

I. CALL TO ORDER

The Code Review Committee met on Thursday, August 28, 2014, in the Council Chambers, Dillingham, AK. Chair Paul Liedberg called the meeting to order at 5:35 p.m.

II. ROLL CALL

Committee Members present:

Paul Liedberg	Alice Ruby
Chris Maines	Rose Loera
Holly Johnson	

Committee Members absent:

Janice Williams, City Clerk – excused

Staff: Jody Seitz, Planning Director

III. APPROVAL OF MINUTES

A. Minutes of April 10, 2014

MOTION: Holly Johnson moved and Chris Maines seconded the motion to approve the minutes of April 10, 2014.

GENERAL CONSENT: The motion passed without objection.

IV. APPROVAL OF AGENDA

Manager Loera asked to postpone unfinished business item A, and postpone new business items D, F, and G.

MOTION: Alice Ruby moved and Chris Maines seconded the motion to approve the agenda as amended.

GENERAL CONSENT: The motion passed without objection.

V. UNFINISHED BUSINESS

A. Minimum Acreage

This item was postponed.

VI. NEW BUSINESS

A. Correct Conflicting Language Between Chapter 11 Business District and Chapter 18 Central Business District

Jody Seitz voiced concern that the term business district implied a land use district. The City is using it to name where off-road vehicles, mainly ATVs, are not allowed downtown.

There are a number of areas in the snowmobile code Chapter 11.20 that also refer to the "business district".

Discussion:

- Map was intended to identify areas where off-road vehicles were not allowed, not intended to name it as a district, and the solution might be to relabel the map, identify the areas in the code where the business district is named and rename it, and report back at the next meeting.

Follow-up:

MOTION: Alice Ruby moved and Rose Loera seconded the motion for staff to review the code and identify areas in the code where business district is named.

GENERAL CONSENT: The motion passed without objection.

- B. Propose Amendment to DMC Section 4.20.050, Exemptions To Add Fuel Deliveries Made Outside Dillingham Limits

Follow-up: Committee asked for more time to study the issue and take it up at the next meeting.

- C. Propose Amendment to DMC Section 4.20.050.Z., Exemptions, to Add "or Starters"

Discussion:

- Confirmed starts imported were taxable, but if grown or harvested in the BB area were non-taxable; and
- Intent was to encourage locally grown plants, including herbs and flowers; plant starts would cover fruits, vegetables, herbs and flowers.

MOTION: Rose Loera moved and Alice Ruby seconded the motion to change the code to read "or plant starts".

GENERAL CONSENT: The motion passed without objection.

- D. Create a SOP for Liquor License Renewals

This item was postponed to the next meeting.

- E. Propose Amendment to DMC Section 1.20.040, Minor Offense Fine Schedule, to Add a Fine for Improper Dumping of Waste and Amend DMC Chapter 8.04, Refuse Collection, to Add Wording Regarding Improper Dumping of Waste

Manager Loera had asked the City's Attorney to come up with language to include prohibited waste at the landfill. The committee suggested higher fines for dumping hazardous waste.

Discussion:

- Strike suggested item DMC 08.04.085. A. A person may not intentionally feed a moose....;
- Fine for dumping fish waste or carcasses would be on a graduating scale \$75, \$150, \$300; and
- Questioned if composting would be a consideration, but could take it up later if it becomes a problem.

Follow-up: This item will be brought back to the next meeting to include prohibited waste at the landfill.

- F. Propose Amendment to DMC Chapter 4.15 to Add Property Tax Exemption for Senior Citizens and Disabled Veterans and Add Language for Same Sex Couples (*Handout at the meeting*)

Follow-up: This item was postponed to the next meeting.

- G. Add Records Management Program to Section Records and Documents and Review Records Management Policy (*Handout at the meeting*)

Follow-up: This item was postponed to the next meeting.

- H. Remove Title 6, Business Licenses and Regulations, Alcohol Beverages, to Title 8, Health and Safety, New Chapter 8.20, Alcohol Beverages

MOTION: Alice Ruby moved and Chris Maines seconded the motion to remove Title 6 to Chapter 8.20.

GENERAL CONSENT: The motion passed without objection.

- I. Review Recommended Housecleaning Items to the Port Tariff (*No attachments. Staff will make a verbal presentation.*)

Follow-up: Manager Loera reported that Finance and Budget was in the process of reviewing the tariff fees, and would incorporate the fees along with the recommended wording changes at a future meeting.

VII. PUBLIC COMMENT/COMMITTEE COMMENTS

Alice Ruby:

- Asked if the to do list was missing the item animal control because of the recent issue regarding how long an animal was held;
- Asked to resurrect the "to do" list.

Rose Loera:

- Noted the animal control section did not reference the section on euthanasia.

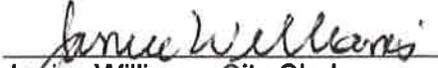
VIII. ADJOURNMENT

The meeting adjourned at 6:33 p.m.



Paul Liedberg, Chair

ATTEST:



Janice Williams, City Clerk

Approval Date: Sept. 11, 2014

I. CALL TO ORDER

The Code Review Committee met on Thursday, September 11, 2014, in the Council Chambers, Dillingham, AK. Chair Paul Liedberg called the meeting to order at 5:31 p.m.

II. ROLL CALL

Committee Members present:

Paul Liedberg	Alice Ruby
Chris Maines	Rose Loera
Janice Williams	

Committee Members absent:
Holly Johnson, excused

III. APPROVAL OF MINUTES

A. Minutes of August 28, 2014

MOTION: Chris Maines moved and Rose Loera seconded the motion to approve the minutes of August 28, 2014.

GENERAL CONSENT: The motion passed without objection.

IV. APPROVAL OF AGENDA

MOTION: Chris Maines moved and Rose Loera seconded the motion to approve the agenda.

GENERAL CONSENT: The motion passed without objection.

V. UNFINISHED BUSINESS

A. Code Review To Do List

The agenda was created from the To Do List; items from this list get added to the agenda when they are being discussed [ex. could be in Planning Commission].

B. Minimum Acreage (*Postponed*)

C. Correct Conflicting Language Between Chapter 11 Business District and Chapter 18 Central Business District (*Postponed*)

D. Adopt Ordinance No. 2014-15, Amend DMC Section 4.20.050.Z., Exemptions, to Add Plant Starts

Discussion ensued that the vendor might have trouble separating out homegrown from purchased outside for sales tax purposes, however, this would be left up to the vendor.

MOTION: Chris Maines moved and Alice Ruby seconded the motion to recommend Ordinance No. 2014-15 to the City Council.

GENERAL CONSENT: The motion passed without objection.

E. Clarification on Application of Sales Tax on Fuel Deliveries Made Outside Dillingham Limits

A fuel vendor had asked the City to clarify the existing tariff as it pertained to sales tax on fuel deliveries made outside Dillingham limits. Both fuel vendors assess and collect a 4% sales tax on behalf of Aleknagik on fuel deliveries to Aleknagik, and one of the vendors assesses sales tax on fuel deliveries made between Dillingham and Aleknagik City limits, and the other vendor does not.

Follow-up:

- Rose to contact City of Aleknagik to discuss collecting sales tax on the same transaction [fuel deliveries], who collects the tax, could agree to split it, or do nothing at all. An agreement would be drawn up and kept on file in the archives.
- Next step will be to inform the fuel vendors in writing of their responsibility to assess and collect city sales tax on deliveries between Dillingham and Aleknagik City limits, per the DMC.

F. Create a SOP for Liquor License Renewals

Discussion ensued:

- Noted the City has a leverage if an account is behind on real and personal taxes, and sales tax; and
- Would a public hearing be in order for a new license, transfer? Should this be ferreted out before it gets to the Council?

Follow-up:

- Staff to draft a proposed process for the next meeting.

G. Propose Amendment to DMC Section 1.20.040, Minor Offense Fine Schedule, to Add a Fine for Improper Dumping of Waste and Amend DMC Chapter 8.04, Refuse Collection, to Add Wording Regarding Improper Dumping of Waste

Follow-up:

- Rose to ask Police Chief if it is necessary to add a fine for dumping fish waste, or reference State law that would be enforced by State Troopers;
- DEC prohibits the City from accepting hazmats at the landfill, including no storage;
- Staff researching where hazardous materials can be disposed of properly; and
- New incinerator could accept some hazmats, but would require EPA approval.

- H. Propose Amendment to DMC Chapter 4.15 to Add Property Tax Exemption for Senior Citizens and Disabled Veterans and Add Language for Same Sex Couples (*Postponed*)

This exemption required by State law is published on the City's website, but is not in code. Committee recommended waiting to see if AML will take up the language for same sex couples at their November conference. The committee decided to do nothing for now.

- I. Add Records Management Program to Section Records and Documents and Review Records Management Policy (*Postponed*)
- J. Adopt Ordinance No. 2014-16, Remove Title 6, Business Licenses and Regulations, Alcohol Beverages, to Title 8, Health and Safety, New Chapter 8.20, Alcohol Beverages

This is mainly a housecleaning item.

