

**Regular Meeting**  
**Tuesday, October 24, 2023**  
**6:00 p.m.**



**Unalaska City Hall**  
**Council Chambers**  
**43 Raven Way**

**Council Members**  
Thomas D. Bell  
Darin Nicholson  
Daneen Looby

**Council Members**  
Anthony Longo  
Alejandro R. Tungul  
Shari Coleman

*To Provide a Sustainable Quality of Life  
Through Excellent Stewardship of Government*

## **UNALASKA CITY COUNCIL**

P. O. Box 610 • Unalaska, Alaska 99685  
Tel (907) 581-1251 • Fax (907) 581-1417 • [www.ci.unalaska.ak.us](http://www.ci.unalaska.ak.us)

**Mayor:** Vincent M. Tutiakoff, Sr. **City Manager:** William Homka  
**City Clerk:** Estkarlen P. Magdaong, [emagdaong@ci.unalaska.ak.us](mailto:emagdaong@ci.unalaska.ak.us)

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### **COUNCIL MEETING ATTENDANCE**

The community is encouraged to attend meetings of the City Council:

- In person at City Hall
- Online via ZOOM (link, meeting ID & password below)
- By telephone (toll and toll free numbers, meeting ID & password below)
- Listen on KUCB TV Channel 8 or Radio Station 89.7

### **PUBLIC COMMENT**

The Mayor and City Council value and encourage community input at meetings of the City Council. There is a time limit of 3 minutes per person, per topic. Options for public comment:

- In person
- By telephone or ZOOM - notify the City Clerk if you'd like to provide comment using ZOOM features (chat message or raise your hand); or \*9 by telephone to raise your hand; or you may notify the City Clerk during regular business hours in advance of the meeting
- Written comment is accepted up to one hour before the meeting begins by email, regular mail, fax or hand delivery to the City Clerk, and will be read during the meeting; include your name

**ZOOM MEETING LINK:** <https://us02web.zoom.us/j/83246795029>

**Meeting ID:** 832 4679 5029 / **Passcode:** 630155

**TELEPHONE: Meeting ID:** 832 4679 5029 / **Passcode:** 630155

Toll Free numbers: (833) 548-0276; or (833) 548-0282; or (877) 853-5247; or (888) 788-0099

Non Toll-Free numbers: (253) 215-8782; or (346) 248-7799; or (669) 900-9128

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## **AGENDA**

1. **Call to order**
2. **Roll call**
3. **Pledge of Allegiance**
4. **Recognition of Visitors**
5. **Oath of Office:** Council Seat CC-E Anthony Longo
6. [Appointment of Vice Mayor](#)
7. **Mayoral Proclamation:** [November 1, 2023 as Extra Mile Day](#)

8. **Adoption of Agenda**
9. **Approve Minutes of Previous Meeting:** [October 10, 2023](#)
10. [City Manager Report](#)
11. **Community Input & Announcements** *Members of the public may provide information to council or make announcements of interest to the community. Three-minute time limit per person.*
12. **Public Comment on Agenda Items** *Time for members of the public to provide information to Council regarding items on the agenda. Alternatively, members of the public may speak when the issue comes up on the regular agenda by signing up with the City Clerk. Three-minute time limit per person.*
13. **Work Session** *Work sessions are for planning purposes, or studying and discussing issues before the Council.*
  - a. [New Year's Eve exception to operating hours for bars and restaurants serving alcohol by the drink](#)
14. **Regular Agenda** *Persons wishing to speak on regular agenda items must sign up with the City Clerk. Three-minute time limit per person.*
  - a. [Resolution 2023-43](#) Supporting full funding for the State of Alaska Municipal Harbor Facility Grant Program in the Fiscal Year 2025 State Capital Budget in the amount of \$7,644,677
  - b. Travel approval
    - i. [Alaska Municipal League Winter Legislative Conference, December 6-8, 2023 Anchorage, AK](#)
    - ii. [Washington DC Lobbying Trip, December 11-13, 2023](#)
15. **Council Directives to City Manager**
16. **Community Input & Announcements** *Members of the public may provide information to council or make announcements of interest to the community. Three-minute time limit per person.*
17. **Adjournment**

**CITY OF UNALASKA**

P.O. BOX 610  
UNALASKA, ALASKA 99685-0610  
(907) 581-1251 FAX (907) 581-1417



**CITY OF UNALASKA  
OATH OF OFFICE**

I, Anthony Longo, do solemnly swear that I will honestly, faithfully and impartially perform the duties of a member of the City Council of the City of Unalaska in true accord with the Constitution of the United States of America, the laws of the State of Alaska, and the Code of Ordinances of the City of Unalaska.

