

CITY OF DILLINGHAM, ALASKA

RESOLUTION NO. 2015-24

A RESOLUTION OF THE DILLINGHAM CITY COUNCIL CORRECTING THE CITY'S OBLIGATION AMOUNT USED TO FACTOR THE FY16 DCSD FUNDING ALLOCATION AND REPEALING RESOLUTION NO. 2015-23 (AM)

WHEREAS, Alaska Statute 14.14.060(c) provides that the Dillingham School Board ("School Board") shall submit the school budget for the following year by May 1 for approval of the total amount; and

WHEREAS, the Dillingham City Council ("City Council") shall determine the total amount of money to be made available from local sources for school purposes within 30 days after the School District presents the budget request to the City; and

WHEREAS, the School Board submitted a proposed FY 2016 Budget of \$10,566,647 which includes a request of \$1,300,000, filed at City Hall on March 25, 2015; and

WHEREAS, the City Council shall determine the total amount of money to be made available from local sources for School purposes and shall furnish the School Board with a statement of this sum on or before May 31, 2015; and

WHEREAS, AS 14.17.410(2) requires a contribution from the City in the amount of the equivalent of a 2.65 mill tax levy on the full and true value of the taxable real and personal property as of January 1, 2014, (property values as of January 1 of the previous year from Alaska Taxable Report) which is calculated to be a local contribution in the amount of ~~\$415,144~~ \$564,492; and

WHEREAS, the City Council wishes to allocate the minimum required amount to meet the City's legal obligation which is 2.65 mill equivalent to property tax or ~~\$415,144~~ \$564,492, and 1% of sales tax equivalent, estimated at \$450,000 a total of ~~\$865,144~~ \$1,014,492 for the education operating budget for the Fiscal Year ending June 30, 2016; and

WHEREAS, the actual amount to be appropriated for School District purposes will be made a part of the City's FY 2016 Budget;

NOW, THEREFORE, BE IT RESOLVED that the Dillingham City Council has determined regarding additional funds which may be available to the School District based upon State funding of local governments and other information made available by this date, that the school appropriation be set at \$1.3 Million with \$1.2 Million for instruction and operating costs and \$100,000 for major maintenance for FY 2016.

PASSED and ADOPTED by a duly constituted quorum of the Dillingham City Council on May 14, 2015.

Alice Ruby, Mayor

ATTEST:

[SEAL]

Janice Williams, City Clerk

Subject:

A Resolution of the Dillingham City Council to Correct the City's Minimum Contribution Amount for the FY16 Dillingham City School District Funding Allocation and Repealing Resolution No. 2015-23 (AM)

City Manager: Recommend Approval

Signature: Rose Doera

Route to	Department Head	Signature	Date
X	Finance Director	<i>Anita M Fuller</i>	5/4/15
X	City Clerk	<i>Williamis</i>	5/4/15

Fiscal Note: Yes No Funds Available: Yes No

Other Attachments:

- Excerpt from Alaska Taxable Report for Calendar Year 2014

Summary Statement:

By State law the City is required to contribute the equivalent of 2.65 mill tax levy on the full and true value of its taxable real and personal property. The full and true value can be obtained from the State's annual Alaska Taxable document. For this year, Resolution No. 2015-23 (AM), that was adopted April 2, 2015, the full value was calculated on the real property only, and did not include the personal property.

This Resolution No. 2015-24 will correct that calculation. This will bring the minimum required from \$865,141 to \$1,014,492. This does not have an affect on the contribution amount that the City Council approved, which is \$1.3M, with \$1.2 M for instruction and operating costs, and \$100,000 for major maintenance for FY2016.



Ordinance No. _____ / Resolution No. 2015-24

Summary Statement continued:



Part 3 - Property Taxation

Table 7C
LOCAL ASSESSMENTS vs FULL VALUE
REAL AND PERSONAL PROPERTY COMBINED

This table excludes municipalities that do not levy a property tax, and oil and gas properties assessed under AS 43.56.

