

CITY OF DILLINGHAM, ALASKA

RESOLUTION NO. 2014-43

A RESOLUTION OF THE DILLINGHAM CITY COUNCIL AUTHORIZING A LONG TERM ENCROACHMENT IN CENTRAL AVENUE AND AN ALLEY BETWEEN F AND G STREETS BY SAFE AND FEAR FREE ENVIRONMENT (SAFE) TO TIE INTO THE CITY'S SEWER SYSTEM

WHEREAS, according to Dillingham Municipal Code 12.08.010 an encroachment is considered as any object above ground or below belonging to a private owner other than the municipality which has been or caused to be constructed or located within streets, public rights of way or other property dedicated to a public use; and

WHEREAS, the SAFE and Fear Free Environment wishes to connect its septic system to the City sewer system on Central Avenue; and

WHEREAS, the provision of utilities to the lot is considered a long term encroachment in the public right of way; and

WHEREAS, it is in the public interest to allow SAFE to tie into the City sewer system; and

WHEREAS, the proposed encroachment has been reviewed by the City Public Works Department and Nushagak Cooperatives, with no opposition or further requirements; and

WHEREAS, SAFE agrees to bear all responsibility for repairs and maintenance of the sewer line it is installing between its septic system and the City's sewer cleanout on Central Avenue; and

WHEREAS, DMC 12.08 requires City Council and Planning Commission approval for any object belonging to a private owner other than the municipality that is placed in streets, public rights-of-way or other property dedicated to a public use, for longer than one year; and

WHEREAS, per Resolution 2014-14 the Dillingham Planning Commission recommends approval of this long term encroachment;

NOW, THEREFORE, BE IT RESOLVED that the Dillingham City Council approves the long term encroachment of a sewer line into the City Street with the following conditions:

1. That the City perform the "saddle-tap" or join of the two sewer lines;
2. That the City clarify its liability by establishing a written agreement with SAFE;

3. That prior to any work on public lands or in the public right of way, at least 48 hours' notice be given to the City of Dillingham Administration, Public Safety, and Public Works Department.
4. That a new encroachment permit be obtained before the utilities are moved from this location;
5. That Nushagak Cooperatives restore the public land or public right of way to not less than its original condition and compaction after completing the utility installations; and
6. That one form of location information be provided after the installation, whether an as-built or GPS coordinates.

ADOPTED by the Dillingham City Council August 7, 2014.

Alice Ruby, Mayor

ATTEST:

[SEAL]

Janice Williams, City Clerk

Attachment to:

Ordinance No. _____ / Resolution No. 2014-43

Subject:

Authorizing a long term encroachment in Central Avenue and an alley between F and G Streets by SAFE to tie into the City's sewer system

City Manager; Recommend Approval

Signature: Rose Rivera

Route to	Department Head	Signature	Date
	Finance Director		
X	Public Works Director <i>Act'g</i>	<i>[Signature]</i>	7/29/14
X	Planning Director	<i>[Signature]</i>	7/16/14
X	City Clerk	<i>[Signature]</i>	7/15/14

Fiscal Note: Yes No

Funds Available: Yes No

Other Attachments:

- Map of the line proposed for construction
- Planning Commission Resolution 2014-14

Summary Statement:

SAFE wishes to connect to the City sewer system. Their septic system does not perk well enough to handle the blackwater from the tank. Untreated overflow potentially affects neighboring parcels downhill from the septic system.

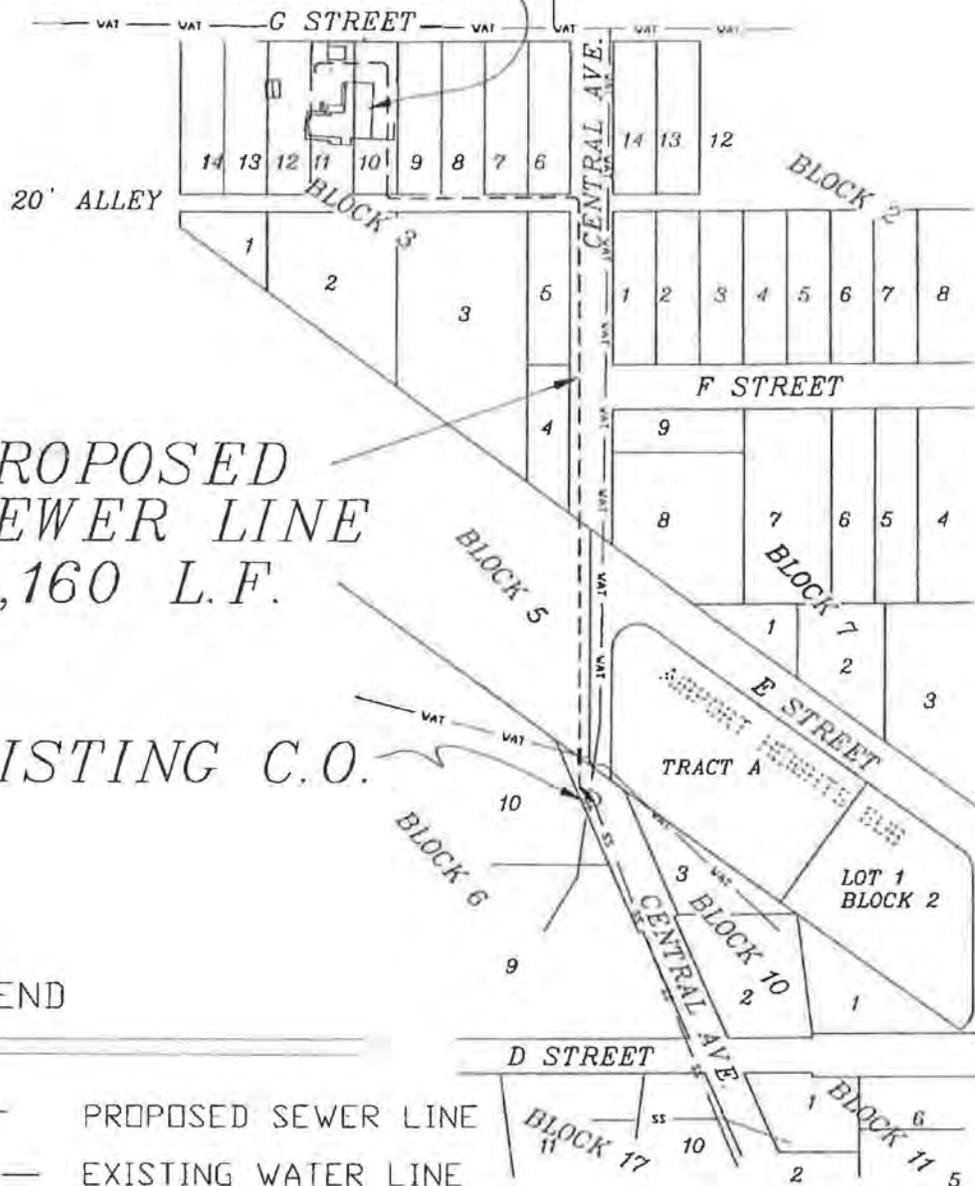
SAFE proposes to bury a 1.5" polypropylene line 5' - 6' deep between SAFE and the City sewer line clean out on Central Avenue. The line will only be used by SAFE. A pump at SAFE will push blackwater through the pipe to the sewer line. Public Works Department will make the tie-in to the line. The line has no conflicts with other existing sewer or water lines. Nushagak Cooperative has been consulted and will be contacted during the dig to help locate fiber optic lines.

SAFE is responsible for construction and maintenance of the line.

Ordinance No. _____ / Resolution No. 2014-43

Summary Statement continued:

'SAFE' BUILDING



PROPOSED
SEWER LINE
1,160 L.F.

EXISTING C.O.

LEGEND

- PROPOSED SEWER LINE
- VAT — VAT — EXISTING WATER LINE
- SS — SS — EXISTING SEWER LINE

SCALE in FEET



NOTES:

- 1) EXISTING WATER AND SEWER LINES ARE SHOWN PER CITY OF DILLINGHAM UTILITY DRAWINGS.
- 2) "SAFE" BUILDING SHOWN PER ASBUILT DATED OCT. 2000

<i>Coastal Surveyors</i>		CONCEPTIONAL PLAN SAFE-PROPOSED SEWER WITHIN USS 2372	
BOX 181 NAKNEK AK. 99633		(907) 246-4408	
DRAWN BY: H.P.	DATE: June 17, 2014	PROJ. #: 1416	
CHECKED BY: rjm	SCALE 1"=200'	SH. 1 of 1	

RESOLUTION 2014-14
A RESOLUTION OF THE DILLINGHAM PLANNING COMMISSION

Supporting a long term encroachment permit for SAFE sewer line

WHEREAS, SAFE wishes to connect to the City sewer system to dispose of blackwater from their septic tank; and

WHEREAS, SAFE's application was reviewed by Nushagak Cooperatives and the City Public Works Department and there is no objection to the installation as proposed; and

WHEREAS, SAFE proposes that their 1.5" polyethylene sewer line will extend eastward from SAFE's septic system through a pipe down the alley between F and G Streets then south down Central Avenue to the sewer line clean out between D and E Street; and

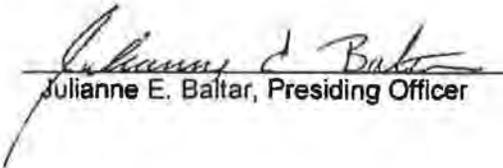
WHEREAS, the proposed sewer line plan reflects the presence of existing fiberoptic and telephone cable; and

WHEREAS, the Dillingham Planning Commission is required to make a recommendation to the city council for long term encroachments and for excavation and construction in city rights-of-way and city property per DMC 12.08.020 (C) and DMC 12.08.070;

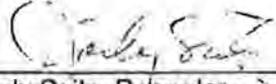
THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Dillingham, Alaska, recommends the City Council approve the permit for SAFE to install a sewer line from their building to the clean out on Central Avenue on the route identified on the attached map.

- That the City perform the "saddle-tap" or join the two sewer lines;
- That the City clarify its liability by establishing a written agreement with SAFE;
- That one form of location information be provided after the installation, whether an as-built or GPS coordinates;
- That the road be returned to not less than its original condition and compaction,
- That prior to working in the street, at least 48 hours notice be given to the City of Dillingham administration.

APPROVED AND ADOPTED THIS 9th DAY OF July, 2014.