I take this oath freely, without the least equivocation, mental reservation or self-evasion of mind whatsoever.

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Anthony Longo

SUBSCRIBED AND SWORN to before me this 24<sup>th</sup> day of October 2023.

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Estkarlen P. Magdaong  
City Clerk

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## MEMORANDUM TO COUNCIL

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To: Mayor and City Council Members  
From: Estkarlen P. Magdaong, City Clerk  
Date: October 24, 2023  
Re: Appointment of Vice Mayor

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UCO 2.08.050 provides for the appointment of a Vice Mayor each year at the first meeting following certification of the regular municipal election. Council certified election results on October 11.

The Vice Mayor serves a term of one year.

The relevant code section states:

**UCO § 2.08.050 VICE MAYOR AND MAYOR PRO TEM**

- (A) The City Council, at the first meeting immediately following certification of a regular municipal election, shall appoint, from among its members, a Vice Mayor. The Vice Mayor shall serve for a term of one year.
- (B) Should the office of Mayor become vacant, or if the Mayor is temporarily absent or disabled, or is unable to act, the Vice Mayor shall fulfill the duties of the Mayor until the Mayor resumes his or her official duties or until a new Mayor is qualified under this chapter.
- (C) Should the office of Mayor and Vice Mayor become vacant, or if the existing Mayor and Vice Mayor are temporarily absent or disabled, or are unable to act, the City Council may appoint, from among its members, a Mayor pro tem, to serve until the Mayor or Vice Mayor resumes his or her official duties or until a new Mayor is qualified under this chapter.
- (D) A member of the City Council shall not receive additional compensation for serving as Vice Mayor or Mayor pro tem.

**PROPOSED MOTION:** I move to appoint \_\_\_\_\_ as Vice Mayor.



# PROCLAMATION

## Declaring November 1, 2023 *Extra Mile Day* in Unalaska

WHEREAS, Unalaska, Alaska, is a community which acknowledges that a special vibrancy exists within the entire community when its individual citizens collectively “go the extra mile” in personal effort, volunteerism and service; and

WHEREAS, Unalaska, Alaska, is a community which encourages its citizens to maximize their personal contributions to the community by giving of themselves wholeheartedly and with total effort, commitment and conviction to their individual ambitions, family, friends and community; and

WHEREAS, Unalaska, Alaska, is a community which chooses to shine a light on and celebrate individuals and organizations within its community who “go the extra mile” in order to make a difference and lift up fellow community members; and

WHEREAS, Unalaska, Alaska, acknowledges the mission of Extra Mile America to create more than 550 Extra Mile cities in America and is proud to support “Extra Mile Day” on November 1, 2023.

NOW THEREFORE, as the Mayor of Unalaska, Alaska, I do hereby proclaim November 1, 2023, to be Extra Mile Day. I urge each individual in the community to take time on this day to not only “go the extra mile” in his or her own life, but to also acknowledge all those who are inspirational in their efforts and commitment to make their organizations, families, community, country and world a better place.

SO PROCLAIMED on October 24, 2023.

\_\_\_\_\_  
Vincent M. Tutiakoff, Sr.  
Mayor

Attest:

\_\_\_\_\_  
Estkarlen P. Magdaong  
City Clerk

**Regular Meeting**  
**Tuesday, October 10, 2023**  
**6:00 p.m.**



**Unalaska City Hall**  
**Council Chambers**  
**43 Raven Way**

**Council Members**  
Thomas D. Bell  
Darin Nicholson  
Daneen Looby

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## **MINUTES**

1. **Call to order.** Vice Mayor Robinson called the regular meeting of the Unalaska City Council to order on October 10, 2023 at 6:01 p.m.
2. **Roll call.** City Clerk called the roll. Council members Bell, Robinson, Looby and Coleman were present in person while Nicholson participated remotely. Council member Tungul and Mayor Tutiakoff were absent, but excused.
3. **Pledge of Allegiance.** Robinson led the Pledge of Allegiance.  
  
Robinson read the City's Mission Statement: *To provide a sustainable quality of life through excellent stewardship of government.*
4. **Recognition of Visitors.** The Vice Mayor acknowledged the presence of Kim Hankins, Chief of Police; Patricia Soule, Finance Director; and Anthony Longo, Council Member-Elect.
5. **Awards and Presentations.** Vice Mayor acknowledged the 15-year employment anniversary of Marichu Miller from the Power House Division at the Department of Utilities. The Vice Mayor also presented Ms. Miller with an anniversary plaque and pin.  
  
