



Alice Ruby, **Mayor**

**Council Members**

- Chris Napoli (Seat A) • Chris Maines (Seat B) • Aksel Buholm (Seat C)
- Curt Armstrong (Seat D) • Andy Anderson (Seat E) • Gregg Marxmiller (Seat F)

**DILLINGHAM CITY COUNCIL  
David B. Carlson Council Chambers**

Dillingham City Hall, 141 Main Street, Dillingham, AK 99576 (907) 842-5212

<b>REGULAR MEETING</b>	<b>7:00 P.M.</b>	<b>JUNE 20, 2019</b>
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1. **CALL TO ORDER**
2. **ROLL CALL**
3. **APPROVAL OF MINUTES**
  - a. Regular Council Meeting, June 6, 2019 ..... page 3
4. **APPROVAL OF CONSENT AGENDA**  
  
**APPROVAL OF AGENDA**
5. **STAFF REPORTS**
  - a. City Manager Report
6. **PUBLIC HEARINGS**
7. **CITIZEN'S DISCUSSION (Prior Notice or Agenda Items)**
8. **ORDINANCES AND RESOLUTIONS**
  - a. Adopt Ordinance 2019-02; An Ordinance of the Dillingham City Council Amending the Budget by Adopting Budget Amendment No. 1 and Appropriating Funds for the FY2019 City of Dillingham Budget ..... page 9
  - b. Adopt Ordinance No. 2019-03(S); An Ordinance of the Dillingham City Council Adopting the Budget and Appropriating Funds for the FY 2020 City of Dillingham Budget ..... page 15
  - c. Introduce Ordinance No. 2019-04; An Ordinance of the Dillingham City Council Amending Title 1 and Title 7, Animals, to Clarify Applicable Penalties for Certain Offenses and the Procedure for Payment of Fines, and to make Corrections to the Minor Offense Schedule and Certain Municipal Code Practices ..... page 27
  - d. Adopt Resolution 2019-16; A Resolution of the Dillingham City Council Authorizing the City Manager to Waive the Purchasing Requirements to Award a Contract to the McDowell Group for a Waterfront Strategic Plan ..... page 37
  - e. Adopt Resolution 2019-17; A Resolution of the Dillingham City Council Authorizing the City to Apply for a Loan from the Alaska Clean Water Fund ..... page 47

- f. Adopt Resolution 2019-18; A Resolution of the Dillingham City Council Approving a Long Term Encroachment (LTE) Permit for Will Chaney to Extend the Fiber Optic Network to Residents on Waskey Road ..... page 53

**9. UNFINISHED BUSINESS**

- a. Citizen Committee Appointments
  - 1) Senior Advisory Commission – 1 seat open
- b. Progress Report
  - 1) Dave Carlson House Property
  - 2) Territorial School

**10. NEW BUSINESS**

- a. Adopt Action Memorandum 2019-07; Approve temporary use of city land ..... page 61

**11. CITIZEN’S DISCUSSION (Open to the Public)**

**12. COUNCIL COMMENTS**

**13. MAYOR’S COMMENTS**

**14. ADJOURNMENT**

**1. CALL TO ORDER**

A regular meeting of the Dillingham City Council was held on Thursday, June 6, 2019, at the Dillingham City Council Chambers, Dillingham, Alaska. Mayor Ruby called the meeting to order at 7:06 p.m. The council meeting was preceded by a workshop at 6:00 p.m. on the FY2020 Budget.

**2. ROLL CALL**

Mayor Ruby was present.

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

Andy Anderson	Chris Maines	Aksel Buholm attended via phone
Chris Napoli	Gregg Marxmiller	Curt Armstrong

Staff in attendance:

Kelsa Brandenburg	Anita Fuller	Cynthia Rogers	Tod Larson, via phone
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**3. APPROVAL OF MINUTES**

- a. Regular Council Meeting, May 8, 2019
- b. BOE Hearing, May 16, 2019

MOTION: Chris Maines moved and Chris Napoli seconded the motion to adopt the minutes of May 8, 2019, and May 16, 2019 in block.

VOTE: The motion passed unanimously by roll call vote.

**4. APPROVAL OF CONSENT AGENDA**

There was no consent agenda.

**APPROVAL OF AGENDA**

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

VOTE: The motion passed unanimously by roll call vote.

**5. STAFF REPORTS**

a. City Manager and Staff Reports

- In person meetings with candidates for Public Works Director will take place on June 12.
- Hazardous materials on the Bingman property will need special disposal. The site will be assessed, secured, and an inventory taken. An environmental site assessment will be done.
- Downtown streets rehabilitation project is about ready for the RFP phase.
- Water Improvement projects are approaching the RFP phase.
- The Mayor assisted with a fix for DMV internet troubles.

b. Standing Committee Reports

Code Review Committee:

There was no Code Review Committee report.

Finance and Budget Committee:

The FY19 mid-year budget revision, and FY 20 budget were completed in work sessions. Ordinances for both are included in the packet.

School Facility Committee:

- The major maintenance list was reviewed.
- A joint assessment was submitted.
- A joint grant writing position was discussed.
- CIP project process for selection was considered and will be reviewed.

**6. PUBLIC HEARINGS**

There was no public hearing.

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

The prior notice or agenda items requirement was waived. And a reminder given of the three minute time limit when addressing council.

Citizens were informed that Grandma's House is not owned by the City.

Paige O'Connell:

- Voiced concerns about Grandma's House closing in 90 days.
- Requested the City help facilitate a time their board can hold a public meeting to discuss potential solutions for this vital service.
- Noted Grandma's House serves a vulnerable population.

Eva Leveque:

- Noted Grandma's House has many challenges but stated the elders wish to remain in the community. Asked if the City could help in that endeavor.

Patty Buholm:

- Referred to Grandma's House by-laws which show the 5 committee members, and inquired regarding the activity status of the board. The Mayor confirmed the board is active.
- Stated she was unsure where to take her concerns, so came to council as one council member is on the board.
- Commented people are worried about the impact the closure will have on employees, residents, and relatives of residents. She noted there would be a loss of jobs, residents might have to relocate outside the community, and a loss of history.

Melina Shade:

- Stated the traditional culture is built on honoring and respecting our elders. Worries about a community that does not protect vulnerable residents.

Tommy Tilden:

- Noted the Tribe is involved in the Grandma's House situation. Stated the City stepped in at the inception of the project and the building has value. It is good to have a house for the elders.
- Organizations in the city will need to come together to work toward a resolution for this issue.
- Noted the elders have a wealth of information to share.

Jenny Dull:

- Thanked council for providing a forum where concerns can be voiced.

The Mayor noted she contacted the President of Grandma's House Board and recommended having a public meeting where the Board can describe the issues they are facing. It was confirmed a meeting will be scheduled.

**8. ORDINANCES AND RESOLUTIONS**

- a. Introduce Ordinance 2019-02; An Ordinance of the Dillingham City Council Amending the Budget by Adopting Budget Amendment No. 1 and Appropriating Funds for the FY2019 City of Dillingham Budget

MOTION: Chris Maines moved and Andy Anderson seconded the motion to Introduce Ordinance 2019-02.

VOTE: The motion passed by unanimous roll call vote.

- b. Introduce Ordinance No. 2019-03; An Ordinance of the Dillingham City Council Adopting the Budget and Appropriating Funds for the FY2020 City of Dillingham Budget

MOTION: Chris Maines moved and Chris Napoli seconded the motion to Introduce Ordinance 2019-03.

MOTION: Chris Napoli moved to amend by changing total revenues and transfers to \$12,893,626 with total appropriations of \$12,876,326, seconded by Chris Maines.

QUESTION called with no objections.

VOTE: The motion to amend passed by unanimous roll call vote.

VOTE: The motion as amended passed by unanimous roll call vote.

- c. Approve Resolution 2019-15; A Resolution of the Dillingham City Council Establishing the Rate of Levy of Tax, the Date Taxes are Due, and the Delinquent Dates for Calendar year 2020, and Accepting the Certification of the Tax Roll

MOTION: Chris Maines moved and Andy Anderson seconded the motion to approve Resolution 2019-15.

VOTE: The motion passed by unanimous roll call vote.

## 9. UNFINISHED BUSINESS

### a. Interim City Manager

- City Manager Tod Larson is able to be more engaged but still not able to be in Dillingham. A return date is not yet established. Planning Director Cynthia Rogers is currently the Acting City Manager.
- Steve Cropsey can be retained in the capacity of special project manager, including capital projects, to provide adequate support. Steve is familiar with Dillingham having previously worked with the City.
- A 90 day agreement with the option to extend has been discussed, and Mr. Cropsey is available and could be in Dillingham in a week.
- Council can reevaluate the situation in August.

MOTION: Chris Maines moved and Chris Napoli seconded the motion to concur with the Mayors description of the current staffing plan.

VOTE: The motion passed by unanimous roll call vote. (*Aksel Buholm phone connection was lost*)

### b. Citizen Committee Appointments

- 1) Senior Advisory Commission – 1 seats open

There were no letters of interest.

### c. Progress Report

- 1) Dave Carlson House Property

- 2) Territorial School

There were no progress reports.

## 10. NEW BUSINESS

- a. Approve Action Memorandum 2019-05, Authorize Task Order Number 1 to CRW for the Lagoon Mitigation Study

MOTION: Andy Anderson moved and Gregg Marxmiller seconded the motion to approve Action Memorandum 2019-05.

VOTE: The motion passed by unanimous roll call vote.

## 11. CITIZEN'S DISCUSSION (Open to the Public)

*(Aksel Buholm reestablished phone connection)*

Kimberly Williams:

- Noted she reviewed the by-laws and articles of incorporation for Grandma's House. Inquired regarding what over site the board members have.

## 12. COUNCIL COMMENTS

Gregg Marxmiller:

- Thanked staff for their work.
- Commented he is glad Tod Larson is improving.
- Stated he is looking forward to progress at the Bingman property.

Chris Maines:

- Stated he is working on at item that he will be bringing to council at a later date.

Curt Armstrong:

- Noted he appreciates staff's hard work.

Aksel Buholm:

- Inquired if the City can designate an excise tax for a specific purpose.
- Noted he will be in town for the June 20<sup>th</sup> and August 1<sup>st</sup> meeting.
- Commended staff for their work.

Andy Anderson:

- Thanked staff for their work, noting the difficulties of the last six months.
- Wished Tod the best.
- Commented he is hopeful for a resolution to the Grandma's House situation.

Chris Napoli:

- Noted Grandma's House is a 501(3)c entity.
- The facility has been open 20 years. During that time federal funding has been reduced. BBHA has provided accounting services and staffing.
- BBHA has stated that employees at Grandma's House will have the option to continue to work.
- Staffing has been a consistent issue. This type of care giving can require a high level of care which then requires a high level of funding.
- Grandma's House is currently approximately \$500,000 in the hole. Lack of filing paperwork makes this amount unrecoverable.
- Donations from outside organizations have a down trend with reduction in their funding sources.
- Conversations with Alaska Housing Finance Corp. have begun to explore what can be done with the facility.
- The State has been notified of the 90 day closure. Staff and residents will receive a notification letter.
- The level of work produced by staff was noted.

**13. MAYOR'S COMMENTS**

Alice Ruby:

- Noted Grandma’s House has been on the verge of closing many times over the years.
- Commended the board for a magnanimous job keeping the facility going.
- The City would like to meet with the other members of the consortium to discuss what each one needs to do, responsibilities, liabilities etc.
- A moment of silence was observed for those lost since the last meeting.

**14. ADJOURNMENT**

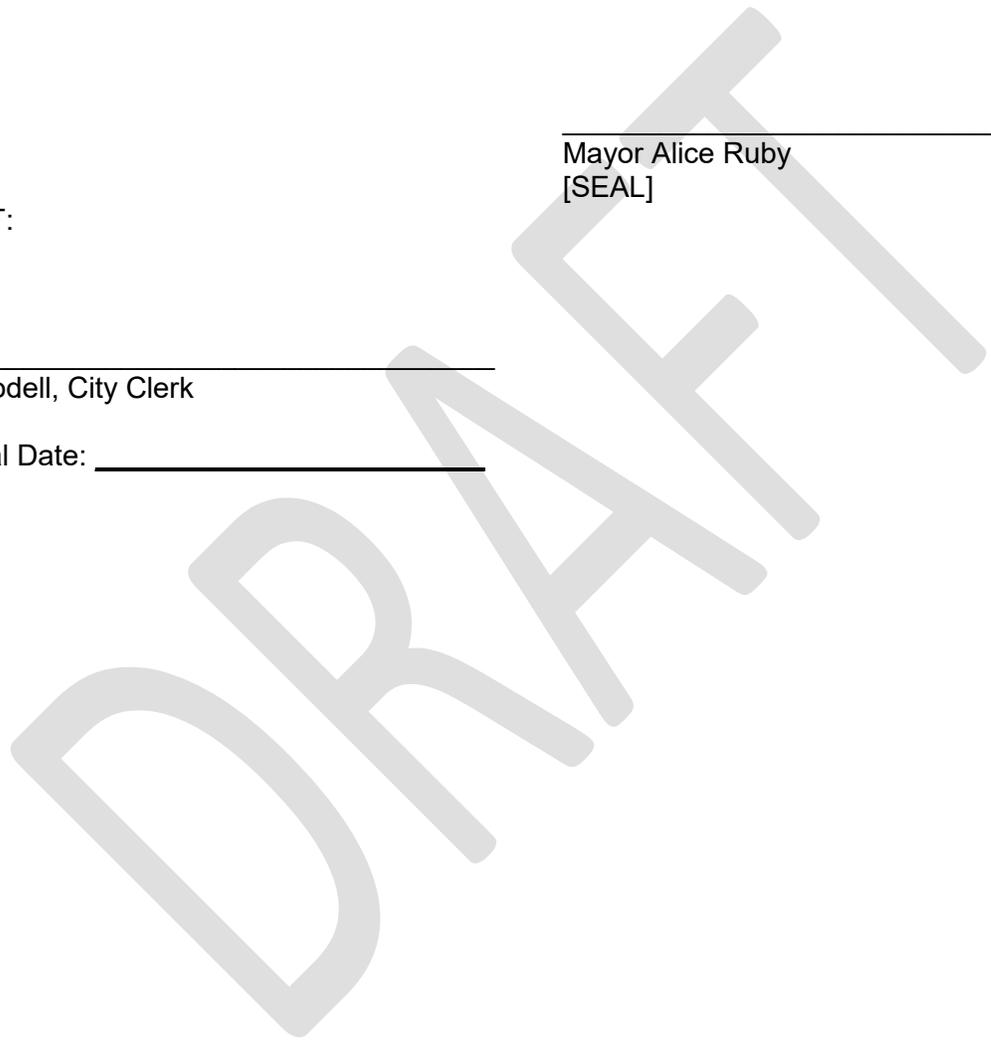
Mayor Ruby adjourned the meeting at 8:12 p.m.