Municipalities	Locally Assessed Value	Full Value	Ratio
Municipality of Anchorage	\$33,304,523,825	\$37,571,220,500	88.64%
Bristol Bay Borough	\$302,323,536	\$334,584,800	90.36%
Fairbanks North Star Borough	\$7,601,080,923	\$9,951,807,500	76.38%
Fairbanks	\$2,484,784,392	\$3,491,434,400	71.17%
North Pole	\$282,122,421	\$356,743,700	79.08%
Haines Borough	\$321,731,200	\$388,489,500	82.82%
City & Borough of Juneau	\$4,397,722,533	\$4,916,206,900	89.45%
Kenai Peninsula Borough	\$5,830,465,767	\$8,051,878,600	72.41%
Homer	\$615,801,340	\$912,563,600	67.48%
Kachemak	\$55,968,200	\$83,295,700	67.19%
Kenai	\$692,276,699	\$922,528,900	75.04%
Seldovia	\$39,123,210	\$48,465,900	80.72%
Seward	\$292,232,945	\$360,431,500	81.08%
Soldotna	\$477,414,252	\$699,506,100	68.25%
Ketchikan Gateway Borough	\$1,404,734,000	\$1,778,712,800	78.97%
Ketchikan	\$805,953,200	\$1,092,935,900	73.74%
Saxman	\$20,789,200	\$29,688,300	70.02%
Kodiak Island Borough	\$1,181,898,002	\$1,612,480,900	73.30%
Akhiok	\$664,563	\$1,593,100	41.72%
Kodiak	\$536,233,926	\$845,319,300	63.44%
Larsen Bay	\$11,023,759	\$13,992,300	78.78%
Old Harbor	\$4,789,647	\$10,031,200	47.75%
Ouzinkie	\$2,942,428	\$5,306,300	55.45%
Port Lions	\$11,916,467	\$16,233,000	73.41%
Matanuska-Susitna Borough	\$8,213,601,837	\$10,057,091,500	81.67%
Houston	\$118,473,407	\$155,195,000	76.34%
Palmer	\$397,862,359	\$635,703,600	62.59%
Wasilla	\$1,001,209,514	\$1,468,955,800	68.16%
North Slope Borough	\$539,070,887	\$661,731,800	81.46%
Anaktuvuk Pass	\$2,798,620	\$6,356,400	44.03%
Atkasuk	\$2,255,600	\$5,973,300	37.76%
Barrow	\$195,679,558	\$247,386,200	79.10%
Kaktovik	\$4,708,750	\$8,845,200	53.24%
Nuiqsut	\$6,474,760	\$12,299,900	52.64%
Point Hope	\$1,274,200	\$7,108,200	17.93%
Wainwright	\$9,739,775	\$17,463,700	55.77%
Petersburg Borough	\$320,638,124	\$428,995,100	74.74%
Kupreanof	\$3,642,600	\$4,593,700	79.30%
City & Borough of Sitka	\$1,032,626,079	\$1,197,790,200	86.21%
Municipality of Skagway	\$325,846,137	\$345,084,500	94.43%
City & Borough of Wrangell	\$135,544,229	\$202,209,300	67.03%
City & Borough of Yakutat	\$44,128,736	\$78,808,600	55.99%
Cordova	\$168,654,400	\$276,883,000	60.91%
Craig	\$99,498,360	\$133,956,200	74.28%
Dillingham	\$186,098,152	\$213,015,700	87.36%
Eagle	\$9,412,922	\$12,597,800	74.72%
Nenana	\$17,967,578	\$26,286,400	68.35%
Nome	\$271,121,617	\$368,347,400	73.60%
Pelican	\$9,071,574	\$9,749,000	93.05%
Unalaska	\$545,145,000	\$620,525,800	87.85%
Valdez	\$259,800,074	\$373,985,400	69.47%
Whittier	\$77,275,972	\$76,617,900	100.86%
Total Municipalities	\$66,599,981,464	\$79,689,057,100	83.57%

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CITY OF DILLINGHAM, ALASKA

RESOLUTION NO. 2015-25

A RESOLUTION OF THE DILLINGHAM CITY COUNCIL APPROVING A TASK ORDER WITH BARBARA SHEINBERG TO FURTHER WORK ON THE ANNEXATION PETITION

WHEREAS, the City of Dillingham contracted with Barbara Sheinberg dba Sheinberg Associates to assist the City in its efforts to address the March 27, 2014, Superior Court appeal of the State of Alaska’s affirmative annexation decision; and

WHEREAS, the City has since sent a new petition to the Local Boundary Commission which proposes to annex the Nushagak Commercial Salmon District waters and Wood River Sockeye Salmon Special Harvest area waters; and

WHEREAS, when and if the petition is found satisfactory by the Local Boundary Commission it will be submitted for Legislative review; and

WHEREAS, the Local Boundary Commission has completed its first review of the new petition and has asked for further clarification; and

WHEREAS, Barbara Sheinberg has assisted the City in its past efforts and it is beneficial to the City to continue to use her services;

NOW, THEREFORE, BE IT RESOLVED that Dillingham City Council authorizes the City Manager to execute Task Order No. 1 to continue contracting with Sheinberg Associates for an additional cost of \$10,000.

PASSED and ADOPTED by the Dillingham City Council on May 14, 2015.

