



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 – SEPTEMBER 5, 2013**

David B. Carlson Council Chambers

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

<b>WORKSHOP – QUARTERLY REVIEW OF FINANCIAL STATEMENTS</b>	<b>6:30 P.M.</b>	<b>SEPTEMBER 5, 2013</b>
<b>REGULAR MEETING</b>	<b>7:00 P.M.</b>	<b>SEPTEMBER 5, 2013</b>

**I. CALL TO ORDER**

**II. ROLL CALL**

**III. APPROVAL OF MINUTES**

- A. Regular Council Meeting – August 1, 2013
- B. Special Council Meeting – August 13, 2013

**IV. APPROVAL OF CONSENT AGENDA**

**APPROVAL OF AGENDA**

**V. STAFF REPORTS**

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

**VI. PUBLIC HEARINGS**

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

**VIII. ORDINANCES AND RESOLUTIONS**

- A. Introduce Ordinance No. 2013-17, An Ordinance of the Dillingham City Council Amending Title 18 of the Dillingham Municipal Code to Add Section 18.58 Establishing a Simple Procedure for Dedicating Rights-of-Way Dedicated for a Public Purpose
- B. Resolution No. 2013-50, A Resolution of the Dillingham City Council Supporting the Reestablishment of the Alaska Regional Development Organizations (ARDOR) in the State of Alaska
- C. Resolution No. 2013-51, A Resolution of the Dillingham City Council Authorizing the City Manager to Negotiate an Annual Lease for Use of the City Property Known as the "Potato House"

- D. Resolution No. 2013-52, A Resolution of the Dillingham City Council Approving Amending the BBEDC CBG Grant from Assessing the Downtown Storms Drains to Upgrading and Increasing Technologic Capacity Throughout the City
- E. Resolution No. 2013-53, A Resolution of the Dillingham City Council Authorizing the University Science Center to Tie into The City's Water Main on D Street
- F. Resolution No. 2013-54, A Resolution of the Dillingham City Council Authorizing the City to Apply for a Loan to the Alaska Clean Water Fund
- G. Resolution No. 2013-55, A Resolution of the Dillingham City Council Amending the 2014-2019 Capital Improvement Plan and the FY 15 Legislative Priorities List

**IX. UNFINISHED BUSINESS**

- A. Citizen Committee Appointments
  - 1. Cemetery Committee, 4 Seats Open
  - 2. Planning Commission, 3 Seats Open
  - 3. Wood-Tikchik State Park Advisory Council

**X. NEW BUSINESS**

- A. Action Memorandum No. 2013-25, Authorize the City Manager to Execute a Contract with Tekmate LLC to Provide Technical Support for all City Departments
- B. Action Memorandum No. 2013-26, Authorize the City Manager to Execute a Contract with Bennett Enterprises LLC for the FY 2014 Aggregate Bid
- C. Action Memorandum No. 2013-27, Authorize the City Manager to Execute a Contract with Agnew::Beck to Provide Consulting Services for a New Public Safety and Fire Department Building
- D. Parks and Recreation Committee Expires December 31, 2013 Unless Extended by City Council

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

**XII. COUNCIL COMMENTS**

**XIII. MAYOR'S COMMENTS**

**XIV. EXECUTIVE SESSION**

- A. Personnel Matter
  - 1. Manager's Contract
- B. Legal Matter
  - 1. Update from the Public Safety Department

**XV. ADJOURNMENT**

**I. CALL TO ORDER**

The Regular Meeting of the Dillingham City Council was held on Thursday, August 1, 2013, at the Dillingham City Council Chambers, Dillingham, Alaska. Mayor Alice Ruby called the meeting to order at 7:00 p.m.

**II. ROLL CALL**

Mayor Alice Ruby was present.

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

Brenda Akelkok, Seat A  
Chris Maines, Seat B  
Bob Himschoot, Seat C  
Keggie Tubbs, Seat D (*attended by teleconference*)  
Tracy Hightower, Seat E  
Paul Liedberg, Seat F

Staff in attendance:

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

**III. APPROVAL OF MINUTES**

A. Council Meeting - June 27, 2013

MOTION: Paul Liedberg moved and Tracy Hightower seconded the motion to approve the minutes of June 27, 2013.

VOTE: The motion to approve the minutes passed unanimously.

**IV. APPROVAL OF CONSENT AGENDA**

There was no consent agenda.

**APPROVAL OF AGENDA**

Manager Loera pointed out two typos on the agenda.

MOTION: Chris Maines moved and Bob Himschoot seconded the motion to approve the agenda as corrected.

VOTE: The motion to approve the agenda passed unanimously.

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

City Manager Loera reported on the following:

- Knik Construction – had been in discussion regarding hauling and the gravel pit on the Lake Road; they had agreed to water the road more often and clean it with a sweeper truck when it arrived; they were waiting for their temporary water use permit;
- Peter Pan Seafoods Tour with Tom Winnihan – the new fresh frozen facility employed about 150 employees increasing their employee count to over 400;
- Economic Development Administration Visit – Shirley Kelly stopped by and discussed some potential funding opportunities;
- USDA – exploring revenues to complete funding for landfill projects;
- New Fence at Airport – would have blocked off snowmobile traffic, but AkDOT will install a 60' access;
- Library – Patron count was 8,000 for June and July; researching request to keep the wireless connected after hours;
- State Road and Airport Projects – started dialogue with State to keep apprised of projects; recommending at least a monthly update;
- Carpenter Hire – interviewing 3 candidates; will be using BBEDC CBG funds identified in a resolution approved in June, and another set of projects that are identified in a resolution in this council packet;
- Denied Services List – collection spreadsheet was omitted from City Manager report but included as a lay down; showed a decrease in collections in May and June which could be attributed to the harder to get collections; praised the collections staff member for doing a great job monitoring the collections;
- Vacancies – in the process of interviewing several applicants for public works director;
- Scrap Metal Removal – evaluating a request from Fred Hodge of Southwest Alaska to pick up 1/2 of the freight for a bailer; awaiting a copy of the contract;
- Utility Rate Study – Phase 2 of the study was scheduled for a July 29 Finance Meeting which was canceled; suggested a special meeting might be in order; will poll for a Special Meeting date.

**Discussion:**

- asked if customer concerns on the Knik project had to do with water table, answered was in conversation with DNR on temporary water use permit which had been delayed due to staff turnover; water was being removed from some wells in the pit to water the road;
- noted the concerns had to do with shallow depth of wells, depth of the pit, might be getting a permit to go deeper for gravel;
- reported on a resident off Lake Road questioning if their problems going through water filters could be attributed to the Knik project; and
- asked about the outcome of the contributions made by the citizen's committee to address subdivision access, concerned all the work done through that committee would not be given weight, and it appeared the Planning Commission was repeating the same process.

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Planning Director Jody Seitz reported the scheduled Planning Commission workshop on subdivision regulations was to set up the process, examine the code, review the legal advice,

review the recommendations from the Sub-Committee, identify alternatives, identify the impacts of those alternatives to the potentially affected interests, basically doing their due diligence before the Code Review Committee took on the issue, and was targeting November at the latest.

Paul Liedberg noted the workshop was actually a special meeting of the Planning Commission to review the information since it was a big topic for a regular Planning Commission meeting.

B. Standing Committee Reports

There were no Standing Committee Reports.

**VI. PUBLIC HEARINGS**

Mayor Ruby opened the public hearing on Ordinance No. 2013-15 and 2013-16.

- A. Adopt Ordinance No. 2013-15, An Ordinance of the Dillingham Municipal Code to Amend DMC Section 8.10.060 Where Smoking Not Regulated, to Remove Section 8.10.060 A.6 Bars
- B. Adopt Ordinance No. 2013-16, An Ordinance of the Dillingham City Council Authorizing the Disposition and Sale of Unredeemed Foreclosed Property

There being no comments the public hearing closed.

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

MOTION: Brenda Akelkok moved and Keggie Tubbs seconded the motion to open up Citizen's Discussion to any item.

VOTE: The motion passed unanimously.

Robert Heyano commented as an interested member of the public he had attended all but two of the meetings of the Planning Commission Sub-Committee to discuss private access easement. He had also attended the last Planning Commission meeting July 16. He noted there was a 16-step process that the PC was going to go through, and no place in the process outlined for the upcoming workshop was there any recommendations from the Sub-Committee. He felt he had been wasting his time, because it seemed the Planning Commission was going to redo it. He noted at one of the meetings the City's Attorney had attended and clarified a lot of the issues. He further noted although the first 2-3 meetings started out contentious, they ended with unanimous consent. He was requesting the Council make sure the recommendations did not get lost.

**VIII. ORDINANCES AND RESOLUTIONS**

- A. Adopt Ordinance No. 2013-15, An Ordinance of the Dillingham Municipal Code to Amend DMC Section 8.10.060 Where Smoking Not Regulated, to Remove Section 8.10.060 A.6 Bars

MOTION: Keggie Tubbs moved and Chris Maines seconded the motion to adopt Ordinance No. 2013-15.

VOTE: The motion to adopt Ordinance No. 2013-15 passed unanimously.

- B. Adopt Ordinance No. 2013-16, An Ordinance of the Dillingham City Council Authorizing the Disposition and Sale of Unredeemed Foreclosed Property

MOTION: Keggie Tubbs moved and Bob Himschoot seconded the motion to adopt Ordinance No. 2013-16.

City Manager Loera reported the City would establish a minimum bid and start the sale of the house and property located on Nina Way.

VOTE: The motion to adopt Ordinance No. 2013-16 passed unanimously.

- C. Resolution No. 2013-40, A Resolution of the Dillingham City Council Waiving the Purchasing Restrictions to Purchase a Bobcat, Trailer, and Accessories for the Landfill

MOTION: Bob Himschoot moved and Paul Liedberg seconded the motion to adopt Resolution No. 2013-40.

City Manager Loera reported that initially the City was informed an older grant had to be spent by a certain date, but then informed that was not the case, federal funds were not involved, so went back to the original plan to assess the landfill.

MOTION: Bob Himschoot moved and Chris Maines seconded the motion to postpone Resolution No. 2013-40 indefinitely.

VOTE: The motion to postpone Resolution No. 2013-40 indefinitely passed unanimously.

- D. Resolution No. 2013-41, A Resolution of the Dillingham City Council Adopting Participation in the AMLJIA Loss Control Incentive Program for the City of Dillingham

MOTION: Chris Maines moved and Bob Himschoot seconded the motion to approve Resolution No. 2013-41.

City Manager Loera reported this was an annual resolution and by having this program in place the City would get a lower rate on its insurance premiums.

VOTE: The motion to approve Resolution No. 2013-41 passed unanimously.

- E. Resolution No. 2103-42, A Resolution of the Dillingham City Council Designating Wastewater Treatment Plant Upgrades as the Number One Local State Funding Priority for Fiscal Year 2015

MOTION: Keggie Tubbs moved and Tracy Hightower seconded the motion to approve Resolution No. 2013-42.

City Manager Loera reported that AkDEC required the City designate each year its number one priority for state funding.

VOTE: The motion to approve Resolution No. 2013-42 passed unanimously.

- F. Resolution No. 2013-43, A Resolution of the Dillingham City Council Approving the 2014-2019 Capital Improvement Plan and Adopting the FY 2015 Legislative Priorities List

MOTION: Bob Himschoot moved and Keggie Tubbs seconded the motion to approve Resolution No. 2013-43 (lay down version).

City Manager Loera noted the resolution that was laid down was to correct item 5 to read Lift Station Upgrades. She commented the only other change was to reprioritize the top 3 projects.

Mayor Ruby noted a workshop had not been scheduled, which was the usual course of action, because there were so few changes from the priority list approved earlier.

VOTE: The motion to approve Resolution No. 2013-43 passed unanimously.

- G. Resolution No. 2013-44, A Resolution of the Dillingham City Council Approving Using the BBEDC CBG for the Repair Costs on the Existing Cameras at the Boat Harbor, Freight for Two Vehicles, and Planning Funds for the Public Safety Building, and a Lift from NAPA

MOTION: Paul Liedberg moved and Tracy Hightower seconded the motion to approve Resolution No. 2013-44.

City Manager Loera reported staff had identified four more projects (resolution reads as three projects, to be amended) in addition to those presented by resolution at their last meeting. She noted the BBEDC CBG would provide funding for repair of the cameras located at the dock and harbor if a proposal for a Homeland Security Grant was not approved by the granting agency. She noted the proposed new vehicles would not be able to make the barge so was recommending air freighting them in. The City would be replacing two of the oldest vehicles in the Public Safety fleet.

She commented the request for planning funds for the Public Safety Building was to fund a consultant to help with the process of deciding on 1 or 2 buildings, work with the various agencies and departments to determine who would be located in the building/s, and identify a site.

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Between the two resolutions this would obligate about \$200K of the \$250K grant. Mayor Ruby and Keggie Tubbs disclosed that they worked for BBEDC, but would not benefit financially if the resolution was approved.

Mayor Ruby noted there was concern whether a public safety building could be expanded if the surrounding area was taken up by the proposed Harvey Samuelsen Center. She noted the last report on the Harvey Samuelsen Center was only a 30% design, but the parking area took up most of the extra space, and there wasn't much left for public safety expansion.

VOTE: The motion to approve Resolution No. 2013-44 passed unanimously.

- H. Resolution No. 2013-45, A Resolution of the Dillingham City Council Authorizing the City Manager to Enter into a Lease Agreement with Ford Motor Credit for Two Public Safety Vehicles

MOTION: Chris Maines moved and Bob Himschoot seconded the motion to approve Resolution No. 2013-45.

City Manager Loera reported the lease agreement annual amount had been included in the FY 2014 budget to replace older vehicles.

VOTE: The motion to approve Resolution No. 2013-45 passed unanimously.

- I. Resolution No. 2013-46, A Resolution of the Dillingham City Council Approving the Application for a Homeland Security Grant to Purchase a Boat and Motor for the Port and to Upgrade the Security Camera Radios at the Dock and Harbor

MOTION: Paul Liedberg moved and Bob Himschoot seconded the motion to approve Resolution No. 2013-46.

City Manager Loera reported the grant would go to purchase a boat, motor, trailer and some safety equipment to help with responses in the annexed waters, for a landed cost of around \$82K. The second priority would be to upgrade the cameras, for a total cost of both projects of around \$190K. She noted without the assistance of the State Troopers this summer the City would not have been able to respond to several calls.

Discussion:

- inquired if it was too late to add an absorbent boom to deploy while waiting for agencies to arrive in the case of an oil spill, concerned about protecting the fisheries, including subsistence, Manager Loera answered the City was looking to purchase a boom, but not sure if she could add it into this grant;
- suggested there should be a plan developed to respond to those locations where the City was receiving revenues; and
- asked if the grant for the boat was not approved would the City to look for other revenue sources, Manager Loera answered City would keep its ears open;
- commented that the application to annex included a boat and motor would be purchased from the tax revenues, and favored using that revenue.

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Manager Loera commented staff could come back with a follow up report for an alternative source for the boat and motor if the grant was not approved.

VOTE: The motion to approve Resolution No. 2013-46 passed with Bob Himschoot, Tracy Hightower, Brenda Akelkok, Paul Liedberg, and Chris Maines in favor and Keggie Tubbs in opposition.

- J. Resolution No. 2013-47, A Resolution of the Dillingham City Council Authorizing the City Manager to Purchase Capital Equipment for Public Works and Enter into a Lease Agreement for the Truck

MOTION: Paul Liedberg moved and Bob Himschoot seconded the motion to approve Resolution No. 2013-47.

City Manager Loera reported the items in the resolution which included a trackless snow blower, leasing a F350 Flatbed truck, and 8 loader tires. The snow blower and the 8 loader tires were included in the FY 2014 capital budget. The lease payment was included in the Public Works operational budget.

VOTE: The motion to approve Resolution No. 2013-47 passed unanimously.

**IX. UNFINISHED BUSINESS**

- A. Citizen Committee Appointments
  - 1. Cemetery Committee, 4 Seats
  - 2. Planning Commission, 2 Seats

Mayor Ruby reported there were no names to consider at this time.

- B. Council Appointments
  - 1. Code Review Committee, 1 Seat

Mayor Ruby reported Brenda Akelkok had submitted her resignation on the Code Review Committee and would leave it empty for now with an election coming up in October.

**X. NEW BUSINESS**

- A. Action Memorandum No. 2013-24, Award a Contract to CH2M Hill to Develop a Comprehensive "Request for Proposal (RFP)" Document Which Would Seek Proposals from Firms Engaged in the Manufacture and Installation of Municipal Solid Waste Disposal Systems

MOTION: Bob Himschoot moved and Paul Liedberg seconded the motion to approve Action Memorandum No. 2013-24.

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City Manager Loera reported the RFP for an assessment of a batch oxidation system included assessing a building site, air and water quality permitting, upgrading the Landfill Management Plan, and coordinating a RFP for the manufacture of a system. She noted the firm of CH2M Hill

had garnered the most evaluation points and had met all the criteria, and was recommending CH2M Hill. The contract would not exceed \$250,000.

The majority of the cost of the system would be paid from monies remaining in a municipal matching grant. The project would be paid for from municipal matching grant, using a municipal matching loan and a \$1.9M legislative grant.

Mayor Ruby noted the Council had been somewhat reluctant in the past to take on a loan and asked if staff would bring back a report to the Council if there was a need for a loan.

Manager Loera noted the City had applied and been approved for several loans in the last three years as a fallback but had not used them.

VOTE: The motion to approve Action Memorandum No. 2013-24 passed unanimously.

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

There was no citizen's discussion.

#### XII. COUNCIL COMMENTS

Brenda Akelkok: No comment.

Bob Himschoot:

- commented he had conferred with a member of the public who was interested in how the City was doing, had shared the work accomplished over the last 5-6 years, and recommended the City do more to share its successes with the public.

Chris Maines:

- noted he had also received multiple calls over the last five weeks over concerns with Knik's gravel project.

Paul Liedberg:

- agreed with Bob, lots going on, complimented staff for the amount of work they've been doing, and suggested without adding too much more work, doing something maybe similar to Bethel and reporting on the City's activities in the newspaper;
- commented that the oil spill in the bay this summer highlighted the threats to the fishery, and might strategize about ways to solicit Coast Guard or State into having more resources on hand during that short season; and
- commented he agreed at the upcoming workshop the Planning Commission would take the information from the Sub-Committee exactly and review it before vetting it through the Code committee before it went to the Council; felt the process was going in the right direction.

Tracy Hightower: No comment.

Keggie Tubbs:

- suggested a Sub-Committee or Committee should have a clear mission, what are the outcomes, and the members should come away feeling there was a buy in on the work they've done;
- recommended strategizing to solicit more help from State and Coast Guard for oil spill response; and
- spoke in support of moving forward with what was outlined in the upcoming Planning Commission Workshop.

### XIII. MAYOR'S COMMENTS

Mayor Ruby:

- spoke in favor of having someone assess the role the City should play in the case of an oil spill response out in the bay; and
- noted she appreciated the City's police officers helping to respond in the bay, but felt they were not expected to, that it was up to the State Troopers to be the primary responders, a role they had committed to.

City Manager Loera noted in the process of developing an MOU with the State Troopers this year which included a line item for being primary responders in the bay, they responded that they had not agreed to that beforehand.

Mayor Ruby noted she would like a report from the staff on what they thought was the City's responsibilities, staff load, a whole level of responsibility that the City would have to fund and staff, and was never intended to be that way.

Discussion:

- asked to find out if the City was indemnified for anything that might happen on the water.

Mayor Ruby:

- reported in response to a citizen complaint she had contacted Rep. Edgmon and Sen. Begich regarding the limited number of persons working at the post office, and supposedly the P.O. was working on it;
- noted was receiving comments that boats were leaving the bay because of the City's tax assessment on fishing vessels;
- noted the City was working on getting the Council/Mayor email addresses back online; and
- asked for a moment of silence to recognize those lost since the last meeting.

### XIV. EXECUTIVE SESSION

A. Personnel Matter

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MOTION: Keggie Tubbs moved and Bob Himschoot seconded the motion to enter into executive session to discuss Personnel Matter, City Manager's Contract [8:29 p.m.].

VOTE: The motion to enter into executive session passed unanimously.

The Mayor and Council moved into executive session.

MOTION: Keggie Tubbs moved and Paul Liedberg seconded the motion to come out of executive session [8:45 p.m.].

GENERAL CONSENT: The motion to come out of executive session passed without objection.

**XV. ADJOURNMENT**

Mayor Ruby adjourned the meeting at 8:45 p.m.

\_\_\_\_\_  
Mayor Alice Ruby

ATTEST:

\_\_\_\_\_  
Janice Williams, City Clerk

Approval Date: \_\_\_\_\_

**I. CALL TO ORDER**

The Special Meeting of the Dillingham City Council was held on Tuesday, August 13, 2013, at the Dillingham City Council Chambers, Dillingham, Alaska. Mayor Alice Ruby called the meeting to order at 6:03 p.m.

**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 (*attended by teleconference*)  
Keggie Tubbs, Seat D  
Tracy Hightower, Seat E  
Paul Liedberg, Seat F

Brenda Akelkok, Seat A – absent and excused

Staff in attendance:

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

Guests:

Krista Shirley and Karyn Johnson, FCS Group (*attended by teleconference*)

**III. APPROVAL OF AGENDA**

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

**VOTE:** The motion to approve the agenda passed without objection.

**IV. SPECIAL BUSINESS**

A. Committee of the Whole

1. Review Water and Wastewater Study

**MOTION:** Chris Maines moved and Keggie Tubbs seconded the motion to enter into the Committee of a Whole [6:05 p.m.].

**GENERAL CONSENT:** The motion passed without objection.

City Manager thanked the Council for the meeting to review the rate study, and further informed the Council that the results of the workshop would go to the next Finance and Budget Committee Meeting with a recommendation to the City Council.

