



FAIRBANKS CITY COUNCIL  
AGENDA NO. 2011-24  
**REGULAR MEETING December 12, 2011**  
FAIRBANKS CITY COUNCIL CHAMBERS  
800 CUSHMAN STREET, FAIRBANKS, ALASKA

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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

\* Regular Meeting Minutes of September 19, 2011.

7. SPECIAL ORDERS

8. READING OF THE BILL OF RIGHTS

9. MAYOR'S COMMENTS AND REPORT

10. UNFINISHED BUSINESS

- a) Ordinance No. 5865 – An Ordinance Adopting the 2012 Operating and Capital Budgets. Introduced by Mayor Cleworth. SECOND READING AND PUBLIC HEARING. ADVANCED from the Regular Meeting of November 21, 2011.
- b) Ordinance No. 5869 – An Ordinance Amending Fairbanks General Code Chapter 66, Section 66-43, Senior Citizen Rate. Introduced by Mayor Cleworth. SECOND READING AND PUBLIC HEARING.
- c) Ordinance No. 5870 – An Ordinance Authorizing Sale of Surplus Property to the Korean Community of Fairbanks, Inc. Introduced by Mayor Cleworth. SECOND READING AND PUBLIC HEARING.

11. NEW BUSINESS

- \*a) Ordinance No. 5871 – An Ordinance Adopting Fairbanks General Code Section 2-657, Regarding Acceptance of Grants. Introduced by Mayor Cleworth.
- \*b) Ordinance No. 5872 – An Ordinance Ratifying a Labor Agreement Between the City of Fairbanks and the AFL-CIO Crafts Bargaining Unit. Introduced by Mayor Cleworth.

12. DISCUSSION ITEMS (INFORMATION AND REPORT)

Committee Reports

13. COMMUNICATIONS TO COUNCIL

14. COUNCIL MEMBERS' COMMENTS

15. CITY ATTORNEY'S REPORT

16. CITY CLERK'S REPORT

17. EXECUTIVE SESSION – IBEW Labor Negotiations

18. ADJOURNMENT



FAIRBANKS CITY COUNCIL  
REGULAR MEETING MINUTES, SEPTEMBER 19, 2011  
FAIRBANKS CITY COUNCIL CHAMBERS  
800 CUSHMAN STREET, FAIRBANKS, ALASKA

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The City Council convened at 7:00 P.M. on the above date, after a Work Session on the Alaska Legislative Website and a Work Session on the Festival Fairbanks Clean Team, 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  
Emily Bratcher, Seat E  
John Eberhart, Seat F

Absent: None

Also Present: Warren Cummings, Fire Chief  
Paul Ewers, City Attorney  
D. Danyielle Snider, Deputy City Clerk  
Stephanie Johnson, Dispatch Center Manager  
Tony C. Shumate, Director Personnel/Purchasing/RM  
Pat Smith, Development Manager  
Margarita Bell, Grants Administrator  
Laren Zager, Police Chief

### **INVOCATION**

The Invocation was given by Deputy City Clerk Danyielle Snider

### **FLAG SALUTATION**

Mayor Cleworth led the Flag Salutation.

### **CITIZEN'S COMMENTS**

Frank Turney, 201 Seventh Avenue, Fairbanks – Mr. Turney expressed his appreciation for the work of the Festival Fairbanks Clean Team. He mentioned William Wood and Irene Sherman who have also helped clean up the downtown area in the past. Mr. Turney spoke to his Jury Rights handout and the history that has helped form our U.S. justice system. He stated that charges have been filed against the driver in the hit-and-run case that killed Ms. Rockar and that an arraignment will be held on September 13, 2011 at 2:00 P.M. He stated that he was disturbed by an incident last year involving a street preacher in the Golden Heart Park that was asked to leave the area. Mr. Turney spoke to the freedom of speech. He questioned the salary of

Mr. David van den Berg, Executive Director of the Fairbanks Downtown Association, suggesting that much of his income comes from pull tabs. He commented that Downtown Bingo is smelly and dirty in comparison to Youth Sports and Chena Bingo.

**Ms. Stiver** asked Mr. Turney in which court room the arraignment would be held.

Mr. Turney replied that it would be room #404, Judge Blankenship.

Tim Sovde, 402 Bonnifield, Fairbanks, Candidate for City Council, Seat F – Mr. Sovde commented on the day's events which provided a platform for local candidates to speak. He spoke to the hit-and-run incident that resulted in the death of Ms. Rockar and stated that one life is not more valuable than another.

Victor Buberger, PO Box 58192, Fairbanks – Mr. Buberger stated that although his property may be dirty and some people refer to him as "Dirty Vic", he still cleans up trash and debris in his neighborhood in fall and spring. He spoke strongly against graffiti on public property and in favor of community service for those who are caught. Mr. Buberger asked how the new handicap-accessible ramps downtown were supposed to work, since there are telephone poles in the middle of the sidewalk. He reminded the Council that there are a number of potholes that need repair and offered to make a list of areas that need attention. He again mentioned that the limited visibility to see around corners at certain intersections in Fairbanks is a big problem.

Lloyd Hilling, 1182 Nenana Street, Fairbanks, Candidate for City Council, Seat E – Mr. Hilling encouraged the public to vote in the October 4, 2011 election. He shared memories of his early years in Fairbanks and expressed his hope that the Polaris Building renovation project moves forward. He shared fond recollections of Irene Sherman.

David Lerman, 126 Second Avenue, #15, Fairbanks – Mr. Lerman spoke to the benefits of renovation and shared his own experience. He spoke in support of the City giving incentives such as the waiving of building fees to owners of dilapidated properties for renovation. He again suggested that the City form a Renovation Task Force and a DUI Task Force.

**Mr. Roberts** asked Mr. Lerman his opinion on the following hypothetical situation: if an owner had renovated his rundown property, then the City passed an ordinance to waive fees for such renovations, then the man's neighbor renovated his dilapidated property and got his building fees waived by the City, would that require the City to reimburse the first owner for his fees?

Mr. Lerman stated that he doesn't believe that the City would be able to afford to make the ordinance retroactive.

**Mr. Roberts** asked if there was a specific area of Fairbanks on which Mr. Lerman thought should be targeted.

Mr. Lerman replied that the focus needs to be on any area where there is deteriorated property because these areas seem to attract chronic inebriates and crime.

## **APPROVAL OF AGENDA AND CONSENT AGENDA**

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

**Ms. Stiver**, pulled Resolution No. 4489 from the Consent Agenda.

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

Deputy City Clerk Snider read the Consent Agenda, as Amended into the record.