Julianne E. Baltar, Presiding Officer



Jody Seitz, Recorder

CITY OF DILLINGHAM, ALASKA

RESOLUTION NO. 2014-44

A RESOLUTION OF THE DILLINGHAM CITY COUNCIL AUTHORIZING A LONG TERM ENCROACHMENT INTO FIRST AVENUE EAST BY THE BBEDC TO TIE INTO THE CITY'S SEWER SYSTEM

WHEREAS, according to Dillingham Municipal Code 12.08.010 an encroachment is considered as any object above ground or below belonging to a private owner other than the municipality which has been or caused to be constructed or located within streets, public rights of way or other property dedicated to a public use; and

WHEREAS, the Bristol Bay Economic Development Corporation wishes to connect its building to the City sewer system on First Avenue East; and

WHEREAS, the provision of utilities to the lot is considered a long term encroachment in the public right of way; and

WHEREAS, it is in the public interest to allow BBEDC to tie into the City sewer system; and

WHEREAS, the proposed encroachment has been reviewed by the City Public Works Department and Nushagak Cooperatives, with no opposition or further requirements; and

WHEREAS, DMC 12.08 requires City Council and Planning Commission approval for any object belonging to a private owner other than the municipality that is placed in streets, public rights-of-way or other property dedicated to a public use, for longer than one year; and

WHEREAS, per Resolution 2014-15 the Dillingham Planning Commission recommends approval of this long term encroachment;

NOW, THEREFORE, BE IT RESOLVED that the Dillingham City Council approves the long term encroachment of a sewer line into the City Street with the following conditions:

1. That prior to any work on public lands or in the public right of way, at least 48 hours' notice be given to the City of Dillingham Administration, Public Safety, and Public Works Department.
2. That a new encroachment permit be obtained before the utilities are moved from this location;
3. That Nushagak Cooperatives restore the public land or public right of way to not less than its original condition and compaction after completing the utility installations; and

4. That one form of location information be provided after the installation, whether an as-built or GPS coordinates.

PASSED AND ADOPTED by the Dillingham City Council August 7, 2014.

Alice Ruby, Mayor

ATTEST:

[SEAL]

Janice Williams, City Clerk

City of Dillingham Information Memorandum Agenda of: August 7, 2014
 Attachment to:
 Ordinance No. _____ / Resolution No. 2014-44

Subject:

A RESOLUTION OF THE DILLINGHAM CITY COUNCIL AUTHORIZING A LONG TERM ENCROACHMENT INTO FIRST AVENUE EAST BY THE BBEDC TO TIE INTO THE CITY'S SEWER SYSTEM

City Manager: Recommend Approval

Signature: Rose Doer

Route to	Department Head	Signature	Date
	Finance Director		
X	Public Works Director <i>Awley</i>	<i>John Awley</i>	7/29/14
X	Planning Director	<i>Jody Salt</i>	7/16/14
X	City Clerk	<i>J. Williams</i>	7/15/14

Fiscal Note: Yes No

Funds Available: Yes No

Other Attachments:

- Map of the line which was abandoned and the line which was constructed
- Planning Commission Resolution 2014-15

Summary Statement:

The Bristol Bay Economic Development Corporation's original sewer line connected to D street. It froze and heaved during the winter, making it necessary to install a new connection to the City sewer. The new line comes out the front of the building and goes to a manhole on First Avenue East. The new line is marked with GPS coordinates on an on-line GIS map.

The construction on this has been done, but BBEDC wanted to comply with the code in requesting a permit.

Ordinance No. _____ / Resolution No. 2014-44

Summary Statement continued:

RESOLUTION 2014-15
A RESOLUTION OF THE DILLINGHAM PLANNING COMMISSION

Supporting a long term encroachment permit for BBEDC sewer line

WHEREAS, BBEDC wishes to change their sewer system tie in to the building at 411 First Avenue East; and

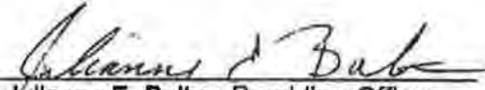
WHEREAS, the application was reviewed by Nushagak Cooperatives and the City Public Works Department and there is no objection to the installation as proposed; and

WHEREAS, the Dillingham Planning Commission is required to make a recommendation to the city council for long term encroachments and for excavation and construction in city rights-of-way and city property per DMC 12.08.020 (C) and DMC 12.08.070;

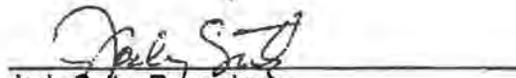
THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Dillingham, Alaska, recommends the City Council approve the permit for BBEDC to install a sewer line to the manhole in front of their building on First Avenue East with the following requirements:

- That one form of location information be provided after the installation, whether an as-built or GPS coordinates;
- That the road be returned to not less than its original condition and compaction,
- That prior to working in the street, at least 48 hours notice be given to the City of Dillingham administration.

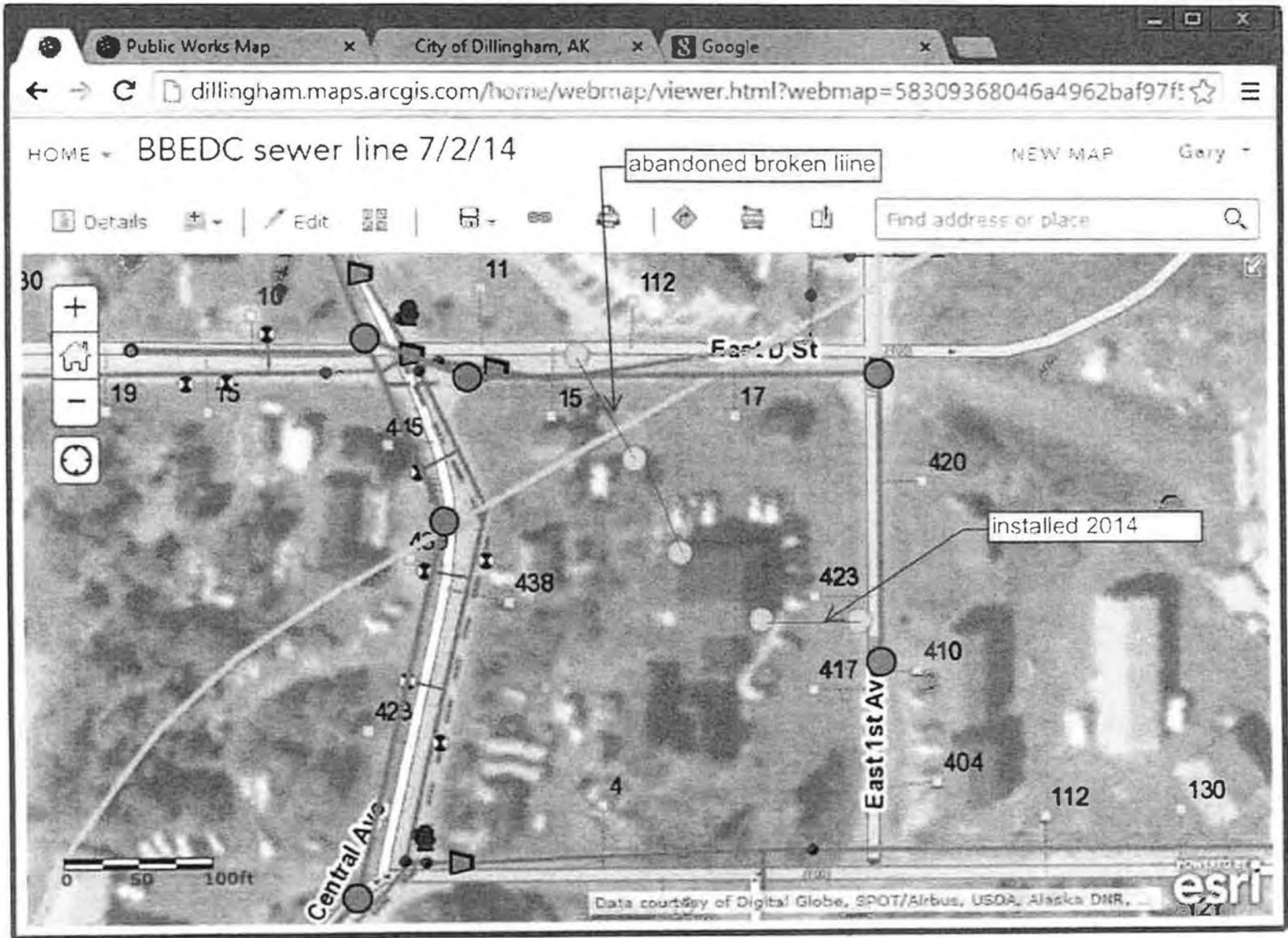
APPROVED AND ADOPTED THIS 9th DAY OF July, 2014.



Jullanne E. Baltar, Presiding Officer



Jody Seltz, Recorder





CITY OF DILLINGHAM, ALASKA

RESOLUTION NO. 2014-45

A RESOLUTION OF THE DILLINGHAM CITY COUNCIL AUTHORIZING BOYD, CHANDLER & FALCONER TO PARTICIPATE IN AN APPEAL WITH THE LAKE AND PENINSULA BOROUGH ON THE "SAVE OUR SALMON" INITIATIVE.

WHEREAS, the City Council passed Resolution No. 2010-05 approved on January 7, 2010 opposing Large Scale Mining and the Proposed Pebble Mine; and

WHEREAS, the Lake and Peninsula Borough passed a "Save our Salmon" (SOS) initiative that Pebble Limited Partnership and the State of Alaska sued to block the initiative; and

WHEREAS, the City of Dillingham had asked their attorneys to follow this lawsuit and to provide the council a status on it; and

WHEREAS, a decision was issued in March 2013 striking the Initiative and the ruling is now on appeal to the Supreme Court; and

WHEREAS, the trial court concluded that natural resources on state land are for the benefit of all Alaskans, and therefore struck down a municipal law that would allow a limited number of Alaskans to "veto" a project because of its local impacts; and

WHEREAS, if the blocking of this initiative is upheld by the Supreme Court, it could undermine the ability of local governments to regulate resource development within municipal borders; and

WHEREAS, the City has an interest in participating in this appeal by submitting an "*amicus* brief" to urge the Court to consider certain policies when reaching a decision; and

WHEREAS, the City of Dillingham has an interest in protecting its right to exercise permitting authority within its city limits;

NOW, THEREFORE, BE IT RESOLVED that the Dillingham City Council authorize Boyd, Chandler & Falconer to participate on behalf of the City in appealing to the Supreme Court to reach a decision that does not reduce municipal authority to regulate its own affairs, or to overturn the trial court's decision entirely.

PASSED and ADOPTED by the Dillingham City Council on August 7, 2014.

