



Alice Ruby, Mayor

City Council Members

- Elizabeth Pearch • Seat B, Vacant • 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

WORKSHOP - REVIEW CIP	6:15 P.M.	DECEMBER 1, 2011
REGULAR MEETING	7:00 P.M.	DECEMBER 1, 2011

Please note the Christmas Tree Lighting Ceremony co-sponsored by the Dillingham Chamber of Commerce and Nushagak Cooperative is being held on Thursday, December 1, 6:00 P.M., outside the Delta Western facility downtown.

I. CALL TO ORDER

II. ROLL CALL

III. APPROVAL OF MINUTES

- A. Special Meeting, October 13, 2011
- B. Regular Meeting, October 13, 2011
- C. Special Meeting, October 14, 2011
- D. Special Meeting, November 3, 2011

IV. APPROVAL OF CONSENT AGENDA

APPROVAL OF AGENDA

V. STAFF REPORTS

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

VI. PUBLIC HEARINGS

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

VIII. ORDINANCES AND RESOLUTIONS

- A. Introduce Ordinance No. 2011-09, An Ordinance of the Dillingham City Council Amending DMC Section 6.08.020.A and DMC Section 6.08.020.B to Allow

Licensed Bars and Eating Establishments to Serve Alcohol on Super Bowl Sunday and When New Year's Eve Falls on a Sunday

- B. Resolution No. 2011-83, A Resolution of the Dillingham City Council Accepting ADEC Municipal Matching Grant #28306 in the Amount of \$3 Million for Water System Improvement Projects Included in Phases 1.3 and 1.4 in the City's 2003 Water and Sewer Master Plan
- C. Resolution No. 2011-84, A Resolution of the Dillingham City Council in Support of an Application to Seek Funding from the Bristol Bay Regional Seafood Development Association for Harbor Improvements
- D. Resolution No. 2011-85, A Resolution of the Dillingham City Council Accepting the FY 2013 Capital Improvements Program

IX. UNFINISHED BUSINESS

- A. Annexation
- B. Action Memorandum 2011-17, Approve Lease Agreement with State of Alaska Employment Center for the Potato House (*Clerk Note: This item will be available at the meeting.*)

X. NEW BUSINESS

- A. Appoint Council Member to Seat B
- B. Legislative Capital Projects List (*Clerk Note: This item will be available at the meeting.*)
- C. Committee Appointments
- D. Change to Personnel Regulations Section 5.30 Personal Leave
- E. Approve Administrative Leave Day for December 23, 2011

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. Dillingham

XV. ADJOURNMENT

I. CALL TO ORDER

The Special Meeting of the Dillingham City Council was held on Thursday, October 13, 2011, at the Dillingham City Council Chambers, Dillingham, Alaska. Mayor Alice Ruby called the meeting to order at 7:00 p.m.

II. ROLL CALL

Mayor Alice Ruby present.

Council Members present and establishing a quorum:

Bob Himschoot, Seat C
Keggie Tubbs, Seat D
Chris Napoli, Seat E
Tim Sands, Seat F

Council Members absent:

Elizabeth Pearch, Seat A, excused
Scott King, Seat B, excused

Staff in attendance:

Dan Forster, City Manager
Carol Shade, Finance Director
Steve Cropsey, Project Manager
Doug Dombroski, Chief of Police
Jody Seitz, Planning Director
Janice Williams, City Clerk

III. APPROVAL OF AGENDA

MOTION: Tim Sands moved and Keggie Tubbs seconded the motion to approve the agenda as presented.

MOTION: Keggie Tubbs moved the previous question. *(Clerk Note: The effect of this motion is to immediately stop debate.)*

VOTE: The motion passed unanimously.

IV. SPECIAL BUSINESS

A. Resolution No. 2011-79, A Resolution of the Dillingham City Council Accepting the Certification of the Canvassing Committee Results and Certifying the October 4, 2011 Regular City Election

MOTION: Tim Sands moved and Keggie Tubbs seconded the motion to approve Resolution No. 2011-79.

VOTE: The motion passed unanimously.

City Clerk Williams reported on the election results for Seat B on the School Board. She noted no one had filed a declaration of candidacy for this seat, but there was a tie for the highest number of write-in votes between Patty Luckhurst and Bernina Venua. Both of them were interested in accepting the seat. Mayor Ruby drew names from a cup with Bernina Venua winning the seat.

Bernina Venua's name would be entered on Resolution No. 2011-79 as follows:

BE IT FURTHER RESOLVED that the results are certified as follows:

5. That Bernina Venua tied for the highest number of votes as a write-in to School Board Seat B, a three-year term ending October 2014, and won the seat after each person receiving the highest number of votes had their name typed on an identically sized piece of paper, the two pieces of paper were placed into a hat or other receptacle and the Mayor drew Bernina Venua's name in a random drawing.

Mayor Ruby read the Certificate of Election form. The certificates were handed to each newly elected Council Member and the newly elected School Board Members, Tim Sands and Bernina Venua. *(Clerk Note: DMC 3.70.040 Certification of Election Results. B. Upon certification of a valid election, the city council shall direct the clerk to deliver to each person elected to office a "certificate of election" signed by the mayor and the clerk and authenticated by the seal of the city.)*

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

There was no citizen's discussion.

VI. COUNCIL COMMENTS

Keggie Tubbs:

- commended the City Clerk for doing an outstanding job with the election, for following up with Council recommendations, and running a smooth election;
- thanked the volunteers who helped run the election; and
- thanked Chris [Napoli] and Scott [King] for stepping forward when the Council needed them to fill a vacated seat, and appreciated their volunteerism.

Bob Himschoot:

- noted he echoed Keggie's comments

Tim Sands:

- congratulated the candidates that won;
- thanked Chris and Scott for filling in;
- echoed Keggie's comments; and
- thanked the volunteers who helped with the election.

Chris Napoli:

- commended the Council for all their efforts, noting the public doesn't realize all the work they do;

- appreciated all the support he had received in the past months and wished them well in the future;
- thanked the election workers for putting in lots of hours; and
- thanked the City Clerk for doing a wonderful job running a smooth election, including the tie-breaker ceremony.

VII. MAYOR'S COMMENTS

Mayor Ruby:

- noted she echoed everyone's comments, and complimented staff for preparing a meal for the election judges; and
- thanked the newly elected candidates, noting she appreciated them for being willing to take on the responsibility.

A. Swearing in Ceremony of Newly Elected Council Members

Council Member Chris Napoli stepped down and took a seat in the audience. The City Clerk administered the Oath of Office to newly elected Council Members Tracy G. Hightower, Bob Himschoot, and Keggie Tubbs. The three Council Members took their seats.

VIII. ADJOURNMENT

Mayor Alice Ruby adjourned the meeting at 7:11 p.m.

Alice Ruby, Mayor

ATTEST:

Janice Williams, City Clerk

Approved: _____

I. CALL TO ORDER

The Rescheduled Regular Meeting of the Dillingham City Council was held on Thursday, October 13, 2011, at the Dillingham City Council Chambers, Dillingham, Alaska. Mayor Alice Ruby called the meeting to order at 7:18 p.m.

II. ROLL CALL

Mayor Alice Ruby present.

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

Bob Himschoot, Seat C
Keggie Tubbs, Seat D
Tracy G. Hightower, Seat E
Tim Sands, Seat F

Council Members absent:

Elizabeth Pearch, Seat A - excused
Seat B, Vacant

Staff in attendance:

Dan Forster, City Manager
Steve Cropsey, Project Manager
Doug Dombroski, Chief of Police
Jody Seitz, Planning Director
Carol Shade, Finance Director
Janice Williams, City Clerk

III. APPROVAL OF MINUTES

A. Regular Meeting, September 8, 2011

MOTION: Tim Sands moved and Keggie Tubbs seconded the motion to approve the minutes of September 8, 2011.

VOTE: The motion to approve the minutes of September 8, 2011 passed unanimously.

IV. APPROVAL OF CONSENT AGENDA

APPROVAL OF AGENDA

MOTION: Tim Sands moved and Keggie Tubbs seconded the motion to approve the agenda as revised October 12, 2011.

VOTE: The motion passed unanimously.

V. STAFF REPORTS

A. City Manager Report

City Manager Dan Forster reported on the following:

- recognized the City Clerk for serving as Acting City Manager during his absence while working on the election, preparing the council packets for three meetings, and distributing the changes during the week;
- Knutsen boat removal was taken care of by the family;
- Leasing discussions were underway with Gary Korthius of NAPA for a lot at the harbor, and the State of Alaska Job Service to renew discussions to lease the Potato House;
- a dedication ceremony was scheduled for Sunday at 2:00 p.m. renaming Tower Road as Lil' Larry Road;
- would be out of the office first week in November on personal leave, and second week to attend the AML Manager's conference;
- tentative approval was given to store the remains of a killer whale and fetus in one of the container vans at the port until spring, and had instructed the group to ensure they were following the federal guidelines for appropriate approvals; and
- CIP requests approved by the Planning Commission would be coming back to the Council at a later time.

Project Manager Steve Cropsey reported on the following:

- introduced Freeman Roberts III and Patrick Rawls, contractors on the Senior Center remodel, for their outstanding work on the Senior Center;
- City apartment building sale netted the City \$377,443, which would offset outstanding taxes, penalties and interest due on the property;
- Tower Road project was almost completed with the exception of installing street lights, and the road was to be renamed;
- Elementary school renovation was scheduled for a final inspection in the next several weeks;
- High school reroofing over the band room was completed; and
- an assessment of the schools would take place coincident with overseeing/observing the Picnic Park Erosion project.

Discussion:

- thanked Steve Cropsey for all the work he had done on the auction; and
- noted the Port Director's request for a new forklift had been vetted through the Finance Committee, although supportive wanted to be assured the procurement process was followed, and awaiting more information.

B. Standing Committee Reports

Tim Sands, Chair of Code Review Committee and Finance and Budget Committee:

- working on an ordinance to allow liquor sales on Super Bowl Sunday, and New Year's Eve when it falls on a Saturday or Sunday;
- reviewed the recommendation from the attorney to add language that allowed the election board to ascertain the intent of the voter on written candidate names;

- as a result of the write-in challenges brought up during the most recent election, was researching other municipalities and looking at whether there should be a minimum percentage of votes to seat a candidate and whether a letter of intent should be on file;
- had postponed review of several proposed codes on annexation following the workshop; and
- had reviewed the consultant's work on other options available in health plans, and the committee had asked the manager to seek input from staff.

Discussion:

- asked if the City was going to change its health plan before the fiscal year was over; *answered* the two year period with AETNA had expired in June, and the City could make a change with a 60-day notice, but was not proposing anything at this time.

Mayor Ruby, Public Outreach Committee:

- noted discussion on annexation was put on hold pending the workshop.

Bob Himschoot, School Facility Committee:

- appreciated getting the school assessment in place so the school could qualify for construction monies from the State.

VI. PUBLIC HEARINGS

- A. Adopt Ordinance No. 2011-08, An Ordinance of the Dillingham City Council Amending DMC Section 4.15.080, Personal Property Returns (*Clerk Note: This item was originally scheduled for a public hearing on October 6; meeting was rescheduled to October 13.*)

Mayor Ruby opened the public hearing on Ordinance No. 2011-08. There being no comments the public hearing closed.

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

There was no citizen's discussion.

VIII. ORDINANCES AND RESOLUTIONS

- A. Adopt Ordinance No. 2011-08, An Ordinance of the Dillingham City Council Amending DMC Section 4.15.080, Personal Property Returns (*Clerk Note: This item was originally scheduled for a public hearing on October 6; meeting was rescheduled to October 13.*)

MOTION: Tim Sands moved and Bob Himschoot seconded the motion to adopt Ordinance No. 2011-08.

City Clerk Williams reported that two sections of code that dealt with personal property returns were amended last year. Unfortunately another section of code that dealt with the same issues was overlooked and this ordinance was to amend that section. An analysis of the steps leading up to mailing out personal property returns would be available for the next meeting.

VOTE: The motion to adopt Ordinance No. 2011-08 passed unanimously.

- B. Resolution No. 2011-80, A Resolution of the Dillingham City Council Awarding a Contract for Construction of the Dillingham Picnic Park Interim Erosion Protection Project

MOTION: Tim Sands moved and Tracy Hightower seconded the motion to approve Resolution No. 2011-80.

Project Manager Cropsey reported the City had received two bids. Southwest Alaska Contractors LLC, operating primarily out of Naknek, was the low bidder. The base bid plus the added alternate, which was the Snag Point revetment, was \$633,900. The other bidder provided a total bid of \$811,800. The City was approved to use a State legislative appropriation from 2009 for harbor erosion to provide rip-rap (rock armor) on the Snag Point area. A local contractor was providing the rock for the project. He further noted that Additive 1 was approximately 60 lineal feet of armor rock in front of the failing seawall at Snag Point, and Additive 2 was for patching the sheet pile at Snag Point.

VOTE: The motion to approve Resolution No. 2011-80 passed unanimously.

- C. Resolution No. 2011-81, A Resolution of the Dillingham City Council Awarding a Contract for the Delivery of Fuel for the Period October 1, 2011 through September 30, 2012

MOTION: Tim Sands moved and Tracy Hightower seconded the motion to approve Resolution No. 2011-81.

City Manager Forster reported this was an annual contract awarded to a firm to top off the City's fuel storage. He had also asked and had received assurance that the tanks would be topped off regularly.

Discussion:

- asked if the vendor was current on their taxes, *answered* had not looked into it, but would have the information for the next meeting.

VOTE: The motion to approve Resolution No. 2011-81 passed unanimously.

- D. Resolution No. 2011-82, A Resolution of the Dillingham City Council Approving a Long Term Encroachment Permit for Nushagak Cooperative to Install Six Poles with Street Lighting and an Anchor Pole Along the Newly Renamed Lil' Larry Road

MOTION: Tim Sands moved and Tracy Hightower seconded the motion to approve Resolution No. 2011-82.

Manager Forster reported the resolution had been approved by the Planning Commission, and would allow an encroachment for Nushagak to install street lights on the City's road.

VOTE: The motion to approve Resolution No. 2011-82 passed unanimously.

IX. UNFINISHED BUSINESS**A. Annexation**

Mayor Ruby reminded the Council of the workshop scheduled for the following day.

X. NEW BUSINESS**A. Action Memorandum No. 2011-15, Approve RFP for Animal Control Shelter**

MOTION: Tim Sands moved and Tracy Hightower seconded the motion to approve Action Memorandum No. 2011-15.

Project Manager Cropsey reviewed the draft RFP with the Council. He suggested the Council appoint a panel of five people to consider all the options, and choose the proposal that would be the best solution. The RFP addressed an earlier concern that the site would not interfere with neighboring property owners' use of their property. The advertising period would be at least thirty days.

Discussion:

- opposed any option that had a sale auction that would take taxable land off of the tax rolls; and
- voiced concern for the fairness of possibly excluding someone whose had taxable property to use for the shelter.

VOTE: The motion to approve Action Memorandum No. 2011-15 passed unanimously.

B. Action Memorandum No. 2011-16, Authorize City Manager to Work on a Proposal to Lease a Lot at the Boat Harbor for Council Approval

MOTION: Tim Sands moved and Tracy Hightower seconded the motion to approve Action Memorandum No. 2011-16.

Manager Forster reported he had made several site visits with Mr. Korhthius of NAPA to look at leasing land to relocate his operation to the harbor. This would be subject to Council approval. The proposed business would be in operation year round. The site would be about 150' X 175'. He had approved Mr. Korhthius doing soil samplings, which had come back favorable showing the area could support a building.

VOTE: The motion to approve Action Memorandum No. 2011-16 passed unanimously.

C. Select Several Possible Dates for School Open House after 3rd Week in October

Mayor Ruby reported money had budgeted for a celebration. Manager Forster was directed to work with the school superintendent to find suitable dates sometime after November 14.

D. Set a Date for an Open House at the Senior Center after October 24

A date for the open house was deferred to the City Manager.

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

There was no citizen's discussion.

XII. COUNCIL COMMENTS

Mayor Ruby asked the Council to address the following two items:

- reschedule the November Council meeting; and
- declare a vacancy on Seat B and start the recruiting period.

MOTION: Tim Sands moved and Bob Himschoot to declare a vacancy on the Council.

VOTE: The motion passed unanimously.

Mayor Ruby reported Manager Forster would be away from the office the first week in November, and would be attending the AML conference the second week as well as the Finance Director and City Clerk.

Discussion:

- noted the vacant Seat B would need to be filled within 45 days from October 13; and
- suggested scheduling their regular Council meeting for November 17, recognizing several Council Members were traveling, but might be able to attend via teleconference.

MOTION: Keggie Tubbs moved and Tim Sands seconded the motion to schedule the meeting for November 17.

MOTION: Keggie Tubbs moved the previous question. *(Clerk Note: The effect of this motion is to immediately stop debate.)*

VOTE: The motion passed unanimously.

Bob Himschoot:

- welcomed Mr. Forster and Mr. Hightower; and
- apologized to Keggie Tubbs for the way he had responded to his comment on the animal shelter discussion, in which he felt he had vented.

Keggie Tubbs:

- congratulated Tracy and Bob; and
- responded to Bob that there was no need to apologize for sharing his opinion.

Tim Sands:

- congratulated the three newly elected Council Members for being willing to serve;
- thanked the staff for keeping the City running, and the Clerk for doing double duty; and

- commented that he appreciated Steve Cropsey's reports, for seeing the school projects winding down, and appreciated all his work in getting all the other projects closed out.

Tracy Hightower:

- thanked the Council for making him feel welcome;
- thanked all the voters; and
- commented he was looking forward to the job ahead.

XIII. MAYOR'S COMMENTS

Mayor Ruby:

- noted she would be asking the Council Members for their preference or interest for serving on the various committees;
- encouraged their attendance at the renaming of the Tower Road dedication;
- thanked the City staff and Council who participated in the Mental Health Trust tour;
- noted she would be looking to schedule a long range planning session; and
- asked to join her in a moment of silence to recognize those who had been lost since the last meeting.

XIV. EXECUTIVE SESSION

A. Legal Matter

1. Annexation
2. Local 71 Petition to Organize

MOTION: Tim Sands moved and Keggie Tubbs seconded the motion to go into executive session under DMC, 2.09.050, regarding legal matters [8:42 p.m.].

VOTE: The motion passed unanimously.

MOTION: Tim Sands moved and Keggie Tubbs seconded the motion to come out of executive session [9:54 p.m.].

GENERAL CONSENT: The motion passed with no objection.

XV. ADJOURNMENT

Mayor Ruby adjourned the meeting at 9:54 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 Friday, October 14, 2011, at the Dillingham City Council Chambers, Dillingham, Alaska. Mayor Alice Ruby called the meeting to order at 12:40 p.m.

II. ROLL CALL

Mayor Alice Ruby present.

Council Members present and establishing a quorum:

Bob Himschoot, Seat C
Keggie Tubbs, Seat D
Tracy Hightower, Seat E
Tim Sands, Seat F

Council Members absent:

Elizabeth Pearch, Seat A
Seat B, vacant

Staff in attendance:

Dan Forster, City Manager
Janice Williams, City Clerk

Guests: Barb Sheinberg, Sheinberg and Associates

III. APPROVAL OF AGENDA

MOTION: Tim Sands moved and Keggie Tubbs seconded the motion to approve the agenda as presented.

VOTE: The motion passed unanimously.

IV. NEW BUSINESS

A. Committee of the Whole

1. Discussion on Annexation

MOTION: Tim Sands moved and Tracy Hightower seconded the motion to enter into the Committee of the Whole to discuss annexation.

