



Alaska State Legislature Legislative Council Minutes

DECEMBER 14, 2010

[10:09:40 AM](#)

The Legislative Council meeting was called to order at 10:15 a.m. by Representative John Harris, Chair, in the Anchorage LIO Second Floor Conference Room and via teleconference.

1. ROLL CALL

The roll was taken. In attendance were Council members: Representatives Harris, Chenault, Gatto, Stoltze (via teleconference initially) and Guttenberg; Senators Egan, Hoffman, Stedman and Stevens. Absent members: Representative P. Wilson and Senators Davis, Ellis, and Olson.

Staff present: Varni, Clothier, Finley, Johnston (via teleconference), Lesh, Lobaugh (via teleconference), Schofield (via teleconference), Strong (via teleconference)

Others present: Joyce Anderson, Administrator, Select Committee on Legislative Ethics
Mike Ford, candidate for Legal Services Director position
Doug Gardner, candidate for Legal Services Director position

2. APPROVAL OF JULY 19, 2010 MINUTES

Senator Hoffman moved that Legislative Council approve the minutes of the July 19, 2010 Council meeting as presented.

The motion passed with no objections.

3. SANCTIONING OF CHARITABLE EVENTS

- Governor's Inaugural Balls

Chairman Harris stated that this item had been brought to the Council through the Speaker's Office. This is a 501(c)(3) charitable event that has to be sanctioned by the Council in order for Legislators to be eligible to receive tickets.

Representative Stoltze asked to know who the beneficiaries of the proceeds for this event were.

Chairman Harris responded that the proceeds pay for the event(s) but did not know what happened to the money if there were leftover funds.

Pam Varni, Executive Director, Legislative Affairs Agency, noted that Joyce Anderson was available for questions.

Joyce Anderson, Administrator, Select Committee on Legislative Ethics, testified that she was not aware of what happened to any leftover funds. She said that when Legislative Council is approving a charitable event, it means that Legislators and legislative staff are allowed to receive tickets to the event from lobbyists. Normally, Legislators and legislative staff are prohibited from receiving tickets to events; once Legislative Council approves the event, Legislators and legislative staff are allowed to receive tickets. She noted that any event being considered must be a 501(c)(3).

Discussion followed.

Chairman Harris said his understanding is that there are no state funds involved; it is all private funds raised by the inaugural committee. He responded to Representative Stoltze that he was unable to answer his question.

Discussion followed.

Karla Schofield, Deputy Director, Legislative Affairs Agency, said that Paulette Simpson told her that any extra funds would be donated to charity, although Ms. Simpson did not specify which charity.

Discussion followed.

Representative Stoltze went off-line to park and join the meeting. [10:18:40 AM](#)

Senator Hoffman moved that Legislative Council ratify the sanctioning of the following charitable events per AS 24.60.080(a)(2)(B), the Governor's Inaugural Balls pending confirmation of their status as a 501(c)(3).

The members stood At Ease until Representative Stoltze arrived in order to have a quorum.

The members returned from At Ease.

Senator Stevens joined the meeting at this time. [10:20:44 AM](#)

The motion passed with no objections.

4. KOTZEBUE LIO AND OFFICE SPACE RENEWAL

Chairman Harris noted that this was a renewal lease in excess of \$25,000 so it needed to come before the Committee. He stated that he had spoken with Senator Hoffman to see if there were any issues with the Kotzebue office space and none were raised.

Senator Hoffman moved that Legislative Council approve the lease renewal agreement for the existing Kotzebue lease space for \$25,231.08.

Representative Stoltze re-joined the meeting at this time. [10:22:13 AM](#)

The motion passed with no objections.

4. LATE TRAVEL REQUEST - REP. LES GARA

Senator Hoffman moved that Legislative Council approve the late travel reimbursement request for Representative Les Gara.

The motion passed with no objections.

5. IT POLICY UPDATES

Curtis Clothier, Information Services Manager, Legislative Affairs Agency, testified that this item consists of updates to two existing policies: (1) Computer Systems Acceptable Use Policy and (2) Information Technology Resources Policy. He said these policies were last updated three years ago and it was time for some house-keeping/cleaning of these two documents; most of the updates are routine.

Mr. Clothier stated that the only truly new addition was a paragraph highlighting the need for security when social networking software is used. The Legislature doesn't currently use Facebook; however we wanted some language in the Acceptable Use Policy reminding users to be careful with personal information they post on the Web, as well as passwords, user names, etc. He said it's really just a framework for best practices; basically a reminder for all users that if they are using social networking software to mind what they put in there.

Discussion followed.

Senator Hoffman moved that that Legislative Council approve the policy updates to the IT Resources Policy and the Computer Systems Acceptable Use Policy as recommended by the IT Subcommittee.

The motion passed with no objections.

7. ITB 510 - CAPITOL EXTERIOR LIGHTING

Senator Hoffman moved that Legislative Council take from the table ITB 510 – Capitol Exterior Lighting.

Senator Hoffman moved that Legislative Council approve the award of ITB 510 – Capitol Exterior Lighting to Chatham Electric, Inc. in the amount of \$113,263.00.

Representative Stoltze objected for the purposes of discussion.

