



Alice Ruby, Mayor

Council Members

- Brenda Akelkok (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

REGULAR MEETING

7:00 P.M.

MARCH 7, 2013

I. CALL TO ORDER

II. ROLL CALL

City Clerk

III. APPROVAL OF MINUTES

- A. Regular Council Meeting, February 7, 2013

IV. APPROVAL OF CONSENT AGENDA

- A. Resolution No. 2013-08, A Resolution of the Dillingham City Council Expressing Thanks and a Commendation to Patrick Solana-Walkinshaw
- B. Resolution No. 2013-09, A Resolution of the Dillingham City Council Amending the Bank Account Signature Authority Forms for City Bank Accounts Due to a Change in Council Members
- C. Resolution No. 2013-10, A Resolution of the Dillingham City Council Amending the Investment Account Signature Authority Forms for City Investment Accounts Due to a Change in Council Members

APPROVAL OF AGENDA

V. STAFF REPORTS

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

VI. PUBLIC HEARINGS

- A. Adopt 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. Adopt 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

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

- A. Glen Johnson – Tribal Involvement

VIII. ORDINANCES AND RESOLUTIONS

- A. Adopt 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. Adopt 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. Introduce Ordinance No. 2013-03, An Ordinance of the Dillingham City Council Amending the Budget by Adopting Budget Amendment No. 1 and Appropriating Funds for the FY 2013 City of Dillingham Budget
- D. Introduce Ordinance No. 2013-04, An Ordinance of the Dillingham City Council Amending Section 17.15.030 of the Dillingham Municipal Code to Change the Language Requesting Council Take Action on Planning Commission Resolution to Recommend Vacation of an Alley from "30 Days to Veto" to "45 days to Approve" a Recommended Vacation

IX. UNFINISHED BUSINESS

- A. Animal Shelter Facility
- B. Citizen Committee Appointments
 - 1. Planning Commission – 1 Seat, Expired December 2012
 - 2. Cemetery Committee – 4 Seats
- C. Strategic Planning – Foraker Group

X. NEW BUSINESS

- A. Instream Flow Reservation Co-Applicant Sign-Off
 - 1. Action Memorandum No. 2013-01 – Approve City of Dillingham to Join Curyung Tribe, Southwest Alaska Salmon Habitat Partnership, and the Bristol Bay Heritage Land Trust as Co-Applicant on Instream Flow Reservation Application Filed with ADNR for Several Tributaries in the Nushagak Watershed

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

XII. COUNCIL COMMENTS

XIII. MAYOR'S COMMENTS

XIV. EXECUTIVE SESSION

XV. ADJOURNMENT

I. CALL TO ORDER

The Regular Meeting of the Dillingham City Council was held on Thursday, February 7, 2013, at the Dillingham City Council Chambers, Dillingham, Alaska. Mayor Alice Ruby called the meeting to order at 7:35 p.m. This meeting was preceded by a workshop at 6:00 p.m. to review the FY 2012 Audit Reports.

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

Seat A, Vacant

Staff in attendance:

Rose Loera, City Manager
Dan Pasquariello, Chief of Police/Sergeant-at-Arms
Carol Shade, Finance Director
Janice Williams, City Clerk

III. APPROVAL OF MINUTES

A. Regular Council Meeting, January 10, 2013

MOTION: Keggie Tubbs moved and Tracy Hightower seconded the motion to approve the minutes of January 10, 2013.

VOTE: The motion to approve the minutes of January 10, 2013 passed unanimously.

IV. APPROVAL OF CONSENT AGENDA

There was no consent agenda.

APPROVAL OF AGENDA

Manager Loera asked to remove Union Negotiation Update from item XV. Executive Session.

MOTION: Keggie Tubbs moved and Paul Liedberg seconded the motion to approve the agenda as amended.

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

V. STAFF REPORTS**A. City Manager Report**

City Manager Rose Loera reported the following:

- new fish box was reported on in the Bristol Bay Times;
- Public Works Director is out on FMLA;
- Landfill Committee – looking to reduce the number of days open from 5 to 3 days, compressing Sunday and Saturday, had discussed the new hours with Dillingham Refuse, not sure if new hours would reduce wages, because the City still needed two positions that could operate equipment in the absence of the other, needed to provide time for the technician to be able to make a concerted effort to address the deficiencies at the landfill, would be notifying the residents within the next week of the new hours, and would continue to monitor it.

Discussion:

- commented to be prepared that the community might push back for closing on a weekend day; and
- spoke in support for a protocol that would penalize someone for dumping personal trash in the fish box.

City Manager continued:

- signed an MOU with BBEDC which will be providing training funds to send an officer to the Police Academy next fall;
- deadline for returning a request for proposal for reroofing the library was March 2;
- proposing a public meeting on regulating commercial licenses, but found several cab services did not have business licenses and will be reviewing that in collections committee and code committee;
- legislative visit to Juneau - legislators were very supportive of keeping \$3.09M grant for the wastewater treatment plant in the budget, the CIP packet was well received, and the lobbyists did a great job organizing the trip;
- talked to the Commissioner of Public Safety regarding the need for a new building, addressed the ongoing overcapacity at the jail and provided a graph for the last year, and would continue to keep pushing forward; and
- fire equipment for breathing apparatus at the fire dept. will be expiring in June at a significant cost to fire depts. throughout the State, looking for Legislature to fund the required upgrades.

MOTION: Keggie Tubbs moved and Chris Maines seconded the motion to support the efforts for legislative funding for replacement of the airpacs.

VOTE: The motion to support the request for legislative funding passed unanimously.

Mayor Ruby asked the Council to take up the petition to exempt locally made crafts from sales tax and vet it through the Code Committee for review, as outlined in the City Clerk's report. This could shortcut the effort of having to go through an election.

MOTION: Keggie Tubbs made a motion and Chris Maines seconded the motion to assign the ordinance to exempt certain items from sales tax to the Code Committee and bring back a recommendation to Council.

VOTE: The motion to send the ordinance to the Code Committee passed unanimously.

City Manager Loera confirmed that the Port of Dillingham Advisory Committee was scheduled to meet in February to review the proposed harbor fees that had been presented to them in January. Finance Director Shade reported that a majority of the raw fish tax refunds had been processed, there were several pending further review, and that the code allowed for processing until March. An analysis of the refunds would be presented at the next Council meeting.

B. Standing Committee Reports

Paul Liedberg, Chair of the Code Review Committee, reported that a big segment of the last meeting was reviewing the regulation of commercial licenses with a presentation by Jack Allen, [owner of Nushagak Cab Co] outlined in the meeting minutes. The committee also discussed amending penalty and interest rates on raw fish sales tax to be consistent with other taxes, and would continue to take up late filed appeals for property taxes at the next meeting.

Bob Himschoot, Chair, Finance and Budget Committee, reported they had reviewed ambulance fees, was expecting the results of the water and wastewater study soon, staff was working to bring the expenses more in line with revenues, reviewed animal shelter options, discussed paying for a survey resulting from an old land swap with Choggiung, and invited the rest of the Council to join in the upcoming budget meetings.

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. 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%

MOTION: Keggie Tubbs moved and Tracy Hightower seconded the motion to approve Ordinance No. 2013-01.

Manager Loera reported this ordinance was being recommended to bring it in line with other sections of code in order to standardize penalties and interest.

VOTE: The motion to introduce Ordinance No. 2013-01 passed unanimously.

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- 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

MOTION: Keggie Tubbs moved and Paul Liedberg seconded the motion to introduce Ordinance No. 2013-02.

Manager Loera reported this ordinance would remove repetitive language included in the section on BOE and clean it up.

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

- 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

MOTION: Keggie Tubbs moved and Chris Maines seconded the motion to approve Resolution No. 2013-05.

VOTE: The motion to adopt Resolution No. 2013-05 passed unanimously.

- 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

MOTION: Keggie Tubbs moved and Paul Liedberg seconded the motion to approve Resolution No. 2013-06.

Keggie Tubbs, Mayor Ruby, and Chris Maines, disclosed that although their employer was supporting this grant, there was no financial interest on their part.

VOTE: The motion to adopt Resolution No. 2013-06 passed unanimously.

- 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

MOTION: Keggie Tubbs moved and Bob Himschoot seconded the motion to approve Resolution No. 2013-07 with the correction to add John Bost's name in the blank.

Mayor Ruby commented she appreciated everyone's active involvement in reviewing the audit.

VOTE: The motion to adopt Resolution No. 2013-07 passed unanimously.

IX. UNFINISHED BUSINESS

- A. Animal Shelter Facility

Manager Loera reported that she had been discussing the possibility of using about 800 square feet of the National Guard building. The Governor's budget had \$550K earmarked for a National Guard facility, and they were looking at a relocatable building in Dillingham in about two years to find recruitments for the National Guard. She was also looking at the dock warehouse building, which would need upgrades, running water. This item would continue to be fielded through the Finance Committee.

Mayor Ruby reported when the discussion went toward upgrading a facility, she would advise bringing in the ad hoc Animal Committee to review.

B. Citizen Committee Appointments

1. Planning Commission – 3 Seats Expired December 2012

Mayor Ruby reported there were two planning commissioners who were interested in being reappointed, Terry Hoefflerle and Izetta Chambers, and recommended their reappointment.

MOTION: Keggie Tubbs moved and Chris Maines seconded the motion to concur with the Mayor's recommendation and reappoint Terry Hoefflerle and Izetta Chambers to the Planning Commission.

GENERAL CONSENT: The motion passed with no objection.

2. Cemetery Committee – 4 Seats

Mayor Ruby noted she had no recommendations to make at this time.

3. Senior Advisory Commission – 1 Seat

Mayor Ruby reported that there was one resident, Susan Lambert, interested in being on the commission, and recommended her appointment.

MOTION: Keggie Tubbs moved and Bob Himschoot seconded the motion to concur with the Mayor's recommendation to appoint Susan Lambert to the Senior Advisory Commission.

GENERAL CONSENT: The motion passed with no objection.

4. Parks and Recreation Committee – 2 seats

Mayor Ruby reported that there were two applicants, Jennifer Gardiner, and Brenda Spofford, who were strongly recommended by the chair, Patrick Solano-Walkinsaw.

MOTION: Keggie Tubbs moved and Bob Himschoot seconded the motion to concur with the Mayor's recommendation to appoint Jennifer Gardiner and Brenda Spofford to the Parks and Recreation Committee.

GENERAL CONSENT: The motion passed with no objection.

C. Appoint Council Member to Seat A – Interim Appointment

Mayor Ruby reported she had received two letters of interest, Brenda Akelkok and Kathryn Murphy. She was recommending Brenda Akelkok, a former Council member, who would come with a lot of experience.

MOTION: Keggie Tubbs moved and Chris Maines seconded the motion to concur with the Mayor's recommendation to appoint Brenda Akelkok to Council Seat A.

GENERAL CONSENT: The motion passed with no objection.

Mayor Ruby asked City Clerk Williams to swear in Brenda Akelkok who was appointed to Council Seat A.

X. NEW BUSINESS

A. Schedule a Regular Meeting of the Board of Equalization for May 23, 2013, at 5:30 p.m.

MOTION: Bob Himschoot moved and Keggie Tubbs seconded the motion to schedule the Board of Equalization meeting for May 23, 2013 at 5:30 p.m.

GENERAL CONSENT: The motion passed with no objection.

B. Reschedule the April 4 and April 18, 2013, Council meetings, to April 11 and April 25, 2013 at 7:00 p.m.

MOTION: Keggie Tubbs moved and Paul Liedberg seconded the motion to reschedule the April 4 and April 18 meetings to April 11 and April 25 at 7:00 p.m.

Mayor Ruby reported the meetings were being rescheduled to accommodate staff scheduling and getting the council packets out.

GENERAL CONSENT: The motion passed with no objection.

C. Reschedule the May 2 and May 16, 2013, Council meetings to May 9 and May 23, 2013 at 7:00 p.m.

MOTION: Keggie Tubbs moved and Tracy Hightower seconded the motion to reschedule the May 2 and May 16 meetings to May 9 and May 23 at 7:00 p.m.

GENERAL CONSENT: The motion passed with no objection.

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

Susan Lambert addressed the Council commenting she was the new Tribal Services and Community Liaison for SAFE, and wanted to serve on the commission, partly due to her age,

seniors have a huge gap in services with domestic violence and sexual assault, and SAFE gave 2 hours a week for community service.

XII. COUNCIL COMMENTS

Brenda Akelkok:

- commented it was an honor to serve on the Council, would strive to do her very best, and appreciated all the Council's time and good examples that they set.

Paul Liedberg:

- welcomed Brenda to the Council;
- reported he would be attending a meeting regarding SB32 relative to the potential for hydropower, and would be available for questions if the Council had an interest; and
- wanted to recognize the good representation by our representatives in Juneau.

Manager Loera noted there would be something regarding Senate Bill 32 on the next agenda.

Tracy Hightower:

- welcomed Brenda Akelkok to the Council.

Keggie Tubbs:

- welcomed back Brenda;
- thanked Tracy, Bob, and Rose for lobbying in Juneau, emphasized the importance of making a presence in Juneau, and hoped at some point the City would visit more than once a year.

Chris Maines:

- noted his appreciation for the visual of the new fish box, that it was a drastic improvement over the prior equipment, and thanked the City for purchasing it.

Bob Himschoot:

- welcomed Brenda and wished good luck to Doug Holt;
- thanked staff for all their effort prepping for Juneau, Rose's leadership, impressed with the lobbyists who did a good job lining them up; and
- thanked John Bost for his presentation.

XIII. MAYOR'S COMMENTS

Mayor Ruby:

- welcomed Brenda;
- thanked everyone who was interested in serving on the various committees, and would at some point work on the committee descriptions, responsibilities, and structure;
- thanked staff for working so hard on snow removal, even though the City may get some complaints, they really did an outstanding job with just a few employees moving snow;
- noted she would be attending SWAMC conference, February 20-22, Council were welcome to go, need to budget how much spent on travel, and had received suggested resolutions, including energy issues; and

- asked for a moment of silence to recognize those lost since the last meeting.

XIV. EXECUTIVE SESSION

A. Legal Matter

1. Union Negotiations Update
2. Public Safety Update

MOTION: Keggie Tubbs moved and Chris Maines seconded the motion to move into executive session for the purpose of discussing legal matters, public safety update.

Manager Loera was invited into the executive session along with City Clerk Williams and Chief of Police Dan Pasquariello.

MOTION: Keggie Tubbs moved and Tracy Hightower seconded the motion to come out of executive session [9:25 p.m.].

GENERAL CONSENT: The motion passed with no objection.

XV. ADJOURNMENT

Mayor Ruby adjourned the meeting at 9:25 p.m.

Alice Ruby, Mayor

ATTEST:

Janice Williams, City Clerk

Approved: _____

CITY OF DILLINGHAM, ALASKA

RESOLUTION NO. 2013-08

**A RESOLUTION OF THE DILLINGHAM CITY COUNCIL EXPRESSING THANKS AND A
COMMENDATION TO PATRICK SOLANA-WALKINSHAW**

WHEREAS, Patrick Solana-Walkinshaw's determination to provide a vehicle for coordinating and supporting recreational activities in Dillingham, therefore, contributing to the health and wellness of the community, lead to the City Council adopting the creation of a Parks and Recreation Committee on December 14, 2011; and

WHEREAS, Patrick Solana-Walkinshaw was named Chair of the newly formed Parks and Recreation Committee; and

WHEREAS, Patrick Solana-Walkinshaw contributed countless hours of his personal time to plan, organize, supervise and participate in community recreational events for both adults and children; and

WHEREAS, the Parks and Recreation Committee is supported by volunteer workers, seeking and raising funds to sustain the program; and

WHEREAS, the efforts of Patrick Solana-Walkinshaw and the Committee members resulted last year with the success of the following activities, including: the Bike to Work Day, securing bike donations for a bike recycling project, creating a Parks and Recreation fund, endorsing a grant proposal to develop a public ski trail out by the Vortac site, organizing the maintenance of the skating rink for winter activities, and providing a calendar of activities for various parks and recreation events held throughout the year and posted to the City's website; and

WHEREAS, Patrick Solana-Walkinshaw is truly an asset to the community of Dillingham and its residents; and

WHEREAS, the Council wishes to recognize Patrick Solana-Walkinshaw's contribution to the community and the citizens of the City of Dillingham;

NOW, THEREFORE, BE IT RESOLVED that the Dillingham City Council offers this commendation to Patrick Solana-Walkinshaw with sincere thanks for sharing his time and talent with the citizens of Dillingham and making it a better place to live.

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

SEAL:

Alice Ruby, Mayor

ATTEST:

Janice Williams, City Clerk

CITY OF DILLINGHAM, ALASKA

RESOLUTION NO. 2013-09

A RESOLUTION OF THE DILLINGHAM CITY COUNCIL AMENDING THE BANK ACCOUNT SIGNATURE AUTHORITY FORMS FOR CITY BANK ACCOUNTS DUE TO A CHANGE IN COUNCIL MEMBERS

WHEREAS, Brenda Akelkok was appointed to fill a vacant seat at a Regular City Council Meeting held February 7, 2013; and

WHEREAS, the signature authority forms for the City's checking accounts at Wells Fargo Bank will need to be reflect the changes;

NOW, THEREFORE, BE IT RESOLVED by the Dillingham City Council that the following persons are authorized to sign checks on behalf of the City of Dillingham on the funds that are now and shall be deposited in Wells Fargo Bank.

Rose Loera	City Manager
Alice Ruby	Mayor
Brenda Akelkok	Council Member
Chris Maines	Council Member
Robert Himschoot	Council Member
Keggie Tubbs	Council Member
Tracy G. Hightower	Council Member
Paul Liedberg	Council Member

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

SEAL:

Alice Ruby, Mayor

ATTEST:

Janice Williams, City Clerk

CITY OF DILLINGHAM, ALASKA

RESOLUTION NO. 2013-10

A RESOLUTION OF THE DILLINGHAM CITY COUNCIL AMENDING THE INVESTMENT ACCOUNT SIGNATURE AUTHORITY FORMS FOR CITY INVESTMENT ACCOUNTS DUE TO A CHANGE IN COUNCIL MEMBERS

WHEREAS, Brenda Akelkok was appointed to fill a vacant seat at the Regular City Council Meeting held February 7, 2013; and

WHEREAS, the signature authority forms for the City's investment accounts at Wells Fargo Investment Services, Piper Jaffray, Alaska Municipal League Investment Pool, and Time Value Investments will need to be reflect the changes in council members;

NOW, THEREFORE, BE IT RESOLVED by the Dillingham City Council that the following persons are authorized to give instructions on behalf of the City of Dillingham on the funds that are now and shall be deposited in the above mentioned investment institutions..

