHEREAS**, the details of the project are set out in Exhibit A to the Partners For Fish And Wildlife Program Landowner Agreement; and

**WHEREAS**, as the property owner, the City's consent is required for the project to go forward; and

**WHEREAS**, this project will provide and conserve habitat and vegetation that provide fish habitat, stability to the stream bank, and maintenance of riparian function, while also improving public access to and enjoyment of the river; and

**WHEREAS**, the cost of the project will be paid by the USFWS Partners Program and Festival Fairbanks; and

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

**SECTION 1.** The Partners For Fish And Wildlife Program Landowner Agreement is hereby approved, and the Mayor is authorized to execute the Agreement on behalf of the City.

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

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**John Eberhart, City 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

Landowner Agreement No: \_\_\_\_\_

Cost Structure: \_\_\_\_\_

Other: \_\_\_\_\_

## **PARTNERS FOR FISH AND WILDLIFE PROGRAM LANDOWNER AGREEMENT**

This Partners For Fish And Wildlife Program Landowner Agreement (“Agreement”) between the City of Fairbanks (“Landowner”), Festival Fairbanks (“Cooperator”), and the U.S. Fish and Wildlife Service (“USFWS”) is entered into pursuant to authority contained in the Partners for Fish and Wildlife Act (P.L. 109-294), the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.), and the Fish and Wildlife Act of 1956 (16 U.S.C. 742a-j), as amended. This project was elected for funding because the Landowner shares a common objective with the USFWS to restore habitat for the benefit of Federal trust species on private lands and the project supports priority actions identified in the Regional Partners for Fish and Wildlife (“Partners”) Program Strategic Plan.

Festival Fairbanks, 516 Second Avenue, Suite 318, Fairbanks, Alaska 99701, hereby agrees to participate with the USFWS in conducting certain wildlife management practices on lands owned by the City of Fairbanks, 800 Cushman Street, Fairbanks, Alaska 99701, described as follows: Lots 3 and 4, Block 4, Townsite of Fairbanks, also known as Golden Heart Plaza, at Latitude N 64.844794/Longitude W 147.719427.

In signing this Agreement, the Landowner joins as a participant in a wildlife habitat improvement program and grants to the Cooperator and the USFWS authority to complete the habitat improvement project with financial or material support as described in attached **EXHIBIT A**. Any donation of supplies, equipment, or direct payment from the Cooperator to the Landowner for carrying out the habitat improvements is included in **EXHIBIT A**. The activities conducted pursuant to this Agreement are not to replace, supplement, or otherwise contribute to any mitigation or compensation that may be required of the Landowner or Cooperator or other parties as a result of any mandated requirements.

The terms of this Agreement (also referred to as the “habitat retention period”) will be in effect for ten years from the effective date of Ordinance No. \_\_\_\_\_, the ordinance by which the Agreement was approved by the City. This Agreement may be modified at any time by mutual written consent of the parties. It may be terminated by either party upon 30 days advance written notice to the other parties. However, if the Landowner terminates the Agreement before its expiration, or if the Landowner should materially default on these commitments, then the Landowner agrees to reimburse the Cooperator prior to final termination for the prorated costs of all habitat improvement placed on the land through this Agreement, and the Cooperator will

work with the USFWS to determine how those funds will be used. For these purposes, the total cost of the habitat improvements to the United States is agreed to be \$20,000.

## **LANDOWNER**

The Landowner guarantees ownership of the above-described land and warrants that there are no outstanding rights that interfere with this Landowner Agreement. The Landowner will notify the USFWS and the Cooperator of planned or pending changes in ownership. A change of ownership shall not change the terms of this Agreement. The Agreement and terms shall be in effect on the described land for the term of the Agreement.

The Landowner agrees to allow access (with advance notice) to the USFWS and the Cooperator to implement the project described in **EXHIBIT A** and to monitor project success.

The Landowner retains all rights to control trespass and retains all responsibility for taxes, assessments, and damage claims.

During the habitat retention period, the Landowner must maintain the habitat restored under this Agreement and allow it to remain in place without interference. If for some reason the project fails or requires more than routine maintenance, Landowner should contact the Partners for Fish and Wildlife Program Biologist listed in **EXHIBIT A**. The grate walk described in **EXHIBIT A** will be seasonally removed from the riverfront between October 1 and May 1 of each year to avoid damage from flooding and ice.

At the end of the habitat retention period, the habitat improvement project will become the sole property and complete responsibility of the Landowner. There shall be no obligation to the USFWS after the term of the Agreement has expired.

The Cooperator will be responsible for securing any necessary permits. Technical advice and support will be provided by participating agencies in the application for the permit. The Landowner and the Cooperator agree to identify the contribution of the USFWS to the project during public presentations, reports, or to the information published about the project, as appropriate.

## **USFWS**

The USFWS will work with the Landowner and the Cooperator through the entire Agreement term to support actions needed to ensure that the project is designed and constructed per the Agreement and functions as intended.

The USFWS, its agents or assignees, will provide advanced notice prior to accessing the Landowner's property to implement the project described in the work plan and to monitor project success.

The USFWS assumes no liability for damage or injury, other than that caused by its own negligence, on the above property. The USFWS does not assume jurisdiction over the premises affected by this Agreement.

**Spatial Information Sharing:** In accordance with the Privacy Act of 1974, permission must be obtained from the Landowner before any personal information can be released. The only information that can be shared is payment information that is authorized by law. Therefore, Landowner consent is requested to allow for sharing of spatial information about this project solely with conservation cooperators providing technical or financial assistance with the restoration, enhancement or management of fish and wildlife habitat.

I, the Landowner, consent to having spatial information about this project shared with:

      X       other conservation cooperators.

**Signatures:**

\_\_\_\_\_  
Landowner – City of Fairbanks  
By: John Eberhart, Mayor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Cooperator – Festival Fairbanks  
By: Julie Jones, Executive Director

\_\_\_\_\_  
Date

\_\_\_\_\_  
[name]  
USFWS  
Partners for Fish and Wildlife Program Biologist

\_\_\_\_\_  
Date

\_\_\_\_\_  
[name]  
USFWS  
Partners Program State Coordinator  
(or Field Supervisor or Branch Chief)

\_\_\_\_\_  
Date

Landowner Agreement No: \_\_\_\_\_

Cost Structure: \_\_\_\_\_

Other: \_\_\_\_\_

## EXHIBIT A

The habitat improvements described below are agreed to by the City of Fairbanks, the USFWS, and Festival Fairbanks in a Partners For Fish And Wildlife Landowner Agreement dated March \_\_\_\_, 2015.

**Description of Habitat Improvement Project and Objectives:** Project Site on South bank looking upriver.

### **Rock Removal and Planting:**

This project involves the installation of 240 feet of live native vegetative mat and trenched willows installed in spots after removal of rock. The excavated rock from the riverbank will be replaced by top soil and lightly compacted fill material. On top of that organic soil, native grasses, woody stem vegetative mat (Alaska rose, raspberry, alder, willow) and other native rooted plants will be planted along the slope of the riverbank. Rows of willows will be installed by digging two 12-inch deep trenches into the imported soil and placing willows in the trench at a density of 10 to 15 stems per foot. The trenches will be approximately four feet apart and stretch the length of area of removed rock. None of the native vegetation for the project will be collected within 50 feet of the river. Any riparian vegetation within the work area that is disturbed will be re-vegetated with native vegetation. This project is necessary to provide and sustain fish habitat and vegetation that provides fish habitat, stability to the riverbank and maintains riparian function.

### **Elevated, Light Penetrating Grate Walk and Gangway to the River:**

The ELP structure will be constructed of a metal frame with an open metal grate panels for the surface (at least 60% light penetration. They will be supported on pipe piling that will rest on the bank with the landward side of the walkway anchored to the ground using steel cable and duck billed earth or auger anchors. The supports for the ELP grate walk along the river will be installed at a minimum of 12 inches landward of and above OHW. The gangway shall be seasonally removed from the riverfront, between Oct 1 and May1 each year, to avoid damage from seasonal flooding and ice damming during the winter. Any portion of the grate walk structures that collapse in the Chena River (below the OHW) due to natural erosion or structural deterioration shall be immediately removed.

This project is necessary to provide and conserve fish habitat and vegetation that provides fish habitat, stability to the stream bank and maintains riparian function. This work will improve habitat for Federal trust resources in the vicinity of the project, specifically, chinook and chum salmon.

### **USFWS will:**

Provide administrative support, project design and technical advice, field oversight, conduct final inspection, and contribute financial support to the project as listed above.

### **The Landowner(s) will:**

Work with the cooperator to hire a contractor to complete the work described above.

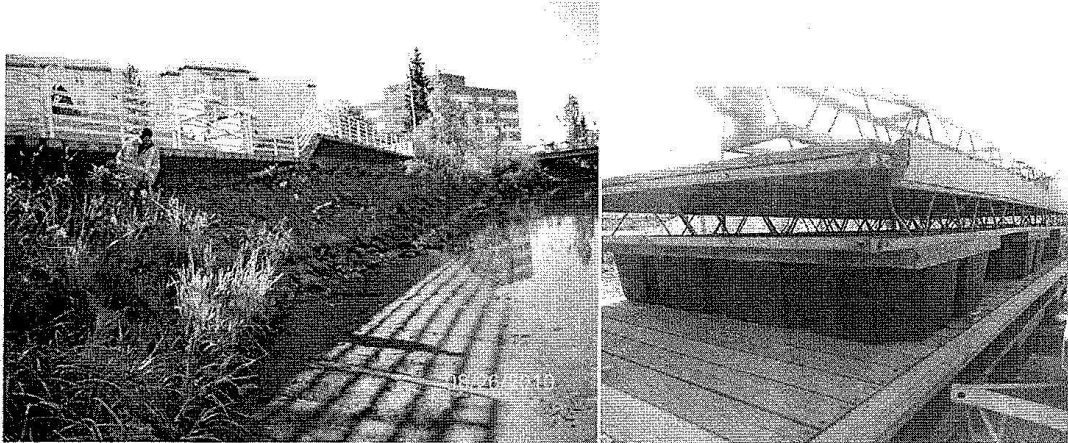


**The Cooperator will:**

Hire a contractor to complete the work described above or complete the work themselves; they will obtain all permits, provide receipts of work completed to USFWS and contribute financial support to the project as listed above.

**Festival Fairbanks Golden Heart Plaza Dock Replacement Project**

**The Problem:** Silt accumulation makes it impossible to float old dock...



Old dock was heavy and needed to be removed each year for storage off site.

