



**FY19 Capital Improvement Project Priorities
Progress Update October 2019**

Special Project – Bingman Clean-Up **\$300,000 (estimate)*

At long last, major debris removal has started at the Bingman site. Barring any inclement weather conditions, we anticipate the removal will be completed within two weeks. The project scope does not include complete debris removal from the ground, nor does it include larger items like the barge at the far end of the property. There are also two boats that the Port Director will be working on impounding to allow their sale after a specified period of time.

To address the clean-up of hazardous substances at the site, a Phase II Environmental Site Assessment will be sought. The City is pursuing funding options for this next phase of the project. We anticipate full completion of all project phases within 5 years, to include assessment, clean-up, planning, development, and/or reuse of the site.

Construction: \$300,000 (estimate)

- Funding established by Council as the insurance settlement from fire.

Project Timeline:

- October 28 – Debris Removal Contract Signed
- October 29 – Debris Removal Work Started
- November 15 – Anticipated Project Phase Close Out

Special Project – Wastewater Treatment Relocation Study **\$211,071 (estimate)*

In March, CRW Engineering was awarded a one year contract for Engineering Services, AM 2019-01. In April, the Denali Commission awarded the City of Dillingham \$171,900 for Wastewater Treatment Lagoon Erosion Mitigation Study. A fee proposal to prepare the Wastewater Treatment Relocation Study was submitted by CRW Engineering in May for \$211,071. The difference of \$39,171 has been appropriated in the FY20 budget. The City hosted an Open House on October 22 and received feedback from the public. The draft report is posted to our website we will continue accepting comment until the final report is completed.

Project Timeline:

- Early July – Site Visit
- Mid-July – Trip Report
- October 22 – Draft Report & Public Meeting
- Two Weeks Post – Draft Final Report
- Two Weeks Post – Final Report

***Special Project – Wells Fargo/VEEP Outdoor Lighting** **\$50,000 (estimate)**

The City was awarded a \$50,000 grant under the Wells Fargo Outdoor Lighting Retrofit/Village Energy Efficiency Program. The City pledged another \$15,000 in-kind to support the project, which will consist primarily of personnel related costs. The grant provides funding for the replacement/retrofit of exterior lighting to LED technology. We have been assigned a project manager at AEA and have started our project scoping. The grant will enable us to replace 8 street lights and 49 other exterior lights. With a month of electrical expenses for the City averaging over \$20,000, we believe this award will provide significant cost savings with conversion to LED technology.

Project Timeline:

- October-December 2019 – Project Scoping
- January-February 2020 – Project Solicitation & Award
- April-July 2020 – Project Start/Completion
- September-November 2020 – Project Close-Out

#1 – Wastewater System Upgrades, Aeration **\$739,891 (estimate)**

Design: \$89,891 (estimate)

- Bristol Engineering has been contracted to complete the design for this project.
- ANTHC funding has been used for the design expenses.

Construction: \$650,000 (estimate)

- City to develop RFP.
- ADEC SRF Loan Questionnaire submitted August 31, 2018; AK Clean Water Fund, Point Source Project Priority, Q3 prioritized #3.
- ADEC SRF Loan Application in progress for \$650,000.
- SFY20 Q2 Project Priority List indicates a potential subsidy of \$335,000.
- Funding alternative is USDA Water and Waste Disposal Loan and Grant Program.

Project Timeline:

- January 22, 65% Design
- March 22, 95% Design & ADEC review & permission to construct
- April 10, DEC approval to construct received
- May 3, 100% Design
- TBD RFP Release, RFP scoring, evaluation, and recommendation for contract
- TBD, Construction begins; Project close out

#2 – Public Safety Server Room Fire Protection **\$67,000 (estimate)**

Proceeding with blower door test. Results will determine scheduling for system certification.

Construction: \$67,000 (estimate)

- RFP awarded to Wolverine Supply, Inc.
- E-911 Grant funding will be used for this project.

Project Timeline:

- December, 2018 Installation of Clean Agent System
- August, 2019 Air Sealing of Server Room
- TBD, GNW Fire Services air sealing and system certification; project close out

#3 – Landfill Groundwater Monitoring Wells

\$349,373 (estimate)

Design: \$23,202 (estimate)

- Bristol Engineering has been contracted to complete the design for this project.
- City funding will be used for the design costs.
- Cost overrun of \$5,404.00 due to project delay (originally \$17,798)

Construction: \$161,928 (estimate)

- ADEC SRF Loan Questionnaire submitted August 31, 2018; AK Clean Water Fund, Non-Point Source Project Priority, Q3 prioritized #2.
- ADEC SRF Loan Application submitted March 12, 2019 for \$331,575.
- ADEC SRF Loan Re-Application submitted October 10, 2019 for \$366,897.03 (to reflect cost overrun).
- Funding alternative is USDA Water and Waste Disposal Loan and Grant Program.
- RFP was developed by Bristol Engineering.
- Denali Drilling was only bidder for the project.
- Cost overrun of \$29,918.03 due to project delay (originally \$132,010).

Additional Project Costs: \$218,542 (estimate)

- Bristol Engineering has been contracted for these services at \$199,565.
 - Administration, \$298.00
 - Construction Oversight, Sampling and Reporting, \$199,267.00
- Cost Overruns due to project delay:
 - Bristol Engineering (additional sampling for spring), \$18,977.00

Project Timeline:

- October, 2018, Project Manual/Permit Set
- November, 2018, ADEC review and approval to construct
- January, RFP Release
- February, RFP scoring, evaluation, and recommendation for contract
- March, Contract awarded
- April, On-site evaluation determined construction should be delayed until fall
- November 2019-February 2020, Construction NTP TBD
- April 1, 2020, Project close out

#4 – Water System Improvements, Downtown Streets Support

\$3.68M (estimate)

Design: \$224,715 (estimate)

- CRW Engineering Group LLC has been contracted to complete the design for this project. Additionally, CRW is expected to handle ROW, easement, ADEC permitting, temporary construction permits, and construction administration for the City.
- City funding will be used for 30% of the design costs; MMG 28308 will be used for 70% of the design costs.

Construction, Phase I (DOT Project Footprint & Downtown Core): \$1,987,249 (estimate)

- CRW to develop RFP.
- ADEC SRF Loan Questionnaire submitted November 30, 2018; AK Clean Water Fund, Point Source Project Priority, Q3 prioritized #17.
- MMG 28308 will provide 70% up to approximately \$1.4M total cost, with 30% matching.
- ADEC SRF Loan Application for \$600,000 submitted 4/10/19, was approved on 8/27/19.
- Funding alternative is USDA Water and Waste Disposal Loan and Grant Program.
- Expected URSA billing (DOT Project Footprint) is estimated at \$364,515. This number may change based on project actuals.

- Apparent Low Bidder (Downtown Core): JJC Enterprises, \$1,622,734.

Construction, Phase II: TBD

Construction, Phase III: TBD

Project Timeline:

- January 9, 75% Design (All Phases)
- February 11, 100% Design for Phase I (DOT Footprint)
- February 27, 100% Design (All Phases)
- TBD, ADEC review and approval to construct
- August, RFP Release; RFP scoring, evaluation, and recommendation for contract
- September, Contract awarded; Construction begins TBD
- May 2020, Phase I Project close out

#5 – Lake Road Fire Hall Renovation

\$589,200 (estimate)

LCG Lantech's has provided a proposal in the amount of \$18,295.42 for additional project scoping (heating system and flooring changes), including updated design drawings, specifications, and engineers cost estimate. This additional cost is being considered before determining next steps.

Design:

- LCG Lantech Inc. and RSA Engineering, Inc. have provided 100% design and specifications for this project.

Construction: \$560,000.00 (estimate)

- City of Dillingham, GO Bond
- Funding alternative is USDA Community Facilities Loan and Grant Program.
- RFP to be developed by Bristol Engineering.

Additional Project Costs: \$29,200 (estimate)

- LCG Lantech, Inc. will be contracted for these services.
- City personnel may handle some tasks, others will be assigned to LCG Lantech via Task Orders, on an as needed basis.
- Permitting, Bid Assistance, and Construction Administration, \$12,000, T&M, NTE fee.
- Project Inspection, Contract Administration, \$17,200, T&M, NTE fee.