Rose Loera	City Manager
Alice Ruby	Mayor
Brenda Akelkok	Council Member
Chris Maines	Council Member
Robert Himschoot	Council Member
Keggie Tubbs	Council Member
Tracy G. Hightower	Council Member
Paul Liedberg	Council Member
Carol Shade	Finance Director

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

SEAL:

Alice Ruby, Mayor

ATTEST:

Janice Williams, City Clerk

Mayor
Alice Ruby

Manager
Rose Loera



Dillingham City Council
Brenda Akelkok
Chris Maines
Bob Himschoot
Keggie Tubbs
Tracy Hightower
Paul Liedberg

MEMORANDUM

Date: February 27, 2013
To: Mayor and City Council
From: Rose Loera, City Manager
Subject: February Monthly Report

2013 & 2014 Budgets – Carol will be presenting a 2013 mid-year budget adjustment to the Finance and Budget Committee. The Finance and Budget Committee meeting was postponed until March 4th because of a storm so Ordinance 2013-13 will be a handout at the Council meeting. The 2014 Budget have been sent out to all department heads with mid-March deadlines for return and review.

Landfill – New Hours and update – We started on Saturday 2/16/13 with the new land fill hours, which reduced access to the landfill from 5 days to 3 days a week. We will be monitoring over the next few months to determine if these hours are something we will be using every winter. One concern brought to my attention was being closed on Friday and Sunday when people like to use the gun range. Since we have reduced the number of days the landfill is opened staff has started to clean up the area.

Vacancies - Public Safety – 2 vacancies with 2 applicants that we will be interviewing. Corrections Officer - 2 applicants to interview, Administration – Executive Assistant – interviewed and made an offer – starting 3/13/13, Finance – Accounting Tech II and Receptionist. Interviewed for Receptionist and offer will be made soon.

Waste to Energy – Shearwater LLC gave us an online presentation on Waste to Energy incinerator. The equipment that they are selling seems reasonable for us to obtain. They have smaller units that are being used in communities with populations between 200 – 350. They can size these units for communities. The presentation was very well received and we will be talking with them in the future to discuss what would work for us.

Bunn Coffee pots – replacing all Bunn coffee pots except one throughout the City in an attempt to save energy costs.

*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.*

AMLJIA Insurance updates – Julie Radcliff from AMLJIA came out and did inspections on all our buildings. Carol and I met with her and updated the list of equipment and facilities that we have insured with them.

Snow Machine Procedures – following my report is the Snow Machine Procedure that Chief Pasquerillo developed for the 2 snow machines they we now have in the Public Safety Dept. from forfeiture.

Projects – we are meeting weekly with CH2M Hill and Steve on the Waste Water Treatment project. There are three activities that are being planned for 2013 for this project - sludge removal from the lagoon; baffle installation and HUD Force Main cleaning. They will also be working on the Dock Lift station renovation which was an addendum to the original contract. We have extended the Library Roof RFP until mid-March. We will be including the roof project at the School into this RFP. The funding for the school roof will come from the remaining School Bond funds.

Public Works – there will not be a public works report this month since our Director is out on FMLA. We are hopeful he will be back to work in 2 weeks. His department has been busy clearing snow and keeping up with the demands of the City.

Strategic Planning and Council Training sessions – I received the document from Foraker Group on our strategic planning session that was done in January last week. I have included it in the packet and will be planning on how to proceed with the recommendations in the upcoming months.

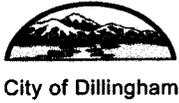
Visit to Juneau – If we are to make another visit to Juneau, our lobbyist is recommending the week of March 11.

Out of the office 4/1/13 – 4/10/13

*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

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DILLINGHAM PUBLIC SAFETY OPERATIONS MANUAL

Title	SNOW MACHINE OPERATING PROCEDURES	Reference	
Resource	DLG Public Safety Manual	Recommended	Dillingham City Council
Adopted		Issued By	City Manager Rose Loera

I. PURPOSE

To establish policies and procedures to ensure that the Public Safety Department has clear guidance on the use of company-owned snow machines on the job.

II. POLICY

- A. City of Dillingham will provide for the use of snow machine travel for the Public Safety Department under the following conditions:
- B. No vehicle/motorized equipment will be operated with a known safety deficiency.

III. GENERAL PROCEDURES

- A. Officers will NOT use snow machines for routine patrol.
- B. If a need exists, Officers may use the department's snow machines for:
 - 1. investigative purposes;
 - 2. fugitive apprehensions;
 - 3. EMS calls.
- C. Permission must first be obtained from:
 - 1. a Patrol Sergeant; or
 - 2. Chief of Police.
- D. Officers are responsible for performing a check of the snow machine's fuel and oil levels prior to operation. Any maintenance problems will be brought to the attention of a supervisor.
- E. Officers will operate snow machines in pairs for safety purposes.
- F. Officers will make sure that they have a functioning radio and cell phone when operating a snow machine.
- G. Officers will advise Dispatch of their intended purpose and destination prior to departure.



DILLINGHAM PUBLIC SAFETY OPERATIONS MANUAL

- H. Officers will wear helmets and appropriate cold weather clothing when operating a snow machine.
- I. Officers will NOT engage in vehicle pursuits while driving a snow machine.
- J. The snow machines may be used by other City of Dillingham departments for official business. Permission must first be obtained from the Chief of Police.

City of Dillingham

~ Amended 2/27/2013 ~

FEBRUARY 2013 – LEGISLATIVE REPORT

By Cliff Stone, Ian Fisk, Greg Fisk / City Lobbyist's

“Waiter, what’s this fly doing in my soup!” This is an old joke with many different punch lines. In the Alaska State Legislature this year, we have an “elephant in the room,” and it’s no laughing matter. Namely, this refers to the many different oil and gas issues and legislation coursing its way through the legislative process this session. The “elephant” is an idiom for an obvious truth that is being ignored. It really can’t be overlooked however when dealing with this Legislature. No matter what you might be interested in or an advocate for, you have to be aware of the oil and gas discussions at some level. Whether you write, email, call or visit your legislator, just be aware that they have quite a bit on their plate and the “elephant” is taking up a huge portion. I bring this forward as a reminder to be sensitive to the fact that their workload and that of their staff has increased proportionally. Even though a legislator may not sit on a committee that will be hearing the various pieces of legislation regarding oil and gas, it is incumbent that they understand the basics so they can make an educated decision since it will impact all Alaskans and generations yet unborn.

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Even though there are billions and billions of dollars in various state savings accounts, the declining revenues has state legislators mapping out a position of austerity. The message is quite clear – There has to be structural changes in the way the capital budget is approached and in the way this state funds projects. They are going to be looking at projects around the state that have “long-term sustainability and tangible benefits,” on a statewide basis. These lower expectations are part of the new reality here in Juneau. If a new oil tax regime is approved in the next few months, then that too will impact the state budget and how much we might have to dip into our savings. Legislators have all of that in mind as they struggle to find a middle ground to fund various needs in their respective communities. There is talk too of continuing the work of all of the Finance Sub-committees during the interim this summer and fall. This would involve an exhaustive review of each department’s operating/capital budgets and then presumably make recommendations to the full Finance Committee’s.

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Do you know someone who owes child support? If so, they may not be able to obtain a passport! Section 51.60 (2) of Title 22 of the Code of Federal Regulations (CFR) states, in part, that if you are certified to Passport Services by the U.S. Dept. of Health and Human Services (HHS) to be in arrears of child support payments in excess of \$2,500 – you are considered ineligible to receive a U.S. passport. The Child Support Enforcement Division (CSED) under the Alaska Dept. of Revenue may be able to assist. That state agency (<http://www.csed.state.ak.us>) must certify to HHS that acceptable payment arrangements have been made. Passport Services under the U.S. Department of State asserts that it can take 2-3 weeks from the time you make payment arrangements with CSED until your name is removed from the HHS electronic list.

Have an opinion? Send a message to any legislator – <http://www.legis.state.ak.us/poms>



GOVERNOR'S CORNER <http://gov.alaska.gov>

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

If you missed it, read Governor Sean Parnell's State of the State address:
<http://gov.alaska.gov/parnell/press-room/full-press-release.html?pr=6345>

Governor Sean Parnell introduced legislation on February 6th that would move up Alaska's primary to give election officials more time to get ballots to military and overseas voters. The measures respectfully are **SB 44** in the Senate and **HB 104** in the House.

They would also address certain elements of the absentee voting process and would allow someone living outside the U.S. to register to vote absentee if his or her parent or guardian was a permanent resident of the state immediately before leaving. The state, in a review of its handling of the hotly contested 2010 U.S. Senate race, recommended a series of changes to improve the election process. Those included moving up the primary by two weeks in even-numbered years to ensure the state had sufficient time in the event of a contested primary to comply with a requirement that ballots are sent to military and overseas voters at least 45 days before a general election.

To read more about the bills, go to:

http://www.legis.state.ak.us/basis/get_complete_bill.asp?session=28&bill=HB104
http://www.legis.state.ak.us/basis/get_bill.asp?session=28&bill=SB44

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Nominations for the First Lady Volunteer Awards are due by **March 1st**. Forms and more details are available at: <http://gov.alaska.gov/parnell/governors-office/volunteer-awards.html>

First Lady Sandy Parnell invites Alaskans to recognize their fellow citizens who have performed extraordinary volunteer service by nominating them for the First Lady's Volunteer of the Year Awards. The awards recognize volunteers who engage in unpaid charitable activities, demonstrate personal commitment to long-term volunteer services, and make a significant impact for Alaskans.

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Choose Respect is Governor Sean Parnell's initiative to end the epidemic of domestic violence and sexual assault in Alaska. Begun in 2010 with 18 partner communities, this event has grown substantially over the last couple years with more than 120 Alaska communities participating in marches, rallies, and community events. The 2013 statewide events will be held this year on March 28th. Go to the website below to learn more.

<http://gov.alaska.gov/parnell/priorities/public-safety/choose-respect/faqs.html>

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The governor delivered his appointments to the Legislature for his cabinet, state boards, and commissions since the January Report. I've highlighted those appointments below that may directly or indirectly affect you. For a complete list of nominees, go to the following website.

<http://gov.alaska.gov/parnell/press-room/full-press-release.html?pr=6357>

Commissioner – Department of Labor and Workforce Development
Dianne Blumer

Commissioner – Department of Transportation and Public Facilities
Patrick Kemp

Big Game Commercial Services Board

James (Tom) Atkins – Anchorage
James (David) Jones – Kodiak
Gene Peltola Sr. – Bethel
Karen Polley – Juneau

Board of Dental Examiners

Robyn Chaney – Dillingham
Dr. Mary Anne Navitsky – Sitka
Dr. Steven Scheller – Fairbanks
Gail Walden – Wasilla

Fishermen’s Fund Advisory and Appeals Council

Mark Saldi – Skagway
Donald Stiles – Nome
Alaska Labor Relations Agency
Gary Bader – Anchorage
Daniel Repasky – Anchorage

Alcoholic Beverage Control Board

Robert (Bobby) Evans – Nome

Board of Education and Early Development

Sue Hull – Fairbanks

State Commission for Human Rights

Christa Bruce-Kotrc – Ketchikan
Jason Hart – Anchorage
Grace Merkes – Sterling

Alaska Police Standards Council

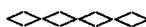
Mark Mew – Eagle River

Professional Teaching Practices Commission

David DeVaughn – Fairbanks
Eric Fry – Juneau
Martin Laster – Juneau
Melody Mann – Wasilla
Frances Roberts – Homer

Violent Crimes Compensation Board

Gerad Godfrey – Eagle River



IMPORTANT DATES

According to Rep. Bryce Edgmon's Legislative Update, he will be conducting an Open House on **March 1st from 2 – 4PM** at the Dillingham LIO.

March 7 – 10, 2013 The Energy Council meetings in Washington DC are scheduled this year during these dates. For your planning purposes, quite a few legislative offices in Juneau will be operating with fewer personnel as those legislators attending these meetings will be leaving town around March 5th / March 6th and returning throughout the day on March 10/11th. Quite a few of the other legislators who don't attend the DC meetings will take advantage of this break and return to their home districts to meet with constituents.

AK Permanent Fund Dividend Deadline: March 31, 2013 (Apply online at: www.pfd.state.ak.us)

Reminder: www.PickClickGive.org



BUDGET BILLS

I'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. I will list any other type of budget bills that are introduced for this session.

Capital FY14 Budgets – **HB 64 / SB 18** (Historically, the Senate version is the working document)

Operating FY14 Budgets – **HB 65 / SB 19** (Closeouts: House - March 1st / Senate - March 20th)

Mental Health FY14 Budgets – **HB 66 / SB 20** (HB 65 & HB 66 are likely to be the final versions)

Supplemental FY13 Budgets – **HB 91 / SB 42**

HB 118 / Community Revenue Sharing Fund Appropriation (Rep. Josephson)

FY14 Governor's Proposed Budgets (Due by Dec. 15th every year for the next fiscal year's budget)

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

FY13 Governor's Supplemental Budgets (Due by the 15th Legislative Day of every session)

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

FY14 Governor's Amended Budgets (Due by the 30th Legislative Day of every session)

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



BILLS OF INTEREST (Introduced since the January Report)

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 all the bills and resolutions that have been 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 significance of that bill. If there is an interest, we would encourage you to read the 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 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! Go to: www.legis.state.ak.us

HOUSE BILLS

HB 78 / REGULATION OF DREDGE AND FILL ACTIVITIES
HB 80 / CRUISE SHIP WASTEWATER DISCHARGE PERMITS
HB 86 / ELECTION DAY REGISTRATION/ABSENTEE VOTING
HB 87 / EXTEND SPECIAL EDUCATION SERVICE AGENCY
HB 89 / AQUATIC INVASIVE SPECIES
HB 91 / SUPPLEMENTAL/CAPITAL/OTHER APPROPRIATIONS
HB 93 / CHARTER SCHOOLS
HB 95 / BASE STUDENT ALLOCATION; DISTRICT PLAN
HB 102 / RETIREMENT PLANS; ROTH IRAS; PROBATE
HB 104 / ELECTION PROCEDURES; REAA ADVISORY BOARDS
HB 106 / PERS MEMBERSHIP PAYMENTS TO RETIREE ORGANIZATION
HB 107 / POLITICAL ACTIVITY BY CLASSIFIED EMPLOYEE
HB 110 / BARBED HOOKS; PROHIBITION IN CERTAIN FRESHWATER AREAS
HB 116 / PERS CREDIT FOR MILITARY SERVICE
HB 117 / COMMUNITY REVENUE SHARING
HB 120 / PUPIL TRANSPORTATION FUNDING
HB 122 / TRANSPORTATION INFRASTRUCTURE FUND APPROPRIATION
HB 123 / DEDICATED TRANSPORT FUND/PUB TRANSPORT
HB 126 / TEACHERS & PUB EMPLOYEE RETIREMENT PLANS
HB 128 / PREKINDERGARTEN SCHOOL PROGRAMS/PLANS
HB 130 / JAY HAMMOND DAY
HB 131 / ABANDONED AND DERELICT VESSELS
HB 133 / SCHOOL CONST. GRANTS/SMALL MUNICIPALITIES (Rep. Edgmon)
HB 137 / CHIKUMINUK LAKE HYDROELECTRIC SITE
HB 138 / LAYOFF NOTICES FOR TENURED TEACHERS
HB 140 / NOTICE FOR REGULATION ADOPTION
HJR 3 / STATEHOOD/ANCSA/NATIVE ALLOTMENT LAND
HJR 5 / OPPOSE GENETICALLY ENGINEERED SALMON
HJR 10 / CONSTITUTIONAL AMENDMENT: TRANSPORTATION FUND

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SENATE BILLS

SB 35 / WORKERS' COMP.: COLL BARGAINING/MEDIATION
SB 41 / SCHOOL SPORTS/INTERSCHOLASTIC ACTIVITIES
SB 42 / SUPPLEMENTAL/CAPITAL/OTHER APPROPRIATIONS
SB 44 / ELECTION PROCEDURES; REAA ADVISORY BOARDS
SB 46 / POLITICAL ACTIVITY BY CLASSIFIED EMPLOYEE
SB 47 / STIPEND FOR STATEWIDE BOARDING SCHOOL
SB 48 / PERS CONTRIBUTIONS BY MUNICIPALITIES
SB 54 / EXTEND HAIR CRAB & SCALLOP LIMITED ENTRY
SB 57 / SCHOOL LITERACY, TRANSP., TEACHER NOTICES
SB 62 / SCHOOL CONST. GRANTS/SMALL MUNICIPALITIES
SJR 9 / CONSTITUTIONAL AMENDMENT: EDUCATION FUNDING (HJR 1 – Companion Bill)

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BILLS ON THE MOVE

The budget bills listed earlier in this report will continue to be heard in their respective finance committees and/or sub-committees. I will notice them when there are public hearings scheduled and when they are headed to their respective FLOORS for a vote.

Below are other pertinent bills we're tracking that have had hearings and/or Floor action during this past month. Note: Not all "Bills of Interest" will be listed, just those that seem to be moving along in the process and are of particular interest to Dillingham. I will also list important bills to Dillingham that have not had any hearings to date. In that regards, you will have that information in case you want to act on it. I will continue to send email updates as warranted or even call City Manager Rose Loera if I think a particular bill deserves to be highlighted for your information and/or action. To search for any bill below or one of your choosing, go to: www.legis.state.ak.us/basis If you have any questions after reviewing any bill, please don't hesitate to ask us.

HOUSE ACTION

HB 19 / Permanent Motor Vehicle Registration – Passed out of House Transportation, now in House Finance. As currently drafted, Dillingham stands to lose revenue of approximately \$12,000 a year beginning in 2016.

HB 39 / PCE Program – No hearings.

HB 40 / Establishing a municipal tax exemption for certain farm structures – Passed out of House, now in the Senate Community & Regional Affairs.

HB 77 / Passed out of Resources. House Floor in second reading on 2/27/13. (SB26-Companion bill)

HB 80 / Cruise ship wastewater discharge permits – Passed Legislature, transmitted to governor.

HB 117 / Community Revenue Sharing – No hearings.

HB 137 / Chikuminuk Lake Hydroelectric Site – No hearings.

HJR 1 / Constitutional Amendment: Education Funding. If passed, it would put to a vote of the people whether to remove the so-called "Blaine Amendment" from the Alaska Constitution. The Blaine Amendment has to do with setting up schools in the state. The part relevant to the debate reads: "No money shall be paid from public funds for the direct benefit of any religious or other private educational institution." Has had one hearing and another hearing scheduled for March 1st.

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SENATE ACTION

SB 26 / Permitting and streamlining the regulatory process – heard and passed out of Resources.

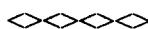
SB 27 / Primacy for dredge and fill activities – Heard and held in Senate Finance.

