



Alice Ruby, **Mayor**

**Council Members**

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

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**DILLINGHAM CITY COUNCIL**  
**MEETING AGENDA – NOVEMBER 27, 2013 – Revised 11.26.2013**  
**David B. Carlson Council Chambers**  
Dillingham City Hall, 141 Main Street, Dillingham, AK 99576 (907) 842-5212

|                        |                   |                          |
|------------------------|-------------------|--------------------------|
| <b>SPECIAL MEETING</b> | <b>12:15 P.M.</b> | <b>NOVEMBER 27, 2013</b> |
|------------------------|-------------------|--------------------------|

- I. CALL TO ORDER**
- II. ROLL CALL**
- III. APPROVAL OF AGENDA**
- IV. SPECIAL BUSINESS**
  - A. Administer Oath of Office – Holly Johnson, Seat A
  - B. Action Memorandum No. 2013-33, Awarding a Contract to KME Kovatch for the Purchase of a 2,800-3,000 US Gallon Tender for the Volunteer Fire Department
  - C. Resolution No. 2013-73, A Resolution of the Dillingham City Council Amending the Community Block Grant Amount Requested from \$850,000 to \$795,000 for the Design of the Public Safety Building(s) and Repealing Resolution No. 2013-66
  - D. Request for a Late Filed Appeal – Follow Up
- V. CITIZEN'S DISCUSSION (Open to the Public)**
- VI. COUNCIL COMMENTS**
- VII. MAYOR'S COMMENTS**
- VIII. ADJOURNMENT**



## OATH OF CITY COUNCIL MEMBER

United States of America )  
State of Alaska )  
Third Judicial District )      ss.

I, Holly Johnson, do solemnly affirm that I will support the Constitution of the United States of America and the laws of the State of Alaska and laws and ordinances of the City of Dillingham, and that I will honestly, faithfully and impartially perform the duties as a Member of the City Council.

Signed:

\_\_\_\_\_  
Holly Johnson

SWORN before me this 27<sup>th</sup> day of November, 2013.

Signed:

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

Oath of Office/Council Member Oath

**Subject:** Authorize the City Manager to Execute a Contract for the purchase of a 2,800 – 3,000 Gallon Fire Department Tender to KME Kovatch for \$349,109

**Agenda of: November 27, 2013**

Council Action:

Manager: Recommend approval.

City Manager: Rose Loera  
Rose Loera

| Route To: | Department / Individual      | Initials | Remarks |
|-----------|------------------------------|----------|---------|
| X         | Finance / Carol Shade        |          |         |
| X         | Fire Chief / Norman Heyano   | pp - NH  |         |
| X         | City Clerk / Janice Williams | JW       |         |

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

**Other Attachment(s):** Resolution No. 2013-27

**Summary Statement.**

The purpose of this Action Memorandum is to authorize the Mayor or City Manager to execute a contract for the purchase of a 2,800-3,000 gallon Fire Department Tender. The funding for this fire apparatus is from a 2012 Federal Emergency Management Agency (FEMA) grant that has a total project cost of \$405,000. This grant was accepted by the council with Resolution 2013-27 on 5/23/13.

The project was advertised for 30 days and the City received two proposals. At the October Council meeting, the Council rejected both bids as non-responsive and recommended advertising for another two weeks. There were four individuals involved with the scoring of the application using criteria outlined in the RFP - two COD staff, Fire Chief and one volunteer.

In accordance with Dillingham Municipal Code, a RFP was publically advertised a second time for two additional weeks soliciting proposals from qualified contractors or individuals to provide the specifications and delivery of a complete Fire Department Tender. Bids were due by November 5, at 2 PM. Three qualified firms responded and submitted proposals. Unfortunately none of the three bids included the requirement for 4-wheel drive. The City, with advisement from its counsel, contacted the three bidders by phone and allowed an additional period to submit an addendum to add a cost for 4-wheel drive, to be submitted by email.

The bids were reviewed earlier this week and the results are as follows:

KME Kovatch \$349,109 - award a contract

Fort Garry Fire Trucks Ltd. \$389,998

General Fire - disqualified, because they could not meet the delivery date of 240 days;  
240 days to Pennsylvania.

Funding for this contract will be 95% from the FEMA grant and 10% from the Ambulance Replacement Fund.

