



Alice Ruby, Mayor

Council Members

- Vacant (Seat A) • Chris Maines (Seat B) • Bob Himschoot (Seat C)
- Keggie Tubbs (Seat D) • Tracy Hightower (Seat E) • Paul Liedberg (Seat F)

**DILLINGHAM CITY COUNCIL
MEETING AGENDA**

David B. Carlson Council Chambers

Dillingham City Hall, 141 Main Street, Dillingham, AK 99576 (907) 842-5212

WORKSHOP – FY 2012 AUDIT	6:00 P.M.	FEBRUARY 7, 2013
REGULAR MEETING	7:00 P.M.	FEBRUARY 7, 2013

I. CALL TO ORDER

II. ROLL CALL

III. APPROVAL OF MINUTES

- A. Regular Council Meeting, January 10, 2013

IV. APPROVAL OF CONSENT AGENDA

APPROVAL OF AGENDA

V. STAFF REPORTS

- A. City Manager Report
- B. Standing Committee Reports

VI. PUBLIC HEARINGS

VII. CITIZEN'S DISCUSSION (Prior Notice or Agenda Items)

VIII. ORDINANCES AND RESOLUTIONS

- A. Introduce Ordinance No. 2013-01, An Ordinance of the Dillingham City Council Amending Section 4.21.040 of the Dillingham Municipal Code to Limit the Penalty Assessed for Failure to File or Remit Raw Fish Sales Tax Returns to Ten Percent, and to Limit the Interest to 6%
- B. Introduce Ordinance no. 2013-02, An Ordinance of the Dillingham City Council Amending Sections 4.15.110 Through 4.15.170 of the Dillingham Municipal Code to Amend the Procedures for Appeal Hearings Before the Board of Equalization and to Delete Repetitive Language in these Sections
- C. Resolution No. 2013-05, A Resolution of the Dillingham City Council to Offer Thanks and a Commendation to Mr. Doug Holt for his Service on the Dillingham City Council

- D. Resolution No. 2013-06, A Resolution of the Dillingham City Council Supporting the Dillingham City School's Application to Participate in the 2012 BBEDC Arctic Tern Grant Program
- E. Resolution No. 2013-07, A Resolution of the Dillingham City Council Accepting the Year End Audit for the Fiscal Year Ending June 30, 2012

IX. UNFINISHED BUSINESS

- A. Animal Shelter Facility
- B. Citizen Committee Appointments
 - 1. Planning Commission – 3 Seats Expired December 2012
 - 2. Cemetery Committee – 4 Seats
 - 3. Senior Advisory Commission – 1 Seat
 - 4. Parks and Recreation Committee – 2 Seats
- C. Appoint Council Member to Seat A – Interim Appointment

X. NEW BUSINESS

- A. Schedule a Regular Meeting of the Board of Equalization for May 23, 2013, at 5:30 PM
- B. Reschedule the April 4 and April 18, 2013, Council meetings, to April 11 and April 25, 2013 at 7:00 PM
- C. Reschedule the May 2 and May 16, 2013, Council meetings to May 9 and May 23, 2013 at 7:00 PM

XI. CITIZEN'S DISCUSSION (Open to the Public)

XII. COUNCIL COMMENTS

XIII. MAYOR'S COMMENTS

XIV. EXECUTIVE SESSION

- A. Legal Matter
 - 1. Union Negotiations Update
 - 2. Public Safety Update

XV. ADJOURNMENT

I. CALL TO ORDER

The Regular Meeting of the Dillingham City Council was held on Thursday, January 10, 2013, at the Dillingham City Council Chambers, Dillingham, Alaska. Mayor Alice Ruby called the meeting to order at 7:40 p.m. This meeting was preceded by a workshop to review the FY 2012 revenues and expenses, and to review the FY 2013 November 2012 financials.

II. ROLL CALL

Mayor Alice Ruby was present.

Council Members present and establishing a quorum (a quorum being four):

Chris Maines, Seat B
Bob Himschoot, Seat C
Keggie Tubbs, Seat D
Tracy Hightower, Seat E
Paul Liedberg, Seat F

Doug Holt, Seat A, absent

Staff in attendance:

Rose Loera, City Manager
Malcolm Brown, Public Works Director
Dan Pasquariello, Chief of Police
Jody Seitz, Planning Director
Carol Shade, Finance Director
Janice Williams, City Clerk

Guests: Laura Farley, Farley & Graves, *via teleconference*

III. APPROVAL OF MINUTES

- A. Regular Council Meeting, December 6, 2012
- B. Special Council Meeting, December 14, 2012

MOTION: Keggie Tubbs moved and Bob Himschoot seconded the motion to approve the minutes of December 6, 2012 and December 14, 2012.

VOTE: The motion to approve the minutes of December 6 and December 14, 2012 passed unanimously.

IV. APPROVAL OF CONSENT AGENDA

APPROVAL OF AGENDA

MOTION: Keggie Tubbs moved and Bob Himschoot seconded the motion to approve the agenda revised as of January 9, 2013.

VOTE: The motion to approve the agenda as amended passed unanimously.

V. STAFF REPORTS

A. City Manager Report

City Manager Rose Loera reported on the following:

- requesting the addition of two items to the Code Committee's task list, 1. a review of the Code and Port Tariff regarding deny services list, and 2. a review of raw fish sales tax qualifications for low income fishers;
- Governor's budget includes \$3M for wastewater treatment projects - staff's hard work (Malcolm Brown and Jody Seitz) paid off;
- three vacancies in the public safety dept. - working with BBEDC to send a local person to police academy training in February;
- landfill staff is conducting a survey to determine peak usage and possibly reduce hours open to the public so staff can focus more of its time on the landfill;
- position at the senior center was vacated - not looking to fill it for the time being;
- fire dept. coordinator was tasked with putting together a small communities response plan, which will be attended by key staff including manager;
- developing a safety committee, which will also help save some money on insurance premiums;
- public safety acquired two snow machines through a forfeiture;
- survey is being conducted at the Senior Center to analyze types of use at the facility;
- library roof recently went through some repairs due to major leaking - plans are replace it in the spring;
- road project D Street through Squaw Creek was not on this year's project list - Rep. Edgmon encouraged lobbying to include this project with the Kananak project;
- Rep. Edgmon recommended visiting Juneau a minimum of twice a year, towards the end of Jan. beginning of Feb., and closer to the end of the legislative session;
- recently signed an agreement with Farley & Graves, firm representing the City on the Gladden case, that had been approved last year by the Council; and
- visited with fire dept. executive committee - cannot find where the City's ambulance fund restricted Fire Dept. from purchasing other than ambulances.

Discussion:

- questioned if the water overflow near Lyle Smith's residence could be identified as a backup well for the City, staff to follow up, but thought it was surface water mainly;
- was encouraged by the Governor's budget adding money for wastewater treatment plant;
- was in agreement that the road projects be done in one phase to be cost effective;
- recommended a written policy that would identify the use of the ambulance fund;
- suggested the possibility of using the ambulance fund for a match for the proposed public safety and fire hall building(s);
- inquired about the \$550K Veteran Affairs building included in the Governor's budget for Dillingham - staff was not familiar with the item;
- questioned if the sales tax initiative proposed in the City Clerk's report should have been presented to the Council beforehand; and

- confirmed that staff had implemented the payroll module piece of the new finance software.

City Planner Seitz explained that the flood plains were surveyed in the 70s. A business owner in the velocity zone of the flood plain had seen his insurance raised significantly over the years from \$4K to \$24K. She was planning to contact the State's flood plain coordinator and see if the owner could file a letter of map amendment, and use data that he had collected to show elevation and such, to propose a change in the map. She would plan to keep the Council informed.

Discussion:

- noted that staff had yet to follow up with Shearwater who was interested in discussing their gasification units and funding options;
- noted the work on the Caterpillar grader was not warranty work; and
- encouraged the Manager and Police Chief to put together a protocol for use of the snow machines that were recently acquired and bring back to the Council.

MOTION: Keggie Tubbs moved and Bob Himschoot seconded the motion to refer the denied services code and the low income portion of the raw fish tax refund to the Code Review Committee.

GENERAL CONSENT: The motion passed with no objection.

B. Standing Committee Reports

Bob Himschoot, Chair for Finance and Budget Committee, reported the Port Director had presented some proposed changes in the harbor rates that would be presented to the Port of Dillingham Advisory Committee, had received a response from the Fire Dept. Executive Committee regarding the ambulance fund, and had reviewed raw fish sales tax and refunds.

Paul Liedberg, Chair for Code Review Committee, reported the committee was continuing to work on the late filing of property tax appeals, removing duplicate and unnecessary language from the section on Board of Equalization, and have the public weigh in on the benefits and costs of regulating taxi cabs.

Mayor Ruby, Port of Dillingham Advisory Committee, recommended some changes in the tariff and fees, long term planning at the harbor, and would be meeting again in February.

VI. PUBLIC HEARINGS

There were no public hearings.

VII. CITIZEN'S DISCUSSION (Prior Notice or Agenda Items)

There was no citizen's discussion.

VIII. ORDINANCES AND RESOLUTIONS

- A. Resolution No. 2013-01, A Resolution of the Dillingham City Council Waiving the Advertising Requirements and Approve Task Order No. 14 with Bristol Environmental and Engineering Services to Update the 2006 Solid Waste Management Plan

MOTION: Keggie Tubbs moved and Bob Himschoot seconded the motion to approve Resolution No. 2013-01.

City Manager Loera reported this resolution would waive procurement requirements to allow BEESC to update the City's Solid Waste Management Plan that they produced in 2006, since they were already familiar with the operations. The update would include other options for operating the landfill and the affiliated costs.

Discussion:

- voiced concern that the City should follow the advertising process unless there was a time pressure;
- noted that BEESC had done a good job on the original plan, and that this was one of the firm's strengths.

VOTE: The motion to approve Resolution No. 2013-01 passed unanimously.

- B. Resolution No. 2013-02, A Resolution of the Dillingham City Council Extending a Contract with Nushagak Technical Services to Provide the City of Dillingham Department of Public Safety with Technical Support

MOTION: Bob Himschoot moved and Tracy Hightower seconded the motion to approve Resolution No. 2013-02.

Manager Loera reported the City passed a resolution in 2011 to contract with Nushagak Technical Services. The contract was never officially executed, but the contractor provided the work. Although the contract expired in June 2012, the City budgeted same services for FY 2013, and contractor continued to provide services without a contract. The request from the City was to continue with the contractor through June 2013, and then go out for a RFP for the next three years.

VOTE: The motion to approve Resolution No. 2013-02 passed unanimously.

- C. Resolution No. 2013-03, A Resolution of the Dillingham City Council Ordering that Planning Commission Resolution No. 2012-01 be Vetoed

MOTION: Bob Himschoot moved and Chris Maines seconded the motion to approve Resolution No. 2013-03 for the purpose of discussion.

City Planner Jody Seitz reported in past years a portion of the alley behind the NAPA store had been vacated in exchange for some easements that had been granted to the City, but was never replatted. However, it only vacated ½ of the alleyway. When the U of A purchased the NAPA property, they wanted the lower half vacated that they were entitled to. She noted the Planning

Commission felt the alleyway no longer served a public purpose, because it didn't provide a thoroughfare to any place, and was a good use of the land to allow it to be divided between the property owners on either side of the alley, which was the normal procedure. The Council would have 30 days from the date the resolution was passed by the Planning Commission to veto it if they did not approve.

Bob Himschoot disclosed that his daughter was one of the landowners.

VOTE: The motion to approve Resolution No. 2013-04 failed with all five Council members voting no.

City Clerk noted recommended revising the language "to veto", as suggested by Attorney Chandler, that it was cause for confusion, since normally a request for Council action would be written in the positive. Mayor Ruby recommended Planning Commission review the language and send their recommendation to the Code Committee.

- D. Resolution No. 2013-04, A Resolution of the Dillingham City Council Ordering that PC Resolution No. 2012-02 be Vetoed

MOTION: Keggie Tubbs moved and Tracy Hightower seconded the motion to postpone indefinitely Resolution No. 2013-04.

(Clerk Note: this action "kills" the motion.)

VOTE: The motion to postpone indefinitely Resolution No. 2013-04 passed unanimously.

IX. UNFINISHED BUSINESS

- A. Animal Shelter Facility

Manager Loera noted she had nothing new to report.

- B. Citizen Committee Appointments

Mayor Ruby reported she would continue to recruit members for the Cemetery Committee, and recommended Julie Baltar to the Planning Commission.

- 1. Planning Commission – 1 seat

MOTION: Keggie Tubbs moved and Bob Himschoot seconded the motion to concur with the Mayor's recommendation to appoint Julie Baltar to the Planning Commission.

VOTE: The motion passed unanimously.

- 2. Cemetery Committee – 4 seats
- 3. Senior Advisory Commission – 1 seat

4. Parks and Recreation Committee – 1 seat

C. Schedule Council Training and Workshop – January 18 & 19, 2013

Manager Loera reported Attorney Patrick Munson would work with staff during the day on Friday, and have a training session on municipal legalities with the Council from 6-9 p.m. that evening. The Foraker Group would provide administrative training the next day, including goal setting.

X. NEW BUSINESS

A. Juneau Hill Visit

Mayor Ruby reported Bob Himschoot and Tracy Hightower would accompany Manager Loera to Juneau. The City's lobbyists were setting up appointments.

B. Declare a Vacancy on Council Seat A

Mayor Ruby noted she had received a resignation letter from Doug Holt. Staff would begin the advertising process to fill the seat. She noted she would convey the Council's disappointment to Doug and would have a resolution for the next Council packet thanking him for his service.

MOTION: Keggie Tubbs moved (with regret) and Chris Maines seconded the motion to declare Council Seat A vacant and to follow the same process as in the past.

VOTE: The motion passed unanimously.

XI. CITIZEN'S DISCUSSION (Open to the Public)

There was no citizen's discussion.

XII. COUNCIL COMMENTS

Chris Maines: no comment

Tracy Hightower: no comment

Keggie Tubbs:

- commented he hoped everyone had a great holiday season;
- noted he had reviewed Bethel's tobacco tax ordinance, and noted Anchorage had adopted something similar; and
- complimented staff for the extra effort removing snow, especially entrances to driveways in the middle of the bike path.

Bob Himschoot:

- wished Doug good luck.

MOTION: Bob Himschoot moved and Keggie Tubbs seconded the motion to send to Code Committee the language regarding vetoing of the vacation of an alleyway to make it a positive statement.

VOTE: The motion passed unanimously.

- commented that he was pleased to see the \$3M in the Governor's budget for the wastewater treatment project;
- noted he was pleased to see the City using the local college campus for some training; and
- thanked Manager Loera for the effort that was put into the earlier workshop.

Paul Liedberg:

- thanked City staff and Doug for his service on the Council; and
- thanked City Clerk for forwarding the information for the finance and budget discussions and was learning he could use his computer to follow along without the paper copy.

XIII. MAYOR'S COMMENTS

Mayor Alice Ruby:

- noted she would call on Council members to fill some committee positions temporarily until Doug's seat was filled; and
- asked everyone to join in a moment of silence to recognize individuals lost since the last meeting.

XIV. EXECUTIVE SESSION

A. Legal Matter

1. Ekuk
2. City of Dillingham vs. Dave Gladden
3. Union Negotiations

B. Personnel Matter

1. Manager's Evaluation

MOTION: Bob Himschoot moved and Chris Maines seconded the motion to enter into executive session under DMC, 2.09.050, regarding legal and other matters. [8:51 p.m.].

GENERAL CONSENT: The motion passed with no objection.

Manager Loera was invited into the executive session along with City Clerk Williams, and removed themselves prior to the last session, Manager's evaluation.

MOTION: Keggie Tubbs moved and Chris Maines seconded the motion to come out of executive session [9:55 p.m.].

GENERAL CONSENT: The motion passed with no objection.

XV. ADJOURNMENT

Mayor Ruby adjourned the meeting at 9:55 p.m.

Alice Ruby, Mayor

ATTEST:

Janice Williams, City Clerk

Approved: _____

Mayor
Alice Ruby

Manager
Rose Loera



Dillingham City Council
Seat A, Vacant
Chris Maines
Bob Himschoot
Keggie Tubbs
Tracy Hightower
Paul Liedberg

MEMORANDUM

Date: January 26, 2013
To: Mayor and City Council
From: Rose Loera, City Manager
Subject: January Monthly Report

Fish Box – the fish box is here and ready for use this summer. We will be working out the protocol on the use of the box prior to the arrival of our salmon. It is a 20 cubic yard metal container that cost approximately \$18,000 landed here.



*Our Vision. By 2015 to have an infrastructure that supports a sustainable, diversified and growing economy. * We will take a leadership role and partner with others to achieve economic development and other common goals. * We will develop a high quality City workforce to serve the community. * We will promote excellence in education.*
City of Dillingham

National Incident Management Services (NIMs) level 300 – Five employees from the City attended the NIMs 300 training at the campus. Chief Pasquariello coordinated with the Campus to bring the trainers to Dillingham. Our next step with the City is to develop our Incident Command structure with City employees in various positions to be better prepared in emergency situations. We will also start having table top exercises with employees and other agencies.

Landfill – There have been concerns voiced in the past that the City was not applying its rates consistently. We have worked with the new staff to review the rates that were adopted in 2006, to ensure they are being applied consistently, which includes a minimum fee of \$3.00. We are aware that there is some rumbling in the community.

Department of Military & Veterans Affairs' General Fund Allocation \$550,000 - the DMVA currently leases space from the City for the National Guard. According to a conversation that JC "Cliff" Stone (lobbyist) had with Maj. Gen. Katkus the funding was placed in the 2014 Governor's budget for a new relocatable building to provide the Alaska National Guard with a permanent recruitment and training facility for soldiers living in the area. This funding, if it remains in the budget, will provide for site preparation and construction or purchase of a relocatable building. According to Cliff Stone, the DMVA feels that Dillingham is an important site for Alaska and they have no plans to be moving out of the area.

Wastewater Treatment Bids – CH2M Hill was given the bid for the Wastewater Treatment project. They are currently working on the facility plan that will need to be approved by DEC before we are able to commence with the project. We have not heard from Ecological Engineering Group since the Council took action to award the contract to CH2M Hill.

Vacancies - Public Safety – 3 police officers, Administration – Executive Assistant
We have interviewed two applicants for the trainee police officer position and are planning to send the individual to the State academy in February. We are currently advertising for the executive assistant position.

Waste to Energy – there has been no further communication with Smart Tower Energy since we received a general MOU from them that raised questions and concerns. Neither Peter Pan nor Nushagak has made any agreement with them to my knowledge. We are looking into another product with Shearwater which is a similar concept but at a smaller version.