SB 30 / Teachers and Public Employee Retirement plans – No hearings.

SB 32 / Chikuminuk Lake Hydroelectric Site – Passed out a committee substitute from the Senate Community & Regional Affairs Committee. The committee amended the title and bill to reflect that the "performance of a feasibility study for the development and operation of a hydroelectric site at Chikuminuk Lake is not considered an incompatible use." The bill is now before Senate Finance.

SB 48 / PERS Contributions by municipalities – No hearings.

SJR 9 / Constitutional Amendment: Education Funding (HJR 1 is the companion bill to this resolution). Currently the language is the same. No hearings to date, although Senator Gary Stevens, chair of the Senate Education Committee is holding information hearings. The first one is slated for March 1st. The discussion will be on Vouchers – Identifying the Stakeholders and Key Policy Areas.



COMMITTEE HEARINGS

If you are planning to testify on any particular bill or subject matter, it is a good idea to check the committee calendar the day of or the day before the scheduled hearing as sometimes a bill is rescheduled at the last minute. http://www.legis.state.ak.us/basis/hearing_form.asp?session=28

Go to: <http://www.legis.state.ak.us/basis/start.asp> for a complete description of a bill that is up in committee, any fiscal notes, and also additional backup material that the legislative office has posted in regards to that particular bill. Remember – Bills that have already been heard or previous scheduled in committee can come back before that body without prior notification.

Live on the Web

Most committee hearings can be seen and heard on Gavel Alaska. It is broadcast on both local access TV and on the Internet. You can also access online archives from the following website:
www.360north.org

Streaming Video

Most committee hearings are also teleconference and available for viewing on the following website:
<http://alaskalegislature.tv>

Testifying

If you can't attend a hearing in person or at your local LIO you can participate by using the following numbers. It is always a good idea to check the committee schedule however to ascertain if they are accepting public testimony. In addition, please be advised that the Legislature wants you to participate in the process, but the toll-free number can only be used if you have had prior approval to call in from the appropriate committee chair.

The new toll free number in Alaska is: 1-855-463-5009. In Juneau: (907) 463-5009.



WEBSITES OF INTEREST

2013 1st Session Legislator & Staff Contact List:

http://w3.legis.state.ak.us/docs/pdf/session_phone_list.pdf

House & Senate Committees: <http://w3.legis.state.ak.us/docs/pdf/commlist.pdf>

House Finance Sub-committee Members: <http://w3.legis.state.ak.us/docs/pdf/HFINSubcmte.pdf>

Senate Finance Sub-committee Members: <http://w3.legis.state.ak.us/docs/pdf/SFINSubcmte.pdf>

The full Legislative Publications List is at: <http://w3.legis.state.ak.us/pubs/pubs.php>

http://www.legis.state.ak.us/basis/h_s_calendars.asp?session=28

By going to this site on a daily basis, you'll be able to check and see when the Senate or House is in session. You'll also be able to check and see if any legislation you're interested in is scheduled for a FLOOR vote in either body.



NOTES

1. February 2013 – Emails to and from the City of Dillingham and various Council members
They involved various status reports and the coordination of several items important to the City. Some emails are highlighted below.

2. February 2013 – Various contacts

As in January, we have had numerous contacts with Senator Gary Stevens, Representative Bryce Edgmon, and their respective staff. In addition, we have had multiple contacts with both the House and Senate Finance Committee Co-chairs and their staff. We continue to maintain a line of communications with the Senate President and with the House Speaker. As warranted, we have had other contacts with a myriad of legislators and staff. We are also aware of the importance of keeping the Governor's office and the appropriate departments current and briefed on Dillingham's priorities.

3. January 29th – Dillingham Delegation arrives in Juneau

Delegation included: City Manager Rose Loera, City Council Members Tracy Hightower and Bob Himschoot. (Council member Paul Liedberg was also in Juneau, but on other business. He did join us on a limited basis) (Agenda for Jan. 30th was emailed early on January 28th.)

4. January 30th – Legislative meetings at the Capitol all day

The delegation participated in numerous meetings with various legislators, cabinet officials, governor's office, and staff. Distributed Dillingham's final CIP 2013 – 2018 as appropriate.

5. February 4th – CAPSIS Deadline for Communities/Nonprofits/other entities

This is the Capital budget system to ensure that all projects within any given district are entered into this database. City Planner Jody Seitz ensured that all of the City's priorities were reflected and all of the backup material provided. (Legislators/staff have until Feb. 27th to sort respective priorities) Again, CAPSIS means: Capital Project Submission & Information System.

6. February 5th – Self Contained Breathing Apparatus (SCBA) Grant

Received email from Rose Loera requesting that we monitor this project. She also supplied background information, benefit analysis, and other supportive documents.

7. February 7th – Post Wrap up for the Legislative meetings of January 30th.

Provided Rose Loera with a three-page document entitled: DLG Meeting of Jan. 30 follow-up.

8. February 7th – Mail packet to Dillingham via USPS

Sent various committee handouts on PCE and Health related documents. Included some legislative lapel type pins.

9. February 14th – Inquiry on second visit to Juneau

Received via email from Rose Loera. Recommendations made on Feb. 15th.

10. February 26th – SB 26 and SB 27 Status

Sent email to Rose Loera concerning the status of these two bills.
Refer to "Senate Action" above.

~ End Report ~

Concerns Raised over Gov.'s permitting bill

Posted: February 27, 2013 - 12:03am

By Becky Bohrer

THE ASSOCIATED PRESS

JUNEAU — Gov. Sean Parnell has introduced legislation aimed at improving the permitting process in Alaska, but critics fear it will hurt the public's ability to participate in permitting decisions.

SB26 seeks to build upon efforts in recent years to eat into a backlog of permits and authorizations and to make the process more efficient. It is one of at least three permitting-related bills introduced by the governor this year. [The House version, HB 77, is on today's House floor calendar.]

One of the others, SB27, which would allow the state to evaluate and take steps to assume primacy from the U.S. Army Corps of Engineers for the dredge and fill permitting program, was heard in the Senate Finance Committee on Tuesday.

SB26 is extensive, touching on things like land exchanges and permitting procedures.

The bill would allow the Natural Resources commissioner to issue general permits if the activity is unlikely to cause "significant and irreparable harm" to state land or resources.

The department, in a briefing paper, said that while there is arguably already the authority in law to do general permits, "it is not explicitly called out."

General permits would not be applicable to lands designated for game refuges, forestry, state parks and coal mining, according to the Department of Natural Resources.

Some of the more controversial provisions of the bill would limit administrative appeals to people "substantially and adversely affected" by a decision, who "meaningfully participated" in the public comment process, and not those who just disagree with an action.

The bill would also remove the ability of individuals or groups to apply for water reservations, to maintain or protect certain water levels for purposes such as protecting fish habitat, recreation and water quality.

Parnell, in his transmittal letter, said the measure "encourages responsible development of our State land and water resources.

An efficient permitting process with clear rules contributes to Alaskan economic growth and creates more Alaskan business opportunities."

"I think that this is a piece of legislation that has a lot to do with blocking opposition to specific projects in Alaska, and I think Chuitna and Pebble are probably what it's all about," said Lindsey Bloom, an organizer with Trout Unlimited.

Chuitna refers to a proposed coal-mining project in south-central Alaska and Pebble, to the proposed gold and copper mine near the headwaters of one of the world's premier salmon fisheries.

Of the 35 pending water reservation applicants from individuals or groups, most — 22 — are in the vicinity of or could impact Pebble, including 11 from Trout Unlimited, according to the Department of Natural Resources.

Three applications could impact the coal project.

Applications date back to 1992 though most are from the past several years, from around 2007 on.

As of Dec. 31, there were about 370 total water reservation applications pending, including from federal or state agencies or political subdivisions, according to the department.

The granting of water reservations are relatively rare, a function largely of workload, said Wyn Menefee, chief of operations for the state Division of Mining, Land and Water.

Menefee said he thought about 60 water reservations had been granted since Alaska became a state in 1959, and roughly half of those were approved in recent years due to additional funding and staffing.

The state has never granted a water reservation to an individual or group, and many of the applications from them haven't been vetted by agencies to know how they might fit with agency priorities, he said.

The bill, as proposed, would have the department return pending applications and application fees for individuals and groups no longer be allowed to reserve water. It would not refund money invested by groups in gathering data to support an application, a concern raised by critics.

The commissioner could still refer those applications to other state agencies for review and consideration by those agencies of submitting similar applications.

The bill, as amended on the House side in HB77, has different transition language that would allow for the transfer of pending applications.

Ralph Andersen, president and CEO of the Bristol Bay Native Association, in a letter dated Monday, said the Alaska Native Corporation had worked to secure more than \$500,000 to support water reservation applications for member tribes and non-governmental groups.

He labeled as "extremely troublesome" the section that would eliminate the ability of organizations to apply for reservations.

Supporters of the bill include the Resource Development Council and Council of Alaska Producers.

Michael Satre, executive director of the Council of Alaska Producers, in a support letter that while the resource development industry is certain to be affected by the measure, "it is important to keep in mind that these provisions benefit everyone in Alaska, including cabin owners, aquatic farmers, home developers and any individual who seeks to do business on state land or water."

Mayor
Alice Ruby

Manager
Rose Loera



Dillingham City Council
Brenda Akelkok
Chris Maines
Bob Himschoot
Keggie Tubbs
Tracy Hightower
Paul Liedberg

MEMORANDUM

Date: February 26, 2013
To: Rose Loera, City Manager
From: Janice Williams, City Clerk
Subject: Monthly Report

Public Hearing on Two Ordinances Scheduled

The following two ordinances are scheduled for a public hearing at the March 7 Regular Council Meeting.

- Adopt 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 would standardize penalty and interest rates assessed on late filing of raw fish sales tax in order to be in line with sales tax and real and personal property tax.

- 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

Atty. Patrick Munson recently presented the information we were looking to receive on late filed appeals. This change will substantially change the ordinance that was introduced February 7 and up for a public hearing March 7. When this ordinance comes up on the agenda to recommend adoption, the Council will be informed that the Code Review Committee has more work to do on the ordinance. As a result, this ordinance will be recommended for postponement and a substitute version will be presented at the next Council meeting.

Ordinance to be Introduced

The Code Review Committee is recommending introducing the following ordinance:

- Ordinance No. 2013-04, An Ordinance of the Dillingham City Council Amending Section 17.15.030 of the Dillingham Municipal Code to Change the Language Requesting Council Take Action on Planning Commission Resolution to Recommend Vacation of an Alley from "30 Days to Veto" to "45 days to Approve" a Recommended Vacation

The normal practice is to present a resolution or ordinance asking for approval, not for a veto. We were legally advised that the ordinance could be revised to bring the language in line with

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City of Dillingham

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standard practice. The committee also suggested adding 15 more days to allow enough time to present a resolution to the Council.

Sub-Committee to review business license and sales tax issues

At our last meeting, the committee tackled an ordinance filed by Adam Kane that was referred to the Code Committee for review and a recommendation to the Council. The ordinance, presented in the form of a petition, had been accompanied by a qualified number of valid voter signatures, and certified in the City Clerk's office. At the Code meeting, Adam Kane spoke in support of the ordinance, which was followed by much discussion. It was then recommended that a sub-committee be formed consisting of the Mayor, Manager, City Clerk, Adam Kane, and a member of Finance to review the section of the code regarding business licenses and sales tax, work out the issues, and bring the results back to Finance and/or Code Committee.

HB 3, Relating to Voter Identification at the Polls

A bill was introduced in the House, January 16, that would require each voter to exhibit to an election official a permitted form of photographic identification. Those opposed to the bill question if some voters in rural communities would have limited access to facilities which produce photo identification.

Commission Seats Vacant

The City has been advertising to fill the following seats. The seats have been advertised in the Bristol Bay Times, circulated via the City's Public Notice email distribution list, posted in 3 public places (N&N, Post Office, City Hall), and on the City's website homepage.

Planning Commission – one seat expired December 2012

Cemetery Committee – 4 seats open

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Mayor
Alice Ruby

Manager
Rose Loera



Dillingham City Council
Brenda Akelkok
Chris Maines
Bob Himschoot
Keggie Tubbs
Tracy Hightower
Paul Liedberg

MEMORANDUM

Date: February 26, 2013
To: Rose Loera
City Manager
From: Carol Shade
Finance Director
Subject: January 31, 2013 Financial Report

January was pretty busy with processing W-2 forms and 1099s and getting them out in the mail by the deadline, which was the last day of January.

Arnie Erickson with Alaska Appraisal Company did an onsite visit during January. I am not sure how successful the visit might have been for getting actual visuals of the properties, as that was one of the weeks that we had blizzard conditions almost every day.

As of the end of January we should have received approximately 58% of the budgeted revenues and not have spent more than 58% of the budgeted expenditures. The January report is showing General Fund Revenues at 69% received and General Fund Expenditures at 52% spent. Special Revenue Funds Revenues are showing a total of 55% received and 44% expensed. Capital Projects and Other Funds are reflecting 30% received and 43% expensed. The Capital Projects revenues percentage has doubled since last month's report. We are still not to the point of recording revenues as earned each month, but are working our way towards that.

The Finance Department now has two vacancies, the Accounts Payable Technician and a Receptionist. We have received two applicants for the Receptionist position to date, and will be making a recommendation to the City Manager by Tuesday, March 5. Since the last report we have reclassified the Assistant Finance Director position to an Accounting/IT Technician position.

The Collections Committee continues to meet bi-weekly. The Collections Technician has made some good progress in getting tax payers to come in and make payment agreements or to pay their bills in full. We will start providing Finance and Budget with hard data in the next few months when our progress can be more easily measured.

With that being said following are the Financials for the period ending January 31, 2013.

*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

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City of Dillingham
Revenues and Expenditures As of January 31, 2013
Preliminary Figures

REVENUES:	Budget - FY13	Jan-13	Year to Date		Previous Year		
			Actual - 1/31/13	Percent	1/31/2012 Actual	INC/(DEC) Last Year	
General Fund Revenues							
General Sales Tax	2,700,000	315,784	1,739,738	64%	1,712,391	27,347	
Alcohol Sales Tax	265,000	21,439	195,285	74%	186,457	8,827	
Transient Lodging Sales Tax	95,000	1,333	54,962	58%	54,705	256	
Gaming Sales Tax	65,000	7,476	38,630	59%	20,160	18,470	
Total Sales Taxes	3,125,000	346,032	2,028,614	65%	1,973,713	54,900	
Real Property Tax	1,460,000	-	1,534,557	105%	1,472,893	61,663	
Personal Property Tax	500,000	-	521,468	104%	505,628	15,840	
Total Property Taxes	1,960,000	-	2,056,024	105%	1,978,521	77,503	
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	-	163,768	28%	-	-	
Shared Fisheries	40,000	-	-	0%	-	-	
Revenue Sharing	298,970	-	-	0%	282,614	(282,614)	
Payment in Lieu of Taxes (PILT)	423,142	-	429,642	102%	421,879	7,763	
Foreclosures	-	-	-	-	335,909	(335,909)	
State Jail Contract	480,417	-	240,209	50%	345,544	(105,335)	
Other Revenues	1,012,272	24,833	386,715	38%	209,959	176,756	
Total	3,119,314	24,833	1,559,743	50%	2,042,492	(646,517)	
Total General Fund Revenues	8,204,314	370,865	5,644,381	69%	5,994,727	(514,114)	
Special Revenue Funds Revenues							
Nushagak Fish Tax	710,883	413	380,949	54%	-	-	
Fisheries Infrastructure Fund	-	-	26,004	-	-	-	
Borough Formation Study Fund	-	-	15,603	-	-	-	
Water	224,479	22,598	122,169	54%	118,958	3,211	
Sewer	263,138	36,593	160,141	61%	158,280	1,860	
Landfill	339,298	5,660	160,781	47%	87,073	73,708	
Dock	709,603	1,304	391,452	55%	305,795	85,657	
Boat Harbor	175,426	2,816	57,969	33%	9,660	48,309	
E-911 Service	74,650	6,229	39,404	53%	34,012	5,392	
Senior Center	469,969	3,106	288,875	61%	313,360	(24,485)	
Total Special Revenue Funds Revenues	2,967,446	78,718	1,643,348	55%	1,027,140	193,652	
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	-	-	78,123	-	5,213	72,910	
Road and Streets Capital Project Fund Revenue	-	-	-	-	385,602	(385,602)	
WasteWater Treatment Plant	2,280,000	-	2,864	-	-	2,864	
Force Main	1,800,000	-	1,369,851	76%	24,050	1,345,801	
School Bond Project	-	-	-	-	19	(19)	
Library Grants	61,700	-	30,119	49%	-	30,119	
Library Roof	250,000	-	70	-	-	70	
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	-	-	-	817	(817)	
Landfill Capital Project Fund	-	-	-	-	-	-	
Total Capital Projects & Other Funds	5,778,059	-	1,757,873	30%	642,822	1,115,051	
Total All Revenues	16,949,819	449,583	9,045,601	53%	7,664,688	794,590	

City of Dillingham
Revenues and Expenditures As of January 31, 2013
Preliminary Figures