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

SEAL:

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

ATTEST:

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

CITY OF DILLINGHAM, ALASKA

**RESOLUTION NO. 2013-73**

**A RESOLUTION OF THE DILLINGHAM CITY COUNCIL AMENDING THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AMOUNTED REQUESTED FROM \$850,000 TO \$795,000 FOR DESIGN OF THE PUBLIC SAFETY BUILDING(S) AND REPEALING RESOLUTION NO. 2013-66**

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WHEREAS, the Council of the City of Dillingham wishes to provide Public Safety and Fire Facilities for use in the Dillingham Census area; and

WHEREAS, the Alaska Department of Commerce, Community and Economic Development is now accepting applications under the CDBG program; and

WHEREAS, the City of Dillingham is applying for a grant in the amount of \$795,000 from the CDBG program, utilizing the BBEDC's grant assistance program, for design of these facilities; and

WHEREAS, the City of Dillingham is the hub community for a census area comprising 9 communities; and

WHEREAS, a 2010 professional assessment of both the Downtown Fire Hall and Public Safety Building recommended replacing both of them; and

WHEREAS, the Downtown Fire Hall no longer fits modern equipment; and

WHEREAS, the City of Dillingham wishes to provide safe, effective, and healthy facilities for all those it serves; and

WHEREAS, replacement of these buildings is fourth on the City's Capital Improvement Plan;

NOW, THEREFORE, BE IT RESOLVED that the Dillingham City Council approves the application for the CDBG grant and authorizes the City Manager to negotiate and execute any and all documents for the submission of the grant;

BE IF FURTHER RESOLVED that:

1. Resolution No. 2013-73 replaces Resolution No. 2013-66, A Resolution of the Dillingham City Council Approving the Application for a Community Development Block Grant (CDBG) for Design of the Public Safety Building(s), adopted November 7, 2013, that was repealed in order to correct the amount requested from \$850,000 to \$795,000.
2. The scope of the project remains the same as what was discussed and approved at the public hearing on Resolution No. 2013-66 scheduled November 7, 2013.

3. The initial CDBG proposed request of \$850,000 was an estimate based on initial projections; however, when the contractor's actual estimate was received after the public hearing, it was lower than originally anticipated. Therefore, the amount requested through the CDBG program can be reduced to \$795,000.

PASSED and ADOPTED by the Dillingham City Council on November 27, 2013.

SEAL:

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Alice Ruby, Mayor

ATTEST:

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Janice Williams, City Clerk

City of Dillingham Information Memorandum R2013-73

Subject: A Resolution of the Dillingham City Council Amending the Community Block Grant Amount Requested from \$850,000 to \$795,000 for the Design of the Public Safety Building(s) and Repealing Resolution No. 2013-66

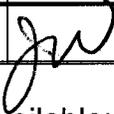
Agenda of: November 27, 2013

City Council Action: Adopted Resolution No. 2013-66 at the November 7, 2013 Regular Council Meeting.

Manager: Recommend approval.

City Manager:

  
Rose Loera

| Route To: | Department / Individual      | Initials   | Remarks |
|-----------|------------------------------|--|---------|
| X         | City Clerk / Janice Williams |  |         |

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

**Other Attachment(s):**

- Resolution No. 2013-66, A resolution of the Dillingham City Council authorizing the City to participate in the Community Development Block Grant

**Summary Statement.**

The City is required to submit a resolution to the Alaska Department of Commerce, Community and Economic Development authorizing participation in the Community Development Block Grant Program.

The City is revising its 2012 CDBG application for planning funding which was not approved, and submitting a larger request for design of the facilities.

As part of this process, the City is required to hold a public hearing inviting public comment on this application and soliciting suggestions for other projects to be funded by the CDBG. A public hearing was held on November 7, 2013 introducing Resolution No. 2013-66.

Since the public hearing, the City was informed the cost of the project was \$795,000, not \$850,000 as noted in Resolution No. 2013-66. The new resolution no. 2013-73 repeals Resolution No. 2013-66 to amend the amount requested to \$795,000. This was required by the CDBG administrators.