- K. Review Recommended Housecleaning Items to the Port Tariff (*Remove from*
(*The meeting recessed for a short break.*)

VI. NEW BUSINESS

- A. Review Animal Control for Clarification on Unwanted, Abandoned Animals

Follow-up:

- Define what is adoption eligible.
- Bring the sections on Euthenasia and Impoundment, and the Procedures Manual in line with each other; Impoundment does not include language "adoption eligible animal will be held for a ten-day period ..."
- Address in code that both animal control officer and possibly the police chief evaluate whether an animal is adoption eligible.

VII. PUBLIC COMMENT/COMMITTEE COMMENTS

Paul Liedberg:

- Noted the committee should be cautious about addressing exemptions considering the loss in revenue from the raw fish tax.

VIII. ADJOURNMENT

The meeting adjourned at 7:04 p.m.

Paul Liedberg, Chair

ATTEST:

Janice Williams, City Clerk

Approval Date: _____

I. CALL TO ORDER

The Finance and Budget Committee met on Tuesday, August 26, at the City Council Chambers, Dillingham, AK. Mayor Ruby called the meeting to order at 5:34 p.m.

II. ROLL CALL

Committee Members present:

Alice Ruby	Bob Himschoot – attended via teleconference
Tracy Hightower	Carol Shade
Rose Loera	Keggie Tubbs – attended via teleconference (5:40 PM)

III. APPROVAL OF MINUTES

A. Minutes of May 27, 2014

MOTION: Manager Loera moved and Tracy Hightower seconded the motion to approve the minutes of May 27, 2014

GENERAL CONSENT: The motion passed without objection.

IV. APPROVAL OF AGENDA

MOTION: Tracy Hightower moved and Bob Himschoot seconded the motion to approve the amended agenda dated August 26.

GENERAL CONSENT: The motion passed without objection.

V. STAFF REPORTS

Carol Shade reported on a recommendation to change the monthly meeting to the third Monday in the month to provide additional time to prepare items for the Council agenda. This would work as long as the committee continued to review the quarterly not the monthly financial statements.

MOTION: Carol Shade moved and Tracy Hightower seconded the motion to move the Finance and Budget meeting to the third Monday of the month.

GENERAL CONSENT: The motion passed without objection.

A. Review of July Financials (*handout at the meeting*)

Carol Shade reported the July financials would be in the next [September] Council packet.

Unaudited draft of the June financials will be reviewed with the F&B Committee at their September meeting with a workshop with the Council at the October meeting, and anticipate a presentation of the June audited financials at a November or December workshop.

Consultant report conducted to analyze the staffing structure at the Finance Department will be brought back to the next meeting. Some of the recommendations were already being implemented.

VI. UNFINISHED BUSINESS

A. Fiscal Policy Development

1. Review Internal Controls – Update

A draft policy will be presented at the December F&B meeting.

B. Rate Review

1. Equipment Rates

Manager Loera reported the rates would be presented at the September 15 meeting.

2. Port Tariff (*handout at the meeting*)

Jean Barrett had compared the City's port rates with Nome, Bethel, Bristol Bay and Unalaska. The new proposed rates will be presented to the Port Advisory Committee with a recommendation to make them effective in January. A meeting of the Port Advisory Committee will be scheduled sometime after Sept. 15.

Follow-up: This will be a standing item on the F&B agenda.

C. Annexation Appeal - Update

Manager Loera reported the public hearing had been posted, including in the newspaper, and the draft petition circulated to all of the entities identified by the LBC.

VII. NEW BUSINESS

A. Division of Motor Vehicles Options

Manager Loera reported that the DMV was currently staffed with 1.5 positions with City subsidizing the State's service for around \$96K a year. DMV was encouraging the City to shorten the hours, make it a ½ time position;

Discussion ensued from members of the public and committee members:

- Recommended positions can be moved/shared elsewhere in the City, because it was difficult to recruit an employee for 20 hours;
- Recommend to the Council that the City work with its legislators, request that the current contract be extended through June 2015, not January 1, 2015 as they offered, and not sign the new five year contract that was presented;
- DMV staff will continue to log on a spreadsheet each transaction (phone calls, in person) and time spent; and

-
- Concerned DMV did not have a full understanding of the time to provide DMV services, including working overtime.

Follow-up: This item will remain under Unfinished Business.

B. Water and Sewer Rate Complaints

Carol Shade reported under the old system there were numerous individual types of charges, but this was eliminated with the new system based on pipe sizes. Several complaints were filed, one serviced with sewer only and two commercial businesses that differed substantially in rates.

Follow-up:

- Analyze the twenty customers that are on sewer only and the customers with 2" lines, confirm the lines are two inches, and research if the line was overbuilt for the actual usage, may have been built for a different type of service originally.
- Ask staff if there have been any other complaints concerning the rates.
- This item will remain under Unfinished Business.

(Keggie Tubbs signed off at 7:55 p.m.)

C. Review Price Range for RFP Process

Manager Loera reported that the auditors questioned the low range authorized in the code for obtaining bids. A spreadsheet was provided outlining the proposed changes.

Follow-up: This item will remain under Unfinished Business.

D. Recommend Write-Off List

Carol Shade presented a proposed write-off list; had written letters, gotten nowhere. All of the people on the list were on the denied services list and would remain there even if the amount was written off.

MOTION: Rose Loera moved and Bob Himschoot seconded the motion to recommend the write-off list to the Council.

GENERAL CONSENT: The motion passed without objection.

VIII. PUBLIC/COMMITTEE COMMENT(S)

Bob Himschoot: Passed on his condolences to the City Clerk.

Alice Ruby:

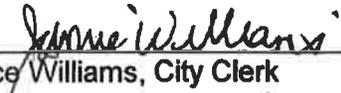
- Reported on the various legislators that are planning to come to town, suggested could set a time to meet in the council chambers and notice the Council.

X. ADJOURNMENT

The meeting adjourned at 8:10 p.m.


Alice Ruby, Chair

ATTEST:


Janice Williams, City Clerk

Approval Date: 8/26/14

I. CALL TO ORDER

The Finance and Budget Committee met on Monday, September 15, at the City Council Chambers, Dillingham, AK. Mayor Ruby called the meeting to order at 5:35 p.m.

II. ROLL CALL

Committee Members present:

Alice Ruby	
Tracy Hightower	Carol Shade
Rose Loera	Keggie Tubbs

Committee Members absent:

Bob Himschoot, excused

III. APPROVAL OF MINUTES

A. Minutes of August 26, 2014

MOTION: Carol Shade moved and Tracy Hightower seconded the motion to approve the minutes of August 26, 2014.

GENERAL CONSENT: The motion passed without objection.

IV. APPROVAL OF AGENDA

MOTION: Rose Loera moved and Tracy Hightower seconded the motion to approve the amended agenda.

GENERAL CONSENT: The motion passed without objection.

V. STAFF REPORTS

A. Review of Unaudited June Financials (*handout at the meeting*)

A review of the income statement for the June unaudited financials was provided.

Follow-up:

- Staff to highlight an analysis of the invoiced real and personal property taxes vs. the amount received during the next review of the quarterlies;
- Staff to provide an explanation of the Equipment Replacement Fund balance at 6/30/2014 during Council presentation of the unaudited June 30, 2014 financials.

VI. UNFINISHED BUSINESS

A. Fiscal Policy Development

1. Review Internal Controls (*postponed to December*)

B. Rate Review

1. Equipment Rates

Discussion ensued:

- Equipment rates will be established at a flat rate no matter the amount of hours;
- Equipment would only be rented if not available from a private enterprise, not going to compete with private enterprise; and
- Equipment operator would be required to be certified, carry insurance, sign a waiver releasing the City from any liability.

Follow-up:

- Staff to work on a policy, and both the policy and the proposed rates would come back to the October F&B meeting for a recommendation to the Council.

2. Port Tariff (*Place Holder*)

C. Annexation Appeal – Update

Nothing financial to report.

D. Consultant Report on Staffing Structure in the Finance Dept.

Consultant stressed having backups for major jobs. Some of the new duties were already being reallocated.

Follow-up:

- Staff will be editing job descriptions, no changes expected in the budget; and
- Position of Finance Director (announced retirement in April 2015) will be advertised starting in November.

E. Division of Motor Vehicles Options (*Place Holder*)

Follow-up:

- Manager was working on a response to the State DMV letter, copy to be forwarded to Mayor for review.

F. Water and Sewer Rate Complaints

Discussion ensued over several customer complaints that were served with sewer only.

- Water and sewer rates are based on water line sizes; those with sewer service only based the rate on a water line that was as close to their existing monthly fee without reducing their monthly fee; and
- Concern with the huge disparity in charges between two customers, one of which the water was metered and billing was based on a ¾" line.

Follow-up:

- Staff will further analyze the two customers in question for the next F&B meeting, will provide a spreadsheet for past several years, investigate the size of the lines, review an exception because the line was built for a different type of service originally; recommendation was made that the customer install a meter (relatively low cost for the equipment).

G. Review Price Range for RFP Process

This item will be removed from the agenda for now.

H. Bingman Foreclosure

MOTION: Rose Loera moved and Tracy Hightower seconded the motion to go into executive session to discuss the Bingman Foreclosure Sale process (7:30 p.m.)

GENERAL CONSENT: The motion passed without objection.

The committee came out of executive session at 7:41 p.m. Manager was asked to contact the City's attorney to be present at the next F&B meeting.

VII. NEW BUSINESS

There was no new business.

VIII. PUBLIC/COMMITTEE COMMENT(S)

Tracy Hightower:

- Spoke about the significant savings his employer was experiencing going to LED lighting.

