



Alice Ruby, **Mayor**

Council Members

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

**DILLINGHAM CITY COUNCIL
MEETING AGENDA**

David B. Carlson Council Chambers

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

REGULAR MEETING

7:00 P.M.

APRIL 11, 2013

I. CALL TO ORDER

II. ROLL CALL

III. APPROVAL OF MINUTES

- A. Regular Council Meeting, March 7, 2013

IV. APPROVAL OF CONSENT AGENDA

- A. Resolution No. 2013-11, A Resolution of the Dillingham City Council to Commend Dr. Tom Marsik and Ms. Kristin Donaldson

APPROVAL OF AGENDA

V. STAFF REPORTS

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

VI. PUBLIC HEARINGS

- A. Adopt Ordinance No. 2013-01, An Ordinance of the Dillingham City Council Amending Section 4.21.040 of the Dillingham Municipal Code to Limit the Penalty Assessed for Failure to File or Remit Raw Fish Sales Tax Returns to Ten Percent, and to Limit the Interest to 6%
- B. Adopt Ordinance no. 2013-02, An Ordinance of the Dillingham City Council Amending Sections 4.15.110 Through 4.15.170 of the Dillingham Municipal Code to Amend the Procedures for Appeal Hearings Before the Board of Equalization and to Delete Repetitive Language in these Sections
- C. Adopt Ordinance No. 2013-03, An Ordinance of the Dillingham City Council Amending the Budget by Adopting Budget Amendment No. 1 and Appropriating Funds for the FY 2013 City of Dillingham Budget
- D. Adopt Ordinance No. 2013-04, An Ordinance of the Dillingham City Council Amending Section 17.15.030 of the Dillingham Municipal Code to Change the Language Requesting Council Take Action on Planning Commission Resolution to Recommend Vacation of an Alley from "30 Days to Veto" to "45 days to Approve" a Recommended Vacation

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

VIII. ORDINANCES AND RESOLUTIONS

- A. Adopt Ordinance No. 2013-01, An Ordinance of the Dillingham City Council Amending Section 4.21.040 of the Dillingham Municipal Code to Limit the Penalty Assessed for Failure to File or Remit Raw Fish Sales Tax Returns to Ten Percent, and to Limit the Interest to 6%
- B. Adopt Ordinance no. 2013-02, An Ordinance of the Dillingham City Council Amending Sections 4.15.110 Through 4.15.170 of the Dillingham Municipal Code to Amend the Procedures for Appeal Hearings Before the Board of Equalization and to Delete Repetitive Language in these Sections
- C. Adopt Ordinance No. 2013-03, An Ordinance of the Dillingham City Council Amending the Budget by Adopting Budget Amendment No. 1 and Appropriating Funds for the FY 2013 City of Dillingham Budget
- D. Adopt Ordinance No. 2013-04, An Ordinance of the Dillingham City Council Amending Section 17.15.030 of the Dillingham Municipal Code to Change the Language Requesting Council Take Action on Planning Commission Resolution to Recommend Vacation of an Alley from "30 Days to Veto" to "45 days to Approve" a Recommended Vacation
- E. Introduce Ordinance No. 2013-05, An Ordinance of the Dillingham City Council Amending Section 4.16.060 of the Dillingham Municipal Code to Revise the Penalties Assessed for Failing to Apply for A City Business License
- F. Introduce Ordinance No. 2013-06, An Ordinance of the Dillingham City Council Authorizing the Conveyance of Certain Real Property Obtained by Foreclosure Back to the Former Owner
- G. Resolution No. 2013-12, A Resolution of the Dillingham City Council Approving a Long Term Encroachment of a Roof and Fence into the Utility Easement on Lot 6 Block 18 USS 2732 AB on Alaska Street
- H. Resolution No. 2013-13, A Resolution of the Dillingham City Council Authorizing a Health Reimbursement Arrangement
- I. Resolution No. 2013-14, A Resolution of the Dillingham City Council Approving an Increase in the Ambulance Billing Rates
- J. Resolution No. 2013-15, A Resolution of the Dillingham City Council Requesting FY 14 Payment in Lieu of Taxes Funding from the Department of Commerce, Community, and Economic Development
- K. Resolution No. 2013-16, A Resolution of the Dillingham City Council Approving an Increase in Harbor Fees and Amending the Fee Structure
- L. Resolution No. 2013-17, A Resolution of the Dillingham City Council Authorizing Foreclosure Proceedings on Delinquent Property Taxes for the Years 2007-2012

X. UNFINISHED BUSINESS

- A. Animal Shelter Facility

- B. Citizen Committee Appointments
 - 1. Cemetery Committee – 4 Seats
 - 2. Senior Advisory Commission – 2 Seats Expire in April
- C. Strategic Planning – Schedule Workshop April 25, 5:30 PM

X. NEW BUSINESS

- A. Action Memorandum No. 2013-02, Authorizing the City Manager to Execute a Contract for the Re-roofing of the Dillingham Library / Sam Fox Museum Building with Paug-Vik Services Inc.
- B. Action Memorandum No. 2013-03, Authorizing the City Manager to Execute a Contract for the Re-roofing of the Dillingham High / Middle School Science Wing to Day Night Construction
- C. Action Memorandum No. 2013-04, Approval for City of Dillingham to Assist the University of Alaska Fairbanks Marine Advisory Program with a Composting Project in 2013 and 2014 and Accepting Equipment from the Project
- D. Action Memorandum No. 2013-05, Approval to Move the Animal Shelter from its Current Location on the Aleknagik Lake Road and to Renovate the East End of the National Guard Armory for the New Location
- E. Action Memorandum No. 2013-06, Authorize the City Manager to Execute a Contract with eDocsAlaska Inc. for the purchase and installation of a 3 User Laserfiche Avante System for Electronic Document Records Management
- F. Action Memorandum No. 2013-07, Adopt Dillingham Public Safety Operations Manual – Snow Machine Operating Procedures

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

XII. COUNCIL COMMENTS

XIII. MAYOR'S COMMENTS

XIV. EXECUTIVE SESSION

- A. Union Negotiations
- B. Gladden vs. City of Dillingham
- C. Point of Sale

XV. ADJOURNMENT

I. CALL TO ORDER

The Regular Meeting of the Dillingham City Council was held on Thursday, March 7, 2013, at the Dillingham City Council Chambers, Dillingham, Alaska. Mayor Alice Ruby called the meeting to order at 7:03 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
- Tracy Hightower, Seat E
- Paul Liedberg, Seat F

Staff in attendance:

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

III. APPROVAL OF MINUTES

- A. Regular Council Meeting, February 7, 2013

MOTION: Bob Himschoot moved and Keggie Tubbs seconded the motion to approve the minutes of February 7, 2013.

VOTE: The motion to approve the minutes of February 7, 2013 passed unanimously.

IV. APPROVAL OF CONSENT AGENDA

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

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

GENERAL CONSENT: The motion passed without objection.

APPROVAL OF AGENDA

MOTION: Keggie Tubbs moved and Chris Maines seconded the motion to approve the agenda.

VOTE: The motion passed unanimously.

V. STAFF REPORTS

A. City Manager Report

City Manager Loera reported on the following:

- Employee vacancies filled: receptionist, executive assistant, and corrections officer; and yet to be filled: heavy equipment mechanic, accounting tech, and senior patrol officer;
- Waste-to-Energy – a telephonic meeting with Shearwater was scheduled for the following week to include staff and Curyung Tribe to review the next steps;
- Beaver Round-Up (BRU) – patrol officers made their presence at a lot of the events, there were several arrests per day, jail became overcrowded, but State Troopers responded and moved out some of the prisoners;
- 2nd Trip to Juneau – Lobbyists felt the City's \$3M in the Governor's budget would remain, and didn't feel it necessary to make a second trip; staff participated in a teleconference supporting \$2M in the budget for additional funding for correctional facilities;
- Theft at Museum – the amount was probably small, but staff moved the donation box to the library area where it could be more secure, the museum gate was closed shut, and users would be escorted to the museum area;
- Patrol positions were mostly filled resulting in scheduling 80 hour pay periods instead of 100 hour pay periods, greatly reducing overtime hours; and
- Dr. Seuss's 50th Birthday was celebrated at the Library during BRU – volunteers and guests donned costumes with about 90 people attending the successful event.

Discussion:

- asked about other departments than public safety using the snow machines, answered public works might use them to access a substation, only official use;
- referenced the clerk's report on House Bill 3 that would require a photo voter ID, proposed it may not be practical in rural Alaska, and asked if the City could take a position opposing the legislature;
- asked about efforts to seek grant funding for public safety and fire department building, answered it was at the Commissioner's office, should hear something in a few weeks;
- asked if snow machine operators would be tested beforehand for their competency skills; if there were guidelines on preventative maintenance, and if the policy would identify safety equipment to have on board, staff to follow up.

B. Standing Committee Reports

Mayor Ruby, Chair, School Facility Committee Meeting:

- school had prepared an assessment for the suggested uses of the Territorial School;
- additional information was forthcoming from the architect including cost to remodel;
- identifying funding sources with consultant support;
- annual inspection of the school facilities to be conducted; and
- funds remaining in the school bond fund could be used to reroof one section.

Discussion:

- asked about the rents collected by the school for the upstairs apartments, answered they accumulated, some contributed to O&M costs; City was paying to heat the building.

Paul Liedberg, Chair, Code Review Committee:

- a proposal to exempt sales tax on all arts and crafts that was brought forward in the form of a petition by Adam Kane resulted in creating a subcommittee to evaluate other ideas that surfaced during discussion;
- during the process of reviewing unlicensed cabs, proposed revising the penalty of \$100 a day for late filing of business licenses after 45 days to something more practical;
- recommending changing the approval process on the vacation of an alleyway from a negative to a positive statement; and
- addressing isolated issues that arose in the process of administering the raw fish sales tax refund.

Bob Himschoot, Chair, Finance and Budget Committee:

- staff had created a spreadsheet to track collections by month;
- mid-year 2013 Budget amendment was being introduced on the agenda;
- water and wastewater rates – no update;
- unless Council objects, will remove landfill rates from agenda due to putting in place more consistent rates and new hours; will review in the future with expected changes at the landfill due to repermitting; no objection;
- harbor fees - awaiting Port of Dillingham Advisory Committee's review;
- animal shelter – will have a proposal for council review in the near future;
- ambulance fees – to be presented at the next Council meeting;
- Point of Sale – members were evaluating the memo prepared by Attorney Munson; and
- monthly or quarterly sales tax filings – felt a review of existing thresholds was overdue.

Discussion:

- noted the proposed ambulance rates had been reviewed by the Fire Dept. Executive Committee several times, and would be brought back to the next Finance and Budget meeting; and
- noted ambulance rates were extremely low when compared to other areas, and the proposed rates would match what Medicaid would reimburse.

MOTION: Keggie Tubbs moved and Bob Himschoot seconded the motion to concur with the Mayor's recommendation to appoint Brenda Akelkok to the Code Review Committee.

GENERAL CONSENT: The motion passed with no objection.

Paul Liedberg, member of the Parks and Recreation Committee, reported the committee had some new members, and they were moving forward since Patrick's departure.

Bob Himschoot reported on his role and that of Paul Liedberg's, both participating on the Planning Commission's Sub-Committee on Subdivisions and Private Access. He noted they had worked it out so that Paul, as Planning Commissioner, was the primary, and Bob Himschoot, as Council Member, was the alternate for voting purposes, but both were providing input and recommending revisions to the existing code.

VI. PUBLIC HEARINGS

Mayor Ruby opened the public hearing for comments. She reported both ordinances were in the process of being revised, and the Council would be asked to postpone action.

- A. Adopt Ordinance No. 2013-01, An Ordinance of the Dillingham City Council Amending Section 4.21.040 of the Dillingham Municipal Code to Limit the Penalty Assessed for Failure to File or Remit Raw Fish Sales Tax Returns to Ten Percent, and to Limit the Interest to 6%
- B. Adopt Ordinance no. 2013-02, An Ordinance of the Dillingham City Council Amending Sections 4.15.110 Through 4.15.170 of the Dillingham Municipal Code to Amend the Procedures for Appeal Hearings Before the Board of Equalization and to Delete Repetitive Language in these Sections

There being no public comments the public hearing closed.

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

- A. Glen Johnson – Tribal Involvement

Glen Johnson introduced himself as a long standing advocate for tribal involvement and suggested some perceived opportunities including:

- job shadowing, retaining law officials was a problem, and could see a 25% reduction in cost using VPSOs who get paid less;
- City would own the public works systems like water and sewer, but tribe could operate, maintain, and secure funding;
- saw a potential for a charter school for exceptionally gifted and developmentally disabled people that had a harder time fitting in the mainstream of college life, with tribes securing funding;
- considering the City was serving 75% and higher tribal users, seemed logical for tribes to secure, operate, and maintain senior services;
- advocate for closing down the harbor, there were other launch and retrieve areas that could be used, save on water and power costs in the winter and costly Corps operations for dredging and erosion control, some of the villages had purchased emergency response vessels, concerned with safety issues in the harbor;

- landfill – people could get trained through the Rural Alaska Landfill Operators program, other villages have 24/7 operations with no limitations, but not feasible for Dillingham with its high costs;
- Potato House was a real estate opportunity;
- since 1980 City administration had grown, other villages don't have that level of staffing, because they don't have the burden of administering tax records;
- Animal control – cost efficiency could be best accomplished by shooting the dogs, and not having to keep dogs in an expensive facility;
- KDLG needed a new facility, relied too heavily on grant programs, there may be an opportunity for involvement with native broadcasting services; and
- few people paid property taxes, and it doesn't seem fair; but culturally integrating all these operations and services, rely on tribe involvement to secure state and federal funds, believes the City could still maintain what it has and have lower taxes.