## **MAYOR'S COMMENTS AND REPORT**

**Mayor Cleworth** read aloud a Proclamation on behalf of Mayor Hopkins, Mayor Isaacson and himself, declaring October Alaska Energy Awareness Month. **Mayor Cleworth** announced that the rotten tree in the Clay Street Cemetery had been removed. He brought up the question regarding salaries of non-profit officers or administrators; he stated that according to city ordinance, those salaries must be disclosed and become public information if the organization chooses to apply for bed tax discretionary fund grant dollars. **Mayor Cleworth** spoke to Mr. Buberger's concern with potholes and curb cuts in the downtown area.

## **UNFINISHED BUSINESS**

- a) Ordinance No. 5858, As Amended – An Ordinance to Amend Fairbanks General Code Section 42-1 Regarding Labor Relations. Introduced by Mayor Cleworth. SECOND READING AND PUBLIC HEARING.

**Ms. Stiver**, seconded by **Mr. Matherly**, moved to ADOPT Ordinance No. 5858, As Amended.

Tim Sovde – Mr. Sovde spoke in favor of Ordinance No.5858, as Amended, and stated that he supports merit pay and consistency between bargaining units.

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

**Mr. Eberhart** asked Mayor Cleworth to clarify the meaning “direct labor negotiations” in Section 42-1(j).

**Mayor Cleworth** explained that the language was intended to address face-to-face negotiations.

Pat Cole further explained that “direct labor negotiations” was intended to suggest the actual bargaining process, not strategy-planning.

**Mr. Eberhart**, seconded by **Mr. Roberts**, moved to AMEND Ordinance No. 5858, As Amended by striking the word “direct” and replacing it with “substantive.”

A ROLL CALL VOTE WAS TAKEN, ON THE MOTION TO AMEND ORDINANCE NO. 5858, AS AMENDED, AS FOLLOWS:

YEAS: Roberts, Matherly, Gatewood, Bratcher, Eberhart, Stiver  
NAYS: None  
**Mayor Cleworth** declared the MOTION CARRIED.

**Mr. Eberhart** expressed his opinion that the new language regarding communication from the union to the City in Section 42-1(l) was not specific enough.

**Mr. Eberhart**, seconded by **Ms. Stiver**, moved to AMEND Ordinance No. 5858, As Amended, to change “all communication,” to read “all communication regarding issues in negotiation,” in Section 42-1(l).

**Ms. Bratcher** expressed her concern that Ordinance No. 5858, As Amended would preclude Council Members from listening to issues brought up by a union member.

**Ms. Stiver** stated that her intent in amending this section of the ordinance in the previous council meeting was to clarify when negotiations ended.

**Mayor Cleworth**, in response to Mr. Eberhart’s comments, stated that the ordinance would not violate the right to freedom of speech or force any Council Member to be unable to listen to concerns or issues brought up by union members or members of a union’s negotiating team. He added that Ordinance No. 5858, As Amended, is intended to set forth rules in order to form a unified, team approach to negotiations.

**Ms. Bratcher** agreed that negotiating as a team is much more beneficial than as individuals. She used the PSEA labor contract negotiation as an example of how the City could have benefited if they had worked as a team.

**Mayor Cleworth** clarified that the City never agreed to go to arbitration in the PSEA labor negotiation.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO AMEND ORDINANCE NO. 5858, AS AMENDED, AS FOLLOWS:

YEAS: Stiver, Matherly, Gatewood, Bratcher, Eberhart, Roberts  
NAYS: None  
**Mayor Cleworth** declared the MOTION CARRIED.

**Mr. Gatewood** asked Mayor Cleworth to explain the meaning of Section 42-1(n)(1).

**Mayor Cleworth** replied that this section would allow the City to grant employees an increase based on performance and experience. He added that merit increases are rare and that the City no longer offers longevity pay to employees.

**Ms. Bratcher** spoke to Section 42-1(n)(1), stating that she believed the intent of the new language would be to allow for more management within departments versus automatic increases for employees.

**Mr. Gatewood** expressed his disfavor with the language in Section 42-1(n)(1) because of the subjectivity of performance appraisals. He stated that he looks at Ordinance No. 5858, As Amended as a guide to help the City Council to work as a team and remain cohesive during union negotiations. He added that there will always be issues that make consistency nearly impossible with all union contracts.

**Mr. Eberhart** agreed that contracts with all bargaining units cannot be completely consistent because of the differences in occupations from union to union.

**Mayor Cleworth** stated that consistency is a worthy goal.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 5858, AS AMENDED, AS FOLLOWS:

YEAS: Matherly, Bratcher, Roberts, Stiver, Gatewood, Eberhart  
NAYS: None  
**Mayor Cleworth** declared the MOTION CARRIED and  
ORDINANCE NO. 5858, As Amended, ADOPTED.

### NEW BUSINESS

- a) Resolution No. 4488 – A Resolution Authorizing the City of Fairbanks to Accept a Grant from the State of Alaska Department of Environmental Conservation Municipal Matching Grant Program in the Amount of \$975,935 for Rehabilitation of the City-owned Peger Road Wastewater Treatment Plant Clarifier System. Introduced by Mayor Cleworth.

PASSED and APPROVED on the CONSENT AGENDA.

- b) Resolution No. 4489 – A Resolution to Amend the City Schedule of Fees and Charges for Services. Introduced by Mayor Cleworth.

**Mr. Gatewood**, seconded by **Mr. Roberts**, moved to APPROVE Resolution No. 4489.

**Ms. Stiver** asked for clarification on why emergency response fees are especially hard to collect, thus bringing about the fee changes in the proposed resolution.

Chief Cummings explained that the proposed ambulance fee increase would offset the proposed deletion of the emergency response fee. He stated that billing for emergency response to motor vehicle accidents is extremely labor intensive and it's not a reasonable system.

**Ms. Stiver**, seconded by **Mr. Eberhart**, moved to POSTPONE Resolution No. 4489 to the Regular Meeting of October 24, 2011.

**Ms. Bratcher** spoke in support of Resolution No. 4489 and spoke against postponing it.

**Ms. Stiver** expressed her belief that the Resolution needs more time for consideration.

**Mr. Roberts** communicated his problem with the current code which requires all those sustaining damage in a motor vehicle accident to be billed, regardless if they were at fault or not.

**Ms. Bratcher** stated that she did not think it was completely necessary to raise the ambulance fees, but was strongly in favor of eliminating the \$200 emergency response fee.

