



Alice Ruby, Mayor
City Council Members

- Doug Holt • Paul Liedberg • Bob Himschoot
- Keggie Tubbs • Tracy G. Hightower • Tim Sands

**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.

JUNE 21, 2012

I. CALL TO ORDER

II. ROLL CALL

III. APPROVAL OF MINUTES

- A. Regular Meeting, June 7, 2012
- B. Special Meeting, June 14, 2012

IV. APPROVAL OF CONSENT AGENDA

APPROVAL OF AGENDA

V. STAFF REPORTS

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

VI. PUBLIC HEARINGS

- A. Adopt Ordinance No. 2012-13 (SUB), An Ordinance of the Dillingham City Council Repealing and Reenacting Ordinance No. 2012-05 (SUB) a Non-Code Ordinance to Amend the Value of the City's Interest for Lots 1, 2, 3, and 4, Harbor Lease Lots Subdivision
- B. Adopt Ordinance No. 2012-14, An Ordinance of the Dillingham City Council Adopting the Budget and Appropriating Funds for the FY 2013 City of Dillingham Budget

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

VIII. ORDINANCES AND RESOLUTIONS

- A. Adopt Ordinance No. 2012-13 (SUB), An Ordinance of the Dillingham City Council Repealing and Reenacting Ordinance No. 2012-05 (SUB) a Non-Code Ordinance to Amend the Value of the City's Interest for Lots 1, 2, 3, and 4, Harbor Lease Lots Subdivision

- B. Adopt Ordinance No. 2012-14, An Ordinance of the Dillingham City Council Adopting the Budget and Appropriating Funds for the FY 2013 City of Dillingham Budget
- C. Resolution No. 2012-32, A Resolution of the Dillingham City Council Approving Installation of Buried Electrical Utilities in the Road at 4044 Arctic Avenue
- D. Resolution No. 2012-33, A Resolution of the Dillingham City Council Approving Lease Rates for the Use of City Equipment on Grant Funded Capital Improvement Projects
(City Note: This item will be made available prior to the meeting.)

IX. UNFINISHED BUSINESS

- A. Animal Shelter Facility
- B. Committee Appointments
 - 1. Library Board – 2 Seats
 - 2. Code Review Committee
- C. City Manager Recruitment

X. NEW BUSINESS

- A. Action Memorandum No. 2012-02, Authorizing the City Manager to Sign the FY 2013 Community Jail Contract
(Clerk Note: This item will be made available prior to the meeting.)
- B. Offer of Land Transfer

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

XII. COUNCIL COMMENTS

XIII. MAYOR'S COMMENTS

XIV. EXECUTIVE SESSION

- A. Legal Matter
 - 1. Annexation
 - 2. Gladden vs. City of Dillingham
 - 3. City Manager Recruitment

XV. ADJOURNMENT

I. CALL TO ORDER

The Regular Meeting of the Dillingham City Council was held on Thursday, June 7, 2012, at the Dillingham City Council Chambers, Dillingham, Alaska. Mayor Alice Ruby called the meeting to order at 7:02 p.m.

II. ROLL CALL

Mayor Alice Ruby was present.

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

Doug Holt, Seat A
Paul Liedberg, Seat B
Bob Himschoot, Seat C – *via teleconference*
Keggie Tubbs, Seat D
Tracy Hightower, Seat E
Tim Sands, Seat F

Staff in attendance:

Dan Forster, City Manager
Carter Cole, Public Works Director
Steve Cropsey, Project Manager - *via teleconference*
Doug Dombroski, Chief of Police
Carol Shade, Finance Director
Janice Williams, City Clerk

Guests:

Attorney Brooks Chandler – *via teleconference*

III. APPROVAL OF MINUTES

A. Regular Meeting, May 17, 2012

MOTION: Tim Sands moved and Keggie Tubbs seconded the motion to approve the minutes of May 17, 2012.

VOTE: The motion passed unanimously.

IV. APPROVAL OF CONSENT AGENDA

There was no consent agenda.

APPROVAL OF AGENDA

Mayor Alice Ruby reported that the Council would be going into Executive Session at 7:30 p.m. to take up Legal Matters, items A. Annexation and B. Gladden vs. City of Dillingham. She asked the Council to approve adding under VII. Citizen's Discussion, item B. Pat Roth, Super Sack.

MOTION: Tim Sands moved and Paul Liedberg seconded the motion to approve the amended agenda.

VOTE: The motion passed unanimously.

V. STAFF REPORTS

A. City Manager Report

City Manager Dan Forster reported on the following:

- NAPA had broken ground on their leased harbor lot;
- Water and Sewer Rate Study contract had been signed;
- Senior Center grant had been verbally approved;
- Mayor's Sale was a big success taking in \$1,200 in cash sales, and bid items \$53,000.

Discussion:

- congratulated the Library on getting a BBEDC summer intern.

Public Works Director Cole reported that the City and Snowpak were involved in a scrap metal project, and if space was available could involve the public this year. He was hoping this would become an annual event. He also noted the low water levels in the two wells was common this time of the year, but not sure why.

Jody Seitz, City Planner, spoke on behalf of the Walk and Roll to Work event held on National Bike to Work Day. She reported there were 91 participants. Southwest Region Schools, one of the six entities, won the Sprocket trophy. She thanked the many sponsors who helped make it a very successful day.

B. Standing Committee Reports

Bob Himschoot, Chair, Finance and Budget Committee, reported the committee was proposing a Special Council Meeting for June 14, to introduce the budget, and present the budget for adoption at the June 21 Council meeting.

VI. PUBLIC HEARINGS

Mayor Ruby opened the public hearing on Ordinance No. 2012-11 and 2012-12.