**Solution:** New aluminum stairs to landing and floating dock.

Budget \$20,000.00

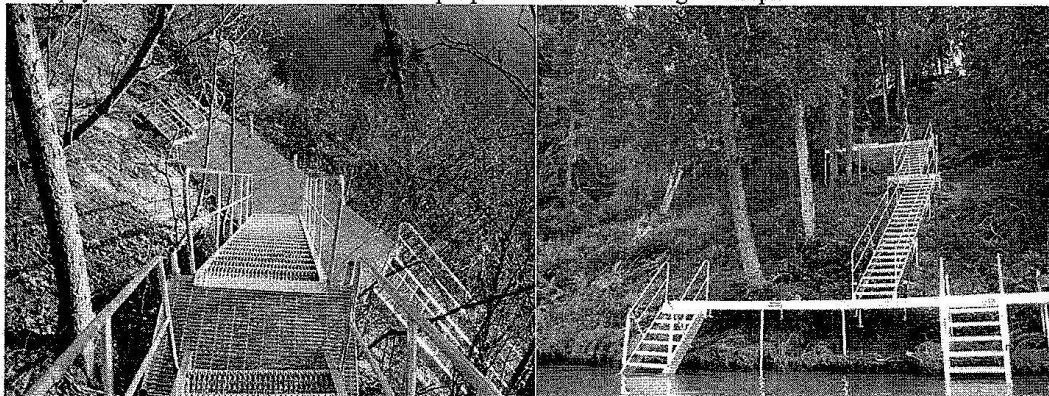
Breakdown:

Approach: 10 ft. x 6 ft.

Stairs/gangway: 3 ft. x 14 ft.

Basic size floating dock 5 ft. X 16 ft.

After physical consultation we have these sample photos for a basic design concept.



STAIRS

PLATFORMS /LANDING

Festival Fairbanks Dock Replacement Golden Heart Plaza

**Additional information as required for the project:**

**Budget Table:**

Object Class Categories	Partners				Totals
	Landowner	USFWS Partners Program	USFWS Other Programs	Other Non-USFWS	
Personnel	\$	\$20,000.00	\$	\$20,000.00	\$40,000.00
Fringe benefits	\$	\$	\$	\$	\$
Travel	\$	\$	\$	\$	\$
Equipment	\$	\$	\$	\$	\$
Supplies	\$	\$	\$	\$	\$
Contractual	\$	\$	\$	\$	\$
Other	\$	\$	\$	\$	\$
Other	\$	\$	\$	\$	\$
<b>Totals</b>	\$	\$20,000.00	\$	\$20,000.00	\$40,000.00

The total cost-share by the Cooperator, Service, and Landowner must remain the same, however allocations by category may be redistributed upon prior approval by the Service

Any work to be completed may be modified with the mutual agreement of the aforementioned parties.

**Budget Narrative:**

Other Non-USFWS refers funds supplied by Festival Fairbanks on behalf of the land owner City of Fairbanks

Introduced by: Mayor John Eberhart  
Introduced: March 23, 2015

**RESOLUTION NO. 4662**

**A RESOLUTION SUPPORTING HOUSE BILL 42 RELATING TO AND  
PROHIBITING DISCRIMINATION BASED ON SEXUAL ORIENTATION OR  
GENDER IDENTITY OR EXPRESSION**

**WHEREAS**, House Bill 42, “An Act adding to the powers and duties of the State Commission for Human Rights; and relating to and prohibiting discrimination based on sexual orientation or gender identity or expression,” is currently pending before the Legislature of the State of Alaska; and

**WHEREAS**, HB 42 would prohibit discrimination based on sexual orientation or gender identity or expression; and

**WHEREAS**, the Fairbanks Diversity Council passed a resolution supporting HB 42 and urging the City Council to approve a resolution in support of the bill.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council urges the State of Alaska Legislature to pass House Bill 42 which would add to the powers and duties of the State Commission for Human Rights relating to and prohibiting discrimination based on sexual orientation or gender identity or expression.

**PASSED and APPROVED this \_\_\_\_ day of March 2015.**

\_\_\_\_\_  
**John Eberhart, Mayor**

AYES:  
NAYS:  
ABSENT:  
APPROVED:

ATTEST:

APPROVED AS TO FORM:

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

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

**HOUSE BILL NO. 42**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-NINTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES MUÑOZ AND NAGEAK, Kreiss-Tomkins, Gara, Josephson, Tarr, Kito

Introduced: 1/21/15

Referred: State Affairs, Judiciary

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act adding to the powers and duties of the State Commission for Human Rights;  
2 and relating to and prohibiting discrimination based on sexual orientation or gender  
3 identity or expression."

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

5 \* **Section 1.** AS 18.80.060(a) is amended to read:

6 (a) In addition to the other powers and duties prescribed by this chapter, the  
7 commission shall

8 (1) appoint an executive director approved by the governor;

9 (2) hire other administrative staff as may be necessary to the  
10 commission's function;

11 (3) exercise general supervision and direct the activities of the  
12 executive director and other administrative staff;

13 (4) accept complaints under AS 18.80.100;

14 (5) study the problems of discrimination in all or specific fields of

1 human relationships, foster through community effort or goodwill, cooperation and  
 2 conciliation among the groups and elements of the population of the state, and publish  
 3 results of investigations and research as in its judgment will tend to eliminate  
 4 discrimination because of race, religion, color, national ancestry, physical or mental  
 5 disability, age, sex, sexual orientation, gender identity or expression, marital status,  
 6 changes in marital status, pregnancy, or parenthood;

7 (6) make an overall assessment, at least once every three years, of the  
 8 progress made toward equal employment opportunity by every department of state  
 9 government; results of the assessment shall be included in the annual report made  
 10 under AS 18.80.150.

11 \* **Sec. 2.** AS 18.80.200 is amended to read:

12 **Sec. 18.80.200. Purpose.** (a) It is determined and declared as a matter of  
 13 legislative finding that discrimination against an inhabitant of the state because of  
 14 race, religion, color, national origin, age, sex, sexual orientation, gender identity or  
 15 expression, physical or mental disability, marital status, changes in marital status,  
 16 pregnancy, or parenthood is a matter of public concern and that this discrimination not  
 17 only threatens the rights and privileges of the inhabitants of the state but also menaces  
 18 the institutions of the state and threatens peace, order, health, safety, and general  
 19 welfare of the state and its inhabitants.

20 (b) Therefore, it is the policy of the state and the purpose of this chapter to  
 21 eliminate and prevent discrimination in employment, in credit and financing practices,  
 22 in places of public accommodation, in the sale, lease, or rental of real property because  
 23 of race, religion, color, national origin, sex, sexual orientation, gender identity or  
 24 expression, age, physical or mental disability, marital status, changes in marital status,  
 25 pregnancy or parenthood. It is also the policy of the state to encourage and enable  
 26 physically and mentally disabled persons to participate fully in the social and  
 27 economic life of the state and to engage in remunerative employment. It is not the  
 28 purpose of this chapter to supersede laws pertaining to child labor, the age of majority,  
 29 or other age restrictions or requirements.

30 \* **Sec. 3.** AS 18.80.210 is amended to read:

31 **Sec. 18.80.210. Civil rights.** The opportunity to obtain employment, credit and

1 financing, public accommodations, housing accommodations, and other property  
 2 without discrimination because of sex, sexual orientation, gender identity or  
 3 expression, physical or mental disability, marital status, changes in marital status,  
 4 pregnancy, parenthood, race, religion, color, or national origin is a civil right.

5 \* **Sec. 4.** AS 18.80.220(a) is amended to read:

6 (a) Except as provided in (c) of this section, it is unlawful for

7 (1) an employer to refuse employment to a person, or to bar a person  
 8 from employment, or to discriminate against a person in compensation or in a term,  
 9 condition, or privilege of employment because of the person's race, religion, color, or  
 10 national origin, or because of the person's age, physical or mental disability, sex,  
 11 sexual orientation, gender identity or expression, marital status, changes in marital  
 12 status, pregnancy, or parenthood when the reasonable demands of the position do not  
 13 require distinction on the basis of age, physical or mental disability, sex, sexual  
 14 orientation, gender identity or expression, marital status, changes in marital status,  
 15 pregnancy, or parenthood;

16 (2) a labor organization, because of a person's sex, sexual orientation,  
 17 gender identity or expression, marital status, changes in marital status, pregnancy,  
 18 parenthood, age, race, religion, physical or mental disability, color, or national origin,  
 19 to exclude or to expel a person from its membership, or to discriminate in any way  
 20 against one of its members or an employer or an employee;

21 (3) an employer or employment agency to print or circulate or cause to  
 22 be printed or circulated a statement, advertisement, or publication, or to use a form of  
 23 application for employment or to make an inquiry in connection with prospective  
 24 employment, that expresses, directly or indirectly, a limitation, specification, or  
 25 discrimination as to sex, sexual orientation, gender identity or expression, physical  
 26 or mental disability, marital status, changes in marital status, pregnancy, parenthood,  
 27 age, race, creed, color, or national origin, or an intent to make the limitation, unless  
 28 based upon a bona fide occupational qualification;

29 (4) an employer, labor organization, or employment agency to  
 30 discharge, expel, or otherwise discriminate against a person because the person has  
 31 opposed any practices forbidden under AS 18.80.200 - 18.80.280 or because the

1 person has filed a complaint, testified, or assisted in a proceeding under this chapter;

2 (5) an employer to discriminate in the payment of wages as between  
3 the sexes, or to employ a female in an occupation in this state at a salary or wage rate  
4 less than that paid to a male employee for work of comparable character or work in the  
5 same operation, business, or type of work in the same locality; or

6 (6) a person to print, publish, broadcast, or otherwise circulate a  
7 statement, inquiry, or advertisement in connection with prospective employment that  
8 expresses directly a limitation, specification, or discrimination as to sex, **sexual**  
9 **orientation, gender identity or expression,** physical or mental disability, marital  
10 status, changes in marital status, pregnancy, parenthood, age, race, religion, color, or  
11 national origin, unless based upon a bona fide occupational qualification.

12 \* **Sec. 5.** AS 18.80.230(a) is amended to read:

13 (a) It is unlawful for the owner, lessee, manager, agent, or employee of a  
14 public accommodation

15 (1) to refuse, withhold from, or deny to a person any of its services,  
16 goods, facilities, advantages, or privileges because of sex, **sexual orientation, gender**  
17 **identity or expression,** physical or mental disability, marital status, changes in marital  
18 status, pregnancy, parenthood, race, religion, color, or national origin;

19 (2) to publish, circulate, issue, display, post, or mail a written or  
20 printed communication, notice, or advertisement that states or implies

21 (A) that any of the services, goods, facilities, advantages, or  
22 privileges of the public accommodation will be refused, withheld from, or  
23 denied to a person of a certain race, religion, sex, **sexual orientation, gender**  
24 **identity or expression,** physical or mental disability, marital status, color, or  
25 national origin or because of pregnancy, parenthood, or a change in marital  
26 status, or

27 (B) that the patronage of a person belonging to a particular  
28 race, creed, sex, **sexual orientation, gender identity or expression,** marital  
29 status, color, or national origin or who, because of pregnancy, parenthood,  
30 physical or mental disability, or a change in marital status, is unwelcome, not  
31 desired, or solicited.