The workshop on the rate proposal for the Water and Wastewater Study was presented by Krista Shirley and Karyn Johnson from the firm of FCS Group.

Follow up:

- If the Council chose to establish a low income fee waiver, this was a fairly common standard in the industry – 50-75% discount on the rate. This would have to be a policy recommendation;
- Amend the rate schedule to show the individual impact of the proposed increases for each of the next five years;
- At the next Finance and Budget Meeting will try and decide the ideal structure and be prepared to provide a report to the Council. All Council members were encouraged to attend.

MOTION: Keggie Tubbs moved and Paul Liedberg seconded the motion to exit the Committee of the Whole [7:18 p.m.].

GENERAL CONSENT: The motion passed without objection.

- B. Resolution No. 2013-48, A Resolution of the Dillingham City Council Waiving the Purchase Restrictions and Awarding a Contract to Orion Marine Corporation, Inc.

MOTION: Keggie Tubbs moved and Paul Liedberg seconded the motion to adopt Resolution No. 2013-48.

Manager Loera noted the City had a window of opportunity to hire Orion Marine Corp. to make emergency repairs on the all tide dock in between another job. Presently the City was limited by the size of barges that could unload on the dock. They were recommended by PND Engineering that had experience with the firm. Some of it would be paid from monies remaining from a legislative grant for erosion control, and was hoping insurance would cover some of the cost.

VOTE: The motion to approve Resolution No. 2013-48 passed unanimously.

- C. Resolution No. 2013-49, A Resolution of the Dillingham City Council Waiving the Purchase Restrictions and Awarding a Contract to Bennett Enterprises

MOTION: Keggie Tubbs moved and Paul Liedberg seconded the motion to approve Resolution No. 2013-49 (AM).

Manager Loera reported the financial information had become available just previous to the meeting. She was recommending a not-to-exceed amount of \$110,750. She noted Bennett Enterprises had been involved with the excavation work right from the beginning, that he had the right equipment for the job. Since the dirt had been removed from the area it had released the pressure on the sheet pile, and the gap had reduced some.

MOTION: Keggie Tubbs moved and seconded the motion to amend the paragraph beginning with "Be It Further Resolved that the Dillingham City Council approves payment of services for approximately in an amount not to exceed \$110,750".

VOTE: The motion to approve the amendment to Resolution No. 2013-49 passed unanimously.

VOTE: The motion to approve the amended Resolution No. 2013-49 passed unanimously.

Manager Loera commented she would be contacting the City's Attorney to assist with an investigation to determine what caused the damages. She noted the immediate concern was fixing the structure.

**V. CITIZEN'S DISCUSSION (Open to the Public)**

There was no citizen's discussion.

**VI. COUNCIL COMMENTS**

Chris Maines: No comment.

Keggie Tubbs:

- commented he was receiving concerns from the public regarding the Knik operation on the Lake Road especially the perception they may be encroaching on the water table; and
- thanked staff for an immediate response to the dock, alerting the media and the public.

Tracy Hightower: No comment.

Paul Liedberg:

- noted he was also receiving concerns from the public regarding the Knik operation; and
- commented he had attended the Veteran's Stand Down on behalf of the City.

Bob Himschoot:

- commented the presentation from FCS Group was very useful, and invited all Council members to attend the upcoming Finance and Budget Committee Meeting; and
- thanked staff for working quickly and economically to find a solution for the dock issue.

**VII. MAYOR'S COMMENTS**

Mayor Ruby:

- thanked Paul Liedberg for attending the Veteran's Stand Down;
- commented she had participated in a welcoming ceremony for the new teachers; and
- recommended Council members send her or the manager an email when a member of the public had a complaint about the Knik project, even if it was a repeat.

Manager Loera confirmed the messages were being directed to the proper State agency so they could see for themselves the magnitude of the concerns.

**VIII. ADJOURNMENT**

Mayor Ruby adjourned the meeting at 7:38 p.m.

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Mayor Alice Ruby

ATTEST:

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Janice Williams, City Clerk

Approval Date: \_\_\_\_\_

**Mayor**  
Alice Ruby

**Manager**  
Rose Loera



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

## MEMORANDUM

**Date:** August 29, 2013  
**To:** Mayor and City Council  
**From:** Rose Loera, City Manager  
**Subject:** August Monthly Report

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**Projects** –the following projects are underway:

- Library Re-roofing – project started on August 14 with Paug-vik Construction and completed the week of August 26th.
- Installation of Baffles in the Sewage Lagoon – this project started on August 13, 2013 with Concor Construction and was complete the week of August 19.
- Animal Shelter – Dagen Nelson was hired as the carpenter to do the renovation on the Animal Shelter. He started on August 12 and is working with Public Works crew. We are aiming to have the project done by the end of the month.

**Fire Department** – we had a site visit from Steven De Challis, an applicant for the Fire Department Coordinator position. He was interviewed by the Fire Dept. Executive Committee and City staff. His experience is mainly working with fire departments. The interviews went well and a job offer was made on August 28<sup>th</sup>.

**Dock** – The dock damage took all of us by surprise. I must commend the Public Works crew that jumped right in to make sure that there wasn't further damage. They have been very responsive to the contractors and engineers and I am very proud to be working with such competent individuals. The Dock should be fully repaired by this week. We are expecting about 5 more barges this season and will make sure that we need to protect the two corners when landing and exiting. The permanent fix to the Dock to assure that this won't happen again, as recommended by PND Engineers, is to place 2 Dolphins on both corners, such as the one that is located right outside of the T Dock. We are getting estimates of this now and hope to find the funds to place in the spring.

**Vacancies** – Police Officer and Police Sergeant. We have promoted Francisco Garcia to the Public Works Director position. We will be working very closely with him to make sure that he is able to succeed in the position. He has the vote of confidence of many people. He will start in the position on September 2, 2013.

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*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.*

**Utility Rate Study** – Phase II of the utility rate study is complete and has been presented to the Council in a workshop and again to the Finance and Budget Committee on 8/26. The F & B Committee will hopefully make a recommendation to the council at the October council meeting. Phase II provides different options on rate increases for both water and sewer usage in order to make both areas sustainable.

**Planning Commission** – The Planning Commission passed Resolution 2013-18 which is recommending the City research methods of regulating development of material sites. The resolution follows this report. I would recommend that the Council refers this resolution to the Code Committee to come up with a recommendation to the Council.

**Wellness Program** - Premera Blue Cross Blue Shield of Alaska is offering the City of Dillingham the opportunity to earn a reward when our employees participate in two health-information related activities: a health risk assessment and a biometric screening. We have scheduled the on-site biometric screening for August 30, 2013 and later employees can complete the health assessment to receive a discount on the premium rates for next year. In addition, participants who complete an on-site biometric screening (or one of the other screening options) and the online Health Risk Assessment will receive a \$150 Visa gift card. The screening is a feature of your health plan benefits, and there is no cost to employer groups or to the employees that participate in a biometric screening. We have 24 people in the City participating. The biometric screening includes the following services:

- Cholesterol Screening - fasting and non-fasting available
- Diabetes (Glucose) screening – fasting and non-fasting available
- Blood Pressure (Hypertension) screening
- Measured Height and Weight
- Body Mass Index (BMI) screening
- 2-3 minute confidential counseling on results
- Each screening takes approximately 15 minutes and results are provided immediately to all participants.

**Fall Community Clean-Up** – BBAHC's Health Education program and Curyung Tribal would like to organize a Fall Community Clean-Up. To kick off the clean-up they plan to have presentations at the Hockey Rink on Road Safety, Littering Fees/Fines and Landfill Information and will also be doing prize drawings for people that sign-up to volunteer to clean up. Our involvement will be to provide the bags and pick-up the garbage along the roads. We don't have a date for the event yet.

**Gravel** – We were informed by Kent Hamilton, State Engineer for the Airport project, that in exchange for filling in the wetlands at the airport their plans were to give the City of Dillingham 1,000 tons of gravel. We are planning on storing it at the landfill and will use where needed around town.

**RESOLUTION 2013-18**  
**A RESOLUTION OF THE DILLINGHAM PLANNING COMMISSION**

Recommending the City research methods of regulating development of material sites

WHEREAS, the community of Dillingham supports development, of which construction of a project may require the extraction of gravel and aggregate; and

WHEREAS, the City of Dillingham also wishes to protect its environment and citizens from unnecessary negative impacts of such projects; and

WHEREAS, the City's ordinances do not currently regulate gravel or aggregate extraction; and

WHEREAS, the development of such sites can impact viewsheds and raise issues of noise, dust, potential harm to local wells and nearby anadromous streams; and

WHEREAS, state and federal regulations require certain permits, but do not cover all the issues that the community may wish to see addressed; and

WHEREAS, the City is considered the entity responsible for addressing issues that are not currently covered by existing regulations; and

WHEREAS, the lack of such codes is concerning to citizens; and

WHEREAS, site developers will benefit as well by having clearly spelled out guidelines for operation;

NOW, THEREFORE, BE IT RESOLVED that the Dillingham Planning Commission recommends adoption of necessary changes to City Code to address the development of material sites in Dillingham.

ADOPTED by the Dillingham Planning Commission August 20, 2013.



\_\_\_\_\_  
Bill Rodawalt, Presiding Officer



\_\_\_\_\_  
Jody Seitz, Recorder

# City of Dillingham

Alaska House District 36

~ 8/3/13 ~

## JULY 2013 – LEGISLATIVE REPORT

*28<sup>th</sup> Alaska State Legislature ~ 1<sup>st</sup> Interim*

*Cliff Stone and Ian Fisk / City Lobbyist's*



### GOVERNOR'S CORNER

<http://gov.alaska.gov>

Governor Sean Parnell's office will continue posting press releases and other items of interest.



### DILLINGHAM LOBBYIST VISIT

As scheduled, Cliff flew into Dillingham on July 22<sup>nd</sup> amidst blue skies and temperatures in the 70's. Rose took me on a tour of various roads and past buildings around the Dillingham area that included the Bristol Bay Area Health Corp. and the Kakanak Hospital. We also toured the old territorial school building next to City Hall. I also had the privilege to finally meet Janice Williams, Jody Seitz, and Carol Shade. Later the same day we were joined by Jody and visited with Stephanie at the downtown fire hall and received a tour of that facility and the Lake Road Fire Hall as well. Afterwards we drove out to the Landfill on Waskey Road and got an update from Bob on every aspect of that facility and the multitude of issues that surround solid waste and recycling.

With Rose's encouragement, I drove out to Aleknagik Lake later the same evening. The drive out was spectacular and even more so when I got my first glimpse of the Lake. I sat there for quite some time just soaking it all in. The Lake seems to be the perfect gateway for the Wood-Tikchik State Park.

The next day started off with Bob driving me up to the Water Treatment Plant. Allen Wasuli gave me a synopsis of all of the inner workings of the Plant. Amazing that 80,000 to 130,000 gallons of water a day is processed through this facility. My understanding was the water supply for downtown comes from two well sites. I was also impressed with the 750,000 gallon 'standpipe' that can be seen from any point in town and even beyond. Following this tour we drove down to the main waste Dock Lift Station. Interesting to note that all other lift stations pump to this main and then on to the Treatment Lagoons #1 and #2.

Next up was a meeting with your Chief of Police – Dan Pasquariello. He provided me with invaluable information about the current public safety building. He also introduced me to various personnel located in the building that included the DMV office, Corrections, the dispatch center, and an Alaska State Trooper (AST). He also drove me past the Animal Shelter located next to and within the same building for the Alaska National Guard Armory.

We talked about the need for a new public safety building and about the \$200,000 recently acquired through an appropriation from the Alaska State Legislature for a E911 backup system that will be located in the Lake Wood Fire Hall. While in the dispatch center, he pointed out various cameras' that are located around town. These were the result of a U.S. Dept. of Homeland Security grant. He is actively pursuing more grant money through this agency for a patrol boat since the recent annexation of almost 400 square miles of water that includes the Nushagak Commercial Salmon District waters and the Wood River Sockeye Salmon Special Harvest area waters. AST of course would retain primacy on search and rescue operations in all areas.

Before lunch, I met with Jean Barrett your Harbormaster. We were joined by Jody and surveyed the 'T-Dock' where he pointed out some deterioration of the existing piling which he referred to as "pitted." The surface of the dock is also in need of repair and subsequent asphalt paving. Jean pointed out the steel bulkhead at Snag Point. If my notes reflect correctly to some corresponding pictures I took, beyond Snag Point is the outfall from the Waste Water Treatment Plant (WWTP) "Lagoons." He indicated that this area needs more armor rock and should be extended. I also learned that the prevailing winds are southwest. If the "perfect storm" is brewing and you are at high tide, this event can lead to further erosion and other damage depending on the storm surge.

As we surveyed the east side of the harbor, he pointed out that a bulkhead is really the optimum fix for the erosion problem. He estimated the cost of this project at \$10 million. He also asserted that a breakwater off the spit would help as well. At the time of our tour, it was low tide. I was amazed at how high and dry the boats were. The "Arm" system for the floating docks was impressive. He did point out the erosion right next to where we were standing. A light standard was in danger of being compromised if any further deterioration was to take place. I was equally amazed at how much material is dredged out of the harbor every year to maintain its integrity. I understood the amount of 80,000 cubic yards was removed from the harbor in a one month period. I apologize if I got a few details of this wrong, but I believe I have a fairly good handle on the need for further erosion control.

After a full morning, I was famished! Luckily, a luncheon had been prepared by several staff members and was awaiting us upon our return to City Hall. I had the distinct pleasure to meet Mayor Alice Ruby and Council Member's Brenda Akelkok and Keggie Tubbs for the first time and numerous other officials and community members. I gave everyone a brief update on various aspects of your funding requests and the legislative process. I also responded to a few questions from the respective audience around the table. Towards the latter part of this occasion, Representative Bryce Edgmon joined us with his wife Melodie, their son Evan, and their daughter Emma. I had not seen little Emma since she was a baby. It was certainly a treat to see Bryce in his hometown environment. If I didn't say it before with enough emphasis, I was certainly appreciative of everyone's efforts put forth for the preparation of our luncheon. No one should have left there hungry.

In the afternoon, Steve Cropsey and myself went out to survey various aspects of the WWTP, specifically the Sewage Lagoons and the Sewage Outfall. He pointed out the emergency repairs that had taken place with the Sewage Outfall earlier this year as a result of a break in the line on the beach. He applauded the public works crew for their diligence and expediency to resolve this issue.

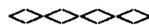
As Rose had pointed out earlier in our discussions, Steve emphasized that a baffle system was going to be installed in the Lagoons. This will allow for the wastewater to circulate more and be retained longer in the two ponds. As I understand the process, this will increase the quality of the discharged wastewater, as greater enzyme activity would have occurred because of the baffle system.

If I also understood correctly, sludge removal was carried out earlier for both Lagoons. That, or it is still pending. Steve also introduced me to a couple of the City workers who were actively engaged in some repair work and were the same personnel who had made the repairs on the broken wastewater line.

We also toured the Animal Shelter with Rose. The reconfiguration of this space was still ongoing, but showing progress. Rose and I finished out the day back at City Hall. We continued our discussions on several priorities of the City. This included the WWTP and funding requests, the FY2015 Legislative priorities list, erosion control, the recently approved resolution to accept a grant under the terms of the Bristol Bay Economic Development Council (BBEDC) Community Block Grant Program, the proposed replacement for both the Fire Hall and the Public Safety Building, the Animal Shelter, and lift station upgrades. She also alerted me to rumors about the federal Payment in Lieu of Taxes (PILT) program that could be affected by the so-called Sequester. Before heading back to my BnB for the night, Rose also drove me out to an area just below the hospital. The erosion over the past several years has been significant. If it continues, I have a sense that eventually a bank stabilization plan will have to be put into place. It was certainly a beautiful area to be able to look out and back towards town.

Later in the evening, I drove back into town to see the Harbor at a higher tide and just walked around to acquire an additional flavor of the community. I also parked by the City's green space located at the Harbor to watch activities going on there and on the river. In addition, I shopped in a couple of locations to get a feel of how much more expensive commodities are out in Bush Alaska.

All in all I had a great time. It was my first trip to Dillingham, but certainly won't be my last. Even though the weather was ideal, I could tell from the folks I was exposed to that no matter what the winds blew in, their community was a paradise. I would have to agree with that assessment. Another aspect that goes a long way towards a quality life style is attitude. The folks I was exposed to were passionate about their jobs and their community. Thanks Dillingham for making my stay enjoyable!

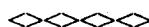


## **BOARD OF FISH APPOINTMENT**

Governor Parnell has appointed Frederick "Fritz" Johnson of Dillingham to the Board of Fisheries effective July 31, 2103.

Mr. Johnson has fished for salmon and herring in Bristol Bay since 1979, and has operated a drift gillnet permit since 2000. For the past five years, he has served as the regional fisheries coordinator for the Bristol Bay Economic Development Corporation, a position that has acquainted him with Board of Fisheries issues and processes. He founded the Bristol Bay Times newspaper in 1980, and published the weekly paper until 1992. He has also served in media and public relations positions for the Bristol Bay Native Association and Bristol Bay Housing Authority, and is a current board member of Nushagak Electric and Telephone Cooperative, Inc. He is pursuing a bachelor's degree from the University of Alaska Fairbanks.

The seven-member Board of Fisheries is responsible for the conservation and development of the state's fishery resources, and sets seasons, bag limits, and methods and means for the state's subsistence, commercial, sport, guided sport, and personal-use fisheries. The board also develops fishery management policy and makes the allocative decisions that are implemented by the Department of Fish and Game.



## **REDISTRICTING**

I had passed along an email to Rose earlier that the Alaska Redistricting Board met and adopted a Conceptual Plan for new districts. The Plan can be found at: [www.akredistricting.org](http://www.akredistricting.org)

If adopted as now drafted, your senator will revert back to Senator Lyman Hoffman after the 2014 election cycle. This presumes that he runs and is reelected to his seat. For the second session of this Legislature and calendar year 2014, your senator remains as Senator Gary Stevens. The House seat would not change other than the possibility of renumbering the district accordingly.



## **EDUCATION TASK FORCE**

Alaska House Education Committee Chair Lynn Gattis announced the House Speaker's appointees to the Sustainable Education Task Force. Gattis, R-Wasilla, and Rep. Tammie Wilson, R-North Pole/Fairbanks, will serve as Co-Chairs of the task force.

The task force was created by passage of House Resolution 8 (HR 8) during the 2013 regular legislative session. Speaker Mike Chenault, R-Nikiski, selected five public members along with three legislators in consultation with the Co-Chairs, who sought applications from interested Alaskans earlier this summer.

The Legislature's most recent budgets include more than \$1.9 billion in capital and operating funds in support of Alaska's public school system, an increase of about 14% in the last three budget cycles. The purpose of the task force is to examine and make recommendations to the State House in January 2014 regarding the funding of public education in Alaska.

Goals of the task force include: an analysis of the adequacy and proper use of public education funds; looking at alternative methods of funding; comparing educational expenses and administrative expenses within school districts and determining if the allocation between administrative and instructional personnel impacts the ability of schools to provide effective instructional services; a review of the effects of pension and health care expenses on total education costs; and, an evaluation of the availability of courses that meet academic standards in each district.

The task force includes a legislator who is a co-chair of the House Energy Committee and five public members: two educators, two business persons, and one member from either the Alaska Federation of Natives (AFN) or from one of the ANCSA regional native corporations.

The following appointments were made:

- Rep. Charisse Millett, Co-Chair House Energy Committee – Rep. Millett will analyze the cost of energy delivery and efficiencies for schools, setting a standard for where Alaska's energy costs for education should be, and creating an incentive structure for school districts who find ways to reduce the costs of energy.
- Mr. Andy Baker, NANA member
- Mr. Jerry Covey, Educator
- Mr. Andrew Halcro, Business person
- Mr. Brad Keithley, Business Person
- Mr. David Nees, Educator

The first meeting of the task force will be announced during the first week in August. Members of the public wishing to keep informed can visit the task force's webpage at [housemajority.org/sustainable-education-task-force/](http://housemajority.org/sustainable-education-task-force/). A survey and feedback tool for members of the public will also be made available through the website in the near future.



## NOTES

### **1. July 15, 2013 – Funds Available for Energy Efficiency in Rural Alaska**

Forwarded an email to Rose regarding the open application period for the following program.

Applications are now accepted for the Village Energy Efficiency Program (VEEP). Through VEEP \$900,000 in grant funding is available for small, high-energy cost communities to implement energy efficiency and conservation measures in their public buildings and facilities. Eligible applicants include municipalities, cities, school districts, unincorporated villages, Alaska Native regional and village corporations, 501(c) 3 tribal consortiums, regional housing authorities and traditional councils. Applications for the VEEP grants are due Aug. 12, 2013; AEA can provide technical assistance to potential applicants.

AEA's efficiency programs focus on commercial and rural public buildings, private commercial buildings statewide, industrial facilities and general education and outreach, AEA also provides support for the Alaska Energy Efficiency Partnership, [AKEnergyEfficiency.org](http://AKEnergyEfficiency.org).

Additional information and applications can be found online at [Akenergyauthority.org](http://Akenergyauthority.org).

The Alaska Energy Authority is a public corporation of the state. AEA's mission is to reduce the cost of energy in Alaska by investing in Alaska's infrastructure, diversifying Alaska's energy portfolio, energy planning and policy and training and technical assistance.