Alice Ruby, Mayor

ATTEST:

[SEAL]

Janice Williams, City Clerk



City of Dillingham Information Memorandum Agenda of: August 7, 2014
 Attachment to:
 Ordinance No. _____ / Resolution No. 2014-45

Subject:

A RESOLUTION OF THE DILLINGHAM CITY COUNCIL AUTHORIZING, BOYD, CHANDLER & FALCONER TO PARTICIPATE IN AN APPEAL WITH THE LAKE AND PENINSULA BOROUGH ON THE "SAVE OUR SALMON" INITIATIVE

City Manager: Recommend Approval

Signature: Rose Roera

Route to	Department Head	Signature	Date
X	Finance Director	Carol Shade	7/28/14
X	City Clerk	Janet Williams	7/28/14

Fiscal Note: Yes No

Funds Available: Yes No

Other Attachments:

- July 18, 2014 Letter from Boyd, Chandler & Falconer

Summary Statement:

The City's attorney has been following the Lake and Peninsula Borough's Save our Salmon Initiative lawsuit which is on appeal to the Supreme court. The attorney provided an update to this lawsuit which is attached. If the initiative is not upheld it could impact the ability of municipalities to regulate resource development within its borders.

The attorney's estimate for submitting an amicus brief on behalf of the City could cost up to \$10,000 in attorney fees. This amount would decrease if other communities choose to participate.

Ordinance No. _____ / Resolution No. 2014-45

Summary Statement continued:

**City of Dillingham
Fiscal Note**

Agenda Date August 7, 2014

Request: _____

ORIGINATOR: Carol Shade

FISCAL ACTION (TO BE COMPLETED BY FINANCE)		FISCAL IMPACT	
AMOUNT REQUESTED:	\$ 10,000.00	FUNDING SOURCE	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
		General Fund	
FROM ACCOUNT		Project	
1000 7020 10 15 0000 0	\$ 10,000	Save our Salmon brief	
TO ACCOUNT:	VERIFIED BY: Carol Shade	Date:	8/7/2014

EXPENDITURES

OPERATING	FY15	FY16	FY17	FY18
Personnel				
Fringe Benefits				
Legal	\$10,000.00			
Major Equipment				
Land/Buildings				
Construction				
TOTAL OPERATING	\$ 10,000.00	\$ -	\$ -	\$ -

Capital				
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REVENUE				
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FUNDING

General Fund	\$ 10,000.00			
State/Federal Funds				
BBEDC CDBG				
TOTAL FUNDING	\$ 10,000.00	\$ -	\$ -	\$ -

POSITIONS

Full-Time				
Part-Time				
Temporary				

ANALYSIS: (Attach a separate page if necessary)

See R 2014-45

PREPARED BY: Carol Shade

August 7, 2014

DEPARTMENT: Finance Department

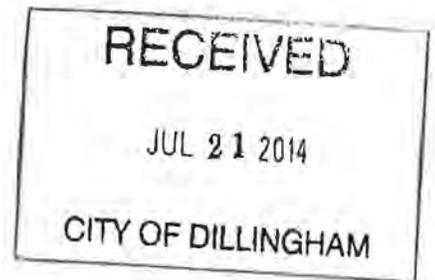
August 7, 2014



BOYD, CHANDLER & FALCONER, LLP
ATTORNEYS AT LAW
SUITE 302
911 WEST EIGHTH AVENUE
ANCHORAGE, ALASKA 99501
TELEPHONE: (907) 272-8401
FACSIMILE: (907) 274-3698
bcf@bcf.us.com

July 18, 2014

Rose Loera
City Manager
City of Dillingham
P.O. Box 889
Dillingham, AK 99576



Re: Status of SOS Initiative Lawsuit on Appeal to the Supreme Court

Dear Rose,

A little over a year ago, you and Mayor Ruby asked us to follow the lawsuit regarding the Lake and Peninsula Borough's "Save our Salmon" Initiative and update you on significant developments. As I'm sure you know, the initiative sought to amend the borough land use code to prohibit issuance of a borough land use permit for mines exceeding 640 acres that would have a "significant adverse impact" on salmon-bearing waters. Pebble Limited Partnership sued to block the initiative, arguing that the borough did not have authority to enact a "co-equal" permitting system that could preclude a mine that the State of Alaska might otherwise permit. The judge declined to rule on the lawsuit until after the election. The initiative passed by 37 votes on October 4, 2011. At that point, the State also sued to block implementation of the initiative. PLP and the State's suits were combined, and a decision was issued in March 2013 striking the Initiative. The ruling is now on appeal to the Supreme Court.

The Trial Court's Decision

In short, the trial court ruled that the L&PB did not have authority to enact a permitting system that could prevent large scale mining within borough boundaries. The main basis for the decision was that the Alaska Constitution conferred authority over all state lands to the Alaska legislature. In turn, the legislature gave vast authority to DNR to regulate mining. Critically, the legislature reserved for itself the authority to withdraw parcels larger than 640 acres from mineral development. Based on that limitation, the trial court concluded that the borough's permitting system was unlawful because it purported to give the borough a power (*i.e.*, preventing mineral development over 640 acres by denying a permit) that only the legislature has under state law. It therefore struck down the initiative, meaning the borough's permitting system will not go into effect even though it was supported by a majority of the local citizens.

Although there are other issues on appeal to the Supreme Court, this is the one that we view as most important to local governments in Alaska and to Dillingham in particular. The trial court concluded that natural resources on state land are for the benefit of all Alaskans, and therefore struck down a municipal law that would allow a limited number of Alaskans (*i.e.*, locals near the proposed project) to "veto" a project because of its local impacts. Additionally, the trial court seemed skeptical that local governments could be trusted to make informed decisions about large mineral

developments because local officials and citizens are so close to the politics, impacts, and passions of such projects. These are some of the principals the Alaska Supreme Court is now being asked to consider on appeal. If broadly upheld by the Supreme Court, the trial court's decision could undermine the ability of local governments to regulate resource development within municipal borders. The Supreme Court could, at worst, rule that municipalities do not have the authority to enact permitting systems that *might* block a project that the state would otherwise permit.¹

Analysis of Dillingham's Interests

We believe the City of Dillingham may have an interest in participating in this appeal. The context of the City's participation would be quite limited. When an entity not otherwise involved in a lawsuit believes that the Supreme Court's decision will impact its legal rights and powers in the future, it may submit an "*amicus* brief" to urge the Court to consider certain policies when reaching a decision. In this case, the City of Dillingham may decide that it has an interest in protecting its right to exercise permitting authority within city limits. For example, a broad Supreme Court decision would call into question the City's permitting authority over material sites and perhaps other activities intended to be covered by the City's recently-enacted land use permitting system. Moreover, should the Supreme Court reach a very broad decision that significantly limits municipal authority to exercise permitting authority, future cases could draw upon its reasoning to further limit municipal power and self-determination.

The City may decide it wants to defend its municipal authority by submitting an *amicus* brief that urges the Supreme Court to reach a very narrow decision, or to overturn the trial court's decision entirely. Note that neither position *requires* the City to endorse or oppose the Pebble Project or even the SOS Initiative. The City's position could be narrowly-tailored to simply urge the Court to reach a decision that does not reduce municipal authority to regulate its own affairs. The City, on behalf of itself and other Alaskan cities, would ask the Court to limit its decision to the facts presented in the lawsuit: whether a borough can enact a law that could veto a project of 640 acres or more (no matter what the Court decides on the merits of the SOS Initiative). That type of narrow decision would have the least impact on the City's ability to regulate mining (and potentially other activities) within its borders in the future.

Significantly, we believe the Court will reach a narrow decision on its own. The Supreme Court typically avoids making broad pronouncements of law that are not necessary to decide a specific case. If the Court follows that practice here, it will reach a limited decision that applies only to ordinances that could effectively veto large resource extraction projects over 640 acres. Thus, the City's position might be one that the Court will adopt anyway whether or not the City gets involved.

¹ The SOS Initiative sponsors also point out that PLP has not applied for a borough permit under the new system, much less been denied, so the case should not even be decided at this time. We believe that issue is secondary to the issues noted elsewhere in this letter, but we are somewhat troubled by the court's willingness to preemptively strike down a municipal permitting system based on the idea that it *might* prevent a development, not that it has actually done so.

On the other hand, a municipal voice urging the Court to reach a narrow conclusion will help ensure that this case does not reduce municipal self-determination and local control. Other communities are also considering whether to get involved in the way we described here.

Participation would not be without costs. We believe the City's limited role would require less than \$10,000 in attorney's fees and minimal costs, limited to copies and legal research. This amount would decrease if other communities participate. Additionally, we understand that the SOS Initiative and Pebble Project are a hot button issue in the community and that the City may not want to get involved. This is completely understandable as well. Note, however, that the City could participate in this limited manner without taking a position on Pebble or even the validity of the Initiative because we would be urging the Court to make whatever decision it reaches in a way that least damages other cities' ability to regulate their own affairs. On the other hand, if the City wanted to take a position, it could direct us to defend municipal authority in that way while also arguing either in favor of or against the SOS Initiative (and perhaps by extension, the Pebble Project).

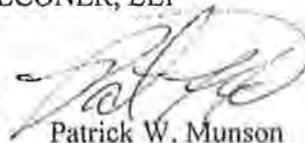
We are presenting this analysis for your review and consideration. We do not have a recommendation on whether the City should participate because the costs and benefits are ultimately something for you and the City Council to weigh. If you believe that the City Council would be interested in reviewing this information, please provide it to them as soon as possible so they can provide instructions to us in time to participate if that is the City's preference. The latest we could decide to participate is approximately August 15 because our brief would likely be due on September 2. Therefore, if you believe the City Council should consider the matter, we will draft a resolution directing our firm to represent the City in the Supreme Court, which the Council may approve or reject at its August 7 meeting.

Please feel free to call anytime to discuss this or any other matter.

Very truly yours,

BOYD, CHANDLER &
FALCONER, LLP

By:



Patrick W. Munson

PWM/lkr
cc: Mayor Ruby



CITY OF DILLINGHAM, ALASKA

RESOLUTION NO. 2014-46

A RESOLUTION OF THE DILLINGHAM CITY COUNCIL APPROVING THE 2015-2020 CAPITAL IMPROVEMENT PLAN AND ADOPTING THE FY2016 LEGISLATIVE PRIORITIES LIST

WHEREAS, Dillingham Municipal Code 2.68.160 requires that the Dillingham Planning Commission prepare and recommend to the City Council an annual update of a six year capital improvements plan; and

WHEREAS, staff and the public prepared proposals from March 4 to April 2, 2014; and

WHEREAS, the Project Review Committee met April 29 in a public workshop to evaluate and rank the projects nominated this year; and

WHEREAS, the Planning Commission held a Public Hearing July 9 to approve the proposed plan for recommendation to the City Council; and

WHEREAS, it is the intent of the Dillingham City Council to provide the Governor, the State Legislature, State agencies, the Alaska Congressional Delegation, and other potential funding sources with adequate information regarding the City's capital project funding needs,

NOW, THEREFORE, BE IT RESOLVED that the "City of Dillingham 2015-2020 Capital Improvement Plan" is hereby adopted as the current official six year capital improvement plan for the City of Dillingham.

