

**ALASKA STATE LEGISLATURE
LEGISLATIVE COUNCIL**

**NOVEMBER 17, 2023
2:00 PM**

MEMBERS PRESENT

Senator Elvi Gray-Jackson, Chair
Representative Kevin McCabe, Vice Chair
Senator Matt Claman
Senator Lyman Hoffman
Senator Jesse Kiehl
Senator Donny Olson
Senator Bert Stedman (alternate)
Senator Gary Stevens
Representative Bryce Edgmon
Representative Sara Hannan
Representative Craig Johnson
Representative George Rauscher
Representative Dan Saddler
Representative Cathy Tilton

MEMBERS ABSENT

Senator Click Bishop

OTHER MEMBERS PRESENT

Senator David Wilson
Representative Julie Coulombe
Representative Sarah Vance

AGENDA

APPROVAL OF AGENDA
APPROVAL OF MINUTES
CONTRACT APPROVALS
COMMITTEE BUSINESS-EXECUTIVE SESSION
OTHER COMMITTEE BUSINESS

SPEAKER REGISTER

Jessica Geary, Executive Director, Legislative Affairs
Agency (LAA)
JC Kestel, Procurement Officer, LAA

I. CALL TO ORDER

2:01:43 PM

CHAIR GRAY-JACKSON called the Legislative Council meeting to order at 2:01 pm on November 17, 2023. Present at the call were: Senators Claman, Gray-Jackson, Kiehl, Olson, Stedman; Representatives Edgmon, Hannan, Johnson, McCabe, Rauscher.

Ten Members present at the call.

Senator Stevens joined the meeting at 2:05 pm; Senator Hoffman joined the meeting at 2:07 pm; Representative Saddler joined the meeting at 2:15 pm.

II. APPROVAL OF AGENDA

2:03:09 PM

REPRESENTATIVE JOHNSON moved that Legislative Council approve the agenda as presented.

The agenda was approved without objection.

III. APPROVAL OF MINUTES

2:03:42 PM

REPRESENTATIVE JOHNSON moved that Legislative Council approve the minutes for August 28, 2023, as presented.

The minutes were approved without objection.

IV. CONTRACT APPROVALS

A. Anchorage Legislative Office Building (ALOB) Security Contract Renewal No. 1

2:04:12 PM

REPRESENTATIVE JOHNSON moved that Legislative Council approve Renewal No. 1 of the contract for armed security services with Security Services Northwest for an amount not to exceed \$193,640 [NOTE FOR THE RECORD: \$139,640 was read, but the actual amount is \$193,640] from January 1, 2024, through December 31, 2024. Representative Johnson further moved that Legislative Council add an increment to the Security Services FY25 budget for \$100,000 to cover the additional cost, as well as a FY24 supplemental request for \$100,000 to restore the Governor's veto of the funds.

CHAIR GRAY JACKSON objected for the purpose of discussion and asked Mr. Kestel and Ms. Geary to speak to this item.

JC KESTEL, Procurement Officer (LAA), said that Renewal No. 1 of the contract for Anchorage security is explained in detail in the memo provided to members. LAA has been under contract nearly one year with this contractor and is satisfied with the services provided. Should this one-year renewal from January 1, 2024, through December 31, 2024, be approved, four one-year renewal options remain before a new solicitation must be issued.

There was no discussion and Chair Gray-Jackson removed her objection.

REPRESENTATIVE JOHNSON asked for clarification about the requested FY24 supplemental increase of \$100,000 to restore the Governor's veto, and stated this is not intended to be a veto override.

MR. KESTEL asked for the motion to be read again to clarify the contract amount with Security Services Northwest.

[2:06:58 PM](#)

REPRESENTATIVE JOHNSON restated the motion with the correct contract amount.

REPRESENTATIVE HANNAN asked for clarification regarding the total amount requested by Legislative Council and questioned the amount of \$393,640 for security services.

JESSICA GEARY, Executive Director (LAA), stated the amount requested is \$193,640 and for Legislative Council to approve placing the increment in the FY25 budget request and add an FY24 supplemental to replace the funds the Governor vetoed.