\_\_\_\_\_  
 Mayor Alice Ruby  
 [SEAL]

ATTEST:

\_\_\_\_\_  
 Lori Goodell, City Clerk

Approval Date: \_\_\_\_\_



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CITY OF DILLINGHAM, ALASKA

**ORDINANCE NO. 2019-02**

**AN ORDINANCE OF THE DILLINGHAM CITY COUNCIL AMENDING THE BUDGET BY ADOPTING BUDGET AMENDMENT NO. 1 AND APPROPRIATING FUNDS FOR THE FY 2019 CITY OF DILLINGHAM BUDGET**

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WHEREAS, the City Council has approved the Operating Budget and Capital Improvement Budget for FY19 to the City Council in accordance with Title 4 of the Dillingham Municipal Code pursuant to A.S. 20.20.500(3); and

WHEREAS, duly advertised public workshops were held and the City Council reviewed the budget amendment recommendations presented; and

WHEREAS, the City Council has set the rate of levy of property tax for the City of Dillingham for FY 2019 budget at 13 mills; and

WHEREAS, the budget presented, reviewed and changed is in accordance with sound and efficient municipal management principles. The City Council should have the power to transfer appropriated monies from one General Government Fund or Special Revenue Fund to another and from one Capital Project to another by resolution and the City Manager should have the power to transfer funds from one line item object to another object code within a fund and within a Capital Improvement Project; and

WHEREAS, additional FY 2019 funds are available for appropriation by ordinance;

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

1. The FY 2019 Operating Budget and Capital Improvement Budget amendment as recommended by the City Manager is hereby adopted for the City of Dillingham.
2. The amounts set forth in the budget as amended by the City Council for the respective departments and/or funds shall be, and hereby are, appropriated for the fiscal year ending June 30, 2019.
3. The City Council shall have the power to transfer approved and appropriated General Fund or Special Revenue Fund monies from one to another and from one Capital Project to another by resolution.
4. The City Manager shall have the power to transfer funds from one line item object code to another within a fund and within a Capital Improvement Project.

BE IT ENACTED BY THE COUNCIL OF THE CITY OF DILLINGHAM that:

**Section 1. Classification.** This ordinance is a non-code ordinance.

**Section 2. Severability.** If any portion of this ordinance or any application thereof to any person or circumstances is held invalid, the remainder of the ordinance and the application to other persons or circumstances shall not be affected thereby.

**Section 3. Appropriation summary.** The total appropriation from the Treasury in Section 4 was a total of \$11,913,863 and the amended appropriation is \$13,204,232.

**Section 4. Appropriations.**

A. General Fund Government Operations

City Council	\$ 45,324
City Clerk	117,128
Administration	262,395
Finance	626,783
Legal	80,000
Insurance	165,000
Non-Departmental	99,420
Planning	143,022
Foreclosures	12,000
IT	168,468
Meeting Hall	2,500
PS Administration	150,521
PS Dispatch	511,399
PS Patrol	872,361
PS Corrections	646,925
PS DMV	44,621
PS Animal Control Officer	104,576
PS Fire Department	267,013
PW Administration	155,879
PW Buildings & Grounds	262,380
PW Shop	381,084
PW Streets	347,071
Library	109,012
City School District	1,300,000
Transfer Subsidy for Operations	1,153,631
Transfer to Equipment/Capital	
Reserves Fund	0
<b>Total General Fund Appropriations:</b>	<b>\$ 8,028,513</b>

Special Revenue & Other Funds Appropriations

Water	193,646
Waste Water	268,868
Landfill	668,824
Port-Dock	645,462

Port-Harbor	184,753
E-911	57,739
Senior Center	317,788
Library Grants	80,492
Equipment Replacement/Reserve	0
Mary Carlson Estate	5,560
Ambulance Replacement Fund	58,678
Debt Service	1,063,450
Streets Projects	319,000
Planning Projects	19,000
Water Improvements	142,500
Sewer Lagoon Outfall	723,709
Lagoon Aeration	100,000
Other Lift Stations	12,000
Landfill New Cell	5,000
Landfill Groundwater Well	30,000
Bingman Harbor Cleanup	279,250
Total Special Revenue & Other Funds Appropriations	<u>\$ 5,175,809</u>
<b>Total Appropriations</b>	<b><u>\$ 13,204,322</u></b>

## Section 5. Revenues

### General Fund

#### Taxes

Sales Taxes	2,550,000
Alcohol Sales Taxes	290,000
Transient Lodging Sales Taxes	110,000
Gaming Sales Tax	65,000
Tobacco Tax	250,000
Real Property Taxes	2,050,000
Personal Property Taxes	490,000

#### Other Revenues

Telephone Gross State Tax	65,000
Raw Fish Tax	443,905
Shared Fisheries	20,000
Revenue Sharing	130,000
Payment in Lieu Taxes (PILT)	450,000
Jail Contract Revenue	567,000
Administrative Overhead	223,249
PERS on Behalf	100,486
Other Revenues	407,239

**Total General Fund Revenues** **\$ 8,211,879**

### Special Revenue & Other Funds Revenues

Water	212,495
Waste Water	408,795
Landfill	943,357
Port – Dock	968,075

Port – Harbor	188,753
E-911	82,750
Library Grants	80,492
Senior Center	317,788
Total Special Revenue Funds & Other Funds Revenues	<u>\$ 3,202,505</u>

**TOTAL REVENUES \$ 11,414,384**

**Section 6. Transfers & Other Project Funds**

Transfers from General Fund to Other Funds	
Mary Carlson Estate Permanent Fund	1,000
Ambulance Reserve	60,000
Debt Service	1,063,450
Capital Improvement Project Transfers	387,000
Bingman Harbor Cleanup	<u>279,250</u>
Total General Fund Transfers	<u>\$ 1,790,700</u>

<b>Total Revenues &amp; Fund Transfers</b>	<b>\$ 13,205,084</b>
<b>Total Appropriations</b>	<b>\$ 13,204,232</b>
<b>Net Increase (Decrease) to Fund Balances</b>	<b><u>852</u></b>

**Section 7. 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]

\_\_\_\_\_  
Lori Goodell, City Clerk

**City of Dillingham Information Memorandum**

Agenda of: June 20, 2019

Attachment to:

Ordinance No. 2019-02 / Resolution No. \_\_\_\_\_

**Subject:**

An ordinance of the Dillingham City Council amending the budget by adopting budget amendment No. 1 and appropriating funds for the FY2019 City of Dillingham budget

City Manager: Recommend Approval

Signature: 

Fiscal Note:  Yes  No

Funds Available:  Yes  No

**Other Attachments:**

**Summary Statement:**

This ordinance was introduced at the June 6, 2019 Regular Council meeting.

An advertisement for a Public Hearing on Ordinance No. 2018-02 was placed in the June 13, 2019 edition of the Bristol Bay Times as required to be advertised in a local newspaper five days in advance of the public hearing, which will be June 20, 2019.

This non-code ordinance has been vetted through the Finance and Budget Committee and is being recommended for adoption by the Council.

Attachment to: 2019-02 / Resolution No. \_\_\_\_\_  
Ordinance No. \_\_\_\_\_

**Summary Statement continued:**

Route to	Department Head	Date
X	Finance Director	
X	City Clerk	

CITY OF DILLINGHAM, ALASKA

**ORDINANCE NO. 2019-03(S)**

**AN ORDINANCE OF THE DILLINGHAM CITY COUNCIL ADOPTING THE BUDGET AND APPROPRIATING FUNDS FOR THE FY 2020 CITY OF DILLINGHAM BUDGET**

WHEREAS, the City Council has approved the Operating Budget and Capital Improvement Budget for FY20 to the City Council in accordance with Title 4 of the Dillingham Municipal Code pursuant to A.S. 20.20.500(3); and

WHEREAS, duly advertised public workshops were held and the City Council reviewed the budget amendment recommendations presented; and

WHEREAS, the City Council has set the rate of levy of property tax for the City of Dillingham for FY 2020 budget at 13 mills; and

WHEREAS, the budget presented, reviewed and changed is in accordance with sound and efficient municipal management principles. The City Council should have the power to transfer appropriated monies from one General Government Fund or Special Revenue Fund to another and from one Capital Project to another by resolution and the City Manager should have the power to transfer funds from one line item object to another object code within a fund and within a Capital Improvement Project; and

WHEREAS, additional FY 2020 funds are available for appropriation by ordinance;

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

1. The FY 2020 Operating Budget and Capital Improvement Budget as recommended by the City Manager is hereby adopted for the City of Dillingham.
2. The amounts set forth in the budget by the City Council for the respective departments and/or funds shall be, and hereby are, appropriated for the fiscal year ending June 30, 2020.
3. The City Council shall have the power to transfer approved and appropriated General Fund or Special Revenue Fund monies from one to another and from one Capital Project to another by resolution.
4. The City Manager shall have the power to transfer funds from one line item object code to another within a fund and within a Capital Improvement Project.

BE IT ENACTED BY THE COUNCIL OF THE CITY OF DILLINGHAM that:

**Section 1. Classification.** This ordinance is a non-code ordinance.

**Section 2. Severability.** If any portion of this ordinance or any application thereof to any person or circumstances is held invalid, the remainder of the ordinance and the application to other persons or circumstances shall not be affected thereby.

**Section 3. Appropriation summary.** The total appropriation from the Treasury in Section 6 was a total of \$13,219,812.

**Section 4. Revenues**

General Fund

Taxes

Sales Taxes	2,700,000
Alcohol Sales Taxes	290,000
Transient Lodging Sales Taxes	95,000
Gaming Sales Tax	75,000
Tobacco Tax	220,000
Real Property Taxes	2,100,000
Personal Property Taxes	530,000
Penalty & Interest – Property Tax	50,000
Penalty & Interest – Sales Tax	10,000

Other Revenues

Telephone Gross State Tax	65,000
Raw Fish Tax	350,000
Shared Fisheries	20,000
Revenue Sharing (Community support)	107,000
Payment in Lieu Taxes (PILT)	450,000
Jail Contract Revenue	567,000
Ambulance Fees	60,000
Lease and Rental Income	43,000
Administrative Overhead	195,911
PERS on Behalf	125,267
PERS Forfeiture Fund	88,000
Other Revenues	160,100

**Total General Fund Revenues**

**8,301,278**

Special Revenue & Other Funds Revenues		
Nushagak Fish Tax	-0-	
Water	216,822	
Waste Water	482,019	
Landfill	240,377	
Port – Dock	771,620	
Port – Harbor	151,960	
E-911	78,000	
Senior Center	178,854	
Library Grants	84,599	
Debt Service	742,200	
Mary Carlson Estate Permanent Fund	3,000	
<b>Total Special Revenue and Other</b>		<b>2,949,451</b>
<b>TOTAL REVENUES</b>		<b><u>11,250,729</u></b>

**Section 5. Transfers**

Transfers from General Fund to Other Funds

Water	-0-	
Waste Water	-0-	
Landfill	421,770	
Senior Center	145,712	
Ambulance Reserve	60,000	
Equipment Replacement	-0-	
Capital Project (Planning)	634,706	291,200
Debt Service School Bond	318,350	
Debt Service Firehall Bond	42,673	
Debt Service Streets Bond	238,594	
<b>Total Transfers from Gen. Fund</b>		<b>1,861,805</b>
		<b>1,518,299</b>

Transfers from Dock Fund to Harbor Funds

Harbor Operations	53,498	
Ice Machine	2,800	
Bathhouse	13,300	
<b>Total Transfers from Dock Fund</b>		<b>69,598</b>

Transfers from Department to Department

From E-911 to Dispatch	51,000	
From Carlson Estate to Library	4,000	
<b>Total Transfers from Dock Fund</b>		<b>54,000</b>

**TOTAL TRANSFERS** **1,642,897**

**TOTAL REVENUE AND TRANSFERS** **13,237,132**

**12,893,626**

**Section 6. Appropriations.**

General Fund Government Operations

City Council	\$ 45,324	
City Clerk	122,834	
Administration	269,192	
Finance	660,988	
Legal	70,000	
Insurance	165,000	
Non-Departmental	95,600	
Planning	148,149	
Foreclosures	10,000	
Meeting Hall	2,900	
IT	120,812	
PS Administration	155,019	
PS Dispatch	535,149	
PS Patrol	880,301	
PS Corrections	656,955	
PS DMV	46,104	
PS Animal Control Officer	106,664	
PW Administration	220,134	
PW Buildings & Grounds	329,354	
PW Shop	350,936	
PW Streets	368,529	
PS Fire Department	279,090	
Library	117,685	
City School District	1,300,000	
Transfer Subsidy for Operations	4,861,805	1,518,299
Transfer to Equipment/Capital		
Reserves Fund	-0-	
<b>Total General Fund Appropriations:</b>		<b>8,918,524</b>
		<b>8,575,018</b>

