



FAIRBANKS CITY COUNCIL
AGENDA NO. 2012-17
REGULAR MEETING September 10, 2012
FAIRBANKS CITY COUNCIL CHAMBERS
800 CUSHMAN STREET, FAIRBANKS, ALASKA

REGULAR MEETING

I 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 (5) 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 phone, electronic and messaging 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

*a) Regular Meeting Minutes of August 6, 2012

*b) Regular Meeting Minutes of August 20, 2012

7. SPECIAL ORDERS

8. MAYOR'S COMMENTS AND REPORT

9. UNFINISHED BUSINESS

- a) Ordinance No. 5891 – An Ordinance Amending the 2012 Budget Estimate for the Second Time. Introduced by Mayor Cleworth. SECOND READING AND PUBLIC HEARING.

10. NEW BUSINESS

- *a) Ordinance No. 5892 – An Ordinance Updating Fairbanks General Code Sections 2-685 and 2-686 Language Concerning Qualified Financial Institutions and Safekeeping and Collateralization of Deposit-Type Securities. Introduced by Mayor Cleworth.
- *b) Ordinance No. 5893 – An Ordinance Repealing Fairbanks General Code Sections 2-731 through 2-736 Regarding the J.P. Jones Community Development Investment Fund. Introduced by Mayor Cleworth.
- *c) Ordinance No. 5894 – An Ordinance Authorizing the Extraterritorial Extension of Fire Suppression Services by Contract to Property South of Van Horn Road and East of Easy Street. Introduced by Mayor Cleworth.
- *d) Ordinance No. 5895 – An Ordinance Approving the Conditional Transfer of Natural Gas Utility Power to the Fairbanks North Star Borough. Introduced by Mayor Cleworth.

11. DISCUSSION ITEMS (INFORMATION AND REPORT)

Committee Reports

12. COMMUNICATIONS TO COUNCIL

- *a) Local Improvement District Committee Meeting Minutes of July 27, 2012
- *b) Local Improvement District Committee Meeting Minutes of August 3, 2012
- *c) Public Safety Commission Meeting Minutes of May 8, 2012
- *d) Public Safety Commission Meeting Minutes of June 12, 2012
- *e) Appointment to the Chena Riverfront Commission

13. COUNCIL MEMBERS' COMMENTS

14. CITY ATTORNEY'S REPORT

15. CITY CLERK'S REPORT

16. ADJOURNMENT



FAIRBANKS CITY COUNCIL
REGULAR MEETING MINUTES, AUGUST 6, 2012
FAIRBANKS CITY COUNCIL CHAMBERS
800 CUSHMAN STREET, FAIRBANKS, ALASKA

The City Council convened at 7:00 p.m. on the above date, to conduct a Regular Meeting of the Fairbanks City Council at the City Council Chambers, 800 Cushman Street, Fairbanks, Alaska, with Mayor Jerry Cleworth presiding and with the following Council Members in attendance:

Council Members Present: Vivian Stiver, Seat A
Chad Roberts, Seat B
Bernard Gatewood, Seat C
Jim Matherly, Seat D
Lloyd Hilling, Seat E
John Eberhart, Seat F

Absent: None

Also Present: Pat Cole, Chief of Staff
Warren Cummings, Fire Chief
Paul Ewers, City Attorney
Janey Hovenden, City Clerk
Michael J. Schmetzer, City Engineer
Tony C. Shumate, Director Personnel/Purchasing/RM
Ernie Misewicz, Assistant Fire Chief
Jim N. Soileau, Chief Financial Officer
Margarita Bell, Grants Administrator
Eric Jewkes, FPD Lieutenant

INVOCATION

The Invocation was given by City Clerk Janey Hovenden.

FLAG SALUTATION

Mayor Cleworth led the Flag Salutation.

CITIZEN'S COMMENTS

Bill Wright, Public Relations Manager for Fairbanks Convention and Visitor's Bureau (FCVB) – Mr. Wright provided an update on various FCVB media tours for the summer season. He spoke of the bureau's involvement in upcoming events.

Mr. Matherly spoke to his own experience in the tourist industry and the questions that many tourists ask regarding the climate, economy and development of Alaska. He asked Mr. Wright to share comments and questions he's received from visitors to the City of Fairbanks. He asked Mr. Wright if he thought television shows about our state have helped or hurt Alaska's image.

Mr. Wright spoke to the unfamiliarity of most visitors with Alaska and their excitement and surprise at its beauty. He stated that when he does tours in the winter, people ask what summer is like; and, in the summer, visitors are interested to know what Alaskan winters are like. In response to Mr. Matherly's question regarding television shows, Mr. Wright replied that he believes the programs have provided an overall positive view of Alaska.

Tim Sovde, 402 Bonnifield Street, Fairbanks – Mr. Sovde stated that he is a candidate for the Fairbanks City Council in the 2012 Municipal Election. He commented on how nice it is that the Council constantly reviews the City Code in an effort to clean it up. He spoke to the possible creation of a Local Improvement District and encouraged the Council to stay informed on the issues and the progress of the LID Committee. He spoke to how the Chena Riverfront Commission and the LID Committee are somewhat related. He spoke to the Borough's power of final approval on all road construction improvements in the Fairbanks area and to Mayor Cleworth's efforts to have some of that power delegated to the City Council.

Victor Buberger, PO Box 58192, Fairbanks – Mr. Buberger thanked the Public Works Department for their quick repair of the potholes he mentioned at the last Council meeting. He spoke to the agenda items regarding clean-up and commented that there is a property badly in need of clean-up on the south side of Smith Apartments. He indicated that favoritism plays a part in which properties get cleaned up. He asked for a report on the construction plans for 3rd Avenue.

David Lerman, 126 2nd Avenue, #15, Fairbanks – Mr. Lerman stated that he is running for City Council in the upcoming Municipal Election and spoke to his online discussion board, *Renovation Fairbanks*. He stated that his campaign for City Council is a reaction to his experience of living in Downtown Fairbanks. He shared his personal experience with the renovation of his home at Smith Apartments, and spoke to the all-around benefits of renovation. He stated that crime has decreased drastically since that time, but that break-ins still happen. Mr. Lerman shared that people have broken into his own apartment and stolen his socks. He stated that he had filed police reports for the break-ins and was advised by a Fairbanks Police Officer to own a gun. He spoke to the City's excessive fund balance and indicated that those funds could help offset the loss in revenue if the City waived building permit fees for renovation. He commented that his understanding of how the fund balance operates may not be accurate and would like to learn more about it. He recommended the creation of other task forces, such as a DUI Task Force, to help improve the City.

Mr. Gatewood asked for clarification on Mr. Lerman's comment that his socks had been stolen from his apartment. He asked Mr. Lerman to address the police officer's recommendation that he should own a gun.

Mr. Lerman replied that people have stolen many of his socks, shirts and slacks because they seem to really like his clothes. He stated that it is very strange and he is unsure of how they are getting into his apartment and that other apartments in the complex have been burglarized also. He indicated that he was shocked when the female officer told him that he should own a gun. He stated that another police officer suggested that he move from the apartment complex because of all the crime.

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

APPROVAL OF AGENDA AND CONSENT AGENDA

Mr. Matherly, seconded by **Mr. Gatewood**, moved to APPROVE the Agenda and Consent Agenda.

Mayor Cleworth called for objection and, hearing none, so ORDERED.

City Clerk Hovenden read the Consent Agenda into the record.

MAYOR'S COMMENTS AND REPORT

Mayor Cleworth informed the Council that Ordinance No. 5890 may need to be postponed to the next Regular Meeting due to some changes that need to be made in the language of the contract. He encouraged the Council to ask questions about the ordinance while GHU and City staff are available to answer. **Mayor Cleworth** stated that Geraghty Road has been repaved and the City is currently working on road resurfacing in the Riverside area. He added that road work has also been completed in the Executive Park area. He expressed satisfaction with the progress of the City's road projects over the summer season. He thanked Mr. Buberger for his comments on the potholes and stated that our streets are in much better shape than the roads in Anchorage. **Mayor Cleworth** thanked Mr. Eberhart for his work on Ordinance No. 5890 regarding the Public Safety Commission (PSC). He stated that he has been reviewing all City Boards and Commissions to see if changes need to be made and, in doing so, tasked the PSC with looking at its mission and what its future role with the City might be. **Mayor Cleworth** spoke to the Public Safety Officer (PSO) concept and stated that the PSC will be looking to see if the idea would improve the services in the City of Fairbanks. He asked Mr. Eberhart if Ordinance No. 5890 concurs with the intent of the Commission.

Mr. Eberhart indicated that the ordinance appears to correspond with the Committee's recommendations.

Mayor Cleworth stated that Lieutenant Jewkes is also present to answer questions from the Council on Ordinance No. 5888. He indicated that many of the changes are being made in an effort to clean up the Fairbanks General Code and that the portion of the Code that speaks to public nuisance will also need to be addressed in the near future. **Mayor Cleworth** spoke to the Borough's power of approval of all City construction projects. He stated that when the Bentley Trust project was being planned, the City had to go before the Borough Planning Commission for approval, which took approximately 60 days. He stated that the Memorandum of Understanding was created in 1988, prior to the formation of the Metropolitan Planning Organization (MPO). He stated that he has made a request for the FMATS Technical Committee to explore the process to see if an updated agreement can be made. **Mayor Cleworth**, in response to Mr. Lerman's comments on the City's fund balance, explained that the majority of the City's revenue comes from property tax which is not received until late in the calendar year. He further explained that construction projects often have to be funded before grant dollars are distributed to the City, so the General Fund balance must be large enough to cover the cash flow

at the beginning of the year. He stated that the Council has been very good at placing surplus funds from revenue sharing and the sale of City properties into the Permanent Fund. He stated that, over the past several years, the City has placed roughly \$6-7 million into the Permanent Fund that was not mandated.

Mr. Roberts asked if the postponement of Ordinance No. 5889 would affect its placement on the 2012 City ballot.

Ms. Hovenden replied that it would not.

Mr. Eberhart asked Mayor Cleworth to address the scope of the Graehl Project.

Mayor Cleworth replied that the area is being repaved.

Mr. Roberts stated that drainage is also a big part of the project.

UNFINISHED BUSINESS

- a) Ordinance No. 5888 – An Ordinance Amending Fairbanks General Code Chapter 26 Regarding Alarms. Introduced by Mayor Cleworth. SECOND READING AND PUBLIC HEARING.

