

ASSEMBLY

Karl Kassel, Presiding Officer
John Davies, Deputy Presiding Officer
Van Lawrence
Diane Hutchison
Christopher Quist
Janice Golub
Guy Sattley
Kathryn Dodge
Lance Roberts

BOROUGH MAYOR

Luke T. Hopkins

BOROUGH ATTORNEY

René Broker

BOROUGH CLERK

Nanci Ashford-Bingham, MMC

FAIRBANKS NORTH STAR BOROUGH

Regular Assembly Meeting

April 23, 2015

Mona Lisa Drexler Assembly Chambers

6:00 PM

1. **CALL TO ORDER**
2. **NON-SECTARIAN INVOCATION**
3. **PLEDGE OF ALLEGIANCE**
4. **ROLL CALL**
5. **REQUEST FOR REMOVAL OF ITEMS FROM THE CONSENT AGENDA AND ANY OTHER PROCEDURAL MOTIONS.**
6. **CITIZEN'S COMMENTS – Limited To Three (3) Minutes (Citizen's Comments shall recess at 6:50 p.m. for public hearing)**
 - a. A citizen may speak on agenda items not scheduled for public hearing (Memorandums, Bid Awards, Unfinished Business (items postponed from previous meetings, reconsideration, or notice of intent to rescind), Resolutions, or Ordinances being advanced to a public hearing on a different date). Citizens' comments on board of adjustment matters are not permitted.
 - b. Items that are not scheduled on the agenda.

7. APPROVAL OF AGENDA AND CONSENT AGENDA

(Approval of the consent agenda passes all routine items indicated by an asterisk (*) on the agenda. Consent agenda items are not considered separately unless an Assemblymember(s) so requests. Note: If the consent item to be removed is an ordinance up to be introduced, advanced, or referred, it takes two Assemblymembers to remove the item from the consent agenda. In the event of such a request, the item is returned to the general agenda.)

8. APPROVAL OF MINUTES

*a. Regular Assembly Meeting minutes of April 9, 2015. **(Page 6)**

9. COMMUNICATIONS TO THE ASSEMBLY

a. IFB Award: IFB Number 15020
Ryan Middle School Replacement

Approval of Base Bid, Alternate 1, Alternate 2, Alternate 3, Alternate 4, Alternate 5, Alternate 6, Alternate 7, Alternate 9, and Alternate 10 as submitted by G2 Construction, Inc., in the amount of \$28,398,892.00. **(Page 25)**

*b. IFB Award: IFB Number 15046
Murphy RSA – Road Improvements

Approval of Base Bid, Alternate 1 and Alternate 2 as submitted by Better Way Construction, LLC in the amount of \$286,009.50. **(Page 32)**

*c. Memorandum from Mayor Hopkins regarding appointment of various Service Area Commissioners. **(Page 38)**

*d. Memorandum from Mayor Hopkins regarding the appointment of Nadine Winters to the Interior Gas Utility Board of Directors. **(Page 55)**

10. MESSAGES FROM THE BOROUGH MAYOR

11. REPORTS OF SPECIAL AND STANDING COMMITTEES

12. REPORTS FROM REPRESENTATIVES

- a. Report from the City of Fairbanks Representative.
- b. Report from the City of North Pole Representative.
- c. Report from the School Board Representative.

13. SPECIAL ORDERS – Public Hearing at or after 7:00 p.m. (Comments limited to three (3) minutes)

- a. Liquor License – Transfer – Restaurant/Eating Place – License # 4772 **(Page 61)**

From: Ajimi Restaurant
Kwang Yul Lee
550 3rd St. Fairbanks, AK 99701

To: Ajimi Japanese Restaurant
J&BY, Inc.
550 3rd St., Fairbanks, AK 99701
550 3rd St., Fairbanks, AK 99701

- b. ORDINANCE NO. 2015-17. An Ordinance Rezoning Lots 13 And 14 Koponen Homestead, Approximately 9.3 Acres, From General Use 1 (GU1) To Rural Estate-2 (RE-2) Or Other Appropriate Zone. (RZ2015-007) (Located North Of Waugstroe Drive And East of Haman Street) (Sponsor: Mayor Hopkins) **(Page 68)**
- c. ORDINANCE NO. 2015-18. An Ordinance Amending FNSBC 8.21.035 Regarding The Enhanced Voluntary Removal, Replacement And Repair Program, Removing The Additional Fuel Payment From The Program And Repealing FNSBC 8.21.045 Regarding The Voluntary Burn Cessation Program. (Sponsor: Assemblymember Roberts) **(Page 90)**
- d. ORDINANCE NO. 2015-19. An Ordinance Amending FNSBC 2.19.020 Regarding Borough Attorney Duties To Require Assembly Approval Prior To Borough Filing Of Non-Routine Litigation. (Sponsor: Assemblymember Roberts) **(Page 97)**
- e. ORDINANCE NO. 2014-20-2G. An Ordinance Amending The FY 2014-15 Budget By Appropriating \$996,122 In Federal Grant Funding And By Reallocating \$98,878 In State Grant Funding To The Capital Projects Fund For Parking Area Enhancements And Relocation Of Existing Park Amenities At Birch Hill Recreation Area. (Sponsor: Mayor Hopkins) **(Page 100)**
- f. ORDINANCE NO. 2014-20-2H. An Ordinance Amending The FY 2014-15 Budget By Appropriating \$1,048,430 In Federal Grant Funding And \$104,070 In Local Matching Funds From The General Fund Fund Balance To The Capital Projects Fund For Restroom Replacement And Access Improvements At The Chena Lake Recreation Area. (Sponsor: Mayor Hopkins) **(Page 106)**

14. CONSIDERATION OF CALENDAR – Unfinished Business

NONE

15. CITIZEN'S COMMENTS – Limited To Three (3) Minutes (Continuation if needed)

- a. Items that are not scheduled for public hearing – continuation.

16. CONSIDERATION OF CALENDAR – New Business – Resolutions

NONE

17. CONSIDERATION OF CALENDAR – New Business – Ordinances To Be Referred To Committees Or Commissions

- *a. ORDINANCE NO. 2015-30. An Ordinance Amending FNSBC 25.10.070 To Limit Casual Use Of Borough Property If The Use Conflicts With Federal, State Or Other Applicable Law.
(Sponsor: Assemblymember Roberts)
(Refer to the Land Management Advisory Commission on May 20, 2015 with recommendation due back no later than June 1, 2015) **(Page 112)**
- *b. ORDINANCE NO. 2015-31. An Ordinance Amending FNSBC 18.56.025 Regarding Affirmative Recognition Of Grandfather Rights To Waive The Hearing Requirement For Certain Applications.
(Sponsor: Assemblymember Roberts)
(Refer to the Planning Commission on May 19, 2015 with recommendation due back no later than June 1, 2015) **(Page 116)**

18. CONSIDERATION OF CALENDAR – New Business – Ordinances To Be Introduced And Advanced To Public Hearing

- *a. ORDINANCE NO. 2014-20-2I. An Ordinance Amending The FY 2014-15 Budget By Appropriating \$145,220 From The General Fund Fund Balance To The Transit Enterprise Projects Fund To Implement And Enforce The PM2.5 Air Quality Control Program. (Sponsor: Mayor Hopkins)
(Refer to the Special Finance Committee on May 7, 2015; Advance to the Special Assembly Meeting May 21, 2015 for Public Hearing) **(Page 121)**
- *b. ORDINANCE NO. 2015-27. An Ordinance Amending FNSBC 3.01.100 Regarding Requests For Waiver Of Property Tax Penalties To Include The Loss Of A Property Tax Exemption As A Penalty Subject To Waiver.
(Sponsor: Assemblymember Roberts)
(Refer to the Finance Committee on June 18, 2015; Advance to June 25, 2015 for Public Hearing) **(Page 130)**

Ordinances To Be Introduced And Advanced To Public Hearing - continued

- *c. ORDINANCE NO. 2015-28. An Ordinance Expanding, Clarifying And Amending Title 3 Of The Fairbanks North Star Borough Code Regarding Board Of Equalization Appeals And “Unable To Comply” Determinations. (Sponsor: Assemblymember Roberts)
(Refer to the Board of Equalization with recommendation due back no later than June 8, 2015; Refer to the Finance Committee on June 18, 2015; Advance to June 25, 2015 for Public Hearing) **(Page 134)**

- *d. ORDINANCE NO. 2015-29. An Ordinance Amending FNSBC 8.21.025.B To Permit Filing Of Property Sale Written Disclosures With The Air Quality Division After The Recording Of The Sale And Amending FNSBC 8.21.040 Concerning Use Of Appliances That Were Borough Listed At The Time Of Installation During A Stage 2 & 3 Air Alert. (Sponsor: Assemblymembers Dodge and Davies)
(Refer to the Committee of the Whole on June 18, 2015; Advance to June 25, 2015 for Public Hearing) **(Page 140)**

19. CITIZEN’S COMMENTS – Limited To Three (3) Minutes (Continuation if needed)

- b. Items other that are not scheduled on the agenda.

20. ASSEMBLYMEMBER’S COMMENTS

21. ADJOURNMENT

FAIRBANKS NORTH STAR BOROUGH
Regular Assembly Meeting
April 9, 2015
6:01 p.m.

A Regular meeting of the Fairbanks North Star Borough Assembly was held Thursday, March 26, 2015, in the Mona Lisa Drexler Assembly Chambers of the Borough Administrative Offices, 809 Pioneer Road, Fairbanks, Alaska.

There were present:

Karl Kassel, Presiding Officer and

Diane Hutchison
Van Lawrence
Janice Golub
Lance Roberts

Kathryn Dodge
Michael Dukes
Guy Sattley

Comprising a quorum of the Assembly, and

Luke T. Hopkins, Borough Mayor
Jeff Jacobson, Chief of Staff
René Broker, Borough Attorney
Debbie Brady, Chief Financial Officer
Carolyn Yurkovich, Chief Procurement Officer
Christine Nelson, Community Planning Director
Sallie Stuvek, Human Resources Director
Scott Johnson, Public Works Director
Allyson Lambert, School Board Representative
Perry Wally, City of Fairbanks Representative
Nanci Ashford-Bingham, MMC, Borough Clerk
April Trickey, Deputy Borough Clerk

Absent & Excused

John Davies
Christopher Quist

PRESENTATIONS

NONE

REQUEST FOR REMOVAL OF ITEMS FROM THE CONSENT AGENDA AND ANY OTHER PROCEDURAL MOTIONS

Track 1, 1:45

Assemblymember Lawrence removed Item 16 c from the consent agenda:

- c. RESOLUTION NO. 2015-15. A Resolution Authorizing The Mayor To Submit To The State Of Alaska An Application For A Federal Land And Water Conservation Fund Matching Grant For Development Of Tanana Lakes Recreation Area. (Sponsor: Mayor Hopkins)

Assemblymember Sattley removed Item 9 i from the consent agenda:

- i. IFB Award: IFB Number 15064
SW Water Truck Replacement

Approval of Lot One as submitted by TrailerCraft, Inc. in the amount of \$161,500.00.

CITIZEN'S COMMENTS

Track 1, 2:44

- a. A citizen may speak on agenda items not scheduled for public hearing. Memorandums, Bid Awards, Unfinished Business (items postponed from previous meetings, reconsideration, or notice of intent to rescind), Resolutions, or Ordinances being advanced to a public hearing on a different date.

NONE

- b. Items other than those appearing on the agenda (this is the section to speak on anything **Not Scheduled** on the agenda).

Dawn Murphy, resident of the borough and representing Explore Fairbanks, stated the Assembly should have received the Financial Audit for Explore Fairbanks. The Assembly was invited to attend the annual banquet on April 17, 2015 and the Walk of Charity on May 8, 2015.

Lovonnya Hedgepeth, resident of the borough, spoke about the loss of her tax exemption as a disabled veteran and her experience with the Assessing staff in regards to this issue.

APPROVAL OF AGENDA AND CONSENT AGENDA

Track 1, 14:11

HUTCHISON,
Seconded by GOLUB

moved to approve the agenda and consent
agenda, as read and amended.

WITHOUT OBJECTION, SO ORDERED.

APPROVAL OF MINUTES

- a. Regular Assembly Meeting minutes of February 26, 2015.

Track 1, 14:11

Without objection the measure was introduced, read and approved by title only.

HUTCHISON,
Seconded by GOLUB

moved to approve.

WITHOUT OBJECTION, SO ORDERED.

- b. Regular Assembly Meeting minutes of March 12, 2015.

Track 1, 14:11

Without objection the measure was introduced, read and approved by title only.

HUTCHISON,
Seconded by GOLUB

moved to approve.

WITHOUT OBJECTION, SO ORDERED.

- c. Regular Assembly Meeting minutes of March 26, 2015.

Track 1, 14:11

Without objection the measure was introduced, read and approved by title only.

HUTCHISON,
Seconded by GOLUB

moved to approve.

WITHOUT OBJECTION, SO ORDERED.

COMMUNICATIONS TO THE ASSEMBLY

- a. Memorandum from Nanci Ashford-Bingham, Borough Clerk, regarding certification of the March 24, 2015 Elections for certain service areas.
Track 1, 22:40

Nanci Ashford-Bingham, Borough Clerk, gave a staff report.

Service Area

Election Results

Bear's Den Road

Failed 2 Yes, 5 No, 0 Not counted

Becker Ridge

Failed 28 Yes, 54 No, 4 Not counted

Borda Road

Failed 7 Yes, 7 No, 2 Not counted

DODGE,
Seconded by GOLUB

moved that the Assembly accept the report of the Election Canvass Board and declare the elections for the Bear's Den Road, Becker Ridge, and Borda Road Service Areas of March 24, 2015 were validly held.

WITHOUT OBJECTION, SO ORDERED.

- b. Annual Report from the FNSB Assembly Citizens' Budget Review Committee.
Track 1, 25:18

Kathryn Dodge, Chair, Assembly Citizens' Budget Review Committee, gave a report.

LAWRENCE,
Seconded by GOLUB

moved to accept.

VOTE ON MOTION TO ACCEPT THE ANNUAL REPORT FROM THE ASSEMBLY CITIZENS' BUDGET REVIEW COMMITTEE.

Ayes:

Golub, Dodge, Sattley, Lawrence, Roberts, Hutchison, Kassel

Noes:

None

MOTION CARRIED

7 Ayes, 0 Noes

COMMUNICATIONS TO THE ASSEMBLY – continued

- c. Memorandum from Mayor Hopkins recommending the appointment of Jodi Rhoades to the Health and Social Services Commission.

Track 1, 14:11

Without objection the measure was introduced, read and approved by title only.

HUTCHISON, moved to concur.
Seconded by GOLUB

WITHOUT OBJECTION, SO ORDERED.

- d. Memorandum from Mayor Hopkins recommending the appointment of Nathan P. Belz to the Transportation Advisory Commission.

Track 1, 14:11

Without objection the measure was introduced, read and approved by title only.

HUTCHISON, moved to concur.
Seconded by GOLUB

WITHOUT OBJECTION, SO ORDERED.

- e. IFB Award: IFB Number 15038
Sunny Hills Terrace RSA Road Improvements

Approval of Base Bid and Alternate 1 as submitted by Great Northwest, Inc. in the amount of \$224,490.00.

Track 1, 14:11

Without objection the measure was introduced, read and approved by title only.

HUTCHISON, moved to approve.
Seconded by GOLUB

WITHOUT OBJECTION, SO ORDERED.

- f. IFB Award: IFB Number 15041
Herning Hills RSA – Road Improvements

Approval of Base Bid and Alternates 1 and 2 as submitted by Moonlighting Construction, Inc. in the amount of \$192,503.00.

Track 1, 14:11

COMMUNICATIONS TO THE ASSEMBLY – continued

Without objection the measure was introduced, read and approved by title only.

HUTCHISON, moved to approve.
Seconded by GOLUB

WITHOUT OBJECTION, SO ORDERED.

- g. IFB Award: IFB Number 15042
Miller Hill Ext RSA – Road Improvements

Approval of Base Bid and Alternate 1 as submitted by Great Northwest, Inc. in the amount of \$159,630.00.

Track 1, 14:11

Without objection the measure was introduced, read and approved by title only.

HUTCHISON, moved to approve.
Seconded by GOLUB

WITHOUT OBJECTION, SO ORDERED.

- h. IFB Award: IFB Number 15062
Roof Inspections and Maintenance

Approval of Lot One as submitted by A&A Roofing Co., Inc. in the amount of \$23,400.00 for the initial contract period and an estimated amount of \$117,000.00 if all four one-year renewal options are exercised.

Track 1, 14:11

Without objection the measure was introduced, read and approved by title only.

HUTCHISON, moved to approve.
Seconded by GOLUB

WITHOUT OBJECTION, SO ORDERED.

- i. IFB Award: IFB Number 15064
SW Water Truck Replacement

Approval of Lot One as submitted by TrailerCraft, Inc. in the amount of \$161,500.00.

Track 1, 33:16

Clerk's Note: This item was removed from the consent agenda.

COMMUNICATIONS TO THE ASSEMBLY – continued

Carolyn Yurkovich, Chief Procurement Officer and Scott Johnson, Director of Public Works, gave a staff report.

Discussion ensued.

DODGE,
Seconded by LAWRENCE

moved to approve IFB No. 15064, Solid Waste Water Truck Replacement lot one as submitted by TrailerCraft, Inc. in the amount of \$161,500.00.

Discussion ensued.

VOTE ON MOTION TO APPROVE IFB NO. 15064 LOT 1 AS SUBMITTED BY TRAILERCRAFT, INC. IN THE AMOUNT OF \$161,500.00.

Ayes: Hutchison, Roberts, Lawrence, Dodge, Golub, Kassel

Noes: Sattley

MOTION CARRIED 6 Ayes, 1 Noes

MESSAGES FROM THE BOROUGH MAYOR

Track 1, 43:26 and Track 3, 00:40

Mayor Hopkins reported on:

- HB 105 regarding the Interior Energy Project. 45 million dollars was taken from the project and reappropriated to sit in an account. This impacts the ability of AIDEA to move forward with natural gas in the Interior. It's possible the recent developments will delay natural gas until 2017.
- IGU contractors are clearing right-of-ways in North Pole. It remains IGU's priority to have the gas distribution piping in the ground.
- The school district funding shortfall.

REPORTS OF SPECIAL AND STANDING COMMITTEES

Track 3, 7:35

Assemblymember Roberts reported the Assembly Road Service Area Committee will meet Monday, April 13, 2015 at 6 p.m. in Chambers.

Assemblymember Lawrence reported FEDCo recently voted to approve a resolution urging the Alaska State legislature to expand Medicaid.

REPORTS FROM REPRESENTATIVES

Track 2, 1:00

- a. Report from the City of Fairbanks Representative.

Councilmember Walley reported on:

- The ordinances and resolutions passed at the last city council meeting.

- b. Report from the City of North Pole Representative.

NONE

- c. Report from the School Board Representative.

School Board Member Allyson Lambert reported on:

- Education funding remains a key topic in Juneau. Drastic cuts were made equaling a 17.1 million dollar short fall.
- Today was the final day of the new computer-based testing.
- Next week is the 31st annual American Cultures week.
- The boards next regular meeting is April 21, 2015 at 7 p.m.

SPECIAL ORDERS – PUBLIC HEARING

- a. ORDINANCE NO. 2015-15. An Ordinance Amending FNSBC Title 17.60.150.C To Include An Exception To The Requirement For Intersection Corner Roundings. (Sponsor: FNSB Platting Board)

Track 1, 10:14

Christine Nelson, Community Planning Director and Jacob Barowsky, gave a staff report.

The Presiding Officer called for public testimony, there being none public hearing was closed.

HUTCHISON,
Seconded by LAWRENCE

moved to adopt.

Discussion ensued.

ROBERTS,
Seconded by HUTCHISON

moved to amend line 52 after “and” by changing “and” to “and/if”.

WITHOUT OBJECTION, SO ORDERED.

PUBLIC HEARING – continued

Discussion ensued.

ROBERTS,
Seconded by GOLUB

moved to amend line 52 to read “and, if existing, a”.

WITHOUT OBJECTION, SO ORDERED.

VOTE ON MOTION TO ADOPT ORDINANCE NO. 2015-15, AS AMENDED.

Ayes: Hutchison, Roberts, Lawrence, Dodge,
Sattley, Golub, Kassel

Noes: None

MOTION CARRIED 7 Ayes, 0 Noes

Clerk's Note: The presiding officer passed the gavel to Ms. Dodge, Finance Committee Chair, prior to taking up Ordinance No. 2015-16.

- b. ORDINANCE NO. 2015-16. An Ordinance Amending FNSBC 2.09.010 Regarding The Presiding Officer's Appointments To Various Committees And FNSBC 2.75.040 Regarding The Term Of The Presiding Officer's Appointments To The Economic Development Commission.
(Sponsor: Assemblymember Kassel)
Track 2, 23:00

Assemblymember Kassel gave a staff report.

The Finance Chair called for public testimony, there being none public hearing was closed.

LAWRENCE,
Seconded by HUTCHISON

moved to adopt.

Discussion ensued.

VOTE ON MOTION TO ADOPT ORDINANCE NO. 2015-16.

Ayes: Lawrence, Sattley, Roberts, Golub,
Hutchison, Kassel, Dodge

Noes: None

MOTION CARRIED 7 Ayes, 0 Noes

PUBLIC HEARING – continued

Clerk's Note: The Finance Chair passed the gavel back to the Presiding Officer.

- c. ORDINANCE NO. 2014-20-2F. An Ordinance Amending The FY 2014-15 Budget By Appropriating \$13,369 From The General Fund Fund Balance To The Department Of Assembly For The Purpose Of Funding Additional External Audit Services Required For FY 2013-14. (Sponsor: Assemblymember Hutchison)
Track 2, 29:40

Assemblymember Hutchison gave a staff report.

The Presiding Officer called for public testimony, there being none public hearing was closed.

HUTHICHSON, moved to adopt.
Seconded by GOLUB

Discussion ensued.

VOTE ON MOTION TO ADOPT ORDINANCE NO. 2014-20-2F.

Ayes: Golub, Hutchison, Dodge, Sattley, Roberts, Lawrence, Kassel

Noes: None

MOTION CARRIED 7 Ayes, 0 Noes

CONSIDERATION OF CALENDAR – Unfinished Business

NONE

CITIZEN'S COMMENTS – Limited To Three (3) Minutes (Continuation if needed)

Track 2, 32:40

- a. items that are not scheduled for public hearing – continuation.

Patrice Lee, resident of the borough, requested the Assembly encourage the Interior Delegation to report to the community as a team how they are working together.

CONSIDERATION OF CALENDAR – New Business – Resolutions

- a. RESOLUTION NO. 2015-13. A Resolution Specifying The Minimum Amount Of Money To Be Made Available From Local Sources To The Fairbanks North Star Borough School District For School Purposes During Fiscal Year 2015-16 And Providing For An Increase In That Amount Should The State Not Fund The Statute-Required Local Contribution. (Sponsor: Mayor Hopkins)
Track 2, 36:30

Mayor Hopkins and Rene Broker, Borough Attorney, gave a staff report.

GOLUB, moved to adopt.
Seconded HUTCHISON

Discussion ensued.

LAWRENCE, moved to amend Line 57 by increasing
Seconded HUTCHISON "\$28,677,000" to "\$50,869,000" and by deleting the last paragraph, lines 59-62.

Discussion ensued.

MOTION FAILED UNANIMOUSLY (0 AYES, 7 NOES)

Discussion ensued.

VOTE ON MOTION TO ADOPT RESOLUTION NO. 2015-13.

Ayes: Hutchison, Lawrence, Dodge, Sattley,
Golub, Kassel

Noes: Roberts

MOTION CARRIED 6 Ayes, 1 Noes

- b. RESOLUTION NO. 2015-14. A Resolution Approving Certain Unincorporated Communities And Their Respective Incorporated Nonprofit Entity/Entities For Participation In The FY 2016 Community Revenue Sharing Program.
(Sponsor: Mayor Hopkins)
Track 1, 14:11

Without objection the measure was introduced, read and approved by title only.

HUTCHISON, moved to approve.
Seconded by GOLUB

WITHOUT OBJECTION, SO ORDERED.

CONSIDERATION OF CALENDAR – New Business – Resolutions – continued

- c. RESOLUTION NO. 2015-15. A Resolution Authorizing The Mayor To Submit To The State Of Alaska An Application For A Federal Land And Water Conservation Fund Matching Grant For Development Of Tanana Lakes Recreation Area. (Sponsor: Mayor Hopkins)

Track 2, 46:00

Clerk's Note: Resolution No. 2015-15 was removed from the consent agenda.

Mayor Hopkins and Jeff Jacobson, Chief of Staff, gave a staff report.

DODGE, moved to adopt.
Seconded GOLUB

Discussion ensued.

LAWRENCE, moved to amend line 35 to read: "The three
Seconded GOLUB Kiwanis Clubs in Fairbanks agree and have pledged...".

WITHOUT OBJECTION, SO ORDERED.

VOTE ON MOTION TO ADOPT RESOLUTION NO. 2015-15, AS AMENDED.

Ayes: Dodge, Lawrence, Hutchison, Golub,
Sattley, Kassel

Noes: Roberts

MOTION CARRIED 6 Ayes, 1 Noes

- d. RESOLUTION NO. 2015-20. A Resolution Establishing The Rate Of Levy Of 2015 Real Property Taxes For Areawide, Non-Areawide, Solid Waste Collection District, And Service Area Jurisdictions. (Sponsor: Mayor Hopkins) (Advance to June 11, 2015.)

Track 1, 14:11

Without objection the measure was introduced, read and advanced by title only.

HUTCHISON, moved to advance to the regular assembly
Seconded by GOLUB meeting of June 11, 2015.

WITHOUT OBJECTION, SO ORDERED.

CONSIDERATION OF CALENDAR – New Business – Ordinances To Be Referred To Committees Or Commissions

NONE

CONSIDERATION OF CALENDAR – New Business – Ordinances To Be Introduced And Advanced To Public Hearing

- a. ORDINANCE NO. 2015-17. An Ordinance Rezoning Lots 13 And 14 Koponen Homestead, Approximately 9.3 Acres, From General Use 1 (GU1) To Rural Estate-2 (RE-2) Or Other Appropriate Zone. (RZ2015-007) (Located North Of Waugstroe Drive And East of Haman Street) (Sponsor: Mayor Hopkins)
Track 1, 14:11

Without objection the measure was introduced, read and approved by title only.

HUTCHISON,
Seconded by GOLUB

moved to refer to the Committee of the Whole on April 16, 2015; Advance to April 23, 2015 for Public Hearing.

WITHOUT OBJECTION, SO ORDERED.

- b. ORDINANCE NO. 2015-18. An Ordinance Amending FNSBC 8.21.035 Regarding The Enhanced Voluntary Removal, Replacement And Repair Program, Removing The Additional Fuel Payment From The Program And Repealing FNSBC 8.21.045 Regarding The Voluntary Burn Cessation Program. (Sponsor: Assemblymember Roberts)
Track 1, 14:11

Without objection the measure was introduced, read and approved by title only.

HUTCHISON,
Seconded by GOLUB

moved to refer to the Committee of the Whole on April 16, 2015; Advance to April 23, 2015 for Public Hearing.

WITHOUT OBJECTION, SO ORDERED.

- c. ORDINANCE NO. 2015-19. An Ordinance Amending FNSBC 2.19.020 Regarding Borough Attorney Duties To Require Assembly Approval Prior To Borough Filing Of Non-Routine Litigation. (Sponsor: Assemblymember Roberts)
Track 1, 14:11

**CONSIDERATION OF CALENDAR – New Business – Ordinances To Be Introduced
And Advanced To Public Hearing – continued**

Without objection the measure was introduced, read and approved by title only.

HUTCHISON,
Seconded by GOLUB

moved to refer to the Committee of the
Whole on April 16, 2015; Advance to April
23, 2015 for Public Hearing.

WITHOUT OBJECTION, SO ORDERED.

- d. ORDINANCE NO. 2014-20-2G. An Ordinance Amending The FY 2014-15 Budget By Appropriating \$996,122 In Federal Grant Funding And By Reallocating \$98,878 In State Grant Funding To The Capital Projects Fund For Parking Area Enhancements And Relocation Of Existing Park Amenities At Birch Hill Recreation Area. (Sponsor: Mayor Hopkins)

Track 1, 14:11

Without objection the measure was introduced, read and approved by title only.

HUTCHISON,
Seconded by GOLUB

moved to refer to the Finance Committee
on April 16, 2015; Advance to April 23,
2015 for Public Hearing.

WITHOUT OBJECTION, SO ORDERED.

- e. ORDINANCE NO. 2014-20-2H. An Ordinance Amending The FY 2014-15 Budget By Appropriating \$1,048,430 In Federal Grant Funding And \$104,070 In Local Matching Funds From The General Fund Fund Balance To The Capital Projects Fund For Restroom Replacement And Access Improvements At The Chena Lake Recreation Area. (Sponsor: Mayor Hopkins)

Track 1, 14:11

Without objection the measure was introduced, read and approved by title only.

HUTCHISON,
Seconded by GOLUB

moved to refer to the Finance Committee
on April 16, 2015; Advance to April 23,
2015 for Public Hearing.

WITHOUT OBJECTION, SO ORDERED.

- f. ORDINANCE NO. 2015-20. An Ordinance Appropriating Funds As Listed For The Fiscal Year Beginning July 1, 2015; Ratifying Fiscal Policies And User Fees; And Levying Taxes. (Sponsor: Mayor Hopkins)

Track 1, 14:11

**CONSIDERATION OF CALENDAR – New Business – Ordinances To Be Introduced
And Advanced To Public Hearing – continued**

Without objection the measure was introduced, read and approved by title only.

HUTCHISON,
Seconded by GOLUB

moved to refer to the Finance Committee
on Saturday, April 11, 2015 and Saturday,
April 18, 2015; Advance to May 7, 2015 for
Public Hearing.

WITHOUT OBJECTION, SO ORDERED.

- g. ORDINANCE NO. 2015-21. An Ordinance Providing For The Disposition Of Property Which Lies Within The City Of Fairbanks Which Has Been Acquired Through Tax Foreclosure (Sponsor: Mayor Hopkins)
Track 1, 14:11

Without objection the measure was introduced, read and approved by title only.

HUTCHISON,
Seconded by GOLUB

moved to refer to the Committee of the
Whole on June 4, 2015; Advance to June
11, 2015 for Public Hearing.

WITHOUT OBJECTION, SO ORDERED.

- h. ORDINANCE NO. 2015-22. An Ordinance Providing For The Disposition Of Property Which Lies Within The City Of North Pole Which Has Been Acquired Through Tax Foreclosure. (Sponsor: Mayor Hopkins)
Track 1, 14:11

Without objection the measure was introduced, read and approved by title only.

HUTCHISON,
Seconded by GOLUB

moved to refer to the Committee of the
Whole on June 4, 2015; Advance to June
11, 2015 for Public Hearing.

WITHOUT OBJECTION, SO ORDERED.

- i. ORDINANCE NO. 2015-23. An Ordinance Directing The Retention For Public Purposes By The Fairbanks North Star Borough Of Certain Property Which May Lie Within The City Of Fairbanks, City Of North Pole And The Fairbanks North Star Borough, Acquired Through Tax Foreclosure. (Sponsor: Mayor Hopkins)
Track 1, 14:11

Without objection the measure was introduced, read and approved by title only.

**CONSIDERATION OF CALENDAR – New Business – Ordinances To Be Introduced
And Advanced To Public Hearing – continued**

HUTCHISON,
Seconded by GOLUB

moved to refer to the Committee of the
Whole on June 4, 2015; Advance to June
11, 2015 for Public Hearing.

WITHOUT OBJECTION, SO ORDERED.

- j. ORDINANCE NO. 2015-24. An Ordinance Providing For The Sale Of Real
Property Acquired Through Tax Foreclosure. (Sponsor: Mayor Hopkins)
Track 1, 14:11

Without objection the measure was introduced, read and approved by title only.

HUTCHISON,
Seconded by GOLUB

moved to refer to the Committee of the
Whole on June 4, 2015; Advance to June
11, 2015 for Public Hearing.

WITHOUT OBJECTION, SO ORDERED.

- k. ORDINANCE NO. 2015-25. An Ordinance Amending FNSBC Chapter 2.12 To
Provide For The Conduction Of Elections Through Voting By Mail.
(Sponsors: Assemblymembers Roberts and Kassel)
Track 1, 14:11

Without objection the measure was introduced, read and approved by title only.

HUTCHISON,
Seconded by GOLUB

moved to refer to the Committee of the
Whole on June 4, 2015; Advance to June
11, 2015 for Public Hearing.

WITHOUT OBJECTION, SO ORDERED.

- l. ORDINANCE NO. 2015-26. An Ordinance Amending Title 18 And Defining,
Regulating, And Setting Locational Standards For Sexually Oriented Businesses.
(Sponsor: Assemblymembers Hutchison and Kassel)
Track 1, 14:11

Without objection the measure was introduced, read and approved by title only.