1 \* **Sec. 6.** AS 18.80.240 is amended to read:

2 **Sec. 18.80.240. Unlawful practices in the sale or rental of real property.** It

3 is unlawful for the owner, lessee, manager, or other person having the right to sell,  
4 lease, or rent real property

5 (1) to refuse to sell, lease, or rent the real property to a person because  
6 of sex, sexual orientation, gender identity or expression, marital status, changes in  
7 marital status, pregnancy, race, religion, physical or mental disability, color, or  
8 national origin; however, nothing in this paragraph prohibits the sale, lease, or rental  
9 of classes of real property commonly known as housing for "singles" or "married  
10 couples" only;

11 (2) to discriminate against a person because of sex, sexual orientation,  
12 gender identity or expression, marital status, changes in marital status, pregnancy,  
13 race, religion, physical or mental disability, color, or national origin in a term,  
14 condition, or privilege relating to the use, sale, lease, or rental of real property;  
15 however, nothing in this paragraph prohibits the sale, lease, or rental of classes of real  
16 property commonly known as housing for "singles" or "married couples" only;

17 (3) to make a written or oral inquiry or record of the sex, sexual  
18 orientation, gender identity or expression, marital status, changes in marital status,  
19 race, religion, physical or mental disability, color, or national origin of a person  
20 seeking to buy, lease, or rent real property;

21 (4) to offer, solicit, accept, use, or retain a listing of real property with  
22 the understanding that a person may be discriminated against in a real estate  
23 transaction or in the furnishing of facilities or sources in connection therewith because  
24 of a person's sex, sexual orientation, gender identity or expression, marital status,  
25 changes in marital status, pregnancy, race, religion, physical or mental disability,  
26 color, national origin, or age;

27 (5) to represent to a person that real property is not available for  
28 inspection, sale, rental, or lease when in fact it is so available, or to refuse to allow a  
29 person to inspect real property because of the race, religion, physical or mental  
30 disability, color, national origin, age, sex, sexual orientation, gender identity or  
31 expression, marital status, change in marital status, or pregnancy of that person or of



1 any person associated with that person;

2 (6) to engage in blockbusting;

3 (7) to make, print, or publish, or cause to be made, printed, or  
4 published, any notice, statement, or advertisement with respect to the sale or rental of  
5 real property that indicates any preference, limitation, or discrimination based on race,  
6 color, religion, physical or mental disability, sex, **sexual orientation, gender identity**  
7 **or expression**, or national origin, or an intention to make the preference, limitation, or  
8 discrimination.

9 \* **Sec. 7.** AS 18.80.250(a) is amended to read:

10 (a) It is unlawful for a financial institution or other commercial institution  
11 extending secured or unsecured credit, upon receiving an application for financial  
12 assistance or credit for the acquisition, construction, rehabilitation, repair, or  
13 maintenance of a housing accommodation or other property or services, or the  
14 acquisition or improvement of unimproved property, or upon receiving an application  
15 for any sort of loan of money, to permit one of its officials or employees during the  
16 execution of the official's or the employee's duties

17 (1) to discriminate against the applicant because of sex, **sexual**  
18 **orientation, gender identity or expression**, physical or mental disability, marital  
19 status, changes in marital status, pregnancy, parenthood, race, religion, color, or  
20 national origin in a term, condition, or privilege relating to the obtainment or use of  
21 the institution's financial assistance or credit, except to the extent of a federal statute or  
22 regulation applicable to a transaction of the same character;

23 (2) to make or cause to be made a written or oral inquiry or record of  
24 the sex, **sexual orientation, gender identity or expression**, physical or mental  
25 disability, marital status, changes in marital status, pregnancy, parenthood, race,  
26 religion, color, or national origin of a person seeking the institution's financial  
27 assistance or credit, unless the inquiry is for the purpose of ascertaining the creditor's  
28 rights and remedies applicable to the particular extension of credit and is not made or  
29 used in order to discriminate in a determination of creditworthiness;

30 (3) to refuse to extend credit, issue a credit card, or make a loan to a  
31 married person or a person with a physical or mental disability, who is otherwise

1 creditworthy, if so requested by the person;

2 (4) to refuse to issue a credit card to a married person in that person's  
3 name, if so requested by the person, provided, however, that the person so requesting a  
4 card may be required to open an account in that name.

5 \* **Sec. 8.** AS 18.80.255 is amended to read:

6 **Sec. 18.80.255. Unlawful practices by the state or its political subdivisions.**

7 It is unlawful for the state or any of its political subdivisions

8 (1) to refuse, withhold from, or deny to a person any local, state, or  
9 federal funds, services, goods, facilities, advantages, or privileges because of race,  
10 religion, sex, **sexual orientation, gender identity or expression**, color, or national  
11 origin;

12 (2) to publish, circulate, issue, display, post, or mail a written or  
13 printed communication, notice, or advertisement that states or implies that any local,  
14 state, or federal funds, services, goods, facilities, advantages, or privileges of the  
15 office or agency will be refused, withheld from, or denied to a physically or mentally  
16 disabled person or a person of a certain race, religion, sex, **sexual orientation, gender  
17 identity or expression**, color, or national origin or that the patronage of a physically  
18 or mentally disabled person or a person belonging to a particular race, creed, sex,  
19 **sexual orientation, gender identity or expression**, color, or national origin is  
20 unwelcome, not desired, or solicited; it is not unlawful to post notice that facilities to  
21 accommodate the physically or mentally disabled are not available;

22 (3) to refuse or deny to a person any local, state, or federal funds,  
23 services, goods, facilities, advantages, or privileges because of physical or mental  
24 disability.

25 \* **Sec. 9.** AS 18.80.300(1) is amended to read:

26 (1) "blockbusting" means an unlawful discriminatory practice by a real  
27 estate broker, real estate salesperson, or employee or agent of a broker or another  
28 individual, corporation, partnership, or organization for the purpose of inducing a real  
29 estate transaction from which any such person or its stockholders or members may  
30 benefit financially, to represent directly or indirectly that a change has occurred or will  
31 or may occur from a composition with respect to race, religion, **sexual orientation,**

1        **gender identity or expression**, color, or national origin of the owners or occupants of  
2        the block, neighborhood, or area in which the real property is located, and to represent  
3        directly or indirectly that this change may or will result in undesirable consequences in  
4        the block, neighborhood, or area in which the real property is located, including the  
5        lowering of property values, an increase in criminal or antisocial behavior, or decline  
6        in the quality of the schools or other facilities;

7        \* **Sec. 10.** AS 18.80.300 is amended by adding new paragraphs to read:

8                                (19) "gender identity or expression" means having or being perceived  
9        as having or expressing a gender, self-image, appearance, or behavior, regardless of  
10       whether that gender, self-image, appearance, or behavior is different from that  
11       traditionally associated with the sex assigned to that person at birth;

12                                (20) "sexual orientation" means heterosexuality, homosexuality, and  
13       bisexuality.

**ORDINANCE NO. 5967**

**AN ORDINANCE AMENDING THE 2015 OPERATING AND  
CAPITAL BUDGETS FOR THE SECOND 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** [amendments shown in **bold underlined** font; deleted text or amounts in ~~strikethrough~~ font]:

**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):

## GENERAL FUND

<u>REVENUE</u>	Ordinance 5962	INCREASE (DECREASE)	AS AMENDED
Taxes, (all sources)	\$ 20,787,014	\$ -	\$ 20,787,014
Charges for Services	4,740,703	-	4,740,703
Intergovernmental Revenues	3,627,263	-	3,627,263
Licenses & Permits	1,965,194	-	1,965,194
Fines, Forfeitures & Penalties	962,605	-	962,605
Interest & Penalties	130,500	-	130,500
Rental & Lease Income	164,734	-	164,734
Other Revenues	224,500	-	224,500
Other Financing Sources	3,764,998	-	3,764,998
Total revenue appropriation	<u>\$ 36,367,511</u>	<u>\$ -</u>	<u>\$ 36,367,511</u>
<u>EXPENDITURES</u>			
Mayor and Council	\$ 602,561	\$ -	\$ 602,561
Office of the City Attorney	181,316	-	181,316
Office of the City Clerk	349,232	-	349,232
Finance Department	936,547	-	936,547
Information Technology	1,657,140	<b>18,010</b>	<b>1,675,150</b>
General Account	5,706,161	<b>5,800</b>	<b>5,711,961</b>
Risk Management	1,413,460	-	1,413,460
Police Department	7,244,676	<b>79,159</b>	<b>7,323,835</b>
Dispatch Center	2,021,721	<b>1,149</b>	<b>2,022,870</b>
Fire Department	6,537,167	<b>14,095</b>	<b>6,551,262</b>
Public Works Department	7,690,129	<b>87,191</b>	<b>7,777,320</b>
Engineering Department	691,531	<b>3,314</b>	<b>694,845</b>
Building Department	671,099	<b>460</b>	<b>671,559</b>
Total expenditure appropriation	<u>\$ 35,702,740</u>	<u>\$ 209,178</u>	<u>\$ 35,911,918</u>
12/31/14 general fund balance	\$ 10,107,086	<b>\$ 1,262,430</b>	<b>\$ 11,369,516</b>
Increase (Decrease) to fund balance	664,771	-	664,771
Nonspendable	(424,514)	<b>(48,909)</b>	<b>(473,423)</b>
Committed for snow removal	(250,000)	-	(250,000)
Assigned PY encumbrances		<b>(209,178)</b>	<b>(209,178)</b>
Assigned self insurance	(785,248)	<b>(7,959)</b>	<b>(793,207)</b>
12/31/15 Unassigned balance	<u>\$ 9,312,095</u>	<u>\$ 996,384</u>	<u>\$ 10,308,479</u>

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

**\$ 7,182,384**

## CAPITAL FUND

<u>REVENUE</u>	APPROVED BUDGET	INCREASE (DECREASE)	AS AMENDED
Transfer from Permanent Fund	\$ 514,960	-	\$ 514,960
Transfer from General Fund	1,784,545	-	1,784,545
Equip Replacement			
Public Works	250,000	-	250,000
Building	10,000	-	10,000
Police	180,000	-	180,000
Dispatch	80,000	-	80,000
Fire	250,000	-	250,000
IT	110,000	-	110,000
Property Repair & Replacement	145,000	-	145,000
	<u>\$3,324,505</u>	<u>\$ -</u>	<u>\$3,324,505</u>
<u>EXPENDITURES</u>			
IT Department	\$ 637,300	<b>\$ 172,751</b>	<b>\$ 810,051</b>
Police Department	180,000	<b>131,385</b>	<b>311,385</b>
Dispatch Department	582,130	-	<b>582,130</b>
Fire Department	572,829	<b>158,265</b>	<b>731,094</b>
Public Works Department	1,955,463	<b>223,485</b>	<b>2,178,948</b>
Total appropriation	<u>\$3,927,722</u>	<u><b>685,886</b></u>	<u><b>4,613,608</b></u>
12/31/14 capital fund balance	\$6,008,764	<b>\$ 990,179</b>	<b>\$6,998,943</b>
Decrease to fund balance	(603,217)	-	(603,217)
Assigned PY encumbrances		<b>(685,886)</b>	<b>(685,886)</b>
12/31/15 Assigned fund balance	<u>\$5,405,547</u>	<u>\$ 304,293</u>	<u>\$5,709,840</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 \_\_\_\_\_ 2015.