Don Johnston, Building Manager, Maintenance, Legislative Affairs Agency, testified that this lighting project is to install colored LED lighting across the face of the building all along Fourth

Street. It would involve eight (8) LED-type fixtures that would be ground level/below-grade, aimed upward highlighting the sandstone columns between the windows; four (4) LED-type fixtures to be mounted from the portico aimed downward highlighting the marble columns at the main entrance; linear-type LED fixtures would be mounted across the entire face of the portico under the overhang; linear-type LED fixtures would be mounted across the east and west face of the building under the sandstone ledge between the first and second floor all along Fourth Street. He said that all the LED lighting could be programmed from the Building Manager's office PC through a controller terminal.

Mr. Johnston testified that the intent would be to illuminate the face of the Capitol through accent lighting; colors and scenes could be programmed; illumination could also enhance security lighting and safety lighting. That is the extent of the project.

Representative Stoltze asked that, other than the brief reference of security, could Mr. Johnston define any other light safety components necessitating this being on the agenda.

Mr. Johnston stated that by illuminating the building further than it is currently, particularly this time of year during the dark winter hours, people entering the building would be better able to navigate the entrance as well as street traffic would have better vision of pedestrians crossing the street.

Senator Stedman said that his impression was that this was a cost-saving issue with regard to some of the lighting that occasionally gets put up and taken down throughout the year. He went on to ask that, if it is a cost-saving issue, how is \$113,000 justified; if it's not a cost-saving issue, what's the necessity for it other than aesthetics?

Mr. Johnston replied that it is a cost-savings in that it eliminates the need for an outside contractor to install seasonal lighting.

Senator Stedman requested an annual cost.

Mr. Johnston said, barring anyone else that might be able to respond, he did not have those numbers but would get them to the members as soon as possible.

Chairman Harris noted that any cost-savings would be an important part of making this decision.

Representative Gatto asked if Mr. Johnston was making this request because there is an unsafe situation that needs to be remedied.

Mr. Johnston responded that it is not unsafe but it could be improved. He confirmed that the building currently meets existing requirements for safety.

Senator Stedman recommended that Council consider setting this aside for action at a future date.

Chairman Harris tabled the item until further notice.

8. ITB 518 - CAPITOL STAIRS REMODEL INCLUDING NEW HAND RAILS AND CANOPIES

Senator Hoffman moved that Legislative Council approve the award of ITB 518 – Capitol Stairs Remodel Including New Hand Rails and Canopies to North Pacific Erectors, Inc. in the amount of \$316,802.

Don Johnston testified that this project involves the replacement of the existing concrete landing and stairs in the courtyard behind the Capitol Building that lead from the upper parking deck down to the courtyard; they are deteriorating and repairs are no longer effective. This project would remove the concrete stairs and replace them with steel stairs covered by a canopy, protecting them from the elements. It also involves the replacement of all the courtyard sidewalks, which are also deteriorating and uneven, making them hazardous.

Discussion followed.

The motion passed with no objection.

9. ITB 530 - CAPITOL ROOF ANTENNA PROJECT

Senator Hoffman moved that Legislative Council approve the award of ITB 530 - Capitol Building Roof Antenna Farm to Silver Bow Construction Co. for a total price of \$44,881.00.

Don Johnston testified that this project involves the demolition of two existing antennas that are no longer in use. They were installed many years ago for the Emergency Operations Center transmitting from the Capitol Building in the event that all communications went out. The guy wires supporting the antennas are rusting and unsafe. The only antenna that is being used at this time is the one on the west wing above the House Finance Committee Room containing a microwave that KTOO uses for transmitting Gavel to Gavel.

Mr. Johnston stated that the new antenna would be installed in the same location above the House Finance Committee Room; a 20-foot structure to reinstall the microwave with the capability of adding an additional 13 feet in the future if needed. This project includes removal of additional antennas, also no longer in use, near the penthouse.

Chairman Harris asked about Silverbow Construction, who had the winning bid for this project. He went on to say that he recalled that Silverbow Construction was one of the contractors on the Thomas Stewart Legislative Office Building and that there was a dispute with them over a portion of the work; he wanted confirmation that the issue has been resolved.

Ms. Varni confirmed that the issue had been resolved.

Discussion followed.

Representative Gatto objected for the purpose of a roll call vote.

The roll was taken.

YEAS: Harris, Chenault, Guttenberg, Egan, Hoffman, Stedman, and Stevens

NAYS: Gatto and Stoltze

The motion failed 7-2.

10. LEGAL SERVICES DIRECTOR APPROVAL - EXECUTIVE SESSION

Senator Hoffman moved that Legislative Council go into Executive Session per Uniform Rule 22(b)(2) discussion of subjects that tend to prejudice the reputation and character of a person. I ask that the following staff remain in the room to answer questions: Pam Varni and Pam Finley.

The Council went into Executive Session. [11:00:34 AM](#)

The Council came out of Executive Session. [12:09:15 PM](#)

Senator Hoffman moved and asked unanimous consent that Legislative Council approve the appointment of Doug Gardner as the Legal Services Director for the Legislative Affairs Agency.

The motion passed with no objection.

Chairman Harris offered Mr. Gardner the position and Mr. Gardner accepted.

The meeting adjourned at 12:10 p.m.

[12:10:07 PM](#)