- A. Adopt Ordinance No. 2012-11, An Ordinance of the Dillingham City Council Amending Section 4.21.135, Tax Refunds
- B. Adopt Ordinance No. 2012-12, An Ordinance of the Dillingham City Council Amending Section 2.80.040 Library Board to Change the Terms from Two Years to Three Years Consistent With Other Boards and Commissions

There being no comments the public hearing closed.

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

A. Michael Filipek - Invoiced City for Trapping Foxes

Michael Filipek reported he had been hired by the City to trap fox downtown last winter when they getting overrun. It started with his request to the public safety dept. to remove a loose dog from his

yard. ACO Boyd asked if he was doing any trapping, that the Togiak Wildlife Refuge had given his name, and was he interested and when could he start. He worked on it for 3 ½ weeks and had informed ACO Boyd that he was keeping track of his hours. When he turned in his bill, he was told there was no written agreement to provide the service, and the City would not be paying him. He had caught 12 foxes, 4 of which had mange, requiring additional work. He was asking to be compensated for snowmobile oil, gas, bait, traps, his time, \$50/hr, 4 X a day (4 hrs), for 24 days, in temps usually below 0.

Mayor Ruby asked the Manager to bring back a report to the Council, that this time was for citizen's discussion, and not to turn it into a debate.

B. Pat Roth – Super Sack

Patrick Roth represented himself as the Program Manager for the cleanup in Port Heiden that originated with the USAF. In January 2012 he reported to the Council that during a barge to barge transfer in November, one 5 cubic yard sack of PCB contaminated soil fell in the water about 60 feet off the Dillingham City's dock. He described the soil as having low level PCB contamination. The contractor had looked at an April/May timeframe to remove it, when conditions would be safer. The contractor was in Dillingham and a diver attempted to locate the bag using sonar equipment, but was unsuccessful. They attributed it mainly to the strong current. The State regulator was of the opinion the contractor had done a thorough job, given the conditions of the water, and places to tie up. The Alaska Dept. of Environmental Conservation would turn the case over to the EPA Enforcement Division. He did not personally feel there was a concern about PCB levels affecting the salmon, and no testing had been done for contamination.

Discussion:

- noted the event had made state and national news, and without testing and locating the sack it could make for a real image problem.

Mayor Ruby thanked the speaker and announced the Council would be entering into Executive Session, it being 7:30 p.m.

MOTION: Tim Sands moved and Keggie Tubbs seconded the motion to suspend the rules to enter into Executive Session under DMC 2.09.050, regarding legal matters [7:35 p.m.].

GENERAL CONSENT: The motion passed without objection.

Executive Session items, Legal Matters, Annexation and Gladden vs. City of Dillingham were taken up at this time. Manager Forster, Janice Williams, and Steve Cropsey were included in the Executive Session.

XIV. EXECUTIVE SESSION

A. Legal Matter

1. Annexation

2. Gladden vs. City of Dillingham

MOTION: Keggie Tubbs moved and Tim Sands seconded the motion to come out of Executive Session [8:23 p.m.].

GENERAL CONSENT: The motion passed without objection.

Mayor Ruby asked to resume Citizen's Discussion.

Dr. Todd Radenbaugh, U of Fairbanks, opined that the City needed to move fast to do damage control before the fish came in and the price was set, and immediately start a sample testing program with EPA independent of the contractor. He reported the problem was a public perception issue not a scientific issue, because there was not much PCB.

VIII. ORDINANCES AND RESOLUTIONS

- A. Adopt Ordinance No. 2012-11, An Ordinance of the Dillingham City Council Amending Section 4.21.135, Tax Refunds

MOTION: Keggie Tubbs moved and Tim Sands seconded the motion to adopt Ordinance No. 2012-11.

Tim Sands reported the ordinance would bring the raw fish sales tax refund in line with the severance tax refund.

VOTE: The motion to adopt Ordinance No. 2012-11 passed unanimously.

- B. Adopt Ordinance No. 2012-12, An Ordinance of the Dillingham City Council Amending Section 2.80.040 Library Board to Change the Terms from Two Years to Three Years Consistent With Other Boards and Commissions

MOTION: Keggie Tubbs moved and Paul Liedberg seconded the motion to adopt Ordinance No. 2012-12.

VOTE: The motion to adopt Ordinance No. 2012-12 passed unanimously.

- C. Resolution No. 2012-29, A Resolution of the Dillingham City Council Authorizing the City Manager to Negotiate an Annual Lease for Use of the City Property Known as the Potato House

MOTION: Tim Sands moved and Keggie Tubbs seconded the motion to approve Resolution No. 2012-29.

City Manager reported the City had gone back out for advertising and was prepared to sign a lease agreement with a vendor selling heating supplies. The net affect was an increase of \$800 a month, \$500 rent/mth plus estimated \$300/mth in utilities.

VOTE: The motion to adopt Resolution No. 2012-29 passed unanimously.

- D. Resolution No. 2012-30, A Resolution of the Dillingham City Council Authorizing the City Manager to Enter into a Purchase Order Agreement of Armor Rock and Expenses for Related Support Activities for Erosion Control and Repealing Resolution No. 2012-28

MOTION: Tim Sands moved and Keggie Tubbs seconded the motion to approve Resolution No. 2012-30.

Manager Forster reported Resolution No. 2012-28 had been presented to the Council earlier to approve the purchase of armor rock and other related support expenses. The amount for both, \$166,360, was included in the information memorandum, but the amount for other related support expenses of \$35,110 was not included in the body of the resolution, just the armor rock amount of \$131,250. This resolution would make it clear the Council was approving both amounts.

VOTE: The motion to adopt Resolution No. 2012-30 passed unanimously.

- E. Action Memorandum No. 2012-01, Accept DCSD FY13 CIP List

MOTION: Tim Sands moved and Keggie Tubbs seconded the motion to approve Action Memorandum No. 2012-01.

