

ASSEMBLY

Mike Musick, Presiding Officer
Guy Sattley, Deputy Presiding Officer
Tim Beck
Hank Bartos
Joseph Blanchard II
Kelly Brown
Nadine Winters
Matt Want
Natalie Howard

BOROUGH MAYOR

Luke T. Hopkins

BOROUGH ATTORNEY

Rene Broker

BOROUGH CLERK

Mona Lisa Drexler, MMC

FAIRBANKS NORTH STAR BOROUGH

Regular Assembly Meeting

April 22, 2010

Borough Chambers

6:00 p.m.

1. **CALL TO ORDER**
2. **NON-SECTARIAN INVOCATION**
3. **PLEDGE OF ALLEGIANCE**
4. **ROLL CALL**
5. **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.)

6. CITIZEN'S COMMENTS – Limited To Three (3) Minutes (Citizen's Comments must conclude by 6:50 p.m.)

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

7. APPROVAL OF MINUTES

- *a. Regular Assembly Meeting minutes of April 8, 2010.

8. COMMUNICATIONS TO THE ASSEMBLY

- a. Report from the City of Fairbanks Representative.
- b. Report from the City of North Pole Representative.
- c. Report from the School Board Representative.
- *d. Bid Award: IFB No. 10037
Animal Shelter Fire Alarm System Upgrade & Miscellaneous Repairs

Approval of Base Bid and Alternates No. 1 and 2 as submitted by Armstrong Construction, Inc. in the amount of \$182,270.00. **(PAGE 26)**

9. MESSAGES FROM THE BOROUGH MAYOR

10. REPORTS OF SPECIAL AND STANDING COMMITTEES

11. SPECIAL ORDERS – Public Hearing At 7:00 p.m. (Comments limited to three (3) minutes)

- a. Restaurant Designation Application **(PAGE 35)**

Food Factory – License #3381

Public Hearing - continued

- b. Liquor License – Transfer – Restaurant/Eating Place – License #3381
(PAGE 43)
- From: Food Factory
There From Here, Inc.
44 College Road
- To: Food Factory
CNR Enterprises, LLC
44 College Road
- c. [ORDINANCE NO. 2009-20-2C.](#) An Ordinance Amending The FY 2009-10 Budget By Appropriating \$1,200,500 In State Grant Funding And \$864,325 From The Facilities Maintenance Reserve To The Capital Projects Fund For The Pioneer Park Water And Sewer Enhancement. (Sponsor: Mayor Whitaker) **(PAGE 49)**
- d. [ORDINANCE NO. 2009-20-2D.](#) An Ordinance Amending The FY 2009-10 Budget By Appropriating \$3,385,568 In State Grant Funding For Pioneer Park Access Safety Improvements And Alterations And Improvements To Pioneer Park Parking Lot. (Sponsor: Mayor Hopkins) **(PAGE 55)**
- e. [ORDINANCE NO. 2010-18.](#) An Ordinance Deleting FNSBC 25.25.020, Amending FNSBC 2.80.020, And Amending FNSBC 2.37.070 In Order To Change The Manner Of Accounting For The Land Management Department From An Enterprise Fund To The General Fund And A Land Revenue Reserve And To Change The Accounting For The Chena Riverfront Trust From An Enterprise Fund To A Special Revenue Account And Establishing And Amending The FY 2009-10 Budget By Lapsing, Reappropriating, And Appropriating Amounts In The General, Transit Enterprise, Land Enterprise, Land Revenue Reserve, And Special Revenue/Capital Projects Funds. (Sponsor: Mayor Hopkins)**(PAGE 60)**
- f. [ORDINANCE NO. 2010-19.](#) An Ordinance Of The Assembly Of The Fairbanks North Star Borough, Alaska, Accepting The Withdrawal Of The North Slope Borough From The Alaska Gasline Port Authority. (Sponsor: Assemblymember Beck) **(PAGE 71)**

12. CONSIDERATION OF CALENDAR – Unfinished Business

**NOTICE OF RECONSIDERATION FILE BY ASSEMBLYMEMBER
BECK**

- a. [ORDINANCE NO. 2009-55](#). An Ordinance Amending Title 15 In Order To Comply With The National Flood Insurance Program And Adding Title 15 Offenses To The Fine Schedule In FNSBC 1.04.050. (Sponsor: Mayor Hopkins) **(PAGE 74)**

13. CONSIDERATION OF CALENDAR – New Business - Resolutions

- *a. [RESOLUTION NO. 2010-20](#). A Resolution Adopting Fairbanks North Star Borough 2009 Population As 98,660 As Determined By The 2009 Census Bureau Population Estimate. (Sponsor: Mayor Hopkins) **(PAGE 135)**
- *b. [RESOLUTION NO. 2010-21](#). 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) **(PAGE 137)**
- *c. [RESOLUTION NO. 2010-22](#). A Resolution Authorizing The Mayor To Enter Into A Less Than Fair Market Rental Lease Agreement With The Alaska Federation For Community Self Reliance, Inc. For A Community Garden Site Within Tract B, Hamilton Acres Reserve Subdivision. (Sponsor: Mayor Hopkins) **(PAGE 140)**
- *d. [RESOLUTION NO. 2010-23](#). A Resolution Requesting And Authorizing Appropriate Memorandums Of Agreement Giving The Fairbanks North Star Borough The Primary Leadership Role In Preparation Of The Environmental Review, Design And Other Activities Necessary To Expedite The Realignment Of The Alaska Railroad From Sheep To Moose Creek And Transferring Any Available Funding For The Project To The Borough. (Sponsor: Assemblymember Bartos) **(PAGE 144)**
- e. [RESOLUTION NO. 2010-24](#). A Resolution Approving Proposed Memorandum Of Understanding Between Alaska Department Of Transportation And Public Facilities, Fairbanks Metropolitan Area Transportation System, Alaska Department Of Environmental Conservation And Fairbanks North Star Borough For The Development Of Transportation Conformity Determinations Within The Fairbanks Non-Attainment Area For PM2.5 Air Pollution Control. (Sponsor: Mayor Hopkins) **(PAGE 147)**