GENERAL CONSENT: There was no objection noted and the Council entered into the Committee of the Whole at 12:42 p.m.

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

Consultant Barb Sheinberg facilitated the meeting following a prepared agenda. Discussion ensued between Barb Sheinberg, City Council and the Mayor regarding the presentation.

(The Special Meeting recessed at 3:30 p.m. and reconvened at 3:45 p.m.)

MOTION: Tim Sands moved and Tracy Hightower seconded the motion to exit the Committee of the Whole at 4:14 p.m.

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

There was no citizen's discussion.

VI. COUNCIL COMMENTS

There were no Council comments.

VII. MAYOR COMMENTS

There were no Mayor comments.

VIII. EXECUTIVE SESSION

A. Annexation

MOTION: Tim Sands moved and Bob Himschoot seconded the motion to go into executive session under DMC, 2.09.050, regarding legal matters [at 4:14 p.m.].

GENERAL CONSENT: The motion to enter into an executive session passed without objection.

MOTION: Tim Sands moved and Tracy Hightower seconded the motion to come out of executive session [at 4:37 p.m.].

GENERAL CONSENT: The motion to exit the executive session passed without objection.

Barb Sheinberg reported she would be working on the consultation report that needed to be submitted to the LBC by November 30.

Mayor Ruby reported on the regional meeting in the works between the City of Dillingham and the watershed communities on post annexation financial matters. Robert Heyano of the Ekuk Village Council was organizing the meeting and contacting the communities to find a workable date to meet. The City was offering to host the informal meeting, volunteer space, and provide coffee and snacks.

IX. ADJOURNMENT

The meeting adjourned at 4:48 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, November 3, 2011, at the Dillingham City Council Chambers, Dillingham, Alaska. Mayor Alice Ruby called the meeting to order at 12:06 p.m.

II. ROLL CALL

Mayor Alice Ruby present.

Council Members present and establishing a quorum:

Elizabeth Pearch, Seat A
Bob Himschoot, Seat C
Keggie Tubbs, Seat D
Tracy Hightower, Seat E

Council Members absent:

Tim Sands, Seat F, excused
Seat B, vacant

Staff in attendance:

Carol Shade, Acting City Manager
Dan Forster, City Manager (*via teleconference*)
Steve Cropsey, Special Project Manager
Janice Williams, City Clerk

III. APPROVAL OF AGENDA

Mayor Ruby asked to add item 2. Annexation Petition under item VIII. Executive Session.

MOTION: Tracy Hightower moved and Elizabeth Pearch seconded the motion to approve the agenda as revised.

VOTE: The motion passed unanimously.

IV. SPECIAL BUSINESS

A. Adopt Resolution No. 2011-37 (SUB), A Resolution of the Dillingham City Council to Authorize the City Manager or Mayor to Sign ACWF (Alaska Clean Water Fund) Loan #283051

MOTION: Bob Himschoot moved and Tracy Hightower seconded the motion to adopt Resolution No. 2011-37 (SUB).

Project Manager Cropsey reported the loan with DEC Alaska Clean Water Fund was for a line-of-credit, which was initiated to address the force main issue. The loan was strictly a contingency in case the funds were needed. There would be no cost to the City if it was never

used. The first payment would become due one year after the first disbursement at 1.5% per year, twenty year payback. If it was not used within two years, DEC could withdraw it.

Discussion:

- voiced concern that in the conditions of the loan the City might be subjected to DEC's approval of a sewer ordinance and a user charge system; and
- noted monies had been budgeted in FY 2012 for rate studies for both water and sewer, \$10K each, and the cost could be borrowed down from the loan.

MOTION: Keggie Tubbs moved the previous question. *(Clerk Note: The effect of this motion is to immediately stop debate.)*

VOTE: The motion passed unanimously.

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

There was no citizen's discussion.

VI. COUNCIL COMMENTS

There were no council comments.

VII. MAYOR'S COMMENTS

There were no mayor comments.

VIII. EXECUTIVE SESSION

A. Personnel Matter

1. Manager's Contract
2. Annexation Petition

MOTION: Bob Himschoot moved and Keggie Tubbs seconded the motion to enter into executive session under DMC, 2.09.050, regarding legal matters [at 12:31 p.m.].

GENERAL CONSENT: The motion passed without objection.

MOTION: Keggie Tubbs moved and Bob Himschoot seconded the motion to come out of executive session [at 1:42 p.m.]

GENERAL CONSENT: The motion passed without objection.

MOTION: Keggie Tubbs moved and Elizabeth Pearch seconded the motion to waive a provision in the Personnel Policies to allow City Manager Forster to use his accrued leave due to a catastrophic event.

Mayor Ruby commented that the Council was interested in changing the leave policy, which would be brought back to the November 17 Council meeting.

MOTION: Keggie Tubbs moved the previous question. *(Clerk Note: The effect of this motion is to immediately stop debate.)*

VOTE: The motion passed unanimously.

IX. ADJOURNMENT

The meeting adjourned at 1:45 p.m.

Alice Ruby, Mayor

ATTEST:

Janice Williams, City Clerk

Approved: _____



MEMO

Date: October 28, 2011
To: Mayor and City Council
From: Dan Forster, City Manager 
Subject: Monthly Report for October 2011

Included in the Council meeting packet are monthly reports from each City Department. This report may highlight those items or bring additional information to the attention of the Mayor and Council. More current information may be brought forward at the Council meeting.

City Audit

The City finances were audited this month. I am please to report that all looks well. I want to recognize Carol Shade and the entire Finance Department for the tremendous effort expended to get this audit done.

Emergency Sewer ADEC Loan

The City has been offered a \$2.2 million loan in order to finance the emergency sewer force main repairs. When the directional drilling option was taken, the estimated cost for the repair was lowered to the point where the loan might not be needed. However, we do not yet have actual bids for construction so to be conservative we are recommending acceptance of this loan. We only pay back what we may borrow with no obligation to borrow anything. So, this loan becomes a safety net. There are implications for using the loan such as a requirement to conduct a sewer/water rate study and to set aside approximately \$360,000 of our reserves to assure loan payback capability.

Capital Improvement Program

A listing of capital improvement projects has been developed by category of activity, with the priority listing as indicated by the Planning Commission. In total there are over 30 project requests and if all were funded in one year the cost would be over \$70 million. Particular thanks goes to Jody Seitz for pulling all this information together and working effectively with the Planning Commission.

The list is being further refined and where practical proposed in phases. In conjunction with this, staff is developing a 6 year CIP that illustrates what it will cost for the city to maintain what we have in terms of equipment, roads, facilities, solid waste, and water/sewer services.

This package will provide focus for the City's grant and legislative requests.

Lil'Larry Road

Tower Road was officially dedicated on October 16 as Lil'Larry Road at a ceremony attended by family, friends, and city officials.



MEMO

Street Light Assessment

The city routinely receives requests for additional streetlights. To assist in responding to such requests in an equitable fashion, I asked out Public Works and Planning Directors to establish criteria for where lights are needed, conduct a scan of the city to assess where additional lights are needed and then applying the criteria and establish a priority ranking of these locations. We are planning on adding 10 lights a year to our inventory. In addition, we are advising residents in areas that are not a high priority for a city streetlight that they have the option of adding a street light in front of their residence for as little as 50 cents a day.

Landfill Inspection

The City's landfill passed the annual ADEC inspection and is looking good.

Scrap Metal RFP

Public Works is preparing an RFP for scrap metal at the landfill to be removed at no cost to the City. At least one vendor has indicated an interest in taking this scrap. Removal of the scrap will extend the life of the landfill.

Picnic Park and Initial Snag Point Erosion Control

The "Picnic Park" erosion control project and the Initial Snag Point bulk head protection effort has commenced.

Animal Shelter RFP

The Animal Shelter RFP has been issued and receipt is due by November 30, by 4:00 PM.

Senior Center

The final inspection of the Senior Center was completed and the Center is now operating. A grand re-opening will be planned likely for sometime in November.

Annexation Meeting

An Annexation consultation meeting was held with various communities on October 27, 2011 at the Senior Center. This meeting was organized and co-moderated by Robert Heyano and Mayor Ruby. This event provided useful insight and helps to meet the requirement as established by the LBC to attempt community outreach. A follow-up meeting was discussed as a possibility.



MEMO

Public Land and Real Property Leases

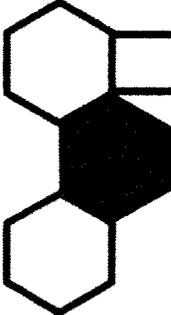
Discussions with NAPA for a lease lot in the Harbor has progressed. In addition, I am having prepared an RFP for the other lease lots consistent with the Harbor Master Plan to be issued after consultation with the Port Committee.

The Potato House lease discussion with the Alaska Department of Labor is progressing favorably. I anticipate a draft lease for Council action at your meeting of November 17.

Manager Schedule

I am attending the Alaska Municipal League conference from November 7 to 11, 2011.

I wish to advise the Mayor and Council that I will be taking leave from December 17, 2011 to January 8, 2012.



AURORA SMC, Inc.

35555 Kenai Spur Hwy #132
Soldotna, AK 99669
Cell (760) 567-6868
Fax (907) 375-2906
smcropsy@netzero.net
steve_cropsy@me.com

TO: Dan Forster, City Manager
FR: Steve Cropsy, PM/OCR
RE: Monthly Report
DT: November 2, 2011

- The Senior Citizens Center Water Damage Repair Project was turned over to Director Noonkesser on October 20, 2011. Ms Noonkesser proceeded to get "moved back in" immediately. Two new zone valves were installed by Ray Scandura, which eliminated a chronic over heating problem that had been going on for quite some time according to reports. Also dedicated phone lines, which will connect the fire alarm system to the police department, are being reactivated so in the future any time the building detection system goes into alarm the PD will be notified. An alternative to this would be to hire an outside firm to monitor the system. The building renovation seems to be well received.
- The Tower Road Project has been completed with the exception of the street light installation. Nushagak Electric has been paid for the installation.
- The Elementary School Renovation Project final inspection was conducted on Oct 31st, there were a few goblins and gules around. But the inspection went well and the contractor is making a couple of final minor repairs.
- At the Dillingham Middle / High school the re-roof of the roof plane uphill from the band room, has been inspected, completed and warranties have been delivered to the School District.
- Picnic Park Interim Erosion Protection project has been completed in so far as the riprap and fill has been put in place. The topsoil and seeding will be done next June as specified by the project's contract documents. A total of 140 lineal feet of riprap was installed and the Snag Point bulkhead wall. That critical area is now well protected. Lessons will be learned from the project, as the ice action on the riprap will be closely monitored.



- Animal Shelter RFP has created a lot of interest in the project 16 RFPs have been requested and sent out. This is the largest plan holder's list for any project we have advertised in the last four years. It would be timely for the City Council to appoint an ad-hoc committee to evaluate the RFPs at the November Council Meeting.
- An assessment of the Dillingham Middle / High School and Elementary School will begin in early December and is expected to be ready for presentation to the City Council and Dillingham School Board of Education in January.





MEMORANDUM

Date: November 22, 2011
To: Dan Forster, City Manager
From: Janice Williams, City Clerk
Subj: Staff Report

Alaska Association of City Clerks conference in Fairbanks

This is a very well attended conference, and this year was no exception. Two years ago the AAMC (Alaska Association of Municipal Clerks) saw the need for a mentoring program for new city clerks. For some time now, we've been networking with the Wasilla Office of City Clerk, something I initiated back in 2007. They are top notch. Next year, the second week in June, I am looking to attend the Northwest Clerks Institute in Tacoma, WA. The deadline to apply is January 2, 2012. The Certified Municipal Clerk program is a three year program.

Library Board and Planning Commission Seats Expiring

We are advertising the following: the terms for two seats on the Planning Commission and three seats on the Library Advisory Board are expiring. If you are interested in filling one of these seats, please send your letter of interest by Thursday, December 22, 2011 to Mayor Alice Ruby, c/o City Clerk's Office, City of Dillingham, PO Box 889, Dillingham, AK 99576 or email City Clerk at cityclerk@dillinghamak.us.

A seat on the Planning Commission is for a three year term.

A seat on the Library Board is for a two year term.

The appointments will be on the January 5 agenda.

This advertisement will go in several editions of The Delta Discovery, posted in three public places, advertised on our website homepage, and distributed through the Public Notice Email Distribution List. It is making it a little tough to get the word out without a newspaper of general circulation. Fortunately, the Public Notice Email Distribution List has increased as others find out about it and want to be added. I've been using The Delta Discovery, published out of Bethel, especially for must advertisements required in our Code, but the number of copies is limited to 150 newspapers total for Dillingham.

HELPFUL TIP.

Council Meeting Quorum.

DMC 2.09. City Council Meetings.

Four council members constitute a quorum. Four affirmative votes are required for a passage of an ordinance, resolution or motion. The mayor is not a council member and may vote only in the case of a tie.



MEMORANDUM

Date: October 25, 2011
To: Dan Forster, City Manager
From: Janice Williams, City Clerk *JW*
Subj: Staff Report

Council Seat Vacancy.

At the October 13, 2011 Regular Council Meeting, the Council declared a vacancy on the Council. Following the October 4, 2011 regular city election, Mike Davis chose not to accept Seat B, the result of receiving the highest number of votes as a write-in and no one having filed a declaration of candidacy for this seat. In DMC, Section 2.03.070, Vacancies, the code reads that an elected municipal office, except for that of mayor or school board member, is vacated under one of several conditions, including failure to take office within thirty days after his or her election, and upon declaration of vacancy by the Council. The council shall within forty-five days (45) appoint a qualified person.

The 45 day period will end November 27. The City has advertised for interested persons to fill the vacancy. Ads have been scheduled for October 12, 19, 26 and November 3 in the Delta Discovery, placed on the city's homepage, distributed to the public notice email distribution list, and posted at the post office, council entryway and N&N, and a PSA to KDLG. The deadline for notifying Mayor Ruby with a letter of interest is November 10, 2011 by 5:00 pm. The designated person will fill the vacancy until the October 2012 Municipal Election. To be a qualified candidate, you must have been a resident of Dillingham for one year and have met the voter qualifications. To date, two letters of interest are on file.

Attorney Chandler has advised:

The code (DMC 2.06.060) uses the word "shall" which is mandatory, however, whether "days" means calendar days or business days is not specified either in DMC 2.06.060 or in the general provisions/definitions of Title 1 (DMC 1.16). He does not foresee a legal problem with waiting until December 1 (December regular Council meeting) should the seat not be filled at the November 17 Council meeting.

Qualifications

There are two qualifications listed in DMC 2.06.020.

- qualified voter of the City
- resided in Dillingham for a period of not less than one year

The person appointed to fill a vacancy must be qualified as of the date the vacancy is filled.

Attending Alaska Association of City Clerks conference in Fairbanks November 5-9. Upon my return to the office November 10, I will be putting the finishing touches on the Council packet for the rescheduled November 17 regular council meeting.

I plan to add a HELPFUL TIP to my monthly report going forward. This is a good reminder for me also.

HELPFUL TIP.

Motion – Previous Question.

There is a procedure to ensure that questions can be handled in a democratic manner, but any member can make a motion to end debate and “call the question”. The Chairperson’s job is to balance keeping things moving while allowing for full discussion. The motion to end debate moves directly to the vote. However, the maker of the motion does have to be recognized by the Chairperson to make the motion. The motion is not debatable, it does require a second, and it does take two-thirds (2/3s) vote. Vote by general consent is fine, because it is at least two-thirds of the vote.

MEMORANDUM

TO: Dan Forster, City Manager

FROM: Carol Shade, Finance Director

DATE: October 27, 2011

SUBJECT: Monthly Report

Life in the Finance Department is finally allowing us to catch our breath. With the audit field work over and done with we can now start focusing on our next projects. We will be working to gather the information that the consultants want so we the new accounting software implementation can move ahead.

I attended the Fall 2011 Preparedness conference in Anchorage the first week of October. I was very glad to have been given this opportunity, as I learned quite a bit about emergency response and the role the Finance Department would play in the event of an emergency. It always amazes me the little things that we do not think about in our everyday lives that can become a large issue in the event of a catastrophe.

In addition, since I was not able to accomplish this during October, I will be getting the finalized and updated FY2012 budget books back to the Council Members this month. This occurs just in time for the preparation of the midyear budget amendment work to start. Actually as issues have come up I have made notes and the amendment should go fairly smoothly I hope.

Now, to answer questions from the last meeting. The fuel bid was awarded to Delta Western. A question was asked as to whether the company receiving the award was current on their City obligations. I can affirm that Delta Western is current on all tax filings and payments.

Another question that came up during the meeting was the timeline for the reporting of inventory on the personal/business property tax returns. Currently the FY2012 property tax forms are available online and we could easily provide a copy to anyone who would like to stop by the office or have one mailed to them early. The forms are due back from the taxpayers by February 1, 2012. This allows the City time to process the values into the accounting system and get the assessed value forms back to the taxpayer by March 15. The taxpayer then has 30 days to appeal if he/she so chooses. Between April 15, which is the deadline for the appeals and the July 1st mailing date for the bills, there is the necessity of reviewing appeals and scheduling the Board of Equalization meeting date.

I will be attending the Fall 2011 Alaska Government Finance Officers Association (AGFOA) conference November 7th, 8th, and 9th, and then AML the 9th, 10th, and 11th. AGFOA ends Wednesday mid-morning and AML starts Wednesday afternoon.

With that being said, attached are the Assistant Finance Director's report and the Summary Statements of the Revenues, Expenditures and Fund Balances as of October, 2011.

MEMORANDUM

TO: Carol Shade, Finance Director

FROM: Anita Fuller, Assistant Finance Director

DATE: October 26, 2011

SUBJECT: October Monthly Report – November Upcoming

October has been a very big month for the Finance Department. On October 14th the auditors from Mikunda Cottrell & Co arrived to audit the financials for the fiscal year 2011. The staff did a fantastic job getting everything prepared as best they could and did all they could to provide documents for the auditors as requested throughout the week.

This is a good time to remember that all of the staff, except me, was new to the City after January of this year and for most of them this was their first audit. The audit was challenging as well as a great learning experience for all of us. The most important was what changes we could make over the year to improve our audit next year and our daily practices.

The front desk has been busy collecting payments on property tax, sales tax and invoices generated from the landfill, harbor and dock. Several grants have been processed for quarterly reports.

We have had an influx of property tax questions and balance inquiries as the November deadline has been approaching. We have continued to answer several questions as well as resolve confusion on balances owed.

Accounts receivable is currently preparing the business license renewal notices that will be mailed out in November and are to be paid by January 15, 2012.

The month of November will continue to be busy with property tax payments being made and business license renewals being processed. With the audit coming to a close; focus will now switch to implementing our new accounting software.