Mayor Ruby reported the Capital Projects List was vetted through the School Facility Committee that was responsible for coordinating an annual inspection of the school buildings. From the report that transpired, a projects list was created and then prioritized based on a set of criteria. The CIP list was to be adopted by the School Board and Council, and would be used for guidance to fund major maintenance projects.

Tim Sands, School Board member, reported some money had been set aside to replace the high school bleachers, a project that had ranked high on the priority list because of life and safety issues. The school was hoping to get an extra \$50,000 from the City to support a program initiated last year.

VOTE: The motion to approve Action Memorandum No. 2012-01 passed unanimously.

- F. Introduce Ordinance No. 2012-13, An Ordinance of the Dillingham City Council Repealing and Reenacting Ordinance No. 2012-05 (SUB) a Non-Code Ordinance to Amend the Value of the City's Interest for Lots 1, 2, 3, and 4, Harbor Lease Lots Subdivision

MOTION: Keggie Tubbs moved and Tim Sands seconded the motion to introduce Ordinance No. 2012-13.

Manager Forster reported that in the process of reviewing Ordinance No. 2012-05 (SUB) he realized the rate was erroneously recorded as \$.21/per square foot per month, but it should have been per year.

VOTE: The motion to introduce Ordinance No. 2012-13 passed unanimously.

IX. UNFINISHED BUSINESS

- A. Animal Shelter Facility

There was no update.

- B. Committee Appointments
 - 1. Library Board – 2 Seats

There was nothing to report at this time.

- C. City Manager Hire

Mayor Ruby asked the Council if they would be able to meet June 27 or after for a Special Meeting to interview a potential candidate, recognizing the City wished to expedite the process. More information would be made available at their next meeting.

X. NEW BUSINESS

- A. Schedule Special Meeting for June 14, 2012
 - 1. Budget Workshop
 - 2. Introduce FY 2013 Budget Ordinance
 - 3. Adopt Resolution to Establish the Rate of Levy of Tax, the Date Taxes are Due and the Delinquent Date for 2012, and Accept the Certification of the Tax Roll

MOTION: Keggie Tubbs moved and Tim Sands seconded the motion to schedule a special meeting for June 14, 2012 starting with a budget workshop at 6:00 p.m. and followed by a meeting at 7:00 p.m. to go over the items on the agenda.

Tim Sands suggested the Code Review Committee that was scheduled for the same day at 5:30 p.m. be canceled and meet next in August. There was no objection.

VOTE: The motion to hold a Special Meeting June 14, 2012 passed unanimously.

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

Dr. Todd Radenbaugh reported he had been asked by the funding agency to make a full proposal. He wanted to be assured that the City Council was still consenting to contribute in-kind services and wanted to be aware of any changes. He was directed to consult with Jean Barrett, Port Director, to verify the numbers.

XII. COUNCIL COMMENTS

Keggie Tubbs:

- asked for a written report regarding the City's position on the presentation made by Mike Filipek for the June 14 meeting;

- voiced his concern over the public's perception with the contaminated soil, and asked if the Manager could coordinate with EPA and AkDEC for a testing program to put the public and the industry's mind at ease; and
- would like more information for use of the land that a land owner was looking to transfer to the City.

Tim Sands:

- agreed having one of the agencies pursue testing from a marketing perspective, wanted to see more effort to find the super sack, that the City shouldn't be satisfied with a day or ½ day of looking, and recommended keeping our legislators apprised;
- asked for additional information on the notification he received stating 25 gallons of hydraulic oil had spilled in the water at the dock;
- noted he had participated in the high school and MAP school graduation, and congratulated all the graduates, and the college graduates; and
- thanked all the City staff for their hard work and for keeping the City running.

Paul Liedberg:

- favored giving the Manager maximum flexibility to pursue testing and act on it as soon as possible; and
- noted his pleasure at seeing the bleachers being replaced and hoped the hickory from the old bleachers would be made available to the public.

Tracy Hightower: no comment

Doug Holt:

- was curious if the owner of the request to transfer land to the City had clear title; and
- agreed that the City would have to move on the testing, noting from experience results could be returned rather quickly, that the hospital had used Bristol Environmental in the past.

Bob Himschoot:

- noted he was also concerned about the response to the super sack.

XIII. MAYOR'S COMMENTS

Mayor Ruby:

- echoed the Council's comments, including the super sack and research on Michael Filipek's presentation;
- spoke in favor of producing an informational flyer on the raw fish tax and for posting at the harbor;
- noted Citizen's Discussion was for citizens to talk to the Council, and any time staff was not allowed to address a citizen's issue, it was not meant to discourage them, but avoid engaging in debate on the floor; and
- asked everyone to come together in a moment of silence and recognize both citizens and non-citizens lost since the last meeting.

XIV. EXECUTIVE SESSION

A. Legal Matter

3. Union Negotiations Update

4. Complaint Investigation

B. Personnel Matter

1. Finance Director Status

MOTION: Tim Sands moved and Keggie Tubbs seconded the motion to go into executive session under DMC, 2.09.050, regarding legal matters [9:12 p.m.].

GENERAL CONSENT: The motion passed without objection.

Manager Forster and Steve Cropsey were included in the entire executive session. Finance Director Shade was included in item Union Negotiations Update. City Clerk Williams was included in all but Personnel Matter, Finance Director Status.

MOTION: Tim Sands moved and Keggie Tubbs seconded the motion to come out of executive session [10:08 p.m.].

GENERAL CONSENT: The motion passed with no objection.

MOTION: Tim Sands moved and Paul Liedberg seconded the motion to concur with the manager's recommendation regarding personnel issue.

VOTE: The motion passed unanimously.

XV. ADJOURNMENT

Mayor Ruby adjourned the meeting at 10:09 p.m.