Special Revenue & Other Funds Appropriations

	\$ -
Nushagak Fish Tax	0-
Water	216,822
Waste Water	370,185
Landfill	662,147
Port-Dock	666,254
Port-Harbor	203,258
Port Harbor – Ice Machine	4,000
Port Harbor – Bathhouse	13,300
E-911	57,600
Senior Center	324,566
Debt Service	1,341,817
Library Grants	84,599
Equipment Replacement/Reserve	-0-
Ambulance Replacement Fund	60,000
Mary Carlson Estate	5,540

Capital Project (Planning) Fund	291,200	
<b>Total Special Revenue &amp; Other Appropriations</b>	<u>4,301,288</u>	
<b>TOTAL APPROPRIATIONS</b>		<u>13,219,812</u> <u>12,876,306</u>
<b>Total Revenues and Transfers</b>	<b>\$ 13,237,132</b>	<b>12,893,626</b>
<b>Total Appropriations</b>	<b>\$ 13,219,812</b>	<b>12,876,306</b>
<b>Net Increase (Decrease) to Fund Balances</b>	<b>\$ 17,320</b>	<b>17,320</b>

**Section 7. Effective Date.** This ordinance is effective upon passage.

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

SEAL

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

ATTEST:

\_\_\_\_\_  
Lori Goodell, City Clerk

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CITY OF DILLINGHAM  
FY 2019 Revenues

	FY16 Actual	FY17 Actual	FY18 Actual	3 yr Average	FY19 Budget	FY19 Actual as of 2/28/2019	FY19 Variance	FY20 Manager Recommend	F&B Recommend	FY20 Council Approved
<b>GENERAL FUND REVENUES</b>										
6% SALES TAX	2,717,040	2,510,094	2,707,213	2,644,783	2,550,000	1,831,289	718,711	2,700,000	2,700,000	2,700,000
10% ALCOHOL SALES TAX	282,164	287,562	312,518	294,081	290,000	180,005	109,995	290,000	290,000	290,000
10% TRANSIENT LODGING TAX	78,449	80,286	92,455	83,730	85,000	68,036	16,964	95,000	95,000	95,000
6% GAMING SALES TAX	118,382	78,546	77,982	91,636	65,000	54,778	10,222	75,000	75,000	75,000
TOBACCO TAX	1,712,970	1,675,102	1,866,450	1,751,508	2,100,000	2,051,487	(48,513)	2,250,000	2,200,000	2,200,000
PERSONAL PROPERTY TAX	654,603	548,598	524,625	575,275	530,000	490,851	39,149	530,000	530,000	530,000
PENALTY AND INTEREST (Property Tax)	56,002	39,555	49,079	48,212	50,000	48,179	1,821	50,000	50,000	50,000
PENALTY/INTEREST (Sales Tax)	72,751	17,909	9,974	33,545	20,000	7,769	12,231	20,000	10,000	10,000
TELEPHONE Gross Receipts Tax (3%)	65,540	62,525	69,625	65,540	65,000	-	65,000	65,000	65,000	65,000
RAW FISH TAX (State)	433,564	167,849	398,350	333,254	300,000	443,905	(143,905)	350,000	350,000	350,000
SHARED FISHERIES BUSINESS	27,135	36,610	18,650	27,465	20,000	-	20,000	20,000	20,000	20,000
REVENUE SHARING (COMMUNITY SUPPORT)	202,035	132,833	133,547	156,138	130,000	119,903	10,097	107,000	107,000	107,000
PAYMENT IN LIEU OF TAXES	433,838	446,018	450,803	443,553	450,000	459,841	(9,841)	450,000	450,000	450,000
JAIL CONTRACT	526,851	526,851	545,777	533,160	567,000	416,429	150,572	567,000	567,000	567,000
AMBULANCE FEES	48,277	57,414	74,207	59,966	60,000	34,487	25,513	60,000	60,000	60,000
RENT REVENUE - REAL PROP.	63,163	45,115	43,955	50,744	43,000	10,890	32,110	43,000	43,000	43,000
ADMINISTRATIVE OVERHEAD	503,667	223,368	279,993	335,676	223,249	132,329	90,920	200,000	195,911	195,911
PERS ON BEHALF	127,653	103,800	72,206	101,220	100,486	109,219	(8,733)	425,267	125,267	125,267
PERS FORFEITURE FUND	-	-	-	-	-	-	-	88,000	88,000	88,000
Subtotal	8,124,084	7,038,036	7,727,409	7,629,843	7,768,735	6,623,718	1,145,017	8,605,267	8,141,178	8,141,178
TOBACCO LICENSE	-	-	-	-	-	450	(450)	450	450	450
PILT - BBHA	3,117	1,175	-	1,431	2,000	-	2,000	2,000	2,000	2,000
BUSINESS LICENSE	13,975	13,675	14,975	14,208	15,000	14,880	120	15,000	15,000	15,000
BUSINESS LICENSE PENALTY	1,625	3,325	2,425	2,458	1,500	2,544	(1,044)	1,500	1,500	1,500
RENTAL INCOME (Room/Facility)	1,550	1,960	1,250	1,587	-	200	(200)	1,500	1,500	1,500
MISCELLANEOUS REVENUE	-	-	-	-	-	130	(130)	-	-	-
MOTOR VEHICLE TAX	28,104	32,917	30,510	30,510	30,000	25,596	4,404	30,000	30,000	30,000
LIQUOR LICENSE	4,000	5,200	4,000	4,400	4,500	-	4,500	4,500	4,500	4,500
MARIJUANA LICENSE	-	-	-	-	-	1,000	(1,000)	1,000	1,000	1,000
INVESTMENT INCOME	54,635	2,343	9,032	22,003	10,000	39,470	(29,470)	10,000	10,000	10,000
MISCELLANEOUS REVENUE	92,574	45,109	12,544	50,076	10,000	580	9,420	15,000	15,000	15,000
LAND USE PERMITS	975	1,344	333	884	900	485	415	600	950	950
DOCUMENT COPIES	-	22	10	11	200	-	200	-	150	150
PLATTING FEES	150	240	640	343	500	300	500	300	500	500
FORECLOSED PROPERTY REV	-	-	-	-	-	13,576	(13,576)	-	-	-
RENTAL INCOME	-	-	-	-	2,000	2,550	(550)	2,000	2,000	2,000
COURT DEPOSITS	8,138	4,703	21,257	11,366	20,000	3,819	16,181	15,000	10,000	10,000
REPORTS TO PUBLIC	182	140	250	191	200	160	40	200	250	250
COMMISSARY REVENUE	6,325	4,606	3,650	4,860	5,000	2,540	2,460	5,000	5,000	5,000
FINGERPRINTS, ETC	850	915	1,035	933	1,000	730	270	1,000	1,000	1,000
TITLE 47 USER FEES	10,424	9,635	14,952	11,670	16,000	12,690	3,310	17,000	12,000	12,000
DMV COMMISSION REVENUE	29,306	43,233	36,462	36,334	43,000	19,344	23,657	40,000	30,000	30,000
DOG LICENSE & FEES	1,407	955	1,680	1,347	1,200	725	475	1,200	1,200	1,200
ACO - DONATIONS	140	170	290	200	100	100	100	100	100	100
FIRE DEPT - DONATIONS	242	2,030	1,136	1,136	500	15	485	400	500	500
JOINT LIBRARY AGREEMENT	8,000	8,000	7,000	7,000	8,000	8,000	8,000	8,000	8,000	8,000
DONATIONS	3,033	2,553	2,693	2,693	3,000	79	2,921	3,000	3,000	3,000
LIBRARY FINES & FEES	6,976	4,191	5,782	5,782	4,500	3,881	619	5,000	4,500	4,500
Subtotal	272,695	189,920	138,316	211,424	179,100	145,445	33,655	179,750	160,100	160,100
<b>Total General Fund</b>	<b>8,396,779</b>	<b>7,226,956</b>	<b>7,865,726</b>	<b>7,841,267</b>	<b>7,947,835</b>	<b>6,769,163</b>	<b>1,178,672</b>	<b>8,785,017</b>	<b>8,301,278</b>	<b>8,301,278</b>

CITY OF DILLINGHAM  
FY 2019 Revenues

	FY16 Actual	FY17 Actual	FY18 Actual	3 yr Average	FY19 Budget	FY19 Actual as of 2/28/2019	FY19 Variance	FY20 Manager Recommend	F&B Recommend	FY20 Council Approved
<b>SPECIAL REVENUE FUNDS</b>										
SRF - WATER										
WATER HOOKUP FEE		347	160	120	209	500	160	340	300	300
CONSUMER SALES, RESIDENT	2100 4320 30 61 0000 0	75,993	93,266	99,788	89,682	86,500	69,612	16,888	94,418	94,418
CONSUMER SALES, COMMERCIAL	2100 4335 30 61 0000 0	98,488	101,878	119,541	106,636	102,500	78,957	23,543	108,435	108,435
PENALTY AND INTEREST	2100 4490 30 61 0000 0	5,990	9,977	9,977	7,993	5,000	10,253	(5,253)	8,000	8,000
STATE PERS ON BEHALF	2100 4980 30 61 0000 0	4,737	2,137	1,651	2,842	2,995	-	2,995	4,887	3,369
PERS FORFEITURE FUND	2100 4981 30 61 0000 0	-	-	-	-	-	-	-	2,300	2,300
Subtotal		185,556	205,452	231,077	207,362	197,495	158,982	38,513	218,340	216,822
SRF - SEWER										
SEWER CONNECT FEE	2100 4350 30 62 0000 0	327	200	150	226	250	150	100	200	250
CONSUMER SALES, RESIDENT	2100 4360 30 62 0000 0	148,833	182,461	174,034	168,443	179,000	130,787	48,213	186,180	190,000
CONSUMER SALES, COMMERCIAL	2100 4365 30 62 0000 0	132,566	161,047	186,388	160,000	160,000	133,080	26,920	189,620	195,000
WASTEWATER DUMPING	2100 4366 30 62 0000 0	-	-	52,330	26,165	4,500	52,632	(48,132)	35,000	75,000
PENALTY AND INTEREST	2100 4490 30 62 0000 0	15,361	10,418	16,868	14,215	12,000	16,011	(4,011)	19,016	16,000
STATE PERS ON BEHALF	2100 4980 30 62 0000 0	4,737	3,288	1,771	3,265	3,045	-	3,045	3,369	3,369
STATE PERS FORFEITURE FUND	2100 4981 30 62 0000 0	-	-	-	-	-	-	-	2,400	2,400
Subtotal		301,824	357,413	431,542	372,315	358,795	332,661	26,134	435,785	482,019
SRF - LANDFILL										
LANDFILL FEES	2200 4770 30 81 0000 0	132,191	123,208	223,283	159,561	225,000	153,428	71,573	225,000	225,000
STATE PERS ON BEHALF	2200 4980 30 81 0000 0	9,586	7,254	5,092	7,311	6,456	-	6,456	8,677	8,677
STATE PERS FORFEITURE FUND	2200 4981 30 81 0000 0	-	-	-	-	-	-	-	6,700	6,700
Subtotal		141,777	130,462	228,374	166,871	231,456	153,428	78,029	240,377	240,377
SRF - DOCK										
INVESTMENT INCOME	2300 4700 70 70 0000 0	10,048	585	1,688	4,107	2,500	-	2,500	2,500	2,500
MISCELLANEOUS REVENUE	2300 4790 70 70 0000 0	2,278	32,180	7,305	13,921	4,000	4,515	(515)	5,000	4,000
DOCKING/MOORAGE	2300 4800 70 70 0000 0	121,454	52,646	64,176	79,426	75,000	79,086	(4,086)	108,629	75,000
WHARFAGE AND HANDLING	2300 4810 70 70 0000 0	699,335	533,686	655,952	629,658	575,000	664,377	(89,377)	700,000	575,000
LABOR INCOME	2300 4820 70 70 0000 0	8,410	5,697	7,223	7,110	5,000	6,743	(1,743)	7,000	5,000
FUEL FLOWAGE FEE	2300 4830 70 70 0000 0	87,006	59,322	48,186	64,838	55,000	85,350	(30,350)	108,025	55,000
EQUIPMENT RENTAL	2300 4840 70 70 0000 0	59,552	38,246	39,865	45,888	45,000	42,905	2,095	45,000	45,000
INSURANCE PROCEEDS	2300 4960 70 70 0000 0	103,000	10,000	67,091	60,030	-	86,294	(86,294)	-	-
STATE PERS ON BEHALF	2300 4980 70 70 0000 0	10,933	8,017	5,039	7,996	6,575	-	6,575	6,920	6,920
STATE PERS FORFEITURE FUND	2300 4981 70 70 0000 0	-	-	-	-	-	-	-	3,200	3,200
Subtotal		1,102,016	740,381	896,525	912,974	768,075	989,269	(201,194)	983,774	771,620
SRF - HARBOR										
HARBOR LEASE LOTS	2400 4210 70 71 0000 0	18,902	20,103	21,033	20,013	19,150	13,612	5,538	20,418	20,418
BOAT HARBOR FEES	2400 4780 70 71 0000 0	110,422	92,013	142,196	114,877	110,000	24,142	85,858	110,000	110,000
MISCELLANEOUS REVENUE	2400 4790 70 71 0000 0	167	1,840	1,690	1,232	500	950	(450)	1,000	1,000
HARBOR DOCKING & MOORAGE	2400 4800 70 71 0000 0	2,380	18,263	4,135	8,259	10,000	8,610	1,390	10,000	10,000
HARBOR WHARFAGE & HANDLING	2400 4810 70 71 0000 0	1,726	5,403	541	2,557	8,000	-	3,000	3,000	3,000
INSURANCE PROCEEDS PORT HARBOR	2400 4960 70 71 0000 0	-	-	-	-	-	279,250	(279,250)	-	-
STATE PERS ON BEHALF	2400 4980 70 71 0000 0	3,933	2,244	1,674	2,617	2,530	-	2,530	3,742	3,742
STATE PERS FORFEITURE FUND	2400 4981 70 71 0000 0	-	-	-	-	-	-	-	1,600	1,600
ICE MACHINE REVENUE	2400 4785 70 72 0000 0	7,190	5,027	2,990	5,069	4,000	1,011	2,989	1,200	1,200
BATHHOUSE REVENUE	2400 4786 70 73 0000 0	340	495	1,012	616	1,000	1,112	(112)	1,000	1,000
Subtotal		145,061	145,388	175,271	155,240	155,180	328,687	(173,507)	151,960	151,960
SRF - E911 FUND										
E911 REVENUE	2550 4435 20 21 0000 0	68,617	74,882	71,118	71,539	82,000	52,791	29,209	79,187	78,000
INVESTMENT INCOME	2550 4700 00 00 0000 0	2,256	149	554	986	750	-	750	-	-
Subtotal		70,873	75,031	71,672	72,525	82,750	52,791	29,959	79,187	78,000
SRF - SENIOR CENTER (Non-Grant & Grant)										
OFFICE RENT	2600 4213 42 44 7100 1	19,850	8,719	8,164	12,244	8,400	5,380	3,020	8,400	8,400