New Business – Resolutions – continued

- f. [RESOLUTION NO. 2010-25](#). A Resolution Approving Proposed Memorandum Of Understanding Between Alaska Department Of Transportation And Public Facilities, Fairbanks Metropolitan Area Transportation System, Alaska Department Of Environmental Conservation And Fairbanks North Star Borough For The Selection And Funding Of Projects Funded By CM/AQ Within The Fairbanks Non-Attainment Area For PM2.5 Air Pollution Control.
(Sponsor: Mayor Hopkins) **(PAGE 158)**

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

- *a. [ORDINANCE NO. 2010-25](#). An Ordinance Rezoning All Of Block 208A, Fairbanks Townsite, From Multiple Family Residential (MF) To General Commercial (GC) Or Other Appropriate Zone And A Portion Of Lot 208, Rickert Homestead, Also Known As TL 27, Section 16, Township 1 South, Range 1 West From Single Family Residential-10 (SF-10) To General Commercial (GC) Or Other Appropriate Zone. (Located on the west side of Cowles Street West and the south side of 16th Avenue) (RZ2010-005)
(Sponsor: Mayor Hopkins)
(Advance to June 10, 2010 for public hearing; refer to the Committee of the Whole June 3, 2010.) **(PAGE 169)**

Proposed Substitute by Planning Commission

[ORDINANCE NO. 2010-25](#). An Ordinance Rezoning All Of Block 208A, Fairbanks Townsite, From Multiple Family Residential (MF) To General Commercial (GC) With Special Limitations Or Other Appropriate Zone And A Portion Of Lot 208, Rickert Homestead, Also Known As TL 27, Section 16, Township 1 South, Range 1 West From Single Family Residential-10 (SF-10) To General Commercial (GC) With Special Limitations Or Other Appropriate Zone. (Located on the west side of Cowles Street West and the south side of 16th Avenue) (RZ2010-005) (Sponsor: Mayor Hopkins)
(Advance to June 10, 2010 for public hearing; refer to the Committee of the Whole June 3, 2010.) **(PAGE 174)**

- *b. [ORDINANCE NO. 2010-26](#). An Ordinance Amending Section 2.60.020 Of The Fairbanks North Star Borough Code Of Ordinances To Provide For An Appeal Deadline For a Record Request Denial.
(Sponsor: Mayor Hopkins)
(Advance to June 10, 2010 for public hearing; refer to the Committee of the Whole June 3, 2010.) **(PAGE 215)**

Advanced Ordinances – continued

- *c. [ORDINANCE NO. 2010-27.](#) An Ordinance Authorizing The Mayor To Release The Deed Covenants And Restrictions Placed On Grieme Road Agricultural Subdivision Lots 1, 2, And 3. (Sponsor: Mayor Hopkins) (Advance to June 10, 2010 for public hearing; refer to the Committee of the Whole June 3, 2010.) **(PAGE 218)**
- *d. [ORDINANCE NO. 2009-20-2E.](#) An Ordinance Amending The FY 2009-10 Budget By Reappropriating \$7,400 To The Special Revenue Fund For The Purpose Of Awarding Local Funding To World Eskimo-Indian Olympics. (Sponsor: Mayor Hopkins) (Advance to June 10, 2010 for public hearing; refer to the Finance Committee June 3, 2010.) **(PAGE 227)**
- *e. [ORDINANCE NO. 2010-28.](#) An Ordinance Adding A Chapter To Title 8 Of The FNSB Code Of Ordinances, Establishing The PM2.5 Air Quality Control Program, Including Adopting The Voluntary Solid Fuel Burning Appliance Removal, Replacement Or Repair Program, Regulating The Future Sale, Installation, And Use Of Solid Fuel Burning Appliances, And Requiring The Forecasting Of PM2.5 Exceedances With Voluntary Restrictions; Amending FNSB 1.04.050 Regarding Fine Schedule; Amending 2.48.120 Regarding The Duties Of The Air Pollution Control Commission; Amending Chapter 3.08 To Adopt The Air Quality Improvement Tax Credit; And Amending The FY 2009-10 Budget By Appropriating \$1,000,000 From The Fund Balance Of The General Fund To The Transit Enterprise Projects Fund For PM2.5 Air Quality Attainment And Maintenance. (Sponsor: Mayor Hopkins) (Advance to June 10, 2010 for public hearing; refer to the Committee of the Whole June 3, 2010.) **(PAGE 232)**

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

NONE

16. 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).

17. ASSEMBLYMEMBER'S COMMENTS

18. ADJOURNMENT