BE IT FURTHER RESOLVED that:

1. The following capital improvement projects and project funding needs are identified as priorities for the FY16 State Legislative Request:

1	Wastewater System Upgrades	\$1,000,000
2	Landfill Improvements	\$225,000
3	Public Safety Building Replacement	\$20,000,000
4	All Tide Dock Dolphins	\$ 1,500,000
5	Harbor Revetments and Breakwater/Emergency Bank Stabilization (Match for USACOE Construction Ready Project)	\$7,525,000
6	Water and Sewer Master Plan Phases 1.3 and 1.4 (Match for Municipal Matching Grant 28305)	\$625,000
7	Nerka Roads	\$6,274,230
8	Alternate Emergency Operations Center Phase I	\$445,000
9	Snag Point Bulkhead and Harbor Beach Protection	\$1,200,000
10	Emergency Response Boat	\$110,000
11	Territorial School Rehabilitation	\$1,800,000

2. Projects for the FY16 Federal Legislative Request will be selected from this list; and

3. The City Manager is hereby instructed to advise appropriate State and Federal representatives and personnel of the City's FY2016 capital project priorities and take appropriate steps to provide necessary background information.

PASSED and ADOPTED by the Dillingham City Council on August 7, 2014.

Alice Ruby, Mayor

ATTEST:

[SEAL]

Janice Williams, City Clerk

City of Dillingham Information Memorandum Agenda of: August 7, 2014
 Attachment to:
 Ordinance No. _____ / Resolution No. 2014-46

Subject:

A RESOLUTION OF THE DILLINGHAM CITY COUNCIL APPROVING THE 2015-2020 CAPITAL IMPROVEMENT PLAN AND ADOPTING THE FY2016 LEGISLATIVE PRIORITIES LIST

City Manager: Recommend Approval

Signature: Rose Doera

Route to	Department Head	Signature	Date
X	Finance Director	<i>Carol Shade</i>	7/28/14
X	Public Works Director <i>Acting</i>	<i>[Signature]</i>	7/29/14
X	Planning Director	<i>Jody Sill</i>	7/24/14
X	City Clerk	<i>[Signature]</i>	7/24/14

Fiscal Note: Yes No

Funds Available: Yes No

Other Attachments:

- Planning Commission Resolution No. 2014-11
- 2015-2020 Capital Improvement Plan

Summary Statement:

This resolution is to approve the City's Legislative Priorities for Fiscal Year 2016 as well as the 2014 Update of the City's Six Year Capital Improvement Plan as per DMC 2.68.160.

Planning Commission Resolution 2014-11 recommends the 2015-2020 Capital Improvement Plan for City Council approval.

The 2015-2010 CIP is updated to reflect the combination of lift stations, lagoon outfall and Wastewater Treatment Plant project as "Wastewater System Upgrades". The change reflects the advances made in the Wastewater Treatment Plant project and the final necessary improvements to the whole wastewater system as well as the associated costs. The Landfill Improvements project description was updated as well.

Ordinance No. _____ / Resolution No. 2014-46

Summary Statement continued:

DMC 4.05.070 Submission of legislative priorities, capital improvement plan.
The six-year capital improvement plan shall be submitted annually in June as a part of the fiscal budgeting process. The preliminary legislative priority list shall be submitted to the council by the first Thursday of August.

RESOLUTION 2014-11
A RESOLUTION OF THE DILLINGHAM PLANNING COMMISSION

Recommending the 2014 annual update of the
Six Year Capital Improvement Plan 2015-2020

WHEREAS, the City of Dillingham Municipal Code 2.38.160 (A)(5) requires that the Planning Commission conduct an annual update of the City's Six Year Capital Improvement Plan; and

WHEREAS, the Planning Commission is updating the plan as the Municipal code requires, during the spring budget process; and

WHEREAS, the six year plan was the result of an extensive public process in the fall of 2012 and the 2014 process also followed a public process with three week's publicized solicitation for community nominations; advertisements in the Bristol Bay Times and on the City website; and posters at several downtown locations; and,

WHEREAS, all projects were scored with regard to 16 criteria; and

WHEREAS, this Six Year Plan will provide the basis for the FY16 legislative requests as well as future updates of the City's capital needs; and

WHEREAS, the Planning Commission has reviewed the proposed Six Year Capital Improvement Plan for 2015-2020;

THEREFORE, the Dillingham Planning Commission recommends the attached Six Year Capital Improvement Plan for 2015-2020 to the Dillingham City Council for approval.

ADOPTED by the Dillingham Planning Commission July 9, 2014.

Julianne E. Baltar, Presiding Officer	Jody Seitz, Recorder
---------------------------------------	----------------------



City of Dillingham 2015-2020 Capital Improvement Plan - DRAFT

PROJECT	Description	Existing Funding	Funding Need	typical match cost	Comment	Priority	2015	2016	2017	2018	2019	2020	
A. EQUIPMENT REPLACEMENT							1=first priority	2=second priority	3=third priority				
	Snowblower Flail Mower attachment	\$31,425	\$31,425			1	X						
	Case 580 Super N Extendahoe Backhoe	last year's model	\$98,362	\$98,362	\$15,362 GF/ \$83,000 Leg. Appro.	1	X						
	F350 Shop Truck		\$73,000			1		X					
	Low Boy Trailer - Used	\$100,000	\$100,000		Legislative Appropriation	1	X						
	Manitowoc Crane	new purchase for Port		\$2,000,000		2			X				
	Ambulance		\$250,000	\$250,000	Ambulance Replacement Fund	1	X						
	Fire Tanker		\$349,109	\$349,109	Homeland Security grant	1	X						
	Emergency Response Boat	for SAR in Nushagak District		\$85,000	FEMA grant	2			X				
B. EROSION/PORT/HARBOR													
	All-Tide Dock Protective Dolphins	install 4 large dolphins to protect the dock	\$0	\$1,500,000		1		X					
	USACOE Harbor Revetments and Breakwater/Emergency Bank Stabilization*	rock revetments east and west of harbor mouth + breakwater on west side	\$0	\$21,500,000	\$7,525,000	potential 35% match	2			X	X	X	X
	Interior Harbor Bulkheads	Planning and Design	\$0	\$8,184,000	\$4,092,000	BESC \$6,000,000 per 1100 ft Bulkhead	3					X	X

City of Dillingham 2015-2020 Capital Improvement Plan - DRAFT

PROJECT		Description	Existing Funding	Funding Need	typical match cost	Comment	Priority	2015	2016	2017	2018	2019	2020
	Harbor Float Replacement		\$0	\$90,000		ROM DH design 7,500, floats 82,500	1		X				
	Snag Point Bulkhead, Outfall and Interior Harbor Protection	1000 yds of rock per year	\$110,000	\$1,200,000		60,000 Leg. Grant/ 50,000 General Fund	1	X	X	X	X	X	X
C. FACILITIES													
	Alternate E911 Operations Center Phase II	updates equipment and provides complete redundancy in the system		\$445,000		Phase I underway (250,000 leg. Grant)	1	X	X	X			
	Hockey Rink Roof Planning and Design	Install Roof	\$20,000	unknown		Put on inventory	3					X	X
	City Facilities Energy Updates and ADA Compliance (Library and City Hall)	Design and Engineering Estimate		\$200,000			2			X	X	X	X
	Replace City Hall Carpets			\$30,252		estimate by Dagen Nelson	2			X	X	X	X
	Evergreen Cemetery	Interior access roads and plot alignment	\$0	\$125,000		ROM estimate by staff	3					X	X
	Landfill Phase II	Install new incinerator, new building, Landfill Plan Update, new cell	\$1,900,000	\$225,000		ACWLF,ADEC MMG	1	X	X				
	Fire Hall and Public Safety Building	Replace Fire and Public Safety Buildings		\$20,000,000	\$5,250,000	2014 estimate	2			X	X	X	X
	Public Works Heated Compound Storage Building and Fence		\$0	\$487,000		Need better estimate	3					X	X
	Phased Senior Center Upgrades	Replace siding, roof, windows, doors, new entry, sitework, ventilation & heating systems	\$0	\$1,829,673	\$548,902	2007 Bezek, Durst, Seizer estimate adjusted by 39% for inflation	2			X	X	X	X
	Territorial School	foundation, sprinkler system, fate undetermined	\$0	\$1,800,000	\$	2013 Engineer Estimate	3					X	X

City of Dillingham 2015-2020 Capital Improvement Plan - DRAFT

PROJECT	Description	Existing Funding	Funding Need	typical match cost	Comment	Priority	2015	2016	2017	2018	2019	2020
D. ROADS												
Nerka Road Rehabilitation	65% design	\$1,249,558	\$6,274,230	\$0	BIA IRR funding	3					X	X
Utility and Fence Relocation at Port and Main Street			\$50,000			1	X	X				
Additional ADOT Downtown Street Road Rehabilitation	rehabilitate Seward St. and D St in front of P.O. to Lil Larry Rd		\$500,000		with ADOT DTS project	1	X	X				
E. WATER/SEWER												
Downtown Sewer Expansion (Old Airport Sewer Line)	sewer line in E or F streets		\$1,069,000		BESC 2003 WSMP adjusted for inflation	3					X	X
Harbor Water and Sewer Line	900 lineal ft. of water and sewer line + lift station		\$1,062,600		2012 Staff ROM	3					X	X
Wastewater System Upgrades	Phases II and III, all lift stations and outfall	\$3,000,000	\$5,000,000		2014 Facility Plan + 2012 Lift Station Report	1	X	X				
Water and Sewer Master Plan Phases 1.3 and 1.4 (New Water Source)	locate water source, build WTP, storage, connect water to existing system	\$5,538,983	\$7,829,118	\$1,834,661	2003 WSMP	1		X	X	X	X	X
GRAND TOTAL		\$12,647,437	\$82,387,769									
F. FACILITIES PROPOSED BY OTHER ENTITIES (or more than 6 years out)												
Fish Processing Plant			\$7,924,000									
Harvey Samuelsen Community Cultural Center			\$10,444,752		Project Budget 5/15/09							
Kanakanak Beach Parking Lot with CTC		city land										
SAFE and Fear Free Environment Sewer Line												

City of Dillingham 2015-2020 Capital Improvement Plan - DRAFT

PROJECT		Description	Existing Funding	Funding Need	typical match cost	Comment	Priority	2015	2016	2017	2018	2019	2020
	Squaw Creek Road	Right of way issues; road is unconstructed											
G. PROPOSED SERVICES													
1	Coordinated Transportation plan												
* USACOE Emergency Bank Stabilization Project at Harbor Entrance to protect dredge spoils facility and interior harbor													
Table includes City of Dillingham projects and those funded primarily by another entity but which require City matching funds. Does not include projects funded by other entities.													