CITY OF DILLINGHAM  
FY 2019 Revenues

	FY16 Actual	FY17 Actual	FY18 Actual	3 yr Average	FY19 Budget	FY19 Actual as of 2/28/2019	FY19 Variance	FY20 Manager Recommend	F&B Recommend	FY20 Council Approved
CONGREGATE MEALS	5,113	476	4,108	3,233	3,000	3,070	(70)	3,000	3,000	3,000
GUEST MEALS	1,488	1,663	305	1,152	1,000	928	72	1,000	1,000	1,000
ROOM RENTAL	11,110	15,403	14,560	13,691	10,000	9,150	850	10,000	10,000	10,000
SENIOR APARTMENT RENT	-	-	-	-	10,200	-	10,200	5,000	5,000	5,000
OFFICE RENT	-	-	-	-	7,920	4,640	3,280	7,920	7,920	7,920
DONATIONS	765	363	546	558	500	451	49	500	500	500
RIDES & DONATIONS	1,458	1,628	1,471	1,519	1,500	1,226	274	1,500	1,500	1,500
CONGREGATE MEALS	425	938	597	653	2,000	1,494	506	2,000	2,000	2,000
HOME DELIVERED MEALS	2610 4764 42 44 7100 1				500	464	36	500	500	500
GUEST MEALS	2610 4764 42 44 7100 1				400		400	400	400	400
FUNDRAISING	2610 4766 42 44 7100 1	1,170	273	1,073	1,200	-	1,200	1,200	1,200	1,200
ALUMINUM RECYCLE	2610 4767 42 44 7100 1	2,393	1,985	1,459	2,400	-	2,400	1,500	1,500	1,500
MISCELLANEOUS REVENUE	2610 4790 42 44 7100 1	-	359	26	128	4	(4)	-	-	-
STATE PERS ON BEHALF	2610 4980 42 44 7100 1	5,456	4,430	3,283	4,390	-	5,081	5,081	5,081	5,081
STATE PERS FORFEITURE FUND	2610 4981 42 44 7100 1	-	-	-	-	-	-	-	-	-
NTS GRANT	3403 4800 42 44 7100 1	130,459	122,459	126,459	122,459	58,283	64,176	125,000	122,459	122,459
NSIP GRANT	3413 4610 42 44 7100 1	4,610	6,177	8,944	6,577	4,898	(898)	5,000	4,000	4,000
Subtotal	182,510	166,178	44,262	173,136	180,560	89,987	90,573	182,395	178,854	178,854
LIBRARY GRANTS										
COMMUNITY SERVICES	3952 4600 40 41 0000 0				7,000	6,126	874	9,000	9,000	9,000
CONTINUING ED GRANT REVENUE	3973 4600 40 41 0000 0	2,000	-	1,450	1,150	2,138	(888)	1,250	1,250	1,250
GRANT REVENUE - PLA	4103 4600 40 41 0000 0	6,213	6,900	6,126	6,413	7,000	(7,000)	7,000	7,000	7,000
ALASKA STATE LIBRARY - OWL	4113 4600 40 41 0000 0	74,160	84,642	76,542	78,448	65,242	65,242	67,349	67,349	67,349
GRANT REVENUE - FEDERAL	4113 4610 40 41 0000 0				-	5,298	(5,298)	-	-	-
GRANT REVENUE - FEDERAL	4113 4610 40 41 0000 1				-	32,621	(32,621)	-	-	-
ALASKA STATE LIBRARY - OWL TECH	4104 4600 40 41 0000 0				7,000	-	7,000	7,000	-	-
COMMUNITY SERVICES	4123 4620 40 41 0000 0				-	1,480	(1,480)	-	-	-
Subtotal	82,373	91,542	91,118	93,011	80,492	54,663	25,829	91,599	84,599	84,599
SCHOOL BOARD (BOND REIMBURSEMENT)										
SOA BOND REIMBURSEMENT	8100 4620 50 52 0000 0	825,508	659,060	742,284	744,415	618,455	125,960	742,200	742,200	742,200
Subtotal	825,508	659,060	-	742,284	744,415	618,455	125,960	742,200	742,200	742,200
MARY CARLSON ESTATE PERMANENT FUND										
INVESTMENT INCOME	6100 4700 45 45 0000 3	7,887	(149)	3,869	1,000	3,719	(2,719)	3,869	3,000	3,000
MISCELLANEOUS REVENUE	6100 4790 45 45 0000 3	6,409	788	3,599	-	11	(11)	-	-	-
Subtotal	14,296	640	-	7,468	1,000	3,730	(2,730)	3,869	3,000	3,000
<b>Total Special Revenue Funds</b>	<b>3,051,794</b>	<b>2,571,546</b>	<b>2,169,841</b>	<b>2,903,186</b>	<b>2,800,218</b>	<b>2,762,652</b>	<b>37,566</b>	<b>3,129,486</b>	<b>2,949,451</b>	<b>2,949,451</b>
GENERAL FUND TRANSFER DETAIL										
FROM GEN. FUND TO WATER	2100 4990 30 61 0000 0	188,615	-	62,872	-	41	(41)	67,916	-	-
FROM GEN. FUND TO WASTEWATER	2100 4990 30 62 0000 0	-	256,360	194,096	150,152	41	(41)	67,916	-	-
FROM GEN. FUND TO LANDFILL	2200 4990 30 81 0000 0	714,740	658,572	385,383	586,232	637,368	637,368	698,503	421,770	421,770
FROM GEN. FUND TO SENIOR CENTER	2610 4990 42 44 7100 1	71,787	114,477	161,592	115,952	137,228	68,772	139,434	145,712	145,712
FROM GEN FUND TO AMBULANCE RESERVE	7110 4990 20 27 0000 0				60,000	-	60,000	60,000	60,000	60,000
FROM GEN.FUND TO EQUIPMENT REPLACEMENT	7120 4990 00 00 0000 0	105,000	-	-	35,000	-	-	-	-	-
FROM GEN. FUND TO SCHOOL BOND	8100 4990 50 52 0000 0	354,082	531,586	442,834	319,035	-	319,035	318,350	318,350	318,350
FROM GEN FUND TO STREETS BOND	7131 4990 30 33 0000 0	-	-	-	-	-	-	238,594	238,594	238,594
FROM GEN. FUND TO FIREHALL BOND	7132 4990 20 27 0000 0	-	-	-	-	-	-	42,673	42,673	42,673
FROM GEN. FUND TO CAPITAL PROJECTS	7140 4990 XX XX 0000 0	1,434,224	1,560,995	741,071	1,393,041	68,538	1,085,093	653,706	634,706	291,200
Subtotal					1,153,631			2,287,092	1,861,805	1,518,299
DOCK TRANSFER DETAIL										
FROM DOCK TO HARBOR	2400 4990 70 71 0000 0	76,947	84,645	80,796	21,273	-	21,273	25,000	53,498	53,498

CITY OF DILLINGHAM  
FY 2019 Revenues

		FY16 Actual	FY17 Actual	FY18 Actual	3 yr Average	FY19 Budget	FY19 Actual as of 2/28/2019	FY19 Variance	FY20 Manager Recommend	F&B Recommend	FY20 Council Approved
	2400 4990 70 72 0000 0	-	-	28,498	9,499	-	-	-	-	2,800	2,800
	2400 4990 70 73 0000 0	-	-	-	-	12,300	6,768	5,532	-	13,300	13,300
	7120 4991 00 00 0000 0	55,000	-	-	35,000	-	-	-	-	-	-
	Subtotal	131,947	-	113,143	125,295	33,573	6,768	26,805	25,000	69,598	69,598
DOCK TRANSFER DETAIL											
	1000 4991 20 21 0000 0	44,571	49,026	47,307	46,968	51,139	-	51,139	50,000	51,000	51,000
	1000 9990 40 41 0000 0	-	-	-	-	4,000	-	4,000	4,000	4,000	4,000
	Subtotal	44,571	49,026	47,307	46,968	55,139	-	55,139	54,000	55,000	55,000
	Total Transfers	1,610,742	1,610,021	901,521	1,565,304	1,242,343	75,306	1,167,037	2,366,092	1,986,403	1,642,897
	Total	13,059,315	11,408,523	10,937,088	12,309,757	11,990,396	9,607,121	2,363,275	14,280,595	13,237,132	12,893,626

**City of Dillingham Information Memorandum**

Agenda of: June 20, 2019

Attachment to:

Ordinance No. 2019-03 / Resolution No. \_\_\_\_\_

**Subject:**

Adopting the Budget and Appropriating Funds for the FY2020 City of Dillingham Budget

---

City Manager: Recommend Approval

Signature: 

Fiscal Note:  Yes  No

Funds Available:  Yes  No

**Other Attachments:**

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**Summary Statement:**

The budget ordinance was vetted through the Finance and Budget Committee at their March and May budget work sessions.

There was a workshop held prior to the June 6, 2019 regular city council meeting. This ordinance was introduced at the June 6, 2019 Council Meeting.

An advertisement for a Public Hearing on Ordinance No. 2019-03 was placed in the June 13, 2019, edition of the Bristol Bay Times as required to be advertised in a local newspaper five days in advance of the public hearing, which is scheduled for June 20, 2019.

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CITY OF DILLINGHAM, ALASKA

**ORDINANCE NO. 2019-04**

**AN ORDINANCE OF THE DILLINGHAM CITY COUNCIL AMENDING TITLE 1 AND TITLE 7, ANIMALS, TO CLARIFY APPLICABLE PENALTIES FOR CERTAIN OFFENSES AND THE PROCEDURE FOR PAYMENT OF FINES; AND TO MAKE CORRECTIONS TO THE MINOR OFFENSE FINE SCHEDULE AND CERTAIN MUNICIPAL CODE PRACTICES**

---

WHEREAS, the City of Dillingham (City), repealed and replaced Title 7, Animals, by Ordinance 2018-07 adopted January 10, 2019, in its entirety; and

WHEREAS, the State of Alaska notified the City that some language was not compatible with the state UMOT, and

WHEREAS, Code Publishing recommended a few minor changes to wording of Ordinance 2018-07 for clarity;

NOW BE IT ENACTED BY THE DILLINGHAM CITY COUNCIL:

**Section 1. Classification.** This is a code ordinance.

**Section 2. Amendment of Title 1 and Title 7.** Title 1 and Title 7 of the Dillingham Municipal Code are hereby amended as follows with new language underlined and **emboldened** and deleted language shown as ~~strike through~~:

**Title 7  
ANIMALS**

**Chapters:**

- 7.10 Administration of Animal Control**
- 7.30 Impound, Protective Custody, and Quarantine**
- 7.40 Care and Control of Animals**

**Chapter 7.10  
Administration of Animal Control**

**Sections:**

- 7.10.050 Fees.
- 7.10.060 Penalties.**

**7.10.050 Fees.**

Registration	
Valid for the expiration of the rabies vaccination. Fees reflect per year and are available for advanced purchase up to three years.	
a. Unsterilized animal	\$10.00
b. Sterilized animal*	\$5.00
c. Duplicate	\$1.00

Adoption Plus registration fee above	\$35.00
Impound per day, commencing 24 hours after the time of impoundment	\$25.00
Pick-up	
a. Unregistered animal*	\$50.00
b. Registered animal	\$35.00
Plus impound fee per day	
Kennel permit new, extended, or re-issued (three-year period)	\$25.00
Surrender of animal	\$25.00
Euthanize	\$50.00

**7.10.060 Penalties**

**Offenses in this Title are violations and are punishable by the fines established in the minor offense table schedule in 1.20.040. If a fine for an offense is not established in the fine schedule, the defendant must appear in court and, if convicted, may be punished by a fine up to \$300.**

**Chapter 7.30**  
**Impound, Protective Custody, and Quarantine**

Sections:

- 7.30.040 Release of animal to keeper.
- 7.30.060 Euthanasia.
- 7.30.070 Rabies control.
- 7.30.090 Interference in official duties.

**7.30.040 Release of animal to keeper.**

A. Except as otherwise provided in this section, an animal may be released from quarantine, protective custody, or impound to its keeper if the animal is determined to be free of rabies or other contagious disease and upon payment of all fees specified in DMC 7.10.060~~060~~**050** as well as the actual costs of any veterinary care provided to the animal.

B. An animal may not be released to the animal's keeper if:

1. the animal is not registered as required by this title,
2. the animal was taken into protective custody and the keeper fails to provide the animal control officer adequate assurance that the animal will receive humane care if released,
3. the keeper has been found to have committed an act of cruelty to an animal or an animal cruelty investigation is ongoing,
4. the animal has been adopted, or
5. Any provision of this title restricts or prohibits such release.

C. If the animal has been classified as aggressive under DMC 7.40.050, prior to releasing the animal the animal control officer may inspect the premises where the animal is kept to ensure that, to the officer's reasonable satisfaction, that the requirements of DMC 7.40.070 will be satisfied.

D. The animal control officer has discretion to not release an animal to its keeper if the animal has been impounded 3 or more times in the previous 60 days. Such an animal shall be considered abandoned.