Alice Ruby:

- Reported that in BBNA's Bristol Bay Energy Plan, Bristol Bay doesn't have the resources to support any one kind of alternative energy, the suggestions being made are for energy conservation.

X. ADJOURNMENT

The meeting adjourned at 7:46 p.m.

Alice Ruby, Chair

ATTEST:

Janice Williams, City Clerk

Approval Date: _____

I. CALL TO ORDER

The School Facility Committee met on September 17, 2014, at the Dillingham Council Chambers, Dillingham, AK. Mayor Ruby called the meeting to order at 12:22 p.m.

II. ROLL CALL

Committee Members present:

Alice Ruby	Rose Loera
William McLeod	Francisco (Pancho) Garcia
Chris Napoli	Bernina Venua
Russell Nelson	

Committee Members absent and excused:

Bob Himschoot	Robin Samuelsen
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Guest(s): Gary Gordon

III. APPROVAL OF AGENDA

MOTION: Rose Loera moved and Bernina Venua seconded the motion to approve the agenda.

GENERAL CONSENT: The motion passed without objection.

IV. APPROVAL OF MINUTES

A. Minutes of May 7, 2014

MOTION: Chris Napoli moved and Bernina Venua seconded the motion to approve the minutes of May 7, 2014.

GENERAL CONSENT: The motion passed without objection.

V. UNFINISHED BUSINESS

A. Annual Inspection

The 2014 annual inspection will be scheduled and a report brought back to the SF committee. This report will feed into the next CIP process. Gary Gordon, Russell Nelson, and Francisco Garcia will participate in the annual inspection.

Discussion ensued:

- Mechanical Systems (Phase 3) will be paid from the \$50,000 the City allocated in its 2015 budget for major maintenance projects;
- The FY15 updated CIP Project Evaluation Sheet will serve as an accounting record for those funds;

- The FY14 City contribution of \$50,000 for major maintenance went toward the Performing Stage Replacement, \$20,607, DHS Home Economics Room Upgrade, \$20,000, and toward the Penthouse Mechanical System, \$53,000;
- Item Asbestos Abatement will be a placeholder; presently any remaining asbestos has been encapsulated in the high school/middle school (none exists in the elementary school), and if comprised would need to be addressed asap by a specialized contractor.

Follow-up:

- CIP nomination sheets will be forwarded to the School when the City's CIP process starts in early spring;
- School staff will **highlight** the projects on their CIP list that are being funded from the major maintenance allocation; and
- School to provide additional language on its form that asbestos abatement was a placeholder and would be a priority if compromised.

B. Update Affordable Teacher Housing

School was continuing to struggle to find housing for some of the 17 new teachers, and to hold on to teachers because of lack of affordable, quality housing despite the fact they like the area and the school system.

Discussion ensued:

- Contacted Alaska Housing, loan opportunity that could be investigated, make payment off of the rent collected;
- Court House's estimated value was \$1.8M, but might have other options than sale;
- Contractor could designate an apartment complex for teaching housing;
- Hire a grant writer to pursue some options;
- Leverage money (grant, low interest loan) for a private contractor to construct the facility and then enter into a long term arrangement where it becomes private property;
- Evaluate how many 1-2-3 bedroom units would be needed, and a rent amount taking into consideration utilities; and
- Problem isn't only with teachers, but retaining City employees, patrol officers.

Follow-up:

- Mayor Ruby will poll for a special meeting and contact local contractors for interest in building and leasing; and
- Gary Gordon will contact Sundance Construction and get some info on teacher housing they've built.

VI. NEW BUSINESS

There was no new business.

VII. PUBLIC COMMENT/COMMITTEE COMMENTS

Gary Gordon:

- Could the city allocate more than \$50,000 for major maintenance; a lot of the little projects could get done with more money.

Mayor Ruby reported the school was allocating \$1.25M towards operating the schools and \$50,000 for major maintenance projects, but there might be more funding opportunities when the State has access to unanticipated additional revenues.

Russell Nelson:

- Noted at the school sometimes there are monies available that were not anticipated;

Bill McLeod:

- Appreciates the candor and openness in the meetings, and working on solutions, have accomplished a lot working together.

Alice Ruby:

- Complimented the school for being in good shape, and thanked City staff for providing the lunch.

VIII. ADJOURNMENT

Mayor Ruby adjourned the meeting at 1:35 p.m.

Alice Ruby, Chair

ATTEST:

Janice Williams, City Clerk

Approval Date: _____

CITY OF DILLINGHAM, ALASKA

ORDINANCE NO. 2014-15

AN ORDINANCE OF THE DILLINGHAM CITY COUNCIL AMENDING SECTION 4.20.050 OF THE DILLINGHAM MUNICIPAL CODE, SALES TAX EXEMPTIONS

BE IT ENACTED BY THE VOTERS OF THE CITY OF DILLINGHAM:

Section 1. Classification. This is a code ordinance.

Section 2. Amend Section 4.20.050.Z. Section 4.20.050 of the Dillingham Municipal Code is hereby amended as follows with new text displayed in underlined font and deleted language displayed as strikethrough.

4.20.050 Exemptions

Z. The sale of fruits, ~~or~~ vegetables, flowers, and herbs or their plant starts grown or harvested in the Bristol Bay region as well as locally raised livestock and products derived from those livestock.

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

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

Alice Ruby, Mayor

ATTEST:

[SEAL]

Janice Williams, City Clerk

City of Dillingham Information Memorandum

Agenda of: October 2, 2014

Attachment to: 2014-15
Ordinance No. _____ / Resolution No. _____

Subject:

An ordinance of the Dillingham City Council amending Section 4.20.050 of the Dillingham Municipal Code, Sales Tax Exemption

City Manager: Recommend Approval

Signature: Rose Aera

Route to	Department Head	Signature	Date
X	Finance Director	Carol Shade	9/22/14
X			
X	City Clerk	James Williams	9/22/14

Fiscal Note: Yes No

Funds Available: Yes No

Other Attachments:

None

Summary Statement:

This ordinance was assigned to the Code Review Committee's To Do List, May 1, 2014, was vetted through the Committee, and is being recommended to the Council for adoption.

Ordinance No. 2014-15 / Resolution No. _____

Summary Statement continued:

CITY OF DILLINGHAM, ALASKA

ORDINANCE NO. 2014-16

AN ORDINANCE OF THE DILLINGHAM CITY COUNCIL AMENDING TITLE 6, BUSINESS LICENSES AND REGULATIONS, TO TRANSFER CHAPTER 6.08 ALCOHOLIC BEVERAGES TO TITLE 8, HEALTH AND SAFETY, RENAME IT AS NEW CHAPTER 8.20 ALCOHOLIC BEVERAGES, AND RENAME TITLE 6 TO BE TITLE 6 (RESERVED)

BE IT ENACTED BY THE VOTERS OF THE CITY OF DILLINGHAM:

Section 1. Classification. This is a code ordinance.

Section 2. Remove Chapter 6.08, Alcoholic Beverages from Title 6, Business Licenses and Regulations, to Title 8, Health and Safety, and rename Chapter 6.08 as Chapter 8.20, Alcoholic Beverages. Chapter 6.08 of the Dillingham Municipal Code is hereby renamed as Chapter 8.20. New text is displayed in underlined font and deleted language is displayed as strikethrough.

**Chapter ~~6.08~~ 8.20
ALCOHOLIC BEVERAGES**

Sections:

- ~~6.08.010~~ 8.20.010 Sale on election day.
- ~~6.08.020~~ 8.20.020 Hours of sale of intoxicating liquor.
- ~~6.08.030~~ 8.20.030 Protest of liquor licenses of establishments that sell beverages containing more than ninety percent alcohol.

~~6.08.010~~ 8.20.010 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~~ 8.20.020 Hours of sale of intoxicating liquor.

A. For bar or eating establishments, alcohol sales will be prohibited between the hours of 2:00 a.m. Sunday morning until 10:00 a.m. Monday morning. Alcohol sales will be prohibited between the hours of 1:00 a.m. to 10:00 a.m. Tuesday through Friday. Alcohol sales will be prohibited between 2:00 a.m. Saturday morning and 10:00 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.

B. Packaged liquor stores shall be closed between the hours of 9:00 p.m. and 10:00 a.m., and on Sunday. (Ord. 97-5 § 1, 1997; Ord. 11-09 §§ 1, 2, 2012.)

~~6.08.030~~ 8.20.030 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.)

Section 3. Amend Title 6, Business Licenses and Regulations. Rename Title 6, Business Licenses and Regulations to be Title 6 (Reserved). New text is displayed in underlined font and deleted language is displayed as strikethrough.

TITLE 6 ~~Business Licenses and Regulations~~ (Reserved)

Section 4. Effective Date. This ordinance is effective upon passage.