City of Dillingham
Revenues and Expenditures As of October 31, 2011
Preliminary Figures

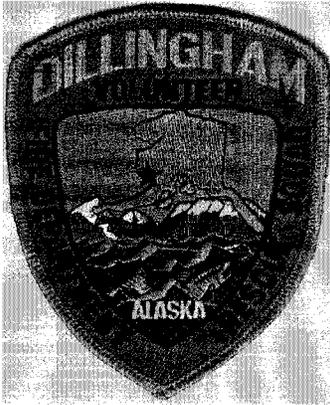
REVENUES:	Budget - FY12	Oct-11	Year to Date Actual - 10/31/11	Percent	Previous Year	
					10/31/2010 Actual	INC/(DEC) Last Year
<u>General Fund Revenues</u>						
General Sales Tax	2,525,000	199,042	1,013,768	40.1%	649,367	364,401
Alcohol Sales Tax	250,000	36,007	115,485	46.2%	77,988	37,497
Transient Lodging Sales Tax	80,000	10,774	35,834	44.8%	27,355	8,479
Gaming Sales Tax	80,000	3,355	6,553	8.2%	13,368	(6,815)
Total Sales Tax	2,935,000	249,178	1,171,640	39.9%	768,077	403,562
Real Property Tax	1,455,000	-	1,473,721	101.3%	1,455,585	18,136
Personal Property Tax	476,715	-	506,512	106.3%	427,515	78,998
Total Property Taxes	1,931,715	-	1,980,233	102.5%	1,883,099	97,134
Electric & Telephone	80,000	-	76,127	95.2%	-	76,127
Raw Fish Tax	290,000	446,588	446,588	154.0%	-	446,588
Shared Fisheries	40,000	-	-	0.0%	-	-
Revenue Sharing (Municipal Energy Assist in '08)	280,288	-	233	0.1%	209,543	(209,310)
Payment in Lieu of Taxes (PILT)	407,000	-	-	0.0%	407,511	(407,511)
Foreclosures	338,000	325,228	325,299	96.2%	-	325,299
State Jail Contract	460,725	230,363	230,363	50.0%	214,482	15,881
Other Revenues	888,443	20,237	129,544	14.6%	151,999	(22,455)
Total	2,784,456	1,022,415	1,208,153	43.4%	983,534	224,619
Total General Fund Revenues	7,651,171	1,271,593	4,360,026	57.0%	3,634,711	725,315
<u>Special Revenue Funds Revenues</u>						
Water	203,412	11,937	51,838	25.5%	54,141	(2,303)
Sewer	254,221	18,422	77,999	30.7%	76,098	1,901
Landfill	344,493	8,570	63,914	18.6%	51,721	12,192
Dock	639,466	39,778	329,079	51.5%	(1,661)	330,741
Boat Harbor	211,544	-	24,777	11.7%	4,449	20,328
E-911 Service	20,650	-	12,780	61.9%	10,738	2,042
Senior Center	461,420	969	44,424	9.6%	427,954	(383,530)
Total Special Revenue Funds Revenues	2,135,206	79,676	604,811	28.3%	623,439	(18,628)
Debt Service Fund Revenue	1,177,840	218,878	227,121	19.3%	236,126	(9,005)
Asset Forfeiture Fund	10,000	-	-	-	-	-
Dock and Harbor Capital Project Fund Revenue	-	-	2,783	-	85,046	(82,263)
Road and Streets Capital Project Fund Revenue	1,000,000	105,847	253,247	25.3%	82,546	170,701
Water and Sewer Capital Project Fund Revenue	-	-	62,358	-	2,081,552	(2,019,194)
School Bond Project	953,384	-	-	-	-	-
Dillingham School District Additional Request	50,000	-	-	-	-	-
Equipment Replacement Capital Project Fund	100,000	-	-	0.0%	-	-
Ambulance Reserve Capital Project Fund Revenue	45,000	-	-	-	-	-
Mary Carlson Estate Permanent Fund Revenue	7,420	-	-	0.0%	-	-
Landfill Capital Improvement Fund	-	-	-	-	-	-
Total	3,343,644	324,725	545,508	-	2,485,270	(1,939,762)
Total Revenues	13,130,021	1,675,994	5,510,345	-	6,743,420	(1,233,075)

City of Dillingham
Revenues and Expenditures As of October 31, 2011
Preliminary Figures

EXPENDITURES:	Budget - FY12	Oct-11	Year to Date Actual - 10/31/11	Percent	Previous Year	
					10/31/2010 Actual	INC/(DEC) Last Year
General Fund Expenditures						
City Council	96,600	1,314	28,941	30.0%	25,200	3,741
Administration	305,901	32,001	117,084	38.3%	87,219	29,865
City Clerk	113,139	8,867	32,433	28.7%	14,062	18,371
Finance	572,124	45,749	172,966	30.2%	169,613	3,353
Legal	40,000	2,367	8,184	20.5%	7,816	368
Insurance	86,899	-	87,038	100.2%	100,996	(13,958)
City School	1,350,000	-	325,000	24.1%	-	325,000
Non-Departmental	207,625	12,462	56,864	27.4%	78,948	(22,084)
Contributions	4,000	-	-	0.0%	25,500	(25,500)
Planning	129,287	8,009	30,500	23.6%	38,608	(8,108)
Dispatch	451,553	40,096	144,076	31.9%	109,789	34,287
Patrol	986,290	74,464	340,744	34.5%	203,746	136,998
Corrections	542,107	35,308	161,665	29.8%	127,283	34,382
DMV	90,590	6,208	24,532	27.1%	20,973	3,560
Fire	290,146	20,027	73,150	25.2%	42,069	31,082
Animal Control Officer	116,306	7,232	34,058	29.3%	39,838	(5,780)
Building and Grounds	298,358	14,920	76,760	25.7%	56,897	19,863
Shop	301,689	30,845	56,501	18.7%	69,692	(13,191)
Street	513,425	23,815	159,368	31.0%	145,967	13,401
Public Works Administration	133,943	9,449	38,444	28.7%	35,729	2,715
City Apartment Building	19,850	19,628	44,020	221.8%	-	44,020
Library	150,852	9,513	38,915	25.8%	39,538	(622)
Bingo Hall/Potato House	9,905	694	2,470	24.9%	-	2,470
Transfers to Other Funds	978,075	-	-	0.0%	-	-
Total General Fund Expenditures	7,788,664	402,966	2,053,713	26.4%	1,439,482	614,232
Special Revenue Funds Expenditures						
Water	200,328	9,177	37,892	18.9%	52,206	(14,314)
Sewer	257,305	13,550	66,312	25.8%	66,722	(410)
Landfill	344,493	18,424	90,364	26.2%	85,655	4,709
Dock	369,429	30,897	159,601	43.2%	168,705	(9,104)
Boat Harbor	211,544	7,592	66,177	31.3%	70,796	(4,619)
E-911 Service	45,000	-	-	-	-	-
Senior Center	461,420	108,037	344,556	74.7%	118,904	225,652
Total Special Revenue Fund Expenditures	1,889,519	187,677	764,903	40.5%	562,988	201,916
Debt Service Fund Expenditures	1,177,840	-	315,920	26.8%	328,920	(13,000)
Asset Forfeitures Fund	-	-	11,627	-	-	11,627
Dock and Harbor Capital Project Fund Expenditures	-	(720)	2,909	-	830,048	(827,139)
Road and Streets Capital Project Fund Expenditures	1,000,000	-	1,067,446	-	531,158	-
Water and Sewer Capital Project Fund Expenditures	-	125	30,661	-	2,191,982	(2,161,321)
School Bond Project Fund Expenditures	953,384	(280)	15,430	-	2,039,630	(2,024,200)
Homeland Security	-	6,565	10,827	-	-	-
Equipment Replacement Capital Proj Fund Expen	100,000	34,482	86,844	86.8%	119,434	(32,589)
Ambulance Reserve Capital Project Fund Expen	45,000	-	-	-	-	-
Mary Carlson Estate Permanent Fund Expenditures	7,420	1,192	3,057	41.2%	1,449	1,608
Landfill Capital Project Fund Expenditures	-	-	2,695	-	1,778	918
Total	3,283,644	41,364	1,547,416	47.1%	6,044,398	(5,044,097)
Total Expenditures	12,961,827	632,007	4,366,032	33.7%	8,046,867	(4,227,950)
Revenues Over (Under) Expenditures	168,194	1,043,987	1,144,313		(1,303,448)	2,994,876

City of Dillingham
Revenues and Expenditures As of October 31, 2011
Preliminary Figures

	Fund Bal. 6/30/2010	FY'12 Revenues	FY'12 Expenditures	Add or (-) Fund Bal	Fund Bal. 10/31/2011
01 General Fund	3,810,977	4,360,026	2,053,713	2,306,313	6,117,290
06 Water and Sewer	158,712	129,837	104,204	25,632	184,344
07 Landfill		63,914	90,364	(26,451)	(26,451)
08 Dock	1,297,379	329,079	159,601	169,478	1,466,857
09 Boat Harbor	-	24,777	66,177	(41,400)	(41,400)
10 E-911 Service	92,155	12,780	-	12,780	104,935
11 Asset Forfeitures Fund	56,680	-	11,627	(11,627)	45,053
12 Senior Center	(329)	44,424	344,556	(300,133)	(300,462)
15 Debt Service	-	227,121	315,920	(88,799)	(88,799)
21 Dock and Harbor Capital Project Fund	(23,305)	2,783	2,909	(127)	(23,432)
22 Road and Streets Capital Project Fund	-	253,247	1,067,446	(814,199)	(814,199)
23 Water and Sewer Capital Project Fund	91,742	62,358	30,661	31,697	123,439
24 School Bond Project Capital Project Fund	4,310,212	-	15,430	(15,430)	4,294,782
27 Homeland Security	(8,573)	-	-	-	(8,573)
30 Equipment Replacement Capital Project Fund	219,414	-	86,844	(86,844)	132,570
32 Ambulance Reserve Capital Project Fund	399,487	-	-	-	399,487
34 Mary Carlson Estate Permanent Fund	408,690	-	3,057	(3,057)	405,633
50 Landfill Capital Project Fund	165,944	-	2,695	(2,695)	163,249
Total	10,979,185	5,510,345	4,355,205	1,155,140	12,134,325



To: Mr. Dan Forster, City Manager
From: Ethan Richards, Fire Coordinator
Subject: Department Head Report
Date: November 22, 2011

The Dillingham Volunteer Fire Department and Rescue Squad held an Executive Committee Meeting on 11/2/2011. We held a combination meeting on 11/2/2011 and a Fire Training will be held on 11/30/2011 due to the Thanksgiving Holiday. Rescue Training was held on 10/19/2011 at the Lake Road Station. Volunteers were briefed by those members who attended the SREMISC Symposium followed by questions and discussion.

The Rescue Squad responded to 29 ambulance calls during the month of October 2011. They consisted of 7 trauma calls, 4 alcohol, 1 respiratory, 1 cardiac, 3 medevac, 1 hypothermia, 4 seizures, 1 DOA, 6 other medical and 1 Fire Response.

Chains were installed on Engine 3 and 4. There were no other major equipment issues and all apparatus are in service and ready to respond.

There were no new membership applications presented to the Executive Committee for consideration.

During the Month of December routine inspection of apparatus and equipment will take place. The Fire Coordinator will prepare and submit LCAs to DHS/FEMA.

Respectfully,

Ethan Richards,
Fire Department Coordinator



To: Mr. Dan Forster, City Manager
From: Ethan Richards, Fire Coordinator
Subject: Department Head Report
Date: October 25, 2011

The Dillingham Volunteer Fire Department and Rescue Squad held an Executive Committee Meeting on 10/4/2011. We held a combination meeting on 10/5/2011 and a Fire Training was held on 9/14/2011. The Volunteers inspected SCBA airpicks and turnout gear. The drill consisted of entry tactics, suppression, hotel pack deployment, engineering, ventilation, water supply and search and rescue. Rescue Training was held on 10/19/2011 at the Lake Road Station. Dr. Kerrick Stout and the EMS Responders reviewed our statistical performance and demographics.

The Rescue Squad responded to 23 ambulance calls during the month of September 2011. They consisted of 6 trauma calls, 6 alcohol, 1 respiratory, 3 cardiac, 2 medevac, 1 OB, 1, burn, 2 other medical and 1 Fire Response.

Ambulance 1 has been repaired and returned service. There were no other major equipment issues and all apparatus are in service and ready to respond.

There were no new membership applications presented to the Executive Committee for consideration.

During the Month of November routine inspection of apparatus and equipment will take place. The Fire Coordinator will utilize NIMSCAST, distribute "7 Day Survival Kit and introduce "STEP."

Respectfully,

Ethan Richards,
Fire Department Coordinator

PLANNING DEPARTMENT

To: Dan Forster, City Manager

re: Monthly Report

From: Jody Seitz, Director of Planning and Grant Programs

Date: November 23, 2011

I've been working on our Capital Improvement Program this month, fleshing out projects with details about estimates, costs, and phasing, and with City Manager Forster's guidance, developing a Six year Capital Plan that incorporates predictable stages for each of our projects.

Our GIS utility database is in progress. Gary Greenberg, dba Alaska Map Company, came to Dillingham with a GPS and mapped utilities with Allen Wasuli, the W and WW operator, and also with NUP and other PW staff. He is completing detailed information now. We also scanned and printed the water and sewer "bibles" although we hope eventually to get away from them. Nushagak is also working with Michael Knapp to map their own utility poles and have shared a pdf of their database with the City PD.

PD has a new draft of the City's land ownership map. Have asked Michael Knapp (Blue Skies solutions) to polish it up with additional research to try and identify all the ownership in Dillingham. The project came about from a request for land ownership to help the Snag Point Force Main engineers develop a route for the HDD force main relocation project. That project will go to construction next summer as funding has been secured.

A couple of projects wrapped up this fall: the Snag Point Bulkhead maintenance put rock in front of the SP bulkhead to stabilize it. This is called maintenance by the USACOE and was absolutely required. The USACOE urged the city to do this with all speed. The City complied using part of a dedicated legislative grant from 2009. The State has been very helpful in allowing this grant to be used for erosion where needed.

The Picnic Park Patch was completed in the nick of time this fall, just as the snow was falling and it was beginning to ice up for good. That should protect that little spot for a while, hopefully long enough to get the full USACOE project approved.

I participated in the CANDU luncheon this month and am continuing to hope we can get our groove going on this Wellness chapter as well as the other chapters of the CP.

The Planning Department is working on funding for Harbor Improvements through the BB Regional Seafood Development Association – just submitted a conceptual paper to

BBRSDA by their November 22 deadline to purchase ladders for the new bulkhead, five new floats and install water, sewer, and electrical lines along the PAF boatyard fenceline to serve new lease lots. More funding will likely be needed to install utilities the full length of the harbor, but the funding applied for should provide a good start on those projects.

We are working with NAPA to provide the company a lease lot in the harbor and it is off of this project that the other work is springing. City Manager is negotiating with NAPA regarding the conditions of the lease and the development of the lease lot.

Applied for ADEC 28306 grant for 3.0 million. This is funding already awarded by the Alaska legislature. This grant provides funding for continuing to develop phases 1.3 and 1.4 of the 2003 Water and Sewer Master Plan. Project Manager Steve Cropsey, Public Works Director Hank Boggs, and myself discussed real estate options. Mr. Cropsey has volunteered to follow through with securing the real estate for this project so that we can proceed next summer to explore other sites for a new water source.

At the direction of the CM, in response to the usual demand for new street lights that occurs every fall, I have been working with Public Works Director (PWD) to develop a policy on street lights. Our initial work involves developing a set of priorities, with street lights around bus stops and intersections top of the present list. The Chief of Public Safety will contribute his perspective as well, taking into consideration need for additional safety measures such as signage, traffic lights, crosswalks, street painting, or other improvements. The goal is to have a method of adding new lights rather than simply responding to the most persistent citizens.

The Planning Commission has asked for a resolution requesting that in the new policy the City use energy efficient, directional lighting and explore options for a policy to get neighbors to consult each other prior to putting in bright lights on private property. The PC has asked for a resolution to this effect for the next PC meeting.

The PC is also addressing the land use permit ordinance in hopes of improving it and reducing the amount of work required to enforce it.

Still dealing with Peter Pan building plans review for floodplain compliance. Sent PP building plans to PND. The company has completed its review and the plans and comments are on their way back to my office.

PLANNING DEPARTMENT

To: City Manager, Dan Forster

re: Monthly Report

From: Jody Seitz, Director of Planning and Grant Programs

Date: October 24, 2011

Road Dedication – Tower Road was officially renamed Lil'Larry Road on September 20th by the planning Commission and dedicated on October 16 in a solemn ribbon cutting ceremony at the Senior Center. The turnout was good and the weather cooperated. Thanks to all who participated in honoring a fellow citizen and commemorating the loss to the community. The family was very appreciative and held a huge potluck afterwards.

Six new lights for Lil' Larry Road will be installed soon. Thank-you to our Special Projects Manager (SPM) Steve Cropsey, and the Curyung Tribe for continuing to push for total satisfaction with that road. It's terrific to see the benches installed in the appropriate spots adjacent to the pedestrian path. And it's even going to get the white lines that the Housing Authority is requesting to promote safety.

The City has received several requests for new lights around town mostly in relation to children crossing roads to get on the school bus: one at HUD, and one or more on Windmill Hill. We have had several requests for more street lights. PD and PWD are working on assessing the community's need for street lights and a draft policy for council for more systematic ways to handle these requests.

The Capital Improvements Plan is under development, adding costs and putting projects into categories.

PD staff have also recommended the acceptance of two ADEC loans – one to have a safety net for relocating the Snag Point Sewer Line to the uplands with horizontal directional drilling, and the other to get started with developing another water source for the community. The loan would enable the City to access a large municipal grant which requires a 30% match.

PDD continues to working on securing land use permits from recalcitrant landowners.

PDD has recorded Burton and Jacob James Subdivisions. The Tukkan View Subdivision is also ready for recording. Bear View Subdivision is in development

through BBNA. Met with BBNA Realty Director Tom Hoseth and surveyor Ralph Mancuso on that plat.

City Utilities Maps are now available at the Planning Department in draft form. The project is in progress, with the backbone of the water and sewer systems completed. Alaska Map Company is continuing to add more to these maps, including tie-backs and curb stops from all available data. The Public Works Water and Sewer "bibles" were copied to preserve them.

Met with MAP agent Izetta Chambers and PWD + CM to discuss landfill planning, composting, and recycling and the situation with our burn box. Requested to seek planning funding for this work.

Date: November 22, 2011
To: Dan Forster / City Manager
From: Jean Barrett, Port Director
Subject: November Staff Report

November 2011 is gone and we are one month away from 2012! The Dock office closed as scheduled this year! NO overtime needed to finish billing. The Float arms at the harbor were pulled out of the water early in the month, just beating the first ice of the winter. Alaska logistics, a barge line which uses our facility often, dropped a bag of contaminated soil overboard and into the water in front of the dock. Footprints lead into Scandinavian Creek! Final numbers for freight over the dock passes 25 million pounds! Commercial Lease lots on the horizon for the Harbor.

These are just the headlines... read on further to find out the rest of the story!

Dock

- With the addition of a full time office person we were able to have ALL of our billing done by the October 31 closing date... No overtime this year!
- Alaska Logistics , a barge line that services Dillingham was the last to leave the Dillingham Dock this year, Their large barge was tied to the dock while one of their smaller barges made a trip to Port Heiden to retrieve a load of contaminated soil that had been cleaned up this summer, when arriving at the City Dock the soil was being transferred from barge to barge when one of the "Super sacks" full of soil broke thru the floor of the flat it was held on and into the water it went. A cooperative effort to plan the retrieval of the super sack is under way and due to the winter buildup of ice in the Nushagak river it has been determined that spring retrieval is the safest scenario.
- Season totals for the freight moving over the Dillingham City Dock are in! there was a total of 15.3 million pounds of freight inbound to Dillingham this summer and 10.3 million pounds of outbound freight, somewhere around 9.8 million of the out bound freight was fish! I anticipate this number will go up next summer as PeterPan Seafoods gets it new freezer plant online!