Alice Ruby, Mayor

ATTEST: [SEAL]

Janice Williams, City Clerk

Attachment to:

Ordinance No. _____ / Resolution No. 2015-25

Subject:

A RESOLUTION OF THE DILLINGHAM CITY COUNCIL APPROVING A TASK ORDER WITH BARBARA SHEINBERG TO FURTHER WORK ON THE ANNEXATION PETITION

City Manager: Recommend Approval

Signature: Rose Doera

Route to	Department Head	Signature	Date
	Finance Director	<i>Janita M. Fuller</i>	5/4/15
X	City Clerk	<i>J. Williams</i>	5/4/15

Fiscal Note: Yes No

Funds Available: Yes No

Other Attachments:

- Letter from Local Boundary Commission
- Task Order No. 1
- Page 1 of Contract for Consulting Services - June 24, 2014

Summary Statement:

On January 22, 2015, the City submitted a new annexation petition to annex the Nushagak Commercial Salmon District waters and Wood River Sockeye Salmon Special Harvest area waters. The Local Boundary Commission has completed its review. The City contracted with Barb Sheinberg in June 24, 2014 to assist in preparing a petition to annex territory into its city. The contract stipulated should there be a need for additional funds this would be done through a Task Order. The City Council is being asked to approve Task Order No. 1, which will add another \$10,000 for her services and will continue until the petition has been approved.



Ordinance No. _____ / Resolution No. 2015-25

Summary Statement continued:

City of Dillingham
Fiscal Note

Agenda Date: May 14, 2015

Request: _____

ORIGINATOR: Anita Fuller

FISCAL ACTION (TO BE COMPLETED BY FINANCE)		FISCAL IMPACT <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
AMOUNT : \$10,000		FUNDING SOURCE	
FROM ACCOUNT		Project	
1000 7068 10 11 0000 0	\$ 10,000.00	Anexation Project	
		General Fund Revenue	
TO ACCOUNT:	VERIFIED BY: Anita Fuller	Date:	5/6/2015

EXPENDITURES

OPERATING	FY14	FY15	FY16	FY17
Personnel				
Fringe Benefits				
Anexation Project			10,000.00	
Road Maintenance Products				
Land/Buildings				
Miscellaneous				
TOTAL OPERATING	\$ -	\$ -	\$ 10,000.00	\$ -

CAPITAL				
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REVENUE				
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FUNDING

General Fund			\$ 10,000.00	
State/Federal Funds				
Other				
TOTAL FUNDING	\$ -	\$ -	\$ 10,000.00	\$ -

POSITIONS

Full-Time				
Part-Time				
Temporary				

ANALYSIS: (Attach a separate page if necessary)

See Attached Action Memorandum #2015-06

PREPARED BY: Anita Fuller

May 6, 2015

DEPARTMENT: Finance Department

May 6, 2015



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

**Department of Commerce, Community,
and Economic Development**

DIVISION OF COMMUNITY AND REGIONAL AFFAIRS

550 West Seventh Avenue, Suite 1640
Anchorage, AK 99501
Main: 907.269.4501 / 907.269.4581
Programs fax: 907.269.4539

April 3, 2015

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

Dear Mayor Ruby,

The Alaska Department of Commerce, Community, and Economic Development ("Commerce") has completed its technical review of the City of Dillingham's ("City" or "Dillingham") annexation petition per 3 AAC 110.440.

The details of the technical review are below, but we would first like to bring to your attention to statements made on pages 47 and 82 of the petition, and in the petition summary. Those documents state that the commission is bound by its earlier decision and cannot change it. As Mr. Robert Heyano pointed out in his February 24, 2015 letter, it is incorrect that to say that the Local Boundary Commission ("LBC" or "commission") is bound by its earlier decision and cannot reverse or change its findings. This is a remanded petition. The LBC is not bound by its earlier decision, nor is it bound by its previous findings for the individual standards. Circumstances might have changed since the earlier decision. The composition of the commission has changed since the decision. The commission will examine the petition and the submitted comments and briefs, listen to the testimony, arguments, and public comments given at the hearing, and determine anew whether the petition meets the standards.

Regarding the technical review, Commerce has found some deficiencies in the form and content of the petition and supporting materials. Commerce is returning the petition for correction or completion with concurrence of the commission's chair per 3 AAC 110.440(c). This is a common occurrence with petitions. For your convenience, we have listed our suggestions below.

1. On page 18 Section 13, please state whether the school bond debt listed is the only long-term debt, and whether the interest is at a fixed rate.
2. On page 23, Exhibit A-1, number eight, the last five words should read "the western [~~eastern~~] shore of Nushagak Bay" according to our cartographer.
3. On page 26, Exhibit A-3, number eight, the last five words should read "the west [~~east~~] shore of Nushagak Bay" according to our cartographer.