VIII. ORDINANCES AND RESOLUTIONS

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

Mayor Ruby reported since the ordinance had been introduced, the Code Review Committee was suggesting some other changes that were substantial. In lieu of bringing forth an amendment to the meeting, the Council would be asked to postpone adoption of the ordinance until the next meeting.

MOTION: Keggie Tubbs moved and Paul Liedberg seconded the motion to postpone Ordinance No. 2013-01 to the next meeting.

VOTE: The motion to postpone Ordinance No. 2013-01 until the next meeting passed unanimously.

- B. Adopt Ordinance no. 2013-02, An Ordinance of the Dillingham City Council Amending Sections 4.15.110 Through 4.15.170 of the Dillingham Municipal Code to Amend the Procedures for Appeal Hearings Before the Board of Equalization and to Delete Repetitive Language in these Sections

Mayor Ruby reported since the ordinance had been introduced, the Code Review Committee was suggesting some other changes that were substantial. In lieu of bringing forth an amendment to the meeting, the Council would be asked to postpone adoption of the ordinance until the next meeting.

MOTION: Keggie Tubbs moved and Chris Maines seconded the motion to postpone adoption of Ordinance 2013-02 until the next meeting.

VOTE: The motion to postpone adoption of Ordinance No. 2013-02 until the next meeting passed unanimously.

- C. Introduce Ordinance No. 2013-03, An Ordinance of the Dillingham City Council Amending the Budget by Adopting Budget Amendment No. 1 and Appropriating Funds for the FY 2013 City of Dillingham Budget

MOTION: Bob Himschoot moved and Keggie Tubbs seconded the motion to introduce Ordinance No. 2013-03.

Mayor Ruby reported the Finance and Budget Committee was recommending adoption of the budget amendment.

VOTE: The motion to introduce Ordinance No. 2013-03 passed unanimously.

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

MOTION: Paul Liedberg moved and Keggie Tubbs seconded the motion to introduce Ordinance No. 2013-04.

Mayor Ruby noted the ordinance extended the period to review a proposed vacation from 30 to 45 days in order to allow enough time for the Council to act on it, but not keep the citizen waiting too long for the result. The Council would still be notified, and if the Council did nothing it was considered approved.

Discussion:

- understood the Planning Commission had adjudication authority besides the Council, but thought this would change the relationship between the Council and the Commission, noting there's a difference requiring approval for an action and giving authority for a negative action, one takes authority away from the other; and
- commented the City needed the Commission to specialize in this area, that the ordinance might also impact the appeal process, and suggested asking legal counsel to review the ordinance.

VOTE: The motion to introduce Ordinance No. 2013-04 passed unanimously.

IX. UNFINISHED BUSINESS

- A. Animal Shelter Facility

City Manager Loera reported she would be prepared to have a report for the Finance and Budget Committee at their upcoming meeting, and would work to have a report for the Council at their next meeting.

Discussion:

- asked if administration was looking at all the options including using Happy Tails.

B. Citizen Committee Appointments

1. Planning Commission – 1 Seat, Expired December 2012

Mayor Ruby reported that Rachel Muir had filed a letter of interest to continue sitting on the Planning Commission, and was recommending her reappointment.

MOTION: Bob Himschoot moved and Keggie Tubbs seconded the motion to concur with the Mayor's recommendation.

VOTE: The motion passed unanimously.

2. Cemetery Committee – 4 Seats

Mayor Ruby noted she had no new appointments to report.

C. Strategic Planning – Foraker Group

Mayor Ruby recommended polling the Council for a workshop to review the comments submitted by the Foraker Group.

X. NEW BUSINESS

A. Instream Flow Reservation Co-Applicant Sign-Off

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

Sue Flensburg and Bill Maines:

Reported the City was being asked to join as a co-applicant on a number of different water reservations on behalf of three entities: Curyung Tribal Council, BB Heritage Land Trust, and SW Alaska Salmon Habitat Partnership. Essentially there were two (2) legislative bills that would essentially take away the right of individuals, non-profits, and tribes, to pursue instream flow reservations, and would only allow municipalities as well as state and federal agencies to apply for them. For some reason the State did not want to recognize tribal entities, and the tribe wanted to keep their date and time when the original applications were filed eight years ago (first in time, first in line provision). The reservations were designed to achieve a higher level of protection for fish and wildlife and to ensure there would be sufficient water in the stream.

Sue did not anticipate any cost to the City, all the funding was in place, and she and Tim Troll would craft a draft letter for the City and fill out the applications. She noted hopefully in the future DNR would adjudicate the applications, that it was up to the State to decide which to adjudicate and the public could weigh in. The goal was to file the applications as soon as possible.

Discussion:

- spoke in favor of keeping the Council current on any action taken; and
- thanked Sue Flensburg and Billy Maines for presenting to the Council.

MOTION: Keggie Tubbs moved and Chris Maines seconded the motion to approve Action Memorandum No. 2013-01.

Discussion:

- commented the federal government recognized tribal governments in Alaska, and when was the State going to do the same; and
- commented it was disheartening to see the continuing erosion of a citizen's ability to be involved in resource development.

VOTE: The motion passed unanimously.

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

Sue Flensburg represented herself as a resident of Dillingham. She noted she had been involved in the earlier BB Area Management Plan, how lands were to be managed. However, the land use classifications from 1984 were radically changed in 2005, people were less informed, and a lawsuit was filed by several tribes. In the settlement, the state agreed to reopen the BB Area Plan. She noted it was a bit of an improvement, but fell way short of what the region deserved, that fish was essential to this economy, culture, and way of life. She was bringing it to the Council's attention to get involved with its large population dependent on subsistence living, and to participate in the public comment period, which would end April 4. She provided several handouts comparing the 1984 and 2005 plan.

Bill Maines, resident of Dillingham, confirmed the comment period was coming up quickly, April 4. He noted the City was a major population in the area, and a lot of people used the land upriver and down the coast for subsistence, commercial, and sport use.

XII. COUNCIL COMMENTS

Chris Maines:

- commented he was pleased the Council had agreed to sign on as a co-applicant on instream flow reservations; and
- noted he appreciated Glen Johnson's comments, and felt he had made a lot of good points.

Bob Himschoot:

- thanked Sue Flensburg, Billy Maines and Glen Johnson for their presentations, noting he appreciated that the City had signed on as a co-applicant on the instream flow reservations.

Tracy Hightower:

- noted he agreed with the previous comments made.

Keggie Tubbs:

- thanked all of the volunteers and the coordinator who put on a very successful Beaver Round-Up festival;
- congratulated the boys' and girls' basketball teams for winning regions and moving on to State; and
- spoke against the legislative bill that he felt would discourage people from voting if asked to present a photo ID, noting expecting a photo ID in rural Alaska might not be feasible for some.

MOTION: Keggie Tubbs made a motion and Chris Maines seconded the motion to have the Manager work with the City's lobbyist and draft a letter or provide committee testimony to make known the City's opposition to the proposed changes in the voting process.

Discussion:

- opined there wasn't rampant voter fraud in Alaska, and no need to change how elections were conducted.

GENERAL CONSENT: The motion passed without objection.

Brenda Akelkok:

- thanked Billy Maines and Sue Flensburg for their extreme dedication over the years, with many hours devoted to helping to preserve the region's resources; and
- thanked N&N for the 30-pound turkey her son won at Beaver Round-Up, second year in a row.

Paul Liedberg:

- echoed everyone's comments, agreed with them all;
- recognized the City's employees for doing a tremendous job, that things were really cooking along;
- noted he was appreciative of those that had attended the meeting; and
- commented Senate Bill 32 would have opened the Chikuminuk Lake hydro development project, but public comment had succeeded in authorizing only a feasibility study at this time.

XIII. MAYOR'S COMMENTS

Mayor Ruby:

- commented she had attended SWAMC meeting along with several other City reps, and was intending to put together a report;
- noted the terms of the Parks and Rec Committee had the Council appointing the Chair, and would follow up with the Manager;
- noted staff had invited Patrick Solana-Walkinshaw to receive a resolution commending him for his role on the Parks and Rec Committee and for all his hard work;
- commented she was going to draft a letter to the BRU organizers and volunteers, noting schedule was packed, with something for everyone, and it was a great weekend; and

- asked everyone to join in a moment of silence to recognize all of those lost since the last meeting.

XIV. EXECUTIVE SESSION

There was no executive session.

XV. ADJOURNMENT

Mayor Ruby adjourned the meeting at 8:50 p.m.

Alice Ruby, Mayor

ATTEST:

Janice Williams, City Clerk

Approval Date: _____

CITY OF DILLINGHAM, ALASKA

RESOLUTION NO. 2013-11

A RESOLUTION OF THE DILLINGHAM CITY COUNCIL TO COMMEND DR. TOM MARIK AND MS. KRISTIN DONALDSON

WHEREAS, Dr. Marzik and Ms. Donaldson are active residents and true assets of the community of Dillingham; and

WHEREAS, Dillingham residents pay 294% of the national average cost of fuel oil and 70% more than the national average for electricity after PCE; and

WHEREAS, Dr. Marzik and Ms. Donaldson designed and built an extremely energy efficient house with the air-tightness of 0.05 Air Changes per Hour (ACH) at the differential pressure of 50 pascals; and

WHEREAS, the house set a new world record of the Tightest Residential Building, according to the World Record Academy; and

WHEREAS, Dr. Marzik and Ms. Donaldson have dedicated their professional and personal lives to sustainable energy and overall sustainable living; and

WHEREAS, Dr. Marzik generously and selflessly shares the ideas and education gained from his experiences with students, organizations and communities so that others may benefit; and

WHEREAS, the Council wishes to recognize Dr. Marzik and Ms. Donaldson's generous contribution to the community, the region, the state and the nation;

NOW, THEREFORE, BE IT RESOLVED that the Dillingham City Council offers congratulations and a commendation to Dr. Tom Marzik and Ms. Kristin Donaldson with sincere thanks for sharing their ideas, passion, time and talent with the citizens of Dillingham and making it a better place to live.

PASSED and ADOPTED by a duly constituted quorum of the Dillingham City Council on April 11, 2013.

SEAL:

Alice Ruby, Mayor

ATTEST:

Janice Williams, City Clerk

Mayor
Alice Ruby

Manager
Rose Loera



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

MEMORANDUM

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

Special Projects – Steve Cropsy returned to Dillingham the first week in March. He will be working on the Wastewater Treatment Project, Roof projects for the Library and School and other small projects as needed. A copy of his report is attached.

Vacancies – our current vacancies are: 2 Senior Patrol Officers, Fire Department Coordinator, and Heavy Duty Mechanic. We have a couple of people that indicated an interest in our police officer position, so, hopefully, we'll be able to fill one of the positions soon. Our Public Works Director gave his notice. I am not planning to advertise this position at the present time.

K9 Handler – the police officer that was also our K9 Handler has resigned. We would like to keep the dog in Public Safety Dept. We would provide the training for the new handler from the asset forfeiture fund which has a balance of about \$9,000. We figure the cost for training to be about \$7,500.

Fire – Our staff was commended by the Wahl family in their response to the fire. They mentioned how professional and calm the dispatcher was and that the volunteers and police officers were very helpful and kind.

Fire Department – the fire department is currently under the Police Department. I am considering moving them under my supervision in the next month. Norman Heyano informed me that they will be moving forward in purchasing a new ambulance. The fire department fund will cover the entire cost.

Dredging of the Harbor – Staff and I met with the Corp of Engineers regarding the dredging of the harbor. This year will be the end of the 5 year contract that is currently in place with Portable Hydraulic Dredging. Before they can advertise for another contract they must do another environmental assessment on water quality. In the council packet under "Other" are copies of various pages from the last Environmental

*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.*

Assessment that provides some historical information regarding the maintenance dredging. They will need to conduct a public hearing to listen to the concerns the community has over the discharge of silt into the Bay. At the Port Committee meeting this month Jean will be asking the committee when they thought would be a good time for a public meeting of this nature.

Budget 2014 – Both Carol and I met with each department head on their 2014 budgets. We will be presenting the budget to the Finance and Budget Committee starting in April. A tentative schedule has been given to the F & B committee.

Landfill – changing the new hours at the landfill has been very successful. Staff now has time to work in the landfill without interruptions. Shearwater LLC came to Dillingham on the 28th and 29th of March to meet with staff and do an assessment of the landfill. They flew with staff to Egegik to look at an incinerator which is similar to what we are considering for our landfill.

CDBG - We were funded for the CDBG planning grant for the Public Safety building. We will be appealing the decision because they did not give us credit for the Low to Moderate Income criteria under the Dillingham Census Area, though the jail is a regional jail funded by Corrections. If our appeal is not accepted, we will go ahead with the Planning phase using the \$20,000 that was put into the 2013 budget in the mid-year budget adjustment.

Out of the office April 1 – April 10, and April 29 – May 7 (medical).

Mayor
Alice Ruby

Manager
Rose Loera



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MEMORANDUM

Date: April 4, 2013
To: Rose Loera, City Manager
From: Steve Cropsey Project Mgr.
Subject: Project Status

FORCE MAIN HDD: Two new 34 HP pumps will be installed at the dock lift station within the next few weeks. Both PND Engineers and CH2 M Hill recommended the 34HP pumps as a result of their independent review of the "As built" profile of the new force main. The pumps, built in Switzerland, were delivered in Dillingham on April 3rd. The soft start panels are also in Dillingham. Installation will begin the week of April 20th.