Alice Ruby, Mayor

ATTEST:

Janice Williams, City Clerk

Approved: _____

I. CALL TO ORDER

The Special Meeting of the Dillingham City Council was held on Thursday, June 14, 2012, at the Dillingham City Council Chambers, Dillingham, Alaska. Mayor Alice Ruby called the meeting to order at 6:00 p.m.

II. ROLL CALL

Mayor Alice Ruby was present.

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

Doug Holt, Seat A
Paul Liedberg, Seat B
Keggie Tubbs, Seat D
Tracy Hightower, Seat E
Tim Sands, Seat F

Council Members absent:

Bob Himschoot, Seat C - excused

Staff in attendance:

Dan Forster, City Manager
Steve Cropsey, Project Manager - *via teleconference*
Carol Shade, Finance Director
Janice Williams, City Clerk

Guests:

Tim Pearson, Pearson Consulting – *via teleconference*

III. APPROVAL OF AGENDA

MOTION: Tim Sands moved and Keggie Tubbs seconded the motion to approve the agenda (as revised June 13, 2012).

GENERAL CONSENT: The motion passed with no objection.

IV. NEW BUSINESS

A. Committee of the Whole

1. Review Draft FY 13 Budget

(Clerk Note: The committee of the whole allows the entire group to discuss an issue with the freedom of a committee.)

MOTION: Keggie Tubbs moved and Paul Liedberg seconded the motion to enter into the Committee of a Whole to review the FY 13 Budget [6:00 p.m.].

GENERAL CONSENT: The motion passed with no objection.

Finance Director Carol Shade led the Council through a review of the FY 2013 proposed budget.

MOTION: Tim Sands moved and Keggie Tubbs seconded the motion to come out of the Committee of a Whole [6:58 p.m.].

GENERAL CONSENT: The motion passed with no objection.

- B. Introduce Ordinance No. 2012-14, An Ordinance of the Dillingham City Council Adopting the Budget and Appropriating Funds for the FY 2013 City of Dillingham Budget

MOTION: Keggie Tubbs moved and Tim Sands seconded the motion to introduce Ordinance No. 2012-14.

VOTE: The motion passed unanimously.

- C. Resolution No. 2012-31, A Resolution of the Dillingham City Council Establishing the Rate of Levy of Tax, the Date Taxes are Due, and the Delinquent Date for 2012, and Accepting the Certification of the Tax Roll

MOTION: Keggie Tubbs moved and Tim Sands seconded the motion to approve Resolution No. 2012-31.

VOTE: The motion passed unanimously.

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

There was no citizen's discussion.

VI. COUNCIL COMMENTS

Keggie Tubbs: no comment

Doug Holt:

- thanked Carol Shade for her work on the budget, and would like to see the budget presented a month earlier for reviewing.

Paul Liedberg: no comment

Tracy Hightower: no comment

Tim Sands:

- complimented staff and the budget committee for working through the budget.

VII. MAYOR'S COMMENTS

Mayor Ruby:

- thanked the staff and the budget committee, complimented Finance Director Shade for doing a good job, and thanked staff members who attended the meetings and provided their input.

VIII. EXECUTIVE SESSION

A. Legal Matter - City Manager Recruitment

MOTION: Tim Sands moved and Paul Liedberg seconded the motion to go into executive session under DMC, 2.09.050, regarding legal matters [7:01 p.m.].

VOTE: The motion passed unanimously.

Manager Forster, Steve Cropsey, Janice Williams, and Tim Pearson joined the executive session.

MOTION: Tim Sands moved and Keggie Tubbs seconded the motion to come out of executive session [8:01 p.m.].

GENERAL CONSENT: The motion passed with no objection.

XV. ADJOURNMENT

Mayor Ruby adjourned the meeting at 8:01 p.m.

Alice Ruby, Mayor

ATTEST:

Janice Williams, City Clerk

Approved: _____

City of Dillingham

May 2012 Legislative Report

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

Items reported below are a result of the 2nd Session of the 27th Alaska State Legislature – They have a direct or indirect impact to Dillingham for FY12, FY13 & subsequent years –

FUNDING

(All bills below have been signed by the governor unless otherwise noted)

Capital Budget [SB160]

<u>Dillingham Projects</u>	<u>Amount</u>
Library and Museum Building Roof Repairs	\$ 250,900
Kanakanak Road Resurfacing	\$5,000,000
Wastewater Treatment Plant Upgrades	\$2,280,000
Health Center Deferred Maintenance	\$ 14,919
Total	\$7,545,819

Operating Budget [HB284]

<u>Dillingham Community Revenue Sharing (CRS)</u>	<u>Amount</u>
FY13 CRS Payment Estimate at \$60 million level	\$ 211,038
FY13 CRS Payment Estimate with \$25 million (1-time in Capital)	\$ 87,932
Total (Estimates)	\$ 298,970

Education Budget [SB 182]

<u>Dillingham Projected Funding</u>	<u>Amount</u>
FY13 Increased State Aid	\$ 183,107
FY13 Career & Technical Addition	\$ 29,449
FY12 Pupil Transportation Increase	\$ 63,770
FY13 Pupil Transportation Increase	\$ 79,650

(All of the numbers listed under this bill/fiscal notes are estimates)

We will continue to monitor all aspects of these funding bills and if upon further analysis we determine additional information relevant to Dillingham, it will be brought to your attention.

LEGISLATION

Senior Citizen Housing Fund [HB65]

Making regional Native housing authorities eligible to receive grants through the Alaska Housing Finance Corporation from the senior citizens housing development fund.

Bulk Fuel Loans/Power Project Fund [HB196]

Combines the bulk fuel loan programs currently administered by two entities into the Division of Community and Regional Affairs.

Commercial Fishing Entry Permit Loans [HB261]

Allows loans for the purchase of commercial fishing entry permits and increases the maximum loan amount from \$100,000 to \$200,000.