\_\_\_\_\_  
**JOHN EBERHART, MAYOR**

AYES:  
NAYS:  
ABSENT:  
ADOPTED:

ATTEST:

APPROVED AS TO FORM

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

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

**FISCAL NOTE**

**Ordinance No. 5967  
Page 4**

ORDINANCE 5967, AMENDING THE 2015 OPERATING AND  
CAPITAL BUDGETS FOR THE FIRST TIME

ESTIMATED REVENUES and OTHER FINANCING SOURCES (USES)

NO CHANGE

1. Taxes – No Change
2. Charges for Services – No Change
3. Intergovernmental Revenues – No Change
4. Licenses & Permits – No Change
5. Fines, Forfeitures & Penalties – No Change
6. Interest & Penalties – No Change
7. Rental & Lease Income – No Change
8. Other Revenues – No Change
9. Other Financing Sources & (Uses) – No Change

FISCAL NOTE CONTINUED

**Ordinance No. 5967**  
**Page 5**



## ESTIMATED EXPENDITURES

\$209,178 INCREASE

Note - 2014 Encumbrances carried forward to 2015 are funded by assigned fund balance.

1. Mayor & Council – No Change
2. City Attorney's Office – No Change
3. City Clerk's Office – No Change
4. Finance Department – No Change
5. Information Technology – \$18,010 Increase (2014 Encumbrances)
6. General Account – \$5,800 Increase (2014 Encumbrances)
7. Risk Management – No Change
8. Police Department – \$79,159 Increase
  - \$ 5,697 Increase Wages and Benefits to reduce Lietenant positions from (4 FTE) to (3 FTE) and add a second Deputy Police Chief from (1 FTE) to (2 FTE)
  - (\$5,697) Decrease PSA – Part time Temporary Wages and Beneifts
  - \$79,159 Increase (2014 Encumbrances)
9. Dispatch – \$1,149 Increase (2014 Encumbrances)
10. Fire Department – \$14,095 Increase (2014 Encumbrances)
11. Public Works – \$87,191 Increase (2014 Encumbrances)
12. Engineering – \$3,314 Increase (2014 Encumbrances)
13. Building Department – \$460 Increase (2014 Encumbrances)

## FISCAL NOTE CONTINUED

### Capital Fund

1. REVENUES

- No change

2. OTHER FINANCING SOURCES (USES)

- No Change

3. EXPENDITURES \$685,886 Increase

- Information Technology - \$172,751 Increase (2014 Encumbrances)
- Police Department - \$131,385 Increase (2014 Encumbrances)
- Fire Department - \$158,265 Increase (2014 Encumbrances)
- Public Works - \$223,485 Increase (2014 Encumbrances)

4. INTERNAL TRANSFERS

- No Change

**ORDINANCE NO. 5968**

**AN ORDINANCE REPEALING FAIRBANKS GENERAL CODE  
CHAPTER 14, ARTICLE VII MASSAGE PRACTITIONERS  
EFFECTIVE JULY 1, 2015**

**WHEREAS**, the Alaska Legislature passed SLA 2014, Chapter 114, An Act Establishing the Board of Massage Therapists; relating to the licensing of massage therapists; and providing for an effective date; and

**WHEREAS**, under the provisions of that legislation, the State of Alaska assumed authority to license massage therapists effective July 1, 2015, at which time municipalities may not enact or enforce an ordinance requiring professional licensure of massage therapists; and

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

**SECTION 1.** Fairbanks General Code, Chapter 14, Article VII is hereby repealed:

**SECTION 2.** That the effective date of this Ordinance shall be the \_\_\_\_ day of March 2015.

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**John Eberhart, City 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

**ORDINANCE NO. 5969**

**AN ORDINANCE AMENDING FAIRBANKS GENERAL CODE SECTION  
54-102 CHANGE ORDERS BY INCREASING THE AMOUNTS ALLOWED  
FOR CHANGE ORDERS BY ADMINISTRATION**

**WHEREAS**, FGC Sec. 54-101 provides that the city engineer is the administering authority for construction contracts not determined by the mayor to be administered by the director of public works; and

**WHEREAS**, FGC Sec. 54-102(b) grants the administering authority the authority to approve change orders for construction contracts within certain limits; otherwise, change orders must be approved by the city council under Sec. 54-102(c); and

**WHEREAS**, the monetary limits for change orders by the administering authority were established in 1990 by Ordinance No. 4909, as Amended; and

**WHEREAS**, during the past twenty-five years, there has been a significant increase in the cost of construction contracts, and the current monetary limits on changes orders by the administering authority do not reflect such increases; and

**WHEREAS**, giving the administering authority the ability to approve change orders within the limits set by the city council promotes efficiency and timely completion of projects, a vitally important consideration given the short construction season in Fairbanks.

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

**SECTION 1.** Fairbanks General Code Section 54-102 Change orders, is amended as follows [new text in **underlined bold** font; deleted text in ~~striketrough~~ font]:

**Sec. 54-102. Change orders.**

(a) *Proposal required.* Any change required in the work shall be made after receiving a written proposal from the contractor for additions to or deductions from the original contract sum for changes proposed.

(b) *Change orders by administration.* Upon receipt of a proposal for a change in the contract sum ~~in an amount not exceeding \$25,000.00~~; and after a determination that the contractor's proposal is reasonable, the administering authority may issue a written change order. The aggregate sum of the change orders ~~so~~ authorized **under this subsection** for each such construction contract **will be as follows:** ~~shall not exceed five percent or \$25,000.00 of the original sum, whichever is greater.~~

- (1) **If the total project cost is \$1 million or less, then \$25,000 or 25% of the total project cost, whichever is greater;**
- (2) **If the total project cost is great than \$1 million, then \$250,000 or 10% of the total project cost, whichever is greater.**

Any change order issued under this **subsection** ~~division~~ and which exceeds \$~~25~~10,000.00 shall be reasonably noticed to the city council by the administering authority.

(c) *Change orders by city council.* When a proposed change order exceeds the limit set forth in subsection (b) of this section, the proposal together with recommendations of the mayor shall be forwarded to the city council. The city council shall then determine whether the proposal shall be accepted or rejected.

**SECTION 2.** That the effective date of this Ordinance shall be the \_\_\_\_ day of March 2015.

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**John Eberhart, City 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

**ORDINANCE NO. 5970**

**AN ORDINANCE AMENDING FAIRBANKS GENERAL CODE SECTION  
46-42 DISTURBING THE PEACE BY ADDING A NEW SUBSECTION  
RELATING TO MARIJUANA SMOKE**

**WHEREAS**, Ballot Measure 2 – An Act to Tax and Regulate the Production, Sale and Use of Marijuana, codified as Alaska Statute 17.38, providing for the legalization of marijuana, was passed by the voters in the recent state election and certified on November 28, 2014, by the State of Alaska, Division of Elections; and

**WHEREAS**, the effective date of the legislation enacted by Ballot Measure 2 was February 24, 2015; and

**WHEREAS**, on February 23, 2015, the City Council passed Ordinance No. 5964 defining those “public places” where consuming marijuana is prohibited; and

**WHEREAS**, consumption of marijuana by smoking produces an airborne by-product that could affect and possibly harm those in close proximity to its consumption; and

**WHEREAS**, FGC Sec. 46-42 (Disturbing the Peace) currently does not take into account when the smoke and odor of marijuana consumption disturbs the peace and privacy of others.

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

**SECTION 1.** Fairbanks General Code Section 46-42 Disturbing the Peace is amended by adding subsections (g), (h), and (i) as follows:

**Sec. 46-42. Disturbing the peace.**

\* \* \* \* \*

- (g) In addition to subsections (a) and (b), a person commits the offense of disturbing the peace if they:
- (1) In a private place, consume marijuana with the intent to disturb or in reckless disregard of the peace and privacy of others after having been informed by another that the conduct is disturbing the peace and privacy of others not in the same place; or
  - (2) After being informed by a police officer that their consumption of marijuana is in violation of subpart (1), refuses to abate the consumption.

(h) For purposes of this section, the following definitions and conditions apply:

- (1) *Consume* has the meaning, in all conjugate forms, of “consumption” set forth in AS 17.38.900.
- (2) *Marijuana* has the meaning set forth in AS 17.38.900.
- (3) *Private place* means any place that is not a “public place” as defined in FGC Sec. 46-44(b)(3).
- (4) To disturb the peace and privacy of others, the consumption of marijuana must be of such a nature that it would disturb a not unduly sensitive individual.

(i) Violation of subsection (g) above is a minor offense punishable by a fine of \$100.00. Disposition of this offense may be without court appearance pursuant to AS 29.25.070 and the Alaska Minor Offense Rules upon payment of the \$100 fine and payment of the state surcharge required by AS 12.55.039 and AS 29.25.074. This fine may not be judicially reduced.

