

**CITY OF UNALASKA
UNALASKA, ALASKA
REGULAR MEETING
TUESDAY, FEBRUARY 9, 2016, 6:00 P.M.
UNALASKA CITY HALL COUNCIL CHAMBERS
AGENDA**

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

RECOGNITION OF VISITORS

ADDITIONS TO AGENDA

MINUTES: JANUARY 26, 2016

FINANCIAL REPORT: DECEMBER 2015

BOARD/COMMISSION REPORTS: MINUTES OF NOVEMBER 19, 2015 HISTORIC PRESERVATION COMMISSION MEETING AND DECEMBER 17, 2015 PLANNING COMMISSION MEETING

AWARDS/PRESENTATIONS:

MANAGER'S REPORT:

COMMUNITY INPUT/ANNOUNCEMENTS:

PUBLIC INPUT ON AGENDA ITEMS

PUBLIC HEARING

1. **ORDINANCE 2016-03 SECOND READING:** AMENDING UNALASKA CODE OF ORDINANCES TITLE 9 TO CREATE A NEW CHAPTER 9.24 FOR THE PROHIBITION OF MARIJUANA BUSINESS

WORK SESSION

1. **DISCUSSION:** MINOR OFFENSE ORDINANCE

RECONVENE TO REGULAR SESSION

CONSENT AGENDA

1. **RESOLUTION 2016-11:** CONFIRMING THE MAYOR'S RE-APPOINTMENT OF DAVLIN HALL AND JOANNE VILLAMOR TO THE PARKS, CULTURE AND RECREATION ADVISORY COMMITTEE
2. **RESOLUTION 2016-12:** CONFIRMING THE MAYOR'S RE-APPOINTMENT OF RHONDA L. ANDERSON AND CYRI THOMPSON TO THE LIBRARY ADVISORY COMMITTEE
3. **RESOLUTION 2016-15:** CONFIRMING THE MAYOR'S RE-APPOINTMENT OF DOANH THI TRAN TO THE UNALASKA PLANNING COMMISSION/PLATTING BOARD AND THE HISTORIC PRESERVATION COMMISSION

UNFINISHED BUSINESS

1. **ORDINANCE 2016-03 SECOND READING:** AMENDING UNALASKA CODE OF ORDINANCES TITLE 9 TO CREATE A NEW CHAPTER 9.24 FOR THE PROHIBITION OF MARIJUANA BUSINESS

NEW BUSINESS

1. **ORDINANCE 2016-02 FIRST READING:** AMENDING VARIOUS PROVISIONS OF THE UNALASKA CODE OF ORDINANCES TO DESIGNATE CERTAIN VIOLATIONS OF CITY LAW AS MINOR OFFENSES AND TO ESTABLISH FINES FOR SUCH VIOLATIONS AND TO PROVIDE FOR OTHER PENALTIES FOR VIOLATIONS.
2. **ORDINANCE 2016-06 FIRST READING:** CREATING BUDGET AMENDMENT NO. 4 INCREASING THE OPERATING BUDGET FOR PUBLIC SAFETY \$91,000 TO REPLACE FAILING RADIO COMBINER AND MULTI-COUPERS AND INCREASE THE ALYESKA ELECTRIC TIE-IN PROJECT BY \$295,707 TO REPLACE FAILED TRANSFORMER
3. **RESOLUTION 2016-13:** AUTHORIZING THE CITY MANAGER TO EXTEND PND ENGINEERS INC. CONTRACT FOR THE UNALASKA MARINE CENTER EXPANSION AND REPLACEMENT PROJECT POSITIONS 3 AND 4 FOR 65% DESIGN COMPLETION IN AN AMOUNT NOT TO EXCEED \$935,000 AND FURTHER AUTHORIZE THE CITY MANAGER TO EXTEND PND ENGINEERS, INC CONTRACT FOR FINAL DESIGN, PROJECT IMPROVEMENT ANALYSIS, AND PROJECT BIDDING SUPPORT UPON ADOPTION OF THE CITY OF UNALASKA FY17 CAPITAL BUDGET INCLUDING APPROPRIATIONS FOR UMC EXPANSION AND REPLACEMENT PROJECT POSITIONS 3 AND 4 IN AN AMOUNT NOT TO EXCEED \$1,021,802.
4. **RESOLUTION 2016-17:** AUTHORIZING THE CITY MANAGER TO DISPOSE OF CITY OF UNALASKA PERSONAL PROPERTY, SPECIFICALLY A 1999 FREIGHTLINER AMBULANCE, TO AN ALASKAN MUNICIPAL CORPORATION OR AGENCY THEREOF.

COUNCIL DIRECTIVES TO MANAGER

COMMUNITY INPUT:

ANNOUNCEMENTS:

ADJOURNMENT:

**CITY OF UNALASKA
UNALASKA, ALASKA
REGULAR MEETING
TUESDAY, JANUARY 26, 2016, 6:00 P.M.
UNALASKA CITY HALL COUNCIL CHAMBERS
MINUTES**

The regular meeting of the Unalaska City Council was called to order at 6:00 pm, January 26, 2016, in the Unalaska City Hall council chambers. Roll was taken:

PRESENT:
Shirley Marquardt, Mayor
Frank Kelty
Roger Rowland
Zoya Johnson
Alejandro Tungul
David Gregory
Yudelka Leclere

ABSENT:
None.

PLEDGE OF ALLEGIANCE: Mayor Marquardt led the Pledge of Allegiance.

RECOGNITION OF VISITORS: Mike Hubbard, Financial Engineering Company

ADDITIONS TO AGENDA: SWAMC Energy Workshop was added under New Business as item No. 8.

MINUTES: The minutes of the January 12, 2016 minutes was adopted as submitted.

FINANCIAL REPORT: None.

BOARD/COMMISSION REPORTS: None.

AWARDS/PRESENTATIONS: None.

MANAGER'S REPORT: Included in the packet.

COMMUNITY INPUT/ANNOUNCEMENTS:

- UCSD
 - Raider Basketball – Schedule will be posted on UCSD website

PUBLIC INPUT ON AGENDA ITEMS: None

PUBLIC HEARING

Mayor Marquardt opened the Public Hearing for Ordinance 2015-26.

1. **ORDINANCE 2015-26:** AMENDING UNALASKA CITY CODE CHAPTER 6.28 – LEVY OF PROPERTY TAX TO CREATE A FIVE YEAR EXEMPTION FROM REAL PROPERTY TAX FOR THE INCREASE IN ASSESSED VALUE DIRECTLY ATTRIBUTABLE TO THE SUBDIVISION OF A SINGLE PARCEL OF PROPERTY INTO THREE OR MORE PARCELS

Hearing no testimony, Mayor Marquardt closed the Public Hearing.

Mayor Marquardt opened the Public Hearing for Ordinance 2016-01.

2. **ORDINANCE 2016-01:** AMENDING UNALASKA CODE OF ORDINANCES CHAPTER 8.08 PLATTING AND SUBDIVISION, AMENDING REQUIREMENTS FOR SUBDIVISION UTILITY IMPROVEMENTS

Hearing no testimony, Mayor Marquardt closed the Public Hearing.

WORK SESSION

Johnson made a motion to move into a Work Session, Tungul seconded.

Vote: Motion passed by consensus.

1. **PRESENTATION:** UTILITY RATES IN UNALASKA
Mike Hubbard, Financial Engineering Company, gave a power point presentation on the utility rates in Unalaska.
2. **PRESENTATION:** REVENUE PROJECTIONS FOR FISCAL YEAR 2017
Patricia Soule, Finance Director gave a power point presentation on the revenue projections for fiscal year 2017.
3. **DISCUSSION:** BUDGET GOALS FOR FISCAL YEAR 2017
David Martinson, City Manager, gave a presentation on the budget goals for fiscal year 2017.

Mayor Marquardt called for a 10 minute recess.

Mayor Marquardt called the meeting back to order.

4. **DISCUSSION:** COMMERCIAL MARIJUANA REGULATION IN UNALASKA
Charles Cacciola, City Attorney was present telephonically.

- Public Comment was given by:
 - Gerry Swihart
 - Holly Holman
 - Tim Mahoney
 - John Conwell

Council Members discussed Commercial Marijuana Regulation in Unalaska.

RECONVENE TO REGULAR SESSION

CONSENT AGENDA: None.

UNFINISHED BUSINESS

1. **ORDINANCE 2015-26:** AMENDING UNALASKA CITY CODE CHAPTER 6.28 – LEVY OF PROPERTY TAX TO CREATE A FIVE YEAR EXEMPTION FROM REAL PROPERTY TAX FOR THE INCREASE IN ASSESSED VALUE DIRECTLY ATTRIBUTABLE TO THE SUBDIVISION OF A SINGLE PARCEL OF PROPERTY INTO THREE OR MORE PARCELS

Leclere made a motion to adopt Ordinance 2015-26; Gregory seconded.

Roll Call Vote: Leclere – yes; Kelty – yes; Rowland – yes; Johnson – yes; Tungul – yes; Gregory – yes. Motion passed. 6-0.

2. **ORDINANCE 2016-01:** AMENDING UNALASKA CODE OF ORDINANCES CHAPTER 8.08 PLATTING AND SUBDIVISION, AMENDING REQUIREMENTS FOR SUBDIVISION UTILITY IMPROVEMENTS

Johnson made a motion to adopt Ordinance 2016-01 as amended; Tungul seconded.

Roll Call Vote: Kelty – yes; Rowland – yes; Johnson – yes; Tungul – yes; Gregory – yes; Leclere – yes. Motion passed 6-0.

NEW BUSINESS

1. **ORDINANCE 2016-03 – FIRST READING:** AMENDING UNALASKA CODE OF ORDINANCES TITLE 9 TO CREATE A NEW CHAPTER 9.24 FOR THE PROHIBITION OF MARIJUANA BUSINESS

Rowland made a motion to adopt Ordinance 2016-03; Kelty seconded.

Roll Call Vote: Rowland – yes; Johnson – yes; Tungul – no; Gregory – no; Leclere – no; Kelty – yes. Mayor voted to break the tie. Motion passed 4-3.

2. **ORDINANCE 2016-04 – FIRST READING:** AMENDING UNALASKA CODE OF ORDINANCES TITLE 9 TO CREATE A NEW CHAPTER 9.24 FOR THE REGULATION OF MARIJUANA BUSINESS.

Leclere made a motion to adopt Ordinance 2016-04; Tungul seconded.

Roll Call Vote: Johnson – no; Tungul – yes; Gregory – yes; Leclere – yes; Kelty – no; Rowland – no. Mayor voted to break the tie. Motion failed 4-3.

3. **ORDINANCE 2016-05 – FIRST READING:** AMENDING UNALASKA CODE OF ORDINANCES TITLE 9 TO CREATE A NEW CHAPTER 9.24 FOR THE REGULATION OF MARIJUANA BUSINESS (MORATORIUM)

Rowland made a motion to adopt Ordinance 2016-05; Leclere seconded.

Roll Call Vote: Tungul – yes; Gregory – yes; Leclere – yes; Kelty – no; Rowland – no; Johnson – no. Mayor voted to break the tie. Motion failed 4-3.

4. **RESOLUTION 2016-04:** APPROVING COUNCIL GOALS FOR THE FISCAL YEAR 2017 OPERATING BUDGET

Rowland made a motion to adopt Resolution 2016-04; Tungul seconded.

Vote: Motion passed. 5-1.

5. **RESOLUTION 2016-07:** AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH KODIAK MAPPING, INC. FOR THE PERFORMANCE OF AERIAL PHOTOGRAPHY SERVICES IN THE AMOUNT OF \$95,000

Rowland made a motion to adopt Resolution 2016-07; Tungul seconded.

Vote: Motion passed. 6-0.

6. **RESOLUTION 2016-09:** AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH NORTHERN ALASKA CONTRACTORS, LLC TO CONSTRUCT THE LAKE & RIVER RESTORATION PROJECTS IN THE AMOUNT NOT TO EXCEED \$592,000

Rowland made a motion to adopt Resolution 2016-09; Tungul seconded.

Vote: Motion passed. 6-0.

7. **RESOLUTION 2016-10:** AUTHORIZING AN EXPENDITURE IN THE AMOUNT OF \$_____ FROM COUNCIL CONTINGENCY TO SPONSOR THE ALASKA FISHERIES DEVELOPMENT FOUNDATION'S ANNUAL ALASKA SYMPHONY OF SEAFOOD CONTEST

Kelty made a motion to adopt Resolution 2016-10; Johnson seconded.

Kelty made a motion to amend Resolution 2016-10 by inserting the dollar amount of \$1500; Leclere seconded.

Vote on motion to amend Resolution 2016-10: Motion passed 6-0.

Vote on main motion: Motion passed 6-0.

8. **MAYOR AND COUNCIL TRAVEL:** ENERGY WORKSHOP SPONSORED BY SWAMC AND THE DEPARTMENT OF ENERY, FEBRUARY 29 – MARCH 1, 2016, ANCHORAGE; REGIONAL ENERGY PLANNING WORKSHOP IN COORDINATION WITH AEA FOR THE BRISTOL BAY AND ALEUTIANS ENERGY PLANNING COMMITTEES ON TUESDAY, MARCH 1, 2016 – ANCHORAGE

Kelty made a motion to add 2 additional days of travel and per diem for Council Member Gregory to attend the Energy Workshops on February 29 – March 01, 2016 – Anchorage, and to add 1 additional day of travel and per diem for Mayor and Council Member Kelty to attend the Energy Workshop on March 1, 2016 – Anchorage; Tungul seconded.

Vote: Motion passed. 6-0.

COUNCIL DIRECTIVES TO MANAGER:

COMMUNITY INPUT:

ANNOUNCEMENTS:

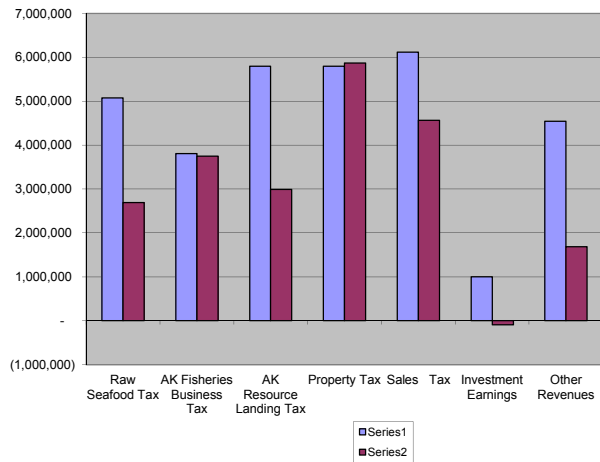
ADJOURNMENT: The meeting adjourned at 9:30 pm.

Cat Hazen
City Clerk

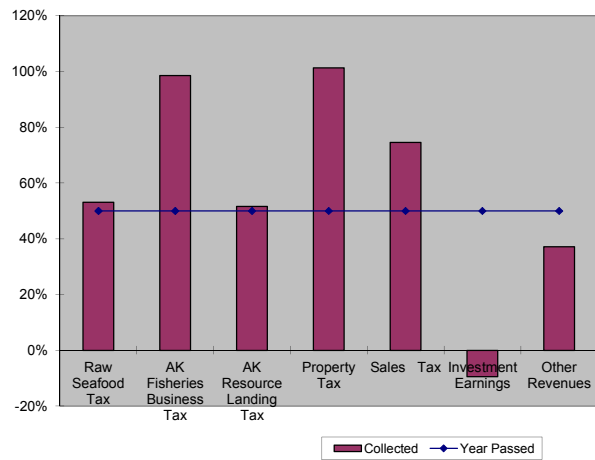
City of Unalaska

December 2015

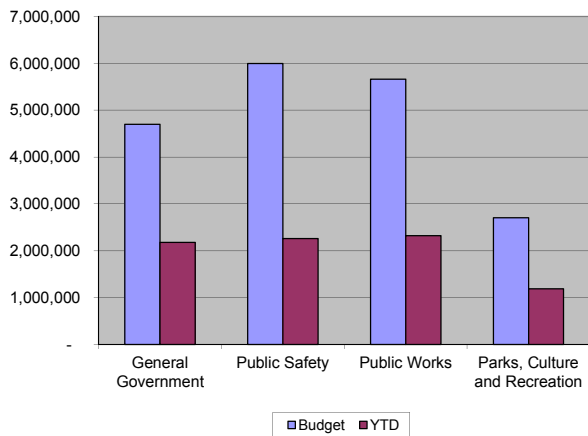
General Government Revenues
Annual Budget vs. YTD Collected



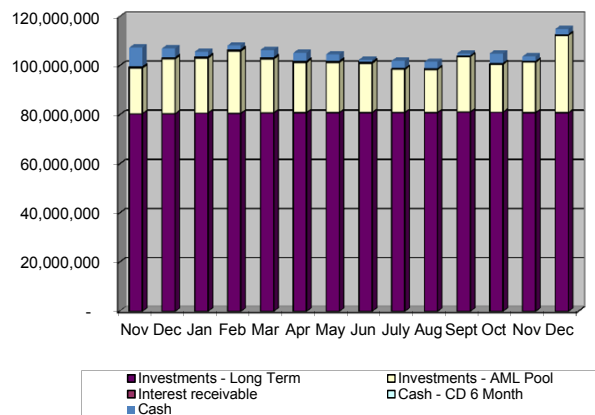
Percentage of General Government Revenue Collected



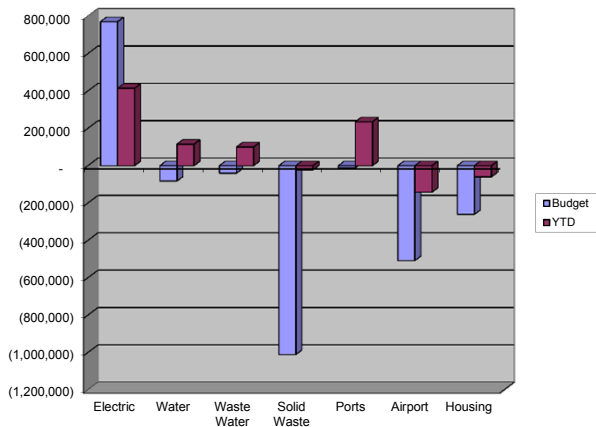
General Government Expenditures
Annual Budget vs. YTD Actual



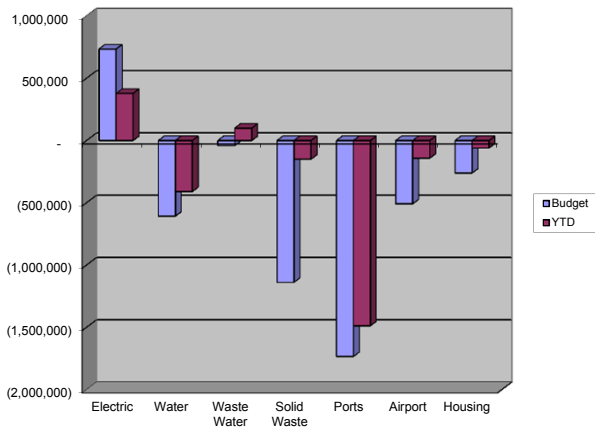
Investments and Cash
Last 12 Months



Proprietary Funds
Budgeted vs. Actual Net Increase/Decrease
Before Capital and Transfers



Proprietary Funds
Budgeted vs. Actual Net Increase/Decrease
WITH Capital and Transfers



General Fund Operating Monthly Summary - Month Ending December 2015

	FY2016 Budget	December	FY2016 YTD	% OF BUD	FY2015 YTD	INC/(DEC) Last Year
REVENUES						
Raw Seafood Tax	5,074,200	295,179	2,693,656	53%	2,345,401	348,255
AK Fisheries Business	3,806,700	3,752,155	3,752,155	99%	3,307,022	445,134
AK Fisheries Resource Landing	5,800,000	2,989,207	2,989,207	52%	4,890,289	(1,901,082)
Property Taxes	5,800,000	440,765	5,871,722	101%	5,633,600	238,123
Sales Tax	6,120,000	229,757	4,562,329	75%	4,393,233	169,095
Investment Earnings	1,000,000	(74,090)	(94,742)	-9%	112,342	(207,084)
Other Revenues	4,546,903	70,549	1,688,202	37%	1,942,654	(254,453)
Appropriated Fund Balance	0	0	0	0%	0	0
Total General Fund Revenues	32,147,803	7,703,524	21,462,529	67%	22,624,541	(1,162,012)
EXPENDITURES						
Mayor & Council	482,035	19,403	202,687	42%	205,699	(3,012)
City Administration						
City Manager's Office	412,780	32,533	176,149	43%	207,611	(31,462)
Administration	1,055,389	48,862	503,615	48%	425,002	78,613
Natural Resources	192,869	0	56,723	29%	90,576	(33,853)
Total City Administration	1,661,039	81,396	736,486	44%	723,189	13,297
City Clerk	478,049	47,866	217,006	45%	176,119	40,886
Finance						
Finance	859,725	49,421	435,821	51%	393,359	42,462
Information Systems	630,678	37,123	365,786	58%	336,387	29,399
Total Finance	1,490,403	86,544	801,607	54%	729,746	71,861
Planning	586,715	30,953	219,605	37%	178,082	41,523
Public Safety						
Police and Admin	3,036,795	203,582	1,279,831	42%	1,186,916	92,915
Corrections	842,145	57,262	403,524	48%	359,804	43,720
Fire, EMS, and Communications	2,121,046	87,173	575,618	27%	636,431	(60,813)
Total Public Safety	5,999,986	348,017	2,258,973	38%	2,183,150	75,823
Public Works						
DPW Admin & Engineering	671,837	52,990	297,789	44%	275,916	21,873
Streets and Roads	2,395,790	154,020	883,992	37%	773,269	110,724
Receiving and Supply	281,443	20,436	134,030	48%	104,359	29,671
Veh & Equip Maintenance	1,060,374	109,632	385,933	36%	360,099	25,834
Facilities Maintenance	1,254,258	87,755	618,094	49%	748,514	(130,421)
Total Public Works	5,663,702	424,833	2,319,838	41%	2,262,157	57,680
Parks, Culture & Recreation						
PCR Administration	285,126	26,135	154,865	54%	136,629	18,236
Recreation Programs	720,346	50,967	304,080	42%	297,225	6,855
Community Center Operations	691,134	45,337	270,099	39%	288,538	(18,438)
Library	700,282	53,432	332,297	47%	233,545	98,752
Aquatics Center	281,666	14,792	115,471	41%	98,908	16,563
Parks	25,905	292	11,643	45%	11,863	(221)
Total Parks, Culture & Recreation	2,704,459	190,955	1,188,455	44%	1,066,709	121,746
Other Expenses	5,905,064	406,896	2,889,803	49%	2,537,657	352,146
Total Operating Expenditures	24,971,451	1,636,863	10,834,459	43%	10,062,507	771,952
Transfers To General Fund	0	0	0	0%	0	0
Transfers To Special Revenue	0	0	0	0%	0	0
Transfers To Capital Projects	878,393	0	878,393	100%	1,029,127	(150,734)
Transfers To Enterprise Funds	0	0	0	0%	0	0
Transfers To Enterprise Capital	0	0	0	0%	446,265	(446,265)
	878,393	0	878,393	100%	1,475,392	(596,999)
	25,849,844	1,636,863	11,712,852	45%	11,537,899	174,953
Surplus/(Deficit)	6,297,959	6,066,661	9,749,676	57%	11,086,641	(1,336,965)

	FY2016 Budget	December	FY2016 YTD	% OF BUD	FY2015 YTD	INC/(DEC) Last Year
Electric Proprietary Fund						
REVENUES	19,145,820	988,329	7,912,064	41%	9,182,758	(1,270,693)
Electric Line Repair & Maint	1,227,398	82,677	445,279	36%	339,334	105,945
Electric Production	12,152,908	766,710	4,460,140	37%	5,854,396	(1,394,256)
Facilities Maintenance	93,827	12,326	59,699	64%	31,943	27,756
Utility Administration	4,845,420	289,225	2,519,804	52%	2,351,847	167,958
Veh & Equip Maintenance	55,390	2,891	12,830	23%	15,937	(3,107)
Transfers Out	36,000	0	36,000	100%	0	36,000
EXPENSES	18,410,944	1,153,828	7,533,752	41%	8,593,457	(1,059,705)
NET EARNINGS/(LOSS)	734,876	(165,499)	378,312		589,301	(210,989)
Water Proprietary Fund						
REVENUES	2,722,007	103,693	1,289,985	47%	1,221,915	68,071
Transfers Out	525,000	0	525,000	100%	663,787	(138,787)
Facilities Maintenance	21,896	662	42,364	193%	41,903	461
Utility Administration	1,420,049	99,927	635,981	45%	672,927	(36,945)
Veh & Equip Maintenance	32,090	610	3,897	12%	12,939	(9,042)
Water Operations	1,329,777	80,598	492,452	37%	463,777	28,676
EXPENSES	3,328,811	181,797	1,699,695	51%	1,855,332	(155,637)
NET EARNINGS/(LOSS)	(606,804)	(78,104)	(409,710)		(633,417)	223,708
Wastewater Proprietary Fund						
REVENUES	2,172,609	143,949	1,173,700	54%	1,108,825	64,875
Transfers Out	0	0	0	0%	111,000	(111,000)
Facilities Maintenance	31,336	2,154	12,467	40%	9,374	3,094
Utility Administration	1,097,105	74,290	527,612	48%	440,839	86,773
Veh & Equip Maintenance	23,338	2,377	14,966	64%	15,513	(546)
Wastewater Operations	1,060,793	93,328	519,075	49%	357,399	161,676
EXPENSES	2,212,571	172,149	1,074,121	49%	934,124	139,997
NET EARNINGS/(LOSS)	(39,962)	(28,200)	99,579		174,701	(75,122)
Solid Waste Proprietary Fund						
REVENUES	1,830,673	144,416	1,214,851	66%	982,311	232,540
Facilities Maintenance	76,065	4,469	30,115	40%	20,414	9,701
Solid Waste Operations	1,369,673	97,190	543,400	40%	562,542	(19,143)
Utility Administration	1,266,517	102,616	632,297	50%	499,772	132,525
Veh & Equip Maintenance	128,829	7,018	31,396	24%	41,279	(9,883)
Transfers Out	127,383	0	127,383	100%	49,900	77,483
EXPENSES	2,968,467	211,293	1,364,591	46%	1,173,907	190,683
NET EARNINGS/(LOSS)	(1,137,794)	(66,877)	(149,739)		(191,596)	41,857