Trenchless Construction will complete their repair of the surface conditions at the Boys and Girls Club and the adjacent "Wren Estate" property as soon as surface conditions permit.

LIBRARY RE-ROOF / DHMS Re-roof Projects: Bids were opened on March 21st @ 4:00 PM for the Library / Sam Fox Museum and DHMS Re-roof projects. The library project received bids from 8 qualified and responsive bidders. Paug-Vik Services, of Naknek, presented the low bid in the amount of \$137,269.00. The Council will have an Action Memorandum to award this contract to Paug-Vik on its April 11th Agenda.

The same RFP / Bid package included a re-roof project on a portion of the DHMS building. This work received bids from 6 contractors. Day Night Construction presented the low bid in the amount of \$261,907.20. The Council will have an Action Memorandum to award this contract to Day Night Construction on its April 11th Agenda.

NOTE:

- The protest period for both projects expired April 6, 2013. As of April 4, 2013 no protests were rec'd.
- The Council established School Facilities Committee reviewed the need to re-roof the science wing and concurred with using the remaining Bond funds to pay for the DHMS Re-roofing project.

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WASTE WATER TREATMENT PLANT UPGRADES: CH2 M Hill is currently drafting the wastewater treatment plan.

This summer upgrade work on the WWTP will include the following:

Sludge removal from both lagoons. This work will be out for contractor bid some time during this week of March 25th. The expected date of the bid opening will be approximately April 25th. The City Council will, in all likelihood, be asked to award bids for this work at their May 2nd meeting. A representative of a national bio-solids management company (Which recently completed a sludge removal project at North Pole) visited Dillingham's site on March 22nd. The project substantial completion date is set for August 5th 2013.

Installation of floating baffles will be out for bid the week of April 1st. This project will install a floating baffle system that will increase wastewater retention in both lagoons, thereby improving discharge quality, before it is discharged via the outfall line into the bay. This work will begin immediately after the sludge project is completed.

Request for Quotes, (RFQ) for Cleanout of the HUD Force Main will be prepared in mid April. The force main has been blocked for well over a year. Currently due to the blockage the wastewater for the HUD area is being sent through the old sewer main to the dock lift station and sent back to the lagoons through the new force main. This relative small project, in terms of cost, will be ready for contractors to review and provide cleanout proposals and costs to the City in early May. The cleanout of the currently blocked HUD Force Main is estimated to take only 3 to 4 days and will be accomplished as soon as the line is thawed, which will assure the actual blockage is being removed not just seasonal frozen materials.

The new Sewer Outfall line is being designed for installation using the Horizontal Directional Drilling, (HDD) method. Treated wastewater meeting discharge standards will be discharged several hundred feet out into the bay. The DEC will be involved in every step of this design and construction effort. This project will be out for bid for summer 2014 construction.

Respectfully submitted,
SC

Mayor
Alice Ruby

Manager
Rose Loera



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

MEMORANDUM

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

Public Hearing on Four Ordinances Scheduled

The following four ordinances are scheduled for a public hearing at the April 11 Regular Council Meeting. An advertisement was placed in the March 28 edition of the Bristol Bay Times.

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

This ordinance was vetted through the Code Review Committee, introduced February 7, scheduled for a public hearing March 7, and then postponed to April 11 pending a further review by the Committee. The City is required to hold another public hearing. It is being brought back as a substitute ordinance, Ordinance No. 2013-01 (SUB-1). The original ordinance proposed bringing the penalty and interest in the raw fish tax code in line with sales, and real and personal property tax penalty and interest. We were proposing dealing with the severance tax code separately since the enforcement section found in the raw fish sales tax was not included in the severance tax section, as it should have been.

However, when the Attorney started working on the severance code, he proposed presenting one ordinance, combining the changes, since the raw fish sales tax and severance tax were intended to be identical. Instead of rewriting the entire sections of the raw fish tax code in the severance tax code, he cross-referenced some sections of the raw fish sales tax code.

The substitute language is presented in gray-coloring. These are not substantive changes. It is mainly clean up. **We will be recommending Council adopt Ordinance No. 2013-01 (SUB-1) at their April 11 meeting.**

- Adopt Ordinance no. 2013-02, An Ordinance of the Dillingham City Council Amending Sections 4.15.110 Through 4.15.170 of the Dillingham Municipal Code to Amend the Procedures for Appeal Hearings Before the Board of Equalization and to Delete Repetitive Language in these Sections

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This ordinance was vetted through the Code Review Committee, introduced February 7, scheduled for a public hearing on March 7, but we asked Council to postpone adoption until April 11 pending further review by the committee. Another public hearing was required.

Attorney Munson revised the ordinance to address the burden imposed on the BOE from having to rule on on-going late filed appeals. The significant changes to Ordinance No. 2013-02 were to add a BOE organizational meeting which would be held soon after the assessment period closed, to determine the number of outstanding appeals, and to schedule the hearing date. They would also declare no more appeals would be accepted. If someone wanted to push for a hearing on a late filed appeal, they could always go before the Council.

The committee favored introducing the substitute ordinance April 11 allowing for time to absorb the changes, and bring it back for a public hearing and adoption April 25. It appears the substitute ordinance he is proposing is changing a lot more than it is, but he has taken the original Ordinance No. 2013-02 that had restructured the code to remove duplicate language and to provide a chronology of events, and has further organized it, but in substance it really hasn't changed. **We will be recommending Council adopt Ordinance No. 2013-02 (SUB-1) at their April 25, 2013 meeting.**

- Adopt Ordinance No. 2013-03, An Ordinance of the Dillingham City Council Amending the Budget by Adopting Budget Amendment No. 1 and Appropriating Funds for the FY 2013 City of Dillingham Budget

This ordinance was vetted through the Finance and Budget Committee, introduced March 7, and is up for a public hearing and adoption April 11. **We will be recommending Council adopt Ordinance 2013-03 at their April 11 meeting.**

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

This ordinance was introduced March 11, and is up for a public hearing and adoption April 11. This ordinance was recommended, because the normal practice is to present a resolution or ordinance asking for approval, not for a veto. We were legally advised that the ordinance could be revised to bring the language in line with standard practice. The committee also suggested extending the time period by 15 days to allow enough time to present a resolution to the Council. **We will be recommending Council adopt Ordinance 2013-04 at their April 11 meeting.**

Sub-Committee to review business license and sales tax issues

The Code Sub-Committee has met twice to review Adam Kane's petition to exempt all arts and crafts (not just native arts and crafts) from sales tax, and fruits and vegetables grown and livestock raised in Bristol Bay. We postponed a third meeting, awaiting legal advice on some questions we've posed. We plan to reschedule our next meeting for the week of April 15. So far the committee has addressed recommending Adam's ordinance to the Council as is, and has further discussed a proposal to exempt businesses that make less than \$10K from having to file

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for a business license and collecting sales tax, and to exclude cab companies from this exemption.

Computer Software Purchase

I am recommending awarding a contract to E-Docs for the purchase of an archival database for inhouse use at this time. We will present an Action Memorandum on the April 11 agenda. This expense was included in the FY 2013 budget. Next year we would budget to include access to the public. We are looking for a good data base for our employees, with the ability to do searches on archived documents. The public could come in the office and access it from a station or we could continue to provide them with records. The system would allow three people from 3 different stations to access the database. If someone wanted to share their password with someone else, that would be fine, but, again, only 3 people could be on it at a time. We could always add others in the future at a cost, and as we get more familiar with the program and our needs.

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Mayor
Alice Ruby

Manager
Rose Loera



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Tracy Hightower
Paul Liedberg

MEMORANDUM

Date: March 26, 2013

To: Rose Loera
City Manager

From: Carol Shade
Finance Director

Subject: February 28, 2013 Financial Report

Although it might sound redundant, February was again a busy month in the Finance Department. I am not sure there will ever be a month that is not busy. Of course during February we had two staff leave. We hired Corina Owens to fill the receptionist position and Cindra Barrett will be joining us on March 27 as the Accounts Payable Technician. I really look forward to functioning as a fully staffed department again.

As of the end of February we should have received 67% of the budgeted revenues and not have spent more than 67% of the budgeted expenditures. The February report is showing General Fund Revenues at 72% received and General Fund Expenditures at 57% spent. Special Revenue Funds Revenues are showing a total of 57% received and 44% expensed. Capital Projects and Other Funds are reflecting 34% received and 43% expensed.

The Collections Committee has been meeting frequently. We are working on finalizing the Foreclosure list. Between January 29, 2013 and February 28, 2013 we collected 20% of the balance due on the real property aging report. This is the first month we started tracking the progress on a monthly basis. We will be providing the Finance and Budget Committee with a monthly tracking report in the near future. By next month, I will try and provide the percentage collected for the other types of receivables, such as personal property tax, utility billing, and other accounts receivable types.

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

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City of Dillingham
Revenues and Expenditures As of February 28, 2013
Preliminary Figures

REVENUES:	Budget - FY13	Feb-13	Year to Date		Previous Year	
			Actual - 2/28/13	Percent	2/28/2012 Actual	INC/(DEC) Last Year
<u>General Fund Revenues</u>						
General Sales Tax	2,700,000	183,305	1,923,043	71%	1,927,323	(4,280)
Alcohol Sales Tax	265,000	28,977	224,261	85%	210,054	14,208
Transient Lodging Sales Tax	95,000	3,255	58,217	61%	55,584	2,633
Gaming Sales Tax	65,000	2,270	40,900	63%	22,766	18,134
Total Sales Taxes	3,125,000	217,807	2,246,421	72%	2,215,727	30,694
Real Property Tax	1,460,000	-	1,534,557	105%	1,464,379	70,178
Personal Property Tax	500,000	-	521,468	104%	505,628	15,840
Total Property Taxes	1,960,000	-	2,056,024	105%	1,970,007	86,018
Telephone Gross Receipts State Tax	80,000	-	-	0%	-	-
Raw Fish Tax	205,000	-	339,410	166%	446,588	(107,178)
Nushagak Fish Tax (Proportion transfer in)	579,513	-	163,768	28%	-	-
Shared Fisheries	40,000	-	-	0%	48,256	(48,256)
Revenue Sharing	298,970	-	-	0%	282,614	(282,614)
Payment in Lieu of Taxes (PILT)	423,142	-	429,642	102%	421,879	7,763
Foreclosures	-	-	-	-	335,909	(335,909)
State Jail Contract	480,417	-	240,209	50%	345,544	(105,335)
Other Revenues	1,012,272	20,519	412,366	41%	224,870	187,496
Total	3,119,314	20,519	1,585,394	51%	2,105,659	(684,033)
Total General Fund Revenues	8,204,314	238,326	5,887,839	72%	6,291,393	(567,322)
<u>Special Revenue Funds Revenues</u>						
Nushagak Fish Tax	710,883	-	380,949	54%	-	-
Fisheries Infrastructure Fund	-	-	26,004	-	-	-
Borough Formation Study Fund	-	-	15,603	-	-	-
Water	224,479	11,639	133,808	60%	124,961	8,847
Sewer	263,138	19,056	179,197	68%	174,789	4,407
Landfill	339,298	4,616	165,337	49%	92,279	73,058
Dock	709,603	810	392,262	55%	306,788	85,474
Boat Harbor	175,426	(2,730)	55,239	31%	9,465	45,774
E-911 Service	74,650	6,420	45,824	61%	39,350	6,474
Senior Center	469,969	1,051	286,455	61%	314,577	(28,123)
Total Special Revenue Funds Revenues	2,967,446	40,861	1,680,677	57%	1,062,210	195,911
<u>Capital Projects & Other Funds</u>						
Debt Service Fund Revenue	1,177,840	-	217,674	18%	227,121	(9,447)
Asset Forfeiture Fund	800	-	-	-	-	-
Dock and Harbor Capital Project Fund Revenue	-	-	280,435	-	5,213	275,222
Road and Streets Capital Project Fund Revenue	-	-	-	-	385,602	(385,602)
WasteWater Treatment Plant	2,280,000	-	2,864	-	429,903	(427,038)
Force Main	1,800,000	-	1,369,851	76%	24,050	1,345,801
School Bond Project	-	-	-	-	19	(19)
Library Grants	61,700	-	30,119	49%	-	30,119
Library Roof	250,000	-	70	-	-	70
JAG Grant	59,719	-	59,171	99%	-	59,171
Equipment Replacement Capital Project Fund	100,000	-	-	-	-	-
Ambulance Reserve Capital Project Fund Revenue	38,000	-	-	-	-	-
Mary Carlson Estate Permanent Fund Revenue	10,000	-	-	-	1,006	(1,006)
Landfill Capital Project Fund	-	-	-	-	-	-
Total Capital Projects & Other Funds	5,778,059	-	1,960,184	34%	1,072,913	887,271
Total All Revenues	16,949,819	279,187	9,528,700	56%	8,426,516	515,860

City of Dillingham
Revenues and Expenditures As of February 28, 2013
Preliminary Figures