CITY OF DILLINGHAM, ALASKA

RESOLUTION NO. 2014-47

A RESOLUTION OF THE DILLINGHAM CITY COUNCIL AMENDING LONG TERM ENCROACHMENT PERMIT 2014-02 FOR INSTALLATION OF UTILITIES TO TRACT D MISSION SUBDIVISION FOR A NEW COURTHOUSE

WHEREAS, according to Dillingham Municipal Code 12.08.010 an encroachment is considered as any object above ground or below belonging to a private owner other than the municipality which has been or caused to be constructed or located within streets, public rights of way or other property dedicated to a public use; and

WHEREAS, the Dillingham City Council approved a long term encroachment permit with Resolution 2014-39, allowing Nushagak Cooperatives to install utilities along Emperor Way South to serve Tract D of Mission Subdivision; and

WHEREAS, the company needs to install an additional 95' of phone line across Emperor Way at the intersection with Airport Spur Road and an additional 158' of phone line to the Catholic Church's transformer pole; and

WHEREAS, the provision of utilities to the lot is considered a long term encroachment in the public right of way; and

WHEREAS, this is a minor amendment to the project which has already been permitted as a long term encroachment permit #2014-02; and

WHEREAS, the proposed encroachment has been reviewed by the City Public Works Department, with no opposition or further requirements; and

WHEREAS, DMC 12.08 requires City Council and Planning Commission approval for any object belonging to a private owner other than the municipality that is placed in streets, public rights-of-way or other property dedicated to a public use, for longer than one year; and

WHEREAS, the Dillingham Planning Commission had previously recommended the project for approval with Resolution 2014-10;

NOW, THEREFORE, BE IT RESOLVED that the Dillingham City Council approves the amendment to Long Term Encroachment Permit 2014-02 for utilities on Emperor Way South between Airport Spur Road and Tract D Mission Subdivision, with the following conditions:

1. That prior to any work on public lands or in the public right of way, at least 48 hours' notice be given to the City of Dillingham Administration, Public Safety, and Public Works Department;

2. That a new encroachment permit be obtained before the utilities are moved from this location;
3. That Nushagak Cooperatives restore the public land or public right of way to not less than its original condition and compaction after completing the utility installations; and
4. That one form of location information be provided after the installation, whether an as-built or GPS coordinates.

PASSED AND ADOPTED by the Dillingham City Council August 7, 2014.

Alice Ruby, Mayor

ATTEST:

[SEAL]

Janice Williams, City Clerk

City of Dillingham Information Memorandum

Agenda of: August 7, 2014

Attachment to:

Ordinance No. _____ / Resolution No. 2014-47

Subject:

A Resolution of the Dillingham City Council amending Long Term Encroachment pErmit 2014-02 for installation of utilities to Tract D Mission Subdivision for a new courthouse

City Manager: Recommend Approval

Signature: Rose Doeren

Route to	Department Head	Signature	Date
	Finance Director		
X	Public Works Director <i>Acting</i>	<i>[Signature]</i>	7/29/14
X	Planning Director	<i>[Signature]</i>	7/24/14
X	City Clerk	<i>[Signature]</i>	7/23/14

Fiscal Note: Yes No

Funds Available: Yes No

Other Attachments:

- Staking Sheet for Tract D Mission Subdivision utilities

Summary Statement:

This resolution is to amend Long Term Encroachment Permit 2014-02 which allows utility installation within the utility easements on Emperor Way South and Tract D Mission Subdivision to serve the proposed new Courthouse building. Emperor Way South overlies Endahl Street for much of the way from Airport Spur Road to Tract D. Endahl St. also had a utility easement and was not constructed and never vacated.

The proposed amendment to LTE 2014-02 is to install a 95 foot long phone line crossing Emperor Way South at the intersection with Airport Spur Road and then installing 158 feet of phone line to reach the Catholic Church's transformer pole.

Nushagak Cooperatives already has fiberoptic buried along the Airport Spur Road and three phase power overhead in the path in which they are going to be installing the phone line.

Ordinance No. _____ / Resolution No. 2014-47

Summary Statement continued:

COPY

ITEM DESIGNATION _____

STAKING SHEET -- UNDERGROUND

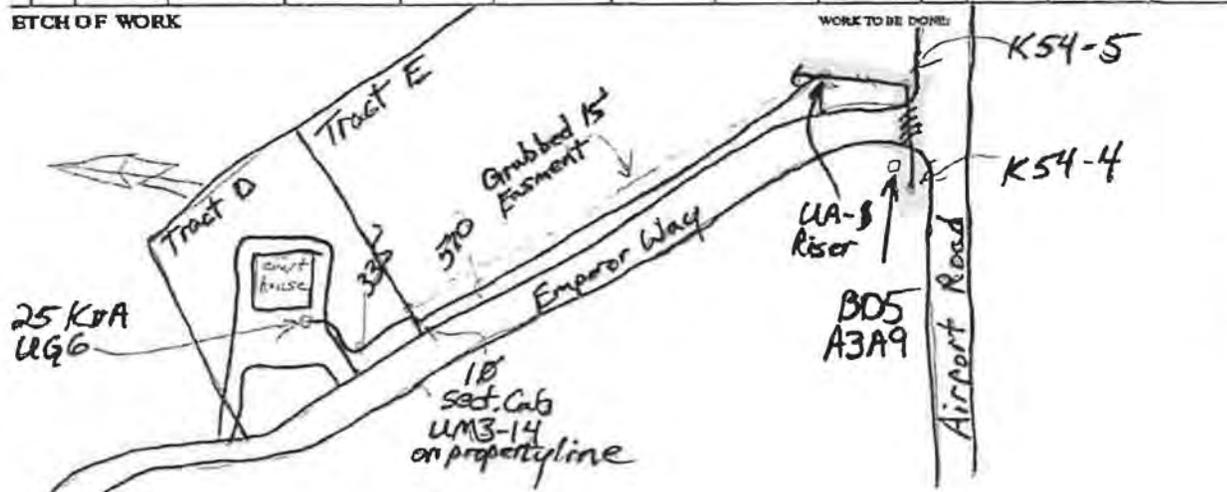
JOB ORDER NO. _____
 WORK ORDER NO. 14-01-01
 RETIREMENT W.O. NO. _____
 SHEET NO. 1 OF 1
 LINE _____ LEAD _____
 STAKED BY [Signature] DATE 7-3-14
 CHECKED BY _____ DATE _____
 PRIMARY CABLE SIZE 40 KIND URD

LOCATION _____
 TWP. _____ R.G. _____ SEC. _____
 MAP DETAIL NO. _____
 SUBDIVISION Mission
 BLOCK Tract D LOT _____

WORK PLAN REFERENCE	
NEW CONSTRUCTION	✓
SYSTEM IMPROVEMENT	
REPLACEMENT	
RETIREMENT—NO REPLACEMENT	
NO. OF SERVICES	1

STA. NO.	TERM UTM	PRL (BACK) RUN	R/W CLEARING	LINE ANGLE	TRANS-FORMER UO	SECT. ASSEM. UMB	GRND. UME-11	FED-ESTAL OX	S P L I C E	MISC. UNITS	SECONDARY RUN		FED-ESTAL UK	SER. RUN	SEC. OR SER. CABLE SIZE	SIZE OF METER	REMARKS
											JOINT WITH PRIMARY	SECONDARY ONLY					
			<u>Pone</u>		<u>UG Co</u>	<u>UM3-14</u>	<u>UM48-1</u>								<u>200</u>		<u>Tamp Sags will be connected until permanent service is in place</u>

ETCH OF WORK



	CABLE FT.	NO. OF CABLES	LINE FT.	CABLE SIZE AND TYPE
PRIMARY	<u>1000</u>	<u>1</u>	<u>905'</u>	<u>1/0 Pri URD</u>
SECONDARY				
JOINT SECONDARY SERVICE	<u>25'</u>			<u>4/0 TAP</u>

Telephone 1000' 1 100 pr bar.
 CATV 1000' 1 1,500 bar.



CITY OF DILLINGHAM, ALASKA

RESOLUTION 2014-48

A RESOLUTION OF THE DILLINGHAM CITY COUNCIL DESIGNATING WASTEWATER SYSTEM UPGRADES AS THE NUMBER ONE LOCAL STATE FUNDING PRIORITY FOR FISCAL YEAR 2016

WHEREAS, in Spring 2014 the City of Dillingham requested grant funding for Wastewater System Upgrades from the Alaska Department of Environmental Conservation (ADEC); and

WHEREAS, water and sewer system improvements were identified as a health and safety priority in the 2003 Dillingham Water and Sewer Master Plan; and

WHEREAS, a June 2013 Facility Plan identified numerous deficiencies which are to be corrected in phases designed to be financially feasible and reasonable for achieving compliance with state and federal regulations; and

WHEREAS, the City has made significant progress toward completing the phased improvements identified in the plan and required by ADEC; and

WHEREAS, the City has worked diligently with the State Department of Environmental Conservation to improve both the facility and its operations to meet its permit requirements; and

WHEREAS, the City wishes to complete all the necessary upgrades to its Wastewater System, including its lift stations; and

WHEREAS, the ADEC requests that the City of Dillingham identify this project as the community's number one local state funding priority for fiscal year 2016 in order to qualify for a State Municipal Matching Grant; and

NOW, THEREFORE, BE IT RESOLVED that the Dillingham City Council designates Wastewater System Upgrades as the number one local state funding priority for fiscal year 2016.

PASSED and ADOPTED by a duly constituted quorum of the Dillingham City Council on August 7, 2014.

Alice Ruby, Mayor

ATTEST:

[SEAL]

Janice Williams, City Clerk



City of Dillingham Information Memorandum Agenda of: August 7, 2014
 Attachment to:
 Ordinance No. _____ / Resolution No. 2014-48

Subject:

A RESOLUTION OF THE DILLINGHAM CITY COUNCIL DESIGNATING
 WASTEWATER SYSTEM UPGRADES AS THE NUMBER ONE LOCAL STATE
 FUNDING PRIORITY FOR FISCAL YEAR 2016

City Manager: Recommend Approval

Signature: *Rose Dore*

Route to	Department Head	Signature	Date
	Finance Director		
	Public Works Director		
X	Planning Director	<i>Judy Sitz</i>	7/24/14
X	City Clerk	<i>J. Williams</i>	7/24/14

Fiscal Note: Yes No

Funds Available: Yes No

Other Attachments:

Summary Statement:

The Legislative Request combines two projects for the purpose of this funding request: the Wastewater Treatment Plant and Lift Station Upgrades. The two projects have been combined in the Scope of Work for the ADEC Municipal Matching Grant, 28306.

The Wastewater Treatment Plant project has required the upgrade of two lift stations in addition to the plant itself. The remaining lift stations all require upgrades to bring them into compliance with current codes, as well as make them more energy efficient. The addition of the rest of the lift stations and the outfall to the project will complete the necessary upgrades for a code-compliant, safe wastewater system.