	FY2016 Budget	December	FY2016 YTD	% OF BUD	FY2015 YTD	INC/(DEC) Last Year
Ports & Harbors Proprietary Fund						
REVENUES	6,964,399	417,484	3,502,901	50%	3,623,793	(120,893)
Bobby Storrs Small Boat Harbor	163,867	9,779	52,995	32%	69,184	(16,189)
CEM Small Boat Harbor	713,798	72,672	345,656	48%	402,675	(57,019)
Facilities Maintenance	39,373	1,942	17,547	45%	12,876	4,671
Harbor Office	4,346,619	327,384	2,095,096	48%	1,808,070	287,026
Ports Security	78,186	831	10,610	14%	14,203	(3,594)
Spit & Light Cargo Docks	556,481	44,891	236,613	43%	220,739	15,874
Unalaska Marine Center	1,022,256	56,470	476,774	47%	449,970	26,803
Veh & Equip Maintenance	55,159	7,843	32,513	59%	23,733	8,780
Transfers Out	1,722,158	148,000	1,722,158	100%	2,320,502	(598,344)
EXPENSES	8,697,897	669,812	4,989,961	57%	5,321,953	(331,992)
NET EARNINGS/(LOSS)	(1,733,498)	(252,328)	(1,487,061)		(1,698,160)	211,099
Airport Proprietary Fund						
REVENUES	467,536	57,697	290,573	62%	247,445	43,128
Airport Admin/Operations	802,781	56,776	354,194	44%	337,020	17,174
Facilities Maintenance	172,424	17,406	78,417	45%	82,987	(4,570)
EXPENSES	975,205	74,182	432,612	44%	420,008	12,604
NET EARNINGS/(LOSS)	(507,669)	(16,485)	(142,038)		(172,562)	30,524
Housing Proprietary Fund						
REVENUES	255,911	30,950	145,218	57%	138,613	6,604
Facilities Maintenance	136,139	9,602	36,895	27%	47,240	(10,345)
Housing Admin & Operating	380,449	19,958	168,250	44%	160,003	8,247
EXPENSES	516,588	29,560	205,145	40%	207,243	(2,098)
NET EARNINGS/(LOSS)	(260,677)	1,390	(59,927)		(68,630)	8,703

CITY OF UNALASKA, ALASKA
General Fund
COMPARATIVE BALANCE SHEET
December 31, 2015 and December 31, 2014

	Totals	
	2016	2015
	<hr/>	<hr/>
ASSETS		
Cash and Cash Equivalents	1,500	1,500
Receivables		
Taxes	1,935,443	1,684,669
Accounts	1,119	1,088
Special assessments	-	-
Equity in Central Treasury	60,864,036	54,132,590
Inventory	706,715	660,256
Prepaid Items	109,326	110,330
Advances To Other Funds	1,601,200	1,741,200
Other Assets	-	-
Undefined	(11,503)	-
TOTAL ASSETS	<u>65,207,837</u>	<u>58,331,633</u>
LIABILITIES		
Accounts Payable	19,230	661
Accrued Payroll & Related Liabilities	406,800	986,627
Intergovernmental	(2,929)	252
Retainage Payable	-	-
Deferred Revenue	273,551	206,165
Other Current Liabilities	1,819	1,049
Customer Deposits	1,285	1,760
Undefined	-	3
TOTAL LIABILITIES	<u>699,756</u>	<u>1,196,515</u>
FUND BALANCE		
Fund Balance - Non Spendable	2,060,924	1,921,189
Fund Balance - Committed	14,300,000	14,300,000
Fund Balance - Assigned for Encumbrances	3,801,376	3,879,623
Undesignated (deficit)	44,345,781	37,034,306
TOTAL FUND BALANCE	<u>64,508,081</u>	<u>57,135,118</u>
TOTAL LIABILITIES & FUND BALANCE	65,207,837	58,331,633

CITY OF UNALASKA, ALASKA
General Fixed Assets
COMPARATIVE BALANCE SHEET
December 31, 2015 and December 31, 2014

	Totals	
	<u>2016</u>	<u>2015</u>
ASSETS		
Equity in Central Treasury	-	-
Other Assets	-	-
Undefined	100,944,383	96,108,565
TOTAL ASSETS	<u>100,944,383</u>	<u>96,108,565</u>
LIABILITIES		
Accounts Payable	-	-
Accrued Payroll & Related Liabilities	-	-
TOTAL LIABILITIES	<u>-</u>	<u>-</u>
FUND BALANCE		
Fund Balance - Assigned for Encumbrances	-	-
Undesignated (deficit)	100,944,383	96,108,565
TOTAL FUND BALANCE	<u>100,944,383</u>	<u>96,108,565</u>
TOTAL LIABILITIES & FUND BALANCE	100,944,383	96,108,565

CITY OF UNALASKA, ALASKA
1% Sales Tax
COMPARATIVE BALANCE SHEET
December 31, 2015 and December 31, 2014

	Totals	
	2016	2015
	<hr/>	<hr/>
ASSETS		
Cash and Cash Equivalents	-	-
Receivables		
Taxes	584,451	579,377
Sales Tax Full Accrual	2,500	2,500
Equity in Central Treasury	6,683,981	5,569,850
TOTAL ASSETS	<u>7,270,932</u>	<u>6,151,727</u>
LIABILITIES		
Accounts Payable	-	-
Accrued Payroll & Related Liabilities	-	-
Deferred Revenue	2,500	2,500
TOTAL LIABILITIES	<u>2,500</u>	<u>2,500</u>
FUND BALANCE		
Fund Balance - Assigned for Encumbrances	-	-
Undesignated (deficit)	7,268,432	6,149,227
TOTAL FUND BALANCE	<u>7,268,432</u>	<u>6,149,227</u>
TOTAL LIABILITIES & FUND BALANCE	7,270,932	6,151,727

CITY OF UNALASKA, ALASKA
Bed Tax
COMPARATIVE BALANCE SHEET
December 31, 2015 and December 31, 2014

	Totals	
	2016	2015
	<hr/>	<hr/>
ASSETS		
Cash and Cash Equivalents	-	-
Receivables		
Taxes	23,001	12,431
Accounts	-	-
Equity in Central Treasury	223,828	175,528
TOTAL ASSETS	<u>246,829</u>	<u>187,959</u>
LIABILITIES		
Accounts Payable	-	-
Accrued Payroll & Related Liabilities	-	-
TOTAL LIABILITIES	<u>-</u>	<u>-</u>
FUND BALANCE		
Fund Balance - Assigned for Encumbrances	87,500	87,500
Undesignated (deficit)	159,329	100,459
TOTAL FUND BALANCE	<u>246,829</u>	<u>187,959</u>
TOTAL LIABILITIES & FUND BALANCE	246,829	187,959

CITY OF UNALASKA, ALASKA
ELECTRIC ENTERPRISE FUND
COMPARATIVE BALANCE SHEET
December 31, 2015 and December 31, 2014

	Totals	
	2016	2015
ASSETS		
Current Assets		
Receivables		
Accounts	1,181,315	992,184
Intergovernmental	299,954	438,188
Equity in Central Treasury	3,341,125	4,267,561
Inventory	730,204	705,320
Restricted Assets	4,227,997	2,372,217
Deferred Charges	-	136,779
TOTAL Current Assets	9,780,595	8,912,248
Property, Plant & Equipment		
Land	212,598	212,598
Buildings, Net	30,892,536	31,808,618
Other Improvements, Net	6,787,509	4,534,722
Equipment, Net	22,034,940	15,270,871
Construction in Process	1,313,544	8,935,062
TOTAL Property, Plant & Equipment	61,241,127	60,761,871
TOTAL ASSETS	71,021,722	69,674,119
LIABILITIES		
Current Liabilities		
Accounts Payable	314,966	105,244
Accrued Payroll & Related Liabilities	255,785	277,887
Retainage Withheld	-	281,002
Accrued Interest Payable	313,857	365,704
Revenue Bonds - Current	-	940,000
Unamortized Premium (Rev Bonds)	117,181	9,682
Customer Deposits	112,785	234,104
Current Portion of Long Term Debt	208,240	208,240
TOTAL Current Liabilities	1,322,814	2,421,863
Long Term Debt		
Revenue Bonds - Long Term	27,145,000	25,995,000
Unamortized Premium - Long Term	2,030,259	160,983
Advances From General Fund	1,392,960	1,532,960
TOTAL Long Term Debt	30,568,219	27,688,943
Undefined	(2,919,503)	-
TOTAL	(2,919,503)	-
TOTAL LIABILITIES	28,971,530	30,110,806
NET POSITION		
Invested in capital Assets, net of related debt	30,033,630	29,149,281
Restricted for Debt service	4,227,997	2,372,217
Unrestricted	7,788,565	8,041,814
TOTAL NET POSITION	42,050,192	39,563,313

CITY OF UNALASKA, ALASKA
WATER ENTERPRISE FUND
COMPARATIVE BALANCE SHEET
December 31, 2015 and December 31, 2014

	Totals	
	2016	2015
ASSETS		
Current Assets		
Receivables		
Accounts	91,143	75,580
Special assessments	1,086	1,405
Equity in Central Treasury	5,350,446	2,944,429
Inventory	333,592	318,055
TOTAL Current Assets	5,776,266	3,339,469
Property, Plant & Equipment		
Land	125,074	125,074
Buildings, Net	564,671	614,301
Other Improvements, Net	8,801,116	9,393,336
Equipment, Net	2,440	7,320
Construction in Process	13,431,836	7,591,677
TOTAL Property, Plant & Equipment	22,925,136	17,731,708
TOTAL ASSETS	28,701,402	21,071,178
LIABILITIES		
Current Liabilities		
Accounts Payable	362	343
Accrued Payroll & Related Liabilities	85,992	118,823
Retainage Withheld	0	414,928
Customer Deposits	46,963	49,407
TOTAL Current Liabilities	133,317	583,499
TOTAL LIABILITIES	133,317	583,499
NET POSITION		
Invested in capital Assets, net of related debt	22,925,136	22,925,136
Restricted for Debt service	-	-
Unrestricted	5,642,948	(2,437,458)
TOTAL NET POSITION	28,568,085	20,487,678

CITY OF UNALASKA, ALASKA
WASTEWATER ENTERPRISE FUND
COMPARATIVE BALANCE SHEET
December 31, 2015 and December 31, 2014

	Totals	
	2016	2015
ASSETS		
Current Assets		
Receivables		
Accounts	135,912	133,972
Intergovernmental	-	67,549
Special assessments	26,599	28,617
Equity in Central Treasury	6,231,857	139,405
Inventory	34,881	36,660
TOTAL Current Assets	6,429,250	406,203
Property, Plant & Equipment		
Land	12,883	12,883
Buildings, Net	1,734,710	1,844,427
Other Improvements, Net	4,616,237	4,294,425
Equipment, Net	132,632	1,250
Construction in Process	28,904,110	23,706,877
TOTAL Property, Plant & Equipment	35,400,572	29,859,862
TOTAL ASSETS	41,829,822	30,266,065
LIABILITIES		
Current Liabilities		
Accounts Payable	5,929	171
Accrued Payroll & Related Liabilities	120,044	104,342
Retainage Withheld	1,877,524	1,430,121
Accrued Interest Payable	-	1,447
Notes Payable	43,461	43,461
Customer Deposits	21,622	28,507
TOTAL Current Liabilities	2,068,579	1,608,050
Long Term Debt		
Advances From General Fund	6,091,192	91,436
TOTAL Long Term Debt	6,091,192	91,436
TOTAL LIABILITIES	8,159,771	1,699,486
NET POSITION		
Invested in capital Assets, net of related debt	29,265,918	29,264,472
Restricted for Debt service	-	-
Unrestricted	4,404,132	(697,892)
TOTAL NET POSITION	33,670,051	28,566,579

CITY OF UNALASKA, ALASKA
SOLID WASTE ENTERPRISE FUND
COMPARATIVE BALANCE SHEET
December 31, 2015 and December 31, 2014

	Totals	
	2016	2015
ASSETS		
Current Assets		
Receivables		
Accounts	190,180	104,290
Intergovernmental	-	32,451
Equity in Central Treasury	8,035,543	8,378,879
Inventory	37,401	74,975
TOTAL Current Assets	8,263,123	8,590,595
Property, Plant & Equipment		
Land	651,474	651,474
Buildings, Net	1,344,649	1,452,065
Other Improvements, Net	11,885,367	4,195,824
Equipment, Net	301,957	203,167
Construction in Progress	5,513,056	10,990,707
TOTAL Property, Plant & Equipment	19,696,503	17,493,237
TOTAL ASSETS	27,959,626	26,083,832
LIABILITIES		
Current Liabilities		
Accounts Payable	247	147
Accrued Payroll & Related Liabilities	87,012	95,605
Retainage Withheld	375,069	-
Customer Deposits	6,543	10,467
TOTAL Current Liabilities	468,870	106,219
Long Term Debt		
Advances From General Fund	2,884,733	-
Landfill Closure	5,045,806	4,762,323
TOTAL Long Term Debt	7,930,539	4,762,323
TOTAL LIABILITIES	8,399,409	4,868,541
NET POSITION		
Invested in capital Assets, net of related debt	11,765,964	11,765,964
Restricted for Debt service	-	-
Unrestricted	7,794,253	9,449,327
TOTAL NET POSITION	19,560,217	21,215,291

CITY OF UNALASKA, ALASKA
PORTS & HARBOR ENTERPRISE FUND
COMPARATIVE BALANCE SHEET
December 31, 2015 and December 31, 2014

	Totals	
	2016	2015
ASSETS		
Current Assets		
Cash and Cash Equivalents	150	150
Receivables		
Accounts	496,251	473,952
Intergovernmental	366,744	366,744
Equity in Central Treasury	16,091,475	17,033,544
Restricted Assets	2,500	2,500
TOTAL Current Assets	<u>16,957,120</u>	<u>17,876,890</u>
Property, Plant & Equipment		
Land	2,037,870	2,037,870
Buildings, Net	1,242,556	1,284,842
Other Improvements, Net	72,871,819	68,016,235
Equipment, Net	9,179	22,532
Construction in Process	6,697,579	8,460,737
TOTAL Property, Plant & Equipment	<u>82,859,004</u>	<u>79,822,216</u>
TOTAL ASSETS	<u>99,816,124</u>	<u>97,699,107</u>
LIABILITIES		
Current Liabilities		
Accounts Payable	347	1,024
Accrued Payroll & Related Liabilities	121,858	127,169
Intergovernmental AP	2,097,013	2,097,013
Retainage Withheld	294,514	89,938
Accrued Interest Payable	56,287	59,175
Revenue Bonds - Current	200,000	195,000
Unamortized Premium (Rev Bonds)	5,502	5,502
TOTAL Current Liabilities	<u>2,775,521</u>	<u>2,574,821</u>
Long Term Debt		
Revenue Bonds - Long Term	3,865,000	4,065,000
Unamortized Premium - Long Term	82,536	88,038
TOTAL Long Term Debt	<u>3,947,536</u>	<u>4,153,038</u>
TOTAL LIABILITIES	<u>6,723,057</u>	<u>6,727,860</u>
NET POSITION		
Invested in capital Assets, net of related debt	78,649,678	78,651,790
Restricted for Debt service	2,500	2,500
Unrestricted	14,440,889	12,316,957
TOTAL NET POSITION	<u>93,093,067</u>	<u>90,971,247</u>

CITY OF UNALASKA, ALASKA
AIRPORT ENTERPRISE FUND
COMPARATIVE BALANCE SHEET
December 31, 2015 and December 31, 2014

	Totals	
	2016	2015
ASSETS		
Current Assets		
Receivables		
Accounts	88,652	123,684
Equity in Central Treasury	1,356,619	1,428,555
TOTAL Current Assets	<u>1,445,271</u>	<u>1,552,239</u>
Property, Plant & Equipment		
Buildings, Net	2,878,000	3,103,490
Other Improvements, Net	611,907	247,995
Construction in Process	-	306,566
TOTAL Property, Plant & Equipment	<u>3,489,907</u>	<u>3,658,050</u>
TOTAL ASSETS	<u>4,935,178</u>	<u>5,210,289</u>
LIABILITIES		
Current Liabilities		
Accounts Payable	-	192
Accrued Payroll & Related Liabilities	4,896	8,225
Retainage Withheld	-	20,593
Customer Deposits	11,000	10,000
TOTAL Current Liabilities	<u>15,896</u>	<u>39,010</u>
TOTAL LIABILITIES	<u>15,896</u>	<u>39,010</u>
NET POSITION		
Invested in capital Assets, net of related debt	3,489,907	3,489,907
Restricted for Debt service	-	-
Unrestricted	1,429,376	1,681,373
TOTAL NET POSITION	<u>4,919,282</u>	<u>5,171,280</u>

CITY OF UNALASKA, ALASKA
HOUSING ENTERPRISE FUND
COMPARATIVE BALANCE SHEET
December 31, 2015 and December 31, 2014

	Totals	
	2016	2015
ASSETS		
Current Assets		
Receivables		
Accounts	3,650	4,154
Equity in Central Treasury	1,327,191	1,305,371
TOTAL Current Assets	<u>1,330,841</u>	<u>1,309,525</u>
Property, Plant & Equipment		
Land	269,577	269,577
Buildings, Net	4,308,772	4,488,165
Other Improvements, Net	60,837	63,111
Construction in Progress	17,379	17,379
TOTAL Property, Plant & Equipment	<u>4,656,565</u>	<u>4,838,233</u>
TOTAL ASSETS	<u>5,987,406</u>	<u>6,147,758</u>
LIABILITIES		
Current Liabilities		
Accrued Payroll & Related Liabilities	3,210	3,771
Customer Deposits	16,075	14,250
TOTAL Current Liabilities	<u>19,285</u>	<u>18,021</u>
TOTAL LIABILITIES	<u>19,285</u>	<u>18,021</u>
NET POSITION		
Invested in capital Assets, net of related debt	4,656,565	4,656,565
Restricted for Debt service	-	-
Unrestricted	1,311,556	1,473,172
TOTAL NET POSITION	<u>5,968,121</u>	<u>6,129,737</u>

City of Unalaska
Utility Revenue Report
Summary

12/31/15

FY16 Budget Month	Electric	Water	Waste Water	Solid Waste	Monthly Revenue	FY16 Revenue	FY15YTD Revenue	YTD Inc/(Dec)
Jul-15	1,372,624	322,405	217,981	222,501	2,135,511	2,135,511	2,532,594	(397,083)
Aug-15	1,573,753	322,358	206,266	195,877	2,298,254	4,433,764	5,153,943	(720,178)
Sep-15	1,592,118	268,008	215,331	241,399	2,316,855	6,750,620	7,686,827	(936,207)
Oct-15	1,205,242	123,467	192,534	240,863	1,762,106	8,512,726	9,588,917	(1,076,191)
Nov-15	1,179,999	150,054	197,640	169,796	1,697,489	10,210,214	11,007,490	(797,276)
Dec-15	988,329	103,693	143,949	144,416	1,380,386	11,590,601	12,495,808	(905,208)
Jan-16	0	0	0	0	0	0	13,987,073	0
Feb-16	0	0	0	0	0	0	16,344,140	0
Mar-16	0	0	0	0	0	0	18,782,462	0
Apr-16	0	0	0	0	0	0	20,596,814	0
May-16	0	0	0	0	0	0	22,017,743	0
Jun-16	0	0	0	0	0	0	25,056,303	0
YTD Totals	7,912,064	1,289,985	1,173,700	1,214,851	11,590,601			
FY16 Budget	19,145,820	3,278,881	2,172,609	2,824,234	27,421,544			
% to budget	41.3	39.3	54.0	43.0	42.3			

City of Unalaska
Electric Revenue Report
Electric Fund

12/31/15

FY16 Budget Month	Residential	Small General	Large General	Industrial	P.C.E. Assist	Other Revenues	Monthly Revenue	FY16YTD Revenue	FY15 YTD Revenue	YTD Inc/(Dec)
Jul-15	94,861	95,995	169,248	943,893	66,027	2,599	1,372,624	1,372,624	1,782,397	(409,773)
Aug-15	95,147	91,411	171,715	1,144,164	64,232	7,084	1,573,753	2,946,377	3,638,647	(692,271)
Sep-15	98,122	94,449	188,353	1,103,664	67,988	39,543	1,592,118	4,538,494	5,559,800	(1,021,306)
Oct-15	95,115	88,045	154,190	813,254	48,173	6,466	1,205,242	5,743,736	7,014,839	(1,271,103)
Nov-15	108,632	99,813	173,857	728,633	62,787	6,278	1,179,999	6,923,736	8,069,019	(1,145,284)
Dec-15	99,715	93,135	153,264	578,690	56,775	6,750	988,329	7,912,064	9,182,758	(1,270,693)
Jan-16							0	0	10,230,642	0
Feb-16							0	0	11,720,353	0
Mar-16							0	0	13,326,063	0
Apr-16							0	0	14,614,766	0
May-16							0	0	15,649,785	0
Jun-16							0	0	17,344,089	0
YTD Totals	591,591	562,848	1,010,627	5,312,298	365,981	68,719	7,912,064			
FY16 Budget	1,600,758	1,843,316	2,362,087	12,163,725	1,000,915	175,019	19,145,820			
% of Budget	37.0	30.5	42.8	43.7	36.6	39.3	41.3			

Kwh Sold

FY16 Month	Residential	SM. Gen (Includes Street lights)	Large General	Industrial	Total FY16 Kwh Sold	Total FY15 Kwh Sold	Increase (Decrease)
July	279,362	270,413	505,377	2,817,685	3,872,837	4,228,467	(355,630)
August	267,968	249,726	489,269	3,280,812	4,287,775	4,544,709	(256,934)
September	308,867	288,486	595,846	3,566,306	4,759,505	4,613,082	146,423
October	302,422	285,339	517,039	2,724,680	3,829,480	3,327,451	502,029
November	339,495	320,941	579,621	2,481,830	3,721,887	2,622,807	1,099,080
December	320,863	308,792	520,088	1,959,749	3,109,492	2,760,913	348,579
January					0	2,715,860	0
February					0	4,520,854	0
March					0	4,941,559	0
April					0	3,980,197	0
May					0	3,264,455	0
June					0	2,891,458	0
Total	1,818,977	1,723,697	3,207,240	16,831,062	23,580,976	44,411,812	1,483,547
Percent Sold	7.7%	7.3%	13.6%	71.4%	100.0%		

Generator Fuel

FY16 Average Price Fuel	FY15 Average Price Fuel
2.5870	3.4700
2.2050	3.3808
1.9372	3.5508
2.0451	3.3169
2.0080	2.9979
1.7700	2.8205
	2.2179
	2.0264
	2.3730
	2.1936
	2.4390
	2.6162
	2.7836

-100.00%

FY16 Cumulative kwh Sold	FY15 Cumulative kwh Sold
3,872,837	4,228,647
8,160,612	8,773,356
12,920,117	13,386,438
16,749,597	16,713,889
20,471,484	19,336,696
23,580,976	22,097,609
23,580,976	24,813,469
23,580,976	29,334,323
23,580,976	34,275,882
23,580,976	38,256,079
23,580,976	41,520,534
23,580,976	44,411,992

City of Unalaska
Water Revenue Report
Water Fund

12/31/15

FY16 Month	Unmetered Sales	Metered Sales	Other Revenues	Monthly Revenue	FY16 YTD Revenue	FY15 YTD Revenue	YTD Inc/(Dec)
Jul-15	13,204	308,839	362	322,405	322,405	369,943	(47,538)
Aug-15	13,205	307,262	1,891	322,358	644,763	696,375	(51,613)
Sep-15	13,460	245,418	9,130	268,008	912,771	937,176	(24,406)
Oct-15	13,178	108,740	1,549	123,467	1,036,238	1,035,253	985
Nov-15	13,169	136,734	150	150,054	1,186,292	1,131,901	54,391
Dec-15	13,173	89,557	963	103,693	1,289,985	1,221,915	68,070
Jan-16				0	0	1,324,738	0
Feb-16				0	0	1,733,534	0
Mar-16				0	0	2,124,967	0
Apr-16				0	0	2,269,336	0
May-16				0	0	2,353,918	0
Jun-16				0	0	2,808,196	0
YTD Totals	79,389	1,196,550	14,045	1,289,985			
FY16 Budget	142,680	2,556,360	579,841	3,278,881			
% of Budget	55.6	46.8	2.4	39.3			

Million Gallons Produced

FY16 Month	FY16 Water Produced	FY15 Water Produced	Increase (Decrease)
July	136.302	159.239	(22.937)
August	133.337	149.107	(15.770)
September	113.487	109.693	3.794
October	60.224	46.800	13.424
November	82.761	44.542	38.219
December	49.533	45.502	4.031
January		46.701	0.000
February		182.139	0.000
March		173.737	0.000
April		67.394	0.000
May		41.511	0.000
June		96.083	0.000
Total	575.644	1162.448	20.761