EXPENDITURES:	Budget - FY13	Feb-13	Year to Date Actual - 2/28/13	Percent	Previous Year	
					2/28/2012 Actual	INC/(DEC) Last Year
General Fund Expenditures						
City Council	88,800	5,238	40,321	45%	22,395	17,927
City Clerk	132,282	8,070	76,869	58%	69,632	7,237
Administration	319,445	20,062	189,060	59%	235,588	(46,528)
Finance	581,108	39,233	360,246	62%	357,787	2,459
Legal	135,000	4,867	101,951	76%	135,190	(33,239)
Insurance	88,642	(5,000)	92,501	104%	86,141	6,360
Non-Departmental	204,975	15,165	206,196	101%	172,448	33,748
Planning	153,591	7,136	76,159	50%	68,823	7,336
Foreclosed Properties	-	1,838	10,171	0%	114,871	(104,700)
Meeting/Bingo Hall	3,680	332	2,175	59%	7,220	(5,045)
Public Safety Administration	273,506	9,048	80,758	30%		
Dispatch	428,354	28,060	271,225	63%	316,218	(44,993)
Patrol	577,921	22,063	301,861	52%	689,450	(387,589)
Investigations/WAANT	126,659	-	59,084	47%		
Corrections	571,597	39,357	341,391	60%	373,111	(31,719)
DMV	103,356	5,890	50,088	48%	55,452	(5,363)
Animal Control Officer	131,564	7,912	82,706	63%	84,339	(1,633)
Fire	299,447	14,467	106,477	36%	175,606	(69,129)
K-9	83,719	8,716	63,598	76%		
PS IT	21,500	-	13,892	65%		
Public Works Administration	237,954	13,404	131,821	55%	85,276	46,545
Building and Grounds	326,357	17,250	240,386	74%	204,215	36,172
Shop	267,525	14,906	92,795	35%	109,617	(16,822)
Street	605,656	31,550	380,197	63%	422,358	(42,161)
Library	203,996	8,699	86,615	42%	91,588	(4,973)
Museum	4,000	-	-	0%	-	-
City School	1,300,000	325,000	975,000	75%	975,000	-
Transfers to Other Funds	1,033,383	314,653	314,653	30%	-	314,653
Total General Fund Expenditures	8,304,017	957,915	4,748,198	57%	4,852,324	(321,458)
Special Revenue Funds Expenditures						
Nushagak Fish Tax						
Fish Tax Refunds	74,500	2,907	11,806	16%		
Transfer to General Fund	579,513	163,768	163,768	28%		
Transfer to Fisheries & Borough Funds	56,870	-	41,607			
5% Fisheries Fund	35,544	-	-	0%		
3% Borough Study	21,326	-	-	0%		
Water	224,479	5,971	112,392	50%	88,383	24,008
WasteWater	263,138	9,744	181,421	69%	144,807	36,615
Landfill	339,298	11,715	213,979	63%	214,089	(110)
Dock	426,996	4,542	290,402	68%	213,818	76,583
Boat Harbor	214,524	4,636	116,992	55%	106,390	10,602
E-911 Service	14,060	5,446	54,909	391%	-	54,909
Senior Center	469,969	16,840	294,364	63%	615,283	(320,919)
Total Special Revenue Fund Expenditures	2,720,217	58,893	1,264,458	46%	1,382,770	(118,312)
Capital Projects & Other Fund Expenditures						
Debt Service Fund Expenditures	1,177,840	-	1,174,590	100%	315,920	858,670
Asset Forfeitures Fund					13,918	(13,918)
Library Technology (OWL & Tech Aid)	68,980				3,000	(3,000)
Library Roof	250,000	527	597		-	597
Dock and Harbor Capital Project Fund Expenditures			5,750		640,110	(634,360)
Road and Streets Capital Project Fund Expenditure					1,146,690	(1,146,690)
WasteWater Treatment Plant	2,280,000	-	88,554	3.88%	-	88,554
Force Main	1,800,000	-	1,237,477	69%	136,906	1,100,571
School Bond Project Fund Expenditures					17,607	(17,607)
Homeland Security					33,002	(33,002)
JAG Grant					-	-
Equipment Replacement Capital Proj Fund Expen	100,000			0%	93,665	(93,665)
Ambulance Reserve Capital Project Fund Expen	38,000					
Mary Carlson Estate Permanent Fund Expenditures	10,000	124	4,432	44%	6,782	(2,350)
Landfill Capital Project Fund Expenditures					2,695	(2,695)
Total Capital Projects & Other Fund Exp.	5,724,820	651	2,511,399	44%	2,410,294	101,105
Total Expenditures	16,749,054	1,017,459	8,524,055	51%	8,645,388	(338,665)
Revenues Over (Under) Expenditures	200,765	(738,273)	1,004,645			854,526

City of Dillingham
Revenues and Expenditures As of February 28, 2013
Preliminary Figures

	<u>Fund Bal.</u> <u>6/30/2012</u>	<u>FY'13</u> <u>Revenues</u>	<u>FY'13</u> <u>Expenditures</u>	<u>Add or (-)</u> <u>Fund Bal</u>	<u>Fund Bal.</u> <u>2/28/2013</u>
General Fund	3,372,485	5,887,839	4,748,198	1,139,641	4,512,126
Water and Sewer	20,044	313,004	293,813	19,191	39,235
Landfill	-	165,337	213,979	(48,642)	(48,642)
Dock	1,179,047	392,262	290,402	101,861	1,280,908
Boat Harbor	-	55,239	116,992	(61,753)	(61,753)
E-911 Service	25,145	45,824	54,909	(9,085)	16,060
Asset Forfeitures Fund	9,035	-	-	-	9,035
Senior Center	-	286,455	294,364	(7,909)	(7,909)
Debt Service	-	217,674	1,174,590	(956,916)	(956,916)
Dock and Harbor Capital Project Fund	(18,386)	280,435	5,750	274,685	256,299
Road and Streets Capital Project Fund	-	-	-	-	-
WasteWater Treatment Plant	-	2,864	88,554	(85,690)	(85,690)
Water and Sewer Capital Project Fund	(218,388)	1,369,851	1,237,477	132,374	(86,014)
School Bond Project Capital Project Fund	393,520	-	-	-	393,520
JAG Grant	-	59,171	-	59,171	59,171
Library Technology	-	30,119	-	30,119	30,119
Library Roof	-	70	597	(527)	(527)
Equipment Replacement Capital Project Fund	57,036	-	-	-	57,036
Ambulance Reserve Capital Project Fund	498,858	-	-	-	498,858
Mary Carlson Estate Permanent Fund	397,385	-	4,432	(4,432)	392,953
Landfill Capital Project Fund	172,044	-	-	-	172,044
Total	5,887,825	9,106,144	8,524,055	582,090	6,469,915

Mayor
Alice Ruby

Manager
Rose Loera



Dillingham City Council
Brenda Akelkok
Chris Maines
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Paul Liedberg

MEMORANDUM

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

I had the opportunity to attend the 2013 AkLA (Alaska Library Association) conference in Valdez from March 21-24. It was quite an adventure getting there & back with all the snowfall, but the training was well worth the effort. The Alaska State Library provided a \$1,000 scholarship for this Continuing Education along with the IMLS grant of \$1,000.

March has been a busy month of working on grants & the budget. I met with the City Manager and the Finance Director to go over the FY14 budget requests for the Library. We've applied for the E-rate funding for the phone lines & internet (pays 90% of our costs). The 2014 Alaska PLA (Public Library Assistance) grant request of \$7,000 is due in April, along with the 2014 Interlibrary Cooperation Grant. Abigail has been working on a Library Innovations grant of \$3,500 that is being offered by SWAMC. Nicole is finishing up an Alaskan Leader Fisheries Grant for \$1,000, requesting funds for books in our Junior Fiction series section of the Library.

Some families (85 participants) in our community had great fun at the Dr. Seuss Birthday Celebration on March 2nd. Our internet technology aide demonstrated our new OWL & grant equipment as 35 children interacted with some story Apps on the iPad & video conferencing screen. The FOL met and did their faithful work on sorting books and the Library Board approved the new E-Readers policies & forms.

Library Stat report for February 25 –March 23, 2013:

Patron Visits: 1,941 Computer Use: 872 Story Hour: 55

Other Visits: 144 Museum Use: 26 Videoconferencing: 4 uses with 39 participants

Approximately 17.25 volunteer hours logged

The Library was closed March 25th for Seward's Day.

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MEMORANDUM

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

Welcome to Corinna and Janice. They are wonderful additions to the staff and so helpful.

CIP: I have created fillable forms which can be completed on computer and emailed for the CIP nominations and begun advertising. The deadline to provide new nominations or update old ones is April 12, 2013. The Project Review Committee had its initial meeting March 21. The CIP will now track with the City's own budget process as well as provide ample time for getting our legislative requests to the Governor in the fall.

Composting: The City is preparing to allow the compost project to go forward at the Landfill and is entering into an MOU, pending Council approval, with the University to carry out the project with a two year grant. I have submitted a resolution and action memorandum for this Council meeting. The UAF BB Campus grant provides the match for the City to use the remaining landfill funds from a grant from 2003.

Encroachment Permit: The Planning Commission is recommending the Council approve the request for an encroachment permit for a fence and roof that extend into the alley just vacated by the City between lots 6 and 7 of Block 18 USS 2732AB. The roof extends 4+ feet into the alley. He is requesting as well that the fence be allowed to remain. This permit is required before the bank will allow the sale of the property to become final. The existing ordinance requires the landowner to hold the City harmless for any damage caused by the City trying to access its easement.

Landfill: Staff are continuing to meet to make progress on major upgrades to the landfill in both operations and equipment.

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City of Dillingham

Documents Library: I'm continuing to build on the as-built and document library by scanning everything anyone asks for. The ADOT and wastewater treatment projects as well as the alley vacations have required quite a bit of streets information. Fortunately most of that is coming together nicely as I can now send pdfs of everything or put it in dropbox for them to retrieve.

Neighborhood Initiative: The new_ski trail at Kanakanak is getting used, but the wind keeps up its work refreshing that clean swept look. So the track setter has been getting continued use. Ski enthusiasts are interested in finding less windy areas for establishing another trail. Work on the campus mosaic is scheduled to begin this spring, once the snow has melted and temperatures are reliably above freezing.

Plats: Bear View Subdivision has been recorded. It is plat number 2013-05.

Committee on Subdivison access: This committee has met four times. The meetings are being publicized with all other City committee meetings. The decision of the group was to sunset the committee at its last meeting May 1. Another gentleman came to the Planning Department 3/13 whose potential subdivision is also affected by the Blueberry Hill private access easement.

Planning Commission Training: I am planning a training session with State planners from ADCED for April/May sometime. Please let me know your particular specific interests for this training. It will likely be 3 hours during an evening.

Knik Construction Gravel Pit: I have received several complaints from citizens about the operations at this gravel pit. The primary one I have received is that the company removed most of the trees along the Aleknagik Lake Road which would have shielded the operation from public view. Today another citizen commented that he has heard that the company is planning to remove gravel at or below groundwater, prompting concern for neighboring wells.

I have become concerned as well for any potential impacts to the Lake Road due to melting of ice lenses, permafrost, etc. caused by digging.

My suggestion would be to ask the Planning Commission to look into ordinances regarding buffer zones around such operations and to require mitigation measures like planting willows and such to offset noise, dust, and the view impacts.

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Mayor
Alice Ruby

Manager
Rose Loera



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

MEMORANDUM

Date: March 28, 2013
To: Rose Loera / City Manager
From: Jean Barrett / Port Director
Subject: March Monthly Report

The months keep on flying by and before we know it summer will be upon us and the craziness will begin. I have been busy working on a budget for next year, revamping the harbor fee schedule, and lining up work to be done both at the Harbor and the Dock. Eric Suttles and Dean Heyano will both be back to work on the first of next month and boy do they have some snow to move!

DOCK

As I stated above Eric Suttles, Dock supervisor, and Dean Heyano, Equipment Operator, will both be back to work on the first of April. Their main focus for a couple of weeks is to get the dock cleared of the winter snow and ready it for the summer season. The first barge was scheduled to leave Seattle on March 22nd. As I look out at the bay and see all the ice I wonder "what are they thinking?"

The Buildings and Grounds crew has been working on the floor of the Dock warehouse office. They opened up a couple of sections and found some interesting building techniques used. They've addressed those and are now resurfacing the floor with new plywood, and will be sealing that for now while we await the delivery of the new flooring.

HARBOR

I coordinated with the Public works crew to clear snow away from the float arms. I would like to be able get started as soon as possible on some fabricating on the floats so as to make the job of moving floats in and out of the water an easier task. I have talked to a couple of local welders about the scope of work needed and am awaiting quotes.

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I am also in contact with a company that has a spray on rubber coating that I would like to use that would be put on the outside of the floats in the harbor in hopes of prolonging their usable lifespan.

Harbor Stickers are in and will be going on sale starting April 1st. If you purchase your harbor sticker during the month of April, you will be eligible for a 10% discount on the published tariff price we will also throw in a 2013 tide book to sweeten the deal!

BUDGET

I have turned in a budget to the finance director Carol Shade and City Manager Loera. I felt that the budget that I had submitted was pretty much "fat free", but after the meeting what I had submitted was in my mind as thin as it can get. I guess time will tell after it goes to the Finance and Budget Committee.

PORT COMMITTEE

I have scheduled a Port of Dillingham Committee meeting for the 28th of March. We will be discussing the proposed changes to the Harbor tariff before it goes to the Council for adoption.

We will also be discussing the dredging of the harbor, as this is the final year of the current contract with Portable Hydraulic Dredging. The Corp of Engineers would like to have a community meeting to discuss input and concerns that anyone might have about the dredging and/or the disposal of the spoils that are currently being pumped back out into the bay. We will be targeting a good timeframe for the community meeting.

That is all for now from the Port department, the best view in town!

Jean Barrett
Port Director

Mayor
Alice Ruby

Manager
Rose Loera



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

MEMORANDUM

Date: 3-26-13

To: City Manager Rose Loera

From: Chief Dan Pasquariello

Subject: **March 2013 Council Report** *(reporting period 2/25/13 to 3/26/13)*

Patrol:

- ❖ 289 Calls for service
- ❖ 44 Incident reports
- ❖ 20 Persons arrested
- ❖ 13 Title 47/Protective custody
- ❖ 14 Citations issued

One of our newly hired officers has completed his FTO and is easing the workload of the division. We still have one officer on FTO. We are continuing to recruit for the vacant positions.