REPRESENTATIVE HANNAN stated the motion as written is cumbersome and requested three separate fiscal actions: one for a contract extension; one for the FY25 budget request; and one for an FY24 supplemental budget request. Representative Hannan stated she planned to support the motion, but wanted the total amount clarified and which operating year the funds would be coming from.

PREPERSENATIVE MCCABE said the wording of the motion to "restore the Governor's veto" sounds as if Legislative Council is trying to override the Governor's veto.

Representative McCabe specified if that were the intent he would vote against it, and further stated if the intent was to request that amount in the supplement budget, then he would be more inclined to support it.

CHAIR GRAY-JACKSON stated the intent is to restore the funding that was vetoed; with no intention to override the Governor's veto.

MS. GEARY added that Legislative Council does not have the power to override vetoes and clarified the motion asked for a restoration of funds in the budget request.

CHAIR GRAY-JACKSON removed her objection.

[2:10:52 PM](#)

A roll call vote was taken.

YEAS: Senators Claman, Hoffman, Gray-Jackson, Kiehl, Olson, Stedman, Stevens; Representatives Edgmon, Hannan, Johnson, Tilton, McCabe

NAYS: None

The motion passed 12-0.

B. Discovery Preschool Contract Assignment and Consent

[2:12:07 PM](#)

REPRESENTATIVE JOHNSON moved Legislative Council approve the assignment of the contract for the operation of the childcare center in the Capitol Complex from Rosemary Williams to Nicole Bowers for the duration of the contract and any optional renewal periods.

CHAIR GRAY-JACKSON objected for the purpose of discussion.

MR. KESTEL said the Agency is requesting the Discovery Preschool contract assignment and consent as Ms. Williams sold Discovery Preschool to Ms. Bowers on September 1, 2023. Ms. Bowers would like to continue the contract and continue to operate and maintain services for the Legislature. LAA requests Legislative Council approve the Contract Assignment and Consent from former owner Ms. Williams to new owner Ms. Bowers for the duration of the contract and any optional renewal periods.

CHAIR GRAY-JACKSON asked if there were any questions.

REPRESENTATIVE JOHNSON inquired whether Ms. Bowers had met all the qualifications and had the necessary license and insurance to operate the childcare facility.

MR. KESTEL stated that Ms. Bowers had obtained the proper licenses and insurance required by the State to operate the childcare facility.

CHAIR GRAY-JACKSON commented both Ms. Williams and Ms. Bower were online and available for questions. Hearing no further questions, Chair Gray-Jackson removed her objection.

[2:14:25 PM](#)

A roll call vote was taken.

YEAS: Senators Claman, Gray-Jackson, Hoffman, Kiehl, Olson, Stedman, Stevens; Representatives Edgmon, Hannan, Johnson, Rauscher, Tilton, McCabe

NAYS: None

The motion passed 13-0.

V. Committee Business-Executive Session

CHAIR GRAY-JACKSON stated the council would go into Executive Session to consider a contract for the Assembly Building Apartments (ABA) property management and a discussion on security and legal issues.

[2:15:31 PM](#)

REPRESENTATIVE JOHNSON moved and asked unanimous consent 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 and 22(B)(3), discussion of a matter that may, by law, be required to be confidential. The following individuals may remain in the room or on-line during Executive Session: Jessica Geary, Megan Wallace, Emily Nauman, Santé Lesh, Rayme Vinson, JC Kestel, Ernest Daigle, Serge Lesh, Dottie Whitehead, any legislators not on Legislative Council, and any staff of Legislative Council members.

Representative Saddler joined the meeting at 2:15 pm.

[2:16:37 PM](#)

A roll call vote was taken.

YEAS: Senators Claman, Gray-Jackson, Kiehl, Olson, Stedman, Stevens; Representatives Edgmon, Hannan, Johnson, Rauscher, Saddler, Tilton, McCabe

NAYS: None

The motion passed 13-0.

[2:17:29 PM](#)

Council went into Executive Session.

[3:35:51 PM](#)

Council came out of Executive Session.

[3:35:57 PM](#)

A roll call vote was taken to establish a quorum.