## WEBSITES OF INTEREST

2013 **Interim** Legislator & Staff Contact List:

<http://w3.legis.state.ak.us/docs/pdf/InterimPhoneList.pdf>

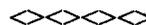
2013 1<sup>st</sup> Session Legislator & Staff Contact List:

[http://w3.legis.state.ak.us/docs/pdf/session\\_phone\\_list.pdf](http://w3.legis.state.ak.us/docs/pdf/session_phone_list.pdf)

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This link provides you with several options to view specifics for the Capital and Operating Budgets. If you click on Capital reports, you can then pull up projects by house district. Dillingham is under H. District 36.



*We welcome input anytime as to what you would like to see in these reports, particularly during this time when the Legislature is not in session. Thank you for the trust you have placed in us.*

~ End Report ~

# City of Dillingham

Alaska House District 36

~ 8/29/13 ~

## AUGUST 2013 – LEGISLATIVE REPORT

*28<sup>th</sup> Alaska State Legislature ~ 1<sup>st</sup> Interim*

*Cliff Stone and Ian Fisk / City Lobbyist's*



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

August 23, 2013, Anchorage, Alaska – Governor Sean Parnell reappointed Jack Schultheis and Kevin Adams, and appointed Amy Humphreys to the Alaska Seafood Marketing Institute (ASMI) Board of Directors. The institute promotes Alaskan seafood and develops market-oriented quality specifications.

Adams, of Anchorage, is the current ASMI chair. He has 40 years of experience as a driftnet boat captain in Bristol Bay. Adams has also worked as an employee for the Alaska Fisheries Development Foundation and the Bering Sea Fisherman's Association. Adams is a former vice president of the Great Ruby Fish Company, and the manager for Adams Enterprises Nets and Gear. He holds a bachelor's degree in international relations from California State University, Chico. Adams is reappointed to a harvester seat.

Schultheis, of Emmonak, is a general manager for Kwik-Pak Fisheries. He has been involved in processing for 37 years, mostly in western Alaska fisheries. Schultheis is reappointed to a small processor seat.

Humphreys, of Seattle, is the president and CEO of Icicle Seafoods. Prior to that, she served as president of Delta Western and vice president of corporate development for American Seafoods Group, LLC. Humphreys is a board member for the Aker Philadelphia Shipyard and Wellspring Family Services. She is also a court appointed special advocate for state dependent children. Humphreys holds a master's degree in business administration from the University of Washington. She is appointed to a large processor seat.

Governor Parnell has also proclaimed the week of September 22-28, 2013 as:

#### **National Guard and Reserve Employer Support Week**

He encourages all Alaskans to applaud the exceptional contributions of Alaska's National Guard and Reserve members and their families, and to express appreciation for the many civilian employers whose policies support Guard and Reserve members.



## PILT Funding

On August 22<sup>nd</sup> I updated Rose in an email about the Payment in Lieu of Taxes (PILT) Funding. This was a specific request from Rose as she indicated Dillingham was hearing rumors that PILT was in trouble because of the sequestration. Municipal governments were also mailed a letter on March 7, 2013 from the Division of Community and Regional Affairs regarding the same topic.

Ms. Lucy Murfitti is Public Lands Counsel to the Energy and Natural Resources (ENR) Committee on which Senator Lisa Murkowski is the ranking member. She provided me with the following information. Thank you to Senator Murkowski's staff for placing me in touch with her.

PILT are Federal payments to local governments that help offset losses in property taxes due to non-taxable Federal lands within their boundaries. The key law is Public Law 94-565, dated October 20, 1976. The amount Dillingham was scheduled to receive for FFY13 was \$811,164. (This was the amount given in the federal database).

These are her comments and observations. The PILT program is currently a permanent authorization, so it is unlikely to go away. What could go away is mandatory full funding. Full funding was a recent phenomenon that was coupled with Secure Rural Schools (National Forest Receipts) the last couple of times it was reauthorized to get more support for reauthorizing Secure Rural Schools. If Congress does not extend the mandatory full funding, PILT will once again be subject to the appropriations process. If indeed PILT is subject to appropriations, then it is likely communities would see a reduction in payments, but again, it would not disappear. All of this has nothing to do with sequestration.

The PILT program was subject to the sequester during this last go a round. So it is likely to be subject to it in future rounds. Thus, it could further reduce payments communities receive.

In addition, a one year reauthorization of Secure Rural Schools was included in the Senate ENR Committee. It is expected to have Senate floor action this fall. The committee is looking at ways to move to a long term solution for both of these funding programs.

For reference purposes, the full act is called; the Secure Rural Schools and Community Self-Determination Act of 2000 and was reauthorized for federal fiscal year (FY) 2012 as part of Public Law 112-141. I know that Dillingham does not receive any funding under this program, but it seems inextricably tied to PILT, so I provided you this info for some background

To lend perspective to the current discussions, the Secretary of the Interior – Ken Salazar issued the letter below to all County's and Municipalities across the U.S. on March 6, 2013. Again, only time will tell as to what we can expect for future funding of this program.

*“Due to the failure of Congress to reach a deal on balanced deficit reduction to avoid sequestration, the President issued a sequestration order canceling approximately \$85 billion in budgetary resources across the Federal Government for the remainder of the Federal fiscal year. As a partner of the Department of the Interior (DOI), I wanted to provide you with timely and clear information about how these unfortunate budget cuts will impact payments made in June for the Payment in Lieu of Taxes (PILT) program. Based on the President's report to Congress, there will be a 5.1 percent reduction in the PILT program, reducing 2013 payments to counties by this amount.*”

*In 2012, the total payments to over 1,850 counties were \$393 million. I cannot tell you at this time the amount of your county's payments because the formula, which is set by law, considers acreage, population, prior year revenue payments, and incorporates an inflationary adjustment. We will be calculating the amounts in preparation for the June payment. However, we do know that as a result of the sequester, the amount we would have paid you based on the formula will be reduced by 5.1 percent, a total of \$20 million for the entire program. This is about 2.3 percent or \$9 million below the 2012 program level.*

*I am keenly aware of DOI's responsibility to local governments to ensure timely issuance of these payments. We plan to issue payments as usual in June 2013. States and counties rely on PILT funding to maintain critical services and our efforts to meet this responsibility continue to be of paramount importance. If sequestration is subsequently corrected, we would issue payments to counties with the balance of the PILT payments due to local governments. We will also continue to keep you informed as additional information becomes available. Thank you for your continued efforts to provide services to the areas surrounding our Nation's Federal lands."*

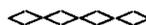


### **PEBBLE MINE / NEW EPA CHIEF TO VISIT ALASKA**

On August 23<sup>rd</sup> I alerted Rose to a recent news story that the new Environmental Protection Agency (EPA) Chief – Gina McCarthy was planning on visiting the site of Alaska's proposed Pebble Mine sometime the week of August 26<sup>th</sup>.

Several EPA representatives will join McCarthy on the trip, including Dennis McLerran, the Pacific Northwest regional administrator, according to an email that EPA officials sent to Alaska tribes this past week. The email said McCarthy plans to hold meetings in the Bristol Bay communities of Dillingham and Iliamna.

An EPA study released in April said the mine could wipe out nearly 100 miles of streams and 4,800 acres of wetlands in the Bristol Bay region. The area produces about half the world's wild red salmon. The agency is finishing the report as it considers whether to use the Clean Water Act to block development of the mine.

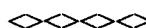


### **WATER RESOURCES DEVELOPMENT ACT**

On August 25<sup>th</sup>, I emailed Rose to let her know I had conferred with Senator Lisa Murkowski's office regarding the Water Resources Development Act (WRDA) that passed out of the Senate a couple of months ago. According to Senator Murkowski's staff, the House has not taken up this bill yet and not likely to move on this bill until after the August recess. It's anybody's guess as to when the House might act on this or a myriad of issues before that body.

Rose had alerted us to this bill as it has a \$100 million set aside for harbors. This would allow the Corps to plan, design, and construct harbors in Alaska, Hawaii, and Puerto Rico over the next ten years. The other unique feature as now written it eliminates the need for every project to be voted on by Congress multiple times.

We'll keep tabs on this measure and report if there is any movement by the House.



## NOTES

### *1. August 23<sup>rd</sup> – PILT / Secure Rural Schools*

I emailed Rose concerning a story about the Forest Service taking funds back from states including Alaska under the Secure Rural Schools Funding citing federal budget cuts. Again, Dillingham does not receive this funding, but it points to the measures that agencies are trying to take as the sequestration takes its toll.

The Western Governors' Association, in a letter to U.S. Agriculture Secretary Tom Vilsack in May, said the budget act that triggered the automatic federal budget cuts, known as sequestration, does not include language authorizing "retroactive application of the spending reductions or limitations. Nor does it contain language requiring reimbursement of funds that were already distributed in order to satisfy spending limitations." The Forest Service falls under the Department of Agriculture.

Governor Sean Parnell also refused to return Alaska's share (approximately \$826,000) of the money saying there was no basis in law for the request.

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## WEBSITES OF INTEREST

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2013 1<sup>st</sup> Session Legislator & Staff Contact List:

[http://w3.legis.state.ak.us/docs/pdf/session\\_phone\\_list.pdf](http://w3.legis.state.ak.us/docs/pdf/session_phone_list.pdf)

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This link provides you with several options to view specifics for the Capital and Operating Budgets. If you click on Capital reports, you can then pull up projects by house district. Dillingham is under H. District 36.

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*I see by your website that the All Tide Dock repairs are coming along. That's really great news!*

*We welcome input anytime as to what you would like to see in these reports, particularly during this time when the Legislature is not in session. Thank you for the trust you have placed in us.*

~ End Report ~

**Mayor**  
Alice Ruby

**Manager**  
Rose Loera



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

## MEMORANDUM

**Date:** August 27, 2013  
**To:** Rose Loera, City Manager  
**From:** Janice Williams, City Clerk  
**Subject:** Monthly Report

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**Regular City Election** is scheduled for Tuesday, October 1, 2013. City candidate filing began August 13 and ends September 3. Starting with this election, the City will implement a new process for write-in candidates. Votes for a write-in candidate will not be counted unless the candidate has filed a letter of intent with the city clerk's office and write-in votes will only be tabulated by person if the total number of write-in votes for an office exceeds the smallest number of votes cast for a candidate for that office whose name is printed on the ballot. Write-ins must file by 1 PM September 30. Their names will not appear on the ballot.

The following seats are up for election. As of this date the following people have filed for office:

<u>Seat</u>	<u>Filed for Office</u>	<u>Term</u>
<b>Council/Mayor</b>		
Seat A		3-year term, expiring in 2016
Seat B	Chris Maines	3-year term, expiring in 2016

### **School Board**

Seat A	3-year term, expiring in 2016
Seat C	1-year remaining in the term; expires in 2014

**Mayor/Council Member Gmails** are ready to be used. The new accounts were distributed and the public was notified via the City's website and Facebook account.

### **Standing Item(s)**

#### **Commission/Board Seats Vacant**

- Planning Commission – 3 seats vacant. No letters on interest on file.

The City began advertising in July to fill two open seats on the Planning Commission vacated by Terry Hoefflerle and Izetta Chambers. Rachel Muir gave her resignation in early August. All three candidates have moved from Dillingham.

- Cemetery Committee – 4 seats vacant. No letters of interest on file.

The City began advertising in October of last year to fill 6 vacant seats. Two seats have been appointed.

**HELPFUL TIP(S).**

**Introduce an Ordinance.** At the Council meeting when an ordinance is being recommended for introduction the process should go as follows:

"I move to introduce Ordinance No. XX and schedule for a public hearing on \_\_\_\_\_ (usually the next council meeting).

**Mayor**  
Alice Ruby

**Manager**  
Rose Loera



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

**MEMORANDUM**

**Date:** August 27, 2013  
**To:** Rose Loera  
City Manager  
**From:** Carol Shade  
Finance Director  
**Subject:** July 31, 2013 Financial Report

As of the end of July 2013, we should have received 8% of the budgeted revenues and not have spent more than 8% of the budgeted expenditures. The total revenues at July 31, 2013 were 20% and total expenditures were 5.7%. In comparison, total revenues for FY12 at July 31, 2012 were 20% and expenditures were 6.8%. Following is a schedule showing the comparison of revenues and expenditures by category:

<u>Category</u>	<u>FY14 Budget</u>	<u>FY14 Actual</u>	<u>FY14 %</u>	<u>FY13 Budget</u>	<u>FY13 Actual</u>	<u>FY13 %</u>
<b>Revenues</b>						
General Fund	\$8,104,577	\$2,697,934	33.3%	\$8,204,314	\$2,491,921	30%
Special Revenues	2,628,536	177,478	6.8%	2,967,446	52,698	2%
Capital Projects	3,660,776	1,702.	0%	1,326,640	-0-	0%
<b>Total Revenues</b>	<b>\$14,393,889</b>	<b>\$2,877,114</b>	<b>20%</b>	<b>\$12,498,400</b>	<b>\$2,544,619</b>	<b>20%</b>
<b>Expenditures</b>						
General Fund	\$8,044,870	\$643,930	8%	\$8,304,017	\$480,202	6%
Special Revenues	2,532,744	149,883	9%	2,663,347	202,219	8%
Capital Projects	3,720,979	31,565	.8%	1,325,840	-0-	0%
<b>Total Expenses</b>	<b>\$14,298,593</b>	<b>\$825,378</b>	<b>5.8%</b>	<b>\$12,293,198</b>	<b>\$682,421</b>	<b>6%</b>

As of July 31<sup>st</sup> we have decreased our real and personal property receivables by \$355,099.56. This represents a 48.09% decrease. The staff assigned to collections continues to write letters and make phone calls to delinquent tax payers and other citizens who are behind on their user fees. In her efforts to continually be in communication with people who are behind on their bills she has taken 92 incoming phones calls and made 45 outgoing phone calls, received 26 visitors and had 52 promissory notes signed. Six of the notes have been paid in full and only two are in total default.

The attached statements reflect the City's financial status as of July 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**  
**Revenues and Expenditures As of July 31, 2013**  
**Unaudited Figures**

REVENUES:	Budget - FY13	Jul-13	Year to Date Actual - 7/31/13	Percent	Previous Year	
					7/31/2012	INC/(DEC)
					Actual	Last Year
<b>General Fund Revenues</b>						
General Sales Tax	\$ 2,700,000	\$ 365,003	\$ 365,003	13.5%	\$ 342,907	\$ 22,096
Alcohol Sales Tax	265,000	21,806	21,806	8.2%	6,123	15,683
Transient Lodging Sales Tax	80,000	4,996	4,996	6.2%	55,243	(50,247)
Gaming Sales Tax	65,000	6,010	6,010	9.2%	7,658	(1,648)
<b>Total Sales Tax</b>	<b>3,110,000</b>	<b>397,815</b>	<b>397,815</b>	<b>12.8%</b>	<b>411,931</b>	<b>(14,116)</b>
Real Property Tax	1,500,000	1,578,813	1,578,813	105.3%	1,532,755	46,058
Personal Property Tax	500,000	523,375	523,375	104.7%	529,420	(6,045)
<b>Total Property Taxes</b>	<b>2,000,000</b>	<b>2,102,188</b>	<b>2,102,188</b>	<b>105.1%</b>	<b>2,062,175</b>	<b>40,013</b>
Telephone Gross Receipts State Tax	75,000	-	-	0.0%	-	-
Raw Fish Tax	263,000	-	-	0.0%	-	-
Nushagak Fish Tax (Proportion transfer in)	400,920	-	-	0.0%	-	-
Shared Fisheries	33,000	-	-	0.0%	-	-
Revenue Sharing (Municipal Energy Assist in '08)	209,869	-	-	0.0%	-	-
Payment in Lieu of Taxes (PILT)	419,516	-	-	0.0%	-	-
State Jail Contract	613,386	160,325	160,325	26.1%	-	160,325
Admin Overhead	348,137	-	-	0.0%	-	-
PERS on Behalf	232,178	29,624	29,624	12.8%	-	29,624
Other Revenues	399,571	7,982	7,982	2.0%	17,815	(9,833)
<b>Total</b>	<b>2,994,577</b>	<b>197,931</b>	<b>197,931</b>	<b>6.6%</b>	<b>17,815</b>	<b>180,116</b>
<b>Total General Fund Revenues</b>	<b>8,104,577</b>	<b>2,697,934</b>	<b>2,697,934</b>	<b>33.3%</b>	<b>2,491,921</b>	<b>206,013</b>
<b>Special Revenue Funds Revenues</b>						
Nushagak Fish Tax	460,139	-	-	-	-	-
Water	217,781	15,208	15,208	7.0%	4,816	10,392
Sewer	250,598	20,200	20,200	8.1%	8,252	11,948
Landfill	354,228	25,428	25,428	7.2%	14,868	10,560
Dock	626,910	78,767	78,767	12.6%	66	78,701
Boat Harbor	242,414	29,170	29,170	12.0%	16,330	12,840
E-911 Service	70,000	6,243	6,243	8.9%	5,404	839
Senior Center (Grant)	118,290	389	389	0.3%	1,481	(1,092)
Senior Center (Non-Grant)	288,176	2,073	2,073	0.7%	1,481	592
<b>Total Special Revenue Funds Revenues</b>	<b>2,628,536</b>	<b>177,478</b>	<b>177,478</b>	<b>6.8%</b>	<b>52,698</b>	<b>124,780</b>
Debt Service Fund Revenue	1,176,090	-	-	-	-	-
Asset Forfeiture Fund	-	-	-	-	-	-
Dock and Harbor Capital Project Fund Revenue	-	-	-	-	-	-
Road and Streets Capital Project Fund Revenue	-	-	-	-	-	-
WasteWater Treatment Plant	2,000,000	-	-	-	-	-
Force Main	-	-	-	-	-	-
School Bond Project	-	-	-	-	-	-
Library Grants	52,892	1,702	1,702	3.2%	-	1,702
Library Roof	243,000	-	-	-	-	-
E911 Critical System Upgrades	-	-	-	-	-	-
JAG Grant	-	-	-	-	-	-
BBEDC (Various Projects)	-	-	-	-	-	-
Equipment Replacement Capital Project Fund	120,000	-	-	-	-	-
Ambulance Reserve Capital Project Fund Revenue	67,294	-	-	-	-	-
Mary Carlson Estate Permanent Fund Revenue	1,500	-	-	-	-	-
Landfill Oxidation	-	-	-	-	-	-
Landfill Phase 3	-	-	-	-	-	-
<b>Total</b>	<b>3,660,776</b>	<b>1,702</b>	<b>1,702</b>	<b>0.0%</b>	<b>-</b>	<b>1,702</b>
<b>Total Revenues</b>	<b>\$ 14,393,889</b>	<b>\$ 2,877,114</b>	<b>\$ 2,877,114</b>	<b>20.0%</b>	<b>\$ 2,544,619</b>	<b>\$ 332,495</b>

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

EXPENDITURES:	Budget - FY13	Jul-13	Year to Date Actual - 7/31/13	Percent	Previous Year	
					7/31/2012	INC/(DEC)
					Actual	Last Year
<b>General Fund Expenditures</b>						
City Council	\$ 72,576	\$ 9,784	\$ 9,784	13.5%	\$ 2,905	\$ 6,879
City Clerk	135,549	8,436	8,436	6.2%	8,894	(458)
Administration	303,750	16,863	16,863	5.6%	33,993	(17,130)
Finance	588,161	40,494	40,494	6.9%	34,472	6,023
Legal	90,000	745	745	0.8%	26,167	(25,422)
Insurance	106,016	500	500	0.5%	-	500
Non-Departmental	197,950	10,653	10,653	5.4%	16,341	(5,687)
Planning	149,566	4,494	4,494	3.0%	7,181	(2,687)
Public Safety Administration	179,141	10,408	10,408	5.8%	3,228	7,180
Dispatch	452,639	27,722	27,722	6.1%	38,428	(10,706)
Patrol	848,754	54,404	54,404	6.4%	84,673	(30,269)
Investigations/WAANT	-	-	-	-	546	(546)
Corrections	613,386	34,678	34,678	5.7%	36,378	(1,700)
DMV	87,938	5,120	5,120	5.8%	6,254	(1,134)
Animal Control Officer	131,116	13,719	13,719	10.5%	13,774	(56)
Fire	272,879	8,319	8,319	3.0%	13,559	(5,240)
K-9	-	-	-	-	-	-
PS IT	32,000	3,168	3,168	9.9%	3,168	-
Public Works Administration	223,562	7,116	7,116	3.2%	15,791	(8,674)
Building and Grounds	314,813	14,317	14,317	4.5%	76,568	(62,251)
Shop	211,918	16,526	16,526	7.8%	13,337	3,189
Street	617,911	23,597	23,597	3.8%	32,003	(8,406)
City Apartment Building	-	-	-	-	-	-
Library	132,478	7,771	7,771	5.9%	12,385	(4,614)
Meeting Hall above Fire Station	3,680	96	96	2.6%	158	(62)
City School	1,300,000	325,000	325,000	25.0%	-	325,000
Transfers to Other Funds	979,087	-	-	0.0%	-	-
<b>Total General Fund Expenditures</b>	<b>8,044,870</b>	<b>643,930</b>	<b>643,930</b>	<b>8.0%</b>	<b>480,202</b>	<b>163,728</b>
<b>Special Revenue Funds Expenditures</b>						
Nushagak Fish Tax	460,139	-	-	0.0%	-	-
Water	217,781	7,710	7,710	3.5%	12,646	(4,936)
Sewer	250,598	11,625	11,625	4.6%	25,874	(14,249)
Landfill	354,228	21,354	21,354	6.0%	32,598	(11,244)
Dock	593,419	65,348	65,348	11.0%	64,685	662
Boat Harbor	242,414	16,826	16,826	6.9%	33,422	(16,596)
E-911 Service	7,700	-	-	-	5,446	(5,446)
Senior Center (Grant)	118,290	13,448	13,448	-	27,548	(14,100)
Senior Center (Non-Grant)	288,175	13,572	13,572	4.7%	-	13,572
<b>Total Special Revenue Fund Expenditures</b>	<b>2,532,744</b>	<b>149,883</b>	<b>149,883</b>	<b>5.9%</b>	<b>202,219</b>	<b>(52,336)</b>
Debt Service Fund	1,176,090	-	-	-	-	-
Asset Forfeiture Fund	-	-	-	-	-	-
Dock and Harbor Capital Project Fund	-	6,788	6,788	-	-	6,788
Road and Streets Capital Project Fund	-	-	-	-	-	-
WasteWater Treatment Plant	2,000,000	14,953	14,953	-	-	-
Force Main	-	7,727	7,727	-	-	7,727
School Bond Project	-	360	360	-	-	360
Library Grants	52,893	-	-	-	-	-
Library Roof	243,000	-	-	-	-	-
JAG Grant	-	-	-	-	-	-
E911 Critical System Upgrades	-	-	-	-	-	-
BBEDC (Various Projects)	-	13	13	-	-	-
Ambulance Reserve Capital Project Fund	242,000	-	-	-	-	-
Equipment Replacement Capital Project Fund	-	-	-	-	-	-
Mary Carlson Estate Permanent Fund	6,996	106	106	-	-	106
Landfill Oxidation	-	410	410	-	-	-
Landfill Phase 3	-	1,208	1,208	-	-	-
<b>Total</b>	<b>3,720,979</b>	<b>31,565</b>	<b>31,565</b>	<b>0.8%</b>	<b>-</b>	<b>14,982</b>
<b>Total Expenditures</b>	<b>14,298,593</b>	<b>825,378</b>	<b>825,378</b>	<b>5.8%</b>	<b>682,421</b>	<b>126,374</b>
<b>Revenues Over (Under) Expenditures</b>	<b>\$ 95,296</b>	<b>\$ 2,051,737</b>	<b>\$ 2,051,736</b>		<b>\$ 1,862,198</b>	<b>\$ 206,122</b>