FY16 Water Cumulative	FY15 Water Cumulative
136.302	159.239
269.639	308.346
383.126	418.039
443.350	464.839
526.111	509.381
575.644	554.883
0.000	601.584
0.000	783.723
0.000	957.460
0.000	1024.854
0.000	1066.365
0.000	1162.448

City of Unalaska
Wastewater Revenue Report
Wastewater Fund

12/31/15

FY16 Month	Unmetered Sales	Metered Commercial	Metered Industrial	Other Revenues	Monthly Revenue	FY16 YTD Revenue	FY15 YTD Revenue	YTD Inc/(Dec)
Jul-15	36,165	167,477	2,923	11,416	217,981	217,981	194,638	23,343
Aug-15	36,153	163,208	2,811	4,094	206,266	424,247	442,630	(18,383)
Sep-15	36,847	171,696	3,460	3327.31	215,331	639,577	647,175	(7,598)
Oct-15	36,077	150,257	4,278	1,922	192,534	832,111	815,871	16,240
Nov-15	36,054	157,657	3,791	138	197,640	1,029,751	941,413	88,338
Dec-15	36,064	100,418	1,541	5,925	143,949	1,173,700	1,108,825	64,875
Jan-16					0	0	1,267,073	0
Feb-16					0	0	1,517,727	0
Mar-16					0	0	1,736,824	0
Apr-16					0	0	1,925,186	0
May-16					0	0	2,075,062	0
Jun-16					0	0	2,465,983	0
YTD Totals	217,361	910,713	18,805	26,821	1,173,700			
FY 16 Budget	363,596	1,670,636	60,003	78,374	2,172,609			
% of Budget	59.8	54.5	31.3	34.2	54.0			

FY16 Month	FY16 Effluent (Gal)	FY15 Effluent (Gal)	Increase (Decrease)
July	11,568,192	12,082,882	(514,690)
August	11,049,481	11,450,678	(401,197)
September	10,488,000	10,806,678	(318,678)
October	10,538,000	13,830,792	(3,292,792)
November	12,437,000	11,884,552	552,448
December	12,652,000	10,055,633	2,596,367
January		13,945,398	0
February		15,185,712	0
March		17,120,305	0
April		12,419,960	0
May		9,100,971	0
June		9,441,632	0
Total	68,732,673	147,325,193	(1,378,542)

FY16	FY15
Cumulative	Cumulative
11,568,192	12,082,882
22,617,673	23,533,560
33,105,673	34,340,238
43,643,673	48,171,030
56,080,673	60,055,582
68,732,673	70,111,215
0	84,056,613
0	99,242,325
0	116,362,630
0	128,782,590
0	137,883,561
0	147,325,193

City of Unalaska
Solid Waste Revenue Report
Solid Waste Fund

12/31/15

FY16 Month	Residential Fees	Tipping Fees	Other Revenue	Monthly Revenue	FY16 YTD Revenue	FY15YTD Revenue	YTD Inc/(Dec)
Jul-15	23,468	185,046	13,987	222,501	222,501	185,617	36,885
Aug-15	23,436	152,282	20,159	195,877	418,378	376,290	42,089
Sep-15	23,403	189,855	28,142	241,399	659,777	542,676	117,102
Oct-15	23,380	170,074	47,408	240,863	900,640	722,953	177,687
Nov-15	23,351	122,697	23,748	169,796	1,070,436	865,157	205,278
Dec-15	23,396	102,305	18,714	144,416	1,214,851	982,311	232,540
Jan-16				0	0	1,164,621	0
Feb-16				0	0	1,372,526	0
Mar-16				0	0	1,594,608	0
Apr-16				0	0	1,787,525	0
May-16				0	0	1,938,978	0
Jun-16				0	0	2,438,035	0
YTD Totals	140,434	922,259	152,158	1,214,851			
FY 16 Budget	202,104	1,270,620	1,351,510	2,824,234			
% of Budget	69.5	72.6	11.3	43.0			

FY16 Month	FY16 Tons of Waste	FY15 Tons of Waste	Increase (Decrease)
July	778.49	667.04	111.45
August	661.22	654.66	6.56
September	794.63	625.59	169.04
October	693.30	592.06	101.24
November	493.31	457.76	35.55
December	443.42	409.34	34.08
January		619.46	0.00
February		755.40	0.00
March		831.19	0.00
April		681.70	0.00
May		488.61	0.00
June		725.44	0.00
Total	3864.37	7508.25	457.92

Cummulative	
FY16 Tons of Waste	FY15 Tons of Waste
778.49	667.04
1439.71	1321.70
2234.34	1947.29
2927.64	2539.35
3420.95	2997.11
3864.37	3406.45
0.00	4025.91
0.00	4781.31
0.00	5612.50
0.00	6294.20
0.00	6782.81
0.00	7508.25

CITY OF UNALASKA
FY16 PORTS REVENUE

		UMC Dock				Spit Dock		Small Boat Harbor		Cargo Dock		CEM							
Month	Year	Docking/ Moorage	Wharfage Fees	Rental Fees	Utility Fees	Docking / Moorage	Utility Fees	Docking / Moorage	Utility Fees	Dockage / Moorage	Wharfage Rental/Util	Docking/ Moorage	Utility Fees	Other Rev&Fees	Monthly Revenue	FY16 YTD Revenue	% of Budget	FY15 YTD Revenue	YTD Inc(Dec)
Jul	2015	144,219	372,610	47,207	34,481	25,479	1,428	7,197	495	9,540	4,568	9,752	7,461	2,869	667,306	667,306	10.3%	924,416	(257,110)
Aug	2015	116,348	415,666	48,084	36,127	39,785	2,424	4,143	444	6,302	4,953	7,508	4,110	28,471	714,363	1,381,669	21.2%	1,631,415	(249,746)
Sept	2015	125,199	375,854	47,120	32,781	59,540	2,354	8,878	593	10,013	2,517	14,665	11,113	8,213	698,839	2,080,508	32.0%	2,255,388	(174,880)
Oct	2015	123,581	240,379	47,821	27,627	51,080	5,059	3,132	479	12,186	5,011	20,390	14,615	3,458	554,818	2,635,326	40.5%	2,824,027	(188,701)
Nov	2015	75,345	183,623	46,566	19,011	20,927	12,843	5,504	773	13,015	2,585	39,307	29,659	932	450,090	3,085,417	47.4%	3,242,596	(157,179)
Dec	2015	76,247	87,401	45,093	35,034	40,877	15,806	2,609	1,664	6,336	3,023	56,718	45,688	987	417,484	3,502,901	53.9%	3,623,793	(120,892)
Jan	2016														0	0	0.0%	4,196,171	0
Feb	2016														0	0	0.0%	4,731,115	0
Mar	2016														0	0	0.0%	5,590,311	0
Apr	2016														0	0	0.0%	6,170,242	0
May	2016														0	0	0.0%	6,562,904	0
Jun	2016														0	0	0.0%	6,959,784	0
Totals		660,939	1,675,533	281,891	185,061	237,687	39,914	31,462	4,448	57,392	22,657	148,340	112,645	44,930	3,502,901				
Loc total		2,803,424				277,602		35,910		80,049		260,985							
Loc percent		80.0%				7.9%		1.0%		2.3%		7.5%							
FY16 Budget		1,320,000	2,835,835	594,500	313,365	395,000	104,658	74,000	17,494	101,500	34,900	410,000	230,000	73,000	6,504,252				
% to Budget		50.1%	59.1%	47.4%	59.1%	60.2%	38.1%	42.5%	25.4%	56.5%	64.9%	36.2%	49.0%	61.5%	53.9%				

PORTS RECEIVABLES

[illegible]

CITY OF UNALASKA

FY16 AIRPORT REVENUE

MONTH	YEAR	MONTHLY LEASES	MISC INCOME	LATE FEES	MONTHLY REVENUE	FY16 YTD REVENUE	% OF BUDGET	FY15 YTD REVENUE	YTD INC/(DEC)
JUL	2015	47,150	35	218	47,403	47,403	10.2%	39,527	7,876
AUG	2015	48,330	36	230	48,596	95,999	20.7%	79,665	16,334
SEP	2015	48,455	42	242	48,739	144,739	31.2%	119,767	24,972
OCT	2015	43,253	44	254	43,551	188,290	40.6%	160,343	27,947
NOV	2015	44,272	48	267	44,587	232,876	50.2%	203,819	29,057
DEC	2015	52,836	48	4,814	57,697	290,573	62.7%	247,445	43,128
JAN	2016				0	0	0.0%	292,837	0
FEB	2016				0	0	0.0%	332,788	0
MAR	2016				0	0	0.0%	373,424	0
APR	2016				0	0	0.0%	417,016	0
MAY	2016				0	0	0.0%	464,377	0
JUN	2016				0	0	0.0%	511,371	0
TOTAL		284,296	253	6,025	290,573		0.0%		
FY16 BUDGET		460,000	200	3,500	463,700				
% TO BUDGET		61.8%	126.6%	172.1%	62.7%				

RECEIVABLE BALANCES

		CURRENT	OVER 30 DAYS	OVER 60 DAYS	OVER 90 DAYS	TOTAL DUE	% PAST DUE 90 DAYS +	CASH RECEIVED
MONTH	YEAR							
JUL	2015	40,068	22,831	1,502	25,520	89,921	28.4%	97,292
AUG	2015	42,157	20,109	1,405	27,142	90,813	29.9%	49,478
SEP	2015	43,286	22,831	1,499	28,777	96,393	29.9%	42,068
OCT	2015	37,565	22,732	1,405	30,424	92,125	33.0%	51,431
NOV	2015	34,439	23,836	4,122	32,083	94,480	34.0%	41,283
DEC	2015	34,439	22,956	1,503	33,754	92,652	36.4%	61,471
JAN	2016					0	0.0%	
FEB	2016					0	0.0%	
MAR	2016					0	0.0%	
APR	2016					0	0.0%	
MAY	2016					0	0.0%	
JUN	2016					0	0.0%	
YTD TOTAL								343,022

FY 16 HOUSING RENTAL REVENUE

MONTH	YEAR	HOUSING RENTALS	MISC. REVENUE	MONTHLY REVENUE	FY16 YTD REVENUE	% OF BUDGET	FY15 YTD REVENUE	YTD INC/(DEC)
JUL	2015	30,743		30,743	30,743	12.2%	16,744	13,999
AUG	2015	23,400		23,400	54,143	21.5%	48,244	5,899
SEP	2015	15,050		15,050	69,193	27.5%	64,869	4,324
OCT	2015	29,450		29,450	98,643	39.2%	87,506	11,137
NOV	2015	15,625		15,625	114,268	45.4%	110,003	4,265
DEC	2015	30,950		30,950	145,218	57.6%	138,613	6,605
JAN	2016			0	0	0.0%	152,063	0
FEB	2016			0	0	0.0%	180,052	0
MAR	2016			0	0	0.0%	201,302	0
APR	2016			0	0	0.0%	216,352	0
MAY	2016			0	0	0.0%	237,682	0
JUN	2016			0	0	0.0%	258,507	0
TOTAL		145,218	0	145,218				
FY16 Budget		251,940	0	251,940				
% TO BUDGET		57.6%		57.6%				

CITY OF UNALASKA
CAPITAL PROJECTS BALANCE SUMMARY
THROUGH DECEMBER 2015

PROJEC	DESCRIPTION	BUDGET	2016 ACTUAL	LTD ACTUAL	ENCUMB	AVAILABLE BALANCE
GENERAL GOVERNMENT						
Public Safety						
PS401	DPS PARKING LOT	400,000	302,496	322,909	18,004	59,087
PS601	REPLACE BREATHING AIR COMPRESSOR	78,893	-	-	65,100	13,793
	Total Public Safety	478,893	302,496	322,909	83,104	72,880
Public Works						
D0810	S-CURVE PATHWAYS	66,000	-	15,000	-	51,000
PW004	ILULAQ LAKE DRAINAGE	1,078,312	699	73,587	13,281	991,444
PW202	BALLYHOO RD DRAINAGE & ELECTRICAL	1,610,000	-	1,575,751	-	34,249
PW203	CITYWIDE MULTIPLE LOCATION DRAINAGE	3,450,000	625,427	962,698	1,252,652	1,234,650
PW204	PAVEMENT RESURFACING-EXISTING PVMNT	7,928,000	-	6,530,860	12,873	1,384,267
PW301	SHORE PROTECTION & EROSION CONTROL	265,000	48,000	48,000	-	217,000
PW401	SUMMER BAY BRIDGE REPLACEMENT	2,330,307	123	2,102,623	22,606	205,078
PW403	LOWER ILIULIUK RIVER RESTORATION	99,000	-	99,000	-	-
PW404	UNALASKA LAKE STORMWATER MANAGEMENT	1,035,396	80,417	178,492	19,127	837,777
PW501	2015 PAVING PROJECT	4,406,628	3,286,007	3,646,101	320,356	440,170
PW502	OSI MITIGATION PROJECT	150,000	17	17	17,975	132,008
PW601	CEMETERY SURVEY	35,000	1,208	1,208	22,952	10,840
	Total Public Works	22,453,642	4,041,898	15,233,336	1,681,822	5,538,484
Parks, Culture & Recreation						
PR001	EXPEDITION PARK ACCESS & UPGRADE	45,500	5,238	43,304	-	2,196
PR401	AQUATIC CENTER IMPROVEMENTS	1,064,127	22,762	103,085	43,615	917,428
PR601	PUBLIC LIBRARY EXPANSION	12,500	-	-	-	12,500
	Total Parks, Culture & Recreation	1,122,127	28,000	146,388	43,615	932,124
Education						
SS601	UCSD PLAYGROUND RENOVATION	300,000	-	-	-	300,000
	Total Education	300,000	-	-	-	300,000
Other						
GG601	GIS ORTHOPHOTOGRAPHY	100,000	-	-	-	100,000
GG602	CITY NETWORK CORE UPGRADE	302,000	273,174	273,174	16,661	12,164
GG603	CLINIC RESTORATION PROJECT	50,000	50,000	50,000	-	-
	Total Other	452,000	323,174	323,174	16,661	112,164

ELECTRIC

Electric

EL202	TRANSFORMER REPLACEMENT-ELECT DISTR	63,000	-	36,089	-	26,911
EL302	POWERHOUSE ENGINE 4	8,575,088	74,263	7,625,163	295,268	654,657
EL402	TRANSFORMER REPLACEMENTS	132,000	19,776	37,176	-	94,824
EL403	POWERHOUSE CONTROL SYSTEM UPGRADE	561,072	5,425	558,100	1,966	1,006
EL501	ALYESKA ELECTRICAL TIE-IN	341,200	27,815	317,667	-	23,533
EL601	STACK SILENCER INSULATION REPLACMNT	36,000	24,460	24,460	-	11,540
H0801	APL ELECTRICAL UPGRADES	306,400	-	265,789	6,318	34,293
	Total Electric	10,014,760	151,739	8,864,445	303,552	846,763

WATER

Water

WA303	WATER LID FOR HAYSTACK/RAVEN WAY	85,400	-	-	-	85,400
WA304	WATER SUPPLY DEVELOPMENT PHASE II	560,020	-	356,427	-	203,593
WA401	NIRVANA PUMP STATION SCADA	74,477	22,801	58,901	-	15,576
WA402	WATER FLOW OPTIMIZATION	99,500	-	14,340	-	85,160
WA501	PYRAMID WATER STORAGE TANK	625,000	-	88,979	4,683	531,338
WA502	BACKFLOW PREVENTER INSTALLATIONS	501,550	28,113	68,228	21,315	412,007
WA503	ICY LAKE ROOF/SIDING REPLACEMENT	61,250	4,588	39,938	-	21,312
WA504	WATER UTILITY AUTOMATIC METER READ	106,052	8	8	33,375	72,669
WA905	WATER TREATMENT FACILITY/RD IMPRMNT	16,403,081	2,418,067	12,649,346	163,898	3,589,836
	Total Water	18,516,330	2,473,577	13,276,168	223,271	5,016,890

WASTEWATER

Wastewater

J0519	WWTP IMPROVEMENTS	31,786,913	2,094,258	28,798,553	573,187	2,415,172
WW302	SEWER LID FOR HAYSTACK/RAVEN WAY	487,400	-	-	-	487,400
	Total Wastewater	32,274,313	2,094,258	28,798,553	573,187	2,902,572

SOLID WASTE

Solid Waste

SW101	CELL 2-1 DESIGN	9,290,096	1,497,184	5,046,197	287,897	3,956,002
SW601	LF BALER FACILITY BOILER FLUE REPLA	14,000	9,209	9,209	-	4,791
SW602	PORTABLE TIRE BALER	113,383	42,868	42,868	42,868	27,647
	Total Solid Waste	9,417,479	1,549,261	5,098,274	330,765	3,988,440

PORTS & HARBORS

Ports & Harbors

PH201	DREDGE ENRANCE CHANNEL-COE RECON	250,000	-	19,565	20,466	209,969
PH301	UMC DOCK REPLACEMENT & EXPANSION	1,884,858	234,133	758,024	181,345	945,489
PH303	ROBERT STORRS SBH IMPROVEMENTS	5,782,609	2,566,756	4,975,371	423,560	383,677
PH501	FY15 USCG PAVING PROJECT	1,352,506	837,634	943,629	189,891	218,986
PH601	LIGHT CARGO DOCK EXPANSION	167,650	990	990	-	166,660
PH602	LIGHT CARGO DOCK & UMC DREDGING	109,650	-	-	-	109,650
PH603	UMC ELECT. PEDESTAL INSTALLATION	100,000	-	-	-	100,000
PH905	ROBERT STORRS SBH IMPROVEMNTS A&B	590,000	-	-	-	590,000
	Total Ports & Harbors	10,237,273	3,639,513	6,697,579	815,263	2,724,431

HOUSING

Housing

N0701	DIRECTOR HOUSING	975,260	-	343	-	974,917
	Total Housing	975,260	-	343	-	974,917

**CITY OF UNALASKA
UNALASKA, ALASKA
HISTORIC PRESERVATION COMMISSION MINUTES
THURSDAY, NOVEMBER 19, 2015
CITY COUNCIL CHAMBERS, CITY HALL
6:00 PM**

- 1. CALL TO ORDER:** Chair Doanh Tran called the meeting to order.

ROLL CALL:

Commissioners present:

Doanh Tran

Billie Jo Gehring

D. Tyrell McGirt, Acting City Manager

Anthony Grande, Acting Planning Director

Commissioners absent:

Vicki Williams

Jessica Earnshaw

Lottie Roll

STAFF PRESENT:

Anthony Grande, Acting Planning Director

- 2. MINUTES: Historic Preservation Commission, February 26, 2015.** Billie Jo Gehring made a motion to approve the minutes from the February 26, 2015 meeting, Anthony Grande seconded the motion. Chair Tran called for a vote, which was unanimous (4-0). The minutes for the February 26, 2015 meeting were approved.

BUSINESS ITEMS

- 3. Resolution 2015-03: A resolution of the Unalaska Historic Preservation Commission Approving a request for proposals for consultant services to update Unalaska's Inventory of Historic Sites and Resources.**

Anthony Grande explained that this is a requirement for the Commission, was last done in 2003, but required every 10 years. Under the direction of the state historic preservation office, this requirement needs to be met to continue to stay a Certified Local Government. The RFP is in the plan that outlines the work that is requested to be done for this project. This will be posted November 23, 2015 and the professionals must submit their proposals to the city by January 13, 2016. City Council will have to approve a proposal by January 26, 2016.

Tran asked Anthony if the professional that is chosen would be communicating with the Commission on their progress. Anthony said that it is not fully worked out in the document but they are hoping to have one site visit where they will have a meeting to speak with the Historic Preservation Commission before the majority of the work is started. At that time any questions or concerns can be brought up to them.

Doanh Tran asked if the Commissioners had any questions on the topic. Gehring asked a few questions concerning the funding of the project with concerns about this project and emphasizing since it is a requirement that it must be done. Doanh Tran asked questions on the insurance rates needed in the requirements. Anthony assured that this is the requirement for contractors working with the City. D Tyrell McGirt asked about the grant that was applied for. Anthony explained about the Grant that was not received. Doanh Tran asked if there are any questions from the public. There are none. Gehring made a motion to adopt Resolution 2015-03. A resolution of the Unalaska Historic Preservation Commission approving a request for proposals for consultant services to update Unalaska's inventory of historic sites and resources. Commissioner Grande seconded. There being no further comments or questions from the commissioners, Chair Tran called for a vote to approve Resolution 2015-03. The vote was unanimous (4-0) and the resolution was adopted.

WORK SESSION:

4. Discussion regarding goals and activities to be outlined in the HPC Annual Report for the coming year.

Anthony explained they will be doing an annual report in January 2016. Things that have been recommended by the staff are to update the historic sites, revise the webpage to better highlight historic preservation and give information on it, celebrate preservation month in May, focus resources on the Henry Swanson house; staff suggests moving the proposal out a year to have time to get public input, to not move the Manson Sultry through the CMMP process, HPC recommended it was put on last year but if it is not nominated it won't be on the plan. Based on resources and staff time we want to focus on one big project at a time (Swanson House).

Anthony thinks anything on the national register should automatically be on the local register. He thinks that if it is important enough for the Federal Government to recognize it than it is important enough for the community to recognize it as important to the local history. There may be requirements for restoring historic sites but also may have incentives involved. Billie Jo Gehring said that this plan looked like a good agenda for next year. Suggested that for Preservation Month in May they have a community tour to popular (or all) sites to get community input and possibly donations. Doanh Tran agreed and thought that was a good idea to gain the public interest. Anthony clarified the four sites that are on the register: The Russian Orthodox Church, The Dutch Harbor Naval Base, The SS Northwestern at Captains Bay, and The Sitka Spruce Plantation. Anthony recommended that those four sites are on the local register of historic places. Doanh Tran addressed a concern that she thinks not everyone in the community would feel as strongly about the local preservation efforts. She thinks that individual recommendations should be made on each site when the time comes.

Mr. Defendall asked if there was a photographic history of these sites to display somewhere. He also asked about the GIS Kiosk and if they could incorporate the Historic Preservation into that. Anthony explained that GIS has endless opportunities with functions it could have and could potentially play a large roll for the public and historic sites.

Doanh Tran mentioned that she would like to have some sort of way to highlight the trails and parks. Anthony discussed downtown; about the importance and great potential. He said there are some minor improvements that could be done to help promote it which could bring traffic to the historic sites down there. D. Tyrell McGirt loved that the Henry Swanson House was on the list because having it allows the discussion to continue with the community about what will happen with it in the future. Doanh Tran

asked Anthony if it was too heavy of a list for next year. Anthony said that the list is manageable although community development will be time consuming.

OTHER BUSINESS: *None*

5. ADJOURNMENT: Chair Tran adjourned the meeting at 8:02 PM.


PASSED AND APPROVED THIS 21st DAY OF January ~~2015~~ ²⁰¹⁶ BY THE CITY OF UNALASKA, ALASKA HISTORIC PRESERVATION COMMISSION.



Doanh Tran
Commission Chair

1-21-16

Date



Anthony Grande, AICP
Secretary of the Commission

1-21-16

Date

Prepared by Colette Hicks and Anthony Grande, Planning Department

**CITY OF UNALASKA
UNALASKA, ALASKA
PLANNING COMMISSION MINUTES
THURSDAY DECEMBER 17, 2015
CITY COUNCIL CHAMBERS, CITY HALL
6:00 P.M.**

- 1. CALL TO ORDER:** Chair Doanh Tran called the meeting to order at 6:00 PM.

Roll Call:

Commissioners Present:

Jessica Earnshaw

Vicki Williams

Lotti Roll

Billie Jo Gehring (arrived at 6:03 pm)

Commissioners Absent: None

Staff Present:

Anthony Grande, Planning Director

- 2. REVISIONS TO THE AGENDA:** *None*

- 3. APPEARANCE REQUESTS:** *None*

- 4. ANNOUNCEMENTS:** Chair Tran recognized and congratulated Anthony Grande as the new Planning Director of the City of Unalaska.

Chair Tran also recognized Ryan Burnias as the temporary Planning administrative assistant for 3 weeks.

January 21st planning commission meeting has been cancelled and rescheduled until February 18th, 2016. Also Commissioners Williams and Roll will not be present for that meeting.

- 5. MINUTES:** *Planning commission & Platting board, December 17, 2015.* Chair Tran called for a motion to approve the minutes from the November 19, 2015 meeting. Earnshaw made a motion, Gehring seconded that motion. Chair Tran asked if there were any further discussions on the minutes. There being no comments, Chair Tran called for a vote, which was unanimous (5-0). The minutes for the November 19, 2015 meeting were adopted.

PUBLIC HEARING ACTION ITEMS:

- 6. RESOLUTION 2015-23:** A RESOLUTION APPROVING A 12-MONTH EXTENSION AND AMENDMENT OF THE APPROVAL OF PRELIMINARY PLAT OF HESTER SUBDIVISION, A RESUBDIVISION OF LOT 9 EAGLE VIEW SUBDIVISION, LOCATED AT 12 EAGLE CREST COURT

Chair Tran confirmed that there was no conflict of interest or ex parte communication, open public hearing and called for the staff presentation.

Anthony Grande explained the Hester subdivision and which he explained the lot would be split into two. The lot was approved. The subdivision preliminary plat was approved and met all other requirements according to the subdivision code. The resolution reapproves the subdivision and is a 12 month extension.

Rod Hester questioned once utilities are in place will notation be removed from plat. Anthony Grande explained that the notation is permanent, but that the statement would be meaningless once utilities are installed.