Mr. Roberts, seconded by **Mr. Matherly**, moved to ADOPT Ordinance No. 5888.

Mayor Cleworth called for Public Testimony and, hearing none, declared Public Testimony closed.

Mr. Roberts requested a staff report.

Lieutenant Jewkes and Assistant Fire Chief Misewicz came forward to provide a staff report.

Mr. Roberts inquired about the origination of the proposed changes of Ordinance No. 5888.

Lieutenant Jewkes stated that the changes have been made in an effort to clean up old Code and that Mr. Ewers had done the majority of work on the ordinance. He stated that much of the language pertained to the dispatching system and was outdated due to significant changes in technology. He indicated that other parts of the Code regarding alarms have never been enforced and need to be removed. He stated that the ordinance would not change alarm monitoring or the logistics of response.

Mr. Misewicz pointed out that there was some conflicting information in the old Code regarding security and fire alarms. He stated that the proposed ordinance also addresses issues dealing with false and nuisance alarms.

Mr. Eberhart asked why a change had been made to Section 26-80(b). He also asked what power the City has to correct the problem if the customer has an invalid or revoked permit.

Mr. Misewicz replied that the change was made so that there would be no duplication or conflict in the Code. He stated that customers with invalid or revoked permits could be billed for nuisance alarms if the fire department had to frequently respond to their location.

Lieutenant Jewkes pointed out that it was important to separate the two types of alarm systems because businesses aren't required to have security alarms, but are required by state law to have fire alarms.

Ms. Stiver stated that she has personally had false alarms at her business and has been contacted by FPD Dispatch to verify the call before fire/police were dispatched to the scene.

Mr. Misewicz explained that there are different types of alarms and that dispatch response varies accordingly. He added that many home owners are now installing fire alarm systems in their residences and don't realize that a minor incident can trigger a response.

Lieutenant Jewkes spoke to the various private alarm companies and how most of their systems installed in the City require FPD response. He stated that some alarm systems allow the owner to set up a priority contact list for response.

Mayor Cleworth explained that most privately owned alarm companies use "free installation" as a selling point because they are essentially selling you a service. He thanked Lieutenant Jewkes, Mr. Misewicz and Mr. Ewers for their work in drafting the ordinance. He spoke to false alarms and how dangerous they can be if they occur at the same location on a frequent basis.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 5888, AS FOLLOWS:

YEAS: Stiver, Matherly, Gatewood, Hilling, Eberhart, Roberts

NAYS: None

Mayor Cleworth declared the MOTION CARRIED and Ordinance No. 5888 ADOPTED.

- b) Ordinance No. 5889 – An Ordinance Seeking Voter Approval for the City to Accept a Pass-Through Loan from the Alaska Clean Water Fund to Golden Heart Utilities of up to \$4.6256 Million for a Sludge Dewatering Project, up to \$650,623 for a Clarifier Project, and Ratifying a Loan of \$637,830 for Prior Improvements at the City-Owned Wastewater Treatment Facility. Introduced by Mayor Cleworth. SECOND READING AND PUBLIC HEARING.

Mr. Eberhart, seconded by **Mr. Gatewood**, moved to ADOPT Ordinance No. 5889.

Mayor Cleworth called for Public Testimony.

David Lerman – Mr. Lerman stated that it appears Golden Heart Utilities (GHU) is trying to make improvements, and spoke in favor of renovation and Ordinance No. 5889.

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

Mayor Cleworth requested that Ms. Bell and Mr. Cole come forward to provide a staff report.

Mr. Cole stated that City staff has been working on revising the contract to address concerns that the Council brought forward at the last Finance Committee Meeting. He explained that there are still a few points that have not been agreed upon between the Council and GHU. He indicated that a satisfactory agreement for both parties could be reached if the Council would allow two more weeks for revision.

Ms. Bell stated that it may be possible to set up the agreement as a capital lease, which is what GHU would like to see.

Mr. Gatewood referred to Issue #4 in the Mayor's Memorandum. He asked for clarification on the phrase, "...the Regulatory Commission of Alaska (RCA) already considers this..." in reference to the requirement that GHU must maintain a debt to equity percentage of 240%.

Ms. Bell explained that GHU feels that the City should remove the debt to equity percentage requirement in the contract since the RCA already monitors the utility's debt to equity percentage.

Mayor Cleworth stated that GHU is currently in compliance with the standard utility industry average.

Ms. Stiver asked if the RCA has the same debt to equity percentage requirement as the 240% that the City is proposing.

Ms. Bell replied that she is unsure.

Tiffany Van Horn with GHU came forward. She stated that RCA doesn't necessarily have the same requirement of 240%, but that they look at the debt to equity ratios at every rate filing to ensure the utility's capital structure is in line. She added that GHU has never had an issue. She stated that GHU has other debt covenants that they are required to remain in compliance.

Mr. Roberts spoke in favor of Ordinance No. 5889 and stated that he would be in support of postponing to the next regular meeting so that the contract could be fine-tuned to suit the needs of both the City and GHU.

Mr. Roberts, seconded by **Mr. Gatewood**, moved to POSTPONE Ordinance No. 5889 to the Regular Meeting of August 20, 2012.

Mayor Cleworth asked Mr. Cole if the only changes that need to be made are to the contract itself.

Mr. Cole confirmed that changes need only be made to the contract.

Mayor Cleworth suggested that the Council move to substitute the Amended version of Ordinance No. 5889 first, then postpone if they so wish. He explained that the only change in Ordinance No. 5889, as Amended, is a correction in the percentage of increase to ratepayers.

Mr. Roberts, with the concurrence of the second, WITHDREW the motion to postpone Ordinance No. 5889 to the Regular Meeting of August 20, 2012.

Mr. Roberts, seconded by **Mr. Hilling**, moved to SUBSTITUTE Ordinance No. 5889, as Amended, for Ordinance No. 5889.

Mayor Cleworth called for objection and, hearing none, so ORDERED.

Mr. Hilling spoke to the importance of using discretion in placing a proposition before City voters. He stated that it is the burden of the Council to fully research and investigate issues before passing them on to voters. He spoke to the Mayor's efforts in achieving a debt-free status for the City of Fairbanks and asked Mayor Cleworth to share his opinion on the GHU agreement.

Mayor Cleworth stated that, technically, the City still carries a note on the fire station even though the state makes the payments. He indicated that, like the fire station, this would appear on the books as both an asset and a liability for a net zero bottom line.

Mr. Hilling asked if the GHU pass-through loan would have any effect on the City's ability to borrow in the future.

Mayor Cleworth replied that it would not. He stated that the City is in a good position to make the agreement.

Mr. Eberhart referenced Issue #2 on the Memorandum where it states that GHU is forbidden to assign its receipts and receivables to the City for loan security. He asked if the City would have any additional collateral on the loan besides the facility itself.

Mayor Cleworth replied that the City would also have the guarantee of the parent company.

Mr. Cole asked for Council input on Issue #4 of the Memorandum.

Mr. Eberhart questioned whether or not RCA looks at debt to equity ratios.

Ms. Bell stated that RCA ensures that GHU maintains a minimum 60-40 ratio for capital structure to debt.

Mr. Roberts asked if the 240% is a national standard for the utility industry.

Ms. Bell replied affirmatively.

Mr. Roberts, seconded by **Mr. Gatewood**, moved to POSTPONE Ordinance No. 5889, as Amended, to the Regular Meeting of August 20, 2012.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO POSTPONE ORDINANCE NO. 5889, AS AMENDED, AS FOLLOWS:

YEAS: Matherly, Hilling, Roberts, Stiver, Gatewood, Eberhart
NAYS: None
Mayor Cleworth declared the MOTION CARRIED and Ordinance No. 5889, as Amended, POSTPONED.

NEW BUSINESS

- a) Resolution No. 4540 – A Resolution Approving Clean-up Costs and Authorizing a Real Property Lien at 2536 Eighteenth Avenue. Introduced by Mayor Cleworth.

PASSED and APPROVED on the CONSENT AGENDA.

- b) Resolution No. 4541 – A Resolution Approving Clean-up Costs and Authorizing a Real Property Lien at 1725 Willow Street. Introduced by Mayor Cleworth.

PASSED and APPROVED on the CONSENT AGENDA.

- c) Resolution No. 4542 – A Resolution Amending the Schedule of Fees and Charges for Services by Adjusting Alarm Service Fees. Introduced by Mayor Cleworth.

PASSED and APPROVED on the CONSENT AGENDA.

- d) Resolution No. 4543 – A Resolution Awarding a Contract to HC Contractors, Inc., for the Graehl Subdivision Improvements Project in the Amount of \$363,756.00. Introduced by Mayor Cleworth.

PASSED and APPROVED on the CONSENT AGENDA.

- e) Ordinance No. 5890 – An Ordinance Amending Fairbanks General Code Sections 2-471 through 2-474 Regarding the Public Safety Commission. Introduced by Mayor Cleworth and Council Member Eberhart.

ADVANCED on the CONSENT AGENDA.

DISCUSSION ITEMS

Committee Reports

Local Improvement District (LID) Ad-hoc Committee – Ms. Stiver gave a report on the August 3, 2012 meeting. She expressed hope that the committee would reach solutions for the district to: fully fund the Clean Team and the Community Service Patrol (CSP), manage the LID program independently, fully operate without Bed Tax Discretionary Fund dollars, and allow the Clean Team and CSP programs to focus more on their mission.

Mayor Cleworth asked if the larger stakeholders would be consulted before the vote went before all property owners within the district.

Ms. Stiver stated that education about structure and execution of the district will be discussed at the next meeting. She indicated that the Committee is looking at a 2-year district life initially and that it would be up to the downtown property owners to decide whether or not to continue from there. She explained that property owners' votes would be weighted according to the amount of property they own within the district boundaries.

Permanent Fund Review Board – Mr. Gatewood provided a report of the quarterly meeting that took place on August 1, 2012. He stated that it was the first meeting with new member Kara Moore in attendance. He shared that, to his disappointment, the fund's commodities have all been sold. He stated that the fund manager is in favor of investing in equities and emerging markets, although the fund's current exposure is 40% equity and 60% bonds. Mr. Gatewood shared that a suggestion was made to the Board to change the asset allocation so that equities would be higher; he stated that the change would require an amendment to the Code and that he is reluctant to make a change every time the market fluctuates. He stated that the Committee recommendation to the portfolio manager was to work within the parameters that exist.

Mr. Hilling asked if a higher equities investment translates to a more inflation-proof fund. He stated that he would be open to considering a change in the ratio.