YEAS: Senators Claman, Gray-Jackson, Kiehl, Olson, Stedman, Stevens; Representatives Edgmon, Hannan, Johnson, Rauscher, Saddler, Tilton

Twelve members present.

CHAIR GRAY-JACKSON stated they would begin with agenda *Item 5(A)-Property Management Services for the ABA*.

[3:37:08 PM](#)

REPRESENTATIVE JOHNSON, prior to taking up Item 5(A), moved that Legislative Council remove agenda *Item 6(B)-ID Badge Policy* from the agenda.

The motion passed without objection.

A. RFP - Property Management Services for the Assembly Building Apartments (ABA).

[3:37:33 PM](#)

REPRESENTATIVE JOHNSON moved that the Legislative Council approve the award of RFP 663 Property Management Services for the Assembly Building Apartments to TNT Realty, LLC, doing business as Juneau Real Estate not to exceed contract value of \$159,180.

CHAIR GRAY-JACKSON objected for the purpose of discussion and requested Mr. Kestel and Ms. Geary to speak to the motion and answer questions.

MR. KESTEL stated RFP 663 solicited qualified property management services for the Assembly Building Apartments (ABA). The Agency conducted the RFP and received a proposal from TNT Realty dba Juneau Real Estate. The proposal was evaluated by a Proposal Evaluation Committee (PEC) to ensure it met the RFP requirements. The PEC recommended the contract be awarded to TNT Realty, LLC dba Juneau Real Estate.

CHAIR GRAY-JACKSON asked if there were questions and, hearing none, removed her objection and requested a roll call vote.

REPRESENTATIVE JOHNSON, prior to the roll call vote, asked about leasing to store personal belongings during the interim. He noted the memo states legislators only, but the lease does not specify legislators only. He requested a clarifying modification to the lease if necessary.

MR. KESTEL stated the lease included was a draft and that modifications could be made.

REPRESENTATIVE JOHNSON stated he wanted the discrepancy brought to Council's attention before they moved on.

CHAIR GRAY-JACKSON removed her objection.

[3:40:34 PM](#)

A roll call vote was taken.

YEAS: Senator Claman, Gray-Jackson, Hoffman, Kiehl, Olson, Stedman, Stevens; Representative Edgmon, Hannan, Johnson, Rauscher, Saddler, Tilton

NAYS: None

The motion passed 13-0.

VI. Other Committee Business

A. Assembly Building Apartments Policy

[3:42:02 PM](#)

REPRESENTATIVE JOHNSON moved that Legislative Council approve the Assembly Building Apartments Policy as presented and give

Legal Services and LAA the authority to make technical and conforming changes to the policy.

CHAIR GRAY-JACKSON objected for the purpose of discussion and asked Senator Kiehl, Chair of the ABA Policy Subcommittee, and Ms. Geary to speak to the item.

SENATOR KIEHL stated the draft ABA Policy had been developed after discussions with Ms. Geary, her staff, and a property management consultant whom the Legislative Council Chair retained on a small contract. The ABA Policy Subcommittee discussed the initial draft policy and made several changes. Senator Kiehl indicated the changes were made by consensus and there were no contested votes during that subcommittee discussion. He brought the Council's attention to one revision on page 2, in paragraph G regarding 2024 session rental rates. Senator Kiehl commented that the change was made because of the delayed RFP process for obtaining a property manager. He clarified the property manager will develop 2025 and subsequent years session rental and security deposit rates in consultation with LAA.

SENATOR CLAMAN asked Ms. Geary to put on the record the 2024 session rental rates that were discussed during the Executive Session.

MS. GEARY confirmed the monthly ABA rental rates for the upcoming 2024 session will be: small one bedroom \$1400; medium one bedroom \$1500; large one bedroom \$1600; small studio \$1100; and large studio \$1300. She added that rental rates will be prorated as needed.

REPRESENTATIVE SADDLER questioned if there will be a provision or some degree of integration between legislative financial functions and ABA property management allowing legislators and legislative staff to have rent withdrawn from their paychecks automatically.