HUTCHISON,
Seconded by GOLUB

moved to refer to the Planning Commission
on May 5, 2015; Refer to the Committee of
the Whole on June 4, 2015; Advance to
June 11, 2015 for Public Hearing.

WITHOUT OBJECTION, SO ORDERED.

CITIZEN'S COMMENTS – Limited To Three (3) Minutes (Continuation if needed)

- b. Items other than those appearing on the agenda (this is the section to speak on anything **Not Scheduled** on the agenda).

Track 3, 00:15

NONE

EXECUTIVE SESSION

Sallie Stuvek, Human Resources Director, gave a update on the collective bargaining contracts with Laborers 942 and APEA.

- a. An Executive Session for the purpose of receiving a collective bargaining update from the borough's chief spokesperson regarding the negotiated terms as they relate to the assembly's monetary goals, and to discuss potential significant changes to monetary goals.

Track 3, 9:13

DODGE,
Seconded by GOLUB

moved to go into Executive Session for the purpose of receiving a collective bargaining update from the borough's chief spokesperson regarding the negotiated terms as they relate to the assembly's monetary goals. To include Sallie Stuvek, Borough's Chief Spokesperson, Mayor Hopkins, and René Broker, Borough Attorney.

WITHOUT OBJECTION, SO ORDERED.

DODGE,
Seconded by DAVIES

moved to come out of Executive Session.

WITHOUT OBJECTION, SO ORDERED.

ASSEMBLYMEMBER'S COMMENTS

Assembly Schedule

Track 4, 1:33

Saturday, April 11, 2015:

Finance Committee budget worksession at 9:00 a.m. in the Mona Lisa Drexler Assembly Chambers.

Thursday, April 16, 2015

Finance Committee meets at 5:30 p.m. in the Mona Lisa Drexler Assembly Chambers.

Special Assembly meeting at 7:00 p.m.

Committee of the Whole immediately following.

Assemblymember Roberts commented he was disappointed with what happened with the Interior Energy Project in the House of Representatives.

Assemblymember Sattley commented on legal's memorandum regarding the Borough's limited health and social services powers. He thanked the borough attorney for distributing the memorandum.

Assemblymember Golub commented on getting a gasline up to Fairbanks.

Assemblymember Hutchison commented on legal's memorandum regarding the Borough's limited health and social services powers and also thanked the borough attorney.

Assemblymember Lawrence commented he was frustrated and angry at the indifference many state legislators seems to have regarding the economic problems of the Interior. He urged the public to contact our local delegation.

Assemblymember Dodge commented that the assembly hears fairly consistently that the Assessor's office has been rude and disrespectful to the public. She requested the administration to look into the complaint.

Assemblymember Kassel commented Interior Alaska Green Star is holding a electronics recycling depot on April 17 and 18. He also echoed his frustration at the things occurring in Juneau during this session.

ADJOURNMENT

There being no further business to come before the Fairbanks North Star Borough Assembly, the meeting was adjourned at 8:58 p.m.

Karl Kassel
Presiding Officer

ATTEST:

Nanci Ashford-Bingham, MMC
Borough Clerk

APPROVED:



Fairbanks North Star Borough General Services

809 Pioneer Road • PO Box 71267 • Fairbanks, Alaska 99707-1267
907/459-1297 • FAX 459-1100

MEMORANDUM

TO: Karl Kassel, Presiding Officer
Fairbanks North Star Borough Assembly

THROUGH: Luke Hopkins, Borough Mayor *L.H.*

FROM: Carolyn B. Yurkovich, Chief Procurement Officer
General Services Department *CBY*

DATE: April 23, 2015

SUBJECT: RECOMMENDATION TO APPROVE AWARD
IFB Number 15020
Ryan Middle Replacement

CONTRACTOR: G2 CONSTRUCTION, INC.

CONTRACT AMOUNT: \$28,398,892.00

The Department of Public Works recommends Assembly approval of Base Bid, Alternate 1, Alternate 2, Alternate 3, Alternate 4, Alternate 5, Alternate 6, and Alternate 7, Alternate 9, and Alternate 10 as submitted by **G2 CONSTRUCTION, INC.** in the amount of **\$28,398,892.00**.

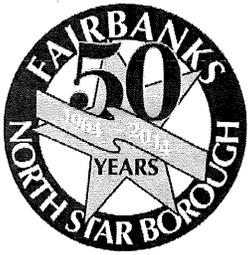
The project consists of construction of a new Ryan Middle School Academic Wing, the subsequent demolition of the existing Ryan Middle School Academic Wing, associated site improvements, and remodel/improvements to the existing Ryan Gymnasium Wing.

Funding for this project has been made available by Ordinance Number 3012-20-1F (State Grant), Ordinance Number 2013-60 (Local Bond Funds), and Ordinance Number 2011-39 (Local Bond Funds).

The competitive process was conducted in compliance with Title 16. **G2 CONSTRUCTION, INC.'S** bid is the lowest responsible, responsive bid.

Please place this recommendation to award on the Assembly agenda for the meeting to be held April 23, 2015. Bids were opened at 2:00 pm April 9, 2015 for the subject project. Results of this solicitation are included in the attached bid tabulation. The appeal period expired at 5:00 p.m. on April 20, 2015.

Attached is the documentation package provided by the Department of Public Works.



Fairbanks North Star Borough Department of Public Works

809 Pioneer Road • PO Box 71267 • Fairbanks, Alaska 99707-1267 • (907)459-1345 FAX 459-1330

MEMORANDUM

TO: Carolyn Yurkovich, Chief Procurement Officer
Department of General Services
THROUGH: Scott Johnson, Director, Department of Public Works
Philip W. Streeter, Chief Building Engineer, Department of Public Works
Janet Smith, Architect/Engineer, Department of Public Works
FROM: Bud Marschner, Senior Project Manager
Department of Public Works
DATE: April 10, 2015
PROJECT: Ryan Middle School Replacement
Project No.: 13-RJHPRJ-2
IFB No.: 15020
SUBJECT: Recommendation to Award for the Assembly Meeting of April 23, 2015.

Action Requested: The Department of Public Works recommends award of the Base Bid, Alternate No. 1, Alternate No. 2, Alternate No. 3, Alternate No. 4, Alternate No. 5, Alternate No. 6, Alternate No. 7, Alternate No. 9, and Alternate No. 10 to G2 Construction, for a total contract amount of \$28,398,892.00.

Project Description: Construction of a new Ryan Middle School Academic Wing, the subsequent demolition of the existing Ryan Middle School Academic Wing, associated site improvements, and remodel/improvements to the existing Ryan Gymnasium Wing.

- Alternate(s):
Alternate No. 1 (Accepted) South Parking Lot Path and Fencing
Alternate No. 2 (Accepted) Outdoor PE Equipment and Safety Surfacing
Alternate No. 3 (Accepted) Aluminum Framed Window System
Alternate No. 4 (Accepted) Pedestrian Lighting
Alternate No. 5 (Accepted) Exterior Finish System
Alternate No. 6 (Accepted) Ceiling Panels at First Floor Classroom Commons
Alternate No. 7 (Accepted) Exterior Painting on Existing Gymnasium
Alternate No. 8 (Not Accepted) Raised Garden Planters
Alternate No. 9 (Accepted) Sledding Hill
Alternate No. 10 (Accepted) Install Additional Plantings
Alternate No. 11 (Not Accepted) Lighting Controls
Alternate No. 12 (Not Accepted) Central Air Quality Monitoring

Funding: Ordinance # 3012-20-1F State Grant
Ordinance # 2013-60 Local Bond Funds
Ordinance #2011-39 Local Bond Funds

Attachments: Fund Verification
Recommendation to Award from FNSB School District, User
Recommendation to Award from Bettisworth North Architects & Planners, Inc., Consultant
Bid Tabulation

FUND VERIFICATION

to be completed by originating department

DEPARTMENT / DIVISION: Public Works / Design & Construction IFB / RFP NO.: 15020

PURPOSE / PROJECT NAME: Ryan Middle School Replacement

DESCRIPTION: Replacement of Ryan Middle School academic wing and completion of gym remodel.

Est. Cost: \$31,343,005.00 Est. Contingency: \$ 2,414,552.10 Total Cost: 33,757,557.10

Bid Appeal Period: 10 day

SOURCE OF FUNDS:

Account No: S18RMT-72005 / 13-RJHPRJ-2 Amount: \$ 73,863.09

Account No: LPB3RR-72005 / 13-RJHPRJ-2 Amount: \$ 32,754,401.00

Account No: LPB1RR-72005 / 12-RJHPRJ-1 Amount: \$ 929,293.01

Total: \$ 33,757,557.10

<i>to be completed by Accounting</i>			
*Match ? [√ if Yes]	** Grant or Match ? [√ if Yes]	Ordinance Number	Accounting Verification
✓	✓	2013-1F	PA
	✓	2013-60	PA
	✓	2011-39	PA
			Date: <u>3/3/15</u>

Bond Funds funded by State of AK

*If the source of funds above will be used to meet the matching requirements of a grant, please indicate with a √.

**If the source of funds is a Grant OR a Match to a grant, be sure the preparer has attached a copy of the grant agreement.

[Signature]
Bud Marschner, Project Manager
3/1/15
Date

[Signature]
Janet Smith, Supervising A/E
03.02.15
Date

[Signature]
Scott Johnson, Department Director
3/3/15
Date

to be completed by Accounting

APPROVED On the date signed above by Accounting, fund sources shown above are sufficient to pay the costs of the requested action and may legally be used for this purpose.

Local bidder preference (FNSB 16.35.050) is prohibited. ✓

***Local bidder preference (FNSB 16.35.050) is allowed. _____

DISAPPROVED Reason: (circle one) Insufficient funds Usage is not legal

Funding Source U.S. DOT - FTA GENERAL SERVICES
RCVD: 15 MAR 5 3:39

Funding Source U.S. DOT - all other

Funding Source Federal Common Rule

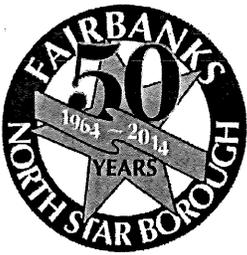
Funding Source Other AK Dept of Education / State Senate Bill 18 (Note the agency) (State aid for School Construction)

Funding Source N/A

[Signature]
Chief Accountant

3/3/15
Date

*** NOTE: If local bidder preference is allowed, a change in funding source, which impacts this determination, is not permissible after the opening date and time of an Invitation for bid (IFB).



Fairbanks North Star Borough Department of Public Works

809 Pioneer Road • PO Box 71267 • Fairbanks, Alaska 99707-1267 • (907)459-1345 FAX 459-1330

MEMORANDUM

TO: Dave Norum, Executive Director, Facilities Maint.
Fairbanks North Star Borough School District

FROM: Bud Marschner, Project Manager
Department of Public Works

DATE: April 10, 2015

PROJECT: Ryan Middle School Replacement
Project No.: 13-RJHPRJ-2
IFB No.: 15020

SUBJECT: USER RECOMMENDATION TO AWARD

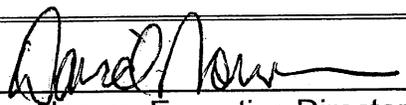
Construction bids for the above referenced project were opened at 2:00 on April 9, 2015. A copy of the Bid Tabulation, recorded by the FNSB General Services Department, is attached for your review.

The Department of Public Works recommends a contract award of the Base Bid, Alternate No. 1, Alternate No. 2, Alternate No 3, Alternate No. 4, Alternate No. 5, Alternate No. 6, Alternate No. 7, Alternate No. 9, and Alternate No. 10 to the apparent low bidder, G2 Construction, for a total bid amount of \$28,398,892.00.

If you concur with our recommendation, please sign below and return as soon as possible.

BM:ml

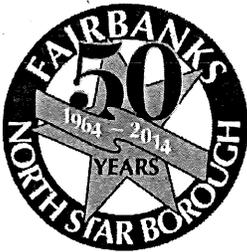
Attachment



Dave Norum, Executive Director

4/10/15

Date



MEMORANDUM

TO: Tracy Vanairsdale, Project Manager
Bettisworth North Architects and Planners, Inc.

FROM: Bud Marschner, Project Manager
Department of Public Works

DATE: April 10, 2015

PROJECT: Project Name: Ryan Middle School Replacement
Project No.: 13-RJHPRJ-2
IFB No.: 15020

SUBJECT: CONSULTANT RECOMMENDATION TO AWARD

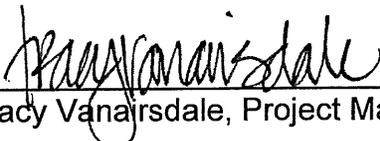
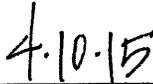
Construction bids for the above-referenced project were opened at 2:00 p.m. on April 9, 2015. A copy of the Bid Tabulation, recorded by the FNSB General Services Department, is attached for your review.

The Department of Public Works recommends a contract award of the Base Bid, Alternate No. 1, Alternate No. 2, Alternate No 3, Alternate No. 4, Alternate No. 5, Alternate No. 6, Alternate No. 7, Alternate No. 9, and Alternate No. 10 to the apparent low bidder, G2 Construction, for a total bid amount of \$28,398,892.00.

If you concur with our recommendation, please sign below and return as soon as possible.

BM:ml

Attachment

	
Tracy Vanairsdale, Project Manager	Date

**Fairbanks North Star Borough
Purchasing Division
Bid Tabulation**

IFB NO.: 15020
DATE 4/9/2015
PROJECT Ryan Middle Replacement

VENDOR	GHEMM	Alcan	G2	Watterson	Engineers Estimate	
Base Bid	\$30,024,000.00	\$30,310,923.00	\$27,350,149.00	\$29,762,000.00	\$31,690,559.00	33860923
Additive Alt #1	\$132,200.00	\$149,161.00	\$43,588.00	\$154,000.00	\$407,840.00	-3550000
BB + AA #1	\$30,156,200.00	\$30,460,084.00	\$27,393,737.00	\$29,916,000.00	\$32,098,399.00	
Additive Alt #2	\$100,200.00	\$122,800.00	\$141,718.00	\$106,000.00	\$149,547.00	30310923
BB + AA #1 - AA #2	\$30,256,400.00	\$30,582,884.00	\$27,535,455.00	\$30,022,000.00	\$32,247,946.00	
Additive Alt #3	\$120,500.00	\$41,786.00	\$74,715.00	\$195,000.00	\$64,253.00	
BB + AA #1 - AA #3	\$30,376,900.00	\$30,624,670.00	\$27,610,170.00	\$30,217,000.00	\$32,312,199.00	
Additive Alt #4	\$130,300.00	\$123,723.00	\$137,248.00	\$145,000.00	\$84,357.00	
BB + AA #1 - AA #4	\$30,507,200.00	\$30,748,393.00	\$27,747,418.00	\$30,362,000.00	\$32,396,556.00	
Additive Alt #5	\$0.00	\$961,587.00	\$437,772.00	\$90,000.00	\$840,540.00	
BB + AA #1 - AA #5	\$30,507,200.00	\$31,709,980.00	\$28,185,190.00	\$30,452,000.00	\$33,237,096.00	
Additive Alt #6	\$149,500.00	\$116,722.00	\$133,317.00	\$153,000.00	\$60,018.00	
BB + AA #1 - AA #6	\$30,656,700.00	\$31,826,702.00	\$28,318,507.00	\$30,605,000.00	\$33,297,114.00	
Additive Alt #7	\$28,000.00	\$27,697.00	\$26,825.00	\$29,000.00	\$15,717.00	
BB + AA #1 - AA #7	\$30,684,700.00	\$31,854,399.00	\$28,345,332.00	\$30,634,000.00	\$33,312,831.00	
Additive Alt #8	\$5,000.00	\$3,500.00	\$17,284.00	\$2,000.00	\$20,169.00	
BB + AA #1 - AA #8	\$30,689,700.00	\$31,857,899.00	\$28,362,616.00	\$30,636,000.00	\$33,333,000.00	
Additive Alt #9	\$19,500.00	\$5,224.00	\$11,960.00	\$22,000.00	\$6,887.00	
BB + AA #1 - AA #9	\$30,709,200.00	\$31,863,123.00	\$28,374,576.00	\$30,658,000.00	\$33,339,887.00	
Additive Alt #10	\$53,000.00	\$51,542.00	\$41,600.00	\$54,000.00	\$66,255.00	
BB + AA #1 - AA #10	\$30,762,200.00	\$31,914,665.00	\$28,416,176.00	\$30,712,000.00	\$33,406,142.00	
Additive Alt #11	\$169,100.00	\$167,813.00	\$162,531.00	\$170,000.00	\$360,756.00	
BB + AA #1 - AA #11	\$30,931,300.00	\$32,082,478.00	\$28,578,707.00	\$30,882,000.00	\$33,766,898.00	
Additive Alt #12	\$153,000.00	\$140,614.00	\$136,188.00	\$156,000.00	\$168,985.00	
BB + AA #1 - AA #12	\$31,084,300.00	\$32,223,092.00	\$28,714,895.00	\$31,038,000.00	\$33,935,883.00	

The above tabulation is for informational purposes only and is not the official record.
The low bid is the apparent low. All bids will receive administrative review for accuracy and to determine if the low bid is responsive and responsible.

Bids opened by Marilyn Ordal and Charla May



Fairbanks North Star Borough General Services

809 Pioneer Road • PO Box 71267 • Fairbanks, Alaska 99707-1267
907/459-1297 • FAX 459-1100

NOTICE OF INTENT TO AWARD REVISION #1

SUBJECT: Ryan Middle Replacement	DATE OF NOTICE: April 13, 2015
BID NUMBER: 15020	OPENING DATE: April 9, 2015
CHIEF PROCUREMENT OFFICER: Carolyn B. Yurkovich <i>Carolyn B. Yurkovich</i>	PROCUREMENT SPECIALIST: Marilyn Ordal <i>Marilyn Ordal</i>

It is the intent of the Fairbanks North Star Borough to award a contract to the low responsive, responsible bidder, in accordance with the specifications and requirements described in the IFB. Award may be made no sooner than days from the date of this notice. This serves solely as notice of the Borough's intent to award a contract and should not be construed as a notice to proceed with delivery of goods or services.

NOTE: ★ = AWARD TO BIDDER Y = RESPONSIVE BIDDER N = NON-RESPONSIVE BIDDER ● = BID NOT EVALUATED BECAUSE THERE WAS A LOWER RESPONSIVE BID ∅ = BID EXCEEDED AVAILABLE FUNDS BIDS OVER \$ 100,000 WILL BE FORWARDED TO THE ASSEMBLY FOR APPROVAL

ITEM	PRICE	AWARD	COMMENTS	RESPONSIVE Y / N	BIDDER
Base Bid Alts. 1-7, 9 & 10	\$28,398,892.00	★	Low Responsive Bidder	Y	G2 Construction
Base Bid Alts. 1-7, 9 & 10	\$30,710,000.00			●	Watterson Construction
Base Bid Alts. 1-7, 9 & 10	\$30,757,200.00			●	GHEMM Company Inc.
Base Bid Alts. 1-7, 9 & 10	\$31,911,165.00			●	Alcan Builders Inc.

This is the FNSB Notice of Intent to Award (NOIA) Base Bid and Alternates 1, 2, 3, 4, 5, 6, 7, 9, and 10 to G2 Construction. The appeal period for this NOIA will expire on April 20, 2015 at 5:00 pm.



Fairbanks North Star Borough General Services

809 Pioneer Road • PO Box 71267 • Fairbanks, Alaska 99707-1267
907/459-1297 • FAX 459-1100

MEMORANDUM

TO: Karl Kassel, Presiding Officer
Fairbanks North Star Borough Assembly

THROUGH: Luke Hopkins, Borough Mayor *LKH*

FROM: Carolyn B. Yurkovich, Chief Procurement Officer
General Services Department *CBY*

DATE: April 23, 2015

SUBJECT: RECOMMENDATION TO APPROVE AWARD
IFB Number 15046
Murphy RSA - Road Improvements

CONTRACTOR: Better Way Construction, LLC

CONTRACT AMOUNT: \$286,009.50

The Department of Public Works recommends Assembly approval of Base Bid, Alternate 1 and Alternate 2 as submitted by Better Way Construction, LLC in the amount of **\$286,009.50**.

The project consists of constructing Yellowknife Drive and Watson Road, approximately 2100 feet from "Y" 58+67 to "W" 104+00.

Funding for this project has been made available by Ordinance Number 2014-20-1M (Local Service Area), Ordinance Number 2014-04 and 2014-20-1M (Local Revolving Loan Funds) and Ordinance Number 2011-20-1M (State Grant).

The competitive process was conducted in compliance with Title 16. **Better Way Construction, LLC's** bid is the lowest responsible, responsive bid.

Please place this recommendation to award on the Assembly agenda for the meeting to be held **April 23, 2015**. Bids were opened at 2:00 pm April 7, 2015 for the subject project. Results of this solicitation are included in the attached bid tabulation. The appeal period expired at 5:00 p.m. on April 20, 2015.

Attached is the documentation package provided by the Department of Public Works.



M E M O R A N D U M

TO: Carolyn Yurkovich, Chief Procurement Officer
Department of General Services

THROUGH: Scott Johnson, Director, Department of Public Works *ST*
Bill Gryder, Chief Civil Engineer, Department of Public Works *NG*
David Bredlie, Engineer, Department of Public Works *DB*

FROM: Chad Hosier, Project Manager, Department of Public Works

DATE: April 13, 2015

PROJECT: Murphy RSA - Road Improvements
IFB No. 15046
Project No.: 13-720PRJ-1

SUBJECT: Recommendation to Award for the Assembly Meeting of April 23, 2015

Action Requested: The Department of Public Works recommends award of the Base Bid, and Alternates No. 1 and No. 2, to Better Way Construction, LLC, for a total contract amount of \$286,009.50

Project Description: Construct Yellowknife Drive and Watson Road, approximately 2100 feet from 'Y' 58+67 to 'W' 104+00.

Alternate(s):
Alternate No. 1 Accepted Construct Watson Road from 'W' 104+00 to 'W' 108+50.
Alternate No. 2 Accepted Construct Watson Road from 'W' 108+50 to 'W' 117+00.

Funding: Ordinance #2014-20-1M Local Service Area
Ordinance #2014-04, 2014-20-1M Local Revolving Loan Funds
Ordinance #2011-20-1M State Grant

Attachments: Fund Verification
Recommendation to Award from Stutzmann Engineering Assoc., Inc.
Bid Tabulation

FUND VERIFICATION

to be completed by originating department

DEPARTMENT / DIVISION: Public Works / Design & Construction IFB / RFP NO.: 15046

PURPOSE / PROJECT NAME: Murphy RSA - Road Improvements

DESCRIPTION: Construct 1,763 feet of Yellowknife Drive and part of Watson Road as shown in the plans.

Est. Cost: \$ 366,000.00 Est. Contingency: \$ 43,644.00 Total Cost: \$ 409,644.00

Bid Appeal Period: 5 Days

SOURCE OF FUNDS:

Account No: D46MGF - 61959 /13-720PRJ-1 Amount: \$ 359,644.00 *Match ?
[√ if Yes]

* Account No: LSAMGF - 61959 /13-720PRJ-1 Amount: \$ 50,000.00

Account No: _____ Amount: _____

Total: \$ 409,644.00

<i>to be completed by Accounting</i>		
**Grant or Match ? [√ if Yes]	Ordinance Number	Accounting Verification
✓	2011-20-1M	PA
	2014-20-1M	PA
Date: <u>3/16/15</u>		

*If the source of funds above will be used to meet the matching requirements of a grant, please indicate with a .

**If the source of funds is a Grant OR a Match to a grant, be sure the preparer has attached a copy of the grant agreement.

Chad Hosier
Chad Hosier, Project Manager
3/9/2015
Date

David Bredlie
David Bredlie, Supervising A/E
3/9/15
Date

Scott Johnson
Scott Johnson, Department Director
3/10/15
Date

to be completed by Accounting

APPROVED

On the date signed above by Accounting, fund sources shown above are sufficient to pay the costs of the requested action and may legally be used for this purpose.

Local bidder preference (FNSB 16.35.050) is prohibited.

***Local bidder preference (FNSB 16.35.050) is allowed.

DISAPPROVED Reason: (circle one) Insufficient funds Usage is not legal

Funding Source U.S. DOT - FTA

Funding Source U.S. DOT - all other

Funding Source Federal Common Rule

Funding Source Other SOA Legislative Grant - SB 4th (Note the agency)

Funding Source N/A

[Signature]
Chief Accountant

3/18/15
Date

*** NOTE: If local bidder preference is allowed, a change in funding source, which impacts this determination, is not permissible after the opening date and time of an Invitation for bid (IFB).



Fairbanks North Star Borough

Department of Public Works

809 Pioneer Road • PO Box 71267 • Fairbanks, Alaska 99707-1267 • (907)459-1345 FAX 459-1330

FAX MEMORANDUM

TO: James Altherr, P.E. President
Stutzmann Engineering Assoc., Inc.

FROM: Chad Hosier, Project Manager ~~MCN~~
Department of Public Works

DATE: April 8, 2015

RE: Project Name: Murphy RSA - Road Improvements
Project No. 13-720PRJ-1
IFB No.

CONSULTANT RECOMMENDATION TO AWARD

Construction bids for the above-referenced project were opened at 2:00 p.m. on April 7, 2015. A copy of the Bid Tab & Review, recorded by the FNSB General Services Department, is attached for your review.

The Department of Public Works recommends a contract award of the Base Bid and Alternate No. 1 and Alternate No. 2, to the apparent low bidder, Better Way Construction, LLC, in the total bid amount of \$286,009.50

If you concur with our recommendation, please sign below and return as soon as possible.

DB:jt

Attachment

 Jeremy D. Stark

For Jim Altherr

4/8/15

James Altherr, P.E. President

Date

**Fairbanks North Star Borough
Purchasing Division
Bid Tabulation**

IFB NO.: 15046
DATE 4/7/2015
PROJECT Murphy RSA - Road Improvements

VENDOR	Great Northwest, Inc.	M&M Constructors	Better Way Construction, LLC	Engineers Estimate
Base Bid	\$314,650.00	\$229,272.37	\$185,050.00	\$313,220.00
Additive Alt #1	\$51,575.00	\$39,083.01	\$35,257.50	\$43,895.00
BB + AA #1	\$366,225.00	\$268,355.38	\$220,307.50	\$357,115.00
Additive Alt #2	\$96,325.00	\$84,063.85	\$65,702.00	\$94,945.00
BB + AA #1 - AA #2	\$462,550.00	\$352,419.23	\$286,009.50	\$452,060.00

The above tabulation is for informational purposes only and is not the official record.
The low bid is the apparent low. All bids will receive administrative review for accuracy
and to determine if the low bid is responsive and responsible.

Bids opened by Marilyn Ordal and Jessica Davis



Fairbanks North Star Borough General Services

809 Pioneer Road • PO Box 71267 • Fairbanks, Alaska 99707-1267
907/459-1297 • FAX 459-1100

NOTICE OF INTENT TO AWARD

SUBJECT: Murphy RSA - Road Improvements	DATE OF NOTICE: April 13, 2015
BID NUMBER: 15046	OPENING DATE: April 7, 2015
CHIEF PROCUREMENT OFFICER: Carolyn B. Yurkovich <i>Carolyn B Yurkovich</i>	PROCUREMENT SPECIALIST: Marilyn Ordal <i>Marilyn Ordal</i>

It is the intent of the Fairbanks North Star Borough to award a contract to the low responsive, responsible bidder, in accordance with the specifications and requirements described in the IFB. Award may be made no sooner than days from the date of this notice. This serves solely as notice of the Borough's intent to award a contract and should not be construed as a notice to proceed with delivery of goods or services.

NOTE: ★ = AWARD TO BIDDER Y = RESPONSIVE BIDDER N = NON-RESPONSIVE BIDDER • = BID NOT EVALUATED BECAUSE THERE WAS A LOWER RESPONSIVE BID ∅ = BID EXCEEDED AVAILABLE FUNDS BIDS OVER \$ 100,000 WILL BE FORWARDED TO THE ASSEMBLY FOR APPROVAL

ITEM	PRICE	AWARD	COMMENTS	RESPONSIVE Y / N	BIDDER
Base Bid, and Alternates 1 & 2	\$286,009.50	★	Low Responsive Bidder	Y	Better Way Construction, LLC
Base Bid, and Alternates 1 & 2	\$352,419.23			•	M&M Constructors
Base Bid, and Alternates 1 & 2	\$462,550.00			•	Great Northwest, Inc.

This is the FNSB Notice of Intent to Award (NOIA) Base Bid, Alternate 1 and Alternate 2 of IFB 15046 to Better Way Construction, LLC. The appeal period for this NOIA will expire on 4/20/15 at 5:00 pm.



MEMORANDUM

TO: Fairbanks North Star Borough Assembly
FROM: Luke Hopkins, Borough Mayor *[Signature]*
DATE: April 23, 2015
SUBJECT: Appointment of Service Area Commissioners

Pursuant to the Fairbanks North Star Borough Code of Ordinances, I recommend appointment of the following persons to serve as service area commissioners. The number of seats vacant in these service area's are attached.

As required, each nominee is a property owner within the service area and agrees, if appointed, to serve a term that expires on the date indicated. Your confirmation of these appointments is respectfully requested.

Airway

Term: June 30, 2015
Kathleen Ruppert
PO Box 71987
Fairbanks, AK 99707
2055 Voyaager St

Chena Spur

Term: June 30, 2015
Janet Daley, *Alternate
3875 Geist Rd #E113
Fairbanks, AK 99709
3450 Chetanana Drive

Fairhill

Term: June 30, 2016
David Fritz
PO Box 74092
Fairbanks, AK 99707
115 Kniffen Road

Term: June 30, 2015
Michael Setterberg
109 Kniffen Road
Fairbanks, AK 99712

Twenty-Three Mi. Slough

Term: June 30, 2015
Jason Peters, *Alternate
4385 Eielson Farm Road
North Pole, AK 99705



ATTACHMENT

Service Area's Seats Vacant

Service Areas	# of Nominees	Seats Vacant	Alternate Seats Vacant
Airway	1	1	1
Chena Spur	1	0	1
Fairhill	2	2	1
Twenty-Three Mi. Slough	1	0	1
Totals:	5	3	4



DIVISION OF RURAL SERVICES
ROAD SERVICE AREA COMMISSIONER APPLICATION

Service Area: Airway

Legal Name: Kathleen A. Ruppert Home Phone: 907-490-4710

Mailing Address: PO Box 71987 Work Phone: 907-590-0900 (cell)

City / Zip Code: Fairbanks 99707 Mobile Phone: 11

Residential Address: 2055 Voyager St Fax: g
North Pole 99705

Property Address: _____
 (No address: use subdivision, block, and lot or tax lot number)

What other commissions do you serve on? none
 (Commissioner may not serve more than three road service areas)

I am interested in serving on this commission because: I am a resident of
Airway Subdivision and wish to keep the quality neighborhood
which exists

Please list your background and any areas of special interest: Retired elementary teacher,
currently working part time at UAF School of Education as a
supervisor. Serve on board of directors for Breast Cancer Detection
Center. Variety of educational volunteer work.

• I affirm that I am a registered voter residing within the borough;
 • I affirm that I own property within Service Area;
 • I have included the completed signed financial disclosure form; and
 • I understand I will sign a notarized oath of office within 30 days of appointment in order to serve as a Service Area Commissioner.

Kathleen A. Ruppert 2-26-15
 Signature Date

(forms that are not signed will not be accepted)

RECEIVED
FEB 26 2015
FNSB Rural Services

date received

(office use only)

As a Commissioner, you will receive a FNSB Email account to handle Service Area business. Please check one of the following boxes to indicate your preferred method of receiving correspondence from Rural Services, if appointed:

VIA Email or VIA US Postal Service

(VIA Email: Commissioners may request hard copy of correspondence delivered)

Submit form to FNSB Rural Services Division:

Deliver: 520 5th Ave., First Floor, Suite D
 Mail: PO Box 71267, Fairbanks, AK 99707
 Fax: 907-459-1499
 Email: ruralservices@fnsb.us

The Fairbanks North Star Borough is subject to the Alaska Public Records Act, AS 40.25 et seq. and this document may be subject to public disclosure under state law.

DISCLOSURE OF PRESENT ECONOMIC INTEREST
APPOINTED PUBLIC MEMBERS OF A BOARD, COMMISSION, OR OTHER MUNICIPAL BODY

1. Ruppert, Kathleen, Ann
(YOUR NAME: LAST, FIRST, MIDDLE)

2. Road Service Area Commission - Airway Subdivision
(BOARD, COMMISSION, OR OTHER PUBLIC BODY TO WHICH YOU ARE APPLYING.)