(Coincidentally, Rep. Bryce Edgmon was the prime sponsor of the above three bills)

Commercial Fishing Loans [HB121]

Pertains to certain commercial fishing loans and to loans for the purchase of fishing quota shares by certain community quota entities and establishing the commercial charter fisheries revolving loan fund, the mariculture revolving loan fund, and the Alaska microloan revolving loan fund and relating to those funds and loans from those funds. Within this legislation, a section allows a interest rate reduction of not more than 2% for loans under the Commercial Fishing Loan Act of more than 50% of the loan proceeds are used for product quality improvements or every efficiency upgrades.

Exemptions from Mining Tax [HB298]

Repeals the requirement that operators who produce sand, gravel, and quarry rock products pay the state mining tax. Should alleviate costs and paperwork required of local governments.

Community & Public Transportation Advisory Board [HB131]

Establishes the Alaska Community and Public Transportation Advisory Board and relating to a long-range community and public transportation plan.

Alaska Native Languages Council [SB130]

Establishes the Alaska Native Language Preservation and Advisory Council for the preservation, restoration, and revitalization of Alaska Native languages.

New Market Tax Program/Muni Tax [SB66] – Transmitted to Governor

Creates a new markets tax credit assistance guarantee and loan program within the Alaska Industrial Development and Export Authority (AIDEA). Extends a mandatory exemption from municipal property taxes for certain assets of AIDEA; relating to an Alaska Energy Authority loan.

Manufactured Homes as Real Property/Muni Taxes [SB104] – Trans. to Governor

Pertains to manufactured homes, to the severance of manufactured homes from real property, to the titling, conveyance, and encumbrance of manufactured homes, and to manufacturers' certificates of origin for vehicles; allowing a deferral of municipal property taxes on the increase in the value of real property attributable to subdivision of that property.

NOTES

“Super Sack” Retrieval Efforts

Thank you for bringing this issue to our attention. We have reviewed the May 29, 2012 memo from your port director Jean Barrett and have listened to the June 7, 2012 APRN story regarding this matter. Please keep us abreast of any new developments.

Future Report Topics

As pertinent legislation to your community is signed into law from this past legislative session we will bring it to your attention. In addition, if you need any further analysis of any particular bill from this past session, please bring that to our attention and we will respond in a timely fashion.

In the **June** report, we will also focus a bit on the efforts of the Redistricting Board and how the final plan will impact Dillingham.

We welcome any input from the mayor, city council members and the administration has to what you would like to see in these reports, particularly during this time when the Legislature is not in session.

Finally – the format for these reports will probably go through a few changes as we try and deliver such a document that is not only significant, but is easy to read and lives up to your expectations.

~ End Report ~

CITY OF DILLINGHAM, ALASKA

ORDINANCE NO. 2012-13 (SUB)

AN ORDINANCE OF THE DILLINGHAM CITY COUNCIL REPEALING AND REENACTING ORDINANCE NO. 2012-05 (SUB) A NON-CODE ORDINANCE TO AMEND THE VALUE OF THE CITY'S INTEREST FOR LOTS 1, 2, 3, AND 4, HARBOR LEASE LOTS SUBDIVISION

WHEREAS, the City adopted Ordinance No. 2012-05 (SUB), a non-code ordinance, at their April 5, Regular Council Meeting, authorizing the disposal of municipal property by lease at the City's boat harbor; and

WHEREAS, Ordinance No. 2012-05 (SUB), Section [7] **8**. Value of City's Interest, was presented to the Council showing the lease agreement amount to be \$.21 per ft² per month, instead of \$.21 per ft² per year, the correct amount, and the City's intended amount as reflected in the lease agreement;

NOW BE IT ENACTED BY THE DILLINGHAM CITY COUNCIL:

Section 1. Ordinance No. 2012-05 (Substitute), adopted April 5, 2012, is hereby repealed and reenacted as Ordinance No. 2012-13, for the purpose of correcting the lease amount.

BE IT FURTHER ENACTED BY THE DILLINGHAM CITY COUNCIL:

Section 2. Authority. This ordinance is adopted pursuant to authority granted by DMC 5.30.100, Leases, easements and rights-of-way.

Section 3. Classification. This is a non-Code ordinance.

Section 4. Authorization of Lease. The City Council hereby authorizes the disposal of an interest by lease substantially upon the terms and conditions contained in the lease agreement for a period of up to five years with periodic renewal provisions up to 30 years.

Section 5. Legal Description. Lots 1 through 4 Harbor Lease Lots Subdivision, within U.S. Survey 2874, Township 13 South, Range 55 West, Seward Meridian. Actual leases may be a subdivided lease lot.

A. Lots 1, 3, and 4, Harbor Lease Lots Subdivision, within U.S. Survey 2874, Township 13 South, Range 55 West, Seward Meridian will be leased by solicitation of sealed bids. Actual leases may be a subdivided lease lot.

B. Lot 2, Harbor Lease Lots Subdivision, within U.S. Survey 2874, Township 13 south, Range 55 West, Seward Meridian will be leased by negotiated lease with DLG LLC who has been selected without unfair discrimination amongst similarly situated potential tenants.

(Substitute Ordinance – Underlined and **bold** indicates added language. [Brackets] indicates deleted language.)

Section 6. Findings. The City Council hereby finds: a) that the lots to be leased are no longer needed for public use; b) that the disposal is for a public purpose, in that the leasing of this land will promote greater economic development of the community and a more viable harbor; and c) that the disposal of Lot 2 by negotiated disposal is needed to protect the public interest in that knowing that one tenant has already committed to lease property in the area will promote interest in submitting bids for Lots 1, 3, and 4.

Section 7. Type and Purpose of Disposal. The properties will be disposed of by lease for the purpose of economic development of the Dillingham harbor area.