Project Timeline:

- March-June, Fire Marshall Plan Review Bureau Review
- TBD, RFP Release
- TBD, RFP scoring, evaluation, and recommendation for contract
- TBD, Permitting finalized; Contract awarded
- TBD, Construction begins
- TBD, Project close out

#6 – Harbor Float Replacement**\$5.2M (estimate)**Design:

- PND Engineers, Inc. has provided 75% design for this project.

Construction: \$5.2M (estimate)

- The City is currently exploring funding options through federal appropriations.
- Funding alternatives are AKDOT&PF Harbor Facility Grant Program and USDA Public Works and Economic Development Facilities Program (Grants).
- City to develop RFP.

Project Timeline:

- TBD pending funding

#7 – D Street & Seward Street Rehabilitation Project**\$3.11M (estimate)**Design: \$154,329 (estimate)

- PND Engineering, Inc. has been contracted to complete the design for this project.

Construction: \$2.96M (estimate)

- City of Dillingham, GO Bond
- Funding alternative is USDA Community Facilities Loan and Grant Program.
- RFP to be developed by PND.
- Apparent Low Bidder: JJC Enterprises, \$2,494,737

Project Timeline:

- February 22, 65% design
- April 30, 95% design, specifications and cost estimate
- June, RFP Release, bid deadline August 15
- August, RFP scoring, evaluation, and recommendation for contract
- September, Permitting finalized; Contract awarded
- April 2020, Construction NTP issued
- August 2020, Substantial completion
- September 2020, Project close out

Mayor
Alice Ruby

Manager
Tod Larson



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Aksel Buholm
Curt Armstrong
Andy Anderson
Gregg Marxmiller

MEMORANDUM

Date: 9-24-19
To: Tod Larson, City Manager
From: Chief Dan Pasquariello
Subject: Monthly Staff Report

Reporting period 8-25-19 to 9-24-19

Dispatch:

- ❖ 340 Calls for service dispatched
- ❖ 84% Dispatched to Dillingham Police
- ❖ 4% Dispatched to Animal Control
- ❖ 4% Dispatched to Fire/EMS
- ❖ 8% Dispatched to Alaska State Troopers

Corrections:

- ❖ 32 Total Inmates held at jail
- ❖ 17 Title 47 Protective custodies

Reason for being incarcerated:

Violation release conditions	7
Assault	6
Warrant arrests	5
Disorderly Conduct	4
DUI	3
Burglary	2
Criminal Mischief	1
Serve time/court remand	4

Patrol:

- ❖ 286 Calls for service
- ❖ 20 Persons arrested by DPD
- ❖ 17 Title 47/Protective custody by DPD
- ❖ 10 Citations issued
- ❖ 37 Incident reports by DPD

Approximately 1 out of 10 calls for police service require an incident report to be completed by officers. A partial breakdown of our incident reports is as follows:

Violation release/probation conditions	7
Assault/Disorderly Conduct	5
Thefts/Robbery	5
Traffic offenses	5
Sex offenses	4
DUI	3
Drug offenses	2
Burglary	1
Motor vehicle accidents	1
Arson	1
Suicide threat	1
Criminal Mischief	1
Trespass	1

Animal Control:

- ❖ 8 Dogs impounded
- ❖ 5 Dogs returned to owners
- ❖ 2 Dogs adopted out
- ❖ 1 compassionate euthanasia
- ❖ 3 Dead dog removals
- ❖ 16 Rabies/parvo shots given

DMV:

- ❖ 62 Driver's licenses/IDs
- ❖ 52 Titles/registrations
- ❖ 18 Boat registrations
- ❖ 10 CDLs
- ❖ 5 Road tests
- ❖ 9 written tests

Mayor
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MEMORANDUM

Date: 10/29/2019
To: Tod Larson, City Manager
From: Chief Daniel Pasquariello
Subject: Public Safety report NOVEMBER 2019

Reporting period 9-25-19 to 10-29-19

Dispatch:

- ❖ 338 Calls for service dispatched
- ❖ 78% Dispatched to Dillingham Police
- ❖ 10% Dispatched to Animal Control
- ❖ 9% Dispatched to Fire/EMS
- ❖ 3% Dispatched to Alaska State Troopers

Corrections:

- ❖ 34 Total Inmates held at jail
- ❖ 19 Title 47 Protective custodies

Reason for being incarcerated:

Assault	9
Violation release conditions	6
Serve time/court remand	5
Probation violation	4
Warrant arrests	2
Disorderly Conduct	2
Criminal Mischief	2
DUI	1
Murder	1
Misconduct Controlled substance	1
Misconduct weapons	1

Patrol:

- ❖ 264 Calls for service
- ❖ 18 Persons arrested by DPD
- ❖ 19 Title 47/Protective custody by DPD
- ❖ 13 Citations issued
- ❖ 35 Incident reports by DPD

Approximately 1 out of 10 calls for police service require an incident report to be completed by officers. A partial breakdown of our incident reports is as follows:

Assault/Disorderly Conduct	12
Violation release/probation conditions	6
Thefts/Robbery	5
Burglary	2
Death Investigations	2
Suicide threat	2
Traffic offenses	1
DUI	1
Drug offenses	1
Criminal Mischief	1

Animal Control:

ACO on vacation – no report

DMV:

- ❖ 150 Driver’s licenses/IDs
- ❖ 74 Titles/registrations
- ❖ 4 Boat registrations
- ❖ 4 CDLs
- ❖ 8 Road tests
- ❖ 17 written tests

We participated in the Drive-thru Flu Vaccine clinic on the 23rd. The clinic was hosted by the State Public Health Service. It is a drill to simulate mass vaccinations in the event of a pandemic. The rescue squad, as well as public works also participated in the drill.

We lead the Domestic Violence Awareness march through the downtown area on the 9th. The event was sponsored by SAFE.

We worked a major case where one man was beaten to death by another. The suspect was indicted for the offense of Manslaughter.

We were cast in a negative light this reporting period on both a Facebook posting and a radio news story, involving a break-in that occurred in the City of Aleknagik. The issue was that the person called 911, was transferred to AST dispatch, no troopers responded to the call, and DPD should have done more.

- (1) The Dillingham Police do not respond to calls outside of the Dillingham City limits or in Aleknagik, as those areas are outside of our jurisdiction. The Alaska State Troopers are responsible for police service to those areas.
- (2) We do not provide dispatch services for the Dillingham Alaska State Troopers. We used to have a paid contract with them to provide dispatch services, but they ended that effective July 2016. Since that time Dillingham AST has been dispatched through AST Ketchikan. Any time someone calls for emergency services in an area covered by AST we refer them to AST dispatch. We still answer AST's radio traffic for free, since AST has gotten rid of their own radio channel in Dillingham for budgetary reasons.
- (3) Per Dillingham Municipal Code 8.16 (*dealing with the enhanced 911 system/surcharge*) the City of Dillingham is responsible for establishing a public safety answering point. This is defined as a "24 hour local communication facility (*Dispatch*) that receives 911 service calls and directly dispatches emergency response services or that relays calls to the appropriate public or private safety agency".
- (4) In this case we did what were supposed to do and referred the caller to AST dispatch. We have no control over what happens after that occurs.

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MEMORANDUM

Date: October 29, 2019
To: Tod Larson, City Manager
From: Jean Barrett Port / Public works director
Subject: Monthly Staff Report

This month has been a busy one and all of the Port and Public works employees have been working towards getting ready for the impending winter,

- The dock guys are finishing up the last of the barges and should be closing the office by Nov 15th for the winter. I hope to have Ben work at the landfill when he is done at the dock to get all of the Freon reclaimed out of the freezers and refrigerators before they freeze in.
- The streets employees are prepping for cold weather. They are mixing sand for the roads, and putting blades to the roads one last time before winter.
- In the Shop we are working on getting the trucks ready for sanding, putting chains on and making sure the sanding components are operable. Also getting ready to put plow, blades and chains on the graders.
- Building and grounds have been prepping the buildings for cold weather by turning up boilers and heaters, changing fuel filters and weatherizing where needed.
- The Water / Wastewater guys have all of the hydrants pickled with antifreeze and have had a couple of call outs and one weekend issue that needed them to attend to.
- The landfill has been business as usual. Receiving the Bingman cleanup has begun. We have lots of room in the inert cell so it is just a matter of waiting for the loads to show. We have a technician coming in to once again service the incinerator, he should be here on the 13th of November.