4. On page 28, in Exhibit A-4, the petition refers to maps in Exhibit A-4 on page 28, but does not include any actual maps or plats of the existing city, or the territory proposed for annexation as required by 3 AAC 110.420(b)(7). Please include the relevant materials.
5. On page 34, Exhibit B, please add to the list of places that you will post the notice. We suggest the list should be the same as the list of the places that you posted the notice of the pre-submission hearing. This will increase the number of places that the public notice is posted.
6. On pages 38-41, in Exhibit C-1 and C-2: Under 3 AAC 110.420(b)(13), a petition is required to include “projections of revenue, operating expenditures, and capital expenditures through the period extending one full fiscal year beyond the reasonably anticipated date (B) for completion of any transition set out in AS 29.05.180...” The figures in Exhibit C relating to projected revenues, projected expenditures, and projected capital expenditures provide information about fiscal years 2012-2015. Even though Dillingham submitted a petition in 2010 that was initially approved, simply submitting the budget information from that year forward through 2015 does not satisfy the standards for a new petition. The City must provide information about projected numbers after fiscal year 2015 (which ends in the same calendar year that the petition was submitted). Commerce determines that financial data are needed through FY18.
7. On page 41, in Exhibit C-3, please list all of the City’s capital expenditures, not just any associated with the proposed annexation.
8. On pages 42-46, in Exhibit D, the petition needs to address 3 AAC 110.900(a), which concerns the capacity of the municipal government to extend essential municipal services. The petition also needs to address 3 AAC 110.900(c), which concerns the transfer and integration of assets and liabilities.
9. On pages 66-70, in Exhibit E, please explain how the petition meets the standards of 3 AAC 110.110, rather than quote from the commission’s 2011 decision.
10. On pages 73-74, in Exhibit E, please explain how the petition meets the standards of 3 AAC 110.130(a), rather than quote from the commission’s 2011 decision.
11. On pages 74-76, in Exhibit E, please explain how the petition meets the standards of 3 AAC 110.130(c)(1) and (2), rather than quote from the commission’s 2011 decision.
12. On pages 76-78, in Exhibit E, please explain how the petition meets the best interests of the state standard under 3 AAC 110.135, rather than quote from the commission’s 2011 decision.
13. On page 80, in Exhibit E, if the petition is contending that the petition meets the standard of 3 AAC 110.140(8)), it is necessary to explain how the petition meets 3 AAC 110.005 (and 3 AAC 110.920 and 3 AAC 110.990(5)).

14. On page 81, in Exhibit E, 3 AAC 110.010(c) does not apply because it pertains to cities in an organized borough; rather, 3 AAC 110(b) does apply because Dillingham is in the unorganized borough.
15. On page 81, in Exhibit E, a petitioner must address 3 AAC 110.140 for legislative review annexation petitions. To do so, a petition must meet at least one of the eight specified circumstances. It is not necessary to meet all eight. If a petitioner chooses to address 3 AAC 110.140(8), the petition must address the city incorporation standards. AS 29.011(a)(3) and 3 AAC 110.020 are among those standards. The petition states that 3 AAC 110.020 “is not materially different from 3 AAC 110.110.” 3 AAC 110.020 focuses on whether the proposed city has the necessary resources. It lists factors which the commission *will* consider. By contrast, 3 AAC 110.110 lists factors which the commission *may* consider. Many of those factors consider only the territory proposed for annexation. For that reason, the two regulations are different, and a petition that addresses 3 AAC 110.140(8) must separately address 3 AAC 110.020.
16. On page 82, in Exhibit E, for 3 AAC 110.040(b) the petition must show that the proposed city does not include entire geographical regions or large unpopulated areas, except if those boundaries are justified by the application of the standards in 3 AAC 110.005-3 AAC 110.042 and are otherwise suitable for city government.
17. On page 82, in Exhibit E, the petition must address 3 AAC 110.040(c).
18. Please address 3 AAC 110.982(6).
19. On page 83, in Exhibit E, please explain how the petition meets 3 AAC 110.970(c).
20. Please remove all references to “page ___ of this brief” and put in the page number of the petition. The brief is not separately paginated.
21. Please include the petition summary.
22. Per 3 AAC 110.425(h), please include an audio recording of the pre-submission hearing, and evidence of a request that a public service announcement be aired.

We respectfully return the petition for correction or completion. Please don't hesitate to contact us with any questions or concerns.

Sincerely,

R. Brent Williams

Brent Williams
Local Government Specialist V

TASK ORDER

TASK ORDER NUMBER: 1

PROJECT NAME: FILE ANNEXATION PETITION

This Task Order pertains to an Agreement by and between the City of Dillingham ("OWNER") and Sheinberg Associates ("CONSULTANT") dated June 24, 2014 ("the AGREEMENT"). Consultant shall perform services on the project described below as provided herein and in the Agreement. This Task Order shall not be binding until it has been properly signed by both parties. Upon execution, this Task Order shall supplement the Agreement as it pertains to the project described below.

PART 1.0 PROJECT DESCRIPTION

Assist the City with updating of the June 14, 2010 Petition to the Local Boundary Commission for Annexation of the Nushagak Commercial Salmon District waters and Wood River Sockeye Salmon Special Harvest area waters.

PART 2.0 SCOPE OF SERVICES TO BE PERFORMED BY CONSULTANT

1. Take the lead to address LBC's letter of April 3, 2015 asking for clarification on several issues in the City's petition that was filed with the LBC January 22, 2015, with input from the City's attorney and staff.
2. Continue with other assistance as needed as directed by the City Manager and General Counsel.