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

Alice Ruby, Mayor

ATTEST:

[SEAL]

Janice Williams, City Clerk

City of Dillingham Information Memorandum

Agenda of: October 2, 2014

Attachment to: 2014-16
Ordinance No. _____ / Resolution No. _____

Subject:

An ordinance of the Dillingham City Council amending Title 6, Business Licenses and Regulations, to transfer Chapter 6.08 Alcoholic Beverages to Title 8, Health and Safety, rename it as new chapter 8.20 Alcoholic Beverages, and rename Title 6 to be Title 6 (Reserved)

City Manager: Recommend Approval

Signature: Rose Doera

Route to	Department Head	Signature	Date
	Finance Director		
X	City Clerk	<i>JN Williams</i>	9/22/14

Fiscal Note: Yes No

Funds Available: Yes No

Other Attachments:

None

Summary Statement:

This ordinance is mainly a housekeeping item and is being recommended by the Code Review Committee. Regulations regarding business licenses are contained under Chapter 4.16, Business Licenses, in Title 4. Chapter 6.08, Alcoholic Beverages, is the only chapter listed under Title 6, Business Licenses. It would make more sense to realign the three sections under Chapter 6.08 Alcoholic Beverages to Title 8 Health and Safety.

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.

Ordinance No. 2014-16 / Resolution No. _____

Summary Statement continued:

CITY OF DILLINGHAM, ALASKA

RESOLUTION NO. 2014-52 (AM)

A RESOLUTION OF THE DILLINGHAM CITY COUNCIL APPROVING THE WRITE OFF OF BAD DEBTS PAYABLE TO THE CITY FOR PERSONAL PROPERTY TAX, SALES TAX, HARBOR AND DOCK INVOICES DATED 2007 AND PRIOR

WHEREAS, the City has an allowance for uncollectible accounts sufficient to cover the bad debts, as attached; and

WHEREAS, City auditors recommend periodically removing some of the uncollectible receivables from the general ledger; and

WHEREAS, the City provided original invoices to the debtors at the time the tax was levied or the service was provided, and mailed monthly statements detailing the charges and reminding the debtors to pay the City; and

WHEREAS, the City sent occasional individual collection letters asking for payment, but full payment was not received; and

WHEREAS, we no longer have a valid mailing address for the majority of the debtors; and

WHEREAS, these individuals will remain on the Denied Services List;

NOW, THEREFORE, BE IT RESOLVED by the Dillingham City Council that these invoices totaling \$6,787.95 be written off of the customer accounts and the general ledger with a debit to the reserve for bad debts and a credit to accounts receivable.

BE IT FURTHER RESOLVED that the Finance Department will remain alert to the changing conditions which may allow the collection of these invoices in the future.

PASSED and ADOPTED by the Dillingham City Council on October 2, 2014.

Alice Ruby, Mayor

ATTEST:

[SEAL]

Janice Williams, City Clerk

City of Dillingham Information Memorandum No. R2014-52 (AM)

Subject: A Resolution of the Dillingham City Council Approving the write off of bad debts payable to the City for Personal Property Tax, Sales Tax, Harbor and Dock invoices dated 2007 and prior

Agenda of: October 2, 2014

City Council Action: At the September 4, 2014 Council meeting, the Council asked to postpone action to the next meeting.

Manager: Recommend approval.

City Manager: Rose Loera
Rose Loera

Route To:	Department / Individual	Signature	Date
X	Finance	Carol Shade	9/22/14
X	City Clerk	James Williams	9/22/14

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

Other Attachment(s): None

Summary Statement.

The Finance Department has been going through all the accounts receivable files to ascertain the feasibility of collecting on the old accounts. Some of the accounts listed are from 1999 through 2007. The accounts that might have a date of 2007 are mostly penalty and interest postings that add onto old receivable invoices. We have diligently researched these accounts and would request that we be given authority to write these accounts off so that we can begin FY15 fiscal year with receivable numbers on the balance sheet that more accurately reflect actual funds that are likely to be collected in the next 12 months.

Lookup	Last Name	First Name	Total Owed
010053	Evalt	Myrtice	\$2,979.10
101988	Hurley	Andrea	\$151.50
010057	Olson	Denise	\$2,986.24
010055	Olson	Lorna	\$117.93
100892	Chunak/Floresta	Simeon/Anna	\$162.89
010061	Spudhouse-Wertz-Baluta		\$390.29
		Total	\$6,787.95

CITY OF DILLINGHAM, ALASKA

RESOLUTION NO. 2014-56

**A RESOLUTION OF THE DILLINGHAM CITY COUNCIL APPROVING
INSTALLATION OF UTILITIES ON SECOND AVENUE EAST**

WHEREAS, according to Dillingham Municipal Code 12.08.010 an encroachment is considered as any object above ground or below belonging to a private owner other than the municipality which has been or caused to be constructed or located within streets, public rights of way or other property dedicated to a public use; and

WHEREAS, City staff were notified by Nushagak Cooperatives that a citizen constructed his house too close to high voltage lines in violation of his approved land use permit as well as the electrical easement; and

WHEREAS, the City issued a Stop Work Order to remove the risk of harm to life and property and directed the citizen to work with the local utility to arrive at a safe resolution to the problem; and

WHEREAS, due to the time of year (moose season) and for health and safety reasons, the City issued a short term encroachment permit to allow Nushagak to reroute its utility lines and temporarily lifted the Stop Work Order; and

WHEREAS, the citizen paid Nushagak to reroute its utility lines and amended his land use permit to more accurately reflect his construction project and the SWO was lifted; and

WHEREAS, the new alignment of utilities removes the risk to residents in the area; and

WHEREAS, DMC 12.08 requires City Council and Planning Commission approval for any object belonging to a private owner other than the municipality that is placed in streets, public rights-of-way or other property dedicated to a public use, for longer than one year; and

WHEREAS, the Planning Commission recommends that the City Council approve a long term encroachment permit to allow the new utility poles to remain in Second Avenue East in perpetuity;

NOW, THEREFORE, BE IT RESOLVED that the Dillingham City Council approves Long Term Encroachment Permit 2014-09 for utilities installed in Second Avenue East with the following conditions:

1. That a new encroachment permit be obtained before the utilities are moved from this new location;

- 2. That Nushagak Cooperatives restore any roads impacted by the project to not less than their original condition and compaction after completing the utility installations; and
- 3. That one form of location information be provided after the installation, whether an as-built or GPS coordinates.

PASSED AND ADOPTED by the Dillingham City Council October 2, 2014.

Alice Ruby, Mayor

ATTEST:

[SEAL]

Janice Williams, City Clerk

City of Dillingham Information Memorandum

Agenda of: October 2, 2014

Attachment to:

Ordinance No. _____ / Resolution No. 2014-56

Subject:

An ordinance authorizing a Long Term Encroachment Permit to Nushagak Cooperatives for the installation of utilities on Second Avenue East

City Manager: Recommend Approval

Signature: Rose Doera

Route to	Department Head	Signature	Date
	Finance Director		
X	Public Works Director	<i>Randy L. Laine</i>	9/24/14
X	Planning Director	<i>Jody Satz</i>	9/22/14
X	City Clerk	<i>Janet Williams</i>	9/22/14

Fiscal Note: Yes No

Funds Available: Yes No

Other Attachments:

- Map of proposed pole locations
- Survey of Heyano Kivolok Easement

Summary Statement:

This resolution is to allow utility pole installation on Second Avenue East. Second Avenue East is unconstructed. The poles are approximately where they were placed on the attached map. The realignment of the utility lines removes a hazard to life and property created when the owner of the property at 133 B Street constructed a second story on his house in violation of both required utility line separation distances (7200 volt primary line) and his land use permit.

The City issued a Stop Work Order and directed the homeowner to reach an agreement with Nushagak Cooperatives to remedy the hazardous situation. Nushagak and the homeowner reached an agreement to move the utility poles, the homeowner paid to have the utility lines and poles rerouted. A temporary encroachment permit to work in the street was issued by Acting City Manager Carol Shade.