On October 29th I traveled to Juneau to attend the AAHPA annual convention. This is always a learning experience, there are so many topics covered and information exchanged that one can always come away with some new knowledge. The following is my trip report from the conference,

1. **Course/Class/Conference Name:** Alaska Association of Harbormasters and Port Administrators annual conference
2. **Date(s) attended/location:** Conference was September 30 through October 4th in Juneau Alaska
3. **Participant(s):** This Conference is well attended by most harbors around the state and even a few from Washington State who share some of the same vessels as some of the year round ports.
4. **Main topic(s):** It is really hard to list a “main topic” as so many are discussed. We discussed everything from what harbors projects are going on in other harbors and the roadblocks, issues and solution’s to them we talked about electrical service and grants, harbor cranes, tariffs, derelict vessels and so much more.
5. **Detailed discussion of training/event:** It is uncanny how the Dillingham Harbor and some of the larger harbors have some of the same issues. We are all looking for money to fund projects. We all try to keep eyes on our used oil tanks and why does everyone in town feel they can use the dumpsters in the harbors?
6. **How it could/will impact the City of Dillingham:** I feel that every year I come away from these conferences with new visions for our Port, the impacts could be tomorrow or they could be further down the line.
7. **Recommendations for the City of Dillingham:** We need to continue to look to the future, to look at new avenues to fund our projects. Continue to send attendees to this conference, not only for the knowledge that is shared but for the experience of see how all the other harbors do what they do.

I want to wrap up this report by talking about our equipment and the shape it is in. This is just the initial points of discussion and I hope to go into more detail in the coming months. We have had some real issues over the past 10-12 months and we try to work within our budget when repairing our “tools”.

I am going to focus on the landfill equipment to start with as this is where we are having a lot of issues recently.

- This last week we had an issue with the Case 821 that we moved out to work the landfill. We punctured the oil pan, this was an unexpected and freak incident. We got the pan and were going to try to replace it on the spot, NO SUCH LUCK! In order to replace the pan the motor had to be removed from the machine!
- Long story short we moved the loader via our lowboy to the shop and the mechanics have been diligently working on it for the past week.
- This story does not end here, unfortunately, while the 821 was at the shop we decided to do some preventive maintenance. When the transmission fluid was drained a large amount of metal pieces were found in it. This means we need to change out the transmission as it is going to die at some point, we just don’t know when.
- We are still able to run it in this condition and have to as it is all we have. But like I said it could let loose at any time.

- We are working on getting quotes for repair or replacement, it isn't looking cheap. A rebuilt transmission, installed with all the needed parts and a 1 year warranty is somewhere in the ballpark of 45K, to send ours out to be rebuilt starts at about 13K and that doesn't include any shipping costs to and from Missouri. The parts needed will be extra and the City mechanics will install.

Part 2 of this is about our other loader at the landfill.

- The landfill Cat 960 loader, approx. 20 years old, had a lack of engine power and transmission issue.
- This issue is almost 2 years old and the 'then' city mechanics couldn't figure out the issue.
- Since this time it has been sitting in a local mechanics yard awaiting direction from me as to what we wanted done with it. The mechanic was fine with it sitting there, I am going to bring it home to the shop next week as we think maybe we have the issue figured out. This may give us some time to decide what to do with the Case 821. The Cat was in need of new foam filled tires at the time it was moved so if this is the option we select it will need new tires.

Other issues we have seem pretty minor compared to the loaders at the landfill or the lack thereof.

That is all the good news I could muster this month.

Jean

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Mayor
Alice Ruby

Manager
Tod Larson



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Gregg Marxmiller

MEMORANDUM

Date: September 23, 2019
To: Tod Larson, City Manager
From: Ida Noonkesser, Director
Subject: Monthly Staff Report

During the month of August, the Senior Center served 280 congregate meals to 39 individuals, 152 home delivered meals to 8 individuals, gave 176 assisted rides to 11 individuals and 150 unassisted rides to 21 individuals.

We had three new renter in the month of August.

We were able to hire Hugh Backford as a cook for the Senior Center. He has been great as an addition to the center. He has been enjoying cooking for the elders.

Paige from BBAHC Behavioral Health has been doing activities including bingo for the elders.

Peter Pan donated frozen foods, fresh veggies, and fruit, and few dry goods and Icicle Seafoods also donated dry goods. These donations are worth thousands of dollars and save our food budget each fall. I've sent out a thank you letters to them. This help for the Senior Center with food is one of the ways we have been able to keep our services going in times with smaller budgets. Items we are not able to use, we donated to BBNA's Food Bank. We have also worked with them in the past.

Kasten Wallona, our BBEDC Intern, completed his internship on August 30th. We sure miss his hard work.

Next Advisory Board Meeting October 9, 2019

Mayor
Alice Ruby

Manager
Tod Larson



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MEMORANDUM

Date: October 28, 2019
To: Tod Larson, City Manager
From: Ida Noonkesser, Director
Subject: Monthly Staff Report

During the month of September, the Senior Center served 222 congregate meals to 35 individuals, 97 home delivered meals to 7 individuals, gave 160 assisted rides to 11 individuals and 141 unassisted rides to 20 individuals.

We had three new renters in the month of September.

We got a lot of kitchen containers from Maarluut Eniit, that they no longer need, as well as some craft supplies. Thank you to Amelia and Nadia for all the help hauling them over to the Center.

September has been a pretty quiet month with mainly just normal activity at the Center. Meals and visits are down just a little bit, but that is normal for this time of year. It is always quiet during this time of year between summer and the colder and icier months of the winter.

Our next Advisory Board Meeting is scheduled for November 13, 2019 at 1pm.

1. CALL TO ORDER

The School Facility Committee met on May 28, 2019, in the Council Chambers, Dillingham, AK. Mayor Ruby called the meeting to order at 5:40 p.m.

2. ROLL CALL

Committee Members present:

Mayor Ruby	Cynthia Rogers	Jason Johnson
Chris Napoli	Russell Nelson	

Members arriving at 5:54 p.m.

Jean Barrett	Patty Buholm	Kim Williams
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Committee Members absent: Robin Samuelsen

3. APPROVAL OF AGENDA

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

VOTE: The motion passed unanimously by voice vote.

4. APPROVAL OF MINUTES

a. Minutes of May 30, 2018

MOTION: Chris Napoli moved and Russell Nelson seconded the motion to approve the minutes.

VOTE: The motion passed unanimously by voice vote.

5. UNFINISHED BUSINESS

There was no unfinished business.

6. NEW BUSINESS

a. School Facility Report

The committee duties were reviewed as outlined in municipal code 2.72.070.

In addition to the DCSD CIP list the following was noted:

- Three small pin holes on the high school roof have been located.
- Funds have been allocated for many of the projects on the list.
- Cameras are regarded as student and staff safety items and are not placed in bathroom facilities or classrooms. This will be a phased project.

b. Review major maintenance list

An executive summary of the facility inspection was presented. This item will remain on the agenda for future review.

c. Joint grant writing position

- A scope of work needs to be determined before salary costs can be assessed.

- Both the City and the School District to establish what parameters desired from this joint venture; i.e., full-time vs. part-time, and project focus, writing grants and/or administration of grants, contract vs. staff position.
- Maintenance and facility type grants could be explored.
- A plan/job description will be compiled for review at the October meeting.
- A partner knowledgeable of the granting process will be crucial to developing this position.

d. Funding Update

- It was noted Conference Committee has almost completed working the state budget. The school reimbursement program is being recommended at 50% by the House and at 100% by the Senate.
- For budgeting on FY20, the City assumed no change in program funding. A budget revision will be discussed if needed after the state budget is adopted.
- It is anticipated the budget recommendations will go to the Governor soon.
- DCSD reports they currently have enough in the budget to continue to operate.

e. CIP Process

The school facilities belong to the City. The goal would be to create one CIP list and not have competing information when looking at funding.