**SECTION 2.** That the effective date of this Ordinance shall be the \_\_\_\_ day of April 2015.

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**John Eberhart, City 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

**ORDINANCE NO. 5971**

**AN ORDINANCE AUTHORIZING A LIMITED REAL PROPERTY TAX EXEMPTION FOR THE RETIREMENT COMMUNITY OF FAIRBANKS - RAVEN LANDING EXPANSION PROJECT AND SETTING AN EFFECTIVE DATE**

**WHEREAS**, the City, through Ordinance No. 5804 and Resolution No. 4299, as Amended, authorized a limited real property tax exemption to the Weeks Field Development Group for portions of the Weeks Field Community development project (formerly known as the "Fairview Manor Apartments") and;

**WHEREAS**, Resolution No. 4299, as Amended, specified a ten-year exemption from 50% of City property taxes or similar levies for Development Phases 1, 2, & 3, said exemption not applicable to Development Phase 4; and

**WHEREAS**, the tax exemption as provided by Council was performance-based and subject to completion of construction. Phases 1 and 2 have been developed with new, affordable housing with the first facility completed and on the tax roll in 2010, and Phase 3 development has been completed with the Retirement Community of Fairbanks (RCF) / Raven Landing senior housing complex, with the Community Center on the tax roll as of 2014, for a total of eight new facilities plus carports and garages; and

**WHEREAS**, the Phase 4 non-exempt commercial development was intended for Lot 3B Weeks Field Community, a 2.8 acre parcel, according to that certain Purchase and Sale Agreement between the City of Fairbanks and Weeks Field Development Group, dated November 16, 2007, on file with the City Clerk's Office; and

**WHEREAS**, the developer has not been able to attract a commercial project for Phase 4; and

**WHEREAS**, the RCF seeks to expand its senior housing and construct related facilities, and has negotiated purchase of Lot 3B from the developer for this purpose; and

**WHEREAS**, the proposed future expansion will construct thirty-five new senior apartments, at an estimated cost of six million dollars, employing local labor, and will bring the total number of residents to the RCF goal of over 110 senior residents at the Raven Landing complex, achieving a financially sustainable level; and



**WHEREAS**, the RCF and Raven Landing has helped retain Fairbanks seniors and brought significant social benefit and economic value to the community; and

**WHEREAS**, it is the sense of the City Council that granting a limited property tax exemption in support of additional senior housing is in the best interest of the community; and

**WHEREAS**, the City Code of Ordinances Section 74-32 requires that tax exemptions for real property within the City, for which there is not a statutory exemption and for which the City Council intends a discretionary exemption, be so declared by ordinance, as required by A.S. 29.45.050(o).

**WHEREAS**, a Fiscal Note is provided as follows:

Estimated Tax Impact: The 2.8 acre tract is assessed at \$807,600, taxed at full value. The City tax share is now \$4,764, or \$2,382 if reduced by 50%. The new project cost is estimated at \$6 million, a potential of \$35,400 additional City revenue.

If a 50% reduction is granted and the project is built, City annual tax revenues would approximate \$17,700 (building), for a total of \$20,082 (land and buildings).

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

SECTION 1. That the real property affected by this Ordinance is Lot 3B of the Replat of Lot 3, Weeks Field Community Phase II, Plat Number 2012-32.

SECTION 2. That the commercial, non-exempt development restriction placed on said Lot 3B by Ordinance No. 5804 and Resolution No. 4299, as Amended, is hereby rescinded.

SECTION 3. That the RCF concept drawings and supporting information, attached to this ordinance as Exhibit "A", shall serve as the RFC application for tax exemption.

SECTION 4. That the eligible tax exemption classification under this ordinance is "Deteriorated Property", as described under A.S. 29.45.050(o), including the requirements established thereunder.

SECTION 5. That a ten-year exemption from 50% of City property taxes or similar levies for Development Phase 4, upon said Lot 3B, is hereby specifically approved.

SECTION 6. That this exemption shall take effect only upon completion of construction of the proposed new senior housing, and upon

the issuance of a Certificate of Occupancy by the City of Fairbanks Building Official.

SECTION 7. That this exemption is granted to Community Development Inc, as successor in title to Weeks Field Development Group, and their successors and assigns.

SECTION 8. That the applicant has submitted a clear and convincing business and construction plan, and has executed and is executing the plan in accordance with the requirements of the City Council.

SECTION 9. That an executed copy of this ordinance shall be delivered to the Fairbanks North Star Borough.

SECTION 10. That the tax exemption granted hereby is unique to the particular premises and development plan described hereinabove, and does not inure to the benefit of other potential applicants.

SECTION 11. That the effective date of this ordinance shall be the 10<sup>th</sup> day of April, 2015.

\_\_\_\_\_  
**JOHN EBERHART, Mayor**

AYES:  
NAYS:  
ABSENT:  
ADOPTED:

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
D. DANYIELLE SNIDER, City Clerk

\_\_\_\_\_  
PAUL EWERS, City Attorney

**Background Information on Raven Landing Request**

1. A grassroots organization began in 2003 to build secure and supportive senior housing in Fairbanks that is not limited to extremely low-income seniors. It incorporated as a non-profit in 2004, called Retirement Community of Fairbanks (RCF). The board is composed of local leaders (see attached).
2. Weeks Field Development Group, including C. B. Bettisworth, obtained the Fairview Manor lease and contracted with the City to buy the land. Half the land became Weeks Field Estates, an affordable housing complex. Raven Landing Senior Community is being built on the other half.
3. The City of Fairbanks greatly assisted the startup of Raven Landing Senior Community by granting a ten-year 50% property tax exemption to the first 60 units of senior rental housing and a senior community center, in Ordinance No. 5804, effective May 29, 2010. The land exempted was not to exceed 5 acres.
4. The original business plan was for 96 apartments plus the senior center. The existing 3 apartment buildings currently house 74 residents in 60 apartments. The five acres of land we own are fully occupied. We are now attempting to build our fourth, and probably final, building, consisting of 35 apartments, bringing us essentially to our planned level. The finished complex will house 110 to 120 seniors. This is the number for which the Raven Landing Center is designed.
5. Every building has remained full since it opened, with a current waiting list of 152 who have paid \$100 to secure a place in line; this is growing every week. 20 are on the active list, wanting to move in at once.
6. The Raven Landing Center is hosting many local events each week, from luncheon meetings to weddings to shows to exercise, many at no charge. Regular meals are also open to the public, as well as most activities.
7. Raven Landing currently provides 10 full time and 11 part time jobs, plus temporary help. It buys nearly all its equipment, food, and services from local businesses.
8. Under current ordinances the final building and future outbuildings would not receive the tax exemption. In order to secure funding for them, this startup boost will be needed: another ordinance extending this exemption to the rest of the Raven Landing complex, including the apartments, garages, carports, shop and storage units, and the rest of the original Fairview land. We expect to purchase this from the current owners this year.

Feb. 10, 2015

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## Our Mission

*Raven Landing: A dynamic residence and community center for Fairbanks seniors where diversity, security, healthy living, independence and mutual assistance are core values.*



## What is the Retirement Community of Fairbanks?

- Local citizens saw need for middle-income senior housing with components of social activities, security, and regular meals
- Alaskan non-profit incorporated in 2004
- Together with Weeks Field Development Group, planned and built Raven Landing Senior Community, which opened in 2010
- Does not include Weeks Field Estates, the four affordable housing buildings on the west half of the old Fairview Manor site



## What is the present situation?

- Three 20-unit apartment buildings now in operation and fully occupied; A fourth building is planned.
- Approximately 75 residents, ages 65 to 92
- Raven Landing Community Center near completion; will serve both non-residents and residents of Raven Landing
- Non-active waiting list over 80 plus about 40 on the active wait list.
- Serving a hot meal 6 days a week, moving incrementally to 3 available meals per day
- Staffed by General Manager, Resident Services Coordinator, Food Services Manager, sous chef, bookkeeper, custodians, and maintenance man
- Financially successful: cash income has exceeded cash expenses and other payments for the apartments from beginning

***Retirement Community of Fairbanks, Inc.  
and the building of  
Raven Landing Senior Community***



**A TIMELINE**

- 2003 – 2004** Needs of Fairbanks seniors recognized  
Retirement Community of Fairbanks, Inc. (RCF) incorporated
- 2004 – 2007** Raven Landing complex designed with architect  
Search for site  
Weeks Field Development Group (WFDG) formed to acquire chosen site  
WFDG reached agreement with City of Fairbanks and leaseholder for purchase of Fairview Manor land
- 2008** Alaska Housing Finance Corporation (AHFC) awarded grant to RCF for first apartment building  
Capital campaign started for Raven Landing Community Center
- 2009** Federal grant (NSP) to WFDG to demolish old Fairview buildings
- 2010** AHFC awarded grant to RCF for second apartment building  
State legislature awarded grant to RCF for Community Center  
April - Begin construction on first apartment building  
Nov. - Move into first apartment building
- 2011** May - Begin construction on second apartment building  
Sep. - Pour foundation for Phase I of Community Center  
Dec. - AHFC awarded grant to RCF for third apartment building  
Dec. - Rasmuson Foundation awarded grant to RCF for Community Center
- 2012** Mar. - Move into second apartment building  
May - Begin third apartment building  
State legislature awarded second grant to RCF for Community Center  
Aug. - Begin construction of Community Center  
Dec - Complete third apartment building
- 2013** Jan - Move into third apartment building  
May - Complete Community Center kitchen and dining room  
Fall – Complete more Community Center areas
- 2015** Build fourth apartment building and/or assisted living facility?