Out of the office 2/28/13

*Our Vision. By 2015 to have an infrastructure that supports a sustainable, diversified and growing economy. * We will take a leadership role and partner with others to achieve economic development and other common goals. * We will develop a high quality City workforce to serve the community. * We will promote excellence in education.*

City of Dillingham

JANUARY 2013 – LEGISLATIVE REPORT

By Cliff Stone, Ian Fisk, Greg Fisk / City Lobbyists

The 28th Alaska State Legislature officially kicked off on Tuesday-January 15th as the first day of session was filled with pomp and circumstance. All legislators but two were sworn into office. Senator Dennis Egan was the only legislator who did not have to run this past year, as his district was virtually unchanged because of redistricting. Rep. David Guttenberg was not in Juneau the first day as he was providing care and support for his wife who has some health issues. He has since returned to Juneau and has been sworn in. Our prayers are with his family.

Rep. Mike Chenault will serve a third consecutive term as the House Speaker. Senator Charlie Huggins of Wasilla has been selected as the new President of the Senate. Both bodies have caucused and both will have super majorities as four rural Democrats have joined Republicans in the House. The 30 member House majority was made possible when Rep. Lindsey Holmes of Anchorage registered as a Republican a few days before the session started and announced her plans to join in the majority. On the Senate side, Democratic Senator's Dennis Egan of Juneau and Donny Olson of Golovin will caucus with the 13 Republican's, thus making 15 majority members in that body.

As stated in the past, legislation is on the table from day one. We will review all bills as they are introduced. You have our assurance that we will keep you abreast of items that affect your interests. These bills and resolutions are available for review by the public. Go to: www.legis.state.ak.us

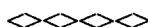
For a current list of legislators and contact information, click on:
<http://w3.legis.state.ak.us/docs/pdf/whoswho.pdf>

In addition, the following website has all of the standing and special committees listed and their respective chairs and membership.
<http://w3.legis.state.ak.us/docs/pdf/commlist.pdf>

The House Finance Sub-committee link follows. The Senate Finance Sub-committee list will be sent to you once posted. <http://w3.legis.state.ak.us/docs/pdf/HFINSubcmte.pdf>

Legislator's toll free numbers are posted at:
<http://w3.legis.state.ak.us/docs/pdf/800numbers.pdf>

A list of these publications and quite a few more can be found at the following web link. Check back as this site is continually updated. A list of legislative staff is currently in draft form and should be released soon. <http://w3.legis.state.ak.us/pubs/pubs.php>



GOVERNOR'S CORNER

This section will be a new feature of our reports. As session moves along, we feel it's important to highlight the important conversations that are going on within the Executive Branch.

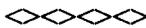
- Read Governor Sean Parnell's State of the State address at:
<http://gov.alaska.gov/parnell/press-room/full-press-release.html?pr=6345>

His priorities include safety, respect, and education. He will be introducing legislation that would increase sentences for child pornography, ensure sex traffickers serve all of their time, require "johns" who target minors to register as sex offenders, and allow court-ordered GPS tracking of abusers, stalkers, and assaulters. He is also asking for additional funding authorization for 15 Village Public Safety Officers (VPSO's) and 15 new Alaska State Trooper positions.

The *Choose Respect* Initiative has helped break cycles of abuse and exploitation. It is his hope that this wave of respect will continue to build across Alaska!

In education he wants to achieve a graduation rate of 90% by the year 2020. He is also calling for a renewed commitment to childhood literacy. This will be achieved by improving the reading instruction for K through 3rd grade and by focusing on low performing schools. Efforts with Digital Learning will include partnering with school districts and the Association of Alaska School Boards on the Alaska 1 to 1 Digital Learning Initiative. As stated in his address, meeting these goals will require safe learning environments. His administration will continue working with Alaskans and local districts to improve school safety and security for our children.

He also remembered former legislators who have since passed away since his last state of the state. They are: Carl Gatto, Al Adams, Cheryll Heinze, Bruce Kendall, Michael Beirne, and Henry Pratt. We have had the honor and opportunity to work with several of these individuals. They always had the best interests of our state at heart and worked diligently for all Alaskans.



IMPORTANT DATES

The Legislature has imposed a deadline of February 4th at 5:00 PM for all submissions by groups other than legislators who want to make a capital project request. The City should have already been contacted by both Senator Gary Stevens and Representative Bryce Edgmon's respective offices on details to access the online database known as "CAPSIS." Legislative Finance should also have sent an email to all registered users with detailed instructions on how to use this system.

January 29th is the 15th Legislative Day, thus the deadline for the governor's supplemental budget requests.

January 30th is the last day for the governor to present most appointments to his cabinet, boards, and commissions to the Legislature. This date might vary a bit, but it is close enough for our purposes. In a subsequent report, we will provide you with any names of interest, including those citizens that may have been appointed from Dillingham or the surrounding area.

February 13th is the 30th Legislative Day and the deadline for any budget amendments to the Governor's FY14 Budget.

Since this is the first session of this Legislature, there is no deadline imposed for the introduction of bills and resolutions. Deadlines will occur during the second session in 2014. We will provide all of that kind of information next year.

The Energy Council meetings in Washington DC are scheduled March 8th through March 11, 2013. This is a yearly event. For your planning purposes, quite a few legislative offices in Juneau will be operating with fewer personnel as those legislators attending the Council meetings will be leaving town around March 5th / March 6th and returning throughout the day on March 11th. Quite a few of the other legislators who don't attend these meetings will take advantage of this break and return to their home districts to meet with constituents.



PRE-FILED BILLS

There were quite a few pre-filed bills released before the new Legislature convened. Since then, there have been a few more bills introduced. They have since received their committee assignments. Listed below is a very brief highlight from those bills of interest to you. As they are announced for hearings, we will give you more information. Go to the following web page for details. Once there, you will be able to read the complete bill and as they do come up before a committee, other back up documents will be added to that particular bill site for the public's review. <http://www.legis.state.ak.us/basis/start.asp>



BUDGET BILLS

We've highlighted this section and will continue to do so during the rest of the session as it's important to recognize these bills by their respective numbers. Too often, legislators, staff, and other folks testifying will refer to them by number only.

Capital Budget – **HB 64 / SB 18**

Operating Budget – **HB 65 / SB 19** (Closeout dates have not yet been established)

Mental Health Budget – **HB 66 / SB 20**

• View the FY14 Budgets at:

<http://omb.alaska.gov/html/budget-report/fy-2014-budget/proposed.html>



BILLS OF INTEREST

What follows are bills that we've identified as having a potential or definite impact on your municipality or the schools in your community. We would encourage you to look through the bills and resolutions that have been and will be introduced to alert us to any other pieces of legislation we should be tracking for you. In addition, please be aware that the title given below may not convey the full impact to you. If there is an interest, we would encourage you to read that bill and then if you have additional questions, we would be happy to get the answers for you. When these monitored bills are announced for a committee hearing, we will alert you as to the date and time. We will also advise you as to when it might be beneficial to listen in or even testify on a particular bill. Rest assured we will continue to monitor all bills as sometimes during the legislative process, amendments come forward that then affect your interests in a bill that wasn't even on our radar!

HOUSE Bills

HB 3 – Voter ID at the polls

(There are several more bills related to elections we have not listed)

HB 21 – Length of school week

HB 25 – Voter ID related to federally recognized tribe or a tribal organization

HB 28 – Exempting various agreements to provide emergency services from regulation

HB 33 – Regulating knives or switchblades with limited exceptions for municipalities

HB 39 – Power Cost Equalization (PCE) program (introduced by Rep. Edgmon)

HB 40 – Establishing a municipal tax exemption for certain farm structures

HB 41 – Forward funding of education programs

HB 45 – Bullying by students attending a public school

HB 50 – AHFC multi-unit residential housing

HB 55 – Allowing schools to adopt policy regarding firearms on school grounds

HB 56 – Excluding motorcycles from the passenger vehicle rental tax

HB 59 – Missing vulnerable adult prompt response and notification plans

HB 61 – Relating to joint ownership of real property

HB 64 – Capital Budget

HB 65 – Operating Budget

HB 66 – Mental Health Budget

HB 68 – Corporate income tax

HB 69 – Exempt certain firearms from federal regulation

HB 71 – Extend expiration date of the Alaska Regional Economic Assistance Program

HB 77 – Water rights and the exchange or disposal of state land

HJR 1 – Amendments to state constitution relating to state aid for education

SENATE Bills

SB 6 – Funding for school lunches

SB 11 – Regulating knives or switchblades with limited exceptions for municipalities

SB 12 – Requirements for Alaska bidder in the state procurement process

SB 15 – Prekindergarten school programs/plans

SB 17 – Extend special education service agency

- SB 18 – Capital Budget
- SB 19 – Operating Budget
- SB 20 – Mental Health Budget
- SB 26 – Water rights and the exchange or disposal of state land
- SB 30 – Teachers and Public Employee Retirement plans
- SB 32 – Wood-Tikchik State Park as related to the Chikuminuk Lake Hydroelectric Site



NOTES

1. ***January 2013 – Emails to and from the City of Dillingham***
 Coordination of several issues important to the City.

2. ***January 2013 – Various contacts***
Legislators and administration officials. We have had several contacts with both Senator Gary Stevens and Representative Bryce Edgmon and their respective offices. In addition, we have had multiple contacts with both the House and Senate Finance Committee Co-chairs and their staff. We have also visited informally with the Senate President and with the House Speaker. Besides numerous other contacts with various legislators and staff, we have communicated with the Governor’s office and some of the commissioners of various departments and their staff.

3. ***January 7th – First Pre-file release of legislative bills and resolutions***

4. ***January 11th – Second Pre-file release of legislative bills and resolutions***

5. ***January 15th – The 28th Alaska State Legislature gavels in for 90 day session***

6. ***January 15th – Adjutant General/Commissioner of the Dept. of Military and Veteran’s Affairs (DMVA) Major General Tom Katkus and Deputy Commissioner McHugh Pierre***
 Met with Maj. General Katkus and Mr. Pierre regarding the Capital Budget item under DMVA identified as the Dillingham Readiness Center for \$550,000.

7. ***January 17th – Conferred with City Manager Rose Loera***
 Relayed the essence of the conversation Cliff Stone had with the DMVA officials above. Annotated project description and general information: This money gives DMVA the flexibility to build a new “re-locatable” building that will provide the Alaska National Guard (ANG) with a permanent recruitment and training facility for soldiers living in the area. DMVA currently leases space from the City on the waterfront/ dock area. The current lease ends on June 30, 2013, but according to Ms. Loera, the City is expecting to renew that lease for one year. She further indicated that the community is very happy with the Guard presence. If this budget item passes the Legislature in April, it will then go to the Governor for his signature. The funding then becomes available sometime after July 1, 2014. All parties recognize that it will be calendar year 2014 before any substantial action will take place in regards to this DMVA asset – meaning their new facility.

8. ***January 22nd – Dillingham DRAFT #1 CIP 2013 – 2018***
 Received via email from Jody Seitz for our review. Comments made.

9. **January 23rd – Commissioner Joe Masters – Department of Public Safety (DPS)**
Met with Commissioner Masters regarding the City's trip to Juneau on January 30th and his availability to meet with your delegation. The Governor's crime package is being rolled out next week, so his schedule is in flux. I have his cell number and will confer with him on the day of your visit to set up a time that is convenient for him. Also met with Deputy Commissioner Terry Vrabec and he introduced me to several new DPS administrative personnel.
10. **January 23rd – Dillingham DRAFT #2 CIP 2013 – 2018**
Received via email from Jody Seitz for further review. No additional comments.
11. **January 24th – Dillingham FINAL CIP 2013 – 2018**
Received via email from Jody Seitz. Great looking document – Professional, well organized, and significant content. Jody will ensure that the City officials travelling to Juneau will bring along about 15 color copies of the Final CIP.
12. **January 24th – Teleconference with City Officials**
Participants: Mayor Rose Loera, Council members, Bob Himschoot, Tracy Hightower, Paul Liedberg, and City Planner Jody Seitz. In Juneau: Cliff Stone and Ian Fisk.

The primary purpose of this teleconference was centered on the City's scheduled visit to Juneau on January 30, 2013. We conferred on the tentative schedule of events for that day and the relevance of each appointment. A draft schedule will be emailed to Rose on Monday – Jan. 28th. Additionally, Rose requested that the names of all of the staff people in the various offices be listed. We will provide that by Monday too in a separate document.

We had further discussions on a variety of topics that included: Coastal Zone Management, the City's Memorandum of Agreement or Understanding (MOA or MOU) with the Dept. of Corrections, the dismal King Salmon returns, the jailing of certain individuals; including juveniles, and the hardships involved, the Dept. of Transportation's - Statewide Transportation Improvement Program (STIP) and "Safe Routes to School" program, the federal transportation reauthorization (MAP21), revenue sharing as it relates to the "progressivity" feature of the current oil tax structure and the potential impacts under a new tax regime, and the finally the Dillingham Tidal Hydrokinetic Project as submitted to the Alaska Energy Authority (AEA).

We discussed the looming deadline of February 4th for the submission of all of Dillingham's budget requests in the Legislature's CAPSIS – Capital Project Submission & Information System. Jody is working on this endeavor. She is going to email the User Name and Password to me so we can review.

We also advised the City participants that Rep. Bryce Edgmon had just been named the chairman of the Legislature's Bush Caucus. This is quite an honor and recognizes Rep. Edgmon's conscientious work on behalf of Rural Alaska.

~ End Report ~

Mayor
Alice Ruby

Manager
Rose Loera



Dillingham City Council
Seat A, Vacant
Chris Maines
Bob Himschoot
Keggie Tubbs
Tracy Hightower
Paul Liedberg

MEMORANDUM

Date: January 28, 2013
To: Rose Loera, City Manager
From: Janice Williams, City Clerk
Subject: Monthly Report

Council Seat A Vacant

DMS 2.06.060 Vacancies. If a vacancy occurs in the council, the council, by vote of a majority of its remaining members, shall within forty-five days designate a person to fill the vacancy until the next regular election and until a successor is elected and has qualified. The term of office at the next regular election shall be for the unexpired term only.

The vacancy was advertised in the January 17 and January 24 editions of the Bristol Bay Times and posted in town and through the public email distribution list. To date the City has received two letters of interest, which are included in the packet. The 45-day period will close Feb. 24.

Ordinances to be Introduced

The Code Review Committee is recommending the following two ordinances:

- Ordinance No. 2013-01, An Ordinance of the Dillingham City Council Amending Section 4.21.040 of the Dillingham Municipal Code to Limit the Penalty Assessed for Failure to File or Remit Raw Fish Sales Tax Returns to Ten Percent, and to Limit the Interest to 6%

This ordinance follows the adoption of the sales tax ordinance recently amended to revise penalty and interest to standardize the rates when legally possible in order to facilitate the administration of the City's Code by providing some consistency.

- Ordinance No. 2013-02, An Ordinance Of The Dillingham City Council Amending Sections 4.15.110 Through 4.15.170 Of The Dillingham Municipal Code To Amend The Procedures For Appeal Hearings Before The Board Of Equalization And To Delete Repetitive Language In These Sections

Chapter 4.15, Sections 4.15.110 through 4.15.170, of the Dillingham Municipal Code was difficult to follow, because the sections were out of order, and in some cases the language was a duplication of another section. This ordinance was mainly a housecleaning item.

Public Meeting with Cab Companies

Following our last Code Review Committee meeting, I will be contacting the various licensed cab companies in town to set a date for a public meeting to get their input and the public's input on regulating commercial licenses. We were looking at the month of February.

*Our Vision. By 2015 to have an infrastructure that supports a sustainable, diversified and growing economy. * We will take a leadership role and partner with others to achieve economic development and other common goals. * We will develop a high quality City workforce to serve the community. * We will promote excellence in education.*

City of Dillingham

Page 1 of 2

Electronic Document Management

I was hoping to have a recommendation for the purchase of a software program that would enhance the City's work to electronically store its records. I am waiting for one of the quotes to be finalized, and would then plan to make a recommendation.

Application for Ballot Initiative to amend DMC Section 4.20.050, Exemptions, to change the sales tax exemption for arts and crafts and to add a new sales tax exemption for fruits and vegetables grown and harvested in Bristol Bay.

I have certified the petitions received as of January 29. The sponsor of this initiative has met the requirements to get the petition on the ballot, having received 114 qualified voter signatures out of a required number of 112 (25% of the voters who voted at the last municipal election, October 2012).

Noted below is the next step as outlined by Attorney Brooks Chandler:

Forward a copy of the petition to the Council and place the question of scheduling an election on the initiative on the agenda for the next city council meeting. Both a resolution scheduling the election in October and an ordinance scheduling a special election with a blank for the date would also be prepared as part of the Council packet. You also could, if directed to do so by a council member, prepare an ordinance that implements the requested additional exemptions and put it on the agenda for introduction or referral to the code committee. It could be that the Council will decide to adopt the ordinance rather than have it voted on in October or at a special election. The scheduling of the election would be put aside for a couple of months to see if the Council would introduce and then adopt the ordinance without an election. As previously explained, just because an initiative petition has qualified for placement on the ballot does NOT mean that the Council could not enact substantially the same ordinance prior to scheduling the election. This is expressly contemplated in relatively recent changes made to AS 29.26.170(a), which states:

(a) Unless substantially the same measure is adopted, when a petition seeks an initiative vote, the clerk shall submit the matter to the voters at the next regular election or, if already scheduled, special election occurring not sooner than 60 days after certification of the petition. If no election is scheduled to occur within 75 days after the certification of a petition and the governing body determines it is in the best interest of the municipality, the governing body may by ordinance order a special election to be held on the matter before the next election that is already scheduled, but not sooner than 60 days after certification of the petition.

Ordinance No. 2013-XX - attached is the ordinance that was submitted to the petitioners. I am suggesting that we ask the Council to add this to the Code Committee's task list for their review and recommendation.

Request from the Public for a Change in the Code

At the last Council meeting, Council Member Bob Himschoot asked if the request for a change in the code could have been fielded to the Council beforehand. In hindsight I wish that I had delved into it more than I had, having followed the procedure that was laid out previously. In the future, we will provide the person with a list of options. Please note the following information provided by Atty. Chandler:

As far as whether the ordinance change request could have been made via a suggestion letter to the City Council or speaking at the "people to be heard" portion of a city council meeting the answer is yes. Citizens have multiple ways to contact their elected representatives to request changes to existing law. The initiative process is not the only way to accomplish change.

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CITY OF DILLINGHAM, ALASKA

ORDINANCE NO. 2013-XX

AN ORDINANCE OF THE DILLINGHAM CITY COUNCIL AMENDING SECTION 4.20.050 OF THE DILLINGHAM MUNICIPAL CODE, SALES TAX EXEMPTIONS

BE IT ENACTED BY THE VOTERS OF THE CITY OF DILLINGHAM:

Section 1. Classification. This is a code ordinance.

Section 2. Amend Section 4.20.050 N. Section 4.20.050 N. of the Dillingham Municipal Code is hereby amended as follows with new text displayed in underlined font and deleted text displayed in strike out font.