- The City is working to update the process to consider objective criteria, and risk analysis. Regulatory compliance and health and safety issues will be part of the assessment.
- One list to put to the legislature shows the City and DSCD work proactively together.
- DSCD uses a format that was created by the City, and has an extensive matrix.
- A formal policy has never been established. A consistent process that would include DSCD CIP information to be considered. This process to determine capital improvement vs. major maintenance, and track a CIP inventory list.
- Best practices to be researched and a recommendation to modify the current process and timelines will be submitted to the City Manager.
- Additionally the DSCD CIP list goes to the Department of Education.

f. Schedule Next Meeting

The City Clerk will poll the committee for availability the week of October 7th.

7. PUBLIC COMMENT/COMMITTEE COMMENTS

Chris Napoli:

- Noted the great job done keeping the school facilities maintained.
- Stated he has no problem with how the school uses the funds from the City.

Russell Nelson:

- Thanked the City for their support.

Patty Buholm:

- Inquired about tracking of projects and funding.

Jean Barrett:

- Commented that the difficulty experienced by the school regarding funding opportunities reflects how well they take care of the facilities.

Jason Johnson:

- Noted the tremendous job the school maintenance personnel do to keep the facility running at a high level.
- Stated the School Board also cares about the buildings. And thanked them for the great job done in Juneau advocating for the school and the city.

Mayor Ruby:

- Over time the wish list is addressed and then taken off the list.
- Council reviews joint annual inspection reports, and watches that items are done timely.
- Thanked the school for doing a good job. Utilizing funds where and when as needed.

8. ADJOURNMENT

Mayor Ruby adjourned the meeting at 7:28 p.m.



Mayor Alice Ruby, Chair

ATTEST:



Lori Goodell, City Clerk

Approval Date: Oct 11, 2019

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1. CALL TO ORDER

The Code Review Committee met on Thursday, July 25, 2019, in the City Council Chambers, Dillingham, AK. Council Member Chris Maines chaired the meeting and called the meeting to order at 5:30 p.m.

2. ROLL CALL

Committee Members present:

Mayor Alice Ruby	Chris Maines	Gregg Marxmiller
Lori Goodell	Tod Larson	Chris Napoli

3. APPROVAL OF MINUTES

- a. Minutes of January 31, 2019

MOTION: Alice Ruby moved and Chris Napoli seconded the motion to approve the minutes of January 31, 2019.

VOTE: The motion passed unanimously by voice vote.

4. APPROVAL OF AGENDA

MOTION: Gregg Marxmiller moved and Alice Ruby seconded the motion to approve the agenda.

VOTE: The motion passed unanimously by voice vote.

5. UNFINISHED BUSINESS

- a. Code Committee's To Do List

There have been no updates to the list.

6. NEW BUSINESS

- a. Willow Tree Inn Liquor License Transfer

MOTION: Gregg Marxmiller moved and Chris Napoli seconded the motion to recommend council take no action regarding the Willow Tree Inn liquor license transfer.

- There is no reason to protest.
- The new owners are responsible business owners.
- There is a slight concern as the new owners would have a 'monopoly' in town.

VOTE: The motion passed unanimously by voice vote.

- b. J & R Green Farm Marijuana Cultivation Facility License Renewal

MOTION: Chris Napoli moved and Gregg Marxmiller seconded the motion to recommend that council take no action regarding J & R Green Farm marijuana cultivation facility license renewal.

- It was noted there is no reason to protest.
- The business is said to be looking to do two shipments a year and has a buyer secured.

QUESTION called, no objections.

VOTE: The motion passed unanimously by voice vote.

7. PUBLIC COMMENT/COMMITTEE COMMENTS

Alice Ruby: verified status of Windmill Grille liquor license. Noted Senator Dan Sullivan will be in Dillingham and would like the City do a tour of the harbor with him.

Gregg Marxmiller: noted BBNA is conducting a training on undoing racism. The AMCO licensing process was reviewed.

Chris Maines: thanked the committee for their attendance. It was noted a trip to the harbor ramps was insightful; they were precarious and slippery.

The next meeting was set for September 12, 2019.

8. ADJOURNMENT

The meeting adjourned at 5:53 p.m.



 Chris Napoli, Chair

ATTEST:



 Lori Goodell, City Clerk

Approval Date: Sept. 12, 2019

1. CALL TO ORDER

The Finance and Budget Committee met on Monday, August 19, 2019, in the City Council Chambers, Dillingham, AK. Andy Anderson called the meeting to order at 5:33 p.m.

2. ROLL CALL

Committee Members present:

Andy Anderson
Aksel Buholm

Tod Larson
Anita Fuller

Alice Ruby
Curt Armstrong

3. APPROVAL OF MINUTES

- a. Minutes of March 18, 2019

MOTION: Alice Ruby moved and Aksel Buholm seconded the motion to approve the minutes of March 18, 2019.

VOTE: The motion passed unanimously by voice vote.

4. APPROVAL OF AGENDA

MOTION: Alice Ruby moved and Aksel Buholm seconded the motion to approve the agenda.

VOTE: The motion passed unanimously by voice vote.

5. STAFF REPORTS

- a. Financial Report
- June 2019 financial report was reviewed.
 - Auditors will be coming in October for FY19.
 - Collection efforts are showing good results.
 - Preliminary FY20 revenue / expenditures compared to FY19.
 - Reports for grants and investments to be included in the future.

6. UNFINISHED BUSINESS

There was no unfinished business.

7. NEW BUSINESS

- a. Harbor Cleanup, and Budget Status Update
- Bingman harbor property bid items list was distributed.
 - The project has experienced equipment breakdowns.
 - An area for a woodpile has been identified. It will be posted on Facebook.
 - Environmental site assessment has been received.
 - Approximately \$29k has been spent in this endeavor.
- b. Direction of Sales Tax Revenue / Minor Breakdown
Sales tax was covered during staff reports.
- c. CIP Update / Budget Expenses (Flowchart)
- Aeration information for RFP is still six to eight week out. Project will be scheduled for next spring.
 - Budget process flowchart was reviewed. Inventories and replacement schedules to be considered.

- d. 2018 Audit Report
 - Close out items from prior years have been completed.
 - Information has been submitted to the auditors, with Sept. 19 being the target date of completion.
- e. 2019 Audit Status
 - Auditors coming October 28 and will be here for two weeks.
- f. Current and Proposed Debt Load
 - Loan and debt obligations reviewed, including anticipated payments.

8. PUBLIC/COMMITTEE COMMENT(S)

Diane Wetter: expressed appreciation for the information provided.

Alice Ruby: informed the committee that Chris Maines has resigned his seat on council.

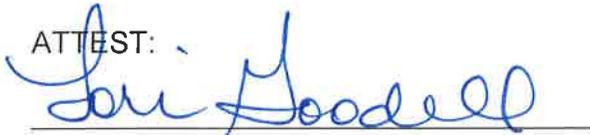
9. ADJOURNMENT

The meeting adjourned at 7:25 p.m.



Andy Anderson, Chair

ATTEST:



Lori Goodell, City Clerk

Approved:

Sept. 16, 2019

1. CALL TO ORDER

The Finance and Budget Committee met on Monday, September 16, 2019, in the City Council Chambers, Dillingham, AK. Andy Anderson called the meeting to order at 5:33 p.m.

2. ROLL CALL

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

Andy Anderson	Tod Larson	Alice Ruby
Aksel Buholm	Anita Fuller	

Curt Armstrong – Excused

3. APPROVAL OF MINUTES

- a. Minutes of August 19, 2019

MOTION: Alice Ruby moved and Aksel Buholm seconded the motion to approve the minutes of August 19, 2019.

VOTE: The motion passed unanimously by voice vote.

4. APPROVAL OF AGENDA

MOTION: Aksel Buholm moved and Alice Ruby seconded the motion to approve the agenda.

VOTE: The motion passed unanimously by voice vote.

5. STAFF REPORTS

- a. August Financial Report
 - Sales tax revenue is on target.
 - Real and Personal Property tax collection were reported on.
 - Jail contract reporting is completed.
 - Dock / harbor reporting is not complete due to lag in receiving invoicing.
 - Expenses are at 16% of target goal for this time of year.
 - Updating the report to reflect items requested by the committee was discussed.
 - Preliminary draft of the 2018 audit is expected this week.