E. Appeal of the animal controls officer's decision to not release an animal must be made in writing and received by the city manager's office within five business days of the date the request for the animal's release was denied. The appeal shall be governed by DMC 7.40.080.

**7.30.060 Euthanasia.**

A. The following animals may be euthanized at any time:

1. an animal exhibiting symptoms of a major infectious or contagious disease, as determined by a licensed veterinarian if available, that is a danger to the health and safety of the public or other animals within the city;
2. an animal that in the judgment of the animal control officer or agent is injured or suffering to the extent that it should be euthanized for humane reasons. When reasonably possible, the opinion of a licensed veterinarian will be obtained prior to euthanasia under this subsection;
3. an abandoned animal that is not adoption eligible or have been unable to be adopted;

4. an animal deemed by the animal control officer in conjunction with the Police Chief to be dangerous and a safety risk to the animal control officer or the public.

B. Euthanasia, of an animal in the custody of the City, may be accomplished in the following manner:

1. By a licensed veterinarian, or a technician trained and certified under the Permit For Use of Drugs To Euthanize Domestic Animals as specified in AS 08.02.050.

2. An animal may be shot by a law enforcement officer, a veterinarian, or an agent or designee of the Animal Control Officer, if it is restrained in a humane way, **and** it is performed by a highly skilled and trained person using a weapon that will produce instantaneous death by a single shot.

C. The animal control officer shall maintain a list of animals euthanized including a description of the animal and the condition for euthanasia, available for review by the general public.

D. A reasonable effort shall be made to contact the keeper of a non-stray animal prior to euthanasia unless, in the sole opinion of the animal control officer or other responsible official, the animal is suffering unduly.

#### **7.30.070 Rabies control.**

A. The city animal control officer, under the direction of the city manager, shall cooperate with other agencies in establishing a rabies control program for the city.

B. All persons shall report to an animal control officer or agent any suspected or positively diagnosed occurrence of rabies as soon as such occurrence becomes known to the person.

C. No person may kill any suspected or confirmed rabid animal or an animal subject to quarantine except to defend a human **being**, or domestic animal, **being** from death or bodily injury, unless otherwise provided in this title.

D. Any at large animal suspected of being rabid and evading attempts to be caught may be shot by an animal control officer or agent and the head sent to the appropriate laboratory for examination of rabies disease.

E. Only an animal control officer or agent may remove the carcass of any suspected or confirmed rabid animal from the location where the animal was killed or found.

F. The carcass of an animal suspected of being rabid shall upon demand be surrendered to an animal control officer or agent or to the Department of Health and Social Services.

G. Any animal that bites a person or animal shall be quarantined for no less than ten days, and if such bite was without provocation, the keeper shall pay all costs of quarantine.

H. Animals that have been exposed to an animal that has bitten a person may be quarantined at the animal control officer's discretion.

I. If the animal control officer or agent reasonably suspects an animal to have rabies, that animal shall be quarantined immediately and/or euthanized.

J. An unvaccinated animal that has been bitten by an animal diagnosed as rabid shall be euthanized immediately.

K. If a bitten animal has a current rabies vaccination, the animal shall be re-vaccinated immediately and quarantined and, except as otherwise provided in this section, its keeper shall comply with the standard requirements for animal rabies vaccination in 7 AAC 27.020(c).

L. Any animal classified as aggressive under DMC 7.40.050 and reasonably suspected of being rabid may be euthanized before completion of quarantine and, if practical, the keeper will be notified.

M. When there has been a positive diagnosis of rabies within the city, the city manager or the city manager's designee may declare an area-wide quarantine for such period of time as determined necessary and there shall be no animals transported, taken, or removed from the city without the prior written consent of the city manager. Except as otherwise provided in this section, every keeper shall quarantine his or her animal.

**7.30.090 Interference in official duties.**

It is unlawful for any person to:

A. Open a vehicle being used to transport animals to the animal control center, open the doors of the animal control center, or open or tamper with the doors of a live trap with the intent of allowing impounded animals to escape; or

B. intentionally, recklessly, or ~~with criminal negligence~~ **negligently**.

1. interfere with the animal control officer or agent in performance of a duty under this title, or

2. tamper with any equipment used in the performance of any duty under this title.

## Chapter 7.40 Care and Control of Animals

Sections:

- 7.40.040 Animals creating disturbance or nuisance.
- 7.40.060 Aggressive animal classifications and exceptions.
- 7.40.080 Appeal of animal control officer determinations.

### **7.40.040 Animals creating disturbance or nuisance.**

A. It is unlawful for the keeper of an animal to allow it to disturb the public health, safety, or peace by allowing the animal to make chronic animal noise.

~~1. The animal control officer or agent may, upon receiving a complaint alleging chronic animal noise, investigate and, if necessary, issue a warning notice to the animal keeper. The notice shall contain:~~

- ~~a. The definition of chronic animal noise,~~
- ~~b. The nature and times of complaint,~~
- ~~c. Penalties for the violation,~~
- ~~d. A description of the means and methods suggested to and/or agreed upon with the keeper for curtailing the problem, and~~
- ~~e. Time permitted to comply with the notice.~~

~~2. If the violation continues after the time permitted by the notice to comply, a citation may be issued in accordance with subsection A.3. of this section.~~

~~3. Citations for chronic animal noise shall only be issued upon one of the following:~~

- ~~a. A complaint sworn by two or more persons living at different addresses, one of whom must be the original complainant, in the immediate neighborhood of the animal making the chronic noise and after completion of an investigation by animal control officer or agent indicates that a citation is appropriate; or~~
- ~~b. A complaint sworn by one person living in the immediate neighborhood of the chronic noise where additional date and time specific evidence is provided and after completion of an investigation by animal control officer or agent indicates that a citation is appropriate.~~

**1. The animal control officer or agent, upon receiving a complaint alleging chronic animal noise, investigate and, if necessary, issue a warning notice to the animal keeper.**

**2. If the violation continues, a citation may be issued in as established in Section 1.020.040.**

B. It is unlawful for the keeper of an animal to allow the animal to defecate without appropriate and immediate removal, to dig upon, injure or destroy public property, a public thoroughfare, or private property without the permission of the property owner.

C. It is unlawful for the keeper of an animal to allow the animal to upset, disturb, or place garbage on public or private property.

### **7.40.060 Aggressive animal classifications and exceptions.**

A. *Classifications.* Subject to subsection B below, an animal may be classified as aggressive based on the highest level behavior exhibited, with such levels described as follows:

1. Level one behavior is established if an unrestrained animal is found to growl, snap at, jump upon, or otherwise menace, injure, or frighten persons or other animals, ~~provided~~ chase, run after, or jump at vehicles or persons using the public thoroughfares, or otherwise threaten or endanger the safety of any person or domestic animal.
2. Level two behavior is established if an animal bites or causes physical injury to any domestic animal, or if an unrestrained animal kills any unrestrained domestic animal.
3. Level three behavior is established if any of the following occur, regardless of whether the animal is restrained:
  - a. An animal inflicts an aggressive bite or causes physical injury to any human;
  - b. An animal kills a domestic animal that is restrained; or
  - c. An animal for the second time injures or kills a domestic animal.
4. Level four behavior is established if any of the following occur:
  - a. An animal, regardless of whether it is restrained, causes serious physical injury or the death of any human;
  - b. An animal is used as a weapon in the commission of a crime; or
  - c. An animal previously classified as a level three, or as a potentially dangerous or vicious animal under a prior enactment of this Code, behaves as described in subsection A.3. after the keeper receives notice of the prior level three classification.

B. *Exceptions to classifications.* Notwithstanding subsection A above, the animal control officer shall have discretionary to refrain from classifying an animal as specified in subsection A if the animal control officer determines that:

1. At the time of injury or damage, the victim was committing trespass with criminal intent on premises occupied by the keeper of the animal, the victim was teasing, tormenting, abusing, or assaulting the animal, its offspring, the keeper, or the victim was committing or attempting to commit a crime;
2. The animal was protecting or defending itself, its offspring, or a human within the immediate vicinity of the animal from an attack or assault while under control or confined;
3. The animal is trained to attack persons independently or upon oral command while under the restraint and supervision of an authorized government or law enforcement unit and the act is directly associated with the proper execution of the animal's duties;
4. The animal, with a current rabies vaccination, causes injury to the keeper, keeper's family, trainer or person caring for the animal, unless:
  - a. A complaint is received from the injured party;
  - b. The victim is a minor who is not involved in training or competing with the animal; or
  - c. The animal is unredeemable.
5. The decision not to classify reasonably serves and promotes justice, fairness, and the purposes and intent of this title, the protection of public health, safety and welfare, and the humane care and treatment of animals.

C. In addition to any other action or remedy authorized by this title or any other law, it is unlawful for the keeper of an animal to allow the animal to behave in a manner ~~described~~ **defined** in DMC 7.40.060 (A) ~~and such keeper shall be guilty of a minor offense, punishable per act of the animal as shown in~~ **The fines for behavior** described in subsection (A) **are established in** Section 1.20.040.

#### **7.40.080 Appeal of Animal Control Officer Determinations.**

A. The issues to be considered at the hearing on an appeal of a decision made under DMC 7.30.040 shall be limited to whether the preponderance of the evidence supports the animal control officer's decision to not release the animal for a reason stated in DMC 7.30.040.B.

B. The issues to be considered at the appeal hearing of an aggressive animal determination under DMC 7.40.050 shall be limited to whether the preponderance of the evidence shows that the animal acted in a manner described in DMC 7.40.060.A and if any factor described in DMC 7.40.060.B should result in a lower categorization of the animal.

C. The issues to be considered at the appeal hearing of a denied kennel permit shall be limited to whether the preponderance of the evidence shows that the kennel constitutes or would constitute a public nuisance or threat to public safety, that humane care of each animal is not or would not be provided, or if the applicant or permittee is responsible for violation of this title.

D. The city manager shall issue a written decision to be delivered within 5 business days of the appeal hearing.

E. Appeal of the written decision of the city manager shall be to the Superior Court for the Third Judicial District in Dillingham and shall be brought within 30 days of the manager's decision. Hearing before the superior court is an administrative appeal heard solely on the record established before the city manager and the city shall be entitled to recover its costs and reasonable attorney's **fees** if it is the prevailing party. No enforcement action authorized by this chapter shall be stayed during the time to appeal or the pendency of the appeal unless ordered by the court.

F. An animal's keeper may prevent an animal's adoption or euthanasia under ~~7.30.050~~ **060** A.3 by:

1. Petitioning the Superior Court for the Third Judicial District in Dillingham for the animal's immediate return, subject, if appropriate, to court-imposed conditions; or

2. Posting a bond or security with the city of Dillingham in an amount determined by the city manager to be sufficient to provide for the animal's care for a minimum of thirty days from the date the animal was removed.

3. If the animal control officer still has custody of the animal when the bond or security posted expires and the court has not ordered an alternative disposition, the animal becomes the city's personal property. If the court has not allowed the city to adopt out the animal and the city continues to care for the animal, the keeper of the animal shall post a bond or otherwise pay in advance for the city's continuing costs of care for the animal until a final decision is made by the trial court.

G. During any appeal process, it is unlawful to breed, sell, exchange or abandon an animal classified as level four or allow it to reside in any household containing animals.

**Section 3. Amendment to Section 1.20.040.** That Dillingham Municipal Code 1.20.040 – Minor Offense Fine Schedule is hereby amended as follows with new language underlined and **emboldened** and deleted language shown as ~~strikethrough~~:

**1.20.040 Minor offense fine schedule.**

In accordance with AS 29.25.070(a), citations for the following offenses may be disposed of as provided in AS 12.25.195 through 12.25.230, without a court appearance, upon payment of the fine amounts listed in this section, plus the state surcharge required by AS 12.55.039 and 29.25.074. **Fines must be paid to the court.** The Alaska Court System's Rule of Minor Offense Procedures applies to all offenses listed in this section. If a person charged with one of these offenses appears in court and is found guilty, the penalty imposed for the offense may not exceed the fine schedule amount listed below for that

offense. Citations charging these offenses must meet the requirements of the Minor Offense Rules. The fines set forth below may not be judicially reduced.

<b>Code Section</b>	<b>Offense</b>	<b>Penalty/Fine</b>
7.20.010.A	Failure to register domestic animal	75
7.20.010.E	Failure to display registration tag	75
7.20.010.F	Failure to produce kennel registration	75
7.20.010.G	Failure to transfer registration	75
7.20.010.H	Use of another animal's tags	300
7.20.020.A	Failure to obtain kennel permit	75
7.20.040	Unlawful transfer of animal	75
7.20.050	Prohibited wolf hybrid	300
7.30.080.B	Unlawful release of quarantined animal	300
7.30.080.D	Unlawful removal of quarantined animal from city	300
7.30.090.A	Unlawful release of animal from animal control facility or vehicle	300
7.30.090.B	Unlawful interference in official duties	300
7.40.020.A	Animal cruelty	300
7.40.030.A	Failure to restrain animal on city property	75
7.40.030.B	Failure to restrain animal in public	75
7.40.030.C	Unlawfully releasing an animal from restraint	75
7.40.040.(A)(2)	Unlawful chronic animal noise	75
7.40.040.B	Animal disturbing property	75
7.40.040.C	Animal disturbing garbage	75
7.40.060.C.1	Level 1 aggressive animal act	75
7.40.060.C.2	Level 2 aggressive animal act	125
7.40.060.C.3	Level 3 aggressive animal act	300
7.40.060.C.4	Level 4 aggressive animal act	500
7.40.070.E	Classified animal restriction violation	500

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

PASSED and ADOPTED by a duly constituted quorum of the Dillingham City Council on June 20, 2019.