Ordinance No. _____ / Resolution No. 2014-48

Summary Statement continued:

CITY OF DILLINGHAM, ALASKA

RESOLUTION NO. 2014-49

**A RESOLUTION OF THE DILLINGHAM CITY COUNCIL AUTHORIZING THE CITY
MANAGER TO ENTER INTO A LEASE AGREEMENT WITH FORD MOTOR CREDIT
FOR A PUBLIC SAFETY VEHICLE**

WHEREAS, there is a need to replace a vehicle in the Public Safety department; and

WHEREAS, the City of Dillingham had approved Ordinance 2014-12(Sub1) which included the lease expense of a new vehicle in the Public Safety Department's budget; and

WHEREAS, the total cost of the Public Safety Vehicle is \$31,983 including financing costs; and

WHEREAS, the freight, estimated at \$2,200, will be covered from BBEDC funding;

NOW, THEREFORE, BE IT RESOLVED that the Dillingham City Council approves the purchase of a new 2015 Ford Police Interceptor Utility;

BE IT FURTHER RESOLVED that the City Council authorizes the City Manager to enter into a Municipal Lease Agreement with Ford Motor Credit for an estimated \$31,983, at 5.95% fixed interest, for a term of five (5) years, with an annual payment of \$6,019.40, and a purchase option of \$1.00 at the end of the lease.

PASSED and ADOPTED by the Dillingham City Council on August 7, 2014.

Alice Ruby, Mayor

ATTEST:

[SEAL]

City Clerk



Subject: A Resolution of the Dillingham City Council Authorizing the City Manager enter into a lease agreement with Ford Motor Credit for a Public Safety Vehicle.

Agenda of: August 7, 2014

City Council Action:

Manager: Recommend approval.

City Manager: Carol Shade, acting

Route To:	Department / Individual	Initials	Remarks
X	Finance Director	<i>CS</i>	8/5/14
X	City Clerk	<i>JW</i>	8/5/14

Attachment (s). None.

Fiscal Note: Yes No Funds Available: Yes No

Summary Statement.

During the 2014 annual surplus Sale the corrections vehicle was sold. The Chief of Police felt that reassigning vehicle 99, a 2004 Ford Escape to the Corrections department, was a better use of that vehicle and would help it last longer. In addition that vehicle was the oldest of the vehicles being used as a response vehicle. By reassigning Vehicle 99 to Corrections and leasing a new vehicle as a DPS response vehicle the fleet becomes more reliable and efficient.

City of Dillingham
Fiscal Note

Agenda Date: August 7, 2014

Request: _____

ORIGINATOR: Carol Shade

FISCAL ACTION (TO BE COMPLETED BY FINANCE)		FISCAL IMPACT <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
AMOUNT REQUESTED:		FUNDING SOURCE	
\$	31,983.00	GF Public Safety Department	
FROM ACCOUNT		Project	
1000 7630 20 22 0000 0	\$ 31,983.00	Public Safety Vehicle	
5924 7315 20 22 0000 0	\$ 2,200.00		
TO ACCOUNT:	VERIFIED BY: Carol Shade	Date:	8/25/2011

EXPENDITURES

OPERATING	FY15	FY16	FY17	FY18/FY19
Personnel				
Fringe Benefits				
Capital Equipment				
Vehicle Lease	6,019.40	6,019.40	6,019.40	12,038.80
Land/Buildings				
Miscellaneous				
TOTAL OPERATING	\$ 6,019.40	\$ 6,019.40	\$ 6,019.40	\$ 12,038.80

Freight - BBEDC	2,200.00			
-----------------	----------	--	--	--

REVENUE				
---------	--	--	--	--

FUNDING

General Fund	\$ 6,019.40	\$ 6,019.40	\$ 6,019.40	\$ 12,038.80
State/Federal Funds				
Other - BBEDC	2,200.00			
TOTAL FUNDING	\$ 8,219.40	\$ 6,019.40	\$ 6,019.40	\$ 12,038.80

POSITIONS

Full-Time				
Part-Time				
Temporary				

ANALYSIS: (Attach a separate page if necessary)

See Resolution 2014-49

PREPARED BY: Carol Shade

August 7, 2014

DEPARTMENT: Finance Department

August 7, 2014

APPROVED BY: _____



THE STATE
of **ALASKA**

GOVERNOR SEAN PARNELL

Department of Transportation
and Public Facilities

CENTRAL REGION
Director's Office

4111 Aviallon Avenue
Anchorage, Alaska 99502
Main: 907.269.0770
Fax: 907.248.1573
TDD: 907.269.0473



July 18, 2014

Ms. Rose Loera, City Manager
City of Dillingham
141 Main Street
P.O. Box 889
Dillingham, Alaska 99576

Dear Ms. Loera:

In response to your letter dated June 18, 2014 and the resolution passed by the Dillingham City Council on June 5, 2014, I wish to reemphasize the information provided by the Department (DOT&PF) April 24, 2014 regarding the ownership of Squaw Creek Road and DOT&PF's position going forward.

While we fully sympathize with the City's dilemma, DOT&PF is not in a position to solve this local matter. We simply do not have the legal standing to upgrade or continue maintenance of Squaw Creek Road, even though we have maintained the road, like a good neighbor, in the past without an agreement in place.

As your own Resolution No. 2014-29 states, maintenance is impeded in that the property owners have not cleared or permitted clearing or widening so that work can be done without causing damage to the equipment. Quoting the City's resolution, (the road) "is too narrow to allow safe passage of vehicles alongside road maintenance equipment and lacks sufficient easements alongside it to allow widening or adequate snow removal."

As stated, the property owners along Squaw Creek Road have not made it a priority to dedicate the right of way necessary for *any* entity to upgrade and maintain the road. Again quoting the City's resolution, "the property owners abutting the road have not as yet been willing to convey easements to allow the road to be widened or brush removed to permit passage of road graders and snow plows." Without that dedication, the road and its residents are at a standstill as to affecting any solution at all.

We suggest the City lead an effort to gain the right of way it needs to construct the road to an acceptable standard. The State has no legal standing with the ownership of the road to acquire such rights. In addition, with severely dwindling federal budgets for road improvements on any but major National Highway System routes, we suggest alternate financing be pursued for the road's improvement, such as through BIA.

"Keep Alaska Moving through service and infrastructure."

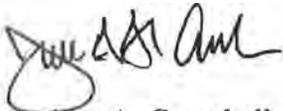
Ms. Rose Lorea
City of Dillingham

-2-

July 18, 2014

As we said in our April 24th letter, DOT&PF is glad to lend its technical expertise to help the City in its planning efforts, but the City must take the lead in solving its number one problem: the lack of right of way due to the lack of cooperation of the property owners. Until the residents step up to their personal responsibility to aid the process, maintenance will not be accomplished by any public agency.

Sincerely,



RA
Robert A. Campbell, P.E.
Regional Director

Cc: Senator Lyman Hoffman
Representative Bryce Edgmon
Patrick Kemp, P.E., Commission, DOT&PF
Randy Vanderwood, P.E., M&O Chief, DOT&PF
Norman Heyano, Dillingham Airport Manager, DOT&PF
Rebecca Rauf, Southwest Area Planner, DOT&PF
Jody Seitz, Dillingham Planner
Alice Ruby, Dillingham Mayor
Patrick Monson, Boyd, Chandler & Falconer LLP

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA

THIRD JUDICIAL DISTRICT AT DILLINGHAM

CITY OF DILLINGHAM,)
)
 Plaintiff,)
)
 v.)
)
 JAMES BINGMAN, SR.,)
)
 Defendant.)

Case No. 3DI-12-132CI

FINAL JUDGMENT

IT IS ORDERED that judgment is awarded as follows:

1. Monetary Relief

a. The City of Dillingham shall recover from and have judgment against defendant James Bingman, Sr. as follows

i. Principal Amount	\$232,044.25
ii. Prejudgment interest	\$0
iii. Subtotal	\$232,044.25
iv. Attorney's fees	
1. Awarded June 25, 2014	
2. Judge: Patricia Douglass	\$58,987.50
v. Costs	
1. Awarded July 8, 2014	
2. Judge: Patricia Douglass	\$1,659.60
vi. TOTAL JUDGMENT	\$292,691.35
vii. Post-judgment interest on total judgment	3.75%

2. Injunctive relief:

a. Pursuant to AS 29.25.070(b) and DMC 12.16.020(D), the court enters a mandatory injunction requiring Mr. Bingman to comply with the City's sales tax and sewerage ordinances and to pay his tax and wastewater bills as they come due.

3. Judgment of Foreclosure:

- a. A judgment of foreclosure is forthcoming. The city filed a proposed judgment of foreclosure on July 2; it will be ripe on July 15th.

Signed this 8th day of July at Dillingham



Patricia Rauglass

Patricia Rauglass, Superior Court Judge

I certify that on July 8, 2014
a copy of this document was sent/faxed to
the attorneys of record or other.

Muhson

 Bingman

Clerk

[Signature]

Patrick W. Munson
Alaska Bar No.1205019
BOYD, CHANDLER & FALCONER, LLP
911 West Eighth Avenue, Suite 302
Anchorage, Alaska 99501
(907) 272-8401

Attorneys for City of Dillingham

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA

THIRD JUDICIAL DISTRICT AT DILLINGHAM

CITY OF DILLINGHAM,)	
)	
Plaintiff,)	
)	
vs.)	
)	
JAMES HENRY BINGMAN, SR.)	
a.k.a. JIM BINGMAN; and)	
JAMES HENRY BINGMAN, SR.)	
d/b/a BAYVIEW TERRACE,)	
)	Case No. 3DI-12-00132 CI
Defendant.)	
)	

[PROPOSED] JUDGMENT OF FORECLOSURE

The court having concluded that the City is entitled to foreclose the lien identified as Document number 2012-000525-0, Bristol Bay Recording District, JUDGMENT OF FORECLOSURE is hereby ENTERED in the amount of \$158,753.79. See Judgment, May 5, 2014, at 3. Pursuant to AS 09.45.170, judgment is also entered against the Defendant in the same amount, plus post-judgment interest accruing at a rate of 3.75% per annum from the date judgment is entered.

The lien to be foreclosed is superior to all other liens except a property tax lien,

JUDGMENT OF FORECLOSURE
City of Dillingham v. Bingman, 3DI-12-00132 CI

Page 1 of 2

BOYD, CHANDLER & FALCONER, LLP
ATTORNEYS AT LAW
911 WEST EIGHTH AVENUE, SUITE 302
ANCHORAGE, ALASKA 99501
TELEPHONE: (907) 272-8401
FACSIMILE: (907) 274-3698

prior perfected liens for money actually advanced before October 12, 2012, and for mechanic's and materialmen's liens recorded before October 12, 2012. AS 29.45.650(e).

The court directs and authorizes the sale of as much of the encumbered property (namely, all real and personal property of Defendant James Henry Bingman, Sr. (also known as Jim Bingman, Sr.) as necessary to satisfy this Judgment of Foreclosure, AS 09.45.170. The sale of the encumbered property shall be conducted by the City of Dillingham in the same manner as a sale of real property on execution. AS 09.45.180; see AS 09.35.140-.180. The City shall apply the proceeds of the sale to the payment of costs incurred to foreclose this lien, expenses of sale, and the amount due the City, in that order. AS 09.45.170. Any deficiency between the amount of the judgment and the sale price of property sold may be enforced by execution. AS 09.45.180.