Vice Mayor also acknowledged the 25-year employee anniversary of Timothy Mahoney from the Department of Ports and Harbors. Vice Mayor also presented Mr. Mahoney with an anniversary plaque and pin.
6. **Proclamation.** The Vice Mayor proclaimed October 2023 as Domestic Violence Awareness Month. Karen Kresh, Chair of the Board of Directors of Unalaskans Against Sexual Assault and Family Violence (USAFV), made a presentation to Council.
7. **Oath of Office.** The City Clerk administered the Oath of Office to Police Chief Kim Hankins.
8. **Adoption of Agenda.** Coleman moved to adopt the agenda with second by Looby. There being no objection, motion adopted by consensus.
9. **Approve Minutes of Previous Meeting.** Coleman moved to approve the proposed minutes of the council meeting held September 26, 2023, as presented, with second by Bell. There being no objection, the minutes were approved by consensus.
10. **City Manager Report.** The written report was included in the packet and the only additional information that Acting City Manager relayed was City Manager Homka will be back on Tuesday, October 17<sup>th</sup>. No questions from Council.
11. **Community Input & Announcements** were given as follows:
  - a. C4C or Community for Community formerly called Community Action Group, which is working to reduce negative impacts of substance misuse in Unalaska, will have meetings every second Monday of the month at 5:00 p.m. in the Unalaska Public Library.
  - b. M. Lynn Crane of USAFV provided a report of attendees for their past events and activities. Ms. Crane mentioned future events such as: screening of documentary "Home Truth" at the Library Community Room on Tuesday, October 17<sup>th</sup> at 6 pm; Winter raffle will start on November 1<sup>st</sup>; OptimEra's Christmas for the Kids program; USAFV will be distributing holiday food boxes for Thanksgiving, Christmas & Russian Christmas. Lastly,



USAFV needs to increase the pool of volunteer crisis line advocates and paid overnight shelter advocates.

- c. Albert Burnham, representing PCR, mentioned various events happening this month: Pumpkin Plunge at the pool on Friday, October 20<sup>th</sup>; Mutant Toy Workshop at the Library on October 25<sup>th</sup>; Halloween event on October 31<sup>st</sup> from 5:30 pm until 7:30 pm at the Community Center Gym; and Costume contest at the Library from 5:00-6:00 pm.
- d. Dennis Robinson read his comments regarding the recently held municipal election.
- e. City Clerk made announcements about the due dates for Property Taxes, Sales Tax Report and Tobacco Excise Tax Reports. City Clerk reminded about the Runoff Election happening on Monday, October 30, 2023.

**12. Public Comment on Agenda Items.** None.

- 13. Public Hearing.** Vice Mayor opened the public hearing for Ordinance 2023-10 Creating Budget Amendment #1 to the Fiscal Year 2024 Budget, appropriating \$252,224 from the General Fund to create the Emergency Cliff Face Stabilization on Ballyhoo Road Project; recognizing Local Support Revenue of \$13,090.59 in the General Fund and increasing the PCR Operating Budget by \$13,090.59 for the Senior Exercise Program; and accepting State of Alaska Department of Health HEC Grant for \$78,500 to fund EMS equipment upgrades and data sharing capabilities with the IFHS clinic

There being no testimony, the public hearing was closed.

- 14. Work Session.** Looby made a motion to go into work session, with a second by Coleman. There being no objection, Council moved into Work Session at 6:37 p.m.

BDO USA, the audit firm contracted by the City, presented the FY22 Annual Comprehensive Financial Report (ACFR) and answered Council questions.

Coleman moved to return to regular session, with a second by Robinson. There being no objection, Council reconvened to Regular Session at 7:14 p.m.

**15. Regular Agenda.**

- a. Ordinance 2023-10: 2<sup>nd</sup> Reading, Creating Budget Amendment #1 to the Fiscal Year 2024 Budget, appropriating \$252,224 from the General Fund to create the Emergency Cliff Face Stabilization on Ballyhoo Road Project; recognizing Local Support Revenue of \$13,090.59 in the General Fund and increasing the PCR Operating Budget by \$13,090.59 for the Senior Exercise Program; and accepting State of Alaska Department of Health HEC Grant for \$78,500 to fund EMS equipment upgrades and data sharing capabilities with the IFHS clinic

Bell made a motion to adopt Ordinance 2023-10; with a second by Looby.

Acting City Manager provided an overview of the ordinance and answered Council questions.

Council discussion.

Roll call vote: Robinson – yes; Coleman – yes; Looby – yes; Bell – yes; Nicholson – yes

Motion passed 5-0

- b. Resolution 2023-39: Authorizing the City Manager to enter into an agreement with R&M Consultants, Inc. for Assessment Services for the Emergency Cliff Face Stabilization Ballyhoo Road Project in the amount of \$47,606

Coleman made a motion to adopt Resolution 2023-39; with a second by Looby.