Ordinance No. _____ / Resolution No. 2014-56

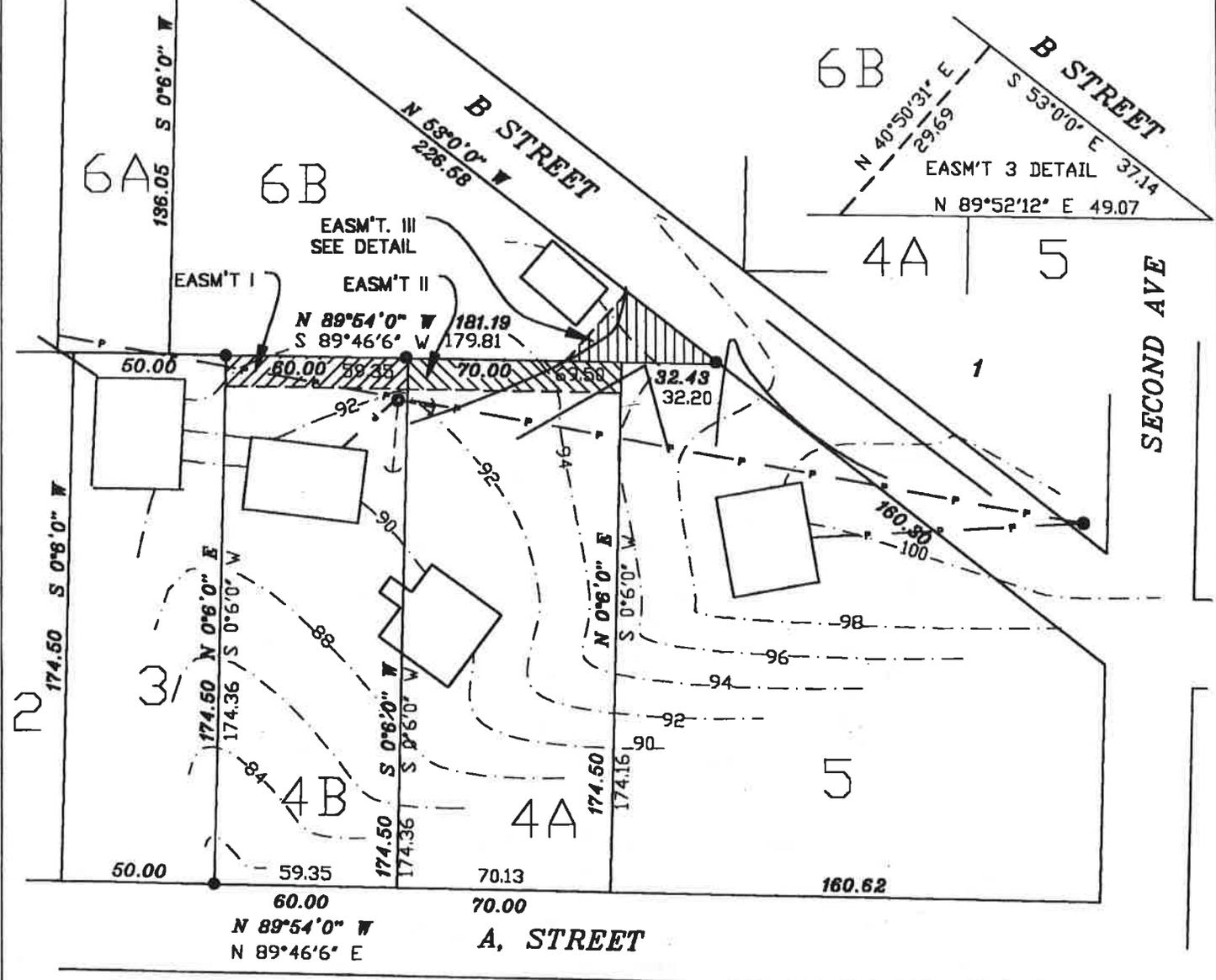
Summary Statement continued:

Unfortunately the homeowner did not stop work during the period of the SWO and was fined the limit of \$300 for that. The SWO was lifted once the poles were moved and the land use permit was revised.

The Council is being asked to permit the utilities to remain in perpetuity as required by Title 5. This is being requested after the fact due to the emergency situation – attorney advice that vacating the house was very involved legally; and, the electricity could not be turned off due to the impact to other homeowners on the line; and this occurred during moose season when it is difficult to pull people together for meetings.

Plotted?
Recorded?

EASEM'T No.	WITHIN LOT	AREA (Sq. Ft.)	FOR THE BENEFIT OF
I	L4B KVILOK SUB	594	L3 B23 USS 2732
II	L4A KVILOK SUB	695	THE ABOVE & L4B KIVOLK SUB
III	L6B HEYANO SUB	3,438	ALL THE ABOVE & L4A KIVOLK SUB



SCALE in FEET



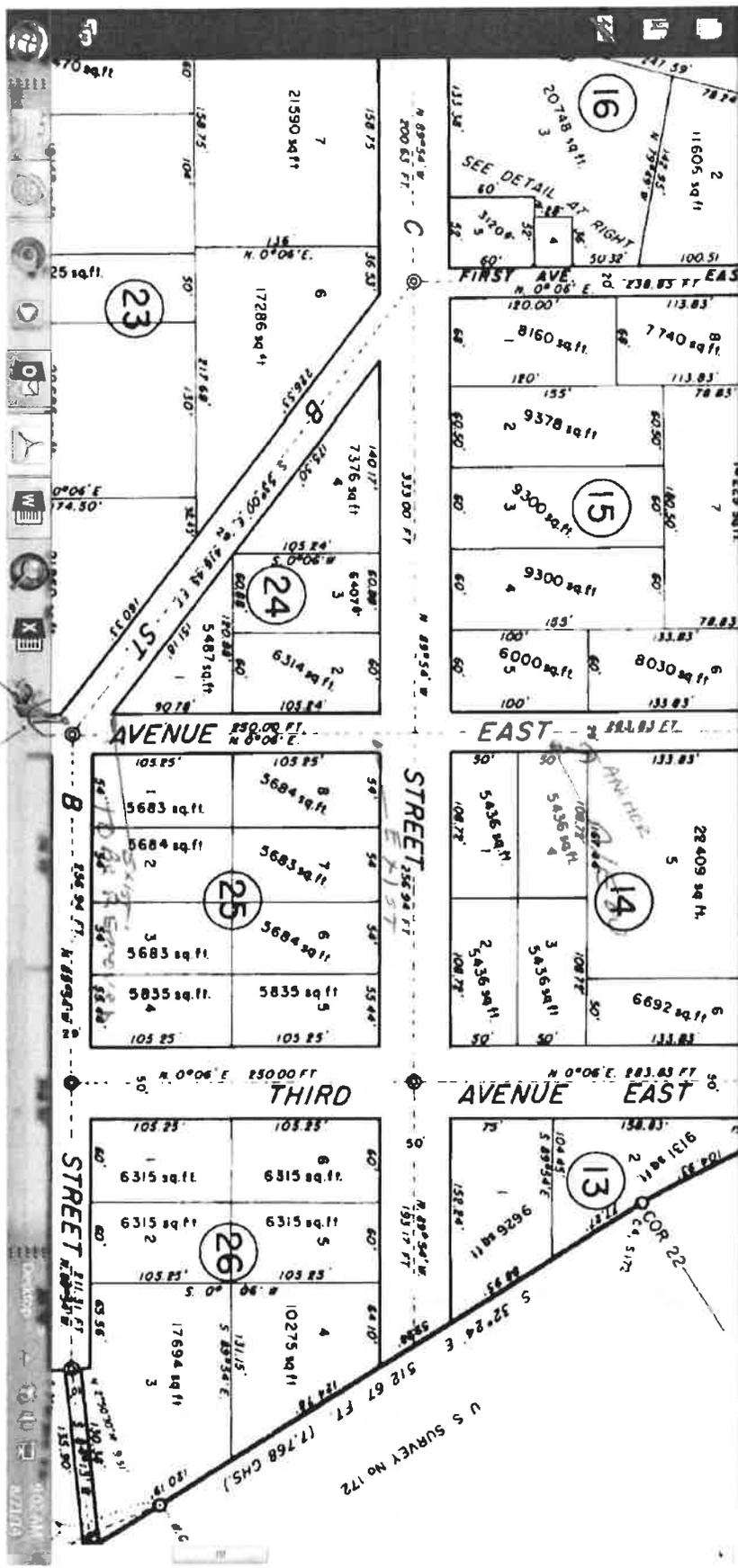
LEGEND

- FND. 5/8" REBAR
- ⊕ POWER POLE & GUYS
- 46.23 REC. DIM.
- 45.23 MEAS. DIM.

PREPARED FOR: Sandra Edwards

		PRELIMINARY PLAT BBHA EASEMENT EASEMENT ACROSS LOT 6B HEYANO SUB AND LOTS 4A & 4B KIVOLK SUB	
		BOX 181 NAKNEK AK. 99633 (907) 246-4408	
DRAWN BY: H.P.	DATE: 8-3-01	PROJ. #: 0127	
CHECKED BY: rjm	SCALE 1"=50'	SH. 1 of 1	

Create Combine Collaborate Secure Sign Forms Multimedia Comment



CITY OF DILLINGHAM, ALASKA

RESOLUTION NO. 2014-57

A RESOLUTION OF THE DILLINGHAM CITY COUNCIL AUTHORIZING THE MAYOR TO SUBMIT A PETITION TO THE ALASKA LOCAL BOUNDARY COMMISSION FOR ANNEXATION OF COMMERCIAL FISHING WATERS TO THE CITY OF DILLINGHAM BY THE LEGISLATIVE REVIEW METHOD

WHEREAS, on June 14, 2010, the City of Dillingham filed a petition with the State of Alaska Local Boundary Commission to annex, via the Local Option (voter approval method), the 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); and

WHEREAS, on April 10, 2012, a Special Election resulted in the passage of two propositions: Proposition 1 approved the annexation of commercial fishing waters to the Dillingham area, and Proposition 2 approved a 2.5% tax on sales of raw fish made within the City boundaries; and

WHEREAS, passage of Proposition 1 and 2 would provide critical funding to support the fishing industry, fire and public safety, water and sewer, landfill, harbor and dock, streets, and library and schools; and

WHEREAS, the on March 27, 2014 a Court Judge ruling in Native Village of Ekuk vs. Local Boundary Commission and City of Dillingham Case No. 3DI-12-0022 CI ordered the Local Boundary Commission to process the annexation through the legislative review method; and

WHEREAS, on August __, 2014 the Dillingham City Council adopted Resolution No. 2014-42, approving a draft petition to Annex the Nushagak Commercial Salmon District and the Wood River Salmon Special Harvest Area by the Legislative Review Method; and

WHEREAS, the City of Dillingham held a properly noticed and advertised Special Meeting, Wednesday, September 24, at 6:00 PM, for a public hearing on the draft petition, before deciding whether to make any changes to the draft and submitting the petition to the Commission for approval; and