EXPENDITURES:	Budget - FY13	Jan-13	Year to Date Actual - 1/31/13	Percent	Previous Year		
					1/31/2012 Actual	INC/(DEC) Last Year	
General Fund Expenditures							
City Council	88,800	9,264	32,966	37%	18,177	14,789	
City Clerk	132,282	7,812	68,799	52%	61,658	7,142	
Administration	319,445	20,821	168,935	53%	198,480	(29,545)	
Finance	581,108	46,562	320,744	55%	323,975	(3,230)	
Legal	135,000	1,523	94,148	70%	117,398	(23,251)	
Insurance	88,642	-	97,501	110%	86,141	11,360	
Non-Departmental	204,975	19,476	152,975	75%	159,138	(6,163)	
Planning	153,591	5,744	67,165	44%	61,122	6,043	
Foreclosed Properties	-	2,447	8,333	0%	114,871	(106,538)	
Meeting/Bingo Hall	3,680	326	1,844	50%	5,407	(3,563)	
Public Safety Administration	273,506	9,760	70,247	26%			
Dispatch	428,354	28,445	243,165	57%	278,190	(35,025)	
Patrol	577,921	26,688	278,476	48%	566,434	(287,958)	
Investigations/WAANT	126,659	-	59,084	47%			
Corrections	571,597	38,025	298,672	52%	328,081	(29,409)	
DMV	103,356	5,890	44,198	43%	48,819	(4,621)	
Animal Control Officer	131,564	7,965	71,635	54%	71,186	449	
Fire	299,447	17,900	87,741	29%	148,055	(60,314)	
K-9	83,719	8,533	54,882	66%			
PS IT	21,500	5,067	13,892	65%			
Public Works Administration	237,954	12,981	118,271	50%	63,553	54,718	
Building and Grounds	326,357	18,457	217,399	67%	165,923	51,476	
Shop	267,525	16,492	71,419	27%	102,964	(31,545)	
Street	605,656	39,662	343,594	57%	359,727	(16,133)	
Library	203,996	9,745	75,935	37%	78,484	(2,549)	
Museum	4,000	-	-	0%	-	-	
City School	1,300,000	325,000	975,000	75%	975,000	-	
Transfers to Other Funds	1,033,383	314,653	314,653	30%	-	314,653	
Total General Fund Expenditures	8,304,017	999,239	4,351,674	52%	4,332,782	(179,213)	
Special Revenue Funds Expenditures							
Nushagak Fish Tax							
Fish Tax Refunds	74,500	2,907	11,806	16%			
Transfer to General Fund	579,513	163,768	163,768	28%			
Transfer to Fisheries & Borough Funds	56,870	-	41,607				
5% Fisheries Fund	35,544	-	-	0%			
3% Borough Study	21,326	-	-	0%			
Water	224,479	5,946	103,980	46%	71,952	32,029	
WasteWater	263,138	12,331	170,742	65%	130,049	40,693	
Landfill	339,298	11,400	198,658	59%	185,165	13,492	
Dock	426,996	7,963	285,559	67%	205,151	80,408	
Boat Harbor	214,524	4,752	111,163	52%	99,318	11,846	
E-911 Service	14,060	5,446	49,462	352%	-	49,462	
Senior Center	469,969	20,352	275,459	59%	583,847	(308,388)	
Total Special Revenue Fund Expenditures	2,720,217	68,191	1,195,024	44%	1,275,482	(80,457)	
Capital Projects & Other Fund Expenditures							
Debt Service Fund Expenditures	1,177,840	-	1,174,590	100%	315,920	858,670	
Asset Forfeitures Fund					11,536	(11,536)	
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		639,888	(634,138)	
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%	136,098	1,101,162	
Homeland Security					17,607	(17,607)	
JAG Grant					31,780	(31,780)	
Equipment Replacement Capital Proj Fund Expen	100,000				-	-	
Ambulance Reserve Capital Project Fund Expen	38,000			0%	87,450	(87,450)	
Mary Carlson Estate Permanent Fund Expenditures	10,000	1,430	3,842	38%	5,148	(1,306)	
Landfill Capital Project Fund Expenditures					3,338	(3,338)	
Total Capital Projects & Other Fund Exp.	5,724,820	19,974	2,483,924	43%	2,398,456	85,468	
Total Expenditures	16,749,054	1,087,404	8,030,622	48%	8,006,719	(174,202)	
Revenues Over (Under) Expenditures	200,765	(637,821)	1,014,979			968,792	

City of Dillingham
Revenues and Expenditures As of January 31, 2013
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>1/31/2013</u>
General Fund	3,372,485	5,644,381	4,351,674	1,292,707	4,665,192
Water and Sewer	20,044	282,310	274,723	7,587	27,631
Landfill	-	160,781	198,658	(37,877)	(37,877)
Dock	1,179,047	391,452	285,559	105,893	1,284,940
Boat Harbor	-	57,969	111,163	(53,194)	(53,194)
E-911 Service	25,145	39,404	49,462	(10,058)	15,087
Asset Forfeitures Fund	9,035	-	-	-	9,035
Senior Center	-	288,875	275,459	13,416	13,416
Debt Service	-	217,674	1,174,590	(956,916)	(956,916)
Dock and Harbor Capital Project Fund	(18,386)	78,123	5,750	72,373	53,987
Road and Streets Capital Project Fund	-	-	-	-	-
WasteWater Treatment Plant	-	2,864	62,412	(59,548)	(59,548)
Water and Sewer Capital Project Fund	(218,388)	1,369,851	1,237,260	132,591	(85,797)
School Bond Project Capital Project Fund	393,520	-	-	-	393,520
JAG Grant	-	59,171	-	59,171	59,171
Library Technology	-	30,119	-	30,119	30,119
Library Roof	-	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	8,623,046	8,030,622	592,424	6,480,249

Mayor
Alice Ruby

Manager
Rose Loera



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Keggie Tubbs
Tracy Hightower
Paul Liedberg

MEMORANDUM

Date: February 26, 2013
To: Rose Loera, City Manager
From: Sonja Marx, Librarian
Subject: February Monthly Report

February has certainly been a snowy month. Twice we had to close the library due to blizzard conditions (Jan. 28th & Feb. 19th). The snow is so high in front of the windows now we can barely see out! The Library was closed for President's Day, Mon. Feb. 18th.

The Dillingham Public Library, Friends of the Library and the Imagination Library are hosting a Dr. Seuss' Birthday Celebration at the Library on Sat., Mar. 2nd during Beaver Roundup. The Cat in the Hat will be here to read a story, etc. There will be door prizes, dressing up as a favorite Dr. Seuss character, along with story apps, e-readers, and other materials to check out. The Library is closed Friday, Mar. 1st for Beaver Roundup.

The Library Board met this month as they are reviewing policies for patrons borrowing the new E-Readers (Nooks, Kindles, & Ipads) we received through a grant.

The FOL have been active during "Love Your Library" month with weekly drawings for Bag O' Books & Memberships. They are having Book Sales during Beaver Roundup with a 50/50 Cash Raffle drawing held at the Red Territorial School, Mar. 3rd at 3:30pm.

I failed to mention in the January report of the successful Ocean Arts Festival event on Jan. 19th that the FOL helped with. There was a great turnout for the activities as each child participating received a new "ocean" book funded by UAF. We are thankful to the Bristol Bay Campus for their support & allowing us to participate in this event each year.

Library Stat report for January 28th – February 23rd, 2013:

Patron Visits: 1,847 Computer Use: 621 Story Hour: 25

Other Visits: 59 Museum Use: 9 Videoconferencing: 0

Approximately 9.25 volunteer hours logged

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MEMORANDUM

Date: February 26, 2013
To: Rose Loera, City Manager
From: Jody Seitz, Director of Planning and Grants
Subject: February Monthly Report

February in Planning: This was a short month for me due to time off. I attended the Annual Alaska Mapping and Surveying Conference and the Southwest Alaska Municipal Conference during February 19 through 23, and have been catching up since then.

The Annual Alaska Mapping and Surveyor's Conference provided a GIS jam for everyone interested in Geographic Information Systems, ranging from agency personnel from the ADNR Recorder's office, to contractors, State Troopers, and municipal planners. The group discussion focused on the issues that municipalities (boroughs and small cities) face in developing and maintaining their GIS databases. It was clear that the GIS provides immense practical, time saving, benefits by providing many types of information all tied to specific places (georeferenced) including utilities, roads, parcels, addressing, soil types, hydrography, etc, but also that municipalities face important decisions regarding the development of the data, distribution of the information and continuing maintenance of the system.

I was able to make some great contacts that will help with experience distributing and maintaining the whole geodatabase, particularly the address database.

At that conference I also attended a session on gathering and maintaining utility information which demonstrated the use of GIS in utility maintenance. The Anchorage AWWU workers use ToughBooks in the field and record activities like cleaning the sewage lines and making repairs into a form that feeds directly into the database. This saves them a great deal of time by providing georeferenced information which is continually updated and only typed into the database once. This information is then used to calculate costs for the overall maintenance and operations of the system as well as calculate when replacement of particular lines is needed.

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City of Dillingham

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I also attended a hands on technical session which demonstrated ways to provide GIS products on line.

The Southwest Alaska Municipal Conference I attended on Friday with our City Manager Loera and Mayor Ruby and Councilmember Himschoot. The issues remain locked around energy and education, and development through fisheries.

Bear View Subdivision has been recorded. It is plat number 2013-05. This plat was initially brought to the Planning Commission in 2007 but was very complicated. It is notable because a variance was granted by the planning commission which allowed the landowners to subdivide without building a road, but allowed adequate space for a future road in a public easement which was also named Merlin Drive by the landowners.

ADOT Project 52799: Kakanak Road D Street to Squaw Creek: The finding by ADOT is that no historical properties will be affected by this project.

ADOT Project 57180 Downtown Streets: There will be geotechnical drilling this coming May in the project area of Main Street, D Street and Second Avenue West. Project documents with the description of these activities have been distributed to the Public Works and Public Safety Departments.

Committee on Subdivision access: This committee met twice while I was away. I have not received any notes on progress. It meets biweekly; next meeting is February 27 at 5.

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MEMORANDUM

Date: February 26, 2013
To: Rose Loera / City Manager
From: Jean Barrett / Port Director
Subject: Feb Monthly report

City Dock

Work on the dock office has started. We have moved furniture and have measured for underlayment and flooring. The type of flooring is still up in the air as we need something that will hold up to the daily dirt and grime. Windows have been measured and I am awaiting price quotes the doors also fall into this category. We hope to have all of the materials here and installed before the end of FY12.

Harbor Erosion

Rock is the furthest thing from most people's mind while it is a blizzard outside and there are 10 foot piles of snow all around, but I am getting price quotes for Rip Rap to stabilize the erosion on the East side of the harbor that was caused by the high winds last fall.

CDLs

Commercial driving tests are on my mind and would love to get some of the 50+ that are needed in the Dillingham area done before the busy summer season. Once again we are battling Mother Nature and the many feet of snow that we have gotten in the past few months. I hope to get the course set and at the very least get the tests done for the City employees that need an upgrade within the next few weeks.

Harbor

I have talked with a couple of local welders about some jobs I would like to get done before the busy summer months sneak up on us. Some of the projects in the works are:
- miscellaneous welding needed on a few leaky floats;

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City of Dillingham

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- I have been working on an idea for new hook ups for the float arms. If the design works it will be easier to move the floats in and out of the water but I need a welder to make it happen;
- one of the ladders on the bulkhead is in need of repair after it was damaged when a barge was slamming up against it in last fall's storms; and
- I am working on getting a grant that was made available to us last year from the Alaskan Leader Fisheries foundation. If I am successful in acquiring this grant I would like to have a platform and steps installed on the ice machine for safer access.

Bath House

The bathhouse is in need of a few repairs before this summer. The doors are in need of paint and a couple of the showers need minor repairs. The Contract for janitorial is up and will need to be put out to bid in the next few weeks.

Budget

I am working on the FY13 budget, with the City's overall budget being what it is, I am trying to get everything I need and keep it as close to actual cost as possible.

Hazwopper Training

Two weeks ago I attended a refresher course for my Hazwopper card. This was an annual 8 hour refresher that was held at the University of Alaska Bristol Bay Campus. Hazwopper, for those wondering, has to do with any hazardous material that may have been leaked or spilled into the environment and the correct way to deal with the clean-up.

Best Access Systems

We have a new contact here in Alaska for all of our lock and key needs. I have been in touch with them, and have been able to straighten out a couple of the issues we have had.

Tariff

I have re-worked the tariff revisions for the harbor user fees. I hope to meet with Manager Loera this week to go over them, and then bring them to the Port Committee for their final comments and then onto the Council for their approval. I hope to put the changes in place for the upcoming season.

That's all from the Port Department for February!
Happy Beaver Round-up!

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Paul Liedberg

MEMORANDUM

Date: 2-26-13
To: City Manager Rose Loera
From: Chief Dan Pasquariello
Subject: February 2013 Council Report (reporting period 1/25/13 to 2/24/13)

Patrol:

- ❖ 309 Calls for service
- ❖ 31 Incident reports
- ❖ 9 Persons arrested
- ❖ 8 Title 47/Protective custody
- ❖ 19 Citations issued

We have two new officers bringing our total 6 sworn officers (75% strength). One of the patrol officers was officially promoted to sergeant.

One of the new officers was hired with the assistance of BBEDC. This officer is currently being field trained and it will be a couple more months until he will be able to patrol on his own. This officer will then attend the Sitka Police academy in August.

The other new officer is a re-hire, having worked for the City in 2008/2009. This officer will only require a couple of weeks of field training before he will patrol on his own.

We have two viable applicants for the two vacant patrol officer positions. We are currently in the background check process.

The Chief trained the new officers, and the sergeant, to be certified Breath Test Operators. All of our officers are current in this certification.

The patrol division is planning to be present at numerous Beaver Round-up functions for both safety and community involvement reasons. The dispatch and Animal control divisions will also help out with events.

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All divisions are currently working on their budgets for the next fiscal year, as well as revising the department's procedure manuals.

Corrections:

- ❖ 29 Total Inmates
- ❖ 9 Title 47/Protective custody

One of the corrections officers was officially promoted to sergeant. There is currently a vacant correction officer position, created when one of the COs transferred over to patrol. We have received several applicants for the vacant position and hope to fill it soon.

The corrections division ordered a new restraint chair to replace the broken (*by an combative inmate*) one we currently have. The restraint chair is a rarely used, but necessary piece of equipment for both officer, and inmate safety.

All divisions are currently working on their budgets for the next fiscal year, as well as revising the department's procedure manuals.

Dispatch:

- ❖ 440 Calls for service
- ❖ 72% Dispatched to Dillingham Police
- ❖ 16% Dispatched to Alaska State Troopers
- ❖ 4% Dispatched to EMS/Dillingham Fire
- ❖ 8% Dispatched to Dillingham Animal Control
- ❖ 11 records requests completed

We are coming closer to resolving the lack of radio encryption problem. The Chief, Fire Chief, and IT person teleconferenced with the vendor and a probable solution was proposed. It will require sending parts of the system to the manufacturer for re-setting. It will not disrupt the non-secure communications currently in use.

The next project to be addressed will be the 911 interface from Nushagak Telephone Cooperative. Currently our 911 system acts as a fancy caller ID, with names but no locations given. The Chief, City Planner, and the IT person will meet with NTC to hopefully solve the problem.

All divisions are currently working on their budgets for the next fiscal year, as well as revising the department's procedure manuals.

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Animal Control:

- ❖ 7 Dogs/cats impounded
- ❖ 2 Shelter dogs/cats adopted out
- ❖ 4 Rabies/Parvo shot given
- ❖ 5 dogs/cats euthanized
- ❖ 11 citations issued
- ❖ 3 dog tags sold

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

All divisions are currently working on their budgets for the next fiscal year, as well as revising the department's procedure manuals.

DMV:

- ❖ 56 Registrations/Titles
- ❖ 54 Driver's license/ID's
- ❖ 2 Commercial driver's licenses
- ❖ 1 Road tests

All divisions are currently working on their budgets for the next fiscal year, as well as revising the department's procedure manuals.

WAANT:

Nothing reported

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Tracy Hightower
Tim Sands

MEMORANDUM

Date: February 25, 2013
To: Chief Dan Pasquariello
From: David B. Bivens, Fire Coordinator
Subject: February 2013 Department Head Report

SUMMERIZATION OF EMS RESPONSES

- Total of 13 Ambulance Transports
 - 2 Assault
 - 2 Chest Pains
 - 1 Fall
 - 1 Standby for Fire Run
 - 2 Medevac
 - 1 Difficulty Breathing
 - 4 Medical Call

SUMMERIZATION OF FIRE RESPONSES

- Total of 3 Fire Responses
 - 1 Structure Fire
 - 1 Carbon Monoxide Call
 - 1 Fire Alarm (Cancelled on scene at High School)

PROJECTS COMPLETED

- Combination meeting held for training on Cold Weather Rescue. There were 14 members that trained on Cold Weather Rescue Scenario's.
- Still working with the North Pole Fire Department on a grant for upgrading our Self Contained Breathing Apparatus (SCBA).
- The Fire Department members at Lake Road Station trained on the CEVO 3 Ambulance the Emergency Driving Program.
- All Ambulance billing is up to date.
- IPADS have been implemented on EMS Runs on 2-20-2013.
- Started vehicle checkouts on all Fire Department vehicles and inventory on each truck. This will be done every month to keep all Department vehicles ready to serve.
- 2 members on the department at UAF took Hazmat training.
- Started 3 Members in an ETT Class Online.
- Logging in AURORA all past training records.

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MEMORANDUM

Date: February 23, 2013
To: Rose Loera
From: Ida Noonkesser
Subject: Staff Report

I tallied all the lunch, Meals on Wheels, transportation, and information for the month of January. During January, the Senior Center served 360 congregate meals to 50 individuals, 137 to home delivered meals to 9 individuals, gave 316 assisted rides to 29 individuals, and 212 to unassisted rides to 30 individuals. I helped one elder getting a replacement Quest card for one that was damaged. I also helped nine elders apply for Permanent Fund Dividends online.

We had four 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.

Mr. and Mrs. Rodney Sampson donated a case of red salmon to the Senior Center. The donation is much appreciated.

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 was submitted on January 31, 2013 to the State. Joan Gone was happy with our report on the NTS grant.

I took a class on food service safety and took and passed my Food Safety Manager Certification on January 11. The UAF campus here was very helpful in setting it up for me. Thanks to Alice Ruby and Rose Loera to let me know about the class.

January 31st we did our deep cleaning, and this was the last day for Timothy Evans. He had applied last fall for internship with BBEDC and received short notice that he was due to go. We will miss him. We will be operating short-handed until we can hire a new cook. I will do the cooking and cleaning until then.

*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

I. CALL TO ORDER

The Code Review Committee met on Thursday, February 13, 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

Brenda Akelkok, Council Member - *absent and excused*

Guest(s):

Carol Shade, Finance Director
Adam Kane

III. APPROVAL OF MINUTES

A. Minutes of January 17, 2013

MOTION: Chris Maines moved and Manager Loera seconded the motion to approve the minutes of January 17, 2013.

GENERAL CONSENT: The motion passed without objection.

IV. APPROVAL OF AGENDA

It was suggested to place New Business first to allow Adam Kane to make a presentation, and to remove items A, B and F under item V. Unfinished Business, since there was nothing to present.

MOTION: Mayor Ruby moved and Chris Maines seconded the motion to approve the agenda as amended.

GENERAL CONSENT: The motion passed without objection.

(Clerk Note: New Business moved ahead of Unfinished Business)

VI. NEW BUSINESS

A. Review Proposed Ordinance to Amend Exemptions to Sales Tax – *Propose Ord. 2013-XX*

City Clerk Williams informed the committee they could recommend the existing ordinance in substantially the same form, and if the Council adopted it, there would be no need to go to an election.

Adam Kane reported he was proposing a tax exemption for the sales of locally produced and designed arts and crafts and locally grown fruits and vegetables, or products derived from livestock. From his studies he derived that more cultural activities helped to promote health, and improve the well-being of the community as a whole. He felt the City could easily support the arts and cultural assets through a sales tax exemption on all arts, and it would lessen the burden of collecting the sales tax for small vendors. He commented of the little opposition he received, it was mainly from people who commented the City needed every dollar it could get.

