

## **LEGISLATIVE COUNCIL**

February 3, 2005

### **1. ROLL CALL**

The Legislative Council meeting was called to order at 12:05 p.m. by Pam Varni, Executive Director, Legislative Affairs Agency, in the Senate Finance Committee Room and via teleconference.

The roll was taken. In attendance were Council members: Representatives Kott, Coghill, Gatto, Rokeberg, Harris, Weyhrauch, Berkowitz and Senators Cowdery, Ben Stevens, Gary Stevens, Therriault, Wagoner, Wilken and Davis. Staff present: Varni, Collins, Clothier, Cook, Ohmer, Finley, Crawford, Fleek, Gullufsen, Ibesate, Johnston, Price and Schofield.

### **2. ELECTION OF CHAIRMAN**

Executive Director Pam Varni called for nominations of the Legislative Council Chair.

Representative Rokeberg asked for unanimous consent to elect Representative Pete Kott as Chair of Legislative Council and that nominations be closed.

The motion was approved unanimously.

Pam Varni handed the meeting over to Chairman Kott who called for nominations of the Vice-Chair of Legislative Council.

### **3. ELECTION OF VICE-CHAIRMAN**

Senator Ben Stevens nominated Senator Gene Therriault as Vice-Chairman of Legislative Council and asked for unanimous consent and that nominations be closed.

The motion was approved unanimously.

### **4. APPROVAL OF JANUARY 9, 2005 MINUTES**

Senator Therriault moved the minutes of the January 9, 2005 meeting be approved.

With no objection the motion was approved.

Representative Rokeberg asked that Item 11 on the Agenda, Anchorage Office Space Lease Amendment, be moved to the next order of business to accommodate travel schedules.

Chairman Kott approved the request.

## **11. ANCHORAGE OFFICE SPACE LEASE AMENDMENT**

Representative Rokeberg offered a new amendment dated February 2, 2005 that was not included in the members packet. The proposed amendment would modify the current lease agreement between the Legislative Affairs Agency and Landlord, Bob Acree, regarding sharing 82 of our 98 reserved parking spaces for a \$2,000 reduction in the rent per month and charging \$360 per month for additional basement storage area. Representative Rokeberg stated he negotiated with Mr. Acree to propose a system that will allow other uses when LAA does not fully utilize the parking lot during certain hours of the day and certain times of the year. He further stated that DEC, DHSS, and the Court System are already allowing some public parking in the evenings and on the weekends.

Discussion followed.

Speaker Harris asked Pam Varni if there has been an assessment or visual survey of what the availability needs are for the Legislature to have parking in the evening and on the weekends.

Executive Director Pam Varni stated we have over 120 evening teleconferences during session so we have an evening operation whereas the Court System, DEC and others have just a daytime operation. The evening shared parking works for them. Ms. Varni stated we shared the parking in the past at this location and had all kinds of problems. We have not taken a survey, but session is our busiest time. We do have, between Legislators and Legislative staff close to 90 people in the building and that does not leave a lot of parking spaces for constituents to come and do business with the Legislature. This proposal takes us from 98 reserved to 16 reserved parking spaces.

Speaker Harris asked Pam Varni, if the legal issue seems cleared up so that we could amend the contract without serious jeopardy of legal obligation.

Pam Varni responded that Legal Counsel advised that we could amend if it was for a substantial savings to the Legislature. Ms. Varni stated that over the course of time until 2009 when the lease expires that a savings of \$85,000 to the Legislature is not substantial. When Ms. Varni spoke with Michael Neely from Diamond Parking he informed her that because of the prime downtown core parking location that it could be as much as \$200 per month for each parking spot.  $200 \times 82 = \$16,400$  per month. Over the course of the lease until 2009 that total revenue is \$852,800. That revenue would be split between the Landlord and Diamond Parking. Ms. Varni further stated that does not seem fair and substantial when we are getting only \$85,000 and they have a possible revenue stream of over \$800,000.

Representative Weyhrauch asked Ms. Varni if anyone had asked to share the parking during the RFP process.

Pam Varni responded that, yes, Jan Price, Procurement Officer, did receive an inquiry in writing asking whether shared parking would be acceptable. Ms. Price responded, no. The prospective bidder did not respond to RFP 391.