**Raven Landing Senior Community  
Fairbanks, AK 2013**



**Raven Landing buildings  
Apartments**

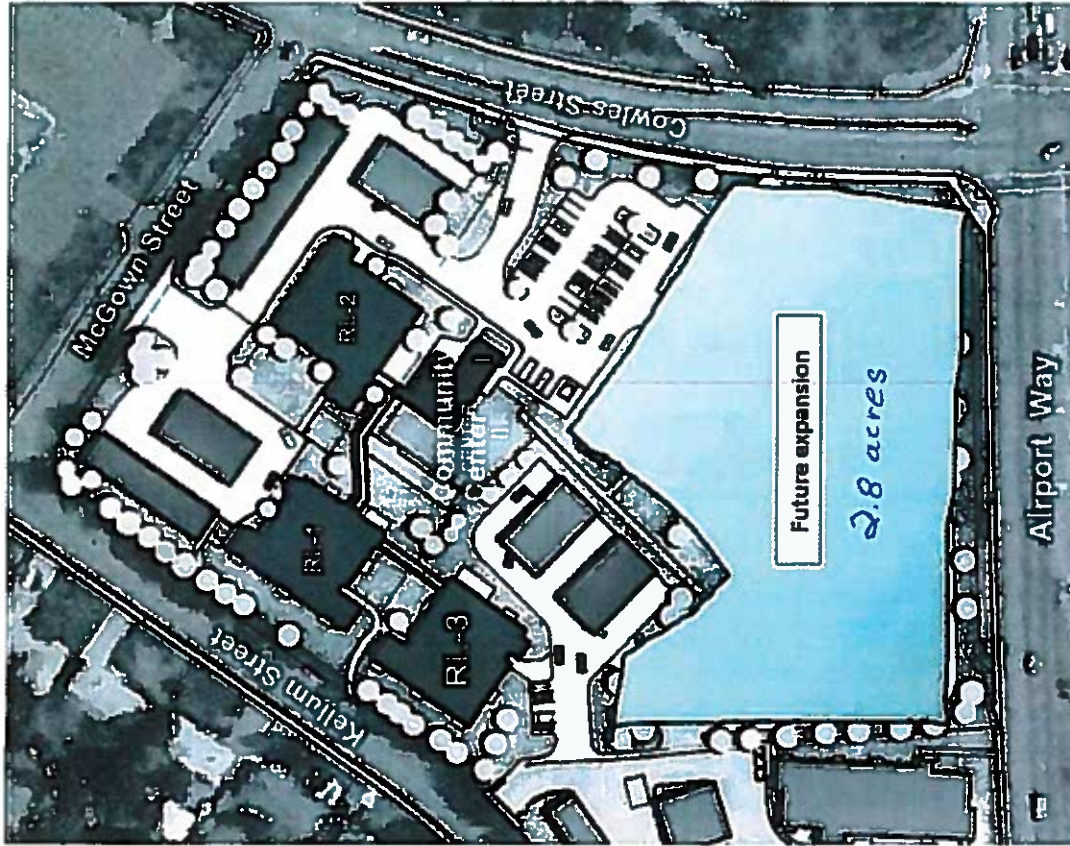
RL-1 – finished Nov. 2010

RL-2 – finished Mar. 2012

RL-3 0 finished Jan. 2013

**Community Center – finished Oct. 2013**

**Other structures are carports and garages**







## Construction of Raven Landing Senior Community

### *Raven Landing Apartments*

2010 – first apartment building



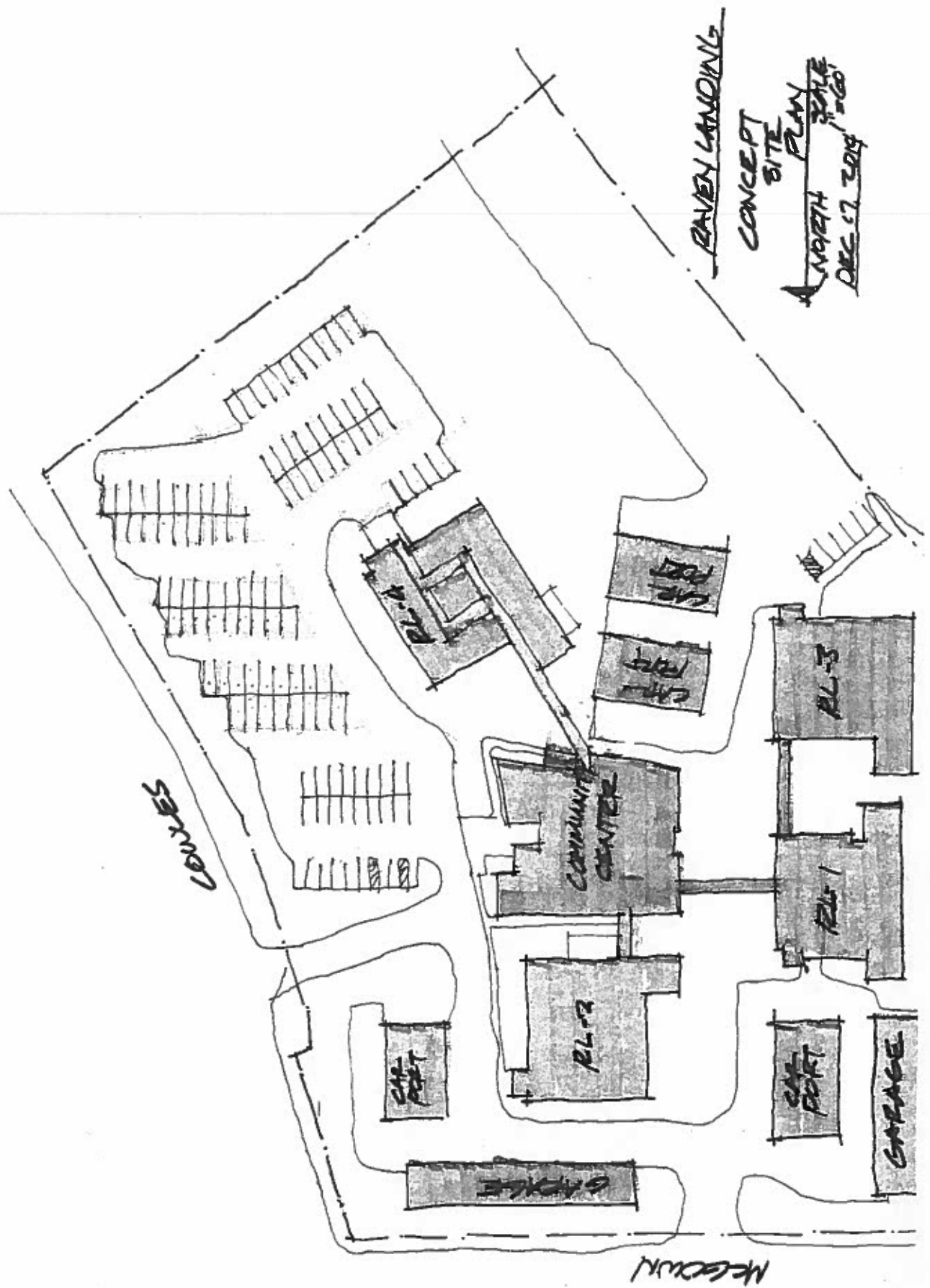
2012 – third apartment building



2011-12 – second apartment building  
(and Community Center foundation)