PART 3.0 OWNER'S RESPONSIBILITIES

The City shall provide office space when the consultant is in town working on City project, unless otherwise agreed by both parties.

PART 4.0 PAYMENT TO CONSULTANT

This task order will approve an additional amount of \$10,000 to get the annexation petition through the legislative review process.

This Task Order is executed this _____ day of _____, 2015.

City of Dillingham
"OWNER"

Sheinberg Associates
"CONSULTANT"

By: Rose Loera

By:

Signature: _____
Title: City Manager

Signature: _____
Consultant

**CONTRACT FOR CONSULTING SERVICES
SHEINBERG ASSOCIATES**

This Agreement is entered into this 24th day of June, 2014, by and between **Sheinberg Associates (herein referred to as "Consultant")** and the **City of Dillingham ("City")**. For good and valuable consideration, the receipt whereof is hereby acknowledged, Consultant and City agree as follows:

WHEREAS the City is in need of a consulting service to assist in preparing a petition to annex territory into its City; and,

WHEREAS the City is desirous of engaging the services of Consultant as an independent contractor using independent professional judgment to accomplish assigned tasks;

NOW, THEREFORE, the parties hereto do mutually agree as follows:

1. Employment of Consultant.

The work to be performed by Consultant pursuant to this Agreement is all tasks assigned by the City Manager or the City of Dillingham General Counsel. A more specific identification of Consultant's professional services to be provided in accordance with the provisions of this Agreement is listed in Appendix A "**Scope of Work**," incorporated herein by reference and such other duties as requested by the City Manager or the City Council.

2. Term of Agreement.

The term of this Agreement shall be in place from the date of execution and approval of the Dillingham City Council until the annexation petition has been approved through the legislative process.

3. Fee.

The City shall pay Consultant a not-to-exceed fee for this work of \$10,000 at a rate of \$104. If the amount is not adequate to get the annexation petition through the legislative review process it will be increased utilizing a Task Order approved by the City Council.

4. Payments.

The City agrees to make payments to Consultant as services are performed and costs are incurred, provided Consultant submit one (1) copy of a proper invoice for each payment, in such form and accompanied by such evidence in support thereof as may be reasonably required by the City.

Billing and expense invoices shall be submitted monthly at the end of each month. Invoices shall be accompanied by a monthly activity report detailing work and accomplishments.

CITY OF DILLINGHAM, ALASKA

RESOLUTION NO. 2015-26

A RESOLUTION OF THE DILLINGHAM CITY COUNCIL APPROVING TASK ORDER 1 WITH MICHAEL L. FOSTER AND ASSOCIATES, INC. FOR PRELIMINARY ENGINEERING ON THE WATER PROJECT IDENTIFIED AS WATER SYSTEM IMPROVEMENTS

WHEREAS the City of Dillingham has identified the need to improve its water system since 1994; and

WHEREAS, the 2003 Water and Sewer Master Plan calls for developing a new water source to upgrade and expand the existing service; and

WHEREAS, the City has secured funding (Municipal Matching Grant 28308) for developing a new well and upgrading and expanding the existing service; and

WHEREAS, in order to receive the grant award the City must provide a Preliminary Engineering Report (PER) for the intended scope of work; and

WHEREAS, 66% of the cost of the report will be covered by MMG 28308 and 33% will be covered by the City's General Fund; and

WHEREAS, Michael L. Foster and Associates, Inc. is under contract to the City to provide engineering services;

NOW, THEREFORE, BE IT RESOLVED by the Dillingham City Council approves Task Order 1 for Michael Foster to complete a Preliminary Engineering Report, for an amount not to exceed \$150,000.

PASSED and ADOPTED by the Dillingham City Council May 14, 2015.

SEAL:

Alice Ruby, Mayor

ATTEST:

Janice Williams, City Clerk

Subject:

A RESOLUTION OF THE DILLINGHAM CITY COUNCIL APPROVING TASK ORDER 1 WITH MICHAEL L. FOSTER AND ASSOCIATES, INC. FOR PRELIMINARY ENGINEERING ON THE WATER PROJECT IDENTIFIED AS WATER SYSTEM IMPROVEMENTS

City Manager: Recommend Approval

Signature: Rose Doera

Route to	Department Head	Signature	Date
X	Finance Director	<i>Anita M Fuller</i>	5/6/15
X	Planning Director	<i>Judy Sief</i>	
X	City Clerk	<i>Williamis</i>	5/6/15

Fiscal Note: Yes No

Funds Available: Yes No

Other Attachments:

Task Order 1

Summary Statement:

This task order is for Michael L. Foster and Associates to assist the City with Preliminary Engineering Report to provide engineering estimates for finding and developing a new water source and associated improvements and upgrades to the existing water system. This report is required to be able supply information required to apply for the Municipal Matching grant which was extended under the number MMG 28308. The estimated cost of the task order is \$150,000. The cost of this report can be charged to Municipal Matching Grant 28308. The MMG requires a 1/3 match. The City will need to supply \$50,000 to charge \$100,000 to the grant.