Mayor Cleworth replied affirmatively, but stated that a higher investment in equities also increases overall risk. He spoke to the investment parameters the Code requires and suggested the possibility of removing those benchmarks, allowing the fund manager to invest how he/she believes is in the best interest of the City. He spoke to how commodities were bundled in the fund's portfolio and to his shock that they'd all been eliminated. He stated that commodities move quickly and, to be successful, investors must play the cycles and be active in buying and selling.

COMMUNICATIONS TO COUNCIL

- a) Local Improvement District Committee Meeting Minutes of July 13, 2012

ACCEPTED on the CONSENT AGENDA.

- b) Local Improvement District Committee Meeting Minutes of July 20, 2012

ACCEPTED on the CONSENT AGENDA.

- c) Chena Riverfront Commission Meeting Minutes of June 13, 2012

ACCEPTED on the CONSENT AGENDA.

- d) Reappointments to the Clay Street Cemetery Commission

APPROVED on the CONSENT AGENDA.

COUNCIL MEMBERS' COMMENTS

Mr. Roberts commented that there has been a lot of media on the GHU pass-through loan issue. He indicated that the City is trying to do the right thing and help keep utility costs as low as possible for users. He mentioned that the Tanana Valley State Fair is underway and commented on the nice weather.

Mr. Gatewood stated that he has been enjoying watching the Olympics on television and cheering on the U.S. He expressed excitement for the start of the high school football season. He wished state and local candidates who have “thrown their name in the hat” good luck in their candidacy.

Mr. Eberhart stated that, when the Council changed the asset allocation ranges of the Permanent Fund in 2008, he did not support the changes. He suggested that the City has been too conservative with equities and that Permanent Fund investments should not be viewed in the short-term. He commended those who have filed for candidacy to the City Council.

Mr. Hilling stated that he had no comments.

Mr. Matherly stated that he had no comments.

Ms. Stiver stated that she will not be able to attend the August 9th Borough Assembly Meeting as the City Representative due to a prior commitment. She asked if anyone would be willing to substitute.

Mr. Hilling offered to attend in place of Ms. Stiver.

Ms. Stiver spoke to visiting the 4-H animal stalls at the fair. She announced that the City will be hosting its 2nd Annual Pig Roast on Thursday, August 30, 2012 from 4:30 – 6:30 P.M at City Hall. She stated that Mr. Matherly has agreed to DJ the event and that the pig had been purchased from a 4-H child. She added that Big State is donating the butchering and cooking services for the roast. Ms. Stiver commended the youth that participate in the 4-H program for the incredible job that they do in caring for their animals.

Mayor Cleworth stated he would like to hold an open house at City Hall to showcase the renovations that have been done. He offered to give the Council Members a walkthrough after the meeting.

ADJOURNMENT

Mr. Roberts, seconded by **Ms. Stiver**, moved to ADJOURN the meeting.

Mayor Cleworth called for objection and, hearing none, so ORDERED.

Mayor Cleworth declared the Meeting adjourned at 8:40 P.M.

JERRY CLEWORTH, MAYOR

ATTEST:

JANEY HOVENDEN, CMC, CITY CLERK

Transcribed by: DS

DRAFT



FAIRBANKS CITY COUNCIL
REGULAR MEETING MINUTES, AUGUST 20, 2012
FAIRBANKS CITY COUNCIL CHAMBERS
800 CUSHMAN STREET, FAIRBANKS, ALASKA

The City Council convened at 7:00 p.m. on the above date, following a Work Session to discuss the Complete Streets Project, to conduct a Regular Meeting of the Fairbanks City Council at the City Council Chambers, 800 Cushman Street, Fairbanks, Alaska, with Mayor Jerry Cleworth presiding and with the following Council Members in attendance:

Council Members Present: Vivian Stiver, Seat A
Chad Roberts, Seat B
Bernard Gatewood, Seat C
Jim Matherly, Seat D
John Eberhart, Seat F

Absent: Lloyd Hilling, Seat E

Also Present: Pat Cole, Chief of Staff
Paul Ewers, City Attorney
D. Danyielle Snider, Deputy City Clerk
Michael J. Schmetzer, City Engineer
Laren Zager, Police Chief
Margarita Bell, Grants Administrator
Ernie Misewicz, Assistant Fire Chief

INVOCATION

The Invocation was given by Deputy City Clerk Danyielle Snider.

FLAG SALUTATION

Mayor Cleworth led the Flag Salutation.

CITIZEN'S COMMENTS

David Lerman, 126 2nd Avenue, #15, Fairbanks – Mr. Lerman stated that he is competing against three other candidates for Seat A of City Council in the 2012 Municipal Election. He spoke to the “miraculous” overhaul of Smith Apartments and used it as an example of what renovation can accomplish. He stated his opinion that the Polaris Building could be successfully renovated and shared his ideas on how it could be done. He spoke to the motivation behind his campaign and website: renovation. Mr. Lerman stated his belief that the City has enough excess in its savings to waive building permit fees for property owners who are willing to restore dilapidated properties. He spoke to the need for a DUI Task Force in the City of Fairbanks to lower DUI statistics and suggested that liquor establishments be required to make self-testing available to patrons by means of breathalyzers.

Frank Turney, 201 7th Avenue, Fairbanks – Mr. Turney indicated that it would be nice to have a task force in place to oversee the IRS. He expressed frustration with the News Miner article that insinuated that the reason for his own withdrawal from candidacy for City Council had something to do with his opponent’s removal of the nickname “Monkey” from his name. He stated that the article implied the change in Mr. Bowen’s name caused other candidates to take him more seriously. Mr. Turney stated that he has been known to file for candidacy when he sees an individual running unopposed, and that the reason for his withdrawal was another candidate’s declaration for Seat B. He asked if the City had used all the insurance money for the court case involving the former Chief of Police. Mr. Turney reminded everyone that Jury Rights Day is September 5, 2012 and spoke to the history of how those and other rights of U.S. citizens came about.

Mayor Cleworth, in response to Mr. Turney’s inquiry on litigation costs, stated that he would have Mr. Ewers give an update on the case later in the meeting.

Tim Sovde, 402 Bonnifield Street, Fairbanks – Mr. Sovde spoke to his candidacy for City Council, Seat A. He spoke to the upcoming state primary election and encouraged the public to stay informed and vote. He commended the City Council for requiring a fiscal note for all ordinances and resolutions that have an effect on the City’s budget. He compared the City to other municipalities, stating that the City of Fairbanks is more accountable to its citizens than most.

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

APPROVAL OF AGENDA AND CONSENT AGENDA

Mr. Matherly, seconded by **Ms. Stiver**, moved to APPROVE the Agenda and Consent Agenda.

Mayor Cleworth called for objection and, hearing none, so ORDERED.

Deputy City Clerk Snider read the Consent Agenda into the record.

APPROVAL OF PREVIOUS MINUTES

a) Regular Meeting Minutes of July 23, 2012.

PASSED and APPROVED on the CONSENT AGENDA.

MAYOR’S COMMENTS AND REPORT

Mayor Cleworth stated that he and Mr. Gatewood had the opportunity to attend the ceremony turning over the JP Jones Community Center to the Interdenominational Ministerial Alliance of Fairbanks (IMAF). He provided some history on the Center since its construction in 1985 and spoke to the City’s involvement in overseeing grants and maintaining the structure. He explained that the Center’s grant funding had recently been exhausted and that the Council had already authorized the turnover of the Center to IMAF last year, making the timing of the

ceremony ideal. **Mayor Cleworth** spoke to the upcoming Special Finance Committee Meeting on August 22, 2012 with the Borough to discuss the possibility of transferring utility powers for natural gas from the City to the Borough. He expressed hope that there would be free exchange of concepts, ideas and pitfalls. He encouraged the Council to vocalize their opinions on the issue at the upcoming meeting.

Mr. Roberts asked if the transfer of power would have to be done by ordinance.

Mayor Cleworth replied affirmatively. He stated that Mr. Cole and Mr. Ewers have been monitoring the evolution and mechanics of the idea and have found that the City may revoke the transfer of power at any time during period of the agreement. **Mayor Cleworth** spoke to the Public Safety Officer concept and the complexities involved in implementing such a system at the City. He asked the Council for their concurrence on allowing the Public Safety Commission to further research and explore the possibilities and report their findings back to the Council.

There was no objection from the Council.

UNFINISHED BUSINESS

- a) Ordinance No. 5889, as Amended – An Ordinance Seeking Voter Approval for the City to Accept a Pass-Through Loan from the Alaska Clean Water Fund to Golden Heart Utilities of up to \$4.6256 Million for a Sludge Dewatering Project, up to \$650,623 for a Clarifier Project, and Ratifying a Loan of \$637,830 for Prior Improvements at the City-Owned Wastewater Treatment Facility. Introduced by Mayor Cleworth. Public Hearing was Held August 6, 2012. POSTPONED from the Regular Meeting of August 6, 2012.

Mr. Roberts, seconded by **Mr. Gatewood**, moved to ADOPT Ordinance No. 5889, as Amended.

Mayor Cleworth, with the consent of the Council, reopened Public Hearing on Ordinance No. 5889, as Amended.

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

Mr. Ewers asked the Council to take note of two small typos caught by Mr. Eberhart in the loan reimbursement agreement attached to the ordinance.

Mr. Roberts spoke to the discussion at the last Finance Committee Meeting regarding whether or not the agreement would involve a pass-through loan or a lease. He asked Mr. Ewers about the product of that discussion.

Mr. Ewers asked Ms. Bell to come forward to speak to the agreement language on page 4, paragraph 4.

Ms. Bell stated that the State agreed with the revised language in the contract that would make the agreement a capital lease. She explained that the capital lease would allow GHU to

depreciate the asset over a 40-year period instead of charging the full amount for 15 years, thus resulting in a lower rate to users.

Mr. Gatewood thanked City staff and GHU staff for their work in coming to an agreement. He stated that the project is inevitable and that it makes sense for the City to support GHU in the loan process. He stated the importance of sticking to the percentage increase that will go before voters on the 2012 ballot to prevent the people from feeling betrayed.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 5889, AS AMENDED, AS FOLLOWS:

YEAS: Matherly, Roberts, Stiver, Gatewood, Eberhart

NAYS: None

ABSENT: Hilling

Mayor Cleworth declared the MOTION CARRIED and Ordinance No. 5889, as Amended, ADOPTED.