Shift coverage continues to be 24/7, but overtime has been cut down dramatically. Officers are currently scheduled 40-44 hours per week.

Our K9 officer's anticipated resignation has occurred, effective the end of March. The options for canine Lutri are being reviewed.

Corrections:

- ❖ 43 Total Inmates
- ❖ 13 Title 47/Protective custody

A new corrections officer was hired to fill a vacancy and has begun work. There is one vacancy left in the corrections division.

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Dispatch:

- ❖ 413 Calls for service
- ❖ 70% Dispatched to Dillingham Police
- ❖ 21% Dispatched to Alaska State Troopers
- ❖ 5% Dispatched to EMS/Dillingham Fire
- ❖ 4% Dispatched to Dillingham Animal Control
- ❖ 5 records requests completed

Nothing new to report.

Animal Control:

- ❖ 4 Dogs/cats impounded
- ❖ 0 Shelter dogs/cats adopted out
- ❖ 53 Rabies/Parvo shot given
- ❖ 2 dogs/cats euthanized
- ❖ 1 citations issued
- ❖ 42 dog tags sold

During the Beaver Roundup festival the ACO with the help of BBAHC Environmental Health provided 53 free rabies vaccinations. The ACO also sold 41 animal licenses.

DMV:

Nothing reported.

WAANT:

Nothing reported

Mayor
Alice Ruby

Manager
Rose Loera



Dillingham City Council
Brenda Akelkok
Paul Liedberg
Keggie Tubbs
Bob Himschoot
Tracy Hightower
Tim Sands

MEMORANDUM

Date: March 26, 2013
To: Chief Dan Pasquariello
From: David B. Bivens, Fire Coordinator
Subject: March 2013 Department Head Report

SUMMARIZATION OF EMS RESPONSES

- Total of 14 Ambulance Transports
 - 2 Assault
 - 2 Hypothermia
 - 1 Suicide Attempt
 - 1 Traumatic Injury
 - 2 Medevac
 - 1 Vehicle Rescue (Cancelled En Route)
 - 5 Medical Call

SUMMARIZATION OF FIRE RESPONSES

- Total of 3 Fire Responses
 - 1 Chimney Fire
 - 1 Plane Crash Rescue
 - 1 Vehicle Rescue (Cancelled En Route)

PROJECTS COMPLETED

- Combination meeting held for training on Structure Fire in February. There were 15 members that trained on discussing what we could have done different or better for a structure during a cold weather fire.
- Still working with the North Pole Fire Department on a grant for upgrading our Self Contained Breathing Apparatus (SCBA). Had to get more information on our air packs and forwarded for the grant.
- The Fire Department members at Lake Road Station trained on Engine #1 and Engine #4 on pump operations with department personnel.
- The Rescue Squad did training on skills for EMT and ETT hands on practical's testing coming up.
- All Ambulance billing is up to date.
- All Fire Department vehicles and inventory on each truck was checked out. This is done every month to keep all Department vehicles ready to serve the community.

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- 3 Members are currently taking the ETT Class Online and is about complete with the online portion.
- Logging in AURORA all Hydrants locations by GPS and better location for the department.

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I. CALL TO ORDER

The Finance and Budget Committee met on Monday, March 4, 2013 at the City Council Chambers, Dillingham, AK. Bob Himschoot, Chair, called the meeting to order at 5:41 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

Guest:

Paul Liedberg, Council Member

III. APPROVAL OF MINUTES

A. Minutes of February 4, 2013

MOTION: Keggie Tubbs moved and Alice Ruby seconded the motion to accept the minutes of February 4, 2013.

GENERAL CONSENT: The motion passed without objection.

IV. APPROVAL OF AGENDA

MOTION: Rose 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 Shade presented the January 31, 2013, Financial Statements commenting the percentage for 7 months into the budget should be around 58%:

- revenues were at 69% of budgeted, and some of the revenues would not be received until later in the budget cycle, but could set up as a receivable;
- total general fund expenditures were at 52%;
- non-departmental over-expense was due to roll out of the financial software;
- patrol officers had been averaging about 100 hours per pay period in overtime due to being short staffed, but the department was closer to being fully staffed;

- E-911 account was over budget because the final \$60K payments to Arctic Com for E-911 system had not been budgeted; and
- K-9 Unit went over budget due to overtime, normal course of the day was 6 hours on patrol and 2 hours with the dog, but due to being short staffed was working an 8-hour day, and 2 hours with the dog.

Discussion:

- commented the revenues from the increased E-911 rate to \$1.75 made effective in the current budget cycle would go to the E-911 fund, which was at 53%, and the additional revenues collected this year should cover the additional \$60K in expenses; and
- noted the Nushagak fish tax fund was recorded in the special funds and would help fund the general fund.

Staff reported on the following:

- presented a spreadsheet that was created to track monies paid on overdue accounts and set goals for collection efforts;
- written processes were being put in place to keep on top of collections;
- establishing a deny services procedure that would be reflected in code; and
- foreclosure list would be presented at the next meeting, however, before it was presented to Council for approval, the list would be advertised in the newspaper to hopefully get people to come in pay their account off or make arrangements for payment.

- B. Introduce Ordinance No. 2013-03, An Ordinance of the Dillingham City Council Amending the Budget by Adopting Budget Amendment No. 1 and Appropriating Funds for the FY 2013 City of Dillingham Budget

Staff presented an ordinance with the proposed amendments which would adjust the budget as adopted from (\$99K) to \$155K. Each department budget reflected a decrease in fringe benefits, the result of changing to a different medical plan as of the first of the year.

Discussion:

- was interested in evaluating the K-9 Unit expenses to see if it was paying for itself using the forfeiture funds which had been the intent when it was introduced.

Follow-up: The proposed ordinance would be distributed the following day.

VI. UNFINISHED BUSINESS

- A. Fiscal Policy Development
 - 1. Overall Rate Review
 - a. Water and Wastewater

Manager Loera reported there was no update.

- b. Landfill

Manager Loera recommended removing landfill rates from the agenda due to the recent establishment of a more consistent fee schedule, the change in hours, and more changes coming,

Discussion:

- commented this item was originally set up to develop a fiscal policy – what level of funding was the City striving for to help manage the landfill; agreed this would be a goal as the City got further into its permitting process.

Follow-up: The Committee will recommend asking the Council to drop this item from the agenda.

c. Harbor Fees

Manager Loera reported that the Port Director was still working on putting together a meeting of the Port of Dillingham Advisory Committee.

B. Animal Shelter Facility

Manager Loera recommended renovating a portion of the City's building at the harbor that was housing the National Guard.

Follow-up: A report would be forthcoming at the next meeting.

C. Ambulance Fees Policy

Manager Loera reported the suggested rates had been shared with the Fire Dept. Executive Committee.

Discussion:

- commented the proposed fees matched the amount the insurance companies would cover so as not to burden the user.

VII. NEW BUSINESS

A. Point of Sale for Assessing City Sales Tax

Manager Loera reported on the memorandum regarding Point of Sale as provided by legal counsel.

Discussion:

- commented some of the examples were contrary to legal advice presented in the past, wanted to be reassured the information was accurate, and, if the City had not been levying taxes on some items as outlined in the memo, would need to know the next step.

Follow-up: Manager Loera to contact legal counsel.

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

Finance Director Shade noted in the sales tax code if the sales tax payable was over \$100, the business owner was required to report the sales tax they assessed on a monthly basis.

If the sales tax payable was less than \$100, it could be reported on a quarterly basis. Staff advised increasing the threshold, which would help alleviate some of the burden on the finance dept. responsible for monitoring the reporting, and ease the reporting requirements for small business operators.

Follow-up: Staff to bring a copy of the sales tax code to the next meeting.

VIII. PUBLIC/COMMITTEE COMMENT(S)

Keggie Tubbs:

- no comment

Carol Shade:

- thanked the Committee members for working through the budget ordinance.

Alice Ruby:

- suggested revisiting the budget schedule, possibly making the meetings during the day for longer periods of time, instead of a number of consecutive Monday nights, always seemed to be behind schedule each year.

Follow-up: Recommend staff bring some ideas to the next meeting.

Rose Loera:

- acknowledged staff would look at some other budget scheduling ideas.

Bob Himschoot:

- thanked staff for the work done on the mid-year budget amendment, felt there had been gains made, and appreciated Carol and Rose's hard work;
- commented the transfers made to the Borough Feasibility Study and Regional Fisheries Improvements Fund be brought to the Council's attention.

Discussion:

- suggested adding this item to the next Finance and Budget agenda to review the commitments that were made;
- commented the committee could recommend carrying over or spending the funds, but felt the Borough Fund could accumulate for several years, and during that time the City would solicit comments from neighboring villages;
- commented there were immediate needs for safety and rescue equipment, such as life jackets, throw rings, gaffling hooks, oil booms, and recommending identifying them during the budget process;
- commented the fish tax was meant to generate funds to support general fund operations, Borough Study, and the Regional Fisheries Improvement Fund for which the committee needed to review the resolution for the guidelines;
- suggested creating a pamphlet at some point to inform the public on the City's proposed and actual use of the funds; and
- recommended contacting Supt. McLeod for the affect of annexation on their Migrant Ed funds.

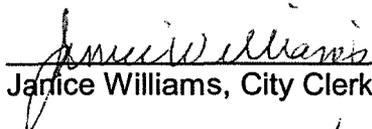
IX. ADJOURNMENT

The meeting adjourned at 7:49 p.m.



Bob Himschoot, Chair

ATTEST:



Janice Williams, City Clerk

Approval Date: 3/26/2013

**MEETING MINUTES
5:30 P.M. / COUNCIL CHAMBERS**

I. CALL TO ORDER

II. ROLL CALL

Mayor Alice Ruby, Chair
Carol Shade

Manager Rose Loera
Adam Kane

Janice Williams

III. APPROVAL OF MINUTES

There were no minutes to approve.

IV. APPROVAL OF AGENDA

MOTION: Manager Loera moved and Janice Williams seconded the motion to approve the agenda.

GENERAL CONSENT: The motion passed without objection.

V. UNFINISHED BUSINESS

A. Purpose of the Sub-Committee

Mayor Ruby confirmed the purpose of the sub-committee was to recommend whether or not the City take action to amend the code based on Adam Kane's proposal.

City Clerk Williams noted the ordinance as presented by Adam Kane would have to be recommended in substantially the same form, as advised by Attorney.

Discussion:

- Asked if the sub-committee could recommend some changes and come to a consensus, could Adam withdraw his petition at any time, staff to seek attorney advice.

B. Six Documents for the Record Distributed

Manager Loera reported there were six documents in the packet:

- Report "Supporting our Cultural Assets" by Adam Kane
- excerpt from February 13, Code Review Committee Meeting – discussion – 10 bullets
- proposed ordinance filed by petition
- DMC Section 4.16, Business License
- DMC Section 4.20, Sales Tax
- DMC Section 6.04, Transient Vendors

C. Discussion of the Ten Bullets from the February 13, 2013 Code Committee

Adam Kane commented his petition was created to promote arts and crafts and promote sales of locally grown fruits and vegetables and sustainability in the region. He felt there was a deficit of these items.

Discussion:

- commented the code allowed if a business owner made less than \$10,000 in gross sales, the business license was waived, however, there was no place in the code that exempted the business owner from having to apply for a license if they made less than \$10,000;
- spoke in favor of clarifying the need to collect tax at temporary venues by regular businesses selling products at these venues;
- commented it was problematic having a separate title in the code on business licenses for transient vendors that was not cross referenced in the section on revenue and finance - business licenses;
- felt a problem brought up in Adam Kane's petition was how to make it easier to operate small gardening and artist businesses, and exempting certain income from both business license and sales tax would solve that problem;
- noted by inserting "Bristol Bay region" in Adam's ordinance it would be hard to enforce crafts made or fruits and vegetables grown in Bristol Bay from items brought in from other areas;
- noted Bristol Bay was already used in the code in Section 4.20.050 Exemptions, Item M, sales of property at temporary venues for events which serve to promote DLG to residents of "Bristol Bay villages" or to tourists;
- noted if a business owner applied for a license, they also had to apply for a State business license which was \$100;
- suggested analyzing the loss in sales tax if the City were to exempt businesses with less than \$10K in gross sales from filing for a business license and assessing sale tax;
- noted the time and emotion that would be expended by staff following up with small entrepreneurs who had not applied for a license;
- noted there needed to be a strong recommendation to Council to review the business license code;
- asked Adam if he would be amenable to changing the exemption from \$20K to \$10K for arts and crafts, consistent with the recommendation to exempt owners from filing a license if sales were less than \$10K, he felt a suitable middle ground would be to eliminate everything under \$10K, no license and no sales tax; and
- felt it was important to leave a cap in the proposed amendment for arts and crafts, because if a business was very successful, without the cap, the owner wouldn't have to pay any tax.

VI. NEW BUSINESS

A. Agenda Items to Add for Next Meeting

Staff to contact Attorney on whether or not the City can amend the business license code to exempt the group of business owners whose gross sales are less than \$10,000, and the result of amending Adam's petition, whether or not the changes were substantive. Staff to provide an analysis of the loss in sales tax if business license was amended.

B. Set Next Meeting Date

The next meeting was set for Monday, March 18, at noon.

VII. PUBLIC COMMENT/COMMITTEE COMMENTS

There were no public or committee comments.