4.20.050 Exemptions

N. Sale of ~~Native~~ all arts and crafts designed or produced in the Bristol Bay region ~~by the artist;~~ except that this exemption shall not apply to all businesses including those with a fixed location which sell Native Bristol Bay arts and crafts as dealer, broker, or agent. This exemption shall apply to all businesses with total yearly sales of less than \$20,000.

Section 3. Add a new exemption to Section 4.20.050. Section 4.20.050 of the Dillingham Municipal Code is hereby amended as follows with new text displayed in underlined font.

4.20.050 Exemptions

Z. The sale of fruits or vegetables grown or harvested in the Bristol Bay region as well as locally raised livestock and products derived from those livestock.

Section 4. Effective Date. This ordinance is effective upon passage.

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

SEAL:

Alice Ruby, Mayor

ATTEST:

Janice Williams, City Clerk

Mayor
Alice Ruby

Manager
Rose Loera



Dillingham City Council
Seat A, Vacant
Chris Maines
Bob Himschoot
Keggie Tubbs
Tracy Hightower
Paul Liedberg

MEMORANDUM

Date: January 28, 2013

To: Rose Loera
City Manager

From: Carol Shade
Finance Director

Subject: December 31, 2012 Financial Report

December was another busy month in the Finance Department. We processed all the business license renewals that came in. Personal Property Tax Assessment Return forms were mailed out. In addition we processed \$5,716 in Nushagak Fish Tax refunds. We received an additional \$19,495 in in Nushagak Fish Sales Tax.

Mikunda, Cottrell submitted the final draft of the FY12 audit in late December and after the reviews and all adjustments made the final pdf version was submitted to me on January 4, 2013. You will be receiving your copies of the audited financials at the workshop prior to the Council Meeting. Our auditor, John Bost will be going over them with you.

As of the end of December we should have received approximately 50% of revenues and not have spent more than 50%. The report is showing General Fund Revenues at 62% received and General Fund Expenditures at 44% spent. Special Revenue Funds Revenues are showing a total of 52% received and 43% expensed. Capital Projects and Other Funds are reflecting 15% received and 43% expensed. This Capital Projects funds expenses over revenues should be more equal at the end of January as our grant reports are due then and our grants revenues are based on actual cash received to date currently. Starting in January, we will be recording the grant revenues on an as earned basis.

The Finance Department has one vacancy, as we have received notice that the Accounts Payable/Payroll Technician is leaving. We are looking at a slight reorganization to the department to better facility the tasks and duties that we are responsible for.

We have established a Collections Committee which is meeting every few weeks. We are trying to develop a very consistent process for dealing with delinquent accounts.

With that being said following are the Financials for the period ending December 31, 2012.

*Our Vision. By 2015 to have an infrastructure that supports a sustainable, diversified and growing economy. * We will take a leadership role and partner with others to achieve economic development and other common goals. * We will develop a high quality City workforce to serve the community. * We will promote excellence in education.*
City of Dillingham

City of Dillingham
Revenues and Expenditures As of December 31, 2012
Preliminary Figures

REVENUES:	Budget - FY13	Dec-12	Year to Date		Previous Year		
			Actual - 12/31/12	Percent	12/31/2011 Actual	INC/(DEC) Last Year	
General Fund Revenues							
General Sales Tax	2,700,000	118,016	1,423,924	53%	1,486,777	(62,853)	
Alcohol Sales Tax	265,000	22,380	173,845	66%	160,923	12,922	
Transient Lodging Sales Tax	95,000	3,602	53,629	56%	51,155	2,474	
Gaming Sales Tax	65,000	5,321	31,154	48%	18,249	12,904	
Total Sales Taxes	3,125,000	149,319	1,682,552	54%	1,717,104	(34,553)	
Real Property Tax	1,460,000	-	1,534,557	105%	1,475,514	59,042	
Personal Property Tax	500,000	-	519,768	104%	506,421	13,347	
Total Property Taxes	1,960,000	-	2,054,324	105%	1,981,935	72,389	
Telephone Gross Receipts State Tax	80,000	-	-	0%	-	-	
Raw Fish Tax	205,000	-	339,410	166%	446,588	(107,178)	
Nushagak Fish Tax (Proportion transfer in)	579,513	-	-	-	-	-	
Shared Fisheries	40,000	-	-	0%	-	-	
Revenue Sharing	298,970	-	-	0%	282,614	(282,614)	
Payment in Lieu of Taxes (PILT)	423,142	429,392	429,392	101%	421,879	7,513	
Foreclosures	-	-	-	-	335,909	(335,909)	
State Jail Contract	480,417	-	240,209	50%	230,363	9,846	
Other Revenues	1,012,272	188,169	331,640	33%	174,935	156,705	
Total	3,119,314	617,561	1,340,650	43%	1,892,287	(551,636)	
Total General Fund Revenues	8,204,314	766,880	5,077,526	62%	5,591,326	(513,800)	
Special Revenue Funds Revenues							
Nushagak Fish Tax	710,883	390	460,064	65%	-	-	
Fisheries Infrastructure Fund	-	26,004	26,004	-	-	-	
Borough Formation Study Fund	-	15,603	15,603	-	-	-	
Water	224,479	26,382	99,571	44%	101,815	(2,245)	
Sewer	263,138	13,991	122,977	47%	138,294	(15,317)	
Landfill	339,298	101,088	155,122	46%	79,579	75,543	
Dock	709,603	810	389,072	55%	509,918	(120,846)	
Boat Harbor	175,426	20,476	55,153	31%	25,076	30,077	
E-911 Service	74,650	8,805	33,175	44%	28,850	4,325	
Senior Center	469,969	186,417	252,968	54%	311,583	(58,615)	
Total Special Revenue Funds Revenues	2,967,446	399,966	1,609,708	54%	1,195,114	(87,077)	
Capital Projects & Other Funds							
Debt Service Fund Revenue	1,177,840	-	217,674	18%	227,121	(9,447)	
Asset Forfeiture Fund	800	-	-	-	-	-	
Dock and Harbor Capital Project Fund Revenue	-	202,312	202,312	-	5,213	197,099	
Road and Streets Capital Project Fund Revenue	-	-	-	-	105,847	(105,847)	
WasteWater Treatment Plant	2,280,000	-	1,068	-	-	1,068	
Force Main	1,800,000	-	189,924	11%	24,050	165,874	
School Bond Project	-	-	-	-	19	(19)	
Library Grants	61,700	7,000	15,154	25%	-	15,154	
Library Roof	250,000	-	-	-	-	-	
JAG Grant	59,719	-	59,171	99%	-	59,171	
Equipment Replacement Capital Project Fund	100,000	-	-	-	-	-	
Ambulance Reserve Capital Project Fund Revenue	38,000	-	-	-	-	-	
Mary Carlson Estate Permanent Fund Revenue	10,000	-	-	-	580	(580)	
Landfill Capital Project Fund	-	-	-	-	-	-	
Total Capital Projects & Other Funds	5,778,059	209,312	685,302	12%	362,831	322,471	
Total All Revenues	16,949,819	1,376,158	7,372,536	43%	7,149,271	(278,406)	

City of Dillingham
Revenues and Expenditures As of December 31, 2012
Preliminary Figures

EXPENDITURES:	Budget - FY13	Dec-12	Year to Date		Previous Year		
			Actual - 12/31/12	Percent	12/31/2011 Actual	INC/(DEC) Last Year	
General Fund Expenditures							
City Council	88,800	4,120	23,702	27%	15,921	7,781	
City Clerk	132,282	8,763	60,987	46%	54,081	6,906	
Administration	319,445	20,046	148,114	46%	165,112	(16,998)	
Finance	581,108	45,030	274,182	47%	290,084	(15,901)	
Legal	135,000	7,152	92,625	69%	119,266	(26,641)	
Insurance	88,642	7,707	97,501	110%	86,141	11,360	
Non-Departmental	204,975	17,715	133,555	65%	147,093	(13,538)	
Planning	153,591	13,238	60,041	39%	53,606	6,435	
Foreclosed Properties	-	1,824	5,886	0%	113,279	(107,393)	
Meeting/Bingo Hall	3,680	277	1,518	41%	4,953	(3,435)	
Public Safety Administration	273,506	10,450	60,368	22%			
Dispatch	428,354	29,077	214,720	50%	235,505	(20,785)	
Patrol	577,921	31,595	251,788	44%	490,872	(239,083)	
Investigations/WAANT	126,659	549	59,084	47%			
Corrections	571,597	42,734	260,647	46%	279,871	(19,224)	
DMV	103,356	6,139	38,308	37%	41,957	(3,649)	
Animal Control Officer	131,564	9,618	63,670	48%	62,672	998	
Fire	299,447	21,917	69,841	23%	129,710	(59,869)	
K-9	83,719	7,254	46,349	55%			
PS IT	21,500	-	8,824	41%			
Public Works Administration	237,954	16,545	105,290	44%	57,961	47,329	
Building and Grounds	326,357	28,077	198,942	61%	128,578	70,364	
Shop	267,525	(32,337)	54,230	20%	67,366	(13,136)	
Street	605,656	64,479	303,931	50%	306,764	(2,832)	
Library	203,996	7,622	86,173	42%	64,568	21,605	
Museum	4,000	-	-	0%	-	-	
City School	1,300,000	-	650,000	50%	650,000	-	
Transfers to Other Funds	1,033,383	314,653	314,653	30%	-	314,653	
Total General Fund Expenditures	8,304,017	684,247	3,684,930	44%	3,565,360	(55,055)	
Special Revenue Funds Expenditures							
Nushagak Fish Tax							
Fish Tax Refunds	74,500	5,716	8,899	12%			
5% Fisheries Fund	35,544	-	-	0%			
3% Borough Study	21,326	-	-	0%			
Transfer to General Fund	579,513	-	-	0%			
Water	224,479	35,553	98,034	44%	59,420	38,614	
WasteWater	263,138	52,967	158,412	60%	114,987	43,425	
Landfill	339,298	61,759	187,258	55%	168,647	18,611	
Dock	426,996	68,863	277,596	65%	200,257	77,339	
Boat Harbor	214,524	30,114	118,880	55%	90,205	28,676	
E-911 Service	14,060	5,446	44,016	313%	-	44,016	
Senior Center	469,969	72,672	255,107	54%	538,747	(283,640)	
Total Special Revenue Fund Expenditures	2,663,347	327,374	1,139,303	43%	1,172,262	(32,959)	
Capital Projects & Other Fund Expenditures							
Debt Service Fund Expenditures	1,177,840	-	1,174,590	100%	315,920	858,670	
Asset Forfeitures Fund					11,144	(11,144)	
Library Technology (OWL & Tech Aid)	68,980				3,000	(3,000)	
Library Roof	250,000		70		-	70	
Dock and Harbor Capital Project Fund Expenditures			5,750		623,135	(617,385)	
Road and Streets Capital Project Fund Expenditure					1,146,690	(1,146,690)	
WasteWater Treatment Plant					-	62,412	
Force Main	2,280,000	9,248	62,412	2.74%	-	62,412	
School Bond Project Fund Expenditures	1,800,000	9,296	1,237,260	69%	81,386	1,155,874	
School Bond Project Fund Expenditures					16,901	(16,901)	
Homeland Security					31,247	(31,247)	
JAG Grant					-	-	
Equipment Replacement Capital Proj Fund Expen	100,000			0%	86,844	(86,844)	
Ambulance Reserve Capital Project Fund Expen	38,000						
Mary Carlson Estate Permanent Fund Expenditures	10,000	1,430	3,842	38%	4,384	(542)	
Landfill Capital Project Fund Expenditures					2,695	(2,695)	
Total Capital Projects & Other Fund Exp.	5,724,820	19,974	2,483,924	43%	2,323,347	160,577	
Total Expenditures	16,692,184	1,031,595	7,308,157	44%	7,060,969	(72,563)	
Revenues Over (Under) Expenditures	257,635	344,563	64,379		88,302	(350,969)	

City of Dillingham
Revenues and Expenditures As of December 31, 2012
Preliminary Figures

	<u>Fund Bal.</u> <u>6/30/2012</u>	<u>FY'13</u> <u>Revenues</u>	<u>FY'13</u> <u>Expenditures</u>	<u>Add or (-)</u> <u>Fund Bal</u>	<u>Fund Bal.</u> <u>12/31/2012</u>
General Fund	3,372,485	5,077,526	3,684,930	1,392,596	4,765,081
Water and Sewer	20,044	222,548	256,446	(33,898)	(13,854)
Landfill	-	155,122	187,258	(32,136)	(32,136)
Dock	1,179,047	389,072	277,596	111,476	1,290,523
Boat Harbor	-	55,153	118,880	(63,727)	(63,727)
E-911 Service	25,145	33,175	44,016	(10,841)	14,304
Asset Forfeitures Fund	9,035	-	-	-	9,035
Senior Center	-	252,968	255,107	(2,139)	(2,139)
Debt Service	-	217,674	1,174,590	(956,916)	(956,916)
Dock and Harbor Capital Project Fund	(18,386)	202,312	5,750	196,562	178,176
Road and Streets Capital Project Fund	-	-	-	-	-
WasteWater Treatment Plant	-	1,068	62,412	(61,344)	(61,344)
Water and Sewer Capital Project Fund	(218,388)	189,924	1,237,260	(1,047,336)	(1,265,724)
School Bond Project Capital Project Fund	393,520	-	-	-	393,520
JAG Grant	-	59,171	-	59,171	59,171
Library Technology	-	15,154	-	15,154	15,154
Library Roof	-	-	70	(70)	(70)
Equipment Replacement Capital Project Fund	57,036	-	-	-	57,036
Ambulance Reserve Capital Project Fund	498,858	-	-	-	498,858
Mary Carlson Estate Permanent Fund	397,385	-	3,842	(3,842)	393,543
Landfill Capital Project Fund	172,044	-	-	-	172,044
Total	5,887,825	6,870,865	7,308,157	(437,292)	5,450,533

Mayor
Alice Ruby

Manager
Rose Loera



Dillingham City Council
Seat A, Vacant
Chris Maines
Bob Himschoot
Keggie Tubbs
Tracy Hightower
Paul Liedberg

MEMORANDUM

Date: January 28, 2013
To: Rose Loera, City Manager
From: Sonja Marx, Librarian
Subject: January Monthly Report

Our New Year at the Library started off with the Library being closed to the public January 3rd -7th, 2013 and partial days on the 8th & 24th, while Public Works fixed the ceiling and Library staff cleaned & worked on projects before school started up again.

The ceiling has been leaking off and on for years in various parts of the Library & the Museum at different times of the year. This recent leak, however, was in an area where damage would have occurred to our DVD collection had it not been repaired right away. This required Library staff to remove all items from these shelves and store them in the Museum area. DVDs could not be checked out to the public during this time. This fact, along with being closed, caused our patron numbers to be down for the month.

Other projects staff completed this month included training on the e-bundles, a webinar with McNaughton books (ordered our core collection of 200 books which will come shelf ready right out of the box), inventoried our vast DVD collections, purchased more books and audio visuals with our grant money, put in place a new blue rug purchased for the children's non-fiction book area, and held Library Board (14th) & FOL (22nd) meetings.

Library Stat report for December 31st, 2012 – January 26th, 2013:

Patron Visits: 1,299 Computer Use: 517 Story Hour: 29

Other Visits: 13 Museum Use: 1 Videoconferencing: 0

Approximately 8.75 volunteer hours logged

The Librarian will be on vacation from Feb 1st – 22nd, 2013. In her absence, the Library Assistant, Abigail; the School Librarian, Nicole; and the two Library Aides, David and Thresa will be covering the 40-hours a week that the Library is open to serve the public.

The Library was closed January 1st, 2013 for New Year's Day

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City of Dillingham

Page 1 of 1

Mayor
Alice Ruby

Manager
Rose Loera



Dillingham City Council
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Paul Liedberg

MEMORANDUM

Date: January 28, 2013
To: Rose Loera, City Manager
From: Jody Seitz, Director of Planning and Grants
Subject: January Monthly Report

I have noticed that the word "Planning" can mean many things to many people. January 2013 at the City of Dillingham, planning has meant completing plats, taking new applications, holding 3 planning commission meetings, roads reviews, working on the address maps, and getting the Six Year Capital Improvements Plan into book format and ready for the public and the City Legislative Team to head to Juneau. Thanks to all those departments that reviewed their project descriptions and provided photos. Also spent a fair amount of time trying to organize, since about half of the Planner's time is providing information about projects, plats, as-builts, land use permits, etc.. to the public, agencies, and City staff. I have been maintaining a google spreadsheet of all as-builts that are electronically available. Need help filing and keeping records current and developing metadata about projects, plats, and files. I'm also developing a Planning Department handbook.

Six Year CIP: completed. City Clerk to post on the City website. Now we begin the process all over again starting in March, to be able to better coincide with the City budget process.

Comprehensive Plan: CDs are available for \$5.00. Final version is on the website.

Floodplain Management: contacted State Floodplain Coordinator. Need to have landowner turn in a letter of map revision and give a copy to the City for its records. Planning Department is investigating the options for floodproofing his office and development of the property he wishes to develop in the floodplain v zone to the west of the harbor.

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GIS imagery: BBNA has paid their part of this purchase (\$1503.65). Nushagak Cooperative is also chipping in one third of the cost for this. Nushagak has acquired the same GIS software that the City and BBNA are using (ESRI ARC GIS). The Planning Department shared the parcel database with Nushagak to assist them in developing their utility database.

Neighborhood Initiative: The ski trail has been marked and the ski trail sign has been erected on the road to the VORTAC just before the FAA house.

Planning Commission: three meetings this month: PC legal training, special meeting January 4 for vacating alleys and regular meeting January 15.

Platting: The Planning Department received S&W subdivision. However it has no variance request and does not conform to code. The plat application will be returned to the landowners with their check.

I advertised over KDLG for the Planning Commission subcommittee on easements.

Planning Department received Bear View Subdivision for signatures and recording.

Road Projects: The State Transportation Department (ADOT) is requesting the City develop an ordinance for platting streets to be able to complete the Downtown Streets project. The Right-of-Way section has sent the Planning Department ordinances for review. Planning Department will bring to the Planning Commission in March.

ADOT Project #52799 Kananak Road Resurfacing – Road Review Committee met and reviewed the Kananak Rd project 52799. Comments were provided by January 24 via a letter from the City Manager and Mayor.

Training: The Planning Commission met with Patrick Munson of Boyd, Chandler, and Faulkner, the City's attorneys. Mr. Munson reviewed the planning Commission's quasi-judicial role, which refers to its being an appointed rather than elected body. The role is to be the impartial judge who weighs facts and then makes fair, unbiased platting, land use, and zoning decisions. Mr. Munson also reviewed ex-parte communication, conflict of interest as well as precedence. Legally, Mr. Munson says, the Planning Commission does not set precedence when platting subdivisions because they are all different. Commissioners were surprised by this and it led to a good discussion of commissioner communications.