Acting City Manager provided an overview of both Resolutions 2023-39 and Resolution 2023-40.

Council discussion.

Roll call vote: Bell – yes; Looby – yes; Nicholson – yes; Robinson – yes; Coleman – yes

Motion passed 5-0

- c. Resolution 2023-40: Authorizing the City Manager to enter into an agreement with Southeast Roadbuilders for Rock Stabilization Services for the Emergency Cliff Face Stabilization Ballyhoo Road Project in the amount of \$197,418

Looby made a motion to adopt Resolution 2023-40; with a second by Coleman.

There was no question or comment from the Council or the public.

Roll call vote: Looby – yes; Bell – yes; Nicholson – yes; Robinson – yes; Coleman – yes

Motion passed 5-0

- d. Certification of Election Results

Looby made a motion to approve the Certification of the Election Results, as presented by the Canvass Committee, with a second by Coleman.

Acting City Manager provided an overview of the canvass report and the election results.

Hearing no question or comment from the Council and the public, Vice Mayor asked for a roll call vote.

Roll call vote: Coleman – yes; Bell – yes; Looby – yes; Nicholson – yes; Robinson – yes

Motion passed 5-0

- e. Resolution 2023-41: Appointing Judges and Clerks for the Run-off Election on October 30, 2023 and Judges to serve on the Canvass Committee

Coleman made a motion to adopt Resolution 2023-41; with a second by Looby.

Acting City Manager provided an overview of the resolution.

There was no question or comment from the Council or the public.

Roll call vote: Looby – yes; Coleman – yes; Nicholson – yes; Robinson – yes; Bell – yes

Motion passed 5-0

**16. Council Directives to City Manager.** None.

**17. Community Input & Announcements.**

- City Clerk read into record the written comment by Jim Paulin via Zoom chat.
- Council Member Bell thanked Vice Mayor Robinson for his many years of service and dedication to the City of Unalaska.

**18. Adjournment.** Having completed all items on the agenda, Vice Mayor adjourned the meeting at 7:42 p.m.

These minutes were approved by the City Council on October 24, 2023.

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Estkarlen P. Magdaong  
City Clerk



## CITY MANAGER’S REPORT

TO: Mayor Tutiakoff and City Council Members  
 FROM: William Homka, City Manager  
 DATE: October 24, 2023

- Dutch Harbor Cannabis Update:** Dutch Harbor Cannabis has been approved by the State Fire Marshal for their building. They have also paid their fees and utility construction deposits. Therefore, the building permit has been issued.
- Visit from JBER, NORAD, USCG:** The Unalaska Tri-Lateral Group has arranged for a short visit from members representing the U.S. Coast Guard, Joint Base Elmendorf Richardson and the North American Aerospace Defense Command for October 25, 2023. The purpose of the visit is for the new Alaskan commander, General Nahome and staff, and the Coast Guard to meet with communities across the state that are strategically located and have a Coast Guard presence. The Coast Guard and U.S. Navy are users of our port and these meetings underscore the importance of our port and the community. Also, recent Russian and Chinese aggressive presence in the region will be discussed along with the importance of protecting U.S. fisheries in the Bering Sea. The tentative schedule is:

10:30 am	Land at Unalaska Airport; walk to WWII Museum
10:30 am	Discussion; lunch provided by Ounalashka Corporation
	Self-guided tour through WWII Museum
12:30 pm	Community tour: City Hall, Memorial Park, Captain’s Bay
1:30 pm	Final discussion at Qawalangin Tribe office
2:15 pm	Airport for departure

- Staffing Update:** As of October 18, the current number of open positions by department are:

Department	Openings	Detail
Administration	1	HR Manager
DPS	4	Sergeant, Police Officer (2), Corrections Officer
Fire/EMS	0	
DPU	9	Director, Electrical Eng. Tech (offer pending), 2 Lineman, Lineman Chief, Water Supervisor, 2 Water Operators & Solid Waste Operator
DPW	3	City Engineer, Light Equipment Mechanic, Installation Maintenance Worker
Finance	1	Controller
PCR	4	3 Lifeguards, Recreation Program Coordinator
Planning	2	Administrative Assistant, GIS Administrator
Ports	1	Billing and Scheduling Clerk

- Utility Director search:** We’ve engaged the assistance of Baker Tilly & Associates to recruit viable candidates for the recently vacated position. The initiative has just begun and the company is gathering the requisite information to launch the search.