6. UNFINISHED BUSINESS

- a. Harbor Cleanup, Work and Budget Status, Sale Results
 - Bingman property harbor sale was productive.
 - The harbor clean up budget was reviewed.
 - Items that can be removed will be taken to the landfill.
 - Hazardous materials have been isolated to one area.
- b. CIP Update / Budget Expenses
 - There were no questions and no update given.
 - An updated sheet of projects was requested for the next meeting.
- c. Online Sales Tax
 - Online sales tax revenue generates \$8,000 - \$10,000 a month.
 - Amazon submits a monthly remittance tax report.

- AML is working on a superstructure, with a target date of February 2020 to have the project completed.

7. NEW BUSINESS

- a. FY2020 Budget
 - Mid-year budget revision to be addressed subsequent to the state budget being finalized. A draft will be brought to the October Finance & Budget committee meeting.
 - A joint work session with the School Board could be scheduled to discuss budgeting issues.
- b. Financial Strategic Plan (this to be a standing item on the agenda)
 - Develop a plan and then roll out for FY2021.
 - A draft table of contents to be presented for approval / discussion purposes in October.
 - Limits to spending i.e.; percentages, could be considered.
- c. To Do List
 - Projects listed the Finance & Budget Committee are working on. Tracking and management of assignments and projects.
 - City Manager to create working list for October meeting discussion.
- d. Review of Extraordinary City Revenues, Expenditures (this item previously covered)
- e. Equipment and Facilities Inventory / Current Use and Condition Status
 - City Manager is working on compiling this inventory. List requested to be available for the 2021 budget cycle.
 - Public Works Director, Luke Moody, is still scheduled to come to Dillingham.
 - Plan needs to be part of SOP or Code so it does not become lost during times of transition.

8. PUBLIC/COMMITTEE COMMENT(S)

Anita Fuller: looks forward to having positive, trackable plans.

Alice Ruby: noted Representative Edgmon is willing to be part of a forum to apprise the public on the status of the State.

9. ADJOURNMENT

The meeting adjourned at 7:18 p.m.


 Andy Anderson, Chair

ATTEST:



Lori Goodell, City Clerk

Approved: Oct. 21, 2019

1. CALL TO ORDER

The Finance and Budget Committee met on Monday, October 21, 2019, in the City Council Chambers, Dillingham, AK. Andy Anderson called the meeting to order at 5:30 p.m.

2. ROLL CALL

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

Andy Anderson	Tod Larson
Alice Ruby	Anita Fuller

Curt Armstrong – Excused
Aksel Buholm – Absent

3. APPROVAL OF MINUTES

- a. Minutes of September 16, 2019

MOTION: Alice Ruby moved and Anita Fuller seconded the motion to approve the minutes of September 16, 2019.

VOTE: The motion passed unanimously by voice vote.

4. APPROVAL OF AGENDA

MOTION: Anita Fuller moved and Tod Larson seconded the motion to add to the agenda a review of the calendar 2020 health insurance proposal under new business.

VOTE: The motion passed unanimously by voice vote.

5. STAFF REPORTS

- a. September Financial Report
- FY18 Audit final report has been received. This will be on the November City Council meeting agenda, with a workshop prior to the meeting.
 - Month to date column has been removed. Direct comparison YTD is being utilized. Current year uncollected revenues has been added.
 - September report; Revenues less than 15% are highlighted, indicating they are behind. Numbers over 35% are in grayscale indicating they are ahead.
 - Total revenues / total expenses by month was requested in future reports.
 - There will be a general fund budget, and a capital projects budget presented separately.
 - Timing for FY2021 budgeting components was discussed, and incorporating a two year schedule. Updates to fee schedules etc. to be distributed over time as staffing limitations allow.

6. UNFINISHED BUSINESS

- a. CIP Update
- Waste Water Treatment Relocation Study – public meeting 10/22 at 5 p.m.
- b. To Do List
- Draft list presented for consideration. City Manager to work on proposed completion timelines.

- c. Financial Strategic Plan
 - A table of contents was presented.
 - Data analysis is integral to this process.
 - Reliable information for a sound foundation is critical. An informational baseline to be clarified. Software training and updates to be considered.
 - IT plan can be finalized and used as the starting point.
 - Staffing needs to be evaluated.

7. NEW BUSINESS

- a. FY2020 Budget
 - This item will be postponed to the next committee meeting.
- b. Calendar 2020 Health Insurance
 - The health insurance quote was reviewed. Two options were included; a three percent increase, or raising the deductible.

A Finance & Budget Committee meeting has been scheduled for Thursday, Oct. 24, 2019, with a second date of Oct. 30, 2019 if needed.

8. PUBLIC/COMMITTEE COMMENT(S)

There were no public or committee comments.

9. ADJOURNMENT

The meeting adjourned at 8:21 p.m.

Andy Anderson, Chair

ATTEST:

Lori Goodell, City Clerk

Approved: Oct 30, 2019

CITY OF DILLINGHAM, ALASKA

ORDINANCE NO. 2019-05

AN ORDINANCE OF THE DILLINGHAM CITY COUNCIL MODIFYING THE LAND USE RESTRICTION ON A PORTION OF BLOCK 5, U.S. SURVEY 2732, DILLINGHAM TOWNSITE

WHEREAS, Ordinance 98-14 authorized the disposal of a portion of Block 5, U.S. Survey 2732 (“the Property”) to the Curyung Tribal Council (“Curyung”) for the public purpose of constructing and operating an Assisted Living Facility, known as Marrulut Enit Assisted Living (MEAL); and

WHEREAS, after adoption of Ordinance 98-14 the City conveyed the Property to Curyung by Quitclaim Deed; and

WHEREAS, the deed contained a restrictive covenant requiring the Property to be used for the public purpose of constructing and operating an assisted living facility (“the Restrictive Covenant”); and

WHEREAS, Curyung conveyed the Property to MEAL via a deed containing the Restrictive Covenant; and

WHEREAS, funding for MEAL is no longer sufficient to use the Property as an assisted living facility; and

WHEREAS, residents in the facility were relocated and the building on the Property was vacated in August of 2019; and

WHEREAS, MEAL Board of Directors has submitted a formal request that the City amend the Restrictive Covenant to allow for senior low income housing as well as assisted living;

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE CITY OF DILLINGHAM:

Section 1. This is a non-code ordinance.

Section 2. Property to have restrictions amended. The disposed parcel to have restrictions, as applied in Ordinance 98-14, amended is defined as a Portion of Block 5, U.S. Survey 2732B, consisting of 48,804.64 square feet or 1.12 acres.

Section 3. Conditions and Legislative Findings.

1. The City of Dillingham City Council finds that modifying the Restrictive Covenant to allow the Property to be used for senior low income housing as well as assisted living is a benefit to the citizens of Dillingham and the immediate Nushagak region.

2. In the event that the property is no longer used for the specific purpose justifying the Restrictive Covenant as modified to include senior low income housing as well as assisted living, the title and structures thereon may revert to the City of Dillingham as provided for in D.M.C. 5.30.090.

3. The City will not be responsible for costs of alterations, or improvements at the facility.

Section 4. Public Notice. This ordinance is being introduced on October 10, 2019 and a public hearing will be held at least thirty days hence, on or after November 9, 2019.

Section 5. Authorization to Modify Restrictive Covenant. The mayor and city manager are hereby authorized to prepare, sign and record any and all additional documents necessary to modify the Restrictive Covenant to allow the Property to be used for senior low income housing as well as assisted living.

Section 6. Effective Date. This ordinance shall be effective upon adoption.

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

Alice Ruby, Mayor

ATTEST:

[SEAL]

Lori Goodell, City Clerk

From: Brooks Chandler [mailto:BChandler@bcfaklaw.com]
Sent: Wednesday, September 11, 2019 8:39 AM
To: City Manager <manager@dillinghamak.us>
Cc: Alice Ruby <alice.ruby@dillinghamak.us>
Subject: Re: draft MEAL letter

Greetings Tod:

The letter is sufficient to raise the issue for council consideration.

The letter has 2 alternative requests for modification of the original use restriction contained in the city ordinance authorizing the deed to the Tribe. One to modify the use restriction so as to limit use of the property for senior housing. The alternative requests an even less restrictive covenant to require the property to be used " for public purposes that promote the general welfare of the City and the Nushagak region". Regardless of what the City decides there will still be a use restriction imposed by AHFC as mentioned in our earlier memorandum. This use restriction mandates use of the property for low income senior housing and will continue until 2050.