3. FOR TERM ENDING: _____

4. PLEASE GIVE THE BUSINESS NAME OF YOUR EMPLOYER, TYPE OF BUSINESS, YOUR POSITION.
UAF School of Education Intern Teacher Supervisor
(BUSINESS NAME) (TYPE OF BUSINESS) (YOUR POSITION)

5. IF YOU ARE SELF-EMPLOYED, CHECK THIS BOX: SELF EMPLOYED

DECLARATION

I understand that I am required to disclose any interest which would cause me or an immediate family member (including all household members) to have a personal or financial interest, different than those of the public generally, in matters coming before the board, commission, or other public body of the municipality to which I have been appointed. When such matters arise, I will also inform the other members on the record, so that the potential for a conflict of interest can be addressed prior to action by the public body.

I have the following interest(s) which would cause me, an immediate family member, or household member to have a personal or financial interest, different than those of the public generally, in matters coming before the public body during my term:

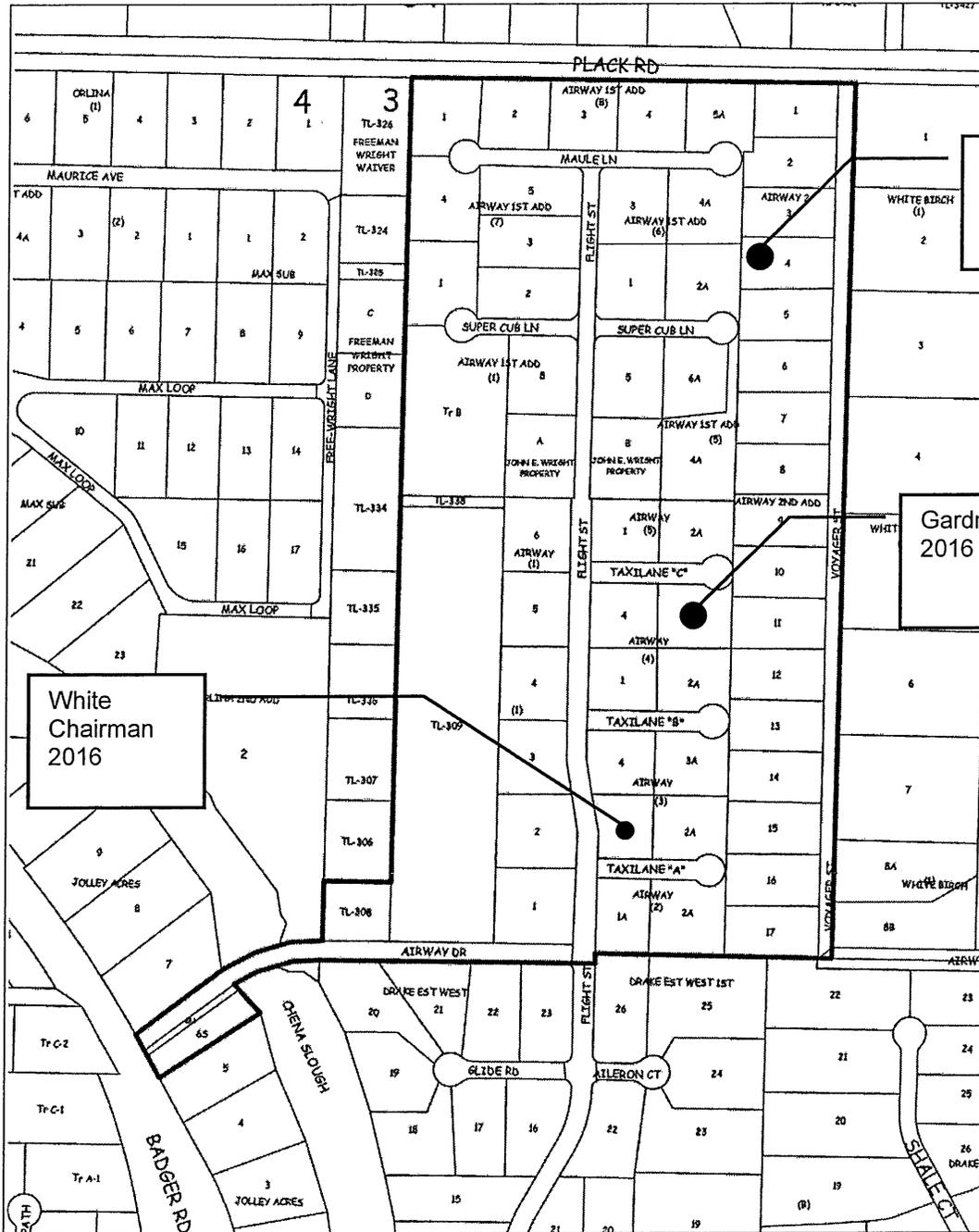
(ATTACH SEPARATE SHEETS AS NECESSARY)

If the situation changes, or I acquire new interests, I will file a supplemental disclosure with the Clerk's Office. I affirm that this DISCLOSURE is true and correct to the best of my knowledge.

Kathleen A. Ruppert
Signature

2-26-15
Date

AIRWAY SERVICE AREA



White
Chairman
2016

Ruppert
2015
Applicant

Gardner
2016



DIVISION OF RURAL SERVICES
ROAD SERVICE AREA COMMISSIONER APPLICATION

Service Area: Chena Spur
Legal Name: Janet Daley Home Phone: 907-457-1583
Mailing Address: 3875 Geist Rd. #E113 Work Phone: 907-455-6777
City / Zip Code: 99709 Mobile Phone: 907-347-4152
Residential Address: 3450 Chetana Drive Fax: _____
Property Address: Tract A1, A2 & B, Ptarmigan Heights
(No address: use subdivision, block, and lot or tax lot number)

What other commissions do you serve on? None
(Commissioner may not serve more than three road service areas)

I am interested in serving on this commission because:
I have been attending road service meetings for a number of years and the commissioners are currently looking for an alternate. I have sufficient knowledge, interest and desire to serve.

Please list your background and any areas of special interest:
I am a Certified Management Accountant, Business Director at ABR, Treasurer CGFR

- I affirm that I am a registered voter residing within the borough;
- I affirm that I own property within Service Area;
- I have included the completed signed financial disclosure form; and
- I understand I will sign a notarized oath of office within 30 days of appointment in order to serve as a Service Area Commissioner.

Signature Janet Daley Date 2/17/2015
(forms that are not signed will not be accepted)

RECEIVED
FEB 17 2015
FNSB Rural Services
date received

(office use only)

As a Commissioner, you will receive a FNSB Email account to handle Service Area business. Please check one of the following boxes to indicate your preferred method of receiving correspondence from Rural Services, if appointed:

VIA Email **or** VIA US Postal Service

(VIA Email: Commissioners may request hard copy of correspondence delivered)

Submit form to FNSB Rural Services Division:

Deliver: 520 5th Ave., First Floor, Suite D
Mail: PO Box 71267, Fairbanks, AK 99707
Fax: 907-459-1499
Email: ruralservices@fnsb.us

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**DISCLOSURE OF PRESENT ECONOMIC INTEREST
APPOINTED PUBLIC MEMBERS OF A BOARD, COMMISSION, OR OTHER MUNICIPAL BODY**

Daley Janet
(YOUR NAME: LAST, FIRST, MIDDLE)

2. Chena Spur Road Service Commission
(BOARD, COMMISSION, OR OTHER PUBLIC BODY TO WHICH YOU ARE APPLYING.)

3. FOR TERM ENDING: alternate (2015)

4. PLEASE GIVE THE BUSINESS NAME OF YOUR EMPLOYER, TYPE OF BUSINESS, YOUR POSITION.
ABR, Inc. Consulting Director of Business Administration
(BUSINESS NAME) (TYPE OF BUSINESS) (YOUR POSITION)

5. IF YOU ARE SELF-EMPLOYED, CHECK THIS BOX: SELF EMPLOYED

DECLARATION

I understand that I am required to disclose any interest which would cause me or an immediate family member (including all household members) to have a personal or financial interest, different than those of the public generally, in matters coming before the board, commission, or other public body of the municipality to which I have been appointed. When such matters arise, I will also inform the other members on the record, so that the potential for a conflict of interest can be addressed prior to action by the public body.

I have the following interest(s) which would cause me, an immediate family member, or household member to have a personal or financial interest, different than those of the public generally, in matters coming before the public body during my term:

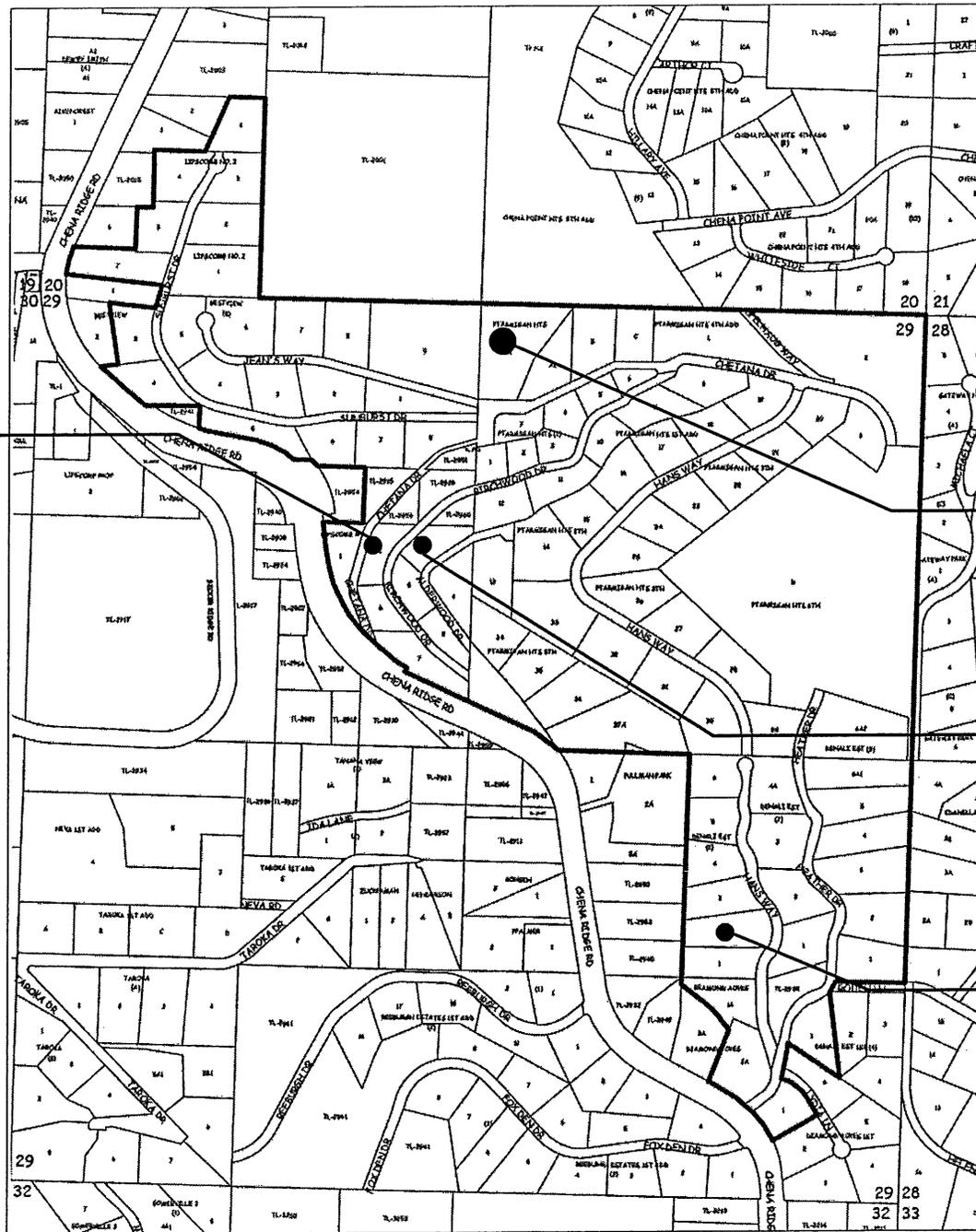
(ATTACH SEPARATE SHEETS AS NECESSARY)

If the situation changes, or I acquire new interests, I will file a supplemental disclosure with the Clerk's Office. I affirm that this **DISCLOSURE** is true and correct to the best of my knowledge.

Janet Daley 2/17/15
Signature Date

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CHENA SPUR SERVICE AREA



Gieck
2016

Daley
Alternate
2015
Applicant

Dobberpuhl
Chairman
2015

Grubis
2016



DIVISION OF RURAL SERVICES
ROAD SERVICE AREA COMMISSIONER APPLICATION

Service Area: FAIRHILL
Legal Name: DAVID FRITZ Home Phone: 457-8520
Mailing Address: P.O. Box 74092 Work Phone: 361-7009
City / Zip Code: FAIRBANKS 99707 Mobile Phone: 347-5456
Residential Address: 115 KNIFFEN ROAD Fax:

Property Address:
(No address: use subdivision, block, and lot or tax lot number)

What other commissions do you serve on? NONE
(Commissioner may not serve more than three road service areas)

I am interested in serving on this commission because: CURRENT COMMISSIONER'S RETIRING

Please list your background and any areas of special interest: CONTRACT MANAGER FOR CONSTRUCTION CONTRACTS FORT WAINWRIGHT

I affirm that I am a registered voter residing within the borough;
I affirm that I own property within Service Area;
I have included the completed signed financial disclosure form; and
I understand I will sign a notarized oath of office within 30 days of appointment in order to serve as a Service Area Commissioner.
Signature Date 3-20-2015
(forms that are not signed will not be accepted)

RECEIVED
MAR 20 2015
FNSB Rural Services
(office use only)

As a Commissioner, you will receive a FNSB Email account to handle Service Area business. Please check one of the following boxes to indicate your preferred method of receiving correspondence from Rural Services, if appointed:
[X] VIA Email or [] VIA US Postal Service
(VIA Email: Commissioners may request hard copy of correspondence delivered)

Submit form to FNSB Rural Services Division:

Deliver: 520 5th Ave., First Floor, Suite D
Mail: PO Box 71267, Fairbanks, AK 99707
Fax: 907-459-1499
Email: ruralservices@fnsb.us

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DISCLOSURE OF PRESENT ECONOMIC INTEREST
APPOINTED PUBLIC MEMBERS OF A BOARD, COMMISSION, OR OTHER MUNICIPAL BODY

1. FRITZ DAVID EDWARD
(YOUR NAME: LAST, FIRST, MIDDLE)

2. ROAD COMMISSIONER FAIRHILL
(BOARD, COMMISSION, OR OTHER PUBLIC BODY TO WHICH YOU ARE APPLYING.)

3. FOR TERM ENDING: _____

4. PLEASE GIVE THE BUSINESS NAME OF YOUR EMPLOYER, TYPE OF BUSINESS, YOUR POSITION.
Ft. W. W. DPW CONSTRUCTION CONTRACT MANAGER
(BUSINESS NAME) (TYPE OF BUSINESS) (YOUR POSITION)

5. IF YOU ARE SELF-EMPLOYED, CHECK THIS BOX: SELF EMPLOYED

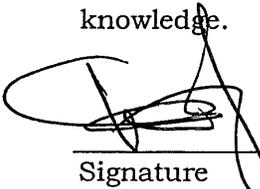
DECLARATION

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I have the following interest(s) which would cause me, an immediate family member, or household member to have a personal or financial interest, different than those of the public generally, in matters coming before the public body during my term:

(ATTACH SEPARATE SHEETS AS NECESSARY)

If the situation changes, or I acquire new interests, I will file a supplemental disclosure with the Clerk's Office. I affirm that this DISCLOSURE is true and correct to the best of my knowledge.

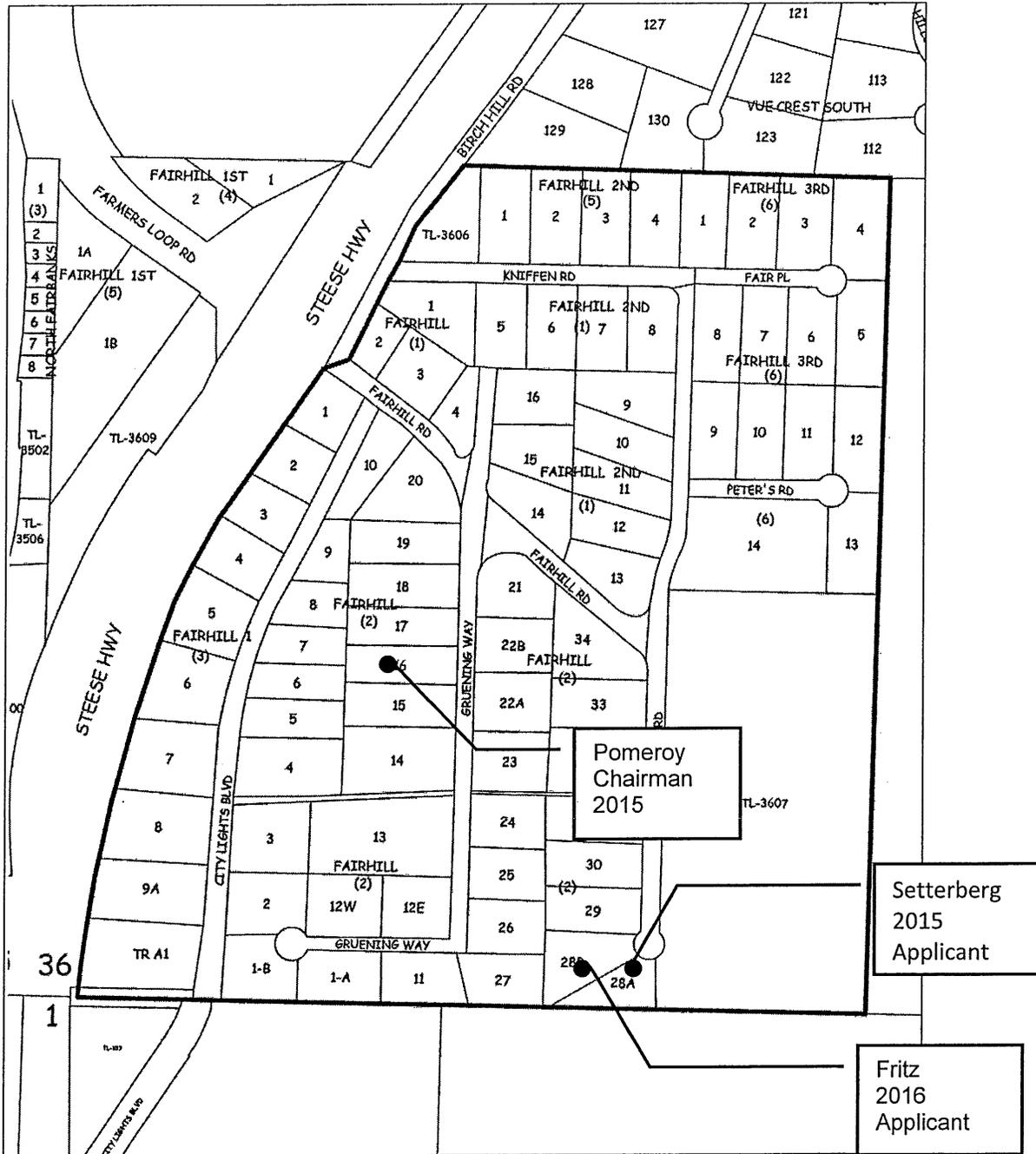


Signature

3-20-2015

Date

FAIRHILL SERVICE AREA





DIVISION OF RURAL SERVICES
ROAD SERVICE AREA COMMISSIONER APPLICATION

Service Area: Fairhill service area
Legal Name: Michael L Setterberg Home Phone: 456-2533
Mailing Address: 109 Kniffen RD. Work Phone: 378-5715
City / Zip Code: 99712 Mobile Phone: 378-5715
Residential Address: SAME Fax:

Property Address: 109 Kniffen RD.
(No address: use subdivision, block, and lot or tax lot number)

What other commissions do you serve on? None.
(Commissioner may not serve more than three road service areas)

I am interested in serving on this commission because: Lack of Commissioners.

Please list your background and any areas of special interest: Retired from UAF
AS POWER PLANT SUPERINTENDANT.

- I affirm that I am a registered voter residing within the borough;
I affirm that I own property within Service Area;
I have included the completed signed financial disclosure form; and
I understand I will sign a notarized oath of office within 30 days of appointment in order to serve as a Service Area Commissioner.

Michael Setterberg Signature Date 3-26-15

(forms that are not signed will not be accepted)

RECEIVED
MAR 26 2015
FNSB Rural Services
date received

(office use only)

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VIA Email or VIA US Postal Service

(VIA Email: Commissioners may request hard copy of correspondence delivered)

Submit form to FNSB Rural Services Division:

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Fax: 907-459-1499
Email: ruralservices@fnsb.us

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DISCLOSURE OF PRESENT ECONOMIC INTEREST
APPOINTED PUBLIC MEMBERS OF A BOARD, COMMISSION, OR OTHER MUNICIPAL BODY

1. Setterberg Michael LARRY
(YOUR NAME: LAST, FIRST, MIDDLE)

2. None
(BOARD, COMMISSION, OR OTHER PUBLIC BODY TO WHICH YOU ARE APPLYING.)

3. FOR TERM ENDING: 2017

4. PLEASE GIVE THE BUSINESS NAME OF YOUR EMPLOYER, TYPE OF BUSINESS, YOUR POSITION.
None Retired
(BUSINESS NAME) (TYPE OF BUSINESS) (YOUR POSITION)

5. IF YOU ARE SELF-EMPLOYED, CHECK THIS BOX: SELF EMPLOYED

DECLARATION

I understand that I am required to disclose any interest which would cause me or an immediate family member (including all household members) to have a personal or financial interest, different than those of the public generally, in matters coming before the board, commission, or other public body of the municipality to which I have been appointed. When such matters arise, I will also inform the other members on the record, so that the potential for a conflict of interest can be addressed prior to action by the public body.

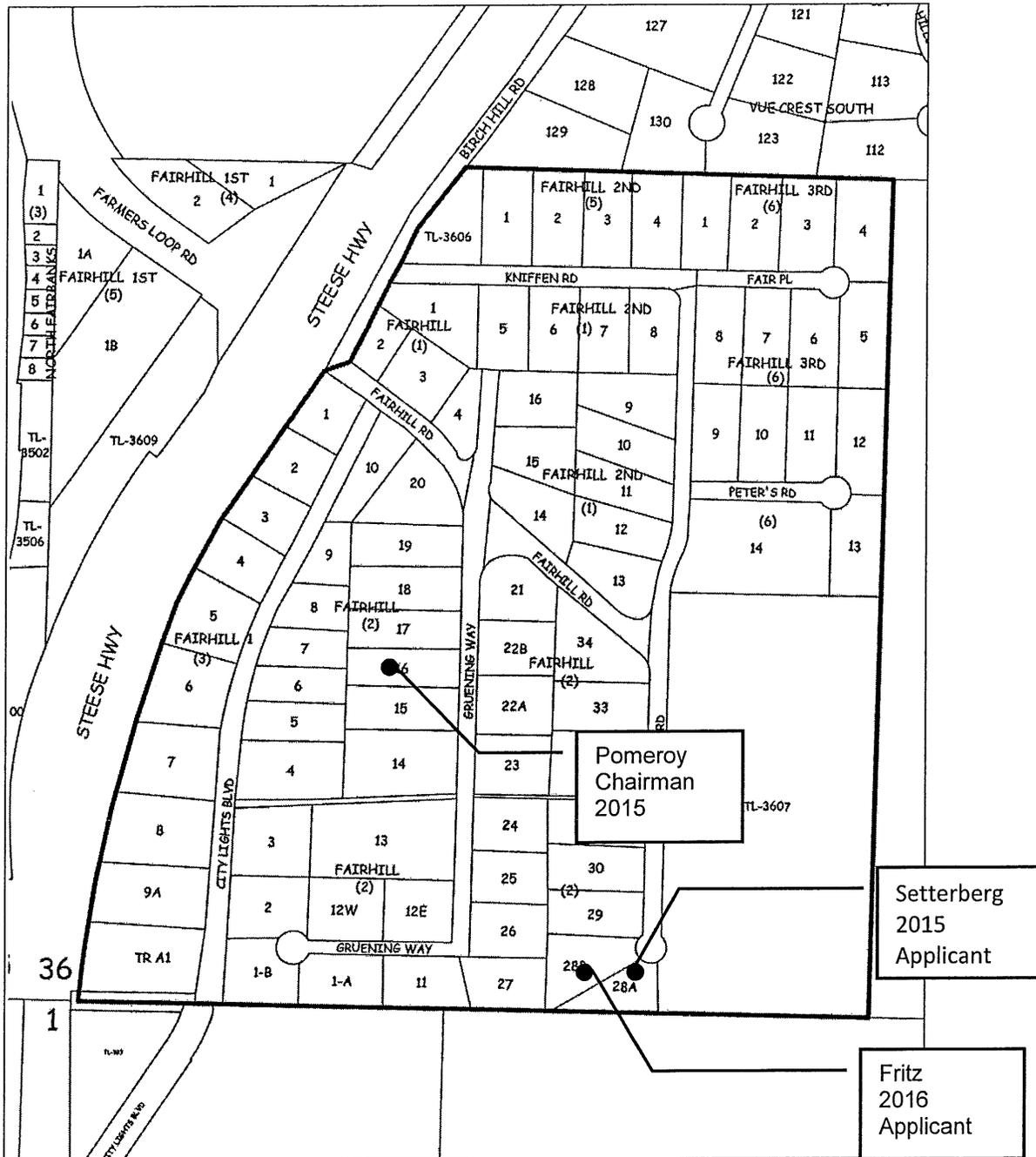
I have the following interest(s) which would cause me, an immediate family member, or household member to have a personal or financial interest, different than those of the public generally, in matters coming before the public body during my term:

(ATTACH SEPARATE SHEETS AS NECESSARY)

If the situation changes, or I acquire new interests, I will file a supplemental disclosure with the Clerk's Office. I affirm that this **DISCLOSURE** is true and correct to the best of my knowledge.

Michael L Setterberg 3-26-15
Signature Date

FAIRHILL SERVICE AREA





DIVISION OF RURAL SERVICES
ROAD SERVICE AREA COMMISSIONER APPLICATION

Service Area: Twenty-Three Mile Slough

Legal Name: Jason B. Peters Home Phone: (907)590-3229

Mailing Address: 4385 Eielson farm road Work Phone: (907)590-3229

City / Zip Code: 99705 Mobile Phone: (907)590-3229

Residential Address: 4385 Eielson farm road Fax:

Property Address: LOT 2 SNOWY OWL
(No address: use subdivision, block, and lot or tax lot number)

What other commissions do you serve on? None
(Commissioner may not serve more than three road service areas)

I am interested in serving on this commission because:
As long time resident I feel I need to do my part.

Please list your background and any areas of special interest:
I have worked in construction most my life

RECEIVED

MAR 03 2015

Signature box containing affirmations, signature, and date (3/02/2015)

FNSB Rural Services stamp with date received and office use only

Handwritten notes: 2MAR'15 PM 1:42, CLERKS FNSB

Form for selecting preferred method of receiving correspondence (VIA Email or VIA US Postal Service)

Submit form to FNSB Rural Services Division:

Deliver: 520 5th Ave., First Floor, Suite D
Mail: PO Box 71267, Fairbanks, AK 99707
Fax: 907-459-1499
Email: ruralservices@fnsb.us

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DISCLOSURE OF PRESENT ECONOMIC INTEREST
APPOINTED PUBLIC MEMBERS OF A BOARD, COMMISSION, OR OTHER MUNICIPAL BODY

1. Peters Jason B
(YOUR NAME: LAST, FIRST, MIDDLE)

2. Twenty-Three Mile Slough
(BOARD, COMMISSION, OR OTHER PUBLIC BODY TO WHICH YOU ARE APPLYING.)

3. FOR TERM ENDING: _____

4. PLEASE GIVE THE BUSINESS NAME OF YOUR EMPLOYER, TYPE OF BUSINESS, YOUR POSITION.
US Government Eielson AFB Water Treatment Plant Operator
(BUSINESS NAME) (TYPE OF BUSINESS) (YOUR POSITION)

5. IF YOU ARE SELF-EMPLOYED, CHECK THIS BOX: SELF EMPLOYED

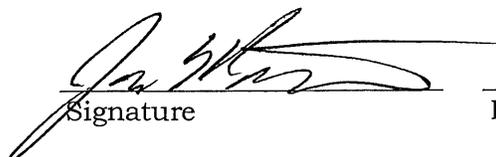
DECLARATION

I understand that I am required to disclose any interest which would cause me or an immediate family member (including all household members) to have a personal or financial interest, different than those of the public generally, in matters coming before the board, commission, or other public body of the municipality to which I have been appointed. When such matters arise, I will also inform the other members on the record, so that the potential for a conflict of interest can be addressed prior to action by the public body.

I have the following interest(s) which would cause me, an immediate family member, or household member to have a personal or financial interest, different than those of the public generally, in matters coming before the public body during my term:

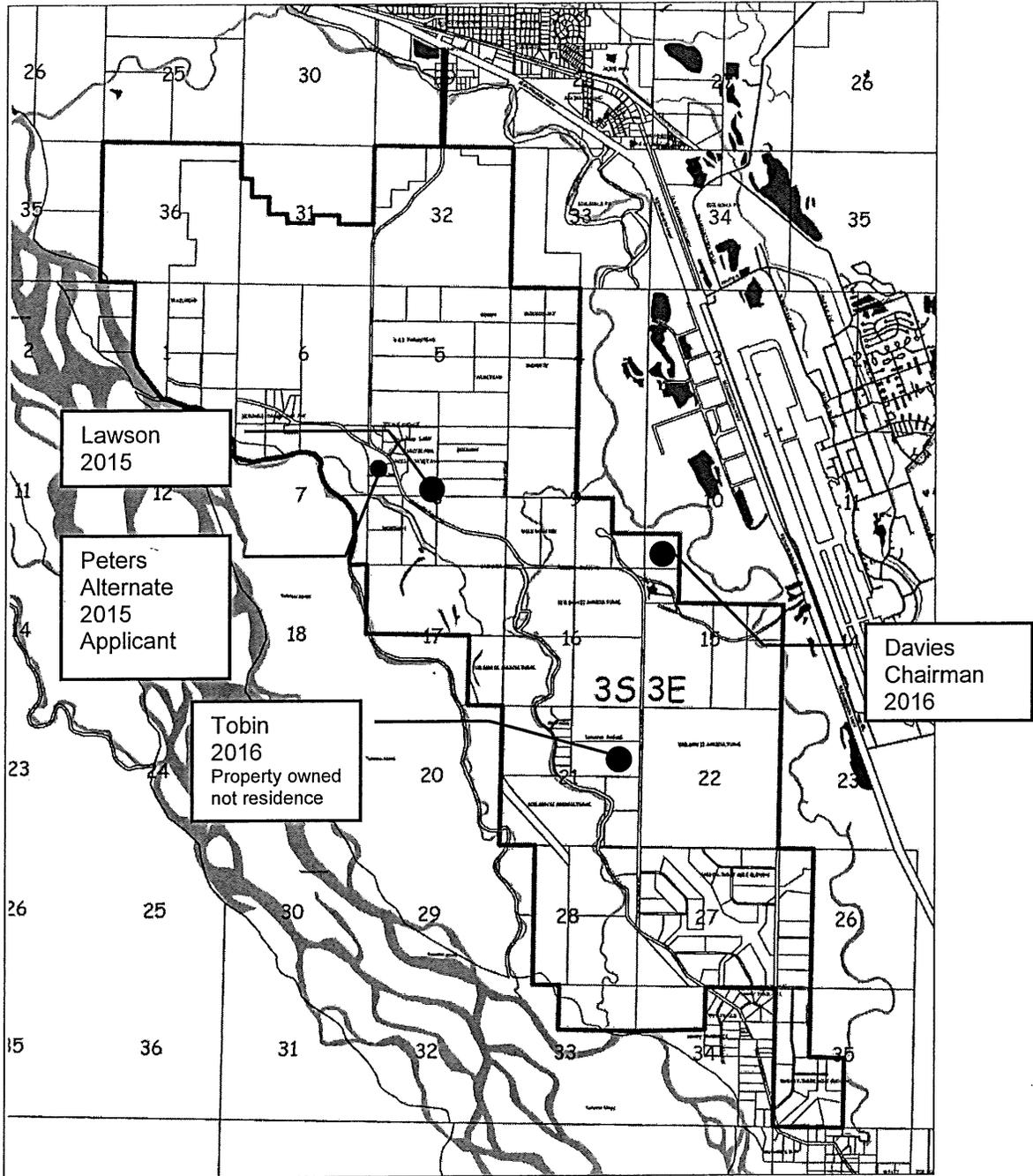
(ATTACH SEPARATE SHEETS AS NECESSARY)
N/A

If the situation changes, or I acquire new interests, I will file a supplemental disclosure with the Clerk's Office. I affirm that this **DISCLOSURE** is true and correct to the best of my knowledge.