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

	<b>Fund Bal.</b> <b>6/30/2013</b> <b>(Unaudited)</b>	<b>FY'13</b> <b>Revenues</b>	<b>FY'13</b> <b>Expenditures</b>	<b>Add or (-)</b> <b>Fund Bal</b>	<b>Fund Bal.</b> <b>7/31/2013</b> <b>Unaudited</b>
General Fund	\$ 3,859,279	\$ 2,697,934	\$ 643,930	\$ 2,054,004	\$ 5,913,283
Water	20,044	15,208	7,710	7,498	27,542
Waste/Water		20,200	11,625	8,575	8,575
Landfill		25,428	21,354	4,073	4,073
Dock	1,054,760	78,767	65,348	13,419	1,068,179
Boat Harbor	-	29,170	16,826	12,344	12,344
E-911 Service	13,197	6,243	-	6,243	19,440
Asset Forfeitures Fund	1,266	-	-	-	1,266
Senior Center	5,672	2,462	13,448	(10,986)	(5,314)
Debt Service	-	-	-	-	-
Dock and Harbor Capital Project Fund	202,712	-	6,788	(6,788)	195,924
Road and Streets Capital Project Fund	-	-	-	-	-
WasteWater Treatment Plant	(59,502)	-	360	(360)	(59,862)
Force Main	(394,992)	-	360	(360)	(395,352)
School Bond Project Capital Project Fund	139,516	10	-	10	139,526
JAG Grant	59,171	-	-	-	59,171
Library Grants (Books, Erate, etc.)					
Library Roof	(5,748)				
Equipment Replacement Capital Project Fund	57,036	-	-	-	57,036
Ambulance Reserve Capital Project Fund	535,580	-	-	-	535,580
Mary Carlson Estate Permanent Fund	389,430	-	106	(106)	389,324
Landfill Capital Project Fund	169,320	-	1,208	(1,208)	168,112
<b>Total</b>	<b>\$ 6,046,741</b>	<b>\$ 2,875,423</b>	<b>\$ 789,063</b>	<b>\$ 2,086,359</b>	<b>\$ 8,138,848</b>

**Mayor**  
Alice Ruby

**Manager**  
Rose Loera



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

## MEMORANDUM

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

---

School started this week with our students using the library again. Our school librarian, Nicole Ito, has worked with the teachers and staff to coordinate the schedules for the literacy block. Every day (Monday – Friday) two sets of classes will be coming to use the library. Each middle/high school student has a library card to check out reading materials. The school librarian is available here Monday – Friday from 9am to 1pm.

Over the summer we have lost our 6 patron computers that were purchased with a grant in 2006. With the daily use they receive, I'm surprised they lasted seven years. We are so thankful to have the 4 new computers from the Alaska OWL grant we received a few years ago; otherwise, we would have no equipment for patrons to access the internet.

The Librarian Assistant, Abigail Flynn, was on leave in August. David Nukwak finished working last week and is off to college. We will need to fill the Library Aide/Clerk position once again. The Alaska OWL Project was extended until September 2014, so the funding for the Internet Technology Aide will continue for another year.

The Friends of the Library had their meeting August 10<sup>th</sup>. Thanks to their funding, the library received books to update our Classics section and our Alaska DVD collection. The next meeting for the Library Board is Monday evening, September 9<sup>th</sup>.

The roof project began near the middle of August and should be done by next week. The weather has cooperated. Work on the ramp and steps will begin soon.

### **Library Stat report for July 22<sup>nd</sup> - August 24, 2013:**

**Patron Visits: 3,241 Computer Use: 1,136 Story Hour: 76**

**Other Visits: 132 Museum Use: 103 Videoconferencing: 3**

### **Approximately 18.5 volunteer hours logged**

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City of Dillingham

Page 1 of 1

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Alice Ruby

**Manager**  
Rose Loera



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## MEMORANDUM

**Date:** August 29, 2013  
**To:** Rose Loera, City Manager  
**From:** Jody Seitz, Director of Planning and Grants  
**Subject:** August Monthly Report

---

**CIP:** The CIP is presented for amendment to the City Council adding the necessary improvements to the All-Tide Dock (dolphins).

**ADOT Airport Extension Project:** The fence around the airport has been moved inward to allow snow machine traffic around the airport in winter. At its tightest point the clearance is 16 feet, according to the project Engineer, Kent Hamilton. Staff will be sending a letter to Manokotak City and Tribe informing them of this and putting on the City website as well.

**Erosion/bank stabilization:** Calls to ADEC revealed that might be allowable provided that the landowner applies to ADF&G Habitat Division and the US ACOE for permits.

**Long Term Encroachment Permits:** The Bristol Bay campus applied to tie their new building into the water main on D Street. Compaction and restoration of the street were issues that were ironed out prior to the Planning Commission recommending approval of this to the City Council.

**GIS:** Will meet in early September with Finance and the GIS consultant to begin inputting the parcel ID on all parcels. This will connect parcel data in Finance with subdivision data, utilities and address data in the GIS database.

**Grants and Projects:** Submitted AEA grant for energy conservation improvements on public buildings in early August. Submitted applications to the ADEC municipal matching grant program for Wastewater Treatment Plant Upgrades and the Landfill Regulatory Compliance Improvements. Submitted request for ADEC Clean Water Loan Funds.

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Land Use Permits: Have advertised for September and October. Several landowners have built without getting the permit. One paid but didn't provide the drawing to scale. Time for this is challenging. Need additional help to do this properly.

Material Sites: Planning Commission passed a resolution generally recommending that the City adopt some type of ordinances to address permitting of material sites within the City. The intent is to move forward the discussion about ways the City can address issues which have arisen in Dillingham this summer. City Manager is making a recommendation in her report with a copy of resolution passed by the Planning Commission.

Ordinances: The ADOT is requesting that the City pass an ordinance for platting roads. Worked with attorney Patrick Munson to prepare an ordinance for the Planning Commission. The PC now recommends the ROW ordinance for City Council consideration. This allows an efficient way to plat roads prior to acquiring and after acquiring rights –of way. This avoids having to do many little tiny subdivisions.

Plats: Port Land Exchange preliminary plat has been prepared. Still need to meet again with landowners regarding the exchange. Discovered a water line lies within Second Avenue West, one area that was proposed to be given to N&N Market in exchange for their land at the entrance to the Port of Dillingham. Held public hearing on the Vacation of Second Avenue West, but have removed the Vacation from the Planning Commission agenda until I can get some answers about the water line.

Road Projects. ADOT and DOWL attend the Planning Commission meeting on 8/20 and held an open house at City Hall regarding the 65% design for the Downtown Streets. ADOT has rolled the Storm Drain project into the Downtown Streets Project and is paying for the entire upgrade.

Subdivision Access Committee: The Planning Commission will hold another workshop on September 21 to examine the legal and safety advice received and share their research on other municipal codes.

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## MEMORANDUM

**Date:** August 27, 2013  
**To:** City Manager Rose Loera  
**From:** Chief Dan Pasquariello  
**Subject:** **August 2013 Council Report** (reporting period 6/23/13 to 8/26/13)

---

**Police:**

- ❖ 547 Calls for service
- ❖ 42 Incident reports
- ❖ 26 Persons arrested
- ❖ 21 Title 47/Protective custody
- ❖ 40 Citations issued

The patrol division now has all but one position filled. However, training and medical issues have caused us to be short staffed.

One of our new local officers is attending the police academy in Fairbanks. He is doing well and learning a lot. He will be at the academy until mid-November.

Our newest officer is still in the field training process. He is doing well and is expected to be released on his own in a few more weeks.

One of our officers sustained an injury to his knee during a violent arrest. He is healing but will be on light duty for another month.

One of our officers is currently on FMLA leave for the birth of his child.

Our K-9 officer attended qualification training with Lutri. They passed the training and K9 Lutri will once again be able to be utilized as a sent detection dog.

The two new patrol cars have been ordered from the dealership. It will be 2-3 months before they will arrive in Dillingham.

The project of revising the penalty and fine schedules for the Municipal Code is nearly complete. It will be ready for Code Committee review in September.

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**Corrections:**

- ❖ 61 Total Inmates
- ❖ 21 Title 47/Protective custody

Our newest corrections officer is still in the training process. He is expected to be on his own in a few more weeks.

We are in the process of obtaining an automated fingerprint system for the jail. The Alaska DOC is trying to move all Community Jails towards electronic fingerprinting, instead of the old ink and card system we currently use. We have been trying to go to electronic fingerprinting for a couple of years now but have been unable to for financial reasons. With our newly increased jail contract with no have the funding available to make the process happen.

**Dispatch:**

- ❖ 694 Calls for service
- ❖ 80% Dispatched to Dillingham Police
- ❖ 12% Dispatched to Alaska State Troopers
- ❖ 4% Dispatched to EMS/Dillingham Fire
- ❖ 4% Dispatched to Dillingham Animal Control
- ❖ 6 records requests completed

We are continuing the process of setting up the alternate Emergency Operations Center (EOC) at the Lake Rd Fire Hall. We were awarded \$200,000 from the State Legislature for this project. Our preliminary budget is approximately \$170,000 for the needed equipment and installation.

**Animal Control:**

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

The Animal Shelter was moved to National Guard Armory building.

A story was aired on local radio station KDLG about the animal shelter move. Additionally, the Bristol Bay Times published an article about the animal shelter move and the overall operation of the shelter.

In these stories we requested volunteers to help with shelter operations. We are about to begin the process organizing and training the volunteers

Chester Valley Veterinarian Hospital held a clinic in the old animal shelter. They performed 28 surgeries and saw an additional 43 animals.

**DMV:**

- ❖ 115 registration/titles
- ❖ 84 drivers licenses
- ❖ 5 commercial driver's licenses
- ❖ 5 road tests

Nothing reported.

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## MEMORANDUM

**Date: July 22, 2013**

**To: Rose Loera**

**From: Stephanie McCumber, Fire Department Office Assistant**

**Subject: August 2013 Department Head Report**

---

### **Summarization of EMS Responses in August**

- Total of 26 Ambulance Transports
  - 3 Chest Pains
  - 3 Medical Transports
  - 1 Sick Person
  - 2 Traumatic Injuries
  - 3 Breathing Problems
  - 4 Unconscious/Fainting's
  - 2 Traffic/Transport Accidents
  - 1 Pains
  - 1 Seizure/Convulsion
  - 1 Choking
  - 1 Back Pain-Non Traumatic
  - 1 Overdose

### **Summarization of Fire Responses between June & July**

- Total of 3 Fire Responses
  - 3 False Alarm/Stand Downs

### **PROJECTS COMPLETED**

- The August combination meeting was held for training on parking on scene, hand signals and driving rules.
- The Fire and Rescue meetings were combined for finishing the driving course portion of our Driver Training Program. 8 members attended at the airport where we had various courses set up with cones to test driving capabilities.
- The Fire Coordinator candidate arrived in Dillingham on the 14<sup>th</sup>, and he received thorough tours of the fire stations and some of the surrounding area.

### **ON-GOING PROJECTS**

- The Fire Office Assistant is inventorying all apparatus and working with members to create a correct inventory of our equipment on apparatus.
- The Fire Office Assistant is creating map books for all apparatus to better our response efforts.

---

*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.*

**Mayor**  
Alice Ruby

**Manager**  
Rose Loera



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

## MEMORANDUM

**Date:** August 26, 2013  
**To:** Rose Loera  
**From:** Ida Noonkesser  
**Subject:** Staff Report

---

During the month of June the Senior Center served 453 congregate meals to 66 individuals, 196 home delivered meals to 10 individuals, gave 292 assisted rides to 30 individuals, and 192 to unassisted rides to 35 individuals. Aleknagik transportation services included 484 rides for the month of June. I also helped one elder with paperwork.

We had two renters in the month on June. The Pinochle player's group continues to rent the dining room every Friday.

During the month of July, the Senior Center served 453 congregate meals to 59 individuals, 208 home delivered meals to 10 individuals, gave 360 assisted rides to 34 individual, and 238 unassisted rides to 34 individuals. Aleknagik transportation services included 306 rides for the month of July.

We had one renter in the month of July. The Pinochle player's group continues to rent the dining room every Friday.

Anna Mae Bartholomew who works for (BBNA) Aging & Disability Resource Specialty had Cultural Club Group make jelly with the school kids on July 31<sup>st</sup> and donated the jelly they made to the Senior Center.

Rachel Bobbitt led a Zumba class in the month of July to see if anyone would be interested. I am not sure how it turned out, because I was traveling at the time. I told her that we were always looking for healthy classes to host that might help our elders stay healthy.

Our next Advisory Board meeting is September 11<sup>th</sup> at 1pm in the dining room at the Senior Center.

**I. CALL TO ORDER**

The Code Review Committee met on Thursday, August 8, 2013, in the Council Chambers, Dillingham, AK. Chair Paul Liedberg called the meeting to order at 5:28 p.m.

**II. ROLL CALL**

Committee Members present:

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

Guest(s):

Carol Shade, Finance Director  
Jean Barrett, Port Director  
Brian Laurent, Library Board President  
Dan Pasquariello, Chief of Police

**III. APPROVAL OF MINUTES**

A. Meeting of June 13, 2013

**MOTION:** Alice Ruby moved and Rose Loera seconded the motion to approve the minutes of June 13, 2013.

**GENERAL CONSENT:** The motion passed without objection.

**IV. APPROVAL OF AGENDA**

Chair Liedberg asked that discussion on agenda items A & C under New Business follow Unfinished Business item A.

**MOTION:** Janice Williams moved and Rose Loera seconded the motion to approve the agenda as amended.

**GENERAL CONSENT:** The motion passed without objection.

**V. UNFINISHED BUSINESS**

A. Review Library Code Suggested Changes – *Ord. No. 2013-XX*

Brian Laurent offered several changes to the resolution creating a Library Advisory Board as follows:

- Items numbered 1 and 4, include Fairbanks in U of A Fairbanks Bristol Bay Campus;

- Item numbered 3, include new language (displayed in underlined font): "The presiding officer shall be recommended by the Library Advisory Board, nominated by the Mayor, and confirmed by the City Council; and
- Item numbered 5, strike Committee and insert Board, and add new language (displayed in underlined font) "The Committee Board shall be advisory to the City Manager and Librarian recommending operational policies for the library program, and submitting same to the City Council for approval.

MOTION: Janice Williams moved and Rose Loera seconded the motion to recommend the resolution to the City Council.

GENERAL CONSENT: The motion passed without objection.

Discussion:

- noted staff would review the ordinance with the librarian specifically items the Library Board had marked for deletion in Section 2.08, Public Library;
- commented the presiding officer could establish other official positions on the Board, but it was not necessary to have it in the resolution;
- suggested adding a sentence (displayed in underlined font) to Section 2.08.050, There is established the position of librarian for the Dillingham public library, who shall be appointed by and serve under the supervision of the city manager. The librarian attends the meeting of the Library Advisory Board and serves as a liaison between the Board and the City Manager. The librarian shall be responsible for the efficient and economical conduct of the library; and
- noted both the resolution and ordinance would be presented for recommendation at the same time.

City Manager Loera to set up a meeting with Librarian Sonja Marx and Board President Brian Laurent to review the five year plan drafted by the Library Board.

B. Point of Sale for Assessing City Sales Tax

Mayor Ruby commented on the memorandum from Attorney Munson, noting the outline he had created would be used to present the information to the Council. Manager Loera to meet with Nushagak Co-op and City of Aleknagik personnel to discuss the potential of the Council to move to initiate assessing sales tax on services provided outside Dillingham boundaries as established in code. Committee to recommend the Council set a date for a workshop to address Point of Sale at their September 5 Regular Council Meeting.

VI. NEW BUSINESS

A. Review Inconsistencies Between Dillingham Municipal Code and the Port of Dillingham Terminal Tariff No. 1

City Clerk Williams commented that this item had originally been added to the Code's To Do List because the code referenced the denied services list for the Port services as the delinquent list, and felt they should be labeled the same. She noted she found far more

inconsistencies between both documents than just the denied services/delinquent list references, and the task had become a lot bigger. City Clerk and Port Director were also working to integrate the harbor fees into the Port tariff, which were missing from the document.

Discussion:

- spoke in favor of referring to the "denied services list" for both the Port tariff and the code; change 4.40.010 [may be other sections also] to remove reference to "delinquent list"; and
- suggested adding a definition for Port in the tariff similar to DMC; this sent up a red flag that the definitions in the code were not reading the same as the Port tariff.

Staff noted there was more work to be done and would bring back additional corrections to the next meeting.

B. Review Threshold for Filing Monthly Sales Tax Reports Monthly or Quarterly

MOTION: Janice Williams moved and City Manager Loera seconded the motion to recommend to the Council that the issue was now irrelevant with the recent regulation to not require a business license if gross annual sales were \$10,000 or less.

GENERAL CONSENT: The motion passed with no objection.

C. Review Public Safety Fines (*No documentation for this packet. Will provide an oral report.*)

Chief Dan Pasquariello explained there were problems with the City's current code, and staff was working with Attorney Munson who was assisting other municipalities with the same issues; clarifying the requirements for the new uniform Minor Offense Table that would establish which ordinances were enforced as minor offenses from the State's perspective, and determining what amendments the State needed to see in the City's code in order to process tickets on the City's behalf. Chief Pasquariello noted the State was only forwarding the fees established in the City ordinances; the other fees were going to the State. State discussed the urgency of getting this matter cleared up, because the City was losing its share of revenues.

D. Review Bed Tax (*postpone to September*)

E. Review Title 6, Business Licensing, Chapter 6.04, Transient Vendors (*postpone to September*)

VII. PUBLIC COMMENT/COMMITTEE COMMENTS

There were no public or committee comments.

**VIII. ADJOURNMENT**

The meeting adjourned at 7:10 p.m.

\_\_\_\_\_  
Paul Liedberg, Chair

ATTEST:

\_\_\_\_\_  
Janice Williams, City Clerk

Approval Date: \_\_\_\_\_

**I. CALL TO ORDER**

The Finance and Budget Committee met on Monday, August 26, 2013, at the City Council Chambers, Dillingham, AK. Bob Himschoot called the meeting to order at 5:47 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

**III. APPROVAL OF MINUTES**

There are no outstanding minutes to approve.

**IV. APPROVAL OF AGENDA**

**MOTION:** Manager Loera moved and Keggie Tubbs seconded the motion to approve the agenda as presented.

**GENERAL CONSENT:** The motion passed without objection.

**V. STAFF REPORTS**

**A. Review of Financial Statements**

Finance Director Carol Shade informed the committee that the June financials were very preliminary, that not all transactions have been posted, but felt the bottom line would show the City in the black. She noted she was in the process of preparing for the audit.

Discussion:

- Property tax revenues under column Year-to-Date on the Statement of Revenues and Expenditures reflected what was billed July 2012; the actual amount received was recorded on the balance sheet (not included in the packet); at year end an analysis would be done to record what was uncollectible; this allowance for bad debt was a balance sheet account; if it was later collected it became new revenue for the current year;
- Dock revenues were \$250K less than what was budgeted; noted it could be attributed to the dock tended to be late in sending in their receivables;
- Harbor revenues were considerably higher than what was budgeted and had yet to analyze the difference;
- Capital projects – reviewing the grants with staff, and some revenue entries still needed to be entered;

- General fund expenses were at 96% of what was budgeted; didn't feel anything was outstanding; legal was 17% over budget; some of the PERS items were over; finance software implementation overtime drove costs over budget;
- Special revenue expenses were at 87%, some higher some lower;
- Schedule a quarterly budget review on the June financials at the September Council meeting and highlight the major differences; analyze transfers to the special revenue funds;
- Raw fish tax revenues – closer to \$600K or over; staff to bring back language to look at options to use excess fish tax revenues, such as forward funding;
- Fisheries infrastructure fund (Regional Fisheries Improvement Fund) was intended to be for capital projects to improve the fisheries and look for input from neighboring communities; and
- Fisheries tax revenue could be used to pay for items such as equipment for oil spill prevention.