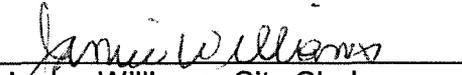
VIII. ADJOURNMENT

The meeting adjourned at 6:40 p.m.



Alice Ruby, Chair

ATTEST:



Janice Williams, City Clerk

Approval Date: March 18, 2013

I. CALL TO ORDER

The Code Review Committee met on Thursday, March 14, 2013, in the Council Chambers, Dillingham, AK. Chair Paul Liedberg called the meeting to order at 5:33 p.m.

II. ROLL CALL

Committee Members present:

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

Guest(s):

Carol Shade, Finance Director
Attorney Patrick Munson – *via teleconference*

III. APPROVAL OF MINUTES

A. Minutes of February 13, 2013

MOTION: Chris Maines moved and Manager Loera seconded the motion to approve the minutes of February 13, 2013.

GENERAL CONSENT: The motion passed without objection.

IV. APPROVAL OF AGENDA

Chair Liedberg informed the committee that several items would be moved up on the agenda because Attorney Munson would be joining the committee via teleconference to discuss agenda items: under Unfinished Business, A.1, A.2, and E, and under New Business, item A.

MOTION: Chris Maines moved and Janice Williams seconded the motion to approve the agenda as amended.

GENERAL CONSENT: The motion passed without objection.

V. UNFINISHED BUSINESS

A. Title IV. Revenue and Finance

1. Review Penalty and Interest Rates for the following:
 - ~~Sales Tax~~ - *Done*
 - Real and Personal Property Tax – *Propose Ord. No. 2013-XX*
 - Disaster Declaration – *Propose Ord. No. 2013-XX*

Attorney Munson reported in the process of creating a repayment plan for real and personal property, he had reviewed the existing sales tax repayment plan adopted several months ago and had made some non-substantive changes, mainly clarifying existing language.

Discussion:

- commented the attorney had advised against repayment plans being left up to the manager to negotiate the terms, but to set parameters;
- commented if someone was asking to broaden the parameters, they always had the option of asking the Council to make an exception and waive the code;
- favored negotiating monthly installment amounts instead of having "equal" monthly installments; majority concurred;
- favored making the down payment a minimum of ten percent which was considered more reasonable than twenty percent; majority concurred;
- confirmed a taxpayer already on a repayment plan for past debt could have a concurrent promissory note for their current tax bill, but would need to address whether or not the penalty would be waived on the current tax bill;
- noted the Council was not in favor of foreclosing on properties, so if it meant payment plans with very low payments, at least people were showing in good faith and the City was collecting something;
- favored longer payment term noted two years might not be long enough for those with a huge debt, and tossed around 3 or 4 years; consensus was to change it to three years, with one agreeing it remain at 2 years with some flexibility to change it;
- legal counsel to provide a resolution format to be used when the Council presented with a request to change the terms of a repayment plan agreed it was in the City's best interest to accept it, and waive the provisions of the code;
- favored removing the statement that would disallow a debtor from entering into a repayment plan if the debtor had been placed on the delinquent list within the last three years; majority concurred;
- recommended changing the code to read a seller who defaulted on a repayment plan within the last two years, and strike three years, commenting some could default again and again, and then what's the use having a repayment plan;
- staff to look at bundling debts and creating one repayment plan;

Attorney Munson reported on a newly created section in code regarding a repayment plan for real property. The property would remain on the foreclosure list as the foreclosure process proceeded, up until the point where the city would apply for a deed. If the property owner had not been in default on the repayment plan, the City would not file on this property.

1. Review Penalty and Interest Rates for the following:
 - Raw Fish Sales Tax – *Propose Substitute Ord. No. 2013-01 (SUB-1)*
 - Severance Tax – *Propose Substitute Ord. No. 2013-01 (SUB-1)*

Attorney Munson informed the committee that the changes being proposed would bring the severance and raw fish tax in line with each other, since the two were intended to be identical. However the enforcement section found in the raw fish sales tax was not included

in the severance tax section, as it should have been. Instead of rewriting the entire sections of the raw fish tax code in the severance tax code, he cross-referenced the raw fish sales tax code. He noted there were a lot of places in the Dillingham Municipal Code that were duplicated, and in the future, he would be looking to cross-reference codes whenever the opportunity presented itself.

City Clerk Williams reported that the original ordinance presented, Ord. No. 2013-01, was only to change the penalty and interest in the raw fish tax code, to bring it in line with the sales tax penalty and interest, but when the Attorney started working on the severance code, it made sense to combine both sections into one ordinance, and cross-reference each.

2. Review Board of Equalization Procedures, Conduct of Hearings, and Late Filed Appeals – *Propose Ord. No. 2013-02 (SUB-1)*

Attorney Munson reported on the changes being made to the section on BOE noting there had been a consistent problem with property owners wanting to appeal their assessments after the appeal period had closed. He was recommending putting in code the date when the BOE meeting should be scheduled by, and creating a BOE organizational meeting and defining a date to meet. At the organizational meeting which would be held soon after the assessment period closed, the Board would determine the number of outstanding appeals, and schedule the hearing date. They could also declare no more appeals would be accepted.

Attorney Munson noted the right of appeal ceased after 30 days, but once the BOE found the taxpayer was “unable to comply” that’s what kept triggering the BOE meetings. He noted this was an ambiguous portion of state law that the city got to interpret and implement. He proposed it should be a hard and fast deadline so the City was not inviting those appeals in code, but it could not entirely be prevented from happening.

Attorney Munson reported it appeared the substitute ordinance he was proposing was changing a lot more than it was, but he had taken the original Ordinance No. 2013-02 that had been restructured the code to remove duplicate language and to provide a chronology of events, and further organized it, but in substance it really hadn’t changed.

Discussion:

- commented the City was looking to take away the burden from the BOE from having to rule on late filed appeals, and suggested if someone wanted to push for a hearing on a late filed appeal, they could always go before the Council;
- agreed the adoption date would be July 1, 2013, so as not to interfere with the current assessment process that was underway;
- noted the significant amendments to Ordinance No. 2013-02 were to add a BOE organizational meeting at which meeting the BOE would state no more appeals shall be accepted; and
- favored introducing the substitute ordinance at the April 11 meeting allowing for time to review the ordinance, but not adopting until the April 25 meeting.

E. Review Denied Services

Attorney Munson reported the City was looking to better use the denied services list. He was envisioning setting up a section of code that defined the denied services list. He was targeting April 11 for Council introduction in order to have something in place before the harbor services started up.

Discussion:

- suggested giving the deny services list to the businesses that pump out private sewers; and
- recommended stating in the code that city contracts would not be awarded to individuals or businesses that were delinquent.

VI. NEW BUSINESS

A. Revise the Penalty for Failure to File for a Business License – *Propose Ord. 2013- XX*

Attorney Munson reported under the current code after 45 days being late for filing for a business license the penalty was \$100 a day, which was unrealistic, and would be a detriment to coming in and getting a business license at all as the penalty gradually accrued.

Discussion:

- spoke against a proposed penalty of \$250, that it was excessive, and was currently assessing a \$100 penalty as had been done historically in the past, and felt that was more in line with getting people to get a license;
- proposed in the future a statement would be added to the business application that stated failure to apply would result in being put on the deny services list;
- spoke in favor of removing the reference to the forty-fifth day, and imposing a flat \$100 penalty; and
- recommended changing the first sentence in the last paragraph to read the City shall also have any person who has effective control of a business required by this chapter to have a Dillingham business license and each business required by this chapter to have a Dillingham business license who has failed to obtain the business license required by this chapter, or any vessel owned by any such person, placed on the City's denied services list;
- suggested providing a 45-day window of time to apply for a new license, similar to a business renewing their application, would look to see if it wasn't already in code.

(Attorney Munson signed off at 7:55 p.m.)

V. UNFINISHED BUSINESS *(resumed)*

The committee agreed to schedule another meeting the following week, March 21, at which time they would continue to review the remaining agenda items, and the changes that were discussed to the ordinances that were presented.

- B. Title XI. Vehicles & Traffic and Snowmobiles
- C. Regulate Commercial Licenses (Ex. Taxi Cabs)
- D. Review Library Code Suggested Changes – *Propose Ord. No. 2013-XX*
- F. Review Qualifications for Raw Fish Tax Refunds – Real Property
- G. Review Proposed Ordinance to Amend Exemptions to Sales Tax – *Propose Ord. 2013-XX*
 - 1. Sub-Committee Report – Recommendations for Sales Tax and Business License Code

VII. PUBLIC COMMENT/COMMITTEE COMMENTS

There were no public or committee comments.

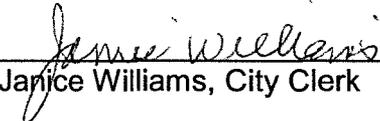
VIII. ADJOURNMENT

The meeting adjourned at 7:59 p.m.



Paul Liedberg, Chair

ATTEST:



Janice Williams, City Clerk

Approval Date: March 29, 2013

I. CALL TO ORDER

The Code Sub-Committee met on Monday, March 18, 2013, in the Council Chambers, Dillingham, AK. Chair Alice Ruby called the meeting to order at 12:07 p.m.

II. ROLL CALL

Mayor Alice Ruby, Chair
Carol Shade

Manager Rose Loera
Adam Kane

Janice Williams

Guest: Dave Bendinger, KDLG

III. APPROVAL OF MINUTES

A. March 11, 2013

MOTION: Adam Kane moved and Carol Shade seconded the motion to approve the minutes of March 11, 2013.

GENERAL CONSENT: The motion passed without objection.

IV. APPROVAL OF AGENDA

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

GENERAL CONSENT: The motion passed without objection.

V. UNFINISHED BUSINESS

- A. Attorney Advisement Regarding Amending Business License Code
- B. Attorney Advisement Regarding Substantive Changes to Proposed Ordinance
- C. Analysis of Loss in Sales Tax

Mayor Ruby reported on the Attorney's interpretation of a substantial change, in which he cited it would be a substantial change if the committee proposed changing the petition sponsored by Adam Kane to exempt all arts and crafts from sales tax if the seller was making less than \$20,000, to less than \$10,000. If the Council proposed changing the limit to \$10,000, the petition would have to go to a vote of the public. If the Council adopted Adam's petition, there would be no need for an election.

Fact:

- Currently a business generating less than \$10,000 in gross sales is exempt from the business license fee of \$50. However, the owner is still required to: 1.) file for a business license, 2.) collect sales tax, and 3.) apply for a State license, a fee of \$100, in order to get a City license.

- Currently a business that is exempt from collecting sales tax is required to: 1.) file for a business license, and 2.) apply for a State license, a fee of \$100, in order to get a City license.

Finance Director Shade presented a breakdown of sales by all sellers at the \$10,000 gross sales level and the \$20,000 gross sales level. The analysis was based on known business licenses (having applied for an license), and referenced about the first ½ of the business list, A - L.

The results showed there would be an estimated loss of \$15,000 annually, 52 known sellers at the \$10K level, and an estimated loss of \$36,000 annually, 72 known sellers at the \$20K level. The analysis was not broken down by type of business.

Discussion:

- noted the role of the committee was to review Adam's proposed ordinance to see if there was something the Council could do to satisfy the request from the petitioner without it having to go to an election;
- suggested although the City might lose revenue from setting a limit of \$10,000, it would be advisable to weigh the cost benefit of the time spent enforcing the code on those sellers not filing for a business license and/or reporting sales tax collected;
- commented was not in favor of seeing the City lose revenue, but it was already being lost because there were businesses that weren't applying for the license and collecting sales tax;
- commented a proposed exemption on businesses making less than \$10,000 may have some sellers questioning why \$10,000, could it be higher;
- commented the petition as presented, which proposed exempting all arts and crafts and homegrown fruits and vegetables and livestock, would result in a loss to the City of about \$2,000 annually in sales tax; and
- commented if the Council adopted a limit of \$10,000, the petition proposed \$20,000, when it went to an election, the voters would probably not see the difference as being significant and would vote in favor of \$20,000.

Mayor Ruby referred to the Attorney's proposed ordinance that would exempt all businesses making less than \$10,000 from filing for a business license.

Discussion:

- commented would need to clarify in code that a business that was making less than \$10,000 did not need to apply for a business license nor collect sales tax;
- questioned if the transient vendor section of the code shouldn't be amended as well in order to cover all licenses;
- commented there should be a report from the committee that spoke to the other affiliated areas that need to be reviewed in the code and given attention in the future;
- commented a seller had to apply for a certificate to collect sales tax, and should look at linking the business license with the certificate;
- questioned the use of the word profit in the definition of "Business", selling goods or services within the City for a profit, was it intended to differentiate between a profit and a nonprofit or that the seller had made money since some businesses lose money.

Summary:

- recommend Adam Kane's ordinance "as is" to the Council;
- recommend amending the business license to read a seller making gross sales less than \$10,000 did not have to apply for a business license; and
- clarify in the code and recommend if no business license was required the seller did not need to collect sales tax.

VI. NEW BUSINESS

A. Set Next Meeting Date (if needed)

The Committee scheduled a meeting for Tuesday, March 26, at noon, to finalize the report to the Council, and a final review of the two proposed codes.

VII. PUBLIC COMMENT/COMMITTEE COMMENTS

There were no public or committee comments.

VIII. ADJOURNMENT

The meeting adjourned at 12:55 p.m.

Alice Ruby, Chair

ATTEST:

Janice Williams, City Clerk

Approval Date: _____

I. CALL TO ORDER

The School Facility Committee met on March 20, 2013, at the Dillingham Council Chambers, Dillingham, AK. Mayor Ruby called the meeting to order at 12:26 p.m.