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MEMORANDUM

Date: January 28, 2013
To: Rose Loera
From: Jean Barrett
Subject: January monthly report

January is traditionally one of the slowest months of the year here at the Port Department, this year it has been fairly busy and productive.

City Dock

Not much happening at the city Dock right now, I am planning on working on the dock office this winter. The floor has some weak spots and we need to address this before we can put down some flooring to clean the look up. The windows in the office leak during the summer and are not made for the cold climate and will need to be replaced to help cut down on fuel consumption. The work in the dock office will be paid out of money we have left from the purchase of the property that the warehouse sits on.

I have been working on revising and started doing comparisons on the Port tariff with other ports of similar size and comparable uses. I plan to compare our tariff to the ports of Bristol Bay, Nome, Bethel, and Dutch Harbor.

Harbor

I have a list of things that are in the works for the harbor that I would like to get done before the summer. Most of them require outside work and some technical work that will need to be put out to bid. Some of the items include some fabrication on the float arms to make the yearly launching and pulling of the float arms easier and with less pressure and wear and tear on the floats themselves. I have contacted a couple of welders in town and they are going to come by to take a look at what is needed so they can give me an estimate.

I also want to install a platform and steps on the ice machine so it is safer to access for the harbor staff, this will also need to be put out to bid and I hope to apply for grant money from the Alaskan Leader Fisheries Foundation for this project. This grant was the one used for the new ladders we were able to get last year. I would also like to replace the old ladders on the old portion of the bulkhead.

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I am also gearing up to install waterlines down the float arms this spring, instead of running hoses down the arms I would like to install permanent lines that could stay on the arms and not have to be put on and taken off every year.

After taking Harbor tariff to the Finance and Budget Committee for their comments and also presenting it to the Port Committee, I have been able to compile the suggestions and the comments and make suggested revisions for the harbor tariff, these revisions have been rewritten and are being reviewed by City Manager Loera before going on to the Council for approval.

A few other things that I have been working on are as follows

- I have been working on completed the National Incident Management (NIMS) courses that are required by the City.
- I have signed up for a Hazwopper refresher course. This takes place next month at the local University.
- I have several people wanting to get their commercial drivers licenses upgraded and / or new ones issued. This is all dependent on the weather and if the state is able to clear the test area so as I can set up the course. Some of the individuals that need testing are city employees in new positions. Manager Loera and I have talked about this and realize that most of the people that need to take the "road test" will have to be done either this spring or wait until this coming fall due to the fact that the test takes approximately 2 hours and getting away from the harbor for that amount of time in the summer is easily done.
- I have taken a look at the dock and harbor budgets and found places that there is potential areas that there could be "extra" left over at the end of the fiscal year. I am also looking at these budgets and getting a head start on next FY budgets. I am looking at the reason for the need and also looking to get more accurate prices on the things that I am asking for.

That is it from the Port Department this month.

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MEMORANDUM

Date: 1-28-13
To: City Manager Rose Loera
From: Chief Dan Pasquariello
Subject: January 2013 Monthly Report

Patrol:

- ❖ 446 Calls for service
- ❖ 41 Incident reports
- ❖ 15 Persons arrested
- ❖ 3 Title 47/Protective custody
- ❖ 19 Citations issued

We currently have 4 sworn officers on the street. In coordination with, and funding from, BBEDC we have hired a 5th officer from within our department, who will be attending the Sitka Police Academy at the end of February until early June. We are still advertising for experienced officers and applications are trickling in slowly. Until then the remaining officers will work overtime, mostly alone, to patrol the streets 24/7. Even the Chief will spend half of his time patrolling the streets to cover the shifts. All officers are onboard with the increased workload in order to protect the public. *(A news story was aired on KDLG concerning patrol staffing.)*

Last month we aggressively enforced traffic violations. Reported motor vehicle accidents decreased from 8 in December to only 1 in the month of January.

The Chief met with representatives from the school district and Alaska State Troopers to discuss the topical issue of a person carrying a gun on school grounds. This meeting was precipitated by a report of a person carrying a handgun at a recent basketball game. At the meeting the school district's and police department's responses to such an incident were discussed so that each organization would be familiar the other's actions during such an incident. All officers have been academy trained in the tactical aspects of such a response. We are finishing up a written procedure of our response and will be arranging in-service training. *(a news story was aired on KDLG concerning this meeting).*

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Several felony arrests were made this month for offenses such as sexual assault, burglary, and assault. These arrests were accomplished by a team effort of the patrol division.

The Council requested snow machine procedure was written and disseminated.

Corrections:

- ❖ 41 Total Inmates
- ❖ 2 Title 47/Protective custody

The corrections supervisor has recently transferred into the patrol division as a police officer. Hopefully the supervisor slot can be filled from within the division.

In preparation for the City Manager/City Council visit to Juneau, jail population statistics were gathered for the calendar year 2012. These statistics can be presented to the Department of Corrections Commissioner to request additional funding for our 8 bed facility. During 2012 we were at under capacity 130 days (36%), at capacity 31 days (8%), and over capacity 204 days (56%).

Dispatch:

- ❖ 446 Calls for service
- ❖ 69% Dispatched to Dillingham Police
- ❖ 18% Dispatched to Alaska State Troopers
- ❖ 3% Dispatched to EMS/Dillingham Fire
- ❖ 10% Dispatched to Dillingham Animal Control
- ❖ 8 records requests completed

The dispatch supervisor attended the two day ICS course held at the UAF campus.

We are beginning the long delayed process of fixing the encrypted radio frequencies on our radio console. Currently the radio repeater will not work using encrypted frequencies. We have been using hand-held radios only for encrypted communications. This project will require coordination between the Fire Chief and our department's newly contracted IT person.

WAANT:

Nothing reported

Animal Control:

- ❖ 13 Dogs/cats impounded
- ❖ 2 Shelter dogs/cats adopted out
- ❖ 3 Rabies/Parvo shot given
- ❖ 14 dogs/cats euthanized
- ❖ 12 citations issued
- ❖ 3 dog tags sold

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The ACO plans on setting up a table in a yet to be determined centralized location during the Beaver Round-up festival. This is so rabies/parvo shots can be given, and dog license tags can be sold.

Two dogs were sent to Friends of pets in Anchorage for adoption.

DMV:

- ❖ 57 Registrations/Titles
- ❖ 51 Driver's license/ID's
- ❖ 3 Commercial driver's licenses
- ❖ 5 Road tests

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MEMORANDUM

Date: 1-07-12
To: City Clerk Janice Williams
From: Chief Dan Pasquariello
Subject: Low Speed Vehicles

Alaska has a Low Speed vehicle statute AS 28.35.261 which in effect states that a Low Speed vehicle can operate:

" on a highway with a maximum speed limit of 45 mph; in a municipality with a population of less than 35,000; not connected by road to Anchorage or Fairbanks, and that has passed an ordinance allowing for their operation".

Alaska statutes in effect define a Low Speed vehicle as a:

" vehicle manufactured to achieve a minimum speed of 20 mph, and a maximum speed of 25mph that meets the weight and safety standards set by DMV and federal standards"

Alaska DMV interprets this as a vehicle less than 3000 pounds not designed for off-road use by the manufacturer's certificate of origin. They state that essentially a low speed vehicle is an electronic golf cart.

DMV stated that Japanese mini-trucks and UTVs do not qualify and are not able to be legally registered as low speed vehicles.

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Page 1 of 1

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MEMORANDUM

Date: January 24, 2012
To: Rose Loera, City Manager
From: Malcolm Brown, Public Works Director
Subject: Monthly Report

Public Works Divisions:

Buildings & Grounds – Installed a sheetrock patch at the Library for the ceiling area that was damaged by condensation. The patch needs a final coat of mud and paint. Repaired the used monitor installed at the Airport Fire Station. The used monitor was donated by DOT from their Koliganek facility. Repaired the Senior Center's dishwasher pump and upgraded four outlets at that building to Ground Circuit Fault Interrupters (GCFI). Upgraded three outlets at the Shop to GCFIs. Performed quarterly maintenance and repairs to 23 boilers and 6 Toyos. B&G staff backfilled at the Landfill and provided training for the new Landfill staff.

Landfill – Information about ongoing Landfill improvements is now available on the City's website. Pictures of the new fish waste transfer bin were provided for the Bristol Bay Times.

New staff has been hired. The data for the Landfill survey needed to determine the amount of customers and the times they are onsite is being collected. This survey will continue until January 29.

The results of the quarterly depth monitoring of the wells were sent to DEC. Groundwater monitoring was identified by DEC as a concern in the past.

The Caterpillar D5 dozer was serviced, the 22 wheel Volvo truck that hauls the bins is being serviced now, the Excavator will be serviced next. The forks for the Loader broke, new forks are being purchased.

The update to the Solid Waste Management Plan (2006) is being worked on by BEESC and the Public Works Director.

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Shop – The Landfill's 22 wheel truck that hauls the bins is being serviced. The failure of the new Caterpillar Grader that was reported on last month was due to a new engineering technique that Caterpillar developed to deal with modern emissions requirements. A letter was sent to the vendor, NC Machinery, expressing displeasure with the modern Caterpillar emissions control equipment and staff reluctance to buy any more modern Caterpillar products. The mechanics continue to be very responsive to making "on the fly" repairs for the snow removal equipment to keep them operational when they are grading, sanding and pushing snow.

Streets –The graders and sanders have been operational with the exception of the small sander that has intermittent problems with the chain tension for the sander motor. The sander motor was designed for continuous use, but the chain gets "stretched" when the motor is activated intermittently. Intermittent activation occurs when the sander needs to spread sand at intersections, low spots and parking lots. The motor is running at 3,000 RPM when engaged. This high speed engagement causes the chain links to get shaved and leads to a longer (stretched) chain and frequent replacement of the master link (which is designed to be the softest link as it is the most easily replaced). An improvised chain tensioner was made at the Shop, but the roller for the prototype needs to be more durable.

The ditching is ongoing for the drainage from the artesian groundwater from the property uphill from the Icicle property on 1st Avenue.

Water/Wastewater - Meetings continue to be held with CH2MHill for the design and engineering for the Wastewater Treatment system and the Compliance Order by Consent (COBC) required by DEC.

The Water/Wastewater staff has done extensive backfilling for the Streets Division to help with snow removal.

Grants – Worked with the Planner on the Capital Improvement Projects requests that will be presented to the Legislature

Safety – Weekly Safety training meetings are ongoing, the classes were: Electrical Safety and Circuit Breakers (Temporary). An abatement report for some of the violations was sent to the Department of Labor. An extension to March 20 was granted for ongoing violations. The first meeting of the Safety Committee was held, the duties and responsibilities of the Committee were established and contacts were made with AMLJIA for facility inspections, and information on the Safety Savings account which the City has accumulated over the years.

Training – The written tests for Commercial Drivers Licenses were successfully taken by two employees, they will do the hands on testing with the Harbormaster next. The Public Works Director completed the four FEMA classes that are required per the NIMS certification in his job description and he completed additional training: Incident Command System-Intermediate ICS for Expanding Incidents (16 hours). Six employees are scheduled to attend the locally offered HAZWOPER training. Staff shortages for 1st Aid/CPR certification were collected for the Safety Committee in order to provide local trainers more awareness of our training needs.

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MEMORANDUM

Date: January 21, 2013
To: Rose Loera
From: Ida Noonkesser
Subject: Staff Report

As of January 18th, the Senior Center had served 221 congregate meals to 67 individuals, home delivered meals to 10 individuals, gave 222 assisted rides to 27 individuals, and 147 to unassisted rides to 25 individuals.

I helped one elder getting a replacement Quest card for one that was damaged. I also helped five elders apply for Permanent Fund Dividends online.

We had two renters at the Senior Center this past month. The Pinochle players' group continues to rent the dining room every Friday and the Quilters' Guild rents the building every third Saturday of the month.

The Advisory Board meeting last month was cancelled because not enough board members. We had a meeting on January 23rd at 1 pm. The meeting was a good one and we discussed our center budget, staffing and looking for more grants. The board also voiced concerns they had about the current situation.

A new exercise machine was installed by Lacey Peterson. We continue to have people to come in and exercise.

I took the Certified Food Program Manager (SafeServ) exam on January 15th and passed it. The certificates have arrived and will be posted in the proper place in the Center. We are now fully in compliance with certification regulations for our food service program.

Mr. and Mrs. Rodney Sampson donated a case of red salmon to the Senior Center. The donation is much appreciated since funds are short this spring.

I had a teleconference with the state about my biannual grant report. The presenter went through the instructions for completing the progress report and Logic model evaluation. This report will be submitted by January 31, 2013 to the State.

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MEMORANDUM

Date: January 30, 2013
To: Rose Loera, City Manager
From: Steve Cropsey Project Mgr.
Subject: Project Status

FORCE MAIN HDD: The Force main is installed and operating. The City's Public Works Crew has overcome several unforeseen challenges created by the installation of the HDD force main. However; many issues, related to the problems that would have been encountered if the sewerage system had been installed in the city streets and roads were averted and the cost has been only about 40% of what was estimated to be the cost of direct bury within the City street system. But this approach presented other problems, which were unforeseen. With engineering review by CH2 M Hill new pump sizing was specified in order to efficiently pump wastewater through the new force main. New pumps are on order and should be on site by April.

LIBRARY RE-ROOF: A "Design and build" bid package is out for bid the bid deadline is March 2, 2013. The bid documents require completion by Sept. 2, 2013.

WASTE WATER TREATMENT PLANT UPGRADES: Mr. Tom Wolf, PE, is the Project Manager for the CH2 M Hill design team. City representatives and Mr. Wolfe attended a meeting with ADEC representatives on Dec. 17, 2012. The City representatives attended by teleconference while Mr. Wolf attended in person. An outline Wastewater Treatment Facilities Plan has been prepared. CH 2 M Hill is to present a project list of component tasks which can be accomplished resulting in physical plant improvements for completion this summer. These upgrades will be designed to be efficiently integrated into the completed project. The final Compliance Order by Consent (COBC) will allow the City's WWTP to operate outside acceptable standards without liability except for the responsibility of bringing the plant into compliance in three years (Assuming adequate improvement financing by the State)

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I. CALL TO ORDER

The Code Review Committee met on Thursday, January 17, 2013, in the Council Chambers, Dillingham, AK. Chair Paul Liedberg called the meeting to order at 5:38 p.m.

II. ROLL CALL

Committee Members present:

Paul Liedberg, Council Member, Chair
Mayor Alice Ruby
Chris Maines, Council Member
Rose Loera, City Manager
Janice Williams, City Clerk

Guest(s):

Carol Shade, Finance Director
Jack Allen, Nushagak Cab Co.

III. APPROVAL OF MINUTES

A. Minutes of December 13, 2012

MOTION: Chris Maines moved and Mayor Ruby seconded the motion to approve the minutes of December 13, 2012.

GENERAL CONSENT: The motion passed without objection.

IV. APPROVAL OF AGENDA

Chair Liedberg asked to move item D. Regulate Commercial Licenses to the top of the agenda. There were no objections.

MOTION: Mgr. Loera moved and Chris Maines seconded the motion to approve the agenda as amended.

GENERAL CONSENT: The motion passed without objection.

V. UNFINISHED BUSINESS

D. Regulate Commercial Licenses (Ex. Taxi Cabs)

City Manager Loera referred the committee to a memo listing business license and insurance amounts in other Alaska cities. She noted she would verify if the Transportation Inspector's Office in Anchorage minimum requirements will increase to \$6,400 for the annual premium per cab.

Several members summarized that the goal was to hold a public forum in the near future for the intention of getting feedback from the public and the taxi owners, and weigh the effect of any new regulations on the cab business. The group reconciled that after 6 p.m. would be workable for a forum. City Clerk would notify individual taxi cab owners of the meeting date.

Jack Allen, owner of Nushagak Cab Co. (13 years) reviewed his written presentation:

- safety issues – vehicle inspection for windows, brakes, seat belts, lights, doors, and require insurance;
- not allow texting to dispatch while you're driving;
- no more stacking fares, picking up one fare here, dropping them off in different locations, compared it to chartering an airplane;
- must require car seats;
- enforce is needed to weed out the people that can't afford to do safely, and aren't serious about being in the cab business;
- require background checks - no drivers on probation for violent crimes (within a period of so many years) or on the sex offender's list;
- there are no rules, a competitor comes in with low fares, and he has to lower his rates to compete;
- set the prices so a company can maintain their vehicles;
- City could buy the meters, and cab company could put down a deposit if anything happened to it;
- meters can be set up to separate the fare from the tax, they're password protected;
- currently there are only two cab companies on the road;
- Chauffeur's license – driver should be fit to drive, drug testing be put in place;
- recently a cab company (not on the road) got two DUIs in two weeks, and was carrying no insurance;
- require a mandatory dispatcher off site, and not dispatch from within the cab;
- enforce penalties for those that don't pay sales tax – when he first started his business, his gross and Ernie's Cab combined was \$750,000; he believed the sales tax collected today was far less;
- amount of taxi cab companies should be limited, shouldn't be an opportunity for quick money;
- since 1999 fares have increased by \$1-\$2; 1999 flat fee from town to hospital was \$8, now it is \$10; and
- works five days a week sometimes a weekend day, has another driver, between the two of them they drive from 7 a.m. to bar closings.

Discussion:

- agreed with more intervention on the City's part, suggested instead of a business license require the owners to buy a permit equivalent to sales tax assessed on estimated annual revenues;
- thanked Jack for putting together the details in writing, and summarized the group presentation as follows: 1. safety for both vehicle and passenger; 2. create an equitable business environment between the cab companies; and 3. structure regulations that were fair to the City; and
- questioned if Dillingham was the only city that accepted stacking fares.

A. Title IV. Revenue and Finance

1. *Manager Authority to Settle Unpaid Accounts – Done? Yes*

This item will be removed from the list since the Manager has the authority to settle unpaid accounts through repayment plans, reviewing penalties and interest for consistency and to eliminate compounding interest on penalties, and assessing penalties one-time per incident. A structure for a repayment plan was recently adopted in the sales tax ordinance and penalty and interest was amended to mirror the real and personal property tax.

- a. Review Penalty and Interest Rates for the following
- Sales Tax - *Done*
 - Real and Personal Property Tax – *Propose Ord. No. 2013-01*
 - Disaster Declaration – *Propose Ord. No. 2013-02*
 - Raw Fish Sales Tax – *Propose Ord. No. 2013-03*
 - Severance Sales Tax – *Propose Ord. No. 2013-04*

City Clerk Williams asked the committee if it was planning to review penalties for non-compliance of an ordinance. The committee agreed it was mainly looking to streamline penalties and interest for nonpayment of services to include water, sewer, and harbor and dock services.

City Clerk Williams noted the wording in the real and personal property tax section would be changed from “extension [of payment]” to “a repayment plan” and the ordinance would be redrafted to provide a structure for the repayment plan specific to real and personal property. Real and Personal Property Tax and Disaster Declaration ordinances are to be taken up at the next meeting. No action taken.