Chair Tran asked if there were any members of the public or commissioners that would like to comment on the plan. Hearing no comments, Chair Tran closed the public hearing. Commissioner Earnshaw made a motion to approve Resolution 2015-23, Commissioner Williams second that motion. There being no further commission discussion, Chair Tran called for a vote to approve Resolution 2015-23. The vote was unanimous (5-0), and the motion was carried and adopted.

- 7. RESOLUTION 2015-24:** A RESOLUTION APPROVING A 12-MONTH EXTENSION AND AMENDMENT OF THE APPROVAL OF PRELIMINARY PLAT OF PARKSIDE ESTATES SUBDIVISION REVISION 1, A RESUBDIVISION OF LOT 1 PARKSIDE ESTATES SUBDIVISION, LOCATED AT 1398/1400 EAST BROADWAY AVE

Chair Tran asked if there was any conflict of interest or ex parte communication. The result being there was conflict of interest from one of the public in the meeting. Chair Tran opened the public hearing and called for staff presentation.

Anthony Grande explained the lot being split into two and was approved a year ago. The request of an extension of this lot. There will be no occupancy and until utilities are installed. Anthony Grande requested to approve Resolution 2015-24 with the conditions listed.

Chair Tran asked if there were any other questions from the commissioners and staff that would like to comment. Chair Tran asked if any of the applicants wanted to speak on this matter, this being resulted in one applicant speaking. Chair Tran then asked if any of the staff had any questions for the applicant. Hearing no comments, Commissioner Earnshaw made a motion to approve Resolution 2015-24, Commissioner Williams seconded. There being no further commission discussion, Chair Tran called for a vote to approve Resolution 2015-24. The vote was unanimous (4-0), and the motion was carried and adopted.

8. RESOLUTION 2015-25: A RESOLUTION RECOMMENDING APPROVAL OF DRAFT CITY COUNCIL ORDINANCE 2016-01 AMENDING UNALASKA MUNICIPAL CODE CHAPTER 8.08 PLATTING AND SUBDIVISION, AMENDING REQUIREMENTS OF SUBDIVISION UTILITY IMPROVEMENTS

Chair Tran asked if there were any conflict of interest or ex parte communication, hearing no comments. Chair Tran opened the public hearing and called for the staff presentation.

Anthony Grande explained the ordinance and recommended approving the new version of the ordinance provided by the City Attorney, which had been provided to the commissioners and public. The ordinance provided a method for a subdivider to waive the utility installation requirement if certain conditions are met. Those conditions are clearly spelled out in the ordinance. Grande explained that the ordinance will make subdividing a lot smoother and easier in the future and recommended approval.

Chair Tran asked if there were any members of the public that would like to comment on the presentation. Rod Hester spoke on the matter and complimented on his approval of this resolution. Hester stated this will help future property owners in the near future.

Chair Tran suggested a possible one-page process checklist for the subdivision process so that members of the public can more easily understand the requirements. Grande agreed.

Commissioner Earnshaw made a motion to approve Resolution 2015-25 as amended ordinance 2016-01, Commissioner Gehring seconded. There being no further commission discussion, Chair Tran called for a vote to approve Resolution 2015-25. The vote was unanimous (5-0), and the motion was carried and adopted.

WORK SESSION: *None*

OTHER BUSINESS: *None*

ADJOURNMENT: Chair Tran adjourned the meeting at 6:47 PM.

PASSED AND APPROVED THIS 21st DAY OF January ²⁰¹⁶~~2015~~ BY THE CITY OF
UNALASKA, ALASKA PLANNING COMMISSION



Doanh Tran
Commissioner Chair

1-21-16

Date:



Anthony Grande, AICP
Secretary of the Commission

1-21-16

Date

Prepared by Ryan Burnias, Planning Department

To: Mayor and Council

From: David A. Martinson, City Manager

Subject: City Manager's Report

Date: February 9, 2016

Alaska Game a Fish: Councilman Frank Kelty earned the 2016 Excellence in Service Award which recognized Frank for his outstanding contributions to the Unalaska/Dutch Harbor Advisory Committee and the regulatory process. Frank has served more than 35 years and was recognized for reactivating the Unalaska/Dutch Harbor Advisory Committee in 2001 after years of dormancy, leading the way to stronger protections for resources, new fisheries, and successful community participation across the Unalaska region. Congratulations to you Frank for your support.

Aquatics Center: DPW opened bids for the Aquatics Center construction project. The low bid for the construction portion of the project was significantly higher than the engineer's estimate. The staff is working to determine why the bids were so high versus the engineering estimate. Once we understand the issues we will provide Council an update/recommendation on the Aquatics Center project.

CMMP and Budget: The administration continues to work on developing the CMMP to present to council during the budget cycle. We are now compiling the projects from the departments and working through the process to validate requirements and develop the appropriate timing for project execution. The staff also continues to develop the FY17 budget requirements. We look forward to our CMMP and Budget presentations to Council in the future.

DPS Body Cameras: As a result of the high numbers of incident involving police officers and the public, like the shooting in Ferguson, Missouri, there is a move towards body cameras for police officers. DPS is going to implement a study to determine the value of moving that direction in Unalaska. While we do not necessarily have an issue here, we believe the study will provide valuable information if body cameras become required. If Unalaska were to go to body cameras for police officers the cost associated with that requirement will be equipment, data storage (25-30 Terabytes per year), maintenance of equipment, and unknown manpower associated with maintaining the data and providing redacted video if anyone from the public were to make requests. We will provide an update to the Council when the study is complete.

CITY OF UNALASKA
UNALASKA, ALASKA

ORDINANCE NO. 2016-03

AN ORDINANCE OF THE UNALASKA CITY COUNCIL AMENDING UNALASKA CODE OF ORDINANCES TITLE 9 TO CREATE A NEW CHAPTER 9.24 FOR THE PROHIBITION OF MARIJUANA BUSINESS.

BE IT ENACTED by the City Council of the City of Unalaska:

Section 1: **Form.** This is a Code ordinance.

Section 2: **Amendment of Title 9.** Title 9 Business Licenses and Regulations of the Unalaska Code of Ordinances is hereby amended by the addition of a new Chapter 9.24 Marijuana to read as follows:

Chapter 9.24
MARIJUANA

09.24.010 **Definitions.**

09.24.020 **Marijuana businesses prohibited.**

09.24.010 Definitions.

“Marijuana business” means any and all business, acts, or commerce subject to registration or licensure pursuant to Alaska Statute Chapter 17.38.

09.24.020 Marijuana businesses prohibited.

Marijuana businesses are prohibited.

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

PASSED AND ADOPTED BY A DULY CONSTITUTED QUORUM OF THE UNALASKA CITY COUNCIL THIS _____ DAY OF _____, 2016.

HON. SHIRLEY MARQUARDT
MAYOR

ATTEST:

CATHERINE HAZEN, CITY CLERK

MEMO

Date: January 20, 2016
To: Mayor and Council
From: City Manager Dave Martinson
Re: Commercial Marijuana

Council requested Administration to present three ordinances regarding commercial marijuana. The first ordinance, **Attachment 1**, prohibits the commercialization of marijuana in Unalaska. The second ordinance, **Attachment 2**, allows all four facets of commercial marijuana (cultivation, manufacture, testing and retail sales). The last ordinance, **Attachment 3**, provides a temporary moratorium, with a sundown clause, on the commercialization of marijuana in Unalaska.

The following summarizes decisions that will be required of Council if commercial marijuana is allowed:

- 1 – Number of commercial cultivation facilities allowed.
- 2 – Size of cultivation facilities allowed (less than 250 square feet or more than 250 square feet).
- 3 – Number of testing facilities allowed.
- 4 – Number of manufacturing facilities allowed.
- 5 – Types of extraction methods allowed (See **Attachment 4**).
- 6 – Number of retail stores allowed.
- 7 – Types of products allowed (See **Attachment 4**).
- 8 – Will Council follow the State's regulation prohibiting commercial marijuana facilities within 500 feet of schools, recreation or youth centers, buildings in which religious services are regularly conducted, or correctional facilities? Council indicated they wanted to look at using a 250 foot distance, which would require approval from the State. Administration believes it will be difficult to get the State to concede and does not believe Unalaska needs a shorter distance.
- 9 – Does Council plan to require that marijuana advertisements be located outside the State's regulated 1,000 foot radius from any child-centered facility including schools, childcare facilities or other facility providing services to children, a playground or recreation center, a public park, a library, a game arcade that is open to persons under the age of 21, or a substance abuse or treatment facility? Administration assumes Council will adhere to the State's requirement indicating there will be no advertisement on or in a public transit vehicle or public transit shelter and or in a publically owned or operated property.
- 10 – Does Council want to change the current State retail store hours to limit times a retail store would be open to the public?
- 11 – Does Council want to prohibit smoking of marijuana in the retail store?

12 – Zoning for the various types of marijuana facilities will need to be addressed. Administration provides the following for Council to consider with regard to zoning:

Zones where marijuana business may fit under current Title 8 regulations¹

Type of Business	Zoning District	Reason
Grow Operations	High-Density Residential General Commercial Marine-Related Industrial	“Commercial Greenhouses” Commercial business Includes anything in GC
Manufacture of Oils	Marine-Related Industrial	Industrial use
Manufacture of other items	General Commercial Marine-Related Industrial	“Bakeries” Includes anything in GC
Testing	Marine-Related Industrial	“Research and testing Laboratories”
Retail	General Commercial Marine-Related Industrial	“Retail” Includes anything in GC

¹It would be advisable amend Title 8 to specifically mention marijuana businesses and define their allowed locations, rather than fitting marijuana businesses into current sections of the code. However, this table provides an overview of how marijuana businesses would likely fit into existing Title 8 definitions. Any member of the community could argue for a different interpretation to the Planning Commission. If Title 8 is amended to include marijuana related businesses, Council could restrict the businesses to whatever zones they believed reasonable.

13 – Taxation of commercial marijuana is also a decision for Council. Administration believes it is better to establish a tax rate higher than the normal city tax rate on marijuana sales. We believe it is best to be prepared for higher costs in police, education and health related areas. While we do not know if any higher costs will be incurred we do believe that a higher tax rate upfront allows the City to be proactive instead of reactive. If higher costs do not materialize, Administration is prepared to present an ordinance to reduce the tax rate to be more in line with typical City tax rates.

Administration researched potential revenue for a single retail store opened in the City of Unalaska. Our research provided the following assumptions: 8-10 pounds of marijuana sold per month; and a current black market price of ~\$500 per ounce. Administration provides the following table for Council to consider:

Marijuana Tax Potential							
Annually	Street	Annual	Tax Options				
Pounds Sold	Price per Pound	Revenue	10%	15%	20%	25%	
96	\$ 8,000	\$ 768,000	\$ 76,800	\$ 115,200	\$ 153,600	\$ 192,000	
108	\$ 8,000	\$ 864,000	\$ 86,400	\$ 129,600	\$ 172,800	\$ 216,000	
120	\$ 8,000	\$ 960,000	\$ 96,000	\$ 144,000	\$ 192,000	\$ 240,000	

14 – **Attachment 5** provides Council information on the process for a ballot initiative.

Attachment 1

CITY OF UNALASKA
UNALASKA, ALASKA

ORDINANCE NO. 2016-03

AN ORDINANCE OF THE UNALASKA CITY COUNCIL AMENDING UNALASKA CODE OF ORDINANCES TITLE 9 TO CREATE A NEW CHAPTER 9.24 FOR THE PROHIBITION OF MARIJUANA BUSINESS.

BE IT ENACTED by the City Council of the City of Unalaska:

Section 1: **Form.** This is a Code ordinance.

Section 2: **Amendment of Title 9.** Title 9 Business Licenses and Regulations of the Unalaska Code of Ordinances is hereby amended by the addition of a new Chapter 9.24 Marijuana to read as follows:

Chapter 9.24

MARIJUANA

09.24.010 **Definitions.**

09.24.020 **Marijuana businesses prohibited.**

09.24.010 Definitions.

“Marijuana business” means any and all business, acts, or commerce subject to registration or licensure pursuant to Alaska Statute Chapter 17.38.

09.24.020 Marijuana businesses prohibited.

Marijuana businesses are prohibited.

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

PASSED AND ADOPTED BY A DULY CONSTITUTED QUORUM OF THE UNALASKA CITY COUNCIL THIS _____ DAY OF _____, 2016.

HON. SHIRLEY MARQUARDT
MAYOR

ATTEST:

CATHERINE HAZEN, CITY CLERK

Attachment 2
CITY OF UNALASKA
UNALASKA, ALASKA

ORDINANCE NO. 2016-04

AN ORDINANCE OF THE UNALASKA CITY COUNCIL AMENDING UNALASKA CODE OF ORDINANCES TITLE 9 TO CREATE A NEW CHAPTER 9.24 FOR THE REGULATION OF MARIJUANA BUSINESS.

BE IT ENACTED by the City Council of the City of Unalaska:

Section 1: **Form.** This is a Code ordinance.

Section 2: **Amendment of Title 9.** Title 9 Business Licenses and Regulations of the Unalaska Code of Ordinances is hereby amended by the addition of a new Chapter 9.24 Marijuana to read as follows:

Chapter 9.24
MARIJUANA

- 09.24.010 **Definitions.**
- 09.24.020 **Prohibited acts.**
- 09.24.030 **Closing hours for licensed premises.**
- 09.24.040 **Prosecution of licensee for acts of employees.**
- 09.24.050 **Accessibility for inspection.**
- 09.24.060 **Marijuana products prohibited.**

09.24.010 Definitions.

“Business” means any natural person or legal entity such as, without limitation, a business-for-profit corporation, nonprofit corporation, partnership, limited liability company or trust that undertakes to provide goods or services to the public or to persons who are members of a private group that is eligible to obtain the goods or services, regardless of whether the business exists or is conducted for the purpose of making a profit.

“Licensed premise” means the premises of any business or facility licensed by the Alaska Marijuana Control Board.

“Marijuana products” means concentrated marijuana products and marijuana products that are comprised of marijuana and other ingredients and are intended for use or consumption, such as, but not limited to, edible products, ointments, and tinctures, and excludes unadulterated marijuana buds and flowers.

09.24.020 Prohibited acts.

It is unlawful:

(A) For a person to barter or sell marijuana unless licensed by the Alaska Marijuana Control Board.

(B) For a person to obstruct or deny law enforcement officers, charged with the enforcement of this code, reasonable access to the licensed premises.

(C) For a person to give, barter or sell marijuana to a minor.

(D) For a person under the age of 21 years to enter or remain upon a licensed premises.

09.20.030 Closing hours for licensed premises.

(A) (1) It shall be lawful for licensed premises to operate during the following hours:

(a) Monday 8:00 a.m. through Tuesday 2:00 a.m.

(b) Tuesday 8:00 a.m. through Wednesday 2:00 a.m.

(c) Wednesday 8:00 a.m. through Thursday 2:00 a.m.

(d) Thursday 8:00 a.m. through Friday 2:00 a.m.

(e) Friday 8:00 a.m. through Saturday 3:00 a.m.

(f) Saturday 8:00 a.m. through Sunday 3:00 a.m.

(B) It shall be unlawful for licensed premises to allow persons or customers who are not owners or employees to remain on the premises during hours the licensed premises are not authorized to operate.

(C) It shall be unlawful for any premises licensed under authority of the State of Alaska Marijuana Control Board, licensee, agent or employee to sell, barter, or distribute marijuana or **marijuana products** within the city during hours not authorized by this chapter.

09.20.040 Prosecution of licensee for acts of employees.

Every licensee is personally responsible for the conduct of his licensed premises as may be prosecuted for violations of this chapter committed by his employees or agents which occur on his licensed premises. This section shall not relieve the employee or agent of his personal criminal liability.

09.20.050 Accessibility for inspection.

Premises licensed by the Alaska Marijuana Control Board, and every part thereof, shall be easily accessible for inspection by municipal law enforcement officers during all regular hours for the transaction of business upon the premises and during hours closed for business when it appears there are persons on the premises or any reason for such officers to believe there might be a violation of this chapter.

09.24.060 Marijuana products prohibited.

No person shall sell, barter, or distribute marijuana products from licensed premises.

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

PASSED AND ADOPTED BY A DULY CONSTITUTED QUORUM OF THE UNALASKA CITY COUNCIL THIS _____ DAY OF _____, 2016.

HON. SHIRLEY MARQUARDT
MAYOR

ATTEST:

CATHERINE HAZEN, CITY CLERK

Attachment 3

CITY OF UNALASKA UNALASKA, ALASKA

ORDINANCE NO. 2016-05

AN ORDINANCE OF THE UNALASKA CITY COUNCIL AMENDING UNALASKA CODE OF ORDINANCES TITLE 9 TO CREATE A NEW CHAPTER 9.24 FOR THE REGULATION OF MARIJUANA BUSINESS.

WHEREAS, marijuana, as an intoxicant, is rightfully regulated by the City of Unalaska for the health and safety of its residents; and

WHEREAS, the residents of Alaska passed Ballot Measure No. 2 - An Act to Tax and Regulate the Production, Sale, and Use of Marijuana, codified as Alaska Statute Chapter 17.38; and

WHEREAS, the Alaska Statute Chapter 17.38 creates classes of registrations, licenses, or permits to enable the lawful conduct of certain types of marijuana commerce and business; and

WHEREAS, the conduct of these commercial and business activities is unlawful without the appropriate registration, license, or permit; and

WHEREAS, AS 17.38.110 Local Control, enacted by Ballot Measure 2, empowers municipalities to limit or prohibit the operation of these businesses by enactment of an ordinance or voter initiative; and

WHEREAS, enacting a temporary moratorium on the operation of certain commercial marijuana businesses does not infringe upon the personal use rights guaranteed by Alaska Statute Chapter 17.38;

BE IT ENACTED by the City Council of the City of Unalaska:

Section 1: **Form.** This is a Code ordinance.

Section 2: **Amendment of Title 9.** Title 9 Business Licenses and Regulations of the Unalaska Code of Ordinances is hereby amended by the addition of a new Chapter 9.24 Marijuana to read as follows:

Chapter 9.24

MARIJUANA

09.24.010 **Definitions.**

09.24.020 **Moratorium on marijuana businesses.**

09.24.010 Definitions.

“Marijuana business” means any and all business, acts, or commerce subject to registration or licensure pursuant to Alaska Statute Chapter 17.38.

09.24.020 Moratorium on marijuana businesses.

(A) There shall be no marijuana business within the city before September 1, 2017.

(B) No person may submit an application for a land use permit, zoning permit or building permit for a marijuana business before September 1, 2017.

Section 3. Effective Date. This ordinance shall be effective upon passage and shall expire September 1, 2017.

PASSED AND ADOPTED BY A DULY CONSTITUTED QUORUM OF THE UNALASKA CITY COUNCIL THIS _____ DAY OF _____, 2016.

HON. SHIRLEY MARQUARDT
MAYOR

ATTEST:

CATHERINE HAZEN, CITY CLERK

Attachment 4

Memorandum

TO: David Martinson, City Manager

FROM: Mike Holman, Director

DATE: January 18, 2016

SUBJECT: Marijuana manufacturing – production of marijuana concentrates

There are several methods commonly used to extract the THC from marijuana plant matter and produce marijuana concentrates. These concentrates are used to manufacture products intended for smoking or vaping, as well as products to make various forms of edibles. The methods which are the most efficient and produce the highest concentration of THC involve the use of volatile chemicals or solvents. Less efficient methods include extracting the THC through water based extraction or food based extraction methods. Some of the issues that council should examine when considering what methods may be allowed commercially in Unalaska are detailed below.

Volatile Substance Extraction Methods

The volatile substance extraction methods include the use of solvents such as; butane, acetone, isobutene, propane, or heptane. The State of Alaska requires that the solvents must be used in a ‘professional grade closed loop extraction system’ in an area that is properly ventilated with all potential sources of ignition controlled (3AAC 306.555(b)(3)(A-C)). The process basically involves forcing the solvent through an extraction tube filled with ground marijuana plant matter. The resulting residue is a mixture of the volatile solvent and highly concentrated THC. The solvent is allowed to evaporate, leaving behind the highly potent THC concentrate.

Using these volatile chemicals in a commercial enterprise creates some distinct concerns for local governments. Issues that should be considered relate to; zoning, building and electrical codes, regulations on hazardous waste storage and disposal, regulations related to fumes and smells, and safety regulations for using volatile substances in enclosed spaces. Other considerations may include specifying what the extract will be used for (i.e. smoking versus ingesting) as trace amounts of solvents remain in the extract and may create serious health concerns.

The independent safety testing laboratory, Underwriter Laboratories (UL), currently will not certify any equipment used in the extraction of marijuana concentrates by this method. In an attempt to create a relatively safe environment for the manufacturing of marijuana concentrates using this method, other states have relied on local fire departments to inspect and ‘certify’ the equipment used in these operations. The State of Alaska followed this example and will require that local fire departments approve the equipment and facilities used in the extraction process and that these facilities meet all applicable fire, safety and building code requirements (3AAC 306.555(c)(5)). This seems to put the responsibility and cost of inspecting these facilities on the local governments.

Food or Water Based Extraction Methods

These are the less efficient methods that produce a less potent marijuana concentrate. The efficiency of these methods can reportedly be increased through the use of ultrasonic equipment, but it is still a relatively new concept and not much data is available on this method. The water based method used water, ice, or dry ice; while the food based method uses propylene glycol, glycerin, butter, olive oil, or other typical cooking oil/fats. These processes can basically be broken down into two types – hot and cold. The hot method involves taking ground marijuana plant matter and placing it into the heated oil and letting it simmer. The THC will dissolve into the oil and then the oil is strained through a filter. The cold method involves soaking the ground up marijuana plant matter in the cold oil for an extended period (up to a year). Then the oil is strained through a filter, leaving behind the infused product. The water and food based methods are addressed in the State of Alaska's administrative code – 3AAC 306.355(b), which states in part that these methods may be used to create infused butter and oils to prepare edible products, but cannot be used to prepare a stand-alone edible product.

Using the water or food based extraction method for a commercial purpose is an emerging industry and there is little information on how pathogens grow in marijuana extracts and their derivatives. One that is known is *Clostridium botulinum*. It is a bacterium with spores present in some marijuana plants which can survive cooking/pasteurizing temperatures. If these spores germinate the bacteria can produce a toxin that causes severe illness or death. To prevent this from occurring, controls should be put in place to ensure that the business is producing a safe product. Methods used to control the formation of *C. botulinum* include; irradiating plant matter, storing extracts/concentrates at a temperature below 41 F, and by infusing the extract/concentrate with 190/200 proof alcohol. Another consideration is how to properly dispose of the waste created from this process. Other states seem to be requiring that the waste generated be considered 'solid waste' once it is ground up with at least 50% of other solid waste matter.

The State of Alaska appears to view these types of manufacturing businesses much like other kitchen related businesses, and requires them to comply with all health and safety standards in 3AAC 306.735 and 18AAC 31, as well as all local health and safety standards. Much like the volatile solvent method, the State of Alaska appears to be requiring that local fire departments certify that these operations comply with all applicable fire, safety, and building codes.

Summary

The methods used for extracting marijuana concentrates have different issues that local governments should consider when making policy or implementing ordinances. The volatile chemical method is the most efficient process but also creates some of the most serious concerns. These concerns center on the use of the volatile chemicals and the process with which they are used. The most significant concern is the potential for explosion and/or fire during the extraction process, and the disposal/storage of the hazardous substances/waste. The water or food based extraction method is less efficient but also have fewer concerns. These concerns center around ensuring a safe product by implementing controls to reduce pathogens, and how to handle the solid waste generated during the extraction process. Under the State of Alaska's marijuana regulations, our Public Safety Department will be tasked with ensuring that any operation using either method abides by all applicable fire, safety, health, and building codes.

Attachment 4, Continued

Memorandum

TO: David Martinson, City Manager

FROM: Mike Holman, DPS Director

DATE: January 18, 2016

SUBJECT: Marijuana products

The different types of marijuana products which can be sold commercially can be regulated by local governments under Alaska Administrative Code (3AAC 306.200(a)(1)). This memo will help identify some of the most common types of marijuana products and associate them with the different manufacturing process used to create them. Attached to the memo are several pages of photos that show what these products may look like.

PRODUCT	MANUFACTURING PROCESS	COMMENTS
Marijuana flower (Bud)	Indoor grow	Most often smoked
Edibles	Extraction/concentrates	Almost no limit to type or appearance
Oils	Extraction/concentrates	Highly concentrated
Lotions/salves	Extraction/concentrates	Must be an infused product

The edible product line can be enormous. There is almost no limit to the type of product that can be infused with THC, making identification of infused products difficult. There are specific regulations on packaging marijuana products adopted by the State of Alaska (3AAC 306.500 – 570) which prohibits the manufacture or sale of a product that is packaged to closely resemble a familiar food or drink.

The product line of oils includes what is commonly referred to as ‘hash oil’ or ‘wax’. It is a highly concentrated form of THC created by extracting the THC from the plant. This product is very versatile and can be used to make edibles, it can be smoked, or it can be vaped. NOTE: Vaping heats the cannabis flower, concentrate, or oil enough to release the THC but does not burn the flower and therefore does not smoke.

The lotions and salves are manufactured using a concentrate form of THC obtained through one of extraction methods. These products are applied to the epidural layer and absorbed.

New marijuana products are continually being developing as the business continues to evolve.

Marijuana Flower (Bud)



Marijuana Edibles



Marijuana Oils (Concentrates)



Marijuana Lotions/Salves



Attachment 5

Memorandum

DATE: November 20, 2015
TO: David Martinson, City Manager
FROM: Cat Hazen, City Clerk
RE: Time requirements for initiatives and special elections

Elections in Unalaska are governed by Title 4 of the Alaska Code of Ordinances and Alaska Statutes 29.26. The steps required for an initiative or referendum, per AS 29.26 Article 2, are summarized below. The default is that a ballot measure initiated by voters is placed on the ballot during the next regular election or already scheduled special election that is at least 60 days after the certification of the petition.