 03/02/2015
Signature Date

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TWENTY-THREE MILE SLOUGH SERVICE AREA





Fairbanks North Star Borough

809 Pioneer Road PO Box 71267 Fairbanks, Alaska 99707-1267 (907)459-1020 FAX (907)459-1024

MEMORANDUM

TO: Fairbanks North Star Borough Assembly

FROM: Luke Hopkins, Mayor *Jeff Sarlett*

DATE: April 14, 2015

SUBJECT: Appointment – Interior Gas Utility Board of Directors

I am recommending the appointment of the following individual to the Interior Gas Utility Board of Directors:

Ms. Nadine Winters

These are the names of the other IGU Board Members:

Mr. Mike Meeks,
Chairman,
Fairbanks
2015

Mr. Frank Abegg,
Vice-Chair,
Fairbanks, 2016

Mr. Steve Haagenson, General
Manager, Pro Tem,
FNSB 2016

Mr. Bill Butler,
Director,
North Pole
2016

Mr. Aaron Lojewski,
Director, FNSB
2016

Mr. Jack Wilbur,
Director, FNSB 2018

Your confirmation of the appointment is respectfully requested.

/lml

FAIRBANKS NORTH STAR BOROUGH
809 Pioneer Road PO Box 71267 Fairbanks, AK 99707

(907) 459-1300
FAX (907) 459-1102

BOARDS/COMMISSIONS APPLICATION FORM

Name of Board/Commission Interior Gas Utility

Applicant's Name Nadine Winters

Residence Address 1670 Howling Dog Trail

City/State/Zip Fairbanks AK 99709

Mailing Address PO Box 83272

City/State/Zip Fairbanks, AK 99708

Work Phone 907 457-6258 Home Phone 907 457-6258

FAX 907 451-6540 E-mail nadine@acsalaska.net

Are you registered to vote within the Fairbanks North Star Borough [required by FNSB 2.21.040(A)]?
Yes No

Do you currently serve on any other Borough Boards & Commission? Yes No
If yes please list which one:

Statement of Interest (use reverse side of form if necessary):

I am interested in seeing IGU succeed in its efforts to bring affordable energy to residents and businesses in the borough.

Brief Personal Biography (or attach resume)

See attached resume

Professional Licenses/Training


APPLICANT'S SIGNATURE

4-15-15
DATE

The Fairbanks North Star Borough is subject to the Alaska Public Records Act, AS 40.25 et seq. and this document may be subject to public disclosure under state law.

.....
FOR OFFICE USE ONLY

Date Received _____

By _____

Note Any Attachments

RETURN TO THE OFFICE OF THE MAYOR
DISCLOSURE OF PRESENT ECONOMIC INTEREST
APPOINTED PUBLIC MEMBERS OF A BOARD, COMMISSION, OR OTHER MUNICIPAL BODY

1. Winters, Nadine E
(YOUR NAME: LAST, FIRST, MIDDLE)

2. IGU
(BOARD, COMMISSION, OR OTHER PUBLIC BODY TO WHICH YOU ARE APPLYING.)

3. FOR TERM ENDING: October 2015

4. PLEASE GIVE THE BUSINESS NAME OF YOUR EMPLOYER, TYPE OF BUSINESS, YOUR POSITION:

North Pole Economic Development Corp, Winters & Associates

(BUSINESS NAME) (TYPE OF BUSINESS) (YOUR POSITION)

5. ARE YOU SELF-EMPLOYED? YES NO

DECLARATION

I understand that I am required to disclose any interest which would cause me or an immediate family member (including all household members) to have a personal or financial interest, different than those of the public generally, in matters coming before the board, commission, or other public body of the municipality to which I have been appointed. When such matters arise, I will also inform the other members on the record, so that the potential for a conflict of interest can be addressed prior to action by the public body.

I have the following interest(s) which would cause me, an immediate family member, or household member to have a personal or financial interest, different than those of the public generally, in matters coming before the public body during my term:

(ATTACH SEPARATE SHEETS AS NECESSARY)

None

If the situation changes or I acquire new interests, I will file a supplemental disclosure with the Clerk's Office. I affirm that this DISCLOSURE is true and correct to the best of my knowledge.

Signature 

Date 4-15-15

The Fairbanks North Star Borough is subject to the Alaska Public Records Act, AS 40.25 et seq. and this document may be subject to public disclosure under state law.

RESUME
NADINE WINTERS
P.O.BOX 83272
FAIRBANKS, AK 99708
907 457-6258
907 590-0024

EMPLOYMENT HISTORY

- Winters & Associates, 3/1/05 to present
- Nortech Environmental & Engineering Consultants, 4/1/02 – 3/1/06
- Fairbanks North Star Borough, Chief of Staff, 3/2000 – 3/2002
- Fairbanks North Star Borough, Special Assistant to Mayor, 1/92 – 3/2000
- Winters & Associates, Consultant, 7/88 – 1/92
- State of Alaska, Division of Pioneer Benefits, Deputy Director 9/87 – 6/88
- Office of the Governor, Director Constituent Relations, 12/86 – 8/86
- Department of Corrections, Special Assistant to the Commissioner 1/85 – 8/86
- Department of Community & Regional Affairs, Special Assistant, 6/83 – 6/84
- Alaska International Air, Sales & Service Coordinator, 12/77 – 6/83

EXPERIENCE AND QUALIFICATIONS

Winters & Associates. Work as a consultant on a wide variety of projects for clients statewide, with an emphasis on business planning for nonprofit clients, strategic planning and project development and management services. to present including analyzing the training capacity statewide for pipeline construction work (Training Alaska's Workforce for the Alaska Natural Gas Pipeline). Recent projects include economic modeling of various gas pipeline proposals, an outline of a public review process for the railroad extension into Canada, and planning and design of projects to reduce energy costs in Interior villages. Other projects:

- City of Grayling water/sewer utility administrative/operations upgrades
- Business plan for Village Safe Water – Tanana Water & Sewer utility
- University of Alaska. Feasibility Study for Aurora Planetarium
- Tanana Chiefs Conference. Write business plans for Kaltag and Chalkytisik Health Clinics; write successful unsolicited proposal for Interior Energy Plan.
- Interior Regional Housing Authority. Project development, grant writing, research and reporting with an emphasis on energy and housing issues.
- Council of Athabaskan Tribal Governments. Facilitate meetings for Health Board/subsequently draft Strategic Plan for Health Department
- Birch Creek Tribe. Grant writing and reporting, strategic planning, project development for energy and transportation issues.
- University of Alaska. Eight Stars of Gold project. Celebrating 50 years of statehood, coordinated film project, book series, a youth conference, traveling museum exhibit.
- Sierra Research. Provided logistics, support and vehicle recruitment for air quality testing program
- North Pole Economic Development. Executive director duties, creation and implementation of a Business Retention & Expansion program.
- Village of Port Graham. Environmental review, operations plan and economic modeling for biomass project.

Nortech Environmental & Engineering Consultants

As senior Consultant for **NORTECH**, worked primarily as a management consultant on a variety of issues. Projects include a reorganization plan and long term financial strategy for the North Slope Borough which included going to all North Slope Villages soliciting public comment; a municipal impact analysis of the stranded gas development act on Alaska municipalities; a fundraising and public relations plan to raise 6 million for a non-profit health clinic; successful presentation to the Base Realignment and closure committee (BRAC), media campaigns for local school bonds and city tax proposal ballot initiatives, Environmental Review Records for TNHA and Bering Straits Regional Housing Authority, EA for Morris Thompson Center and mobile source emissions study.

Fairbanks North Star Borough

As chief of staff, supervised 12 department directors; oversaw a 100 million dollar budget. The position was responsible for all aspects of administration and operations of the borough.

Fairbanks North Star Borough

As special assistant to the mayor, worked on a variety of issues, most notably those that required coordination between multiple borough departments and outside entities. Responsible for state and federal legislation and funding, environmental, economic development and resource issues. Acted as press contact and devised public relations campaigns.

Winters & Associates

Worked as an independent consultant, primarily developed strategy and subsequently implemented that strategy on a wide variety of issues. Clients included Department of Corrections, University of Alaska and Southwest Mayors Conference. Contracts ranged from finding a constitutionally acceptable solution to inmate access to phones, to organizing a conference for the University of Alaska on funding Alaska's public facilities and analyzing the feasibility of recycling as a means of reducing solid waste disposal costs. Acted as a media/strategy consultant for various political and issue campaigns.

Pioneer Benefits

Had direct responsibility for the Alaska Longevity Bonus program and three Pioneers' Homes, which are licensed long-term care facilities. Nadine worked on a revision of the Longevity Bonus regulations, worked extensively on the privatization of the pioneers' homes and acted as first level of appeal for Longevity Bonus claims.

Office of the Governor

Nadine had responsibility for the oversight of varied and complex issues. She acted as liaison between the governor, the legislature, local governments and the public. Massive amounts of correspondence and reports required responses to such varied issues as the state procurement code, classification of employees, prison industries and fish issues.

Department of Corrections

Served as legislative liaison, analyzed legislation wrote position papers and testified before committees. Also had direct responsibility for all prison work release programs and on-site prison industries statewide. Nadine handled complaints from the ombudsman, Legal Services, and the Native American Rights Foundation, avoiding court action wherever possible.

Department of Community & Regional Affairs

Researched and worked on a rewrite of Title 29, statutes governing local government in Alaska. Also acted as legislative liaison and worked on a department wide consolidation, which included consolidating office space.

Alaska International Air

At Alaska International Air, had responsibility for the day-to-day operations of the Fairbanks cargo facility. Supervised warehouse and clerical employees, worked with the traffic department to coordinate availability of aircraft, weather and load limits. Sold and arranged charters statewide. As business expanded, assisted in the set-up and opening of new stations.

COMMUNITY WORK

- Trustee, Rasmuson Foundation, 2003 to 2010
- Member, Museum Advisory Council, University of Alaska Museum of the North, 2004 to present
- Board member, CASAs for Children, 2005 to 2007
- Assembly member, Fairbanks North Star Borough Assembly, 1/06 to 11/12
- Committee member, Clean-up Day, 1998
- Chair, Clean-up Day Committee, 1999
- Member, Steering Committee, Kids Voting, 1994-1996
- Member, Chamber of Commerce Business/Environment Committee, 1995
- Campaign Cabinet, United Way, 1995, 1996
- Member, Organizing Committee, 2003 Junior Olympics, 2002-2003



Fairbanks North Star Borough Mayor's Office

809 Pioneer Road PO Box 71267 Fairbanks, Alaska 99707-1267 (907)459-1300 FAX 459-1102

MEMORANDUM

TO: Fairbanks North Star Borough Assembly
FROM: Jeff Jacobson, Chief of Staff 
SUBJECT: Liquor License Transfer
DATE: April 23, 2015

Attached you will find copies of the application for the transfer of the liquor license for the following:

RESTAURANT/EATING PLACE LICENSE #4772

From: **AJIMI RESTAURANT
KWANG YUL LEE
550 3RD ST FAIRBANKS, AK 99701**

To: **AJIMI JAPANESE RESTAURANT
J&BY, INC.
550 3RD ST FAIRBANKS, AK 99701
550 3RD ST FAIRBANKS, AK 99701**

Pursuant to FNSB 9.16 the Assembly must determine whether or not to protest the liquor license transfer after holding a public hearing. The administration recommends no protest.

/km
cc: Concerned Licensee

Attachments

LIQUOR LICENSE TRANSFER

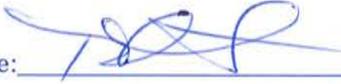
Date Notice Received: 4/7/15 60 DAY DUE DATE: 6/6/15

Type of License: RESTAURANT/EATING PLACE LICENSE #4772

FROM: Business Name: AJIMI RESTAURANT
Owner's Name: KWANG YUL LEE
Business Address: 550 3RD ST - FAIRBANKS, AK 99701

TO: Business Name: AJIMI JAPANESE RESTAURANT
Owner's Name: J&BY, INC.
Business Address: 550 3RD ST - FAIRBANKS, AK 99701
Mailing Address: 550 3RD ST - FAIRBANKS, AK 99701

INTERNAL REVIEW SCHEDULE

ASSESSING DEPARTMENT: Signature:  Date: 4-8-15

- Parcel Key Number: 0381047 (please verify number)
- Property Description: LOT 13A Block 19 TRACT C 6-RAEHL

COLLECTION DEPARTMENT: Signature:  Date: 4/8/15

- Property Taxes: 0
(if owing, give amount and attach printout)

PLANNING DEPARTMENT: Signature:  Date: 04/08/15

- Map: Yes / No
- Land Use Compliance: ZONE: GU-1. RESTAURANTS / EATING PLACES ARE PERMITTED USES IN THIS ZONING DISTRICT PER FNSBC 18.44.020.A.1.

Comments: _____

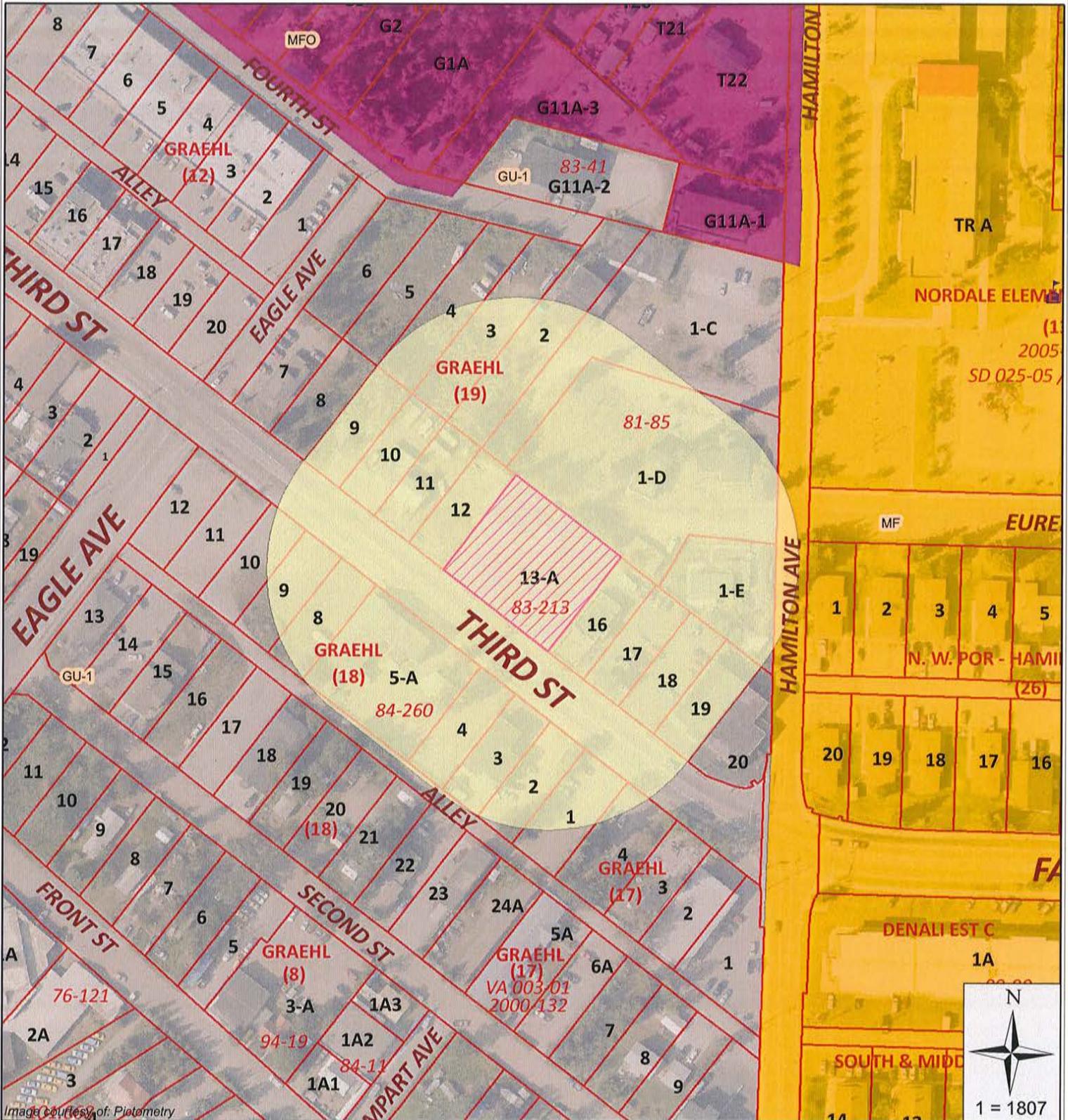


Fairbanks North Star Borough

Generic Report

PAN# 0381047

Printed on: 04/08/2015



Property Information for PAN#: 0381047

PROPERTY DESCRIPTION: GRAEHL, BLOCK: 19C, LOT: 13A
 OWNER: Lee Kyung Im, Lee Kwang Y
 SITUS ADDRESS: 550 Third St
 ZONING: GU-1 (100%)
 COMMUNITY PLANNING PERMITS:
 Zoning: 16598

Ajimi Restaurant Restaurant / Eating Place Liquor License Transfer #4772

- Schools, and other Education facilities
- GISADMIN_Buffer13
- Export_Output_12



THE STATE of ALASKA

GOVERNOR BILL WALKER

Department of Commerce, Community, and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD

2400 Viking Drive
Anchorage, Alaska 99501
Main: 907.269.0350
TDD: 907.465.5437
Fax: 907.334.2285

April 7, 2015

City of Fairbanks
Attn: D. Danyielle Snider, City Clerk
VIA Email: ddsnider@ci.fairbanks.ak.us
Cc: pphillips@co.fairbanks.ak.us

J &BY, Inc. - Restaurant/ Eating Place License #4772 DBA Ajimi Japanese Restaurant

- Transfer of Ownership
Transfer of Location
Restaurant Designation Permit
DBA Name Change

We have received an application for the above listed licenses (see attached application documents) within your jurisdiction. This is the notice as required under AS 04.11.520. Additional information concerning filing a "protest" by a local governing body under AS 04.11.480 is included in this letter.

A local governing body as defined under AS 04.21.080(11) may protest the approval of an application(s) pursuant to AS 04.11.480 by furnishing the board and the applicant with a clear and concise written statement of reasons in support of a protest within 60 days of receipt of this notice. If a protest is filed, the board will not approve the application unless it finds that the protest is "arbitrary, capricious and unreasonable". Instead, in accordance with AS 04.11.510(b), the board will notify the applicant that the application is denied for reasons stated in the protest. The applicant is entitled to an informal conference with either the director or the board and, if not satisfied by the informal conference, is entitled to a formal hearing in accordance with AS 44.62.330-44.62-630. IF THE APPLICANT REQUESTS A HEARING, THE LOCAL GOVERNING BODY MUST ASSIST IN OR UNDERTAKE THE DEFENSE OF ITS PROTEST.

Under AS 04.11.420(a), the board may not issue a license or permit for premises in a municipality where a zoning regulation or ordinance prohibits the sale or consumption of alcoholic beverages, unless a variance of the regulation or ordinance has been approved. Under AS 04.11.420(b) municipalities must inform the board of zoning regulations or ordinances which prohibit the sale or consumption of alcoholic beverages. If a municipal zoning regulation or ordinance prohibits the sale or consumption of alcoholic beverages at the proposed premises and no variance of the regulation or ordinance has been approved, please notify us and provide a certified copy of the regulation or ordinance if you have not previously done so.

Protest under AS 04.11.480 and the prohibition of sale or consumption of alcoholic beverages as required by zoning regulation or ordinance under AS 04.11.420(a) are two separate and distinct subjects. Please bear that in mind in responding to this notice.

AS 04.21.010(d), if applicable, requires the municipality to provide written notice to the appropriate

community council(s).

If you wish to protest the application referenced above, please do so in the prescribed manner and within the prescribed time. Please show proof of service upon the applicant. For additional information please refer to 3 AAC 304.145, Local Governing Body Protest.

Note: Applications applied for under AS 04.11.400(g), 3 AAC 304.335(a)(3), AS 04.11.090(e), and 3 AAC 304.660(e) must be approved by the governing body.

Sincerely,



Erwin T. Domingo

Business Registration Examiner

Erwin.domingo@alaska.gov

(907)754-3588

State of Alaska
Alcoholic Beverage Control Board

Date of Notice: April 7, 2015

Application Type: **NEW** _____

TRANSFER
 Ownership
 _____ Location
 _____ Name Change

Governing Body: **City of Fairbanks**

Community Councils: None

License #: 4772
 License Type: Restaurant/Eating Place
 D.B.A.: Ajimi Japanese Restaurant
 Licensee/Applicant: J & BY, Inc.
 Physical Location: 550 3rd Street, Fairbanks, AK 99701
 Mail Address: 550 3rd Street, Fairbanks, AK 99701
 Telephone #: 907-456-8232
 EIN: 47-1604119

Corp/LLC Agent:	Address	Phone	Date and State of Incorporation	Good standing?
J & BY, Inc.	550 3 rd Street Fairbanks, AK 99701	907-456-8232	08-15-2014 Alaska	Yes

Please note: the Members/Officers/Directors/Shareholders (principals) listed below are the principal members. There may be additional members that we are not aware of because they are not primary members. We have listed all principal members and those who hold at least 10% shares.

Member/Officer/Director:	DOB	Address	Phone	Shares (%)
Bokki Evans President	06-10-1962	159 Sacia Street Fairbanks, AK 99701	907-456-8232	100%

If **transfer** application, current license information:

Current D.B.A.: Ajimi Japanese Restuarant
 Current Licensee: Kwang Yul Lee
 Current Location: 550 3rd Street, Fairbanks, AK 99701

Additional comments: RDP application attached.

A local governing body as defined under AS 04.21.080(11) may protest the approval of an application(s) pursuant to AS 04.11.480 by furnishing the board **and** the applicant with a clear and concise written statement of reasons in support of a protest within 60 days of receipt of this notice. If a protest is filed, the board will not approve the application unless it finds that the protest is "arbitrary, capricious and unreasonable". Instead, in accordance with AS 04.11.510(b), the board will notify the applicant that the application is denied for reasons stated in the protest. The applicant is entitled to an informal conference with either the director or the board and, if not satisfied by the informal conference, is entitled to a formal hearing in accordance with AS 44.62.330-44.62-630. **IF THE APPLICANT REQUESTS A HEARING, THE LOCAL GOVERNING BODY MUST ASSIST IN OR UNDERTAKE THE DEFENSE OF ITS PROTEST.**

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Protest under AS 04.11.480 and the prohibition of sale or consumption of alcoholic beverages as required by zoning regulation or ordinance under AS 04.11.420(a) are two separate and distinct subjects. Please bear that in mind in responding to this notice.

AS 04.21.010(d), if applicable, requires the municipality to provide written notice to the appropriate community council(s).

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Note: Applications applied for under AS 04.11.400(g), 3 AAC 304.335(a)(3), AS 04.11.090(e), and 3 AAC 304.660(e) must be approved by the governing body.

Sincerely,



Erwin T. Domingo

Business Registration Examiner
Erwin.domingo@alaska.gov
(907)754-3588



FAIRBANKS NORTH STAR BOROUGH

809 Pioneer Road ☆ P.O. Box 71267 ☆ Fairbanks, Alaska 99707-1267

(907) 459-1260 ☆ FAX (907) 459-1255

MEMORANDUM

TO: Fairbanks North Star Borough Assembly

THROUGH: Luke Hopkins, Mayor
 Jeff Jacobson, Chief of Staff *[Signature]*

FROM: D. Christine Nelson, Director *DCN*
 Department of Community Planning

DATE: April 9, 2015

SUBJECT: ORDINANCE NO. 2015- 17 (RZ2015-007)

RE: **RZ2015-007** A request by Chena Newman to rezone Lots 13 and 14 Koponen Homestead, approximately 9.3 acres, from General Use 1 (GU-1) to Rural Estate-2 (RE-2) or other appropriate zone. **(Located north of Waugstroe Drive and East of Haman Street)**

The attached ordinance will rezone Lots 13 and 14 Koponen Homestead. (Located north of Waugstroe Drive and East of Haman Street)

On March 17, 2015, the Planning Commission of the Fairbanks North Star Borough held a public hearing to rezone the property described above.

After analysis of the request, the Department of Community Planning recommended **approval** of the requested rezone.

The Planning Commission concurred with the staff recommendation and voted 9 in favor, 0 opposed, to recommend **approval** of the request to the Borough Assembly. The Planning Commission adopted the following Findings of Fact in support of its decision:

1. The rezone request is consistent with the goals and policies of the Comprehensive Plan and the "preferred residential" designation by ensuring compatible long term residential land use remains consistent with established residential uses in the area.
2. Lots 13 and 14 abut land with existing RE-2 zoning to the west.
3. The proposed zoning will reduce the potential intensity of land uses allowed on the property.
4. The proposed zoning will reduce the potential amount of traffic associated with land uses on the subject parcels.
5. The proposed zoning is consistent with surrounding residential land uses and will not jeopardize public health, safety or welfare.

This item is requested to be placed on the Consent Agenda for advancement to the next Fairbanks North Star Borough Assembly meeting. Attached is a packet with further details of the request.

By: Luke T. Hopkins, Mayor
Introduced: April 9, 2015

FAIRBANKS NORTH STAR BOROUGH

ORDINANCE NO. 2015 – 17

AN ORDINANCE REZONING LOTS 13 AND 14 KOPONEN HOMESTEAD,
APPROXIMATELY 9.3 ACRES, FROM GENERAL USE 1 (GU1) TO RURAL ESTATE-2
(RE-2) OR OTHER APPROPRIATE ZONE. (LOCATED NORTH OF WAUGSTROE
DRIVE AND EAST OF HAMAN STREET)

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

Section 1. Classification. This ordinance is not of a general and
permanent nature and shall not be codified.

Section 2. The following described property is rezoned from General Use 1
(GU1) to Rural Estate-2 (RE-2):

LOTS 13 AND 14 KOPONEN HOMESTEAD

Section 3. The official zoning map is amended in accordance with this
ordinance.

Section 4. Effective date. This ordinance shall be effective at 5:00 p.m.
on the first borough business day following its adoption.

CODE AMENDMENTS ARE SHOWN IN LEGISLATIVE FORMAT

Text to be *added* is underlined

Text to be *deleted* is [BRACKETED AND CAPITALIZED]

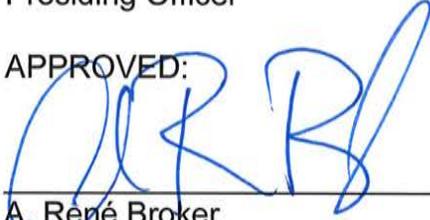
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PASSED AND APPROVED THIS ____ DAY OF _____, 2015.

Karl Kassel
Presiding Officer

ATTEST:

APPROVED:



A. René Broker
Borough Attorney

Nanci Ashford-Bingham, MMC
Municipal Borough Clerk

CODE AMENDMENTS ARE SHOWN IN LEGISLATIVE FORMAT

Text to be *added* is underlined

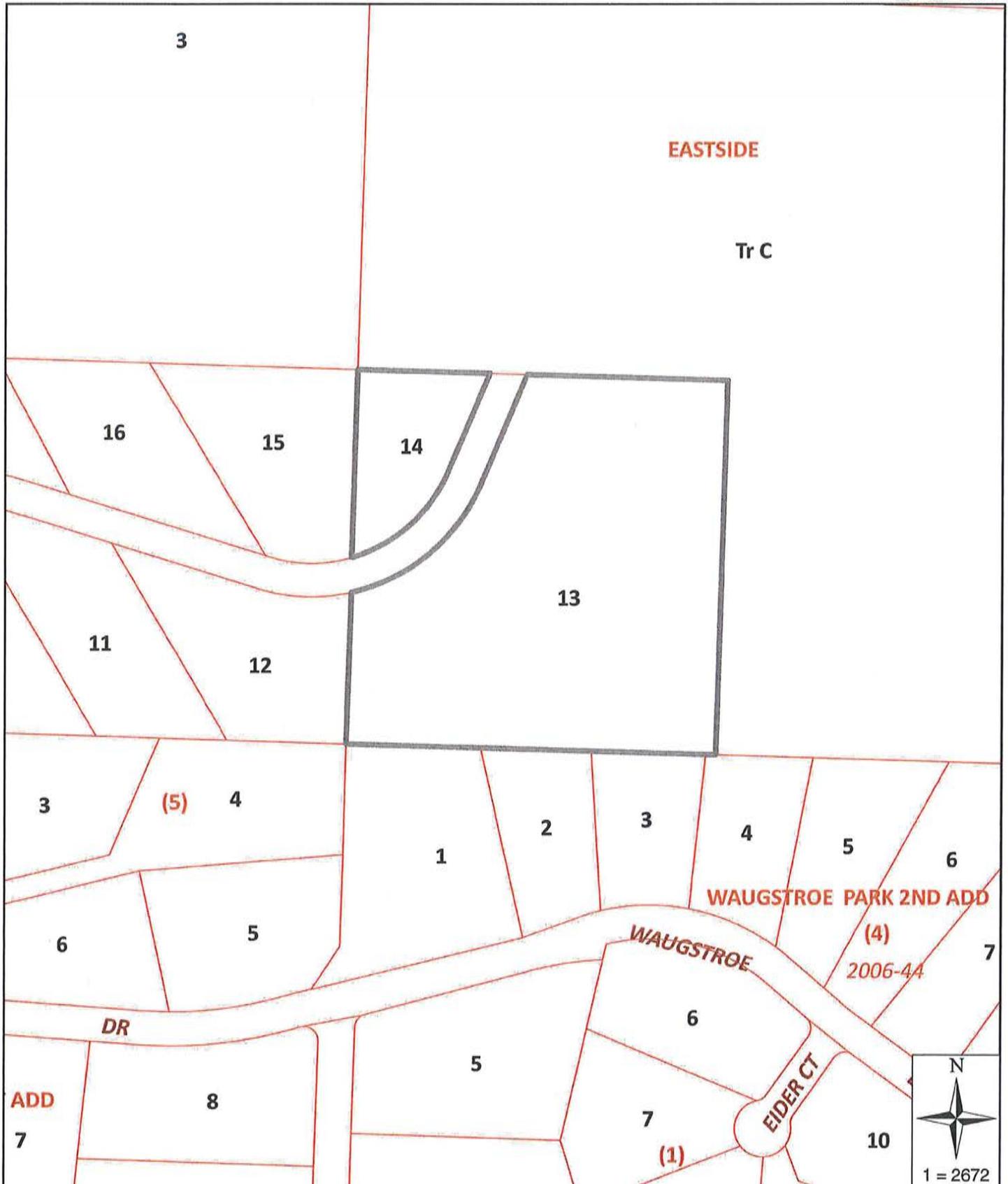
Text to be *deleted* is [BRACKETED AND CAPITALIZED]



FNSB Dept. Of Community Planning
Planning Commission

Printed on: Feb 9, 2015

RZ 2015-007



Fairbanks North Star Borough
Fiscal Impact Statement (FIS) (FNSBC 2.09.035 C.)

Check	Date
Version 1	
Version 2	
Version 3	
Version 4	

Originator's Name: Tanya Hughes Department: Community Planning

To Be Introduced/Sponsored By: Mayor Hopkins

Abbreviated Ordinance Title: Ord. No. 2015-

Department(s)/Division(s) Affected: _____

Proposed Introduction Date: _____ Ordinance No.: 2015-17

Does this ordinance authorize:

- 1) a new or expansion of services which entails additional costs beyond that approved in the current adopted budget? Yes ___ No *
- 2) a project that is capital in nature and increases operational costs of the Borough in the current or any future fiscal year? Yes ___ No *

Required Information/Estimates	FISCAL IMPACT PRO FORMA SUMMARY - BEST ESTIMATE				
	Remainder of Current FY	1st Full FY of Operations	2nd Full FY of Operations	3rd Full FY of Operations	4th Full FY of Operations
	FY 20 / /	FY 20 / /	FY 20 / /	FY 20 / /	FY 20 / /
1. Timeline inclusive of all phases					
2. Number and type of new positions which may be required					
3. Cost of operations and maintenance					
4. Future costs to complete capital assets					
5. Estimated revenue impact					
6. Estimated non-Borough funds that may be received:					
a. to fund the ordinance					
b. to fund future phases					
c. to fund future operations and maintenance costs					
7. Anticipated annual tax subsidy					

Is backup attached? Yes ___ No ___

Contact Person's Name, for FIS questions:

Extension:

Director(s) Signature(s):

Date:

Mayor's Office or Assembly Member Signature: 

Date: 4/9/15

Chief Financial Officer Signature:

Date:

Process/Instructions

To prepare a Fiscal Impact Statement (FIS):

Complete the top section of the FIS.

Answer the two questions, Yes or No.

* If the answer to either question on page 1 is **Yes**, complete the Pro Forma Summary and provide the FIS contact person's information and the Director's signature.

- **To avoid uncertainty, fill in every solid box; if an answer is zero or none, enter 0 or None.**

- **Attach backup detail to support your estimates, as necessary.**

* If the answer to both questions is **No**, provide the FIS contact person's information and if Administration initiated Director's signature. Continue to next block.

Ordinance from a department:

Department submits FIS to Mayor's Office for signature and for concurrence to be the ordinance sponsor.

Mayor's Office dates and signs FIS Version 1.

After Mayor's Office OK, department drafts ordinance and prepares a Finance Checklist for the appropriating ordinance.