Discussion:

- asked if one of the reasons for the sales tax exemption was due to the collection process, answered he was informed it was a cumbersome process for a small operation;
- asked if a vendor who made less than \$10,000 didn't have to charge sales tax, answered no, there was a waiver for the payment on the business license only;
- asked if the purpose of the business license was to do business or to know who was doing business so the City could chase down businesses that should be collecting sales tax;
- suggested might waiver the business license and requirement to collect and pay sales tax if the projected sales was less than a set amount, suggested \$5K;
- suggested a definition for "Bristol Bay region" and art;
- asked for a reason for using the amount of gross sales of \$20,000 noted in the ordinance, noted it was based on a low income standard;
- noted the city's code provided that sales of property at temporary venues for annual civic events (ex. annual Christmas bazaar) to promote Dillingham to residents of Bristol Bay villages or to tourists are exempt from sales tax (DMC 4.20.050 Exemptions Section M);
- asked if locally made breads for sale not included in the proposed language would be exempt, answered would advise including it;
- asked if the community market was considered a temporary venue; and
- noted ten thousand dollars was used in the context of a home business that produced sales of goods or services produced from one's home which had not produced gross revenues of more than ten thousand dollars.

After some discussion, it was resolved that a subcommittee would be formed, including Mayor Ruby, City Clerk Williams, Manager Loera, and Adam Kane, and include someone from Finance, to work through the issues, and then bring what was worked out to the first committee either Finance or Code.

V. UNFINISHED BUSINESS

C. Regulate Commercial Licenses (Ex. Taxi Cabs)

Manager Loera commented as she had reported earlier at the Council meeting there were taxi services that were operating without business licenses, as well as businesses operating without licenses, and not submitting sales tax. She noted the City was trying to enforce the code by requiring that the business apply for a license, but needed to put some teeth in its ordinance. Finance Director Shade noted one member of the Finance staff was totally focused on collecting back taxes.

City Clerk Williams addressed the business license penalty of \$100 per day beyond the 45th day without a license, and was suggesting the committee look at this piece of the code before it began its enforcement procedures. Finance Director Shade noted the staff was imposing a penalty for late filing to \$150 after 45 days (\$50 for the license and a \$100 penalty), and that it had already been implemented prior to her time when it was referenced in a memo for adoption dated early 2007 from the former manager, and assumed it was going to pass.

Discussion:

- noted the intent of the code was to get businesses to get licenses, but the super high penalties were more problematic, because it would scare people off from coming to City Hall and making amends;
- commented by not complying with the request to have a business license was considered a civil issue that would be administered through the court system.

Chair Liedberg reported an ordinance would be drafted for review at the next meeting that would amend the code as it was currently implemented, for Council approval. Manager Loera noted she would contact the Attorney about what action the City could take to stop services that were not licensed.

D. Review Library Code Suggested Changes

Manager Loera noted the intent of the changes was to make the language in the Library Board code consistent with other advisory boards.

It was discussed that the structure of the two boards, Library Board and the Friends of the Library, would be reviewed at a later date, possibly comparing with the structure of Friends of KDLG.

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

A recommendation was made to change Section 17.15.030, Item C. from "If no approval is received" to read "If no action is taken".

MOTION: Rose Loera moved and Mayor Ruby seconded the motion to recommend the ordinance as amended to the Council.

GENERAL CONSENT: The motion passed without objection.

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

City Clerk Williams noted she was waiting to hear from the Attorney whether or not the tax refund for real property owners could discriminate between residential and business property owners.

Manager Loera provided a graph comparing the food stamp guidelines to several other poverty guidelines, noting the federal poverty guide was very close to the food stamp eligibility guidelines. She commented a person could make a lot more money, be eligible for LIHEA standards, and not qualify for food stamps. Mayor Ruby noted the intent of the refund was to establish something that wouldn't be so cumbersome to manage and try and match what CFEC required on their permit renewal.

It was noted the code read if the applicant fell within the eligibility standards for food stamps, not that they had applied for food stamps, and the City could require that they provide their prior year's income tax return. The group agreed the code was fine as is.

The outstanding issues were related to the refund against real property which would be brought back to the next meeting:

- could the refund discriminate between residential and commercial property;
- if a commercial property was owned by several permit holders seeking a refund, could both use the property as a refund; and
- if two permit holders owned the same residential property could both ask for a refund.

VII. PUBLIC COMMENT/COMMITTEE COMMENTS

Chair Liedberg thanked the group for their discussion and participation.

There were no other public or committee comments.

VIII. ADJOURNMENT

The meeting adjourned at 7:07 p.m.

Paul Liedberg, Chair

ATTEST:

Janice Williams, City Clerk

Approval Date: _____

I. CALL TO ORDER

The Finance and Budget Committee met on Monday, February 7, 2013 at the City Council Chambers, Dillingham, AK. Bob Himschoot, Chair, called the meeting to order at 5:31 p.m.

II. ROLL CALL

Committee Members present:

Bob Himschoot, Council Member, Chair
Alice Ruby, Mayor
Keggie Tubbs, Council Member
Tracy Hightower, Council Member
Rose Loera, City Manager
Carol Shade, Finance Director

Guests:

David Bivens, Fire Dept. Coordinator

III. APPROVAL OF MINUTES

A. Minutes of December 17, 2012

MOTION: Keggie Tubbs moved and Alice Ruby seconded the motion to accept the minutes of December 17, 2012.

GENERAL CONSENT: The motion passed without objection.

IV. APPROVAL OF AGENDA

Request was made to move item VI.C. to the top of the agenda.

MOTION: Rose Loera moved and Alice Ruby seconded the motion to approve the agenda as amended.

GENERAL CONSENT: The motion passed without objection.

V. STAFF REPORTS

A. Review of Financial Statements

Finance Director Carol Shade reported on the following:

- for the December 31 financials, expenses were over for several categories including: legal, due to union negotiations, and buildings and grounds, which was attributed to overtime;
- statements had gone out to all overdue property accounts with a notice that payment was due in full by February 28, or make arrangements with the finance dept. for a repayment plan. Unpaid accounts would be subject to foreclosure after this date unless other payment had been made;

- the new accounting software allowed them to produce a report that would help them to monitor the City's collections over time. The aging report included prior year's overdue amounts as well, which would be broken out in the future.

Manager Loera noted Attorney Patrick Munson had provided substantial training with the Finance Department on small claims collection.

Staff confirmed that amounts from prior years that were collected would not increase this year's revenues since they had already been accounted for as revenue in the year they were billed, but collecting the overdue money would increase the City's bank funds.

B. Preview FY 2013 Mid-Year Budget Amendments

Manager Loera reviewed some proposed adjustments to the budget, noting that the decrease in the FY2013 expenses was attributed to suggestions brought forward by the individual department heads. She commented that it would be difficult to gauge at this time whether or not the City would balance its budget, but would continue to monitor it including overtime, and felt the City was trending in the right direction.

Discussion:

- voiced concern if the Council needed to take more extreme action to make sure the budget was balanced, and felt the City needed to work on having a balanced budget.

(Clerk Note: Keggie Tubbs noted "for the record" that he had not talked a lot at the meeting, referring to the meeting going longer than anticipated.)

- spoke in favor of staff producing an ordinance that showed how the anticipated adjustments being proposed would affect the bottom line; and
- noted that staff would research the code to find out if a mid-year budget review was required.

Manager Loera commented that the State required a termination study be done if a class of employees was eliminated, which might only consist of one employee. Depending on the results of the study, the City could well be paying the State PERS the retirement cost of that position for a long time. She felt the FY14 budget would be the time to talk about making adjustments in some departments, but if the Council wanted a balanced budget, she could work toward it.

Manager Loera reported some changes had been made at the Senior Center including looking for a $\frac{3}{4}$ time position to fill the cook position.

VI. UNFINISHED BUSINESS

A. Fiscal Policy Development

1. Overall Rate Review

a. Water and Wastewater

Manager Loera noted the City should be receiving the results of the study soon. She would ask the consultant if they were going to evaluate what it would take for user fees to become a capital investment reserve account.

b. Landfill

Manager Loera distributed a copy of the user fee sheet that had been created to help simplify the rates that were outlined in the ordinance. The user fee sheet was being handed out to customers that were dropping off trash at the landfill.

Discussion:

- spoke in favor of the user fee sheet that he felt it had diffused a lot of the guess work.

c. Harbor Fees

Manager Loera reported the Port Committee had reviewed the proposed fees and were meeting in February to continue their review.

B. Animal Shelter Facility

Manager Loera reported she had looked at several options: building something inside the back of the green dock warehouse, and subdividing a part of the National Guard building, which she felt was the easiest and cheapest option. She noted there would be more info to come.

C. Ambulance Fees Policy

David Bivens, Fire Dept. Coordinator provided an analysis of the ambulance transports by type for the last two years (2011 and 2012). The analysis included proposed increases for residents and non-residents that would be covered through medicare and health insurance in most cases. The proposed rates had been compared with other Alaskan communities.

He noted the example of non-transports who may need some care that was not a medical emergency, and didn't want to or need to go to the hospital, and suggested it might be in order to charge a fee after so many times when they became an habitual caller.

Discussion:

- commented would like to see a legal definition for resident and non-resident, and to research if the City could legally have two rate structures;
- commented it would be in order to have a fiscal policy that addressed when transports should not be billed, citing examples of when it was a volunteer (has been formalized in a resolution), and when a police officer who is not medically trained may call for an ambulance, although the person did not agree to be transported to the hospital;
- commented before there was an increase in rates, would need to know the reason why, and provide suggestions for applying the additional revenues, training, member recognition, etc.;
- commented that there had been a resolution adopted some time ago that dedicated the fees for the replacement of ambulances, but could be redesignated; and

-
- asked if the budget line item, member recognition (volunteer fire and EMS), could be used to establish a reimbursement program for personal use of gas.

Manager Loera noted they were not tied to a timeline to make a decision on the proposed increases, but would expect to continue to work on this item.

David noted he would be looking for Council support to request the State's help to fund the upgrade of its self-contained breathing apparatus, based on the National Fire Protection Association's standards which would eliminate the ability of fire departments to use their existing inventory, forcing additional cost to replace air-bottles.

D. Update Analysis of Nushagak Raw Fish Sales Tax

Manager Loera reported the raw fish sales tax penalty and interest were being recommended for change in order to be consistent with sales and property tax penalty and interest.

E. Sales Tax Audit – Calendar Year 2011

Manager Loera reported 17 businesses had been selected, of which 2 were nonresponsive, 8 businesses were supported through sales journals and bank deposits, 7 had an untimely filing of monthly returns, for which some had made quarterly reports, because they were unaware they needed to file monthly over a certain amount. One business did not want to provide bank statements, and could be assessed a \$300 penalty according to Code. The Manager wanted to be assured she would be supported if the City was to pursue enforcement.

Discussion:

- noted the purpose of the audit was to bring the City to the next step, which was enforcement;
- asked the staff to seek legal opinion to clarify Point of Sale (POS) for the purpose of assessing City sales tax, citing one example of a contractor based out of Dillingham but building a home outside the City limits, would City sales tax be assessed;
- asked about assessing sales tax on air taxi services, could be a future discussion;
- suggested the committee could review the threshold for filing monthly reports over quarterly reports; and
- agreed the City should move forward with following up with the audit.

VII. NEW BUSINESS

A. Choggiung Ltd. Survey of Landfill Area

Manager Loera reported that the City had traded some of the school property on Waskey Road under ANCSA 14 (c)(3) for 80 acres for the landfill. In order for Chog to finish the land process they needed a survey, and were asking the City to pay for the entire survey since they did the swap at the City's request. The cost would be around \$20K.

Discussion:

- was of the opinion that there was a past survey already done and a deed would have been issued to the City for the current landfill; and

- suggested since Choggiung was not pushing the City to have the survey done soon, it could be budgeted in FY2014.

VIII. PUBLIC/COMMITTEE COMMENT(S)

Keggie Tubbs:

- asked if the audit reports could be distributed in advance of the workshop; and
- commented the City was reassessing property values, was in the process of reviewing user fees for harbor, ambulance, water and sewer, and was concerned this was a lot of increases to implement in one year.

Tracy Hightower: no comment

Carol Shade: no comment

Mayor Ruby: no comment

Manager Loera: no comment

Bob Himschoot:

- noted he appreciated all of the reporting information provided by staff and felt the committee was making a lot of headway because of it.

IX. ADJOURNMENT

The meeting adjourned at 8:13 p.m.

Bob Himschoot, Chair

ATTEST:

Janice Williams, City Clerk

Approved: _____

I. CALL TO ORDER

The School Facility Committee met on February 8, 2013 at the Dillingham Council Chambers, Dillingham, AK. Mayor Ruby called the meeting to order around 12:26 p.m.

II. ROLL CALL

Committee Members present:

Mayor Alice Ruby
William McLeod, School Superintendent
Rose Loera, City Manager
Bernina Venua, School Board President
Bob Himschoot, Council Member
Kim Williams, School Board Member
Russell Nelson, Director of Facilities (School)

Committee Members absent and excused:

Robin Samuelsen, Citizen Member
Malcolm Brown, Public Works Director

III. APPROVAL OF AGENDA

Manager Loera asked to add item VI.C, School Bond Remaining Funds.

MOTION: Rose Loera moved and Bill McLeod seconded the motion to approve the amended agenda.

GENERAL CONSENT: The motion passed without objection.

IV. APPROVAL OF MINUTES

A. Minutes of September 19, 2012

MOTION: Bill McLeod moved and Bob Himschoot seconded the motion to approve the minutes of September 19, 2012.

GENERAL CONSENT: The motion passed without objection.

V. UNFINISHED BUSINESS

A. Update Affordable Teacher Housing (review with Chamber of Commerce)

Mayor Ruby reported she had discussed this item briefly with the new Chamber president and would follow up. She noted that originally the Chamber was going to

spearhead a housing survey, and create a forum where rent owners and organizations that needed housing could convene and address housing needs in the community.

B. Progress Report on Red Territorial School

Bill McLeod reported Jeff Wilson, architect, had identified some areas to allow the renters to remain in the building and meet fire code:

- Installed smoke detectors,
- ordered windows, but were yet to be installed; and
- removed a door in between the apartments.

However, following an update of the assessment to meet code, there were more immediate needs that were pointed out, including the foundation walls were failing, a couple of basement columns were failing, some egrs and exits needed to be addressed as handicap issues, and some mechanical and related work. The architect had submitted a proposal to do an assessment that would cost around \$24K to identify the cost of repairs to put it out for bid.

Supt. McLeod had since given eviction notices to the tenants notifying them due to the code violations they would need to vacate by June 30, which was the end of their lease period.

He had also received a major assessment of the building looking at several scenarios including keeping apartments upstairs and using the middle floor for one of three options: office space, an alternative map school, or additional living quarters. He noted the architect had advised the basement could only be used for storage. The City was provided with two full sets of the assessment, each with a different scenario.

Supt. McLeod noted he would also ask the architect to add the architectural assessment for a new facility with similar square footage. There was money from rent collections to pay for the assessment.

The committee scheduled a meeting for Friday, February 15, at 1:30 p.m., in the Council Chambers, to review the options with the goal of recommending an option.

C. Progress Report on MOU Between the School and City

Supt. McLeod reported the proposed draft had been reworked several times, but felt both the School and the City reps were now in agreement, which included identifying some areas for records and other storage, for both the city and school, and that conditions were put on tenant's pets.

1. Tenant Lease Agreements

Manager Loera reported this item was to address the indemnity clause that was added to the tenant agreements protecting the City in the case of a fire, since there was no fire suppression system in the building.

City representatives reported they were regularly monitoring their budget. The raw fish sales tax came under what was projected for FY 2012, but without it would have resulted in a huge deficit budget due to unforeseen events. The City was working to tighten up its collection processes and was analyzing user fees for various services, noting ambulance fees were the lowest in the State.

School to follow up on the impact of revenues received for migrant students.

(Kim Williams departed the meeting at 2:01 p.m.)

C. School Bond Remaining Funds

Manager Loera noted there was around \$335K remaining, including holding back \$35,000 for administrative oversight for reporting requirements. One of the ideas recommended by Steve Cropsey was to reimburse the school for self-funding the roof over the band room, about \$200,000. Russell Nelson noted a major priority was additional reroofing needs, which were already on the priority list.

Supt. McLeod noted this could be revisited during the annual inspection, and needs could be reprioritized. It was noted the City would be reroofing the library roof, and maybe the school could be done at the same time.

This agenda item would be kept on the agenda for the time being.

VII. PUBLIC COMMENT/COMMITTEE COMMENTS

Bill McLeod:

- commented he really appreciated the good working relationship between the City and the School.

Rose Loera:

- agreed she appreciated the good working relationship between City and School; and
- asked if the City and School had ever discussed combining their accounting services.

Mayor Ruby noted the City and School had combined accounting services in the past, but was not averse to looking for ways to save money, and encouraged conversation. Supt. McLeod agreed it was something that could be looked at.

Mayor Ruby:

- commented she appreciated the relationship between the City and School, noting there were six members on the committee who had graduated from the DCSD, so there was a real sense of ownership.

- D. Property Fence between Fish and Game and School Property (reminder to add to priority list)

Supt. McLeod commented there was some dated correspondence which noted at the time the "transfer occurred" there was an obligation by the owners, City and School, to install and maintain a fence. Over the years, the fence had fallen apart, most likely from snow equipment removal. Russell Nelson noted this item was not on the School's priority list, but felt it would cost a lot of money to build a new fence, and would be a futile effort, since this was where the snow was piled, and it would be easily ruined. The committee agreed to remove this item from their agenda.

- E. Schedule an Annual Inspection (refer to the 2012 School Facilities Annual Inspection)

City Manager Loera noted she would contact Steve Cropsey to see if he was available to conduct an annual inspection on the schools and meet the budget schedule.

Russell Nelson reported some of the wall carpeting was finally repaired, not by the original installer while it was under warranty, but by a local contractor who had done a wonderful repair job.

VI. NEW BUSINESS

- A. Legislative Activities in 2013 – Focus of Lobbying Efforts/Trips to Juneau

Manager Loera reported that she was accompanied by two Council members to Juneau. The City had prioritized about 15 projects, with wastewater treatment being the number one priority, but also looking for funding for a planning grant for the public safety and downtown fire department buildings, and for landfill improvements.

Bernina Venua reported that they essentially visited Juneau to request an increase in the BSA (Base Student Allocation), which had remained flat for the last four years. Bill McLeod noted the legislators indicated the schools probably wouldn't get anything more, but there were other areas they were visiting for possible cost savers, like health insurance sharing, and funding for technical education.

Mayor Ruby reported the City would plan to contact the legislators to advocate for the schools.