Procedure and timeline for an initiative or referendum

1. **Application for petition.** An application for petition containing the ordinance to be initiated or referred, signed by at least 10 registered voters, is filed with the City Clerk.

Time required/allowed: TWO WEEKS for clerk to certify the application

2. **Clerk prepares the petition.**

Time required/allowed: TWO WEEKS

3. **Sponsors secure signatures on petition.** The number of signatures required is 25% of the number of votes cast in the last regular election.

Time required/allowed: 90 DAYS

4. **Clerk certifies the petition.**

Time required/allowed: 10 DAYS

5. **Election.** Ordinance appears on ballot in the next election that is already scheduled. Governing body may, by ordinance, order a special election (see additional requirements below).

Time required/allowed: NOT SOONER THAN 60 DAYS from certification of petition

Additional procedures for special elections

1. **Ordinance ordering special election.**

Time required/allowed: 20 DAYS after ballot language is written for noticing and accomplishing a first reading and a second reading/public hearing

2. **Public notice of election.**

Time required/allowed: 20 DAYS

3. **Printing of ballots.** Printed ballots must be in Clerk's office no later than 10 days before the election.

Time required/allowed: 20-30 DAYS including programming memory cards, printing, shipping, and 10 days in office.

The estimated cost for a special election, not including staff time, is \$3,000.

CITY OF UNALASKA
UNALASKA, ALASKA

ORDINANCE 2016-02

AN ORDINANCE OF THE UNALASKA CITY COUNCIL AMENDING VARIOUS PROVISIONS OF THE UNALASKA CODE OF ORDINANCES TO DESIGNATE CERTAIN VIOLATIONS OF CITY LAW AS MINOR OFFENSES AND TO ESTABLISH FINES FOR SUCH VIOLATIONS AND TO PROVIDE FOR OTHER PENALTIES FOR VIOLATIONS.

BE IT ENACTED by the City Council of the City of Unalaska:

Section 1: Form. This is a Code ordinance.

Section 2: Amendment of Section 1.12.030. Section 1.12.030 of the Unalaska Municipal Code is hereby amended to read as follows: [additions are underlined; deletions are in brackets]

1.12.030 ORDINANCES.

The City Council, with the advice and assistance of the City Attorney, shall cause each ordinance to be printed as promptly as possible following its adoption in the following manner:

(A) Ordinances enacted by the City Council of a general and a permanent nature shall be inserted in the Code after authentication by the City Clerk.

(B) Emergency, bond, temporary, appropriation, and non-code ordinances resolutions shall not be included in the Code, but shall be retained in the form enacted by the City Clerk.

(C) All titles to ordinances, all enacting and repealing clauses, all declarations of emergency, and all purpose, validity, and construction clauses shall be omitted from the Code unless from their nature it may be necessary to retain some of them to preserve the full meaning and intent of the ordinance.

(D) The City Clerk shall forward any ordinance creating, deleting, or modifying an offense categorized as a minor offense to the City Attorney, who shall report the change to the Alaska Court System for inclusion in the Uniform Table of Minor Offenses.

Section 3. Repeal and Reenactment of Chapter 1.24. Chapter 1.24 of the Unalaska Code of Ordinances is hereby repealed in its entirety and reenacted to read as follows:

1.24.010 GENERAL PENALTY.

(A) Every act prohibited by city ordinance is unlawful. Unless another penalty is expressly provided by this code for a particular act or offense, every person convicted of an infraction or violation of any provision of this code, or any rule or regulation adopted or issued pursuant to this code, is guilty of a minor offense as that term is defined in the Alaska Rules of Minor Offense Procedure and shall be punished by a fine of not more than five hundred (\$500) dollars unless the penalty is established by fine schedule, in which case the maximum penalty shall be \$1,000.

(B) In addition to any other remedies or penalties which may be provided in this code, or may otherwise be available, the city or any aggrieved person may institute a civil action to obtain injunctive or compensatory relief against a person who violates any provision of the code. In addition to injunctive and compensatory relief, a civil penalty not to exceed one thousand dollars (\$1,000) may be imposed for each violation. An action to enjoin a violation may be brought notwithstanding the availability of any other remedy. On application for injunctive relief and a finding of violation or threatened violation, the superior court shall grant the injunction. The City shall be entitled to collect all reasonable attorney's fees in any successful civil action to enforce the laws of the City.

(C) Each act of violation and every day upon which the violation occurs constitutes a separate offense.

1.24.015 SURCHARGE REQUIRED.

In addition to any penalty prescribed by law, a defendant convicted of violating a city ordinance shall pay the surcharge required under AS 12.55.039 and 29.25.074. All such surcharges collected shall be remitted to the State of Alaska as required by AS 29.25.074.

1.24.020 PROCEDURE.

(A) The charge for the violation of a code provision may be brought by any peace officer, the city manager, or that city official responsible for the administration and enforcement of the code provision which has been violated.

(B) The city shall use the Alaska Uniform Citation form, or the electronic version if authorized, to provide notice of a minor offense to anyone accused of violating any provision of this Code.

1.24.030 DISPOSITION OF MINOR OFFENSES.

A person charged with a minor offense listed on a fine schedule may appear in court to contest the charge. If an offense is not listed on a fine schedule, or if the citation indicates that a court appearance is mandatory, the defendant must appear in court to answer the charges. As a minor offense, trial is by the court without a jury, and there is no right to court-appointed defense counsel.

1.24.040 MINOR OFFENSE FINE SCHEDULE.

In accordance with AS 29.25.070(a), citations for the following offenses may be disposed of as provided in AS 12.25.195-.230, without a court appearance, upon payment of the fine amounts listed below, plus the state surcharge required by AS 12.55.039 and AS 29.25.074. Fines must be paid to the court. The Alaska Court System's Rules of Minor Offense Procedures apply to all offenses listed below. If a person charged with one of these offenses appears in court and is found guilty, the penalty imposed for the offense may not exceed the fine schedule amount listed below for that offense. Citations charging these offenses must meet the requirements of the Rules of Minor Offense Procedure. The fines set forth below may not be judicially reduced.

<u>Code Section</u>	<u>Offense Description</u>	<u>Fine Amount</u>
3.80.035(D)	Failure of operator to collect and/or remit sales tax for rental space	300
8.08.120(A)		1000
9.04.020(B)	Failure to obtain business license	300
9.04.025(A)	Failure to obtain business license – temporary business	300
9.04.042	Failure to display business license	100
9.12.060(A)(1)	Taxi permit displayed	100
9.12.060(A)(2)	Interior lighting	100
9.12.060(A)(3)	Obstructed vision	100
9.12.060(A)(4)	Safety equipment violation	100
9.12.065(D)	Breaking meter seal	150
9.12.160(A)	Frequency monitoring device	300
9.12.160(B)	Frequency Monitoring device – public safety frequency	500
9.12.160(C)	Frequency monitoring device – unlicensed device	500
9.12.020(A)	Operating taxicab without obtaining a taxicab permit	1000
9.12.240(A)	Operating taxi or vehicle for hire without chauffeur license	500
9.12.240(B)	Operating vehicle not	500

	assigned to taxicab permit	
9.12.240(C)	Charging unauthorized fare	200
9.12.240(D)	Driving taxi or vehicle for hire without posting applicable fare or notice of charges in visible location	200
9.12.240(E)	Soliciting passengers for hire in dangerous manner	200
9.12.240(F)	Attempting to attract the attention of members of the public by word of mouth, signal, nod or other demonstration while in motion	200
9.12.240(G)	Refusing to convey a person upon request and tender of proper fee without justification	200
9.12.240(H)(1)	Operating a taxicab or other for-hire vehicle for a period of time in excess of twelve (12) hours	200
9.12.240(H)(2)	Operating a taxicab or other for-hire vehicle for a period in excess of sixteen (16) non-consecutive hours in any twenty-four (24) hour period	200
9.12.240(I)	Transporting or offering to transport additional passengers in an occupied taxicab	200
9.12.240(J)(1)	Consuming intoxicating liquor while on a work shift as a chauffeur or within four (4) hours preceding operation of a taxicab or other for-hire vehicle	200
9.12.240(J)(2)	Operating taxicab or vehicle for hire with blood alcohol level above legal limit	1000
9.12.240(J)(3)	Operating a taxicab when under the influence of any substance listed in AS	1000

	11.71.140 - 11.71.190	
9.12.240(K)	Purchasing alcoholic beverages while in a permitted vehicle	200
9.12.240(L)	Knowingly allowing passengers to consume alcoholic beverages in the taxicab	200
9.12.240(M)	Knowingly violate or knowingly allow a passenger to engage in conduct that would violate AS 28.35.029 (Open container)	200
9.12.240(N)	Operating taxicab with more occupants than seat belts	200
9.12.240(O)	Failing to complete a trip sheet immediately before and after each fare	200
9.12.240(P)	Transporting non-paying passengers	200
9.12.240(Q)	Failing to display an "Out of Service" sign while vehicle is not operating as a vehicle for hire.	200
9.12.240(R)	Operating taxicab without a meter or without charging the fare on a meter	200
9.12.240(S)	Changing the wheels, gears, or meter of the taxicab without re-inspection by DPS	200
9.20.010(B)	Public consumption of intoxicating liquor	150
9.20.020(B)	Allowing persons to remain in licensed premises after hours	500
9.20.020(C)	Dispensing alcoholic beverages at a licensed premises during prohibited hours	500
10.08.022(J)	Tampering with meters or other equipment	1000
10.12.030(A)	Operation of fire hydrant	1000

11.16.010(A)	Causing or allowing litter be to be collected in a place under a person's control	100
11.16.010(B)	Depositing litter upon any street, sidewalk or other public place	50
11.16.010(C)	Depositing accumulated litter into a gutter, street, or other public place	50
11.16.010(D)	Driving any vehicle that is not secured to prevent load or litter from falling upon street, alley or public place.	100
11.16.010(E)	Depositing litter on private property	50
11.20.050(A)	Unapproved or unsanitary refuse container	100
11.20.050(B)	Keeping refuse for over one week	50
11.20.050(C)	Depositing garbage without consent of owner	50
11.20.050(D)	Storing garbage in unsanitary manner	50
11.20.050(E)	Failing to provide hard surfaced pad for container	50
11.20.060	Disposing of refuse in unapproved facility	100
11.24.060(A)	Smoking where prohibited	100
11.24.060(B)	Failure to prevent unlawful smoking on premises	100
11.28.040	Public use of marijuana	100
11.28.050	Allowing unlawful marijuana use on premises	250
11.28.060	Marijuana possession or use under the age of 21	150
11.28.070	Unregistered cultivation of marijuana	500 per violation
12.04.020(A)	Unlicensed dog	50
12.04.030(C)	Failure to display license tag	25
12.04.060	Unconfined vicious dog	150
12.04.070	At-large dog	75

12.04.080(A)	Objectionable animal – prolonged barking	75
12.04.080(C)	Failure to clean up after animal	75
12.04.080(D)	Objectionable animal – menace others	75
12.04.090(B)	Habitual bark/disturb others	75
12.04.110	Failure to immunize dog	200
12.04.150(A)	Allowing animal into public food service establishment or barbershop	75
13.04.060(A)	Failure to obtain burn permit	250
13.08.010(A)	Discharge of firearm within corporate limits	250
13.14.010(A)	Public indecency	500
13.20.020	Curfew violation by minor	150
13.20.030	Adult permitting curfew violation by minor	300
13.24.090	Unlawful sale of fireworks	250
15.24.010	Failure to obtain street or public place use permit	500
15.32.040(A)	Garbage dumped in city park	200
15.32.040(B)	Breaking bottles or glass in city park	100
15.32.040(C)	Vehicle use upon parkland	50
15.36.010	Depositing refuse on streets or walkways	300
15.36.090(A)	Placing snow or ice in public way	300
15.36.090(C)	Placing snow from private property into street	300
18.08.030(B)	Failure to register and pay applicable moorage charges	350
18.08.070	Vessel remaining in loading area	75
18.12.050(A)(1)	Excessive speed in a restricted waterway	100
18.12.050(A)(4)	Posting printed material without approval	75
18.12.050(A)(6)	Failure to register vessel	350
18.12.050(A)(9)	Unlawful use of open or	250

	reserved mooring space	
18.12.050(A)(10)	Disregarding or damaging sign or notice regarding port use	150
18.12.050(A)(11)	Unlawful searchlight operation	150
18.12.050(A)(14)	Failure to maintain radio watch while at anchor	350
18.12.050(A)(15)	False statements to Harbormaster	150
18.20.010(D)(1)	Move or enter upon impounded vessel	300
18.20.010(D)(2)	Removal or tampering with impoundment notice	300
18.20.060(E)(1)	Move or enter upon impounded nuisance vessel	300
18.20.060(E)(2)	Removal or tampering with impoundment due to nuisance notice	300

Section 4: Amendment of Section 2.40.030. Section 2.40.030 of the Unalaska Municipal Code is hereby amended to read as follows: [additions are underlined; deletions are in brackets]

2.40.030 DUTIES OF THE DIRECTOR OF PLANNING.

Under the supervision of the City Manager, the Director of Planning shall have the following duties:

- (A) Attempt to supervise and direct enforcement of the City's land use ordinances, rules, and regulations;
- (B) Provide technical and staff support to the Planning Commission/Platting Board;
- (C) Act as the platting authority for right of way acquisition plats and abbreviated plats;
- (D) Review all building permits for consistency with the requirements set forth in Title 8 of this Code; [and]
- (E) **Issue, or in conjunction with the Department of Public Safety, cause to be issued, citations for minor offenses and notices of other violations of the City's planning and zoning laws; and**
- (F) Perform other such duties as may be specified in this Code or by the City Manager.

Section 5: Amendment of Subsection 2.88.050(A). Subsection 2.88.050(A) of the Unalaska Municipal Code is hereby amended to read as follows: [additions are underlined; deletions are in brackets]

2.88.050 SUSPENSION AND FORFEITURE OF OFFICE OR EMPLOYMENT.

In addition to the penalty provided in § **2.88.090** ~~[2.88.080]~~, any City officer or employee who knowingly conceals any financial interests in violation of this Chapter, or who willfully violates the requirements of this Chapter, is guilty of malfeasance and shall be subject to disciplinary action and/or forfeiture or suspension from office or employment.

Section 6: Amendment of Subsection 2.88.050(A). Subsection 2.88.050(A) of the Unalaska Municipal Code is hereby amended to read as follows: [additions are underlined; deletions are in brackets]

2.88.090 PENALTY FOR VIOLATIONS.

A~~[ny]~~ violation of any provision of this Chapter shall be **a minor offense punishable as provided in Chapter 1.24** ~~[punished according to § 1.24.010]~~ of this Code.

Section 7: Amendment of Section 4.24.120. Section 4.24.120 of the Unalaska Municipal Code is hereby amended by the addition of a new subsection (F) to read as follows:

(F) A violation of any provision of this section shall be a minor offense punishable as provided in Chapter 1.24 of this Code.

Section 8: Amendment of Section 6.32.020. Section 6.32.020 of the Unalaska Municipal Code is hereby amended to read as follows: [additions are underlined; deletions are in brackets]

6.32.020 RETURNS.

(A) Each person having ownership or control of or an interest in personal property must submit a return in the form prescribed by the assessor, based on property values existing on January 1, except as otherwise provided in this Chapter.

(B) The assessor may, by written notice, require a person to provide additional information within thirty (30) days.

(C) By no later than March 1st of each year every person or business owning, or controlling in a representative capacity, any personal property subject to personal property taxation shall submit to the assessor on forms provided by the assessor a return of such property and the estimated values existing as of January 1 in the same year. Business inventories and supplies may be based on the estimated average

monthly method of assessment as stated in § 6.32.010(B). No extension of time for filing should be granted. This return does not apply to motor vehicles required to be registered with the State Department of Motor Vehicles.

(D) Penalty for failure to comply. Failure to file assessment returns as required and within the time provided above or refusal to give other information as required herein shall ~~[be a violation and shall]~~ subject the violator to civil penalty as provided in § **6.36.040.**~~[1.24.010.]~~

Section 9: Amendment of Section 6.32.040. Section 6.32.040 of the Unalaska Municipal Code is hereby amended to read as follows: [additions are underlined; deletions are in brackets]

6.32.040 VIOLATIONS.

Any person who ~~[For knowingly failing to file a tax statement required by ordinance or]~~ knowingly **falsifies a property tax return or** ~~makes~~~~[ing]~~ a false affidavit to a statement required by a tax ordinance relative to the amount, location, kind or value of property subject to taxation with intent to evade the taxation **is guilty of a minor offense punishable by** ~~[, the penalty is]~~ a fine not to exceed **one thousand** ~~[five hundred]~~ dollars **[\$1,000] per tax return filed or which should have been filed, in addition to the penalty owed as a result of the failure to pay the full amount of taxes owed.** ~~[(500).]~~

Section 10: Amendment of Section 6.36.040. Section 6.36.040 of the Unalaska Municipal Code is hereby amended to read as follows: [additions are underlined; deletions are in brackets]

6.36.040 RATES OF PENALTY AND INTEREST; PRIORITY FOR CREDITING PAYMENTS.

~~[(A)]~~ If the taxes are not paid when due and become delinquent, a penalty of ten percent (10%) of the delinquent tax for the current year shall be added to all delinquent taxes, and interest at the rate of fifteen percent (15%) per annum shall be charged on all of the unpaid taxes, not including the penalty, from the due date until paid in full. All payments made for taxes, penalties and interest shall be credited first to the past due penalty, then to the past due interest, then to the past-due taxes and then to the current taxes, in that order. If a taxpayer is given the right to pay the tax in two installments, penalty and interest on an unpaid installment accrues from the date the installment becomes due.

~~[(B) Failure to file assessment returns as required and within the time provided above or refusal to give other information as required herein shall be violation and shall subject the violator to penalty as provided in § 1.24.010.]~~

~~—(C) Failure of a property owner to file an annual personal property assessment return as provided in § 6.32.020 shall result in a penalty of eight (8%) of the tax due.]~~

Section 11: Amendment of Subsection 6.40.100(D)(1). Subsection 6.40.100(D)(1) of the Unalaska Municipal Code is hereby amended to read as follows: [additions are underlined; deletions are in brackets]

(D) WRITTEN DEMAND AND ADDITIONAL PROCEDURES. If a collector fails to file the return or make the remittance in accordance with §§ 6.40.070 or 6.40.080, the City may do any or all of the following things:

(1) **Cite the offender for a violation of this chapter. Any person, firm, or entity violating any provision of this chapter is guilty of a minor offense and shall be subject to a penalty as provided in UCO 1.24.040 or if no fine is there established, in an amount not to exceed \$500 for each violation or day a violation exists. In all cases where a person is found to have violated this chapter, the court shall order the person to file a accurate sales tax return within fifteen (15) days, in addition to any fine that may be imposed as a result of the violation. Prosecution under this subsection does not limit the ability of the city to recover any amount of unpaid taxes through civil action or as otherwise provided by this chapter.** [Criminal action. ~~File a criminal complaint against the collector for violation of this Chapter.~~]

Section 12: Amendment of Section 8.08.120. Section 8.08.120 of the Unalaska Municipal Code is hereby amended to read as follows: [additions are underlined; deletions are in brackets]

8.08.120 PENALTIES.

(A) The owner or agent of the owner of land within a subdivision who transfers, sells, or enters into a contract to sell land in a subdivision before a plat of the subdivision has been prepared, approved, and recorded, as required by this chapter, is guilty of a **minor offense** ~~[misdemeanor in accordance with AS 29.40.180]~~, and upon conviction is punishable by a fine of ~~[not more than]~~ \$1,000. Each day that a violation is permitted to exist shall constitute a separate offense for purposes of this subsection.

(B) Any person who fraudulently alters a plat approved by the Platting Authority and records or seeks to have recorded such a plat not approved by the Platting Authority **is guilty of a minor offense and shall be fined in an amount of \$1,000.** ~~[is subject to a civil penalty not to exceed \$300.]~~ The Director of Planning shall take appropriate legal action to void and nullify any such plat.

Section 13: Amendment of Section 8.08.130. Section 8.08.130 of the Unalaska Municipal Code is hereby amended by the addition of a new subsection 8.08.130(C) to read as follows:

(C) A citation for a minor offense is governed by Alaska law and the Rules of Minor Offense Procedure and is not subject to appeal under this section.

Section 14: Amendment of Subsection 8.12.220(B)(1). Subsection 8.12.220(B)(1) of the Unalaska Municipal Code is hereby amended to read as follows: [additions are underlined; deletions are in brackets]

(B) *Appeals of administrative decisions.*

(1) *Procedure.* Appeals may be taken to the Planning Commission by the applicant or any affected party of any order, requirement, permit, decision, or Planning Determination made by the Director of Planning or any administrative official in the administration of, or the enforcement of this chapter, except notices or orders to abate a public nuisance issued pursuant to Chapter 11.12. Such appeals shall be filed in writing with the Director of Planning within 10 working days of the date of the action being appealed. Upon receipt of such an appeal, the Director of Planning shall set the time and place, at which the matter will be considered. At least ten (10) days notice of such time and place shall be given to the adverse parties of record and to the official whose decision is being appealed subject to the provisions of § 8.12.220 (I). The officer from whom the appeal is being taken shall transmit to the Planning Commission all records and proceedings pertaining to the decision being appealed, together with such additional written reports as are deemed necessary by the Planning Commission.

Citations for minor offenses are governed by the Alaska Rules of Minor Offense Procedure and are not appealable under this section.

Section 15: Amendment of Subsection 8.12.220(G). Subsection 8.12.220(G) of the Unalaska Municipal Code is hereby amended to read as follows: [additions are underlined; deletions are in brackets]

(G) *Violations and penalties.* Any person, firm, or corporation which violates or refuses to comply with or which resists the enforcement of any of the provisions of this chapter is guilty of a minor offense [misdemeanor] and shall be fined an amount set forth in UCO 1.24.010 or if no fine is there established, an amount [may be fined a sum] not to exceed [\$300] \$500 unless another amount is specified herein. Each day that a violation is permitted to exist shall constitute a separate offense for purposes of this subsection. The city may seek injunctive relief to remedy any violation.

Section 16: Amendment of Section 9.04.150. Section 9.04.150 of the Unalaska Municipal Code is hereby amended to read as follows: [additions are underlined; deletions are in brackets]

9.04.150 PENALTIES.

(A) A person who fails to procure a license when required by this Chapter shall be assessed a penalty of twenty-five percent (25%) of the license fee due [~~plus any surcharge required to be imposed by AS 12.55.039,~~] for each thirty (30)-day period of violation, or portion thereof, during which the person engages in business without a license. This penalty shall be added to the license fee, and shall be in addition to any other penalty established by this Code.

(B) In addition to the penalty provided in subsection ~~[division]~~ (A) above, any person violating this Chapter **is guilty of a minor offense and** may be subject to a penalty as provided by UCO § 1.24.010, ~~[, and any other action as allowed by law.]~~

Section 17: Amendment of Section 9.12.065. Section 9.12.065 of the Unalaska Municipal Code is hereby amended to read as follows: [additions are underlined; deletions are in brackets]

9.12.065 METER EQUIPMENT AND INSPECTION.

(A) **It shall be unlawful to use any vehicle as a taxicab unless it is** ~~[Vehicles to be utilized as taxicabs shall be]~~ equipped with a meter as follows:

(1) The face of the meter shall be illuminated by a suitable light so arranged as to throw a continuous steady light thereon and be readily discernible by passengers.

(2) Each meter shall be so located in the taxicab so that the meter and the fare shown thereon is clearly visible from the rearmost seat of the taxicab.

(3) The meter shall calculate the fare and be calibrated in accordance with the fare standards as set by the City Council by resolution at its first regular meeting each year. \

(B) Mandatory Meter Inspections. Prior to issuance of a taxicab permit, and prior to the renewal of a taxicab permit, or upon replacement of a meter, the permit holder must have conducted and the vehicle assigned to the permit passed, a meter inspection conducted by the Director of Public Safety. The inspection shall determine if the meter is accurate and calibrated correctly, is sealed, and otherwise complies with the requirements of this Chapter.

(C) The Director of Public Safety shall inspect all meters prior to their use and shall have the right to inspect any meter installed in a vehicle assigned to a permit at any time as may reasonably appear to be necessary due to accidents, repairs, or when there is reasonable cause to believe that the meter attached to a vehicle assigned to a permit no longer conforms to the requirements of the Chapter.

(D) **It is unlawful** for ~~[Before the seal is broken for any reason by]~~ any person other than the Director of Public Safety **to break the meter seal of a taxicab without providing notice and a reasonable opportunity to inspect the meter to** ~~[,] the Director of Public Safety, must be notified and provided a reasonable opportunity to inspect the meter prior to breaking the seal.~~

Section 18: Amendment of Section 9.12.240. Section 9.12.240 of the Unalaska Municipal Code is hereby amended to read as follows: [additions are underlined; deletions are in brackets]

9.12.240 **UNLAWFUL** ~~[PROHIBITED]~~ ACTIVITIES.