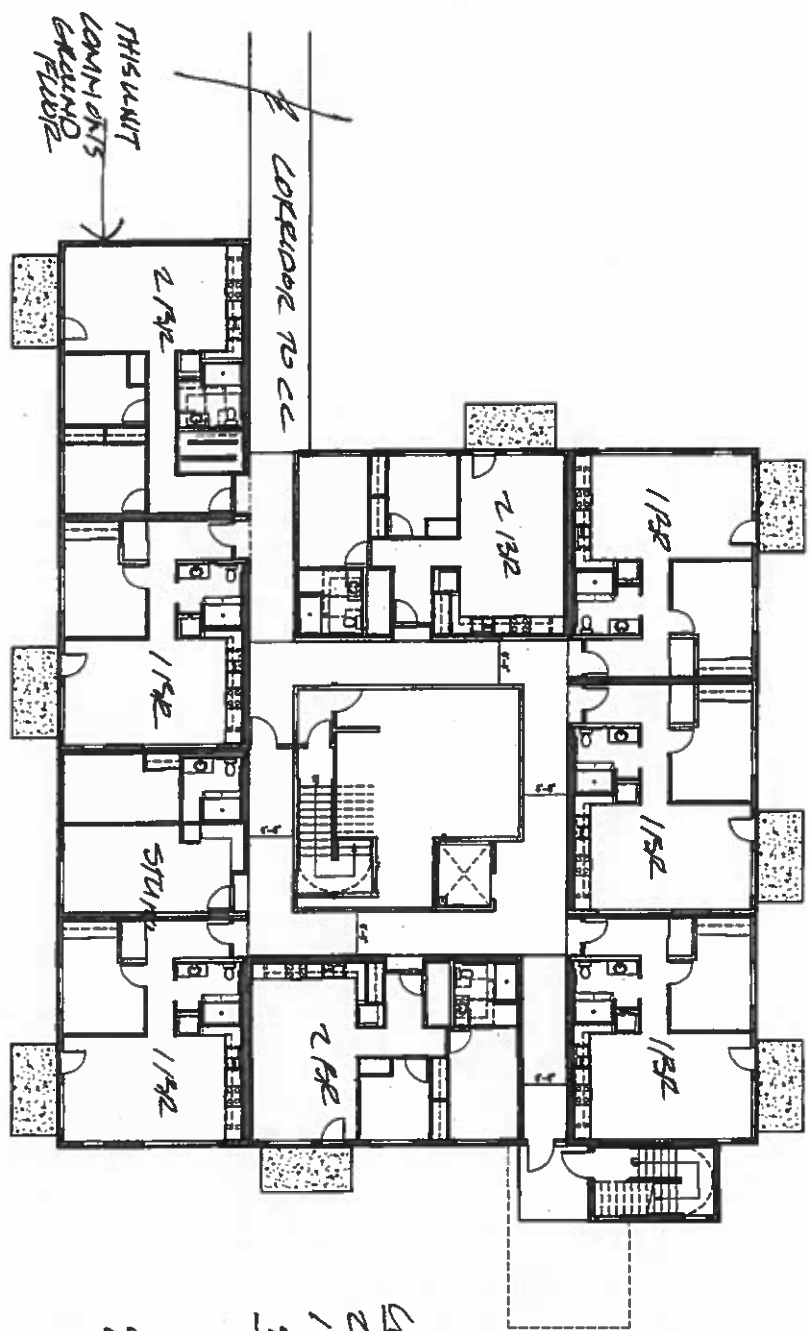






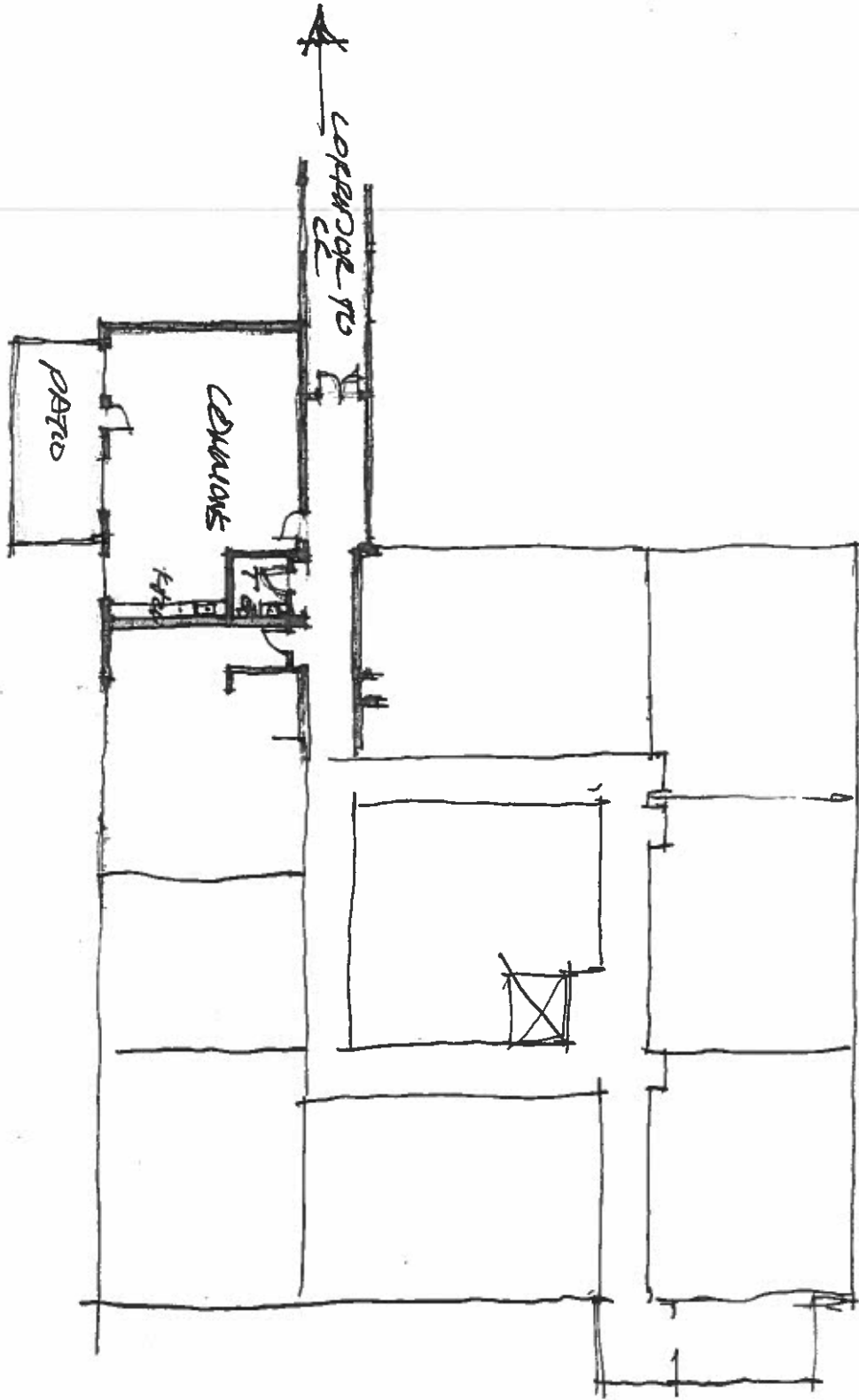
BL-4  
CONCEPT PLAN  
DEC 17, 2014

FLOORS 2-4  
TOTAL GROSS AREA / FLOOR 9,425 SF  
TOTAL GROSS AREA 57,700 SF



UNIT COUNT/FLOOR	9 UNITS/FLOOR FLOORS 2-4	8 UNITS/FLOOR 1ST FLOOR	55 UNITS
2 BR	3		
1 BR	5		
STUDIO	1		

PL-4  
CONCEPT PLAN  
DEC 17, 2014  
COMMONS FLOOR PLAN 1/16" = 1'-0"





**RESOLUTION NO. 2015-01**

**A RESOLUTION BY THE FAIRBANKS DIVERSITY COUNCIL URGING  
THE FAIRBANKS CITY COUNCIL TO SUPPORT STATE HOUSE BILL 42  
PERTAINING TO THE ALASKA HUMAN RIGHTS ACT**

**WHEREAS**, the Fairbanks Diversity Council was established by the Fairbanks City Council on March 10, 2014; and

**WHEREAS**, the purpose of the Fairbanks Diversity Council as set forth in Fairbanks General Code Section 2-231 is to provide a citizens' forum, serve as a diversity advisory board and recommend adoption of a diversity action plan; and

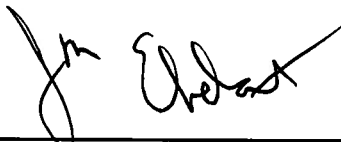
**WHEREAS**, House Bill 42 amends sections of Alaska Statute 18.80.060-300, an Act adding to the powers and duties of the State Commission for Human Rights, relating to and prohibiting discrimination based on sexual orientation or gender identity or expression; and

**WHEREAS**, the Fairbanks Diversity Council feels that the proposed changes in House Bill 42 further protect Alaskans from being discriminated against specifically because of "sexual orientation, gender identity or expression" is appropriate and is in harmony with the purpose and mission of the Fairbanks Diversity Council;

**NOW, THEREFORE, BE IT RESOLVED** that the Fairbanks Diversity Council supports State of Alaska House Bill 42 and the human rights of all Alaskans and urges the Fairbanks City Council to approve a resolution in support of the bill.

**PASSED and APPROVED** this 10th day of March 2015 by the Fairbanks Diversity Council.

Signed:

  
\_\_\_\_\_  
John Eberhart, FDC Chair

Attest:

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



CLAY STREET CEMETERY COMMISSION  
REGULAR MEETING MINUTES, FEBRUARY 4, 2015  
FAIRBANKS CITY COUNCIL CHAMBERS  
800 CUSHMAN STREET, FAIRBANKS, ALASKA



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

Members Present: Dave Erickson, Seat A  
Jevon Stone, Seat B  
Anne Castle, Seat C  
Frank Turney, Seat D  
Cyndie Warbelow-Tack, Seat F

Absent: Kate Ripley, Seat G (Excused)

Also Present: D. Danyielle Snider, Deputy City Clerk

**APPROVAL OF PREVIOUS MINUTES**

a) Regular Meeting Minutes of January 7, 2015.

**Ms. Castle**, seconded by **Ms. Warbelow-Tack**, moved to APPROVE the Regular Meeting Minutes of January 7, 2015.

**Ms. Castle**, in reference to Chair Robertson's statement in the minutes at the top of page five, stated that the number of markers in the shed should have been 50 markers, not 40.

Ms. Snider stated that the January 7 meeting minutes reflect what Mr. Robertson actually stated so they should not be changed. She stated that Ms. Castle has provided sufficient clarification to rectify the inaccurate statement.

**Chair Robertson** called for objection and, hearing none, so ORDERED.

**APPROVAL OF AGENDA**

**Ms. Castle**, seconded by **Ms. Warbelow-Tack**, moved to APPROVE the Agenda as presented.

**Chair Robertson** stated that he would like to add "Rob Bowman Communication" as item (b) of Communications to Commission.

**Chair Robertson** called for objection and, hearing none, so ORDERED.

**CITIZEN'S COMMENTS**

**Chair Robertson** called for Public Testimony and, hearing none, declared Public Testimony closed.

## COMMUNICATIONS TO COMMISSION

### a) Leigh Lambert Inquiry

**Chair Robertson** stated that he will respond to Ms. Lambert's inquiry. He stated that he is unsure how to approach placements in other parts of the cemetery outside of the general sections.

The Commission discussed possible limitations in placing markers in sections of the cemetery other than the general sections. They indicated that they would like to be able to place markers throughout the cemetery, but are unsure whether they would need to contact other groups first.

**Mr. Erickson** stated that his recollection is that the Clay Street Cemetery Commission originally talked about placing markers on unmarked graves in the general sections and try to obtain funding from the other groups to place markers in the other sections.

Ms. Snider stated that she will speak with other City employees to find out if the Commission is strictly limited to improving only the general sections.

### b) Rob Bowman Communication

**Chair Robertson** stated that Mr. Bowman is the one who has been performing all the ground penetrating radar (GPR) analysis at the cemetery. He stated that Mr. Bowman, who is with Northern Land Use Research Alaska LLC, would like to start doing year-round archeological surveying at Clay Street starting when the weather is warmer.

Ms. Snider read aloud the email from Mr. Bowman.

**Chair Robertson** stated that Mr. Bowman said he would like to start in two areas of graves in the Arctic Brotherhood section. He stated that he suggested that Mr. Bowman make an inquiry to the City Public Works Director in writing.

Commissioners discussed the value of the GPR analysis process.

## UNFINISHED BUSINESS

### a) Commission Rules of Procedure Draft (updated January 8, 2015)

**Chair Robertson** stated that he spoke briefly with the Mayor about some of the items in the Rules of Procedure. He added that the Mayor would get back to him.

The Commission discussed whether the Rules of Procedure should speak to quorums and voting.

**Chair Robertson** stated that Robert's Rules of Order covers all the rules addressed in the Rules of Procedure.

Ms. Snider commented that the Rules of Procedure may be a simple and concise guide for new Commission members.

**Ms. Warbelow-Tack** pointed out that the current Rules of Procedure draft states that “all meetings shall be conducted according to Robert’s Rules of Order unless otherwise indicated...”

**Ms. Castle** explained that Robert’s Rules of Order would apply to any issues not addressed in the Rules of Procedure. She suggested that Chair Robertson propose changes to the Rules of Procedure if he does not believe that they are satisfactory as written.

There was no objection to rolling the item to the next regular meeting agenda.

b) Update on Pending Placement – April Schumacher

**Mr. Turney** stated that Ms. Schumacher would rather wait and deal with the placement issue in the summer.

**NEW BUSINESS**

a) Draft Letter Regarding Exhumation of Chief Nagita/August Anderson

**Mr. Turney** reported that he spoke with the Ketzler family who recommended that he contact the Anthropology Department at the University of Alaska, Fairbanks (UAF). He stated that the current Director of Anthropology, Ben Potter, has been making inquiries to Joe Irish, the former director, in regard to the exhumation and location of the remains. **Mr. Turney** stated that he was also referred to Museum Director, Josh Reuther, who indicated that they do not have any remains from the Clay Street Cemetery. He stated that he hopes to gather more information from the Ketzler family and the other contacts. He commented that Dave Jacoby was the City’s Director of Public Works at that time and stated that he intends to research whether there is a court order for the exhumation.

**Mr. Erickson** stated that the legal documentation would likely have been filed with the Bureau of Vital Statistics before a court order would have been issued.

**Mr. Turney** stressed the importance of replacing the remains in the Clay Street Cemetery. He stated that Ben Potter’s phone number is (907) 474-7288 ext. 7567 and Josh Reuther’s phone number is (907) 474-6948. He stated that Robin Wood with the Fairbanks Daily News Miner is interested in doing a story on the exhumation when there is more confirmed information.

b) Draft Revision to Placement Policy Addressing Temporary Placements

Members briefly discussed whether to place more stringent restrictions on the placement of temporary items.

**Ms. Castle**, seconded by **Ms. Warbelow-Tack**, moved to ACCEPT the revision as written by Ms. Ripley.

**Chair Robertson** called for objection and, hearing none, so ORDERED.

c) Marker Order for 2015 – Quiring Monuments Price Quotation

**Chair Robertson** asked if there is a complete list of markers that need to be replaced in order to avoid ordering duplicates.