MS. GEARY said that level of detail had not been considered in the policy and would be an administrative item to discuss in the future. She specified that rent should be paid with a check to the property manager.

REPRESENTATIVE SADDLER stated it was his opinion that legislators and staff should be required to write a check for rent directly to property management if they intend to rent an Assembly Building Apartment.

REPRESENTATIVE JOHNSON said he thought allowing pets in the new Assembly Building Apartments complex would be detrimental to the building. He shared pets have the tendency to be destructive and if allowed would be troublesome for future tenants with pet allergies.

REPRESTATIVE HANNAN commented that while she shared a similar view with Representative Johnson, she would support the policy to allow pets in the ABA. She noted that she chaired Legislative Council when the ABA discussion began and a primary concern for many legislators was the ability to have their pets with them in Juneau during the legislative session.

SENATOR KIEHL agreed with Representative Hannan.

REPRESENTATIVE JOHNSON asked for some guidance regarding the appropriate time to make a motion concerning the policy and pets being allowed or not in the ABA complex.

SENATOR OLSON agreed with Representative Johnson and placed additional emphasis on the damage pets cause to property and added future tenants with allergies will not be able to rent those apartments because of the lingering dander.

SENATOR KIEHL said the subcommittee had anticipated Council members would adopt the ABA policy, but that now would be the time to propose changes regarding the pet policy. He said he agreed with Representative Hannan's position that legislators have specified the need for pet friendly rentals in Juneau. He also expects legislators and staff to care for the ABA and not leave significant damage.

REPRESENTATIVE JOHNSON reiterated his concern was not with the members who will live in the apartments, but with the pets that will occupy the space with the members.

CHAIR GRAY-JACKSON said she respects those who own pets and understands they are like family members. She added she also respects the ABA property and the time and effort that went into making the ABA what it is and is glad to be able to vote on whether pets should be allowed in the Assembly Building.

SENATOR OLSON stated he is a dog owner and not against pets.

REPRESENTATIVE RAUSCHER asked if ABA management and tenants will be required to follow all rental statutes and laws, specifically the Alaska Landlord Tenant Act.

MS. GEARY responded that Legal Services reviewed and approved the lease and that it is compliant with all state and federal laws.

[3:57:39 PM](#)

REPRESENTATIVE JOHNSON moved that Legislative Council delete Section L-Pets from the rental policy for the Assembly Building Apartments.

MS. GEARY, in response to a request by Senate President Stevens, read Section L of the Assembly Building Apartments agreement so members would know what they were voting on.

CHAIR GRAY-JACKSON asked for a roll call vote.

[4:00:10 PM](#)

A roll call vote was taken.

YEAS: Senators Gray-Jackson, Olson, Stedman; Representatives Johnson, Rauscher, Saddler, Tilton

NAYS: Senators Claman, Hoffman, Kiehl, Stevens; Representatives Edgmon, Hannan

The motion to amend failed 7-6.

[NOTE FOR THE RECORD: Legislative Council requires 8 votes to pass a motion.]

[4:01:19 PM](#)

Council took a brief at-ease.

[4:02:02 PM](#)

Council returned from brief at-ease.

CHAIR GRAY-JACKSON stated Legislative Council would take up the original motion to approve the Assembly Building Apartments policy.

[4:02:15 PM](#)

A roll call vote was taken.

YEAS: Senators Claman, Gray-Jackson, Hoffman, Kiehl, Olson, Stedman, Stevens; Representatives Hannan, Johnson, Rauscher, Saddler

NAYS: Tilton

The motion passed 11-1.

CHAIR GRAY-JACKSON reminded members that Item 6(B) - ID Badge Policy had been removed from the agenda and asked if there were any comments before adjournment.

REPRESENTATIVE RAUSCHER said he would like to bring forth a proposal in a future meeting about the disparity between districts and office accounts.

CHAIR GRAY-JACKSON thanked staff for their hard work and help ensuring a smooth meeting. She also thanked Representative Johnson for sitting in as Vice Chair and the other members for making attendance a priority and wished members a wonderful Thanksgiving.

[4:05:34 PM](#)

With no further business before the committee, the meeting adjourned at 4:05 PM.