It is a minor offense for a person to commit any of the following acts: ~~[No person shall:]~~

- (A) Operate a taxi or vehicle for hire within the City unless licensed as a chauffeur under this Chapter;
- (B) Operate a taxicab or other for-hire vehicle within the City unless that vehicle has been assigned to a permit under this Chapter;[-]
- (C) Charge a fare different from that authorized by the Council;
- (D) Drive a taxicab or other for-hire vehicle in which the applicable fare or notice of charges has not been posted in a manner so that it will be visible to passengers;
- (E) Solicit passengers for hire in any manner which endangers pedestrians, potential passengers or other users of the City's roadways;[-]
- (F) Attempt to attract the attention of members of the public by word of mouth, signal, nod or other demonstration while in motion, nor solicit passengers in any manner that would endanger the safety of pedestrians, passengers or other vehicles;
- (G) Refuse to convey an orderly person or persons upon request and tender of the proper fee, unless currently engaged or unable or forbidden to do so by the provisions of this Chapter or the laws of the State of Alaska;
- (H) Operate or remain in physical control for purposes of operating a taxicab or other for-hire vehicle

(1) for a period of time in excess of twelve (12) hours, or

(2) for a period in excess of sixteen (16) non-consecutive hours in any twenty-four (24) hour period.

As used in this subsection, "physical control" means having the vehicle accessible or being available for dispatch;

(I) Transport or offer to transport additional passengers in an occupied taxicab without the permission of the passengers first occupying the vehicle.

(J) **To commit any of the following acts:**

(1) Consume any intoxicating liquor while on a work shift as a chauffeur or within four (4) hours preceding operation of a taxicab or other for-hire vehicle;[-~~or~~]

(2) Operate a taxicab or other for-hire vehicle at a time when the licensee's blood alcohol level is four-hundredths of one percent (0.04%) or more by weight of alcohol in the person's blood, or forty (40) milligrams or more of alcohol per (100) milliliters of blood, or when there is four one-hundredths (0.04) grams or more of alcohol per two hundred ten (210) liters of the person's breath;[-~~or~~]

(3) O~~per~~ate a taxicab when under the influence of any substance listed in AS 11.71.140 - 11.71.190;

(K) Purchase alcoholic beverages while in a permitted vehicle, except that a passenger paying a fare may purchase and transport unopened alcoholic beverages; ~~[or]~~

(L) Knowingly allow passengers to consume alcoholic beverages in the taxicab;[-]

(M) Knowingly violate or knowingly allow a passenger to engage in conduct that would violate AS 28.35.029 (Open container);[.]

(N) Operate or move taxicab at a time when the vehicle has more occupants than seat belts installed by the vehicle's manufacturer;[.]

(O) Fail to complete a trip sheet immediately before and after each fare;[.]

(P) Transport non-paying passengers, other than one person accompanying the driver to enhance the safety of the chauffeur and who had been identified on the trip sheet by the chauffeur, unless out of service;[.]

(Q) Fail to display a magnetic "Out of Service" sign on the side of the vehicle while it is not operating as a vehicle for hire. The sign shall be not less than twenty-four (24) inches long by six (6) inches high, with letters not less than four (4) inches high;[.]

(R) Operate or drive a taxicab unless a meter is used in determining the fare to be charged, and no other or different fare shall be charged to the passenger than is recorded on the reading face of the meter for the trip. No other rates or methods of measuring the distance or time charged shall be allowed, except as provided in this section; [.]

(S) Change the size of the wheels or tires of any taxicab, or the gears operating the meter, or to change the meter from one taxicab to another, unless such meter is reinspected and approved by the Director of Public Safety before it is used; or [.]

(T) Fail to comply with Section 9.12.100(B):

Section 19: Amendment of Section 9.12.160. Section 9.12.160 of the Unalaska Municipal Code is hereby amended by the addition of a new subsection 9.12.160(D) to read as follows:

(D) A violation of any provision of this section is unlawful. Any person, firm, or entity violating any provision of this section is guilty of a minor offense and shall be subject to a penalty as provided in UCO 1.24.040 or if no fine is there established, in an amount not to exceed \$500 for each violation or day a violation exists.

Section 20: Repeal and Reenactment of Section 9.12.270. Section 9.12.270 of the Unalaska Code of Ordinances is hereby repealed in its entirety and reenacted to read as follows:

9.12.270 PENALTIES.

(A) Unless otherwise stated in this title or in Section 1.24.040, all violations of § 9.12.240 shall be considered a minor offense and shall be subject to a penalty as provided in UCO 1.24.040 or if no fine is there established, in an amount not to exceed \$500 for each violation or day a violation exists.

(B) In addition to any fine imposed, the City shall institute proceedings to administratively suspend for up to thirty (30) days the permit or license belonging to any

person, firm, or entity who violates any portion of § 9.12.240 three times within a consecutive twelve (12)-month period of the first violation. Said third violation shall also constitute independent grounds for commencement of revocation proceedings under § 9.12.130.

(C) A violation occurring within a consecutive twelve (12)-month period need not be the same violation of § 9.12.240 to constitute grounds for suspending the permit or license.

Section 21. Repeal and Reenactment of Section 9.20.010. Section 9.20.010 of the Unalaska Code of Ordinances is hereby repealed in its entirety and reenacted to read as follows:

9.20.010 PROHIBITED ACTS.

It is unlawful:

(A) To violate any state law governing service, consumption, or distribution of alcoholic beverages within the City.

(B) To consume intoxicating liquor on the public streets, alleys, parks, or other public places unless specifically exempted in this chapter.

Section 22: Amendment of Section 9.36.160. Section 9.36.160 of the Unalaska Municipal Code is hereby amended to read as follows: [additions are underlined; deletions are in brackets]

9.36.160 PENALTIES AND ENFORCEMENT.

In addition to any other penalties imposed by this Chapter:

(A) Any violation ~~[person violating]~~ of a section of this chapter that is not designated as a misdemeanor shall be considered a minor offense punishable by a fine as established in this chapter or in UCO 1.24. ~~[may be subject to criminal prosecution.]~~

(B) Any person ~~[violating this chapter may be subject to civil penalty as provided in Section 1.24.010 of this Code.]~~ who commits a misdemeanor designated in this chapter may be sentenced to up to 90 days in jail and a fine of up to \$2,000.

(C) The city may seek injunctive relief requiring any adult-oriented business that is established, operated or maintained in violation of any provision of this chapter or which allows any person on the premises of the adult-oriented business to violate any provision of this chapter or which fails to take reasonable actions to prevent violations of this chapter from occurring on the premises to cease operations.

Section 23: Amendment of Section 10.04.080. Section 10.04.080 of the Unalaska Municipal Code is hereby amended to read as follows: [additions are underlined; deletions are in brackets]

10.04.080 VIOLATIONS AND PENALTIES.

(A) Any person or entity who violates or refuses to comply with any of the provisions of this Title, with the exception of non-payment of bills, may be assessed a civil penalty not to exceed \$300 per offense in addition to other charges required to be imposed by this Title. Each day that a violation is permitted to exist shall constitute a separate offense for purposes of this Title.

(B) A civil penalty shall not be assessed until after such time as an owner or consumer has been provided notice of the violation and the time permitted to the owner or consumer to correct the violation has passed without correction of the violation.

(C) In addition to other remedies or procedures provided in this Title, the City may seek injunctive relief to remedy a violation of this Title.

(D) **Any violation of this title that is designated as unlawful shall be considered a minor offense.** ~~[The remedies provided for in this Chapter shall be cumulative]~~ and in addition to other remedies or procedures provided by City ordinances, **shall subject the offender to a penalty as provided in UCO 1.24.040 or if no fine is there established, in an amount not to exceed \$500 for each violation or day a violation exists.** ~~[including but not limited to UCO § 1.24.010, or as provided by State and/or federal laws and regulations.]~~

Section 24: Amendment of Section 10.18.030. Section 10.18.030 of the Unalaska Municipal Code is hereby amended to read as follows: [additions are underlined; deletions are in brackets]

10.18.030 **UNLAWFUL** PROHIBITED CONDUCT.

A violation of any provision of this section is unlawful and considered a minor offense.

(A) *Containers required.* No person shall keep on or about the person's property any solid waste unless it is kept in a container equipped with tightly fitting covers and in a clean and sanitary condition by the consumer.

(B) *Storage time.* No person shall store solid waste for longer than two weeks.

(C) *Disposal consent.* No person shall deposit solid waste upon the property of another, or upon any street, alley, municipal property, or in any container owned by another unless the person has the consent of the property owner or their agent.

(D) *Storage standards.* No owner, lessee, agent, or occupant of any real property shall store solid waste except in a clean and sanitary manner and in accordance with all other applicable federal, state, and municipal laws and regulations. In addition to any other relief applicable, if a property is not properly kept, the City may clean the premises

and bill the owner for the cost of cleaning as additional utility service fees on a subsequent utility bill of the owner.

(E) *Hours of Operation.* No person shall dispose of solid waste in the City's solid waste disposal facility except during published hours of operation when the facility is open to the public.

(F) *Hauling solid waste.* No person shall transport solid waste upon the streets of the City except in covered containers or except where otherwise enclosed or covered so as to prevent solid waste from littering public or private property. No person shall allow any container used for hauling solid waste to remain in a condition that allows entry into the container by rats and/or by other animals.

(G) *Prohibited Materials.* No person shall dispose of prohibited materials as identified in UCO § 10.18.040 (F) in the City's solid waste disposal facility, except as specially provided for by the City.

Section 25: Amendment of Section 11.04.050. Section 11.04.050 of the Unalaska Municipal Code is hereby amended to read as follows: [additions are underlined; deletions are in brackets]

11.04.050 VIOLATIONS; NOTICE; LIABILITY.

(A) Any person found to be violating any provisions of this chapter shall be served by the city with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

(B) It is unlawful **and considered a minor offense** for any person to continue any violation of which he has received notice beyond the period specified in such notice. Such period shall not apply when the violation constitutes a clear and present danger to the public health; such clear and present danger shall be unlawful from its inception, and subject to summary abatement, or to the applicable provisions of § 1.24.010.

(C) ~~[Violations of the provision of this chapter shall subject the violator to civil penalty as provided in § 1.24.010.]~~

~~(D)~~ Any person violating any of the provisions of this chapter shall become liable to the city for any expense, loss or damage occasioned by the city by reason of such violations.

Section 26: Amendment of Section 11.04.050. Section 11.04.050 of the Unalaska Municipal Code is hereby amended to read as follows: [additions are underlined; deletions are in brackets]

11.04.050 VIOLATIONS; NOTICE; LIABILITY.

(A) Any person found to be violating any provisions of this chapter shall be served by the city with ~~[written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof]~~ **an abatement notice and order in the manner set forth in § 11.12.030 and shall be subject to the abatement process described in that chapter. The offender may also immediately be cited for a violation of § 11.08.010.** The offender shall, within the period of time stated in such notice, permanently cease all violations.

(B) ~~[It is unlawful for any person to continue any violation of which he has received notice beyond the period specified in such notice. Such period shall not apply when]~~ **The abatement official may summarily abate any violation of this chapter if he determines** that the violation constitutes a clear and present danger to the public health. ~~[; such clear and present danger shall be unlawful from its inception, and subject to summary abatement, or to the applicable provisions of § 1.24.010.]~~

(C) Violations of the provisions ~~s~~ of this chapter shall subject the violator to **the** ~~[civil] penalties~~~~[y-as]~~ provided in **§ 11.08.010(B).** ~~[§ 1.24.010.]~~

(D) Any person violating any of the provisions of this chapter shall become liable to the city for any expense, loss or damage occasioned by the city by reason of such violations.

Section 27: Amendment of Section 11.08.010. Section 11.08.010 of the Unalaska Municipal Code is hereby amended to read as follows: [additions are underlined; deletions are in brackets]

11.08.010 NUISANCES DECLARED UNLAWFUL.

(A) *Public nuisances.* “Public Nuisances” include, but are not limited to, **the following:** ~~[whatever is forbidden by any provision of this chapter.]~~

(1) any act or condition within the City that causes or creates a substantial and unreasonable interference with the use or enjoyment of real property, including water;

(2) any act or condition that annoys, injures or endangers the safety, health, comfort, senses or repose of the public or any portion thereof within city boundaries, or is an obstruction to the comfortable and safe enjoyment of public or private property;

(3) any act or condition forbidden by any provision of this chapter or which is declared to be a nuisance by this code.

(B) *Violations.* It is unlawful for any person to commit, create or maintain any public nuisance. **Any person who commits a nuisance is guilty of a minor offense as that term is defined in the Alaska Rules of Minor Offense Procedure.**

(C) Unless stated otherwise, a violation of any provision of this chapter shall be punished as provided in Section 1.24.040, or if no fine is there established, a fine not to exceed \$500 per violation or day a violation exists.

(D) Each act of violation and every day upon which the violation occurs shall constitute a separate offense.

(E) Any surcharge required to be imposed under AS 12.55.039 shall be added to any penalty imposed or levied pursuant to this section, and all such collected surcharges shall be remitted to the State of Alaska, Department of Administration as required by AS 29.25.074.

Section 28: Amendment of Chapter 11.08. Chapter 11.08 of the Unalaska Municipal Code is hereby amended by adding a new section 11.08.015 to read as follows:

11.08.015 PROCEDURE.

(A) The charge for a violation of this chapter may be brought by a city police officer or an abatement official. The Alaska Rules of Minor Offense Procedure govern all aspects of any proceeding to enforce this chapter except as expressly stated herein.

(B) The City shall use the Alaska Uniform Citation form to provide notice of an infraction to anyone accused of violating any provision of this chapter.

(C) A person charged with a violation of this chapter may appear in court to contest the charge, and must appear if the citation indicates that a court appearance is mandatory. As an infraction, trial is by the court without a jury, and there is no right to court-appointed defense counsel.

(D) Unless the citation indicates that a court appearance is required, citations for a violation of this chapter may be disposed of as provided in AS 12.25.195-.230, without a court appearance, upon payment of the fine amount indicated on the citation, plus the state surcharge required by AS 12.55.039 and AS 29.25.074.

(E) In addition to the remedies set forth in this chapter, the City may initiate the nuisance abatement procedures set forth in Chapter 11.12 against any person maintaining a nuisance or against any property upon which a nuisance is deemed to exist, whether or not the person is cited for a violation of this chapter.

Section 29: Amendment of Subsection 11.08.020(13). Subsection 11.08.020(13) of the Unalaska Municipal Code is hereby amended to read as follows: [additions are underlined; deletions are in brackets]

(13) Erecting, building, moving or maintaining any building, structure, or land use contrary to the provisions of Title 8 or Title 17, or violating any conditions attached to the grant of any conditional use permit, building permit, or variance.

Section 30: Amendment of Section 11.12.020. Section 11.12.020 of the Unalaska Municipal Code is hereby amended to read as follows: [additions are underlined; deletions are in brackets]

11.12.020 ABATEMENT OF NUISANCES; SUMMARY ABATEMENT.

(A) It shall be the duty of the abatement official, upon discovery or upon receiving notice of any nuisance prohibited by this title, to immediately notify the offender to abate and remove the same within a time limit specified by the abatement official as more fully set out in § 11.12.030 of this chapter. **The abatement official or any other person authorized to do so may also issue a citation for a violation of Chapter 11.08 at any time a nuisance is believed to exist. Any proceeding instituted for such a violation is separate from and shall not affect the abatement process provided for in this chapter.**

(B) The abatement official may abate any public nuisance without notice in an emergency where the public safety, comfort or repose is seriously annoyed, injured or endangered to the point where immediate action is necessary and notice cannot be timely given. All abatement proceedings provided in this chapter, except the giving of notice, shall apply to the nuisance summarily abated, including the recovery of the costs of the summary abatement.

Section 31: Amendment of Section 11.12.140. Section 11.12.140 of the Unalaska Municipal Code is hereby amended to read as follows: [additions are underlined; deletions are in brackets]

11.12.140 LEGAL REMEDIES.

The remedies provided for in this chapter shall be cumulative; in addition to other remedies or procedures provided in ~~[the section]~~ **this and the previous chapter**, a public nuisance may be restrained, enjoined or otherwise abated by the city in a civil action.

Section 32: Amendment of Section 11.20.090. Section 11.20.090 of the Unalaska Municipal Code is hereby amended to read as follows: [additions are underlined; deletions are in brackets]

11.20.090 PENALTIES.

A violation of any provision of this chapter is unlawful. Any person violating any of the provisions of this chapter **is guilty of a minor offense and shall be subject to a penalty as provided in UCO 1.24.040 or if no fine is there established, in an amount not to exceed \$500 for each violation or day a violation exists.** ~~[shall be subject to a civil penalty as provided in § 1.24.010.]~~ In addition, the City Attorney may obtain a civil injunction or temporary restraining order to obtain immediate compliance with any provision of this chapter.

Section 33: Repeal and reenactment of Section 11.24.065. Section 11.24.065 of the Unalaska Municipal Code is hereby repealed and reenacted to read as follows:

11.24.065 PENALTIES.

Any violation of this chapter shall be unlawful and considered a minor offense and shall subject the violator to the fine provided in § 1.24.010, or if no fine is there established, in an amount not to exceed \$500 for each violation or day a violation exists.

Section 34: Amendment of Section 11.28.050. Section 11.28.050 of the Unalaska Municipal Code is hereby amended to read as follows: [additions are underlined; deletions are in brackets]

No person who manages, oversees, controls, or has an ownership interest in any business shall allow marijuana use in violation of this chapter in or on the premises of the business or on property owned, leased, or rented by the business. A fine of **\$250** ~~[\$100]~~ shall be assessed for a ~~[first]~~ violation of this section. ~~[Subsequent violations on the same property or premises in a 12-month period shall be assessed a fine of \$500.]~~

Section 35: Amendment of Section 11.28.060. Section 11.28.060 of the Unalaska Municipal Code is hereby amended to read as follows: [additions are underlined; deletions are in brackets]

No person under 21 years of age shall possess or use marijuana. A fine of **\$150** ~~[\$100]~~ shall be assessed for a ~~[first]~~ violation of this section. ~~[Subsequent offenses in a 12-month period shall be assessed a fine of \$300.]~~

Section 36: Amendment of Section 12.04.190. Section 12.04.190 of the Unalaska Municipal Code is hereby amended to read as follows: [additions are underlined; deletions are in brackets]

12.04.190 PENALTIES.

Violations of this chapter shall **be unlawful and considered a minor offense and shall** subject the violator to ~~[civil]~~ penalty as provided in § 1.24.010, **or if no fine is there established, in an amount not to exceed \$500 for each violation or day a violation exists.**

Section 37: Repeal of Sections 13.04.020, 13.04.030, and 13.04.050. Section 13.04.020, 13.04.030, and 13.04.050 of the Unalaska Municipal Code are hereby repealed in their entirety.

Section 38: Amendment of Section 13.04.060. Section 13.04.060 of the Unalaska Municipal Code is hereby amended to read as follows: [additions are underlined; deletions are in brackets]

13.04.060 BURNING PERMITS.

(A) Burning trash, rubbish, scrap wood, cardboard, flammable or combustible liquids, or any other material is ~~[prohibited]~~ **unlawful** unless a valid burning permit has been issued and the requirements of the permit are adhered to.

(B) A burn permit is not necessary if the fire is a small picnic/camp fire or a barbecue and the fire can be readily distinguished from a structure fire.

(C) Permits may be obtained from the department of Public Safety located **at 29 Safety Way** ~~[on Agnes Beach Hill]~~, in Unalaska.

(D) Burning without a valid permit and/or failure to comply with any provision of the permit is a **minor offense** ~~violation~~ and, upon conviction, is punishable as set forth in § 1.24.010.

Section 39: Repeal of Section 13.08.020. Section 13.08.020 of the Unalaska Municipal Code is hereby repealed in its entirety.

Section 40: Repeal of Sections 13.12.010, 13.12.020, 13.12.040, and 13.12.050. Sections 13.12.010, 13.12.020, 13.12.040, and 13.12.050 of the Unalaska Municipal Code are hereby repealed in their entirety.

Section 41: Repeal and reenactment of Section 13.14.020. Section 13.14.020 of the Unalaska Municipal Code is hereby repealed and reenacted to read as follows:

(A) A violation of any provision of this section is unlawful. Any person, firm, or entity violating any provision of this section is guilty of a minor offense and shall be subject to a penalty as provided in UCO 1.24.040 or if no fine is there established, in an amount not to exceed \$500 for each violation or day a violation exists.

(B) In addition to any criminal fines that may be available or levied, the City Attorney may obtain a civil injunction or temporary restraining order to obtain immediate compliance with any provision of this chapter.

Section 42: Repeal of Section 13.16.020. Sections 13.16.020 of the Unalaska Municipal Code is hereby repealed in its entirety.

Section 43: Amendment of Section 13.24.050. Section 13.24.050 of the Unalaska Municipal Code is hereby amended to read as follows: [additions are underlined; deletions are in brackets]

13.24.050 PLACARDING OF STORAGE MAGAZINES.

All storage locations for explosive materials shall be placarded using the NFPA 704 marking system or other suitable marking system as approved by the **Department of Public Safety**. ~~[Chief of the Fire Department.]~~

Section 44: Amendment of Section 13.24.070. Section 13.24.070 of the Unalaska Municipal Code is hereby amended to read as follows: [additions are underlined; deletions are in brackets]

The **Department of Public Safety** [~~local Fire Department~~] shall be notified of the location of all storage magazines for explosives and/or blasting agents, and shall be notified of any changes in location.

Section 45: Amendment of Section 13.28.010. Section 13.28.010 of the Unalaska Municipal Code is hereby amended to read as follows: [additions are underlined; deletions are in brackets]

13.28.010 VIOLATION; PENALTY.

Violation of any of the provisions of this title shall **be a minor offense, punishable by a penalty as provided in UCO 1.24.040 or if no fine is there established, in an amount not to exceed \$500 for each violation or day a violation exists.** [~~subject the violator to civil penalty as provided in § 1.24.010.~~]

Section 46: Repeal and reenactment of Section 14.04.020. Section 14.04.020 of the Unalaska Municipal Code is hereby repealed and reenacted as follows: [additions are underlined; deletions are in brackets]

14.04.020 STATE TRAFFIC LAWS AND REGULATIONS ADOPTED BY REFERENCE.

(A) The City adopts all vehicle and traffic statutes and regulations of the state of Alaska, as they presently exist and as they may be revised in the future, including those which apply to motorcycles.

(B) Notwithstanding subsection A of this section, the City does not adopt those state traffic laws that establish misdemeanor and felony offenses which are not listed on Alaska Supreme Court bail forfeiture schedules, including AS 28.35.030.

(C) All citations issued under this chapter shall use the appropriate “AS” or “AAC” or CFR statute or regulation numbers, include a description of the offense, indicate that the offense was adopted by reference as a city ordinance, and the charging entity or plaintiff is the City of Unalaska.

(D) Additional traffic ordinances of the city that are necessary to meet specific local requirements shall be incorporated in other chapters of this title.

(E) When the context requires, the term “Alaska State trooper” or “peace officer” when used in a provision incorporated by reference under subsection (A) of this section shall be deemed to mean and construed as identical with chief of police, police officer, or such other local police officer sworn to enforce the laws of the city. When the context requires, the term “department” appearing in the Alaska Statutes and Alaska Administrative Code provisions adopted by reference shall be construed to mean the Unalaska police department.

Section 47: Repeal and reenactment of Section 14.04.021. Section 14.04.021 of the Unalaska Municipal Code is hereby repealed and reenacted as UCO 14.04.028.

Section 48: Addition of Section 14.04.023. There is hereby added a new Section 14.04.023 of the Unalaska Municipal Code to read as follows:

14.04.023 FINE SCHEDULE FOR STATE TRAFFIC OFFENSES ADOPTED BY REFERENCE.

(A) The city adopts as its traffic fine schedule for state traffic offenses adopted by reference the "Traffic Bail Forfeiture Schedule" and the "Oversize Vehicle Bail Forfeiture Schedule" in Administrative Rules 43.1 and 43.6 of the Alaska Rules of Court and any other bail forfeiture schedules relating to vehicles adopted by the Alaska Supreme Court. In addition, the city adopts all amendments of those schedules that become effective after the effective date of the ordinance codified in this chapter. Citations for offenses listed on those schedules may be disposed of as provided in AS 12.25.195 through 12.25.230, without a court appearance, upon payment of the amounts listed plus the state surcharge required by AS 12.55.039 and 29.25.074. If a person charged with one of these offenses appears in court and is found guilty, the penalty imposed for the offense may not exceed the amount listed for that offense on the schedule. Citations charging these offenses must meet the requirements of Minor Offense Rule 3 of the Alaska Rules of Court. If an offense is not listed on the fine schedule, the defendant must appear in court to answer to the charges.

(B) For violation of a provision of this title that does not adopt an Alaska Statute ("AS") or state regulation ("AAC") by reference and that may be satisfied by the payment of bail, the applicable fine for such violation is listed in UCO 14.04.025.

Section 49: Addition of Section 14.04.025. There is hereby added a new Section 14.04.025 of the Unalaska Municipal Code to read as follows:

14.04.025 FINE SCHEUDLE FOR LOCAL TRAFFIC OFFENSES.

(A) In accordance with AS 28.05.151(a), citations for the following offenses may be disposed of as provided in AS 12.25.195-.230, without a court appearance, upon payment of the fine amounts listed below plus the state surcharge required by AS 12.55.039 and AS 29.25.074. Fines must be paid to the court. The Rules of Minor Offense Procedure in the Alaska Rules of Court apply to all offenses listed below. Citations charging these offenses must meet the requirements of Minor Offense Rule 3. If a person charged with one of these offenses appears in court and is found guilty, the penalty imposed for the offense may not exceed the fine amount for that offense listed below. These fines may not be judicially reduced. If an offense is not listed on the fine schedule, or if the citation indicates a court appearance is required, the defendant must appear in court to answer to the charges.

(B) The fine amounts listed below are doubled for motor vehicle or traffic offenses committed in a highway work zone or traffic safety corridor, as those terms are defined in AS 28.90.990 and 13 AAC 40.010(b).

(C) An offense listed in this schedule may not be disposed of without court appearance if the offense is in connection with a motor vehicle accident that results in the death of a person.