2050 is a long ways away. It does not make sense IMO to grant the alternative "public purpose" request in 2019. Instead, once the AHFC covenant expires the City could evaluate use options at that time based on 2050 facts and circumstances. And DMC 5.30.080(A)(2) references "the public purpose justifying the disposal" as opposed to a more general "public purpose" which suggests this code section was not intended to authorize no bid property disposals just for a general public purpose. But this is partly a policy issue for Council determination.

Because the original covenant was required by a city ordinance, changing the covenant would need to be accomplished by non-code ordinance amending the earlier adopted ordinance. If the new ordinance was adopted the city would record a document titled "Modification of Restrictive Covenant" which would reference the ordinance and earlier recorded deed. As required by DMC 5.30.080(A)(3) a new waiver of sovereign immunity signed by the Curyung Tribe specific to the modified/new restrictive covenant would need to be obtained preferably before the ordinance was adopted.

Once the official request has been received it is best if it is discussed by the Council who then provides direction as to whether an ordinance should be prepared to change the use restriction and if so which of the alternative restrictions should be included in the ordinance. Alternatively two ordinances could be drafted and Council would select which of the ordinances to advance to public hearing. That approach would get the ball rolling one Council meeting sooner.

Let me know if you have any other questions about the MEAL request.

Brooks Chandler
Boyd, Chandler, Falconer & Munson LLP
911 W. 8th Ave.
Suite 302
Anchorage, AK
907-272-8401

Marrulut Eniit Assisted Living
P.O. Box 1405 Dillingham, Alaska 99576

September 18, 2019

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

First Chief Thomas Tilden
Curyung Tribal Council
P.O. Box 216
Dillingham, AK 99576

RE: MEAL Building

Honorable Mayor Ruby and First Chief Tilden:

On behalf of Marrulut Eniit Assisted Living (“MEAL”) and its Board of Directors, this letter asks the City to formally amend its original land disposition for the Marrulut Eniit Assisted Living home, to allow the facility to be used for senior low income housing, not only assisted living. This request is based on the closure of the assisted living facility and the need to find reasonable alternative uses of the building. Because Curyung Tribal Council was the original deed recipient, the Tribe is also a party to the proposed change. Below is a brief history of the original City land donation.

MEAL is a nonprofit corporation formed to develop and manage the assisted living facility known as “Grandma’s House.” Nineteen years ago, MEAL developed and began operating the facility with the support and funding of several local and state agencies. In 1999, the City of Dillingham donated a one acre site for the facility to Curyung Tribal Council. The City’s action was taken under D.M.C. 5.30.020 and City Ordinance 98-14, which approved the disposal of a portion of block 5, U.S. Survey 2732B, Dillingham Townsite. The stated purpose of the land donation was to support development of an assisted living facility. As stated in Ordinance 98-14, the City Council concluded that the donation of excess City land would benefit the public and promote an important public purpose, by providing public housing to Dillingham citizens and to the immediate Nushagak region. The City’s disposal ordinance was adopted on June 25, 1998, and the City conveyed the land to the Tribe in June 1999. The Tribe then conveyed the property to MEAL a few days later. The two successive conveyance deeds restrict use of the land to the purposes stated in the City’s disposition ordinance.

By early 2019, it became clear to MEAL’s Board that trying to keep running MEAL as an assisted living facility was financially unworkable. Over the last few years, MEAL has expended over \$500,000 in operational costs that MEAL doesn’t have. Although Medicaid provided a base of reliable funding for a percentage of residents, many other

residents developed high uncollectible accounts. Operating lawfully as an assisted living facility required staffing and extensive training to ensure compliance with state and federal laws, making the administration of Grandma's House both expensive and challenging. We have had wonderfully talented and committed staff and community contributions over the years, but their combined efforts could not alter MEAL's basic financial structure. With reluctance, we were forced to close the facility, giving notice to the state and all MEAL residents. We continue to explore options, but our options are severely limited by the strings imposed by the City and the Alaska Housing Finance Corporation (AHFC).

Our largest funding source for the assisted living facility came from AHFC's Senior Citizens Housing Development Fund Program (SCHDF). As a condition of the SCHDF grant, AHFC required MEAL to record and enforce a covenant that runs with the land, which requires the facility to be used for low-income seniors, for not less than 50 years from year 2000. Under AS 18.56.800, 15 AAC 010-15 AAC 154.080 and 15 AAC 154.100- 110, the covenant requires low income seniors to occupy the facility as follows:

- At least 10 SCHDF units must be low income, of which 8 must be very low income.
- A *senior household* is defined under 15 AAC 151.950 as containing one individual 60 years or older.
- Low income* is defined as 60 percent of median income;
- Very low income* is defined as 50 percent of median income.

In its effort to develop an appropriate public use of the facility, MEAL asked AHFC whether it would remove or modify these restrictions. AHFC refused, stating that modification would set a bad precedent. This means that for the next 31 years (the years left before February 1, 2050) the facility must be operated to primarily serve low-income seniors.

Notably, AHFC's covenant does *not* require the facility to operate as an assisted living program. It only requires that occupants be in a senior, low-income household. In contrast, the City's restriction requires the facility to be operated as an "assisted living" facility, but does not require residents to be low-income. In other words, the only string that requires MEAL to be operated as an assisted living facility is the City's disposition ordinance and the resulting deed restrictions.

MEAL believes it is possible for the facility to be operated as an elderly low-income complex. That is, the complex could be adapted to serve as low-income senior housing, in strict accordance with the AHFC covenant. Success is not guaranteed but we do believe that operating an elder low-income facility is more economically feasible than operating low-income assisted living. Although the income stream will be much smaller, the operating costs will also be much lower. Operational subsidy to run the complex will still be needed.

Accordingly, this is MEAL's formal request that the City amend the 1998-1999 disposition to permit the facility to be operated as senior housing. This broader designation would allow the facility to be operated for assisted living if that ever became feasible. We

believe that the amendment will ensure that the City's land donation will be used to serve a critical public purpose that will continue to benefit the City as well as the overall Nushagak area. For the next 31 years, the AHFC covenant requires that the facility be operated as senior *low-income* housing. If our request is approved by the City and the Tribe, then after 2050, the City's deed restriction would continue to require the facility to be used for elders, but without income limits or targets. That would give the program the flexibility to allow a resident income mix that might help defray the expected costs of maintaining a 50+ year old building. In any case, we anticipate that most applicants for senior housing after 2050 will primarily be from lower income households. And, depending on the source of available subsidies, additional restrictions may be imposed by agencies that fund operations.

Alternatively, the City could amend the original disposition to require the building be used for public purposes that promote the general welfare of the City and the Nushagak region. Although this purpose might seem broad at first, remember that for the next 31 years, AHFC's covenant limits the allowable land use to housing low-income seniors. After 2050, when the original cost of the building and the City's land donation have been fully earned, a broader "public/general welfare" purpose would allow the facility to meet other public needs appropriate at that point in the future: such as nonprofit education, social services, drug/alcohol treatment, homeless relief, primary health care, and similar public activities.

We are available to discuss this request at any time. Please let us know if you would like to discuss this request in a staff meeting, Council workshop or public meeting.

Thank you in advance for reviewing this request.

Sincerely,
On Behalf of the MEAL Board of Directors:



Chris Napoli, Board Chair

CITY OF DILLINGHAM

ORDINANCE 98-14

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
DILLINGHAM, ALASKA

APPROVAL OF DISPOSAL OF A PORTION OF BLOCK 5, U.S. SURVEY
2732B, DILLINGHAM TOWNSITE

WHEREAS, the Curyung Tribal Council has requested a donation of a parcel of City owned land for a new Assisted Living Facility that would be located on a portion of Block 5 of U.S. Survey 2732B; and

WHEREAS, D.M.C. 5.30.020 defines a procedure for disposal of city property; and

WHEREAS, D.M.C. 5.30.040 (D) provides for a grant or donation of City real property to a municipality, state or federal entity, nonprofit corporation or association, or a native village council, if the city council finds that the grant or dedication is beneficial to the public; and

WHEREAS, D.M.C. 5.30.080 (A) defines the requirements for disposing of property for public purposes; and

WHEREAS, The City of Dillingham Planning Commission approves, with any conditions, the Preliminary Plat of said parcel.