SEAL:

Alice Ruby, Mayor

ATTEST:

Lori Goodell, City Clerk

INTRODUCTION

CITY OF DILLINGHAM, ALASKA

**RESOLUTION NO. 2019-16**

**A RESOLUTION OF THE DILLINGHAM CITY COUNCIL AUTHORIZING THE CITY MANAGER TO WAIVE THE PURCHASING REQUIREMENTS TO AWARD A CONTRACT TO THE MCDOWELL GROUP FOR A WATERFRONT STRATEGIC PLAN**

---

WHEREAS, the City of Dillingham's existing Comprehensive Plan was created in 2010 and is out of date; and

WHEREAS, the Waterfront Strategic Plan is one component of the Comprehensive Plan, and there has been renewed interest in growth in the Harbor requiring utility development for city lease lots; and

WHEREAS, the City of Dillingham wishes to contract with the McDowell Group to develop a Dillingham Waterfront Strategic Plan; and

WHEREAS, the McDowell Group:

- has demonstrated expertise in this area of planning.
- has completed similar plans for like communities located around Alaska.
- has confirmed a quick delivery of the strategic plan to meet an upcoming EDA grant deadline; and

WHEREAS, the City is asking to waive the purchasing restrictions based on the criteria outlined in DMC 4.30.130, Exemptions B. 4, The services are of a professional nature requiring specialized knowledge and judgment; and

WHEREAS, the City of Dillingham intends to utilize the Waterfront Strategic Plan to leverage grant funding to spur economic development and private investment in the Waterfront; and

WHEREAS, the cost of the Strategic Waterfront Plan is approximately \$49,000;

NOW, THEREFORE, BE IT RESOLVED:

- 1) That the Dillingham City Council waives the purchasing restrictions as stated above to contract for consulting services in an amount not to exceed \$49,000;
- 2) That the attached proposal will be used to guide the scope of work;
- 3) That consultant will identify stakeholder groups for inclusion and encourage participation in the process;
- 4) That an optional work session and professional engineering services may be sought as part of the above stated cost.

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Alice Ruby, Mayor

ATTEST:

[SEAL]

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Lori Goodell, City Clerk

June 7, 2019

Cynthia Rogers  
Planning Director  
City of Dillingham  
PO Box 889  
Dillingham, AK 99576

Dear Ms. Rogers:

McDowell Group is pleased to submit this professional services proposal to develop a *Dillingham Waterfront Strategic Plan*. Our firm brings to this project extensive experience in community and waterfront development as well as experience working in Dillingham and the region.

Our firm conducted recent assignments for Bristol Bay Borough, Bristol Bay Economic Development Corporation, Bristol Bay Regional Seafood Development Association, Bristol Bay Area Health Corporation, Bristol Bay Native Corporation, Curyung Tribal Council, Bristol Bay Native Association, and private sector clients in the seafood and tourism industries.

Our proposed scope, budget, and schedule are provided below.

## **Scope of Work**

The analysis will result in an updated plan outlining recommended improvements for the Dillingham waterfront, priorities, phased timeline, and estimated capital costs. Major tasks are summarized below.

### INITIAL SITE VISIT AND KICK-OFF MEETING

The initial site visit will establish a valuable foundation for the strategic plan. Prior to the site visit, we anticipate an initial project coordination meeting via teleconference.

While in Dillingham, we plan to:

- Review project goals, timeline, deliverables, and communication protocols.
- Conduct initial meetings with key City staff, community contacts, and members of the Port Advisory Committee and Planning Commission.
- Tour port and waterfront.
- Collect images, port usage data, and relevant planning documents.
- Gather information regarding the waterfront including projects completed since the last planning effort, strengths, limitations, and community vision.

## STAKEHOLDER INTERVIEWS

Our project team will conduct in-person and telephone interviews to gain insights on a range of waterfront and port issues including usage, constraints, needed improvements, synergies, and user group conflicts. To the extent possible, interviews will be conducted in conjunction with the initial site visit. Recognizing the summer months are extremely busy for waterfront users, our team will accommodate interviews outside of traditional business hours.

We will work closely with City staff to identify approximately 15 interview targets and questions for various stakeholders. Interviewees will likely include:

- Major user groups including commercial fishermen, processors, and freight companies.
- Property owners adjacent to the waterfront.
- Relevant government and regulatory agencies.

## PLAN DEVELOPMENT AND RECOMMENDATIONS

Our project team will synthesize project findings into a concise and user-friendly report. The Strategic Plan will conclude with recommendations for development activities, phasing, capital cost estimates, and other considerations to enhance the community's port and waterfront areas for various user groups. Emphasis will be placed on recommendations that enhance usage and commercial activity, safety, and efficiency.

The project team will review the draft plan and recommendations with City staff via teleconference. Recognizing the accelerated timeline, one option is to hold the plan as draft until early fall, allowing adequate time for public review and comment.

## OPTIONAL WORK SESSION

The project team could conduct a work session with the public, Port Advisory Committee, City Council, and/or Planning Commission for more in-depth discussion and refinement of recommendations, phasing, and cost estimates. Ideal timing is likely early fall, following conclusion of commercial fishing, moose hunting, and other subsistence activities. Costs are not reflected in this budget; a likely range is \$2,500 to \$4,000, depending on the number of project team participants, travel costs, and meeting format.

## **Budget and Schedule**

The professional services budget for this scope of work as outlined in this proposal is \$35,000, including travel time and costs to conduct the initial site visit. This budget level does not include professional engineering, or the optional work session discussed above. Selection of an engineering firm and allocation of resources will be closely coordinated with City staff.

Recognizing the longstanding relationship that PND Engineers has with the City of Dillingham and McDowell Group, we've reviewed this scope of work and budget with senior PND staff members and confirmed their availability. A streamlined approach to support the Strategic Plan development could range from \$5,000 to \$15,000. At the higher end, engineering professionals could participate in the initial site visit to assess infrastructure condition, solicit community input, participate in development recommendations, and develop

cost estimates. At the lower end, engineers could review existing port plans, assist with strategic recommendations, and estimate capital costs.

We can begin work immediately upon acceptance of this proposal and will deliver the draft document before August 31, 2019. We request permission to bill 50 percent upon project launch and 50 percent upon acceptance of the final documents.

## **Examples of Relevant Project Experience**

The project examples described below illustrate our firm's experience with the research and planning tasks needed to conduct this study. Additional waterfront and community development project examples and references can be provided upon request.

### **PORT OF NOME STRATEGIC DEVELOPMENT PLAN**

The *Strategic Development Plan* reflected near-term needs and the port's strategic position in Arctic development. The port serves as a key transshipment hub for many Western Alaska communities and provides critical infrastructure for regional economic drivers including seafood, mining, tourism, oil and gas support, and the U.S. Coast Guard. McDowell Group analyzed the development landscape for industries that utilize the port; discussed the port's competitive position; and identified short-term, mid-term, and long-term capital projects. Project deliverables included the updated Strategic Development Plan, a presentation for use by port and community officials, and a brochure highlighting the port's role and strategic position.

### **PORT OF VALDEZ COMPETITIVE MARKET ANALYSIS AND LONG-RANGE PLAN**

The *Port of Valdez Competitive Market Analysis and Long-Range Plan* compared Valdez to other Southcentral marine facilities on several measures including infrastructure, transshipment opportunities, cost, and time in transit. Following this comparison, the research team identified industries and activities where Valdez held a competitive advantage. In addition to the competitive analysis and recommendations, the study included an analysis of historical port volume, key drivers of port activity, and development projects in Alaska which may impact the port.

### **DOWNTOWN WATERFRONT DEVELOPMENT ASSESSMENT**

A private company contracted with McDowell Group to analyze waterfront development opportunities in a high-volume cruise port. Project tasks included analysis of visitor markets, review of recent downtown development plans, analysis of public and private waterfront infrastructure, and high-level assessment of anticipated community needs and near-term development options. PND Engineers contributed to the analysis.

### **JUNEAU WATERFRONT STRATEGIC ANALYSIS AND IMPROVEMENT PLAN**

McDowell Group was part of a project team that included engineering, architectural, and economic expertise. McDowell Group's contributions included a strategic analysis of key waterfront industries, an economic overview and 20-year economic outlook; and a household survey of Juneau residents' attitudes and priorities toward current and future waterfront use. The study was conducted for the Juneau Harbor Board.

## **GOLD CREEK MARINA MARKET ASSESSMENT**

The assessment was part of the Gold Creek Marina Planning Study, commissioned by PND Engineers as part of a larger analysis conducted for the City and Borough of Juneau. The proposed marina was intended primarily for yachts, with some usage by commercial vessels. McDowell Group developed estimates of local and regional demand using historical data and interviews with regional harbormasters. The study team also conducted interviews and compiled secondary research to understand conditions and trends in the yachting industry. The study concluded with a ten-year pro forma financial analysis.

We appreciate the opportunity to offer our professional services to the City of Dillingham. Don't hesitate to contact me if you have any questions about this proposal; my email is [susan.bell@mcdowellgroup.net](mailto:susan.bell@mcdowellgroup.net) and my direct line is (907) 796-7620.

Sincerely,



Susan K. Bell  
Principal

**City of Dillingham Information Memorandum**

Agenda of: June 20, 2019

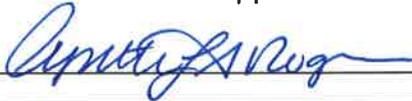
Attachment to:

Ordinance No. \_\_\_\_\_ / Resolution No. 2019-16

**Subject:**

A RESOLUTION OF THE DILLINGHAM CITY COUNCIL AUTHORIZING THE CITY MANAGER TO WAIVE THE PURCHASING REQUIREMENTS TO AWARD A CONTRACT TO THE MCDOWELL GROUP FOR A WATERFRONT STRATEGIC PLAN

City Manager: Recommend Approval

Signature: 

Fiscal Note:  Yes  No

Funds Available:  Yes  No

**Other Attachments:**

McDowell Group Proposal

**Summary Statement:**

The current Comprehensive Plan was compiled in 2010. The waterfront area is one component of the comprehensive plan. An update to the plan is on the Planning Commission's to do list. There has been renewed interest for development at the harbor.

The EDA approached the Planning Director regarding a grant opportunity. The grant deadline is October 1, 2019.

The McDowell Group has knowledge of Dillingham and the stakeholders in the region as well as experience compiling waterfront strategic plans for like communities across Alaska. In addition, they are able to complete a strategic plan timely, that will enable the City to complete an application for the EDA grant.

Attachment to:  
Ordinance No. \_\_\_\_\_ / Resolution No. 2019-16 \_\_\_\_\_

**Summary Statement continued:**

Route to	Department Head	Date
	Finance Director	
X	City Clerk	

City of Dillingham  
Fiscal Note

Agenda Date: June 20, 2019

Waterfront Strategic Plan completed by McDowell Group

ORIGINATOR: Finance Director

FISCAL ACTION (TO BE COMPLETED BY FINANCE)		FISCAL IMPACT <input type="checkbox"/> YES <input type="checkbox"/> NO	
AMOUNT REQUESTED:	\$49,000	FUNDING SOURCE	
		<b>Dock Fund Balance</b>	
FROM ACCOUNT		Project	
2400 7060 70 71 2115 0	Contractual Professional	A study on developing the harbor requiring utility development to create leasable lots.	
TO ACCOUNT:	VERIFIED BY: Anita Fuller	Date:	6/13/2019

EXPENDITURES

OPERATING	FY19	FY20	FY21	FY22
2400 7060 70 71 2115 0	\$ 24,500.00	\$ 24,500.00		
<b>TOTAL OPERATING</b>	<b>\$ 24,500.00</b>	<b>\$ 24,500.00</b>	<b>\$ -</b>	<b>\$ -</b>

CAPITAL	\$ -			
---------	------	--	--	--

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

FUNDING

General & Special Rev. Funds	\$24,500	\$ 24,500.00		
State/Federal Funds				
Capital Project				
Other (Insurance Proceeds)				
<b>TOTAL FUNDING</b>	<b>\$ 24,500</b>	<b>\$ 24,500.00</b>	<b>\$ -</b>	<b>\$ -</b>

POSITIONS

Full-Time				
Part-Time				

Analysis: (Attach a separate page if necessary)

See Resolution 2019-16

PREPARED BY: Anita Fuller

June 14, 2019

DEPARTMENT: Finance

APPROVED BY: *Anita Fuller* Page 45 of 70

6/14/2019

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CITY OF DILLINGHAM, ALASKA

**RESOLUTION NO. 2019-17**

**A RESOLUTION OF THE DILLINGHAM CITY COUNCIL AUTHORIZING THE CITY TO APPLY FOR A LOAN FROM THE ALASKA CLEAN WATER FUND**

WHEREAS, the City of Dillingham (the City) seeks to obtain the necessary financial assistance to construct water system improvements and to come into compliance with regulations of the Alaska Department of Environmental Conservation; and

WHEREAS, the State of Alaska Department of Environmental Conservation (DEC) is able to offer funding through the Alaska Clean Water Fund; and

WHEREAS, the City wishes to apply for three loans from the Alaska Clean Water fund; and

WHEREAS, the City Wastewater System Upgrades - aeration project is #1 on the FY20 CIP list with a loan request amount of \$770,500; and

WHEREAS, the City Landfill Groundwater Monitoring Wells project is #2 on the FY20 CIP list with an updated loan request amount of \$367,000; and

WHEREAS, the City Water System Improvements (Phase I) project is #3 on the FY20 CIP list with a loan request amount of \$1,926,388;

NOW, THEREFORE, BE IT RESOLVED that the Dillingham City Council approves and authorizes the City to apply to ADEC for loans totaling the amount of \$3,063,888 from the Alaska Clean Water Fund for the construction of Water Improvements;

BE IT FURTHER RESOLVED that an additional resolution will be issued to authorize the final acceptance of all loan offers from the Alaska Clean Water Fund.

PASSED and ADOPTED by a duly constituted quorum of the Dillingham City Council on June 20, 2019.