Ordinance No. _____ / Resolution No. 2015-26

Summary Statement continued:

Michael L. Foster and Associates, Inc.

TASK ORDER NUMBER: 1

PROJECT NAME: Water System Improvements

This Task Order pertains to an Agreement by and between the City of Dillingham ("OWNER") and Michael L. Foster and Associates, Inc. ("CONSULTANT"). Consultant shall perform services on the project described below as provided herein and in the Agreement. This Task Order shall not be binding until it has been properly signed by both parties. Upon execution, this Task Order shall supplement the Agreement as it pertains to the project described below.

PART 1.0 PROJECT DESCRIPTION

Water System Improvements Master Plan/Preliminary Engineering Report.

PART 2.0 SCOPE OF SERVICES TO BE PERFORMED BY CONSULTANT

The project will consist of a Preliminary Engineering Report for development of a new water source, hydrogeological and related studies to determine best place to acquire new water source; installation of transmission and distribution mains; and reprioritization of projects in the 2003 Water and Sewer Master Plan, including planning and design of other related upgrades and improvements. Project will include cost estimates for all construction. Please see Proposal dated March 12, 2015 for further details and assumptions.

PART 3.0 OWNER'S RESPONSIBILITIES

The City shall provide office space when the consultant is in town working on City project, unless otherwise agreed by both parties and shall also provide transportation.

PART 4.0 DELIVERABLES AND TIME PERIOD

Report shall be completed by June 30.

PART 5.0 PAYMENT TO CONSULTANT

The fee proposal is a time & materials basis with a not-to-exceed amount of \$150,000.

PART 6.0 OTHER

N/A

This Task Order is executed this _____ day of _____, 2015.

City of Dillingham
"OWNER"

Michael L. Foster and Associates, Inc.
"CONSULTANT"

By: Rose Loera

By: Michael L. Foster, P.E.

Signature: _____

Signature: _____

Title: City Manager

Project Manager

CITY OF DILLINGHAM, ALASKA

RESOLUTION NO. 2015-27

A RESOLUTION OF THE DILLINGHAM CITY COUNCIL APPROVING THE DESIGNATION OF THE FACILITY AND EQUIPMENT PURCHASE OR MAINTENANCE FUND

WHEREAS, DMC Chapter 4.04, Fiscal Policies, Section 4.03.030, Funds Designated, allows that additional funds may be created as needed by resolution; and

WHEREAS, Resolution No. 2010-27 created the Equipment Replacement Capital Project Fund which is to provide funds and access to financing to purchase vehicles and motorized equipment; and

WHEREAS, it has been determined that this fund is too restrictive for its use; and

WHEREAS, this resolution will modify the above resolution to expand the usage of this fund for repair and maintenance of facilities and for the purchase of small equipment that is needed throughout the City; and

WHEREAS, capital equipment has been changed to facility and equipment with a replacement or repair cost of >\$5,000 (greater than \$5,000); and

WHEREAS, the newly named Facility and Equipment Purchase or Maintenance Fund expenditures will be considered yearly during the budget process with recommendations coming from the following documents:

1. City of Dillingham Vehicles, Heavy Equipment and other Equipment >\$20,000; and
2. City of Dillingham Equipment, Attachments and Technology \$5,000 - \$20,000; and
3. City Facilities Maintenance & Repairs; and

WHEREAS, expenditures from the account needed from the fund after the budget is approved will be presented to the council for approval; and

WHEREAS, City of Dillingham staff will update the above documents on a yearly basis and bring recommendations forward; and

WHEREAS, the fund will maintain a minimum balance of \$50,000 for unforeseen needs; and

WHEREAS, if an emergency purchase was necessary funds would be appropriated by the City Council and deposited into this fund to address the emergency; and

WHEREAS, funding for the Facility and Equipment Purchase or Maintenance Fund will be from unappropriated reserves, sales of City's salvageable capital equipment, or other sources in the amount the Council deems appropriate;

NOW, THEREFORE, BE IT RESOLVED that Dillingham City Council renames the Equipment Replacement Capital Project Fund created through Resolution 2010-27 to the Facility and Equipment Purchase or Maintenance Fund with facility and equipment cost >\$5,000.

PASSED and ADOPTED by the Dillingham City Council on May 14, 2015.