- B. Preliminary Budget 2013 – Funding from City and State

Bill McLeod reported the school budget would be based on the same funding from the City as FY 2013, which was \$1.35M.

Bob Himschoot:

- wished Russell Nelson a Happy Birthday.

Bernina Venua:

- noted she was looking forward to continuing to work with the committee.

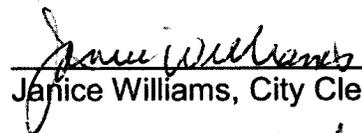
VIII. ADJOURNMENT

Mayor Ruby adjourned the meeting at 2:16 p.m.



Alice Ruby, Chair

ATTEST:



Janice Williams, City Clerk

Approved: 2/15/2013

I. CALL TO ORDER

The School Facility Committee met on February 15, 2013, at the Dillingham Council Chambers, Dillingham, AK. Mayor Ruby called the meeting to order around 1:30 p.m.

II. ROLL CALL

Committee Members present:

Mayor Alice Ruby
William McLeod, School Superintendent
Rose Loera, City Manager
Bernina Venua, School Board President
Bob Himschoot, Council Member
Russell Nelson, Director of Facilities (School)

Committee Members absent and excused:

Kim Williams, School Board Member
Robin Samuelsen, Citizen Member
Malcolm Brown, Public Works Director

III. APPROVAL OF AGENDA

The agenda was approved by unanimous consent.

IV. APPROVAL OF MINUTES

A. Minutes of February 8, 2013

MOTION: Rose Loera moved and Bill McLeod seconded the motion to approve the minutes of February 8, 2013.

GENERAL CONSENT: The motion passed without objection.

V. UNFINISHED BUSINESS

A. Review Options for Territorial School

Mayor Ruby noted the committee's objective was to attempt to recommend an option to the Council: 1) keep or doze, 2) recommend use, 3) recommend how they would go about getting there, and 4) who would take the lead, including managing the facility.

1. Review Cost for New Facility

Mayor Ruby reported she had received some information from Dave McClure of BBHA, regarding building costs.

A rough estimate for a new building could easily run \$330 to \$360/per square foot depending on location, which would include site survey, site prep, and provision of all utilities, on the existing grid, typical driveway, pipe to the street for water and septic. Commercial costs could easily run \$500/per square foot. The cost of new construction could be around \$2.8M. He had estimated the cost of renovation to be around \$200/per square foot.

Discussion:

- noted the engineer thought if the building was declared an historical building, its use was flexible, upstairs could still be apartments, basement could still be storage, but some portion of the main floor would be designated as an historical area to commemorate the building;
- commented by putting the building on the State's historical registry, other communities had found that it came with a multitude of regulations and restrictions;
- acknowledged that from the assessment of the building, the basement could only be used for storage, school was in favor of maintaining the upstairs for apartments, which could also be renovated for offices, classes, or apartments;
- noted a sprinkler system was necessary for apartments and classes, but not office space, but the study did not show sprinklers if used for classrooms;
- opined that the report in total wasn't comprehensive, because it held the third floor separate, [housing];
- asked why the school would want to keep the O&M cost and other expenses on the building, especially if it wasn't going to be used for classrooms, answered there were two recurring conversations: 1) using the existing administrative office space for instructional use, and 2) strategic planning had shown there was a need in the community for affordable teacher housing;
- commented the City had worked hard to stay out of competing with private industry, but suggested creating a business plan to demonstrate how housing rental units could be operated;
- asked where the City and School's records would be stored and staged if the basement was no longer used;
- commented the City could apply for a grant with BBEDC to help search for sources of funding that might be available for restoration of the building;
- commented would have to review the site again to take into account parking needs, etc.
- resolved that the building had historical value, the public would demand that it was in the City and School's best interest to keep hold of the building, and as far as functional space, the replacement value on the building was much higher than renovating it for some use;
- resolved that the recommended use based on the architect's work showed the choices that were the most feasible were residential or office usage, either or both of those would be more compatible with the neighborhood;

- resolved would contact a consultant about searching for sources of funding;
- resolved staff would further explore recommended use of the building, all one use or mixed use; and
- asked if the architect could be consulted regarding an HRV system in the tight envelope he was suggesting, especially if the building was to be used for apartments, and was it necessary to remove the fairly new standing seam metal roof and replace with asphalt shingles as he was suggesting.

The next meeting was set for March 20.

Mayor Ruby reported there was several types of bonds; 1) GO (General Obligation) Bond, that would have to voted on; 2) a revenue bond which could be approved by the Council without voter approval, but it would have to be based on having a revenue source to make bond payments. Some of the advocates for using the Territorial School for the MAP school had suggested the Council taking on this bond and using the apartment rental fees to pay for the building.

VI. NEW BUSINESS

There was no new business.

VII. PUBLIC COMMENT/COMMITTEE COMMENTS

There were no public or committee comments.

VIII. ADJOURNMENT

Mayor Ruby adjourned the meeting at 2:55 p.m.

Alice Ruby, Chair

ATTEST:

Janice Williams, City Clerk

Approval Date: _____

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.~~ 10. 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

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: March 7, 2013

Council Action: This ordinance was introduced at the February 7, 2013.

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.

The ordinance in its present form 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 occurred. The attached five pages provide a thoroughly detailed description of the duplicated language.

Since this ordinance was introduced, Atty. Patrick Munson presented the information we were looking to receive on late filed appeals. It has not been vetted through the Code Review Committee. This change will substantially change the ordinance that was introduced February 7 and up for a public hearing March 7. **When this ordinance comes up on the agenda to recommend adoption, the Council will be informed that the Code Review Committee has more work to do on the ordinance. As a result, this ordinance will be recommended for postponement and a substitute version will be presented at the next Council meeting.**

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. 10.~~ 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.)

NON-CODE ORDINANCE

Introduced: March 7, 2013
Public Hearing: April 11, 2013
Enacted:

CITY OF DILLINGHAM, ALASKA

ORDINANCE NO. 2013-03

**AN ORDINANCE OF THE DILLINGHAM CITY COUNCIL AMENDING THE BUDGET
BY ADOPTING BUDGET AMENDMENT NO. 1, AND APPROPRIATING FUNDS FOR
THE FY 2013 CITY OF DILLINGHAM BUDGET**

This ordinance will be distributed at the March 7, 2013, Regular Council Meeting.

CITY OF DILLINGHAM, ALASKA

ORDINANCE NO. 2013-04

AN ORDINANCE OF THE DILLINGHAM CITY COUNCIL AMENDING SECTION 17.15.030 OF THE DILLINGHAM MUNICIPAL CODE TO CHANGE THE LANGUAGE REQUESTING COUNCIL TAKE ACTION ON PLANNING COMMISSION RESOLUTION TO RECOMMEND VACATION OF AN ALLEY FROM "30 DAYS TO VETO" TO "45 DAYS TO APPROVE" A RECOMMENDED VACATION

WHEREAS, the DMC Section 17.15.030 requires that a Planning Commission recommendation for a vacation of any alley be referred to the Council; and

WHEREAS, the Council has 30 days to veto the recommendation; and

WHEREAS, the wording "30 days to veto" has caused some confusion since the normal course of action is to present the resolution asking for approval, not for a veto; and

WHEREAS, it has been determined that there is no legal reason to prevent the City from changing the wording;

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

Section 1. Classification. This is a code ordinance.

Section 2. Amend Section 17.15.030 Determination and recording. Section 17.15.030 of the Dillingham Municipal Code is hereby amended to read as follows (Text displayed in underlined font and deleted text displayed in strike out font.):

17.15.030 Determination and recording.

- A. Following the public hearing, the planning commission shall make its decision on the merits of the proposal.
- B. If vacation of a city street or other public area is involved, the petition shall be forwarded to the city council with a copy of the planning commission recommendation.
- C. The council has ~~thirty~~forty-five days from the date of the decision of the planning commission in which to ~~veto~~ approve a recommended vacation. If no ~~veto is received~~ action is taken, consent is considered to have been given and the planning director shall notify the planning commission and the applicant.
- D. If the vacation, alteration, or replat is approved, the revised plat shall be acknowledged and filed in accordance with AS 40.15, as amended from time to time. (Ord. 90-03 § 1 (part), 1990.)

Section 3. 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: Introduce Ordinance No. 2013-04, An Ordinance of the Dillingham City Council Amending Section 17.15.030 of the Dillingham Municipal Code to Change the Language Requesting Council Take Action on Planning Commission Resolution to Recommend Vacation of an Alley from "30 Days to Veto" to "45 days to Approve" a Recommended Vacation

Agenda of: March 7, 2013

Council Action:

Manager: Recommend approval

City Manager: Rose Loera
Rose Loera

Route To:	Department / Individual	Initials	Remarks
X	Planning Director / Jody Seitz	JOS	
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. It came about as the result of two resolutions from the Planning Commission to the Council in which the Council had thirty days from the date of the decision of the Planning Commission in which to veto a recommended vacation. The standard practice is to present a resolution asking for approval, not veto. It was recommended that the language be changed to conform to standard practice and avoid unnecessary confusion. This was legally advisable. To ensure the Council would have ample time to act on a resolution requesting the vacation of an alley, the number of days was increased from 30 to 45 days.

**Dillingham City Council Strategic Plan
January 2013**

Purpose

Support and strengthen the community of Dillingham

Values

Fiscal responsibility | Opportunity | Respect | Environment | Healthy Transparency

Long-Term Goal (2018)

The Dillingham City Council is high performing, actively maintaining internal capacity and effectively addressing community infrastructure needs.

- *In order to be high performing, the Council recognizes the need for sound internal structure. This means enhancing the functionality of staff and committee structure as well as improving financial oversight by identifying fiscal priorities. This goal is dependent in large part by operating under best management practices.*
- *Externally, the Council also recognizes the need to better evaluate and identify capital needs and assess physical infrastructure within the community while creating, maintaining and strengthening partnerships.*

Near-Term Goals (2014)

The Dillingham City Council has internal capacity documents in place, key staff positions filled, fiscal priorities identified, with healthy and active community partnerships in place.

Staff/Committee Structure: Documents to support and retain a high quality workforce to serve the community are in place. This includes staff job and committee roles and responsibility descriptions.

- Develop strategies to recruit and retain core management staff
- Develop plan to enhance relationship with law enforcement and community engagement.
- Finance Committee active

Fiscal Responsibility: Monthly finance and budget meetings and quarterly review of finances are in progress and 2015 budget approved. CBDG Grant submitted.

Capital Infrastructure: Community Services infrastructure (Senior Center, Water and Sewer, Landfill, Animal Shelter) evaluated with needs prioritized.

- Facility plan for wastewater approved and in place
- Library roof replaced

Partnerships: Key community partners are identified with MOA/MOU's in place to share equipment needed to maintain physical infrastructure.

Annual Operating Plan and Short-Term Goals (2013)

Staff/Committee Structure:

- Revisit, revise and develop job/committee descriptions (Council)
- Establish a committee to identify the Council's role in pursuing or supporting an energy plan and advocating for power cost equalization. (Mayor)

Fiscal Responsibility:

- Commence monthly finance and budget meetings and quarterly review of finances. (Finance Committee)
- Recruit members to sit on Finance Committee. (Council)
- Conduct an analysis of city fiscal priorities and create plan for operational needs. (Staff)
- Identify/develop/prioritize procedures that include collection and direct impact revenue. (Staff to draft, with Council input)
- Mid year 2013 budget review and develop 2014 annual budget. (Finance Committee)

Capital Infrastructure:

- Secure animal shelter facility. (Council/Staff)

**Dillingham City Council Strategic Plan
January 2013**

- Assess condition of community owned facilities and prioritize infrastructure replacement while exploring temporary leases. (Staff)
- Secure funding to replace Library roof. (Council/staff)
- Apply for Landfill permitting. (Staff)

Partnerships:

- Identify and strengthen community partnerships. (Council/staff)
- Establish regular meetings with key partners to meet community needs including but not limited to park safety. (Staff to coordinate, council to lead)

**Dillingham City Council Strategic Plan
January 2013**

What is going well?

Stable leadership—department heads are filled
Cohesive council/works together
Engaged citizens (can we use this energy more efficiently)
Behaving as the hub community that we are (7 or 8 surrounding smaller communities)
Good reputation with legislatures
Taking ownership of our responsibilities
Natural resources are managed well (fish, moose, berries)
Accomplished a lot of projects/improvements (critical improvements)
Navigate through challenging situations
Successful partnerships

What's not going well?

Reactive/emergency mode (like to be proactive)
Lack operational goals for services to assist with funding services
Public Relations/Outreach
Lack of procedures (operational)/orientation processes (Policy and Procedures)
Set policies (public/safety)
Budgetary situation (improve)
Unknown employee satisfaction
Structure public involvement
Staff structure

What would you like to start doing by tomorrow?

Strengthen collection practices [procedures]

What would you like to stop doing by tomorrow?

Being in the hole
Fighting about the annexation
Extraordinary legal expenses
Being reactive
With infrastructure capital equipment needs

What's your vision for the next five years? Identify top three priorities?

Bob
Fiscal sustainability
Address capital concerns and physical infrastructure
Stable staff

Paul
Fiscal sustainability
Identify procedure/outcomes of city services
Staff Development retention

Alice
Fiscal stability

**Dillingham City Council Strategic Plan
January 2013**

Identify procedure outcomes city services
Staff development retention

Rose
Fiscal Stability
Identify procedure outcomes city services
Staff

Keggie
Fiscal Sustainability
Addressing capital concerns
Energy

Chris
Fiscal Sustainability
Addressing capital concerns

Pursue Energy Plan
Identify specific strategies to energy costs
Rules and Responsibilities for committee 12-18 months
Create maintain and preserve partnerships within the communities (quarterly outreach (12 months) (this is ongoing)

Questions:

Identify strategic goals via the **Strategic Plan**

Operating plan – typically identifies goals and who is assigned to those goals in a 12-18 month time period

Tactical plan – developed by the staff to meet strategic goals set by the Council

Draft statements used to develop Purpose:

Dillingham—provide services that don't make sense as a private enterprise

Services we offer to the community (defines the city government)

Port, landfill, senior center, public facilities

Enhance, sustaining, quality, public safety, landfill, public works

Maintain

Sustain

Create an environment where the community can be successful

Quality of life

Strengthen

Create an environment that strengthens the community

Create an environment that maintains the strength of our community

Support an environment that makes our community successful

Maintain the quality of life in our community and support an environment of opportunity

Our community, your police force

Provide an environment that adheres to the values of our community

Financial wealthy/healthy residents

Strength-fiscal, human element/wellness, physical structure, safety

City of Dillingham Action Memorandum No. 2013-01 – Approve City of Dillingham to Join Curyung Tribe, Southwest Alaska Salmon Habitat Partnership, and the Bristol Bay Heritage Land Trust as Co-Applicant on Instream Flow Reservation Application Filed with ADNR for Several Tributaries in the Nushagak Watershed

Agenda of: March 7, 2013

Council Action:

Manager: Recommend approval.

City Manager: *Carol Shade, Acting City Manager*
Rose Loera

Route To:	Department / Individual	Initials	Remarks
X	City Clerk / Janice Williams	<i>JW</i>	

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

Other Attachment(s):

- Memo on Instream Flow Reservation Applications
- Letter from Tim Troll, Executive Director, Bristol Bay Heritage Land Trust
- Allen River Sub-Basin Information
- Letter from Tim Troll, Chairman, SW Alaska Salmon Habitat Partnership
- Mulchatna River Instream Flow Report
- Stuyahok River Instream Flow Report

Summary Statement.

Excerpt from Memo on Instream Flow Reservation Applications:

Issue: Current Alaska law A.S. 46.15.145 allows federal, state, and local governments, non-governmental organizations and individual persons to apply for and obtain a reservation to keep water in a river, stream or lake. The law allows these reservations to protect fish and wildlife, recreation, navigation, and water quality. These three organizations have filed or will soon be filing applications to reserve water for the protection of fish and recreation on several tributaries of the Nushagak River. Until recently non-governmental organizations and individuals were encouraged by ADNR to file applications (see the language from ADNR website) Now, however, the Governor and the ADNR have reversed course and filed legislation (HB77 and SB26) to take this right away from non-government organizations and individuals and cancel all pending reservations made by them. The Governor's bill treats tribes as non-governmental organizations.

Action Requested: That the City will advise ADNR that it wishes to join the applications for pending reservations of the Curyung Tribe, the SW Alaska Salmon Habitat Partnership and the Bristol Bay Heritage Land Trust. The Governor's bill does not take this right away from Alaska's municipal governments and for that reason these organizations are asking the City to become a co-applicant on these reservations. A co-application by the City should protect existing priority filing dates and preserve the substantial investment of time and money (over \$1M in the last 6 years) these organizations have incurred gathering the scientific data

necessary to support these applications. If the City agrees, it will become co-applicant with the Curyung Tribe on nine reaches of the Kuktuli River; with the Southwest Alaska Salmon Habitat Partnership on two reaches of the Mulchatna River and one reach of the Stuyahok River; and with the Bristol Bay Heritage Land Trust on one reach of the Allen River.

Cost: The City is not expected to incur any cost as a result of joining these instream flow reservation applications. The \$1500 fee per reach has already been paid to ADNR and the costs of collecting the data and completing the reservation process through adjudication by ADNR will continue to be bourn by the original applicants.

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

SEAL:

Alice Ruby, Mayor

ATTEST:

Janice Williams, City Clerk

Description of the Instream Flow Reservation Process from ADNR's Website

What is a reservation of water for instream use?

A reservation of water for instream use is a water right that protects specific instream water uses, such as fish spawning or recreation. It sets aside the water necessary for these activities and keeps later water users from appropriating water that may affect the instream activity.

Water can be reserved for one or more permissible uses on a particular part of a stream or lake during a certain period of time. Under AS 46.15.145, permissible instream uses include:

- Protection of fish and wildlife habitat, migration, and propagation
- Recreation and parks
- Navigation and transportation
- Sanitation and water quality
-

A reservation of water for one use may also allow that same water to be used or reserved for another purpose. For example, a reservation for recreation may also benefit fish spawning.

Like an out-of-stream water right, an instream reservation of water is similar to a property right. It cannot be abandoned, transferred, assigned, or converted to another use without approval of the Department of Natural Resources.

Who can apply for a reservation of water?

Private individuals, organizations, and government agencies may apply for a reservation of water for instream use.

Why should I apply for a reservation of water?

You should apply if you want to ensure that a lake level or stream flow will be available when and where you and the public need it for specific instream uses, and the water will not be appropriated or diverted for another use.

If you have an instream water right, you have priority use of that water over people who file later for water rights. You can have legal standing in case of conflicting uses of water by people without water rights.

How can I apply for a reservation of water?