- **Optimera/Linemen Contract:** Bil is working with Optimera to shore up coverage of Unalaska's linemen needs at the Department of Public Utilities. Currently Optimera is under a one year contract that cost over \$1M and the contract is set to expire this month. The city still needs Optimera's services to maintain the distribution system integrity. Optimera desires a longer term contract due to difficulty in sourcing candidates due to the the short, one year contract period.

The administration is preparing an RFP for this service in accordance with the City's procurement policies. However the RFP should include an assessment, analyzing why the City is in the position it is currently, along with options and recommendations to rebuild the linemen division. In November Bil plans to present the one year contract extension to Council. The RFP and assessment will be discussed at a future work session with Council sometime in January or February.

- **Community Extra Mile Awards:** This award is presented to citizens within the community who have gone the extra mile to assist with a city function, event, or specific incident. Nominations for this award can be made by any member of the City's Supervisory and Management Staff or by a City Council Member or the Mayor. Mayor and Council are encouraged to make nominations as they see fit.
- **LEPC:** LEPC membership guidelines require participation by local elected officials. It would be great to have a City Council member or the Mayor sign up as a regular member and another elected official sign up as an alternate. The plan is for quarterly meetings and the first meeting was held in July. Sign-up can be accomplished at this link: <https://form.jotform.com/231555985072059>

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## MEMORANDUM TO COUNCIL

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To: Mayor and City Council Members  
From: Marjie Veeder, Assistant City Manager  
Through: William Homka, City Manager  
Date: October 24, 2023  
Re: New Year's Eve exception to operating hours for bars and restaurants serving alcohol by the drink

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**SUMMARY:** New Year's Eve 2023 is Sunday, December 31, 2023. Unalaska's Code of Ordinances at § 9.20.020(B) dictates that restaurants and bars licensed to dispense alcoholic beverages by the drink may lawfully do so on Sunday between noon and 10 p.m. Council Member Looby, who owns the Norwegian Rat Saloon, inquired whether it was possible to have a one-day exception to code to allow licensed premises to remain open past 10 p.m. on New Year's Eve, presumably because it is common for celebrations of New Year's Eve continue well past 10 p.m. This memo is informational to aid in Council's discussion and decision whether to take action on this request.

**PREVIOUS COUNCIL ACTION & BACKGROUND:** Unalaska's Code of Ordinances presently states:

**§ 9.20.020 CLOSING HOURS FOR LICENSED PREMISES.**

(A) It shall be lawful to dispense alcoholic beverages in the city by a premises licensed under authority of the State of Alaska Alcoholic Beverage Control Board as follows:

- (1) Monday 8:00 a.m. through Tuesday 2:00 a.m.
- (2) Tuesday 8:00 a.m. through Wednesday 2:00 a.m.
- (3) Wednesday 8:00 a.m. through Thursday 2:00 a.m.
- (4) Thursday 8:00 a.m. through Friday 2:00 a.m.
- (5) Friday 8:00 a.m. through Saturday 3:00 a.m.
- (6) Saturday 8:00 a.m. through Sunday 3:00 a.m.

(B) Restaurants and bars with an existing license to dispense alcoholic beverages by the drink may lawfully do so on Sunday between the hours of 12:00 p.m. and 10:00 p.m.

(C) It shall be unlawful for any premises licensed under authority of the State of Alaska Alcoholic Beverage Control Board, licensee, agent or employee to dispense alcoholic beverages within the city during hours not authorized by this chapter.

**§ 9.20.025 OPERATING HOURS FOR LICENSED PREMISES.**

(A) Except as provided in this section, it shall be unlawful for a licensed premises to allow persons or customers who are not owners or employees to remain on the premises during hours when alcoholic beverages cannot be lawfully dispensed.

(B) Restaurants and bars with an existing license to dispense alcoholic beverages by the drink may lawfully allow persons or customers on premises for food and non-alcoholic beverage service on Sundays from 8:00 a.m. until such hour as the licensed premises is authorized to dispense alcoholic beverages by § 9.20.020 unless the establishment is otherwise required to be closed by this chapter or any other law.

This section of code was most recently amended in 2015 with Ordinance 2015-25, adopted on December 22, 2015. This amendment allowed bars that do not hold a “restaurant designation” liquor license to open at 8 a.m. on Sundays to serve food and non-alcoholic beverages.

Before 2015, this section of code was last amended in 2003 with Ordinance 2003-01 adopted on February 25, 2003. This amendment set the present operating hours of licensed premises; and also allowed liquor sales on Sundays from noon to 10 p.m., which were previously prohibited on Sundays, except “in good faith as an accompaniment to a meal.”

**DISCUSSION:** There are several issues that Council should consider in deciding whether to take action on this request.