**Ms. Castle** replied that she has a working document that she updates with information gathered through research and marker surveys. She stated that she would be willing to share the information with the Commission with the understanding that it is an ever-changing document.

**Chair Robertson** stated that the Commission has about \$10,000 in funds. He reminded everyone that the City has agreed to provide marker bases. He indicated that there may be more funds coming in by donation but stated that the \$7,583 in 2015 bed tax funds need to be spent this year.

Members discussed estimated shipping costs and how many markers to order for 2015.

**Chair Robertson**, seconded by **Mr. Erickson**, moved to order 60 markers at an estimated cost of \$150 each.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ORDER 60 MARKERS AT AN ESTIMATED COST OF \$150 EACH AS FOLLOWS:

YEAS: Robertson, Turney, Stone, Erickson

NAYS: Castle, Warbelow-Tack

ABSENT: Ripley

**Chair Robertson** declared the MOTION CARRIED.

**Mr. Erickson** stated that he will place the marker order.

### OPEN AGENDA

**Mr. Turney** shared photos of Private John White's deteriorating headstone. He stated that the marker is in the Catholic section of the Cemetery and wondered if the Army might be willing to help with the restoration of the gravesite.

**Chair Robertson** stated that he has a contact in Anchorage who told him about an organization in their area that tells stories of deceased individuals through plays and activities at local events. He stated that something of that nature would be good public relations for the Cemetery.

### NEXT MEETING DATE

The next Regular Meeting of the Clay Street Cemetery Commission is scheduled for March 4, 2015.

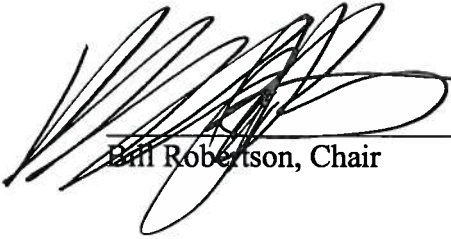


**ADJOURNMENT**

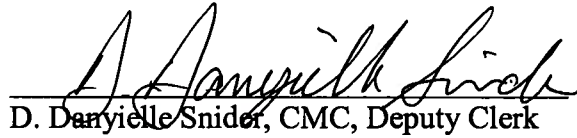
**Ms. Castle**, seconded by **Ms. Warbelow-Tack**, moved to ADJOURN the meeting.

**Chair Robertson** called for objection and, hearing none, so ORDERED.

**Chair Robertson** declared the meeting adjourned at 6:17 P.M.

  
Bill Robertson, Chair

6 Mar '15

  
D. Danyielle Snider, CMC, Deputy Clerk

Transcribed by: DS



FAIRBANKS DIVERSITY COUNCIL  
REGULAR MEETING MINUTES  
JANUARY 13, 2015 – 5:30 PM  
FAIRBANKS CITY COUNCIL CHAMBERS  
800 CUSHMAN STREET, FAIRBANKS, ALASKA



The **Fairbanks Diversity Council** 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: Rita Davis, Seat L  
Jeff Walters, Seat M  
Montean Jackson, Seat C  
Shirley Lee, Seat B  
June Rogers, Seat D  
Jo Ann Borges, Seat K  
Doris Lenahan, Seat G  
Douglas Toelle, Seat J  
Kathleen Wattum, Seat I  
Michael Fitch, Seat E

Absent: Ernest Shipman, Seat H  
Gary Grant, Seat F  
Ana Maria Richards, Seat A  
Barbara Sunday, HR Director  
Bernard Gatewood, Council Member

Also Present: Janey Hovenden, City Clerk  
Jim Williams, City Chief of Staff

**APPROVAL OF AGENDA**

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

**Chair Eberhart** called for objection and, hearing none, so ORDERED.

**CITIZENS COMMENTS** (Limited to 3 Minutes)

Hearing no requests for public comment, **Chair Eberhart** declared Public Testimony closed.

**Chair Eberhart** thanked members for bringing food to share. He stated that he has not heard from the Borough in regard to their Diversity Council appointments. He commented that it would be best to continue strategic planning to formulate a set of goals and priorities, then compare the plan with that of other organizations.

**APPROVAL OF PREVIOUS MINUTES**

- a) Meeting Minutes of October 23, 2014
- b) Meeting Minutes of December 09, 2014

**Ms. Lee**, seconded by **Mr. Walters**, moved to APPROVE the Meeting Minutes of October 23, 2014 and December 9, 2014.

Hearing no objection, **Chair Eberhart** declared the MOTION CARRIED.

**UNFINISHED BUSINESS**

a) Strategic Planning Continued – Chief of Staff Jim Williams

Mr. Williams provided a recap of the last strategic planning session, reviewed the results from the “Enablers and Challenges” exercise, and guided the Diversity Council through another strategic planning session by breaking members into two groups.

*Due to the informal nature of the strategic planning session, the remainder of the meeting was not recorded.*

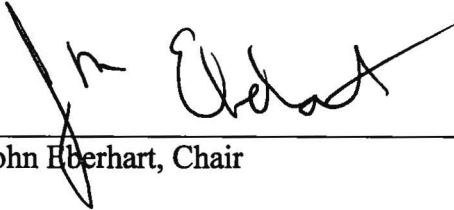
**MEETING DATES**


The Diversity Council did not set the date of the next Regular Meeting.

**ADJOURNMENT**

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

Hearing no objection, **Chair Eberhart** declared the meeting adjourned at 8:25 p.m.

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

  
\_\_\_\_\_  
Danyielle Snider, CMC, Deputy City Clerk

Transcribed by: DS

**Fairbanks North Star Borough / City of Fairbanks**  
**CHENA RIVERFRONT COMMISSION**  
**MINUTES**  
**February 11, 2015**

The Fairbanks North Star Borough/City of Fairbanks Chena Riverfront Commission (CRFC) met on Wednesday, February 11, 2015 with Vice Chair McEnteer presiding. The following Commission members were in attendance: Julie Jones, Lee Wood; Buki Wright, Kelley Hegarty-Lammers, Ian Olson and Bob Henszey.

Also present were: Chandra McGee, DEC; Lissa Hughes, YVWA; Christine Nelson, FNSB Community Planning; Barry Hooper, DOT; Steve Taylor, FNSB Parks & Recreation; and Laura McLean, FNSB Recording Clerk.

**1. CALL TO ORDER**

**McEnteer** called the meeting to order at 12:03 p.m.

**2. APPROVAL OF AGENDA**

*A motion was made by Jones, seconded by Henszey to approve the Agenda for February 11, 2015. There were no objections.*

**3. APPROVAL OF MINUTES OF December 10, 2014**

There were three (3) minor corrections to be made to the minutes.

*A motion was made by Jones, seconded by Wright to approve the minutes for December 10, 2014 the minor edits. There were no objections.*

**4. COMMUNICATIONS TO THE COMMISSION**

**Christine Nelson**, Community Planning Director, addressed the Commission. A handout was distributed to Commissioners and Liasons regarding the Draft Work Plan through FYE 2016 for Community Planning. Nelson requested that if there were any additional items that the Commissioners or Liasons would like to see added to the list, please e-mail her soon.

**5. PUBLIC COMMENTS**

None

**6. NEW BUSINESS**

None

**7. UNFINISHED BUSINESS**

A. Presentation by Wright regarding Aurora Energy

Wright gave an informative presentation regarding Aurora Energy, their operations and how it relates to the Chena River.

B. Chena Riverfront Plan update

**Nelson** addressed the Commission and stated that staff has completed the sections which they were tasked with updating and wanted to know if anyone else had any revisions. She further stated that Durham would be out of the office for another three weeks. It was decided that a copy of the updated plan would be sent electronically to Commission members and Nelson has requested that any comments be submitted by the close of business on February 26, 2015.

**Jones** asked if the Vision Fairbanks plan was ever adopted by the Borough. **Hegarty-Lammers** confirmed that it was. Nelson further confirmed that the entire document was adopted by the Borough and then the City of Fairbanks administration changed and the Vision Fairbanks plan lost its' level of support.

C. Airport Way West project update

**Hegarty-Lammers** asked of Hughes if she could update the Commission regarding the grant application that TVWA was submitting. **Hughes** commented that it does not appear that the timeline for the grant will match up with the project. **Hooper** added that the State is looking to amend the STIP to provide funding in 2016 and he would guess that if the project was obligated in 2016, there would probably be construction in 2017.

**Hegarty-Lammers** reported that she had an informal conversation with the Director of Maintenance at the State. She stated that his main frustration was that the Borough has not stepped up to take responsibility for the maintenance. She further commented that she told him that the Commission has met with the Borough at least two times in the past and has also done everything that DOT has requested, including presenting a low maintenance plan. She took from the conversation that he is grateful for the work that has been done to date by the Commission pertaining to the roundabout. **Hegarty-Lammers** also commented that the Director of Maintenance would like to speak with Schlosser about the costs associated with the roundabout maintenance. **Henszey** stated that he will get the phone number for Dave Miller, Director of Maintenance for the State, and then will get with Schlosser and they will go from there.

**Hegarty-Lammers** commented that she has been in contact with Deb Hickok with the Fairbanks Convention and Visitors Bureau and she is ready to move forward with helping obtain funding for maintenance. **Hughes** added that TVWA is also ready to move forward. **Jones** commented that FCVB is now Explore Fairbanks and should be referred as such in the future.

At this point, it was decided that Hickok needs something that she can hand to a private sector person that includes Schlossers drawings and the scope of the project as well as the annual monies that are needed for maintenance.

**Jones** commented that it has been her experience that local governments are tiring of non-profit organizations coming up with great ideas but ultimately the government agency ends up funding the maintenance.

D. Watershed Resource Action Planning

*A motion was made by Jones, seconded by Hegarty-Lammers to postpone this agenda item to the March meeting. All were in agreement. There were no objections.*

Discussion on this topic was postponed until March.

**8. STAFF AND LIASION COMMENTS**

**Taylor** stated that Parks and Recreation was recently contacted by the interior Land Trust and they would like to donate some more parcels to the greenbelt. He will continue to update the Commission on this topic.

**Hughes** commented that TVWA is producing webinars on various topics related to the Chena River and sloughs in the area. If anyone is interested in presenting a webinar or in viewing a webinar, they should contact TVWA for a schedule.

**9. COMMISSIONERS COMMENTS**

**10. AGENDA SETTING FOR April 8, 2015 COMMISSION MEETING**

**11. ADJOURNMENT**

/I