Section 8. Value of City's Interest. Based on the current assessment of the Property, the City estimates the fair market value of the right to use the Property upon the terms and conditions set forth in the lease agreements at about \$1.75 a square foot. Applying a 12% cap rate equates to \$.21 per ft² per year. The property will be appraised again and the lease agreement reviewed for revision in 3 years.

Section 8. Time, Place and Manner in Which Disposal Shall Occur. The City Council found at their April 5 Regular Council Meeting that the changes between Ordinance No. 2012 and Ordinance No. 2012-05 (SUB) were not so substantial that a new thirty (30) day notice was required.

A. Offers for Lots 1, 3, and 4 will be solicited using a sealed bid auction method. Those uses that are harbor-dependent or related will be given priority. All other proposed uses will be considered as space allows on a year to year or shorter term. The actual disposal shall occur following approval of this ordinance.

B. Lot 2 will be disposed of upon the terms and conditions contained in the attached lease agreement immediately following City Council approval of this ordinance.

Section 10. Effective Date. This ordinance is effective as of April 5, 2012.

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

SEAL:

Alice Ruby, Mayor

ATTEST:

Janice Williams, City Clerk

City of Dillingham Information Memorandum No. O2012-13 (SUB)

Subject: An ordinance of the Dillingham City Council repealing and reenacting Ordinance No. 2012-05 (SUB) a non-code ordinance to amend the value of the City's interest for lots 1, 2, 3, and 4, harbor lease lots

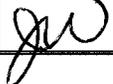
Agenda of: June 21, 2012

Council Action: This ordinance was introduced at the June 7, 2012 Regular Council Meeting.

Manager: Recommend approval.

City Manager:


Dan Forster

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

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

Other Attachment(s):

- None

Summary Statement.

This ordinance would correct an error presented in Ordinance No. 2012-05 (SUB) that identified the value of the City's interest in the harbor lease lots as \$.21/per square foot per month, instead of per year. This error was found in Section 8, Value of the City's Interest.

Unfortunately, when Ordinance No. 2012-13 was introduced on June 7 to correct the value error, the reference was made to section 7, not 8. As a result, Ordinance No. 2012-13 is being brought back as a substitute ordinance.

An advertisement for a public hearing scheduled for June 21 on Ordinance No. 2012-13 was advertised in the Bristol Bay Times, June 14 edition, to meet the mandatory requirement that a public hearing of a proposed ordinance shall follow publication by at least five days.

(Clerk Note: At the Council meeting on June 21 the substitute ordinance will be recommended for adoption and the process will go as follows:

"I move to amend Ordinance No. 2012-13 by substituting Ordinance No. 2012-13 (SUB)." The Council will proceed to vote on the amendment.

If the amendment is approved the Council will vote on whether to adopt Ordinance No. 2012-13 (SUB).)

CITY OF DILLINGHAM, ALASKA

ORDINANCE NO. 2012-14

AN ORDINANCE OF THE DILLINGHAM CITY COUNCIL ADOPTING THE BUDGET AND APPROPRIATING FUNDS FOR THE FY 2013 CITY OF DILLINGHAM BUDGET

WHEREAS, the City Council has presented the proposed Operating Budget and Capital Improvement Budget for FY 2013 in accordance with Title 4 of the Dillingham Municipal Code pursuant to AS 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; and

WHEREAS, 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, the FY 2013 funds are ready for appropriation by ordinance;

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

1. The FY 2013 Operating Budget and Capital Improvement Budget as recommended by the City Manager are hereby adopted for the City of Dillingham.
2. The amounts set forth in the budget as reviewed 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 Dillingham City Council 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 appropriation from the Treasury in Section 4 is a total of \$12,307,905.

Section 4. Appropriations.

General Fund Government Operations

01	City Council	\$ 88,800
04	Administration	319,445
06	City Clerk	132,282
08	Finance	581,108
10	Legal	135,000
12	Insurance	88,642
13	City School	1,300,000
14	Non-Departmental	204,975
15	Contributions	4,000
16	Planning	153,591
19	Dispatch	428,354
20	Patrol	577,921
22	Corrections	571,597
23	Dept. of Motor Vehicles	103,356
24	Investigations	126,659
25	IT Support	21,500
25	Public Safety Administration	273,506
26	K-9	83,719
30	Fire & EMS	299,447
40	Animal Control Officer	131,564
42	Buildings and Grounds	326,357
44	Shop	267,525
46	Street	605,656
48	Public Works Administration	237,954
60	Library	203,996
7x	Bingo Hall/Potato House Rentals	3,680
80	Transfers/Contingencies	895,383
90	Transfers Equipment Replace/Ambulance Reserve	<u>138,000</u>
	Total General Fund Appropriations	<u>\$8,304,017</u>

Special Revenue & Other Funds Appropriations

04	Nushagak Fish Tax	\$710,883
06	Water & Sewer	487,617
07	Landfill	339,298
08	Port - Dock	426,996
09	Port - Boat Harbor	214,524
10	E-911	14,060
12	Senior Center	469,969
15	Debt Service	1,177,840
32	Ambulance Replacement Fund	38,000
34	Mary Carlson Estate Permanent Fund	<u>10,000</u>

Total Special Revenue &
Other Funds Appropriations \$3,889,187

Capital Appropriations
Equipment Replacement Capital Project Fund 100,000
Total Capital Appropriations \$100,000
Total Appropriations \$12,293,204

Section 5. Revenues.