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

ATTEST:

[SEAL]

\_\_\_\_\_  
Lori Goodell, City Clerk

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From: **Verrelli, Beth A (DEC)** <[beth.verrelli@alaska.gov](mailto:beth.verrelli@alaska.gov)>  
Date: Mon, Jun 10, 2019 at 2:12 PM  
Subject: RE: ACWFLA-0236 - DLG Landfill Groundwater Monitoring Wells  
To: Cynthia Rogers <[planner@dillinghamak.us](mailto:planner@dillinghamak.us)>  
Cc: Ulman, Peggy L (DEC) <[peggy.ulman@alaska.gov](mailto:peggy.ulman@alaska.gov)>, Wagner, Natalie M (DEC) <[natalie.wagner@alaska.gov](mailto:natalie.wagner@alaska.gov)>

Hi Cynthia,

Although the FCA has not yet been completed, which would confirm the loan amount you have request is acceptable, there aren't any problems anticipated at this time. With that in mind, you can move forward with the change order as you see fit. As I mentioned previously, the change order increases associated with the engineering and construction are eligible, but I won't issue a formal approval letter until the change orders are fully executed.

As far as submittals that are needed to document the needed increase, a revised loan application, and **new resolution** and attorney certification reflecting the higher amount will be necessary, in addition to a supporting FCA, to issue a loan agreement for the higher amount.

Sincerely,

Beth Verrelli  
Project Engineer  
State Revolving Fund  
(907)269-7603

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**City of Dillingham Information Memorandum**

Agenda of: June 20, 2019

Attachment to:

Ordinance No. \_\_\_\_\_ / Resolution No. 2019-17

**Subject:**

A Resolution of the Dillingham City Council Authorizing the City to Apply for a Loan From the Alaska Clean Water Fund

City Manager: Recommend Approval

Signature: 

Fiscal Note:  Yes  No

Funds Available:  Yes  No

**Other Attachments:**

**Summary Statement:**

This item was originally introduced in February 2019 in Resolution 2019-06. Since then staff has continued to work toward application completion. There has been an update to the amount requested for the Groundwater Monitoring Wells. Original amount was \$345,000 this amount has been increased to \$367,000. DEC requested a new Resolution to reflect that increased amount. The difference represents cost overruns due to mobilization and early spring thaw requiring the project to be delayed until winter 2019.

Water/Wastewater projects continue to be high on the CIP list. These projects are important for quality of life, safety, and to meet Alaska DEC permitting requirements.

Staff continues to research all possible funding sources that will be needed to get the City's landfill and lagoon into compliance with DEC, as well as improve the infrastructure to the downtown water system during the ADOT road project. The Department of Environmental Conservation (DEC) is able to offer a loan through the Alaska Clean Water Fund if eligible.

If approved, the Council will be presented with a resolution authorizing the acceptance of any loans.

Attachment to:  
Ordinance No. \_\_\_\_\_ / Resolution No. 2019-17

Summary Statement continued:

Route to	Department Head	Date
	Finance Director	
X	City Clerk	

CITY OF DILLINGHAM, ALASKA

**RESOLUTION NO. 2019-18**

**A RESOLUTION OF THE DILLINGHAM CITY COUNCIL APPROVING A LONG TERM ENCROACHMENT (LTE) PERMIT FOR WILL CHANEY TO EXTEND THE FIBER OPTIC NETWORK TO RESIDENTS ON WASKEY ROAD**

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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, Nushagak Cooperative received request to install residential utility services by extending the fiber optic network on Waskey Road; and

WHEREAS, there are no objections to the installation as proposed; and

WHEREAS, it is in the public interest to allow this installation; 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, on June 12, 2019, the Dillingham Planning Commission approved the LTE permit application and recommends City Council authorize the long term encroachment;

NOW, THEREFORE, BE IT RESOLVED that the Dillingham City Council approves the long term encroachment Waskey Road:

- That any underground electric infrastructure be buried at least 42" throughout the right of way;
- That the property owners notify the City of Dillingham Administration, Public Works Department, and the Public Safety Department 48 hours in advance of any work on public lands or in the public rights of way;
- That the property owners restore the public land or public right of way to this former condition or better after completing the utility installations; and
- That Nushagak Cooperative provides updated documentation in the form of as-built, documenting the actual location of the utilities within one month following construction.

•  
PASSED AND ADOPTED by a duly constituted quorum of the Dillingham City Council June 20, 2019.

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

[SEAL]

ATTEST:

\_\_\_\_\_  
Lori Goodell, City Clerk

**City of Dillingham Information Memorandum**

Agenda of: June 20, 2019

Attachment to:

Ordinance No. \_\_\_\_\_ / Resolution No. 2019-18

**Subject:**

Approve a Long Term Encroachment (LTE) Permit for Will Chaney to Extend the Fiber Optic Network to Residents on Waskey Road

City Manager: Recommend Approval

Signature: 

Route to	Department Head	Signature	Date
	Finance Director		
X	Planning Director	See LTE application	
X	Public Works	See LTE application	
X	City Clerk		

Fiscal Note:  Yes  No

Funds Available:  Yes  No

**Other Attachments:**

- MAP of utility work area
- LTE application

**Summary Statement:**

This Long Term Encroachment permit is recommended by the City of Dillingham Planning Commission to install fiber optic cable to residents on Waskey Road.



Ordinance No. \_\_\_\_\_ / Resolution No. 2019-18

Summary Statement continued:





Encroachment Permit Application  
 City of Dillingham  
 PO Box 889, Dillingham, Alaska 99576

Application received: \_\_\_\_/\_\_\_\_/\_\_\_\_ Fee Paid \$: Please Invoice \$75.00

Applicant Name: William Chaney

Phone Number: 907-842-5251

Owner's Name: Nushagak Cooperative

Mailing Address: P.O. Box 350

City, State, Zip Code: Dillingham, Alaska 99576

Phone Number: 907-842-5251 Fax: 907-842-2790

Email: wchaney@nushagak.coop

Property Location/Description: Waskey Road @ pole W30-7, digging across Waskey road @ 40" to run the conduits across. road will remain passable during installation

Basis for encroachment permit request: Connect the Waskey Road remote to the Fiber optic network

Other special conditions: \_\_\_\_\_

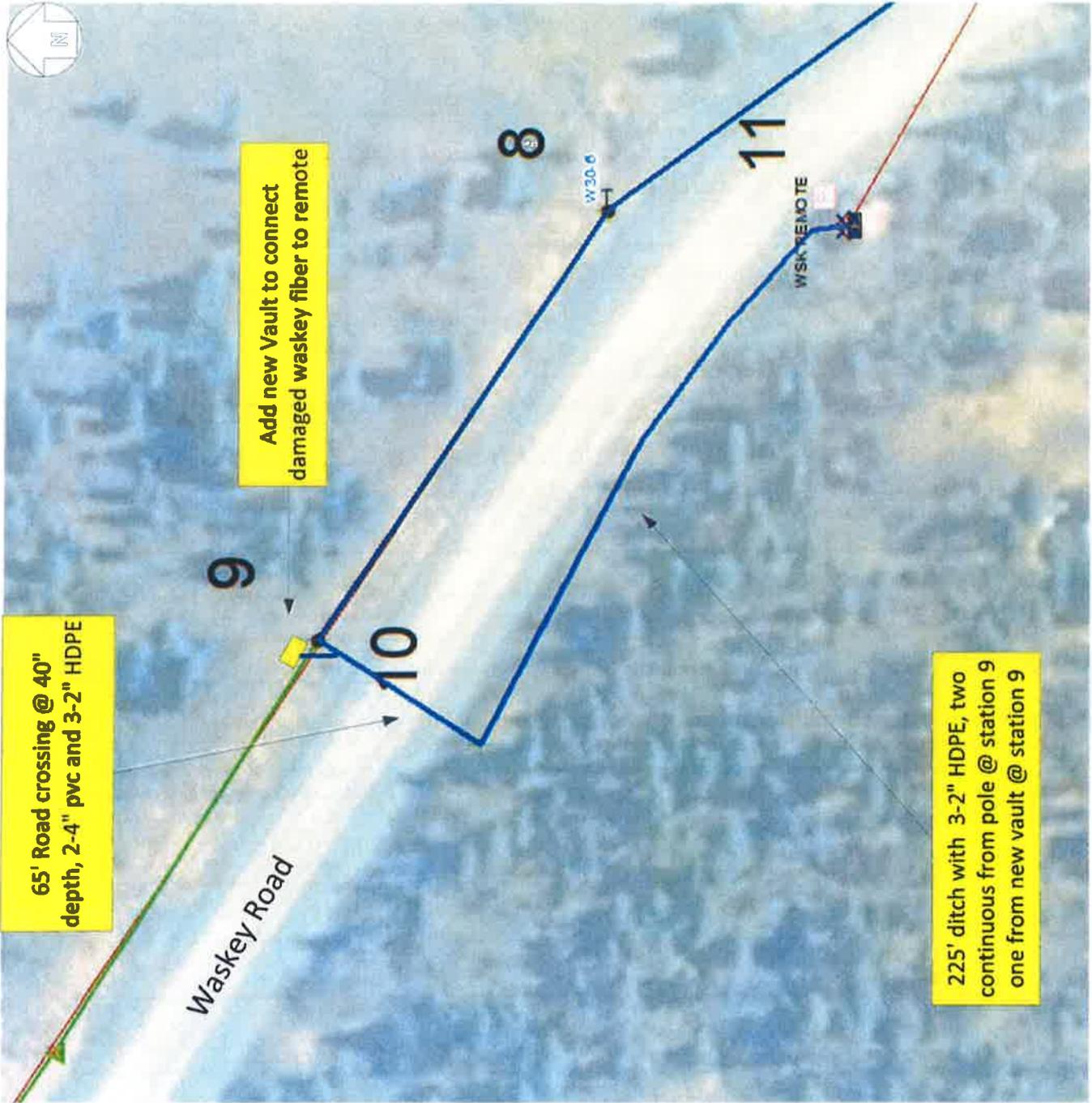
Short Term Permit  Long Term Permit  Period requested: from 6 /6 /2019 to 12 /31 /2119

Provide all requested information above and attach appropriate as-built survey. You must include the \$75.00 non-refundable encroachment permit fee with your application to be processed.  
*Information included in this permit application is, to the best of my knowledge, true and complete. I acknowledge and will comply with the requirements set forth by this encroachment permit. I acknowledge that this permit does not grant approval to any other federal, state, or city permits that may be required.*

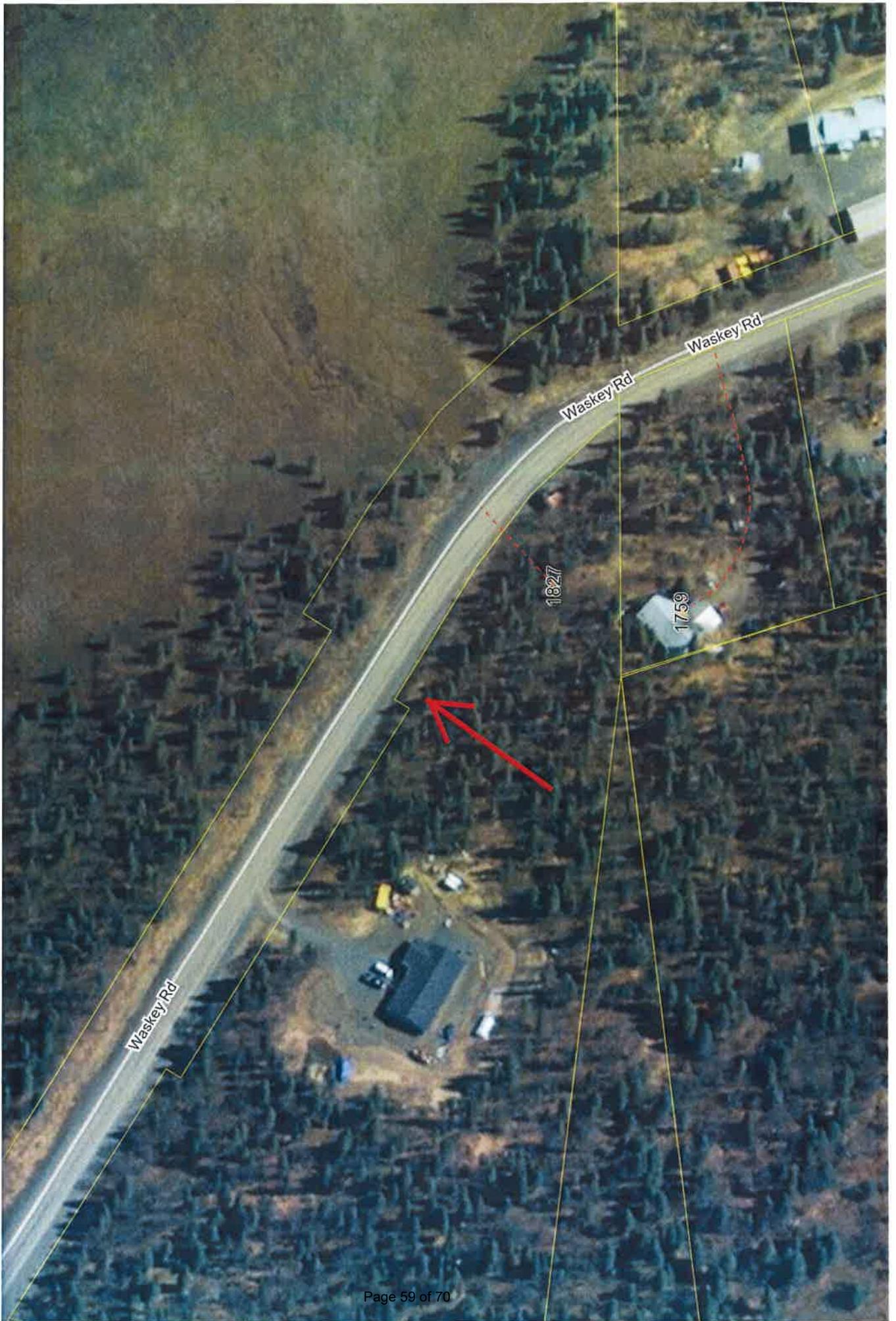
Applicant's signature: *William Chaney* Date: 6-6-19  
 Landowner's signature: \_\_\_\_\_ Date: \_\_\_\_\_

**To Be Completed By City:**

<u><i>Lynne Mogn</i></u> City Manager, <i>Acting</i>	<u>6/12/2019</u> Date
<u><i>[Signature]</i></u> Planning Director	<u>6/13/19</u> Date
<u><i>[Signature]</i></u> Public Works Director	<u>        </u> Date
Action Taken by City: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Incomplete, return to applicant	



key





**City of Dillingham Action Memorandum**      Agenda of: June 20, 2019  
**Action Memorandum No.** 2019-07

**Subject:**

Temporary use of city land, (see Chapter 5.10, Land Management).