## VI. UNFINISHED BUSINESS

### A. Fiscal Policy Development

#### 1. Overall Rate Review

##### a. Water and Wastewater

Finance Director Shade noted from the workshop there seemed to be no interest for Scenario 2 (42% increase for first two years, 20.5% increase for last three years) and Scenario 3 (65% for first two years). Staff produced additional scenarios provided by the consultants with a 12.5% increase and to show how the rate structure would change from year to year.

#### Discussion:

- staff had estimated the number of people that could qualify as low income users, but hadn't factored any changes into the rates;
- asked if the City went to a flat rate, with the existing rate structure with multiples classes, how would existing customers fall into the new categories, and would the bottom line total after the restructure be the same or more than what the City was currently collecting;
- concerned by cutting out the capital reimbursement from the rates, it would pass the burden to non-users, suggested this supported developing fiscal policies where it would be acknowledged that the general funds were contributing to each of the city's services;
- questioned if a commercial user could bear a larger part of the increase, since they would have some opportunity to recover the fees not available to residential users;
- recommended in preparation for advertising the rate increases to set out objectives, ex. currently service doesn't pay for its own operation, set aside 5% for capital replacement costs;
- recommended the consultants be available for the next finance meeting;
- spoke in favor of setting some parameters: 1) increase rates no more than 12.5%; 2) must be able to cover O&M costs;
- staff to bring back several new options: flat rate with existing customer base at 12.5% increase; use scenario 1 with estimated low income users; use scenario 1 but to cover O&M; increase commercial burden; make percentages equal 100% (Scenario 6);

- asked if the proposed increase over the next 5 years would need to be reviewed again in five years, recommended a formula be set up, this was done with the E911 rate, and review the rates on a regular basis thereafter;
- B. Review Threshold for Filing Monthly Sales Tax Reports over Quarterly Reporting  
(Sent to Code Review Committee-Does this come back to Finance?)

MOTION: Keggie Tubbs moved and Mayor Ruby seconded the motion to postpone indefinitely.

Discussion:

- commented the action taken on the sales tax and business licenses would make this moot.

GENERAL CONSENT: The motion passed without objection.

**VII. NEW BUSINESS**

- A. Proposed Life Insurance Change

Finance Director Carol Shade reported that the City Manager contract stipulated the City provide life insurance coverage at 1 ½ times their annual rate. The City had problems complying with that stipulation, because it was difficult to get life insurance for an individual. The City's insurance agent had suggested looking into a group life insurance policy that would be able to provide this option. It would create two groups of employees, managers and non-managers. If the City moved to 1 ½ times to a maximum of \$200,000 it would solve the situation for the next several years. City currently paid \$564/mth, with two classes of employees the coverage would increase to \$711/mth. After a certain value, \$50 or \$60, this becomes a taxable fringe benefit. Premium was based on wage and age.

Discussion:

- staff to evaluate the additional tax requirement.

- B. Reschedule September 30 Meeting to September 23

MOTION: Carol Shade moved and Keggie Tubbs seconded the motion to change the meeting to September 23 if the reason was due to the Election on October 1.

GENERAL CONSENT: The motion passed without objection.

- C. Dock Update

City Manager Loera reported the dock could hopefully be opened by the next day. It was perceived that the insurance company was posturing itself to deny the claim, remarking the City had proceeded to repair the fence without getting their approval or a bid. The City had informed them it was an emergency repair. She had been in discussion with the City's Attorney and had notified the insurance company if they were not in agreement to inform the City within 10 days.

The concern now was that the dock was not protected, and could happen again. There would be some discourse with the barge companies how the city wanted them to dock, not to pivot off the

dock, and staff to monitor comings and goings. In the meantime, the engineer had recommended installing dolphins on each of the corners in the spring. The final cost of the emergency repairs could be closer to \$400K – \$500K, due in part to materials having to be flown in.

**Discussion:**

- suggested the City could look at retaining another engineering firm to investigate if it was a faulty design, whether the insurance claim was paid or not; the insurance company did bring in their own engineer.

**VIII. PUBLIC/COMMITTEE COMMENT(S)**

**Carol Shade:**

- noted the City could go out to bid for an insurance company, other insurance companies had pursued the City's account.

**Mayor Ruby:**

- asked if the City was going to need to invest money in a backup system with its new finance software in place.

Carol Shade commented City Hall was doing routine backups and a tape taken offsite. She agreed it might be prudent to have an additional server for redundancy. Manager Loera reported these issues were being taken up in the IT Committee as well.

**IX. ADJOURNMENT**

The meeting adjourned at 8:18 p.m.

\_\_\_\_\_  
Bob Himschoot, Chair

**ATTEST:**

\_\_\_\_\_  
Janice Williams, City Clerk

Approval Date: \_\_\_\_\_

CITY OF DILLINGHAM, ALASKA

**ORDINANCE NO. 2013-17**

**AN ORDINANCE OF THE DILLINGHAM CITY COUNCIL AMENDING TITLE 17 OF THE DILLINGHAM MUNICIPAL CODE TO ADD SECTION 17.33 ESTABLISHING A SIMPLE PROCEDURE FOR DEDICATING RIGHTS-OF-WAY FOR A PUBLIC PURPOSE**

---

BE IT ENACTED BY THE DILLINGHAM CITY COUNCIL:

**Section 1. Amendment of Title 17.** Title 17 of the Dillingham Municipal Code is hereby amended by adoption of a new chapter 17.33 to read as follows:

**Chapter 17.33  
RIGHTS-OF-WAY DEDICATED FOR A PUBLIC PURPOSE**

**Sections:**

- 17.33.010 Right-of-Way Acquisition Plats.**
- 17.33.020 Standards and Requirements Generally.**
- 17.33.030 Certificates and Affidavits Required.**
- 17.33.040 Recordation.**

**17.33.010 Right-of-Way Acquisition Plats.**

A. A plat that is not intended to create lots, but limited to the dedication of rights of way for a public purpose such as streets, highways, or airports, is subject to approval under this chapter only and is not subject to any other approval procedure for plats under this chapter, except where hereinafter stated.

B. Submission Requirements. A right-of-way acquisition plat submitted under this section must contain the following information:

- 1. The location, name and number of the project for which the acquisition is required;
- 2. The proposed timetable for acquisition and construction;
- 3. The dimensions and area of the parcels to be acquired and each remainder parcel;
- 4. The names of the property owners identified by parcel.

C. Review and Approval Procedures. The Planning Director, or his/her designee, shall review the preliminary right-of-way acquisition plat for completeness prior to consideration by the Planning Commission. If the plat does not meet the requirements of this section it shall be returned to the submitting agency with an explanation of the deficiencies.

1. The public notice and hearing requirements applicable to other plats submitted for approval by the Commission apply to right-of-way acquisition plats.
2. The preliminary approval of a right-of-way acquisition plat is effective for twenty four months, provided the Planning Director may grant an extension for filing the final plat upon finding that it is in the public interest to do so.
3. No parcel may be acquired for right-of-way purposes until a preliminary plat has received final approval.

D. Survey and Monumentation. Unless otherwise agreed to in writing by the Planning Commission, all monumentation, re-monumentation, right-of-way alignment and reconstruction and other requirements of the Planning Commission or of this title must be met before approval of the final plat unless it is clearly impractical or legally impossible to accomplish prior to final plat approval. Any action required as a condition of final plat approval but not to be accomplished prior to such approval must be completed under such terms and conditions as are set out in writing by the Planning Commission.

E. Remainder Parcels. No remainder parcel resulting from the right-of-way acquisition plat shall be allowed which does not conform to applicable City codes unless a note is placed on the plat indicating that damages have been paid to the owner of the remainder and that the nonconforming remainder cannot be developed without first being re-platted so as to conform to applicable City codes.

#### **17.33.020 Standards and Requirements Generally.**

A. Reasonable Compliance. To the extent reasonably practicable, a right-of-way acquisition plat shall comply with the provisions of this chapter setting forth the general requirements and design standards and required improvements of subdivisions.

B. Registered Survey. The survey shall be performed and the map prepared by a surveyor registered in Alaska. Such map shall describe the entire ownership involved in the process of division; provided, that where the division results in a residual parcel in excess of ten acres, not intended for immediate sale or other conveyance, the Planning Commission may waive the requirement for inclusion of the residual parcel. In this event, a supplementary map of reasonable accuracy shall be attached showing the relationship to the original ownership of the parcel being severed.

C. Monuments. All corners shall be permanently monumented.

D. Drafting Standards. The final plat shall be clearly and legibly drawn in India ink on Mylar. The size of the map shall not be less than 11" x 17". The map of a right-of-way acquisition plat shall be drawn at a scale that is appropriate for the area depicted.

#### **17.33.030 Certificates and Affidavits Required.**

A. Owners and Surveyors. The right-of-way acquisition plat shall include the certificate of ownership and the affidavit of the surveyor who surveyed and mapped the parcel, typed, lettered or reproduced legibly with non-fading black ink, giving a clear and concise description

of the land surveyed by bearings and distances, commencing with some corner marked and established in the U.S. public land survey or some corner providing reference to a corner marked and established in the U.S. public land survey. Such affidavit shall include the statement of the surveyor to the effect that he or she fully complied with the requirements of this section. Every right-of-way acquisition plat shall show the initial point of survey, the basis of bearing original or re-established corners, with description of them, referencing the recorded distance and bearings and the source of record and actual traverse showing area of closure and all measured, calculated and recorded distances required to determine initial point, corners and distances of the plat.

B. Certificate of Approval. Certificates of approval, as required, shall be typed, lettered or reproduced legibly with non-fading black ink on the face of the map.

**17.33.040 Recordation.**

Following approval of the final plat of the right-of-way acquisition plat the certified map shall be submitted to the Planning Director for recording.

**Section 2. Effective Date.** This ordinance shall be effective upon adoption.

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

SEAL:

\_\_\_\_\_  
Alice Ruby, Mayor

ATTEST:

\_\_\_\_\_  
Janice Williams, City Clerk

**Subject:** An Ordinance of the Dillingham City Council establishing a simple procedure for approving right-of way plats for roads

Agenda of: September 5, 2013

Council Action:

Manager: Recommend approval.

City Manager: Rose Loera  
Rose Loera

Route To:	Department / Individual	Initials	Remarks
X	Public Works / Francisco Garcia	FG	
X	Planning / Jody Seitz	JS	
X	City Clerk / Janice Williams	JW	

Fiscal Note: Yes \_\_\_\_\_ No X Funds Available: Yes \_\_\_\_\_ No NA

**Other Attachment(s):**

- PCR Resolution No. 2013-16

**Summary Statement.**

This ordinance was requested by the Alaska Department of Transportation and Public Facilities, because it is an expeditious way to establish a tentative road right-of-way preliminary plat for the purposes of acquisition of rights of way. There is no current process in code for acquiring rights-of-way for roads.

Once the right-of-way acquisition period is over and all the rights-of-way have been acquired or not, the final plat can be presented and recorded.

This process simplifies the platting needed to record a road right-of-way and avoids the prospect of doing individual small subdivisions along the road.

The process presented in this draft ordinance would apply to all future road projects.

**RESOLUTION 2013-16**  
**A RESOLUTION OF THE DILLINGHAM PLANNING COMMISSION**

Recommending adoption of an ordinance to plat rights-of way

WHEREAS, the Alaska Department of Transportation and Public Facilities will be upgrading the Downtown Streets in 2015; and

WHEREAS, the ADOT will need to acquire rights-of-way for the project; and

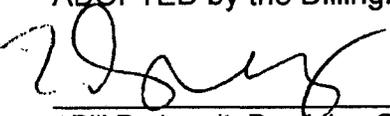
WHEREAS, ADOT has requested a different procedure than the City has for subdivisions in Title 17 in order to have the flexibility and coordination required to complete right of way acquisition in a practicable manner; and

WHEREAS, the City of Dillingham does not currently have an ordinance which is specifically for platting rights-of-way, and

WHEREAS, other municipalities have enacted such ordinances at ADOT's request;

THEREFORE, BE IT RESOLVED that the Dillingham Planning Commission recommends adoption of an ordinance for approving preliminary and final right-of-way acquisition plats.

ADOPTED by the Dillingham Planning Commission August 20, 2013.

  
\_\_\_\_\_  
Bill Rodawalt, Presiding Officer

  
\_\_\_\_\_  
Jody Seitz, Recorder

CITY OF DILLINGHAM, ALASKA

RESOLUTION NO. 2013-50

**A RESOLUTION OF THE DILLINGHAM CITY COUNCIL SUPPORTING THE REESTABLISHMENT OF THE ALASKA REGIONAL DEVELOPMENT ORGANIZATIONS (ARDOR) IN THE STATE OF ALASKA**

---

WHEREAS, the 15<sup>th</sup> Alaska State Legislature created the Alaska Regional Economic Assistance Program in 1988, establishing the formation of Alaska Regional Development Organizations (ARDOR) around Alaska; and

WHEREAS, the ARDOR Program's mission has remained consistent throughout the years: to encourage the formation of regional development organizations to prepare and implement regional development strategies; and

WHEREAS, over 25 years the program has been a critical link between Alaska's regions (primarily rural) and the State in terms of economic development needs and opportunities, challenges, and major issues impeding regional progress; and

WHEREAS, for minimal expense, the State of Alaska (through the ARDORs) provides support for local leaders to gather, mobilize, and execute initiatives to improve Alaska's statewide, regional, and local economies; and

WHEREAS, Alaska's vast and rural regions have their own unique challenges and solutions when it comes to economic development, and ARDORs provide the forum for stakeholders to come together and find common ground in local strategies that work; and

WHEREAS, in the final hours of the First Session of the 28<sup>th</sup> Legislature the bill to extend the termination date of the ARDOR program failed to pass out of conference committee, effectively terminating the program; and

WHEREAS, communities and businesses across Alaska have been discouraged to lose the program; and

WHEREAS, Governor Parnell retained the program money in the FY14 Alaska State Budget to leave the door open to fund ARDOR once a new bill passes to reestablish the program;

NOW, THEREFORE, BE IT RESOLVED that the City of Dillingham supports the reestablishment of the Alaska Regional Development Organizations (ARDOR) in the State of Alaska; and

BE IT FURTHER RESOLVED that the City of Dillingham urges the 28<sup>th</sup> Alaska Legislature to pass a bill to reestablish the program as soon as possible in order to fund the ARDORs in an expeditious manner.

PASSED and ADOPTED by a duly constituted quorum of the Dillingham City Council on September 5, 2013.

SEAL:

\_\_\_\_\_  
Alice Ruby, Mayor

ATTEST:

\_\_\_\_\_  
Janice Williams, City Clerk

CITY OF DILLINGHAM, ALASKA

RESOLUTION NO. 2013-51

**A RESOLUTION OF THE DILLINGHAM CITY COUNCIL AUTHORIZING THE CITY MANAGER TO NEGOTIATE AN ANNUAL LEASE FOR USE OF THE CITY PROPERTY KNOWN AS THE "POTATO HOUSE"**

---

WHEREAS, the City of Dillingham has approved Action Memorandum No. 2013-22, authorizing the City Manager to rent out the Potato House; and

WHEREAS, the City publically advertised by posting a "For Rent" sign on the building for several months; and

WHEREAS, the City received inquiries from three companies in response to the posting, and after a period of time General Communications Inc. (GCI) was furthest along in showing they were serious about renting the building; and

WHEREAS, GCI has been using the N & N lobby to assist customers and the area was always congested while here in Dillingham; and

WHEREAS, the interest from GCI represents a reasonable and cost effective use of the facility in the best interest of the City;

NOW, THEREFORE, BE IT RESOLVED by the Dillingham City Council that the City Manager is authorized to negotiate a lease of the "Potato House" with GCI.

PASSED and ADOPTED by a duly constituted quorum of the Dillingham City Council on September 5, 2013.

SEAL:

---

Alice Ruby, Mayor

ATTEST:

---

Janice Williams, City Clerk

City of Dillingham  
Fiscal Note

Agenda Date: September 5, 2013

Request:

ORIGINATOR: Carol Shade

<b>FISCAL ACTION (TO BE COMPLETED BY FINANCE)</b>	<b>FISCAL IMPACT</b> <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
<b>AMOUNT :</b> <p style="text-align: right;">\$9,600</p>	<b>FUNDING SOURCE</b> <b>Real Property Rent from "Potato House"</b>
<b>FROM ACCOUNT</b> 1000 4210 10 00 0000 0      Rent - RP      \$ 9,600.00	Project  <b>General Fund Revenue</b>
<b>TO ACCOUNT:</b>	<b>VERIFIED BY:</b> Carol Shade <b>Date:</b> 9/5/2013

**EXPENDITURES**

OPERATING	FY14	FY15	FY16	FY17
Personnel				
Fringe Benefits				
Gravel				
Road Maintenance Products				
Land/Buildings				
Miscellaneous				
<b>TOTAL OPERATING</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>

CAPITAL				
---------	--	--	--	--

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

**FUNDING**

General Fund	\$ 7,200.00	\$ 2,400.00		
State/Federal Funds				
Other				
<b>TOTAL FUNDING</b>	<b>\$ 7,200.00</b>	<b>\$ 2,400.00</b>		<b>\$ -</b>

**POSITIONS**

Full-Time				
Part-Time				
Temporary				

ANALYSIS: (Attach a separate page if necessary)

See Attached Res # 2013-51

PREPARED BY: Carol Shade

September 5, 2013

DEPARTMENT: Finance Department

September 5, 2013

CITY OF DILLINGHAM, ALASKA

RESOLUTION NO. 2013-52

**A RESOLUTION OF THE DILLINGHAM CITY COUNCIL APPROVING AMENDING THE BBEDC CBG GRANT FROM ASSESSING THE DOWNTOWN STORM DRAINS TO UPGRADING AND INCREASING TECHNOLOGY CAPACITY THROUGHOUT THE CITY**

WHEREAS, the Bristol Bay Economic Development Corporation (BBEDC) will provide Community Block Grant (CBG) funding in order to provide BBEDC communities with the opportunity to fund projects that promote sustainable community and regional economic development; and

WHEREAS, the City of Dillingham is a duly organized governing entity, eligible to participate in the Bristol Bay Economic Development Corporation (BBEDC) Community Block Grant (CBG) Program; and

WHEREAS, the City of Dillingham had approved Resolution 2013-35 which included assessing the Downtown Storm Drain Utility system; and

WHEREAS, staff was notified that the 2015 Downtown Streets project that the Department of Transportation has funded will include upgrading the Dillingham Storm Drain system along with the downtown street improvements; and

WHEREAS, the City of Dillingham has a need for upgrading and increasing their technology capacity; and

WHEREAS, the City of Dillingham affirms that the projects will provide economic and social benefits for residents, which is one of the criteria for a CBG; and

WHEREAS, a letter with a description and budget for the project will be provided to BBEDC as an amendment versus a full application; and

WHEREAS, the City of Dillingham acknowledges receipt of and agreement to conform to the BBEDC policies for the CBG program;

NOW, THEREFORE, BE IT RESOLVED that the Dillingham City Council approves and authorizes the submittal of the attached grant packet for participation in the BBEDC CBG program.

PASSED and ADOPTED by the Dillingham City Council on August 1, 2013.

SEAL:

\_\_\_\_\_  
Alice Ruby, Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

**Subject:** A resolution of the Dillingham City Council approving amending the BBEDC CBG grant from assessing the Storm Drains to upgrading and increasing technologic capacity throughout the City

Agenda of: September 5, 2013

Council Action:
-----------------

Manager: Recommend approval.

City Manager: Rose Loera  
Rose Loera

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

Fiscal Note: Yes X No \_\_\_\_\_ Funds Available: Yes \_\_\_\_\_ No \_\_\_\_\_

Other Attachment(s): None

**Summary Statement.**

The purpose of this Resolution is to authorize the City Manager to upgrade and increase the City's technology capacity by purchasing computers and software to upgrade the systems in the City of Dillingham to adequately reflect the needs of the City as it moves forward to serve the citizens in the best manner possible.

Currently a large majority of the City's hardware and software is becoming obsolete and will no longer be supported by the software and hardware companies. As the City replaces the old computers with new, it will try and use what old computers it can as long as they are still under warranty and can be upgraded to the latest operating systems. The normal day-to-day use of the permanent staff of City Hall, Public Safety, Public Works, Senior Center and the Library requires that the City increased memory and computing capacity.

