



Alaska State Legislature Legislative Council Minutes

JUNE 17, 2008

The Legislative Council meeting was called to order at 5:55 p.m. by Senator John Cowdery, Chairman, in the Anchorage LIO, 2nd Floor Conference Room, and via teleconference.

1. ROLL CALL

The roll was taken. In attendance were Council members: Senators Cowdery, Davis, Green, Hoffman, Stevens; Representatives Coghill, Dahlstrom, Harris (via teleconference), Samuels, Stoltze, Wilson (via teleconference), and Guttenberg (via teleconference). Absent members: Senators Elton and Wilken. Representative Mike Chenault was also in attendance in Anchorage.

Staff present: Varni, Makinster, Schofield, Finley, Lobaugh, Clothier, Price, Johnston, and Lesh.

2. APPROVAL OF APRIL 10, 2008 MINUTES

Representative Dahlstrom moved that Legislative Council approve the minutes of the April 10, 2008 Legislative Council meeting as presented.

YEAS: Cowdery, Green, Hoffman, Stevens, Coghill, Dahlstrom, Harris, Samuels, Stoltze, Wilson, Guttenberg

NAYS: None

The motion passed 11-0.

3. RFQ 463 - BRINTONS CARPET APPROVAL

RFQ 463 was issued to solicit for Brintons carpet for the Capitol Annex. Four suppliers of Brintons carpet were sent the RFQ and the RFQ was published on the State's on-line public notice web site.

RFQ 463 opened on Tuesday, May 8, 2008. Two offers were received. Commercial Contractor, Inc., out of Anchorage, submitted the lowest offer in the amount of \$26,182.00.

Representative Dahlstrom moved that Legislative Council award RFQ 463 to Commercial Contractor, Inc., in the amount of \$26,182.

YEAS: Cowdery, Green, Hoffman, Stevens, Coghill, Dahlstrom, Harris, Samuels, Stoltze, Wilson, Guttenberg

NAYS: None

The motion passed 11-0.

Due to a bad connection, Representative Harris was excused from the meeting at this time.

4. LEASE EXTENSION FOR OFFICE OF VICTIMS' RIGHTS (OVR) OFFICE SPACE

The current lease agreement between the Legislative Affairs Agency and L92, LLC for office space currently occupied by the Office of Victims' Rights in Anchorage, Alaska, is due to expire June 30, 2008, with no renewal options left.

The Agency contracted with Black-Smith, Bethard & Carlson, LLC, who are real estate appraisers, to determine the market rental value of the property located at 1007 West 3rd Avenue, Suite 205 in Anchorage, Alaska. They determined that the market rental value of the property is \$2.35 per square foot.

Per AS 36.30.083, the Agency offered L92, LLC a rate of \$2.11 per square foot for a five (5) year lease extension with five (5) one (1) year renewal options at our option. L92, LLC has accepted our offer.

Representative Dahlstrom moved that Legislative Council approve the five year lease extension for the Office of Victims' Rights office space to L92, LLC in the amount of \$47,475 for FY 09 with the option of five (5) one (1) year renewals.

YEAS: Cowdery, Green, Hoffman, Stevens, Coghill, Dahlstrom, Samuels, Stoltze, Wilson, Guttenberg

NAYS: None

The motion passed 10-0.

5. ITB 451 – FIRE ALARM & SPRINKLER SYSTEM APPROVAL

Representative Dahlstrom moved that Legislative Council approve the award of ITB 451 to McGraw Custom Construction in the amount of \$1,218,000.

YEAS: Cowdery, Green, Hoffman, Stevens, Coghill, Dahlstrom, Samuels, Stoltze, Wilson, Guttenberg

NAYS: None

The motion passed 10-0.

6. CHAMBER ARCHITECTURAL LIGHTING

Executive Director Pam Varni stated Jensen, Yorba, Lott, Inc., submitted a bid for architectural services to provide electrical design and construction documents to replace the lighting in the House and Senate Chambers. Maintenance has difficulty replacing the current fixtures and with the fire alarm and sprinkler system project going into the ceilings, this is an opportune time to upgrade the lighting in the Chambers.

The Agency will then go out to bid for a contractor to provide the new ceilings, wiring and fixtures in the Chambers.