Department submits an FIS Version 1 signed by the Mayor's Office, to Finance along with the draft ordinance and Finance Checklist for the appropriating ordinance.

Ordinance from the Mayor:

Mayor's Office works with affected department(s) to prepare the FIS.

Mayor's Office dates and signs FIS Version 1.

If the Law department will be drafting the ordinance, the Mayor's Office will submit the signed FIS Version 1 to Law along with the request for Law to draft the ordinance.

- Law drafts the ordinance.

- Law requests department(s) to revise FIS if needed, to match the ordinance.

- Mayor's Office concurs with, and dates and signs the new FIS version.

Otherwise, the Mayor's Office drafts the ordinance and prepares a Finance Checklist for the appropriating ordinance. Mayor's Office submits latest FIS version to Finance along with the draft ordinance and Finance Checklist.

Ordinance from an Assembly Member:

If Assembly Member/Clerk's Office/Law requires assistance in preparing the FIS, a request shall be submitted to the Mayor's Office for scheduling/coordination with affected department(s) to assist in preparing the FIS.

Department(s) work with Assembly Member/Clerk's Office/Law to prepare the FIS.

Assembly Member/Clerk's Office dates and signs FIS Version 1.

If the Law department will be drafting the ordinance, the Assembly Member/Clerk's Office will submit the signed FIS Version 1 to Law along with the request for Law to draft the ordinance.

- Law drafts the ordinance.

- Law requests department(s) to revise FIS if needed, to match the ordinance.

- Assembly Member/Clerk's Office concurs with, and dates and signs the new FIS version.

Otherwise, the Assembly Member drafts the ordinance.

Assembly Member/Clerk's Office/Law submits latest FIS version to Finance along with the draft ordinance.

Chief Financial Officer (CFO) reviews FIS:

CFO reviews FIS version submitted to Finance with ordinance.

CFO consults with affected department(s) and/or ordinance sponsor, and requests FIS revisions if needed.

CFO dates and signs FIS and routes it to Law, along with the draft ordinance and Finance Checklist, if any.

DEPARTMENT OF COMMUNITY PLANNING
STAFF REPORT

RZ2015-007

TO: Fairbanks North Star Borough Planning Commission

FROM: Doug Sims, Floodplain Administrator *DWS*

RE: **RZ2015-007** A request Chena Newman to rezone Lots 13 and 14 Koponen Homestead, approximately 9.3 acres, from General Use 1 (GU1) to Rural Estate-2 (RE-2) or other appropriate zone. **(Located north of Waugstroe Drive and East of Haman Street)**

I. GENERAL INFORMATION

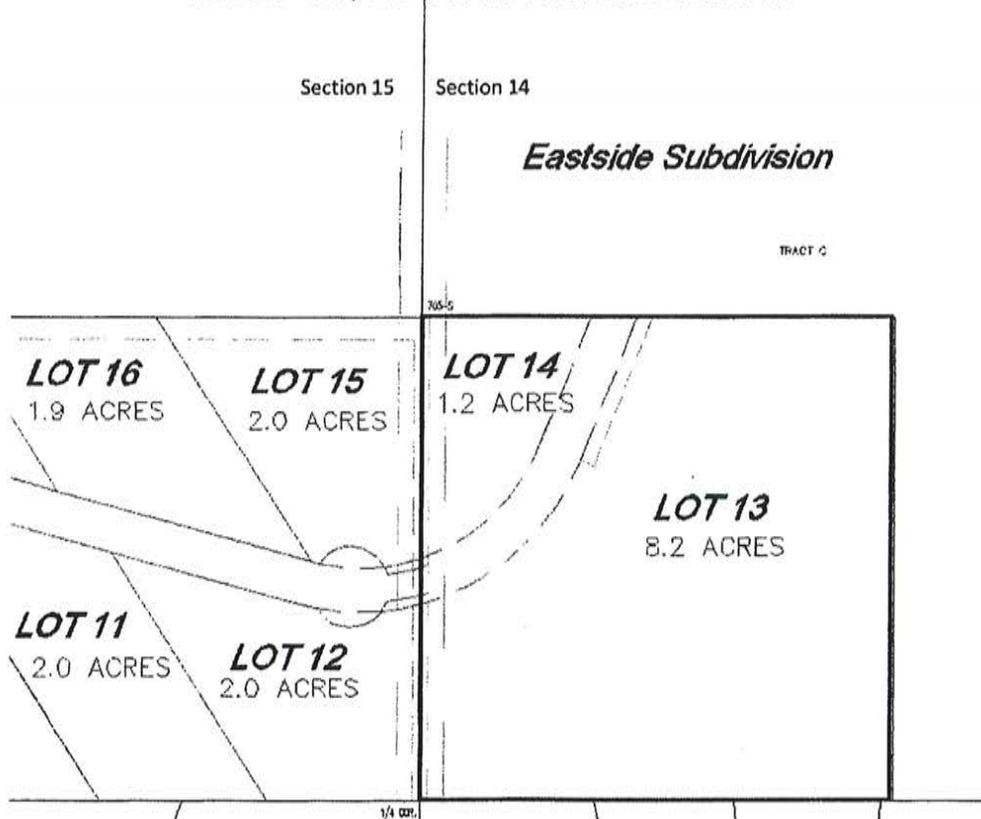
- A. Purpose To rezone 9.3 acres, Lots 13 and 14 Koponen Homestead from General Use 1 to Rural Estate-2
- B. Location north of Waugstroe Drive and east of Haman Street
- C. Access Haman Street
- D. Size/PAN
- | <u>Lot/TL</u> | <u>Sf.</u> | <u>PAN</u> |
|---------------|------------|------------|
| 13 | 8.18 ac | 655268 |
| 14 | 1.2 ac | 655278 |
- E. Existing Zone General Use 1
-Minimum lot size 40,000 sf
- F. Proposed Zone Rural Estate-2
-Minimum lot size 80,000 sf
- G. Existing Land Use undeveloped
- H. Surrounding Land Use/Zoning
North: undeveloped/GU-1
South: low density residential/GU-1
East: undeveloped/GU-1
West: undeveloped/RE-2
- I. Zoning History UU to General Use 1; April 1988

J. Non-conforming Structures, Uses	Lot 14 will become non-conforming lot size upon approval of the request
K. Comprehensive Plan Designation	Perimeter and Perimeter Preferred Residential
L. Community Facilities	Water/sewer: none Electricity: GVEA
M. Code Violations	none
N. Soils	Gilmore silt loam, 7-12 % slope Gilmore silt loam, 30-45 % slope
O. Flood Zone	X 500
P. Ownership	Lot 13—James Magdanz Lot 14—Estate of Niilo Koponen
Q. Applicant	Chena Newman 1083 Esro Road Fairbanks, AK. 99712

II. ANALYSIS

The applicant is requesting a rezone to Rural Estate-2 in order to maintain the low density residential character of their subdivision development and to ensure consistency between private subdivision covenants and zoning. Lot 14 is 1.2 acres in size and will become a non-conforming lot size if the rezone is approved since the minimum lot size requirement for the RE-2 zone is 1.8 acres. The applicants request the rezone to RE-2 for Lot 13 and 14 instead of GU-1 zone in order to ensure long term land use compatibility in a low density residential subdivision. . Lots 13 and 14 are subject to a covenant (#22) that limits land use and development on the parcels to all conditions of the RE-2 zone until such time as the land can be rezoned to RE-2. This covenant was placed on Lots 13 and 14 by the property owner concurrent with the Koponen Homesteads subdivision which was platted in October 2013. A subdivision with covenants protecting residential uses should be zoned residentially to best align current and future land uses within the neighborhood.

RZ2015-007; GU-1 to RE-2 for Lots 13 and 14



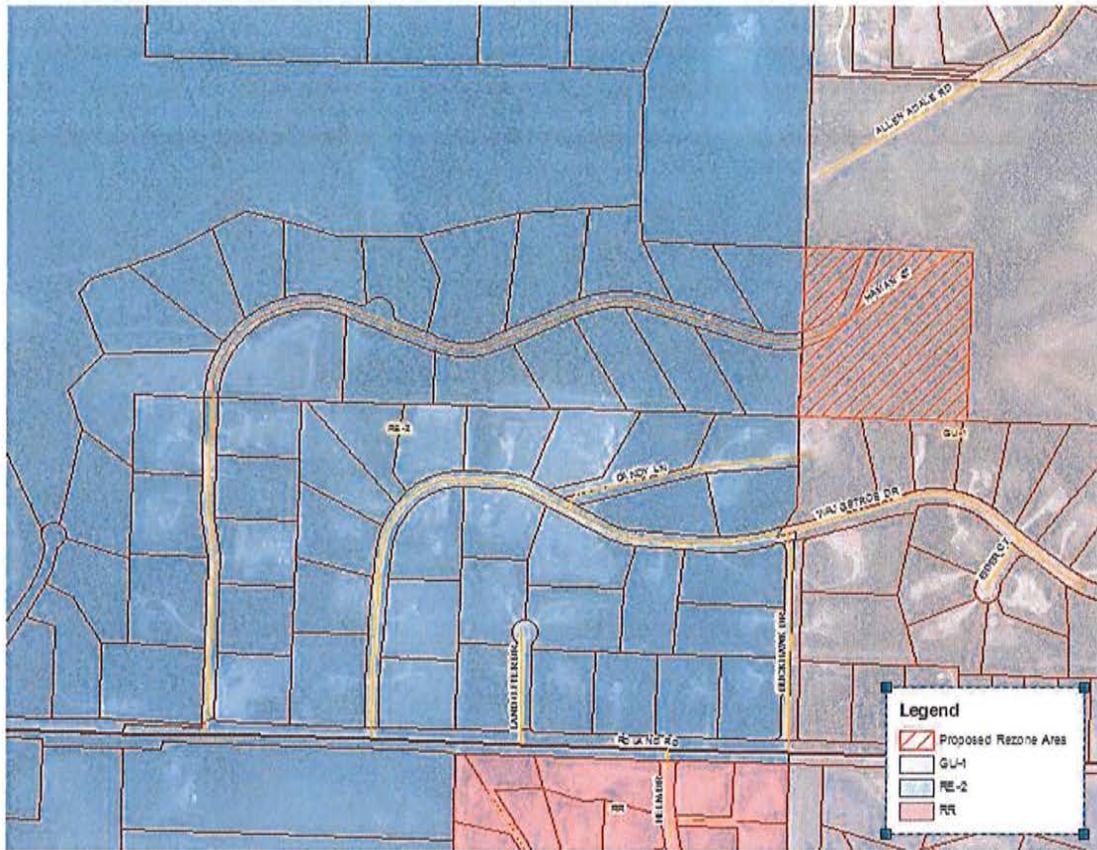
Koponen Homestead

Surrounding Land Use and Zoning

Surrounding land use to the north, east and west is vacant. Land use to the south is low density residential with several lots remaining undeveloped. Surrounding zoning is Rural Estate to the west and south west. General Use 1 zoning occurs to the north, east and south.

The applicant's narrative explains the topographic nature of subdividing and road right of way that follows a contour. Although Lot 14 conforms to current zoning of GU-1, upon approval of the request, it will become non-conforming with respect to lot size. Lot 13 drops steeply to the east with adequate buildable areas evident closer to the Haman Road right of way. A zoning map of the area is shown in Figure 1.

Figure 1: Surrounding Zoning



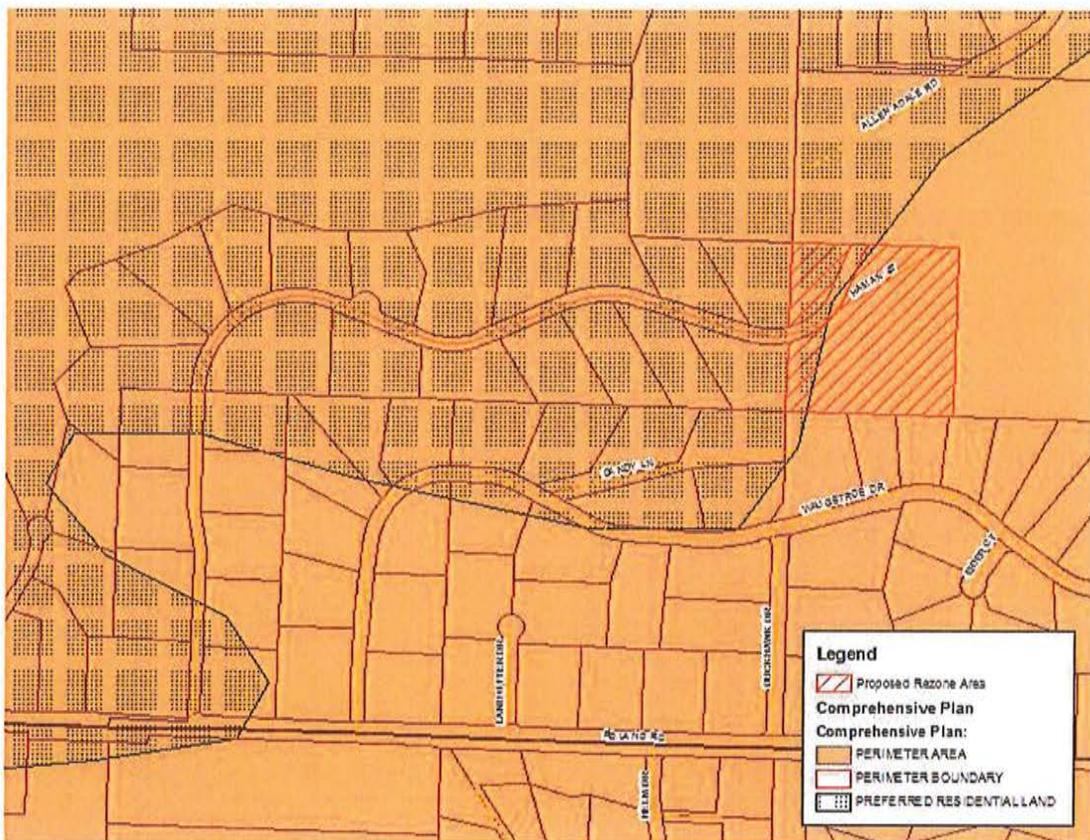
Comprehensive Plan

The plan designation for the subject rezone site is “perimeter”. Lot 14, the smaller lot, is designated “perimeter area/preferred residential” whereas only a small portion on the western edge of Lot 13 is identified as “perimeter area/preferred residential” with the remainder of the lot designated “perimeter area”. Perimeter area is defined as “Area generally within 10 to 20 minute travel time of urban destinations, and which contains primarily residential use; variable densities are encouraged providing they are compatible with the surrounding community, sensitive to natural systems and have adequate water and sewer facilities”. Preferred residential is defined as “Land determined to be more suitable than other lands for development because it is generally: a) on slopes of 20% or less, b) not designated wetlands, c) has a lower probability of containing detrimental permafrost conditions”. The Comprehensive Plan designations of the surrounding area are shown in Figure 2.

A rezone to Rural Estate is consistent with these Comp Plan designations. The plan generally supports rezoning requests from GU-1 to a residential zoning district in support of land use compatibility within residential subdivisions under Goal 3: "To have a variety of land uses that fit diverse needs of the community", Strategy 7: "Provide a variety of residential land use opportunities", Action A: "Designate residential areas on the Comprehensive Plan map". Koponen Homestead Phase 2 is a recently completed subdivision that is predominately zoned Rural Estate-2. Goal 3 and strategy 7 "support a variety of residential land use opportunities." A mix of lot sizes are encouraged that maintain residential land use patterns that minimize public and private costs.

There were 52 Dear Property Owner notices mailed out, none were returned.

Figure 2: Comprehensive Plan Area



Traffic

There are no adverse traffic conditions expected to occur as a result of the rezone request. The request represents a downzone that will reduce the potential intensity of land uses. Koponen Homestead Subdivision Phase 2 received final plat approval on October 16, 2013 and is in the very early stages of being developed with low density residential uses. Haman Street has been constructed to the east section line at section 14 and 15 with a 120 foot temporary cul-de-sac. A driveway has then been extended to Lots 13 and 14.

If this re-zone is not approved, the potential for traffic generation would be significantly higher under the General Use designation due to the virtually unlimited allowed uses. Under the Rural Estates zoning designation the uses are limited to residential and other compatible uses that do not generate a significant amount of traffic.

III. RECOMMENDATION

Based on the staff analysis above, the Department of Community Planning recommends approval of the requested Rural Estate-2 zone.

IV. FINDINGS OF FACT

The Department of Community Planning further recommends adoption of the following Findings of Fact in support of approval:

1. The rezone request is consistent with the goals and policies of the Comprehensive Plan and the "preferred residential" designation by ensuring compatible long term residential land use remains consistent with established residential uses in the area.
2. Lots 13 and 14 abut land with existing RE-2 zoning to the west.
3. The proposed zoning will reduce the potential intensity of land uses allowed on the property.
4. The proposed zoning will reduce the potential amount of traffic associated with land uses on the subject parcels.
5. The proposed zoning is consistent with surrounding residential land uses and will not jeopardize public health, safety or welfare.

DRAFT PLANNING COMMISSION MOTION:

I move to recommend approval of the rezone of Lots 13 and 14 Koponen Homestead Subdivision from General Use 1 to Rural Estates- 2 and adopting five Findings of Fact in support of the recommendation of approval.



**Fairbanks North Star Borough
Department of Community Planning**

P.O. Box 71267
Fairbanks, Alaska 99707-1267
(907) 459-1260 Fax: (907) 459-1255
planning@co.fairbanks.ak.us

PUBLIC HEARING APPLICATION

File No. PZ 2015-007

Application is for *Rezone* (\$400) *Variance* (\$300) *Conditional Use Approval* (\$300)

Property Owner:	Owner's Representative (if any):
Name: Chena K. Newman	Name:
Mailing Address: 1083 Esro Rd. Fairbanks, AK 99712	Mailing Address:
Phone: 907-488-2001	Phone:
Fax: 907-488-9608	Fax:
E-mail: chena@chena.org	E-mail:

Property Information:	
Legal Description: Lots 13 and 14, Koponen Homestead	
Street Address: Haman St. - no addresses yet	Size: 9.3 <input checked="" type="checkbox"/> acres <input type="checkbox"/> square feet
Parcel Account Numbers (PAN): 655268, 655278	
Existing Zone: GU-1	Existing Use: undeveloped residential lots
Existing Water/Wastewater Providers: <input type="checkbox"/> Private <input type="checkbox"/> Public: undeveloped (name of provider)	
<i>For Rezones:</i> Proposed Zone: RE-2	<i>For Variances:</i> <input type="checkbox"/> Lot Size <input type="checkbox"/> Setback <input type="checkbox"/> Parking <input type="checkbox"/> Other: _____
<i>For Conditional Uses:</i> Requested Use:	Description:

I hereby certify that (I am) (I am authorized to act for) the owner of the property. I understand that payment of the application fee helps to cover the costs associated with processing this application, and that payment of the fee does not assure approval of the application.

APPLICANT SIGNATURE: Chena K. Newman ^{CKN} DATE: 2/9/2014
OWNER SIGNATURE (if different): _____ DATE: _____

Received By: <u>dus</u>	Fee: <u>\$400</u>	Receipt No. <u>502903</u>	Proposed Meeting Date: <u>3-17-15</u>	Sign Issued? <input checked="" type="checkbox"/> Yes Sign #: <u>K</u>
Date: <u>2-9-15</u>				

File No. 2015-007

Fairbanks North Star Borough is subject to the Alaska Public Records Act, AS 40.25 et seq. and this document may be subject to public disclosure under state law. Revised 7/2014

Rezone Request

February 6, 2015

Lots 13 and 14, Koponen Homestead

by Chena Newman, Koponen Homestead, LLC

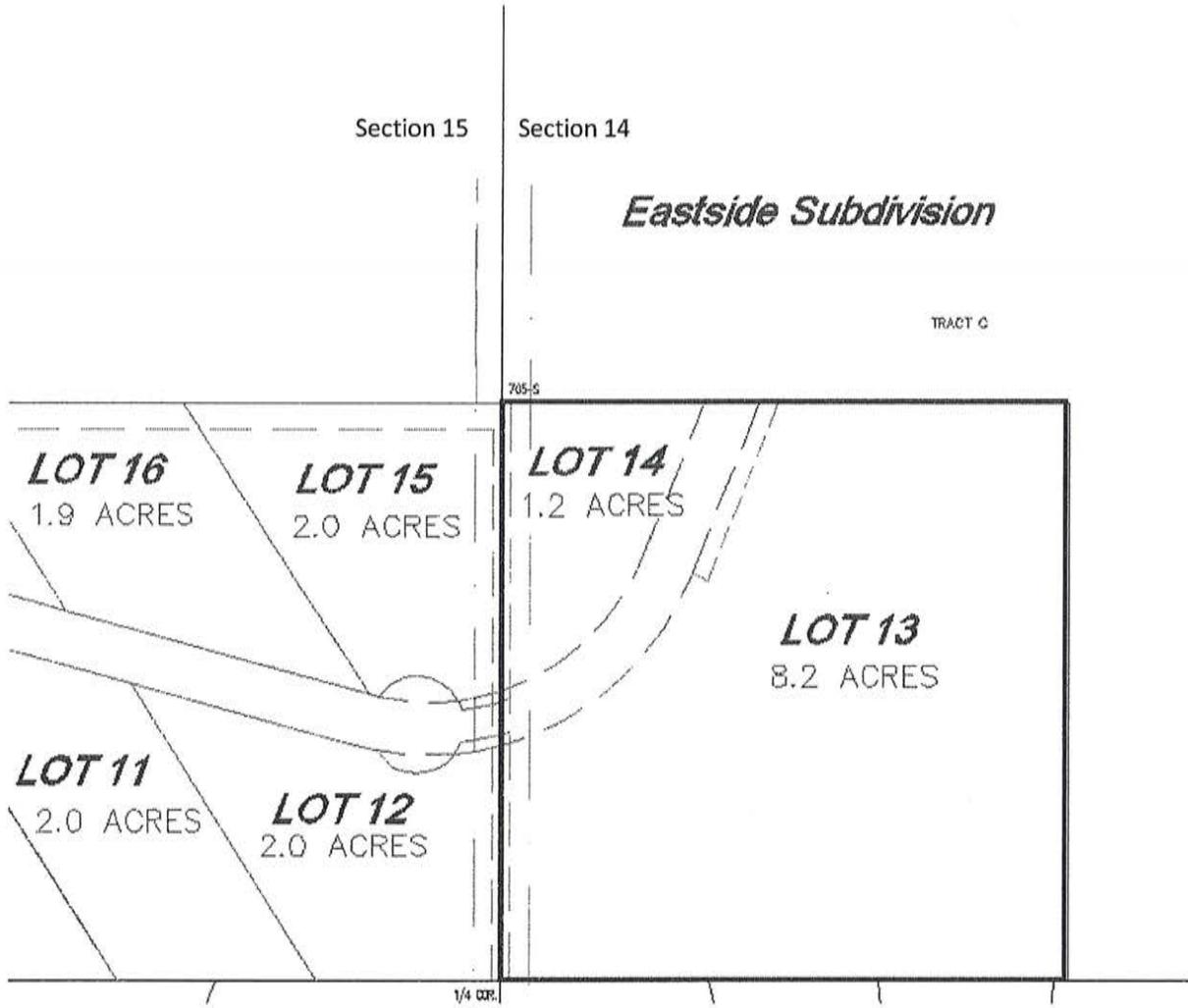
Koponen Homestead Phase 1 received final plat approval and was recorded on October 16, 2013. All of the lots in Phase 1 were already zoned RE-2 except for the 10 acre piece contained within Section 14, which was zoned GU-1. The latter lots are Lots 13 and 14, Koponen Homestead, the subject parcels of this rezone request.

These lots are already subject to the conditions of RE-2 through Koponen Homestead Covenant restriction 22., but it is in the public interest to more clearly delineate this by rezoning these parcels to RE-2.

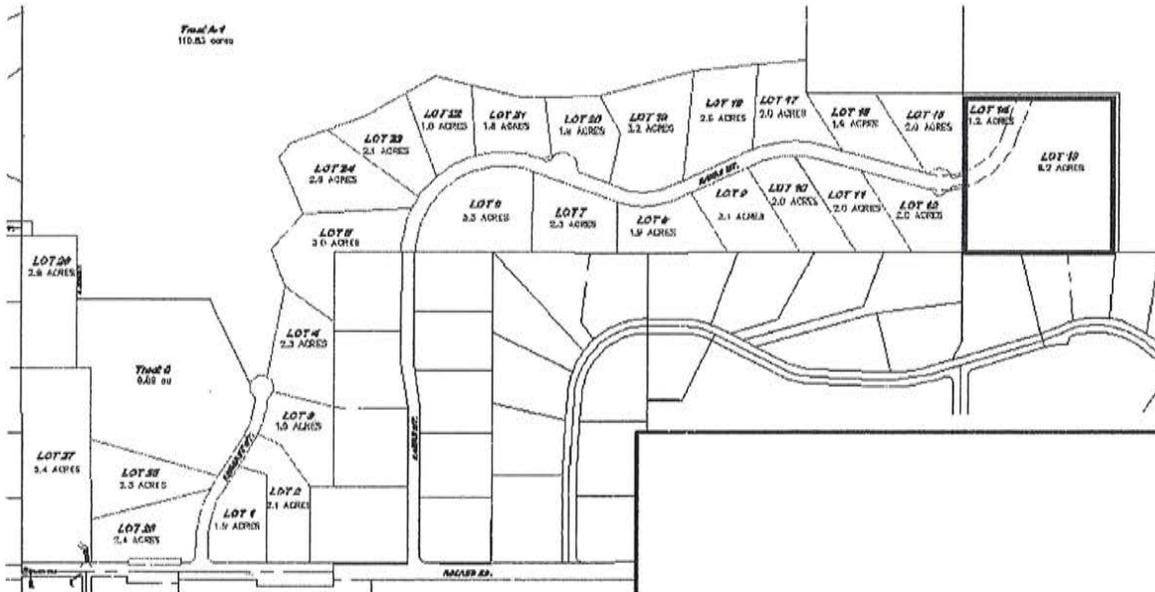
22. All the applicable conditions of the Rural Estates 2 zone contained in Fairbanks North Star Borough Title 18 Zoning Code shall apply to Lots 13 and 14 until such time as those lots are rezoned to Rural Estates 2 zone, noting that the lot size of Lot 14 is grandfathered at less than 80,000 square feet.

It a long standing policy of the FNSB to try to rezone property from what was UU, now GU, to something appropriate for the area. GU-1 is pretty wide open to every use with only a few major exceptions requiring a conditional use permit, such as petrochemical and nuclear plants and correctional institutions. In this case, because this is a residential subdivision which was designed to meet RE-2 standards, a rezone of Lots 13 and 14 to RE-2 is **the most** appropriate zone.

Of note is that Lot 14, at 1.2 acres, is less than the standard minimum lot size for RE-2. While allowable under the current zone of GU-1, it was unavoidable in development as the road extension that was required to be dedicated by the FNSB, because of topology and constructability, bisected the parent 10 acre parcel so that Lot 14 was not able to be larger than the size it is. We were also not able to combine it with parcels within Section 15 as there is a 66' section line easement which would have rendered the remainder of the parcel unusable. All other restrictive and allowable uses under RE-2 to which the Koponen Homestead is subject will still apply.



Koponen Homestead



East end of Haman St with temporary cul-de-sac

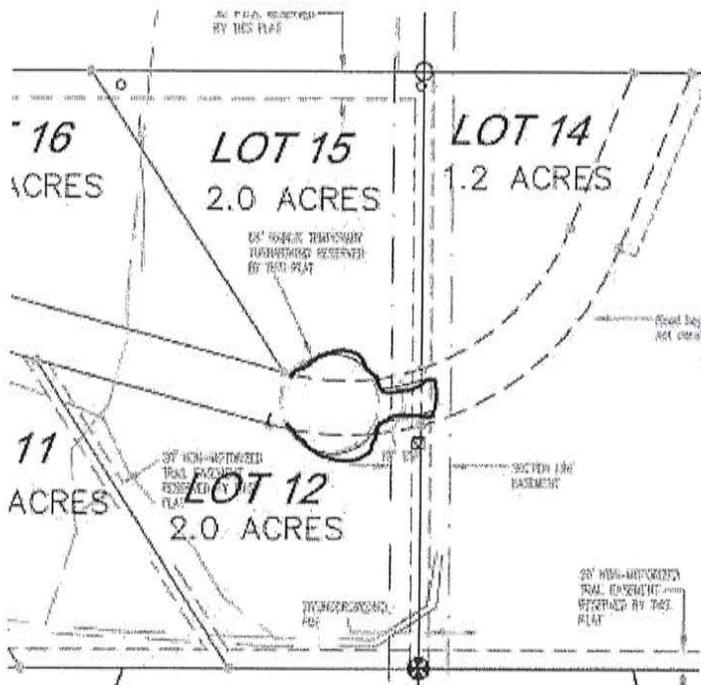


North

Sec. 15

66' section line easement

Sec. 14



Driveway Constructed – dashed road further to the east between Lots 13 and 14 is future 60' ROW connector

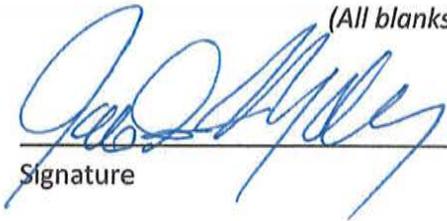
REZONE PETITION FORM

We, the undersigned, join in requesting and authorize rezone of

RZ 2015-007 (FNSB fills this line in)

From GU-1 zone to RE-2 zone.

(All blanks must be completed and be legible)

1. 
Signature _____ Printed Name James Magdanz
Lot 13, Koponen Homestead _____
Property Description (Subdivision, Lot, Block) Mailing Address Box 82178, Fairbanks, AK 99708
2. _____
Signature _____ Printed Name _____
_____ _____
Property Description (Subdivision, Lot, Block) Mailing Address _____
3. _____
Signature _____ Printed Name _____
_____ _____
Property Description (Subdivision, Lot, Block) Mailing Address _____
4. _____
Signature _____ Printed Name _____
_____ _____
Property Description (Subdivision, Lot, Block) Mailing Address _____
5. _____
Signature _____ Printed Name _____
_____ _____
Property Description (Subdivision, Lot, Block) Mailing Address _____
6. _____
Signature _____ Printed Name _____
_____ _____
Property Description (Subdivision, Lot, Block) Mailing Address _____

F. PUBLIC HEARING

RZ2015-007 A request by Chena Newman to rezone Lots 13 and 14 Koponen Homestead from General Use 1 to Rural Estate-2 or other appropriate zone. **(Located north of Waugstroe Drive and east of Haman Street)**

Mr. Sims presented the staff report. Based on the staff analysis, the Department of Community Planning recommends **approval** of the requested Rural Estate-2 zone with the following findings of fact:

1. The rezone request is consistent with the goals and policies of the Comprehensive Plan and the "preferred residential" designation by ensuring compatible long term residential land use remains consistent with established residential uses in the area.
2. Lots 13 and 14 abut land with existing RE-2 zoning to the west.
3. The proposed zoning will reduce the potential intensity of land uses allowed on the property.
4. The proposed zoning will reduce the potential amount of traffic associated with land uses on the subject parcels.
5. The proposed zoning is consistent with surrounding residential land uses and will not jeopardize public health, safety or welfare.

Mr. McBeath noted there was no comment about spot zones. He requested Mr. Sims make a definitive statement; if this action was approved by the Planning Commission it would not create a spot zone.

Mr. Sims replied he did not believe it would be a spot zone because it was adjacent to Rural Estates (RE) zoning, and consistent with the Comprehensive Plan.

Ms. Banks asked why the smaller lot was not Rural Residential (RR) instead of Rural Estates RE.

Mr. Sims replied that would start to lean towards spot zoning.

Mr. Guinn inquired if lot 14 was platted.

Mr. Sims responded it was.

Mr. Guinn observed that it would be grandfathered.

Mr. Sims stated it did conform to the current zoning; General Use-1 (GU-1).

Mr. Guinn noted with the section line easement it appeared the land would be tight for future development and asked if the setback requirements would also be grandfathered.

Mr. Sims replied, no, it would be grandfathered with respect to lot size only. Rural Estates has a thirty five foot (35') front yard setback and twenty five foot (25') setback requirements from the two remaining sides.

Mr. Guinn observed that with the setbacks it would be a tight area for construction.

Mr. Lanning inquired regarding the "L" shaped lot; with respect to the location of a road, would the two line up topographically?

Mr. Sims answered that you could build a reasonable road, yes.

Mr. Billingsley queried why the right-of-way was drawn in this location, dissecting proposed lots 14 and 15.

Mr. Sims elucidated, because of the slope and topography.

Barry Newman, representative for Koponen Homestead and applicant Chena Newman; spoke in favor of the staff recommendation. Responding to Mr. Billingsley's question, he explained that it was a Borough requirement to dedicate a road to the boundary. He posited there was no need for a road to extend to Allen Adel as Mr. Cerny had no desire to further develop. He discussed the location placement of roads and easements using staff report maps on the overhead projector. He communicated that a dedicated road in this location would be an inconvenience; he preferred to have a cul-de-sac. He offered they have done the best they could to provide adequate access.