Code Section	Offense Description	Fine Amount
14.04.050(A)	Unlawful parking for purpose of washing vehicle	50
14.04.050(B)	Unlawful parking for purpose of repairing vehicle	50
14.04.050(C)	Unlawful parking for purpose of commercial advertising	50
14.08.010	Depositing snow or ice against fire hydrant or on a sidewalk or highway	100
14.08.020(A)	Unlawful operation of ATV: driving on private property	100
14.08.020(B)	Unlawful operation of ATV: driving on non-designated public property	100
14.08.020(C)	Unlawful operation of ATV: driving on sidewalk	100
14.08.020(E)(1)	Unlawful operation of ATV: scattering debris on improved real property	100
14.08.020(E)(2)	Unlawful operation of ATV: scattering debris on sidewalk	100
14.08.020(E)(3)	Unlawful operation of ATV: scattering debris on paved driveway	100
14.08.020(E)(4)	Unlawful operation of ATV: scattering debris on paved highway	100
14.08.020(F)	Unlawful operation of ATV: highway or sidewalk	150
14.08.020(G)	Unlawful operation of ATV: between hours of 10:00 p.m. and 8:00 a.m.	150
14.08.030(A)	Defacing, tampering with, or destroying traffic device	300
14.08.030(B)	Removing traffic device without consent	300
14.08.040(A)	Uncontained load	300
14.08.040(B)	Uncovered load	300
14.08.050	Use of skateboard, unicycle, coaster, roller skates, or similar device upon a sidewalk	100
14.08.080	Unlawful use of chains on tires of truck-tractor	100 per tire/violation
14.08.090(A)	Operating motor vehicle with fifth wheel in a	200

	position other than bottom position	
14.12.020(A)	Leaving motor vehicle unattended on highway in excess of 48 hours	100
14.12.020(B)	Leaving motor vehicle on public or private property without consent	100
14.12.020(C)	Leaving motor vehicle unattended on highway causing disruption of traffic	100

Section 50: Addition of Section 14.04.027. There is hereby added a new Section 14.04.027 of the Unalaska Municipal Code to read as follows:

14.04.027 MANDATORY APPEARANCE AND SURCHARGES.

A person who violates a provision of this title that is not on the Fine Schedule for State offenses adopted by reference or on the borough's Fine Schedule for local traffic offenses is subject to a mandatory court appearance and, upon conviction payment of the fine imposed plus the state surcharge required by AS 12.55.039 and AS 29.25.074.

Section 51: Amendment of Section 14.08.020. Section 14.08.020 of the Unalaska Municipal Code is hereby amended to read as follows: [additions are underlined; deletions are in brackets]

14.08.020 OFF ROAD VEHICLE OPERATION.

It shall be unlawful to operate an off-road vehicle in the City of Unalaska:

(A) On private property owned by a person other than the driver without having the written consent of the owner of the property in the driver's possession.

(B) On public property which has not been officially designated as an area for off-road vehicle operation.

(C) On a sidewalk or trail designed and maintained for non-motorized travel.

(D) **Repealed.** [~~On any highway unless the off-road vehicle is licensed.~~]

(E) In such a manner as to throw or scatter debris or other material onto:

(1) Any improved real property;

(2) Any sidewalk;

(3) Any paved driveway; or

(4) Any paved highway.

(F) On a highway, or sidewalk, unless such travel is necessary for the purpose of directly crossing, at approximately a ninety degree angle, from one area of lawful operation to another, after coming to a complete stop and yielding to all pedestrians or other traffic.

(G) Between the hours of 10:00 p.m. and 8:00 a.m.

(H) This section shall not apply to an employee of a municipal or state law enforcement agency while in the performance of the employee's official duties.

Section 52: Repeal of Section 14.08.110. Section 14.08.110 of the Unalaska Municipal Code is hereby repealed in its entirety.

Section 53: Amendment of Section 14.12.030. Section 14.12.030 of the Unalaska Municipal Code is hereby amended to read as follows: [additions are underlined; deletions are in brackets]

14.12.030 STORAGE OF JUNK VEHICLES DECLARED A NUISANCE.

No person shall store or permit storage of any junk vehicle within the city. The presence of a junk vehicle is hereby declared a public nuisance and a threat to public health and safety which may be abated in the manner provided in Chapter 11.12[16] of this code.

Section 54: Amendment of Section 15.20.010. Section 15.20.010 of the Unalaska Municipal Code is hereby amended to read as follows: [additions are underlined; deletions are in brackets]

15.20.010 PERMITS FOR EXCAVATIONS AND FILLS REQUIRED.

Whoever shall propose to excavate or fill any site within a street or other public place in the city shall obtain a permit from the Director of Public Works in the manner required by Chapter 15.24[42].

Section 55: Amendment of Section 15.20.020. Section 15.20.020 of the Unalaska Municipal Code is hereby amended to read as follows: [additions are underlined; deletions are in brackets]

15.20.020 MAJOR EXCAVATIONS.

For any excavation within a public place in the city, the Director of Public Works may use the following procedures and criteria in processing an application for the permit provided for in Chapter 15.24[42]:

(A) Plans, specifications and methods of construction required by the Director of Public Works shall be submitted in duplicate;

(B) Shoring plans submitted shall be designed by and bear the seal of a professional engineer or architect licensed in the State of Alaska;

(C) All shoring systems, including the members, their connections and support, shall be designed to carry the loads imposed on them and details shall be shown on the plans;

(D) Allowable stresses, including allowances for short term loading, for timber, steel or concrete shall be based on the building code of the city;

(E) Soil investigations and reports may be required for all excavations so that appropriate pressures may be established. The Director of Public Works may require investigations at any depth whenever specific conditions existing at the site of such excavation reveal an unstable soil structure, or when circumstances indicate that the excavation may impair the lateral support of any public place, or whenever further investigation will supply information necessary to properly evaluate the application for the permit.

Section 56: Repeal and reenactment of Section 15.44.010. Section 15.44.010 of the Unalaska Municipal Code is hereby repealed and reenacted to read as follows:

15.44.010 PENALTIES.

Violation of any of the provisions of this title shall be a minor offense, punishable by a penalty as provided in UCO 1.24.040 or if no fine is there established, in an amount not to exceed \$500 for each violation or day a violation exists.

Section 57: Amendment of Section 17.04.030. Section 17.04.030 of the Unalaska Municipal Code is hereby amended to read as follows: [additions are underlined; deletions are in brackets]

17.04.030 PERMITS REQUIRED; CONSTRUCTION OR ALTERATION.

(A) Unless specifically exempted from the requirement, no person, firm, or corporation shall erect, construct, enlarge, alter, repair, move, improve, remove, convert, or demolish any buildings or structure within the incorporated area of the City of Unalaska without first obtaining a separate building permit for each such building or structure from Public Works Department.

(B) Failure to obtain any permit required by this title, other than one required by chapter 17.08, or a violation of any permit condition or standard imposed by a permit issued pursuant to this title, is unlawful and shall be a minor offense, punishable by a penalty as provided in UCO 1.24.040 or if no fine is there established, in an amount not to exceed \$500 for each violation or day a violation exists.

Section 58: Amendment of Section 18.12.050. Section 18.12.050 of the Unalaska Municipal Code is hereby amended by the addition of a new subsection 18.12.050(A)(19) to read as follows:

(19) Abandon any vessel, boat, ship, skiff or other marine vehicle in such a manner as to create a floating or sunken hazard within the city boundaries. For purposes of this ordinance, a “floating or sunken hazard” may include any boat houses,

floats, scows, rafts, pile drivers, other floating structures, or any boat, vessel, or floating structure which is or may become or create a fire hazard, a hazard to navigation, or otherwise become a menace to the safety of the community.

Section 59: Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held to be invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Section 60: Effective Date. This ordinance is effective upon passage.

PASSED AND ADOPTED BY A DULY CONSTITUTED QUORUM OF THE UNALASKA CITY COUNCIL THIS _____DAY OF _____, 2016.

HON. SHIRLEY MARQUARDT
MAYOR


ATTEST:

CATHERINE HAZEN, CITY CLERK

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MEMORANDUM

TO: Unalaska City Council

FROM: Patrick W. Munson 
Boyd, Chandler & Falconer, LLP

RE: Minor Offense and Fine Schedule Ordinance

DATE: January 7, 2016

This memo explains the Minor Offense and Fine Schedule ordinance. Our office and City management prepared this ordinance with significant input from Deputy Chief Holman, the City Clerk's office, and the Planning Department. The ordinance is intended to make enforcement of the City's existing Code more efficient and consistent by establishing uniform procedures to apply to the vast majority of violations of city laws. It also harmonizes those procedures with the recently enacted uniform Rules of Minor Offense Procedure now applicable in the Alaska state court system. Finally, it establishes fixed fines for certain violations of law so that offenders can pay fines by mail or without being required to appear in court. Other than establishing fine amounts, it is not intended to create new laws or prohibit any activity or action that is not already prohibited under existing code.

The ordinance represents a consensus recommendation by those who have worked on it so far. It is only a recommendation. The Council will make the final decision on all the proposed changes, including whether to make any changes at all. We would be happy to discuss all of the proposals in more detail. The primary issues for the Council to consider are described in general terms below and included as comments throughout the annotated version of the draft. The annotated draft also contains some notes explaining why particular changes were suggested. We have also included a clean copy for ease of review.

A. Goals of the proposed ordinance

First, an overview of what this ordinance seeks to accomplish. In 2013, the Alaska Court system enacted the Alaska Rules of Minor Offense Procedure (RMOP). These new rules established a uniform system for processing low level infractions known as "minor offenses." Minor offenses are defined in Rule 2 of the RMOP and essentially include minor violations of law that are not so serious as to rise to the level of a misdemeanor. They are sometimes called "quasi-criminal" offenses. Common examples are traffic tickets or leash law violations. The

punishment for a minor offense cannot include incarceration, loss of a valuable license,¹ or a fine greater than either \$1,000 or \$500 depending on the circumstances (see section D, below). Most violations (namely, those listed in the “fine schedule” at proposed UCO 1.24.040) result in citations that can simply be paid by remitting a fixed amount to the court. If a person chooses to contest the citation, the court conducts a simplified proceeding (codified and explained in the new Rules of Minor Offense Procedure) that is fully consistent with due process requirements. Because the possible punishment for these violations is limited, the defendant is not entitled to a jury trial or a court-appointed attorney, but may appear in court to contest the charge (and may hire his or her own attorney if desired). People may be familiar with this process from contesting traffic tickets.

This is the same system used to enforce the vast majority of ordinances in Alaskan cities. Therefore, almost all cities have updated their ordinances to be consistent with the new Court rules, just as Unalaska is proposing to do in this ordinance. The court system will not process citations for violations of ordinances that are not consistent with the new Rules. At the very least, municipalities must ensure that all ordinances they intend to enforce as minor offenses are officially designated “minor offenses” and that the penalty for such offenses is no more severe than allowed by court rules.

The current City code uses a variety of terms to describe violations of city laws (“violation in the first degree”, “violation in the second degree”, “infraction”, “offense”, “unlawful”, “misdemeanor”, etc.) and the penalties that can be imposed (“fine”, “civil penalty”, *etc.*). This is the result of decades of ordinances being drafted and adopted without any uniform system that dictated particular procedures for enforcement. Now that the State has established such procedures for its courts—and equally important, used specific terms to define what type of offenses its courts are allowed to process—we recommend the City eliminate the terms and penalties that are not consistent with those Rules so that the courts will continue to correctly process violations of city law.

As a result, most of the proposed code amendments in this ordinance do nothing more than (1) adopt the language used by the new court rules, and (2) set a penalty for a violation, both of which are necessary for the court to process citations for violations of those ordinances. That is why this long and seemingly complex ordinance actually does not change existing law in any

¹ This limitation means that a court cannot take away a valuable privilege (such as a driver’s license) as a result of a single conviction or no contest plea. If the court can take away a license or privilege as a result of a violation, the violation cannot be designated a minor offense. Note that the City will retain authority to administratively revoke certain permits or licenses based on violations of the law, but the revocation would be separate from the court proceeding adjudicating the minor offense. *See, e.g.,* proposed UCOO 9.12.270(B).

substantial way: it changes the language used in existing laws to ensure that the courts will continue to process citations for violations. It would also eliminate ordinances that are redundant or unnecessary now that the RMOPs and the new UCO Ch. 1.24 establish rules and procedures for almost all violations of City ordinances.

The result, however, will be that enforcement is simplified (for the City and the offender alike) because the vast majority of city ordinance violations will be processed by the court as minor offenses, many payable by mail with no court appearance. Existing code technically requires almost all violators of City law to appear in court even if the person does not dispute that he or she committed the violation. *See* UCOO 1.24.010(A) and (B). In our opinion, a court appearance is unnecessary for most offenses if the offender does not dispute the violation. If the City adopts the proposed ordinance (as it may be amended), only significant violations will require a court appearance, which allows offenders and city officers to avoid court time for minor infractions. However, all accused offenders may appear in court to contest the charge if they want to; the proposed ordinance simply makes such an appearance optional.

Another significant result of enforcing laws as minor offenses is that the City, rather than the State, will be the prosecuting entity for violations of City law. When an officer issues a citation for a violation of any law designated a minor offense under City law (including but not limited to traffic laws), the citation will indicate that the offender violated a City ordinance, not a state law. The City will be the prosecuting entity and will therefore receive the fine money. There is no prosecutor for minor offenses; police officers (or the city official who issued the ticket, such as the zoning officer) appear in court to support their own citations. Because the violations are minor offenses, the City is not required to provide a public defender. This is the case under current law anyway (in traffic enforcement at least), so there should be very little practical change except the City will receive fine money instead of the State.

Note that these changes should decrease, not increase, the time City employees and officers spend on enforcement. When officers write citations for minor offenses, the citations are filed with the court system for processing. The court handles everything else. Staff's only involvement would be to appear at a brief court hearing to explain the basis for the citation so the judge can adjudicate guilt or innocence (if that is contested, which it often is not).

Equally important, collection of fines will improve. If the offender pleads or is found guilty he pays the court, which conveys the payment to the City. The court system retains a 10% administrative fee of all penalties collected through it. We believe that this fee is well worth the simplicity of enforcing laws through the court system and will be more than offset by the increased fine payments the City receives. We therefore recommend that as many ordinances as possible be enforced as minor offenses.

B. Choosing ordinances to designate as minor offenses

The Council must ultimately choose which ordinances to designate as minor offenses. This ordinance proposes those that we believe are most likely appropriate, but they are just suggestions. Some of these suggestions apply the correct terminology to violations that are already treated as minor offenses by definition under City law. Other proposed amendments would re-categorize certain violations that are not currently minor offenses but probably should be. This includes some offenses currently designated “misdemeanors”, but which do not seem so serious as to rise to criminal acts (such as certain violations of subdivision laws in UCOO 8.08 and 8.12). We have proposed retaining a limited number of misdemeanors, primarily in Chapter 9.36 regarding adult-oriented businesses.

The State will continue to prosecute the vast majority of misdemeanors and felonies under state law. Where a state law forbids the exact conduct covered by an existing city ordinance purporting to create a misdemeanor (such as existing UCOO 13.04.020, .030, and .050), we have recommended deleting those sections from City code so that the state law will control. Such laws are already enforced as state law violations anyway in practice, so this is really a house-cleaning exercise. The City does not have the resources or institutional infrastructure to prosecute too many misdemeanor violations of city law because it would have to provide a prosecutor, public defender, and conduct a jury trial for all such offenses. Since the state does have that infrastructure in place and is already using it to prosecute the same activities these city ordinances outlaw, we recommend deleting the city laws that are not actually enforced as such.

C. Civil penalties, administrative enforcement, or minor offenses

There may be a small number of ordinances that the City chooses not to designate as minor offenses. Some violations require more options. It may, for example, be appropriate to cite a person for a particular planning and zoning violation as a minor offense, or it may be more appropriate to sue the person to prevent him or her from carrying out an ongoing or planned activity. We have proposed to give the City multiple enforcement options in these cases, which include failure to file sales tax returns (UCOO 6.40) and nuisances (UCOO 11.08 and 11.12).

D. Fine schedule - mandatory and optional appearances

The final significant change is the fine schedule. Proposed UCO § 1.20.040 sets forth a table called a fine schedule that will ultimately include every offense for which the City wishes to set a fixed fine amount. An offender can resolve a citation for a violation of any section listed in the table simply by paying the amount listed there. These violations are therefore called

“optional court appearance” offenses because an offender is not required to appear in court if he does not contest the charge (but may if desired).

Any minor offense not listed in the table is a “mandatory court appearance” infraction. There are two main reasons why offenses require court appearances. Most frequently, mandatory appearance violations have a fine that falls within a range (*i.e.*, “up to” or “not to exceed” a certain amount), rather than a single fixed amount. These offenses are mandatory appearance offenses because the fine is defined by a range, so a judge must set the specific fine in each individual case. The other reason to require a court appearance is to compel compliance or change behavior. Failing to connect to City sewer, for example, could be an appropriate mandatory appearance offense because the judge could order the offender to connect to the sewer system.

The Council must ultimately decide which offenses to designate optional and mandatory appearance offenses. Typically, optional appearance offenses are those for which a single penalty is sufficient because all violations of that law are basically the same (such as failure to obtain a dog license). If, on the other hand, a particular offense is likely to vary widely in severity (such as nuisances), the City might designate those offenses as mandatory court appearance offenses because it might be best to let a judge decide whether a harsh or lenient punishment is most appropriate.

Finally, the Council should set an appropriate fine amount for each optional appearance offense included in the fine schedule. Some are already set in Code. We have used these where appropriate or adjusted them to be consistent with the new limits on minor offense fines (maximum of \$1,000 for a scheduled offense; \$500 for a non-scheduled offense). City staff have recommended the remainder of the scheduled fines, but the Council is free to change any of them.

The Council may also set escalating fines that provide for a certain fine on the first offense, but which increases for subsequent violations. However, these types of escalating fines are being eliminated in most communities because they require the police officer to know how many violations a person has been convicted of and/or require a court appearance. In short, escalating fines seem to create more work than its deterrent effect justifies (*i.e.*, does a slightly higher fine for a second leash law violation really deter enough second offenses to justify having an officer appear in court for the second offense?). Mr. Holman and our office therefore recommend eliminating these, but this too is a Council decision.

CITY OF UNALASKA
UNALASKA, ALASKA

RESOLUTION 2015-11

A RESOLUTION OF THE UNALASKA CITY COUNCIL CONFIRMING THE MAYOR'S RE-APPOINTMENT OF DAVLIN HALL AND JOANNE VILLAMOR TO THE PARKS, CULTURE, AND RECREATION ADVISORY COMMITTEE.

WHEREAS, City of Unalaska Code of Ordinances §2.60.040 states that each member of a board or committee shall be appointed by the Mayor, subject to approval of the City Council; and

WHEREAS, Mayor Marquardt has considered the application of members of the public to serve on the Parks, Culture, and Recreation Advisory Committee and has submitted the names to the City Council for approval;

NOW THEREFORE BE IT RESOLVED that the Mayor's re-appointment of Davlin Hall and Joanne Villamor to the Parks, Culture, and Recreation Advisory Committee is confirmed:

MEMBER
DAVLIN HALL

EXPIRING
FEBRUARY 2019

JOANNE VILLAMOR

FEBRUARY 2019

PASSED AND APPROVED BY A DULY CONSTITUTED QUORUM OF THE UNALASKA CITY COUNCIL THIS ____ DAY OF FEBRUARY 2016.

MAYOR

ATTEST:

CITY CLERK



BOARD, COMMITTEE & COMMISSION APPLICATION



APPLYING FOR (check one):

- ☐ Planning Commission, Platting Board and Historic Preservation Commission
☒ Parks, Culture & Recreation Committee
☐ Library Advisory Committee
☐ Museum of the Aleutians Board of Directors
☐ Iliuliuk Family & Health Services Clinic Board

Name: Darlin Hall

Mailing Address: PO Box 271 Unalaska AK 99685

Telephone: 907 359 1548 Email: darlinhall@live.com

Occupation: Lineman Employer: City of Unalaska

Previous Board/Committee/Commission Experience (attach additional pages if necessary):

One Year in the current Seat.

Check the primary reason(s) for your interest:

- ☒ I am a returning board, committee or commission member whose term recently expired.
☐ I have expertise I want to contribute.
☐ I am interested in the activities the board, committee or commission handles.
☐ I want to participate in local government.
☐ I want to make sure my segment of the community is represented.
☐ Other _____

Please explain in greater detail the reasons you checked above: _____

It is suggested you attach an outline of your education, work and volunteer experience, and other interests.

How did you learn of this vacancy (please check one):

- ☐ Media ☐ Word of Mouth ☐ Solicitation ☐ Other _____

Date: 1/8/2016

Signature: [Signature]

THANK YOU FOR YOUR INTEREST IN SERVING

Applications expire one year from date received by City Clerk

Please return completed Application to the City Clerk's Office in City Hall, 43 Raven Way, Unalaska
Or mail to City Clerk, City of Unalaska, P. O. Box 610, Unalaska, AK 99685



BOARD, COMMITTEE & COMMISSION APPLICATION

APPLYING FOR (check one):

- | | |
|---|---|
| <input type="checkbox"/> Planning Commission, Platting Board and Historic Preservation Commission | <input type="checkbox"/> Museum of the Aleutians Board of Directors |
| <input checked="" type="checkbox"/> Parks, Culture & Recreation Committee | <input type="checkbox"/> Iliuliuk Family & Health Services Clinic Board |
| <input type="checkbox"/> Library Advisory Committee | |

Name: JOANNE VILLAMOR

Mailing Address: PO BOX 1044 UNALASKA, AK 99685

Telephone: 359-3309 Email: rjvillamor143@gmail.com

Occupation: ADMIN ASST. Employer: UCSD

Previous Board/Committee/Commission Experience (attach additional pages if necessary):

FIL-AM BOARD, PCR BOARD, SCHOOL COMMITTEES

Check the primary reason(s) for your interest:

- ☒ I am a returning board, committee or commission member whose term recently expired.
- ☐ I have expertise I want to contribute.
- ☐ I am interested in the activities the board, committee or commission handles.
- ☐ I want to participate in local government.
- ☐ I want to make sure my segment of the community is represented.
- ☐ Other _____

Please explain in greater detail the reasons you checked above: I HAVE 3 VERY ACTIVE KIDS AND ENJOY BEING PART OF COMMUNITY EVENTS. I HAVE BEEN A MEMBER OF THE COMMUNITY FOR 31 YEARS AND WOULD LIKE TO CONTINUE TO BE INVOLVED W/ OUR COMMUNITY.

It is suggested you attach an outline of your education, work and volunteer experience, and other interests.

How did you learn of this vacancy (please check one):

- ☐ Media ☐ Word of Mouth ☐ Solicitation ☒ Other _____

Date: 1/28/14

Signature: [Signature]

THANK YOU FOR YOUR INTEREST IN SERVING

Applications expire one year from date received by City Clerk

Please return completed Application to the City Clerk's Office in City Hall, 43 Raven Way, Unalaska
Or mail to City Clerk, City of Unalaska, P. O. Box 610, Unalaska, AK 99685

HOW TO APPLY FOR A BOARD, COMMITTEE OR COMMISSION

Application forms are available at the City Clerk's Office in City Hall and on the City's website. Please call the Clerk's office at 907.581.1251 if you'd like an application faxed or emailed to you. Fill out the application and mail to or deliver to:

City Clerk
City of Unalaska
43 Raven Way
P.O. Box 610
Unalaska, Alaska 99685

Qualifications to serve vary, but the most important qualifications are interest and a willingness to serve.

WHAT HAPPENS NEXT

1. You will be considered for the Board, Committee or Commission for which you indicated interest as vacancies occur.
2. Vacancies occur throughout the year, and applications are accepted at any time.
3. Terms on Boards, Committees and Commissions expires on February 14th of each year.
4. Applications are held for one year for consideration.
5. The Mayor appoints members to Boards, Committees and Commission and submits the applicant's name to the City Council for confirmation.

The Mayor and City Council seek to have broad representation from throughout the community, so in making appointments they consider many factors.

6. Applications are always welcome, and applicants should not feel discouraged if they are not quickly appointed. If you hear of a vacancy in which you are interested, it is suggested you call to remind the City Clerk's Office that you have an application on file.

CITY OF UNALASKA
UNALASKA, ALASKA

RESOLUTION 2016-12

A RESOLUTION OF THE UNALASKA CITY COUNCIL CONFIRMING THE MAYOR'S RE-APPOINTMENT OF RHONDA L. ANDERSON AND CYRI THOMPSON TO THE LIBRARY ADVISORY COMMITTEE.

WHEREAS, City of Unalaska Code of Ordinances §2.60.040 states that each member of a board or committee shall be appointed by the Mayor, subject to approval of the City Council; and

WHEREAS, Mayor Marquardt has considered the application of members of the public to serve on the Library Advisory Committee and has submitted the names to the City Council for approval;

NOW THEREFORE BE IT RESOLVED that the Mayor's re- appointment of Rhonda L. Anderson and Cyri Thompson to the Library Advisory Committee is confirmed:

MEMBER

RHONDA L. ANDERSON

EXPIRING

FEBRUARY 2019

CYRI THOMPSON

FEBRUARY 2019

PASSED AND APPROVED BY A DULY CONSTITUTED QUORUM OF THE UNALASKA CITY COUNCIL THIS ____ DAY OF FEBRUARY 2016.