- b) Ordinance No. 5890 – An Ordinance Amending Fairbanks General Code Sections 2-471 through 2-474 Regarding the Public Safety Commission. Introduced by Mayor Cleworth and Council Member Eberhart. SECOND READING AND PUBLIC HEARING.

Mr. Matherly, seconded by **Mr. Eberhart**, moved to ADOPT Ordinance No. 5890.

Mayor Cleworth called for Public Testimony.

Peter Stern, 1608 Carr Avenue, Fairbanks – Mr. Stern, Chairman of the Public Safety Commission, spoke in support of Ordinance No. 5890. He provided a brief overview of the revisions that have been made and an explanation as to why those changes are being proposed. He stated that the Commission was unanimous in their recommended changes regarding the PSC's duties and powers, composition, member attendance, frequency of meetings, and terms of office.

Frank Turney – Mr. Turney read aloud a portion of Section 2-472 of the ordinance addressing the Commission's jurisdiction. He asked where the line is drawn in regard to complaints from the public.

David Lerman – Mr. Lerman stated that he has never participated in a PSC meeting. He spoke to an incident near his apartment involving an outdoor fire and asked if that would be an appropriate issue to bring before the Commission.

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

Mr. Eberhart thanked those involved in the discussion and drafting of Ordinance No. 5890. He stated that the PSC is a good forum for the public to voice their complaints. In reference to Mr. Lerman's question, he replied that the incident would be an appropriate topic to bring before the Commission. He addressed Mr. Turney's comments, stating that citizens may come to the

Commission with complaints, as long as those complaints do not violate the restrictions set for the in the ordinance. He stated that some issues and complaints may be referred to the Fact Finding Commission by authorization of the Council.

Mayor Cleworth stated that the Code is very strict on matters involving individuals and that the PSC may only speak to policy in regard to such complaints or issues. He stated that the Fact Finding Commission may have the authority to be involved in personal matters only by referral of the Council.

Mr. Eberhart stated that the new, task-oriented structure of the Commission is much more clear than it was. He encouraged the Council to make referrals to the PSC.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 5890, AS FOLLOWS:

YEAS: Roberts, Matherly, Gatewood, Eberhart, Stiver

NAYS: None

ABSENT: Hilling

Mayor Cleworth declared the MOTION CARRIED and Ordinance No. 5890 ADOPTED.

NEW BUSINESS

- a) Resolution No. 4544 – A Resolution to Apply for and Accept Funding from the Alaska Department of Transportation & Public Facilities for a FY2013 Safe Routes to School Grant. Introduced by Mayor Cleworth.

PASSED and APPROVED on the CONSENT AGENDA.

- b) Resolution No. 4545 – A Resolution to Apply for and Accept Funding from the Alaska Department of Public Safety for the FY2013 Edward Byrne Memorial Justice Assistance Grant (JAG). Introduced by Mayor Cleworth.

PASSED and APPROVED on the CONSENT AGENDA.

- c) Ordinance No. 5891 – An Ordinance Amending the 2012 Budget Estimate for the Second Time. Introduced by Mayor Cleworth.

ADVANCED on the CONSENT AGENDA.

DISCUSSION ITEMS

Committee Reports

Local Improvement District (LID) Ad-hoc Committee – **Ms. Stiver** gave a report on the Committee's last meeting and stated that boundaries have been set for the district. She spoke to the "negative election" that would be held giving property owners involved the opportunity to

object. She stated that discussion was also given to educating the property owners as to the purpose of the district. She indicated that there are still many items open for discussion. She stated that Mr. Ewers has been asked to draft an ordinance to amend the FGC on LID districts to allow for a 501(c)(3). Ms. Stiver shared that one of the goals of the Committee is to come up with a structure that would allow the district to operate independently. She commented that the Committee will need a little more time to come up with a recommendation to Council.

Mayor Cleworth asked if Ms. Stiver could share the geographic boundaries the Committee had agreed upon.

Ms. Stiver replied that she did not have the map with her, but that it is the smaller of the two boundaries that were discussed.

Mr. Roberts asked if the boundaries corresponded with the existing Clean Team and CSP service areas.

Ms. Stiver replied affirmatively and gave a general description of the boundaries.

FMATS Policy Committee Meeting – **Mr. Roberts** spoke to the recent Committee meeting, stating that members decided to allow the FMATS Coordinator to hire a part-time administrative employee. He spoke to DOT's intent to have Illinois Street, south of Monroe Catholic School, open by October or November of 2012. He commended DOT for moving up the deadline for that portion of the Illinois Street Project, which will allow for better traffic flow throughout the winter.

COMMUNICATIONS TO COUNCIL

- a) Permanent Fund Review Board Meeting Minutes of February 1, 2012.

ACCEPTED on the CONSENT AGENDA.

- b) Permanent Fund Review Board Meeting Minutes of May 10, 2012.

ACCEPTED on the CONSENT AGENDA.

- c) Chena Riverfront Commission Meeting Minutes of July 11, 2012.

ACCEPTED on the CONSENT AGENDA.

COUNCIL MEMBERS' COMMENTS

Mr. Matherly stated that he lives in the Riverview neighborhood and believes he has come to be known as the "cranky guy" when it comes to speeding in that area. He cautioned folks to slow down and obey speed limits in residential areas.

Mayor Cleworth commented that electronic speed signs are still in the works for that area.

Mr. Eberhart spoke of his visit to the “Housing First” center. He stated that the program looks promising as it slowly opens up and added that the facility is set up nicely. He stated that the program director, Shirley Lee, provided him with statistics that show some improvement in Downtown Fairbanks’ chronic inebriate problem. **Mr. Eberhart** encouraged the public to participate in the state primary election on August 28, 2012.

Mr. Gatewood commented on the quickly approaching start of the 2012-2013 school year. He spoke to the success of the 2012 Tanana Valley State Fair and commended Randi Carnahan and her staff for a job well done. He commented on how quickly the summer season had gone by.

Mr. Roberts shared his optimism that there would be plenty of good weather left. He stated that the start of school is a big deal in his home and wished his daughter luck on her first day. He stated that, while time in his term as a Council Member is limited, there are many upcoming issues in the community that interest him.

Ms. Stiver announced that there will be a rally held at the federal building on Thursday at 11:00 A.M. to protest Ken Salazar’s decision to place restrictions on the National Petroleum Reserve. She spoke to the “Farm to Table” event she attended at UAF and to the benefits of eating local food. She announced that the Energy Fair will take place on Sunday, August 26, 2012 at Chena Hot Springs and encouraged everyone to attend. She echoed Mr. Roberts’ optimism that there will be plenty of good weather in store for the fall season. **Ms. Stiver** invited everyone to attend the City’s 2nd Annual Pig Roast at City Hall on August 30, 2012 at 4:30 P.M. She stated that tickets for the event can be purchased for \$15 per family through the Mayor’s Office.

Mr. Gatewood asked to be excused for the Regular Meeting of September 24, 2012 due to a conflict with work travel.

Mayor Cleworth called for objection to **Mr. Gatewood’s** request to be excused on September 24, 2012 and, hearing none, so ORDERED.

Mayor Cleworth announced that Dorothy Chomicz had left the Fairbanks Daily News Miner and asked her replacement to introduce himself to the Council.

Sam Friedman stated that he moved from Kodiak, Alaska to Fairbanks in 2011 and will be filling in as the staff writer for matters concerning the City Council. He stated that he is eager to meet each Council Member.

CITY ATTORNEY’S REPORT

City Attorney Ewers stated that the Whorton-Hutton case is still ongoing and is set for trial in March of 2013. He stated that City litigation costs have reached the deductible limit and that insurance coverage has now kicked in. Mr. Ewers mentioned the passing of Jack Townsend and related a humorous story about the man’s ever-encouraging nature.

ADJOURNMENT

Mr. Matherly, seconded by **Mr. Roberts**, moved to ADJOURN the meeting.

Mayor Cleworth called for objection and, hearing none, so ORDERED.

Mayor Cleworth declared the Meeting adjourned at 8:09 P.M.

JERRY CLEWORTH, MAYOR

ATTEST:

JANEY HOVENDEN, CMC, CITY CLERK

Transcribed by: DS

ORDINANCE NO. 5891

**AN ORDINANCE AMENDING THE 2012 BUDGET ESTIMATE
FOR THE SECOND TIME**

WHEREAS, this ordinance incorporates the changes outlined on the attached fiscal note to amend the 2012 operating budget.

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 2012 budget from the following sources of revenue for the City of Fairbanks in the amount indicated 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, 2012 and ending December 31, 2012:

	Approved Budget	As Amended
Taxes, (all sources)	\$ 19,476,971	\$ 19,425,990
Charges for Services	4,086,905	4,331,966
Intergovernmental Revenues	3,132,326	3,804,499
Licenses & Permits	1,807,078	1,891,198
Fines, Forfeitures & Penalties	1,051,642	1,115,390
Interest & Penalties	122,000	122,000
Rental & Lease Income	157,919	157,919
Other Revenues	482,588	482,588
Other Financing Sources	2,684,960	2,012,389
Total Appropriation	<u>\$ 33,002,389</u>	<u>\$ 33,343,939</u>

SECTION 2. There is hereby appropriated to the 2012 budget expenditures for the City of Fairbanks in the amount indicated:

10	Mayor and Council	\$ 483,403	\$ 483,403
11	Office of the City Attorney	166,857	166,857
12	Office of the City Clerk	300,758	300,758
13	Finance Department	882,600	882,600
14	Information Technology	1,417,837	1,447,837
15	General Account	4,980,223	5,000,223
16	Risk Management	1,371,112	1,410,927
20	Police Department	6,770,347	6,770,347
21	Dispatch	1,971,025	1,971,025
30	Fire Department	6,118,118	6,361,380
50	Department of Public Works	6,990,010	6,990,010
51	Engineering Division	611,316	611,316
60	Building Department	640,741	640,741
	Total General Fund Appropriation	\$ 32,704,347	\$ 33,037,424
<hr/>			
	Total Revenues	\$ 33,002,389	\$ 33,343,939
	2011 Assigned Fund Balance for encumbrances	293,960	293,960
	Total Revenues and prior year assignments	\$ 33,296,349	\$ 33,637,899
	 Total Appropriation	 32,704,347	 33,037,424
	Increase to general fund unassigned fund balance	\$ 592,002	\$ 600,475
	 12/31/11 general fund balance	 \$ 10,992,919	 \$ 10,992,919
	Increase to fund balance	592,002	600,475
	Assigned encumbrances	(293,960)	(293,960)
	12/31/12 Projected general fund balance	11,290,961	11,299,434
	Committed for snow removal	(250,000)	(250,000)
	Committed for Self Insurance Reserve	(529,273)	(529,273)
	12/31/12 Projected Unassigned balance	\$ 10,511,688	\$ 10,520,161

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 January 1, 2012 and ending December 31, 2012.