To this end, it is estimated that 40 computers for a staff of 52 will need to be replaced and purchasing Microsoft Office 10 for 30 of the computers and upgrading 10 computers to Windows 7. In addition the City will be bringing the Landfill and the Public Works Water Treatment plant online with an internet connection. In the 2014 budget process there was a total of 5 desktop and 2 laptop computers budgeted, along with Microsoft Office Suite and Windows 7 upgrades. The City is using the funds budgeted in the General Fund for the General Fund amount in this action memorandum. This is an estimate:

40 computers at \$1,500 each	\$60,000
30 MS Office 10 at \$400 each	12,000
10 Windows 7 upgrades 125 each	1,250
2 internet connections (Hughes)	<u>1,750</u>
Total	\$75,000



CITY OF DILLINGHAM, ALASKA

RESOLUTION NO. 2013-53

**A RESOLUTION OF THE DILLINGHAM CITY COUNCIL AUTHORIZING THE UNIVERSITY OF ALASKA SCIENCE CENTER TO TIE-IN TO THE CITY'S WATER MAIN ON D STREET**

---

WHEREAS, the University of Alaska is renovating a building on Alaska Street across from the campus which will be the University of Alaska Bristol Bay Applied Science Center, and

WHEREAS, the renovation calls for a sprinkler system that requires a 6" line to serve the building's new sprinkler system; and

WHEREAS, the sprinkler system must be operational for the building to be occupied; and

WHEREAS, the proposed encroachment has been reviewed by the City Public Works Department, and the City Fire Chief, and there are no objections; and

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

WHEREAS, the Dillingham Planning Commission recommends approval of this long term encroachment;

NOW, THEREFORE, BE IT RESOLVED that the Dillingham City Council approves the long term encroachment of the water line tie in with the following conditions:

1. The Owner and Owner's contractor work with the City Public Works Department and the State of Alaska Department of Transportation when installing the line in the street;
2. The Owner is to provide a 95% compaction report of the subsurface;
3. The Owner is to return the surface to its original condition;
4. The Owner is to be responsible for repairs to the street if during the next two years it deteriorates due to the installation;
5. The Owner is to be responsible for paying for damage to the City's water main resulting from the installation;
6. The Owner is to be responsible for all costs associated with the connection;
7. The Owner is to comply with Chapter 14.04 of the Dillingham Municipal Code, "Connection and Service;" and
8. The Owner is to notify the City administration 48 hours in advance of the work in the right-of-way.

PASSED and ADOPTED by a duly constituted quorum of the Dillingham City Council  
September 5, 2013.

SEAL:

\_\_\_\_\_  
Alice Ruby, Mayor

ATTEST:

\_\_\_\_\_  
Janice Williams, City Clerk

**Subject:** A resolution of the Dillingham City Council approving a Long Term Encroachment Permit for the new Bristol Bay Campus building water line

Agenda of: September 5, 2013

Council Action:

Manager: Recommend approval.

City Manager: Rose Loera  
Rose Loera

Route To:	Department / Individual	Initials	Remarks
X	Public Works / Francisco Garcia	FG	
X	Planning / Jody Seitz	JS	
X	City Clerk / Janice Williams	JW	

**Fiscal Note:** Yes \_\_\_\_\_ No \_\_\_\_\_ Funds Available: Yes \_\_\_\_\_ No NA

**Other Attachment(s):**

- PCR Resolution No. 2013-17
- Site Plan and Map

**Summary Statement.**

This resolution is to allow the University of Alaska Bristol Bay Campus to tie into the City's 10" water main on D Street with a 6" line to serve the newly renovated Applied Science Center Building (formerly the NAPA building). The six inch line is required by the type of sprinkler system being installed as part of the renovation.

In addition to the usual conditions placed on long term encroachments, Staff has worked to make sure that the pavement will be properly restored following the installation and that the subsurface compaction will support the repaired pavement adequately until the Downtown Streets project paves the street in 2015. The project has been vetted with Public Works and the ADOT.

The conditions for approval are contained in Resolution No. 2013-53.

**RESOLUTION 2013-17**  
**A RESOLUTION OF THE DILLINGHAM PLANNING COMMISSION**

Recommending Approval of Long Term Encroachment Permit the University of Alaska  
Fairbanks Bristol Bay Campus to tie into the City's water main on D Street

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

WHEREAS, the University of Alaska Fairbanks Bristol Bay Campus would like to tie into the City's water main on D Street with a 6 inch line; and

WHEREAS, the line is required to serve the building and its sprinkler system; and

WHEREAS, there will be no foreseeable harm to the city's water service as a result of the installation; and

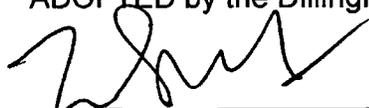
WHEREAS, the City of Dillingham Public Works Department has reviewed this proposal and has no objection; and

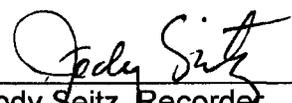
WHEREAS, the State of Alaska Transportation Department has offered to assist in restoring the street to present conditions after the line is installed;

THEREFORE, BE IT RESOLVED that the Dillingham Planning Commission recommends approval of the long term encroachment a water line tie-in to the City's water main on D Street; under the following conditions:

- 1) The Owner and Owner's contractor will work with the City Public Works Department and the State of Alaska Department of Transportation when installing the line in the street; and
- 2) The Owner is to provide a 95% compaction report of the subsurface; and
- 3) The Owner is to return the surface to its original condition; and
- 4) The Owner is to be responsible for repairs the street if during the next two years it deteriorates due to the installation; and
- 5) The Owner is to be responsible for paying for damage to the City's water main resulting from the installation; and
- 6) The Owner is to be responsible for all costs associated with the connection, and
- 7) The Owner is to comply with Chapter 14.04 of the Dillingham Municipal Code, "Connection and Service."
- 8) The Owner is to notify the City administration 48 hours in advance of the work in the right-of-way.

ADOPTED by the Dillingham Planning Commission August 20, 2013.

  
\_\_\_\_\_  
Bill Rodawalt, Presiding Officer

  
\_\_\_\_\_  
Jody Seitz, Recorder

ALASKA STREET

"D" STREET

WATER SERVICE  
SEE C201

*6" line*

42.60 FG

42.62 FG

42.72 FG

42.51 FG

42.56 FG

ADA VAN  
PARKING  
NOTE C2

(B)  
C301

42.77 FG

TEMPORARY FENCE  
NOTE G7

44.28 TC

44.30 TC

44.29 FG

VAN ACCESSIBLE  
PARKING SIGN  
NOTE 5

44.28 TC

4" THICK CONC. SLAB,  
SEE ARCHITECTURAL FOR  
SIZE AND SPECIFIC  
LOCATION. PROVIDE #4 REBAR,  
MD-DEPTH @18" O.C. EW

43.02 EG

44.28 TC

44.28 TC

44.32 TC

4" THICK CONC. SLAB,  
SEE ARCHITECTURAL FOR  
SIZE AND SPECIFIC  
LOCATION. PROVIDE #4 REBAR,  
MD-DEPTH @18" O.C. EW

ROOF RUNOFF  
EROSION CONTROL  
GRADE TO DRAIN

(J)  
C301

44.30 TC

44.28 TC

44.30 TC

44.27 TC

4" THICK CONC. SLAB,  
SEE ARCHITECTURAL FOR  
SIZE AND SPECIFIC  
LOCATION. PROVIDE #4 REBAR,  
MD-DEPTH @18" O.C. EW

EXISTING  
BUILDING  
FF=44.32

PROPERTY LINE TO BE  
VACATED, BY OTHERS,  
AS PART OF PROJECT

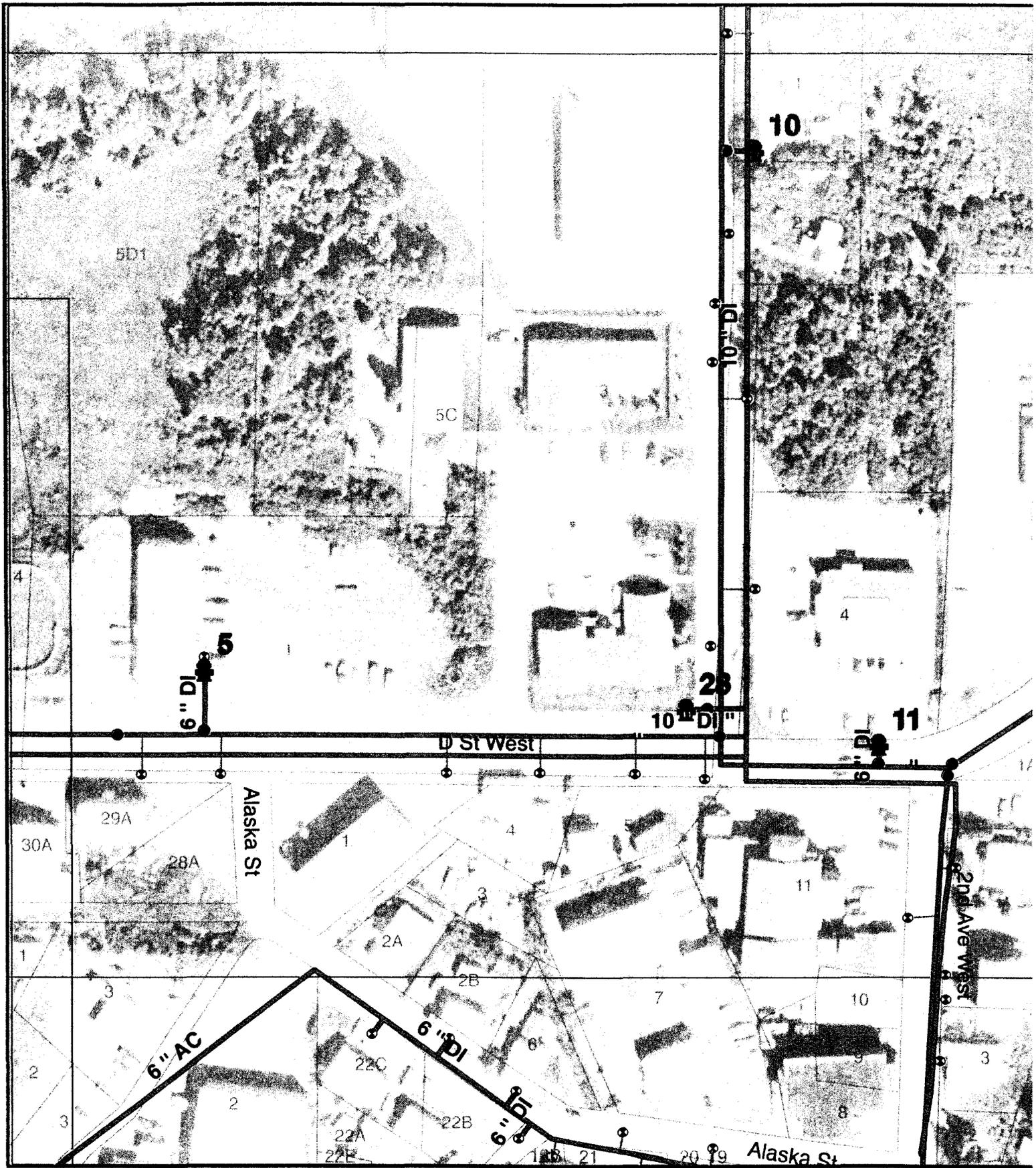


1  
C101

SITE PLAN

SCALE: 1" = 10'-0"

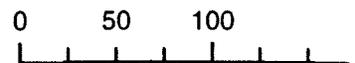
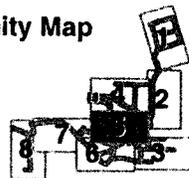




City of Dillingham  
 Box 889  
 Dillingham, AK 99576  
 907-842-3785  
 planning@dillinghamak.us  
 www.ci.dillingham.ak.us

Produced by: Alaska Map Company, LLC www.akmapco.com

Vicinity Map



1 inch = 100 feet

CITY OF DILLINGHAM, ALASKA

RESOLUTION NO. 2013-54

**A RESOLUTION OF THE DILLINGHAM CITY COUNCIL AUTHORIZING THE CITY TO APPLY FOR A LOAN FROM THE ALASKA CLEAN WATER FUND**

WHEREAS, the City of Dillingham seeks to obtain the necessary financial assistance to make improvements to the Landfill to come into compliance with regulations of the Alaska Department of Environmental Conservation; and

WHEREAS, the State of Alaska Department of Environmental Conservation (DEC) is able to offer funding through the Alaska Clean Water Fund; and

WHEREAS, the City of Dillingham wishes to apply for a loan from the Alaska Clean Water fund;

NOW, THEREFORE, BE IT RESOLVED that the Dillingham City Council approves and authorizes the City to apply to ADEC for a loan in the amount of \$243,000 from the Alaska Clean Water Fund for Landfill Regulatory Compliance Improvements;

BE IT FURTHER RESOLVED that an additional resolution will be issued to authorize the final acceptance of a loan offer from the Alaska Clean Water Fund.

PASSED and ADOPTED by a duly constituted quorum of the Dillingham City Council on September 5, 2013.

SEAL:

\_\_\_\_\_  
Alice Ruby, Mayor

ATTEST:

\_\_\_\_\_  
Janice Williams, City Clerk

**Subject:** A resolution of the Dillingham City Council authorizing the City staff to apply for a loan from the Alaska Clean Water Loan Fund

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Agenda of: September 5, 2013

Council Action:

Manager: Recommend approval.

City Manager: Rose Loera  
Rose Loera

Route To:	Department / Individual	Initials	Remarks
X	Finance / Carol Shade	CS	
X	Public Works / Francisco Garcia	FG	
X	Planning / Jody Seitz	JS	
X	City Clerk / Janice Williams	JW	

**Fiscal Note:** Yes \_\_\_\_\_ No \_\_\_\_\_ Funds Available: Yes \_\_\_\_\_ No NA

**Other Attachment(s):** None

**Summary Statement.**

This resolution is to allow staff to apply for a loan from the Alaska Clean Water Loan Fund to provide planning and construction funding for the Landfill gasifier, an updated Solid Waste Management Plan and feasibility study for using the waste heat or generating electricity and providing hazardous waste disposal for surrounding communities.

The terms would be 1.5% with a repayment period of 20 years. There is no loan forgiveness amount available at present.

The City is applying for planning funding now, to be followed this fall with an application to for construction dollars.

CITY OF DILLINGHAM, ALASKA

RESOLUTION NO. 2013-55

**A RESOLUTION OF THE DILLINGHAM CITY COUNCIL AMENDING THE 2014-2019 CAPITAL IMPROVEMENT PLAN AND THE FY2015 LEGISLATIVE PRIORITIES LIST**

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

WHEREAS, the Dillingham City Council approved the annual update of the six year plan and the FY15 Legislative Priorities list August 1, 2013; and

WHEREAS, since that time one of the projects has been incorporated into an existing state project and no longer needs to be listed here; and

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

NOW, THEREFORE, BE IT RESOLVED that the "City of Dillingham 2014-2019 Capital Improvement Plan" is hereby adopted as amended as the current official six year capital improvement plan for the City of Dillingham.

BE IT FURTHER RESOLVED that:

1. The following capital projects comprise the City of Dillingham's FY15 State Legislative Request:

1	Wastewater Treatment Plant Upgrades	\$3,090,000
2	Landfill Regulatory Compliance Improvements for 2014 Permit	\$2,210,000
3	All Tide Dock Protective Dolphins	\$1,350,000
4	Fire Hall and Public Safety Building Replacement	\$10,450,000
5	Lift Station Upgrades	\$284,000
6	Harbor Revetments and Breakwater/Emergency Bank Stabilization Match Request for USACOE Project	\$7,525,000
7	Downtown Sewer Expansion (Old Airport Sewer Line)	\$1,069,000
8	Water/Sewer Master Plan Phases 1.3 and 1.4 (New Water Source) Match for ADEC Municipal Matching Grants	\$1,800,000
9	City Facilities Energy Upgrades and ADA Compliance	\$200,000
10	Senior Center Renovation Phase One: Site Upgrades	\$310,000
11	950 H Cat Loader and Lowboy trailer	\$365,000
12	Nerka Road Rehabilitation	\$1,321,000

2. Projects for the FY15 Federal Legislative Request will be selected from this list.
3. The City Manager is hereby instructed to advise appropriate State and Federal representatives and personnel of the City's FY2015 capital project priorities and take appropriate steps to provide necessary background information.

PASSED and ADOPTED by a duly constituted quorum of the Dillingham City Council on September 5, 2013.

SEAL:

\_\_\_\_\_  
Alice Ruby, Mayor

ATTEST:

\_\_\_\_\_  
Janice Williams, City Clerk

City of Dillingham Information Memorandum No. R2013-55

Subject: A resolution of the Dillingham City Council amending the six year capital improvements program and the FY15 Legislative Request

Agenda of: September 5, 2013

City Council Action:

Manager: Recommend approval.

City Manager: Rose Loera  
Rose Loera, City Manager

Route To:	Department / Individual	Initials	Remarks
X	Planning / Jody Seitz	JS	
X	Public Works / Francisco Garcia	FG	
X	City Clerk / Janice Williams	JW	

Fiscal Note: Yes \_\_\_\_\_ No X Funds Available: Yes \_\_\_\_\_ No \_\_\_\_\_

Other Attachment(s):

- Spreadsheet COD 2014-2019 Capital Improvement Plan

Summary Statement.

The attached six year capital improvement plan is amended to the City of Dillingham's statement of priorities for the next six years at this point in time. The amendment is to insert a request for funding for the All Tide Dock protective pilings (dolphins) and to remove the request for funding for the Storm Drain system within the area of the Downtown Streets Project. The Alaska Department of Transportation and Public Facilities is incorporating the storm drain system into its project.

The legislative priorities list is the City's request to the state. Federal project requests are drawn from this list as well.

## City of Dillingham 2014-2019 Capital Improvement Plan

PROJECT	Existing Funding	Funding Need	typical match cost	Comment	Priority	2014	2015	2016	2017	2018	2019	Category Funding Need
<b>A. EQUIPMENT REPLACEMENT</b>												<b>500,000</b>
Snowblower	\$138,229	\$0		FY14 purchase	1	X						
Truck Tires	\$24,000	\$0		FY14 purchase	1	X						
Lease F350 Flatbed Truck	\$7,000	\$0		Lease in FY14	1	X						
Lease 2 Patrol Vehicles	\$14,000	\$0		Lease in FY14	1	X						
950 H Cat Loader	\$0	\$325,000			2			X				
580 Super Extendahoe Backhoe	\$0	\$95,000			2				X			
B7G 3500 Sierra Flatbed Replacement	\$0	\$40,000			3					X		
Low Boy Trailer - Used	\$0	\$40,000			3						X	
<b>B. EROSION/PORTR/HARBOR</b>												<b>32,324,000</b>
All-Tide Dock Protective Dolphins	\$0	\$1,350,000			1	X						
USACOE Harbor Revetments and Breakwater/Emergency Bank Stabilization*	\$0	\$21,500,000	\$7,525,000	potential 35% match	1	X	X	X	X	X	X	
East and South Interior Harbor Bulkheads	\$0	\$8,184,000	\$4,092,000	BESC \$6,000,000 per 1100 ft Bulkhead	2			X	X	X	X	
Harbor Float Replacement	\$0	\$90,000		ROM DH design 7,500, floats 82,500	1		X		X		X	
Snag Point Bulkhead and Harbor Protection	\$100,000	\$1,200,000		\$153,900 SWAK bid to install walers;	1		X	X	X	X	X	
<b>C. FACILITIES</b>												<b>14,556,673</b>
Animal Shelter Services- Remodel National Guard Facility	\$20,000	\$0		2013 construction	1							
Cemeteries	\$0	\$125,000		ROM estimate by staff	2			X	X	X		
Hockey Rink Roof Planning and Design	\$20,000	\$0		Need Design	1		X					
Library Roof Repair	\$250,900	\$0		2013 construction	1							
City Facilities Energy Updates and ADA Compliance (Library and City Hall)	\$55,000	\$145,000		2010 ROM Bettisworth North + 10% Design	1		X					
Fire Hall and Public Safety Building	\$20,000	\$10,450,000	\$5,250,000	2010 estimate \$10.4 million (combined), 17.5-19.8 million (separate)	1	X	X	X	X			

# City of Dillingham 2014-2019 Capital Improvement Plan

PROJECT		Existing Funding	Funding Need	typical match cost	Comment	Priority	2014	2015	2016	2017	2018	2019	Category Funding Need
	Public Works Compound Storage Building and Fence	\$0	\$487,000		Need better ROM estimate	2			X		X		
	Phased Senior Center Upgrades	\$0	\$1,829,673	\$548,902	2007 Bezek, Durst, Seizer estimate adjusted by 39% for inflation	1		X	X	X	X	X	
	Territorial School Renovation	\$0	\$1,520,000	\$	2013 Engineer Estimate	2			X	X	X	X	
<b>D. LANDFILL</b>													2,210,000
	Landfill Regulatory Compliance Improvements	\$1,900,000	\$2,210,000		ACWLF, ADEC MMG	1	X	X					
<b>E. ROADS</b>													3,675,000
	Nerka Road Rehabilitation	\$1,000,000	\$3,000,000	\$0	2011 Beesc estimate	2			x	x	x	x	
	ADOT Downtown Street Project Safety Linkages		\$675,000		with ADOT DTS project	1	X	X					
<b>F. WATER/SEWER</b>													19,109,718
	Downtown Sewer Expansion (Old Airport Sewer Line)		\$804,000		BESC 2003 WSMP	2			X				
	Harbor Water and Sewer Line		\$1,062,600		2012 Staff ROM	3					X		
	Snag Point Force Main Relocation	\$1,927,347	\$0		2013 completion	1							
	Lift Station Upgrades	\$100,000	\$1,500,000		2012 Staff ROM & BESC report	1	X	X	X	X	X	X	
	Wastewater Treatment Plant Upgrades	\$2,280,000	\$7,914,000		2013 facility plan	1	X	X	X				
	Water and Sewer Master Plan Phases 1.3 and 1.4 (New Water Source)	\$5,538,983	\$7,829,118	\$1,834,661	2003 WSMP	1		X	X	X	X	X	
<b>GRAND TOTAL</b>		<b>\$13,212,230</b>	<b>\$72,375,391</b>										
<b>G. PROPOSED FACILITIES (more than 6 years out)</b>													18,368,752
	Fish Processing Plant		\$7,924,000										
	Harvey Samuelsen Community Cultural Center		\$10,444,752		Project Budget 5/15/09								
	Kanakanak Beach Parking Lot with CTC	city land											
<b>H. PROPOSED SERVICES</b>													

# City of Dillingham 2014-2019 Capital Improvement Plan

PROJECT		Existing Funding	Funding Need	typical match cost	Comment	Priority	2014	2015	2016	2017	2018	2019	Category Funding Need
1	Coordinated Transportation plan												
* USACOE Emergency Bank Stabilization Project at Harbor Entrance to protect dredge spoils facility and interior harbor													
Table includes City of Dillingham projects and those funded primarily by another entity but which require City matching funds. Does not include projects funded by other entities.													