Staff to review the “sales tax lien” as outlined in the repayment plan for non-payment of sales tax, whether it requires the attorney’s involvement. Concern voiced that a lien from a government entity would have a negative impact on their business. Staff to research sales tax liens and bring back information to the next meeting.

The committee agreed with the staff’s recommendation to change the raw fish sales tax penalty and interest to be consistent with the sales tax ordinance.

MOTION: Manager Loera moved and Janice Williams seconded the motion to recommend Ordinance No. 2013-03 [raw fish sales tax] to the City Council for approval.

GENERAL CONSENT: The motion passed without objection.

City Clerk Williams reported that the severance tax did not include all the additional penalties that were in the raw fish sales tax section. It was advised that it be brought to the attorney’s attention for further advisement since these two taxes were expected to mirror each other. Mayor Ruby commented the severance tax was intended to ensure that the City consistently collected tax even though a fisher might pick the fish from the City’s

annexed area and sell to the Ekuk cannery or to a processor outside the annexed area. The proposed ordinance will be taken up at the next meeting. No action taken.

2. Review Board of Equalization Procedures and Conduct of Hearings -
Propose Ord. No. 2013-XX
 - a. Late Filed Appeals – Establish a Deadline/Fee (*Clerk Note: Awaiting Attorney Follow-Up.*)

City Clerk Williams recommended moving the ordinance forward and provide a separate ordinance when the late filed appeals information was made available.

MOTION: Chris Maines moved and Mayor Ruby seconded the motion to recommend forwarding the proposed ordinance to the Council for approval.

VOTE: The motion passed unanimously.

- B. Title XI. Vehicles & Traffic and Snowmobiles (*Clerk Note: Attorney has asked to delay providing information until March meeting.*)
- C. Low Speed Vehicles

Mayor Ruby noted this item had been added to the Code's task list as the result of a change in State law that addressed low speed vehicles, and the possibility of the city adopting the law in City ordinances, so an existing vehicle would be legal. Chief Pasquariello had clarified that State of AK DMV did not qualify the mini-trucks and UTVs as low speed vehicles and would not be able to be legally registered as low speed vehicles.

MOTION: Mayor Ruby moved and Manager Loera seconded the motion to recommend to the Council that the City not consider changes to its ordinance to accommodate low speed vehicles, because they were already addressed in State law.

GENERAL CONSENT: The motion passed without objection.

- D. Regulate Commercial Licenses (Ex. Taxi Cabs)

Manager Loera, City Clerk Williams, and Chair Liedberg are to put together a format to structure the public meeting.

- E. Review Library Code Suggested Changes

City Clerk reported the terms for the Library Board had recently been changed by the Council from two year terms to three year terms.

It was recommended that the code be repealed and create a resolution establishing the Library Advisory Board, with similar language found in the Advisory Board and Commissions ordinance. It was also recommended to review the structure of the Library Board and Friends of the Library.

MOTION: Mayor Ruby moved and Manager Loera seconded the motion to recommend to the Council that the Code Committee be directed to make this section of code consistent with other codes, change the title to include advisory, and do some planning on the structure of the board.

GENERAL CONSENT: The motion passed without objection.

VI. NEW BUSINESS

A. Review DMC 17.15.030, C. "If no veto is received" – *Propose Ord. 2013-06*

Committee suggested extending the 30 days to a longer period of time in case no Council meeting was held within the first 30 days; otherwise, lacking a meeting of the Council, the Planning Commission would have the authority to vacate streets and public areas for the City. Chair Liedberg noted the landowner was usually looking for a quick response, the reason for the 30 days. The proposed ordinance will be taken up at the next meeting. No action taken.

B. Review Denied Services

City Manager Loera reported she would want to have changes in the Code in place by May. Manager Loera to clarify with the Attorney that the City could deny city services for nonpayment of city taxes, business licenses, etc. This item to be followed up at the next meeting and more information provided. No action taken.

C. Review Qualifications for Low Income Fisher, DMC 4.21 & 4.22 Raw Fish Tax Refunds

Finance Director Shade reported two fishers had submitted an application for a refund based on low income using LIHEA (low income heating and energy assistance) qualifications as a qualifying event. Staff was also looking for direction if the real property tax refund applied to commercial and residential land owners, because the code was not specific. It was noted in Code that the applicant would have to fall within the eligibility standards for receiving food stamps, not that they had to be a recipient of food stamps. Finance could refer to the food stamp application to see if the fisher qualified.

This item to be taken up at the next meeting with more information provided. No action taken.

VII. PUBLIC COMMENT/COMMITTEE COMMENTS

There were no public or committee comments.

VIII. ADJOURNMENT

The meeting adjourned at 7:56 p.m.

After the meeting, some members of the group favored rescheduling the next meeting to Wednesday, February 13.

Paul Liedberg, Chair

ATTEST:

Janice Williams, City Clerk

Approved: _____

CITY OF DILLINGHAM, ALASKA

ORDINANCE NO. 2013-01

AN ORDINANCE OF THE DILLINGHAM CITY COUNCIL AMENDING SECTION 4.21.040 OF THE DILLINGHAM MUNICIPAL CODE TO LIMIT THE PENALTY ASSESSED FOR FAILURE TO FILE OR REMIT RAW FISH SALES TAX RETURNS TO TEN PERCENT, AND TO LIMIT THE INTEREST TO 6%

WHEREAS, it is in the City of Dillingham's best interest to standardize its penalty and interest rates when legally possible in order to facilitate the administration of its Code by providing some consistency;

NOW, THEREFORE, BE IT ENACTED BY THE DILLINGHAM CITY COUNCIL:

Section 1. Amendment of Section 4.21.140. Section 4.21.140 of the Dillingham Municipal Code is hereby amended to read as follows: (Additions are underlined and emboldened and deletions are shown as strikethrough.)

4.21.140 Penalties and Interest.

A. A person who fails to file a return as required under this chapter or who fails to remit all the taxes due the city shall pay a penalty of ~~five~~ **ten** percent of the taxes due with a minimum penalty of one hundred dollars if no return is filed. ~~The penalty is imposed for each month or part of a month during which the delinquency or failure to file exists up to a maximum of fifteen percent; provided, .~~ **T**he total penalty for a single calendar quarter shall not exceed three thousand dollars. The filing of an incomplete return shall be treated as the filing of no return.

B. Interest at the rate of ~~ten and one-half~~ **six** percent per annum shall be paid on all amounts due the city that are not received by the city as required under this chapter except interest does not accrue on penalties.

C. A person who fails to apply for a certificate of registration as required by this chapter shall pay a penalty of three hundred dollars for the first offense. A buyer who, after notice, continues to conduct business without obtaining a certificate of authority to collect sales tax is subject to a penalty of five hundred dollars for each subsequent offense. Such penalty must be paid before the license is issued if the original license was issued before the determination that a penalty was due. A person who fails to apply for a certificate of registration, who engages in taxable transactions after being informed in writing that a certificate of registration is required, shall pay a penalty of four hundred dollars before the license is issued or before a renewal or amended license is issued if the original license was issued before the determination that a penalty was due.

D. A person required to collect a tax under this chapter who fails to provide a written statement setting out the amount of the tax due on the transaction shall pay a penalty to the city equal to the amount of the tax due on the sale.

E. A failure of or refusal of a person required to collect a tax under this chapter to produce records or allow inspection at such reasonable times as requested or demanded by the sales tax administrator shall pay to the city a penalty equal to three times any deficiency found or estimated to have occurred by the sales tax administrator; provided, the minimum penalty payment is one thousand dollars.

F. A person required to maintain records under the provisions of this chapter shall immediately notify the city of any fire, theft or other casualty that would prevent the person from complying with the provisions of this chapter. Such casualty is a defense to a civil penalty levied under subsection E of this section, but does not excuse the person from the liability for payment to the city of taxes required to be collected. Accidental or unexplained loss of funds or records does not excuse a person from the performance of any of the requirements under this chapter. (Ord. 12-01 § 1 (part), 2012.)

Section 2. Effective Date. This ordinance is effective upon adoption.

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

SEAL:

Alice Ruby, Mayor

ATTEST:

Janice Williams, City Clerk

Subject: An ordinance of the Dillingham City Council amending section 4.21.040 of the Dillingham Municipal Code to limit the penalty assessed for failure to file or remit raw fish sales tax returns to ten percent, and to limit the interest to 6%

Agenda of: February 7, 2013

Council Action:

Manager: Recommend approval.

City Manager: 
Rose Loera

Route To:	Department / Individual	Initials	Remarks
X	Finance Director / Carol Shade	CS	
X	City Clerk / Janice Williams	JW	

Fiscal Note: Yes _____ No X Funds Available: Yes _____ No _____

Other Attachment(s):

Summary Statement.

This ordinance was vetted through the Code Review Committee and is being recommended for adoption. The Code Review Committee evaluated standardizing penalties and interest fees when legally possible to make it more consistent throughout the code. The committee recommended a penalty of 10%, and interest levied at 6%, same as the penalty and interest imposed for late payment on real and personal property taxes, and most recently, sales tax.

CITY OF DILLINGHAM, ALASKA

ORDINANCE NO. 2013-02

AN ORDINANCE OF THE DILLINGHAM CITY COUNCIL AMENDING SECTIONS 4.15.110 THROUGH 4.15.170 OF THE DILLINGHAM MUNICIPAL CODE TO AMEND THE PROCEDURES FOR APPEAL HEARINGS BEFORE THE BOARD OF EQUALIZATION AND TO DELETE REPETITIVE LANGUAGE IN THESE SECTIONS

WHEREAS, Chapter 4.15, Sections 4.15.110 through 4.15.170, of the Dillingham Municipal Code was difficult to follow, because the sections were out of order, and in some cases the language was a duplication of another section;

WHEREAS, through the process of reviewing this section other errors, mostly minor, were discovered;

WHEREAS, the City Council believes cleaning up these sections would be appropriate;

NOW, THEREFORE, BE IT ENACTED BY THE DILLINGHAM CITY COUNCIL:

Section 1. Classification. This is a code ordinance.

Section 2. Amendment of Section 4.15.110. Section 4.15.110 of the Dillingham Municipal Code is hereby amended to change the reference from assessor to City as follows: (Additions are underlined and emboldened and deletions are shown as strikethrough.)

4.15.110 Posting required.

When valuation notices have been mailed, the assessor City shall cause notice that the assessment rolls have been completed to be posted at two public places for a period of two weeks. Such notice shall also state when and where the equalization hearings shall be heard and that an appeal may be taken to the board of equalization upon the filing of notice in writing with the board specifying the grounds of the appeal.

Section 3. Amendment of Section 4.15.120, 4.15.125, and Section 4.15.130. Section 4.15.125 is renumbered Section 4.15.120. Section 4.15.125 is marked as repealed. Section 4.15.130 is renumbered 4.15.120. New Section 4.15.130 is now titled Membership and procedures of board of equalization. (Additions are underlined and emboldened and deletions are shown as strikethrough.)

~~4.15.125~~ 4.15.120 Appeals to board of equalization.

A. A person whose name appears on the assessment roll or his agent or assigns may appeal to the board of equalization for relief from an alleged error in valuation.

B. No appeal may be taken unless the applicant files with the city clerk written notice of appeal specifying grounds for such appeal within thirty days from the date the assessment notice was mailed.

C. The city clerk shall acknowledge the written appeal by sending the appellant a notice, and notify the appellant by mail of the time and place for the hearing before the board and assign a case number to the appeal.

D. A taxpayer who requests to appeal his valuation after the thirty-day filing period has closed shall file a letter with the city clerk stating the reasons why the taxpayer was unable to comply within the thirty-day period. The board of equalization shall consider each letter. The board's determination shall be based on the letter and any supporting documents. A taxpayer may not make an oral presentation at this hearing. The board shall interpret the term "unable to comply" as meaning that a taxpayer must demonstrate compelling reasons or circumstances which would prevent a reasonable person under the circumstances from filing an appeal. If the request is granted, the taxpayer shall have thirty days from the date of notification by the city clerk to file an appeal. If the request is denied, the city clerk shall notify the taxpayer of the board's decision. (Ord. 01-12 § 1 (part), 2001.)

4.15.125 Repealed

~~4.15.120 **4.15.130 Membership and procedures of board of equalization. Assessment-Roll Appeal and hearing...**~~

Section 4. Amend new Section 4.15.130, Membership and procedures of board of equalization. Section 4.15.130 takes the place of 4.15.120. New Section 4.15.130 is now titled Membership and procedures of board of equalization. Other minor wording changes are made in the body of the sections. (Additions are underlined and emboldened and deletions are shown as strikethrough.)

~~4.15.120 **4.15.130 Membership and procedures of board of equalization. Assessment-Roll Appeal and hearing...**~~

A. Membership—Duties.

1. **Membership.** The board of equalization shall be composed of three city council members and the mayor, who will preside. Members shall not be in default with the city for taxes.
2. **Duties.** The board may determine equalization on properties brought before the board by appellants or by one or more members of the board. The board may alter an assessment of a lot only pursuant to an appeal filed as to the particular lot.

B. Duties of Municipal Assessor. The municipal assessor shall furnish the board of equalization with copies of the appellant's appeal and a short narrative of the assessor's position. The assessor shall certify that material furnished to the board under Section ~~4.15.125~~ **4.15.120** is true and correct, and such material shall be considered as part of the official testimony the board may hear. The assessor or his representative may supplement the record by additional testimony, documentation and exhibits in accordance with subsection (D)(7) of this section.

C. Quorum and Voting.

1. **Quorum.** A quorum shall consist of three members.
2. **Voting.** The granting of any appeal or part thereof shall require the concurring vote of **all a majority of** board members. Any appeal or part thereof that is not granted by the board may be presented to the city council by the second meeting in May.

D. Conduct of Hearings—Decisions. Except as otherwise provided in this chapter, hearings shall be conducted by the board in accordance with Robert's Rules of Order, Newly Revised, subject to the following standards:

1. **Record.** The city clerk shall keep verbatim stenographic records or electronic recordings of the board's proceedings, showing the vote of each member on every question and all of the

evidence presented. The city clerk shall prepare written minutes for all board proceedings and the chairperson of the board and the city clerk shall sign such minutes.

2. Counsel. All parties may be represented by counsel during hearings before the board. The municipal attorney may offer legal counsel to the board in the course of its proceedings.

3. Case Number. Every appeal shall be assigned a case number which shall be read into the record along with the name of the appellant before the hearing on that appeal commences.

4. Burden of Proof. The burden of proof rests with the appellant. The only grounds for adjustment of an assessment are unequal, excessive, improper or under valuation based on the facts that are stated in a valid written appeal or provided at the appeal hearings in accordance with subsection (D)(7) of this section. If the valuation is found to be too low, the board of equalization may raise the assessment. The municipality shall make available to the appellant all reasonably pertinent documents requested for presentation of the appeal.

5. Rules of Evidence. The board shall not be restricted by the formal rules of evidence; however, the chairperson may exclude evidence irrelevant to the issues appealed. Hearsay evidence may be considered provided that there are adequate guarantees of its trustworthiness and that it is more probative on the point for which it is offered than any other evidence which the proponent can procure by reasonable efforts.

6. Order of Presentation. The appellant may present his appeal in person, in writing, or by authorized representative and shall present his argument first. **If any part to whom notice was mailed, as above set forth, fails to appear, the board may proceed with the hearing in his/her absence.** Following the appellant, the assessor shall present the municipality's argument. The appellant may, at the discretion of the chairperson, make rebuttal presentations directed solely to the issues raised by the assessor. The municipal attorney may question the appellant or the assessor on matters relating to the appeal. The members of the board may ask questions, through the chairperson, of either the appellant or the assessor at any time during the hearing. After both the appellant and the assessor have presented their arguments, each may question the other through the chairperson.

7. Witnesses and Exhibits. The appellant and the assessor may offer oral testimony of witnesses and documentary evidence during the hearing. Any documents presented to the board by either party must be provided to the opposing party at least seven days before the hearing. Documents to be submitted as evidence to the board must be filed with the city clerk no later than seven days before the board hearing to be admitted. All testimony before the board shall be under oath.

8. Decisions. At the conclusion of the hearing the boards shall determine whether the assessment is proper. The board shall issue **certified** findings of fact and conclusions of law **within seven days of the hearing** clearly stating the grounds upon which the board relied to reach its decision. **The findings shall be provided to the assessor and the appellant.**

~~9. Certification. The Board Shall Certify Its Decision For An Appeal To The Assessor Within Seven Days Following Its Issuance.~~

~~9. 40.~~ Approval of Value Agreed Upon Between Assessor and Appellant. After an appeal has been filed to the board of equalization, the assessor will prepare a memorandum to the board of equalization for any new value which has been tentatively agreed to by the assessor and appellant, requesting the approval of the new value. If the board of equalization does not

approve the value, the assessor shall schedule the appeal for a hearing and the city clerk shall properly notify the appellant.

~~F- E.~~ Appeal to Superior Court. The appellant or the assessor may appeal a decision of the board to the superior court within thirty days in accordance with the rules of appellate procedure of the state. (Ord. 01-12 § 1 (part), 2001.)

Section 5. Delete Old Section 4.15.130 Assessment roll – appeal and hearing. “Old” Section 4.15.130 of the DMC is hereby deleted. The first paragraph in item A. and the entire paragraph in item B. is also included old section 4.15.120 now renumbered 4.15.130. The second paragraph in item A. beginning with “in addition to the appeals process...” is being marked for deletion since the BOE would follow the process of requiring that the property owner bring the overcharge or error to the City’s attention. Historically the BOE has only dealt with appeals that are filed.

Delete “Old” Section 4.15.130 Assessment roll—Appeal and hearing.

~~A. Pursuant to AS 29.45.190, a person whose name appears on the assessment roll or the agent or assigns of that person may appeal to the board of equalization for relief from an alleged error in valuation not adjusted by the assessor to the taxpayer’s satisfaction. In addition to the appeal procedures set forth therein, whenever it appears to the board that there are overcharges or errors or invalidities in the assessment roll, or in any of the proceedings leading up to or subsequent to the preparation of the roll, and there is no appeal before the board by which the same may be dealt with, or where the name of any person is ordered by the board to be entered on the assessment roll, by way of addition or substitution, for the purpose of assessment, the board shall cause notice of assessment to be mailed to that person or his agent giving him a least thirty days from the date of such mailing within which to appeal to the board against the assessment.~~

~~B. In compliance with the provisions of AS 29.45.210, at the time appointed for the hearing of the appeal or as soon thereafter as the appeal may be heard, the board shall hear the appellant, the assessor, other parties to the appeal and their witnesses, and consider the testimony and evidence adduced, and shall determine the matters in question on the merits and render its decision accordingly. If any party to whom notice was mailed, as above set forth, fails to appear, the board may proceed with the hearing in his/her absence. The burden of proof in all cases shall be upon the party appealing. The board shall from time to time enter in the appeal record its decision upon appeals brought before it, and shall certify to the same. (Ord. 01-12 § 1 (part), 2001.)~~

Section 6. Section 4.15.140 Appeal record is marked as repealed. Section 4.15.140 of the DMC is hereby deleted and marked as repealed. The language in this section duplicates language found in old section 4.15.120 and now renumbered 4.14.130.