WHEREAS, representatives of the City of Dillingham held a public informational session in Manakotak on September 25 at the Manakotak city hall on the draft petition, before deciding whether to make any changes to the draft and submitting the petition to the Commission for approval; and

WHEREAS, the City of Dillingham held a workshop at Dillingham City Hall October 2, 2014 regarding the draft petition, before deciding whether to make any changes to the draft and submitting the petition to the Commission for approval; and

WHEREAS, copies of the petition summary, the prospective petition and related documents, including a map, were made available for public review at the following locations, days, and times open to the public beginning on or about August 12, 2014:

1. Dillingham City Hall, 141 Main Street, Dillingham, Monday to Friday, 8 am to 5 pm.
2. Dillingham Library, 306 D Street West, Dillingham, Monday, Tuesday & Thursday, 10 am – 5 pm, Wednesday, 10 am – 6 pm, Friday, 12 pm – 7 pm, and Saturday, 10 am – 2 pm.
3. Dillingham Small Boat Harbor office, 15 Harbor Spur Road, Dillingham, June 1 through August 15, Monday through Sunday, 7 am – 10 pm, and August 16 through May 31, Monday through Friday, 7 am – 5 pm.
4. Dillingham Senior Center, 515 1st Avenue East, Dillingham, Monday through Friday, 8 am – 4 pm.
5. City of Dillingham website, <http://www.dillinghamak.us>, available anytime.
6. Curyung Tribal Council, 390 D Street, Dillingham, Monday through Friday, 8 am – 4:30 pm.
7. Ekuk Village Council, 300 Main Street, Dillingham, Monday through Friday, 8am - 4:30pm.
8. City of Aleknagik, City office, Aleknagik, Monday through Friday, 9 am – 4 pm.
9. Village of Aleknagik, Village office, Aleknagik, Monday to Friday, 9 am – 5 pm.
10. Village of Clark's Point, Village office, Clark's Point, Monday through Friday, 9 am 4:30 pm.
11. City of Manokotak, City office, Manokotak, Monday through Friday, 9 am – 5 pm.
12. Village of Manokotak, Village office, Manokotak, Monday to Friday, 9 am – 5 pm.
13. Bristol Bay Borough, Borough office, Naknek, Monday through Friday, 8 am – 4:30 pm.
14. Lake and Peninsula Borough, Borough Clerk's office, Monday through Friday, King Salmon, 8am – 5pm.
15. City of Ekwok, City office, Ekwok, Monday through Friday, 10 am – 5 pm.
16. City of New Stuyahok, City office, New Stuyahok, Monday through Friday, 8 am – 3 pm.
17. New Koliganek Village Council, Village office, Koliganek, Monday through Friday, 8 am – 4:30 pm.

WHEREAS, the scope of the public hearing held September 24, 2014, included addressing the appropriate annexation standards and their application to the annexation proposal, legislative review annexation procedures, the reasonably anticipated effects of the proposed annexation, and the proposed transition plan required under 3 AAC 110.090 – 3 AAC 110.150, 3 AAC 110.400 – 3 AAC 110.700, and 3 AAC 110.900 – 3 AAC 110.990; and

WHEREAS, the City of Dillingham provided an opportunity for any person to submit written comments on the draft annexation petition until the close of business September 30, 2014, before deciding whether to make any changes to the draft and submitting the petition to the Commission for approval; and

WHEREAS, the city council of the City of Dillingham has considered public comments (both written and spoken) about the 2010 petition, the additional public comments made at the 2014 public hearing, and informational sessions, suggested petition changes to the draft petition

developed by staff and consultants, and written comments regarding the draft petition submitted by the deadline for written comments before deciding whether to approve changes to the draft and submit the petition to the Commission for approval and has determined that it is in the public interest of the citizens of Dillingham that the revised petition attached to this resolution be submitted to the local Boundary Commission;

NOW, THEREFORE, BE IT RESOLVED:

- 1. That the Dillingham City Council hereby approves the revised draft petition attached to this Resolution; and
- 2. That the Mayor and City Manager are hereby authorized to sign and submit an amended annexation petition substantially in the form attached to this Resolution with additional exhibits as required.

PASSED and ADOPTED by the Dillingham City Council on October 2, 2014.

Alice Ruby, Mayor

ATTEST:

[SEAL]

Janice Williams, City Clerk

CITY OF DILLINGHAM, ALASKA

RESOLUTION NO. 2014-58

A RESOLUTION OF THE DILLINGHAM CITY COUNCIL ACCEPTING ALASKA DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT LEGISLATIVE GRANT FOR REPAIRS TO LIBRARY AND MUSEUM BUILDING

WHEREAS, City of Dillingham asked the State to re-appropriate the Library-Museum Building Roof grant # 13-DC-317 to be able to utilize unspent grant funds for repair of the entire building; and

WHEREAS, the Library Roof was completed in 2014 and had \$84,942 remaining in grant funds that could only be used for the attic and roof; and

WHEREAS, the City asked the 2014 Alaska State Legislators to re-appropriate the remaining funds to make further improvements in the building; and

WHEREAS, after the roof was replaced the City utilized BBEDC funds to replace the steps, handicap ramp and railing and found other deficiencies in the foundation of the building that is critical to repair; and

WHEREAS, the City will use the new Legislative Grant #15-RR-052 to make as many of the repairs that were identified beginning with the most critical to the least;

NOW, THEREFORE, BE IT RESOLVED by the Dillingham City Council that the grantee formally accepts the State of Alaska Department of Commerce, Community and Economic Development Designated Legislative Grant Program #15-RR-052 in the amount of \$84,942.11 to be used to repair deficiencies found in the Library-Museum Building.

PASSED and ADOPTED by the Dillingham City Council on October 2, 2014.

Alice Ruby, Mayor

ATTEST:

[SEAL]

Janice Williams, City Clerk

City of Dillingham Information Memorandum Agenda of: October 2, 2014
 Attachment to: _____
 Ordinance No. _____ / Resolution No. 2014-58

Subject:

A resolution of the Dillingham City Council accepting Alaska Department of Commerce, Community, and Economic Development Legislative grant for repairs to the library and museum building

City Manager: Recommend Approval

Signature: Rose Doern

Route to	Department Head	Signature	Date
X	Finance Director	<i>Carol Shadle</i>	9/22/14
X	Public Works Director	<i>Wanda Smith</i>	9/24/14
X	Librarian	<i>Sonye D. Mary</i>	9/26/14
X	City Clerk	<i>Jamie Williams</i>	9/15/14

Fiscal Note: Yes No

Funds Available: Yes No

Other Attachments:

Summary Statement:

The City of Dillingham submitted a request to the 2014 Legislative Session to reappropriate the remaining funds from Grant #13-RR-052, Project Title Library-Museum Building Roof to be used for improving other deficiencies found in the building.

The reappropriation was approved and final executed grant agreement was received this past month.

The new grant is #15-RR-052 in the amount of \$84,942.11, that will be used to repair deficiencies in the foundation, insulation, attic, and other areas as required. The work will be performed by our contracted carpenter and will be prioritized to the most critical to the least critical improvements needed.

Ordinance No. _____ / Resolution No. _____

Summary Statement continued:

CITY OF DILLINGHAM, ALASKA

RESOLUTION NO. 2014-59

A RESOLUTION OF THE DILLINGHAM CITY COUNCIL ACCEPTING ALASKA DEPARTMENT OF MILITARY AND VETERANS AFFAIRS 2014 STATE HOMELAND SECURITY GRANT

WHEREAS, at the June 19, 2014 Council meeting, through Resolution # 2014-36, the council approved the application for a Homeland Security Grant to purchase a boat and motor, police gear, encryption equipment and emergency preparedness supplies; and

WHEREAS, the grant included equipment, supplies and gear for Public Safety and Dock departments; and

WHEREAS, the grant was applied for in the amount of \$210,000 budgeted as follows:

- Boat & Motor - \$105,000;
- Police Body Armor - \$25,000;
- Oil Spill Response Equipment - \$45,000;
- Encryption Technology for Public Safety & Fire - \$35,000; and

WHEREAS, the grant was awarded \$74,800 in the following categories:

- Encryption Technology for Public Safety & Fire - \$40,000
- Policy Body Armor - \$9,800
- Oil Spill Response Equipment - \$25,000; and

WHEREAS, the City was invited to be one of the grant reviewers the State had about \$2 Million in funds to disburse with over \$4 M in requests; and

WHEREAS, the State was able to discuss with the City what would their priority be and the grant was awarded as described; and

WHEREAS, the State requires that staff participate in a grant kick-off meeting prior to the grant is executed which is fully paid by the State; and

WHEREAS, the City will use the \$74,800 in categories specified and look for additional funding for the balance of the Police Body Armor and Oil Spill Response Equipment.

NOW, THEREFORE, BE IT RESOLVED by the Dillingham City Council that the grantee formally accepts the State of Alaska Homeland Security Program, State Grant #14SHSP-GR34094 in the amount of \$74,800.

PASSED and ADOPTED by the Dillingham City Council on October 2, 2014.