Harbor

- As I mentioned the City is moving ahead with the plan to commercialize the harbor. We are in the process of planning for lease lots along the east side of the Harbor, parallel to the PAF fence line. We have been working with Nushagak Electric to get estimates for power supply to this area, and also working with BESC to get an estimate on installing water and sewer to this area. This, to me is very exciting as it is the first step in making our harbor even more attractive to the fishermen of Bristol Bay.
- The float arms in the harbor were pulled just before the ice started to form, some things we noticed that need attention before they go back into the water next spring were that the ropes on the south end of the harbor need to be replaced, the old ones are frayed and I worry that one more season in the water will be more than they can handle. I New ropes are on order and they will be here sometime early in the New Year.
The other issue found, and I knew this was an issue last summer when we had to pump out two of the floats on a regular basis. We have reached the point of needing to patch the bottom of these floats so we can get them thru another year OR the other solution and I am working with City Planner Jody Seitz on this, is replacement of the floats.... These current floats are over 25 years old and the time in and out of the water has taken a toll on the metal and when a small hole starts allowing water in the damage is done, the salt water gets inside of the float and starts eating away at the float from the inside. We are applying for a grant to help offset the cost of building new floats. Hopefully we can get started on this project this coming summer.
- On the morning of November 8th I arrived at work and noticed foot prints in the fresh snow that had fallen the night before, these footprints seemed to be meandering as if the person that made them was having trouble walking in a straight line, the thing that caught my eye was the fact that there was only one set of prints and none returning, the prints also were headed toward Scandinavian Creek just west of my office which had just skinned over with ice the days before, not near enough to hold the weight of a person. I followed the prints and indeed they led to the creek and into it! I called the Police Department and they came down and found that the prints went across the creek and up the other side, with a little more tracking they were able to find the person who made the tracks curled up in a ball in a clearing just south of the harbor, fortunately he was alive ! Just very, very cold.

Happy thanksgiving from the Port Department!

Date: October 24th, 2011
To: Dan Forster / City Manager
From: Jean Barrett, Port Director
Subject: October Staff Report

October was a blur for me! It seems like just yesterday I was writing up September's report! This month's report is going to focus mostly on my attendance of the AAHPA (Alaska Association of Harbormasters and Port Administrators) annual conference.

Harbor - Finally got all of the boats out of the harbor and the rest of the floats pulled over several tides during the first week of Oct. then it was off to Homer, Alaska. I have not been to Homer since I was in first grade! And that was a long time ago... let's say that I don't remember much from then but I am sure that Homer was nothing like it is today when I was there last. I chose to fly into Homer and was glad I did as it gave me a bird's eye view of the Homer Spit and more importantly the Homer harbor! I was impressed from the moment I was able to distinguish it as we descended into Homer on our approach to the Homer airport, I couldn't wait to go and check out what it had to offer and possibly come up with some ideas I could incorporate into our harbor.

Homer Harbor- After checking in to the Lands End Resort (my room had the best view of any hotel ever by the way) I was off to see the Homer Harbor, first stop was the "Fisherman's Pier" this is a place that most interested me since this is where the ice machine and the harbors seven, yes seven, cranes sit! It was an impressive site! I was able to catch up with "the iceman" George Tyrer who set the pace as far as hospitality goes for people I met in Homer. George gave us a full tour of the Ice plant, starting in the control room which had more knobs, switches and gauges than all of Dillingham! **Impressive!** We then went and looked at the four ice machines, each one rated at 50 tons a day! Dillingham's is rated as a 20 ton machine!!! **Again Impressive!** Then it was down to the compressor room which housed four compressors, this room was immaculate, George takes pride in his ice plant! **Very Impressive!** Last but not least by any means was the freezer room the rake system which keeps the ice from glacerizing (not sure if that's a word) as ours does and finally the delivery system which is a screw type system that moves ice up a steep chute and into another screw system that moves the ice to the boats awaiting it on the edge of the dock. The Ice making and delivery system was ... do I have to say it? ...**Impressive!**

After the full tour of the ice plant George showed off his dock and its seven cranes for the fishermen to use. Each of the cranes were set up with a card system which the user scans and it energizes the crane which internally starts a timer and when the user is done with the crane they once again swipe their card and the time stops. The users are charged on a per minute basis and all of the transactions are run through a computer in the Harbormasters office.

As I walked towards the floats and the many large boats tied there, I noticed several boats which fish the Nushagak bay in the summer. I walked down onto the floats and looked at their set up and looked at the way the ramps were attached to the floats and how they rode up and down with the tide, someday when we are able to give our harbor a complete facelift I think this type of ramp system would work for us. I ran into the asst harbormaster Chris Dabney who I had met in Wrangell last year and he gave me a floating tour of the harbor, we took one of the harbor work boats out and around the entire harbor.... If Dillingham had a year round harbor, the Homer harbor would be the blueprint!

Now onto the conference... The agenda for the conference was a full one, it had many very interesting topics and speakers. I will try and hit the high points for each day .

Day 1- Traditionally the morning is the meet and greet portion of the meeting, there is a roll call for all the vendors who attend the conference, this is made up of companies such as PN&D who Dillingham uses quite often they all get a few minutes to "sell their wares" Then there is a roll call of Ports who are in attendance this year and this was a lengthy process as there were more ports and harbors attending this year than any other year I have been to.

Some of the topics for the day included Marina software, Crane safety and OSHA requirements with Eric Pavio who is due in Dillingham this week to certify our cranes. Harbor expansion was another interesting topic for day one.

Day 2- started off with a very interesting discussion on tariffs, "What they are, What they aren't & How to maintain them" this was particularly interesting to me because I have started to look into our tariffs and have been questioning and comparing them to other ports and harbors. Today also was the annual meeting of just the Harbormasters and Port Administrators, several new board members were elected as the association had lost some to other jobs. After lunch we took a mobile tour of the Homer Harbor facility, this was interesting and informative but didn't touch the surface compared to the private tour I received on Monday. We concluded the day with a visit to the Islands and Oceans visitor center. Which is sort of Homers answer to the Seward Sea Life Center. Finally we had the annual banquet which has been sponsored by PN&D engineers, Inc

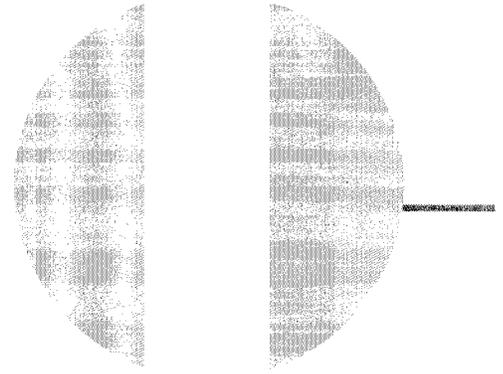
Day 3 - Was filled with round table discussions ranging from DEC Requirements to what the Corp of Engineers is doing, Alaska clean harbors. Tariffs and derelict vessel clean up and disposal. And a lot of networking with other harbors trying to get the skinny on what they are doing about certain situations such as but not limited to Waste oil, unattended vessels in your harbor, people not paying fee's and inebriate's aboard vessels in your harbor.

This was the best conference I have been to too date! The topics just start being more relevant to the situations here in our harbor. I have made some excellent contacts and feel that this is a very important part of my yearly schedule as I continue to grow in my position with the City of Dillingham. I am looking forward to next year's conference in Sitka

In conclusion things are finally wrapping up at the dock. Next month's report will have year end numbers for the dock and information on the work that is being done on the commercial lots here in the harbor.

Jean

Dillingham Public Library



To: Dan Forster, City Manager
From: Sonja Marx, Librarian
Date: 11/22/2011
Re: November Monthly Report

The Alaska OWL training in Anchorage Mon., Tues., & Wed. (November 7-9, 2011) was great! The trainers covered topics such as Computer & Network Basics and Troubleshooting. We were trained on the OWL videoconferencing equipment (overview, set up and troubleshooting). During a working lunch, we met with GCI who covered the GCI filtering software and answered questions we had involving the broadband service they are providing for the libraries. We also heard from a member of the Governor's Task Force on Broadband on behalf of the Alaska Library Association. During another working lunch, we understood more about E-rate funding which covers 90% of our internet and phone expense. Other training included On-line databases and Resources for Alaskans such as Live Homework Help, Auto & Small Engine Repair, information on the Testing and Education Resource Center, and the Digital Archive.

For Alaska Public Libraries, the OWL (Online With Libraries) Project will:

- Increase broadband speeds to provide faster internet connections for rural and remote locations.
- Provide new desktop and laptop computers to be used by library patrons.
- Provide more distance education opportunities for students and adult learners throughout Alaska.
- Allow Alaska library users to attend interactive videoconference meetings with others around the state, the nation, and the globe.
- Assist small and all volunteer libraries in acquiring improved technical skills.
- Help Alaska library patrons earn better salaries by pursuing an education or enhancing their job training through videoconferencing without leaving their towns.
- Provide information technology training to Alaskans that will enhance their future employment prospects.

On Monday, Nov. 21st, staff attended a webinar on OverDrive for the ListenAlaska project.

Library Stat report for October 25 – November 21, 2011:

Patron Visits: 1,701 Computer Use: 273 Story Hours: 81 Other: 24
Approximately 71.75 volunteer hours logged

Dillingham Public Library

To: Dan Forster, City Manager
From: Sonja Marx, Librarian
Date: 11/3/2011
Re: October Monthly Report

The Library continues to get a "new look" as staff and volunteers have helped to rearrange the office area. Our "work stations" have become more efficient to handle the circulation of materials for patrons. Also, the children's areas have more book shelves for their needs.

Paperwork has been submitted to begin the process for our ListenAlaska project. We hope to be underway with this by the end of November.

The Alaska OWL project is in full swing. We are now connected with GCI to have increased broadband. With the purchase of two minor pieces of equipment, we should be noticing our higher speed internet soon. I will be attending some training in Anchorage on November 7-9 for the web video conferencing equipment we will be receiving soon.

Our new Library Network Server that was purchased with grant money is currently being installed. Many thanks to the IT staff at the UAF Bristol Bay Campus who have helped us tremendously with our computer needs this fall. They truly have held up their part of the Library Consortium agreement we have together when it comes to our computer problems.

We are still in need of a 14-hour a week Library Aide to complete our staff here at the Library.

The Friends of the Library did not meet this month; nor did the Advisory Board. The FOL will meet Friday, November 4th. The Advisory Board is scheduled to meet Monday, November 14th.

Coming up in November, the Library will be closed for Veterans Day on Friday, November 11th and for two days for the Thanksgiving holiday. The school librarian and the librarian assistant will be taking some time off in November.

Library Stat report for September 25 – October 24, 2011:

Patron Visits: 2,207 Computer Use: 316 Story Hours: 102 Other: 140
Approximately 52.5 volunteer hours logged

Monthly Report

Dillingham Dept. of Public Safety

For the month of November 2011

Patrol

- ❖ 567 calls for service
- ❖ 31 Incident reports generated
- ❖ 05 Assaults
- ❖ 04 Theft offenses
- ❖ 00 Burglaries
- ❖ 05 Violation of release conditions/probation
- ❖ 02 Criminal mischief offenses
- ❖ 00 Driving under the influence
- ❖ 01 Minor consuming
- ❖ 00 Disorderly conduct
- ❖ 09 persons arrested
- ❖ 16 Title 47/Protective custody
- ❖ 08 Citations issued

Corrections

- ❖ 36 Total Inmates for 10/25/2011-11/20/2011
- ❖ 16 Total Title 47/Protective custody
- ❖ 29 Male inmates
- ❖ 07 Female inmates
- ❖ 15 Male Protective custody
- ❖ 01 Female Protective custody
- ❖ 00 Inmates from Adult Probation
- ❖ 14 Inmates from Courthouse
- ❖ 09 Inmates from A.S.T.
- ❖ 12 Inmates from Dillingham Police
- ❖ 00 Use of force reports
- ❖ 03 PBT Refusal

WAANT/Investigations Unit

- ❖ 11 Alcohol interdictions
- ❖ 02 Drug investigations
- ❖ 03 Investigative assistance to Dillingham Police
- ❖ 00 Administrative investigations

Communications

- ❖ 665 Total calls for service 10/25/11-11/20/11
- ❖ 86% dispatched to Dillingham Police
- ❖ 1% dispatched to Communication Dept.
- ❖ 8% dispatched to Alaska State Troopers
- ❖ 3% dispatched to EMS/Dillingham Fire
- ❖ 2% dispatched to Dillingham Animal Control
- ❖ 06 Record requests complete
- ❖ 140 E-911 calls received

Animal Control

***ACO Boyd out of town at time of report.**

- ❖ 15 Total calls handled for 10/25/11-11/20/11,
- ❖ 01 Dog impound
- ❖ 02 Cat impound
- ❖ 00 Warning citation issued
- ❖ 00 Citations Issued
- ❖ 00 Dogs adopted from Animal Shelter
- ❖ 02 Owner released dogs (given for adoption)
- ❖ 02 Compassionate euthanasia
- ❖ 02 Dead dog removed from roadways
- ❖ 00 Unclaimed/Non-adoptable dogs euthanized
- ❖ 00 Dogs found and returned to owners
- ❖ 00 Dog bite case
- ❖ 00 Rabies shots given
- ❖ 00 Parvo/Distemper shots given
- ❖ 00 Bear calls

DMV

- ❖ 57 Registrations/Titles
- ❖ 52 Driver's license/ID's
- ❖ 01 Commercial driver's licenses
- ❖ 02 Road tests

Monthly Department Updates

Patrol:

Officer Etheridge has completed the academy and is currently going through the FTO process. We still have an open position in the patrol division that we are actively attempting to fill. The DDPS has attended two training events: a crime scene and physical evidence refresher course and a Tactical Officer course pertaining to safe operating during an emergency response situation.

Corrections:

During this monthly report time frame, the Corrections Department had four incident reports filed. The department had work done on the building boiler several times and the Sally Port doors repaired. The Corrections Department is also still working on getting separate phone and fax lines, which will increase department flexibility and production.

Communications:

Dispatch interviewed a candidate for the available Dispatch I position. Dispatch is seeking quotes for a new 911 system, due to the inability to repair the hardware and software of the current system. Due to under-staffing, the Communications Department has been utilizing over-time for scheduled shifts until the open position is filled.

Animal Control:

ACO Dan Boyd attended the National Animal Control Training Academy in Sacramento, CA. On November 30, 2011 through December 02, 2011, there will be a Spay/Neuter Clinic held at the National Guard Armory. This clinic will allow local residents the opportunity to have their dogs and cats spayed/neutered at a discounted rate of \$50. Currently, all available appointment slots have been filled and there is a wait list.

WAANT/Investigations:

This month the WAANT Unit investigated numerous cases of alcohol importation, resulting in the seizure of 22 bottles

of liquor destined for dry villages. Four people have been charged in these cases. WAANT participated in a question/answer session with Village Domestic Violence advocates to inform them about police procedures and the law regarding domestic violence and sex crimes. WAANT participated in eight (8) hours of interagency tactical training focused on team building in responding to critical incidents involving armed suspects.

DMV:

No updates at this time.

Administration:

Chief Dombroski met with Charlene Lopez for the first Beaver Round-Up meeting.

Monthly Report

Dillingham Dept. of Public Safety

For the month of October 2011

Patrol

- ❖ 731 calls for service
- ❖ 44 Incident reports generated
- ❖ 09 Assaults
- ❖ 01 Burglaries
- ❖ 08 Theft offenses
- ❖ 02 Violation of release conditions/probation
- ❖ 04 Criminal mischief offenses
- ❖ 01 Driving under the influence
- ❖ 01 Minor consuming
- ❖ 02 Disorderly conduct
- ❖ 08 persons arrested
- ❖ 45 Title 47/Protective custody
- ❖ 03 Citations issued

Corrections

- ❖ 44 Total Inmates for 09/26/2011-10/24/2011
- ❖ 45 Total Title 47/Protective custody
- ❖ 36 Male inmates
- ❖ 08 Female inmates
- ❖ 15 Male Protective custody
- ❖ 30 Female Protective custody
- ❖ 01 Inmates from Adult Probation
- ❖ 12 Inmates from Courthouse
- ❖ 11 Inmates from A.S.T.
- ❖ 20 Inmates from Dillingham Police
- ❖ 00 Use of force reports

WAANT/Investigations Unit

- ❖ 03 Alcohol interdictions
- ❖ 09 Drug investigations
- ❖ 07 Investigative assistance to Dillingham Police
- ❖ 02 Administrative investigations
- ❖ 00 Postal seizures

Communications

- ❖ 874 Total calls for service 09/26/11-10/24/11
- ❖ 84% dispatched to Dillingham Police
- ❖ 4% dispatched to Communication Dept.
- ❖ 6% dispatched to Alaska State Troopers
- ❖ 3% dispatched to EMS/Dillingham Fire
- ❖ 3% dispatched to Dillingham Animal Control
- ❖ 10 Record requests complete

Animal Control

- ❖ 36 Total calls handled for 09/26/11-10/24/11, where 23 calls were dispatched to ACO Boyd
- ❖ 10 Dog impound
- ❖ 00 Cat impound
- ❖ 00 Warning citation issued
- ❖ 03 Citations Issued
- ❖ 03 Dogs adopted from Animal Shelter
- ❖ 02 Owner released dogs (given for adoption)
- ❖ 01 Compassionate euthanasia
- ❖ 01 Dead dog removed from roadways
- ❖ 05 Unclaimed/Non-adoptable dogs euthanized
- ❖ 00 Dogs found and returned to owners
- ❖ 00 Dog bite case
- ❖ 05 Rabies shots given
- ❖ 00 Parvo/Distemper shots given
- ❖ 00 Bear calls

DMV

- ❖ 69 Registrations/Titles
- ❖ 69 Driver's license/ID's
- ❖ 03 Commercial driver's licenses
- ❖ 04 Road tests

Monthly Department Updates

Patrol:

As for training or a change in staffing levels, the patrol division has one officer away at the Academy for Basic Certification. The officer is due to return to full duty in November at which time he will be placed on FTO. Due to low staffing levels, no training will be available at this time without approval from the Chief of Police.

Corrections:

During this monthly report time frame, the Corrections Department has sent one Corrections Officer, Michael Myers, to Anchorage for his employment psychological testing. Corrections department has an outside freezer installed and there had to be repairs done on the cell #5 holding cell, due to inmate damage. The Corrections Department is also still working on getting separate phone and fax lines, which will increase department flexibility and production. The 2013 budget is also being worked on.

Communications:

Communications Supervisor Alicia Warch attended APSIN training in Anchorage this month. Dispatcher Heidi Wiles no longer works for Dillingham Department of Public Safety. There is currently a Dispatcher I position open until filled. Due to under-staffing, the Communications Department will be utilizing over-time for scheduled shifts until position can be filled.

Animal Control:

On Saturday October 1, 2011, SAFE held a "Paws for Peace" Dog Walk which ACO Boyd attended and administered free Rabies shots.

WAANT/Investigations:

This month the WAANT Unit performed an operation which resulted in felony charges being filed against two persons for the sale/possession of cocaine and heroin. A local man was arrested and an Anchorage man is currently a fugitive. Cocaine, heroin, marijuana and

prescription pills were seized during the service of search warrants. Assets seized include a vehicle, guns and cash. Heroin use is on the rise here in Dillingham, augmenting the prevalent abuse of prescription narcotics in the community. The WAANT Unit will be focusing on this problem.

DMV:

No updates at this time.

Administration:

Chief Dombroski is currently attending the International Association of Chiefs of Police Conference in Chicago and will return 10/31/2011.