1. **Value to the Community:** Would an exception to extend the hours for bars and restaurants to serve alcohol by the drink benefit the community as a whole, not just bar owners and their customers?
  - a. As noted above, New Year’s Eve celebrations typically continue well past 10 p.m., with a countdown to midnight ushering in the new calendar year.
  - b. Does the economic benefit to bar owners and the perceived benefit for customers wishing to purchase alcohol by the drink override any potential negative impacts and consequences of consuming alcoholic beverages?
2. **Conflict of Interest:** Administration takes no position on the potential or perceived conflict of interest, but in considering all angles, we must point out the conflict of interest ordinance contained in code due to Council Member Looby making the request and her ownership of a licensed premise. UCO 2.04.020 reads:

**§ 2.04.040 CONFLICT OF INTEREST.**

(A) A member of the City Council shall declare a substantial financial interest the member has in an official action and ask to be excused from a vote on the matter.

(B) The Mayor shall rule on a request by a member of the City Council to be excused from a vote.

(C) The decision of the Mayor on a request by a member of the City Council to be excused from a vote may be overridden by the majority vote of the City Council.

Additional details of the City's conflict of interest process, which should be considered, are at UCO 2.88.030 and 2.88.040.

3. **Applicable to all Licensed Premises, but not package stores:** If Council chooses to provide an exception to the operating hours, it will apply to all bars and restaurants dispensing alcohol by the drink, but will not affect package stores. The businesses licensed by the State of Alaska to dispense alcohol by the drink in Unalaska are:
  - a. Harbor View Bar & Grill
  - b. Grand Aleutian Hotel
  - c. Grand Aleutian Hotel – Chart Room
  - d. Airport Restaurant & Lounge
  - e. Harbor Sushi
  - f. Norwegian Rat Saloon
  - g. Amelia's Restaurant
  - h. San Diego Tacos to Go (not presently open and operating)
4. **Setting a Precedent:** If Council provides a "one-time" exception to the operating hours of licensed premises due to a holiday falling on a Sunday, Council may be asked to consider additional requests for exceptions in the future.
5. **Department of Public Safety:** It is anticipated that additional police officers will need to be scheduled, most likely incurring overtime, if a one-time exception to the operating hours of licensed premises is made.
6. **Fire/EMS Department:** The Fire Chief doesn't believe this potential change will impact the department's ability to respond to 911 calls.
7. **City Fireworks Display:** The City of Unalaska puts on a New Year's Eve fireworks display, which is scheduled to begin on Sunday, December 31, 2023, at 11:59 p.m.
  - a. Police and Fire personnel must be on hand for the fireworks display. Having bars open past 10 p.m. further increases the need for extra personnel on this date. Additional overtime for a short-staffed police department is almost a certainty.
  - b. It is conceivable that allowing bars to remain open past 10 p.m. will reduce viewership of the fireworks display.
8. **Liability to the City:** Liability to the City for a one-time exception to closing hours for bars and restaurants is not a huge concern, but in the interest of a robust conversation on why Council might consider such an action, it is worth mentioning. For example, if someone got hurt driving home from the bar, the city might be criticized for expanding the hours, but the risk of actual liability to the city isn't significant. Council could consider requiring bar owners to mitigate risk, such as hiring taxi cabs for patrons, but this would be difficult to administer and to enforce.

**ALTERNATIVES:** Council may choose:

1. To take no action.

2. To direct the City Manager to prepare a non-code ordinance with a one-day exception to code for New Year's Eve 2023, as requested by Council Member Looby.
3. Council may also consider a permanent change to code providing extended operating hours for licensed premises when a holiday falls on a Sunday.

**FINANCIAL IMPLICATIONS:**

1. The City will incur attorney fees in preparing a non-code Ordinance.
2. If the exception is approved, the Police Department must provide additional police coverage on the night in question, most likely incurring overtime pay for our short-staffed Police Department.
3. If the exception is granted and hours of alcohol sales are extended, establishments selling alcohol by the drink will likely see an increase in revenue.
4. City sales tax revenue on liquor sales will likely increase if the exception is granted, but this is not considered significant.

**LEGAL:** Staff discussed this issue with the City Attorney, and at the attorney's suggestion, topics such as the value to the community as a whole, conflict of interest, and liability are discussed above. The City Attorney indicated a non-code ordinance would be appropriate if Council decides to provide a one-time exception to operating hours for licensed premises.

**STAFF RECOMMENDATION:** This is a City Council decision, but with heavy consideration for the staff of our Police and Fire Departments, staff recommends taking no action.