Alice Ruby, Mayor

ATTEST:

[SEAL]

Janice Williams, City Clerk

Attachment to:

Ordinance No. _____ / Resolution No. 2015-27

Subject:

A RESOLUTION OF THE DILLINGHAM CITY COUNCIL APPROVING THE DESIGNATION OF THE FACILITY AND EQUIPMENT PURCHASE OR MAINTENANCE FUND

City Manager: Recommend Approval

Signature: Rose Doera

Route to	Department Head	Signature	Date
X	Finance Director	<i>Amila M. Fullin</i>	5/4/15
X	City Clerk	<i>J. Williams</i>	5/4/15

Fiscal Note: Yes No

Funds Available: Yes No

Other Attachments:

- Resolution No. 2010-27

Summary Statement:

Resolution No. 2010-27 created a Equipment Replacement Capital Project Fund that was used only for vehicle replacement. The Council has been putting \$50,000 per year into this fund to replace vehicles with capital expenditures defined as equipment with a replacement cost >\$10,000.

There are other needs for purchases and repairs in the City and it is being recommended that the above mentioned fund be used for those as well. Changing the name to Facility and Equipment Purchase or Maintenance Fund with expenditures being >\$5,000.



Ordinance No. _____ / Resolution No. 2015-27

Summary Statement continued:

Staff has created three documents that will be updated annually and recommendations from the fund will be done through the budget process:

1. City of Dillingham Vehicles, Heavy Equipment and other Equipment >\$20,000
2. City of Dillingham Equipment, Attachments and Technology \$5,000 - \$20,000
3. City Facilities Maintenance and Repairs.

The fund will maintain a balance of \$50,000 for unseen expenditures. Any expenditures from this fund will need council approval if not appropriated through the budget process.



CITY OF DILLINGHAM, ALASKA

RESOLUTION NO. 2010-27

A RESOLUTION OF THE DILLINGHAM CITY COUNCIL APPROVING THE DESIGNATED USE OF THE EQUIPMENT REPLACEMENT CAPITAL PROJECT FUND AND ADOPTING THE FLEET MANAGEMENT OPERATING PROCEDURES.

WHEREAS, DMC Chapter 4.04, Fiscal Policies, Section 4.03.030, Funds Designated, allows that additional funds may be created as needed by resolution; and,

WHEREAS, during the FY 2008 budget the Council determined there was a need to establish the Equipment Replacement Fund, hereto named the Equipment Replacement Capital Project Fund, to provide funds and access to financing to purchase vehicles and motorized equipment; and,

WHEREAS, the Dillingham City Council approved the following transfer of funds to the Equipment Replacement Capital Project Fund through the annual budget process as follows:

FY 2008	\$50,000
FY 2009	\$50,000
FY 2010	<u>\$50,000</u>
Total	\$150,000

WHEREAS, capital equipment is defined as equipment with a replacement cost of >\$10,000 (greater than \$10,000); and,

WHEREAS, when capital equipment approaches the last five years of its useful life it will be placed on the Five (5) Year Capital Equipment Replacement Schedule and reviewed as part of the City's Five (5) Year Capital Improvement Program during the City's annual budget cycle; and,

WHEREAS, funding for the Equipment Replacement Capital Project Fund will be from unappropriated reserves, sales of the City's salvageable capital equipment, or other sources in an amount the Council deems appropriate; and,

WHEREAS, annually at the adoption of the fiscal budget a portion of the anticipated unappropriated reserve may be transferred to the fund;

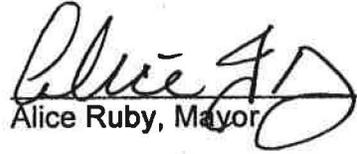
NOW, THEREFORE, BE IT RESOLVED that the Dillingham City Council approves the designated use of the Equipment Replacement Capital Project Fund;

BE IT FURTHER RESOLVED that the City Council adopts under Policies and Procedures, Fleet Management Operating Procedures, Policy No. 03-10, which includes procedures for determining when COD vehicles and motorized equipment are eligible for replacement, and to describe the process of accomplishing replacement;

BE IT FURTHER RESOLVED that a copy of Policy No. 03-10, Fleet Management Operating Procedures, is attached to this resolution.

PASSED and ADOPTED by the Dillingham City Council on May 20, 2010.

SEAL:



Alice Ruby, Mayor

ATTEST:



Karen McCambly, Acting City Clerk

CITY OF DILLINGHAM, ALASKA

RESOLUTION NO. 2015-28

A RESOLUTION OF THE DILLINGHAM CITY COUNCIL AMENDING THE INVESTMENT ACCOUNT SIGNATURE AUTHORITY FORMS FOR CITY INVESTMENT ACCOUNTS DUE TO A CHANGE IN PERSONNEL

WHEREAS, the last day of work for Finance Director Carol Shade was April 30, 2015, and Carmen Jackson has been contracted as an Acting Finance Director starting in May 2015;

WHEREAS, the signature authority forms for the City's investment accounts at Wells Fargo Investment Services, Piper Jaffray, Alaska Municipal League Investment Pool, and Time Value Investments will need to be reflect the changes in personnel;

NOW, THEREFORE, BE IT RESOLVED by the Dillingham City Council that the following persons are authorized to give instructions on behalf of the City of Dillingham on the funds that are now and shall be deposited in the above mentioned investment institutions..