Discussion followed.

Representative Rokeberg moved to make a conceptual amendment to Section 15, Parking Requirements, under C., last sentence to read: 24 hours on Saturday and 24 hours on Sunday the Lessor's invitees may use the 82 spaces as well as the Lessee and Lessee's invitees.

With no objection the motion was approved.

Discussion followed.

Chairman Kott asked Ms. Varni to enlighten Legislative Council on the current storage space, and the proposed additional storage space, and how much it was utilized in the past and how it compares with the existing Diamond storage facility.

Pam Varni stated that in the past we have had problems with the basement storage space due to two floods over the past few years. The Anchorage staff prefers the off-site Diamond storage unit because there is a large overhead door on the unit so they don't have to maneuver through a maze of smaller doors or down a flight of stairs to go to the storage space. For example, most shipping materials for the annual move have to be broken down off of pallets before they will fit into our building's storage space.

Chairman Kott called an at ease. Chairman Kott call the meeting back to order.

Representative Weyhrauch moved to table the Anchorage Office Space Lease Amendment to the Call of the Chair.

With no objection the motion was tabled.

## **5. LATE PER DIEM REQUESTS**

Senator Therriault moved that Legislative Council approve the late per diem requests for Senator Bert Stedman and Representative Peggy Wilson.

With no objection the motion was approved.

## **6. APPROVAL OF CAPITAL PROJECTS**

**Fire Alarms Upgrades  
TMLOB Generator**

Senator Therriault moved that Legislative Council approve the solicitation, award and expenditure of capital projects Fire Alarms Upgrades in the Capitol and the TMLOB Generator funds not to exceed \$380,000.

With no objection the motion was approved.

**Home Land Security**

**Security Cameras  
Key Card Readers**

Senator Therriault moved that Legislative Council approve the solicitation, award and expenditure of capital Homeland Security RSA funds not to exceed \$177,579. This will be for the Access Control and Surveillance equipment and installation costs for the Legislature and the Office of the Governor.

With no objection the motion was approved.

**7. Sanctioning of Charitable Events**

Senator Therriault moved that Legislative Council grant the Chair of Legislative Council the ability to sanction charitable events under AS 24.60.080(c)10. The Chair will at the next scheduled Legislative Council meeting have the Council ratify the Chair's approval of the event.

With no objection the motion was approved.

Senator Therriault moved that Legislative Council ratify the Red Cross Ball charitable event held January 22, 2005 per AS 24.60.0809(c)10.

With no objection the motion was approved.

Senator Therriault moved that the Legislative Council sanction the Fahrenkamp Classic Charity Putting Tournament charitable event to be held this session per AS24.60.080(c)10.

With no objection the motion was approved.

**8. APPROVAL OF INTRODUCTION OF 2004 REVISOR'S BILL**

James Crawford, Assistant Revisor, Legal and Research Services, stated that he will be presenting the Revisor's Bill under AS 01.05.036 which directs the Revisor of Statutes to prepare for submission to the Legislature, legislation for the correction or removal of the

deficiencies, conflicts, or obsolete provisions, or to otherwise improve the form or substance of any portion of the statute law of the state.

Senator Therriault moved that Legislative Council move the Revisor's Bill from committee to the Rules Committees for introduction.

With no objection the motion was approved.

## **9. APPROVAL OF LEGISLATIVE DRAFTING MANUAL**

Pamela Finley, Revisor of Statutes, Legal and Research Services gave a brief discussion on the measures taken in compiling, formatting and language changes in the Manual of Legislative Drafting. Mrs. Finley in her memorandum dated January 24, 2005 to Representative Kott, stated that a citation on attorney fees on page 2, number 8, be deleted.

Senator Therriault moved that Legislative Council approve the 2005 Legislative Drafting Manual, and that on page 2, number 8, be deleted.

With no objection the motion was approved.

## **10. APPOINTMENT OF INFORMATION TECHNOLOGY (IT) SUBCOMMITTEE**

Chairman Kott requested anyone interested in being members of the IT Subcommittee to please contact his office.

The meeting was adjourned at 1:16 pm.