**Mayor Cleworth** stated that he has a hard time with government agencies billing people who don't deserve a bill.

**Mr. Gatewood** supported Ms. Stiver's request to postpone Resolution No. 4489.

**Ms. Bratcher** mentioned that by not postponing, the impact to the community would be lessened with the first snowfall impending.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO POSTPONE RESOLUTION NO. 4489 TO THE REGULAR MEETING OF OCTOBER 24, 2011, AS FOLLOWS:

YEAS: Matherly, Stiver, Gatewood, Eberhart

NAYS: Bratcher, Roberts

**Mayor Cleworth** declared the MOTION CARRIED and RESOLUTION NO. 4489, POSTPONED.

- c) Ordinance No. 5860 – An Ordinance to Amend Fairbanks General Code Section 50-205 Eliminating the Alaska Day Holiday. Introduced by Mayor Cleworth.

ADVANCED on the CONSENT AGENDA.

## **DISCUSSION ITEMS**

### Committee Reports

Public Safety Commission – **Mr. Eberhart** gave a brief report on the September 13<sup>th</sup> meeting and announced that the next meeting would be October 11, 2011.

**Mayor Cleworth** added that Chief Zager had done a great deal of research on FPD's take-home vehicle policy.

Fairbanks Parking Authority – **Mr. Matherly** provided a brief report.

## **COUNCIL MEMBERS' COMMENTS**

**Mr. Gatewood** wished luck to all the candidates running for City Council.



**Mr. Roberts** mirrored Mr. Gatewood's wishes towards candidates, not only for City Council, but also for Borough Assembly. He encouraged the public to participate in the upcoming election.

**Ms. Stiver** pointed out that the Council Members' invitations for Access Alaska's open house were hand delivered. She inquired as to when the Bed Tax Grant Application would be available on the City's website and was informed by the Deputy City Clerk that the application was placed on the website that day. She thanked Reneva Moss for putting on the work session for the legislative website and encouraged the public to use it. She commented on the eye-opening presentation of the Festival Fairbanks Clean Team and commended the team for their good work in keeping the downtown area clean. She reminded fellow Council Members to be patient with new Members as they come into office. **Ms. Stiver** encouraged the public to educate themselves and vote on October 4, 2011.

**Mr. Matherly** remarked that he has learned a great deal in his short time on the City Council and expressed appreciation to fellow Council Members for their passion for the City of Fairbanks. He spoke of the upcoming fundraiser for the Breast Cancer Detection Center at the Carlson Center. He applauded Mayor Cleworth for the Energy Awareness Proclamation and encouraged Fairbanks citizens to make small changes at home.

**Ms. Bratcher** expressed hope that the Clean Team would receive funding, whether it be private or public. She reminded the public to vote. **Ms. Bratcher** asked to be excused for the Regular Meeting of October 24, 2011.

**Mayor Cleworth** called for objection regarding **Ms. Bratcher's** request to be excused on October 24, 2011 and, hearing none, so ORDERED.

**Mr. Eberhart** gave a brief report of his business trip to Washington D.C. on September 11<sup>th</sup> and commented specifically about the difficulties in traveling on the anniversary of 9/11. He stated that although travel was not easy, we Americans should not let terrorism change our way of life. Mr. Eberhart spoke in support of Proposition A, which, if passed by voters, would make the City debt-free; he commended Mayor Cleworth for guiding the City in that direction. He gave credit to the Festival Fairbanks Clean Team for the beautification of the downtown area and expressed hope for their continued funding.

**Ms. Bratcher**, seconded by **Mr. Gatewood**, moved to go into Executive Session for the purpose of discussing Labor Negotiations and Dispatch Contract Renegotiations.

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

**Mayor Cleworth** called for a five minute recess.

### **EXECUTIVE SESSION**

- a) Labor Negotiations
- b) Dispatch Contract Renegotiations

The City Council met in Executive Session to discuss Labor Negotiations and Dispatch Contract Renegotiations. No action was taken.

**ADJOURNMENT**

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

**Mayor Cleworth** declared the Meeting adjourned at 10:21 P.M.

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JERRY CLEWORTH, MAYOR

ATTEST:

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JANEY HOVENDEN, CMC, CITY CLERK

Transcribed by: DS

**ORDINANCE NO. 5865**

**AN ORDINANCE ADOPTING THE 2012  
 OPERATING AND CAPITAL BUDGETS**

**WHEREAS**, pursuant to City Charter Section 5.2, on October 31, 2011 Mayor Cleworth presented a recommended annual operating and capital budget estimate for 2012; and

**WHEREAS**, the proposed budget has been reviewed by the City Finance Committee with the active participation of City Department Directors.

**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 General Fund 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

	<b>MAYOR RECOMMENDS</b>	<b>COUNCIL APPROPRIATION</b>
Taxes, (all sources)	\$ 19,476,971	\$ 19,476,971
Charges for Services	4,123,905	4,123,905
Intergovernmental Revenues	3,213,390	3,213,390
Licenses & Permits	1,796,078	1,796,078
Fines, Forfeitures & Penalties	959,175	959,175
Interest & Penalties	122,000	122,000
Rental & Lease Income	157,919	157,919
Other Revenues	212,500	212,500
Other Financing Sources	2,925,129	2,925,129
	<hr/>	<hr/>
Total Appropriation	\$ 32,987,067	\$ 32,987,067

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

<u>DEPT</u>	<u>DESCRIPTION</u>	<u>MAYOR RECOMMENDS</u>	<u>COUNCIL APPROPRIATION</u>
10	Mayor and Council	\$ 473,250	\$ 473,250
11	Office of the City Attorney	162,906	162,906
12	Office of the City Clerk	289,336	289,336
13	Finance Department	863,867	863,867
14	Information Technology	1,401,750	1,401,750
15	General Account	4,947,120	4,947,120
16	Risk Management	1,367,748	1,367,748
20	Police Department	6,503,934	6,503,934
21	Dispatch	1,933,941	1,933,941
30	Fire Department	6,098,719	6,098,719
50	Department of Public Works	6,689,020	6,689,020
51	Engineering Division	582,116	582,116
60	Building Department	627,037	627,037
	<b>Total general fund appropriation</b>	<b>\$ 31,940,744</b>	<b>\$ 31,940,744</b>
	12/31/11 (estimate) general fund balance	\$ 9,512,734	\$ 9,512,734
	Increase to fund balance	1,046,323	1,046,323
	(Estimate) Committed for 2011 encumbrances	(200,000)	(200,000)
	Committed for snow removal	(250,000)	(250,000)
	(Estimate) Committed self insurance reserve	(500,000)	(500,000)
	12/31/12 Unassigned balance	<b>\$ 9,609,057</b>	<b>\$ 9,609,057</b>

**SECTION 3.** There is hereby appropriated to the 2012 Capital Fund budget from the following sources of revenue for the City of Fairbanks in the amount indicated:

	<b>MAYOR RECOMMENDS</b>	<b>COUNCIL APPROPRIATION</b>
Transfer from Permanent Fund	\$ 486,615	\$ 486,615
Transfer from General Fund	700,000	700,000
Transfer Ambulance Mileage from General Fund	50,000	50,000
Budgeted Garbage Equipment Replacement	202,800	202,800
Equipment Replacement - Engineering	35,000	35,000
Equipment Replacement - Public Works	210,000	210,000
Equipment Replacement - Building Department	10,000	10,000
Equipment Replacement - Police	160,000	160,000
Equipment Replacement - Dispatch	80,000	80,000
Equipment Replacement - Fire	250,000	250,000
Equipment Replacement - IT	105,000	105,000
Property Repair & Replacement	145,000	145,000
Total Appropriation	<u>\$ 2,434,415</u>	<u>\$ 2,434,415</u>

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.** There is hereby appropriated to the 2012 capital budget, expenditures for the City of Fairbanks in the amount indicated:

14	Information Technology	\$ 289,331	\$ 289,331
20	Police Department	320,000	320,000
21	Dispatch Department	5,000	5,000
30	Fire Department	636,000	636,000
50	Department of Public Works	2,270,625	2,270,625
51	Engineering Division	35,000	35,000
	Total capital fund appropriation	\$ 3,555,956	\$ 3,555,956
	12/31/11 (estimate) capital fund balance	3,500,710	3,500,710
	Decrease to fund balance	(1,121,541)	(1,121,541)
	12/31/12 Restricted fund balance	\$ 2,379,169	\$ 2,379,169

**SECTION 5.** 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 December, 2012.

\_\_\_\_\_  
**JERRY CLEWORTH, MAYOR**

AYES:  
NAYS:  
ABSENT:  
ADOPTED:

ATTEST:

APPROVED AS TO FORM

\_\_\_\_\_  
Janey Hovenden, CMC, City Clerk

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

**ORDINANCE NO. 5865, AS AMENDED**

**AN ORDINANCE ADOPTING THE 2012  
 OPERATING AND CAPITAL BUDGETS**

**WHEREAS**, pursuant to City Charter Section 5.2, on October 31, 2011, Mayor Cleworth presented a recommended annual operating and capital budget estimate for 2012; and

**WHEREAS**, the proposed budget has been reviewed by the City Finance Committee with the active participation of City Department Directors.

**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 General Fund 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

	<b>MAYOR RECOMMENDS</b>	<b>COUNCIL APPROPRIATION</b>
Taxes, (all sources)	\$ 19,476,971	\$ 19,476,971
Charges for Services	4,123,905	4,123,905
Intergovernmental Revenues	3,213,390	3,213,390
Licenses & Permits	1,796,078	1,796,078
Fines, Forfeitures & Penalties	959,175	959,175
Interest & Penalties	122,000	122,000
Rental & Lease Income	157,919	157,919
Other Revenues	212,500	212,500
Other Financing Sources	2,925,129	2,925,129
 Total Appropriation	 \$ 32,987,067	 \$ 32,987,067



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

<u>DEPT</u>	<u>DESCRIPTION</u>	<u>MAYOR RECOMMENDS</u>	<u>COUNCIL APPROPRIATION</u>
10	Mayor and Council	\$ 473,250	\$ 480,919
11	Office of the City Attorney	162,906	164,771
12	Office of the City Clerk	289,336	291,943
13	Finance Department	863,867	863,867
14	Information Technology	1,401,750	1,401,750
15	General Account	4,947,120	4,947,120
16	Risk Management	1,367,748	1,371,112
20	Police Department	6,503,934	6,518,934
21	Dispatch	1,933,941	1,933,941
30	Fire Department	6,098,719	6,098,719
50	Department of Public Works	6,689,020	6,774,611
51	Engineering Division	582,116	582,191
60	Building Department	627,037	627,037
Total general fund appropriation		<u>\$ 31,940,744</u>	<u>\$ 32,056,915</u>
12/31/11 (estimate) general fund balance		\$ 9,512,734	\$ 9,512,734
Increase to fund balance		1,046,323	930,152
(Estimate) Committed for 2011 encumbrances		(200,000)	(200,000)
Committed for snow removal		(250,000)	(250,000)
(Estimate) Committed self insurance reserve		(500,000)	(500,000)
12/31/12 Unassigned balance		<u>\$ 9,609,057</u>	<u>\$ 9,492,886</u>

**SECTION 3.** There is hereby appropriated to the 2012 Capital Fund budget from the following sources of revenue for the City of Fairbanks in the amount indicated:

	<b>MAYOR RECOMMENDS</b>	<b>COUNCIL APPROPRIATION</b>
Transfer from Permanent Fund	\$ 486,615	\$ 486,615
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Equipment Replacement - Public Works	210,000	210,000
Equipment Replacement - Building Department	10,000	10,000
Equipment Replacement - Police	160,000	160,000
Equipment Replacement - Dispatch	80,000	80,000
Equipment Replacement - Fire	250,000	250,000
Equipment Replacement - IT	105,000	105,000
Property Repair & Replacement	145,000	145,000
Total Appropriation	<u>\$ 2,434,415</u>	<u>\$ 2,434,415</u>

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.

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51	Engineering Division	35,000	35,000
	Total capital fund appropriation	\$ 3,555,956	\$ 3,555,956
	12/31/11 (estimate) capital fund balance	3,500,710	3,500,710
	Decrease to fund balance	(1,121,541)	(1,121,541)
	12/31/12 Restricted fund balance	<u>\$ 2,379,169</u>	<u>\$ 2,379,169</u>

**SECTION 5.** 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 \_\_\_\_ d ay of December 2012.

\_\_\_\_\_  
**JERRY CLEWORTH, MAYOR**

AYES:  
NAYS:  
ABSENT:  
ADOPTED:

ATTEST:

APPROVED AS TO FORM

\_\_\_\_\_  
Janey Hovenden, CMC, City Clerk

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

SUMMARY OF ORDINANCE 5865, AS AMENDED  
AMENDING 2012 GENERAL FUND OPERATING BUDGET

ESTIMATED GENERAL FUND REVENUES  
NO CHANGE

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

## ESTIMATED GENERAL FUND EXPENDITURES

\$116,171 INCREASE

1. Mayor & Council – \$7,669 Increase for 2.5% increase on wage package effective February 16, 2012 for non-union employees.
  - a. \$6,585 Increase to wages.
  - b. \$1,750 Increase to leave accrual.
  - c. \$ 96 Increase to benefits.
  - d. \$ 762 Decrease for Inter – Departmental risk services.
2. City Attorney's Office – \$1,865 Increase for 2.5% increase on wage package effective February 16, 2012 for non-union employees.
  - a. \$3,847 Increase to wages.
  - b. \$ 565 Increase to leave accrual.
  - c. \$ 55 Increase to benefits.
  - d. \$2,602 Decrease to Inter – Departmental risk services.
3. City Clerk's Office – \$2,607 Increase for 2.5% increase on wage package effective February 16, 2012 for non-union employees.
  - a. \$2,042 Increase to wages.
  - b. \$ 536 Increase to leave accrual.
  - c. \$ 29 Increase to benefits.
4. Finance Department – No Change
5. General Account – No Change
6. Risk Management – \$3,364 Increase for 2.5% increase on wage package effective February 16, 2012 for non-union employees.
  - a. \$3,364 Increase to Inter – Departmental risk service.
7. Police Department – \$15,000 Increase.
  - a. \$15,000 Increase to training.
8. Dispatch – No Change
9. Fire Department – No Change