SECTION 4. The effective date of this Ordinance shall be the ____ day of September 2012.

Jerry Cleworth, MAYOR

AYES:
NAYS:
ABSENT:
ADOPTED:

ATTEST:

APPROVED AS TO FORM

Janey Hovenden, CMC, City Clerk

Paul J. Ewers, City Attorney

FISCAL NOTE

ORDINANCE 5891 AMENDING 2012 GENERAL FUND BUDGET 2nd TIME

ESTIMATED REVENUES

\$341,550 Increase

1. Taxes – (\$50,981) Decrease
 - (\$50,981) Decrease for Property Taxes
2. Charges for Services – \$245,061 Increase
 - \$200,000 Increase for Engineering Recovery Grants
 - \$ 20,000 Increase for Administrative Recovery Grants
 - \$ 25,061 Increase for Public Works Recovery Grants
3. Intergovernmental Revenues – \$672,173 Increase
 - \$672,571 Increase for State of Alaska Revenue Sharing
 - \$ 1,800 Increase for SART Reimbursement
 - \$ (148) Decrease for SOA Phone/ Electric Share
 - \$ (2,050) Decrease for SOA Liquor Share
4. Licenses & Permits – \$84,120 Increase
 - \$ 84,120 Increase for Business Licenses
5. Fines, Forfeitures & Penalties – \$63,748 Increase
 - \$ 63,748 Increase for City Forfeitures
6. Interest & Penalties – No Change
7. Rental & Lease Income – No Change
8. Other Revenues – No Change
9. Other Financing Sources & Uses – (\$672,571) Decrease
 - \$ 198,727 Increase to sale of assets.
 - \$(198,727) Decrease for transfer to Capital Fund
 - \$(336,285) Decrease for transfer to Capital Fund
 - \$(336,286) Decrease for transfer to Permanent Fund

**FISCAL NOTE CONTINUED
ESTIMATED EXPENDITURES**

\$333,077 Increase

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 – \$30,000 Increase
 - \$10,000 Increase to Telephone Services
 - \$20,000 Increase to Computer Services Fiber Optics
6. General Account – \$20,000 Increase
 - \$20,000 Increase for Steam
7. Risk Management – \$39,815 Increase to adjust to 2012 Mill Levy
 - \$(13,171) Decrease to Workers Comp – COF
 - \$(56,258) Decrease to General Liability Claims
 - \$ 720 Increase to Auto Claims
 - \$111,466 Increase to Workers Comp – MUS
 - \$ (2,942) Decrease to Risk Services
8. Police Department – No Change
9. Dispatch – No Change

10. Fire Department – \$243,262 Increase

- a. \$144,975 Increase to Salaries – FFA CBA
- b. \$ 12,661 Increase to OT – FFA CBA
- c. \$ 56,622 Increase to Benefits – FFA CBA
- d. \$ 24,709 Increase to Leave – FFA CBA
- e. \$ 4,295 Increase to Uniforms – FFA CBA

11. Public Works – No Change

12. Engineering – No Change

13. Building Department – No Change

ORDINANCE NO. 5892

**AN ORDINANCE AMENDING FAIRBANKS GENERAL CODE
SECTIONS 2-685 AND 2-686 REGARDING SELECTION OF A
FINANCIAL INSTITUTION AND TERMS REGARDING
COLLATERALIZATION OF SECURITIES**

WHEREAS, the City Finance Department staff has recommended amendments to City Code sections regarding selection of financial institutions and collateralization of deposit-type securities; and

WHEREAS, the Finance Committee has reviewed these proposed changes,

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF FAIRBANKS as follows [new text in **bold/underline** font; deleted text in ~~strikeout~~ font]:

Section 1. Sections 2-685 and 2-686 are amended as follows

Sec. 2-685. - Qualified institutions.

The city shall maintain a listing of financial institutions which are approved for investment purposes. Banks shall provide their most recent consolidated report of condition ("call" report) at the request of the city. ~~At a minimum, the city shall conduct an annual evaluation of each bank's credit worthiness to determine whether it should be on the qualified institution listing.~~ Securities dealers not affiliated with a bank shall be required to be classified as reporting dealers affiliated with the New York Federal Reserve Bank, as primary dealers. Depositories shall be selected through the government's banking services procurement process, which shall include a formal request for proposals issued ~~every two or three years~~ **for a term of five years with an option of the City Council to extend for one additional term of five years.** In selecting depositories, the creditworthiness of institutions shall be considered, and the director of finance shall conduct a comprehensive review of prospective depositories' credit characteristics and financial history.

Sec. 2-686. - Safekeeping and collateralization.

(a) All investment securities purchased by the city shall be held in third-party safekeeping by an institution designated as primary agent. The primary agent shall issue a safekeeping receipt to the city listing the specific instrument, rate maturity and other pertinent information.

(b) Deposit-type securities (i.e., certificates of deposit, repurchase agreements) shall be collateralized through the deposit of collateral in the amount of ~~403~~**102** percent of the invested amount for any amount exceeding FDIC or FSLIC coverage. Other investments shall be collateralized by the actual security held in safekeeping by the primary agent.

Section 2. This ordinance is effective on the ____ day of September 2012.

Jerry Cleworth, City Mayor

AYES:
NAYS:
ABSENT:
APPROVED:

ATTEST:

APPROVED AS TO FORM:

Janey Hovenden, CMC, City Clerk

Paul J. Ewers, City Attorney

ORDINANCE NO. 5893

**AN ORDINANCE REPEALING FAIRBANKS GENERAL CODE
SECTIONS 2-731 THROUGH 2-736 REGARDING THE J.P. JONES
COMMUNITY DEVELOPMENT CENTER INVESTMENT FUND**

WHEREAS, the City has recently transferred ownership of the J.P. Jones Community Development Center to a non-profit organization along with the funds remaining in the J.P. Jones Community Development Center Investment Fund; and

WHEREAS, in light of the transfer of the building and funds, there is no longer a need to provide for management of the J.P. Jones Community Development Center Investment Fund,

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

Section 1. Fairbanks General Code Sections 2-731 through 2-736 are repealed.

Section 2. This Ordinance is effective September ____, 2012.

Jerry Cleworth, Mayor

AYES:
NAYS:
ABSENT:
APPROVED:

ATTEST:

APPROVED AS TO FORM:

Janey Hovenden, CMC, City Clerk

Paul J. Ewers, City Attorney

ORDINANCE NO. 5894

**AN ORDINANCE AUTHORIZING THE EXTRATERRITORIAL EXTENSION
OF FIRE SUPPRESSION SERVICES BY CONTRACT TO PROPERTY
SOUTH OF VAN HORN ROAD AND EAST OF EASY STREET**

WHEREAS, Resolution 4507 authorized the Mayor to enter into agreements to provide extraterritorial fire suppression services to contiguous unprotected properties at a rate equivalent to that of other service area providers who could offer the same services, subject to FGC Section 2-656, which requires the consent of the City Council by ordinance; and

WHEREAS, since the approval of Resolution 4507, a number of property owners with property south of Van Horn Road and east of Easy Street have requested contractual fire service at a mill levy equal to the University Fire Service Area,

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

Section 1. The Mayor is authorized to enter into current and future agreements to provide fire protection service to properties outside the City limits south of Van Horn Road and east of Easy Street that are not located inside a fire service area of the Fairbanks North Star Borough inside Sections 22, 23 & 26, Township 1 South, Range 1 West, Fairbanks Meridian.

Section 2. This authority is effective until repealed by future Ordinance.

Jerry Cleworth, Mayor

AYES:
NAYS:
ABSENT:
APPROVED:

ATTEST:

APPROVED AS TO FORM:

Janey Hovenden, CMC, City Clerk

Paul J. Ewers, City Attorney

ORDINANCE NO. 5895

**AN ORDINANCE APPROVING THE CONDITIONAL TRANSFER OF
NATURAL GAS UTILITY POWER TO THE FAIRBANKS NORTH STAR
BOROUGH**

WHEREAS, the need for energy cost relief is paramount for all residents of Interior Alaska, and past efforts to solve the problem have been unsuccessful; and

WHEREAS, the construction of a natural gas pipeline from the North Slope to utilize the stranded gas is a fundamental infrastructure need for the State of Alaska that is long overdue; and

WHEREAS, constructing liquefied natural gas (“LNG”) processing facilities on the North Slope and trucking gas to Fairbanks is the most promising short term solution since a gas pipeline is still years away; and

WHEREAS, Flint Hills Resources and Golden Valley Electric Association are jointly working on the construction of an LNG facility that will produce 9 billion cubic feet (“BCF”) per year leaving only approximately 2 BCF/year potentially available for space heating; and

WHEREAS, Fairbanks Natural Gas is also planning a North Slope LNG facility that will produce up to 7 BCF/year for space heating needs through an expansion of its existing natural gas distribution system; and

WHEREAS, the Fairbanks North Star Borough is proposing the creation of an Interior Alaska Natural Gas Utility (“IANGU”) to explore available public-private partnership options; creation of this utility would require the City of North Pole and the City of Fairbanks to transfer powers to the Borough; and

WHEREAS, the Borough does not currently have the legal authority to create such a utility, but it may acquire that power on an areawide basis if the cities of Fairbanks and North Pole transfer their utility powers to the Borough by ordinance; and

WHEREAS, the City of Fairbanks has made several requests that have been incorporated into the Borough’s draft implementing ordinance, including retention of all earnings by the utility financially separating it from the Borough, a change in board member makeup which gives each municipality an appointment to the utility board, and expansion of the “purpose” definition; and

WHEREAS, the City of Fairbanks has concerns about the creation of a public utility that could potentially compete with a private sector provider and views IANGU first as a facilitator, second as an implementing corporation that contracts, partners or joint ventures with private

companies, and third as a provider/competitor if services are not currently being provided or if the private entity is unwilling to provide them or will not do so in a timely manner; and

WHEREAS, the City of Fairbanks has a long history of running utilities and is very much aware of the difficulties associated with them and the challenges a board faces in controlling costs over a period of time, costs which could be greatly mitigated if the utility, rather than being an operating company, accomplishes its goals by contracting, partnering, and/or joint venturing with private industry, and

WHEREAS, the IANGU could be of upmost help by providing a conduit for low interest financing and grants available to public entities,

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

Section 1. The City of Fairbanks transfers to the Fairbanks North Star Borough its power to own and operate a natural gas utility.

