

LEGISLATIVE COUNCIL

August 1, 2006

1. ROLL CALL

The Legislative Council meeting was called to order at 5:13 p.m. by Representative Kott, Chairman, Legislative Council, in the House Finance Committee Room and via teleconference.

The roll was taken. In attendance were Council members: Representatives Kott, Coghill, Gatto, Weyhrauch, Gruenberg (via teleconference), Senators Ben Stevens, Gary Stevens, Therriault, Wagoner, Wilken, and Davis. Absent members: Representatives Harris, Rokeberg, and Senator Cowdery. Staff present: Varni, Ohmer (via teleconference), Collins, Cook, Hard, Ibesate, Popely, Price, Clothier (via teleconference), and Schofield.

2. APPROVAL OF THE MAY 22, 2006 MINUTES

Senator Therriault moved Legislative Council approve the minutes of the May 22, 2006 meeting.

YEAS: Kott, Coghill, Gatto, Weyhrauch, Gruenberg, Ben Stevens, Gary Stevens, Therriault, Wagoner, Wilken, and Davis

NAYS: None

ABSENT: Representatives Harris, Rokeberg, and Senator Cowdery

Motion passed 11 – zero.

3. KENAI LEASE RENEWAL APPROVAL

Senator Therriault moved Legislative Council approve the FY07 lease renewal for the existing lease space in Kenai for \$39,004.56.

YEAS: Kott, Coghill, Gatto, Weyhrauch, Gruenberg, Ben Stevens, Gary Stevens, Therriault, Wagoner, Wilken, and Davis

NAYS: None

ABSENT: Representatives Harris, Rokeberg, and Senator Cowdery

Motion passed 11 – zero.

4. FY 07 PRINT SHOP PAPER APPROVAL

Senator Therriault moved to approve the solicitation, expenditure, and award of Print Shop paper in the amount of \$90,500 from the Legislative Affairs Agency FY 07 funds.

YEAS: Kott, Coghill, Gatto, Weyhrauch, Gruenberg, Ben Stevens, Gary Stevens, Therriault, Wagoner, Wilken, and Davis

NAYS: None

ABSENT: Representatives Harris, Rokeberg, and Senator Cowdery

Motion passed 11 – zero.

5. CAPITOL AND TERRY MILLER BUILDING REWIRING PROJECT APPROVAL

Mr. Clothier, Data Processing Manager, stated the Executive Branch is converting the State's PBX telephone system to a Voice Over IP (VoIP) system. The decision was made due to the age and cost of supporting the existing PBX system, as well as the desire to move to newer technology. Mr. Clothier further stated that to rewire the Capitol and the Terry Miller Building would take approximately 12-months and the Data Processing staff will assist contractors on this project to reduce labor costs.

Senator Therriault moved to approve the solicitation, expenditure, and award for the Capitol and Terry Miller Building Rewiring Project from existing capital funds not to exceed a total of \$335,000.

YEAS: Kott, Coghill, Gatto, Weyhrauch, Gruenberg, Ben Stevens, Gary Stevens, Therriault, Wagoner, Wilken, and Davis

NAYS: None

ABSENT: Representatives Harris, Rokeberg, and Senator Cowdery

Motion passed 11 – zero.

6. 2006 COMPUTER EQUIPMENT REFRESH APPROVAL

Mr. Clothier, Data Processing Manager, stated that in May, Data Processing surveyed each legislative office about their experience with the laptops that were issued earlier this year, whether or not they would prefer additional laptops, or desktops in this year's technology refresh. The responses were approximately two-to-one in favor of sticking with desktops. Based on that, and looking at the three-year plan that is in existence, the number of older machines, called "HAL's" or the non-Gateway machines that were purchased in 2001, Mr. Clothier recommended that Legislative Council purchase 143 Gateway desktop computers. This purchase will include the *Microsoft Vista* operating system and Office 2003, 10 Hewlett Packard 4250TN black and white laser printers to replace older printers, and an additional 10 Hewlett Packard color laser printers to be distributed by Leadership offices, along with 20 spare monitors to replace non-functioning monitors as needed.

Senator Therriault moved that Legislative Council approve the solicitation, expenditure, and award of the 2006 equipment refresh of computers, monitors, and printers from existing capital funds not to exceed \$190,000.

YEAS: Kott, Coghill, Gatto, Weyhrauch, Gruenberg, Ben Stevens, Gary Stevens, Therriault, Wagoner, Wilken, and Davis

NAYS: None

ABSENT: Representatives Harris, Rokeberg, and Senator Cowdery

Motion passed 11 – zero.