10. Public Works – \$85,591 Increase for 2.5% increase on the wage package effective February 16, 2012 – AFL-CIO CBA.
  - a. \$42,192 Increase to wages.
  - b. \$ 1,094 Increase to overtime.
  - c. \$16,953 Increase to temporary wages and benefits.
  - d. \$ 4,153 Increase to leave accrual.
  - e. \$ 21,199 Increase to benefits.
  
11. Engineering – \$ 75 Increase for 2.5% increase to the wage package effective February 16, 2012 – AFL-CIO CBA. Only affects non grant reimbursed benefits.
  - a. \$ 75 Increase to benefits.
  
12. Building Department – No Change

**ORDINANCE NO. 5869**

**AN ORDINANCE AMENDING FAIRBANKS GENERAL CODE  
CHAPTER 66, SECTION 66-43, SENIOR CITIZEN RATE**

**WHEREAS**, the Finance Department staff and City Finance Committee have reviewed the provisions of the Senior citizen rate and its administration and made suggestions to increase efficiency and improve the process for the City's senior citizens,

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

**Sec. 66-43. - Senior citizen rate.**

(a) A qualified senior citizen may apply to the office of the city clerk or the city finance department for the senior citizen rate. The senior citizen rate ~~will~~ shall be as provided in the city's schedule of fees and charges for services and will become effective the first billing quarter following a qualified filing.

(b) The term "qualified senior citizen" as used in this section is defined as a person at least 65 years of age or a person at least 60 years of age who is the widow or widower of a person who was receiving the senior citizen rate at the time of his/her death. The widow or widower must file a new application for the senior citizen rate and must meet the requirements of subsection (c).

~~(b)~~ (c) To receive the senior citizen rate of fees under this section a qualified senior citizen the applicant must:

(1) ~~Be a property owner and refuse customer.~~ Be an owner of record of the property receiving the refuse service.

(2) ~~Reside at the residence of exemption.~~ Occupy the property as a permanent place of abode. If the qualified senior citizen owns multiple properties, only the primary residence will be eligible for the senior rate.

(3) File for the senior citizen rate with the city clerk or the city finance department, provide proof of age, and have the application signature notarized. A qualified senior citizen need not file such an



**application for successive years if there is no change in ownership, no change in permanent place of abode, and no change as to the owner of record.**

(4) ~~Verify annually that the senior rate still applies.~~ **Maintain all City accounts in current status. The senior citizen rate will be revoked if a City account(s) is delinquent. The senior citizen rate will be reinstated without requiring a new filing for the senior citizen rate when the account(s) are brought into current status.**

(5) If living in a residence provided service pursuant to section 66-41(a)(2), all residents must be qualified.

~~(c) The term "qualified senior citizen" as applied in this section shall be defined as a person 65 years and older.~~

~~(d) The applicant will be required to show proof of age at time of filing.~~ **Annually, the city finance department will review a minimum of 10 percent of the accounts receiving the senior citizen rate to determine eligibility and compliance with this section.**

~~(e) The applicant~~ **qualified senior citizen receiving a senior citizen rate or their designated representative** is responsible for notifying the **city clerk** ~~City of Fairbanks or Finance Office~~ department of any changes in ownership, residency, or permanent place of abode. ~~to their eligibility for the senior citizen rate.~~ **Any account that is receiving the senior citizen rate for any period during which it is not eligible will be billed for the ineligible period at the regular refuse collection rate and charged interest at the current rate for delinquent refuse accounts.**

Section 4. That the effective date of this ordinance shall be the \_\_\_\_ day of December 2011.

\_\_\_\_\_  
Jerry Cleworth, Mayor

AYES:  
NAYS:  
ABSENT:  
ADOPTED:

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Janey Hovenden, CMC, City Clerk

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

**ORDINANCE NO. 5870**

**AN ORDINANCE AUTHORIZING SALE OF SURPLUS PROPERTY TO  
THE KOREAN COMMUNITY OF FAIRBANKS, INC.**

**WHEREAS**, the City of Fairbanks is the owner of Lots 13, 14, 15, & 16, Block 31, Bjerremark Subdivision (the "Property"), located at 24<sup>th</sup> Avenue and Rickert Street, as shown on attached "Exhibit A"; and

**WHEREAS**, the Korean Community of Fairbanks, Inc, an Alaska non-profit corporation, has respectfully requested permission to purchase the Property at less than full value, with tender offer of \$30,000 by letter of October 28, 2011, attached as "Exhibit B", including a cash down payment of \$10,000; and

**WHEREAS**, Fairbanks General Code of Ordinances Section 70-44 provides that the City may sell to a non-profit organization without public sale and for less than market value, whenever in the judgment of the City Council it is advantageous to do so; and

**WHEREAS**, the Korean Community of Fairbanks intends to construct an English language learning center for students and seniors on the Property, a non-profit purpose beneficial to the community; and

**WHEREAS**, the City administration has reviewed said Property and determined that same is not required for municipal purposes and can be sold to others; and

**WHEREAS**, it is the sense of the City Council that sale of the Property described above for the purposes stated is in the best interest of the community.

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

**SECTION 1. DETERMINATION:** That the terms and conditions expressed in the Korean Community of Fairbanks offer letter of October 28, 2011 are hereby agreed to and accepted, provided that 6% interest compounded monthly apply to the remaining balance, secured by Deed of Trust and Promissory Note, and that all associated costs be paid by purchaser.

**SECTION 2. PURCHASE AGREEMENT:** That a Real Estate Purchase Agreement as approved by the City Attorney be prepared and executed for the purposes herein.

**SECTION 3. RECISION:** Any and all prior acts by the City Council which may affect sale of this property are hereby rescinded.

SECTION 4. PERMISSIVE REFERENDUM: This conveyance of real property is subject to the right of the voters, within thirty-days of sale, to reject a sale by permissive referendum under FGC Sec. 70-42, and the City Charter.

SECTION 5. FORM OF CONVEYANCE: That said property shall be conveyed by Statutory Quit Claim Deed.