4.15.140 Appeal record. Repealed

~~The clerk shall be ex officio clerk of the board of equalization and shall record in the minutes of the meeting all proceedings before the board and the names of all persons protesting assessments. All changes, revisions, corrections, and orders relating to claims or adjustments and final decisions shall be recorded in a record to be kept by the clerk and to be known as the appeal record. Within three days following the final hearings of the board, the clerk shall transmit to the assessor all corrections, revisions, or changes authorized and approved by the board and shall certify that the changes so reported are as approved by the board of equalization. Appeals~~

~~to the board of equalization determination may be made to the superior court as provided in AS 29.45.210. (Ord. 01-12 § 1 (part), 2001.)~~

Section 7. Amend Section 4.15.170 to the correct information. (Additions are underlined and emboldened and deletions are shown as strikethrough.)

4.15.170 Assessor to mMail tax statements.

Following adoption of the council resolution provided in AS ~~Section~~ **Section** 14.15.160.**C.** and by July 1st, the ~~assessor~~ **the City** shall mail tax statements, setting out the levy and the dates when taxes are due and delinquent, and the penalties and interest. (Ord. 01-12 § 1 (part), 2001.)

Section 8. Effective Date. This ordinance shall be made effective upon passage.

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

SEAL:

Alice Ruby, Mayor

ATTEST:

Janice Williams, City Clerk

City of Dillingham Information Memorandum No. O2013-02

Subject: An ordinance of the Dillingham City Council amending sections 4.15.110 through 4.15.170 of the Dillingham Municipal Code to amend the procedures for appeal hearings before the Board of Equalization and to delete repetitive language in these sections

Agenda of: February 7, 2013

Council Action:

Manager: Recommend approval.

City Manager: Rose Loera
Rose Loera

Route To:	Department / Individual	Initials	Remarks
X	Finance Director / Carol Shade	CS	
X	City Clerk / Janice Williams	JW	

Fiscal Note: Yes _____ No X Funds Available: Yes _____ No _____

Other Attachment(s):

- Analysis of the proposed changes.

Summary Statement.

This ordinance was vetted through the Code Review Committee and the City's Attorney and is being recommended for adoption. The BOE process was very difficult to follow in the current code because several sections were actually duplicated and the sections were out of order as they occur. The attached five pages provides a thoroughly detailed description of the duplicated language. Attorney Chandler also offered up some changes.

Item No. 1 - Section 4.15.120 takes the place of 4.15.125. Only the section number changes. The information in Section 4.15.120 will become Section 4.15.130. The information in Section 4.15.130 will be deleted. It is all duplicate language. This will place these sections in sequential order.

4.15.125 4.15.120 Appeals to board of equalization.

A. A person whose name appears on the assessment roll or his agent or assigns may appeal to the board of equalization for relief from an alleged error in valuation.

B. No appeal may be taken unless the applicant files with the city clerk written notice of appeal specifying grounds for such appeal within thirty days from the date the assessment notice was mailed.

C. The city clerk shall acknowledge the written appeal by sending the appellant a notice, and notify the appellant by mail of the time and place for the hearing before the board and assign a case number to the appeal.

D. A taxpayer who requests to appeal his valuation after the thirty-day filing period has closed shall file a letter with the city clerk stating the reasons why the taxpayer was unable to comply within the thirty-day period. The board of equalization shall consider each letter. The board's determination shall be based on the letter and any supporting documents. A taxpayer may not make an oral presentation at this hearing. The board shall interpret the term "unable to comply" as meaning that a taxpayer must demonstrate compelling reasons or circumstances which would prevent a reasonable person under the circumstances from filing an appeal. If the request is granted, the taxpayer shall have thirty days from the date of notification by the city clerk to file an appeal. If the request is denied, the city clerk shall notify the taxpayer of the board's decision. (Ord. 01-12 § 1 (part), 2001.)

Item No. 2 - Section 4.15.125 is marked as repealed.

4.15.125 Repealed

~~4.15.125 Appeals to board of equalization.~~

~~A. A person whose name appears on the assessment roll or his agent or assigns may appeal to the board of equalization for relief from an alleged error in valuation.~~

~~B. No appeal may be taken unless the applicant files with the city clerk written notice of appeal specifying grounds for such appeal within thirty days from the date the assessment notice was mailed.~~

~~C. The city clerk shall acknowledge the written appeal by sending the appellant a notice, and notify the appellant by mail of the time and place for the hearing before the board and assign a case number to the appeal.~~

~~D. A taxpayer who requests to appeal his valuation after the thirty day filing period has closed shall file a letter with the city clerk stating the reasons why the taxpayer was unable to comply within the thirty day period. The board of equalization shall consider each letter. The board's determination shall be based on the letter and any supporting documents. A taxpayer may not make an oral presentation at this hearing. The board shall interpret the term "unable to comply" as meaning that a taxpayer must demonstrate~~

Compare newly numbered sections 4.15.120 and 4.15.130 with old section 4.15.130 and 4.15.140

~~compelling reasons or circumstances which would prevent a reasonable person under the circumstances from filing an appeal. If the request is granted, the taxpayer shall have thirty days from the date of notification by the city clerk to file an appeal. If the request is denied, the city clerk shall notify the taxpayer of the board's decision. (Ord. 01-12 § 1 (part), 2001.)~~

Item No. 3 Section 4.15.130 takes the place of 4.15.120. Other minor changes are proposed as well.

4.15.120 4.15.130 Membership and procedures of board of equalization.

A. Membership—Duties.

1. **Membership.** The board of equalization shall be composed of three city council members and the mayor, who will preside. Members shall not be in default with the city for taxes.

2. **Duties.** The board may determine equalization on properties brought before the board by appellants or by one or more members of the board. The board may alter an assessment of a lot only pursuant to an appeal filed as to the particular lot.

B. Duties of Municipal Assessor. The municipal assessor shall furnish the board of equalization with copies of the appellant's appeal and a short narrative of the assessor's position. The assessor shall certify that material furnished to the board under Section ~~4.15.125~~ **4.15.120** is true and correct, and such material shall be considered as part of the official testimony the board may hear. The assessor or his representative may supplement the record by additional testimony, documentation and exhibits in accordance with subsection (D)(7) of this section.

C. Quorum and Voting.

1. **Quorum.** A quorum shall consist of three members.

2. **Voting.** The granting of any appeal or part thereof shall require the concurring vote of all a majority of board members. Any appeal or part thereof that is not granted by the board may be presented to the city council by the second meeting in May.

D. Conduct of Hearings—Decisions. Except as otherwise provided in this chapter, hearings shall be conducted by the board in accordance with Robert's Rules of Order, Newly Revised, subject to the following standards:

1. **Record.** The city clerk shall keep verbatim stenographic records or electronic recordings of the board's proceedings, showing the vote of each member on every question and all of the evidence presented. The city clerk shall prepare written minutes for all board proceedings and the chairperson of the board and the city clerk shall sign such minutes.

2. **Counsel.** All parties may be represented by counsel during hearings before the board. The municipal attorney may offer legal counsel to the board in the course of its proceedings.

3. Case Number. Every appeal shall be assigned a case number which shall be read into the record along with the name of the appellant before the hearing on that appeal commences.

4. Burden of Proof. The burden of proof rests with the appellant. The only grounds for adjustment of an assessment are unequal, excessive, improper or under valuation based on the facts that are stated in a valid written appeal or provided at the appeal hearings in accordance with subsection (D)(7) of this section. If the valuation is found to be too low, the board of equalization may raise the assessment. The municipality shall make available to the appellant all reasonably pertinent documents requested for presentation of the appeal.

5. Rules of Evidence. The board shall not be restricted by the formal rules of evidence; however, the chairperson may exclude evidence irrelevant to the issues appealed. Hearsay evidence may be considered provided that there are adequate guarantees of its trustworthiness and that it is more probative on the point for which it is offered than any other evidence which the proponent can procure by reasonable efforts.

6. Order of Presentation. The appellant may present his appeal in person, in writing, or by authorized representative and shall present his argument first. **If any part to whom notice was mailed, as above set forth, fails to appear, the board may proceed with the hearing in his/her absence.** Following the appellant, the assessor shall present the municipality's argument. The appellant may, at the discretion of the chairperson, make rebuttal presentations directed solely to the issues raised by the assessor. The municipal attorney may question the appellant or the assessor on matters relating to the appeal. The members of the board may ask questions, through the chairperson, of either the appellant or the assessor at any time during the hearing. After both the appellant and the assessor have presented their arguments, each may question the other through the chairperson.

7. Witnesses and Exhibits. The appellant and the assessor may offer oral testimony of witnesses and documentary evidence during the hearing. Any documents presented to the board by either party must be provided to the opposing party at least seven days before the hearing. Documents to be submitted as evidence to the board must be filed with the city clerk no later than seven days before the board hearing to be admitted. All testimony before the board shall be under oath.

8. Decisions. At the conclusion of the hearing the boards shall determine whether the assessment is proper. The board shall issue **certified** findings of fact and conclusions of law **within seven days of the** hearing clearly stating the grounds upon which the board relied to reach its decision. **The findings shall be provided to the assessor and the appellant.**

~~9. Certification. The Board Shall Certify Its Decision For An Appeal To The Assessor Within Seven Days Following Its Issuance.~~

9.40. Approval of Value Agreed Upon Between Assessor and Appellant. After an appeal has been filed to the board of equalization, the assessor will prepare a memorandum to the board of

equalization for any new value which has been tentatively agreed to by the assessor and appellant, requesting the approval of the new value. If the board of equalization does not approve the value, the assessor shall schedule the appeal for a hearing and the city clerk shall properly notify the appellant.

F. E. Appeal to Superior Court. The appellant or the assessor may appeal a decision of the board to the superior court within thirty days in accordance with the rules of appellate procedure of the state. (Ord. 01-12 § 1 (part), 2001.)

Item No. 4 – Old Section 4.15.130 is deleted in its entirety. The language in this section is either unnecessary or duplicates language found in other sections relating to BOE appeals and hearing.

[4.15.130 Assessment roll—Appeal and hearing.

A. Pursuant to AS 29.45.190, **#1** [a person whose name appears on the assessment roll or the agent or assigns of that person may appeal to the board of equalization for relief from an alleged error in valuation not adjusted by the assessor to the taxpayer's satisfaction.] reference 4.15.120A **#2** [In addition to the appeal procedures set forth therein, whenever it appears to the board that there are overcharges or errors or invalidities in the assessment roll, or in any of the proceedings leading up to or subsequent to the preparation of the roll, and there is no appeal before the board by which the same may be dealt with, or where the name of any person is ordered by the board to be entered on the assessment roll, by way of addition or substitution, for the purpose of assessment, the board shall cause notice of assessment to be mailed to that person or his agent giving him a least thirty days from the date of such mailing within which to appeal to the board against the assessment.] Paragraph **#2** is marked for deletion since the BOE would follow the process of requiring that the property owner bring the overcharge or error to the City's attention. Historically the BOE has only dealt with appeals that are filed.

B. In compliance with the provisions of AS 29.45.210, **#3** [at the time appointed for the hearing of the appeal or as soon thereafter as the appeal may be heard, the board shall hear the appellant, the assessor, other parties to the appeal and their witnesses, and consider the testimony and evidence adduced, and shall determine the matters in question on the merits and render its decision accordingly.] reference. 4.15.130, D. 5,6&7. **#4** [If any party to whom notice was mailed, as above set forth, fails to appear, the board may proceed with the hearing in his/her absence} reference inserted in 4.15.130, D.6. **#5** {The burden of proof in all cases shall be upon the party appealing.] reference 4.15.130, D.4 **#6** [The board shall from time to time enter in the appeal record its decision upon appeals brought before it, and shall certify to the same.] reference 4.15.130,D.9. (Ord. 01-12 § 1 (part), 2001.)]

Item No. 5 – Section 4.15.140 is deleted and marked as repealed. The language duplicates what is covered in new Section 4.15.130.

[4.15.140 Appeal record.]

4.15.140 ~~Appeal record.~~ Repealed

Compare newly numbered sections 4.15.120 and 4.15.130 with old section 4.15.130 and 4.15.140

#7 [The clerk shall be ex officio clerk of the board of equalization and shall record in the minutes of the meeting all proceedings before the board and the names of all persons protesting assessments. All changes, revisions, corrections, and orders relating to claims or adjustments and final decisions shall be recorded in a record to be kept by the clerk and to be known as the appeal record.] reference 4.15.130, D.1. **# 8** [Within three days following the final hearings of the board, the clerk shall transmit to the assessor all corrections, revisions, or changes authorized and approved by the board and shall certify that the changes so reported are as approved by the board of equalization.] reference 4.15.130, D.8. **# 9** [Appeals to the board of equalization determination may be made to the superior court as provided in AS 29.45.210.] reference 4.15.130, E. (Ord. 01-12 § 1 (part), 2001.)

CITY OF DILLINGHAM, ALASKA

RESOLUTION NO. 2013-05

**A RESOLUTION OF THE DILLINGHAM CITY COUNCIL TO OFFER THANKS AND
COMMENDATION TO MR. DOUG HOLT FOR HIS SERVICE ON THE DILLINGHAM
CITY COUNCIL**

WHEREAS, Doug Holt was appointed to the Dillingham City Council to complete the term of a council member who was lost in a tragic accident; and

WHEREAS, the responsibilities of a council member can often place a great demand on the council member's time; and

WHEREAS, when Doug assumed his seat, the City of Dillingham was involved in critical and sensitive projects including transition of the City Manager, an Annexation Petition filed by the City of Dillingham and an economic downturn in the region that resulted in significant impact to the City's financial situation; and

WHEREAS, Doug's abilities and efforts resulted in his election to a seat on the City Council at the next election by the voters in Dillingham; and

WHEREAS, Doug Holt was a very valuable, knowledgeable, committed, and active member of the Dillingham City Council; and

WHEREAS, Doug's participation and involvement will be greatly missed by the City Council and by the residents of the City of Dillingham;

NOW, THEREFORE, BE IT RESOLVED that it is with sincere thanks that the City and staff offers their gratitude and a commendation for Doug Holt's time, effort and leadership while serving on the Dillingham City Council.

PASSED and ADOPTED by the Dillingham City Council on February 7, 2013.

SEAL:

Alice Ruby, Mayor

ATTEST:

Janice Williams, City Clerk

CITY OF DILLINGHAM, ALASKA

RESOLUTION NO. 2013-06

**A RESOLUTION OF THE DILLINGHAM CITY COUNCIL SUPPORTING THE
DILLINGHAM CITY SCHOOL DISTRICT'S (DCSD) APPLICATION TO PARTICIPATE
IN THE 2013 BBEDC ARCTIC TERN GRANT PROGRAM**

WHEREAS, the Bristol Bay Economic Development Corporation (BBEDC) will provide Arctic Tern Program Grant funding in order to support and foster jobs, employment activities or learning opportunities for resident young people; and

WHEREAS, the DCSD is looking for a resolution from the city and tribal government supporting the application; and

WHEREAS, either the city or the tribe has to be the recipient of the grant funds, as a pass through for the school, since the school cannot apply directly for this grant; and

WHEREAS, Curyung Tribal Council is a duly organized governing entity, and eligible to participate in the BBEDC Arctic Tern Program; and

WHEREAS, the Curyung Tribal Council has elected to receive \$6,000 for the purpose of sending 4 - 6 students, aged 16-17, depending on the available funds to attend a week-long Career Connections Camp in Juneau sponsored by South East Regional Resource Center;

NOW, THEREFORE, BE IT RESOLVED that the Dillingham City Council approves and supports the Dillingham City School District's proposal to participate in the Arctic Tern Grant Program for 2013, as it has for at least the last four years.

PASSED and ADOPTED by a duly constituted quorum of the Dillingham City Council on February 7, 2013.

SEAL:

Alice Ruby, Mayor

ATTEST:

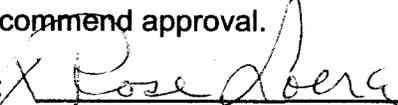
Janice Williams, City Clerk

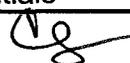
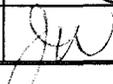
Subject: A Resolution of the Dillingham City Council Supporting the Dillingham City School's Application to participate in the 2012 BBEDC Arctic Tern Grant Program

Agenda of: February 7, 2013

Council Action:

Manager: Recommend approval.

City Manager: X 
Rose Loera

Route To:	Department / Individual	Initials	Remarks
X	Finance Director / Carol Shade		
X	City Clerk / Janice Williams		

Fiscal Note: Yes _____ No X Funds Available: Yes _____ No _____

Other Attachment(s):

Summary Statement.

Pat Engen from Dillingham City School District has applied for BBEDC's Arctic Tern Grant Program and BBEDC is looking for a resolution of support endorsing this from the City Council and the Curyung Tribe. This grant would allow general education and special education high school students to attend a week long career connections camp in Juneau sponsored by South East Regional Resource Center. The camp explores career opportunities available in the State of Alaska, including tours of several workplaces, the university and technical center. Students will spend three days job shadowing in a field of interest.

The Tribal Council will receive the money and distribute to the camp to pay bills for individual students. The Dillingham City School District has participated for at least the last four years. There is no cost to the City.

Bristol Bay Economic Development Corporation

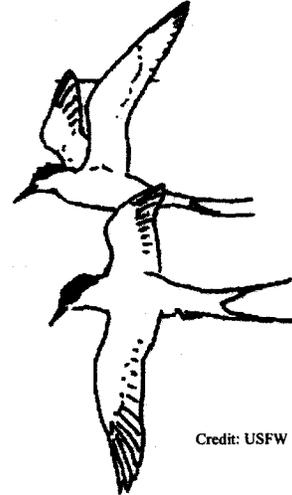
Arctic Tern

Program Description & Guidelines

Program Overview

The BBEDC Board feels strongly that introducing youth to the workplace can provide a small income as well as a head start on valuable work skills. These work skills will help them to succeed over the long term; whether it is as an employee or as a small business owner/operator. Further, providing these opportunities in their resident community encourages pride and a sense of community responsibility.

Also of value are educational activities related to employment opportunities, economic issues, career choices, leadership forums and educational opportunities. These activities enhance resident youths exposure to the world of work. This allows youth to gain the self-confidence, career awareness, financial literacy, and interpersonal competencies needed to succeed over the long term.



The BBEDC Board is aware that resident young people in BBEDC communities have limited opportunities for employment and communities have few resources for creating opportunities. Therefore the Board established the *Arctic Tern* Program as a vehicle for providing an annual grant to each of the CDQ communities to be used for jobs and educational activities for youth.

Purpose

To grant funds to BBEDC communities to be used to support and foster jobs, employment activities or learning opportunities for resident young people up to 17 years of age.