**Subject:** Authorize the City Manager to execute a contract with Tekmate LLC to provide technical support for all City departments

**Agenda of: September 5, 2013**

Council Action:

Manager: Recommend approval.

City Manager: Rose Loera  
Rose Loera

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

**Fiscal Note:** Yes X No \_\_\_\_\_ Funds Available: Yes \_\_\_\_\_ No \_\_\_\_\_

**Other Attachment(s):** None

**Summary Statement.**

The purpose of this Action Memorandum is to authorize the City Manager to contract with Tekmate LLC for technical support for all City of Dillingham departments. Their contract expired on July 31, 2013. At the June 27, 2013 Council meeting, the Council approved extending their contract on a month-to-month basis while the City advertised for a RFP. The City was hoping to have a recommendation for a contract to be effective in September.

Two IT firms submitted a bid. Both firms were contacted with an additional list of technical questions. Tekmate was the only firm that returned a response, and they met the specifications of the bid requirements. The City and Tekmate will enter into a term contract starting with the date of Council approval through June 30, 2015.

PASSED and ADOPTED by a duly constituted quorum of the Dillingham City Council on June 27, 2013.

SEAL:

\_\_\_\_\_  
Alice Ruby, Mayor

ATTEST:

\_\_\_\_\_  
Janice Williams, City Clerk

City of Dillingham  
Fiscal Note

Agenda Date: September 5, 2013

Request:

ORIGINATOR: Carol Shade

<b>FISCAL ACTION (TO BE COMPLETED BY FINANCE)</b>		<b>FISCAL IMPACT</b> <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
AMOUNT REQUESTED: <p style="text-align: right; margin-right: 50px;"><b>\$ 42,588.00</b></p>		FUNDING SOURCE <b>General Fund: IT Contract</b>	
FROM ACCOUNT 1000 7940 20 29 0000 00 PS IT Support \$ 20,000.00 1000 7940 10 17 0000 0 Non-Dept IT \$ 22,588.00		Project <b>Citywide IT Support Contract</b>	
TO ACCOUNT:	VERIFIED BY: Carol Shade	Date:	1/10/2013

**EXPENDITURES**

OPERATING	FY14	FY15	FY16	FY17
Personnel				
Fringe Benefits				
Computer Support	\$42,588.00	39,312.00	39,312.00	
Equipment				
Land/Buildings				
Miscellaneous				
<b>TOTAL OPERATING</b>	<b>\$ 42,588.00</b>	<b>\$ 39,312.00</b>	<b>\$ 39,312.00</b>	<b>\$ -</b>

CAPITAL				
---------	--	--	--	--

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

**FUNDING**

General Fund	\$ 42,588.00	\$ 39,312.00	\$ 39,312.00	
State/Federal Funds				
Other				
<b>TOTAL FUNDING</b>	<b>\$ 42,588.00</b>	<b>\$ 39,312.00</b>	<b>\$ 39,312.00</b>	<b>\$ -</b>

**POSITIONS**

Full-Time				
Part-Time				
Temporary				

ANALYSIS: (Attach a separate page if necessary)

See Attached Action Memorandum 2013-25

PREPARED BY: Carol Shade

September 5, 2013

DEPARTMENT: Finance Department

September 5, 2013

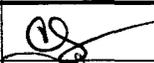
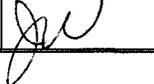
**Subject:** Authorize City Manager to execute a contract with Bennett Enterprises LLC for the FY 2014 aggregate bid

Agenda of: September 5, 2013

Council Action:
-----------------

Manager: Recommend approval

City Manager: Rose Loera  
Rose Loera

Route To:	Department / Individual	Initials	Remarks
X	Finance / Carol Shade		
X	Public Works / Francisco Garcia		
X	City Clerk / Janice Williams		

**Fiscal Note:** Yes  No  Funds Available: Yes  No

**Other Attachment(s):**

- Copy of FY 14 Aggregate Bid

**Summary Statement.**

This action memorandum authorizes administration to sign a contract with Bennett Enterprises LLC for the delivery of sand and gravel for FY 2014. Bennett Enterprises was the lowest responsive bidder and the only bidder.

Product	Low Bidder	Price Per Cubic Yard	
		FY 2013	FY 2014
Sand for Streets	Bennett Enterprises, LLC	\$23.90	\$36.75
Pit Run Gravel	Bennett Enterprises, LLC	\$16.50	\$19.00

Bids were due in the City Clerk's Office by 10 am, August 23, 2013. The City advertised in the August 1 and August 8 editions of the Bristol Bay Times. Notices were also posted in three public places: City Hall, N&N Market, and the Post Office.

The City will calendar the aggregate bid advertisement for early June next year to allow the winning bidder reasonable time to prepare the sand for a September 30, 2013 delivery date.

*(Such publication shall be made twice, with at least one week, but not more than two weeks, intervening between publications, and there shall be sufficient time between the date of last publication and the bid opening for preparation of bids, which time shall not be less than two weeks.)*

**Attachment A. Aggregate Bid**

**City of Dillingham  
AGGREGATE BID – FY14**

The furnishing and delivery of washed sand and gravel shall be in accordance with the Invitation to Bid and Specifications for the term of the contract. The price per cubic yard shall include the entire supplier costs associated with providing aggregate and delivery. The contract shall remain in effect from the date of execution through June 30, 2014.

1. Contractor may bid one or both options listed below.

<u>Materials</u>	<u>Cubic Yards</u>
Washed Sand	2,000
Pit-Run Gravel	500

2. Complete and submit this document in a sealed envelope for the items you are bidding.

\$ 36.75 Bid Amount per Cubic Yard for Washed Sand Delivered

\$ 19.00 Bid Amount per Cubic Yard for Pit-Run Gravel Delivered

Contractor Name: Neal Bennett Title: Owner

d.b.a. Company Name Bennett Enterprises LLC

City Business License Number: # 1267

Alaska State Business License Number: # 307350

Contractor Signature: Neal R. Bennett Date: 8/23/13  
(Authorized Agent)

Mailing Address: Box 468 Dillingham, Alaska 99576

Phone Contact: 907 842-2270

City of Dillingham  
Fiscal Note

Agenda Date: September 5, 2013

Request:

ORIGINATOR: Carol Shade

<b>FISCAL ACTION (TO BE COMPLETED BY FINANCE)</b>	<b>FISCAL IMPACT</b> <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
AMOUNT REQUESTED: <div style="text-align: right; margin-right: 20px;">                     est \$36.75 per cubic yd Sand                      est \$19.00 per cubic yd Pit Run                 </div>	<b>FUNDING SOURCE</b> <b>General Fund: Public Works</b>
FROM ACCOUNT 1000.7390.30.33.0000.0    Road Maint    \$ 73,500.00 1000.7395.30.33.0000.0    Gravel        \$ 9,500.00 <div style="text-align: right; margin-right: 20px;">NTE \$83,000 Total</div>	Project  <b>Sand &amp; Gravel Contract</b>
TO ACCOUNT:	VERIFIED BY: <u>Carol Shade</u> Date: <u>9/5/2013</u>

**EXPENDITURES**

OPERATING	FY14	FY15	FY16	FY17
Personnel				
Fringe Benefits				
Gravel	\$9,500.00			
Road Maintenance Products	73,500.00			
Land/Buildings				
Miscellaneous				
<b>TOTAL OPERATING</b>	<b>\$ 83,000.00</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>

CAPITAL				
---------	--	--	--	--

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

**FUNDING**

General Fund	\$ 83,000.00			
State/Federal Funds				
Other				
<b>TOTAL FUNDING</b>	<b>\$ 83,000.00</b>			<b>\$ -</b>

**POSITIONS**

Full-Time				
Part-Time				
Temporary				

ANALYSIS: (Attach a separate page if necessary)

See Attached Action Memorandum AM # 2013-26

PREPARED BY: Carol Shade

September 5, 2013

DEPARTMENT: Finance Department

September 5, 2013

City of Dillingham Action Memorandum No. 2013-27

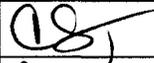
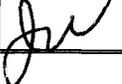
**Subject:** City of Dillingham Action Memorandum No. 2013-27 Authorize the Mayor or City Manager to Execute a Contract with Agnew::Beck to provide consulting services for a new Public Safety and Fire Department Buildings

Agenda of: **September 5, 2013**

Council Action:

Manager: Recommend approval.

City Manager: Rose Loera  
Rose Loera

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

Fiscal Note: Yes X No \_\_\_\_\_ Funds Available: Yes X No \_\_\_\_\_

Other Attachment(s): None

**Summary Statement.**

The purpose of this Action Memorandum is to authorize the Mayor or City Manager to execute a contract with Agnew::Beck for consulting services and planning efforts for a new Public Safety and/or Fire Department Building.

The project was advertised for 30 days and we received 2 proposals. In accordance with the Dillingham Municipal Code, the RFP was publically advertised for the required period of time for soliciting proposals from qualified contractors or individuals to provide the consulting services for the Public Safety Building project. Two responsible and qualified firms responded and submitted proposals, both of which were determined to be responsive.

A committee of two, City Manager and Finance Director, independently evaluated and assigned scores to each scoring criteria. Agnew::Beck achieved the highest score in all categories and was therefore the unanimous selection for the scoring group.

The scope of services will include:

- Organize, facilitate and document meetings with stakeholders to develop project recommendations;
- Engage the Alaska Army National Guard and possibly the Alaska State Troopers regarding co-locating with the COD;
- With Stakeholder input identify and rank alternate options for facility and location for either one building or multiple buildings for Public Safety and Fire Department;

- Identify costs for the project including land acquisition;
- Explore funding opportunities for the project; and
- Provide a final report that has recommendations as to location, occupancy and building recommendations.

The contract is for a not-to-exceed amount of \$68,450. The project schedule is for one year with 8 specific tasks.

PASSED and ADOPTED by a duly constituted quorum of the Dillingham City Council on September 5, 2013.

SEAL:

\_\_\_\_\_  
Alice Ruby, Mayor

ATTEST:

\_\_\_\_\_  
Janice Williams, City Clerk



# AUCTION



**11:00 AM**  
**Saturday**  
**Sept. 7, 2013**

The City of Dillingham will sell at a "Cry Out" Auction the property shown above located at **3419 Nina Way** and legally described as **Nina Nicholson Block 2 Lot 4**. The house will be sold for all cash as is where is with NO WARRANTIES expressed or implied except for good and marketable title. First American Title Insurance Company will provide title insurance insuring this transaction from the City as seller to the Buyer. Any and all escrow costs, including transfer fees and title insurance premium will be paid by the Buyer.

#### **TERMS and CONDITIONS**

- All bidders must pre-register and pay a \$1,000 deposit by cashiers check upon registration. All deposits from non-successful bidders will be returned by mail to the bidder's address not later than September 16, 2013. If the successful bidder fails to perform according to the terms and conditions of the sale the deposit will be forfeited and kept by the City as liquidated damages. The second highest bidder will be then given the opportunity to honor its bid and purchase the house.
- **Bidder Registration Packets are available from Office # 1 in the Basement of Dillingham City Hall.**
- The successful bidder must provide a cashier's check or bank check in an amount equal to 25% of the bid price not later than 2:00 PM Monday, September 9, 2013 to the Dillingham Finance Director whose office is located on the 2<sup>nd</sup> floor of the Dillingham City Hall, 141 Main Street, Dillingham.
- The successful bidder must execute the Purchase Agreement upon conclusion of the auction. All Escrow instructions and estimated closing funds must be delivered to the Escrow holder within 10 days of receipt of the escrow instructions.
- The Property ID Number is 000421-000 for City tax assessment. The 2013 Assessed Value was \$16,000 for the Land and \$115,000 for Improvements making the Total Assessment \$131,000.

#### **MINIMUM OPENING BID \$19,500**

#### **CRY OUT AUCTION**

The owner will conduct the auction. The auction will begin at exactly 11:00 AM.  
Only pre-registered approved bidders will be allowed to bid.

*For more Information contact:*

Steve Cropsey  
Office # 1 in the Basement of Dillingham City Hall  
Phone (907) 842-3423 or Cell (907) 843-2131



Single story house approx. 24'x32'  
Two bedrooms and one bathroom.  
Property is approx. 21,260 sq. ft.

**Bidder Registration Packets are available from Office # 1 in the Basement of Dillingham City Hall.**

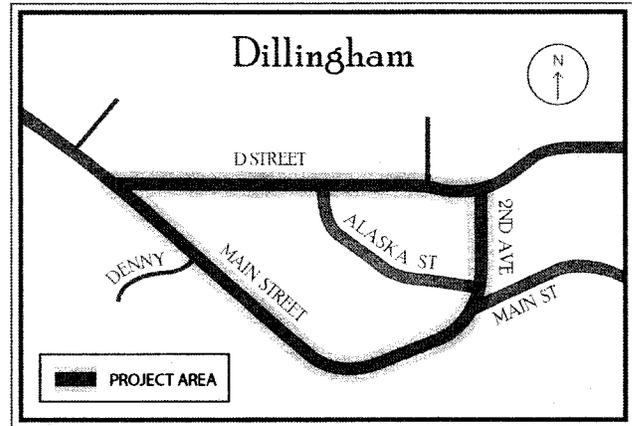


## Dillingham Downtown Streets Rehabilitation Project No. 57180/ STP-0001(335)

### FACT SHEET

#### Project Scope

The purpose and objective of this project is to realign and reconstruct three streets and associated pedestrian facilities in the downtown area of Dillingham. D Street, 2nd Avenue and Main Street form a loop in downtown Dillingham and are in poor condition due to deteriorating asphalt and concrete curb and gutter. In addition, Main Street, 2nd Avenue and Alaska Street form a complex, irregular intersection that does not align well. Implementation of a standard 4-way stop will provide a more intuitive intersection.



The proposed project builds on the conceptual engineering and environmental documentation previously prepared by DOT&PF and the recommendations provided by the Dillingham Context Sensitive Solutions (CSS) Workshop Report. The project will be designed to be cost effective, compliant with current design standards, and met the needs of the traveling public through 2030.

Pedestrian facilities are discontinuous and the few existing crossings are not well marked. The entire roadway embankment will be reconstructed including curb, gutter, and sidewalks (see cross section on back). The reconstruction will bring the facilities into compliance with the Americans with Disabilities Act. The project will correct existing right-of-way discrepancies by obtaining permanent and temporary easements prior to construction. The team will work closely with the City of Dillingham, local businesses and other stakeholders throughout the design development.

The proposed project is being completed using a combination of state and federal funds. Construction is scheduled to begin 2015. The project is intended to meet the needs of Dillingham through 2030.

#### Current Status

Field work is nearing completion and the design has reached 65% completion and the project team is convening another meeting to provide Dillingham residents an opportunity to view the design and comment.

#### Project Schedule

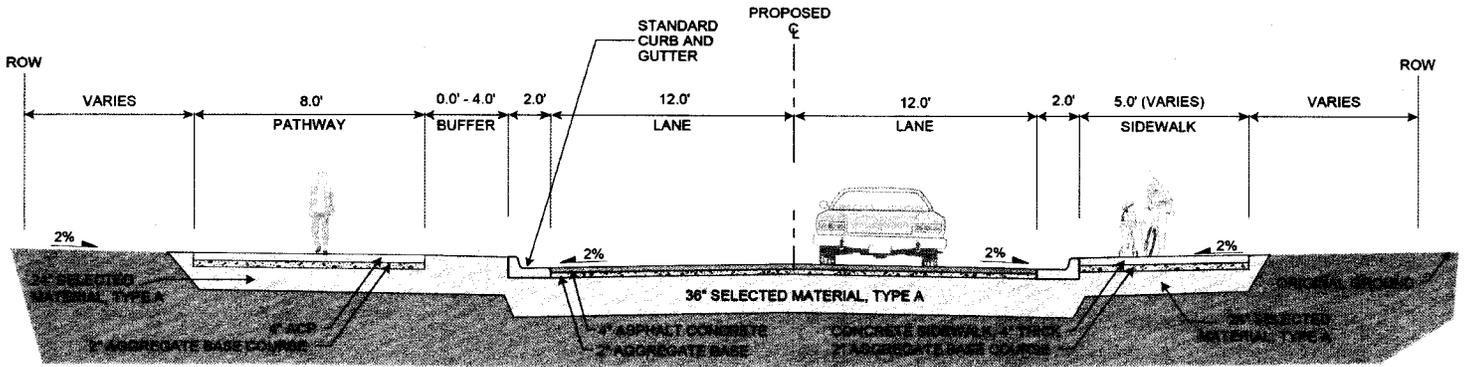
Planning and Design: February 2013 – November 2014  
Final Plans, Specifications & Estimates: Summer 2013 – Winter 2014  
Right of Way Acquisition: Fall 2013 – Fall 2014  
Construction:\* 2014 – 2015 (Depends on availability of funding.)

#### For more information contact:

**Anne Brooks, P.E.** Public Involvement Coordinator  
Brooks & Associates  
Tel: (907) 272-1877  
E-mail: [mycomments@brooks-alaska.com](mailto:mycomments@brooks-alaska.com)

**Watch for updates on the web at: [www.brooks-alaska.com/dillingham](http://www.brooks-alaska.com/dillingham)**

Dillingham Downtown Streets Rehabilitation Proposed Roadway Cross Section:



Watch for updates on the web at: [www.brooks-alaska.com/dillingham](http://www.brooks-alaska.com/dillingham)



August 1, 2013

Steve Jansen  
President, Knik Construction  
6400 South Airpark Place, Suite #1  
Anchorage, AK 99502

Dear Mr. Jansen:

Thank-you for your letter of July 31. You brought up some very good points about the impact to our roads from the haul distance and weight of the trucks.

The City will look for improved dust control and cleaning of the streets in the coming weeks at the operation on the Aleknagik Lake Road. We will also be expecting the Temporary Water Use permit from you as soon as the Alaska Department of Natural Resources (ADNR) completes its processing. We have been in contact with ADNR about this permit and they have stated that it should be acted on within the next couple of weeks. According to ADNR the Temporary Water Use permits should be in place prior to construction.

The City does not currently have ordinances which address mining operations or reclamation plans, but it's not to say that we wouldn't in the future considering the concerns and issues that have been raised.

Sincerely,

A handwritten signature in cursive script that reads "Jody Seitz".

Jody Seitz  
Director of Planning and Grants  
planner@dillinghamak.us

cc: Rose Loera, City Manager  
Alice Ruby, Mayor

VIA EMAIL: [planner@dillinghamak.us](mailto:planner@dillinghamak.us)



July 31, 2013

Knik Construction Co., Inc.  
6400 South Airpark Place  
Suite #1  
Anchorage, AK 99502 US  
(907) 245-1865  
Fax: (907) 245-1744

City of Dillingham  
141 Main Street  
Dillingham, Alaska 99576

Attn: Jody Seitz  
Director of Planning & Grants

Dear Ms. Seitz:

Thank you for your letter dated July 30, 2013 regarding concerns with our operations on Aleknagik Lake Road. Working safely and as a good neighbor are among our highest concerns.

As you know, this project to improve the Dillingham airport requires approximately 1 million ton of gravel product to be imported. Knik has gone to great lengths and expense to minimize the impact to the public of moving that much material. For example, we had light weight trailers specially built, which allows us to haul with 6 trucks versus 15 conventional trucks. We purchased a gravel pit as close as possible to the jobsite to minimize the number of miles we must travel on Aleknagik Lake Road. Other gravel sources, such as 9 mile pit, 13 mile pit, Gordon pit, Johnson pit, Dugan pit, etc. would require far more miles of gravel hauling on local roads. The impact of Knik's operation on the Aleknagik Lake Road is less than any other options available, and fewer miles traveled translates directly into greater safety for the public.

To specifically address the three concerns outlined in your letter:

1. Dust Control Plan – Knik will increase watering of the Aleknagik Lake Road as requested, and will work closely with you to make sure the watering is sufficient. Also, we have acquired a sweeper truck to help control some of the dust issues. That truck is due to arrive in Dillingham in early August.
2. Water Use Permit – We will provide you with a copy of our temporary water use permit as soon as we receive it from the Department of Nature Resources (DNR). DNR has had our request for a temporary water use permit for water sources for the Kananak Road and Dillingham Airport projects since early June, approximately 2 months. Knik checked with Clint Gundelfinger of DNR on July 30, 2013 about our application and his response was, "It is next in line to be adjudicated and the decision document and authorization should be available to be reviewed and signed by management the beginning of next week."

Ms. Jody Seitz  
July 31, 2013  
Page Two



3. Reclamation Plan – Knik will submit a reclamation plan per your request. Has the City entered into a cooperative management agreement with DNR under A.S.27.19.060? Please let us know if the City has any local ordinances that may affect the reclamation plan or its requirement.

Knik is constructing safety areas on the Dillingham Airport for all neighbors and other people that will help sustain the economics of Dillingham. We look forward to working cooperatively with the City to complete this job timely and successfully. While we fully intend to do everything practical to keep dust and traffic to a minimum, it may be impossible to stop all complaints. Please keep in mind that some people may be motivated by their own interests, and not necessarily by public safety concerns. It is worth noting that Knik saved the taxpayers over \$1 million compared to the next lowest bid, using fewer trucks traveling fewer miles than other alternatives.

If you have any questions, please contact me at [stevej@lynden.com](mailto:stevej@lynden.com).