II. ROLL CALL

Committee Members present:

Mayor Alice Ruby
Danny Frazier, Assistant School Supt. standing in for Supt. William McLeod
Rose Loera, City Manager
Bernina Venua, School Board President
Bob Himschoot, Council Member
Russell Nelson, Director of Facilities (School)

Committee Members absent and excused:

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

Guests:

Steve Cropsey, Project Manager

III. APPROVAL OF AGENDA

MOTION: Russell Nelson moved and Bob Himschoot seconded the motion to approve the agenda.

GENERAL CONSENT: The motion passed without objection.

IV. APPROVAL OF MINUTES

A. Minutes of February 15, 2013

Mayor Ruby noted several corrections: page 1, change May Ruby to Mayor Ruby and add after contacted Dave McClure of BBHA "regarding building costs in general in the region"; page 2, change City could apply for a grant with BBEDC to City could apply for grant writing assistance with BBEDC.

MOTION: Russell Nelson moved and Rose Loera seconded the motion to approve the minutes of February 15, 2013 as corrected.

GENERAL CONSENT: The motion passed without objection.

V. UNFINISHED BUSINESS**A. Annual Inspection**

Steve Cropsey reported on the annual building inspection, presented as the facility assessment, which was conducted the previous week with Russell Nelson. He noted the assessment pointed out the problems, explained the issues, and was not a wish list.

High School:

- looking to relocate and replace some pumps to a more accessible area and install a manifold system for delivering heat to the building; waiting for Cool Air Mechanical to update the cost;
- noted the priority list was intended to help decide which projects could be accomplished from the City's contribution of \$100,000 for major maintenance;
- commented there was an asbestos issue at both schools, but as long as it was properly managed in place, contractors informed, there was no mandate that needed to be dealt with immediately;
- arctic hallway, quite a bit of movement during freeze up/break up, but it had settled now that there was heat in the area, and doors were operating properly;
- middle school gymnasium, snow was blowing into the ceiling vents, causing leakage on the rubberized floor, quick mop up helps, place a cone in the area;
- special education area one room needed a heat loop, but doesn't seem to be immediately needed, magnitude of cost could drop it from capital list;
- replace 27,000 sq ft of leaking science wing metal roof, installed in 1985, advertising a RFP using remaining funds from school bond, and recognize another 35,000 sq ft of metal roofing on that building, not a priority, it isn't leaking, will need to be done at some point;
- lighting upgrade, new fixtures needed;
- two hand washing sinks need to be replaced, old, can no longer buy parts.

Several projects that would have been considered, but concerned about spending more than was allocated for the high school with elementary school still needing to be done:

- high school gymnasium area weight room, tough shape compared to rest of the building, insulation problems, new paint didn't help; *wish list item - wrestling program and maintenance crew would like to have hoisted wrestling mats, mats are heavy to move around;*
- home economic room – cabinets in bad condition;
- sound system in place for twenty years – half of the speakers and equipment were not in working order;
- replaced some lighting and switches, still needed to replace some;
- mechanical system – made some upgrades over Christmas break, piping needed to be insulated, cost about \$4,500; if staff had right insulation in stock would insulate this summer.

Elementary School:

- lift at the stage installed with the bond project was not working, and no longer under warranty, required to be operational for children with physical challenges;
- drainage at entrance to elementary school, water traveled down the bank to the inside of the building, had installed a catch basin, which partially helped, but really required a civil engineer to evaluate and come up with a design, \$10K-\$15K, and \$50K to fix; and
- playground required a 12" cushion surface – pea gravel was not available at the time project was being done; rubber had an inherent problem because it was easily ignitable; cedar wood chips were used, they were fire treated, no bug infestations, no mold, when fresh worked well, but walk away, break down.

Discussion:

- suggested using same process used in the past, staff would rank the assessment list based on a set of criteria; the list would be passed by the School Board and then Council; and
- commented will set a date for mid April for staff and management to meet and rate the list;
- commented would schedule another meeting of the School Facility Committee, possibly April, to continue with the agenda items.

B. Review Options for Territorial School

1. Funding Sources Available for Building Restoration
2. Review Site for Parking Needs
3. Consult with Engineer Regarding Suggested Re-Roofing and HRV System
4. Create Business Plan to Demonstrate How Housing Rental Units Could be Operated

Danny Frazier and Steve Cropsey: School had asked the architect what was the minimum amount of improvements so the building was safe for entry to store items, and for apartment dwellers. They were waiting for the cost to bid out the work, which they were expecting to receive in about 30 days.

Follow-Up:

- BBEDC had grant writing assistance to help locate funding sources;
- Need to decide how the building would be used and then work to develop a business plan for how the building would be operated.

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

Mayor Ruby reported she was awaiting a commitment from the Chamber.

D. CIP Priority List

Mayor Ruby commented the School was still working on their CIP Six-Year Plan which would be presented to the School Board and City. She favored coordinating the School's Priority list with the City's at some point.

VI. NEW BUSINESS

There was no new business.

VII. PUBLIC COMMENT/COMMITTEE COMMENTS

Bob Himschoot:

- suggested insulating the newly installed copper piping sooner than later in order to see a quicker return on their investment.

Russell Nelson:

- affirmed staff intended to check their stock of insulation, and/or look to find the money to insulate the piping this coming summer.

Danny Frazier:

- noted he would be going to Juneau and would be willing to share the City's Priority List.

Mayor Ruby:

- commented would look to have legislators next time they were in town visit the school to see the improvements made and funded, in part, by the community.

Steve Cropsey:

- noted he appreciated the opportunity once again to work on the facility assessment.

VIII. ADJOURNMENT

Mayor Ruby adjourned the meeting at 1:55 p.m.

Alice Ruby, Chair

ATTEST:

Janice Williams, City Clerk

Approval Date: _____

I. CALL TO ORDER

The Finance and Budget Committee met on Tuesday, March 26, 2013, at the City Council Chambers, Dillingham, AK. Keggie Tubbs called the meeting to order at 5:32 p.m.

II. ROLL CALL

Committee Members present:

Bob Himschoot, Council Member, Chair, arrived at 5:52 p.m.
Alice Ruby, Mayor
Keggie Tubbs, Council Member
Rose Loera, City Manager
Carol Shade, Finance Director

Committee Members absent and excused:

Tracy Hightower, Council Member

Guest(s):

Paul Liedberg, Council Member
Dan Pasquariello, Chief of Police
Dan Boyd, Animal Control Officer

III. APPROVAL OF MINUTES

A. Minutes of March 4, 2013

MOTION: Carol Shade moved and Rose Loera seconded the motion to accept the minutes of March 4, 2013.

GENERAL CONSENT: The motion passed without objection.

IV. APPROVAL OF AGENDA

MOTION: Rose Loera moved and Mayor Ruby 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 Shade presented the financial statements for the period ending February 28, 2013, commenting the percentage for 8 months into the budget was 67%:

- general fund revenues were at 72% of budget;
- special revenue funds were at 57%;
- capital project revenues were at 34%, was dependent upon reimbursement requests;

-
- general fund expenditures were at 57%;
 - special revenue fund expenditures were at 46%;
 - capital project expenditures were at 44%.

Manager Loera noted the foreclosure list would be on the next regular Finance Meeting agenda.

B. Draft Budget Schedule

Finance Director Shade presented a budget schedule that was based on past practice, with the first budget meeting scheduled for April 15. Staff proposed streamlining the budget by focusing on the items that were significantly different. The narratives would be distributed in advance of each budget meeting. Staff would also present a budget for the replacement of capital equipment.

VI. UNFINISHED BUSINESS

A. Fiscal Policy Development

1. Overall Rate Review

a. Water and Wastewater

The committee concurred with Manager Loera's recommendation to have a presentation by FCS via teleconference at their next regular Finance Committee meeting.

b. Harbor Fees

Manager Loera reported the Port of Dillingham Advisory Committee would be meeting at the end of the week, that they would be proposing the same rates presented earlier to the F&B Committee, and requested whether or not the information needed to come back to the Finance and Budget Committee meeting before going to Council.

Discussion:

- noted if significant changes were advised, would want the changes to come back to the Finance Committee at the April 15 budget meeting, and delay presentation to the Council until April 25, otherwise, a courtesy copy could be provided.

B. Animal Shelter Facility

Manager Loera proposed renovating a section of the harbor building leased by the National Guard. She would be meeting with representatives from the National Guard later in the week, who would be in Dillingham for a Choose Respect event. She noted a resolution would include language if the City were to find another location later on, the long term usage of the building was intended to be for fisheries related services or for harbor use.

Discussion:

- suggested informing the Port of Dillingham Advisory Committee of the temporary changes.

MOTION: Mayor Ruby moved and Carol Shade seconded the motion to concur with the manager's recommendation, include language for the long term intended use of the building, and forward to the Council for their consideration.

GENERAL CONSENT: The motion passed without objection.

C. Ambulance Fees Policy

Manager Loera reported the ambulance fees had been vetted through several meetings of the Fire Department Executive Committee. Their recommended change was to add language to explain funds generated could be used to enhance the fire department, replace emergency apparatus, remodel the building.

MOTION: Mayor Ruby moved and Bob Himschoot seconded the motion to recommend the resolution to the City Council.

GENERAL CONSENT: The motion passed without objection.

D. Point of Sale for Assessing City Sales Tax

MOTION: Mayor Ruby moved and Bob Himschoot that this be referred back to the City Council and that it first be discussed in executive session.

GENERAL CONSENT: The motion passed without objection.

E. Review Threshold for Filing Monthly Sales Tax Reports over Quarterly

Finance Director Shade reported on the present code that stated if sales tax collected by a seller was more than \$100 a month, the seller was required to file a sales tax report monthly. She noted suggestion had been made to increase the threshold, recommended \$500, and as long as they were current they could file monthly.

MOTION: Mayor Ruby moved and Manager Loera seconded the motion to recommend the City Council refer this item to the Code Review Committee with a suggestion to increase the threshold to \$500.

GENERAL CONSENT: The motion passed without objection.

VII. NEW BUSINESS

A. Regional Fisheries Improvement Fund

Manager Loera presented a list of safety needs at the harbor put together by Chief Pasquariello and Port Director Barrett. The ordinance establishing the fund defined that it was only to be used for capital projects, including planning, design and engineering, and associated costs that were anticipated to improve the commercial and subsistence fishery within the City.

Discussion:

- commented that the LBC petition be reviewed to find out the items the City had proposed purchasing;

- affirmed the fund had been intended for large capital projects; and
- spoke in favor of evaluating a funding source to purchase safety equipment for the harbor.

VIII. PUBLIC/COMMITTEE COMMENT(S)

Supt. William McLeod reported the School had passed a balanced budget. He thanked the City for increasing the School's contribution over the last two years. This allowed them to fund a reading interventionist the first year, and the next year to upgrade the penthouse above the main gym, and currently working on the middle school gym old piping. He noted the School would be asking for \$1.3M same as last year, with the City making the bond payment of \$100,000.

Mayor Ruby:

- thanked staff for being prepared and putting all the information together for the packets, and noted they didn't thank staff often enough.

Manager Loera:

- thanked the committee for moving through their agenda and checking things off, noted the Council was great to work with, and they had a real hard-working staff.

Bob Himschoot:

- commented he saw a real positive change at the Finance and Budget Committee level, and thanked staff and management for all their hard work.

Carol Shade: no comment

Keggie Tubbs:

- noted his appreciation for working together as a team.

IX. ADJOURNMENT

The meeting adjourned at 7:17 p.m.

Bob Himschoot, Chair

ATTEST:

Janice Williams, City Clerk

Approval Date: _____

I. CALL TO ORDER

The regular meeting of the Port of Dillingham Advisory Committee was held on Thursday, March 28, 2013 at the Dillingham City Council Chambers, Dillingham, Alaska. Mayor Alice Ruby called the meeting to order at 5:30 p.m.

II. ROLL CALL

Members present:

Mayor Alice Ruby
Dan Dunaway
Robert Heyano

Members absent:

Russ Rolf
Robin Samuelsen
Jim Baumgartner
Bob Himschoot

Staff in attendance:

Rose Loera, City Manager
Jean Barrett, Port Director
Dan Pasquariello, Chief of Police

Mayor Ruby requested moving forward with an informational meeting lacking a full quorum.

III. APPROVAL OF MINUTES

A. Minutes of December 21, 2012

No action taken. Approval of the minutes was set aside until the next meeting.

(Clerk Note: page 4, at the top, reference to interpret the tariff, tariff is the Port of Dillingham Terminal Tariff No 400.)

IV. APPROVAL OF AGENDA

No action taken.

V. UNFINISHED BUSINESS

A. Alcohol Consumption / Open Container Law / Noise Ordinance

Port Director Barrett reported at their last meeting the committee discussed concerns from the public regarding alcohol use on boats in the harbor. He noted both the code and the Port of Dillingham Terminal Tariff addressed alcohol consumption.

From Port of Dillingham Terminal Tariff No. 400.

Item 185 – Open Container - Alcohol:

Open containers and/or consumption of alcohol or controlled substances will not be permitted on any part of the Port's premises. Persons under the influence of alcohol or controlled substances shall not be allowed on any portion of the Port premises. Persons found in violation of these rules will be asked to leave the Port premises immediately and may be prosecuted under federal, state, and local regulations and may be denied future access and use of the Port and facilities.

Discussion:

- commented the tariff inconsistently applied the reference to Port as either dock or harbor and dock.

Chief Pasquariello commented the patrol officers followed the City's code:

From DMC 9.38.010 Unlawful acts, generally.