THEREFORE, BE IT ENACTED by the City Council of the City of Dillingham, Alaska that:

SECTION I. D.M.C. 5.30.020 PROCEDURES.

1. Finding. The Dillingham City Council finds that the property to be defined as a Portion of Block 5, U.S. Survey 2732B is no longer needed for municipal purposes. The property is being disposed of at less than the appraised value because it is determined to be in the public interest to assist the Curyung Tribal Council with the cost of its Assisted Living Facility by donating the land.
2. Statement of Facts. The property to be defined as a portion of Block 5, of U.S. Survey 2732B further described as: bordered to the East by Third Avenue East and Main Street with the boundary of Block 12 to the South and First Avenue East to the West; subject to a 60' road right of way for D street extension; the City Council has determined the above mentioned property to be no longer needed for municipal purposes because;
 - a) use of the property for a public housing project is an appropriate use of the land;

- b) There is a very limited amount of developable property in the vicinity outside of private land or native allotments which would make it difficult for Curyung Tribal Council to get the Assisted Living Facility funding from the State.
 - c) The property is being disposed of at less than appraised value because it is in the public interest to assist Curyung Tribal Council with the cost of development, so that the Assisted Living Facility can be constructed. The availability of public housing is a benefit to the citizens of Dillingham and the immediate Nushagak region.
3. Property Description. The parcel to be disposed will be defined as Portion of Block 5, U.S. Survey 2732B, consisting of 48,804.64 square feet or 1.12 acres. The precise location, bearing and distances of the lot monuments are indicated on the plat.
 4. Purpose and Type of Disposal. The disposal is for a public purpose to the Curyung Tribal Council.
 5. Method of Disposal. A donation in the public interest to the Curyung Tribal Council.
 6. Property Value. The property value is estimated at \$122,000.00, as determined by a letter of opinion dated June, 24 1998, from Appraised Company, the City contract appraisal company.
 7. Public Notice. This disposal ordinance is being introduced on May 21, 1998, and a public hearing will be held at least thirty days hence, on or after June 20, 1998 (date to be confirmed at time of introduction).

SECTION II. D.M.C. 5.30.080 (A). DISPOSAL FOR PUBLIC PURPOSES

1. The City of Dillingham City Council finds that this disposal to the Curyung Tribal Council promotes a public purpose because it is in the public interest to assist the Curyung Tribal Council with the cost of development, so that Assisted Living Facility can be constructed. The availability of affordable assisted care in the community is a benefit to the citizens of Dillingham and the immediate Nushagak region.
2. In the event that the property is no longer used for the specific purpose justifying the disposal, the title and structures there on will revert to the municipality as provided for in D.M.C. 5.30.090.
3. A waiver from the Curyung Tribal Council from any immunity from suit for the purpose of enforcing the reversion provision.

Conditions:

1. That title will not transfer from City to Curyung Tribal Council until proof is provided that full funding for the project has been obtained;

2. Curyung Tribal Council will follow Dillingham Municipal Code requirements for subdivision development as in title 17. Curyung Tribal Council agrees to bear any costs associated with compliance of DMC requirements with regards to the subdivision and replat of Block 5, U.S. Survey 2732B;
3. Choggiung Inc. provides the project with all of Lot 2 and a portion of Lot 3, Block 12, U.S. Survey 2732B as part of the project;
4. The City shall not be responsible for costs associated with off site public utility requirements of the project.
5. Development of the project will not impede Planning Commission plans for D Street extension. Development of the project shall include dedication of all needed easements for utilities and sidewalks. Assisted Living Project shall include sidewalks.
6. Dillingham City Council will be responsible for final approval of project to meet conditions of this ordinance.

SECTION III. CLASSIFICATION

This ordinance is not of a permanent nature and shall not be part of the Dillingham Code of Ordinances.

SECTION IV. 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 V. EFFECTIVE DATE

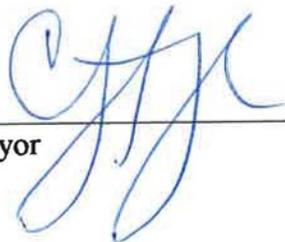
The effective date of this ordinance will be June 20, 1998.

Introduced May 21, 1998

Public Hearing June 4 + June 18, 1998

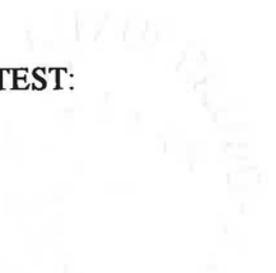
Adopted June 25, 1998

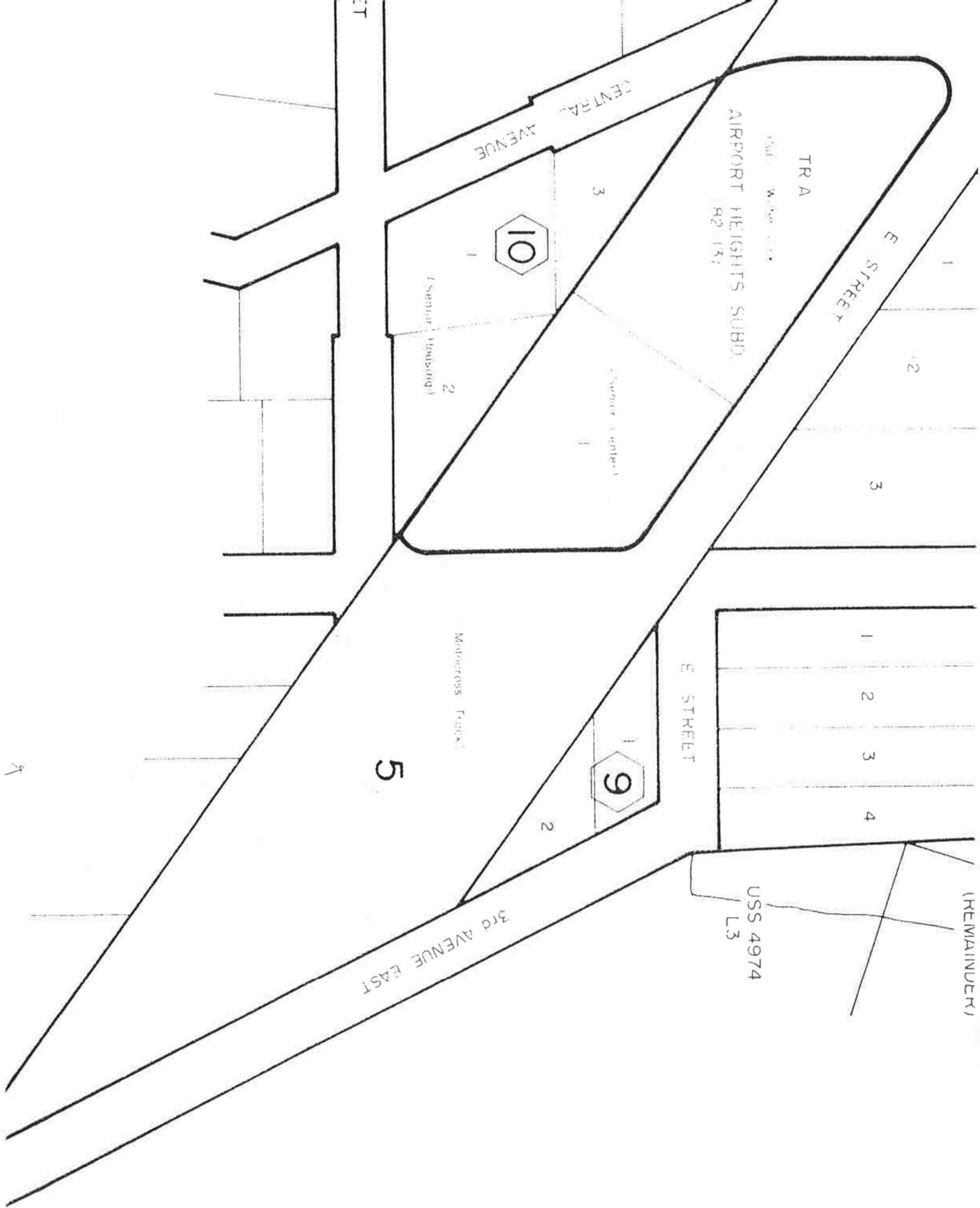
SEAL:



Mayor

ATTEST:


Sivian M. Braswell
City Clerk



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5.30.010 City rights and powers.