**Mayor**  
Alice Ruby

**Manager**  
Rose Loera



**Dillingham City Council**  
Holly Johnson  
Chris Maines  
Bob Himschoot  
Keggie Tubbs  
Tracy Hightower  
Paul Liedberg

**MEMORANDUM**

**Date:** November 14, 2013  
**To:** City Council/Mayor  
**From:** Carol Shade  
Finance Director  
**Subject:** Earlene George Property Assessment Request for Appeal

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At the November 7, 2013 Council meeting Ms. George brought a copy of a letter that was written to her by our Collections Technician, Linda Myers. Ms. George feels that she should be allowed a variance from the Dillingham Municipal Code appeal process due to an error on the part of the City. Unfortunately, the City staff stated that the staff had made an error in sending out the assessments and tax invoices. Below is a chronological chain of events on Ms. George's property:

| <u>Item #</u> | <u>Date</u>    | <u>Document</u>                   | <u>Staff Responsible</u>                     |
|---------------|----------------|-----------------------------------|--|
| 1             | March 14, 2013 | BBHA tax Exempt List              | Dave McClure (BBHA)                          |
| 2             | May 3, 2013    | Email Re: Recently Conveyed Units | Dave McClure (BBHA) & Carol Shade (COD)      |
| 3             | July 1, 2013   | Real Property Tax Invoice         | Receivables Staff (COD)                      |
| 4             | July 8, 2013   | Email: BBHA Tax Corrections       | Dave McClure (BBHA) & Carol Shade (COD)      |
| 5             | July 11, 2013  | Fwd Email: BBHA Tax Corrections   | Carol Shade (COD)<br>Receivables Staff (COD) |
| 6             | July 25, 2013  | Changes to Accounts Memo          | Receivables & Collections Staff (COD)        |

Here is an explanation of the chain of events as itemized above:

1. March 14, 2013: Dave McClure sent me, as the Finance Director for the City of Dillingham, an email with the BBHA Tax Exempt List. He does this every year. On that list Lot 11 Block 2, Snagpoint Subdivision, Plat 83-3, Bristol Bay Recording District, was listed as "Doreen Farler (now Connie Timmerman)" with a conveyed taxable date of 2/4/2009 target taxable date of 12/4/15.
2. May 3, 2013: Dave McClure sent me an email discussing some recently conveyed units; none of those units in that email discussed the Doreen Farler house.
3. July 1, 2013: The City of Dillingham's receivables staff mailed out the property tax invoices. The invoice was addressed BBHA-Earlene George and went to BBHA.
4. July 8, 2013: Dave McClure emailed us a list with various BBHA unit changes. One of them was that Earlene George was to be billed directly from the City and was no longer eligible for the 85% HUD exemption.
5. July 11, 2013: I forwarded the July 8, 2013 email to the receivables staff for the purpose of updating the property tax system.

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

6. July 25, 2013: The collections staff also emailed a copy of the tax changes to the receivables staff. Due to the business and grant reporting that had to be done before the end of July the change to the account did not get done until August 9, 2013.

One of the issues Ms. George also brought up is the increased value assessed. In 2012 the home was assessed at \$71,000. In 2013 the home was assessed at \$76,400. This \$5,400 difference resulted in an increased tax amount of \$65.00. However, 2013 was the first year the home was not eligible for the 85% HUD tax exemption, so what Ms. George might be seeing is that the property taxes to be paid went from \$138.64 in 2012, which was paid by BBHA Check 53671, to \$993.20, which is entirely due and payable from Ms. George.

Some further explanations about one of the documents Ms. George included in her appeal to the Council. When the 2013 Property Tax Assessments were generated by the Accufund Accounting System, any tax payers who also had utility accounts had no address in the 2013 Real Property Assessment Notice. This original assessment notice was generated and saved as a pdf. Once the Notices were printed for mailing, the staff noticed that the utility customers' assessments did not have names and addresses on them. She went into the system and corrected this situation and reprinted each of those forms for mailing. She did not at that time print them to pdf or scan them in as a pdf document.

The document that Ms. George showed at the Council Meeting on November 7<sup>th</sup>, with no name or address was printed from the original pdf file by the Collections staff and not out of the Accufund Accounting system that had been corrected.

Finally, the letter that our collections staff wrote to Ms. George should not have referenced an error. The correct terminology should have been, "the assessments were sent out to the tax payers with the information we had available supplied by BBHA at the time." There was no error on the City's part at the time of the assessments.

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