SECTION 6. CONDITIONS OF CONVEYANCE: That said Deed shall contain a condition limiting the Property to non-profit use, and that the construction of the proposed facility on the Property be commenced within five years of years of conveyance.

SECTION 7. PENALTY FOR DEFAULT: If construction of the facility is not commenced within five years of conveyance, title to the property shall revert to the City. In such event, monies paid to the City shall be returned to purchasers, except that the City shall be entitled to retain interest paid as penalty for default.

SECTION 8. MAYOR'S AUTHORIZATION: That the Mayor is hereby authorized and empowered to execute such agreements, deeds and instruments as necessary to complete sale of said property after Council approval.

SECTION 9. That the effective date of this ordinance shall be the 17<sup>th</sup> day of December 2011.

\_\_\_\_\_  
**JERRY CLEWORTH, Mayor**

AYES:  
NAYS:  
ABSTAIN:  
ABSENT:  
ADOPTED:

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
JANEY HOVENDEN, CMC, City Clerk

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

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<tr><td>481</td><td>482</td><td>483</td><td>484</td><td>485</td><td>486</td><td>487</td><td>488</td><td>489</td><td>490</td></tr> <tr><td>491</td><td>492</td><td>493</td><td>494</td><td>495</td><td>496</td><td>497</td><td>498</td><td>499</td><td>500</td></tr> <tr><td>501</td><td>502</td><td>503</td><td>504</td><td>505</td><td>506</td><td>507</td><td>508</td><td>509</td><td>510</td></tr> </table>										481	482	483	484	485	486	487	488	489	490	491	492	493	494	495	496	497	498	499	500	501	502	503	504	505	506	507	508	509	510	<table border="1"> <tr><td>511</td><td>512</td><td>513</td><td>514</td><td>515</td><td>516</td><td>517</td><td>518</td><td>519</td><td>520</td></tr> <tr><td>521</td><td>522</td><td>523</td><td>524</td><td>525</td><td>526</td><td>527</td><td>528</td><td>529</td><td>530</td></tr> <tr><td>531</td><td>532</td><td>533</td><td>534</td><td>535</td><td>536</td><td>537</td><td>538</td><td>539</td><td>540</td></tr> </table>										511	512	513	514	515	516	517	518	519	520	521	522	523	524	525	526	527	528	529	530	531	532	533	534	535	536	537	538	539	540	<table border="1"> <tr><td>541</td><td>542</td><td>543</td><td>544</td><td>545</td><td>546</td><td>547</td><td>548</td><td>549</td><td>550</td></tr> <tr><td>551</td><td>552</td><td>553</td><td>554</td><td>555</td><td>556</td><td>557</td><td>558</td><td>559</td><td>560</td></tr> <tr><td>561</td><td>562</td><td>563</td><td>564</td><td>565</td><td>566</td><td>567</td><td>568</td><td>569</td><td>570</td></tr> </table>										541	542	543	544	545	546	547	548	549	550	551	552	553	554	555	556	557	558	559	560	561	562	563	564	565	566	567	568	569	570	<table border="1"> <tr><td>571</td><td>572</td><td>573</td><td>574</td><td>575</td><td>576</td><td>577</td><td>578</td><td>579</td><td>580</td></tr> <tr><td>581</td><td>582</td><td>583</td><td>584</td><td>585</td><td>586</td><td>587</td><td>588</td><td>589</td><td>590</td></tr> 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</table>										721	722	723	724	725	726	727	728	729	730	731	732	733	734	735	736	737	738	739	740	741	742	743	744	745	746	747	748	749	750	<table border="1"> <tr><td>751</td><td>752</td><td>753</td><td>754</td><td>755</td><td>756</td><td>757</td><td>758</td><td>759</td><td>760</td></tr> <tr><td>761</td><td>762</td><td>763</td><td>764</td><td>765</td><td>766</td><td>767</td><td>768</td><td>769</td><td>770</td></tr> <tr><td>771</td><td>772</td><td>773</td><td>774</td><td>775</td><td>776</td><td>777</td><td>778</td><td>779</td><td>780</td></tr> </table>										751	752	753	754	755	756	757	758	759	760	761	762	763	764	765	766	767	768	769	770	771	772	773	774	775	776	777	778	779	780	<table border="1"> <tr><td>781</td><td>782</td><td>783</td><td>784</td><td>785</td><td>786</td><td>787</td><td>788</td><td>789</td><td>790</td></tr> <tr><td>791</td><td>792</td><td>793</td><td>794</td><td>795</td><td>796</td><td>797</td><td>798</td><td>799</td><td>800</td></tr> <tr><td>801</td><td>802</td><td>803</td><td>804</td><td>805</td><td>806</td><td>807</td><td>808</td><td>809</td><td>810</td></tr> </table>										781	782	783	784	785	786	787	788	789	790	791	792	793	794	795	796	797	798	799	800	801	802	803	804	805	806	807	808	809	810	<table border="1"> <tr><td>811</td><td>812</td><td>813</td><td>814</td><td>815</td><td>816</td><td>817</td><td>818</td><td>819</td><td>820</td></tr> <tr><td>821</td><td>822</td><td>823</td><td>824</td><td>825</td><td>826</td><td>827</td><td>828</td><td>829</td><td>830</td></tr> <tr><td>831</td><td>832</td><td>833</td><td>834</td><td>835</td><td>836</td><td>837</td><td>838</td><td>839</td><td>840</td></tr> </table>										811	812	813	814	815	816	817	818	819	820	821	822	823	824	825	826	827	828	829	830	831	832	833	834	835	836	837	838	839	840	<table border="1"> <tr><td>841</td><td>842</td><td>843</td><td>844</td><td>845</td><td>846</td><td>847</td><td>848</td><td>849</td><td>850</td></tr> <tr><td>851</td><td>852</td><td>853</td><td>854</td><td>855</td><td>856</td><td>857</td><td>858</td><td>859</td><td>860</td></tr> <tr><td>861</td><td>862</td><td>863</td><td>864</td><td>865</td><td>866</td><td>867</td><td>868</td><td>869</td><td>870</td></tr> </table>										841	842	843	844	845	846	847	848	849	850	851	852	853	854	855	856	857	858	859	860	861	862	863	864	865	866	867	868	869	870	<table border="1"> <tr><td>871</td><td>872</td><td>873</td><td>874</td><td>875</td><td>876</td><td>877</td><td>878</td><td>879</td><td>880</td></tr> <tr><td>881</td><td>882</td><td>883</td><td>884</td><td>885</td><td>886</td><td>887</td><td>888</td><td>889</td><td>890</td></tr> <tr><td>891</td><td>892</td><td>893</td><td>894</td><td>895</td><td>896</td><td>897</td><td>898</td><td>899</td><td>900</td></tr> </table>										871	872	873	874	875	876	877	878	879	880	881	882	883	884	885	886	887	888	889	890	891	892	893	894	895	896	897	898	899	900	<table border="1"> <tr><td>901</td><td>902</td><td>903</td><td>904</td><td>905</td><td>906</td><td>907</td><td>908</td><td>909</td><td>910</td></tr> <tr><td>911</td><td>912</td><td>913</td><td>914</td><td>915</td><td>916</td><td>917</td><td>918</td><td>919</td><td>920</td></tr> <tr><td>921</td><td>922</td><td>923</td><td>924</td><td>925</td><td>926</td><td>927</td><td>928</td><td>929</td><td>930</td></tr> </table>										901	902	903	904	905	906	907	908	909	910	911	912	913	914	915	916	917	918	919	920	921	922	923	924	925	926	927	928	929	930	<table border="1"> <tr><td>931</td><td>932</td><td>933</td><td>934</td><td>935</td><td>936</td><td>937</td><td>938</td><td>939</td><td>940</td></tr> <tr><td>941</td><td>942</td><td>943</td><td>944</td><td>945</td><td>946</td><td>947</td><td>948</td><td>949</td><td>950</td></tr> <tr><td>951</td><td>952</td><td>953</td><td>954</td><td>955</td><td>956</td><td>957</td><td>958</td><td>959</td><td>960</td></tr> </table>										931	932	933	934	935	936	937	938	939	940	941	942	943	944	945	946	947	948	949	950	951	952	953	954	955	956	957	958	959	960	<table border="1"> <tr><td>961</td><td>962</td><td>963</td><td>964</td><td>965</td><td>966</td><td>967</td><td>968</td><td>969</td><td>970</td></tr> <tr><td>971</td><td>972</td><td>973</td><td>974</td><td>975</td><td>976</td><td>977</td><td>978</td><td>979</td><td>980</td></tr> <tr><td>981</td><td>982</td><td>983</td><td>984</td><td>985</td><td>986</td><td>987</td><td>988</td><td>989</td><td>990</td></tr> </table>										961	962	963	964	965	966	967	968	969	970	971	972	973	974	975	976	977	978	979	980	981	982	983	984	985	986	987	988	989	990	<table border="1"> <tr><td>991</td><td>992</td><td>993</td><td>994</td><td>995</td><td>996</td><td>997</td><td>998</td><td>999</td><td>1000</td></tr> <tr><td>1001</td><td>1002</td><td>1003</td><td>1004</td><td>1005</td><td>1006</td><td>1007</td><td>1008</td><td>1009</td><td>1010</td></tr> 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EXHIBIT 'A'  
ORDINANCE 5870