- A. The city may sell, exchange, grant, dedicate, donate or otherwise dispose of city real property by any lawful means, as long as it follows the requirements of this title.
- B. The city may dispose of real property when the city council finds that it is no longer needed for municipal purposes or the conveyance will promote a public purpose. The disposal ordinance which approves the disposal will include a statement of finding.
- C. All disposals will be conducted in a fair and impartial manner. The city will have and may exercise all rights and powers in the disposal of real property as if the city were a private person.
- D. Any document which is required to carry out the land decisions of the city council will be signed by the mayor, and attested by the city clerk or notarized. Whenever possible, the form of conveyance will be reviewed by the city attorney.
- E. The city manager will furnish the city council with a summary which describes land title, the current city land inventory, and any anticipated problems which may occur in disposing the property. (Ord. 94-16 (part), 1995.)

5.30.020 Procedures.

- A. All disposals will be by ordinance. The ordinance will include:
1. Finding. A finding that the property is no longer needed for municipal purposes. If the property is being disposed at less than the appraised value, the reasons will be included in the finding.
 2. Statement of Facts. A statement of facts which supports the finding.
 3. Property Description. A legal description of the property.
 4. Purpose or Type of Disposal. A description of the type of disposal (for example public, or economic development).
 5. Method of Disposal. A description of the method of disposal (for example, auction, lottery, negotiated sale or donation).
 6. Property Value. A description of the appraised property value and how it is determined (for example, appraisal or a letter of opinion).
 7. Public Notice. A description of the time, place and specific steps which will be followed to conduct the disposal.
- B. The city council will describe the appraised value of property in the ordinance for the disposal. The value of the property will be appraised value as determined by an appraisal or a letter of opinion prepared by a qualified appraiser or assessor. The appraisal will have been made within one hundred eighty days prior to council action. (Ord. 94-16 (part), 1995.)

5.30.030 Public notice.

- A. At least thirty days is required between the time a disposal ordinance is introduced and the time that it is finally adopted by the city council. Once an ordinance is introduced, it will be posted at those places outlined in municipal code for thirty days and may serve as the only public notice of disposal. (Ord. 94-16 (part), 1995.)

5.30.040 Method of disposal.

The city may dispose of municipal land using one of the following methods:

- A. Sealed bid auction, with the property being sold to the qualified bidder who submits the highest sealed bid by the date and time specified in the notice and according to instructions to bidders. The minimum bid shall be the appraised value of the property as described in Section 5.30.020B, unless otherwise provided for in this title;

- B. Public outcry auction, with the property being sold at a public auction to the qualified bidder who makes the highest bid. The minimum bid shall be the appraised market value of the property as determined in Section 5.30.020B, unless otherwise provided for in this title;
- C. Negotiated sale or exchange. City land may be sold or exchanged by negotiation to a selected buyer or grantee if the city council determines that the sale or exchange is needed to protect or promote the public interest and the buyer or grantee has been selected without unfair discrimination among similarly situated persons;
- D. Grant or donation. The city council may grant or dedicate real property to a municipality, state or federal entity, nonprofit corporation or association, or a Native village council, without a public sale and for consideration agreed upon between the city and the grantee if the city council finds that the grant or dedication is beneficial to the public. (Ord. 94-16 (part), 1995.)

5.30.080 Types of disposals.

The disposals described in this section can be authorized by the city council for less than the appraised value of the real property and may be exempted by the city council from the disposal methods described in Section 5.30.040 A through C. The ordinance which authorizes the disposal must comply with all other sections of this title.

- A. Disposal for Public Purposes. The city council may dispose of real property to a municipality, state or federal entity, nonprofit corporation or association, or a Native village council, when the disposal is for a public purpose. This type of disposal is required to follow these requirements:
1. A finding that the disposal to the entity promotes a public purpose and a statement of facts supporting the finding;
 2. A condition that the title may revert to the municipality in the event that the property is no longer used for the public purpose justifying the disposal; and
 3. A waiver from the Native village council from any immunity from suit for the purpose of enforcing the reversion provision, if the disposal is to a Native village council.
- B. Disposal for Economic Development. The city council may dispose of real property or an interest in real property to any person or entity to promote local trade or industry. The following requirements must be included in the non-code ordinance:
1. A finding that the property or interest in property being disposed of will be used to further local trade or industry; and
 2. A condition that title will revert to the municipality in the event that the property is no longer used for the local trade or industry justifying the disposal.
- C. Disposal to Settle Claims of Equitable Interest. The city may convey property to a person or entity who has a valid claim of equitable interest in the property or in a substantial improvement located upon the property.
- D. Miscellaneous Disposals. The city council may settle disputed claims or litigation by authorizing disposal of real property or an interest in real property. (Ord. 94-16 (part), 1995.)

CITY OF DILLINGHAM, ALASKA

ORDINANCE NO. 2019-06

AN ORDINANCE OF THE DILLINGHAM CITY COUNCIL AMENDING THE BUDGET BY ADOPTING BUDGET AMENDMENT NO.1 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 \$13,009,812.

Section 4. Revenues

General Fund

Net budget revision

Taxes

General Sales Taxes	2,800,000	+100,000
Alcohol Sales Taxes	300,000	+10,000
Transient Lodging Sales Taxes	95,000	
Gaming Sales Tax	75,000	
Tobacco Tax	280,000	+60,000
Real Property Taxes	2,100,000	
Personal Property Taxes	520,000	-10,000
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	28,000	+8,000
Community Assistance	108,732	+1,732
Payment in Lieu Taxes (PILT)	466,164	+16,164
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	251,100	+91,000

Total General Fund Revenues

8,578,174 +276,896

Special Revenue & Other Funds Revenues		
Water	230,848	+14,026
Waste Water	426,552	-55,467
Landfill	270,377	+30,000
Port – Dock	771,620	
Port – Harbor	151,960	
E-911	78,000	
Senior Center	168,654	-10,200
Library Grants	84,599	
Debt Service	371,100	-371,100
Mary Carlson Estate Permanent Fund	3,000	
Total Special Revenue and Other	2,556,710	-392,741
TOTAL REVENUES		11,134,884

Section 5. Transfers

Transfers from General Fund to Other Funds		
Water	-0-	
Waste Water	-0-	
Landfill	395,351	-26,419
Senior Center	145,712	
Ambulance Reserve	60,000	
Equipment Replacement	-0-	
Capital Project (Planning)	291,200	
Debt Service School Bond	689,450	+371,100
Debt Service Firehall Bond	42,673	
Debt Service Streets Bond	238,594	
Total Transfers from Gen. Fund	1,862,980	+344,681

Transfers from Dock Fund to Harbor Funds		
Harbor Operations	53,498	
Ice Machine	2,800	
Bathhouse	13,300	
Total Transfers from Dock Fund	69,598	

Transfers from Department to Department		
From E-911 to Dispatch	51,000	
From Carlson Estate to Library	4,000	
Total Transfers from Dock Fund	55,000	
TOTAL TRANSFERS		1,987,578

TOTAL REVENUE AND TRANSFERS		13,122,462
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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	186,890	+66,078
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	
PS PSEA (will allocate across PS)	67,428	+67,428
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	1,518,299	
Transfer to Equipment/Capital		
Reserves Fund	-0-	
Total General Fund Appropriations:	8,708,524	+133,506

Special Revenue & Other Funds Appropriations

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	
Total Special Revenue & Other Appropriations	4,301,288	
TOTAL APPROPRIATIONS		<u>13,009,812</u>

Total Revenues and Transfers	\$ 13,122,462
Total Appropriations	<u>\$ 13,009,812</u>
Net Increase (Decrease) to Fund Balances	\$ 112,650

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

PASSED and ADOPTED by a duly constituted quorum of the Dillingham City Council on December 5, 2019.

SEAL

Alice Ruby, Mayor

ATTEST:

Lori Goodell, City Clerk

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