7. CAPITAL PROJECTS APPROVAL

Don Johnston, Building Manager, stated that the Capital Projects include repairing the two elevators in the Capitol. New motors, AC drives, lifting equipment, and other items need to be purchased and installed to ensure the elevators continue to work. This will be an upgrade to meet current standards. The Exterior Refinishing Project will include tuck-pointing of mortar joints, replacement of bricks, re-caulking of windows, using newer Elastomeric paint around the upper sandstone bands, and replacing mortar joints. When the project is completed, the building will be re-sealed with a sealer.

Senator Therriault moved that Legislative Council approve the solicitation, award, and expenditure for capital projects consisting of Capitol elevators, Capitol complex re-roofing and Capitol complex exterior refinishing from existing capital funds not to exceed \$2,300,000.

YEAS: Kott, Coghill, Gatto, Weyhrauch, Gruenberg, Ben Stevens, Gary Stevens, Therriault, Wagoner, Wilken, and Davis

NAYS: None

ABSENT: Representatives Harris, Rokeberg, and Senator Cowdery

Motion passed 11 – zero.

8. ANCHORAGE SECURITY EXPENDITURE APPROVAL

Chairman Kott informed Legislative Council that this expenditure is a month-to-month contractual arrangement with American Guard Services, Inc. to provide armed security services for the Anchorage office space. The total cost during the last fiscal year was \$45,310.50. The expenditure was shared between the House, Senate, and the Legislative Affairs Agency.

Senator Therriault moved that Legislative Council approve the expenditure for security services for the Anchorage office space for FY 07.

YEAS: Kott, Coghill, Gatto, Weyhrauch, Gruenberg, Ben Stevens, Gary Stevens, Therriault, Wagoner, Wilken, and Davis

NAYS: None

ABSENT: Representatives Harris, Rokeberg, and Senator Cowdery

Motion passed 11 – zero.

9. FAIRBANKS OFFICE SPACE RFP LAWSUIT UPDATE

Senator Therriault moved that Legislative Council go into Executive Session under Uniform Rule 22(B)(1), discussion of matters, the immediate knowledge of which would adversely affect the finances of a government unit. He asked that Representative Seaton, any other Representative or Senator, and the following staff - Ted Popely, Tam Cook, and Pam Varni remain in the room to answer questions.

Legislative Council went into Executive Session.

Legislative Council came out of Executive Session.

Mr. Popely, Majority Counsel, explained that Legislative Council has expended \$15,000 on litigation expenses, is still in its very early stages and anticipates that it will go well beyond \$25,000 in billable expenses. Therefore, Legislative Council would need to approve a contract to continue to retain outside counsel. Mr. Popely further stated a 12-month term at \$50,000 is probably adequate to cover the litigation expenses.

Chairman Kott asked if that would be in addition to the already billable expenses.

Mr. Popely stated yes, this would be a new contract starting from zero.

Senator Therriault moved to have the Executive Director's Office and Legal Services draft a contract for the procurement of legal services with the Fosler Law Group to carry this case forward and not to exceed \$50,000 in a 12-month period.

Representative Gruenberg offered a friendly amendment:

If the Fosler Law Group cannot complete the contract, then the contract needs to designate someone else if necessary.

Senator Therriault withdrew his original motion and moved to have the Executive Director's Office and Legal Services draft a contract for the procurement of legal services with the Fosler Law Group not to exceed \$50,000 in a 12-month period. If for any reason, the Fosler Law Group has to withdraw from representing Legislative Council, then the Legislative Affairs Agency is authorized at this time to bring on alternative counsel within the same dollar amount and time constraint.

YEAS: Kott, Coghill, Gatto, Weyhrauch, Gruenberg, Ben Stevens, Gary Stevens, Therriault, Wagoner, Wilken, and Davis

NAYS: None

ABSENT: Representatives Harris, Rokeberg, and Senator Cowdery

Motion passed 11 – zero.

10. OTHER BUSINESS

Senator Wagoner requested that per diem checks be issued weekly, not daily, saving on the expense of issuing daily checks.

Karla Schofield, Deputy Director stated that she would work with the Presiding Officers and look into issuing checks on a weekly basis or whatever works best.

Senator Wagoner questioned the Legislative Council policy on the issuance of keys stating that some Lobbyists still hold keys to the Capitol.

Ms. Varni stated that Building Maintenance had take possession of all keys and she would look into the situation and make the necessary corrections.

The meeting adjourned at 6:14 p.m.