JUDGMENT is hereby ENTERED this 18 day of July, 2014.

LET EXECUTION ISSUE.



Hon. Patricia Douglass
Superior Court Judge

Patricia Douglass

CERTIFICATE OF SERVICE

I hereby certify that on July 2, 2014 a true and accurate copy of the foregoing was sent via first class, regular U.S. Mail to:

James Henry Bingman, Sr.
322 Fairview Drive, Unit B2
Dillingham, AK 99576

I certify that on July 18, 2014 a copy of this document was sent/faxed to the attorneys of record or other

Bingman
Munson
Clerk *[Signature]*

BY: Rinda B. Munson

JUDGMENT OF FORECLOSURE
City of Dillingham v. Bingman, 3DI-12-00132 CI

BOYD, CHANDLER & FALCONER, LLP
ATTORNEYS AT LAW
911 WEST EIGHTH AVENUE, SUITE 302
ANCHORAGE, ALASKA 99501
TELEPHONE: (907) 272-8401
FACSIMILE: (907) 274-3698

Action Memorandum No. 2014-11

Subject:

Award a contract for a design/build thermal conversion building to G&S Management

Rose Loera

City Manager: Recommend Approval

Signature: _____

Route to	Department Head	Signature	Date
X	Finance Director	<i>Carl Chad</i>	<i>7/28/14</i>
X	Public Works Director <i>Acting</i>	<i>[Signature]</i>	<i>7/29/14</i>
X	City Clerk	<i>[Signature]</i>	<i>7/28/14</i>

Fiscal Note: Yes No

Funds Available: Yes No

Other Attachments:

Summary Statement:

A request for proposal, for a Design Build for a Thermal Conversion Building, was posted on the Dillingham website and advertised in the Bristol Bay Times with a deadline of July 22, 2014 at 4 pm. There were three companies that responded and their bids were as follows: Wolverine Supply Co, \$1,067,000, TC Construction, \$937,000, and G & S Management, \$599,000. G & S Management came in with the lowest bid. The bid amount is close to what the City had budgeted.

G & S Management has joined efforts with Wasilla-based builder Byler Contracting for over 10 years. The firm is also building the new Dillingham Court House.

It is our recommendation that we award a contract to G & S Management with a not to exceed amount of \$599,000 for the design build for the building to house the City's incinerator. Funds for the project will come from the Landfill Legislative Grant.

Action Memorandum No. 2014-11

Summary Statement continued:

PASSED and APPROVED by a duly constituted quorum of the Dillingham City Council
on _____,

Mayor

ATTEST:

[SEAL]

City Clerk

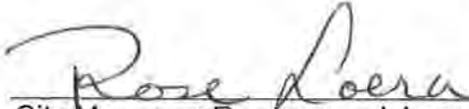
City of Dillingham Action Memorandum

Agenda of: August 7, 2014

Action Memorandum No. 2014-11

Subject:

Award a contract for a design/build thermal conversion building to G&S Management



City Manager: Recommend Approval

Signature: _____

Route to	Department Head	Signature	Date
X	Finance Director	<i>Carl Spad</i>	7/28/14
X	Public Works Director <i>Acting</i>	<i>[Signature]</i>	7/29/14
X	City Clerk	<i>[Signature]</i>	7/28/14

Fiscal Note: Yes No

Funds Available: Yes No

Other Attachments:

Summary Statement:

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It is our recommendation that we award a contract to G & S Management with a not to exceed amount of \$599,000 for the design build for the building to house the City's incinerator. Funds for the project will come from the Landfill Legislative Grant.

Action Memorandum No. 2014-11

Summary Statement continued:

PASSED and APPROVED by a duly constituted quorum of the Dillingham City Council
on _____

Mayor

ATTEST:

[SEAL]

City Clerk

**City of Dillingham
Fiscal Note**

Agenda Date August 7, 2014

Request: _____

ORIGINATOR: Carol Shade

FISCAL ACTION (TO BE COMPLETED BY FINANCE)		FISCAL IMPACT	
AMOUNT REQUESTED: <p align="right">\$ 599,000.00</p>		FUNDING SOURCE <input type="checkbox"/> YES <input type="checkbox"/> NO Landfill Legislative Appropriation	
FROM ACCOUNT 3213 8710 30 62 0000 0 <p align="right">\$ 599,000</p>		Project Thermal Conversion Building	
TO ACCOUNT:	VERIFIED BY: Carol Shade	Date:	8/7/2014

EXPENDITURES

OPERATING	FY15	FY16	FY17	FY18
Personnel				
Fringe Benefits				
Legal				
Major Equipment				
Land/Buildings				
Construction	599,000.00			
TOTAL OPERATING	\$ 599,000.00	\$ -	\$ -	\$ -

Capital				
---------	--	--	--	--

REVENUE				
---------	--	--	--	--

FUNDING

General Fund				
State/Federal Funds	\$ 599,000.00			
BBEDC CDBG				
TOTAL FUNDING	\$ 599,000.00	\$ -	\$ -	\$ -

POSITIONS

Full-Time				
Part-Time				
Temporary				

ANALYSIS: (Attach a separate page if necessary)

See AM 2014-11

PREPARED BY: Carol Shade

August 7, 2014

DEPARTMENT: Finance Department

August 7, 2014



Action Memorandum No. 2014-12

Subject:

Award a three year contract for Engineering Services

City Manager: Recommend Approval

Signature: Rose Loera

Route to	Department Head	Signature	Date
X	Finance Director		
X	Public Works Director		
X	City Clerk		

Fiscal Note: Yes No

Funds Available: Yes No

Other Attachments:

Summary Statement:

An RFP for Engineering Services was advertised for 30 days on the City website and an ad placed in the Bristol Bay Times, July 3 and July 10. A committee of four individuals reviewed the six proposals. The criteria for scoring included - Sr. Engineer and Proposed Team, Project Fee, Project Experience, Project Methodology and References. The City received proposals from Dowl HKM, Bristol Engineering Services Corp., Summit Consulting Services, Taku Engineering Services, LeMay Engineering & Consulting, and Michael L. Foster & Associates, Inc.

During the week of August 4, Gary Gordon and Manager Loera will meet with the top three companies in Anchorage, and references checked. The name of the recommended firm will be announced at the August 7 Council Meeting.

We would like to offer a three year contract to _____ for Engineering Services for the City of Dillingham not to exceed the fee in the proposal.

Action Memorandum No. 2014-12

Summary Statement continued:

A fiscal note will be provided at the Council Meeting.

PASSED and APPROVED by a duly constituted quorum of the Dillingham City Council
on _____

Mayor

ATTEST:

[SEAL]

City Clerk

Action Memorandum No. 2014-13

Subject:

Ratify the award of a contract to Aleknagik Enterprises for providing soil to build new Landfill cell.

City Manager: Recommend Approval

Signature: Rose Loeve

Route to	Department Head	Signature	Date
X	Finance Director	<i>Carol Exshade</i>	7/28/14
X	Public Works Director <i>acting</i>	<i>Jan e m g</i>	7/29/14
X	City Clerk	<i>Janice Williams</i>	7/15/14

Fiscal Note: Yes No

Funds Available: Yes No

Other Attachments:

None

Summary Statement:

On June 19, 2014 the Council passed Resolution 2014-38 authorizing the City Manager to advertise a RFP for development of a new landfill cell.

The City contacted the contractors in town to submit a bid for 3,500 cyds of soil to be stockpiled at the landfill. The City's Public Works staff will be spreading and compacting the soil to build the 2' base that is required by DEC. Using City staff will save the project some funds.

Three companies responded to the bid with Aleknagik Enterprises coming in as the lowest responsive bidder. The soil is being given to the City so the contract is for hauling only in a not-to-exceed amount of \$35,000.

A Notice to Award was provided to the three bidders.

Action Memorandum No. 2014-13

Summary Statement continued:

PASSED and APPROVED by a duly constituted quorum of the Dillingham City Council
on _____.

Mayor

ATTEST:

[SEAL]

City Clerk

**City of Dillingham
Fiscal Note**

Agenda Date August 7, 2014

Request:

ORIGINATOR: Carol Shade

FISCAL ACTION (TO BE COMPLETED BY FINANCE)	FISCAL IMPACT
AMOUNT REQUESTED: <p align="right">\$ 35,000.00</p>	FUNDING SOURCE <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO Landfill Legislative Appropriation
FROM ACCOUNT 4470 8610 30 81 3811 0 <p align="right">\$ 35,000</p>	Project Landfill Cells Development
TO ACCOUNT:	VERIFIED BY: Carol Shade Date: 8/7/2014

EXPENDITURES

OPERATING	FY15	FY16	FY17	FY18
Personnel				
Fringe Benefits				
Contract				
Major Equipment				
Land/Buildings				
Site Work	\$ 35,000.00			
TOTAL OPERATING	\$ 35,000.00	\$ -	\$ -	\$ -

Capital				
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REVENUE				
---------	--	--	--	--

FUNDING

General Fund				
State/Federal Funds	\$ 35,000.00			
BBEDC CDBG				
TOTAL FUNDING	\$ 35,000.00	\$ -	\$ -	\$ -

POSITIONS

Full-Time				
Part-Time				
Temporary				

ANALYSIS: (Attach a separate page if necessary)

See AM 2014-13

PREPARED BY: Carol Shade

August 7, 2014

DEPARTMENT: Finance Department

August 7, 2014



Action Memorandum No. 2014-14

Subject:

Authorize the purchase of two 9,000 gallon septic holding tanks.

City Manager: Recommend Approval

Signature: Rose Roera

Route to	Department Head	Signature	Date
X	Finance Director	<i>Carol Shade</i>	7/28/14
X	Public Works Director <i>Asst Dir</i>	<i>Don C. W. J.</i>	7/29/14
X	City Clerk	<i>J. Williams</i>	7/28/14

Fiscal Note: Yes No

Funds Available: Yes No

Other Attachments:

Summary Statement:

The Public Works department notified five companies that had equipment and supplies for septic systems. The companies were Greer Tank (Anchorage), Anchorage Water and Welding (Anchorage), Sunset Septic (Washington), Wilbert Precast (Washington) and Baker Mfg (California).

Only Greer Tank and Anchorage Water & Welding responded with a bid. Greer Tank came in the lowest at \$37,650 and Anchorage Water & Welding \$43,000.

The tanks will be used to receive the raw septage from private systems, will be located at the lagoon, and will become a part of the new Septage Receiving Station that the City is building at the lagoon.

It is our recommendation to authorize the purchase of these tanks in order to get them on the barge this fall.

Action Memorandum No. 2014-14

Summary Statement continued:

PASSED and APPROVED by a duly constituted quorum of the Dillingham City Council
on _____.