Date: November 22, 2011

To: Dan Forster City Manager

From: Hank Boggs Public Works Director

Subject: November Staff Report

Streets Department: Our crew working hard keeping up on the plowing, snow removal and sanding. They have more snow to move now that they're maintaining the new multiuse paths.

Shop and Fleet Department: We had gotten behind on some of our maintenance because of a hydraulics class the mechanics attended and working on the burn box at the landfill. We have had our share of equipment breakdowns, starting into winter and snow removal. Yet our crew is keeping up and keeping the equipment on the roads.

Landfill Solid Waste Department: Our crew is able to keep up with the city's solid waste even with the large burner down. They have used good insight and management to keep operating with only the one small burner. The landfill has not looked better.

Water Wastewater Department: We sent one of our operators to wastewater treatment class to get his operator certification.

Our operators are busy keeping our lift stations, water treatment plant and wastewater lagoon operating.

Building and Grounds Department: Our building and grounds crew is keeping up on the boilers and building repairs. This is a busy time of year for them.

They both completed a class in burner and boiler maintenance at the university.

All of our crews are loyal to the city and take pride in their jobs. It has been a real pleasure working with them.



Memorandum

Date: October 24, 2011
To: Dan Forster, City Manager
From: Hank Boggs, Public Works Director
Subject: October Staff Report

Solid Waste Landfill Department: We had our annual landfill inspection. I expect to see the report in a few weeks. The ADEC inspector had the chance to go around with our Water Wastewater crew as they did their semiannual landfill ground water monitoring. I congratulated the crew as the landfill has not looked better.

Our mechanics are still working on the burn box and depending on weather, should have that complete in the next couple of weeks.

I am still working on recycling the metal pile, cars and scrap iron. I am in the process of writing a RFP to remove the metal.

Buildings and Grounds Department: Our crew is busy winterizing, finding the weak points on our heating systems and getting them fixed. They are getting the summer tools put away for another season and getting ready for winter.

They have been ordering more lights for around the shop and some of the out buildings. They safely installed the fireproof filing cabinets for the finance department and have been busy with all of their other maintenance work orders.

They will both be attending a burner class at the University this upcoming week.

Streets Department: The streets crew has been cleaning the yard, organizing the quonset hut and getting the yard and equipment ready and organized for winter.

They have spent time working on the landfill, hauling, spreading gravel and cleaning around where the burn box will be placed. They have been grading roads, cleaning culverts and patching roads.

They also help out at the dock when needed.

Shop and Fleet Department: It has been busy in the shop. Our mechanics are still working on the burn box yet they are keeping up on changing to winter tires, putting new decals on the patrol vehicles and fixing vehicles as needed.

They will be taking a three-day hydraulics class October 25, 26 and 27th.

Dillingham Senior Center

To: Dan Forster, City Manager

From: Ida Noonkesser

Date: November 20, 2011

In the month of October there were four elders needing help with paperwork. We handled welcome packet, public assistance, food stamp, and SSA paper work. It has been a busy month. This month's paperwork for the state included recording monthly meals, home delivered meals, assisted rides, and unassisted rides.

I sent out my Quarterly report to the State of Alaska on October 30th.

The Alzheimer's tea conversation and forum was cancelled in October. Ms. McKay will reschedule it.

There were no renters during the month of October for the Senior Center.

We had our Advisory board on October 11th. One of our board members was in Anchorage for family at the time.

We just moved into the Senior Center on October 19th. It has been nice to have volunteers come in and help out with organizing the Senior Center. I have had at least two to three volunteers on most days. I yet have things that I need to go through and get unpacked but we are making good progress.

For the month of September, the Senior Center served 236 congregate meals to 27 individuals, 150 home delivered meals to 9 individuals, 381 assisted rides to 23 individuals, and 204 to unassisted rides to 35 individuals.

Dillingham Senior Center

To: Dan Forster, City Manager
From: Ida Noonkesser
Date: October 27, 2011

In the month of September, there were no elders needing help with paperwork. It was a quiet month. I have been busy getting my NSIP ready for Marlyn Carillo at the state. This month's paperwork included recording monthly meals, home delivered meals, assisted rides, and unassisted rides into SAMS program.

We cancelled the meeting for the Advisory board in September. One of our board members was traveling at the time. The rest of the board wanted her to be here for the meeting. No one had a problem with changing the meeting date to October 12, 2011 at 1 pm.

The Senior Center renovations are still ongoing. I have been up at the Senior Center to pick out cove base for the dining room, puzzle room, and the bathroom. It looks very nice and we are excited to get back in the facility. Steve Cropsey, and Wanda Fulton have been keeping me posted on the progress at the Senior Center.

For the month of September, the Senior Center served 304 congregate meals to 29 individuals, 176 home delivered meals to 9 individuals, 447 assisted rides to 29 individuals, and 176 to unassisted rides to 19 individuals.

I. CALL TO ORDER

The Code Review Committee met on Thursday, October 13, 2011, in the City of Dillingham Council Chambers, Dillingham, AK. Tim Sands, Chair, called the meeting to order around 5:32 p.m.

II. ROLL CALL

Committee Members present:

Tim Sands, Chair/Council Member
Alice Ruby, Mayor
Dan Forster, City Manager
Janice Williams, City Clerk

Committee Members absent:

Scott King

III. APPROVAL OF AGENDA

MOTION: Alice Ruby moved and Janice Williams seconded the motion to approve the agenda as presented.

GENERAL CONSENT: The motion passed without objection.

IV. APPROVAL OF MINUTES

A. Minutes of August 11, 2011

MOTION: Alice Ruby moved and Janice Williams seconded the motion to approve the minutes of August 11, 2011.

GENERAL CONSENT: The motion passed without objection.

V. UNFINISHED BUSINESS

A. Title IV. Revenue and Finance

1. Manager Authority to Settle Unpaid Accounts

There was nothing to report.

2. Chapter 4.15 Real and Personal Property Tax

a. 4.15.120 C.2 and F, Membership and procedures of BOE

b. 4.15.120 D.1-10 – Conduct of Hearings

City Clerk Williams reported she had yet to receive the material from the Attorney.

c. 4.15.360 B. Refund of Taxes

State statute requires tax refunds include interest at 8%. This is higher than what the bank has been offering. This item had been shared with local Representative Bryce Edgmon. It doesn't appear the opportunity has availed itself to bring it up during legislative session. Manager Forster was to follow up with AML.

B. Title VII. Animal Control

1. Referred to Animal Control Focus Group – *assignment is to compare DMC with State Statutes and bring back recommendations to the Code Review Committee*

It was reported that the assignment had yet to be shared with the group.

C. Title XI. Vehicles & Traffic (*Review after vote on annexation*)

1. Title XI
 - a. 11.20 and 11.21 Vehicles & Traffic
 - b. 11.21 Snowmobiles

Chair Sands verified this item would be taken up after the vote on annexation.

D. Annexation – Sales Tax Ordinance

Chair Sands reported the committee will need to start reviewing the ordinances in order to have them in place before annexation is finalized.

Discussion:

- noted the tenders out in the bay are competing with local distributors and may not be assessing sales tax; and
- noted other areas in the code are affected by annexation, such as firearms and fireworks, and will need to be researched.

E. Tax Incentives

Chair Sands noted this would be discussed after annexation.

F. Personnel Regulations

City Clerk reported the draft was the result of several years of work that began in 2009. As required in the personnel regulations, a copy of the draft had been circulated to the employees. Comments had not been included in the draft, but awaiting review. Chair Sands suggested the committee could be reviewing the draft and it would be on future agendas.

VI. NEW BUSINESS

A. Committee Assignments

1. Liquor Sales - Super Bowl Sunday
2. Liquor Sales - New Year's Eve Falls on Saturday and Sunday

The committee reviewed the ordinance that was passed by the Council in January 2011 allowing a temporary waiver of liquor sales on Super Bowl Sunday. Based on requests in the past for the Council to approve a temporary waiver to allow alcohol sales on Super Bowl Sunday, and on New Years Eve when the holiday falls on a Sunday, and extend hours when the holiday falls on a Saturday, the committee proposed a permanent change to allow licensed bars or eating establishments to provide for alcohol sales for the following events:

- a. Super Bowl Sunday from 12:00 p.m. to 9:00 p.m.
 - b. New Year's Eve when the holiday falls on a Sunday from 6:00 p.m. to 1:00 a.m.
 - c. Extend hours when New Year's Eve falls on a Saturday until 1:00 a.m.
- (note: the current code allows liquor sales until 2:00 a.m.)*

The City Clerk was directed to draft an ordinance to bring back to the next meeting.

3. Write-in Ballots, Legislative Changes

The city's attorney had suggested the city might want to change its code to incorporate the new state law regarding write-in candidates that allowed the election board to disregard any abbreviation, misspelling or other minor variation in the form of the name of a candidate if the intention of the voter could be ascertained.

City Clerk reported that at the most recent City election no one had filed a declaration of candidacy for one of the seats on school board and council. As a result, the write-in with the highest number of votes won the seat, and, in one case, turned down the offer. The City's code does not require a letter of intent be filed before the election is held and after the period ended for filing a declaration of candidacy. She noted the City's code did not require the winner to garner 40% of the vote like the State requires. She offered to research other municipalities and bring back the information to the next meeting.

Chair Sands noted he would report to the Council, if they did not object, the committee would include in its current assignment an analysis of this election, including looking at incorporating language to add a requirement for a letter of intent be filed, and/or requiring a minimum percentage other than 40% of the vote which could be put on the ballot for the community to decide.

VII. PUBLIC COMMENT/COMMITTEE COMMENTS

Dan Forster:

- suggested adding some language to the code to allow the manager to appoint an acting manager with short notice, and have a preselected list of staff members that the Council had found acceptable.

Chair Sands noted the council had been approving action memorandums concurring with the manager's recommendation to appoint in the past, but this was with longer notice. The committee agreed to bring it up at the next meeting.

VIII. ADJOURNMENT

The meeting adjourned at 6:37 p.m.

Tim Sands, Chair

ATTEST:

Janice Williams, City Clerk

Approved: _____

I. CALL TO ORDER

The Finance and Budget Committee met on Monday, October 24, 2011 at the City Council Chambers, Dillingham, AK. Tim Sands, Chair, called the rescheduled regular meeting to order at 12:10 p.m.

II. ROLL CALL

Committee Members present:

Tim Sands, Council Member, Chair
Alice Ruby, Mayor
Dan Forster, City Manager
Carol Shade, Finance Director

III. APPROVAL OF MINUTES

A. Minutes of September 26, 2011

MOTION: Carol Shade moved and Alice Ruby seconded the motion to approve the minutes of September 26, 2011.

GENERAL CONSENT: The motion passed with no objection.

IV. APPROVAL OF AGENDA

MOTION: Carol Shade moved and Alice Ruby seconded the motion to approve the agenda as presented.

GENERAL CONSENT: The motion passed with no objection.

V. STAFF REPORTS

Dan Forster:

- Lease the Potato House - negotiating with State of Alaska Employment Center on a lease agreement that had been set aside some months ago when the State reported they could not get out of their current lease agreement. They would not be able to cover utilities, nor change the amount of the lease payment (\$1,500/month) to offset the utilities. He felt the City would still be ahead at \$1,500 a month. The State was looking for five one-year renewals. The committee agreed they would be a reliable tenant.
- Lease Property in the Harbor to NAPA – annual lease amount would be \$8,500 a year for a ½ acre of raw land, with a 30-year lease, allow for improvements, with an option to extend the lease, subject to the terms of a contract.

He recommended doing a RFP to see if there were other serious proposals for lease lots at the harbor. Discussion ensued whether the City needed to put out a RFP for the NAPA proposed lease lot, or was the Council being asked to waive part of the advertising process. Manager Forster noted that NAPA needed to make a decision by mid November and would have more to report by then.

- Economic Development – questioned if the dock special revenue fund could be used to assign some funds to some of the economic development projects suggested for the general waterfront area, such as extending water and sewer to the lease lots.

Discussion:

- noted there was a water line that froze up in the winter because it was installed as a temporary line and not suitable for permanent use; and
- suggested this would be a good topic to bring up during strategic planning.

VI. UNFINISHED BUSINESS

A. Tax Incentives

Chair Sands noted it would remain on the agenda and discussed after annexation.

B. Health Insurance Coverage – Consultant Report

City Manager Forster noted he had yet to start the process of seeking employee input, but was looking to visit each department individually.

VII. NEW BUSINESS

Chair Sands suggested a review of sales tax issues and collections be added to the agenda as a permanent item under Unfinished Business. Staff was asked to put together the rules for denying services due to delinquent taxes.

Carol Shade reported the City was planning to do a sales tax audit after April 15, when taxes had been filed for the prior year. More work would be done to have audits done on a regular basis.

VIII. PUBLIC/COMMITTEE COMMENT(S)

Mayor Ruby:

- suggested it might be in order to review the financial reports as a standing item, possibly on a quarterly basis.

Discussion:

- suggested bringing it up after the new committee appointments were made.

Dan Forster: no comment

Carol Shade:

- spoke in favor of the Committee reviewing the collections rules, hopefully it would keep things on track.

Tim Sands:

- reported he had been approached about the fireworks stand located near the harbor entrance; and how adamant the Council was about having it moved to somewhere safer, and if this was a Finance and Budget Committee topic.

Discussion:

- felt the exemption should be revisited each year, and the annual renewal of the business license could be the time to do it.

IX. ADJOURNMENT

The meeting adjourned at 1:02 p.m.

Tim Sands, Chair

ATTEST:

Janice Williams, City Clerk

Approved: _____

I. CALL TO ORDER

The Finance and Budget Committee met on Monday, September 26, 2011 at the City Council Chambers, Dillingham, AK. Tim Sands, Chair, called the regular meeting to order at 5:30 p.m.

II. ROLL CALL

Committee Members present:

Tim Sands, Council Member, Chair
Alice Ruby, Mayor
Dan Forster, City Manager
Carol Shade, Finance Director

Guests present:

Craig Kestran, Employee Benefits Manager with Alaska USA Insurance Brokers (*via teleconference*)

III. APPROVAL OF MINUTES

A. Minutes of August 29, 2011

MOTION: Alice Ruby moved and Carol Shade seconded the motion to approve the minutes of August 29, 2011.

GENERAL CONSENT: The motion passed with no objection.

IV. APPROVAL OF AGENDA

MOTION: Alice Ruby moved and Carol Shade seconded the motion to approve the agenda as presented.

GENERAL CONSENT: The motion passed with no objection.

V. STAFF REPORTS

City Manager Forster reviewed the following:

- Lease the Potato House to Dept. of Labor - ready to relocate as early as November, prepared to sign a rental agreement same as offered previously; rent at \$1,500/month, 600 square feet, City to cover janitorial services, Dept. of Labor to cover utilities.

Discussion:

- reported the revenue from the rent would offset the cost of running the senior center program; and
- suggested donating the money to the senior center program and deducting the revenue from the City's contribution.

City Manager Forster:

- Lease Property at Harbor – researching a lease amount for NAPA owner interested in leasing property across from boat harbor, section of land 175' X 150';
- Legislative Appropriation for Harbor Erosion – \$900,000 remaining, some will be used to do the repair work on the area called the Picnic Park, but Corp. recently sent a letter that the City needs to repair the bulkhead further down the beach before winter, the estimated cost was expected to be around \$300,000, using local armor rock, and was researching if the legislative appropriation could be applied to the project.

Carol Shade:

- Audit scheduled from October 10 -15;
- FY 2012 Budget Manuals – final changes to be distributed to Council;
- FY 2012 Budget Amendment – looking to present at the November Finance meeting; and
- Will be out of the office from October 3 through 11.

VI. UNFINISHED BUSINESS

A. Tax Incentives

Chair Sands reported the item would remain on the agenda, with no action taken until after annexation sorted out.

B. Forklift Purchase for Port Dept.

Carol Shade reported the committee was looking to receive some additional information from the Port Director that had not been made available for the meeting.

Discussion:

- commented due to the time factor, the old forklift could be shipped out in the spring instead of the last fall barge, and have the new one brought in during the spring also;
- commented this would allow more time for staff to follow the purchasing requirements and go out for bid; and
- recommended planning for the future needs of the dock fund.

(The meeting recessed at 5:58 p.m. and resumed at 6:02 p.m.)

VII. NEW BUSINESS

A. Health Insurance Coverage – Consultant Report

Craig Kestran, Employee Benefits Manager with Alaska USA Insurance Brokers, explained various insurance options arranged in three exhibits.

Exhibit I compared AETNA Poli/Sub Plan III \$750 deductible (City's current plan) and Plan IV \$2,000 deductible, with Premera Guardian Heritage Select PPO \$1,000 and Heritage Select PPO \$2,000:

- both carriers offer higher deductibles, higher out-of-pocket maximums, lower premiums

Exhibit II compared AETNA Poli/Sub Plan III and Plan IV with Premera MetLife, LifeWise Heritage Select PPO \$1,000 and Heritage Select PPO \$2,000:

Few Differences between Exhibit I and II:

- Preventive dental is covered at 100% with AETNA, 80% with Premera; and
- Life insurance and Accidental Death and Dismemberment benefit with Premera is a better benefit.

Carol Shade noted earlier in the spring the City had been looking at a higher deductible to \$1,000 and implementing an HRA to help subsidize \$250 of the \$1,000 deductible. The employee would have to satisfy the \$750 before they were eligible for the additional \$250 which would be paid by the employer.

Health Savings Account (HSA), law allows employee and/or employer contributions, but once the money is placed into the account the employee would own it. The money taken out would be tax-free on medical expenses. If the employee left, they take the HSA with them. This is a high deductible health plan (HDHP) and has to meet minimum requirements for a HSA. With this plan, can't have any co-pays, so this would eliminate the prescription card and any co-pay, and a \$1,250 deductible or higher would be the minimum deductible. Employee can use the account to meet the deductible.

Health Reimbursement Arrangement (HRA) - employer based account, only the employer can contribute to it. Most employers fund it as needed, not prefund it. If prefunded, the money can come back to the employer. The employee would have to show that their claims exceeded the \$750 deductible. Typically 40-60% of the employees max out on the entire dollar amount. With the HRA, can still have the co-pay and a lower deductible plan, and still have a tax-advantaged account attached to it.

Implementing an HRA, the estimated cost to the employer assuming 100% reimbursement (not typical) of \$250 (additional deductible between \$750 and \$1,000) for 19 single coverages ($\$250 \times 19$), 17 families ($17 \times \750), 6 employee + spouse ($\$500 \times 6$), and 6 employee + children ($6 \times \$750$), would be around \$26,500 for the entire employee group. Savings in premiums going with a higher deductible would be over \$200,000.

Flexible Spending Account – employer would set up a medical reimbursement, employee could put money in on a pre-tax basis. The employer could also contribute, but typically it's the employee. If not used in the plan year, the employee would lose it. FSA has to be prefunded, payroll deduction.

Discussion:

- asked with the HSA or FSA can an employee request reimbursement for more than what is in the account, answered an employee would set a payroll deduct for each month, based on that amount could request a reimbursement prior to the entire amount being collected.

Exhibit III compared AETNA Poli/Sub Plan III and Plan IV and Premera LifeWise Heritage Select PPO \$1,000 and Heritage Select PPO \$2,000

Exhibit IV, Option 4 and 5, self funded accounts:

- currently fully insured, pay premium, claims are submitted and the insurance pays the claim; and

- Option 4 & 5 had the identical plan City currently is enrolled, stop loss would be the area the employer would assume part of the risk like an insurance company, the City would pay the first \$25,000 in claims.

The committee appreciated the comprehensive review presented by the benefits manager.