Grant Amounts

In 2013, funds are allocated for up to \$6,000.00 per community.

Eligible Entities

The fund recipient will be either the Tribal Council or City Council. In either case, if both entities exist within a community, both must provide a resolution in support of the project application. The resolution must contain language specified in the *Arctic Tern* application.

Recipient Responsibility

The recipient organization shall submit an application for the grant funds using the form provided by BBEDC. The application shall contain a plan that describes how the organization will use the grant funds and resolutions from the Tribal and/or City organization(s).

The recipient organization shall not discriminate in the selection of resident youth participants because of ethnic background, religious preference, sexual preference, gender or family affiliation.

The recipient organization is responsible for oversight of their community program, supervision of participants and reporting responsibilities to BBEDC. The Recipient Organization will execute an agreement with BBEDC. In accepting this grant, the Recipient agrees to indemnify, release, and hold BBEDC, its directors, officers, employees, contractors and agents, harmless from and against any disputes which might arise from activities and transactions performed or contemplated. This indemnity and release shall include costs and attorneys fees incurred by BBEDC in defending itself from any filed or threatened legal action related to this Grant or Agreement.

The Recipient Organization is responsible for assuring compliance with all local, state and federal employment, labor, Internal Revenue Service (IRS) and other laws.

Program Close-Out

The *Arctic Tern* Program has no deadline for grant applications. Arctic Tern grant funds allocated but not awarded will expire on December 31st of the year they are allocated. Arctic Tern funds must be spent within the year they are awarded. Final Reports are due from the recipient organization by December 31.

The Recipient Organization shall provide BBEDC with a close out report that describes how the funds were spent, the number of youth employed/involved in total, what activities were carried out, performance of the participants, what was contributed to the community and overall how the program was received in the community. The report should be significantly detailed to allow BBEDC to evaluate the effectiveness of the program on an annual basis.

Eligible Activities

Recipients may use the grant funds as wages to employ youth in positions within the community or to fund youth participation in educational and learning activities.

Participants may be employed to work, under supervision provided by the recipient organization, in any capacity within the law that benefits the community in general. Activities may include assistance to elderly or disabled residents (shoveling snow, assist in household activities, pack water and wood for stoves, etc.), assisting city or tribal departments (phone/mail duties, pick up litter, shoveling snow, paint community equipment such as benches, garbage cans or other), assisting with school extra curricular and/or community related activities (organize and assemble specific events such as after school activities, community events, and etc.).

Funds may be used to fund participation in educational and learning activities. Funds may be used to pay for travel, registration or other fees associated with sending resident youth to an educational and or learning activity (career/employment events, college exploration events, leadership events such as AFN Youth Conference, etc.).

Ineligible Activities

No more than \$500.00 of the grant funds may be used for project/grant management. Grant management activities include but are not limited to: office/facility costs, indirect costs, supervision/chaperone costs and other costs not directly related to wages or travel for youth participants.

Fund Accountability

By applying for the fund, the applicant acknowledges and agrees to the BBEDC Accountability Policy as outlined below.

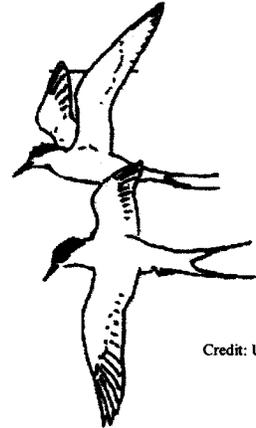
Failure to comply with the accountability requirements can result in denial of payment and the applicant may become ineligible for funding of later phases of the current fund and/or subsequent fund cycles.

Specific Policy (Applies to all BBEDC Fund Projects):

- A. A Budget that is reasonably detailed must be included with the application.
- B. The Application proposal must include a reasonably detailed Project Timeline that fits the BBEDC required ending date.
- C. The entity receiving the fund must select and identify whom they wish to be the project manager.
- D. Grant funds will be issued to the Recipient Organization in one lump sum after approval of the application. Payment will be made to the Recipient Organization only.
- E. The Recipient Organization will be required to submit a close out report. The report must contain the information required with supporting receipts, check copies and financial reports.
- F. A limit of 10% of the total approved grant up to a maximum of \$500.00 may be used as indirect, administrative and/or project management.

Bristol Bay Economic Development Corporation

Arctic Tern Program
Application



Credit: USFW

Instructions: Applicant shall use this page as a cover sheet for their application. The remainder of the application may be the following form or may be submitted as a simple narrative in whatever format is desired, provided it contains the information required.

Date -- 01/09/2013

Name & Address of Entity Requesting Grant:

Curyung Tribe

Specific Contact Person:

Name:	Patricia Engen	Phone Number:	908-842-6768
Title:	Dillingham High School	Fax Number:	907-842-4145
Address:	PO Box 170	E-mailAddress:	
	Dillingham, AK 99577		pengen@dlgsd.org
Project Title:	Career Connections Camp		

Total Amount Being Requested: \$6000

Brief Description of Project General education and special education high school students attend the week-long Career Connections camp in Juneau sponsored by South East Regional Resource Center (SERRC). The camp explores career opportunities available in the state of Alaska, including tours of several workplaces, the university and technical center. After an introduction to job seeking and job-related skills, students spend three days job shadowing in a field of interest. The job shadow positions are well-supervised, with an employer's critique at the end.

Signature by an authorized official of the Recipient Organization below acknowledges the intent to operate according to the program purpose and guidelines and assures that all information contained in this application is true and correct.

Signature

Date

Bristol Bay Economic Development Corporation, P.O. Box 1464, Dillingham, Alaska, 99576 Ph: (907) 842-4370, (800) 478-4370, Fax: (907) 842-4336, Fax: (888) 325-4336

Career Connections Camp Budget

STUDENT EXPENSES

Camp Fees: \$850-\$375 paid by Wells Fargo=\$475 per student
(Covers room and board at Juneau International Hostel, all
transportation, camp tuition, lunch money, and miscellaneous
camp program expenses)

Transportation to Juneau and back=	\$604.50 per student
	<hr/>
	\$1079.50 per student

X 6 students =\$6477 TOTAL for Students

CHAPERONE

Camp Fees: \$650 + airfare of \$604.50 = \$1254.50 TOTAL for
Chaperone

TOTAL COST OF CAREER CAMP
\$7731.50

CITY OF DILLINGHAM, ALASKA

RESOLUTION NO. 2013-07

**A RESOLUTION OF THE DILLINGHAM CITY COUNCIL ACCEPTING THE YEAR
END AUDIT FOR THE FISCAL YEAR ENDING JUNE 30, 2012**

WHEREAS, the Dillingham Municipal Code Section 4.04.050 calls for an "Independent Annual Audit"; and

WHEREAS, the City Council appointed Mikunda, Cottrell & Co., Inc. to audit the FY2012 financial statements; and

WHEREAS, Mikunda, Cottrell & Co., Inc. audited the financial statements for the fiscal year ending June 30, 2012 and rendered the opinion that the financial statements present fairly, in all material respects, the respective financial position, changes in financial position, and respective budgetary comparison of the City of Dillingham; and

WHEREAS, _____ of Mikunda, Cottrell & Co., Inc. reviewed the Basic Financial Statements, Supplementary Information and Single Audit Reports at a workshop of the City Council on February 7, 2013, attending by way of teleconference; and

WHEREAS, the City Council intends to formally accept the FY2012 audited financial statements by this action;

NOW, THEREFORE, BE IT RESOLVED by the Dillingham City Council that the work of Mikunda, Cottrell & Co., Inc. and the audited financial statements for the fiscal year ending June 30, 2012 be accepted.

PASSED and ADOPTED by the Dillingham City Council on February 7, 2013.

SEAL:

Alice Ruby, Mayor

ATTEST:

Janice Williams, City Clerk

TERRY HOEFFERLE

P.O. Box 825, Dillingham, AK 99576

Phone (907) 842-5847

email nonnie@nushtel.net

January 23, 2013

Alice Ruby, Mayor
City of Dillingham
P.O. Box 889
Dillingham, AK 99576

DELIVERED VIA EMAIL

Dear Mayor Ruby:

I do appreciate being notified by the City that my term on the planning commission has expired, it seems like only last year that I had re-upped for another term. I have served on the planning commission for a number of terms, and enjoy the engagement it provides. I would like to serve another term and would do so willingly if reappointed.

Sincerely,



Terry Hoefflerle

Janice Williams

Subject: FW: Term Expired

From: Izetta M. Chambers [<mailto:izetta.chambers@gmail.com>]

Sent: Tuesday, January 22, 2013 6:54 AM

To: Janice Williams

Subject: Re: Term Expired

Hi Janice,

Yes, I would like to continue to serve on the planning commission for another term.

Thank you,

Izetta Chambers

Janice Williams

Subject: Senior Advisory Commission Seat

From: tribal@safebristolbay.org [mailto:tribal@safebristolbay.org]

Sent: Tuesday, January 22, 2013 1:06 PM

To: cityclerk@dillinghamak.us

Subject: Senior Advisory Commission Seat

I am interested in being on the Senior Advisory Commission for many reasons.

First and foremost, I like to help people and especially seniors. I embrace the stories, the wisdom and the knowledge and regret we don't revere our seniors as in traditional ways. I am well on my way (55 yrs old) to becoming a "not so revered" senior myself and lastly, I am an advocate with SAFE and I believe that I can learn much on the commission that would help me in my work and I believe I would bring a great deal of knowledge, resources and insight to the table.

I do not know if there are any requirements for the Seat. I have only been in Dillingham since Oct. 2nd of 2012. I am here now and I plan to stay.

Susan P. Lambert
Tribal Services
Safe and Fear Free Environment
P. O. Box 94
Dillingham, AK 99576
907.842.2320

(Clerk Note: Susan Lambert is a registered voter in Alaska and a resident of the greater Dillingham area.)

RECEIVED

2012
CITY OF DILLINGHAM
CITY CLERK

Jennifer Gardiner
PO Box 1031
Dillingham, AK 99576
(907) 842-2042
(907) 843-3024
nyoboys@gmail.com

Mayor Alice Ruby
City of Dillingham
PO Box 121
Dillingham, AK 99576
(907) 842-5272
mayor@dillinghamak.us

Re: Statement of Interest for a seat on the Parks and Recreation Committee

Dear Mayor Alice Ruby,

My name is Jennifer Gardiner and I am writing this Statement of Interest for an open seat on the Parks and Recreation Committee here in Dillingham.

Residency and Education:

I would like to start by telling you a little about myself. I am 34 years old and have lived in Dillingham Alaska full time for 15 years with a short stay away in 2008. Before my full time residency my family and I stayed the summers in Dillingham and the winters in Oregon. This part-time residency started when I was 9 years old and continued until the start of high school in 1992 where I stayed in Oregon and graduated from Douglas High School. I am currently working on my AA in Early Childhood Education with the hopes of graduation from Penn Foster University this May. Along with my AA in Early Childhood Education I have started taking classes at Penn foster for a BA in Business Administration with an emphasis on Non-Profit Management.

Work History:

As for employment I started while I was in High School at age 14, first with an internship at the Winston Police Department while in school and at a local fast food restaurant after school. During the same summer I worked for Northwest Youth Corp, a non-profit program that hired teenagers 14-18 still in school to work outdoors, Northwest Youth Corp was contracted by many companies to build fences, dig ditches, haul fire wood, and many other smaller projects

to protect the environment, but the main company to fund NYC was the Department of Land Management to work hand-in-hand with forest fire fighters building fire lines in the national forests and parks. After NYC I continued working as an intern while in school and in a fast food restaurant after school until my parents purchased a local family restaurant in which I worked until I graduated. Other places I have worked include BBAHC, City of Dillingham – Police Department, Wells Fargo, and my current position since 2008 BBNA as the Program Logistics Manager.

Why Parks and Recreation?

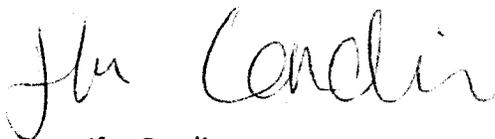
I am interested in the Parks and Recreation committee because I believe in their purpose, to bring together the community and give a place and a voice to all recreational activities. As a Parks and Recreation seated member I believe I could help bring together some of the events and groups that already exist or want to exist.

Qualification:

I feel I am qualified for this seat because I am a person with the ability to listen as well as voice opinions and offer solutions. I have worked the last three years on the Beaver Round up Committee; I have taken classes for Grants and work with the Head Start director in completing and managing the Federal and State Grants for BBNA Head Start. Along with the main grants I complete and maintain the CACFP (Child and Adult Care Food Program) grant and other mini grants that come along. I am dedicated in my job, family, and any endeavor that I am in. As the Program Logistics Manager I set up meetings for the Head Start Policy Council, take and submit minutes, as well as build and distribute the meeting agendas. I also hold the role as the Gaming Permit Manager for the BBNA Gaming Permit and submit quarterly and yearly reports to the State of Alaska.

I want to thank you for your time in reading this Statement of Interest and hope that you will consider me for a seat on the Parks and Recreation Committee.

Sincerely,



Jennifer Gardiner

Janice Williams

Subject: FW: Desire to be on Parks and Rec Committee

From: Janice Williams [<mailto:cityclerk@dillinghamak.us>]

Sent: Monday, January 14, 2013 10:48 AM

To: 'Alice Ruby '

Subject: FW: Desire to be on Parks and Rec Committee

Hello Rose,

I am interested in being considered for one of the open positions on the Parks and Rec Committee.

I desire to help the town develop and sponsor more activities for both youth and adults.

Please consider me during the nomination process.

My email is above. Phone is 843-1966.

Sincerely,
Brenda Spofford

Sent from Samsung Mobile

Janice Williams

From: Brenda L. Akelkok [bakelkok@bbahc.org]
Sent: Thursday, January 31, 2013 9:42 AM
To: cityclerk@dillinghamak.us
Cc: Alice Ruby (alice@bbedc.com)
Subject: council vacancy

Please convey to the Council that I am interested in serving in the vacant seat formerly held by Mr. Doug Holt.

I have six years prior experience on the Council during which time we secured the upgraded Landfill, the dock improvements and erosion control jeopardizing homes on the Snag Point bluffs.

In addition, I have served for three years on the Curyung tribal council.

Thank you for your consideration of my request. It would be my deepest pleasure to serve the people of Dillingham.

Brenda Akelkok
P.O. Box 654
Dillingham, AK 99576
(907) 842-4701

Janice Williams

Subject: BOARD MEMBER

From: Kathryn M. Murphy [<mailto:kmurphy@bbahc.org>]

Sent: Friday, January 18, 2013 3:16 PM

To: Janice Williams

Subject: RE: BOARD MEMBER

I would be interested on being on the city council. I want to be a member because I want to participate in the community and help in any way I can. I think this would be a good opportunity to do that.

SENATE BILL NO. 32

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-EIGHTH LEGISLATURE - FIRST SESSION

BY SENATOR MCGUIRE

Introduced: 1/22/13

Referred: Community and Regional Affairs, Resources

A BILL

FOR AN ACT ENTITLED

1 **"An Act stating that the development and operation of a hydroelectric site at**
2 **Chikuminuk Lake is not an incompatible use in the Wood-Tikchik State Park."**

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 *** Section 1. AS 41.21.167(c) is amended to read:**

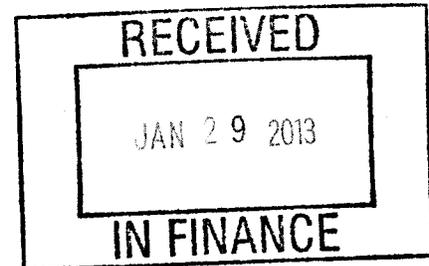
5 **(c) Development and operation of a hydroelectric site at Lake Elva₂ [OR]**
6 **Grant Lake, or Chikuminuk Lake is not considered an incompatible use.**

STATE CAPITOL
PO Box 110001
Juneau, Alaska 99811-0001
907-465-3500
fax: 907-465-3532



550 West 7th Avenue #1700
Anchorage, Alaska 99501
907-269-7450
fax 907-269-7463
www.Gov.Alaska.Gov
Governor@Alaska.Gov

Governor Sean Parnell
STATE OF ALASKA



January 24, 2013

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

Re: Wastewater Treatment Plant Upgrade

Dear Ms. Loera,

I appreciated hearing from you regarding funding for the City of Dillingham's wastewater treatment plant upgrade. I have included \$3,090,000 for this project in the FY2014 capital budget proposal which will now be considered by the Legislature through its public process.

I encourage you to advocate with legislators to retain this funding and look forward to your support of the budget during the legislative session.

Best regards,

A handwritten signature in black ink that reads "Sean Parnell".

Sean Parnell
Governor

Planning Commissioners
Terry Hoefflerle, Deputy Chair
Paul Liedberg, Chair
Bill Rodawalt



Rachel Muir, Seat D
Andy Anderson, Seat E
Vacant, Seat F
Izetta Chambers, Seat G

**REGULAR MEETING MINUTES
December 18, 2012**

I. CALL TO ORDER

The regular meeting of the Planning Commission was held on December 18, 2012, at the Dillingham City Council Chambers, Dillingham, Alaska. Paul Liedberg, Chair, called the meeting to order at 5:35 PM.

II. ROLL CALL

Members present:

Paul Liedberg, Chair, Seat B
Terry Hoefflerle, Deputy Chair, Seat A
Bill Rodawalt, Seat C
Andy Anderson, Seat E

Members Absent:

Rachel Muir, Seat D
Izetta Chambers, Seat G

Staff in Attendance: Jody Seitz, City Planner

Guests: George Nelson, Joanne Nelson, Russell Nelson, Misty Savo, Sabrina Savo, Robert Heyano, Debbie McClean-Nelson, Thomas Hoseth

III. APPROVAL OF AGENDA

MOTION: Terry Hoefflerle moved. Bill Rodawalt second

Amendment to Agenda: Add election of a new chair to VII. New Business Item C.

GENERAL CONSENT: The motion passed with no objection. OR

IV. APPROVAL OF MINUTES

MOTION: Terry Hoefflerle moved and Andy Anderson seconded the motion to approve the agenda.

Discussion: None.

Question: Terry Hoefflerle.

(Clerk's Note: there was no second.)

Paul Liedberg has a change to the minutes. Discussion about Page 5 clarification of the meaning of public access "to" versus "from" Wood River Road section. Planner Seitz clarified that it was just a discussion point. No change requested.

GENERAL CONSENT: The minutes were approved unanimously.

V. COMMUNICATIONS

A. Planner's Report

Staff explained new information regarding vacation of alleyway that Scott King requested Commission to look into.