Section 2. Transfer of this power is conditioned upon the adoption by the Borough Assembly of an ordinance containing the provisions regarding the management organization as set out in the attached proposed Borough Ordinance No. 2012 - 52, including:

a. The City of Fairbanks and the City of North Pole shall each have the right to appoint one board member of the seven member board of directors.

b. Direct competition in an area covered by a Certificate of Public Convenience & Necessity by the Regulatory Commission of Alaska will not be initiated without approval of the Fairbanks North Star Borough, the City of Fairbanks and the City of North Pole by separate resolutions. In the event such authority is given, IANGU is only authorized to operate via a contract with a private entity unless this option is not available.

c. Compensation of the IANGU Board of Directors shall not exceed compensation paid to the Assembly Members of the Fairbanks North Star Borough.

d. IANGU shall report its activities to the public on at least a quarterly basis.

e. To the extent the power is not exercised within three years from the date of this ordinance, the City of Fairbanks revokes the unexercised portion of this transfer of power. Any extension must be authorized by a new ordinance.

Section 3. That the effective date of transfer of power provided by this Ordinance shall be November 15, 2012.

Jerry Cleworth, City Mayor

AYES:
NAYS:
ABSENT:
ADOPTED:

ATTEST:

APPROVED AS TO FORM:

Janey Hovenden, CMC, City Clerk

Paul Ewers, City Attorney

1 By: Nadine Winters
2 Luke Hopkins
3 Diane Hutchison
4 John Davies
5 Karl Kassel
6 Mike Musick
7 Introduced: 09/13/12
8
9

10 FAIRBANKS NORTH STAR BOROUGH

11 ORDINANCE NO. 2012 - 52

12 AN ORDINANCE ACQUIRING AN AREAWIDE NATURAL GAS UTILITY POWER BY
13 TRANSFER FROM THE CITIES OF FAIRBANKS AND NORTH POLE,
14 ESTABLISHING THE INTERIOR ALASKA NATURAL GAS UTILITY AND PROVIDING
15 FOR ITS MANAGEMENT
16
17
18

19 WHEREAS, Article X § 13 of Alaska's Constitution authorizes a city
20 located in a borough to transfer to the borough any of its powers or functions unless
21 prohibited by law or charter; and
22

23 WHEREAS, both the City of North Pole and the City of Fairbanks are
24 home rule cities authorized to acquire, own and operate public utilities and to exercise
25 all powers and functions necessarily or fairly implied in or incident to that purpose; and
26

27 WHEREAS, Alaska statutes (AS 29.35.210(d), AS 29.35.300, and AS
28 29.35.310) expressly authorize a second class borough, like the Fairbanks North Star
29 Borough, to exercise on an areawide basis a power acquired by transfer from a city; and
30

31 WHEREAS, it is in the best interest of the citizens of the Fairbanks North
32 Star Borough to create an areawide natural gas utility empowered to ensure its citizens
33 affordable access to natural gas and/or propane; and
34

CODE AMENDMENTS ARE SHOWN IN LEGISLATIVE FORMAT
Text to be added is underlined
Text to be deleted is [BRACKETED AND CAPITALIZED]

35 WHEREAS, an areawide natural gas utility will allow for tax exempt
36 financing, access to governmental funding, and provide transparency of operations; and

37

38 WHEREAS, the areawide natural gas utility, once established, can explore
39 available public-private partnership options in order to operate in a businesslike, cost-
40 effective manner.

41

42 NOW, THEREFORE, BE IT ORDAINED by the Assembly of the Fairbanks
43 North Star Borough:

44

45 Section 1. This ordinance is of a general and permanent nature and shall,
46 except for sections 2 and 3, be codified.

47

48 Section 2. Approval of Transfer by Cities. The Fairbanks North Star
49 Borough hereby accepts the transfer to the Borough by the City of Fairbanks and the
50 City of North Pole of the power to acquire, own, and operate a natural gas utility. The
51 Fairbanks North Star Borough agrees to the following two conditions on the transfer: (1)
52 Except as otherwise provided by city charter, the cities may revoke the unexercised
53 portion of the transferred power to the extent it is not exercised within three years from
54 the date of this ordinance and (2) Each city council shall have the right to confirm the
55 appointment by their mayor of at least one member of the Board of Directors of the
56 Utility. For purposes of this ordinance, the power to acquire, own, and operate a natural
57 gas utility includes, without limitation, the power to acquire, own and operate
58 distribution, transmission, and transportation-related facilities and pipelines and
59 conditioning facilities as well as all powers necessarily or fairly implied in or incident to
60 that purpose. Such powers are intended to be broadly construed.

61

CODE AMENDMENTS ARE SHOWN IN LEGISLATIVE FORMAT

Text to be added is underlined

Text to be deleted is [BRACKETED AND CAPITALIZED]

62 Section 3. Orderly Transition. The Fairbanks North Star Borough, in
63 consultation with the Cities of Fairbanks and North Pole, shall arrange for an orderly
64 and equitable transfer of rights and other matters related to acquisition of the areawide
65 powers.

66
67 Section 4. FNSB 1.02.050, acquired areawide powers, shall be amended
68 to add the following (the Clerk shall provide the appropriate date):

69 9. Natural Gas Utility by transfer _____, 2012.

70
71 Section 5. FNSB Code of Ordinances is hereby amended to add a new
72 Title as follows:

73 Title 11. Natural Gas Utility

74
75 Chapter 11.01 Establishment of Utility and Management

76 11.01.010 Establishment. There is established the Interior Alaska Natural
77 Gas Utility, the purpose of which is to facilitate if possible or provide, if necessary,
78 affordable natural and/or manufactured gas to the largest number of people in the
79 Fairbanks North Star Borough in the shortest amount of time. The Interior Alaska
80 Natural Gas Utility shall be a public corporation and an instrumentality of the Fairbanks
81 North Star Borough. It shall be wholly owned by the Fairbanks North Star Borough but
82 shall have a legal existence independent of and separate from the Borough.

83
84 11.01.020 Application of Laws. The Utility shall, as a public corporation,
85 comply with the Open Meetings Act and other applicable state laws. Borough
86 ordinances not of general public application shall apply only as specified herein or as
87 specifically made applicable in any adopted ordinance. Ordinances not of general
88 public application include the procurement code, the personnel ordinance and the
89 ordinance requiring a vote for revenue bonds.

CODE AMENDMENTS ARE SHOWN IN LEGISLATIVE FORMAT

Text to be added is underlined

Text to be deleted is [BRACKETED AND CAPITALIZED]

90

91 11.01.030 Management.

92 A. There is hereby created a seven member independent and non-partisan
93 Interior Alaska Natural Gas Utility Board of Directors who shall oversee the work
94 necessary to achieve the purpose of the Utility which specifically may include
95 management and operation of a natural gas utility. The Board shall annually elect a
96 chair and may elect other officers from among its members. The Board shall have the
97 authority to adopt and amend bylaws subject to assembly approval. The Board shall
98 report to the Assembly at least quarterly and shall provide an annual report which must
99 include financial statements audited by independent outside auditors.

100 B. The initial appointments to the Board shall be made as follows: three by
101 the Borough Mayor, one by the assembly presiding officer, one by the City of North Pole
102 and two by the City of Fairbanks, each confirmed by the respective governing body.
103 Appointments shall be made for staggered terms (as determined by lottery) with two
104 members serving for two years, two serving for three years and three serving for four
105 years with their terms ending when their successors are elected or appointed. Upon the
106 expiration of the first four initial appointed terms of office, their successors shall be
107 elected at large by the voters of the Fairbanks North Star Borough. Upon expiration of
108 the last three initial appointed terms, their successors shall be appointed, one by the
109 Borough Mayor, one by the City of North Pole Mayor and one by the City of Fairbanks
110 Mayor, each subject to confirmation by the respective governing body. After the
111 expiration of their initial terms all shall thereafter serve a term of three years.

112 C. The Utility shall be independently managed and operated by the Board of
113 Directors in accordance with prevailing industry practices and general standards
114 common to utilities providing the same utility service. The Board, not the Fairbanks
115 North Star Borough, shall oversee the management of the Utility and shall have the
116 powers necessary or convenient to the management and operation of the Utility. The
117 Borough intends that the Board shall have full authority respecting the Utility unless that

CODE AMENDMENTS ARE SHOWN IN LEGISLATIVE FORMAT

Text to be added is underlined

Text to be deleted is [BRACKETED AND CAPITALIZED]

118 authority is specifically withheld by law or ordinance. During its first year of operation
119 the Board may request and use, at the discretion of the Mayor, available Borough
120 resources such as staff and equipment. Thereafter, the Board may not utilize the
121 resources of the Borough except as authorized by the Assembly. The Board may
122 contract or act only on behalf of the Utility and not on behalf of the Fairbanks North Star
123 Borough. The Fairbanks North Star Borough shall not be liable for the debts or liabilities
124 of the Utility without specific authorization by the Fairbanks North Star Borough
125 Assembly. No general obligation bonds may be issued without voter approval. The
126 Board shall maintain a separate account for the Utility which shall be kept and classified
127 in accordance with uniform accounting standards generally prescribed for public utilities
128 providing the same utility service. The Board may acquire and dispose of capital
129 assets.

130 D. Manager. The Board of Directors may enter into contracts or other
131 agreements to provide for the management and operation or any aspect thereof of the
132 natural gas utility and shall have the authority to appoint a Manager which may be an
133 individual or a private entity.

134 E. The Board shall have a separate capital and operating budget. Provided
135 that total Utility annual budgeted revenues at least equal total annual budgeted
136 expenses, no further Borough Assembly approval is required. If required, the Borough
137 Assembly shall have approval only over the total budget amount and may not raise or
138 lower any other line item. Earnings shall be retained by the Utility to enable the Utility to
139 meet its purpose of providing affordable natural and/or manufactured gas to the largest
140 number of people in the borough in the shortest amount of time.

141
142 Section 6. Effective Date. This ordinance shall be effective at 5:00 p.m.
143 of the first Borough business day following its adoption.