Alice Ruby, Mayor

ATTEST:

[SEAL]

Janice Williams, City Clerk

City of Dillingham Information Memorandum

Agenda of: October 2, 2014

Attachment to:

Ordinance No. _____ / Resolution No. 2014-59

Subject:

A resolution of the Dillingham City Council accepting Alaska Department of Military and Veterans Affairs 2014 State Homeland Security Grant

City Manager: Recommend Approval

Signature: Rose Deera

Route to	Department Head	Signature	Date
X	Finance Director	<i>Carol Shade</i>	9/22/14
X	Chief of Police	<i>[Signature]</i>	9-17-14
X	Port Director	<i>[Signature]</i>	9-18-14
X	City Clerk	<i>Janice Williams</i>	9/15/14

Fiscal Note: Yes No

Funds Available: Yes No

Other Attachments:

- Project Budget Details Report provided by the granting agency

Summary Statement:

At the June 19, 2014 Council meeting, the Council approved Resolution No. 2014-36 to apply for a grant to the State of Alaska's Homeland Security Grant program in the amount of \$210,000 for a boat and motor, police gear, encryption equipment, and oil spill response equipment.

The State had about \$2M in grant funds to award and had over \$4M in requests. The agency funded the City \$74,800 for the police gear, encryption equipment, and oil spill response equipment.

There are no matching fund requirements.

Ordinance No. _____ / Resolution No. 2014-59

Summary Statement continued:

Project Budget Details Report

2014 State Homeland Security Program / SHSP

Dillingham, City of

Reported Category = ALL. Reported Revision = 0 of 0.

PBD#	Expense Category	Solution Area	Discipline	Qty	Budgeted Cost	PBD# Amt Spent	PBD# Balance
1	Equipment	Other	LE				
EHP <input checked="" type="checkbox"/> EHP Item: Consolelette Base Radios & Antennas					State		
Description: Purchase of consolette base radios with encryption capabilities for police and fire/EMS frequencies and purchase/install antennas					Federal	\$40,000.00	\$40,000.00

2	Equipment	Terror.Inc.Prevent	LE				
EHP <input type="checkbox"/> EHP Item: Threat Body Armor					State		
Description: Purchase of ballistic armor, helmets, shields and gunshot medical kit for law enforcement response to active shooter incidents					Federal	\$9,800.00	\$9,800.00

3	Equipment	Decontam.Equip	HZ				
EHP <input type="checkbox"/> EHP Item: HazMat Response Equipment					State		
Description: Purchase of a capture containment for hazmat spills into waterways to include boom, floats, buoys, anchors, lines, tackle and shipping costs					Federal	\$25,000.00	\$25,000.00

Adjusted Grant Award	
State	
Federal	\$74,800.00
Total Budgeted Allocated (Fed & State)	\$74,800.00

PBD Total Allocations:	
State	
Federal	\$74,800.00
Total Expenses:	
State	
Federal	
Summary Balance:	
State	
Federal	\$74,800.00
PBD Non-Budgeted Funds:	\$0.00

CITY OF DILLINGHAM, ALASKA

RESOLUTION NO. 2014-60

A RESOLUTION OF THE DILLINGHAM CITY COUNCIL WAIVING PURCHASE RESTRICTIONS AND AWARDED A CONTRACT TO BENNETT ENTERPRISES LLC FOR BUILDING THE BERM FOR THE NEW LANDFILL CELL

WHEREAS, the City Council approved Resolution 2014-38 at their June 19, 2014 Council Meeting which authorized the City Manager to advertise a request for proposal (RFP) for the development of two landfill cells and to award a contract; and

WHEREAS, City staff decided to build one landfill cell this year in two phases with two separate RFPs; and

WHEREAS, Phase 1 was advertised as stockpiling soil for the base of the new landfill cell, with three bidders responding and the lowest bid awarded to Aleknagik Enterprises with a completion date of August 2014; and

WHEREAS, Phase 2 is to provide the gravel/material, and equipment and labor to build a berm around the new cell; and

WHEREAS, RFP 14-19, Landfill Ash Cell Berm, was advertised on the City's website, starting September 12, 2014, and an ad placed in the September 18, 2014 edition of the Bristol Bay Times with a due date of September 26, 2014, a copy was distributed to contractors on the bidders list on file with the City, and a copy posted in three public places; and

WHEREAS, Phase 2 was dependent on completing Phase 1 that included spreading and compacting the soil, which was delayed because of the rainy weather, with the work done in September, and now the City is up against the possibility of freezing temperatures;

WHEREAS, Dillingham Municipal Code (DMC) 4.30.130 allows waiving the purchasing restrictions if the City Council determined that the public interest would best be served by waiving the sealed bid requirement for awarding contracts over \$20,000; and

WHEREAS, the waiver is based on the criteria outlined in DMC 4.30.130, Exemptions B. 1, an emergency exists where the delays required for compliance with this section would jeopardize the public health, safety or welfare; and

NOW THEREFORE, BE IT RESOLVED by the Dillingham City Council waives the purchasing restriction for building the Landfill Ash Cell berm by advertising RFP 14-19, and authorizes the City Manager to enter into a contract with Bennett Enterprises for a not to exceed amount of \$82,712.50.

PASSED and ADOPTED by the Dillingham City Council on October 2, 2014.

Alice Ruby, Mayor

ATTEST:

[SEAL]

Janice Williams, City Clerk

City of Dillingham Information Memorandum Agenda of: October 2, 2014
 Attachment to:
 Ordinance No. _____ / Resolution No. 2014-60

Subject:

A resolution of the Dillingham City Council waiving purchase restrictions and awarding a contract to Bennett Enterprises for building the berm for the new landfill cell

City Manager: Recommend Approval

Signature: Rose Doera

Route to	Department Head	Signature	Date
X	Finance Director	<i>Caryl Shade</i>	9/29/14
X	Public Works	<i>[Signature]</i>	9/29/14
X	City Clerk	<i>Jenna Williams</i>	9/29/14

Fiscal Note: Yes No

Funds Available: Yes No

Other Attachments:

-None

Summary Statement:

The City has advertised RFP 14-19, Building the Berm for the New Landfill Cell, in the Bristol Bay Times, on the City's website, copy posted in three public places and distributed to contractors listed in the area. The bid due date was September 26, 2014, at 3 PM.

The RFP time frame needed a shorter advertising time frame in order to get the work done before the weather turns colder. Resolution 2014-60 is asking to waive restriction on (DMC) 4.30.130 which allows waiving the purchasing restrictions if the City Council determined that the public interest would best be served by waiving the sealed bid requirement for awarding contracts over \$20,000. The waiver is based on the criteria outlined in DMC 4.30.130, Exemptions B. 1, an emergency exists where the delays required for compliance with this section would jeopardize the public health, safety or welfare.

Ordinance No. _____ / Resolution No. 2014-60

Summary Statement continued:

The City had two responses to the bid with Bennett Enterprises coming in with the lowest bid. Recommendation is to give a notice of intent to award the contract to Bennett Enterprises with a not to exceed amount of \$82,712.50. The contract will be awarded on October 3, 2014 once approved by the City Council.

**City of Dillingham
Fiscal Note**

Agenda Date October 2, 2014

Request:

ORIGINATOR: Carol Shade

FISCAL ACTION (TO BE COMPLETED BY FINANCE)		FISCAL IMPACT <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
AMOUNT REQUESTED: <p align="right">\$ 82,712.50</p>		FUNDING SOURCE <p align="center">BBEDC 2014 CDBG</p>	
FROM ACCOUNT 5925 8610 30 81 3811 0 <p align="right">\$ 82,713</p>		Project <p align="center">Landfill Cell Berm</p>	
TO ACCOUNT:	VERIFIED BY: Carol Shade	Date:	10/2/2014

EXPENDITURES

OPERATING	FY15	FY16	FY17	FY18
Personnel				
Fringe Benefits				
Contract				
Major Equipment				
Land/Buildings				
Miscellaneous				
TOTAL OPERATING	\$ -	\$ -	\$ -	\$ -

Capital	\$ 82,713			
---------	-----------	--	--	--

REVENUE				
----------------	--	--	--	--

FUNDING

General Fund				
State/Federal Funds				
BBEDC CDBG	82,713			
TOTAL FUNDING	82,713	\$ -	\$ -	\$ -

POSITIONS

Full-Time				
Part-Time				
Temporary				

ANALYSIS: (Attach a separate page if necessary)

See R 2014-60

PREPARED BY: Carol Shade

October 2, 2014

DEPARTMENT: Finance Department

October 2, 2014

Janice Williams

Subject: FW: Parks and Recreation Committee

From: Ruth Lagerberg [<mailto:ruthlag@hotmail.com>]

Sent: Tuesday, September 02, 2014 11:12 AM

To: cityclerk@dillinghamak.us

Subject: Parks and Recreation Committee

Dear Mayor Alice Ruby -

This email is to express my interest in becoming a member of the Parks and Recreation Committee. I am a resident of Dillingham (I just purchased a house on Alder Street) and am a registered voter with the State of Alaska. I am a full-time employee at the Kakanak Hospital.

Thank you for your time and consideration!

Sincerely,

Ruth Lagerberg
work 842-9440
cell 412-1607

Janice Williams

Subject: FW: Letter of Interest

-----Original Message-----

From: June Ingram [mailto:jingram@bbahc.org]

Sent: Thursday, September 11, 2014 4:02 PM

To: Alice Ruby

Subject: Letter of Interest

This is a Letter of Interest to sit on the Senior Citizen Advisory Commission to the City of Dillingham.

I have served on the Advisory Board for a number of years and wish to continue to do so.