Discussion:

- asked staff to research if the City changed to another health plan, would they be required to remain in it for two years; and
- will present the information to staff and ask for their feedback.

VIII. PUBLIC/COMMITTEE COMMENT(S)

Mayor Ruby reported the Mental Health Trust would be in town, October 4, 5 and 6, to get familiar with the agencies that use their services and funding.

Carol Shade reported that the City would be conducting a sales tax audit after January 1. She suggested putting business licenses on the agenda for a future discussion.

Manager Forster reported Steve Cropsey would be reporting on the sale of the City's apartment building at the Council meeting.

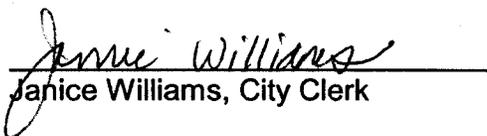
IX. ADJOURNMENT

The meeting adjourned at 7:27 p.m.



Tim Sands, Chair

ATTEST:



Janice Williams, City Clerk

CITY OF DILLINGHAM, ALASKA

ORDINANCE NO. 2011-09

AN ORDINANCE OF THE DILLINGHAM CITY COUNCIL AMENDING DMC SECTION 6.08.020.A AND DMC SECTION 6.08.020.B TO ALLOW LICENSED BARS AND EATING ESTABLISHMENTS TO SERVE ALCOHOL ON SUPER BOWL SUNDAY AND WHEN NEW YEAR'S EVE FALLS ON A SUNDAY

BE IT ENACTED BY THE DILLINGHAM CITY COUNCIL:

WHEREAS, the Dillingham Municipal Code (DMC) prohibits the sale of alcohol in bars or eating establishments between the hours of 2 a.m. Sunday morning until 10 a.m. Monday morning and prohibits packaged liquor stores from being open on Sunday; and

WHEREAS, the City Council has historically been approached to make an exception and allow a temporary waiver of the rules for Super Bowl Sunday and when New Year's Eve falls on a Sunday;

NOW, THEREFORE, BE IT RESOLVED that:

Section 1. Amendment of section. DMC 6.08.020.A is amended by adding the following words (additions are noted in underline, and deletions are noted in [brackets]):

6.08.020 Hours of sale of intoxicating liquor.

A. For bar or eating establishments, alcohol sales will be prohibited between the hours of [two] 2 a.m. Sunday morning until [ten] 10 a.m. Monday morning. Alcohol sales will be prohibited between the hours of [one] 1 a.m. to [ten] 10 a.m. Tuesday through Friday. Alcohol sales will be prohibited between [two] 2 a.m. Saturday morning and [ten] 10 a.m. Saturday morning.

However, licensed bars and eating establishments may provide for alcohol sales on Super Bowl Sunday from 12:00 p.m. until 9:00 p.m., and on New Year's Eve when the holiday falls on a Sunday from 6:00 p.m. until 2:00 a.m. the following Monday.

Section 2. Amendment of section. DMC 6.08.020.B is amended by changing the text as follows: (additions are noted in underline, and deletions are noted in [brackets]):

6.08.020 Hours of sales of intoxicating liquor

B. Packaged liquor stores shall be closed between the hours of [nine] 9 p.m. and [ten] 10 a.m., and on Sunday.

Section 3. Classification. This is a code ordinance.

Section 4. Effective Date. This ordinance shall be made effective upon passage.

ENACTED by the Dillingham City Council on _____.

SEAL:

Alice Ruby, Mayor

ATTEST:

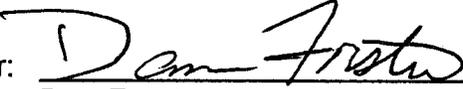
Janice Williams, City Clerk

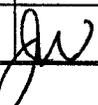
Subject: An ordinance of the Dillingham City Council amending DMC Sections 6.08.020.A and B to allow licensed bars and eating establishments to serve alcohol on Super Bowl Sunday and when New Year's Eve Falls on a Sunday

Agenda of: December 1, 2011

Council Action:

Manager: Recommend approval.

City Manager: 
Dan Forster

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

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

Other Attachment(s):

Summary Statement.

At their October meeting, the Code Review Committee reviewed the ordinance that was passed by the Council in January 2011 allowing a temporary waiver of liquor sales on Super Bowl Sunday. Based on requests in the past for the Council to approve a temporary waiver to allow alcohol sales on Super Bowl Sunday, and on New Years Eve when the holiday falls on a Sunday, and extend hours when the holiday falls on a Saturday, the committee was tasked with drafting language for a permanent change to allow licensed bars or eating establishments to provide for alcohol sales for the following events:

- a. Super Bowl Sunday from 12:00 p.m. to 9:00 p.m.
- b. New Year's Eve when the holiday falls on a Sunday from 6:00 p.m. to 1:00 a.m.
- c. Extend hours when New Year's Eve falls on a Saturday until 1:00 a.m.

(Note: the current code for Saturday already allows liquor sales until 2:00 a.m. on the following Sunday. The ordinance was drafted to reflect the current hours until 2:00 a.m. for New Year's Eve falling on a Saturday and for the proposed waiver for Sunday.)

**CURRENT
ALCOHOL SALES**

	<u>Sales Allowed</u>	<u># Hrs</u>	<u>Sales Prohibited</u>	<u># Hrs</u>
Monday	10:00 am Monday to 12:00 midnight Monday	14 hrs	12:00 am Monday to 10:00 am Monday	10 hrs
Tuesday	12:00 am Tuesday to 1:00 am Tuesday	1 hr	1:00 am Tuesday to 10:00 am Tuesday	9 hrs
	10:00 am Tuesday to 12:00 midnight Tuesday	14 hrs		
Wednesday	12:00 am Wednesday to 1:00 am Wednesday	1 hr	1:00 am Wednesday to 10:00 am Wednesday	9 hrs
	10:00 am Wednesday to 12:00 midnight Wednesday	14 hrs		
Thursday	12:00 am Thursday to 1:00 am Thursday	1 hr	1:00 am Thursday to 10:00 am Thursday	9 hrs
	10:00 am Thursday to 12:00 midnight Thursday	14 hrs		
Friday	12:00 am Friday to 1:00 am Friday	1 hr	1:00 am Friday to 10:00 am Friday	9 hrs
	10:00 am Friday to 12:00 midnight Friday	14 hrs		
Saturday	12:00 am Saturday to 2:00 am Saturday	2 hrs	2:00 am Saturday to 10:00 am Saturday	8 hrs
	10:00 am Saturday to 12:00 midnight Saturday	14 hrs		
Sunday	12:00 am Sunday to 2:00 am Sunday	2 hrs	2:00 am Sunday to 12:00 am Sunday	22 hrs

**PROPOSED
ALCOHOL SALES**

	<u>Sales Allowed</u>	<u># Hrs</u>	<u>Sales Prohibited</u>	<u># Hrs</u>
Monday	12:00 am Monday to 2:00 am Monday	2 hrs	2:00 am Monday to 10:00 am Monday	8 hrs
	10:00 am Monday to 12:00 midnight Monday	14 hrs		
Tuesday	12:00 am Tuesday to 1:00 am Tuesday	1 hr	1:00 am Tuesday to 10:00 am Tuesday	9 hrs
	10:00 am Tuesday to 12:00 midnight Tuesday	14 hrs		
Wednesday	12:00 am Wednesday to 1:00 am Wednesday	1 hr	1:00 am Wednesday to 10:00 am Wednesday	9 hrs
	10:00 am Wednesday to 12:00 midnight Wednesday	14 hrs		
Thursday	12:00 am Thursday to 1:00 am Thursday	1 hr	1:00 am Thursday to 10:00 am Thursday	9 hrs
	10:00 am Thursday to 12:00 midnight Thursday	14 hrs		
Friday	12:00 am Friday to 1:00 am Friday	1 hr	1:00 am Friday to 10:00 am Friday	9 hrs
	10:00 am Friday to 12:00 midnight Friday	14 hrs		
Saturday	12:00 am Saturday to 2:00 am Saturday	2 hrs	2:00 am Saturday to 10:00 am Saturday	8 hrs
	10:00 am Saturday to 12:00 midnight Saturday	14 hrs		
Sunday	12:00 am Sunday to 2:00 am Sunday	2 hrs	2:00 am Sunday to 6:00 pm Sunday	16 hrs
	6:00 pm Sunday to 12:00 midnight Sunday	6 hrs		

Chapter 6.08**ALCOHOLIC BEVERAGES****Sections:**

- 6.08.010** **Sale on election day.**
6.08.020 **Hours of sale of intoxicating liquor.**
6.08.030 **Protest of liquor licenses of establishments that sell beverages containing more than ninety percent alcohol.**

6.08.010 **Sale on election day.**

The sale of intoxicating liquor is permitted within the city during election day for any federal, state or local election. (Ord. 74-3, 1974.)

6.08.020 **Hours of sale of intoxicating liquor.**

A. For bar or eating establishments, alcohol sales will be prohibited between the hours of two a.m. Sunday morning until ten a.m. Monday morning. Alcohol sales will be prohibited between the hours of one a.m. to ten a.m. Tuesday through Friday. Alcohol sales will be prohibited between two a.m. Saturday morning and ten a.m. Saturday morning.

B. Packaged liquor stores shall be closed between the hours of nine p.m. and ten a.m., and on Sunday. (Ord. 97-5 § 1, 1997.)

6.08.030 **Protest of liquor licenses of establishments that sell beverages containing more than ninety percent alcohol.**

A. The council finds that the sale of beverages containing more than ninety percent alcohol is a serious threat to public health and welfare.

B. The city shall protest the issuance, renewal or transfer of any liquor license for an establishment within the city unless the applicant notifies the city that it has not within the past thirty days, and will not in the future, sell beverages containing more than ninety percent, or one hundred eighty proof, alcohol.

C. The application for a liquor license for any establishment within the city that in fact sells beverages containing more than ninety percent, or one hundred eighty proof, alcohol after notifying the city that it would not do so shall also be protested.

D. The city manager is directed to take reasonable steps to ensure that this section is being enforced. Any establishment affected by this provision shall have the right to appear before the council at the public hearing and present evidence or arguments in its behalf.

E. Nothing in this chapter operates to prevent the city from protesting applications for liquor licenses on other reasonable grounds, as permitted by state law. (Ord. 90-04 § 1, 1990.)

CITY OF DILLINGHAM, ALASKA

RESOLUTION NO. 2011-83

A RESOLUTION OF THE DILLINGHAM CITY COUNCIL ACCEPTING ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION MUNICIPAL MATCHING GRANT #28306 IN THE AMOUNT OF \$3 MILLION FOR WATER SYSTEM IMPROVEMENT PROJECTS INCLUDED IN PHASES 1.3 AND 1.4 IN THE CITY'S 2003 WATER AND SEWER MASTER PLAN

WHEREAS water and sewer system improvements were identified as a health and safety (fire protection) priority in the Dillingham Water and Sewer Master Plan ("Master Plan"), dated June 2003, prepared by Bristol Environmental & Engineering Services Corporation ("BEESC"); and

WHEREAS existing supply wells do not have sufficient capacity to provide for domestic water demands and allow a reasonable recovery from a large (3,500 gpm, 3-hour sustained) fire demand; and

WHEREAS the State of Alaska, Department of Environmental Conservation (AkDEC) has appropriated a Municipal Matching grant in the amount of \$3.0 million to the City of Dillingham to be applied towards the Water System Improvements Phases Projects 1.3 and 1.4; and

WHEREAS the City of Dillingham must formally apply for the grant and thereby agrees to the terms and conditions of the grant, and to adhere to any governing state regulations; and

WHEREAS the City of Dillingham agrees to operate and maintain the completed project constructed with said grant;

NOW, THEREFORE, BE IT RESOLVED by the Dillingham City Council that the grantee formally accepts the State of Alaska Department of Environmental conservation's Grant No. 28306 in the amount of \$3 Million and accepts the conditions of the grant agreement.

PASSED and ADOPTED by the Dillingham City Council on _____ 2011.

SEAL:

Alice Ruby, Mayor

ATTEST:

Janice Williams, City Clerk

Subject: A resolution of the Dillingham City Council authorizing application for an ADEC grant for water system improvements phases 1.3 and 1.4

Agenda of: December 1, 2011

Council Action:

Manager: Recommend approval.

City Manager: *Dan Forster*
Dan Forster, City Manager

Route To:	Department / Individual	Initials	Remarks
X	Finance	<i>DF</i>	
X	Planning Director	<i>CS</i>	
X	City Clerk	<i>JW</i>	

Fiscal Note: Yes No Funds Available: Yes No

Other Attachment(s):

- Excerpt from 2003 Water and Sewer Master Plan

Summary Statement.

The City has received a legislative appropriation in the amount of 3.0 million dollars which will be combined with the existing grant funds under ADEC 28305 for the purpose of exploring and developing a new water source, constructing a water treatment plant, water storage facility and transmission lines to connect to the existing water system. This project is phases 1.3 and 1.4 of the 2003 Water and Sewer Master Plan.

The grant requires a 30% match equal to \$1.0 million. This ADEC grant is 100% state funded and can be matched with federal funds. Recommendation is for acquiring a low interest Alaska Clean Water Fund loan for \$250,000 as well as application to Alaska Native Tribal Health Consortium, USDA, and EPA for funding to match.

exists in the well and iron and manganese are removed). The requirements and costs for an arsenic treatment system for a future WTP cannot be evaluated until existing or new well sources are adequately evaluated for yield and quality.

Alum coagulation may be an effective process for arsenic removal. In such a system, particulate arsenic would be removed along with particulate iron and manganese. Filtration would be performed after coagulation and sedimentation. Such a system will likely require pilot testing for activated alumina and anion exchange systems. If pilot tests do not provide sufficient arsenic removal to meet EPA standards, treatment options may include reverse osmosis and/or nanofiltration (EPA, 2001). If arsenic standards are not met through these treatment technologies, the City may have to apply for a variance or exemption from the EPA and/or ADEC. Potential funding sources for source water pilot testing are listed in Section 11.5.

The solids generated as part of the removal process in an arsenic treatment system most likely cannot be disposed of in the existing landfill. The solids may be considered hazardous waste, depending on the concentration of residual arsenic and the types of chemicals used in the treatment method. Out-of state shipment of solids waste from the WTP may be necessary (EPA, 2001).

The EPA estimates that, in order to comply with the new arsenic rule, the average annual household water bill will increase by \$58 to \$327 for water systems of less than 3,300 people. The cost of an arsenic removal system for the City water supply cannot be accurately estimated until the City's water quality is more thoroughly evaluated. A \$360,000 placeholder treatment cost has been included for an arsenic removal system, until further testing and evaluation is provided. (EPA, 2001).

10.3.3 Phase 1.3 (New Water Supply, WTP, and Storage)

It is recommended that a new water supply, treatment facility, and storage tank be evaluated and developed near the USFWS well. The facility should be designed with a pressure head "basis" of approximately 205 feet above sea level. The construction of a pressure pump station that withdraws water from a treated reservoir storage tank should be considered (rather than construction of a standpipe) at the new WTP. If installed, the pump station would maintain the same outflow pressure head as a standpipe. The facility could consist of a 32-foot-tall, 1 million-gallon storage tank with a balanced combination of pressure pumps, with the pressure-side piping connected to hydro-pneumatic tanks that would supply 30 to 80 psi of pressure to the distribution system. The actual high-water level of the new tank would be approximately 116 feet above sea level. The facility would be equipped with a backup generator.

The facility should be designed with an exit head of approximately 205 feet above sea level. Increasing the pressure above this level would generate service pressures of more than 80 psi within the system. Pressures below this level would create the need for larger water mains and, in a number of areas, would prevent the City from being able to provide sufficient system pressures during fires (20 psi minimum). The existing WTP would be kept at its current pressure head (approximately 165 to 167 feet above sea level).

If the standpipe at the existing WTP was ever replaced, the City might potentially upgrade the facility so that both facilities had the same exit pressures. Both systems would be connected with hydraulic control valves to allow flows in either direction to fill tanks and bolster fire flows. A pressure relief valve would be installed along the water mains between Windmill Hill and the boat harbor to separate the City into two distinct pressure zones. This will allow the new facility to (potentially) supply minimum service pressures to virtually all areas within the study area that are not currently serviced. The two facilities would be hydraulically connected, allowing the City to shut down individual facilities for cleaning, inspections, and/or repairs. The new WTP (near the USFWS housing, or at another location) would be able to fill the downtown standpipe completely in the event of a water shortage, well failure, or fire. Conversely, the storage tank at the new WTP would be constructed so that it could be filled by the storage tanks or standpipes at the downtown WTP. Altitude valves, float valves, or similar devices would be required at both facilities to prevent overflow of the downtown standpipe, and to allow for additional overflow prevention at the new WTP tank. If a complete shutdown of the supply well(s) at either system were to occur, the distribution lines would allow for adequate flow from either WTP. The recommended location for the new facility is shown on Sheet 5.

A new water supply and WTP near the USFWS well is estimated to cost \$2,426,000, not including water and sewer from NEQLEQ to the existing system (phases 1.4 and 1.5). Line item costs are shown in Table 10-5. It is assumed that a road to the top of this hill will be constructed solely on public land.

Table 10-5 Cost Estimate – New Water Source/WTP

Item	Cost (\$)
Well, supply line	\$135,000
Storage tank (1 million gallons)	\$1,282,000
WTP and pump station	\$738,000
Abandon existing USFWS well	\$1,000
Gravel road to top of hill	\$270,000
Total	\$2,426,000

10.3.4 Phase 1.4 (Water Mains from NEQLEQ Subdivision to Existing System)

In order to connect the new water source and WTP to the existing system, water mains would be installed between the new WTP (presumably near NEQLEQ) and the existing lines at the boat harbor. These improvements include a number of areas already served by the sewer system. Water mains would extend from NEQLEQ east along Emperor Way, and would continue south towards Airport Road. A water main would extend from the western end of Airport Road (a lift station at the intersection of Kakanak Road and Airport Road is required for the Phase 1.5 sewer improvements) to the airport.

A water main from the airport to Wood River Road would probably cross the airport runway. If such construction occurs, it will be necessary to import a horizontal (bore and jack) drill rig in order to lay lines underneath the runway without disrupting its surface. The drill rig would have to be barged to Dillingham. Installation of the lines would probably occur at night. The airport would probably have to be closed during construction of this water main in the event of damage to the runway surface during drilling. Other restrictions may occur for construction in the vicinity of the runway. The runway is approximately 220 feet wide.

Lines would run south along Wood River Road from the airport, then east along Kakanak Road to the existing system at the boat harbor. Service to other areas around the airport would be provided as part of the Phase 5.1 improvements. Approximately 17,000 LF of water main would be required. (See sheets 3 through 6 for locations). The total cost for these improvements is estimated at \$2,952,000. The estimated length of water main that would be installed is as follows:

Main Diameter (inches)	10	12	16
Total LF	5,508	3,781	7,720

It should be noted that once a new treatment facility is built, annual water O&M costs will be disproportionately high until full buildout of all or most of the proposed water improvements occurs. The increased O&M costs will likely be covered by monthly user fees. As the distribution system is expanded and more users are connected to the system, the portion of these user fees used to cover these O&M costs would be expected to decrease.

A \$254,000 line item cost (which is included in the \$2,952,000 total cost) for a water main along Airport Road from Endahl Street to Dillingham-Kakanak Road could be postponed until sewer service (under Phase 1.5) is provided for the western end of Airport Road.