Mr. Billingsley specified he was afraid Mr. Newman was going to end up with a lot that couldn't be developed.

Mr. Newman replied he had examined all the lots and did not share this concern; He informed that they had a vegetation setback to allow a setback around the perimeter.

Public Hearing Opened

NONE

Public Hearing Closed

MOTION Move to recommend approval of RZ2015-007 with five (5) Findings of Fact by **Ms. Major**, seconded by **Mr. Whitaker**.

Discussion

Ms. Major spoke in favor of recommending approval; expressing pleasure that there was discussion regarding spot zones.

Mr. Whitaker spoke in favor of recommending approval; offering that the request was straight forward.

DRAFT

Mr. McBeath spoke in favor of recommending approval; noting there was no opposing testimony, no Dear Property Owner letters were returned with opposing testimony, and no calls were received in opposition.

ROLL CALL

Nine (9) in Favor: **Ms. Major, Mr. Reilly, Mr. Billingsley, Ms. Banks, Mr. Lanning, Mr. Guinn, Mr. Whitaker, Mr. Peterson, and Mr. McBeath**

Zero (0) Opposed:

MOTION APPROVED

WAUGSTROE PARK 2, BLOCK: 04, LOT: 07
Agrawal Ashish N
2620 Waugstroe Dr
Fairbanks, AK 99709

WAUGSTROE PARK 2, BLOCK: 04, LOT: 03
Allegood Anthony L, Allegood Aelin P
2660 Waugstroe Dr
Fairbanks, AK 99709

WAUGSTROE PARK 1, BLOCK: 01, LOT: 05
Benson Jennifer Lin
940 Duckhawk Dr
Fairbanks, AK 99709

1S 2W, SEC: 14, TAXLOT: 81
Booyesen Barney B, Booyesen Debra C
2575 Linda Ln
Fairbanks, AK 99709

WAUGSTROE PARK 2, BLOCK: 04, LOT: 05
Brock Bobby Bruce
1300 E State Highway 71
West Point, TX 78963

WAUGSTROE PARK 2, BLOCK: 04, LOT: 06
Brock Marc
PO BOX 82131
Fairbanks, AK 99708

WAUGSTROE PARK 2, BLOCK: 04, LOT: 04
Burns Buck B
PO BOX 80766
Fairbanks, AK 99708

WAUGSTROE PARK 2, BLOCK: 01, LOT: 11
Charlie Vicky A, Charlie Byron L
PO BOX 58002
Minto, AK 99758

KOPONEN HOMESTEAD, LOT: 09
Conant James B, Conant Jamie Lynn
3186 Forrest Dr
Fairbanks, AK 99709

WAUGSTROE PARK 1, BLOCK: 05, LOT: 03
Conlon Jerry E, Winner Shannon M
1255 Helder St
Fairbanks, AK 99709

WAUGSTROE PARK 1, BLOCK: 05, LOT: 01
Cronkhite Dale, Cronkhite Madelvis
2730 Waugstroe Dr
Fairbanks, AK 99709

KOPONEN HOMESTEAD, LOT: 08
Cronkhite Madelvis
2730 Waugstroe Dr
Fairbanks, AK 99709

WAUGSTROE PARK 2, BLOCK: 01, LOT: 10
Duvlea Brandon G
500 Windsor Dr
Fairbanks, AK 99709

WAUGSTROE PARK 1, BLOCK: 02, LOT: 07
Evans Paula
2695 Waugstroe Dr
Fairbanks, AK 99709

1S 2W, SEC: 14, TAXLOT: 38
Fairbanks North Star Borough Land
Management
PO BOX 71320
Fairbanks, AK 99707

1S 2W, SEC: 14, TAXLOT: 18
Fanning Kenneth J
PO BOX 287
Yakutat, AK 99689

1S 2W, SEC: 14, TAXLOT: 40
Flaccus Karl Lovett, Alaska State of Natural
Resources
6845 47th Ave Ne
Seattle, WA 98115

1S 2W, SEC: 14, TAXLOT: 60
Rovig Teresa Glendinning, Fogleson Larry J
2531 Linda Ln
Fairbanks, AK 99709

KOPONEN HOMESTEAD, LOT: 12
Fullford Angela R, Fullford Lael L
4437 Stanford Dr
Fairbanks, AK 99709

WAUGSTROE PARK 1, BLOCK: 02, LOT: 08
Hall Robert C
1145 Hayes Ave Apt A
Fairbanks, AK 99709

WAUGSTROE PARK 1, BLOCK: 02, LOT: 09
Interior Regional Housing Authority
828 27th Ave
Fairbanks, AK 99701

WAUGSTROE PARK 1, BLOCK: 02, LOT: 05
Interior Regional Housing Authority
828 27th Ave
Fairbanks, AK 99701

SHERWOOD FOREST4, BLOCK: F, LOT:
17A
Kane Eileen M Family Trust
48901 Us Highway 93 Ste A
Polson, MT 59860

WAUGSTROE PARK 1, BLOCK: 01, LOT: 04
Kohler Andrew
956 Duckhawk Dr
Fairbanks, AK 99709

KOPONEN HOMESTEAD, LOT: 15
Koponen Niilo Emil Estate Of, Koponen Joan F
1083 Esro Rd
Fairbanks, AK 99712

WAUGSTROE PARK 1, BLOCK: 05, LOT: 02
Kraska Timothy P, Kraska Shaun V
2710 Candy Ln
Fairbanks, AK 99709

KOPONEN HOMESTEAD, LOT: 13
Magdanz James S
PO BOX 82178
Fairbanks, AK 99708

WAUGSTROE PARK 1, BLOCK: 02, LOT: 06
Martsof Ramon Bruce, Martsof Elaine Marie
2715 Waugstroe Dr
Fairbanks, AK 99709

WAUGSTROE PARK 2, BLOCK: 01, LOT: 08
Mcdermitt Lawrence A, Mcdermitt Nina A
PO BOX 84142
Fairbanks, AK 99708

1S 2W, SEC: 14, TAXLOT: 39
Meredith Virginia W
868 Gulkana Ct
Fairbanks, AK 99709

RZ 2015-007

DPO's - 52⁸⁸

DRD 2015-

WAUGSTROE PARK 2, BLOCK: 04, LOT: 02
Minder Grace H, Minder Richard B
PO BOX 83863
Fairbanks, AK 99708

WAUGSTROE PARK 2, BLOCK: 01, LOT: 07
Moses Ross C, Moses Shirley A
955 Eider Ct
Fairbanks, AK 99709

ALICE, LOT: 04
Moss Loyd M, Moss Patricia A
PO BOX 61155
Fairbanks, AK 99706

WAUGSTROE PARK, BLOCK: 01, LOT: 02
Northern Hut Llc
PO BOX 82333
Fairbanks, AK 99708

WAUGSTROE PARK 2, BLOCK: 01, LOT: 09
Carter Joelene A, Orcutt Bradford K
950 Eider Ct
Fairbanks, AK 99709

WAUGSTROE PARK 1, BLOCK: 05, LOT: 04
Panteleev Gleb, Francis Oceana P
PO BOX 757340
Fairbanks, AK 99775

EASTSIDE FIRST A, LOT: 03
Patrick Donna M
PO BOX 80208
Fairbanks, AK 99708

WAUGSTROE PARK 2, BLOCK: 01, LOT: 06
Putnam Jonthan L
2645 Waugstroe Dr
Fairbanks, AK 99709

SHERWOOD FOREST4, BLOCK: G, LOT: 01
Raygor Scott C, Raygor Wendi M
2615 Allen Adale Rd
Fairbanks, AK 99709

SHERWOOD FOREST4, BLOCK: F, LOT: 15A-1
Reagin Carol Elizabeth
PO BOX 80204
Fairbanks, AK 99708

SHERWOOD FOREST4, LOT: B
Sherwood Partners
1501 Queens Way Ste 209
Fairbanks, AK 99701

ALICE, LOT: 05
Shilling John Arthur & Anna F Revocable Living Trust
PO BOX 81424
Fairbanks, AK 99708

WAUGSTROE PARK, BLOCK: 02, LOT: 01
Lott Lynne M
PO BOX 750206
Fairbanks, AK 99775

WAUGSTROE PARK, BLOCK: 02, LOT: 02
Speranza Rose
PO BOX 82173
Fairbanks, AK 99708

WAUGSTROE PARK, BLOCK: 01, LOT: 03
Stellon Odonnell Thomas Jason, Stellon Odonnell Nicole
697 Fordham Dr
Fairbanks, AK 99709

WAUGSTROE PARK 2, BLOCK: 04, LOT: 08
Townsend John
PO BOX 751444
Fairbanks, AK 99775

1S 2W, SEC: 14, TAXLOT: 59
Twogood Arthur S, Twogood Vanessa L
1348 Farmers Loop Rd
Fairbanks, AK 99709

EASTSIDE FIRST A, LOT: 02
Underwood Trust
PO BOX 83960
Fairbanks, AK 99708

SHERWOOD FOREST4, BLOCK: F, LOT: 19
Villalobos Moses M, Villalobos Codie L
PO BOX 61332
Fairbanks, AK 99706

SHERWOOD FOREST4, BLOCK: F, LOT: 18
Weckwerth Brian E
PO BOX 83445
Fairbanks, AK 99708

WAUGSTROE PARK 1, BLOCK: 05, LOT: 06
Williams Jason D, Desrochers Michele L
PO BOX 60904
Fairbanks, AK 99706

SHERWOOD FOREST4, BLOCK: F, LOT: 16A
Woller Heather L
PO BOX 84315
Fairbanks, AK 99708

By: Lance Roberts
Introduced: April 9, 2015

FAIRBANKS NORTH STAR BOROUGH

ORDINANCE NO. 2015 - 18

AN ORDINANCE AMENDING FNSBC 8.21.035 REGARDING THE ENHANCED VOLUNTARY REMOVAL, REPLACEMENT AND REPAIR PROGRAM, REMOVING THE ADDITIONAL FUEL PAYMENT FROM THE PROGRAM AND REPEALING FNSBC 8.21.045 REGARDING THE VOLUNTARY BURN CESSATION PROGRAM

WHEREAS, the Borough Assembly recently amended FNSBC 8.21.020 regarding borough listed solid fuel burning appliances so that the use of that defined term can now be substituted for the current lengthier description of an acceptable solid fuel burning appliance replacement for the enhanced voluntary removal, replacement and repair program ;and

WHEREAS, in order to maximize the limited funds available for the enhanced voluntary removal, replacement and repair program, it is necessary to remove the additional payment for the purchase of fuel; and

WHEREAS, the recently amended voluntary, removal, replacement and repair program largely replaces the separate voluntary burn cessation program and any funds intended to be spent on the cessation program could be more efficiently spent on the removal, replacement and repair program.

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

Section 1. This ordinance is of a general and permanent nature and shall be codified.

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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Section 2. FNSBC 8.21.035, **Enhanced voluntary removal, replacement and repair program**, is hereby amended as follows:

The Fairbanks North Star Borough shall, to the extent funds are available and appropriated by the assembly, offer an enhanced removal, replacement and repair program to help offset the costs of removing, replacing or repairing a *solid fuel burning appliance* (SFBA) or *fireplace*. This program shall be subject to the following eligibility requirements, conditions, and criteria:

A. General Requirements.

1. Application. An application approved by the *division* and signed by all property owner(s) must be submitted along with any documentation required by the *division*. Applicants must fully comply with the *division's* inspection process which shall verify the existence of a qualifying SFBA or *fireplace*.

2. Priority Ranking. Applications may be prioritized [AND MAY BE LIMITED] by the *division* in its discretion based on geographical location, the overall air quality benefit and the type of SFBA or *fireplace* being removed, replaced or repaired.

3. Eligibility. The program is limited to properties within the borough boundary in which a qualifying SFBA or fireplace is installed. If an application is approved for the program, the applicant will be given up to 90 days to meet all of the requirements. Applicants must have no delinquent property tax or penalty or interest owing at the time of application and at completion of the program requirements.

4. Additional Requirements. In addition to the general requirements set forth in this section, applicants must also meet the following requirements:

a. Fully comply with the inspection process required by the *division* that shall ensure that the existence of the qualifying *appliance* to be removed, replaced or repaired is properly documented.

b. Removal of *appliance*.

c. Delivery of *appliance* to an authorized decommission station.

d. Certificate of destruction delivered to the *division*, if applicable.

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

- 63 e. Final installation of a qualified *appliance* visually verified.
- 64 f. All aspects of this section may be performed by borough-approved
- 65 personnel or a borough-approved vendor.

66 5. Payments. Applicants will be eligible for reimbursements or, at the option
 67 of the applicant, payment may be made directly to a borough-approved vendor.
 68 Reimbursements and payments shall be available as follows:

69 a. Replacement of an outdoor *hydronic heater*: With either a borough
 70 listed solid fuel burning appliance [N EPA CERTIFIED SFBA WITH AN EMISSION
 71 RATE LESS THAN OR EQUAL TO 2.5 GRAMS/HOUR, AN EPA PHASE II QUALIFIED
 72 PELLET BURNING *HYDRONIC HEATER* WITH AN EMISSION RATE EQUAL TO OR
 73 LESS THAN 0.2 POUNDS/MILLION BTUS], or an *appliance* designed to use pellets,
 74 home heating oil (excluding waste oil), natural gas, propane, hot water district heat,
 75 electricity or a *masonry heater* (including parts, labor and any costs associated with
 76 upgrading the chimney to the extent required by the manufacturer of the appliance for
 77 proper installation).

Appliance [+ FUEL PAYMENT]
Up to \$10,000 for purchase and installation of the <i>appliance</i> [PLUS FUEL PAYMENT, IF APPLICABLE].

78 b. Replacement of a non-borough listed [EPA certified] SFBA, or
 79 fireplace], OR AN EPA CERTIFIED SFBA THAT HAS AN EMISSION RATE GREATER
 80 THAN 2.5 GRAMS/HOUR]: With [EITHER] a borough listed solid fuel burning appliance
 81 [N EPA CERTIFIED SFBA WITH AN EMISSION RATE EQUAL TO OR LESS THAN 2.5
 82 GRAMS/HOUR] and an emission rate 50 percent or less than the replaced heater, or an
 83 *appliance* designed to use pellets, home heating oil (excluding waste oil), natural gas,
 84 propane, hot water district heat, electricity or a *masonry heater* (including parts, labor
 85 and any costs associated with upgrading the chimney to the extent required by the
 86 manufacturer of the appliance for proper installation).

CODE AMENDMENTS ARE SHOWN IN LEGISLATIVE FORMAT
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Appliance [+ FUEL PAYMENT]
Up to \$4,000 for purchase and installation of the <i>appliance</i> [PLUS FUEL PAYMENT, IF APPLICABLE].

87 c. Removal of a SFBA (limited to a one-time participation in this
88 program per property).

Cash Payment
\$2,000 – if removing outdoor <i>hydronic heater</i>
\$1,000 – if removing other SFBA

89 [D. FUEL PAYMENT. IF A *PELLET FUEL BURNING APPLIANCE* OR
90 A *PELLET STOVE* IS PURCHASED AND INSTALLED UNDER THIS PROGRAM, THE
91 APPLICANT IS ELIGIBLE TO RECEIVE AN ADDITIONAL \$300.00 PAYMENT FOR
92 THE PURCHASE OF PELLETS MANUFACTURED IN THE FAIRBANKS NORTH
93 STAR BOROUGH. IF A *WOOD BURNING APPLIANCE* IS PURCHASED AND
94 INSTALLED UNDER THIS PROGRAM, THE APPLICANT IS ELIGIBLE TO RECEIVE
95 AN ADDITIONAL \$300.00 PAYMENT FOR BOROUGH-APPROVED PRESSED WOOD
96 ENERGY LOGS MANUFACTURED IN THE FAIRBANKS NORTH STAR BOROUGH.]

97 e. Repair Program.
98 i. The repair program will pay for the:
99 (A) Replacement of a wood stove’s catalytic converter
100 that has exceeded its life span through the one-time payment of up to \$750.00.
101 (B) Replacement of any emissions-reducing component
102 of an EPA-certified wood stove up to the maximum amount of \$750.00.
103 ii. In addition to the general requirements set forth in this
104 section, applicants must fully comply with any inspection process required by the
105 *division*, which may be performed by a borough-approved vendor.

106

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Text to be *added* is underlined
Text to be *deleted* is [BRACKETED AND CAPITALIZED]

107 Section 3. FNSBC 8.21.045, **Voluntary burn cessation program**, is
108 hereby repealed:

109 [8.21.045 VOLUNTARY BURN CESSATION PROGRAM.

110 THE FAIRBANKS NORTH STAR BOROUGH WILL, TO THE EXTENT FUNDS ARE
111 AVAILABLE AND APPROPRIATED BY THE ASSEMBLY, ESTABLISH A PROGRAM
112 TO ENCOURAGE, INCENTIVIZE, AND FACILITATE THE VOLUNTARY CESSATION
113 OF THE USE OF WOOD BURNING *APPLIANCES* (I.E., WOOD STOVES, WOOD-
114 FIRED *HYDRONIC HEATERS*, WOOD-FIRED FURNACES, *FIREPLACES*,
115 *FIREPLACE INSERTS*, *MASONRY HEATERS* OR *PELLET FUEL BURNING*
116 *APPLIANCES*) IN THE *NONATTAINMENT AREA* DURING *AIR QUALITY ALERTS*. IT
117 IS RECOGNIZED THAT IT WILL BE DIFFICULT OR IMPOSSIBLE FOR SOME
118 HOUSEHOLDS TO PARTICIPATE IN THIS PROGRAM (E.G., THOSE THAT HEAT
119 SOLELY WITH WOOD OR FOR WHICH WOOD IS A NECESSARY SUPPLEMENT
120 DURING PERIODS OF COLD WEATHER). THEREFORE, THIS PROGRAM IS
121 INTENDED FOR HOUSEHOLDS THAT ARE ABLE TO USE SPACE HEATING
122 ALTERNATIVES WITH SIGNIFICANTLY LOWER *PM_{2.5}* EMISSIONS, INCLUDING
123 THOSE FUELED BY GAS, OIL, ELECTRICITY, PROPANE OR DISTRICT HEAT, BUT
124 NOT WOOD OR *PELLET STOVES* OR OTHER WOOD BURNING *APPLIANCES*.
125 THIS PROGRAM WILL AT A MINIMUM CONSIST OF THE FOLLOWING
126 COMPONENTS:

127 A. THE BOROUGH MAY CONTRACT WITH AN AGENCY THAT WILL
128 PROVIDE SERVICES TO PROMOTE THE PROGRAM. THIS AGENCY MUST HAVE
129 THE STANDING, EXPERIENCE, AND CAPABILITY TO CARRY OUT A CAMPAIGN
130 TO ADVERTISE, REACH OUT, AND ATTRACT A LARGE NUMBER OF
131 PARTICIPANTS IN THE *NONATTAINMENT AREA* WHO ARE WILLING TO CEASE
132 THE USE OF A WOOD BURNING *APPLIANCE* DURING *AIR QUALITY ALERTS*.

133 B. INCENTIVES WILL BE PROVIDED TO HOUSEHOLDS THAT
134 PARTICIPATE IN THE PROGRAM. THESE INCENTIVES MAY INCLUDE THE
135 PROVISION OF (1) A SIGN-UP BONUS SUCH AS CASH, A VOUCHER, OR GOODS
136 AND SERVICES USEFUL TO A HOUSEHOLD THAT HEATS WITH WOOD; (2) A
137 THANK-YOU LETTER, WINDOW OR YARD SIGN; OR, (3) OTHER FORM OF PUBLIC

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138 ACKNOWLEDGMENT. THE COST OF THIS INCENTIVE TO THE BOROUGH SHALL
139 NOT EXCEED \$25.00 PER HOUSEHOLD. THESE INCENTIVES MAY BE PROVIDED
140 OR AUGMENTED BY PRIVATE CONTRIBUTIONS.

141 C. FACILITATION OF THIS PROGRAM BY THE BOROUGH WILL
142 INCLUDE, BUT NOT BE LIMITED TO, THE PROVISION OF NOTICE OF *AIR*
143 *QUALITY ALERTS* TO INDIVIDUAL HOUSEHOLDS BY METHODS SUCH AS
144 ELECTRONIC MAIL MESSAGES, TEXT MESSAGES, AUTOMATED PHONE CALLS,
145 NOTICES TO RADIO AND TELEVISION STATIONS, AND INFORMATION POSTED
146 ON ELECTRONIC READER OR DISPLAY BOARDS LOCATED THROUGHOUT THE
147 BOROUGH IN LOCATIONS BEST SUITED TO NOTIFY RESIDENTS OF *AIR*
148 *QUALITY ALERTS*.

149 D. PRIVATE CONTRIBUTIONS, INCLUDING GOODS AND/OR SERVICES,
150 WILL BE SOUGHT FOR ALL APPROPRIATE ELEMENTS OF THE PROGRAM. IN
151 GENERAL THIS WILL FOCUS ON THE PROVISION OF MATERIALS, EQUIPMENT,
152 AND CERTAIN ONE-TIME SERVICES, BUT NOT TO FUND BOROUGH STAFF
153 POSITIONS.]
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155 Section 4. Effective Date. This ordinance shall be effective at 5:00 p.m.
156 of the first Borough business day following its adoption.

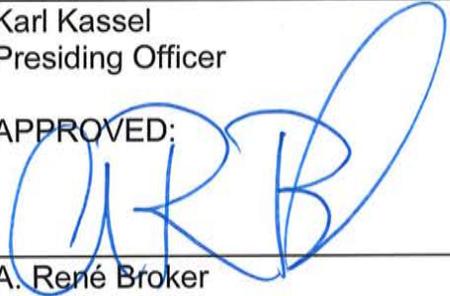
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158 PASSED AND APPROVED THIS ____ DAY OF _____, 2015.
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ATTEST:

Nanci Ashford-Bingham, MMC
Borough Municipal Clerk

Karl Kassel
Presiding Officer

APPROVED:


A. René Broker
Borough Attorney

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

**Fairbanks North Star Borough
Fiscal Impact Statement (FIS) (FNSBC 2.09.035 C.)**

Check	Date
Version 1	
Version 2	
Version 3	
Version 4	

Originator's Name: Nanci Ashford-Bingham **Department:** Assembly

To Be Introduced/Sponsored By: Lance Roberts

Abbreviated Ordinance Title: Amending FNSBC 8.21.035 & Repealing FNSBC 8.21.045

Department(s)/Division(s) Affected: Transportation/Air Quality

Proposed Introduction Date: April 9, 2015 **Ordinance No.:** 2015-18

Does this ordinance authorize:

- 1) a new or expansion of services which entails additional costs beyond that approved in the current adopted budget? Yes No *
- 2) a project that is capital in nature and increases operational costs of the Borough in the current or any future fiscal year? Yes No *

Required Information/Estimates	FISCAL IMPACT PRO FORMA SUMMARY - BEST ESTIMATE				
	Remainder of Current FY	1st Full FY of Operations	2nd Full FY of Operations	3rd Full FY of Operations	4th Full FY of Operations
	FY 2012/13	FY 20__/__	FY 20__/__	FY 20__/__	FY 20__/__
1. Timeline inclusive of all phases					
2. Number and type of new positions which may be required					
3. Cost of operations and maintenance					
4. Future costs to complete capital assets					
5. Estimated revenue impact					
6. Estimated non-Borough funds that may be received:					
a. to fund the ordinance					
b. to fund future phases					
c. to fund future operations and maintenance costs					
7. Anticipated annual tax subsidy					

Is backup attached? Yes No

Contact Person's Name, for FIS questions: Nanci Ashford-Bingham **Extension:** 1401

Director(s) Signature(s): *N. Ashford-Bingham* **Date:** 4-1-15

Mayor's Office or Assembly Member Signature: *[Signature]* **Date:** 4/1/15

Chief Financial Officer Signature: _____ **Date:** _____

By: Lance Roberts
Introduced: April 9, 2015

FAIRBANKS NORTH STAR BOROUGH

ORDINANCE NO. 2015 - 19

AN ORDINANCE AMENDING FNSBC 2.19.020 REGARDING BOROUGH ATTORNEY DUTIES TO REQUIRE ASSEMBLY APPROVAL PRIOR TO BOROUGH FILING OF NON-ROUTINE LITIGATION

WHEREAS, the borough attorney is the legal advisor of the mayor, assembly school board and other officers of the borough; and

WHEREAS, borough code currently requires assembly approval prior to the borough attorney filing an appeal of any civil action, but does not require assembly approval for the filing of the underlying action; and

WHEREAS, although the assembly annually appropriates funds, including funds in the Legal Department's budget, that can be spent on litigation expenses, significant decisions must still be made as to how to best allocate and spend these funds; and

WHEREAS, non-routine litigation can consume significant borough resources including staff time sometimes at the expense of other borough priorities; and

WHEREAS, assembly approval of non-routine litigation ensures that the borough is fully committed to funding the litigation prior to its inception.

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

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

33 Section 1. This ordinance is of a general and permanent nature and shall be
34 codified.

35

36 Section 2. FNSBC 2.19.020 D. is hereby amended as follows:

37

38 The borough attorney may not file any administrative case requiring the hiring of
39 outside counsel, any non-routine civil action or any appeal of any civil action without the
40 consent of the majority of the assembly. For purposes of this section "non-routine" does
41 not include minor offenses, collections, subrogation claims, estate claims, bankruptcy
42 claims, foreclosure, small-claims, cross-claims, counterclaims, emergency
43 injunctions/temporary restraining orders or any other civil action that the borough
44 attorney does not reasonably consider likely, at the time of filing, to require significant
45 borough resources including staff time.

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47 Section 3. Effective Date. This ordinance shall be effective at 5:00 p.m. of the
48 first Borough business day following its adoption.

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50 PASSED AND APPROVED THIS ____ DAY OF _____, 2014.

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ATTEST:

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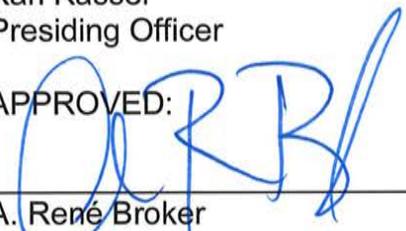
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Nanci Ashford-Bingham, MMC
Borough Municipal Clerk

61

Karl Kassel
Presiding Officer

APPROVED:



A. René Broker
Borough Attorney

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

**Fairbanks North Star Borough
Fiscal Impact Statement (FIS) (FNSBC 2.09.035 C.)**

Check	Date
Version 1	
Version 2	
Version 3	
Version 4	

Originator's Name: Nanci Ashford-Bingham **Department:** Assembly

To Be Introduced/Sponsored By: Lance Roberts

Abbreviated Ordinance Title: Amending FNSBC 2.19.020

Department(s)/Division(s) Affected: Legal

Proposed Introduction Date: April 9, 2015 **Ordinance No.:** 2015-19

Does this ordinance authorize:

- 1) a new or expansion of services which entails additional costs beyond that approved in the current adopted budget? **Yes** **No** *
- 2) a project that is capital in nature and increases operational costs of the Borough in the current or any future fiscal year? **Yes** **No** *

Required Information/Estimates	FISCAL IMPACT PRO FORMA SUMMARY - BEST ESTIMATE				
	Remainder of Current FY	1st Full FY of Operations	2nd Full FY of Operations	3rd Full FY of Operations	4th Full FY of Operations
	FY 2012/13	FY 20__/__	FY 20__/__	FY 20__/__	FY 20__/__
1. Timeline inclusive of all phases					
2. Number and type of new positions which may be required					
3. Cost of operations and maintenance					
4. Future costs to complete capital assets					
5. Estimated revenue impact					
6. Estimated non-Borough funds that may be received:					
a. to fund the ordinance					
b. to fund future phases					
c. to fund future operations and maintenance costs					
7. Anticipated annual tax subsidy					

Is backup attached? **Yes** **No**

Contact Person's Name, for FIS questions: Nanci Ashford-Bingham **Extension:** 1401

Director(s) Signature(s): *NABingham* **Date:** 4-1-15

Mayor's Office or Assembly Member Signature: *[Signature]* **Date:** 4/1/15

Chief Financial Officer Signature: _____ **Date:** _____



Fairbanks North Star Borough

Parks and Recreation

1920 Lathrop Street PO Box 71267 Fairbanks, Alaska 99707-1267 (907)459-1070 FAX 459-1072

MEMORANDUM

TO: Fairbanks North Star Borough Assembly

THROUGH: Luke Hopkins, Borough Mayor 

FROM: Mike Bork, Director, Parks and Recreation

DATE: April 9, 2015

SUBJECT: **Ordinance No. 2014-20-2G**
Birch Hill Recreation Area Parking Area Enhancements

Attached for your approval is an ordinance amending the FY 2014-15 budget by appropriating \$996,122 in Alaska Federal Lands Access Program funding from the Federal Highway Administration. A required 9.03% match (\$98,878) will come from State of Alaska, Department of Commerce, Community and Economic Development grant funds for Birch Hill Recreation Area Improvements previously appropriated under Ordinance No. 2012-20-1E.

Demand for parking for large events and regularly scheduled ski programming often exceeds parking capacity at the facility. This grant will fund the construction of approximately 110 additional parking spaces, 16,000 square feet of staging space for event temporary facilities, and relocation of existing park amenities displaced by this construction.

I request your consideration and urge your approval of this ordinance.

Attachment: Ordinance

By: Luke Hopkins, Mayor
Introduced: 4/9/2015

FAIRBANKS NORTH STAR BOROUGH

ORDINANCE NO. 2014-20- 26

A ORDINANCE AMENDING THE FY 2014-15 BUDGET BY APPROPRIATING \$996,122 IN FEDERAL GRANT FUNDING AND BY REALLOCATING \$98,878 IN STATE GRANT FUNDING TO THE CAPITAL PROJECTS FUND FOR PARKING AREA ENHANCEMENTS AND RELOCATION OF EXISTING PARK AMENITIES AT BIRCH HILL RECREATION AREA

WHEREAS, since 2012, the Fairbanks North Star Borough (Borough) has been planning facility infrastructure and parking improvements at the Birch Hill Recreation Area and has solicited input from the public; and

WHEREAS, existing parking capacity at Birch Hill does not adequately address the growing demand resulting from regular ski programming and year-round special events; and

WHEREAS, the Birch Hill Recreation Area consists of Nordic ski trails, a disc golf course, biathlon range, and a ski chalet on 195 acres of Borough land and 952 acres of adjacent recreation land owned by the Department of the Army, Fort Wainwright; and

WHEREAS, on April 10, 2014, the Borough Assembly adopted Resolution No. 2014-22 authorizing the Mayor to submit an application to the Federal Highway Administration (FHWA) for an Alaska Federal Lands Access Program (AFLAP) Grant, and the application was successful; and

WHEREAS, the U.S. Department of Transportation, FHWA, has made \$996,122 in Federal Highway Planning and Construction funding available through the AFLAP to improve transportation facilities that provide access to, are adjacent to, or are located within federal lands; and

37
38 WHEREAS, the State of Alaska, in SLA 2012, SB160, Section 1,
39 appropriated \$1,400,000 to the Borough under AS 37.05.315, Grants to Municipalities
40 Program, for Parks and Recreation Facility Improvements – Birch Hill; and

41
42 WHEREAS, the Borough, in Ordinance No. 2012-20-1E, appropriated
43 \$1,400,000 to the Capital Projects Fund for Parks and Recreation
44 Facility Improvements-Birch Hill; and

45
46 WHEREAS, the AFLAP Grant with FHWA requires a 9.03% match in the
47 amount of \$98,878, which will be met by reallocating \$98,878 from the above named
48 appropriation and project and using it as match to the AFLAP Grant; and

49
50 WHEREAS, the scope of the AFLAP Grant includes constructing
51 approximately 110 additional parking spaces and relocating utilities and a ski-skill
52 development area (terrain park);

53
54 NOW, THEREFORE, BE IT ORDAINED by the Assembly of the Fairbanks
55 North Star Borough:

56
57 Section 1. Classification. This ordinance is not of a general and
58 permanent nature and shall not be codified.

59
60 Section 2. Acceptance of Federal Grant Funding. The Borough accepts
61 the award of \$996,122 in AFLAP funding from FHWA to expand parking at the Birch Hill
62 Recreation Area.

63
64 Section 3. Capital Projects Fund Reallocation. The FY 2014-15 budget is
65 hereby amended by reallocating \$98,878 from the Capital Projects Fund budgetary
66 guideline entitled "SB160, Ordinance No. 2012-20-1E, Alaska Department of
67 Commerce, Community and Economic Development (DCCED) Grant No. 13-DC-472,

68 Parks and Recreation Facility Improvements – Birch Hill” to the Capital Projects Fund
69 budgetary guideline entitled “AFLAP Grant – Birch Hill Parking Area Enhancements”.