General Fund

Taxes

Sales Taxes	\$2,700,000
Nushagak Fish Tax	579,513
Alcohol Sales Taxes	265,000
Transient Lodging Sales Taxes	95,000
Real Property Taxes	1,460,000
Personal Property Taxes	500,000
Penalty and Interest on Property Taxes	50,000
Penalty and Interest on Sales Taxes	10,000
Gaming Sales Tax	65,000
Payment in Lieu Taxes (PILT)	423,142
Payment in Lieu Taxes (BBHA)	5,737

Other Revenues

Jail Contract Revenue	480,417
Revenue Sharing	298,970
Shared Fisheries	40,000
Raw Fish Tax	205,000
Revenues from State of Alaska	400,302
Revenues from Federal Government	18,500

Administrative Overhead	329,723
Licenses Fees Fines and Permits	86,600
Lease and Rental Income	59,400
Investment Income	40,000
Other Revenues	<u>92,010</u>

Total General Fund Revenues **\$8,204,314**

Special Revenue & Other Funds Revenues

04 Nushagak Fish Tax	\$710,883
06 Water & Sewer	410,518
07 Landfill	156,071
08 Port - Dock	709,603
09 Port - Boat Harbor	175,426
10 E-911	60,590
11 Asset Forfeitures	800
12 Senior Center	188,264
15 Debt Service	824,488
34 Mary Carlson Estate Permanent Fund	<u>10,000</u>

Total Special Revenue
& Other Funds Revenues \$3,246,643
Total Revenues **\$11,450,957**

Section 6. Transfers.

Transfers from General Fund to Other Funds:	
Water & Sewer	\$ 77,099
Landfill	183,227
Senior Center	281,705
Debt Service	353,352
Capital Equipment Fund	100,000
Ambulance	<u>38,000</u>
Total Transfers	<u>\$1,033,383</u>

Transfer from E911 Fund to General Fund \$14,060

Section 7. Summary.

Total Revenues	\$12,498,400
Total Appropriations	<u>\$12,307,905</u>
Net Increase(Decrease) to Fund Balances	<u>\$ 205,196</u>

Section 8. Effective Date. This ordinance is effective upon passage.

ENACTED by the Dillingham City Council on _____, 2012.

SEAL:

Alice Ruby, Mayor

ATTEST:

Janice Williams, City Clerk

City of Dillingham Information Memorandum No. O2012-14

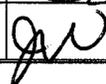
Subject: An ordinance of the Dillingham City Council adopting the budget and appropriating funds for the FY 2013 City Budget

Agenda of: June 21, 2012

Council Action: This ordinance was introduced at the June 14, 2012 Special Council Meeting.

Manager: Recommend approval.

City Manager: 
Dan Forster

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

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

- Other Attachment(s):
- FY 2013 budget worksheets

Summary Statement.

The FY 2013 Budget was presented during the special meeting held on June 14, 2012.

This ordinance was advertised in the Anchorage Daily News Friday, June 15, and Saturday, June 16, to meet the mandatory requirement that a public hearing of a proposed ordinance shall follow publication by at least five days. The City's Attorney has advised that the Anchorage Daily News qualifies as a newspaper of general circulation in outlying communities of Alaska, even though there are only a limited number of copies available for purchase each day.

CITY OF DILLINGHAM, ALASKA

RESOLUTION NO. 2012-32

**A RESOLUTION OF THE DILLINGHAM CITY COUNCIL APPROVING
INSTALLATION OF BURIED ELECTRICAL UTILITIES IN THE ROAD AT 4044
ARCTIC AVENUE**

WHEREAS, a citizen would like to have the electrical lines to his home buried in the street; and

WHEREAS, the lines will be buried 3 feet deep in the road; and

WHEREAS, there are no other City utilities installed on Arctic Avenue; and

WHEREAS, the burial of these utilities is not anticipated to present a safety hazard now or in the future; and

WHEREAS, the City Public Works Department and Volunteer Fire and Public Safety Departments do not object to this encroachment; and

WHEREAS, the Planning Commission recommends approval of this encroachment into City streets;

NOW, THEREFORE, BE IT RESOLVED that the Dillingham City Council approves the permanent encroachment of utilities in the street at 4044 Arctic Avenue.

PASSED and ADOPTED by the Dillingham City Council June 21, 2012.

SEAL:

Alice Ruby, Mayor

ATTEST:

Janice Williams, City Clerk

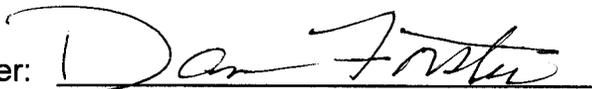
City of Dillingham Information Memorandum No. R2012-32

Subject: An ordinance of the Dillingham City Council authorizing underground power line in Arctic Avenue to serve 4044 Arctic Avenue

Agenda of: June 21, 2012

Council Action:

Manager: Recommend approval.

City Manager: 
Dan Forster

Route To:	Department / Individual	Initials	Remarks
X	Public Works / Carter Cole		
X	Planning / Jody Seitz		
X	City Clerk / Janice Williams		

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

Other Attachment(s):

Summary Statement.

This resolution is to allow a citizen to have the utilities to his house buried in the City street at 4044 Arctic Avenue. The Planning Commission recommended approval of this at its May 15, 2012 regular meeting.

June 14, 2012

To Whom it may concern:

I am writing in response to the Public Notice issued concerning the open seats on the Library Board – I am very interested in assuming one of these positions.

I am relatively new to the Bristol Bay area, having moved from Indiana late last August. I accompanied my parents to aide them in acclimating to a new community, but also as a chance to take a vacation and experience a new culture for myself. At the time I did not know whether or not I wished to remain in Dillingham or rather move back to the lower 48.

Come spring, however, I decided to stay in Dillingham and committed myself to becoming more involved in the community. During the previous fall I had attended classes at the University concerning Alaska Native History and Culture Appreciate, both of which I found very rewarding and informative. In April, I began working as a Substance Abuse Counselor at Jake's Place and also began facilitating a twice weekly Yoga group at a local church. I see these open seats as an opportunity to continue my immersion into the community and culture of Bristol Bay, and at the same time, involve myself with something I am passionate about.