Rose Loera	City Manager
Alice Ruby	Mayor
Holly Johnson	Council Member
Chris Maines	Council Member
Misty Savo	Council Member
Curt Armstrong	Council Member
Tracy G. Hightower	Council Member
Paul Liedberg	Council Member
Carmen Jackson	Acting Finance Director

PASSED and ADOPTED by a duly constituted quorum of the Dillingham City Council on May 14, 2015.

Alice Ruby, Mayor

ATTEST: [SEAL]

Janice Williams, City Clerk

CITY OF DILLINGHAM, ALASKA

RESOLUTION NO. 2015-29

A RESOLUTION OF THE DILLINGHAM CITY COUNCIL APPROVING THE PURCHASE OF RIP RAP FROM AMANKA LAKE CONSTRUCTION

WHEREAS, the City need to purchase Rip Rap (rock) to address the erosion problems with the lagoon outfall and the sheet piling on Snag Point; and

WHEREAS, Public Works called all the general contractors in Dillingham and the only company that had Rip Rap was Amanka Lake Construction; and

WHEREAS, Horizon Construction will sell it to us at \$133.50 a ton and we haul it from their pit; and

WHEREAS, the funding for the purchase of Rip Rap will come from a Shoreline Erosion grant that expires the end of June and from Public Works Street account; and

WHEREAS, the City needs approximately 700 tons for a total cost of approximately \$90,000; and

WHEREAS, this purchase is exempt from the competitive sealed bid process, because it falls under DMC 4.30.130 Exemptions, A. Restrictions and provisions of this Chapter [Contract and Purchase Procedures] shall not apply; 3. To supplies, materials, equipment or contractual services which can only be furnished by a single dealer, or which have a uniform published price;

NOW, THEREFORE, BE IT RESOLVED that Dillingham City Council authorizes the purchase of approximately 700 tons of Rip Rap in the amount of \$90,000 from Amanka Lake Construction.

PASSED and ADOPTED by the Dillingham City Council on May 14, 2015.

Alice Ruby, Mayor

ATTEST:

[SEAL]

Janice Williams, City Clerk

Subject:

A RESOLUTION OF THE DILLINGHAM CITY COUNCIL APPROVING THE PURCHASE OF RIP RAP FROM AMANKA LAKE CONSTRUCTION

City Manager: Recommend Approval

Signature: Rose Doera

Route to	Department Head	Signature	Date
X	Finance Director	<u>Christa M Fuller</u>	<u>5/4/15</u>
X	Public Works Director		
X	City Clerk	<u>J Williams</u>	<u>5/5/15</u>

Fiscal Note: Yes No

Funds Available: Yes No

Other Attachments:

Summary Statement:

The City needs to repair the lagoon outfall and the sheet piling on Snag Point by placing Rip Rap around it to protect from erosion.

The only company that provides this product in Dillingham is Amanka Lake Construction. The City contacted two other contractors and they did not have any.

This project will be funded from the remaining Shoreline Erosion grant and funds we budgeted in Public Works Streets account in 2015. The total purchase will be about 700 tons for approximately \$90,000.

Ordinance No. _____ / Resolution No. 2015-29

Summary Statement continued:



City of Dillingham
Fiscal Note

Agenda Date: May 14, 2015

Request: _____

ORIGINATOR: Anita Fuller

FISCAL ACTION (TO BE COMPLETED BY FINANCE)		FISCAL IMPACT <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
AMOUNT : <p style="text-align: right;">\$90,000</p>		FUNDING SOURCE SOA Grant 09-DC-449 and Public Works General Fund	
FROM ACCOUNT 4249 8710 70 71 4510 0 09-DC-449 \$ 49,061.34 1000 7395 30 33 4510 0 PW GF \$ 40,938.66		Project Sewage Lagoon Outfall General Fund Revenue	
TO ACCOUNT:	VERIFIED BY: Anita Fuller	Date:	5/6/2015

EXPENDITURES

OPERATING	FY14	FY15	FY16	FY17
Personnel				
Fringe Benefits				
Gravel		40,938.66		
Construction		49,061.34		
Land/Buildings				
Miscellaneous				
TOTAL OPERATING	\$ -	\$ 90,000.00	\$ -	\$ -

CAPITAL				
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REVENUE				
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FUNDING

General Fund		\$ 40,938.66		
State/Federal Funds		49,061.34		
Other				
TOTAL FUNDING	\$ -	\$ 90,000.00	\$ -	\$ -

POSITIONS

Full-Time				
Part-Time				
Temporary				

ANALYSIS: (Attach a separate page if necessary)

See Attached Res. # 2015-29

PREPARED BY: Anita Fuller

May 6, 2015

DEPARTMENT: Finance Department

May 6, 2015