It is unlawful to:

C. Drink intoxicating liquor in or about any depot, platform, wharf or waiting room, or upon any public street, or at any public gathering, or any hotel lobby, dance hall, theater, or any other public place not permitted under license to dispense intoxicating liquor. (Ord. 77-12 § 2 (part), 1977; Ord. 78-12 § 1, 1978; Ord. 88-13, 1988).

Chief Pasquariello:

- if someone was drinking while walking on harbor road or the floats, the drink was taken away, the individual cited - considered drinking in public;
- if someone was drinking on the camp grounds and paid for a site, view it same as paying for a hotel room, and allow drinking;
- if someone was drinking on their boat, they've paid to be there, considered it as being their home, and were allowed to drink;
- if the drinking got out of control on their boat, they can be charged with disorderly conduct under state statute.

Discussion:

- opined drinking on boats in the harbor had gotten worse over the years, a potential hazard to the whole harbor, especially when the tide was out in the event of a fire, if the code didn't address the drinking, maybe needed to bring it to the Council;
- noted hazardous activities overall were a problem, drinking was probably the primary hazard, but there were also fireworks, barbecue grills, maybe hazardous activities needed to be addressed, and could it be enforced, Chief Pasquariello answered could write them a ticket, but the problem would still be there, unless they reached the level of Title 47 - (need to go to a sleep off) incapacitated *in a public place* due to their consumption of alcohol to the point they can't make rational decisions concerning their health and safety.

Follow-Up:

- research what was being done in other Ports, and if they prohibit alcohol, how was it being enforced;
- research if other Ports resolved to having the boat removed from the premises when the situation got out of control;

-
- research whether being on the boat was considered private property or if the permit was just permission to be on the City's property, not renting space;
 - retain this item on the next agenda;
 - request Council refer reviewing the inconsistencies between the Port Tariff and the Code to the Code Review Committee.

B. Harbor Rates

Port Director Barrett commented the harbor rates were similar to the presentation made in December with the following exception:

- transient moorage fee – in 2001 rate was \$37.50/day, in 2004 it dropped to \$25/day for vessels over 25' regardless of number of times used. Suggested it be a requirement that all boats have a harbor sticker to eliminate staff time keeping track of these boats. In the past, staff had provided a sticker after \$260 reached "regardless of the number of times used".

Port Director Barrett:

Vessels under 25' \$25 Launch and Haul Out fee – suggested deleting this item and require a sticker for all skiffs based on his experience with lodges that had a handful of skiffs being launched and hauled out over the season, at times the ones they were using weren't stickered.

Launch/Haul Out fee

- \$70 per launch and \$70 per haul out for vessels 25' and over, *without a sticker*, applied the rate to those that wintered in Dillingham, then launched in the season and went to other rivers to fish, returned, and for time spent in the harbor pay a \$25 daily rate.
- \$100 In/Out fee – for vessels *without a sticker* that launch and haul **same tide** (might be due to a mechanical error). If boat had a sticker, there was no charge.

Discussion:

- commented the proposed changes encouraged the harbor users to purchase a sticker, and make it more efficient to operate the harbor.

Mayor Ruby commented the proposed changes had previously been reviewed by the Finance and Budget Committee. The committee was fine with the changes, but had wanted to be assured the Port Committee had another opportunity to review them before they were recommended to the Council for adoption.

Follow-Up:

- staff to distribute an email to the members that weren't present informing them of the few additional changes.

VI. NEW BUSINESS

A. Dredge Material Management Plan

Port Director Barrett reported he had been contacted by the Corp of Engineers to see if there were any comments regarding the dredge process or the dredging company (5th year of a 5 year contract), and opened the door to holding a public meeting. Management and staff agreed the public would want to weigh in. Several of the concerns were: 1) whether pumping the silt from the harbor into the bay was having an environmental affect on the area, and 2) questioned some of the information contained in the report on Dredged Material Management Plan.

Follow-Up:

- recommend scheduling a public hearing later in the fishing season.

VI. STAFF REPORTS

A. Port Director

Port Director Staff Report of March 28, 2013.

Discussion:

- asked about spray on rubber coating for the floats, answered it's similar to a bed liner spray but thicker;

Jean commented he was researching a way to extend the life of the floats, patched many times, and was looking for a better way to install and remove the floats each season, since it was hard on them.

Committee was provided a copy of the City's financial statements through February 28, 2013:

- pointed out dock and harbor special revenue funds and expenditures; and
- several of the capital projects over the last few years have been harbor related, funded by grants, and matching funds.

Discussion:

- asked about the proposed FY14 budget for the Port Dept., answered the budget would be reviewed with the Finance and Budget Committee starting in a few weeks;
- was interested in getting a better understanding of what goes in the harbor budget, for example, does public works charge for their time to help install the floats; and
- noted would look to present a draft budget at the next meeting.

Follow-Up:

- Funds available for boat launch projects - Wallop-Breaux Amendments to the Federal Aid in Sport Fish Restoration Act

Manager Loera reported on a proposal to relocate the Animal Shelter by renovating the National Guard Armory. The present location was not intended to be permanent, looked at several other City properties, contacted Happy Tails, long term intent of the Council was to use the property for harbor or fisheries-related use, but there was a need to relocate the animal shelter soon. She had met with the National Guard while in town, they were not interested in vacating the building now, not opposed to a temporary animal shelter, had \$550,000 in the Governor's budget for a

National Guard building for Dillingham, but needed to increase the number of recruits. They were also interested in partnering with the City on a new public safety building, and could help with the animal shelter renovation.

Discussion:

- spoke against an animal shelter at the harbor, if it appeared the harbor couldn't pay for itself, and the building could be used to enhance the harbor and generate more revenue, suggested making that a priority; and
- noted this arrangement was a good temporary alternative instead of paying rent for a shelter, and National Guard would still use the building and pay rent for the next several years anyway.

VIII. PUBLIC COMMENTS/COMMITTEE COMMENTS

Robert Heyano: no comment

Jean Barrett:

- thanked the committee for all their input, and would work to have the follow up items prepared by the next meeting.

Dan Dunaway: no comment

Manager Loera: no comment

Mayor Ruby suggested calling a meeting prior to the Corp public hearing to get informed, review the research permitting/not permitting alcohol in other ports, and would include budget reports in the next packet.

Discussion:

- provide some public education that it was not okay to drink onboard, and bring in other groups to help with the education process.

IX. ADJOURNMENT

Mayor Alice Ruby adjourned the meeting at 7:51 p.m.

Alice Ruby, Mayor

ATTEST:

Janice Williams, City Clerk

Approved: _____

CITY OF DILLINGHAM, ALASKA

ORDINANCE NO. 2013-01

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

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

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

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

4.21.140 Penalties and Interest.

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

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

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

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

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

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

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

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

SEAL:

Alice Ruby, Mayor

ATTEST:

Janice Williams, City Clerk

ORDINANCE NO. 2013-02

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

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

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

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

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

Section 1. Classification. This is a code ordinance.

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

4.15.110 Posting required.

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

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

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

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

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

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

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

4.15.125 Repealed

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

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

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

A. Membership—Duties.

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

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

C. Quorum and Voting.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

4.15.140 Appeal record. Repealed

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

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

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

4.15.170 Assessor to mMail tax statements.

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

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

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

_____.

SEAL:

Alice Ruby, Mayor

ATTEST:

Janice Williams, City Clerk

CITY OF DILLINGHAM, ALASKA

ORDINANCE NO. 2013-03

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

WHEREAS, the City Council has approved the Operating Budget and Capital Improvement Budget for FY 13 to the City Council in accordance with Title 4 of the Dillingham Municipal Code pursuant to A.S. 20.20.500(3); and

WHEREAS, duly advertised public workshops were held and the City Council reviewed the budget amendment recommendations presented; and

WHEREAS, the City Council has set the rate of levy of property tax for the City of Dillingham for FY 2013 budget at 13 mills; and

WHEREAS, the budget presented, reviewed and changed is in accordance with sound and efficient municipal management principles. The City Council should have the power to transfer appropriated monies from one General Government Fund or Special Revenue Fund to another and from one Capital Project to another by resolution and the City Manager should have the power to transfer funds from one line item object to another object code within a fund and within a Capital Improvement Project; and

WHEREAS, additional FY 13 funds are available for appropriation by ordinance;

NOW, THEREFORE, BE IT RESOLVED by the Dillingham City Council that:

1. The FY 13 Operating Budget and Capital Improvement Budget amendment as recommended by the City Manager is hereby adopted for the City of Dillingham.
2. The amounts set forth in the budget as amended by the City Council for the respective departments and/or funds shall be, and hereby are, appropriated for the fiscal year ending June 30, 2013.
3. The City Council shall have the power to transfer approved and appropriated General Fund or Special Revenue Fund monies from one to another and from one Capital Project to another by resolution.
4. The City Manager shall have the power to transfer funds from one line item object code to another within a fund and within a Capital Improvement Project.

BE IT ENACTED BY THE COUNCIL OF THE CITY OF DILLINGHAM that:

Section 1. Classification. This ordinance is a non-code ordinance.

Section 2. Severability. If any portion of this ordinance or any application thereof to any person or circumstances is held invalid, the remainder of the ordinance and the application to other persons or circumstances shall not be affected thereby.

Section 3. Appropriation summary. The original appropriation from the Treasury in Section 4 was a total of \$12,293,204 and the amended appropriation is \$16,177,488.

Section 4. Appropriations.

A. General Fund Government Operations

City Council	\$ 88,800
City Clerk	127,769
Administration	308,990
Finance	580,666
Legal	135,000
Insurance	97,501
Non-Departmental	260,100
Planning	142,096
PS Administration	197,625
PS Dispatch	415,229
PS Patrol	543,529
PS Investigations/WAANT	135,864
PS Corrections	551,864
PS DMV	85,699
PS Animal Control Officer	130,070
PS Fire Department	294,536
PS K-9	93,719
PS IT Support	26,500
PW Administration	217,095
PW Buildings & Grounds	376,606
PW Shop	247,151
PW Streets	581,271
Library	201,510
Meeting Hall	3,680
Contributions	24,000
Foreclosures	0
City School District	1,300,000
Transfer Subsidy for Operations	932,902
Transfer to Equipment Fund	-
Total General Fund Appropriations:	\$ 8,099,772

Special Revenue & Other Funds Appropriations	
Nushagak Fish Tax	\$ 459,500
Water	210,148
Waste Water	263,138
Landfill	362,898
Port-Dock	479,327
Port-Harbor	211,544
E-911	65,352
Senior Center	469,969
Debt Service	1,177,840
Ambulance Replacement Fund	38,000
Mary Carlson Estate	10,000
Total Special Revenue & Other Funds Appropriations	<u>\$ 3,747,716</u>
Capital Improvement Projects	
Water Treatment Plant	\$ 2,280,000
Library Roof	250,000
Snag Point Sewer Relocate	<u>1,800,000</u>
Total Capital Improvement	\$ 4,330,000
Total Appropriations	<u>\$ 16,177,488</u>

Section 5. Revenues

General Fund

Taxes

Sales Taxes	\$ 2,720,000
Alcohol Sales Taxes	285,000
Transient Lodging Sales Taxes	105,000
Real Property Taxes	1,466,000
Personal Property Taxes	500,000
Penalty and Interest on Property Taxes	55,000
Penalty and Interest on Sales Taxes	11,000
Gaming Sales Tax	65,000
Payment in Lieu Taxes (PILT)	429,392

Other Revenues

Jail Contract Revenue	480,417
Revenue Sharing	298,970
Shared Fisheries	32,206
Raw Fish Tax	339,410
Revenues from State of Alaska	396,302
Revenues from Federal Government	12,000
Administrative Overhead	364,723
Charges for Current Services	60,000
Licenses Fees Fines and Permits	28,200
Lease and Rental Income	42,071

Investment Income	50,000
Other Revenues	113,572
Transfer from Nushagak Fish Tax	400,920
Total General Fund Revenues	\$ <u>8,255,183</u>

Special Revenue & Other Funds Revenues	
Nushagak Fish Tax	\$ 459,500
Water	180,368
Waste Water	235,700
Landfill	156,071
Port – Dock	709,603
Port – Harbor	175,426
E-911	74,650
Asset Forfeitures	800
Senior Center	192,464
Debt Service	824,488
Mary Carlson Estate Permanent Fund	<u>10,000</u>

Total Special Revenue Funds & Other Funds Revenues	<u>\$ 3,019,070</u>
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<u>Capital Improvement Projects</u>	
Water Treatment Plant	\$ 2,280,000
Library Roof	250,000
Snag Point Sewer Relocation	<u>1,800,000</u>
	\$ 4,330,000

TOTAL REVENUES	<u><u>\$ 15,642,253</u></u>
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Section 6. Transfers

Transfers from General Fund to Other Funds	
Water	\$ 29,780
Waste Water	27,438
Landfill	206,827
Senior Center	277,505
Ambulance Reserve	38,000
Debt Service	<u>353,352</u>
Total General Fund Transfers	\$ 932,902

Total Revenues	\$ 16,537,155
Total Appropriations	<u>\$ 16,177,488</u>
Net Increase (Decrease) to Fund Balances	\$ 359,667

Section 7. Effective Date. This ordinance is effective upon passage.

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

SEAL

Alice Ruby, Mayor

ATTEST:

Janice Williams, City Clerk

CITY OF DILLINGHAM, ALASKA

ORDINANCE NO. 2013-04

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

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

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

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

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

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

Section 1. Classification. This is a code ordinance.

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

17.15.030 Determination and recording.

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

Section 3. Effective Date. This ordinance is effective upon adoption.

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

SEAL:

Alice Ruby, Mayor

ATTEST:

Janice Williams, City Clerk