You can download an Application for a Reservation of Water Form in Adobe Acrobat format (PDF) or you can get an application for reservation of water at any Department of Natural Resources, Water Resources Section office. Your application must be submitted to the office in the area where the proposed reservation of water is to occur.

Memo on Instream Flow Reservation Applications

Re: Requests from Curyung Tribe, Southwest Alaska Salmon Habitat Partnership, and the Bristol Bay Heritage Land Trust for the City of Dillingham to join as a co-applicant on instream flow reservation applications filed with ADNR for several tributaries in the Nushagak Watershed.

Issue: Current Alaska law A.S. 46.15.145 allows federal, state, and local governments, non-governmental organizations and individual persons to apply for and obtain a reservation to keep water in a river, stream or lake. The law allows these reservations to protect fish and wildlife, recreation, navigation, and water quality. These three organizations have filed or will soon be filing applications to reserve water for the protection of fish and recreation on several tributaries of the Nushagak River. Until recently non-governmental organizations and individuals were encouraged by ADNR to file applications (see the language from ADNR website) Now, however, the Governor and the ADNR have reversed course and filed legislation (HB77 and SB26) to take this right away from non-government organizations and individuals and cancel all pending reservations made by them. The Governor's bill treats tribes as non-governmental organizations.

Action Requested: That the City will advise ADNR that it wishes to join the applications for pending reservations of the Curyung Tribe, the SW Alaska Salmon Habitat Partnership and the Bristol Bay Heritage Land Trust. The Governor's bill does not take this right away from Alaska's municipal governments and for that reason these organizations are asking the City to become a co-applicant on these reservations. A co-application by the City should protect existing priority filing dates and preserve the substantial investment of time and money (over \$1M in the last 6 years) these organizations have incurred gathering the scientific data necessary to support these applications. If the City agrees, it will become co-applicant with the Curyung Tribe on nine reaches of the Kaktuli River; with the Southwest Alaska Salmon Habitat Partnership on two reaches of the Mulchatna River and one reach of the Stuyahok River; and with the Bristol Bay Heritage Land Trust on one reach of the Allen River.

City's Interest: All of the pending applications in the Nushagak River watershed implement strategic conservation objectives of the Nushagak-Mulchatna Watershed Council as outlined in the Nushagak River Watershed Traditional Use Area Conservation Plan adopted in 2008 and updated in 2011. The City of Dillingham is a founding member of the watershed council. These reservations also protect water important for the residents of Dillingham who depend upon the Nushagak River Watershed to produce the fish and wildlife necessary for subsistence, and upon which many residents also rely to support recreation and commercial fishing businesses.

Cost: The City is not expected to incur any cost as a result of joining these instream flow reservation applications. The \$1500 fee per reach has already been paid to ADNR and the costs of collecting the data and completing the reservation process through adjudication by ADNR will continue to be borne by the original applicants.

Before submitting an application, you should talk with the office staff about the information needed in your application, including the estimation of the amount of instream water use. If your application is accepted, you will have up to three years to complete the data collection and analysis needed to justify the requested instream reservation.

When your application is complete, it will be reviewed to determine the need for the reservation of water and its impact on other water right holders and the public interest. An assessment will be made to determine if water is available for the reservation and if the information in the application is accurate and adequate. Public notice of the application must be given.

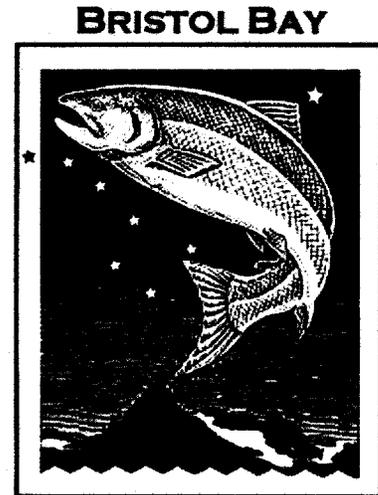
After this process, a certificate of reservation may be issued to you. A certificate of Reservation must be reviewed by the Department of Natural Resources every ten years, but may be reviewed in less than ten years if necessary.

What costs are involved?

A filing fee of \$1,500 must accompany an application for reservation of water. You will also be required to pay the cost of a legal advertisement to notify the public of the proposed reservation of water. If a certificate is issued, you may be required to install and maintain stream gages, weirs, or staff gages, and to monitor and report on the reserved instream flow or level of water. You may also be responsible for additional data collection or analysis during the certificate's review.

**The Honorable Alice Ruby, Mayor
and Members of the Dillingham City Council
P.O. Box 869
Dillingham, AK 99576**

**Re: Request for City of Dillingham to join as co-
applicant on instream flow reservation
application to be filed by the Bristol Bay
Heritage Land Trust for Allen River**



HERITAGE LAND TRUST

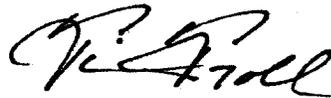
Dear Mayor Ruby and Members of the City Council:

On behalf of the Bristol Bay Heritage Land Trust I would like to request the City of Dillingham to join us as an applicant on our instream flow reservation to be filed on the Allen River in the Wood-Tikchik State Park. This application will be filed pursuant to A.S. 46.15.145 that allows government and non-government organizations and individuals to file for reservations of water to protect fish, recreation, public use or water quality.

The Bristol Bay Heritage Land Trust makes this request because, as discussed in the memo supporting this letter, the Governor has filed a bill that if passed will cancel any reservation application filed by a non-government entity. The land trust wants to file this application to protect fish, subsistence and recreation values associated with the Wood-Tikchik State Park. The park is a place where residents of Dillingham hunt, fish and recreate. It is also an economic driver for the region. I have attached a map of the one reach of the Allen River that will be the subject of the reservation.

If the City agrees to join our application I will assist in the preparation and filing of the necessary paperwork. The land trust will cover all costs associated with the filing. Thank you for your consideration.

BRISTOL BAY HERITAGE LAND TRUST



A handwritten signature in black ink, appearing to read 'Tim Troll', written in a cursive style.

Tim Troll, Executive Director

Bristol Bay Heritage Land Trust
P.O. Box 1388, Dillingham, AK 99576

**The Honorable Alice Ruby, Mayor
and Members of the Dillingham City Council
P.O. Box 869
Dillingham, AK 99576**



Re: Request for City of Dillingham to join as co-applicant on instream flow reservation applications filed by the SW Alaska Salmon Habitat Partnership for the Mulchatna and Stuyahok Rivers

Dear Mayor Ruby and Members of the City Council:

On behalf of the Southwest Alaska Salmon Habitat Partnership I would like to request the City of Dillingham to join us as an applicant on our instream flow reservations filed on the Mulchatna and Stuyahok Rivers. These applications were filed pursuant to A.S. 46.15.145 that allows non-government organizations and individuals to file for reservations of water to protect fish, recreation, public use or water quality. The reason for this request is set out in the memo provided to you and the City Council.

The Southwest Alaska Salmon Habitat Partnership (Partnership), an association of federal and state agencies, businesses, BBNC, BBNA and other NGOs, filed applications for instream flow reservations on the Stuyahok and Mulchatna Rivers primarily to secure sufficient water in these river systems for the fish that use them and for the people who rely upon the fish, salmon in particular. So far the partnership has raised and spent nearly \$500,000 to gather the hydrologic data to support the application. BBNA, the New Stuyahok Tribal Council and The Nature Conservancy have helped in this effort. We will have completed gathering the required five years of data in 2014. I have attached some information flyers on these reservations.

If the City agrees to join our application I will assist in the preparation and filing of the necessary paperwork. Thank you for your consideration.

SOUTHWEST ALASKA SALMON HABITAT PARTNERSHIP

Tim Troll, Chairman

**Southwest Alaska Salmon Habitat Partnership, c/o Bristol Bay Heritage Land Trust
P.O. Box 1388, Dillingham, AK 99576**

After a year's work we have accomplished the following:

1. Created a Parks and Rec page on the city website with a calendar of activities.
2. Transferred electric service of rink warming hut to city and organized maintenance of rink for Beaver Roundup and late winter activities.
3. Helped organize staffing for Bike to Work day.
4. Created Parks and Rec Fund.
5. Supported the development of a public ski trail by endorsing a grant proposal and providing city liability coverage.
6. Secured bike donations for a bike recycling project.
7. Discussed the School District facility use policy.
8. Identified city facility needs including: fence and turf repair at softball field, gates and turf at park, and roof on rink.

Obstacle:

Much of the year was spent searching for the roles and boundaries of each member as well as the committee. The process made things a little more complicated in making decisions and finding direction for the group.

Moving Forward

For further productivity, the group has decided to form subcommittees in order to accomplish tasks in between our monthly meetings. We have an outreach and calendar subcommittee as well as a grant/funds subcommittee.

The committee continues to explore boundaries, purpose, and power; we feel the momentum continue from last year and are able to find more and more answers.

MEETING NOTES
5:30 P.M. / COUNCIL CHAMBERS

Members Present:

- Kathy McLinn, Patrick Solano-Walkinshaw, Bernina Venua, Andrew Berkoski
- 2 guests present

Notes:

- Outreach Update:
 - o We have hung up a calendar in the Post Office and plan to hang more up that people can edit and add things to as time passes.
 - o We may have to have a PSA to encourage people to donate.
- Ski Trail
 - o There are plenty of volunteers willing to help with their snow machines. It's been tough with the weather that we are having.
 - o There is a request to use \$100 of the Parks & Rec fund for trail stakes, gas for volunteers, paint, etc.
 - Resolution was granted
- Skate Rink
 - o There are volunteers willing to help, the weather made it a tougher task.
 - o Some have gone at the Aleknagik Lake, Shannon's Pond, and Twin Lakes, which is better at times.
- Weight Room
 - o We are able to use it with a school facilities form.
- Running Club
 - o One of the guests present proposed having a running club with competitions once a month. We are tasked to seek information regarding insuring runners.
 - In the case of Tony's Run, SAFE insures their runners as well as the volunteers with no additional cost.
- No one is able to use the territorial school at all.

Carol Shade

From: Sutton, Thomas L (CED) <thomas.sutton@alaska.gov>
Sent: Thursday, February 07, 2013 1:58 PM
To: finance@dillinghamak.us
Cc: Mason, Jeanine L (CED); Julian, Jolene M (CED); Davis, Jill E (CED)
Subject: City of Dillingham Single Audit for FY 2012--& Audit Findings



THE STATE
of **ALASKA**
GOVERNOR SEAN PARNELL

**Department of Commerce, Community,
and Economic Development**

DIVISION OF COMMUNITY AND REGIONAL AFFAIRS

P.O. Box 110809
Juneau, Alaska 99811-0809
Internal Audit Main: 907.465.5550
Programs fax: 907.465.4761

VIA E-MAIL

February 7, 2013

Ms. Carol Shade, Finance Director

City of Dillingham

Dear Ms. Shade:

I have received the City's federal and state single audit for the year ended June 30, 2012. I analyzed and reviewed the response and documentation to finding: **12-01 General Ledger Reconciliation**. My inquiries were conducted to confirm that your organization has implemented the steps outlined in the corrective action plan submitted with the audit. Based on the information you have provided, I have made the following determination regarding finding; **12-01 General Ledger Reconciliation**:

Findings:

X	Response Acceptable -	
	The review found that your organization has addressed these findings and taken timely and appropriate corrective action. I consider the responses provided sufficient to address the finding noted.	
	Response Unacceptable -	
	The review found that your organization has not adequately addressed this finding or taken corrective action.	

Please be aware, that in subsequent audits a review will be made of the corrective action to ensure that it has been implemented in a manner consistent with the applicable requirements.

I would like to thank you for the cooperation in the resolution of this audit finding. If you have any questions, please do not hesitate to contact me by phone at 907-465-5550 or through e-mail at Tom.Sutton@alaska.gov.

Sincerely,

Tom Sutton

Thomas L Sutton

Internal Auditor

Dept. of Commerce, Community, and Economic Development

Division of Community and Regional Affairs



**SOUTHWEST ALASKA MUNICIPAL CONFERENCE
RESOLUTION 2013-01**

A RESOLUTION STRONGLY SUPPORTING EFFORTS OF THE ALASKA CONGRESSIONAL DELEGATION TO SECURE FEDERAL REVENUE SHARING FROM ALASKA OFFSHORE OIL AND GAS DEVELOPMENT AND URGING THE ALASKA STATE LEGISLATURE TO PASS LEGISLATION TO SHARE THESE REVENUES WITH ALASKAN COMMUNITIES.

WHEREAS, Alaska's Washington D.C. delegation is attempting to push through an amendment that would give Alaska and other coastal states a significant cut of any offshore oil and gas revenues; and

WHEREAS, the U.S. Geological Survey estimates there is between 25 to 27 billion barrels of oil in the Chukchi and Beaufort Seas, in addition to deposits in other offshore areas of Alaska; and

WHEREAS, the federal government currently collects rent on leases in the Outer Continental Shelf whether they are producing or not and collects royalties in areas where oil and gas production is occurring; and

WHEREAS, the Interior Department shares some of that income with states, including Alaska; and

WHEREAS, Alaska receives no money on oil produced offshore; and

WHEREAS, pending Congressional amendments would request Alaska receiving 37.5% of royalties on offshore production; and

WHEREAS, if Alaska had the same 37.5% revenue sharing from offshore oil and gas development as it applies to the Gulf of Mexico, our state would have received \$900 million from the 2008 federal offshore lease sale for the Beaufort and Chukchi Seas; and

WHEREAS, Alaska's coastal communities, impacted by development in the Arctic, will realize impacts on their services, roads, hospitals, airports, etc., in addition to potential environmental and cultural impacts; and

WHEREAS, as the State is supportive of receiving money based on offshore oil and gas development within their jurisdiction, the municipalities of Alaska also are supportive of a portion of the lease money being shared with local governments impacted by oil and gas exploration and development; and

WHEREAS, the Department of the Interior will have a lease sale for the Chukchi Sea in 2016 and the Beaufort Sea in 2017 and other offshore lease sales could be imminent over the next decade.

THEREFORE BE IT RESOLVED that the Southwest Alaska Municipal Conference strongly supports efforts of the Alaska Congressional Delegation to secure federal revenue sharing from Alaska offshore oil and gas development and urges the Alaska State Legislature to pass legislation to share these revenues with Alaskan communities.

PASSED AND ADOPTED by the Southwest Alaska Municipal Conference Membership this 22nd Day of February, 2013.

IN WITNESS THERETO:



Shirley Marquardt, President

ATTEST:



Andy Valner, Executive Director



**SOUTHWEST ALASKA MUNICIPAL CONFERENCE
RESOLUTION 2013-02**

A RESOLUTION URGING THE STATE OF ALASKA TO ADDRESS THE LONG-TERM ENERGY NEEDS OF ALL ALASKANS WITH A STATEWIDE ENERGY PLAN AND SUPPORT THE ENERGY POLICIES AND PROGRAMS THAT PROVIDE IMMEDIATE AND NECESSARY RELIEF TODAY.

WHEREAS, the high and volatile price of energy remains a pervasive and serious issue for families, small businesses and communities in the Southwest Alaska region; and

WHEREAS, the price of Alaska North Slope Crude oil has resumed its upward trend since 2010 with an average price close to \$100 per barrel; and

WHEREAS, the State benefits greatly from the high price of Alaska North Slope Crude oil yet negatively impacts the majority of rural communities and what they pay for energy; and

WHEREAS, in June 2010 House Bill 306 was signed into law declaring a state energy policy recognizing the state's economic prosperity is dependent on available, reliable and affordable residential, commercial, and industrial energy; and

WHEREAS, the State is in need of a comprehensive statewide energy plan that addresses the long-term needs and provides affordable energy to all of its citizens; and

WHEREAS, preserving the services our ecosystems provide to our communities and regions should also be valued when developing energy plans and projects; and

WHEREAS, energy assistance, alternative energy and energy efficiency policies and programs can provide support and some relief while a long-term solution is being considered.

THEREFORE BE IT RESOLVED the Southwest Alaska Municipal Conference calls upon the Governor and Legislature to take immediate steps to address the need for a statewide energy plan, and supports the policies and programs that provide the immediate and necessary assistance for today: The Power Cost Equalization Program, Energy Assistance Programs, Bulk Fuel and Power System Upgrade Programs, Alternative Energy and Energy Efficiency Programs, Weatherization, Rebate and Energy Loan Programs.

PASSED AND ADOPTED by the Southwest Alaska Municipal Conference Membership this 22nd Day of February, 2013.

IN WITNESS THERETO:

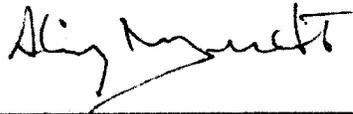
Shirley Marquardt, President

ATTEST:

Andy Varner, Executive Director

PASSED AND ADOPTED by the Southwest Alaska Municipal Conference Membership this 22nd Day of February, 2013.

IN WITNESS THERETO:



Shirley Marquardt, President

ATTEST:



Andy Varner, Executive Director



**SOUTHWEST ALASKA MUNICIPAL CONFERENCE
RESOLUTION 2013-03**

A RESOLUTION SUPPORTING THE CONTINUATION OF THE CURRENT REVENUE SHARING PROGRAM CURRENTLY IN PLACE AT A MINIMUM \$85 MILLION LEVEL.

WHEREAS, the Alaska Statehood Act and the Alaska Constitution contemplate strong and vibrant local government units exercising maximum local control; and

WHEREAS, the Southwest Alaska Municipal Conference commends the Governor and the Legislature for approving and funding the Municipal Revenue Sharing program which established a \$60 million annual revenue sharing program; and

WHEREAS, local governments are experiencing significant financial pressure resulting from inflation, high energy costs and a faltering economy; and

WHEREAS, remote and rural communities have to barge in fuel, and at time fly it in, making the cost of fuel range between \$6 - \$12 per gallon, including in many communities of Southwest Alaska; and

WHEREAS, the cost of fuel drives up the expense of almost everything in rural Alaska, from food to basic business operations, which weakens local and regional economies; and

WHEREAS, a stronger rural economy helps Alaska's economy as a whole; and

WHEREAS, in 1985, annual Revenue Sharing was \$141 million, at a time when the price of oil was approximately \$20 per barrel; and

WHEREAS, allocating \$85 million in annual Revenue Sharing in its current form is vital to the health of Alaskan communities in providing essential local services and/or keeping property taxes down; and

WHEREAS, it is uncertain that the 2012 calendar year revenues, generated under oil tax surcharges (AS 43.55.011 (g)), will be sufficient to fund the annual deposit to the Community Revenue Sharing fund.

NOW, THEREFORE BE IT RESOLVED that the Southwest Alaska Municipal Conference urges the Governor and the Legislature to appropriate sufficient funds to maintain the annual \$60 million Revenue Sharing payments for the fiscal years 2014 and beyond, as a vital component of the state Operating Budget.