**PROPOSED MOTION:** Not applicable unless Council wishes to issue a directive to the City Manager.

**CITY MANAGER COMMENTS:** I support staff's recommendation.



CITY OF UNALASKA  
UNALASKA, ALASKA

RESOLUTION 2023-43

A RESOLUTION OF THE UNALASKA CITY COUNCIL SUPPORTING FULL FUNDING FOR THE STATE OF ALASKA MUNICIPAL HARBOR FACILITY GRANT PROGRAM IN THE FISCAL YEAR 2025 STATE CAPITAL BUDGET IN THE AMOUNT OF \$7,644,677

WHEREAS, the majority of the public boat harbors in Alaska were constructed by the State during the 1960s and 1970s; and

WHEREAS, these harbor facilities represent critical transportation links and are the transportation hubs for waterfront commerce and economic development in Alaskan coastal communities; and

WHEREAS, the harbor facilities in Alaska are ports of refuge for ocean going vessels, and serve as essential transportation hubs to coastal Alaskan communities for supplies, trade in goods and services and connections to the world market for our exports and imports; and

WHEREAS, the State of Alaska over the past nearly 30 years has transferred ownership of most of these State-owned harbors, many of which were at or near the end of their service life at the time of transfer, to local municipalities; and

WHEREAS, the municipalities took over this important responsibility even though they knew that these same harbor facilities were in poor condition at the time of transfer due to the state's failure to keep up with deferred maintenance; and

WHEREAS, consequently, when local municipal harbormasters formulated their annual harbor facility budgets, they inherited a major financial burden that their local municipal governments could not afford; and

WHEREAS, in response to this financial burden, the Governor and the Alaska Legislature passed legislation in 2006, supported by the Alaska Association of Harbormasters and Port Administrators, to create the Municipal Harbor Facility Grant program (AS 29.60.800); and

WHEREAS, the Department of Transportation and Public Facilities utilizes a beneficial administrative process to review, score and rank applicants to the Municipal Harbor Facility Grant Program, since state funds may be limited; and

WHEREAS, for each harbor facility grant application, these municipalities have committed to invest 100% of the design and permitting costs and 50% of the construction cost; and

WHEREAS, the municipalities of the Sitka and Juneau have committed to contribute half of their project cost in local match funding for FY2025 towards harbor projects of significant importance locally as required in the Harbor Facility Grant Program; and

WHEREAS, completion of these harbor facility projects is dependent on the 50% match from the State of Alaska's Municipal Harbor Facility Grant Program; and

WHEREAS, during the last fifteen years the Municipal Harbor Facility Grant Program has only been fully funded twice; and

WHEREAS, a survey done by the Alaska Municipal League of Alaska's ports and harbors found that from the respondents, the backlog of projects necessary to repair and replace former State-owned harbors has increased to at least \$500,000,000; and

WHEREAS, given that Alaska is a maritime state and that our harbors are foundational to both our way of life and the economy of this great State it is in the public's best interest to maintain this critical infrastructure by using State, Local and Federal funds to recapitalize the crucial harbor moorage infrastructure statewide.

NOW THEREFORE BE IT RESOLVED that Unalaska City Council urges full funding by the Governor and the Alaska Legislature for the State of Alaska's Municipal Harbor Facility Grant Program in the FY 2025 State Capital Budget in order to ensure enhanced safety and economic prosperity among Alaskan coastal communities.

PASSED AND ADOPTED by a duly constituted quorum of the Unalaska City Council on October 24, 2023.

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Vincent M. Tutiakoff, Sr.  
Mayor

ATTEST:

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Estkarlen P. Magdaong  
City Clerk

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## MEMORANDUM TO COUNCIL

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To: Mayor and City Council Members  
From: Peggy McLaughlin, Port Director  
Through: Bil Homka, City Manager  
Date: October 24, 2023  
Re: Resolution 2023-43: A resolution supporting full funding from the State of Alaska for the Harbor Facility Grant Program in the FY25 State Capital Budget

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**SUMMARY:** This Resolution is a resolution of support. The Alaska Association of Harbormasters and Port Administrators (AAHPA) is soliciting support from the councils and assemblies of their municipal membership to accompany the AAHPA's request to the Alaska State Legislature to continue funding the Harbor Facilities Grant Program. This program is not only vital to provide necessary services to mariners, but also has a cascading benefit for the economy through construction services and also revenue streams for municipalities through harbor facility enhancements. This resolution, if passed, will become part of the packet of support provided to the Alaska State Legislature.

**PREVIOUS COUNCIL ACTION:** A Resolution of Support for the Harbor Facilities Grant Program is regularly requested from the City of Unalaska City Council.

**BACKGROUND:** In 2006, the State of Alaska established the Harbor Facility Grant Program to help fund the maintenance and replacement of aging harbor facilities, with an emphasis on facilities that were turned over to municipalities by the State.