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CODE AMENDMENTS ARE SHOWN IN LEGISLATIVE FORMAT

Text to be added is underlined

Text to be deleted is [BRACKETED AND CAPITALIZED]

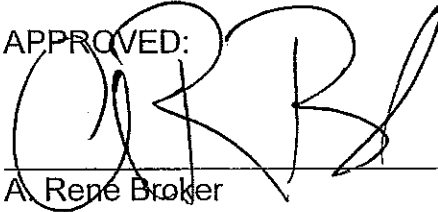
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PASSED AND APPROVED THIS _____ DAY OF _____, 2012.

Diane Hutchison
Presiding Officer

ATTEST:

APPROVED:



Mona Lisa Drexler, MMC
Borough Municipal Clerk

A. Rene Broker
Borough Attorney

CODE AMENDMENTS ARE SHOWN IN LEGISLATIVE FORMAT
Text to be added is underlined
Text to be deleted is [BRACKETED AND CAPITALIZED]



LOCAL IMPROVEMENT DISTRICT AD HOC COMMITTEE
MEETING MINUTES, JULY 27, 2012
FAIRBANKS CITY COUNCIL CHAMBERS
800 CUSHMAN STREET, FAIRBANKS, ALASKA

Members Present: Vivian Stiver, Chair
Chris Miller
Patty Mongold
Karen Lavery
Monty Rostad
Trevor Eller
Jewelz Nutter (Excused at 9:00 A.M.)

Absent: None

Also Present: Paul Ewers, City Attorney
Michael J. Schmetzer, City Engineer & Public Works Director

NEW BUSINESS

- a) Call to Order – 8:15 A.M.
- b) Roll Call
- c) Approval of Minutes – Regular Meeting Minutes of July 20, 2012

Ms. Stiver called for objection to the approval of the minutes, and, hearing none, so ORDERED.

- d) Discussion

Handouts to Members: Minimum/Maximum LID District Boundaries
Proposed CSP/Clean Team Budgets
Proposed District Property Assessment Totals
FNSB GIS Map of Downtown Core Area

Mr. Miller spoke to the proposed minimum/maximum district boundary maps. He stated that the maps were created with the intent of minimizing the number of residential properties to be included in the district. He briefly explained how the assessment values were broken down with full property values in one column and land values only in the other.

Members discussed whether or not the LID should fund the CSP and Clean Team programs in full or if it should fund only the shortfalls in the programs' annual budget. They discussed raising the mill rate enough to fully fund both programs and spoke to the significant financial impact the increase would have on local businesses. Members discussed the challenges of relying on donations from outside organizations to fund the majority of the CSP and Clean Team's annual budget. Ms. Stiver spoke to the importance of using the mill rate to create "ownership" across the board for all citizens who participate in the district, versus relying on donations from local businesses to fund the services.

Mr. Ewers explained that the existing City Code governing local improvement districts does not mandate that an election be held. He stated that the creation of the district would have to begin by citizen's petition or by action from the City Council. He further explained that, once the Council had approved a district plan, the process would involve public hearings at which citizens would have an opportunity to object. Mr. Ewers indicated that the district would die if there was objection from a majority of the citizens involved and that each objection's weight would directly correspond with the value of the owner's property. He spoke to how the process would vary if the district was for improvements instead of services.

Mr. Schmetzer came forward to speak to the services already provided by the City of Fairbanks in the downtown area. He stated that the core downtown area is not given a greater level of service than other areas within City limits. He stated that this year the City will provide more routine maintenance downtown than it has in the past due to the loss of the Clean Team's equipment.

Ms. Nutter suggested that the Committee recommend taxing property based on land value—not structure—for the sake of a community approach to the district. Ms. Mongold offered her support to Ms. Nutter's suggestion. Ms. Stiver stated that she would check with the Borough to see if the properties could be taxed based only on land value. Ms. Nutter inquired as to the administration of the LID.

Mr. Ewers stated that there is nothing in City Code that speaks to the administration of a local improvement district. He explained that the Council would have some oversight over the program and property owners would possibly have the ability to make changes to the program through petitions. He indicated that the services themselves could be contracted out. He stated that the details for providing district services could be done in a number of ways administratively. Members discussed how donations to the district would be tracked and distributed, and if such donations would be tax deductible.

Ms. Mongold, seconded by Mr. Miller, moved to recommend that the LID Committee use only land assessments to tax properties included in the district.

Ms. Stiver called for objection, and, hearing none, so ORDERED.

Members continued to discuss district organization and function. Ms. Lavery stated her concern that she has never seen a successful improvement district administered by a governmental agency. She asked if other Committee members had reviewed the handout from last week on how to create a Downtown Improvement District. She expressed her confusion as to why the Downtown Association is not administering the program on their own since their 501C3 exemption was originally intended for that specific purpose. She explained that when the City ordinance on improvement districts was passed, the intent was for the tax to be collected and passed through the City's hands, then given directly to the organization (e.g. Downtown Association, Festival Fairbanks) for administration. Ms. Lavery suggested that the district have its own Board of Directors separate from any private or governmental agency.

e) Topics for Next Meeting

Ms. Stiver stated that she will ask the City's CFO Jim Soileau to attend the next meeting to discuss possible administrative fees associated with collecting the additional tax. She stated that the Committee also needs to discuss a realistic mill rate, administrative structure/procedures, and decide on a coverage area for the district.

NEXT MEETING

Regular Meeting on Friday, August 3, 2012, at 8:15 A.M. in City Council Chambers.

ADJOURNMENT

Ms. Stiver declared the meeting adjourned at 9:15 A.M.



Vivian Stiver, Chair

Transcribed by: DS



LOCAL IMPROVEMENT DISTRICT AD HOC COMMITTEE
MEETING MINUTES, AUGUST 3, 2012
FAIRBANKS CITY COUNCIL CHAMBERS
800 CUSHMAN STREET, FAIRBANKS, ALASKA

Members Present: Vivian Stiver, Chair
Chris Miller (Excused at 8:55 A.M.)
Patty Mongold
Karen Lavery
Trevor Eller
Jewelz Nutter

Absent: Monty Rostad (Excused)

Also Present: D. Danyielle Snider, Deputy City Clerk
Julie Engfer, Festival Fairbanks
David van den Berg, Fairbanks Downtown Association

NEW BUSINESS

- a) Call to Order – 8:18 A.M.
- b) Roll Call
- c) Approval of Minutes – Regular Meeting Minutes, July 27, 2012

There was no quorum at time of approval, minutes were not approved.

- d) Discussion

Handouts to Members: Festival Fairbanks/DTA Merger Organizational Chart for LID
Proposed LID Organizational Budget
Revised District Property Assessment Totals

Ms. Stiver explained how problematic it may be for the Fairbanks North Star Borough to grant exemptions to properties within the LID. She stated that she and City Finance Director Jim Soileau have been discussing the possibility of the City Finance Department performing all the collections/exemptions.

Members discussed the pros and cons of minimum/maximum district boundaries. Mr. van den Berg pointed out the new assessment figures that included nearly all properties within the maximum boundary limits. Ms. Nutter stressed the importance of structuring the district to succeed. Members discussed how an election to approve the district may work and Ms. Nutter explained the difference between positive and negative elections.

Mr. van den Berg spoke to the frequency of call-outs in the outlying areas of the CSP boundaries. He described instances when the CSP cannot intervene on private property due to trespassing laws.

Ms. Stiver posed the question of whether or not properties outside the district boundaries could opt-in once the LID was underway. Ms. Lavery replied that she was unsure if “opting in” was possible; she spoke to exemptions for residences and non-profits within the district. Discussion was given to the differences in the service needs of downtown businesses versus residences.

Ms. Nutter, seconded by Mr. Miller, moved to set the LID Boundaries to the minimum coverage area.

Ms. Stiver called for objection, and, hearing none, so ORDERED.

Ms. Lavery expressed concern that decisions were being made with too many unknowns as to how the district would operate administratively and collect/exempt certain properties. Members discussed the makeup and possible organizational structures for an LID Board of Directors. Mr. van den Berg spoke to the Downtown Association’s (DTA) 501C3 exemption that was originally intended for the purpose of a downtown improvement district. Ms. Lavery asked why the DTA had not gone through with creating the LID themselves, since they support the idea and need the funding. Mr. van den Berg replied that the DTA Board of Directors has not given up on the idea of a LID, but that no program has been developed yet. Discussion was given to creating a new 501C3 for the district and to the makeup/organization of a LID Board of Directors.

e) Topics for Next Meeting

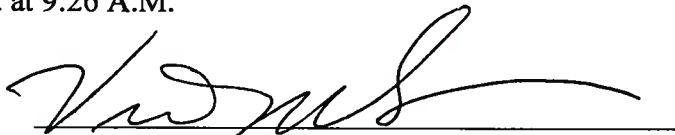
Ms. Stiver stated that the Committee will address district structure, elections and LID property owner education at the next meeting. .

NEXT MEETING

Regular Meeting on Friday, August 10, 2012, at 8:15 A.M. in City Council Chambers.

ADJOURNMENT

Ms. Stiver declared the meeting adjourned at 9:26 A.M.



Vivian Stiver, Chair

Transcribed by: DS

PUBLIC SAFETY COMMISSION

May 8, 2012
11:30 AM
Council Chambers (hosted by FECC)

PSC Members:	John Eberhart (Seat A - 2014)	Robert Fox (Seat E - 2012)
	Bill Satterberg (Seat B - 2012)	Greg Taylor (FFD Appointee)
	Peter Stern (Seat C - 2013)	Robert Hall (FPD Appointee)
	Buzzy Chiu (Seat D - 2014)	

Meeting Minutes

CALLED TO ORDER: 11:35 am

ATTENDANCE:

PSC Members: John Eberhart, Bill Satterberg, Peter Stern, Buzzy Chiu, Robert Fox, Greg Taylor and Robert Hall

Others in attendance: Mayor Jerry Cleworth, Stephanie Johnson* and Bonnie Nolan–FECC, Dave Burglin–CAO, Chief Laren Zager, Deputy Chief Johnson* and Lt. Eric Jewkes*–FPD; Chief Warren Cummings and Lisa Howard–FFD. (*arrived late)

ADOPT AGENDA: Agenda approved.

PUBLIC COMMENT: None

MINUTES: The minutes of April 17, 2012 meeting were approved without changes.

OLD BUSINESS:

Seat E: Robert Fox replaces Frank Eagle for Seat E, confirmed by City Council on 5/7/12.

Police Vehicles Chief Zager reported that the project has been turned over to Purchasing for bid process. Depending on bid price, there are up to three Ford Explorers and four Subarus expected to be purchased.