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## Korean Community of Fairbanks

### 한국 사회

1500 Airport Way #C  
Fairbanks, Alaska 99701



October 28, 2011

Honorable Mayor Jerry Cleworth  
Esteemed Council Members  
800 Cushman Street  
Fairbanks, Alaska 99701

**Subject: Request to Purchase City-owned Lots  
Korean Learning Center**

**Dear Mayor Cleworth and Council Members:**

For several years the Fairbanks Korean Community has been in need of a site for construction of a Senior College and English learning center.

We have found that the City owns four vacant lots at the corner of 25<sup>th</sup> Avenue and Rickert Street. This land is large enough to allow space for the Learning Center, with adequate parking for teachers, seniors and students.

We are aware of your great generosity to the JP Jones Community Center located across the street from your land. We do not asking for a same free contribution. However, we humbly request part assistance to us in making this purchase. It is our hope and request that we be granted to purchase the property for \$30,000. We can make a \$10,000 cash down payment, and would like five years to pay off the balance, and will make all efforts to pay it off sooner.

We recently received a personal commitment from South Korean President Lee Myung-bak to assist with our Fairbanks Learning Center building fund on a matching basis. This is a great step in making our dream a reality. We promise that the land and the planned building will never be used for any purpose but bringing services and education to the Fairbanks Korean Community and only for non-profit uses.

We hope for your kind consideration of our request.

Please contact me at 456-1200 if you would like to meet and discuss our exciting project.

Respectfully,

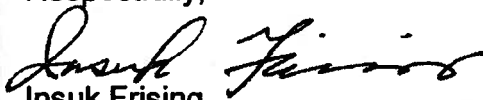
  
Insuk Frising  
Board President

EXHIBIT 'B'  
ORDINANCE 5870

**ORDINANCE NO. 5871**

**AN ORDINANCE ADOPTING FAIRBANKS GENERAL CODE SECTION 2-657, REGARDING ACCEPTANCE OF GRANTS, AND SETTING AN EFFECTIVE DATE.**

**WHEREAS**, it is the intent of the City Council to prohibit City acceptance of “pass through” grants to other entities that expose the City to financial liability,

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

**SECTION 1.** That Fairbanks General Code Section 2-657 is hereby adopted:

**Sec. 2-657. Acceptance of Certain “Pass Through” Grants Prohibited.**

(a) The City will not seek or accept grant funds on behalf of another entity if the City retains any financial liability for the proper use of the funds or use of facilities purchased with the grant funds, including situations where only the City’s eligibility for future grant funding could be impaired.

(b) This section shall not apply to grants for improvements to City owned facilities.

**SECTION 2.** That the effective date of this Ordinance shall be the \_\_\_\_\_ day of January 2012.

\_\_\_\_\_  
**Jerry Cleworth, City Mayor**

AYES:  
NAYS:  
ABSENT:  
ADOPTED:

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Janey Hovenden, CMC, City Clerk

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

**ORDINANCE NO.5872**

**AN ORDINANCE RATIFYING AN AMENDMENT TO THE CURRENT  
LABOR AGREEMENT BETWEEN THE CITY OF FAIRBANKS AND THE  
AFL-CIO CRAFTS BARGAINING**

**WHEREAS**, the current Collective Bargaining Agreement (“CBA”) between the City and the AFL-CIO Craft Unit contained provisions for annual re-openers of financial terms; and

**WHEREAS**, tentative agreement has been reached on an amendment to the CBA which incorporates the labor goals of the City Council, is consistent with the terms of other recently adopted labor contracts, and has been approved by the membership of the bargaining unit.

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

Section 1. That the attached amendment to the 2011 collective bargaining agreement is hereby ratified.

Section 2. That the effective date of this ordinance shall be the \_\_\_\_\_ day of January 2012.