We do not seem to do much but at least this Advisory Commission sort of looks out for the elders in Dillingham.

We also give moral support and advice to Ida Noonkessor. We plan fund raiser events for the Senior Center.

It would be a pleasure to serve another term.

Thank you.

June Ingram

Date: 29 August, 2014

Mayor Alice Ruby
City of Dillingham

Dear Mayor Ruby:

I, Erica Tweet, would like to continue my position on the Dillingham Library Advisory Board. I have been an active member on the Library Advisory Board since October, 2011. I have lived in Dillingham for eight years and enjoy participating in the intricacies of the library and its importance to our community. My term is to expire at the end of September. I ask that I continue to be a part of this vital group that ensures the library's success.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Erica Tweet", with a long horizontal flourish extending to the right.

Erica Tweet

Janice Williams

Subject: FW: Library Advisory Board

From: Conor Downey [<mailto:cfdowney99@gmail.com>]

Sent: Tuesday, September 23, 2014 1:39 PM

To: cityclerk@dillinghamak.us

Cc: Sonja Marx

Subject: Library Advisory Board

Mayor Ruby,

I wish to serve on the board for another term - please let me know if, in addition to this letter, there is anything further you need of me.

Thank you for this opportunity.

Best regards,

Conor Downey

Janice Williams

Subject: FW: Library Advisory Board

-----Original Message-----

From: Dianna Swaim [mailto:dswaim@dlgsd.org]

Sent: Tuesday, September 23, 2014 3:55 PM

To: cityclerk@dillinghamak.us

Subject: Library Advisory Board

Dear Mayor Alice Ruby,

I would like to serve another term on the Library Advisory Board. Please let me know if there is anything in addition to this letter that you might need.

Thank you for this opportunity

From,
Dianna Swaim

City of Dillingham Action Memorandum

Agenda of: October 2, 2014

Action Memorandum No. 2014-15

Subject:

Authorize the City Manager to Execute a Contract to Vitus Energy LLC d/b/a Vitus Terminals for purchase of fuel and gasoline at a fixed price per gallon for FY2015/FY2016

City Manager: Recommend Approval

Signature: Rose Loera

Route to	Department Head	Signature	Date
X	Finance Director	<i>Carol Chade</i>	9/25/14
X	City Clerk	<i>James Williams</i>	9/24/14

Fiscal Note: Yes No

Funds Available: Yes No

Other Attachments:

- Bid Tabulation

Summary Statement:

The purpose of this Action Memorandum is to authorize the Mayor or City Manager to execute a Purchase Order / Contract for the purchase of petroleum fuels from Vitus Terminals for the fiscal year FY2015/FY2016.

RFP 14-17 was publically advertised for the required period soliciting proposals from qualified vendors to provide #1 diesel, #2 diesel, and unleaded gasoline at a fixed price per gallon for the period beginning October 6, 2014 to October 1, 2015.

Vitus Terminals provided the lowest bid for each individual product and the lowest aggregate overall price to the City.

Action Memorandum No. 2014-15

Summary Statement continued:

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

Mayor

ATTEST:

[SEAL]

City Clerk

City of Dillingham
Fiscal Note

Agenda Date: October 2, 2014

Request: _____

ORIGINATOR: Carol Shade

FISCAL ACTION (TO BE COMPLETED BY FINANCE)		FISCAL IMPACT <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
AMOUNT REQUESTED: Estimated based on \$ 335,500.00		FUNDING SOURCE General Fund, Various Departments	
FROM ACCOUNT		Projects*	
Gas XXXX 7385 xx xx xxxx x	\$ 631,500.00	Unleaded Gasoline, No. 1 and No.2	
Heating Fuel XXXX 7730 xx xx xxxx x	\$ 209,500.00	Diesel	
No. 2 Diesel XXXX 7385 xx xx xxxx x	\$ 62,850.00		
TO ACCOUNT:	VERIFIED BY: <u>Carol Shade</u>	Date: <u>9/25/2014</u>	

EXPENDITURES

OPERATING	FY15	FY16	FY17	FY18
Personnel				
Fringe Benefits				
Gas, Oil & Grease	\$126,000.00			
Heating Fuel	209,500.00			
Land/Buildings				
Miscellaneous				
TOTAL OPERATING	\$ 335,500.00	\$ -	\$ -	\$ -

CAPITAL	-			
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REVENUE				
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FUNDING

General Fund &	\$ 160,199.00			
State/Federal Funds				
Special Revenue Funds	175,301.00			
TOTAL FUNDING	\$ 335,500.00			\$ -

POSITIONS

Full-Time	1	1	1	
Part-Time				
Temporary				

ANALYSIS: (Attach a separate page if necessary)

See Attached Action Memorandum AM # 2014-15

PREPARED BY: Carol Shade

October 2, 2014

DEPARTMENT: Finance Department

October 2, 2014

**BID RESULTS
FURNISH PETROLEUM FUELS
FY 2015**

Deadline to receive bids: September 19, 2014 - 3 PM

Bidders responding to RFP 14-17 in a timely manner:

1. Delta Western
2. Bristol Alliance Fuels
3. Vitus Energy LLC d/b/a Vitus Terminals

BID results:

Delta Western	Bristol Alliance Fuels	Vitus Terminals
OPTION A – Fixed Price	OPTION A – Fixed Price	OPTION A – Fixed Price
No. 1 Diesel: 50,000 Gallons Per Gallon \$ <u>4.262</u> Total \$ <u>213,100</u>	No. 1 Diesel: 50,000 Gallons Per Gallon \$ <u>4.395</u> Total \$ <u>219,750</u>	No. 1 Diesel: 50,000 Gallons Per Gallon \$ <u>4.19</u> Total \$ <u>209,500</u>
No. 2 Diesel: 15,000 Gallons Per Gallon \$ <u>4.392</u> Total \$ <u>65,880</u>	No. 2 Diesel: 15,000 Gallons Per Gallon \$ <u>4.695</u> Total \$ <u>70,425</u>	No. 2 Diesel: 15,000 Gallons Per Gallon \$ <u>4.19</u> Total \$ <u>62,850</u>
Unleaded Gas: 15,000 Gal. Per Gallon \$ <u>4.386</u> Total \$ <u>65,790</u>	Unleaded Gas: 15,000 Gal. Per Gallon \$ <u>4.795</u> Total \$ <u>71,925</u>	Unleaded Gas: 15,000 Gal. Per Gallon \$ <u>4.21</u> Total \$ <u>63,150</u>
Total \$344,770	Total \$362,100	Total \$335,500
OPTION B - OPIS Anacortes - Net for lift date No Bid	OPTION B - OPIS Anacortes - Net for lift date No Bid	OPTION B - OPIS Anacortes - Net for lift date No Bid

Bids were opened at 3:00 PM, September 19, 2014, in the City Council Chambers, by Janice Williams and Bernadette Packa, accompanied by Manager Rose Loera.

The apparent low bidder was Vitus Terminals.



September 24, 2014

Peter Eason
PO Box 553
Dillingham, AK 99576

SUBJECT: Squaw Creek Road

Dear Peter:

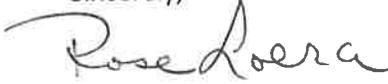
This letter is in response to your e-mail to me dated September 13 and the 22nd. As the council has directed any complaints, concerns and issues that we receive are to be sent to the State which you saw that I did. Following are answers to your questions in both of your e-mails to me:

1. Does my property tax pay for schools and transportation to school? Yes – your property taxes pay for schools and transportation to school. Squaw Creek was never accepted as a City Street. A portion of it was dedicated for public use but not as a designated City street. As you know a portion of it is privately owned and the owners are not willing to provide easements for it to be brought up to City standards. At this point the City has no legal obligation to maintain the road.
2. Does my property tax pay for Police coverage? Yes – your property taxes pays for Police coverage. We will continue to provide police coverage as best as we can under the circumstances but response times will obviously be impacted by road conditions.
3. Does my property tax pay for Fire and emergency medical (EMS) response? Yes – your property taxes pays for Fire and EMS coverage. As with police coverage we will continue to provide Fire and EMS coverage as best as we can under the circumstances but response times will obviously be impacted by road conditions.
4. Is it possible that my location on Squaw Creek road causes my property to have a lesser value than if it was located anywhere else in Dillingham? When you get your next property assessment you can appeal the value if you feel it is less because of the road situation. It will be up to the Board of Equalization to make the determination if the value has decreased.
5. Who decides what roads are taken care of by the State versus the City? When a subdivision is built the property owners goes through a process with the planning commission if the property owner wishes to dedicate the road to the City. This process includes dedication of easements, roads built to City standards all with a final plat approval. Some roads could be dedicated as a public road but if not built to City standards would not be maintained by the City. All the streets that you listed went through a process whereas the City accepted the roads as a City Street. Squaw Creek has not gone through this process other than to dedicate a portion of it as a public right away. As for the State not sure what they go through to accept a road.

6. You also asked whether the City even contacted the land owners directly. I personally spoke to one of the land owners asking him if he would be willing to give an easement so the road could be widened and he said No! He was adamant at the time that he would not reconsider this.

I understand your frustration Peter but with the road not being built to City standards we will not be maintaining it.

Sincerely,



Rose Loera
City Manager

Cc: City Council
Robert Campbell - DOT