Sincerely,

A handwritten signature in cursive script that reads "Steve Jansen".

Steve Jansen  
President

Planning Commissioners

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



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

**REGULAR MEETING MINUTES  
June 18, 2013**

**I. CALL TO ORDER**

Bill Rodawalt, Chair, called the regular meeting of the Dillingham Planning Commission to order at 5:34 p.m. in the City Council Chambers.

**II. ROLL CALL (quorum is 4)**

Members present:

Paul Liedberg, Seat B  
Bill Rodawalt, Seat C  
Rachel Muir, Seat D  
Andy Anderson, Seat E  
Julie Baltar, Seat F

Members Absent

Staff in Attendance:

Jody Seitz, City Planner, Recorder

Guests: James Jones, UAF BB Campus

**III. APPROVAL OF MINUTES**

**MOTION:** Paul Liedberg moved to approve and Julie Baltar seconded the motion to approve the agenda.

- Bill Rodawalt noted that Terry Hoefflerle should not be marked as excused, Bill Rodawalt should.
- Julie Baltar raised the question about the Recorder's Note: "No motion to suspend the rules..."
- Planner Seitz responded that the commission went directly from one item among the public hearings to vote on the resolution under new business without suspending the rules- and eliminate the preposition "to" after the statement.
- Julie Baltar questioned who offered to check into whether federal money was contained in project money on page 6. Says there is no way to follow up without names. Seitz says she believes it was Julie. Will include name with tasks in future.

**ACTION:** Unanimous approval.

**IV. APPROVAL OF THE AGENDA**

**MOTION:** Paul Liedberg moved to approve the agenda. Andy Anderson seconded.

**DISCUSSION:** Bill Rodawalt noted that there was no public comment period and asked to insert public comment. Commissioner Liedberg noted Citizen Comments under VC. B Rodawalt then commented that 5C public comment was fine.

**ACTION:** Unanimous Approval.

#### **IV. COMMUNICATIONS**

- A. Communications to the Planning Commission
- B. Planner's Report
  - a. Paul Liedberg asked about comparison tables for the ADEC report on municipal solid waste disposal.
  - b. Bill Rodawalt pointed out typos on the Walking Plan..."Scope"
- C. No comments from citizens.

#### **VI. PUBLIC HEARINGS**

Chair Bill Rodawalt asked if any commissioners had anything to declare prior to the Public Hearings.

- A. Variance request for Crystal Subdivision – Planner asked to describe the issues related to the variance. Planner Seitz reviewed each of necessary findings required to grant a variance.
  - 1. The variance is the minimum necessary to afford relief. Road does not connect. Would be major hardship to make him redesign the subdivision to shorten the cul-de-sac, there would be more land in roads, less in developable property;
  - 2. The granting of the variance will not be detrimental to the public safety or welfare or injurious to adjacent property. There have been no negative comments from Public Works or Public Safety; Buses require 60 feet in diameter for turnaround.
  - 3. The tract to be subdivided is of such unusual size and shape or topographical conditions are such that the strict application of the requirements of this title will result in undue and substantial hardship to the owner of the property. Tundra lies on the west of the property; if he had to build this cul-de-sac earlier, more of his property would be in roads, as opposed to lots.
  - 4. Special conditions that require the variance are not caused by the person seeking the variance. Correct. The topography and lack of roads are partly responsible for the need for this variance.
  - 5. The variance will not permit a land use in an area in which that use is prohibited. Correct. This would be in the general use area.
  - 6. The variance is not sought only to relieve financial hardship or inconvenience. If he were asked to redo the subdivision to provide two roads it would be a major hardship. Would put in more roads as opposed to more lots. Got input from city school bus drivers, who were nervous that they'd be required to provide service down a lot narrow road.

- Julie Baltar questioned ROW, 60 Ft Diameter, no utility easement or ROW beyond footprint of the road. Says normally cul-de-sacs include a wider area that supports the improved surface of the cul-de-sac and gives a place for utilities, beyond the 60 foot diameter.
- Paul Liedberg moved to close public hearing on Crystal Subdivision variance request. Andy Anderson agreed.
- Andy Anderson asked who reviewed the plat
- Planner Seitz answered that city, state, DOT and other agencies reviewed the plat.

**ACTION:** Unanimous approval to close Public Hearing on Variance.

**B. Crystal Subdivision Preliminary Plat**

Planner Seitz reviewed the plat history, the subdivision lots, and findings.

- There is no Kanakanak Road width.
- 10 foot wide easements.
- Nushagak has created a policy stipulating a minimum of 15 ft easement for underground utilities and 20 foot for overhead utilities.
- Kanakanak Road is Tract A.
- The Temporary turn-around is only 50 ft rather than 60 ft.
- The Approach Road Review by ADOT costs \$5000 retainer fee.
- The plat took a non-city code compliant subdivision and by combining lots is striving to comply with DMC Title 17.
- Andy Anderson – what happens if the owner doesn't follow the subdivision ordinance.....Seitz replied he might not get his subdivision, or the City could go ahead and build the road using the bond the owner posts.
- Paul Liedberg – wants to know if City can require the landowner to provide additional easement if the city code only requires 10 foot.
- Bill Rodawalt read 17.19.129.
- Andy Anderson asked if the landowner had been advised by Nushagak and ADOT. Seitz had sent comments to both BBNA and the surveyor as he is their client.
- Paul Liedberg asked if adjoining property owners had been identified. Seitz – yes, they were on page 2, a page of 60 monuments.
- Anderson notes it would be cheaper to replat and make all changes at one time rather than piecemeal, one at a time. Wondered if Seitz could convey that to him.
- What if he doesn't want to put in the easements?
- Julie Baltar – would they provide electricity without the appropriate easements?
- Rachael Muir – is there urgency?
- Bill Rodawalt - there is a timeline for the planning commission
- Seitz – the planning commission has 60 days to act on the plat.

**MOTION:** Paul Liedberg moves to close public hearing on Crystal Subdivision, Andy Anderson second.

**ACTION:** Unanimous consent.  
C. Public Hearing on Vacation of Easement on Lot 1 Block 18 USS 2732. Planner Seitz reviews background and recommends vacation of easement.

**MOTION:** Paul Liedberg moves to close public hearing. Rachel Muir seconds.

**ACTION:** Unanimous consent.

D. Public Hearing on UAF Science Center Final Plat

**MOTION:** P. Liedberg moves to close public hearing. R. Muir seconds.

**ACTION:** Unanimous consent.

E. Six Year Capital Improvement Plan Update

- Staff participated in the review. Had the option for a Planning Commissioner to attend and they did not choose to.
- B. Rodawalt asked what helps to sort out priorities.
- Seitz reviewed the scoring of projects, whether it is needed within 2 years ( top priority), 3-4 years, or 5 or more years (lowest priority).
- Legislative grants are good for providing match for other grants.
- 68 million dollar capital need list
- Existing funding column; BBEDC community block grant to be split with Curyung Tribe for next five years., gives City ability to provide match for grants
- Legislative list in draft form; drafted to provide a mix of high and low dollar items for the legislature to choose from for Dillingham.
- Combined two city facility projects – library ramps and City Hall improvements for energy improvements.
- National Guard has received \$500,000 which they'll partner with the City to use on the Public Safety complex.

**MOTION:** Rachel Muir moves to close public hearing on the Six Year CIP.

**ACTION:** Unanimous consent.

F. City of Dillingham Walking Plan

Commission looks at ADOT Dillingham Downtown streets Project 35% design maps to see the proposed configuration of the intersections.

R. Muir provides overview and slideshow of City's recent and historical efforts to develop a walking plan and improve walkability in City.

**MOTION:**

G. Long Term Encroachment Permit for Utility in Harbor

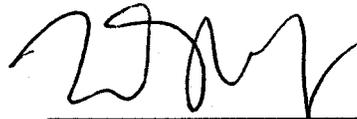
- Seitz – no objection from Nushagak or City departments.

**VII. UNFINISHED BUSINESS**

**VII. PUBLIC COMMENTS/COMMITTEE COMMENTS**

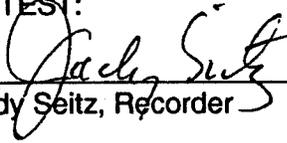
**VIII. ADJOURNMENT**

MOTION:



Bill Rodawalt, Chair

ATTEST:



Jody Seitz, Recorder

Planning Commissioners  
Vacant, Seat A, Deputy Chair  
Paul Liedberg, Seat B  
Bill Rodawalt, Seat C, Chair



Rachel Muir, Seat D  
Andy Anderson, Seat E  
Julie Baltar, Seat F  
Vacant, Seat G

**REGULAR MEETING MINUTES**  
**July 16, 2013**

**I. CALL TO ORDER**

Andy Anderson moved to elect Paul Liedberg as the Presiding Officer for this evening; Rachel Muir seconded.

Paul Liedberg, Presiding Officer, called the regular meeting of the Dillingham Planning Commission to order at 5:45 p.m. in the City Council Chambers.

**II. ROLL CALL (quorum is 4)**

Members present:

Paul Liedberg, Seat B  
Rachel Muir, Seat D  
Andy Anderson, Seat E  
Julie Baltar, Seat F

Members Absent

Bill Rodawalt, Seat C (excused)

Staff in Attendance:

Jody Seitz, City Planner, Recorder

Guests: Robert Heyano

**IV. APPROVAL OF THE AGENDA**

**MOTION:** Andy Anderson moved to approve the agenda. Rachel Muir seconded.

**ACTION:** Unanimous approval.

**IV. COMMUNICATIONS**

- A. There was no public comment.
- B. Communications to the Planning Commission
  - a. Planner mentioned people dumping fish waste outside the fish box.
  - b. ADOT commented on the Kakanak Road project improvements along the bike path to include centerline, ada compliance issues on approaches to the path, and pavement work in some places.
- C. Planner's Report – corrected the date on the report from May to July.

V. Minutes of June 18, 2013 – Added Bill Rodawalt's name to those in attendance.

A. Anderson asked about Knik's reclamation plan. Seitz will contact ADNR to see if they have filed one.

A. Anderson asked if J. Baltar had been able to contact the tribes about trails. J. Baltar said no.

**ACTION:** Unanimous Approval.

**VI. PUBLIC HEARINGS**

**A. Crystal Subdivision**

Presiding Officer P. Liedberg opened the Public Hearing at 5:58 p.m. There were no public comments on Crystal Subdivision. P. Liedberg closes the public hearing at 5:58 p.m.

**VII. UNFINISHED BUSINESS**

**MOTION:** Andy Anderson moved to approve and Rachel Muir seconded the motion to approve PCR 2013-09 Approving Crystal Subdivision Preliminary Plat.

**DISCUSSION:** P. Liedberg reviewed items that had been requested to be corrected from the previous meeting: the size of the easement along the road; the size of the turnaround/cul-de-sac at the end of the road. Planner reviewed the plat and showed the changes.

**MOTION to amend PCR 2013-09:** R. Muir moved and J. Baltar seconded motion to remove all conditions except that the surveyor add all available data on Kanakanak Road to the final plat for reference.

**ACTION:** Unanimous approval.

**ACTION ON ORIGINAL MOTION:** Unanimous Approval.

**B. Subdivision Access Committee – (SAC) Committee**

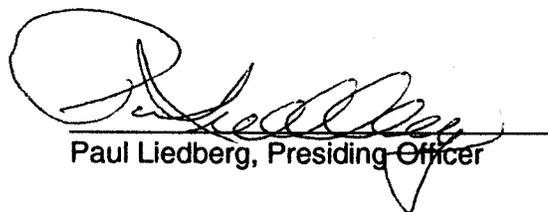
**DISCUSSION:** Planner reviewed Bleicker 16 point process with commission.

- Planner volunteered to prepare overview of the code and legal advice received in the SAC.
- J. Baltar asked for understanding of what parts of the code are Alaska Law and agreed to wait until the subdivision standards discussion and particular issues were addressed to get specific information about that.
- Discussion over creating a matrix comparing codes for review.
- Planner to prepare list of code areas that cause problems but relevant to current issues.
- Commission agreed to hold a public workshop on August 3, Saturday, from 9 to 12.

**VII. PUBLIC COMMENTS/COMMITTEE COMMENTS**

No comments

**VIII. ADJOURNMENT – 6:57 p.m.**

  
Paul Liedberg, Presiding Officer

**ATTEST:**

  
Jody Seitz, Recorder

U-Pop-Em Fireworks  
Billie Benedict  
P.O. Box 294  
Dillingham, Alaska 99576

RECEIVED

JUL 31 2013

CITY OF DILLINGHAM

July 30, 2013

Rose Lorea, Manager  
City of Dillingham  
P.O. Box 889  
Dillingham, Alaska 99576

Dear Rose:

I am writing in regards to your letter received on July 3, 2013 regarding our fireworks stand. I first want to set the record right. I have a letter from the previous city manager which allows me to sell fireworks at the present location. In my conversation with him, he indicated that there was no problem with my location and that I wouldn't have to ask for a waiver every year. I would be able to operate the stand until told to stop by him or any successor. I can produce the letter upon request.

We have been operating our fireworks stand in that location for 20 years without incident. We have dealt with burn bans, droughts and partial closure of our stand because of fire hazards. We have been happy to comply with the fire chief's directive. More than anyone else, we do not want to have a fire started by our fireworks. Although there was a fire there two years ago, it did not reach our stand because of the timely and professional actions of our volunteer fire department. Our fireworks were safely stored in a conex van and would not have gone up unless the fire was allowed to burn for an extended time.

There have been no changes to our location over the 20 years we have been there. Except for an enlargement to the harbormaster building and the Harbor Bay food stand, everything else has been there as long as we have. We are the required number of feet away from the Harbor Bay shop. We are actually not that close to the actual harbor as it would on first appearance seem. There are boats which are wintered over on Mr. Bingman's lot, but it is private property and the owners are all aware of our stand's location. Indeed, many of the boats have not fished in more than a few seasons. After the fire, there is little left to burn and little to attract the youngsters to hide and set fires. The only remaining building is completely full from floor to ceiling and there is no room for people. I don't believe that there is any danger to someone deliberately or

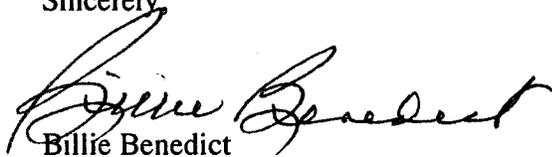
accidentally setting a fire. And again, our fireworks are stored in a conex van where they are safe.

I would appreciate your reconsideration of this matter. Over half of our business is due to walk-by traffic and fishermen. If we moved, we would lose this business. We are only open for one week in December and three weeks in June/July. The rest of the time, our fireworks are removed from the stand to safe storage. We would like to stay where we are if at all possible and save the business we have put 20 years into.

I understand that safety is an issue, and I assure your that it is also our highest priority. If there were to be an accident, we would lose our business, and we do not want that to happen. We also have more than the required number and types of fire extinguishers that the Fire Marshall has told us we needed. We also carry \$2 million in insurance.

I thank you for your consideration. It is very much appreciated. In order to get product here for New Years, we place our order in August. A decision made at your earliest convenience would allow us to make final plans.

Sincerely,



Billie Benedict



July 2, 2013

Billie Benedict  
U-Pop-Em Fireworks  
PO Box 294  
Dillingham, Ak. 99576

Dear Billie:

As you know the Dillingham Municipal Code # 8.08.010 (copy attached) states that it is "unlawful for any person within the city to sell or use or explode firework". You are required to request a waiver of this code for selling the fireworks in city limits and as far as I can tell that request have not been made in 2013.

In the past you were granted a temporary firework permit to allow you to continue to sell fireworks at your current location. You were also informed that your current location for U-Pop-EM Fireworks is not the best location for your business. This location has under gone considerable growth over the years and also the proximity to the boats and the harbor is a safety issue. In 2011 you were put on notice that in the future the sales of fireworks in your current location will not be permitted.

This letter grants you the authority to sell fireworks at your current location until July 6<sup>th</sup>, 2013. Any future sales of fireworks within City limits will need to be approved by a new permit at a new location. The City has granted you a waiver at your current location for a number of years now and we feel it is in the best interest of the community for you to relocate.

If you would like to discuss this further please feel free to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Rose Loera".

Rose Loera  
City Manager

Attachment – DMC #8.08.010

**Chapter 8.08****EXPLOSIVES****Sections:**

- 8.08.010**     **Fireworks prohibited.**  
**8.08.020**     **Authorized use.**

**8.08.010**     **Fireworks prohibited.**

It is unlawful for any person within the city to sell or use or explode any fireworks, explosives or stench bombs to which fuses are attached or which are ignitable by means of a match, without permission of the city manager or designee. The city manager may conduct an administrative public hearing as part of this permitting procedure. The decision of the city manager or designee may be appealed to the city council by the applicant. (Ord. 77-12 § 2 (part), 1977; Ord. 90-01, 1990.)

**8.08.020**     **Authorized use.**

A. The discharge of Class C common fireworks, defined as saleable under AS 18.72.100, shall be allowed annually without a permit under the direct supervision of a person twenty-one years or older during the following periods:

1. New Year, during the twenty-four-hour period beginning at six p.m. Alaska Standard Time on December 31st and ending at six p.m. Alaska Standard Time on January 1st;
2. Russian New Year, during the twenty-four-hour period beginning at six p.m. Alaska Standard Time on January 13th and ending at six p.m. Alaska Standard Time on January 14th; and
3. Independence Day, during the thirty-six-hour period beginning at six p.m. Alaska Daylight Time on July 3rd and ending at six a.m. Alaska Daylight Time on July 5th.

B. The discharge of fireworks will be restricted from these areas:

1. Within two hundred fifty feet of any health care facility or assisted living facility, library, school, or place of worship;
2. Within five hundred feet of any automotive service station or other premises where flammable liquids or gases are stored;
3. Within or from any structure or vehicle; and
4. In areas posted that the discharge of fireworks is prohibited.

C. Permission to discharge fireworks in this section shall not apply during any period when the city of Dillingham has issued a ban on open burning. (Ord. 10-11 § 1, 2010.)



April 25, 2012

Billie Benedict  
U-Pop-Em Fireworks  
P.O. Box 294  
Dillingham, Alaska 99576

re: fireworks permit

Dear Mrs. Benedict:

You are hereby permitted to sell fireworks at your fireworks stand located at on Lot 2 USS 3643, owned by James Bingman, within the city limits.

Please distribute a note with the fireworks sold, and post notices that shooting off fireworks must be done outside of City limits. Per DMC 8.08.010.

"It is unlawful for any person within the city to sell or use or explode any fireworks, explosives or stench bombs to which fuses are attached or which are ignitable by means of a match, without permission of the city manager or designee."

This section of our code indicates that while it is legal to sell fireworks within the city with a permit, it is not legal to shoot them off within city limits unless specifically authorized to do so by permit or ordinance.

Thank-you for renewing your City of Dillingham business license and securing a permit from the State Fire Marshall's office.

Sincerely,

A handwritten signature in black ink, appearing to read "Dan Forster". The signature is written in a cursive, flowing style.

Dan Forster  
City Manager

enclosures



August 8, 2011

Billie Benedict  
U-Pop-Em Fireworks  
P. O. Box 294  
Dillingham, AK 99576

RE: Reconsideration of July 29, 2011 Letter

Dear Ms. Benedict,

The purpose of this letter is to follow up on the visit your daughter Carrie Plier made to my office on Thursday, August 4, 2011.

Carrie stated your understanding of a conversation with Don Moore was that you would be able to sell fireworks at the end of December also. I am not able to contact Don for clarification of his statement, so I am willing to reconsider my letter of July 29. Since the temporary permit that Don Moore granted expired on July 6, 2011, I am willing to grant a temporary permit for the sale of fireworks in the current location from December 24, 2011 through December 31, 2011, providing all your business sales tax filings and payments are brought current. In researching the U-Pop-Em status in July, it came to our attention that not only is U-Pop-Em sales tax filing behind, so is Billie Benedict rentals.

The other items that were brought up by Ms. Pleier at the meeting on Thursday, August 4, 2011 will be discussed with you when you apply for permission to sell fireworks during the 2012 year. Please start the process of applying for permission to sell fireworks for the 2012 year in conjunction with your business license renewal. This will allow plenty of time for all concerns to be addressed before a final decision is rendered.

Sincerely,

A handwritten signature in cursive script that reads "Carol A. Shade".

Carol A. Shade  
Interim City Manager

July 29, 2011

Billie Benedict  
U-Pop-Em Fireworks  
P. O. Box 294  
Dillingham, AK 99576

RE: Status of Future Permits for Retail Sale of Fireworks in City Limits

Dear Ms. Benedict,

The purpose of this letter is to follow up on the fireworks permit that was issued temporarily on July 1, 2011.

As you are aware, based on Dillingham Municipal Code 8.08.010 (copy attached) the City Manager can grant permission to sell fireworks within the City limits of Dillingham. On July 1, 2011, Don Moore, the Interim City Manager at the time granted a temporary permit for you to continue the sale of fireworks until July 6, 2011.

Further sale of fireworks within City limits will need to be approved by a new permit upon application by your company. Discussions with Don before he left lead me to believe that you need to know prior to your August ordering of fireworks whether this permit is going to be approved or not. The City does not feel that the current location of the U-Pop-Em fireworks stand is in the best interests of the community. The area has undergone considerable growth during the years that the fireworks stand has been situated there. An application for a permit to continue the sale of fireworks in the proximity of the harbor and the other flammable buildings and boats will not be permitted.

If you choose to sell fireworks in 2012 you will need to make application to sell at a location, which can be approved by the City. The City Planner, Jody Seitz would be available to you for comment on the suitability of a site(s) you might propose.

Sincerely,

Carol A. Shade  
Interim City Manager