\_\_\_\_\_  
**Jerry Cleworth, City Mayor**

AYES:  
NAYS:  
ABSENT:  
ADOPTED:

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Janey Hovenden, CMC, City Clerk

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



November 15, 2011

**AFL-CIO Joint Crafts & City of Fairbanks  
Tentative Agreement, 2012 Wage Re-opener, revised**

**WHEREAS**, section 23.4 of the Collective Bargaining Agreement (“CBA”) between the parties provides that the parties will reopen negotiations on economic issues in October of 2011; and

**WHEREAS**, the parties to this agreement mutually desire to amend the CBA to resolve economic issues for 2012 and 2013.

Now, therefore, subject to ratification, the parties tentatively agree to amend CBA section 23.4 as follows (deleted text in ~~strikeout font~~):

23.4 This agreement is effective until December 31, 2013. ~~PROVIDED THAT the parties agree to reopen negotiations on economic issues only for 2012 and 2013. Such negotiations will commence in October of 2011 for 2012 and 2012 for 2013. The parties agree to utilize mediation and arbitration if the re-opened negotiations result in impasse.~~

- A. The 2011 package rate for each covered classification will be increased by 2.5% on February 16, 2012 (the first day of the fourth payroll period in 2012).
- B. The 2012 package rate for each covered classification will be increased by 2.5% on February 1, 2013 (the first day of the 3<sup>rd</sup> payroll period in 2013. The parties agree to further negotiation of economics if the Anchorage annual CPI exceeds 2.5%, negotiations to commence within 30 days of the announcement in 2013.
- C. Starting in 2012, the clothing and boot allowances provided in the Collective Bargaining Agreement will be paid in a single lump sum without the need for employees to provide receipts for all regular employees with the first payroll in July.
- D. Each of the AFL-CIO Joint Craft member unions will allocate sufficient funds from the package rate to comply with the requirements of law regarding minimum and maximum health care funding.
- E. The package rate for member union employees whose pension plan is found to be critically underfunded (“red zone”) under the terms of the Pension Protection Act of 2006, as may be amended, will be adjusted. Addendum No. 1 to this agreement applies to Teamster member employees. Addendum No. 1 is hereby incorporated into this agreement and equivalent Addenda will be included should other member unions pension plans be determined to be critically underfunded.

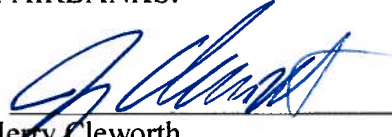


Ratified by the City Council on \_\_\_\_ by passage of Ordinance \_\_\_\_. Ratified by the Union membership on \_\_\_\_\_.


SIGNED FOR THE FAIRBANKS  
AFL-CIO CRAFTS COUNCIL:

SIGNED FOR THE CITY OF  
FAIRBANKS:

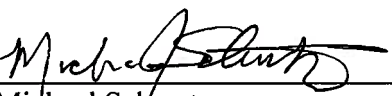
\_\_\_\_\_  
Lake Williams,  
Business Representative, Operators 302  
Date: \_\_\_\_\_

  
\_\_\_\_\_  
Jerry Cleworth  
Mayor, City of Fairbanks  
Date: 11-15-11

\_\_\_\_\_  
Tim Sharp  
Business Manager, Laborers 942  
Date: \_\_\_\_\_

  
\_\_\_\_\_  
Patrick B. Cole  
Chief of Staff  
Date: 11-15-11

\_\_\_\_\_  
Eileen Newman  
Business Representative, Teamster 959  
Date: \_\_\_\_\_

  
\_\_\_\_\_  
Michael Schmetzer  
City Engineer/Public Works Director  
Date: 11-15-11

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Laird Grantham  
Business Manager, Carpenters 1243  
Date: \_\_\_\_\_

\_\_\_\_\_  
Rodney Brown  
Business Representative, Pipefitters 375  
Date: \_\_\_\_\_

\_\_\_\_\_  
Jay Quakenbush  
Vice President, IBEW 1547  
Date: \_\_\_\_\_

\_\_\_\_\_  
Charlie Young  
Business Representative IUPAT Local 1555  
Date: \_\_\_\_\_

### **Addendum No. 1 Regarding Teamster Employees**

1. The 2012 Wage Re-Opener between the City of Fairbanks and the Fairbanks AFL-CIO Crafts Council includes a 2.5% increase in the package rate for Teamster employees for 2012 (beginning 2/16/2012) and a 2.5% increase in the package rate for 2013 (beginning 2/1/2013).

2. Under Article 23.2 of the CBA between the City and the Crafts Council, each Local retains the right to allocate the negotiated package rate to wages, pension and health and welfare as it sees fit. Because certain provisions of the Pension Protection Act of 2006 have been triggered by the determination that the Alaska Teamster-Employer Pension is a critically underfunded (“red zone”) plan, the parties recognize that it is mutually beneficial for the CBA to limit the discretion of the Teamster Local under Article 23.2.

3. The Teamsters and the City of Fairbanks have agreed to adopt the Rehabilitation (“Preferred”) Plan with 5-year phase in – Supplemental Employer Contribution Schedule which provides for a supplemental pension contribution beginning with the implementation of the 2012 Wage Re-Opener (2/16/2012) of 12% of the current pension contribution rate of \$6.99/hour (\$.84/hour) and 22% of the current rate (\$1.54/hour) beginning on 2/1/2013.

4. The package rate increases set out in the 2012 Wage Re-Opener include funding for supplemental contributions to the Alaska Teamster-Employer Pension made pursuant to the Rehabilitation Plan referenced in paragraph 3 and are intended to represent the City’s total cost for providing pension contributions, including supplemental contributions, to the Alaska Teamster-Employer Pension during the term of

this agreement. No portion of the package rate increase maybe allocated to any other purpose unless and until contributions and supplemental contributions to the Alaska Teamster-Employer Pension Plan have been satisfied. If the Alaska Teamster-Employer Pension requires any contributions that are in excess of these amounts, or, if the Alaska Teamster-Employer Pension fails to meet the minimum contribution requirements established by law, resulting in the imposition of an excise tax, the package rate referred to in paragraph one shall be immediately reallocated by an equivalent amount to pay for the increased contributions and/or the excise tax.

5. The Public Employment Relations Act (PERA) limits collective bargaining agreements between a public employer and its employees to a maximum of three years [AS 23.40.210(a)]. The parties recognize that, unless the Alaska Teamster-Employer Pension emerges from critical status before the expiration of the current CBA on 12/31/2013, future agreements will require supplemental contributions under the Supplemental Employer Contribution Schedule. The parties agree that all future increases in supplement pension contributions will be built into the package rate and paid to the Alaska Teamster-Employer Pension Trust from package rate funds.

6. If at any point, the Alaska Teamster-Employer Pension Plan emerges from its “red zone” status and the City is no longer required to make supplemental contributions under a rehabilitation plan, the allocation restriction imposed on the Teamster Local shall be lifted.