70
71 Section 4. Capital Projects Fund Appropriation. The FY 2014-15 budget
72 is hereby amended by appropriating \$996,122 to the Capital Projects Fund budgetary
73 guideline entitled “AFLAP Grant - Birch Hill Parking Area Enhancements” and by
74 increasing estimated revenue from federal grants by a like amount.

75
76 Section 5. Eligible Expenditure Period. AFLAP Grant and State grant
77 matching expenditures incurred within the effective dates of the signed grant agreement
78 between FHWA and the Borough are eligible for reimbursement.

79
80 Section 6. Contingency. This appropriation is for estimated amounts and
81 may be adjusted to reflect the actual requirements of the AFLAP Grant and its matching
82 provisions. The actual amounts will be appropriated contingent, and based upon the
83 signed AFLAP agreement between FHWA and the Borough.

84
85 Section 7. Effective Date. This ordinance shall be effective at 5:00 p.m.
86 on the first Borough business day following its adoption.

87 PASSED AND APPROVED THIS ____ DAY OF _____, 2015.

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ATTEST:

Nanci Ashford-Bingham, MMC
Borough Clerk

Karl Kassel
Presiding Officer

APPROVED:


A. René Broker
Borough Attorney

FAIRBANKS NORTH STAR BOROUGH
FISCAL NOTE

I. Request

Ordinance No: 2014-20- 26 Date Introduced: April 9, 2015
 Abbreviated Title: Appropriate \$996,122 in Federal Funds and Reallocate \$98,878 in State Matching Funds from the Grants to Municipalities Program for Parking Area Enhancements at Birch Hill Recreation Area

II. Financial Detail

Department/Division Affected: Parks and Recreation/Parks Maintenance; Public Works/Design and Construction

EXPENDITURE	Capital Projects Fund		Total FY 14/15
	DCCED Grant 13-DC-472 Parks & Recreation Facility Improvements – Birch Hill	FHWA AFLAP Grant Birch Hill Recreation Area Parking Area Enhancements	
	FY 14/15	FY 14/15	
Personnel Services		100,000	
Commodities			
Contractual Services		845,454	
Capital Outlay		50,000	
Indirect	(8,989)	99,546	
Other - Awaiting Budget	(89,889)		
Total	(98,878)	1,095,000	996,122

SOURCE OF FUNDING

General Fund			
Federal Funds		996,122	
State Funds	(98,878)	98,878	
Total	(98,878)	1,095,000	996,122

Specify Funding Source: U.S. Department of Transportation, Federal Highway Administration (Grant); Alaska State Department of Commerce, Community and Economic Development (Match)

OTHER FUNDING (PREVIOUSLY APPROPRIATED)

Cash Match			
In-Kind Match			

III. Project Purpose:

To enhance parking area at Birch Hill Recreation Area

IV. Analysis of Future Liabilities and Funding Sources:

Ongoing repairs and maintenance of parking area

V. Fund Certification: I certify that funding sources are available as detailed in II above.


 Debra L. R. Brady
 Chief Financial Officer

Date 3/20/15

FA	SA
GLA	GA
CA	SpA
C	TBM

**Fairbanks North Star Borough
Fiscal Impact Statement (FIS) (FNSBC 2.09.035 C.)**

Check	Date
Version 1	
Version 2	
Version 3	
Version 4	

Originator's Name: Steve Taylor **Department:** Parks & Recreation
To Be Introduced/Sponsored By: Mayor Hopkins
Abbreviated Ordinance Title: Birch Hill Parking Area Enhancements
Department(s)/Division(s) Affected: Parks & Recreation / Parks Maintenance and Public Works
Proposed Introduction Date: March 26, 2015 **Ordinance No.:** 2014-20-26

Does this ordinance authorize:

- 1) a new or expansion of services which entails additional costs beyond that approved in the current adopted budget? Yes ___ No *
- 2) a project that is capital in nature and increases operational costs of the Borough in the current or any future fiscal year? Yes ___ No *

FISCAL IMPACT PRO FORMA SUMMARY - BEST ESTIMATE

Required Information/Estimates	Remainder of Current FY	1st Full FY of Operations	2nd Full FY of Operations	3rd Full FY of Operations	4th Full FY of Operations
	FY 2014 /15	FY 2015 /16	FY 2016 /17	FY 2017 /18	FY 2018 /19
	1. Timeline inclusive of all phases	0	0	0	0
2. Number and type of new positions which may be required	0	0	0	0	0
3. Cost of operations and maintenance	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
4. Future costs to complete capital assets	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
5. Estimated revenue impact	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
6. Estimated non-Borough funds that may be received:					
a. to fund the ordinance	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
b. to fund future phases	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
c. to fund future operations and maintenance costs	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
7. Anticipated annual tax subsidy	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

Is backup attached? Yes ___ No ___

Contact Person's Name, for FIS questions: Steve Taylor **Extension:** 1074

Director(s) Signature(s): [Signature] **Date:** 3/3/15

Mayor's Office or Assembly Member Signature: [Signature] **Date:** 3/3/15

Chief Financial Officer Signature: [Signature] **Date:** 3/19/15



Fairbanks North Star Borough

Parks and Recreation

1920 Lathrop Street PO Box 71267 Fairbanks, Alaska 99707-1267 (907)459-1070 FAX 459-1072

MEMORANDUM

TO: Fairbanks North Star Borough Assembly

THROUGH: Luke Hopkins, Borough Mayor *for LH*

FROM: Mike Bork, Director, Parks and Recreation

DATE: April 9, 2015

SUBJECT: **Ordinance No. 2014-20- 2H**
Chena Lake Recreation Area Restroom Replacement and Access Improvements

Attached for your approval is an ordinance amending the FY 2014-15 budget by appropriating \$1,048,430 in Alaska Federal Lands Access Program funding from the Federal Highway Administration and a required 9.03% grant agreement match of (\$104,070) from the general fund balance.

Grant funds will allow the replacement of existing vault restroom/change house buildings at Chena Lake Recreation Area. After 30 years the deteriorating buildings have reached the end of their useful lifespan. New precast vault toilets and access paths designed to meet Americans with Disabilities Act (ADA) accessibility standards and local building codes will be installed.

I request your consideration and urge your approval of this ordinance.

Attachment: Ordinance

By: Luke T. Hopkins, Mayor
Introduced: 4/9/2015

FAIRBANKS NORTH STAR BOROUGH

ORDINANCE NO. 2014-20- 2H

A ORDINANCE AMENDING THE FY 2014-15 BUDGET BY APPROPRIATING \$1,048,430 IN FEDERAL GRANT FUNDING AND \$104,070 IN LOCAL MATCHING FUNDS FROM THE GENERAL FUND FUND BALANCE TO THE CAPITAL PROJECTS FUND FOR RESTROOM REPLACEMENT AND ACCESS IMPROVEMENTS AT THE CHENA LAKE RECREATION AREA

WHEREAS, the Fairbanks North Star Borough (Borough) maintains and operates the Chena Lake Recreation Area on federal lands under a 50-year lease from the United States (U.S.) Army Corps of Engineers; and

WHEREAS, the Chena Lake Recreation Area restrooms require replacement and access path upgrades to adequately serve the recreation area visitors in a safe, healthy, and sanitary manner; and

WHEREAS, in 2010 the Borough administered a Chena Lake facility survey in which providing new restrooms for the facility was the number one request made by the public; and

WHEREAS, on April 10, 2014, the Borough Assembly adopted Resolution No. 2014-21 authorizing the Mayor to submit an application to the Federal Highway Administration (FHWA) for an Alaska Federal Lands Access Program (AFLAP) Grant, and the application was successful; and

WHEREAS, the U.S. Department of Transportation, FHWA, has made \$1,048,430 in Federal Highway Planning and Construction funding available through the AFLAP, to improve transportation facilities that provide access to, are adjacent to, or are located within federal lands; and

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WHEREAS, the AFLAP Grant with FHWA requires a 9.03% local match in the amount of \$104,070, which will be provided from the general fund fund balance; and

WHEREAS, the scope of the AFLAP Grant includes replacement of existing restroom facilities with pre-fabricated concrete vault-style restrooms and additional access paths;

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

Section 1. Classification. This ordinance is not of a general and permanent nature and shall not be codified.

Section 2. Acceptance of Federal Grant Funding. The Borough accepts the award of \$1,048,430 in AFLAP funding from FHWA for restroom replacement and access improvements at the Chena Lake Recreation Area.

Section 3. General Fund Appropriation. The FY 2014-15 budget is hereby amended by appropriating \$104,070 to the General Fund budgetary guideline entitled "Contribution to Capital Projects Fund" and by increasing Contribution from Fund Balance by a like amount.

Section 4. Capital Projects Fund Appropriation. The FY 2014-15 budget is hereby amended by appropriating \$1,152,500 to the Capital Projects Fund budgetary guideline entitled "AFLAP Grant - Chena Lake Restroom and Access Improvements" and by increasing the estimated revenue from federal grants by \$1,048,430 and by increasing Contribution from General Fund by \$104,070.

66 Section 5. Eligible Expenditure Period. AFLAP Grant and local matching
67 expenditures incurred within the effective dates of the signed grant agreement between
68 FHWA and the Borough are eligible for reimbursement.

69
70 Section 6. Contingency. This appropriation is for estimated amounts and
71 may be adjusted to reflect the actual requirements of the AFLAP Grant and its matching
72 provisions. The actual amounts will be appropriated contingent, and based upon the
73 signed AFLAP agreement between FHWA and the Borough.

74
75 Section 7. Lapse of Funds. Upon completion of this project or the lapse
76 date of the AFLAP Grant, or project abandonment, whichever is sooner, any
77 unencumbered, unexpended local matching funds will lapse to the General Fund fund
78 balance.

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80 Section 8. Effective Date. This ordinance shall be effective at 5:00 p.m.
81 on the first Borough business day following its adoption.

82 PASSED AND APPROVED THIS ____ DAY OF _____, 2015.

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ATTEST:

Nanci Ashford-Bingham, MMC
Borough Clerk

Karl Kassel
Presiding Officer

APPROVED:



A. René Broker
Borough Attorney

FAIRBANKS NORTH STAR BOROUGH
FISCAL NOTE

I. Request

Ordinance No: 2014-20- 2H Date Introduced: April 9, 2015
 Abbreviated Title: \$1,152,500 for Restroom Replacement and Access Improvements at the Chena Lake Recreation Area

II. Financial Detail

Department/Division Affected: Parks and Recreation/Parks Maintenance; Public Works/Design and Construction

EXPENDITURE	General Fund	Capital Projects Fund	Special Revenue Fund	Total
	FY 14/15	FY 14/15	FY 14/15	FY 14/15
Personnel Services		40,000		
Commodities				
Contractual Services		407,188		
Capital Outlay		610,000		
Contribution To Capital Projects Fund	104,070			
Indirect		95,312		
Other - Awaiting Budget				
Total	104,070	1,152,500		

SOURCE OF FUNDING

Federal Funds		1,048,430		
State Funds				
Contribution From Fund Balance	104,070			
Contribution From General Fund		104,070		
Total	104,070	1,152,500		

Specify Funding Source: U.S. Department of Transportation, Federal Highway Administration (Grant); General Fund fund balance (Match)

OTHER FUNDING (PREVIOUSLY APPROPRIATED)

Cash Match				
In-Kind Match				

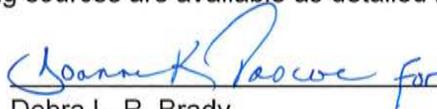
III. Project Purpose:

To replace existing restroom facilities with pre-fabricated concrete vault-style restrooms and access paths

IV. Analysis of Future Liabilities and Funding Sources:

Ongoing repairs and maintenance of restroom facilities and access paths

V. Fund Certification: I certify that funding sources are available as detailed in II above.


 Debra L. R. Brady
 Chief Financial Officer

3/19/15
 Date

FA	SA
GLA	GA
CA	SpA
C	TBM

**Fairbanks North Star Borough
Fiscal Impact Statement (FIS) (FNSBC 2.09.035 C.)**

Check	Date
Version 1	
Version 2	
Version 3	
Version 4	

Originator's Name: Luke Kline **Department:** Parks & Recreation

To Be Introduced/Sponsored By: Mayor Hopkins

Abbreviated Ordinance Title: Chena Lake Recreation Area Restroom Replacement & Access Improvements

Department(s)/Division(s) Affected: Parks & Rec. / Parks Maintenance

Proposed Introduction Date: 3-26-15 **Ordinance No.:** 2014-20- 2H

Does this ordinance authorize:

- 1) a new or expansion of services which entails additional costs beyond that approved in the current adopted budget? Yes ___ No *
- 2) a project that is capital in nature and increases operational costs of the Borough in the current or any future fiscal year? Yes ___ No *

Required Information/Estimates	FISCAL IMPACT PRO FORMA SUMMARY - BEST ESTIMATE				
	Remainder of Current FY	1st Full FY of Operations	2nd Full FY of Operations	3rd Full FY of Operations	4th Full FY of Operations
	FY 20 ¹⁴ / 15	FY 20 ¹⁵ / 16	FY 20 ¹⁶ / 17	FY 20 ¹⁷ / 18	FY 20 ¹⁸ / 19
1. Timeline inclusive of all phases	0	0	0	0	0
2. Number and type of new positions which may be required	0	0	0	0	0
3. Cost of operations and maintenance	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
4. Future costs to complete capital assets	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
5. Estimated revenue impact	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
6. Estimated non-Borough funds that may be received:					
a. to fund the ordinance	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
b. to fund future phases	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
c. to fund future operations and maintenance costs	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
7. Anticipated annual tax subsidy	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

Is backup attached? Yes ___ No ___

Contact Person's Name, for FIS questions:

Extension: 1099

Director(s) Signature(s): *[Signature]*

Date: 3/3/15

Mayor's Office or Assembly Member Signature: *[Signature]*

Date: 3/3/15

Chief Financial Officer Signature: *[Signature]*

Date: 3/19/15

By: Lance Roberts
Referred: April 23, 2015

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5 FAIRBANKS NORTH STAR BOROUGH

6
7 ORDINANCE NO. 2015- 30

8
9 AN ORDINANCE AMENDING FNSBC 25.10.070 TO LIMIT CASUAL USE OF
10 BOROUGH PROPERTY IF THE USE CONFLICTS WITH FEDERAL STATE OR
11 OTHER APPLICABLE LAW
12

13 WHEREAS, Borough code currently allows casual use of vacant,
14 undeveloped borough land without a license or permit; and
15

16 WHEREAS, The borough occasionally licenses "nonexclusive" activities
17 on vacant, undeveloped land including extraction licenses (sand, gravel or timber) and
18 mining licenses; and
19

20 WHEREAS, Federal, state or other law applicable to licensed users may
21 require the user to impose access restrictions or other limitations on public use of the
22 property during certain regulated activity.
23

24 NOW, THEREFORE, BE IT ORDAINED by the Assembly of the Fairbanks
25 North Star Borough:
26

27 Section 1. This ordinance is of a general and permanent nature and shall
28 be codified.
29

30 Section 2. Section 25.10.070, **Casual use of borough land**, is hereby
31 amended as follows:
32

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

33 F. This section does not authorize casual use of borough land if the use conflicts
34 with federal, state or other applicable law imposing, or authorizing a legal user to
35 impose, access restrictions or other limitations on public use.

36
37 Section 3. Effective Date. This ordinance shall be effective at 5:00 p.m. of the
38 first Borough business day following its adoption.

39
40 PASSED AND APPROVED THIS _____ DAY OF _____, 2015.

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ATTEST:

Nanci Ashford-Bingham, MMC
Borough Municipal Clerk

Karl Kassel
Presiding Officer

APPROVED:



A. René Broker
Borough Attorney

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

Fairbanks North Star Borough
Fiscal Impact Statement (FIS) (FNSBC 2.09.035 C.)

Check	Date
Version 1	
Version 2	
Version 3	
Version 4	

Originator's Name: Assemblymember Roberts **Department:** Assembly

To Be Introduced/Sponsored By: Assemblymember Roberts

Abbreviated Ordinance Title: Amending FNSBC 25.10.070 To Limit Casual Use of Borough Property

Department(s)/Division(s) Affected: Community Planning

Proposed Introduction Date: _____ **Ordinance No.:** 2015-30

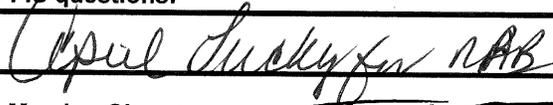
Does this ordinance authorize:

- 1) a new or expansion of services which entails additional costs beyond that approved in the current adopted budget? Yes ___ No *
- 2) a project that is capital in nature and increases operational costs of the Borough in the current or any future fiscal year? Yes ___ No *

Required Information/Estimates	FISCAL IMPACT PRO FORMA SUMMARY - BEST ESTIMATE				
	Remainder of Current FY	1st Full FY of Operations	2nd Full FY of Operations	3rd Full FY of Operations	4th Full FY of Operations
	FY 20 /	FY 20 /	FY 20 /	FY 20 /	FY 20 /
1. Timeline inclusive of all phases					
2. Number and type of new positions which may be required					
3. Cost of operations and maintenance					
4. Future costs to complete capital assets					
5. Estimated revenue impact					
6. Estimated non-Borough funds that may be received:					
a. to fund the ordinance					
b. to fund future phases					
c. to fund future operations and maintenance costs					
7. Anticipated annual tax subsidy					

Is backup attached? Yes ___ No

Contact Person's Name, for FIS questions: Adena Benn **Extension:** 1406

Director(s) Signature(s):  **Date:** 4-15-15

Mayor's Office or Assembly Member Signature: _____ **Date:** 4/15/15

Chief Financial Officer Signature: _____ **Date:** _____

Process/Instructions

To prepare a Fiscal Impact Statement (FIS):

Complete the top section of the FIS.

Answer the two questions, Yes or No.

* If the answer to either question on page 1 is **Yes**, complete the Pro Forma Summary and provide the FIS contact person's information and the Director's signature.

- **To avoid uncertainty, fill in every solid box; if an answer is zero or none, enter 0 or None.**

- **Attach backup detail to support your estimates, as necessary.**

* If the answer to both questions is **No**, provide the FIS contact person's information and if Administration initiated Director's signature. Continue to next block.

Ordinance from a department:

Department submits FIS to Mayor's Office for signature and for concurrence to be the ordinance sponsor.

Mayor's Office dates and signs FIS Version 1.

After Mayor's Office OK, department drafts ordinance and prepares a Finance Checklist for the appropriating ordinance.

Department submits an FIS Version 1 signed by the Mayor's Office, to Finance along with the draft ordinance and Finance Checklist for the appropriating ordinance.

Ordinance from the Mayor:

Mayor's Office works with affected department(s) to prepare the FIS.

Mayor's Office dates and signs FIS Version 1.

If the Law department will be drafting the ordinance, the Mayor's Office will submit the signed FIS Version 1 to Law along with the request for Law to draft the ordinance.

- Law drafts the ordinance.

- Law requests department(s) to revise FIS if needed, to match the ordinance.

- Mayor's Office concurs with, and dates and signs the new FIS version.

Otherwise, the Mayor's Office drafts the ordinance and prepares a Finance Checklist for the appropriating ordinance. Mayor's Office submits latest FIS version to Finance along with the draft ordinance and Finance Checklist.

Ordinance from an Assembly Member:

If Assembly Member/Clerk's Office/Law requires assistance in preparing the FIS, a request shall be submitted to the Mayor's Office for scheduling/coordination with affected department(s) to assist in preparing the FIS.

Department(s) work with Assembly Member/Clerk's Office/Law to prepare the FIS.

Assembly Member/Clerk's Office dates and signs FIS Version 1.

If the Law department will be drafting the ordinance, the Assembly Member/Clerk's Office will submit the signed FIS Version 1 to Law along with the request for Law to draft the ordinance.

- Law drafts the ordinance.

- Law requests department(s) to revise FIS if needed, to match the ordinance.

- Assembly Member/Clerk's Office concurs with, and dates and signs the new FIS version.

Otherwise, the Assembly Member drafts the ordinance.

Assembly Member/Clerk's Office/Law submits latest FIS version to Finance along with the draft ordinance.

Chief Financial Officer (CFO) reviews FIS:

CFO reviews FIS version submitted to Finance with ordinance.

CFO consults with affected department(s) and/or ordinance sponsor, and requests FIS revisions if needed.

CFO dates and signs FIS and routes it to Law, along with the draft ordinance and Finance Checklist, if any.

By: Lance Roberts
Referred: April 23, 2015

FAIRBANKS NORTH STAR BOROUGH

ORDINANCE NO. 2015 - 31

AN ORDINANCE AMENDING FNSBC 18.56.025 REGARDING AFFIRMATIVE
RECOGNITION OF GRANDFATHER RIGHTS TO WAIVE THE HEARING
REQUIREMENT FOR CERTAIN APPLICATIONS

WHEREAS, Currently all applications (except for lot size determinations) seeking an affirmative recognition of grandfather rights require a hearing prior to issuance of an administration determination; and

WHEREAS, With a required hearing obtaining recognition of grandfather rights can sometimes take a couple of months; and

WHEREAS, Some house sales and related financing can depend upon a grandfather rights determination; and

WHEREAS, While hearings are often necessary to resolve conflicting or disputed facts, the existence of some grandfather rights can sometimes be unequivocally determined through a borough or other public or recorded document.

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

Section 1. This ordinance is of a general and permanent nature and shall be codified.

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

33 Section 2. FNSBC 18.56.025, **Affirmative recognition of grandfather**
34 **rights**, is hereby amended as follows:

35 A. An applicant may seek an affirmative recognition of their *grandfather rights* by
36 submitting an application and affidavit to the department of community planning director
37 or [HIS] designee describing the nonconforming building(s), structure(s), use(s) or lot(s)
38 that existed prior to the date of the zoning change that caused the nonconformance.
39 The applicant shall be the *owner* of the property described in the application, the
40 contract purchaser of said property, the holder of an option to purchase said property, or
41 such persons that possess a substantial proprietary interest in the property being
42 considered. The written consent of the *owner*, or an authorized representative having
43 power of attorney, shall accompany all applications. The application must contain a
44 written positive assertion that said building(s), structure(s), use(s) or lot(s) existed prior
45 to the date of the zoning change. This application may be made at any time. The
46 application may be accompanied by pictures, statements of support, public or recorded
47 documents and other evidence.

48 B. Within 15 days after the filing of the *owner* affidavit, the department shall
49 schedule an administrative hearing. Notice of the application and the hearing shall be
50 provided using the procedures set forth in FNSBC 18.54.010(B)(1) and (2).
51 Applications for structural-related grandfather rights that are supported by a borough or
52 other submitted public or recorded document which unequivocally demonstrates that the
53 property qualifies for the *grandfather rights* requested and ~~lot~~ size determinations are
54 exempt from the requirements of this subsection. Applications for structural-related
55 grandfather rights not supported by unequivocal documentation must be scheduled for
56 hearing.

57 C. Within 15 days of the hearing the department shall issue an administrative
58 determination of the *grandfather rights*. If no hearing is required the administrative
59 determination shall be issued within five working days of the application. Administrative
60 determinations granting structural-related grandfather rights without a hearing must be
61 mailed to the applicant and owners of nearby lots or land as set forth in FNSBC
62 18.54.010(B)(2). Administrative [THAT] determinations may be appealed to the board

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Text to be deleted is [BRACKETED AND CAPITALIZED]

63 of adjustment (as designated by FNSBC 18.52.030) within 15 days of the date of the
64 determination. *Appeals* shall be heard de novo. The board of adjustment shall uphold or
65 reverse the determination and adopt specific findings of fact after considering the oral
66 and written statements of the applicant, the public, and the department of community
67 planning. This decision is appealable to the superior court in accordance with the civil
68 rules.

69
70 Section 3. Effective Date. This ordinance shall be effective at 5:00 p.m.
71 of the first Borough business day following its adoption.

72 PASSED AND APPROVED THIS _____ DAY OF _____, 2015.

73
74
75
76
77 _____
Karl Kassel
78 Presiding Officer

79
80 ATTEST:

81 APPROVED:

82 _____
83 Nanci Ashford-Bingham, MMC
84 Borough Municipal Clerk

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87 _____
A. René Broker
88 Borough Attorney

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

Fairbanks North Star Borough
Fiscal Impact Statement (FIS) (FNSBC 2.09.035 C.)

Check	Date
Version 1	
Version 2	
Version 3	
Version 4	

Originator's Name: Assemblymember Roberts **Department:** Assembly
To Be Introduced/Sponsored By: Assemblymember Roberts
Abbreviated Ordinance Title: Amending FNSBC 18.56.025 Regarding Affirmative Recognition of Grand. Rights
Department(s)/Division(s) Affected: Community Planning
Proposed Introduction Date: _____ **Ordinance No.:** 2015-31

Does this ordinance authorize:

- 1) a new or expansion of services which entails additional costs beyond that approved in the current adopted budget? **Yes** ___ **No** *
- 2) a project that is capital in nature and increases operational costs of the Borough in the current or any future fiscal year? **Yes** ___ **No** *

Required Information/Estimates	FISCAL IMPACT PRO FORMA SUMMARY - BEST ESTIMATE				
	Remainder of Current FY	1st Full FY of Operations	2nd Full FY of Operations	3rd Full FY of Operations	4th Full FY of Operations
	FY 20__ / __	FY 20__ / __	FY 20__ / __	FY 20__ / __	FY 20__ / __
1. Timeline inclusive of all phases					
2. Number and type of new positions which may be required					
3. Cost of operations and maintenance					
4. Future costs to complete capital assets					
5. Estimated revenue impact					
6. Estimated non-Borough funds that may be received:					
a. to fund the ordinance					
b. to fund future phases					
c. to fund future operations and maintenance costs					
7. Anticipated annual tax subsidy					

Is backup attached? **Yes** ___ **No**

Contact Person's Name, for FIS questions: Adena Benn **Extension:** 1406
Director(s) Signature(s): *Capital Funding for NAB* **Date:** 4-15-15
Mayor's Office or Assembly Member Signature: _____ **Date:** 4/15/15
Chief Financial Officer Signature: _____ **Date:** _____

Process/Instructions

To prepare a Fiscal Impact Statement (FIS):

Complete the top section of the FIS.

Answer the two questions, Yes or No.

* If the answer to either question on page 1 is **Yes**, complete the Pro Forma Summary and provide the FIS contact person's information and the Director's signature.

- **To avoid uncertainty, fill in every solid box; if an answer is zero or none, enter 0 or None.**
- **Attach backup detail to support your estimates, as necessary.**

* If the answer to both questions is **No**, provide the FIS contact person's information and if Administration initiated Director's signature. Continue to next block.

Ordinance from a department:

Department submits FIS to Mayor's Office for signature and for concurrence to be the ordinance sponsor.

Mayor's Office dates and signs FIS Version 1.

After Mayor's Office OK, department drafts ordinance and prepares a Finance Checklist for the appropriating ordinance.

Department submits an FIS Version 1 signed by the Mayor's Office, to Finance along with the draft ordinance and Finance Checklist for the appropriating ordinance.

Ordinance from the Mayor:

Mayor's Office works with affected department(s) to prepare the FIS.

Mayor's Office dates and signs FIS Version 1.

If the Law department will be drafting the ordinance, the Mayor's Office will submit the signed FIS Version 1 to Law along with the request for Law to draft the ordinance.

- Law drafts the ordinance.
- Law requests department(s) to revise FIS if needed, to match the ordinance.
- Mayor's Office concurs with, and dates and signs the new FIS version.

Otherwise, the Mayor's Office drafts the ordinance and prepares a Finance Checklist for the appropriating ordinance. Mayor's Office submits latest FIS version to Finance along with the draft ordinance and Finance Checklist.

Ordinance from an Assembly Member:

If Assembly Member/Clerk's Office/Law requires assistance in preparing the FIS, a request shall be submitted to the Mayor's Office for scheduling/coordination with affected department(s) to assist in preparing the FIS.

Department(s) work with Assembly Member/Clerk's Office/Law to prepare the FIS.

Assembly Member/Clerk's Office dates and signs FIS Version 1.

If the Law department will be drafting the ordinance, the Assembly Member/Clerk's Office will submit the signed FIS Version 1 to Law along with the request for Law to draft the ordinance.

- Law drafts the ordinance.
- Law requests department(s) to revise FIS if needed, to match the ordinance.
- Assembly Member/Clerk's Office concurs with, and dates and signs the new FIS version.

Otherwise, the Assembly Member drafts the ordinance.

Assembly Member/Clerk's Office/Law submits latest FIS version to Finance along with the draft ordinance.

Chief Financial Officer (CFO) reviews FIS:

CFO reviews FIS version submitted to Finance with ordinance.

CFO consults with affected department(s) and/or ordinance sponsor, and requests FIS revisions if needed.

CFO dates and signs FIS and routes it to Law, along with the draft ordinance and Finance Checklist, if any.



Fairbanks North Star Borough Department of Transportation

3175 Peger Road • PO Box 71267 • Fairbanks, Alaska 99707-1267 • (907)459-1002 FAX 459-1004

MEMORANDUM

TO: Fairbanks North Star Borough Assembly

THROUGH: Luke T. Hopkins, Borough Mayor *for LH*

FROM: Glenn Miller, Transportation Director

DATE: April 23, 2015

SUBJECT: Ordinance No. 2014-20- 2I
Air Quality Control Measures Compliance

Attached for your approval is a proposed budget ordinance amending the FY 2014-15 budget by appropriating \$145,220 from the General Fund fund balance to the Transit Enterprise Projects Fund for air quality control measures in compliance with Chapter 8.21 of the FNSB Code of Ordinances.

This funding will be used for, but is not limited to, the purchase of a vehicle and the equipment needed to modify the vehicle into a mobile sniffer platform as well as maintenance and operating costs for the vehicle. Also included is the rental of office and garage space for employees and the vehicle, an opacity camera, training, certification, and service fees for the camera, as well as overtime for employees in direct support of Ordinance No. 2015-01.

The two full-time equivalent employees necessary to complete this work are included in the Mayor's FY16 Recommended Budget for the Air Quality Division.

I request your consideration and urge your approval of this ordinance.

Attachment

By: Luke T. Hopkins, Mayor
Introduced: April 23, 2015

FAIRBANKS NORTH STAR BOROUGH

ORDINANCE NO. 2014-20- 2I

AN ORDINANCE AMENDING THE FY 2014-15 BUDGET BY APPROPRIATING \$145,220 FROM THE GENERAL FUND FUND BALANCE TO THE TRANSIT ENTERPRISE PROJECTS FUND TO IMPLEMENT AND ENFORCE THE PM_{2.5} AIR QUALITY CONTROL PROGRAM

WHEREAS, the Assembly recently adopted a revised PM_{2.5} Air Quality Control Program; and

WHEREAS, the purpose of the PM_{2.5} Air Quality Control Program is to help improve the air quality within the borough by balancing the need for clean air with the need to economically heat our buildings; and

WHEREAS, enforcement efforts for the PM_{2.5} Air Quality Control Program should concentrate on the most significant sources of PM_{2.5} pollution within the non-attainment area and on significant local sources of pollution that affect adjacent and nearby properties; and

WHEREAS, overall implementation of the PM_{2.5} Air Quality Control Program should focus on assisting residents to come into compliance through the use of warning, education, and assistance provided through programs such as the enhanced solid fuel burning device change-out program; and

WHEREAS, in order to effectively implement and enforce the PM_{2.5} Air Quality Control Program \$145,220 is needed to purchase equipment and a vehicle, secure office space for employees, garage space for the vehicle and provide for necessary training, certifications, and overtime funding; and

35 WHEREAS, in addition to this funding, two (2) full time equivalent (FTE)
36 positions will be needed in the FY 2015-16 budget;

37

38 NOW, THEREFORE, BE IT ORDAINED by the Assembly of the Fairbanks
39 North Star Borough:

40

41 Section 1. Classification. This ordinance is not of a general and permanent
42 nature and shall not be codified.

43

44 Section 2. General Fund Appropriation. The FY 2014-15 budget is hereby
45 amended by appropriating \$145,220 to the General Fund budgetary guideline entitled
46 "Contribution to Transit Enterprise Fund" and by increasing Contribution from Fund Balance
47 by a like amount.

48

49 Section 3. Transit Enterprise Projects Fund Appropriation. The FY 2014-15
50 budget is hereby amended by appropriating \$145,220 to the Transit Enterprise Projects
51 Fund budgetary guideline entitled "Air Quality Control Measures Project" and by increasing
52 Contribution from General Fund by a like amount:

53

54 Section 4. Transit Enterprise Projects Fund Reappropriation to Transit
55 Enterprise Operating Fund. The unexpended, unencumbered balance on June 30, 2015 in
56 the Transit Enterprise Projects Fund budgetary guideline entitled "Air Quality Control
57 Measures Project" is hereby reappropriated on July 1, 2015 to the Transit Enterprise
58 Operating Fund budgetary guideline entitled "Transportation Department."

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60 Section 5. Effective Date. This ordinance is effective at 5:00 p.m. on the first
61 Borough business day following its adoption.