10.3.5 Phase 1.5 (Sewer from NEQLEQ Subdivision to Existing System)

The cost for sewer main upgrades is estimated at \$1,596,000. This estimate assumes that sewer lines are installed between NEQLEQ Subdivision and the existing sewer system at the airport (along Emperor Way, Roshko Street, Endahl Street, and Airport Road). Lift stations would be installed at the intersection of Kakanak Road and Airport Road and approximately where Emperor Way turns into Roshko Street (at the end of NEQLEQ). (See sheets 17 through 19 for locations). Sewer installation requirements would be as follows:

No. of Manholes	8-inch Pipe – LF (~ 8 ft depth)	Force Main (LF)	No. of Lift Stations
11	3,100	6,275	2

10.3.6 Phase 1 Cost Summary

Table 10-7 is a summary of the estimated costs for improvements to the existing and proposed WTPs.

Table 10-7 Cost Estimate – Phase 1 Existing Water Source

Phase	Item	Cost (\$)
1.1	Existing WTP	\$514,000
1.2	Arsenic removal	\$360,000 ¹
1.3	New water supply/WTP	\$2,426,000
1.4	Water improvements: NEQLEQ to boat harbor	\$2,952,000
1.5	Sewer improvements: NEQLEQ to airport	\$1,596,000
	Total	\$7,848,000

¹ Unknown cost; \$360,000 included as a placeholder

10.4 PHASE 2 (HYDRANT INSTALLATIONS)

Approximately eight hydrants are recommended for installation on mains not recommended for replacement or upgrades under the Phase 3 improvements described below. Installation costs for these hydrants are estimated in Table 10-8.

Table 10-8 Cost Estimate – Phase 2 Hydrants

Item	Quantity	Unit	Unit Cost (\$)	Total Cost (\$)
Hydrants	12	Each	\$4,800	\$57,600
Planning and administration (20 percent of construction costs)				\$11,520
Total				\$69,120

10.5 PHASE 3 (WATER DISTRIBUTION SYSTEM DOWNTOWN IMPROVEMENTS)

Results of the water distribution modeling show deficiencies in a number of areas of the system. Deficiencies were defined as those areas where either insufficient fire flows occur or insufficient service pressures exist. Based upon results of the modeling effort, it was determined that no service pressure deficiencies occur in the current system (i.e., there are no locations where normal service pressures are below 30 psi). (See sheets 2 and 3 for locations).

Recommended line sizes for the water distribution system were determined based upon minimum recommended fire flow requirements (as described in Section 8.6) and network analyses of the modeled distribution system performed under EPANET2 (refer to Section 12.0). Based upon model runs, areas identified in Table 10-9 were found to have deficient fire flows.

City of Dillingham
Fiscal Note

Agenda Date: Thursday, December 01, 2011

Request: _____

ORIGINATOR: Carol Shade

FISCAL ACTION (TO BE COMPLETED BY FINANCE)		FISCAL IMPACT <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
AMOUNT REQUESTED:		FUNDING SOURCE
\$	3,000,000.00	ADEC, ACWF, Other
FROM ACCOUNT		Project
23-61-754-000	\$ 2,100,000.00	Explore and Develop new water source, water treatment plan, storage
23-61-755-000	\$ 250,000.00	
23-61-756-000	\$ 650,000.00	
TO ACCOUNT:	VERIFIED BY: Carol Shade	Date: 11/15/2011

EXPENDITURES

Capital Improvement	FY12	FY13	FY14-FY15	FY16-FY32
Personnel				
Fringe Benefits				
Capital Equipment				
Major Equipment				
Water Source E & D	3,000,000.00			
Transfers to Other Funds				
TOTAL OPERATING	\$ 3,000,000.00	\$ -	\$ -	\$ -

Sewer Fund Reserves				
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REVENUE				
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FUNDING

ADEC Grant	\$ 2,100,000.00			
ACWF Loan	250,000.00			
General Fund Match	650,000.00			
TOTAL FUNDING	\$ 3,000,000.00	\$ -	\$ -	\$ -

POSITIONS

Full-Time				
Part-Time				
Temporary				

ANALYSIS: (Attach a separate page if necessary)

PREPARED BY: Carol Shade

November 15, 2011

DEPARTMENT: Finance Department

November 15, 2011

APPROVED BY: _____

CITY OF DILLINGHAM, ALASKA

RESOLUTION NO. 2011-84

A RESOLUTION OF THE DILLINGHAM CITY COUNCIL AUTHORIZING APPLICATION TO THE BRISTOL BAY SEAFOOD DEVELOPMENT ASSOCIATION FOR A GRANT TO MAKE MULTIPLE HARBOR IMPROVEMENTS

WHEREAS, the harbor floats that provide safe moorage for commercial and recreational boats in the Dillingham harbor are approximately 27 years old; and

WHEREAS, they are continually in need of repair; and

WHEREAS, ladders are needed for access to the new bulkhead extension at the north end of the harbor; and

WHEREAS, the City would like to develop lease lots in the harbor to answer the demand which has been expressed by numerous individuals over the last decade; and

WHEREAS, water and sewer lines and electrical service will enhance the desirability of the lease lots; and

WHEREAS, the Bristol Bay Regional Seafood Development Association has issued a request for proposals to strengthen the Bristol Bay fishery; and

WHEREAS, these improvements will enhance the local and regional economy as well as the fishery;

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

1. The City agrees to apply for a BBRSDA Harbor Improvements grant in the amount of \$150,000.
2. The City agrees to provide matching funds of \$50,000.
3. The City Council authorizes the City Manager, or alternatively the Mayor, to sign all documents on behalf of the City.

PASSED and ADOPTED by the Dillingham City Council on _____, 2011.

SEAL:

Alice Ruby, Mayor

ATTEST:

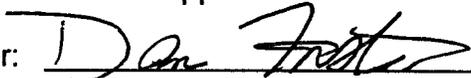
Janice Williams, City Clerk

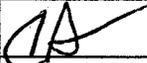
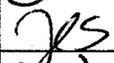
Subject: A resolution of the Dillingham City Council authorizing application for a BBRSDA grant for harbor improvements

Agenda of: December 1, 2011

Council Action:

Manager: Recommend approval.

City Manager: 
Dan Forster, City Manager

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

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

Other Attachment(s):

•

Summary Statement.

The City is submitting a grant to purchase new floats, ladders for the new bulkhead extension, and install water and sewer lines in the harbor to serve lease lots on the east side of the harbor. The City will be researching matching grant funds.

City of Dillingham
Fiscal Note

Agenda Date: Thursday, December 01, 2011

Request: _____

ORIGINATOR: Carol Shade

FISCAL ACTION (TO BE COMPLETED BY FINANCE)		FISCAL IMPACT <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
AMOUNT REQUESTED: <p style="text-align: right;">\$ 150,000.00</p>		FUNDING SOURCE <p style="text-align: center;">ADEC, ACWF & Water Fund</p>	
FROM ACCOUNT		Project	
21-83-735 - 000	\$ 100,000.00	Harbor Improvements	
21-83-735 -001	\$ 50,000.00		
TO ACCOUNT:	VERIFIED BY: Carol Shade	Date: 11/15/2011	

EXPENDITURES

OPERATING	FY12	FY13	FY14	FY15
Personnel				
Fringe Benefits				
Capital Equipment				
Major Equipment				
Land/Buildings	150,000.00			
Transfers to Other Funds				
TOTAL OPERATING	\$ 150,000.00	\$ -	\$ -	\$ -

Sewer Fund Reserves				
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REVENUE				
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FUNDING

Harbor Fund	\$ 50,000.00			
State/Federal Funds				
BBRSDA Grant	100,000.00			
TOTAL FUNDING	\$ 150,000.00	\$ -	\$ -	\$ -

POSITIONS

Full-Time				
Part-Time				
Temporary				

ANALYSIS: (Attach a separate page if necessary)

PREPARED BY: Carol Shade

November 15, 2011

DEPARTMENT: Finance Department

November 15, 2011

APPROVED BY: _____

CITY OF DILLINGHAM, ALASKA

RESOLUTION NO. 2011-85

A RESOLUTION OF THE DILLINGHAM CITY COUNCIL ACCEPTING THE FY 2013 CAPITAL IMPROVEMENTS PROGRAM

WHEREAS, Dillingham Municipal Code 2.68.160 requires that the Dillingham Planning Commission prepare and recommend to the City Council an annual update of a Capital Improvements Program; and

WHEREAS, staff and the public prepared proposals from August 1 to 31, 2011; and

WHEREAS, the Planning Department received 37 nominations from staff and the public; and

WHEREAS, a Project Review Committee, comprising the Finance Director, the City Manager, the Public Works Director, the Planning Commission Chair, and the Planning Director reviewed the projects at staff and public workshops on September 6, 2011; and

WHEREAS, the PRC ranked the projects for feasibility, compliance issues, and other pertinent criteria on September 7, 2011; and

WHEREAS, September 8 through September 14, 2011, members of the Planning Commission ranked each of the projects based on the community values of impact on quality of life, health and safety, sustainability, and economic development; and

WHEREAS, the individual rankings were combined into one list for which the Planning Commission held a public hearing on September 20, 2011; and

WHEREAS, on September 20, 2011 the Planning Commission passed Resolution 2011-10, recommending a FY 2013 Capital Improvements Program to the City Council; and

NOW, THEREFORE, BE IT RESOLVED that the Dillingham City Council accepts the attached FY 2013 Capital Improvements Program.

PASSED and ADOPTED by the Dillingham City Council on December 1, 2011.

SEAL:

Alice Ruby, Mayor

ATTEST:

Janice Williams, City Clerk

City of Dillingham Information Memorandum No. R2011-85

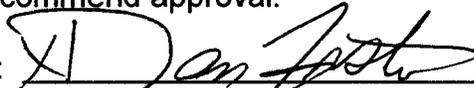
Subject: A resolution of the Dillingham City Council accepting a FY 2013 Capital Improvements Program

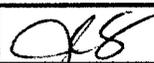
Agenda of: December 1, 2011

City Council Action:

Manager: Recommend approval.

City Manager:


Dan Forster, City Manager

Route To:	Department / Individual	Initials	Remarks
X	Planning Director / Jody Seitz		
X	City Clerk / Janice Williams		

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

Other Attachment(s):

- Planning Commission Resolution No. 2011-10 FY 2013 CIP

Summary Statement.

The attached FY 2013 CIP is the Planning Commission's statement of its priority projects for the coming year.

THE CITY OF DILLINGHAM PLANNING COMMISSION

RESOLUTION NO. 2011-10

**A RESOLUTION OF THE DILLINGHAM PLANNING COMMISSION APPROVING THE
FY13 CAPITAL IMPROVEMENTS PLAN**

WHEREAS, Dillingham Municipal Code 2.68.160 requires the Dillingham Planning Commission to prepare and recommend to the City Council an annual update of the Capital Improvements Plan (CIP); and

WHEREAS, staff and the public prepared proposals during the month of August; and

WHEREAS, the Planning Department reviewed 37 nominations from staff and the public; and

WHEREAS, a Project Review Committee consisting of the Finance Director, the City Manager, the Public Works Director, the Planning Commission Chairman, and the Planning Director, reviewed the projects at public workshops September 6 and 7; and

WHEREAS, the Planning Commission and PRC ranked the projects for urgency, as well as impact on quality of life, health and safety, sustainability, and economic development; and

WHEREAS, the Dillingham Planning Commission held a public hearing on the FY13 proposed CIP list at its regular meeting September 20;

THEREFORE, BE IT RESOLVED that the Dillingham Planning Commission recommends to the Dillingham City Council the "Fiscal Year 2013 Capital Improvements Plan."

FY13 Capital Improvement Projects List

1. Snag Point Force Main Relocation
2. Library Roof
3. Water System Improvements 1.3 and 1.4
4. Snag Point Bulkhead Restoration
5. E 911 Critical System Replacement/upgrade
6. Emergency Bank Stabilization at Harbor
7. Wastewater Treatment Lagoon Outfall Relocation
8. South and East Harbor Bulkhead
9. Fire Station
10. Wastewater Lift Stations
11. New Public Safety Building
12. Old Airport Sewer
13. Seward and D Street Rehabilitation

14. Senior Center Renovation
15. Wasterwater Treatment Plant Upgrades
16. Harbor Float Replacement
17. Territorial School Renovation
18. Utilities and Storm Sewer Upgrades
19. Evergreen Cemetery - build interior road, survey and lay out plots
20. Nerka Road Rehabilitation
21. New Hyster 1050 Fork Lift
22. Construct or Purchase Animal Shelter
23. Harvey Samuelsen Community Cultural Center
24. Warm Equipment Storage Addition
25. Roller Compactor
26. 950 H Cat Loader
27. Brush Cutter, Sweeper, Snow blower
28. Fence around Public Works Storage Yard
29. Renovate City Hall
30. Hockey Rink Pavilion Planning and Design
31. Live Fire Training Facility
32. Case 580 M Extendahoe Backhoe

APPROVED AND ADOPTED THIS 20th DAY OF September, 2011.



Paul Liedberg, Commission Chair



Acting Commission Clerk

FY13 Capital Improvement Program

- 1 Snag Point Force Main Relocation
- 2 Library Roof
- 3 Water System Improvements 1.3 and 1.4
- 4 Snag Point Bulkhead Restoration
- 5 E 911 Critical System Replacement/upgrade
- 6 Emergency Bank Stabilization at Harbor
- 7 Wastewater Treatment Lagoon Outfall Relocation
- 8 South and East Harbor Bulkhead
- 9 Fire Station and Public Safety Building *
- 10 Wastewater Lift Stations
- 11 Old Airport Sewer
- 12 Seward and D Street Rehabilitation
- 13 Senior Center Renovation
- 14 Wasterwater Treatment Plant Upgrades
- 15 Harbor Float Replacement
- 16 Territorial School Renovation
- 17 Utilities and Storm Sewer Upgrades
- 18 Evergreen Cemetery - build interior road, survey and lay out plots
- 19 Nerka Road Rehabilitation
- 20 New Hyster 1050 Fork Lift
- 21 Construct or Purchase Animal Shelter
- 22 Harvey Samuelsen Community Cultural Center
- 23 Warm Equipment Storage Addition
- 24 Roller Compactor
- 25 950 H Cat Loader
- 26 Brush Cutter, Sweeper, Snow blower
- 27 Fence around Public Works Storage Yard
- 28 Renovate City Hall
- 29 Hockey Rink Pavilion Planning and Design
- 30 Live Fire Training Facility
- 31 Case 580 M Extendahoe Backhoe

* Note this list combines #9 and #11 Fire Station and Public Safety Building as item #9 from the original list adopted by the Planning Commission September 20, 2011 Attach to PRC Resolution 2011-10

**State of Alaska
Local Boundary Commission (LBC)
Public Notice of LBC Public Meeting**

The Local Boundary Commission will meet telephonically on Wednesday, November 30, 2011, at 10 a.m. in the Atwood Building, 550 West 7th Avenue, Suite 1730 (17th floor conference room), Anchorage, Alaska. The meeting's purpose includes decisions on whether petitioner met the condition in the Dillingham annexation petition and whether to approve the petition, discussion of the revision and relaxation of 3 AAC 110.690 allowing teleconference attendees to call in for free, and other matters.

To view the proposed agenda, click on the Public Notices link on the LBC website at <http://www.commerce.state.ak.us/dca/lbc/lbc.htm> and select November 30, 2011 LBC Public Meeting, or contact LBC staff and request that a copy be sent to you:

LBC staff
550 West Seventh Avenue, Suite 1790
Anchorage, Alaska 99501-3510
Brent Williams: (907) 269-4559
Don Burrell: (907) 269-4587
Fax: (907) 269-4539
Email: LBC@alaska.gov

Persons interested in receiving future LBC notices, updates, and materials by email may subscribe to the LBC notice list service by visiting <http://www.commerce.state.ak.us/dca/lbc/lbcnotices.htm>, clicking on the link to the *LBC Subscription Service*, and following the instructions.

To participate in the teleconference, please call 1-800-315-6338 and enter the access code 4587#. Individuals with disabilities who need auxiliary aids, services, or special modifications to participate must contact LBC staff by November 23, 2011.

LOCAL BOUNDARY COMMISSION

STATE OF ALASKA

IN THE MATTER OF THE PETITION OF)
THE CITY OF DILLINGHAM FOR)
ANNEXATION OF NUSHAGAK)
COMMERCIAL SALMON DISTRICT WATERS)
AND WOOD RIVER SOCKEYE SALMON)
HARVEST AREA WATERS, TOGETHER)
CONSISTING OF APPROXIMATELY 396)
SQUARE MILES OF WATER AND 3)
SQUARE MILES OF LAND)

RESPONDENT NATIVE VILLAGE OF EKUK'S REQUEST FOR PERMISSION TO
SUPPLEMENT PETITIONER'S CONSULTATION REPORT AND FOR
CONTINUED SUPERVISION OF CONSULTATION AMONG PETITIONER,
RESPONDENT AND THE INTERESTED COMMUNITIES

Respondent Native Village of Ekuk requests that the Local Boundary Commission (LBC) grant it permission to supplement petitioner's consultation report filed on November 15, 2011. Further, respondent asks the LBC to postpone taking final action on the petitioner's annexation proposal. These requests are unusual, but are warranted and in the public interest for the reasons set out below. Respondent's supplemental report is attached to this pleading.

1. CONSULTATION IS ONGOING AND, IF ALLOWED TO CONTINUE, COULD LEAD TO THE FORMATION OF A REGIONAL BOROUGH AS AN ALTERNATIVE TO THE PROPOSED ANNEXATION.

As shown in the attached Supplement to the Consultation Report, the consultation now underway between petitioner and the affected communities has resulted in the petitioner, the respondent, and a number of the affected communities expressing their support for a regional borough as the best solution to the fiscal and cultural issues

sought to be resolved. While detailed in many respects, the Consultation Report omits some important facts and steps taken. Respondent believes that fairness and due process dictate that all the facts relating to the ongoing consultation, not just a portion of them, should be presented to the LBC and included in the record.

2. ADDITIONAL TIME IS REQUIRED TO COMPLETE THE CONSULTATION PROCESS.

As shown in the attached Supplement to the Consultation Report, preliminary commitments have been made to pursue a borough formation and to seek funding to support that process. The LBC's purpose in imposing the consultation as a condition of approval of the petition was to provide an opportunity to address important fiscal and cultural issues. The deadline imposed for the consultation was a reasonable one if it had resulted in either (a) a completed agreement or (b) a decision that no agreement could be reached. As things unfolded, however, a third result occurred: steps and communications were taken in the direction of forming a regional borough. This result requires more time to establish a plan and an agreement than was originally provided for. It would frustrate the purpose of the imposed condition to cut off this discussion now. Respondent asks the commission to set a new reasonable deadline which would allow the cities and tribal governments to enter into a cooperative agreement to resolve the financial and cultural issues arising out of the proposed annexation.

3. THE COMMISSION HAS AUTHORITY TO ACCEPT THE SUPPLEMENT TO THE CONSULTATION REPORT AND TO DELAY FINAL ACTION ON THE ANNEXATION PETITION.

These filings by respondent should be viewed and considered by the commission. One of the functions of the commission's advisory staff is to ensure that the commission is fully informed by providing new information that supplements information provided

by a petitioner, respondent, or other person. 3 AAC 110.534. The commission is authorized to grant the respondent's requests. Its regulations provide that "the commission, by a vote of at least three members, may relax or suspend a procedural regulation if the commission determines that a strict adherence to the regulation would work injustice, result in a substantially uninformed decision, or would not serve relevant constitutional principles and the broad public interest." 3 AAC 110.660.