**DISCUSSION:** The Harbor Facility Grant Program was established to support municipalities with repair, maintenance and replacement of aging harbor facilities. The harbor facilities that take priority are the facilities that were previously owned by the State of Alaska, but were turned over to municipalities. However, all harbor facilities are eligible to apply to this program.

This grant program represents no less than a 100% match to the State's contribution or 50% of the project and the municipality must fund all design and permitting, as well as uplands development. This program has been instrumental to the economic development of the State by providing safe and secure mooring locations for mariners that navigate in and around some 33,000 miles of coastline.

Unalaska benefited from this program in 2015 through the State contribution of \$1,570,000 for the replacement of the Discovery Float at Robert Storrs Harbor.

The Port has the potential opportunity to receive funding for this grant program in the future for the replacement and upgrades to Robert Storrs A and B Floats.

This program has allowed communities to build revenue streams through the development of harbor facilities which, without the State's contribution, would have been abandoned or demolished.

By passing this resolution, the City of Unalaska will be supporting not only the Harbor Facility Grant Program, but all other coastal communities that provide mariners, maritime industries and the State of Alaska with vital services.

The Alaska Association of Harbormasters and Port Administrators stands unified in seeking ongoing funding from the State of Alaska through this program, and we are asking our local councils and assemblies to support the Association in its endeavors to receive funding for this necessary infrastructure.

**ALTERNATIVES:**

- 1) Council could fully support Resolution 2023-43; or
- 2) Council could choose to not support Resolution 2023-43 as written; or
- 3) Council could offer up another Resolution.

**FINANCIAL IMPLICATIONS:** This Resolution implies no financial obligation to the City of Unalaska.

**LEGAL:** Not Applicable

**STAFF RECOMMENDATION:** Staff recommends approving this Resolution.

**PROPOSED MOTION:** I move to adopt Resolution 2023-43.

**CITY MANAGER COMMENTS:** I recommend approving this resolution as a show of support for the many necessary harbor improvement projects around the State, including those in Unalaska.

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## MEMORANDUM TO COUNCIL

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To: Mayor and City Council Members  
From: Michelle Price, Administrative Coordinator  
Through: William Homka, City Manager  
Date: October 24, 2023  
Re: Alaska Municipal League Winter Legislative Conference

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The AML 73 Annual Local Government Conference will be held at the Dena'ina Center in Anchorage, AK from December 4-8, 2023. In addition to the regular conference, they are offering virtual training for newly elected officials on November 29, 2023.

The event brings together more than 400 local municipal officials, including mayors, borough assembly and city council members, municipal managers, administrators, attorneys, and other appointed officials and municipal staff. Many state and federal officials attend, alongside Alaska's business leaders and community organizations.

**Estimated travel costs for one traveler are:**

Air Fare	\$	1,300.00
Lodging in Anchorage	\$	1,014.00
Vehicle Rental	-	
Registration	\$	550.00
Per Diem	\$	870.00
<b>TOTAL</b>	<b>\$</b>	<b>3,734.00</b>

The current balance in the fiscal year's travel budget is \$76,932.26, therefore there are sufficient funds to cover this expenditure.

The Council's Travel Policy states:

- no more than three Council Members may travel to the same meeting or conference;
- travel be conducted in the most direct and economic manner possible to accomplish City business;
- Council will discuss the travel, identify the Council Members to travel, and approve the travel by motion at least twenty-one days before the trip.

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## MEMORANDUM TO COUNCIL

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To: Mayor and City Council Members  
From: Michelle Price, Administrative Coordinator  
Through: William Homka, City Manager  
Date: October 24, 2023  
Re: Washington DC Lobbying Trip

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The meetings for the Federal Lobbying Trip to Washington, DC are scheduled for December 11 - 13, 2023. To accommodate cost savings, the Mayor and those who attend the AML Meetings from December 4-8, can depart on Saturday, December 9 from Anchorage for the Lobbying trip, returning on Thursday, December 14.

**Estimated travel costs per person from Anchorage are:**

Round Trip ANC - DC	\$ 700.00
Lodging In DC	\$ 1,059.00
Lodging in ANC Return	\$ 169.00
Ground transportation	\$ 250.00
Per Diem	\$ 619.00
<b>TOTAL</b>	<b>\$2,797.00</b>

The current balance in the fiscal year's travel budget is \$76, 932.26, therefore there are sufficient funds to cover this expenditure.

The Council's Travel Policy states:

- no more than three Council Members may travel to the same meeting or conference;
- travel be conducted in the most direct and economic manner possible to accomplish City business;
- Council will discuss the travel, identify the Council Members to travel, and approve the travel by motion at least twenty-one days before the trip.