- Inquired about possibility of ADNR forgoing acceptance of their section of the alley due to the topography.
- ADNR says they'll expedite their review.
- Would like to form a road review committee to provide comments to the DOT road study. DOT will be making improvements on Kananak HWY. See Planner Seitz for suggestions or nominations to be on the committee.
- DOT will cutting trees at Evergreen Cemetery by the airport for visibility. Wood for the public will be available.
- ADOT wishes the City to pass ordinance for platting Rights of Way. ADOT sent examples of ordinances. ADOT says it is nearly impossible to pass a road plat based on normal subdivision ordinances. Discussion of when in the project timeline it is needed.
- City Clerk is advertising for open Planning Commission Seat.

B. Public Comment

a. Tuntuvak Subdivision

Misty Savo

- Submitted the application on behalf of father Russell Nelson
- Was informed that Planning Commission was intending to deny the subdivision based on lack of public access directly and only has access through a private easement.
- Believes that she is complying with all parts of the subdivision code for the subdivision she is proposing and the parts she has control over.
- Expressed she was told in order to meet city ordinance she would have to ask adjacent landowner to "give up additional land, have their property surveyed, change it to a public easement, which is cost prohibitive to them.[..] They can't

just dedicate it to be a public easement, because it would have to be a 50 ft easement and it is not.”

- Asks Planning Commission to reconsider. Says the subdivision has access the same way you would have access through a gated community.”

Russell Nelson

- Tuntuvuk Subdivision property owner. Giving land to his daughter and plans on giving land to the rest of his kids. Property already subdivided in his will.
- Commented on other existing approved subdivision (Kleepuk) which he believes has similar circumstances.
- Cannot afford to make changes that City requires to build a legal City sized road in order for plat to be approved.
- Wants private access for lot owners, does not want public access, wants driveway to be solely for property owners who live there.
- Built and maintains own driveway.
- Saves City money by plowing his own driveway, 1/3 mile long.
- Doesn't want to ask his dad to dedicate the road.
- Requested to know process if plat is denied.

Discussion (planning commissioners/staff):

- Road maintenance: no requirement to be built to standards.
- How to allow people to subdivide since most can't afford to build a road?

Staff explained platting process, described the neighboring plat...which has a private access easement.

- City of Dillingham has 15 days to respond and consult with attorney.
- Attorney stated that they cannot authorize plat because it says private access easement.
- 1719.030 COD ordinance states that every lot shall have access from a dedicated public ROW and access to lots directly on streets other than a state highway may be restricted by the PC to protect public safety/ Adopted in 1990.
- Adjacent property had a variance, without road construction required, but could name road and give houses addresses for emergency services. PC's interest was not to make public build a road.

Misty Savo

- Questions why she has to ask someone else to change their land. She understands that she cannot get her property unless the adjacent landowner grants a public easement and builds a road to city requirements.

Discussion between Commissioner and Public, about whether land is in trust, and the issues related to simply having BIA approving a subdivision. Says the plat in question has been approved by BIA.

MOTION: Hoefflerle moved to table discussion until March meeting to take up for consideration at that time.

- Noted there's a clause in ordinance that the planning commission ask the subdivider's consent to an extension if no action will be taken within required 60 day time frame.

Robert Heyano

- Interested in private access easements.
- Requests that Tuntavuk Subdivision not be denied based on access easements.
- Would like to see some room to work around access since private easements have been done in the past. (RT Subdivision)
- Access should be able to hold emergency services.

Tom Hoseth:

- Many BBNA clients are subdividing for family members and they want private easements. for a lot of reasons.
- Would like to see COD and landowners work together to form group to deal with this, listen to all concerns and find a happy medium.

Discussion (PC):

- Hoseth agrees to sit on committee to discuss land issues.
- Rodawalt says PC was struggling with competing issues. His primary concern is safety, avoiding landlocked lots, protecting property owners' land rights on the other side of private easements.

Russell Nelson not notified about initial hearing.

Misty Savo received written notice of proposed denial after the last meeting.

- Was notified verbally when the meeting was, but did not receive a written notice the public hearing.
- Noted that expansion of city boundaries would incorporate subdivisions which don't comply.
- Expresses that code should be changed.
- Can get legal title to land without COD knowing if only goes through BIA.

Discussion (PC):

- Expressed need for restructuring of code.

- Recommendation of working group to engage people who have solid idea of nature and requirements of BIA and restricted lands.

Misty Savo

- Raises question-what is next step after decision is made.

Discussion (PC):

Options presented:

- Commission can postpone decision until a later date and ask you permission for more time and take no action.
- Commission can deny the subdivision and interested parties have a right to appeal to City Council.
- Cannot go against city attorney's opinion.

Commissioner Question: If PC had to make a decision which one would be preferred?
Misty Savo - States it is up to the PC.

Commissioner Question: If PC asked for an extension would you (Misty Savo) be amenable?
Misty Savo - States yes, it would be fine.

Robert Heyano:

- If Planning Commission wants to involve community, stakeholders, and BBNA, a motion to table and ask for an extension would look more favorable than denying it.

Commissioner: even with an extension might have to deny it. That could be favorable also in identifying problems.

Hoseth: suggests involving a surveyor.

Debi McLean:

- Asks for clarification of what the landowners are being asked to do in order to make the plat pass

Discussion (PC):

- Consider requesting from landowner that private access easement 40ft and utility easement 10ft be combined to make 50ft and that the road be changed to a public access easement. So if there is a need for a real road the land will be available to be built on.
- There must be physical access to the properties and the amount of space needed to get there.

- Commission's intention was not to have anyone build the road.

Debi McLean:

- Does not want a public access road which leads to her house where she has pets and children and a circular driveway.
- Planning Commission is requiring a public access easement prior to building anything. M Savo just wants to have the property in her name. Has no intention of building.

Sabrina Savo:

- Blueberry Subdivision has non-exclusive private easement to all 3 lots.
- Therefore issue that someone could block access would be prohibited.

Tom Hoseth:

- Identify who, what and when you can use it.

Misty Savo:

- Requests denial of application.

VII. UNFINISHED BUSINESS

VI. NEW BUSINESS

A. Resolution 2012-25 Recommending approval of L&M Subdivision

Discussion: Planner Seitz that the subdivision would combines lots 3 and 4 to provide access for lot 3. Alley is not included in this motion. Need proper notice for public hearing to do that. But can pass the subdivision, the alley vacation can be included on the final plat.

MOTION: Bill Rodawalt moved to adopt the Resolution. Andy Anderson seconds the motion.

Discussion:

- Concern about Resolution not including the alleyway.
- Alley requires a public hearing and public notice to vacate public land.
- It is recommended that the resolutions concerning the L&M Subdivision be brought back to the commission together and discussed at a later date.

Rodawalt withdrew his motion and Andy Anderson withdrew his second.

MOTION: Terry Hoefflerle moved to take up all resolutions related to L & M Subdivision at a special January 4th Noon meeting. Bill Rodawalt seconded the motion.

GENERAL CONSENT: The motion was approved unanimously.

Discussion:

It was requested that the motion be split into two motions. The first motion to postpone the decision til the March 2013 meeting. The second motion is to request to form a committee to discuss restricted lands and their fit within COD ordinances.

MOTION: Terry Hoefflerle moved to table the Tuntuvak Subdivision until the Planning Commission March meeting and Bill Rodawalt seconded.

Discussion:

Bill Rodawalt asks if there is a way to ask the landowner for an extension as required by code. [Heard in background Nelson says he has no objection to that.] Paul Liedberg says this part of the agenda is only for commissioners. However, Paul Liedberg states "I have heard through side door there isn't any objection to that."

GENERAL CONSENT: The motion was approved unanimously.

MOTION: Hoefflerle moved that the Planning Commission create a committee to address some of the issues raised during Tuntavuk Subdivision and the nature of native allotments and City land ordinances, to include such issues as gated communities or neighborhood associations.

The Chair requested clarification of second half of the motion to be presented at the Jan 4th 2013 meeting.

Anderson requested legal counsel can be made available for that meeting.

GENERAL CONSENT: The motion was approved unanimously.

B. Election of New Planning Commission Chair

Discussion: Anderson nominated William Rodawalt.

Bill Rodawalt nominates Paul Liedberg. Liedberg says his commitment to the City council is that he'll resign as chair of the Planning Commission.

MOTION: Andy Anderson moved to close nominations and Terry Hoefflerle seconded the motion.

GENERAL CONSENT: The motion was approved unanimously.

VII. COMMISSION COMMENTS

Andy Anderson: wishes all a great Christmas and Happy New Year.

Terry Hoefflerle: Merry Christmas Happy New Year

Bill Rodawalt: Merry Christmas suggests there are some great candidates for the vacant seat on the Planning Commission.

Paul Liedberg: Happy holidays to staff, commissioners, public. Expresses appreciation to staff for work on the plats.

VIII. ADJOURNMENT

Chair Bill Rodawalt adjourned the meeting at 7:25 p.m.



Bill Rodawalt, Chair

ATTEST:



Jody Seitz, Recorder

Planning Commissioners

Terry Hoefflerle, Seat A, Deputy Chair
Paul Liedberg, Seat B
Bill Rodawalt, Seat C, Chair



Rachel Muir, Seat D
Andy Anderson, Seat E
Vacant, Seat F
Izetta Chambers, Seat G

**SPECIAL MEETING MINUTES
January 4, 2013**

I. CALL TO ORDER

The regular meeting of the Planning Commission was held on January 4 2013, at the Dillingham City Council Chambers, Dillingham, Alaska. Terry Hoefflerle, Deputy Chair, called the meeting to order at 12:12 PM.

II. ROLL CALL

Members present:

Terry Hoefflerle, Deputy Chair, Seat A
Bill Rodawalt, Seat C, via teleconference
Rachel Muir, Seat D
Izetta Chambers, Seat G

Members Absent:

Andy Anderson, Seat E, excused
Paul Liedberg, Chair, Seat B, excused

Staff in Attendance:

Jody Seitz, City Planner, Acting Commission Clerk

Guests:

Phil Carpenter
Alex Hahn, Bristol Bay Area Health Corporation

IV. APPROVAL OF AGENDA

MOTION: Rachel Muir moved and Bill Rodawalt seconded the motion to approve the agenda.

GENERAL CONSENT: The motion passed with no objection.

V. COMMUNICATIONS

A. Public Comment

Alex Hahn of the Bristol Bay Area Health Corporation commented on the efforts of the BBAHC Tobacco Cessation program to decrease initiation of tobacco use among youth.

One effort involves a citizen initiated effort to increase the tax on tobacco and use of the funds raised for sustainable City projects. Estimate a 10% tax here would gross about \$90,000. Bethel did a \$1 tax on cigarette packs to raise almost \$300,000 and resulted in a reduction of 23,000 packs of cigarettes smoked, and reduced youth smoking by 23%. Figures it will have to go to a vote here in Dillingham. Were thinking the tax would be used on projects that would benefit everyone.

VI. PUBLIC HEARINGS

A. Alley Vacation between Lots 6 and 7 USS 2732AB

Staff explained the application for the alley. Showed pictures of the alley.

- Alley intended to allow commercial and industrial access to lots.
- Never intended to provide access to D Street from Alaska Street.
- Reason for combining two lots in L&M subdivision is that the alleys being vacated were the access to Lot 3. If Lot 3 is combined with lot 4, it would have access from D Street.
- 3 ft. contour between bottom of alley and top of Fish and Game lot line.
- Manhole is either on Lot 6 or Lot 3.
- Fence is outside the property line of Lot 6.
- Public Alley was cleaned up by Lot 6 landowner.
- Alley was full of trash.

Phil Carpenter states the alley had another fence and trash before S. King took down the other fence and cleaned it up.

- Public Works Director says the existing 14 feet is adequate to service the sewer line in the alley
- If the City required more easement to work on the sewer line, the City can request a temporary easement to service the sewer line.
- City Attorney did not think the City could insist on getting additional easement
- Topography would prevent the state from using its portion

Public Testimony:

Phil Carpenter, Maintenance Journey General, Alaska Department of Fish and Game:

- Fish and Game's only concern was if the City was going to try to acquire additional easement, it would be a big inconvenience for ADF&G which would have to move boats and equipment.

Commissioner question: Why did the request to vacate the alley come to the Commission?

Staff reply: Landowner of Lot 6 was unable to sell his property due to his roof encroaching into the alley, and it had a fair amount of trash. He wanted to clean it up.

B. Alley between lot 1 and Lot 2A White Subdivision

No public comment on this.

Commissioner Comments:

- States that vacating alleys could be seen as in opposition to what the City's Comprehensive Plan calls for-- more green space and pedestrian access. She is taking a long view and concerned about losing public land.
- There's no public easement that goes all the way through.
- That the City could purchase more land if that is something the City wanted to do for its pedestrian safety plan.
- Had walked the alley and it was full of batteries and pallets. It was convenient.

C. L&M Subdivision

Staff explains the access provided by the alleys.

- Dead end alley between Lots 6 & 7

Commissioner expressed admiration for a plat with 3 moving parts.

Staff continues;

- L&M preliminary plat has this alley vacation, but the final will record all the vacations approved in this area.
- That the Comprehensive Plan should be reference in Planning Reports, and in future staff will do that.
- Suggests if Planning Commission wants to work on connecting pedestrian paths and trails it probably needs to make that a specific project and find funding for that because there is no money for that now.

VII. UNFINISHED BUSINESS

A. 2013-03 – Recommending approval of L&M subdivision

MOTION: Izzetta Chambers moved to approve.

Staff suggests suspending the rules and move Unfinished Business to after New Business to be able to vote on the alley before voting on the subdivisions.

(Clerk's Note: No second was made to Chambers' motion.)

Presiding Officer Hoefflerle comments that separating Public Hearings from Resolutions that affect them is not a good way to carry out the Planning Commission business.

MOTION: Terry Hoefflerle moves to suspend the rules to move to New Business and address the resolutions in their proper order.

Clerk's Note: No Second was made.

VI. NEW BUSINESS

- A. Resolution 2012-01 (note that Resolution 2012-01 was actually 2013-01) Recommending approval of Alley Vacation between Lot 1 Block 18 USS 2732 AB and lot 2A White Subdivision

MOTION: Bill Rodawalt moves to consider all resolutions in one group and Izetta Chambers Seconds

Commissioner expressed desire to vote on them separately.

VOTE: Bill Rodawalt vote in favor, Rachel Muir and Izetta Chambers opposed.

MOTION: Izetta Chambers votes to approve Resolution 2013-01 and Bill Rodawalt seconds.

VOTE: Bill Rodawalt and Izetta Chambers vote in favor and Rachel Muir opposed.

ACTION: Resolution 2013-01 passes.

- B. Resolution 2013-02 Recommending approval of Alley Vacation Between Lots 6 and 7, Block 18 USS 2732AB

MOTION; Rachel Muir moves to approve and Izetta Chambers seconds.

VOTE: Unanimous approval.

ACTION: Resolution 2013-02 passes.

- C. Resolution 2013-03 Recommending approval of L & M Subdivision

MOTION: Izetta Chambers moves to approve with Rachel Muir seconds.

VOTE: Unanimous approval

ACTION: Resolution 2013-03 passes.

VII. PUBLIC COMMENTS/COMMITTEE COMMENTS

Izetta Chambers:

- Looked in code and could not find the requirement for a public right-of-way. It seems if the owner has legal and physical access. That should be the requirement not the public easement.

Staff response: referred commission to 17.19.020 Dedications...and 17.19.030 Access. Every lot shall have access directly from a dedicated public right of way.

City Attorney said it was unacceptable because a private access easement separates a lot within a subdivision from a main public right way.

Terry Hoeffler:

- Thinks the solution is to change 17.19.030A and simplify it, saying dedicated right of way.
- That commission will find other issues where a simple change of a couple of words will make it a lot easier for Native Allottees to subdivide that respects their rights and the government's responsibilities but meets our code as well. Issue you raise is a real valid one.

Staff refers commission to codes: 17.07.100, 17.19.030, and 17.19.170 as well as the Variance code.

Izetta Chambers:

- Heard from a party involved that the Planning Commission was requiring if they were going to build a road that it be built to this standard.
- Seems onerous, if going to be a driveway, should just be legal and physical access.

Staff: important to know what definitions of legal and physical are, as well as what is for the good of the community.

Terry Hoeffler:

- Need to create a working group. The plat in question is not the only one out there. Asks for language to give a charge to the group. Would be good to have a lawyer familiar with land codes, a surveyor, a half dozen or more interested members of the public, some of whom have represented Choggiung and BBNA. Should probably get ahold of someone from the BIA.

Izetta Chambers:

- Some of the references to public right of way limit the type of development that could be beneficial. They could build a home. That could lead to employment.
- What about gated communities. Would we require them to build a road if they were not going to use it?

Terry Hoeffler:

- Thinks a lot of these land ordinances were adopted from other communities. Inconsistency comes from adopting large portions of the code from other communities to address particular problems.

Staff:

- The code was created in several large pushes. Can discover why parts were adopted.
- Code was in place well before the access codes were adopted in 1990.
- City Attorney has suggested looking at the MAT-SU land use code.

Izetta Chambers: Could the Planning Commission have approved the plat (Tuntuvak Subdivision) as presented with the private right of way with a variance?

Staff: Legal Opinion was no. DMC 17.19.030 A every parcel must have access from a dedicated public right of way.

Discussion about providing access to parcels adjacent to the subdivision. Example was the HUD (Waskey Road) subdivision where the Planning Commission required that a place for a road to the adjacent parcels was put on the plat, but allowed a Variance so that the subdivider did not have to build that road.

Another example was Pleir road where Stelling subdivision provided a 40 foot right of way that was not required to be built until further development of adjacent parcels.

Rachel Muir:

- When Chief Dombroski was here submitted a federal grant for reducing crime at HUD. Wanted to know if that ever went through.
- She issues a lot of cab vouchers to very vulnerable people.
- Supportive of Planning Commission supporting a cab commission and having a Planning Commissioner serve on that commission.
- Sees a lot of children are not put in child seats, against state law.
- Can give adults with children transportation vouchers.
- But for adults 21+ it is a big hardship to get to hospital. If eligible for Medicaid have to get a letter from provider at Kanakank to get a voucher for care. The system is very cumbersome for someone who is for those who have health issues or addiction issues.
- Wants Planning Commission to look into ways to provide more transit options.

Bill Rodawalt:

- Thanks Terry Hoefflerle for conducting this meeting.
- Interested in approaching meetings in a more formal manner to give Planning Commissioners knowledge and practice to better handle meetings that have contentious issues.

Izetta Chambers:

- Feels the planning Commission is the appropriate entity, and it is timely to start a dialogue about food security from a community perspective and emergency preparedness in general.
- Notes there are websites like Transition Town and others...Our needs are met from
- elsewhere so if those needs are not met, how are we going to meet those needs?

VIII. ADJOURNMENT

Presiding Officer Terry Hoefflerle called for a motion to adjourn.

MOTION: Rachel Muir moved to adjourn and Izetta Chambers seconded. Terry Hoefflerle adjourned the meeting at 1:14 p.m.



Terry Hoefflerle, Presiding Officer

ATTEST:



Jody Seitz, Acting Commission Clerk