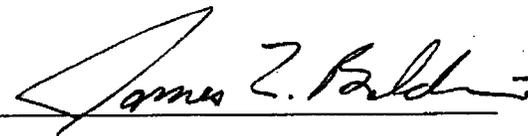
4. APPROVAL OF THE ANNEXATION PROPOSAL AT THIS TIME WOULD MAKE THE POSSIBILITY OF A BOROUGH FORMATION EXTREMELY UNLIKELY.

As reflected in the Alaska Constitution, minutes to the Constitutional Convention, and the commission's statutes, regulations and past decisions, it is in the best interests of the state for its areas to be organized into boroughs. Previous efforts to form a borough in this area were unsuccessful because there was not enough regional support. For the first time, a number of communities, cities, and tribal entities are in agreement that a regional borough would be the best solution to the issues raised by the annexation petition, and are prepared to work together toward that end. If the annexation petition is approved, however, some of the affected groups may no longer feel the need to work toward borough formation. Without a broad support, effort and financial commitments, a borough formation will not occur. In short, there is a small window of opportunity for borough formation that has not existed before and may not exist again. The commission should assist, not hinder, this positive development.

Moreover, if the annexation decision is approved now, respondent loses its right to appeal unless it files an appeal to the superior court within 30 days. Resources are already scarce, and respondent cannot reasonably be expected to adequately pursue both

an appeal and the formation of a borough at the same time. Additionally, petitioner and the commission would be involved in any appeal. Engaging in the adversarial appeal process would make it very difficult to simultaneously work cooperatively towards the formation of a borough. Additionally, it would waste the already limited resources of all parties. Practical and financial considerations compel the conclusion that the best next step is for the commission to delay taking final action on the annexation petition, and allow the consultation process to continue for a further reasonable period.

Dated this 23rd day of November, 2011.

By: 

James L. Baldwin
Counsel for Respondent Native Village of Ekuk

LOCAL BOUNDARY COMMISSION

STATE OF ALASKA

IN THE MATTER OF THE PETITION OF)
THE CITY OF DILLINGHAM FOR)
ANNEXATION OF NUSHAGAK)
COMMERCIAL SALMON DISTRICT WATERS)
AND WOOD RIVER SOCKEYE SALMON)
HARVEST AREA WATERS, TOGETHER)
CONSISTING OF APPROXIMATELY 396)
SQUARE MILES OF WATER AND 3)
SQUARE MILES OF LAND)

RESPONDENT'S SUPPLEMENT TO PETITIONER'S CONSULTATION REPORT

A number of the communities with whom the Local Boundary Commission directed the Petitioner to consult regarding the fiscal and cultural issues arising out of the Petitioner's proposed annexation maintain that the solution to those issues is the formation of a regional borough. See Exhibits 1 - 6. Based on meetings with representatives of petitioner, respondent believes that the petitioner is in agreement with that assessment. However, the consultation report does not completely describe the understanding of the respondent and Ekuk as to the future course of cooperation of petitioner and these entities toward the joint purpose of forming a borough. See Exhibit 5. Respondent believes that petitioner has agreed to suspend the calling of the ratification election if the affected communities commit to jointly pursuing the borough formation process. Id. For its part, Ekuk and the other communities have agreed to participate and provide funding for the borough formation effort, if the petitioner

suspends implementation of its annexation petition. These conceptual agreements need to be reduced to writing in the form of a cooperative agreement between the governments involved.

Based on the text of the Consultation report, the petitioner expresses strong resolve to achieve the goal of forming a regional borough but also pessimism as to whether other communities share this goal. The petitioner's report fails to disclose to the LBC any intent to delay the ratification vote other than the usual delays that come with ballot preparation and preclearance.¹ The report also does not contain reference to the request the petitioner made of the affected communities that they send letters of commitment to the petitioner binding them to a joint effort to form a borough and pay their fair share of the costs of such an effort. The letters sent by some of the affected communities, to the extent that Ekuk could obtain copies of them, are attached to this pleading as exhibits 1-6.. It is Ekuk's belief that other communities are considering petitioner's request and will respond in due course.² It was also respondent's understanding that a similar letter of commitment is to be forthcoming from petitioner.

Based on the extent of disclosures set out in petitioner's consultation report, it is possible that there has not been a meeting of the minds during the ongoing consultation meetings. For this reason, it is important that the LBC withhold issuing a final decision and retain jurisdiction over this matter until petitioner and the communities can conclude

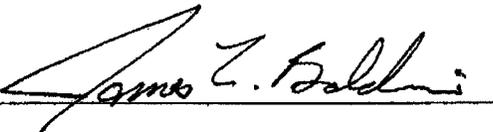
¹ See the memo recording the results of a meeting between the affected communities and petition held on October 27, 2011 appearing at page 82 of the consultation report.

² Robert Heyano will attend the November 30 meeting of the LBC and can speak to respondent's efforts and the expected response from affected communities of the region.

the consultation process. The petitioner should be directed to continue with the consultation until it can either show that the efforts at consultation have matured into a cooperative agreement to form a sponsor organization that is financially and technically able to petition to form a borough, or that this effort cannot be jointly pursued.³

Respondent fears that petitioner is hoping to pave the way to a final decision with statements of good intention rather than a completed consultation that meets the intent of the condition imposed by the commission. Respondent believes it wants the same thing as the commission: that the parties will collaborate to reach a regional solution. The consultation report submitted by petitioner discloses that petitioner has been working in good faith to this end, but that the consultation effort is not yet complete. Petitioner has requested commitments and received them in part. It should now complete the consultation to ensure that the borough formation process is underway.

Dated this __23rd day of November, 2011.

By: 

James L. Baldwin
Counsel for Respondent Native Village of Ekuk

³ For its part, Ekuk has had preliminary discussions with a consultant with experience in the process of forming a borough and is working on identifying other sources of funding to pay the substantial cost of preparing and presenting a borough formation petition.

11/17/2011 17:36 FAX 9078422107

CITY_OF_ALEKNAGIK

001/002

CITY OF ALEKNAGIK
P. O. Box 33, Main Street
Aleknagik, Alaska 99553-0033
Phone: 907 842-5953 or 842-2528
Fax: 907 842-2107
Email: cityalek@gmail.com (admin)
alekcityclerk@hotmail.com (clerk)

FAX COVER SHEET

TO: Mayor Ruby

FAX: 842-5691

FROM: Kay Adams, City Admin.

FAX #: 842-2107

DATE: Nov. 17, 2011

RE: Postponement of Annexation Vote and Borough
Formation

NUMBER OF PAGES INCLUDING THIS COVER:

COMMENTS:

Please find attached a resolution
passed by the city council encouraging
the City of Dillingham to postpone
annexation vote to allow communities
and yours an opportunity to form a borough.
Thank you. Please call if you have any
questions or concerns.

11/17/2011 17:36 FAX 9078422107

CITY_OF_ALEKNAGIK

002/002

CITY OF ALEKNAGIK

RESOLUTION 11-16

A RESOLUTION SUPPORTING AN ENGAGEMENT TO THE FORMATION OF A WESTERN BRISTOL BAY REGION BOROUGH

WHEREAS, the City of Aleknagik in resolution 97-20 supported a petition to annex with Lake and Peninsula Borough; and,

WHEREAS, the City of Dillingham conducted a Dillingham Area Analysis of a Borough Formation that included Dillingham, Aleknagik, Ekuk, Clarks Point, Portage Creek, Ekwok, New Stuyahok, and Kofiganok, September 2003; and,

WHEREAS, the City of Dillingham petitioned the Alaska State Local Boundary Commission on June 14, 2010 for annexation of Nushagak Commercial Salmon District Waters and Wood River Sockeye Salmon Special Harvest Area Waters, together consisting of approximately 396 square miles of water and 3 square miles of land (small islands) of which 99.2 % is water, using the local option (voter approval) method; and,

WHEREAS, the City of Aleknagik is therefore committed to assisting in organizing a Bristol Bay Western Region Borough that could include the communities of Aleknagik, Dillingham, Ekuk, Clarks Point, Portage Creek, Ekwok, New Stuyahok, Kofiganok, Manokotak, and Togiak; and,

WHEREAS, formation of a Bristol Bay Western Region Borough would allow unincorporated communities an opportunity to continue to share in the Bristol Bay Commercial Salmon District Waters including the Wood River Sockeye Salmon Harvest Area Waters and its potential to provide revenue which is a primary economic resource engine for all communities in Bristol Bay; and,

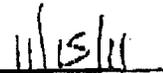
WHEREAS, all communities mentioned herein are tributaries of the Western Bristol Bay Region; and,

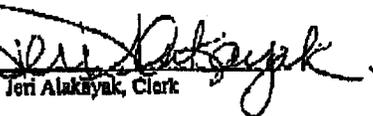
WHEREAS, fiscal independence from uncertain forms of revenue for overall governmental operations is critical for all communities;

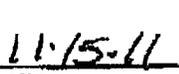
NOW, THEREFORE BE IT RESOLVED; that the Council and the Mayor or Designee is directed by this resolution to encourage the City of Dillingham to postpone the annexation vote in order to allow said communities an opportunity to engage in the formation of a borough that would allow all to share in the primary economic resource of the Bristol Bay Commercial Salmon Fishery Industry of Western Alaska.

Passed and approved by a duly constituted quorum of the City of Aleknagik this 15th day of November 2011.

SIGNED: 
Carolyn M. Smith, Mayor


DATE

ATTEST: 
Jeri Alakayak, Clerk


DATE



Aleknagik Natives Limited

P.O. Box 1630
Dillingham, Alaska 99576
(907) 842-2385

November 6, 2011

Mayor Alice Ruby
City of Dillingham
P.O. Box 889
Dillingham, AK 99576

Dear Mayor Ruby:

Aleknagik Natives Limited (ANL) respectfully requests that the Dillingham City Council postpone an upcoming Annexation Vote in order to allow the Togiak, Nushagak Bay, and Nushagak River Communities time to look into the formation of an area wide Borough.

ANL does not support the City of Dillingham's Annexation initiative and believes, instead, that a concerted effort to unify the villages in a Borough to increase their political and economic standing in the state is a much better long-term strategy for our region. I would be honored to be included in such an effort.

Sincerely,

A handwritten signature in cursive script that reads "Bobby Andrew".

Bobby Andrew, President
Aleknagik Natives Limited

Exhibit 2

RECEIVED

NOV 10 2011

CITY OF DILLINGHAM

CLARKS POINT VILLAGE COUNCIL

BOX 90

CLARKS POINT, ALASKA 99569

CITY OF CLARKS POINT

BOX 110

CLARKS POINT, ALASKA 99569

SAGUYAK, INC.

BOX 4

CLARKS POINT, ALASKA 99569

NOVEMBER 11, 2011

CITY OF DILLINGHAM

Box 889

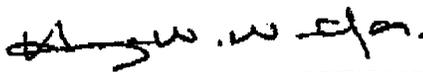
Dillingham, Alaska 99576

Attn:

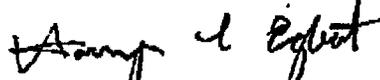
A joint meeting was held in Clarks Point at 12:00 P.M. to discuss the Borough formation . The Village Council, City Council and Saguyak, Inc. unanimously moved to go on record to look at the formation of a Borough with pro's and cons.

We would respectfully like you to put your petition on hold for annexation of the water.

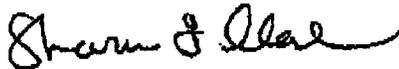
Sincerely,



HARRY W. WASSILY, SR, PRESIDENT VILLAGE COUNCIL



HARRY T. EGGERT, ACTING MAYOR, CITY OF CLARKS POINT



SHARON L. CLARK, ACTING PRESIDENT SAGUYAK, INC.

RECEIVED

NOV 11 2011

CITY OF DILLINGHAM
CITY CLERK

Exhibit 3

EKWOK VILLAGE COUNCIL
P.O. BOX 70
EKWOK, AK 99580
907-464-3336
Fax - 3378

Date: November 8 2011

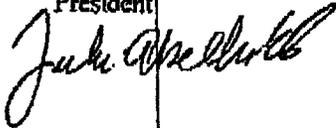
Fr: Luki Akelkok Sr.
Ekwok Village Council (EVC)
President

Re: Borough Formation

To: City of Dillingham

I am writing you concerning the formation of a Borough. EVC is interested in an effort to unify the Villages concerning Borough formation. EVC asks the Dillingham City Council to postpone an upcoming Annexation Vote in order to allow all the communities time to look into the formation of an area wide Borough. EVC does not support the current Annexation initiative. An area wide Borough we believe would be in the best interest of all.

Sincerely,
Luki Akelkok Sr.
President



Secretary:
Vera Taylor



November 11, 2011

Robert Heyano
Ekuk Village Council
Box 539
Dillingham, Alaska 99576

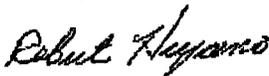
Mayor Alice Ruby
City of Dillingham
Box 889
Dillingham, Alaska 99576

Mayor Ruby;

As we agreed during our meetings, which were encouraged by the Local Boundary Commission, Ekuk Village Council agrees to engage in the process to petition the Local Boundary Commission for the formation of a borough covering the Western Bristol Bay Region. This agreement represents Ekuk's commitment to enter into a cooperative agreement along with other committed Western Bristol Bay Region communities and the City of Dillingham for this purpose. The intent of the parties is to suspend Dillingham's annexation petition during the processes of forming a new borough which includes Dillingham and other communities in the region. This commitment includes Ekuk's pledge to act in good faith to negotiate a cooperative agreement with Dillingham and the other communities to define the scope of the petition process, provide our fair share of needed funds, and to cooperate with efforts to obtain funding elsewhere. After carefully considering other options we believe the formation of a borough is the best possible option that would address almost all the concerns expressed both for and against the City of Dillingham's annexation petition.

We are confident that our attorneys will find an acceptable solution to deferring a LBC decision of the City's petition as we work together for a borough.

Sincerely:



Robert Heyano
President Ekuk Village Council

RECEIVED

NOV 14 2011

CITY OF DILLINGHAM
CITY CLERK

Exhibit 5

11/21/2011 MON 10:17 FAX 842 3843 Eruk Village Council
11/15/2011 15:47 3072891235 NVC

002/002
0087 P.002/002

Manokotak Village Council
P.O. Box 169
Manokotak, Ak 99628
PH: (907) 289-2067 or 1227
Fax: (907) 289-1235

November 15, 2011

Mayer Alice Ruby
City of Dillingham
Box 389
Dillingham, Alaska 99576

Mayer Ruby:

As we agreed during our meetings, which were encouraged by the Local Boundary Commission, Manokotak Village Council agrees to engage in the process to petition the Local Boundary Commission with the rest of the Western Bristol Bay Region. This agreement represents Manokotak's commitment to enter into a cooperative agreement along with other committed Western Bristol Bay Region communities. The intent of the parties is to suspend Dillingham's annexation. Manokotak's pledges to act in good faith to negotiate a cooperative agreement with Dillingham and the other communities to define the scope of the petition process, provide our fair share of needed funds. After carefully considering other options we believe the possible option that would address almost all the concerns expressed both for and against the City of Dillingham's annexation petition.

We are confident that our attorneys will find an acceptable solution to deferring a LBC decision of the City's petition.

Sincerely:

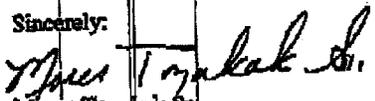

Moses Toyukak Sr.
Manokotak Village Council President

Exhibit 6

Portage Creek Village Council

Anchorage: 1327 E 72nd Unit #B
Anchorage, AK 99516
Phone: (907) 277-1105
Fax: (907) 277-1104

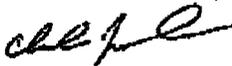
Portage Creek P.O. Box POA
Dillingham, AK 99578

November 11, 2011

To Whom It May Concern:

The Borough that's being under study for the Nushagak Bay which the city of Dillingham is working on, Portage Creek Village Council is in objection to the annexation. We are requesting consultation with the communities that will be directly affected by the Annexation.

Thanks



Charis Johnson, President

LOCAL BOUNDARY COMMISSION

STATE OF ALASKA

IN THE MATTER OF THE PETITION OF)
THE CITY OF DILLINGHAM FOR)
ANNEXATION OF NUSHAGAK)
COMMERCIAL SALMON DISTRICT WATERS)
AND WOOD RIVER SOCKEYE SALMON)
HARVEST AREA WATERS, TOGETHER)
CONSISTING OF APPROXIMATELY 396)
SQUARE MILES OF WATER AND 3)
SQUARE MILES OF LAND)

PROOF OF SERVICE

STATE OF ALASKA)
) ss.
THIRD JUDICIAL DISTRICT)

I, James L. Baldwin, upon oath, depose and state that:

On November_23rd, 2011 I mailed via first class US mail two copies of the Native Village of Ekuk's

RESPONDENT NATIVE VILLAGE OF EKUK'S REQUEST FOR PERMISSION TO SUPPLEMENT PETITIONER'S CONSULTATION REPORT AND FOR CONTINUED SUPERVISION OF CONSULTATION AMONG PETITIONER, RESPONDENT AND THE INTERESTED COMMUNITIES

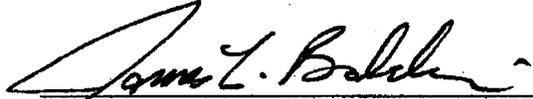
to:

Alice Ruby, Mayor
City Hall
P.O. Box 889
Dillingham, AK 99576

Brent Williams
Division of Community and Regional Affairs

Department of Community, Commerce, and Economic Development
550 West 7th Ave., Suite 1770
Anchorage, AK 99501-3510

Dated at Juneau, Alaska this _23rd day of November, 2011.

A handwritten signature in black ink, appearing to read "James L. Baldwin". The signature is written in a cursive style with a large initial "J" and a long horizontal stroke at the end.

James L. Baldwin
Counsel for Respondent

Janice Williams

From: Andrew Clavette [aclavette@bbahc.org]
Sent: Friday, October 14, 2011 1:48 PM
To: 'cityclerk@dillinghamak.us'
Subject: Letter of interest

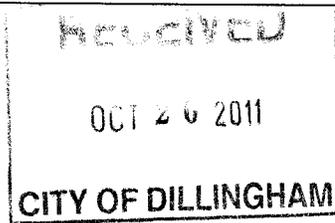
I am interested in serving the community on the city council seat B. I currently am the Employment Specialist/Case manger at BBCC and had been a counselor at Jake's for 2 years prior to that. I have been a coach on the adult and little league teams. I believe I have an unbiased opinion and an evaluative mind. I also am currently taking classes at the Brisol Bay Campus to further my education and improve skills. Thank you for considering me for this privilage to serve my community.

Andrew Clavette CDC1/Employment Specialist

RECEIVED

OCT 14 2011

CITY OF DILLINGHAM
CITY CLERK



October 18th, 2011

Mayor Alice Ruby
PO Box 889
Dillingham, AK 99576

Dear Mayor Ruby,

I Christopher W. Maines would like to submit my name for the Vacant Seat B on the Dillingham City Council. I meet the requirements as I have resided in Dillingham for 18 years and a registered voter in Dillingham.

Over the past few years I have wanted to take a more active role in our community and feel serving on the City Council will give me the ability to accomplish that. I have knowledge of Dillingham, its residents, our local issues, how a City Council operates, as well as Roberts Rules of Order. I would like to have this opportunity to serve the City of Dillingham and its residents.

Thank you for your consideration.

Respectfully,

A handwritten signature in black ink, appearing to be "C. W. Maines".

Christopher W. Maines