Mayor

ATTEST:

[SEAL]

City Clerk

**City of Dillingham
Fiscal Note**

Agenda Date August 7, 2014

Request: _____

ORIGINATOR: Carol Shade

FISCAL ACTION (TO BE COMPLETED BY FINANCE)		FISCAL IMPACT	
AMOUNT REQUESTED:	\$ 37,650.00	FUNDING SOURCE <input type="checkbox"/> YES <input type="checkbox"/> NO	WasteWater Treatment Plant
FROM ACCOUNT		Project	
3213 8710 30 62 0000 0	\$ 37,650		Septage Receiving Station
TO ACCOUNT:	VERIFIED BY: Carol Shade	Date:	8/7/2014

EXPENDITURES

OPERATING	FY15	FY16	FY17	FY18
Personnel				
Fringe Benefits				
Legal				
Major Equipment				
Land/Buildings				
Construction	\$ 37,650.00			
TOTAL OPERATING	\$ 37,650.00	\$ -	\$ -	\$ -

Capital				
---------	--	--	--	--

REVENUE				
---------	--	--	--	--

FUNDING

General Fund				
State/Federal Funds	\$ 37,650.00			
BBEDC CDBG				
TOTAL FUNDING	\$ 37,650.00	\$ -	\$ -	\$ -

POSITIONS

Full-Time				
Part-Time				
Temporary				

ANALYSIS: (Attach a separate page if necessary)

See AM 2014-14

PREPARED BY: Carol Shade

August 7, 2014

DEPARTMENT: Finance Department

August 7, 2014





TO: Mayor Ruby and Council Members

FROM: Rose Loera, City Manager

DATE: July 28, 2014

RE: Division of Motor Vehicles

Attached is a letter that was written to the State DMV office regarding our contract that we have with them and their response. In our letter we asked for an increase in the contract and their response was that they would not consider increasing the contract and recommended that we consider reducing the hours of operation at the DMV office. The revenue we get from DMV for operating the DMV services is about \$39,000 a year.

Following are options that have been discussed with staff and the budget implications with each:

- A. Operate as we have budgeted in 2015 with one and a half full-time employees (FTE) with hours from Mon – Thurs from 8 am – 4 pm, or 32 hours a week.
- B. Operate with two half-time FTEs with hours from Mon – Thurs from 8 am– 4 pm, or 32 hours a week. Having two half-time FTEs allows us to have back-up coverage.
- C. Cut DMV office hours from 1:00 pm – 4 pm with a half-time FTE at 20 hours a week. Budget savings about \$47,500 for DMV. The half-time position added this past year would move to the Dispatch budget which will increase that budget around \$29,717.
- D. Discontinue operating the DMV office effective January 1, 2015 office and have the State put it out for bid for someone else to manage. We would recommend that the half-time position that was added this past year move to the Dispatch budget.

Following is a spreadsheet as to how the above options play out financially:

DMV Options	Expense	Revenue	Balance
A. Stay same 1.5 FTEs	\$135,743	\$39,000	(\$96,743)
B. 1 FTE with 2 - .5 positions	\$95,000	\$39,000	(\$56,000)
C. .5 FTE @ DMV and .5 moves to Dispatch	\$47,500 \$29,717	\$39,000	(\$38,217)
D. Close - .5 FTE moves to Dispatch	\$29,717	0	(\$29,717)

In FY 15 we added a half-time position to DMV and a half-time position to the Corrections budget as administrative support for the department. This individual had worked full-time in dispatch so has this skill set and would be back-up for Dispatch when needed. She could also be back-up for the DMV office if we continued to operate DMV. Options C or D has the least financial impact to the City. Some staff is in favor of Option C and some Option D. DMV is a State service and the City shouldn't have to operate it at a loss. If we were to not renew the contract they would put it out for bid. Public Safety would not want any other entity in the building.



THE STATE
of **ALASKA**
GOVERNOR SEAN PARNELL

Department of Administration

DIVISION OF MOTOR VEHICLES
Director's Office

1300 West Benson Boulevard, Suite 900
Anchorage, Alaska 99503-3692
Main: 907.269.5559
Fax: 907.269.5081
www.alaska.gov/dmv
my.erickson@alaska.gov

July 18, 2014

Ms. Rose Loera
City Manager
City of Dillingham
Post Office Box 889
Dillingham, AK 99576

Dear Ms. Loera:

Thank you for your letter requesting a change to Dillingham's current Commission Agent Participation Agreement. We certainly understand the city's desire to be profitable, or close to it, for the services it provides. The Division of Motor Vehicles (DMV) shares your business philosophy.

Based on DMV's records, the Dillingham DMV processed 3,377 transactions in FY2013. Operating 4 days a week x 52 weeks = 208 days - 11 holidays = 197 days to process 3,377 transactions = 17 transactions a day. From DMV's perspective, 17 transactions a day does not justify a 40-hour/week schedule, or employing both a full and part time person. A prudent model would set office hours and staffing based on the historic revenue generated, approximately \$40,000.

The Nome DMV is a successful business model in a community with an even larger traffic volume. Nome is open from 1:30-4:30 P.M. each day. They conduct road tests on Thursdays, and when there are no road tests scheduled, the office is open to process customers. Based on the similarity in Dillingham's transaction counts to Nome's we encourage you to modify your hours of operation to realize salary and operational savings. Additionally, this would enable your shared employee to function solely on police department matters for a portion of the day, and on DMV matters the other portion of the day.

DMV agrees more training is necessary to adequately equip commission agents for the complexities of DMV services. We would certainly agree to providing one week of training in Anchorage, with a one-week follow up in the community at the state's expense. DMV does not have the resources to send state employees to cover commission offices during closures. However, DMV's staff remains dedicated to supporting the everyday operations of the commission agents.

It is my understanding the state's bandwidth issue has been resolved. DMV prefers to return to its original practice of conducting its business through the state's system. But, since that is not acceptable to you we ask that you keep us informed of the impact on the internet usage, if any.

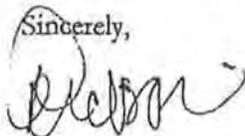
DMV understands the difficulties of managing resources. While we are sympathetic to the city's budgetary concerns, DMV is unable to modify the commission structure at this time. Instead, DMV

recommends the Dillingham DMV modify its hours of operations to a level commensurate with the revenue it generates.

DMV values its partnership with the City of Dillingham. You do indeed provide a valuable service to the community. DMV will gladly extend its contract with you until January 1, 2015, to work through these contract issues. If the city does not wish to accept the extension and instead wishes to discontinue providing DMV services in Dillingham, the state will send an invitation to bid (ITB) for private enterprise to conduct these services.

I look forward to working with you further on the important matters before us.

Sincerely,

A handwritten signature in cursive script, appearing to read "Amy Ericksen".

Amy Ericksen
Director



July 7, 2014.

Ms. Debra Gritman, Office Manager 1
 State of Alaska
 DMV- Field Services
 1300 W. Benson Blvd, Suite 500
 Anchorage, AK. 99503-3695

SUBJECT: Dillingham Commission Agent Participation Agreement

Dear Ms. Gritman;

This letter is to reiterate our conversation last week regarding the Commission Agent Agreement. As we stated the City of Dillingham is no longer in the position to subsidize the DMV office here in Dillingham (Dlg.). The City has been subsidizing this State service for many years and would like to renegotiate the agreement. This is a very important service and is provided to residents throughout the region as well as a large influx of seasonal commercial fishing residents.

Following is financial information that shows how much the Dlg. DMV office generates, what we are able to keep and what our actual expenses are for the past few years:

1. FY 2013 Total Revenue generated from the Dlg. DMV	\$143,644
2. FY 2013 Total Revenue Dlg. DMV kept for operations	\$ 40,466
3. FY 2013 Expenses for operations of Dlg. DMV	\$ 85,241
4. FY 2014 Total Revenue generated from the Dlg. DMV	\$132,532
5. FY 2014 Total Revenue Dlg. DMV kept for operations	\$ 37,532
6. FY 2014 Expenses for operations of Dlg. DMV	\$119,597
7. FY 2015 Budget for Dlg. DMV	\$134,171

We only receive approximately 28% of the total revenue generated from our office. The revenue in FY 13 was 47% of our expenses and in FY 14 it was 31% of our expenses. We have had to add another ½ time position in order to maintain coverage and also to prepare for vacancies. This additional position is the only major increase this budget has experienced for years.

We need this contract to be 100% paid by the State or very close to it. We propose increasing the City's percentage to 90% of all revenue generated from this office as well as distributing to us revenue generated from our area through your on-line services. Currently we receive:

- 30% of fees collected from boat and snowmachine/ATV transactions – average rate of \$116
- 30% of the fees collected from motor vehicle transactions, excluding Motor Vehicle Registration Tax and Surety Bond deposits – average rate of \$18
- 50% of the fees collected from driver license and ID card transactions – rate of \$25
- 100% of the fees collected from road tests – rate \$15

In 2013 we had 2,589 encounters from all services we provided.

Other areas that need to be addressed in the contract is the training. In the future we would expect that any new person needing training would go to Anchorage and train there for a week and then when returning to Dillingham someone from the State returns with them to shadow for a week. We would continue to pay for our employees training expenses. It was very stressful for our new employees this past year to come back without anyone here able to guide them and answer questions. They had difficulty at times with being able to talk with someone in Anchorage. This frustration led to the first person we trained to decide this position was not for him. When sending someone out from the State we would expect that the cost would be absorbed by the State not the City.

As you know the State internet connection was very slow and we had to switch your system through our internet connection. We don't know at this time what that cost will be with the additional usage and would expect that the State pays for it since your system is inadequate.

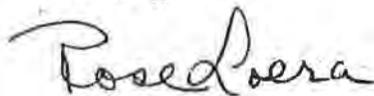
In summary we would like the contract to be amended as follows:

- Increase Dillingham's share of revenue generated at the Dillingham DMV to 90% across all categories;
- Add that we would receive a portion of the revenue generated from on-line applications from this area;
- Add that the State will pay for a portion of the internet fee for the DMV office; and
- Add that a State employee will come to Dillingham, for one week, to continue the training of our new employees the week after they have completed training in Anchorage;
- Add that if we anticipate not having DMV coverage beyond 1 week the State will send someone to Dillingham to cover the office; and
- Add that the cost of sending State employees anytime out to Dillingham will be on the State's dime.

We appreciate you discussing the DMV Business Partner – Commission Agent Participation Agreement. We have had the same agreement for a long time with the City subsidizing a State service which we no longer can do. We recently read an article about the State DMV department being able to add to the State's General Fund about \$38 million after all DMV obligations and expenses were deducted. All we are asking is that the State covers the cost of operating the Dillingham DMV office.

Thank you.

Sincerely,



Rose Loera
City Manager

Cc: Alice Ruby, Mayor