I have always had a passion for reading and literature, from science fiction to philosophy. I often have the poor habit of beginning a book right before going to bed and then staying up late into the morning to finish it; only to be repaid for my lack of sleep the next day! I feel the advocacy of literature and exploration through the written word is all the more important and challenging as the digital world continues to grow – especially when it comes to the youth.

I would very much enjoy the opportunity to speak with you further on this matter.

Thank you for your time.

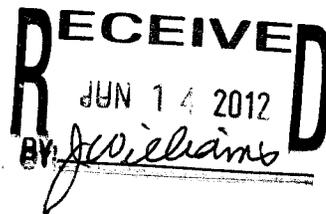
Regards,

Conor Downey

cdowney@bbahc.org

W: (907)842 5266 ex. 6436

H: (907)842 1673



Janice Williams

To: Brooks Chandler
Subject: RE: Properties to transfer to the City of Dillingham

From: Brooks Chandler [<mailto:BChandler@bcf.us.com>]
Sent: Friday, June 15, 2012 1:14 PM
To: Janice Williams
Subject: RE: Properties to transfer to the City of Dillingham

Greetings:

The City should order a title report through a title company.

Brooks Chandler
Boyd, Chandler & Falconer LLP

From: Rolland Thomas [<mailto:rolland.r.thomas@gmail.com>]
Sent: Thursday, May 31, 2012 6:56 PM
To: Janice Williams
Subject: Properties to transfer to the City of Dillingham

Janice

You had requested the title to the two properties I want to deed to the city but I have never seen a title (Subdivision 2732 Block 6 Lots 8 & 11). My father bought these two lots along with a third one back around 1959 at auction. He sold back the third lot to the city and I believe that is where the water tower is now. I don't know if that sale was ever recorded. The property was put into my name in the early 90's (I think it was 1992 - but you should have record of that change). The city has been billing me for the taxes ever since.

Hopefully this is enough information to show that I have the right to deed this property to the City of Dillingham. I would like to get this process completed as soon as possible.

I you have any other questions, please let me know.

Thank you for your time and efforts

Rolland Thomas
801-796-6451

TO: CITY CLERK OF DILLINGHAM
FROM: ROLLAND THOMAS
SUBJECT: TRANSFER OF REAL PROPERTY TO CITY
DATE: MAY 1, 2012

To whom it may concern:

This letter serves as notification that I would like to deed the two lots that I have within the City of Dillingham in lieu of the current back taxes on those properties. The properties in question are:

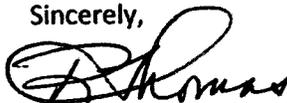
SUBDIVISION USS 2732 BLOCK 6 LOT 8
SUBDIVISION USS 2732 BLOCK 6 LOT 11

Please contact me at the following address and/or phone number for further discussion of this matter.

829 W 1500 N
Pleasant Grove, UT 84062
801-796-6451

I look forward to working with you. Thank you for your time and patience.

Sincerely,



Rolland Thomas

Janice Williams

From: Tedie Angasan III [collection@dillinghamak.us]
Sent: Wednesday, May 09, 2012 12:05 PM
To: 'Janice Williams'
Cc: 'Carol Shade'; 'Anita Fuller'
Subject: Rolland Thomas properties

Hey Janice,

Here's a breakdown of Mr. Thomas' properties.

USS 2732 Block 6 Lot 8

Land – 3,300

Improve – 0

USS 2732 Block 6 Lot 11

Land – 7,300

Improve – 0

- Ted

F Theodore Angasan III
Accounting Tech III

City Of Dillingham | PO Box 889 | 141 Main St | Dillingham, AK 99576
(907) 842-3291 | Fax (907) 842-5691
collection@dillinghamak.us

Agenda Item X. New Business, B. Land Offer

6/01/2012
12:41:37

INQUIRE INTO CUSTOMER ACCOUNTS
DETAIL INFORMATION

AR9011F2

CUSTOMER NUMBER: THOMASR01 THOMAS, ROLLAND
829 W 1500 N

PLEASANT GROVE UT 84062
PHONE #:
CONTACT: ROLLAND THOMAS

CURRENT MO CHARGE: .00
CURRENT YR CHARGE: .00
LAST CHARGE DATE: 12/07/2011
LAST PAYMENT DATE: 12/27/2007

A G I N G					TOTAL DUE
CURRENT	31 - 60 DAYS	61 - 90 DAYS	OVER 90 DAYS		
.00	.00	.00	747.74		747.74

UNAPPLIED CASH:

T R A N S A C T I O N S					
INVOICE	DATE	TYPE	DESCRIPTION	IN-PROCESS	AMOUNT
RT2622	12/07/2011	INVOICE	11 RP PENALTY	.00	9.49

TOTAL DUE ON INVOICE >-----> 9.49

HELP F3=Exit F5=Options ROLL

Jerry Ball
Ekuk Properties LLC
P.O. Box 542
Dillingham, AK 99576

May 31, 2012

Ms. Janice Williams
City Clerk
City of Dillingham
PO Box 889
Dillingham, AK 99576

Subject: Case No. R-12-03

Dear Ms. Williams:

Thank you for your letter dated May 4, 2012 informing of:

- the Dillingham Board of Equalization concurrence with the assessor's recommendation lowering the assessed value from \$848,200 down to \$544,000 for property description Braswell Subdivision, Tract J; and
- my right to appeal this decision with the Superior Court.

As you are well aware, I bought the describe property thru an auction as the only bidder for \$375,000.00 and as such I will appeal the above decision and contend that the assessed value be set at \$375,000.00.

Thank you and if you have any further questions, please call me at 843-1685.

Very truly yours,


Jerry Ball