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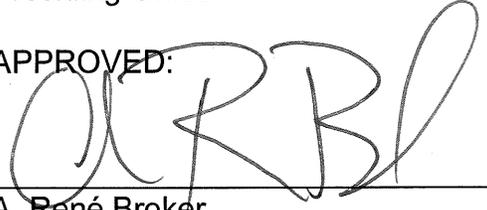
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PASSED AND APPROVED THIS ____ DAY OF _____, 2015.

Karl Kassel
Presiding Officer

ATTEST:

APPROVED:


Nanci Ashford-Bingham, MMC
Borough Clerk

A. René Broker
Borough Attorney

FAIRBANKS NORTH STAR BOROUGH
FISCAL NOTE

I. Request

Ordinance No: 2014-20-2I Date Introduced: 4/23/2015

Abbreviated Title: \$145,220 for Air Quality Control Measures Compliance with FNSBC 8.21

II. Financial Detail

Department/Division Affected: Transportation/Air Quality

EXPENDITURE	General Fund	Transit Enterprise Projects Fund	Total
	FY 14/15	FY 14/15	FY 14/15
Personnel Services			
Other - Awaiting Budget		145,220	
Contribution to Transit Enterprise Projects Fund	145,220		
Total	145,220	145,220	

SOURCE OF FUNDING

Contribution from Fund Balance	145,220		
Contribution from General Fund		145,220	
State Grants			
Total	145,220	145,220	

Specify Funding Sources: General Fund fund balance

OTHER FUNDING (PREVIOUSLY APPROPRIATED)

Various State and local funding			

III. Project Purpose:

To provide the funding for a "sniffer" type vehicle with modifications, vehicle maintenance and operating costs, office and garage space, cameras and certifications, and employee overtime and training

IV. Analysis of Future Liabilities and Funding Sources:

On-going vehicle maintenance, recertification of equipment, and personnel services

V. Fund Certification: I certify that funding sources are available as detailed in II above.

Debra L R Brady
Debra L. R. Brady
Chief Financial Officer

4/7/15
Date

ms	FA	GLA
	GA	CA
	SpA	C
RM	TBM	SA

Fairbanks North Star Borough
Fiscal Impact Statement (FIS) (FNSBC 2.09.035 C.)

Check	Date
Version 1	
Version 2	
Version 3	
Version 4	

Originator's Name: Mayor Hopkins Department: Mayor's Office
 To Be Introduced/Sponsored By: FNSB Admin
 Abbreviated Ordinance Title: AQ Control Measures - 2015-01
 Department(s)/Division(s) Affected: Transportation / Air Quality
 Proposed Introduction Date: NAS Ordinance No.: 2015-01

Does this ordinance authorize:

- 1) a new or expansion of services which entails additional costs beyond that approved in the current adopted budget? Yes No *
- 2) a project that is capital in nature and increases operational costs of the Borough in the current or any future fiscal year? Yes No *

Required Information/Estimates	FISCAL IMPACT PRO FORMA SUMMARY - BEST ESTIMATE				
	Remainder of Current FY	1st Full FY of Operations	2nd Full FY of Operations	3rd Full FY of Operations	4th Full FY of Operations
	FY 20 <u>14/15</u>	FY 20 <u>15/16</u>	FY 20 <u>16/17</u>	FY 20 <u> / </u>	FY 20 <u> / </u>
1. Timeline inclusive of all phases	<u>128,487</u>	<u>230,020</u>	<u>231,220</u>		
2. Number and type of new positions which may be required	<u>2 FTE</u>				
3. Cost of operations and maintenance	<u>see attached</u>				
4. Future costs to complete capital assets	<u>see attached</u>				
5. Estimated revenue impact	<u>unknown at this time</u>				
6. Estimated non-Borough funds that may be received:					
a. to fund the ordinance					
b. to fund future phases					
c. to fund future operations and maintenance costs					
7. Anticipated annual tax subsidy					

Is backup attached? Yes No

Contact Person's Name, for FIS questions:

Extension:

Director(s) Signature(s):

[Signature]

MARU atel 8, 2015

Mayor's Office or Assembly Member Signature:

[Signature]

Date: 1/29/15

Chief Financial Officer Signature:

[Signature]

Date: 4/7/15

Ordinance 2015-01 Expenses

Fiscal Year 15 (March Through June 2015)

First Year Expenses	Cost	Notes:
Purchase Sniffer type vehicle (non-VEFF)	\$35,000	Needed to investigate background/nuisance complaints
Equipment to outfit vehicle	\$6,500	Monitoring equipment and laptop
Modifications to vehicle	\$3,000	Rack for equipment, probe routing
Vehicle maintenance	\$792	Scheduled and annual maintenance
Vehicle operation	\$693	Gas for monitoring vehicle
2 FTEs	\$49,500	To take, investigate, and log complaints (not including enforcement officer), develop/update/issue waivers,
Initial training for 2 FTEs above	\$3,000	Smoke school (method 9) Initial certification
Overtime to cover weekend complaints	\$1,473	On call and OT for weekend complaint investigation
Office space and heated storage	\$20,000	Office space rental for 2 employees and a heated garage (needed for mobile sniffer equipment)
Overtime for forecaster	\$2,328	Additional on call and OT needed for weekend forecasting, alerts, and advisories
Camera for opacity reading	\$1,200	Price per camera is \$600
Initial certification for camera usage	\$5,000	Initial training for proper use of the camera, does not include method 9 certification

Total \$128,487 * Total does not include the additional expense to house 2 additional employees or heated vehicle storage.

Blue text references complaint resolution needs

Red text references forecasting and alert needs

Green Text references opacity camera needs

Ordinance 2015-01 Expenses

Fiscal Year 16 Expenses	Cost	Notes:
Vehicle maintenance	\$2,400	Scheduled and annual maintenance
Vehicle operation	\$2,100	Gas for monitoring vehicle
2 FTEs	\$150,000	To take, investigate, and log complaints (not including enforcement officer), develop/update/issue waivers, variance investigation, data collection, track stove/wood seller paperwork, and teach violation education class.
Annual Training	\$1,500	Smoke school (method 9) Certification
Overtime to cover weekend complaints	\$4,464	On call and OT for weekend complaint investigation
Office space and heated storage	\$60,000	Office space rental for 2 employees and a heated garage (needed for mobile sniffer equipment)
Overtime for forecaster	\$7,056	Additional on call and OT needed for weekend forecasting, alerts, and advisories
Yearly recertification for opacity camera	\$2,500	Price can be waived if enough pictures are taken to prove proper camera technique
Total	\$230,020	

Blue text references complaint resolution needs
 Red text references forecasting and alert needs
 Green Text references opacity camera needs

Ordinance 2015-01 Expenses

Fiscal Year 17 Expenses	Cost	Notes:
Equipment recertification	\$700	Annual certification for sniffer monitor
Equipment maintenance	\$500	Expendables and equipment upkeep
Vehicle maintenance	\$2,400	Scheduled and annual maintenance
Vehicle operation	\$2,100	Gas for monitoring vehicle
2 FTEs	\$150,000	To take, investigate, and log complaints (not including enforcement officer), develop/update/issue waivers,
Annual training	\$1,500	Smoke School (method 9) recertification
Overtime to cover weekend complaints	\$4,464	On call and OT for weekend complaint investigation
Office space and heated storage	\$60,000	Office space rental for 2 employees and a heated garage (needed for mobile sniffer equipment)
Overtime for forecaster	\$7,056	Additional on call and OT needed for weekend forecasting, alerts, and advisories
Yearly recertification for opacity camera	\$2,500	Price can be waived if enough pictures are taken to prove proper camera technique
Total	\$231,220	

Blue text references complaint resolution needs

Red text references forecasting and alert needs

Green Text references opacity camera needs

By: Lance Roberts
Introduced: April 23, 2015

FAIRBANKS NORTH STAR BOROUGH

ORDINANCE NO. 2015- 27

AN ORDINANCE AMENDING FNSBC 3.01.100 REGARDING REQUESTS FOR
WAIVER OF PROPERTY TAX PENALTIES TO INCLUDE THE LOSS OF A
PROPERTY TAX EXEMPTION AS A PENALTY SUBJECT TO WAIVER

WHEREAS, Borough code allows real property owners to request a waiver of property tax penalties if the late payment occurred due to extraordinary circumstances such that imposition of the penalty would result in a manifest injustice; and

WHEREAS, Several borough property tax exemptions including the residential property tax exemption, exclude from eligibility any property owner with unpaid property tax, penalty or interest at the time of application or on April 1st of each successive tax year after initial application; and

WHEREAS, the loss of or inability to qualify for a property tax exemption frequently has a more significant financial impact than the property tax penalties that may be waived.

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

Section 1. Classification. This ordinance is not of a general and permanent nature and shall not be codified.

Section 2. FNSBC, 3.01.100, Appeal of penalties and interest charges, is hereby amended as follows:

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

34 A. The record owner of any parcel of real property against which property tax
35 penalty and interest charges are assessed by the *borough* may appeal the imposition or
36 amounts thereof or request a waiver of penalties by filing a written notice of appeal with
37 the *borough* chief financial officer not later than December 31st of the tax year in
38 question. For purposes of this section only, "penalties" includes the loss of or inability to
39 qualify for a property tax exemption. [*The Clerk shall provide a footnote to each*
40 *relevant property tax exemption indicating that the eligibility requirement of "no property*
41 *tax, penalty or interest owing" may be waived pursuant to FNSBC 3.01.100.*]

42 B. The chief financial officer may waive imposition of any penalties if:

43 1. A natural catastrophe occurs which prevents the timely delivery of
44 payment; or

45 2. The late payment occurred due to extraordinary circumstances such that
46 imposition of the penalty would result in a manifest injustice. "Extraordinary
47 circumstances" for purposes of this section means any specific circumstances beyond
48 the taxpayer's control that placed the taxpayer in a significantly different situation from a
49 typical taxpayer making a late payment. A "manifest injustice" for purposes of this
50 section means something that is shocking to the conscience or obviously unfair.

51 C. The assembly may waive imposition of any penalties if the late payment occurred
52 due to extraordinary circumstances such that the imposition of the penalty would result
53 in a manifest injustice. For the purposes of this section, manifest injustice includes
54 circumstances within the taxpayer's control if the assembly finds that the taxpayer
55 attempted in good faith to make timely payment.

56 D. The chief financial officer shall examine the *borough* records and the matters
57 presented by the appellant and shall determine whether the appeal is within the chief
58 financial officer's authority or should be directly referred to the assembly. The clerk's
59 office and the property owner who filed the appeal shall be notified in writing of any
60 referrals to the assembly. This notification shall include any relevant *borough* records.
61 If the appeal is within the authority of the chief financial officer, the chief financial officer
62 shall determine whether the assessment of penalty and interest is correct or whether a
63 waiver as provided for in this section should be granted. If the appeal is within the

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Text to be *added* is underlined

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64 authority of the chief financial officer, the chief financial officer shall notify the property
65 owner in writing of his or her decision.

66 E. If the chief financial officer makes a decision on the merits of the appeal, the
67 property owner may appeal the chief financial officer's determination to the assembly by
68 filing notice thereof with the *borough* clerk not more than 20 days following the date on
69 which the chief financial officer's decision was mailed. The assembly shall hear the
70 matter de novo.

71 F. The appeal of the chief financial officer's decision is limited to whether payment
72 was made, postmarked or deposited prior to the payment dates specified in FNSBC
73 3.08.030 or whether the penalty should be waived for the circumstances specified in
74 subsection (B) of this section.

75

76 Section 3. Effective Date. This ordinance shall be effective at 5:00 p.m.
77 on the first Borough business day following its adoption.

78

79 PASSED AND APPROVED THIS _____ DAY OF _____, 2015.

80

81

82

83

84

85

86

ATTEST:

87

88

89

90

Nanci Ashford-Bingham, MMC

91

Borough Municipal Clerk

Karl Kassel
Presiding Officer

APPROVED:



A. René Broker
Borough Attorney

CODE AMENDMENTS ARE SHOWN IN LEGISLATIVE FORMAT

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Text to be *deleted* is [BRACKETED AND CAPITALIZED]

Fairbanks North Star Borough
Fiscal Impact Statement (FIS) (FNSBC 2.09.035 C.)

Check	Date
Version 1	
Version 2	
Version 3	
Version 4	

Originator's Name: Assemblymember Roberts **Department:** Assembly

To Be Introduced/Sponsored By: Assemblymember Roberts

Abbreviated Ordinance Title: Amending FNSBC 3.01.100 Request For Waiver of Property Penalties

Department(s)/Division(s) Affected: Assessing/Financial Services

Proposed Introduction Date: _____ **Ordinance No.:** 2015-27

Does this ordinance authorize:

- 1) a new or expansion of services which entails additional costs beyond that approved in the current adopted budget? Yes ___ No *
- 2) a project that is capital in nature and increases operational costs of the Borough in the current or any future fiscal year? Yes ___ No *

Required Information/Estimates	FISCAL IMPACT PRO FORMA SUMMARY - BEST ESTIMATE				
	Remainder of Current FY	1st Full FY of Operations	2nd Full FY of Operations	3rd Full FY of Operations	4th Full FY of Operations
	FY 20__ / __	FY 20__ / __	FY 20__ / __	FY 20__ / __	FY 20__ / __
1. Timeline inclusive of all phases					
2. Number and type of new positions which may be required					
3. Cost of operations and maintenance					
4. Future costs to complete capital assets					
5. Estimated revenue impact					
6. Estimated non-Borough funds that may be received:					
a. to fund the ordinance					
b. to fund future phases					
c. to fund future operations and maintenance costs					
7. Anticipated annual tax subsidy					

Is backup attached? Yes ___ No

Contact Person's Name, for FIS questions: Adena Benn **Extension:** 1406

Director(s) Signature(s): *April Steady for NAB* **Date:** 4-15-15

Mayor's Office or Assembly Member Signature: _____ **Date:** 4/15/15

Chief Financial Officer Signature: _____ **Date:** _____

By: Lance Roberts
Introduced: April 23, 2015

1
2
3
4
5 FAIRBANKS NORTH STAR BOROUGH

6
7 ORDINANCE NO. 2015 - 28

8
9 AN ORDINANCE EXPANDING, CLARIFYING AND AMENDING TITLE 3 OF THE
10 FAIRBANKS NORTH STAR BOROUGH CODE REGARDING BOARD OF
11 EQUALIZATION APPEALS AND "UNABLE TO COMPLY" DETERMINATIONS
12

13 WHEREAS, State law (AS 29.5.200) provides that the board of
14 equalization sits "for the purpose of hearing an appeal from a determination of the
15 assessor"; but, a determination of the assessor as to whether property is taxable under
16 law may be appealed directly to superior court; and
17

18 WHEREAS, Current borough code permits certain taxpayers who
19 disagree with the determination of the assessor regarding the tax exempt status of
20 property to appeal to the board of equalization, to superior court or to both; and
21

22 WHEREAS, FNSBC 3.28.030's reference to "both" appeal paths could be
23 misinterpreted to allow simultaneous appeals; and
24

25 WHEREAS, Although current borough code allows certain appeals
26 regarding tax exempt status it does not explicitly provide a deadline or process for filing
27 the appeal to the board of equalization; and
28

29 WHEREAS, The board of equalization may extend the taxpayer's right to
30 appeal the assessment if the taxpayer was "unable to comply" but this process does not
31 explicitly apply to the failure to meet exemption application deadlines or an appeal from
32 an assessor's determination regarding a property tax exemption; and

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33
34 WHEREAS, Borough code (FNSBC 3.08.020 F.) as required by state law
35 (AS 29.45.030(f)) separately provides for application deadline waivers of senior citizen
36 and disabled veteran exemptions by the assessor with an appeal to the assembly; and
37

38 WHEREAS, An appeal to the board of equalization is less costly and less
39 time consuming than an appeal to the superior court and allows an additional
40 opportunity to internally and administratively correct any errors prior to court
41 involvement.
42

43 NOW, THEREFORE, BE IT ORDAINED by the Assembly of the Fairbanks
44 North Star Borough:
45

46 Section 1. This ordinance is of a general and permanent nature and shall
47 be codified.
48

49 Section 2. Section 3.24.001, **Appeal**, shall be amended as follows:

50 A. **Right to appeal.** A person whose name appears on the assessment roll or the
51 agent or assigns of that person may appeal to the board of equalization for relief from
52 an alleged error in valuation not adjusted by the assessor to the appellant's satisfaction.
53 An applicant for a farm use assessment who believes that the valuation or classification
54 assigned to the land that is the subject of the application is erroneous, or an applicant
55 aggrieved by any determination of the assessor regarding a [SENIOR CITIZEN OR
56 DISABLED VETERAN] property tax exemption, may appeal to the board of
57 equalization. A person who missed the deadline to file for an exemption, other than
58 senior citizen or disabled veteran exemptions, or to appeal a valuation or exemption
59 determination may also appeal to the board for a determination concerning whether
60 they were unable to comply with the deadline.

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61 **B. Board Appeal Deadlines.** The appellant contesting a property valuation not
62 adjusted to the appellant's satisfaction shall, [WITHIN] no later than 30 days after the
63 date of mailing of notice of assessment, submit to the assessor a written appeal
64 specifying grounds in the form that the board of equalization may require. Appellants
65 contesting any determination of the assessor regarding a property tax exemption must,
66 no later than 10 days after the date of mailing of the assessor's decision, submit to the
67 assessor a written appeal specifying grounds in the form that the board of equalization
68 may require. Otherwise, the right of appeal to the board ceases unless the board of
69 equalization finds that the taxpayer was unable to comply.

70 **C. Unable to comply determinations.** For purposes of this [SUB]section, "unable
71 to comply" means that the failure to timely apply or appeal was based upon a natural
72 catastrophe, extraordinary circumstances, a serious medical or other similar serious
73 condition or other event beyond the taxpayer's control that places the taxpayer in a
74 significantly different situation from a typical taxpayer who misses the deadline. A
75 failure to pick up or read mail, or to make arrangements for an appropriate and
76 responsible person to pick up or read mail, or a failure to timely provide a current
77 address to the office of the borough assessor, will not be deemed to result in an inability
78 to comply and the application or appeal will not be accepted for that tax year.

79 1. All assertions of an inability to comply must be filed by an affidavit setting
80 forth the reasons why the applicant or appellant was unable to file by the deadline. An
81 appellant asserting an inability to comply with the 30-day filing period for alleged errors
82 in valuation must [SHALL] file the affidavit and the written appeal with the assessor [A
83 WRITTEN STATEMENT WITHIN] no later than 30 days from the date of the close of the
84 applicable appeal period of that tax year [SETTING FORTH THE REASONS WHY THE
85 APPELLANT WAS UNABLE TO FILE WITHIN THE 30-DAY PERIOD]. An applicant
86 asserting an inability to comply with the exemption application deadline (other than the
87 filling of a senior or disabled veterans exemption) must file with the assessor the affidavit
88 and the exemption application no later than 15 days from the exemption application
89 deadline. An appellant asserting an inability to comply with the 10 day exemption

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90 appeal deadline must file with the assessor the affidavit and the written appeal no later
91 than 10 days from the appeal deadline. The assessor shall supply to the board the
92 [WRITTEN STATEMENT] affidavit with any relevant information and/or documents.
93 The board of equalization shall consider the [MATTER] extension request only on the
94 written submissions and supporting documents and shall not consider evidence
95 regarding property valuation or exemptions.

96 2. If the extension request is granted for a valuation or exemption appeal, the
97 appellant and the property owner shall be notified and the matter will be set for hearing.
98 If the request is denied, the clerk's office shall notify the appellant and the property
99 owner of the board's decision. If the extension request is granted for an exemption
100 application, the assessor shall accept the application as if timely filed.

101 3. The authority provided in this section to grant extensions may not be
102 exercised so as to permit acceptance of an exemption application or appeal other than
103 for the current year.

104 [C] **D. Notice of hearing.** The assessor shall notify an appellant and the property
105 owner by mail of the time and place of hearing. The notices shall be mailed not later
106 than 10 calendar days before the date of the hearing.

107 [D] **E. Summary of assessment data.** The assessor shall prepare for use by the
108 board of equalization a summary of assessment data relating to each valuation
109 assessment that is appealed. Upon request of the appellant, the assessor shall provide
110 the appellant with the assessment data that will be presented to the board of
111 equalization relating to each valuation assessment that is appealed.

112 [E] **F. Appeals by city.** A city in the borough may appeal an assessment to the
113 borough board of equalization in the same manner as a taxpayer. Within five days after
114 receipt of the appeal, the assessor shall notify the person whose property assessment
115 is being appealed by the city.

116

117 Section 3. FNSBC 3.24.012 A., **Procedures**, is amended as follows:

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118 A. Exemption appeals shall follow the procedures provided in FNSBC 2.21.150 B.
119 (De novo hearings involving an appeal from an administrative determination). In the
120 conduct of its valuation hearings, the board shall follow the procedures outlined in this
121 chapter or as set forth in code or state statute; provided, however, that failure to adhere
122 strictly to this procedure shall not affect the validity of the board's action.

123
124 Section 4. FNSBC 3.28.030, **Claims based on the tax exempt status of**
125 **property**, is hereby amended as follows:

126 A taxpayer who claims that property is not taxable under law may appeal a
127 determination of the assessor that property is taxable directly to the superior court as
128 provided by rules of court applicable to appeals from the decisions of administrative
129 agencies, or the taxpayer may first appeal to the board of equalization as provided by
130 law[, OR THE TAXPAYER MAY DO BOTH].

131
132 Section 5. Effective Date. This ordinance shall be effective at 5:00 p.m.
133 on December 31, 2015.

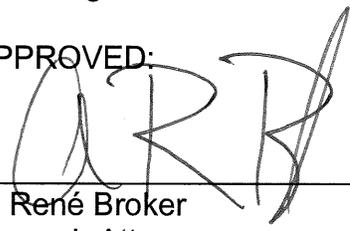
134
135 PASSED AND APPROVED THIS ____ DAY OF _____, 2015.

136
137
138
139 _____
Karl Kassel
140 Presiding Officer

141
142 ATTEST:

143
144
145 APPROVED:

146 _____
Nanci Ashford-Bingham, MMC
147 Borough Municipal Clerk

148
149 
150 _____
A. René Broker
Borough Attorney

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Fairbanks North Star Borough
Fiscal Impact Statement (FIS) (FNSBC 2.09.035 C.)

Check	Date
Version 1	
Version 2	
Version 3	
Version 4	

Originator's Name: Assemblymember Roberts **Department:** Assembly

To Be Introduced/Sponsored By: Assemblymember Roberts

Abbreviated Ordinance Title: Amending Title 3 Regarding BOE Appeals

Department(s)/Division(s) Affected: Assessing/Assembly

Proposed Introduction Date: _____ **Ordinance No.:** 2015-28

Does this ordinance authorize:

- 1) a new or expansion of services which entails additional costs beyond that approved in the current adopted budget? Yes ___ No *
- 2) a project that is capital in nature and increases operational costs of the Borough in the current or any future fiscal year? Yes ___ No *

Required Information/Estimates	FISCAL IMPACT PRO FORMA SUMMARY - BEST ESTIMATE				
	Remainder of Current FY	1st Full FY of Operations	2nd Full FY of Operations	3rd Full FY of Operations	4th Full FY of Operations
	FY 20 / /	FY 20 / /	FY 20 / /	FY 20 / /	FY 20 / /
1. Timeline inclusive of all phases					
2. Number and type of new positions which may be required					
3. Cost of operations and maintenance					
4. Future costs to complete capital assets					
5. Estimated revenue impact					
6. Estimated non-Borough funds that may be received:					
a. to fund the ordinance					
b. to fund future phases					
c. to fund future operations and maintenance costs					
7. Anticipated annual tax subsidy					

Is backup attached? Yes ___ No

Contact Person's Name, for FIS questions: Adena Benn **Extension:** 1406

Director(s) Signature(s): *April Chackley for NAB* **Date:** 4-15-15

Mayor's Office or Assembly Member Signature: _____ **Date:** 4/15/15

Chief Financial Officer Signature: _____ **Date:** _____

1 By: Kathryn Dodge
2 John Davies
3 Introduced: April 23, 2015
4

5 FAIRBANKS NORTH STAR BOROUGH

6
7 ORDINANCE NO. 2015 – 29
8

9 AN ORDINANCE AMENDING FNSBC 8.21.025.B TO PERMIT FILING OF PROPERTY
10 SALE WRITTEN DISCLOSURES WITH THE AIR QUALITY DIVISION AFTER THE
11 RECORDING OF THE SALE AND AMENDING FNSBC 8.21.040 CONCERNING USE
12 OF APPLIANCES THAT WERE BOROUGH LISTED AT THE TIME OF INSTALLATION
13 DURING A STAGE 2 & 3 AIR ALERT
14

15 WHEREAS, As part of the recently adopted PM_{2.5} Air Quality Control
16 Program, borough code requires certain property sellers to provide written disclosures
17 to the buyer and to the borough's Air Quality Division, prior to closing; and
18

19 WHEREAS, Although disclosure prior to closing serves to fully inform the
20 buyer prior to purchase, disclosure to the borough can wait until after closing; and
21

22 WHEREAS, Because property transactions sometimes fail to close for a
23 variety of reasons, waiting until after closing to provide a copy of the disclosures to the
24 borough will potentially avoid an unnecessary step and ensure that the Borough
25 receives accurate information.
26

27 NOW, THEREFORE, BE IT ORDAINED by the Assembly of the Fairbanks
28 North Star Borough:
29

30 Section 1. Classification. This ordinance is of a general and permanent
31 nature and shall be codified.
32

33 Section 2. Section 8.21.025.B, **Prohibited acts**, is amended as follows:
34

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35 B. All persons owning and selling their property within the Air Quality Control Zone
36 with an unlisted solid fuel burning appliance that will not be removed before sale must, if
37 the solid fuel burning appliance was not listed by the Borough as qualifying at the time
38 of installation, provide a written disclosure to the buyer [AND TO THE DIVISION] prior
39 to closing, and a copy to the Division no later than 10 days after the recording of the
40 sale.

41
42 Section 3. FNSBC 8.21.040, **Forecasting exceedances and**
43 **restrictions in the air quality control zone during an alert**, is amended as follows:
44

45 A. During the winter months of October through March, the borough shall issue a
46 daily *PM_{2.5}* forecast by 4:30 p.m. When the *PM_{2.5}* concentration reaches the onset level
47 for an *episode* and is expected to remain at that level for 12 hours or more, an *alert* or
48 *advisory* will be declared. An *alert* or *advisory* may apply to the *air quality control zone*
49 as a whole, or to one or more sub-areas designated by the *division*. Once an *alert* or
50 *advisory* is declared, *PM_{2.5}* control measures set forth in this section shall be
51 implemented and continued until the *alert* or *advisory* is cancelled. There are three
52 levels of *episodes*: Stage 1, 2 and 3. The obligations imposed in this subsection do not
53 require, absent specific funding for that purpose, any actions to be taken outside of the
54 borough's normal business days and hours of operation.

55 B. The *division* will notify local media to ensure the declared *alert* or *advisory* is
56 broadcast. The *division* shall also use social media and methods of direct
57 communication such as text messages as feasible. Information within the notification
58 will contain the *PM_{2.5}* forecast, stage level for areas, and actions required to reduce
59 sources of *PM_{2.5}*. The obligations imposed in this subsection do not require, absent
60 specific funding for that purpose, any actions to be taken outside of the borough's
61 normal business days and hours of operation.

62 C. Stage 1: Voluntary Restrictions in the *Air Quality Control Zone* During an
63 *Advisory*.

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64 1. A Stage 1 air *advisory* is implemented when concentrations exceed or are
65 forecasted to exceed 25 µg/m³.

66 2. Residents shall be requested to voluntarily stop operation of solid fuel,
67 pellet, and waste oil burning *appliances*, as well as *masonry heaters* and all outdoor
68 burning that includes recreational fires such as bonfires, campfires and the use of fire
69 pits, nonpermitted incinerators and burn barrels in the *air quality control zone*.

70 D. Stage 2: Required Restrictions in the *Air Quality Control Zone* During an *Alert*.

71 1. A Stage 2 air *alert* is implemented when concentrations exceed or are
72 forecasted to exceed 35 µg/m³.

73 2. Burning is permitted in all borough listed *appliances*, which for purposes of
74 this sub-section includes *appliances* that were borough listed at the time of installation.
75 No fuel source may be added to the combustions chamber or firebox of any nonlisted
76 *solid fuel burning appliance* or waste oil burning *appliance*. Residents should rely
77 instead on their home's alternate, cleaner source of heat (such as a gas or fuel oil fired
78 furnace or boiler or electric baseboard heaters) until the Stage 2 air *alert* is cancelled.

79 3. If a building owner or other person with a property or managerial interest
80 in the building has an approved "no other adequate source of heat" designation, the
81 building owner is exempted from complying with the Stage 2 air *alert* restrictions for that
82 building.

83 4. Outdoor burning is prohibited including nonpermitted incinerators and burn
84 barrels. This does not include recreational fires such as bonfires, campfires or
85 ceremonial fires and the use of fire pits.

86 5. These restrictions shall not apply during a power failure.

87 E. Stage 3: Required Restrictions in the *Air Quality Control Zone* During an *Alert*.

88 1. A Stage 3 air *alert* is implemented when concentrations exceed or are
89 forecasted to exceed 55 µg/m³.

90 2. No fuel source may be added to the combustions chamber or firebox of
91 any *solid fuel burning appliances*, *masonry heaters*, *pellet fuel burning appliances*, *cook*
92 *stoves*, *fireplaces*, or waste oil burning *appliances*. No waste oil may be added to a
93 waste oil burning *appliance*. Residents should rely instead on their home's alternate,

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Text to be *deleted* is [BRACKETED AND CAPITALIZED]

94 cleaner source of heat (such as a furnace, boiler or electric baseboard heaters) until the
95 Stage 3 air *alert* is cancelled.

96 3. If a building owner or other person with a property or managerial interest
97 in the building has an approved "no other adequate source of heat" designation the
98 building owner is exempted from complying with the Stage 3 air *alert* restrictions for that
99 building.

100 4. Outdoor burning is prohibited including nonpermitted incinerators and burn
101 barrels. This does not include recreational fires such as bonfires, campfires or
102 ceremonial fires and the use of fire pits.

103 5. These restrictions shall not apply during a power failure or to listed
104 appliances, which for purposes of this sub-section includes appliances that were
105 borough listed at the time of installation, masonry heaters or pellet fuel burning
106 appliances when the temperature is below -15 as recorded at the Fairbanks
107 International Airport.

108
109 Section 4. This ordinance is effective at 5:00 p.m. on the first Borough
110 business day following its adoption except that Section 2 shall apply retroactively with
111 an effective date of May 1st, 2015.

112
113 PASSED AND APPROVED THIS _____ DAY OF _____, 2015.

114
115
116
117 _____
Karl Kassel
118 Presiding Officer

119
120 ATTEST:

121
122 APPROVED:

123
124 _____
A. René Broker
125 Borough Attorney

124 _____
Nanci Ashford-Bingham, MMC
125 Municipal Borough Clerk

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

Fairbanks North Star Borough
Fiscal Impact Statement (FIS) (FNSBC 2.09.035 C.)

Check	Date
Version 1	
Version 2	
Version 3	
Version 4	

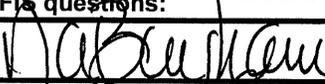
Originator's Name: Assemblymember Dodge **Department:** Assembly
To Be Introduced/Sponsored By: Assemblymembers Dodge and Davies
Abbreviated Ordinance Title: Amending FNSBC 8.21.025B Filing of Property Sale Written Disclosures
Department(s)/Division(s) Affected: Transportation/Air Quality
Proposed Introduction Date: _____ **Ordinance No.:** 2015-29

Does this ordinance authorize:

- 1) a new or expansion of services which entails additional costs beyond that approved in the current adopted budget? Yes ___ No *
- 2) a project that is capital in nature and increases operational costs of the Borough in the current or any future fiscal year? Yes ___ No *

Required Information/Estimates	FISCAL IMPACT PRO FORMA SUMMARY - BEST ESTIMATE				
	Remainder of Current FY	1st Full FY of Operations	2nd Full FY of Operations	3rd Full FY of Operations	4th Full FY of Operations
	FY 20 / /	FY 20 / /	FY 20 / /	FY 20 / /	FY 20 / /
1. Timeline inclusive of all phases					
2. Number and type of new positions which may be required					
3. Cost of operations and maintenance					
4. Future costs to complete capital assets					
5. Estimated revenue impact					
6. Estimated non-Borough funds that may be received:					
a. to fund the ordinance					
b. to fund future phases					
c. to fund future operations and maintenance costs					
7. Anticipated annual tax subsidy					

Is backup attached? Yes ___ No

Contact Person's Name, for FIS questions: Adena Benn **Extension:** 1406
Director(s) Signature(s):  **Date:** 4-16-2015
Mayor's Office or Assembly Member Signature:  Kathryn Dodge **Date:** 4-16-2015
Chief Financial Officer Signature: _____ **Date:** _____