Representative Dahlstrom moved that Legislative Council approve a contract with Jensen, Yorba, Lott, Inc. for architectural services in an amount not to exceed \$50,000 for the Chamber Lighting Project.

YEAS: Cowdery, Green, Hoffman, Stevens, Coghill, Dahlstrom, Samuels, Stoltze, Wilson, Guttenberg

NAYS: None

The motion passed 10-0.

7. CHAMBER WALL FINISHES ARCHITECTURAL COSTS

Pam Varni explained that several years ago the Chamber desks were upgraded with mahogany. The existing walnut wall paneling in the Chambers is old and outdated. The new design will match the desks and lighten the room.

Jensen, Yorba, Lott, Inc., submitted a bid for architectural services to provide design and construction documents to replace the Chamber wall finishes.

Representative Dahlstrom moved that Legislative Council approve a contract with Jensen, Yorba, Lott, Inc. for architectural services in an amount not to exceed \$12,000 for the Chamber Wall Finishes Project.

YEAS: Cowdery, Green, Hoffman, Stevens, Coghill, Dahlstrom, Wilson, Guttenberg

NAYS: Representatives Samuels and Stoltze

The motion passed 8-2.

8. LONGEVITY POLICY CHANGE APPROVAL

Pam Varni noted that Skiff Lobaugh was on line. She went on to state that the Legislature passed HB 417, Public Employees Salaries & Pay Increments for Longevity in State Service and the State Officers Compensation Commission. Sections (h) and (i) of the bill pertain to longevity increments. These sections will apply to employees of the Legislature only if the committee responsible for adopting employment policies concerning the employee adopts a written policy that (h) and (i) of this section apply.

Representative Dahlstrom moved that Legislative Council adopt the Senate and House Longevity Policy effective July 1, 2008; and the Pay Increments Policy for Employees of the Legislative Affairs Agency in accordance with AS 39.27.011(j), thereby making AS 39.27.011(h) and (i) apply to Agency employees.

YEAS: Cowdery, Green, Hoffman, Stevens, Coghill, Dahlstrom, Samuels, Stoltze, Wilson, Guttenberg

NAYS: None

The motion passed 10-0.

9. LEGISLATIVE COUNCIL RECORDS POLICY AMENDMENT APPROVAL

Tam Cook, Director of Legal Services, Legislative Affairs Agency, drafted an amendment to the Legislative Council Records Policy at the behest of Representative Mike Chenault. The amendment makes the text sent or received as e-mails, via blackberries, or via other means a record of a Legislator rather than a record of the Legislative Affairs Agency despite the fact that the Agency has copies or access to copies of these types of records in its administrative capacity.

Representative Mike Chenault testified that he discussed this with Tam to address the issue of actual text messages being used regularly and potentially available within the context of the Freedom of Information Act. Phone records using cellular phones or landlines should be privileged information when dealing with constituents.

Discussion followed.

Senator Bettye Davis joined the meeting at this time.

Representative Dahlstrom read the motion at the request of Senator Bettye Davis which states that Legislative Council approve the amendment to the Legislative Council Records Policy as drafted by Tam Cook June 12, 2008.

There was no vote. This item was postponed until a future meeting.

Senator Hoffman left the meeting at this time.

10. OTHER BUSINESS

Representative Dahlstrom moved that Legislative Council sanction the 2008 Scotty Gomez Foundation Auction and Golf Tournament per AS 24.60.080(c)(10).

YEAS: Cowdery, Davis, Green, Stevens, Coghill, Dahlstrom, Samuels, Stoltze, Wilson, Guttenberg

NAYS: None

The motion passed 10-0.

11. EXECUTIVE SESSION

Senator Gary Stevens moved that the Legislative Council go into Executive Session per Uniform Rule 22(b)(1) discussion of matters, the immediate knowledge of which would adversely affect the finances of a government unit and ask that the following people remain in attendance during the executive session: Jim Fosler, Legislative Council Attorney, Pam Varni, Executive Director, Pam Finley, Legal Services, and Ryan Makinster, Council Staff.

Legislative Council went into Executive Session.

Legislative Council came out of Executive Session.

The meeting was adjourned at 7:12 p.m.