Code Changes, Ordinance Update and False 911 Calls Ordinance (postpone until Lt Jewkes arrives.)

Role of the Public Safety Commission Peter Stern indicated that research has revealed that few cities have PSC's. He had sample documents from Anchorage and Piedmont, California which were sent to all committee members after the meeting. A draft of a revision for FGC Section 2-471 Public Safety Commission was handed out by Mayor Cleworth. Major changes were in composition of the committee, with no union representation from Police & Fire; removal of City Council concurrence for selection of committee chairperson; and changes to roles/powers. Summary of comments.

- Generally agreed that representation from the "rank and file" has merit, but varied options on whether they should be resources (like dept heads), retain a seat on the committee as ex-officio members or become full voting members.
- General consensus that proposal removes functions but doesn't add anything, and was more vague and generalized and didn't give committee defined tasks or focus. No specific support of the proposed changes but many opposing.

NEW BUSINESS:

FPD Report – Officer Hall reviewed the April 2012 statistics report. He stated that there is an increase in vehicle theft – often crimes of opportunity when vehicles left unlocked and/or keys in vehicle. Significant increase in bar fights, and bar inspections are being stepped up. Cautioned that when bars take an aggressive stance of intolerance to violence and bad behavior, it may result in more calls to a particular bar, but that these establishments shouldn't be punished – it is actually because the bouncers and bar owners are doing a good job. John Eberhart echoed that point.

Mr. Satterberg asked if there had been contact with military officials to discuss return of soldiers from overseas and providing them assistance with the transition. Chief Zager and his staff have participated in briefings on this topic.

Lt. Jewkes reported that the 911 false calls ordinance passed, and he is working with Director Johnson at FECC for appropriate phrasing to warn callers making these type of calls. The false alarms code revision is in draft and there was discussion between alarms monitored by the City or private companies. Alarm permits need to be either enforced universally or eliminated.

FFD Report – Chief Cummings reviewed the fire and ambulance response statistics for April 2012. He also reported that the current labor contract has been before the City Council for first reading and is due for 2nd reading and a vote on May 21st, and if passed, then will go on to the union members for ratification. When asked about his sense of whether the membership would pass it, Greg Taylor reported that the union members have not seen it yet and while the broad strokes have been generally discussed the details will have to be reviewed before anyone can make a decision.

Chief Cummings gave a grant report update, reporting that the SCBA purchase has been approved by Council and will be going to bid next month. He also said that department heads are working on a project list for the HLS grant when it opens. Under the State budget, there are two projects still in the draft budget – the medium duty ambulance and an increase in the warm storage at Public Works. Question was raised about the med duty ambulance and its increased size. Chief Cummings reported that it is 40” longer, 7” taller and 2” wider and will fit in the bays at FMH. Its GVW increases by 50% - the current ambulances are at GVW before fully loaded with patients and medics. It may be used for bariatric patients (300#+) and is expected to be equipped with a lift.

FECC Report – Director Stephanie Johnson reported things are generally status quo. They are exploring a Soldotna – FECC 911 call center and ALMR radio back up, which is a planned component of the call taking agreement. Discussion that 459-6500 used to be a direct line for dispatch and that it needs to have some direction for people who may still have it listed as a contact.

CLOSING COMMENTS:

Members are to email any comments or thoughts they have on the draft PSC ordinance to Lisa for dissemination. Lisa will also email out the sample materials from Peter Stern to all members.

Mayor Cleworth reported that the downtown foot patrol will occur again this summer. He also said that he received a letter from the fire dept union that they were not happy with the proposed new medium duty ambulance and has not decided how the city will deal with it yet.

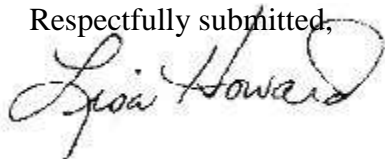
It was confirmed that Housing First is open and it is a sprinklered building.

Officer Hall added that on May 19th, 10AM at UAF there will be the Special Olympics Torch Run. Channel 11 will be covering it; anyone can send him an email for more information.

NEXT REGULAR MEETING: June 12, 2012 (FPD)

MEETING ADJOURNED at 12:31 PM

Respectfully submitted,



PUBLIC SAFETY COMMISSION

June 12, 2012
11:30 AM
Fairbanks Police Department

PSC Members:	John Eberhart (Seat A - 2014)	Robert Fox (Seat E - 2012)
	Bill Satterberg (Seat B - 2012)	Greg Taylor (FFD Appointee)
	Peter Stern (Seat C - 2013)	Robert Hall (FPD Appointee)
	Buzzy Chiu (Seat D - 2014)	

Meeting Minutes

CALLED TO ORDER: 11:32 am

ATTENDANCE:

PSC Members: John Eberhart, Bill Satterberg (via phone), Peter Stern, , Greg Taylor and Robert Hall
Absent: Buzzy Chiu (excused) and Robert Fox

Others in attendance: Mayor Jerry Cleworth, Stephanie Johnson and Bonnie Nolan–FECC, Chief Laren Zager and Lt. Eric Jewkes–FPD; Chief Warren Cummings and Lisa Howard–FFD

ADOPT AGENDA: Agenda approved.

PUBLIC COMMENT: None

MINUTES: The minutes of May 8, 2012 meeting were approved without changes.

OLD BUSINESS:

Code Changes, Ordinance Update and False 911 Calls Ordinance - Lt Jewkes reports that the next round of changes should go before the council at the next meeting. He has been working with Paul Ewers and they got rid of permit language that has not been enforced nor are there plans to start enforcing it. Discussion regarding Police Dept has the option to terminate response to multiple false intrusion alarms but fire doesn't have that option.

Role of the Public Safety Commission Various drafts were discussed. Summary of comments:

- Peter Stern proposal was to increase the commission size to 7 voting and 5 ex-officio members.
- Bill Satterberg felt that it is important to have folks from the public, likes attendance requirements, thinks monthly meetings are probably too often, thought some form of public forum for complaints might be a good idea.
- Mayor Cleworth said restricting it to City residents was too limiting.
- Chief Zager said FPD may be considering external investigation option, may be beneficial PSC to be first place complaints go, and that concern about quorum with larger size. He supports the Cole proposal, but in effect the PSC turns into a task force, which is maybe where it should go.
- John Eberhart thinks FFD & FPD representatives should be non-voting but their input is important.
- Robert Hall agrees FFD & FPD members should be non-voting but they need to be designated individuals to maintain continuity.
- Mayor Cleworth expresses interest in PSC being involved with emergency preparedness issues.
- Peter Stern said that fixed meeting dates generally improve attendance, although frequency could still be reduced.

After discussion it was decided that the Peter would put together the feedback a have a revised draft for the next meeting.

FFD Report – Chief Cummings reviewed the fire and ambulance response statistics for May 2012. Lakeview Trailer Court is now under contract fire protection. Its hydrant system is non-functional. He reported that several grants should have their applications out in the next month or two. The Water Purification trailer purchased with HLS grant funds should be arriving in Fairbanks shortly.

He also reported the two surplused KME's had been sold, one to Flint Hills for \$95K and the second to Kenny Lake VFD for \$10K. **MOTION: Public Safety Commission requests the funds from the sale of the fire trucks be put into the City Fire Department Capital Fund by the City Council. (Stern/Satterberg) Passed with John Eberhart abstaining.**

FECC Report – Director Stephanie Johnson reported the Dispatch Contract with the City of North Pole has been finalized. The Call Taking Agreement with the FNSB is waiting for State approval. Summer is already getting busy.

FPD Report – Chief Zager reports that 2012 is a catch up year for training. He also reported that they have one recruit still in training, has about 2 ½ months to go. Officer Hall reviewed the May 2012 statistics report. He also reported the Torch Run raises \$10,500 for the local Special Olympics.

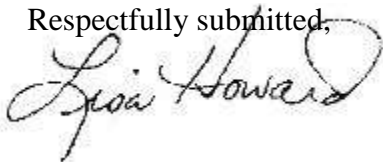
CLOSING COMMENTS:

Agreed that the status of the PSC and its role needs to be finalized next meeting.

NEXT REGULAR MEETING: July 10, 2012 (FFD)

MEETING ADJOURNED at 12:31 PM

Respectfully submitted,

A handwritten signature in cursive script that reads "Lisa Howard". The signature is written in dark ink and is positioned below the text "Respectfully submitted,".

City Of Fairbanks



MEMORANDUM

To: City Council Members
From: Jerry Cleworth, Mayor
Subj: Chena Riverfront Commission
Date: September 10, 2012

A handwritten signature in blue ink, appearing to be "JC", is written over the "From" line of the memorandum.

To fill the vacant city-appointed seat on this commission, (previously filled by Michelle Thompson-Roberts), I hereby request your concurrence:

I request your concurrence to the appointment of Ms. Julie Engfer to fill the remainder of the term of appointment, which is 1.3 years:

Ms. Julie Engfer – new appointment. Term to expire: December 31, 2013.

Thank you.

ABC/



CITY OF FAIRBANKS
 Office of the City Clerk
 800 Cushman Street
 Fairbanks, Alaska 99701-4615
 Office: 907 459-6774
jihovenden@ci.fairbanks.ak.us

**BOARDS AND COMMISSIONS
 APPLICATION FORM**

DATE: August 28, 2012 _____

NAME: Julie Engfer _____

BOARD: Chena Riverfront Commission _____

The information provided below will be made available to the public. The Clerk's Office will provide a mailing address, at least one phone contact, and an e-mail address, please indicate your preferred method of contact with the public by placing a check mark in the appropriate box(es).

RESIDENCE ADDRESS: _____

MAILING ADDRESS: _____

BUSINESS ADDRESS: 516 Second Ave Ste 318, Fairbanks, AK 99701 _____

CELL PHONE: () _____ - _____

WORK PHONE: (907) 456 -1984 _____

HOME PHONE: () _____ - _____

E-MAIL: julie@festivalfairbanks.org

Statement of Interest:

As director of a downtown beautification project and riverfront development, I take

 great interest in being part of this commission that acts as advisory council
 to the FNSB and City.

Brief Personal Biography (or attach resume):

~~Julie Engfer is the Director of Festival Fairbanks a 501(c)(3) in downtown Fairbanks with a focus on Beautification, economic development and recognition of historical anniversaries. She has lived in Fairbanks for more than 30 years.~~

Professional Licenses/Training:

Please return this application to the City Clerk's Office.

FOR INTERNAL USE ONLY

Date Seated on Board	Date of Resolution or Council Action	Term Dates