- MORE -

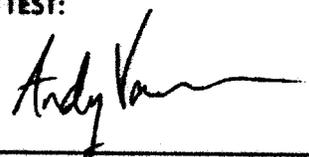
PASSED AND ADOPTED by the Southwest Alaska Municipal Conference Membership this 22nd Day of February, 2013.

IN WITNESS THERETO:



Shirley Marquardt, President

ATTEST:



Andy Varner, Executive Director



Southwest Alaska Municipal Conference

3300 Arctic Boulevard, Suite 203 Anchorage, AK 99503 p: 907.562.7380 f: 907.562.0438 www.swamc.org

Alaska Peninsula
Aleutian Chain
Bristol Bay
Kodiak Island
Pribilof Islands

**SOUTHWEST ALASKA MUNICIPAL CONFERENCE
RESOLUTION 2013-04**

A RESOLUTION OF THE SOUTHWEST ALASKA MUNICIPAL CONFERENCE IN SUPPORT OF FULL FUNDING FOR THE STATE OF ALASKA MUNICIPAL HARBOR FACILITY GRANT PROGRAM IN THE FY2014 CAPITAL BUDGET.

WHEREAS, harbor facilities represent critical transportation links and are the transportation hubs for waterfront commerce and economic development in Alaskan coastal communities; and

WHEREAS, harbor facilities are ports of refuge and areas for protection for ocean-going vessels and fishermen throughout the State of Alaska, especially in Southwest Alaskan communities; and

WHEREAS, the State of Alaska and the municipalities built these harbor facilities; and

WHEREAS, the State of Alaska has transferred most of its harbor facilities to municipalities; and

WHEREAS, the municipalities took over this important responsibility even though they knew that these same harbor facilities were in poor condition at the time of transfer due to the state's failure to keep up with deferred maintenance; and

WHEREAS, consequently, when local municipal harbormasters formulated their annual harbor facility budgets, they inherited a major financial burden that their local municipal governments could not afford, and

WHEREAS, in response to this financial burden, the Governor and the Alaska Legislature passed legislation, supported by SWAMC, to create the Municipal Harbor Facility Grant program, AS 29.60.800; and

WHEREAS, the Municipal Harbor Facility Grant Program provides state assistance in the form of a matching 50/50 grant for municipal owned harbor facilities, to be administered by the Department of Transportation and Public Facilities; and

WHEREAS, SWAMC is pleased with the Department of Transportation and Public Facilities' administration process to review for eligibility, and to score and rank applicants to the Municipal Harbor Facility Grant since state funds may be limited; and

WHEREAS, for each harbor facility grant application, these municipalities have committed to invest 100% of the design and permitting cost in addition to 50% of the construction cost, sharing these costs with the State and creating local ownership; and

- MORE -

WHEREAS, completion of these harbor facility projects is all dependent on the 50% match from the State of Alaska's Municipal Harbor Facility Grant Program; and

WHEREAS, the SWAMC representatives from the City of Kodiak in FY2008 , the Cities of Dillingham, King Cove, and Old Harbor in FY2009, the Cities of Port Lions and Sand Point in FY2012, and the City of Unalaska in FY2013 have greatly benefited by receiving previous grant awards from the Municipal Harbor Facility Grant Program; and

WHEREAS, the SWAMC representatives from the Aleutians East Borough applied for a Tier II Municipal Harbor Facility Grant, which are pending full funding in the FY2014 capital budget; and

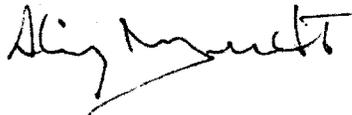
WHEREAS, four Alaskan coastal communities submitted FY14 grants totaling \$14,713,500, which if fully matched by the State of Alaska would result in over \$29 million of construction work that would stimulate local economies, create safer and more-functional harbors for the fishing fleets of Southwest Alaskan coastal communities, and create job opportunities for local residents, which is especially important in these times of economic hardship.

NOW, THEREFORE, BE IT RESOLVED that the Membership of the Southwest Alaska Municipal Conference urges full funding of \$14,713,500 by the Governor and the Alaska Legislature for the State of Alaska's Municipal Harbor Facility Grant Program; and

BE IT FURTHER RESOLVED that SWAMC Membership encourages the SWAMC Legislative Delegation to support the Municipal Harbor Facility Grant Program in order to ensure enhanced safety and economic prosperity among Alaskan coastal communities.

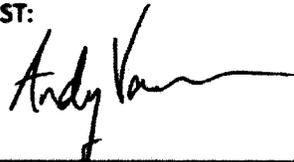
PASSED AND ADOPTED by the Southwest Alaska Municipal Conference Membership this 22nd Day of February, 2013.

IN WITNESS THERETO:



Shirley Marquardt, President

ATTEST:



Andy Varner, Executive Director



**SOUTHWEST ALASKA MUNICIPAL CONFERENCE
RESOLUTION 2013-05**

A RESOLUTION OPPOSING THE UNITED STATES FOOD AND DRUG ADMINISTRATION'S PRELIMINARY FINDING RELATING TO GENETICALLY ENGINEERED SALMON; URGING FURTHER EXAMINATION OF GENETICALLY ENGINEERED SALMON; OPPOSING AQUABOUNTY'S PETITION TO PRODUCE GENETICALLY ENGINEERED SALMON; AND PROPOSING, IF AQUABOUNTY'S PETITION IS APPROVED, THAT ITS PRODUCT SHOULD BE LABELED AS "GENETICALLY MODIFIED."

WHEREAS, the United States Food and Drug Administration (FDA) recently announced the release of a draft environmental assessment and preliminary finding of no significant impact concerning genetically engineered AquaBounty *AquAdvantage* salmon; and

WHEREAS, Alaska, and specifically Southwest Alaska, has bountiful fisheries that provide wild, natural, and sustainable seafood; and

WHEREAS, Alaska seafood is naturally high in essential vitamins, including vitamin E, C, D, and A, and minerals, including zinc, iron, calcium, and selenium; and

WHEREAS, fish habitat in Alaska is less polluted than fish habitat in other locations; and

WHEREAS, fisheries are a vital component of the state's economy; and

WHEREAS, the state's fisheries are managed to ensure that Alaska seafood continues to be the finest in the world for future generations; and

WHEREAS, in 2009, 95 percent of pacific salmon landings in the United States occurred in Alaska waters; and

WHEREAS, in 2012, 124,000,000 salmon were harvested in the state, for a value of \$505,000,000; and

WHEREAS, the FDA is accepting comments on the proposal to allow, for the first time, a genetically modified organism to be sold for human consumption; and

WHEREAS, the inevitable accidental release of transgenic fish into the wild could devastate native fish populations and ecosystems; and

WHEREAS, citizens and public interest groups overwhelmingly oppose genetically engineered food and have submitted over 400,000 public comments opposing genetically engineered salmon; and

WHEREAS, the FDA has not conducted adequate testing to determine the long-term safety of consuming genetically engineered salmon; and

WHEREAS, the sale of genetically engineered salmon could imperil the state's fishing industry; and

WHEREAS, Alaskans, United States residents, and several members of the United States Congress continue to have concerns about AquaBounty's proposal and the FDA's review of the proposal; and

WHEREAS, the FDA's review applies only to a limited set of production and rearing facilities and fails to consider the broader applications of this technology that would assuredly occur should final approval be granted.

BE IT RESOLVED that the Southwest Alaska Municipal Conference urges the United States Food and Drug Administration not to make a final decision regarding genetically engineered salmon until the United States Congress has fully examined the issue and the potential release of genetically engineered fish into the waters of the United States; and be it

FURTHER RESOLVED that the Southwest Alaska Municipal Conference opposes AquaBounty's petition to produce AquaAdvantage Salmon, a genetically engineered salmon, a position SWAMC has held since passing Resolution 2011-03 in February 2011; and be it

FURTHER RESOLVED that, if the petition is approved by the United States Food and Drug Administration, despite strong environmental and human health concerns, product labeling requirements should include the words "Genetically Modified" prominently displayed on the front of the product's packaging.

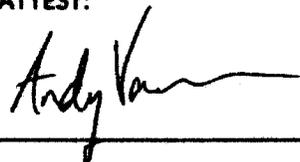
PASSED AND ADOPTED by the Southwest Alaska Municipal Conference Membership this 22nd Day of February, 2013.

IN WITNESS THERETO:

ATTEST:



Shirley Marquardt, President



Andy Varner, Executive Director



**SOUTHWEST ALASKA MUNICIPAL CONFERENCE
RESOLUTION 2013-06**

A RESOLUTION OF SUPPORT TO MAINTAIN THE M/V TUSTUMENA AT THE TOP OF ALASKA'S VESSEL REPLACEMENT SCHEDULE, AND URGING THE DEPARTMENT OF TRANSPORTATION TO BEGIN THE DESIGN PROCESS OF A REPLACEMENT VESSEL AS SOON AS POSSIBLE.

WHEREAS, the Alaska Marine Highway System (AMHS) provides vital goods and services and a reliable transportation link to the 11 serviced communities of Southwest Alaska, stretching from Kodiak to Unalaska on the Aleutian Chain ; and

WHEREAS, the Tustumena vessel provides year-round service to the Kodiak area and makes the journey out the Aleutian Chain 10 times per year and continues to benefit the region economically; and

WHEREAS, the rough and exposed waters of the Aleutians can accelerate the deterioration of any vessel servicing the region; and

WHEREAS, the M/V Tustumena was built in 1964 is approaching its 50th year of service; and

WHEREAS, it is becoming apparent to the communities in Southwest Alaska who depend upon and travel on the M/V Tustumena that it is having an increase in serious maintenance issues and has been out of service since October 2012 and may not come back into service until June 2013, a period of eight (8) months; and

WHEREAS, the AMHS vessel M/V Kennicott also serves Southwest Alaska but cannot dock at many of the communities located in this area which depend upon ferry service; and

WHEREAS, the Marine Transportation Advisory Board, created in 2003 as a local planning and advisory body for the AMHS, has recommended the Tustumena as the top vessel in the queue of the State's vessel replacement fund; and

WHEREAS, the Alaska Legislature has appropriated \$50 million to the state's vessel replacement fund, but has not authorized spending from that fund toward another vessel; and

WHEREAS, design work on a ocean-class vessel that can navigate the waters of Southwest Alaska – and importantly the Aleutian Chain – and accommodate its unique port requirements needs to begin as soon as possible to accelerate the Tustumena replacement.

BE IT RESOLVED that the Southwest Alaska Municipal Conference supports maintaining the M/V Tustumena at the top of Alaska's vessel replacement schedule, and urges the Department of Transportation to begin the design process of a replacement vessel as soon as possible; and

BE IT FURTHER RESOLVED that the Southwest Alaska Municipal Conference requests that a collective effort by the legislators whose communities are served by the Tustumena work to identify capital

project dollars in this fiscal year to start a feasibility study on replacing the M/V Tustumena as soon as possible; and

AND BE IT FURTHER RESOLVED that the Southwest Alaska Municipal Conference strongly requests that the State of Alaska makes replacing the M/V Tustumena a transportation priority for the State of Alaska.

PASSED AND ADOPTED by the Southwest Alaska Municipal Conference Membership this 22nd Day of February, 2013.

IN WITNESS THERETO:

ATTEST:



Shirley Marquardt, President



Andy Varner, Executive Director



Southwest Alaska Municipal Conference
3300 Arctic Boulevard, Suite 203 Anchorage, AK 99503 p: 907.562.7380 www.swamc.org

Alaska Peninsula
Aleutian Chain
Bristol Bay
Kodiak Island
Pribilof Islands

**SOUTHWEST ALASKA MUNICIPAL CONFERENCE
RESOLUTION 2013-07**

**A RESOLUTION SUPPORTING THE INDUSTRY AND UNIVERSITY OF ALASKA
COLLABORATION TO IDENTIFY WORKFORCE DEVELOPMENT NEEDS OF
FISHERIES, SEAFOOD AND MARITIME SECTORS**

WHEREAS, future workforce needs will require continued training and education to stay competitive; and

WHEREAS, helping to identify career paths and ladders to secure, rewarding, lifelong livelihoods will strengthen and smooth economic fluctuations in coastal communities; and

WHEREAS, the Fisheries, Seafood and Maritime sectors are vital industries of Alaska's economy, and especially important to the viability of coastal communities; and

WHEREAS, baseline workforce & industry data is required to develop an analysis of occupations to assess future needs and create a labor supply capable of meeting high-paying, high-demand occupations; and

NOW, THEREFORE BE IT RESOLVED that the Southwest Alaska Municipal Conference urge the Governor and the Legislature to support the cooperative efforts of the Industry and University of Alaska to understand the current and future workforce needs of Alaska's Fisheries, Seafood and Maritime sectors.

PASSED AND ADOPTED by the Southwest Alaska Municipal Conference Membership this 22nd Day of February, 2013.

IN WITNESS THERETO:

Shirley Marquardt, President

ATTEST:

Andy Varner, Executive Director



**SOUTHWEST ALASKA MUNICIPAL CONFERENCE
RESOLUTION 2013-08**

**A RESOLUTION OF THE SOUTHWEST ALASKA MUNICIPAL CONFERENCE IN SUPPORT OF OIL
SPILL RESPONSE TRAINING PROGRAMS IN SOUTHWEST ALASKA COASTAL COMMUNITIES**

WHEREAS, the waters of Southwest Alaska continue to be a bustling thoroughfare of fishing vessels and marine traffic, including increasing activity through to the Arctic; and

WHEREAS, local Southwest Alaska coastlines and fisheries are especially vulnerable to potential oil spills involving marine traffic; and

WHEREAS, the tug vessel Polar Wind carrying over 20,000 gallons diesel fuel, and the barge Unimak Trader packing over one million pounds of frozen seafood, both ran aground on Ukolnoi Island between King Cove and Sand Point Alaska on November 13, 2012; and

WHEREAS, the Kulluk, a 266 feet diameter oil drilling barge carrying over 139,000 gallons of diesel, ran aground on Sitkalidak Island, near Old Harbor and Kodiak Alaska on December 31, 2012; and

WHEREAS, local fishermen and vessels of opportunity were critical to supporting the USCG, DEC and other agencies' actions to perform successful salvage and oil spill response operations in these and other incidents; and

WHEREAS, fishermen and vessels in local coastal communities are strategically positioned to best facilitate clean up and to help with response strategies; and

WHEREAS, these and other marine accidents that have occurred in Southwest Alaska over the years indicate a need for ongoing local oil response capacity in coastal communities.

THEREFORE BE IT RESOLVED that the Southwest Alaska Municipal Conference supports programs and legislation that fund programs in local coastal communities to train residents in marine oil response.

PASSED AND ADOPTED by the Southwest Alaska Municipal Conference Membership this 22nd Day of February, 2013.

IN WITNESS THERETO:

ATTEST:

Shirley Marquardt, President

Andy Varner, Executive Director



**SOUTHWEST ALASKA MUNICIPAL CONFERENCE
RESOLUTION 2013-09**

**A RESOLUTION OF THE SOUTHWEST ALASKA MUNICIPAL CONFERENCE IN SUPPORT OF A
REDISTRICTING PLAN FOR THE STATE OF ALASKA THAT HONORS TRADITIONAL SOCIO-
ECONOMIC TIES IN THE SOUTHWEST REGION**

WHEREAS, the Southwest Alaska region is a diverse region with intricate socio-economic, traditional and cultural ties between communities; and

WHEREAS, the Amended Proclamation Plan, which served as the Interim Plan for the 2012 elections, dramatically changed the election map for Southwest Alaska; and

WHEREAS, the Interim Plan of 2012 senate paired House Districts 38-S and 37-S that are not contiguous, and stretch from the Aleutians to the outskirts of Fairbanks; and

WHEREAS, the Alaska Constitution, Article 6, Section 6 states that in legislative apportionment 'each senate district shall be composed as near as practicable of two contiguous house districts'; and

WHEREAS, the Alaska Constitution, Article 6, Section 6 also states that in legislative apportionment, each house district should be comprised of a 'relatively integrated socio-economic area'; and

WHEREAS, the Alaska Redistricting Board is required by a ruling of the Alaska Supreme Court to redraw the elections map for the 2014 elections, based on the 2010 decennial census and adhering to the Alaska Constitution.

THEREFORE BE IT RESOLVED that the Southwest Alaska Municipal Conference urges the Alaska Redistricting Board to formulate a redistricting plan for the 2014 elections that follows the Alaska Constitution and respects traditional and cultural ties in Southwest Alaska; and

BE IT FURTHER RESOLVED that the Southwest Alaska Municipal Conference urges the Board to formulate the new redistricting plan beginning with Southwest Alaska as a starting point, to accommodate the intricate socio-economic diversity and ties within the region.

PASSED AND ADOPTED by the Southwest Alaska Municipal Conference Membership this 22nd Day of February, 2013.

IN WITNESS THERETO:

Shirley Marquardt, President

ATTEST:

Andy Varner, Executive Director



**SOUTHWEST ALASKA MUNICIPAL CONFERENCE
RESOLUTION 2013-10**

**A RESOLUTION OF THE SOUTHWEST ALASKA MUNICIPAL CONFERENCE SUPPORTING
FULL FUNDING OF THE WEATHERIZATION AND HOME ENERGY REBATE PROGRAMS AT
A LEVEL OF \$101.5 MILLION.**

WHEREAS, Alaska faces unprecedented energy challenges, including escalating energy costs and overdependence on foreign oil, especially in rural Alaska; and

WHEREAS, to help combat these high costs, the Alaska legislature created the Weatherization and Home Energy Rebate Programs to help make Alaska's homes more energy efficient; and

WHEREAS, SWAMC recognizes that our dependence on oil to generate our electricity, heat our homes and drive our vehicles results in extremely high energy costs, and has become a significant barrier to economic development; and

WHEREAS, the Weatherization and Home Energy Rebate Programs not only help Alaskan residents save money through lower fuel bills, but also put money back into the local and statewide economies by creating thousands of jobs, both direct and indirect, associated with the programs; and

WHEREAS, the Weatherization and Home Energy Rebate Programs are very successful in helping reduce residential energy costs and deserve a multi-year extension.

NOW, THEREFORE, BE IT RESOLVED that the Southwest Alaska Municipal Conference respectfully urges Governor Parnell and the Alaska Legislature to continue fully funding the Weatherization and Home Energy Rebate Programs at \$101.5 million in Fiscal Year 2014, extended indefinitely, to meet the critical energy efficiency needs of qualified Alaskans.

PASSED AND ADOPTED by a duly constituted quorum of the Southwest Alaska Municipal Conference Membership this 22nd day of February, 2013.

IN WITNESS THERETO:

Shirley Marquardt, President

ATTEST:

Andy Varner, Executive Director