---

City Manager: Recommend Approval

Signature: 

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**Fiscal Note:**  Yes  No      **Funds Available:**  Yes  No

**Other Attachments:**

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**Summary Statement:**

Mr. Scott White has approached the City to request use of harbor land for a food truck. He intends to sell food beginning on July 1. The City has developed utilities to a harbor lease lot intended for lease consistent with this use. However, due to delays with utility installation, the Request for Proposals has been delayed. The City intends to go forward with our usual public process and solicit proposals from interested parties for the lease lot locations, however, we wish to grant Mr. White a one-time temporary use of city land at the Harbor at a location of the Port Director's choosing, where he may operate his food truck for the months of July and August.

Code indicates when a fee is charged for obtaining a special land use permit, the fee schedule will be established by city council resolution. A draft fee schedule is under development and will be introduced for consideration by the Finance and Budget Committee on a future meeting date.

I am recommending this one-time temporary use of city land be charged at \$750 per month. No services or utilities are being provided to Mr. White as part of this special land use permit. As a condition for approval of his special land use permit, Mr. White will be required to obtain all licensing and insurance requirements enumerated in City of Dillingham standard contracts. Mr. White must agree that any use of city land will be at the risk of the user and will indemnify the City against any liability.

Action Memorandum No. 2019-07

Summary Statement continued:

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

\_\_\_\_\_  
Mayor

ATTEST: [SEAL]

\_\_\_\_\_  
City Clerk

Route to	Department Head	Date
	Finance Director	
X	City Clerk	



THE STATE  
of **ALASKA**  
GOVERNOR MICHAEL J. DUNLEAVY

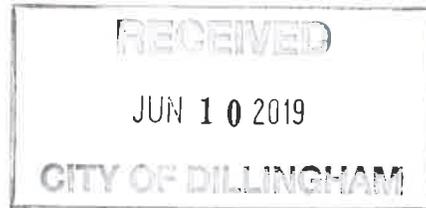
**Department of Commerce, Community,  
and Economic Development**

DIVISION OF COMMUNITY AND REGIONAL AFFAIRS

P.O. Box 790  
Dillingham, AK 99576-0790  
Main: 907.842.5135  
Programs fax: 907.842.5140

May 30, 2019

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



Dear Mayor Ruby,

As a local leader, I thought you might want some information on the upcoming 2020 Census.

The legislature of the State of Alaska recently passed a resolution calling on Congress to fully fund the United States Census Bureau, and urging local governments to establish Complete Count Committees along with the "2020 Census Alaska Complete Count Commission." The commission is an advisory body that will develop and provide recommendations for the Governor and assist in the administration of a census outreach strategy to encourage maximum participation.

I have enclosed a flyer with general information and explanation of a Complete Count Committee. The ultimate goal is to utilize local knowledge, and promote awareness of the importance of the census in ways that resonates best with a community.

As you start to hear more and more about the upcoming census, I wanted you to be aware of recent efforts at the state level.

Sincerely,  
A handwritten signature in blue ink that reads "Melody Nibeck".

Melody Nibeck  
Local Government Specialist III

Enclosed: House Joint Resolution 19  
Complete Count Committees Getting Started



**CS FOR HOUSE JOINT RESOLUTION NO. 19(TRB)**

**IN THE LEGISLATURE OF THE STATE OF ALASKA**

**THIRTY-FIRST LEGISLATURE - FIRST SESSION**

**BY THE HOUSE SPECIAL COMMITTEE ON TRIBAL AFFAIRS**

**Offered: 4/26/19**

**Referred: Community and Regional Affairs**

**Sponsor(s): HOUSE SPECIAL COMMITTEE ON TRIBAL AFFAIRS**

**A RESOLUTION**

1 **Urging the United States Congress to fully fund the United States Census Bureau for the**  
2 **2020 Census; urging the governor to prioritize an accurate count for the 2020 Census;**  
3 **and urging local governments to establish local complete count commissions.**

4 **BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 **WHEREAS** the United States Census Bureau is required by the United States  
6 Constitution to conduct a count of the population every 10 years to help shape the foundation  
7 of our society and play an active role in American democracy; and

8 **WHEREAS** the demographics of the United States continue to grow and shift and  
9 include individuals who identify as multiracial; and

10 **WHEREAS**, every year, billions of dollars of federal and state funds are allocated to  
11 communities, and decisions on matters of national and local importance, including healthcare,  
12 community development, business location and operations, housing, education, transportation,  
13 social services, and employment, are made based on census data; and

14 **WHEREAS** distribution of federal funding for American Indian and Alaska Native  
15 schools, education programs, health programs, housing programs, water and sewage projects,

1 roads, and economic development is based on data collected by the United States Census  
2 Bureau; and

3 **WHEREAS** the decennial census is a significant undertaking that requires cross  
4 sector collaboration and partnership to achieve a complete, fair, and accurate count; and

5 **WHEREAS** the United States Census Bureau is facing several challenges with the  
6 2020 Census, including declining response rates, technological changes, and fiscal  
7 constraints; and

8 **WHEREAS** census data is used in the consideration of redistricting for the Alaska  
9 State Legislature and affects municipal assemblies and councils; and

10 **WHEREAS** the Alaska State Legislature is committed to ensuring that every state  
11 resident is counted in the 2020 Census;

12 **BE IT RESOLVED** that the Alaska State Legislature urges the United States  
13 Congress to fully fund the United States Census Bureau for the 2020 Census, and, if Congress  
14 determines it to be advantageous, to allow rural residents of the state without a physical  
15 address to use a post office box to participate in the 2020 Census, thereby equipping the  
16 United States Census Bureau to fulfill its constitutional obligation to fully enumerate all  
17 persons within the United States; and be it

18 **FURTHER RESOLVED** that the Alaska State Legislature desires to work with the  
19 state's executive branch to allocate funding necessary to conduct outreach within the state and  
20 to provide support to supplement the outreach and promotional activities of the United States  
21 Census Bureau as well as the work of groups in the state, including the Alaska Census  
22 Working Group and other regional stakeholders, in targeting populations that are hard to  
23 count; and be it

24 **FURTHER RESOLVED** that the Alaska State Legislature requests that the governor  
25 urge the 2020 Census Alaska Complete Count Commission to hold active and regular  
26 meetings to adequately prepare for the decennial census, to prioritize an accurate census count  
27 in all areas of the state before considerations of data use to promote census participation, to  
28 leverage existing community stakeholder knowledge to conduct outreach in rural  
29 communities, and to create and translate educational materials to supplement the  
30 communications campaign of the United States Census Bureau; and be it

31 **FURTHER RESOLVED** that the Alaska State Legislature encourages every

1 municipality in the state to establish its own complete count commission to foster maximum  
2 participation by all state residents.

3 **COPIES** of this resolution shall be sent to the Honorable Michael J. Dunleavy,  
4 Governor of Alaska; Tim Navarre, President, Alaska Municipal League; and the Honorable  
5 Lisa Murkowski and the Honorable Dan Sullivan, U. S. Senators, and the Honorable Don  
6 Young, U. S. Representative, members of the Alaska delegation in Congress.



## Contact Information

For additional information about the Complete Count Committees program, please contact your regional census office.

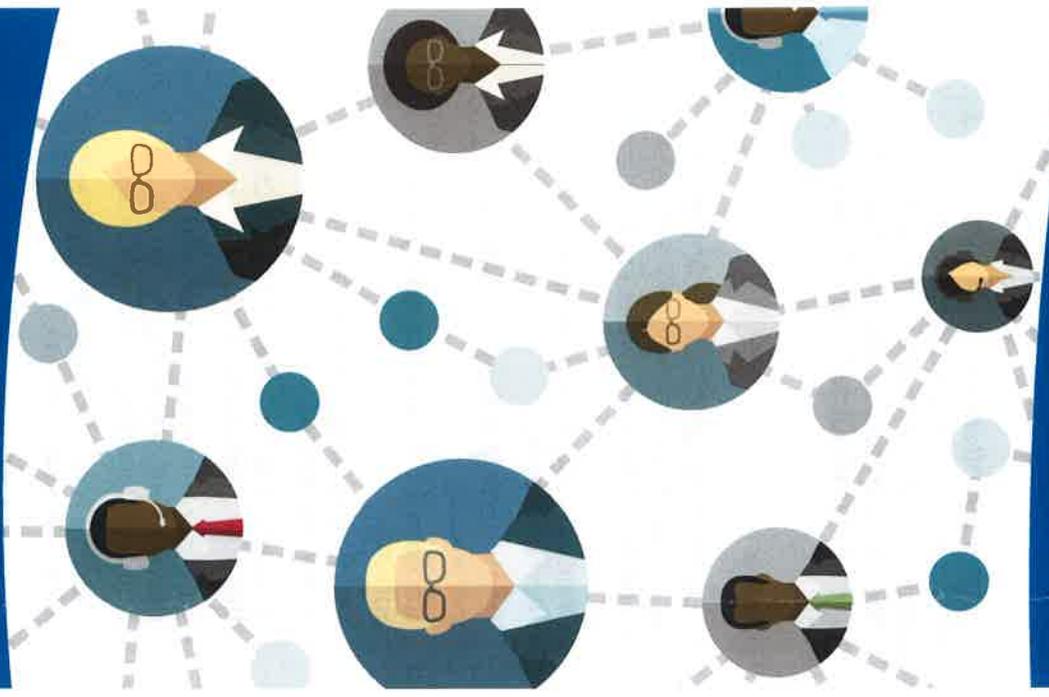
## Complete Count Committees

## 2020 Census Timeline

- 2018**
  - Tribal leader, governor, or highest elected local official or community leader determines Complete Count Committees (CCCs) structure.
  - CCCs receive 2020 Census training.
- 2019**
  - Continue establishing CCCs.
  - Open Area Census Offices.
  - CCCs develop strategy and work plan.
- 2020**
  - CCCs begin community organization mobilization.
  - 2020 Census advertising campaign begins in early 2020.
  - CCCs support the 2020 Census.
  - CCCs encourage self-response.
- April 1, 2020 - CENSUS DAY**
  - CCCs urge households who do not respond to cooperate with census takers.

### Please contact: If you reside in:

<b>ATLANTA</b> Atlanta.rcc .partnership @2020census.gov	Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, and South Carolina
<b>CHICAGO</b> Chicago.rcc .partnership @2020census.gov	Arkansas, Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, and Wisconsin
<b>DALLAS</b> Dallas.rcc .partnership @2020census.gov	Arizona, Colorado, Kansas, Montana, Nebraska, New Mexico, North Dakota, South Dakota, Oklahoma, Texas, Utah, and Wyoming
<b>LOS ANGELES</b> Los.Angeles.rcc .partnership @2020census.gov	Alaska, California, Hawaii, Idaho, Nevada, Oregon, and Washington
<b>NEW YORK</b> New.York.rcc .partnership @2020census.gov	Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Rhode Island, Vermont, and Puerto Rico
<b>PHILADELPHIA</b> Philadelphia.rcc .partnership @2020census.gov	Delaware, District of Columbia, Kentucky, Maryland, Ohio, Pennsylvania, Tennessee, Virginia, and West Virginia



July 2018  
D-1256 CCC

United States  
**Census**  
Bureau

United States  
**Census**  
2020

# The 2020 Census is almost here!

The 2020 Census provides an opportunity for everyone to be counted. Tribal, state, and local governments; community-based organizations; faith-based groups; schools; businesses; the media; and others play a key role in developing partners to educate and motivate residents to participate in the 2020 Census.

When community members are informed, they are more likely to respond to the census. Through collaborative partnerships, the U.S. Census Bureau and community leaders can reach the shared goal of counting EVERYONE in 2020.

## **The Complete Count Committees (CCC) program is key to creating awareness in communities all across the country.**

- CCCs utilize local knowledge, influence, and resources to educate communities and promote the census through locally based, targeted outreach efforts.
- CCCs provide a vehicle for coordinating and nurturing cooperative efforts between tribal, state, and local governments; communities; and the Census Bureau.
- CCCs help the Census Bureau get a complete count in 2020 through partnerships with local governments and community organizations.

# Get Started

## **WHO?**

Tribal, state, and local governments work together with partners to form CCCs to promote and encourage response to the 2020 Census in their communities. Community-based organizations also establish CCCs that reach out to their constituents.

## **WHAT?**

A CCC is comprised of a broad spectrum of government and community leaders from education, business, healthcare, and other community organizations. These trusted voices develop and implement a 2020 Census awareness campaign based upon their knowledge of the local community to encourage a response.

## **WHEN?**

The formation of CCCs is happening NOW! Leaders are identifying budget resources and establishing local work plans. In 2020, they will implement the plans and lead their communities to a successful census count.

## **WHY?**

The primary goal of the 2020 Census is to count everyone once, only once, and in the right place.

Community influencers create localized messaging that resonates with the population in their area. They are trusted voices and are best suited to mobilize community resources in an efficient manner.

## **HOW?**

It's up to all of us! CCCs know the best way to reach the community and raise awareness. Some activities could include:

- Holding CCC kickoff meetings with media briefings.
- Participating in Census rallies or parades.
- Coordinating Census unity youth forums.
- Hosting Interfaith breakfasts and weekend events.
- Encouraging the use of Statistics in Schools classroom resources.
- Incorporating census information in newsletters, social media posts, podcasts, mailings, and websites.
- Helping recruit census workers when jobs become available.