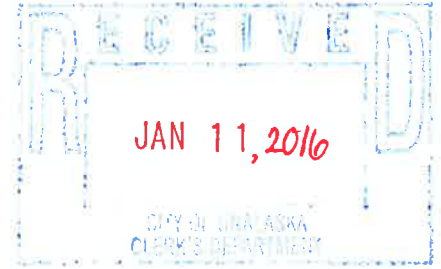
MAYOR

ATTEST:

CITY CLERK



BOARD, COMMITTEE & COMMISSION APPLICATION



APPLYING FOR (check one):

- ☐ Planning Commission, Platting Board and Historic Preservation Commission
☐ Parks, Culture & Recreation Committee
☒ Library Advisory Committee
☐ Museum of the Aleutians Board of Directors
☐ Iliuliuk Family & Health Services Clinic Board

Name: Rhonda L. Anderson
Mailing Address: PO Box 564, Unalaska, AK 99685
Telephone: 907-581-3951 Email: randerson@ucsd.net
Occupation: Teacher Employer: UCSD

Previous Board/Committee/Commission Experience (attach additional pages if necessary):

Library Advisory Committee

Check the primary reason(s) for your interest:

- ☒ I am a returning board, committee or commission member whose term recently expired.
☐ I have expertise I want to contribute.
☐ I am interested in the activities the board, committee or commission handles.
☐ I want to participate in local government.
☐ I want to make sure my segment of the community is represented.
☐ Other _____

Please explain in greater detail the reasons you checked above: _____

It is suggested you attach an outline of your education, work and volunteer experience, and other interests.

How did you learn of this vacancy (please check one):

- ☐ Media ☐ Word of Mouth ☒ Solicitation ☐ Other _____

Date: 01-07-2016

Signature: Rhonda L. Anderson

THANK YOU FOR YOUR INTEREST IN SERVING

Applications expire one year from date received by City Clerk

Please return completed Application to the City Clerk's Office in City Hall, 43 Raven Way, Unalaska
Or mail to City Clerk, City of Unalaska, P. O. Box 610, Unalaska, AK 99685



BOARD, COMMITTEE & COMMISSION APPLICATION

APPLYING FOR (check one):

- ☐ Planning Commission, Platting Board and Historic Preservation Commission
☐ Parks, Culture & Recreation Committee
☒ Library Advisory Committee
☐ Museum of the Aleutians Board of Directors
☐ Iliuliuk Family & Health Services Clinic Board

Name: Cyri P. Thompson

Mailing Address: PO Box 189, Unalaska, AK 99685

Telephone: 359-2213 Email: nayashardex@yahoo.com

Occupation: Admin Assistant Employer: Aleutian Chiropractic

Previous Board/Committee/Commission Experience (attach additional pages if necessary):

Previous Library Advisory Committee member +
previous Unalaska library employee.

Check the primary reason(s) for your interest:

- ☒ I am a returning board, committee or commission member whose term recently expired.
☐ I have expertise I want to contribute.
☐ I am interested in the activities the board, committee or commission handles.
☐ I want to participate in local government.
☐ I want to make sure my segment of the community is represented.
☐ Other _____

Please explain in greater detail the reasons you checked above: Appointed to the
Board in 2013

It is suggested you attach an outline of your education, work and volunteer experience, and other interests.

How did you learn of this vacancy (please check one):

- ☐ Media ☒ Word of Mouth ☐ Solicitation ☐ Other _____

Date: 1/8/16

Signature: [Signature]

THANK YOU FOR YOUR INTEREST IN SERVING

Applications expire one year from date received by City Clerk

Please return completed Application to the City Clerk's Office in City Hall, 43 Raven Way, Unalaska
Or mail to City Clerk, City of Unalaska, P. O. Box 610, Unalaska, AK 99685

CITY OF UNALASKA
UNALASKA, ALASKA

RESOLUTION 2016-15

A RESOLUTION OF THE UNALASKA CITY COUNCIL CONFIRMING THE MAYOR'S RE-APPOINTMENT OF DOANH THI TRAN TO THE UNALASKA PLANNING COMMISSION/PLATTING BOARD AND THE HISTORIC PRESERVATION COMMISSION.

WHEREAS, City of Unalaska Code of Ordinances §2.60.040 states that each member of a board or committee shall be appointed by the Mayor, subject to approval of the City Council; and

WHEREAS, Mayor Marquardt has considered the application of a member of the public to serve on the Planning Commission/Platting Board and the Historic Preservation Commission and has submitted the name to the City Council for approval;

NOW THEREFORE BE IT RESOLVED that the Mayor's re-appointment of Doanh Thi Tran to the Planning Commission/Platting Board and the Historic Preservation Commission is confirmed:

MEMBER

Doanh Thi Tran

EXPIRING

February 2019

PASSED AND APPROVED BY A DULY CONSTITUTED QUORUM OF THE UNALASKA CITY COUNCIL THIS 9th DAY OF FEBRUARY 2016.

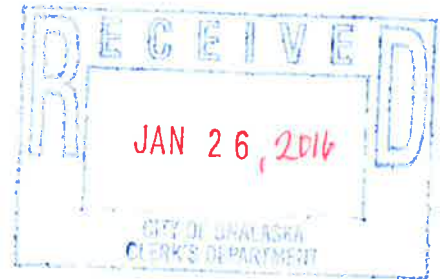
MAYOR

ATTEST:

CITY CLERK



BOARD, COMMITTEE & COMMISSION APPLICATION



APPLYING FOR (check one):

- ☒ Planning Commission, Platting Board and Historic Preservation Commission
☐ Parks, Culture & Recreation Committee
☐ Library Advisory Committee
☐ Museum of the Aleutians Board of Directors
☐ Iliuliuk Family & Health Services Clinic Board

Name: DOANH THI TRAN

Mailing Address: PO BOX 921002

Telephone: 9073011383 Email: miss.danh@gmail.com

Occupation: grant writer Employer: airport restaurant, self employed

Previous Board/Committee/Commission Experience (attach additional pages if necessary):

City of Unalaska P&C, Historic Preservation Commission
Legislative aide, Dallyhoo Lions Club Board Director

Check the primary reason(s) for your interest:

- ☒ I am a returning board, committee or commission member whose term recently expired.
☐ I have expertise I want to contribute.
☒ I am interested in the activities the board, committee or commission handles.
☒ I want to participate in local government.
☒ I want to make sure my segment of the community is represented.
☐ Other _____

Please explain in greater detail the reasons you checked above: interest in community development

It is suggested you attach an outline of your education, work and volunteer experience, and other interests.

How did you learn of this vacancy (please check one):

- ☐ Media ☐ Word of Mouth ☒ Solicitation ☐ Other _____

Date: January 26, 2016

Signature: [Signature]

THANK YOU FOR YOUR INTEREST IN SERVING

Applications expire one year from date received by City Clerk

Please return completed Application to the City Clerk's Office in City Hall, 43 Raven Way, Unalaska
Or mail to City Clerk, City of Unalaska, P. O. Box 610, Unalaska, AK 99685

CITY OF UNALASKA
UNALASKA, ALASKA

ORDINANCE NO. 2016-06

CREATING BUDGET AMENDMENT #4 INCREASING THE OPERATING BUDGET FOR PUBLIC SAFETY \$91,000 TO REPLACE FAILING RADIO COMBINER AND MULTI-COUPPLERS AND INCREASE THE ALYESKA ELECTRIC TIE-IN PROJECT BY \$295,707 TO REPLACE FAILED TRANSFORMER

BE IT ENACTED BY THE UNALASKA CITY COUNCIL

- Section 1. Classification: This is a non-code ordinance.
Section 2. Effective Date: This ordinance becomes effective upon adoption.
Section 3. Content: The City of Unalaska FY1 Budget is amended as follows:

- A. That the following sums of money are hereby accepted and the following sums of money are hereby authorized for expenditure.
B. The following are the changes by account line item:

Amendment No. 4 to Ordinance #2015-10

		<u>Current</u>	<u>Requested</u>	<u>Revised</u>
I. CAPITAL BUDGET				
A. General Fund - Operating Budget				
Sources				
	Current year budgeted surplus	6,532,010	91,000	6,441,010
Uses				
	Public Safety Operating Budget	5,798,953	91,000	5,889,953
B. Proprietary Fund - Project Budget				
Sources				
	Electric Fund Net Assets		295,707	295,707
Uses				
	Alyeska Tie-In	EL501 341,200	295,707	636,907

PASSED AND ADOPTED BY A DULY CONSTITUTED QUORUM OF THE UNALASKA CITY COUNCIL THIS ____ DAY OF ____ 2016.

MAYOR

ATTEST:

CITY CLERK

Summary of Budget Amendment
and Schedule of Proposed Accounts
Budget Amendment 4

1) General Fund - Operating Budget

Increase Public Safety Budget to replace failing radio combiner and multi-coupler at the Haystack repeater site.

2) Proprietary Funds - Capital Projects

Increase the Alyeska Electrical Tie-In Project to replace transformer that broke so we can restore service to Alyeska

	Org	Object	Project	Current	Requested	Revised
1) <u>General Fund - Operating Budget</u>						
<i>Sources:</i>						
General Fund Surplus				6,532,010.00	91,000.00	6,441,010.00
<i>Uses:</i>						
Machinery & Equipment	01021152	57400		-	91,000.00	91,000.00
2) <u>Proprietary Funds - Capital Projects</u>						
<i>Sources:</i>						
Transfers to Enterprise Capital Projects	50029854	59940		35,000.00	295,707.00	330,707.00
<i>Uses:</i>						
Transfers from Proprietary Operating	50119848	49130	EL501	341,200.00	295,707.00	636,907.00
Engineering and Architecture	50125053	53240	EL501	80,700.00	116,218.00	196,918.00
Construction Services	50125053	54500	EL501	11,770.00	5,000.00	16,770.00
Machinery & Equipment	50125053	57400	EL501	235,000.00	174,489.00	409,489.00

MEMORANDUM TO COUNCIL

TO: MAYOR AND CITY COUNCIL MEMBERS
FROM: MIKE HOLMAN, DPS DIRECTOR
THRU: DAVID MARTINSON, CITY MANAGER
FROM: DEPARTMENT OF PUBLIC SAFETY
DATE: 02/01/16
RE: BUDGET AMENDMENT ORDINANCE 2016-06

SUMMARY: During the February 9, 2016 meeting, we will be discussing the budget amendment necessary to increase the police operating budget in the amount of \$91,000.00 in order to replace the failing radio combiner and multi-coupler at the Haystack repeater site.

PREVIOUS COUNCIL ACTION: There has been no previous council action on this item.

BACKGROUND: Because of degraded reception, bleed over from other frequencies, and interference on one of the operational radio frequencies, Public Safety contracted with the City's radio vendor to conduct a preventative maintenance and inspection (PMI) of the City's radio system and the repeater site. During the inspection it was found that key radio equipment at the Haystack repeater site had failed. The equipment which had failed is the combiner and multi-coupler which are responsible for separating out the various frequencies used by the City. This part of our radio system is antiquated, having been installed in 1993, and cannot be repaired.

DISCUSSION: The Department of Public Safety maintains seven radio channels for City use, to include four Public Safety channels, one Ports channel, one Electric channel, and one spare channel (located at Public Safety and not at the Haystack repeater site). All but the one of the channel located at Public Safety route through the same failing equipment located at the Haystack repeater site. All seven channels are operated/maintained by Public Safety and are designed to provide redundancy in the event of a multi-hazard event. Currently only two channels are operating appropriately. Having only two channels operating appropriately does allow for normal day to day communications. However, these channels can quickly becoming overwhelmed during an emergency.

ALTERNATIVES: The alternative is to continuing to operate on two channels and wait to replace the equipment until further failure occurs.

FINANCIAL IMPLICATIONS: Waiting to replace the failing equipment could result in additional equipment costs, and an inability to effectively communicate during an emergency response.

LEGAL: Possible legal exposure if a complete failure occurs.

STAFF RECOMMENDATION: Staff recommends the Council approve the budget amendment request to increase the FY16 Police Operating budget in the amount of \$91,000.00.

PROPOSED MOTION: Request a motion to approve Ordinance 2016-06, which includes a budget amendment to increase the Department of Public Safety FY16 Police Operating Budget in the amount of \$91,000.00

CITY MANAGER'S COMMENTS: I recommend the approval of this budget amendment to increase the Department of Public Safety's FY16 Police Operating Budget in the amount of \$91,000.00 under line item 01021152-57400 (Machinery & Equipment).

MEMORANDUM TO COUNCIL

TO: MAYOR AND CITY COUNCIL MEMBERS
FROM: J. R. PEARSON, DEPUTY DIRECTOR OF PUBLIC UTILITIES
THRU: DAVID MARTINSON, CITY MANAGER
DATE: FEBRUARY 9, 2016
RE: ORDINANCE 2016-06: BUDGET AMENDMENT REQUEST TO AMEND CAPITAL PROJECT EL501 “ALYESKA ELECTRICAL TIE-IN” IN THE AMOUNT OF \$295,707.

SUMMARY: This Budget Amendment request will amend the capital project EL501, titled “Alyeska Electrical Tie-in”. The original 3,000 KVA transformer purchased and installed for this project was irreparably damaged due to a defect that resulted in a ground fault on the secondary side of the transformer. As this was a manufacturer’s defect, the City Staff is working with the manufacturer for compensation.

The proposed amendment is needed to purchase and install a new transformer so the services to Alyeska Seafoods can be restored. The new work will install a 4,400 KVA transformer equipped with added safeguards for the transformer. The larger transformer will satisfy Alyeska’s interest in purchasing up to 100 percent of their electrical power needs. The amendment adds an estimated cost of \$295,707 to this project. Because replacing the faulty transformer is a maintenance item, it will be financed through the Electrical Proprietary Fund.

Alyeska Seafood’s has requested the City provide 100% of their electrical power needs. The minimum expected annual sales will be approximately 4,380,000 kWh, with maximum potential annual sales of approximately 13,140,000 kWh.

PREVIOUS COUNCIL ACTION: On July 22, 2014, Council adopted Ordinance 2014-17, a budget amendment that created the “Alyeska Electrical Tie-in” project, which this Ordinance seeks to amend.

BACKGROUND: On July 10, 2013, the City contracted with Mike Hubbard of The Financial Engineering Company to conduct a Rate Study for the Electric Proprietary Fund. On February 25, 2013, Mr. Hubbard presented the rate study to Council.

Mr. Hubbard’s analysis demonstrated that, due to 3 million kWh increase in sales in the industrial rate class, the existing rates were adequate to cover expenses through FY2015. However, without additional load growth of over 2 million kWh, net operating losses of \$492,631 are expected to occur in FY2016, and net operating losses of \$583,776 in FY2017.

With this in mind, Staff approached Alyeska Seafoods to inquire about the possibility of tying them to the City's electrical grid. After months of dialog, Alyeska agreed to the City's proposal.

In August 2015, the Alyeska Electrical Tie-in was completed; Alyeska began receiving electrical power from the City.

On December 27, 2015, the 3000 KVA transformer failed, resulting in a City-wide power outage lasting up to two hours in some areas. The transformer is still under warranty, and the City is working with the manufacturer for compensation. The refund amount is uncertain, but any monies received will be added back to the project and, ultimately, back to the General Fund.

DISCUSSION: Originally, Alyeska had agreed to receive up to 800 kW of power from the City's electrical grid during their non-processing season. They had requested that we install a 3,000 KVA transformer, which will handle up to 90% of their full electrical needs. During the several months of operating, Alyeska realized the benefits of using the City's electrical power. After the failure of the original transformer, Alyeska requested the City install a larger transformer that can handle virtually 100% of their electrical needs.

The City's portion of this project consists of installing a new 4400 KVA transformer outside Alyeska's Powerhouse, metering CT's, and programming and integration to the Unalaska Power Plant SCADA system. Electric Power Systems is our Electrical Engineer of record and will perform the programming and integration work for this project. Table 1 provides details about the services, equipment, and materials needed through this budget amendment, and adds the original project budget to provide a Total Cost Estimate to complete this project.

TABLE 1

Itemized Cost Estimates		
Description	Estimate Provided By	Estimated Cost
Engineering Services	Electric Power Systems, Inc	\$ 116,218
4400 KVA Transformer (w/shipping)	Autonomy Technology, Inc	\$ 165,943
Upgrade Primary Metering CTs (materials only)	Electric Power Systems, Inc	\$ 3,000
Parts (Cable, conduit, etc)	City Electric Utility	\$ 5,546
Crane	Northern Mechanical	\$ 5,000
Subtotal Additional Cost Estimate		\$ 295,707
Original Alyeska Tie-In Project Budget		\$ 341,200
Revised Alyeska Tie-In Project Budget		\$ 636,907

Table 2 references actual historical demands and usage from Alyeska Seafoods' powerhouse. The minimum demand was 500 kW, the overall average was 1500 kW, and the maximum was 3600 kW. However, average kW demand of 1500 kW may be the best representation of maximum annual usage in this table. For the projected annual usage, the table references the

50th percentile of the historical demand data set, which is approximately 1000 kWh of continuous use. Considering only the base rate (not including demand costs and meter fees), Table 2 indicates that payback may about one year or less, even at the minimum expected usage.

To fund the original project, a loan was provided through the General Fund with a five year payback period at \$68,240 per year. Table 2 indicates that revenues collected after completion of this project should be more than sufficient to pay back the General Fund loan as well as the Electrical Proprietary Fund.

TABLE 2

Alyeska Seafoods Annual Revenue & Payback					
	Annual kWh Usage	Cost per kWh (Base Rate)	Total Annual Revenue	Total Estimated Project Cost	Payback Years
Minimum Usage	4,380,000	\$ 0.14385	\$ 630,063	\$ 636,907	1.01
Projected Usage	8,760,000	\$ 0.14385	\$ 1,260,126	\$ 636,907	0.51
Maximum Usage	13,140,000	\$ 0.14385	\$ 1,890,189	\$ 636,907	0.34

The schedule for this project is as follows:

- Order Equipment - February 23, 2016
- Construction - May 15, 2016

ALTERNATIVES: Staff does not believe there are other alternatives but Staff is always receptive to Council's direction.

FINANCIAL IMPLICATIONS: This Budget Amendment amends the "Alyeska Electrical Tie-In" Capital Project with increased funding in the amount of \$295,707. Because the Budget Amendment is for a maintenance related task, the Electrical Proprietary Fund will be used for funding this project.

LEGAL: None.

STAFF RECOMMENDATION: Staff recommends adopting Ordinance 2016-06.

PROPOSED MOTION: "I move to approve Ordinance 2016-06".

CITY MANAGER'S COMMENTS: Recommend the Council approve this budget amendment. This requirement was unknown at the time the FY16 budget was submitted. We cannot wait to get resolution on the compensation from the manufacturer of the original transformer. If compensation is received the funds will be returned to the Electrical Proprietary Fund.

**CITY OF UNALASKA
UNALASKA, ALASKA**

RESOLUTION 2016-13

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNALASKA, AUTHORIZING THE CITY MANAGER TO EXTEND PND ENGINEERS INC. CONTRACT FOR THE UNALASKA MARINE CENTER EXPANSION AND REPLACEMENT PROJECT POSITIONS 3 AND 4 FOR 65% DESIGN COMPLETION IN AN AMOUNT NOT TO EXCEED \$935,000 AND FURTHER AUTHORIZE THE CITY MANAGER TO EXTEND PND ENGINEERS, INC CONTRACT FOR FINAL DESIGN, PROJECT IMPROVEMENT ANALYSIS, AND PROJECT BIDDING SUPPORT UPON ADOPTION OF THE CITY OF UNALASKA FY17 CAPITAL BUDGET INCLUDING APPROPRIATIONS FOR UMC EXPANSION AND REPLACEMENT PROJECT POSITIONS 3 AND 4 IN AN AMOUNT NOT TO EXCEED \$1,021,802.

WHEREAS, the City of Unalaska, Alaska has adopted the UMC Dock Replacement and Expansion nomination as a capital project; and

WHEREAS, the City of Unalaska entered into an agreement with PND Engineers, Inc. for the design and permitting of the Unalaska Marine Center Expansion and Replacement Project; and

WHEREAS, PND Engineers, Inc. has completed the initial permitting and 30% percent design for the Unalaska Marine Center Expansion and Replacement Project; and

WHEREAS, the next stage of the project is to design to 65% and the public input process; and

WHEREAS, the Unalaska City Council has appropriated funding to complete the 65% design of the Unalaska Marine Center Expansion and Replacement Project; and

WHEREAS, PND Engineers Inc. prepared a proposal and schedule for the complete design including bid documents; and

WHEREAS, PND Engineers Inc. has aligned the completion of the design schedule and bid documents to begin in July of 2017; and

WHEREAS, the appropriation for the remaining design is requested in the City of Unalaska FY17 Capital Budget; and

WHEREAS, City of Unalaska is desirous of an uninterrupted design schedule; and

WHEREAS, the City of Unalaska has negotiated a fair and reasonable price for the services to be provided;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Unalaska authorizes the City Manager to enter into a contract with PND Engineers, Inc., for 65% design completion of the Unalaska Marine Center Expansion and Replacement Project in an amount not to exceed \$935,000; and

THEREFORE BE IT ALSO RESOLVED that the City Council of the City of Unalaska authorizes the City Manager to Extend PND Engineers, Inc. contract for final design, project

improvement analysis and project bidding support upon adoption of the City of Unalaska FY17 Capital Budget including appropriations for the UMC Expansion and Replacement Project Positions 3 and 4 in an amount not to exceed \$1,021,802.

PASSED AND ADOPTED BY A DULY CONSTITUTED QUORUM OF THE UNALASKA CITY COUNCIL THIS 14th DAY OF APRIL 2015.

MAYOR

ATTEST:

CITY CLERK

MEMORANDUM TO COUNCIL

TO: MAYOR AND CITY COUNCIL MEMBERS

FROM: PEGGY MCLAUGHLIN, PORTS DIRECTOR

THRU: DAVID MARTINSON, CITY MANAGER

DATE: FEBRUARY 9, 2016

RE: RESOLUTION 2016-13: AUTHORIZING THE CITY MANAGER TO EXTEND PND ENGINEERS INC. CONTRACT FOR THE UNALASKA MARINE CENTER EXPANSION AND REPLACEMENT PROJECT POSITIONS 3 AND 4 FOR 65% DESIGN COMPLETION IN AN AMOUNT NOT TO EXCEED \$935,000 AND FURTHER AUTHORIZE THE CITY MANAGER TO EXTEND PND ENGINEERS, INC CONTRACT FOR FINAL DESIGN, PROJECT IMPROVEMENT ANALYSIS, AND PROJECT BIDDING SUPPORT UPON ADOPTION OF THE CITY OF UNALASKA FY17 CAPITAL BUDGET INCLUDING APPROPRIATIONS FOR UMC EXPANSION AND REPLACEMENT PROJECT POSITIONS 3 AND 4 IN AN AMOUNT NOT TO EXCEED \$1,021,802.

SUMMARY:

Resolution 2016-13 authorizes the City Manager to enter into an agreement with PND Engineers, Inc. to further the design of the Unalaska Marine Center Expansion and Replacement Project to 65% completion. The 65% design completion authorization is in an amount not to exceed \$935,000. This amount is currently appropriated in the Unalaska Marine Center Expansion and Replacement Project Capital Budget. This Resolution will also allow the City Manager to extend this agreement with PND Engineers for 95% and 100% design, Project Improvement Analysis, and Project Bidding Support as outlined in the proposed tasks by PND Engineers, Inc. This contract extension is pending additional design fund appropriations in the FY17 City of Unalaska Capital Budget. The extension of this contract will only be authorized upon adoption of additional funding for this project (\$1,021,802) and the amount of the agreement will not exceed \$1,021,802 or the appropriated amount whichever is less.

The total amount of the PND Engineers, Inc. proposal is not to exceed \$1,956,802

PREVIOUS COUNCIL ACTION:

Ordinance 2012-04 adopting the FY13 Operating and Capital Budget for the City of Unalaska

Resolution 2014-06 authorizing the City Manager to enter into an agreement with PND Engineers, Inc. for preliminary design, permitting and geotechnical investigation in an amount not to exceed \$420,858.00

Resolution 2015-37: authorizing the City Manager to enter into an agreement with PND Engineers, Inc. for preliminary design (30%), master planning and project scoping, public input process and report, permitting support and IHA application, existing warehouse structural and electrical condition assessment, and UMC upland survey and bathymetry in an amount not to exceed \$489,135

Ordinance 2015-10 adopting the FY16 Operating and Capital Budget for the City of Unalaska

BACKGROUND:

During the 2012 CMMP process, the UMC Expansion and Replacement Project for Positions 3 and 4 was proposed and adopted by Council. Council appropriated \$980,000.00 for engineering services through the approval of the Capital Project Budget. In January of 2014, Council authorized the contract with PND Engineers, Inc. for the preliminary design to support project permitting, geotechnical investigation, and USACE permitting application. In 2015, the City Council authorized PND to design up to 30% and further the permitting and data collection for marine mammals as well as the public input process not to exceed \$489,135. In FY16 City Council authorized an additional \$916,000 through the CMMP to design to 65%. This Resolution will authorize the use of those appropriated funds.

DISCUSSION:

Through the CMMP in FY16, Council appropriated funding for the Port to proceed with design and permitting for the Unalaska Marine Center (UMC) Expansion and Replacement Project Positions 3 and 4 to 65% design completion. City Council, through the City Manager, authorized PND Engineers, Inc. to complete the project scoping, design to 30%, and complete the initial studies and investigations required to submit the permits with USACE and further complete the required environmental consultations with various agencies. This first design step and initial permitting process and reviews are complete and we are ready to move forward to the next level of design (65%) and final permitting. Resolution 2016-13 authorizes the City Manager to enter into an agreement with PND Engineers, Inc. to continue to design the UMC Expansion and Replacement Project up to 65% design.

The funding for 65% design is appropriated and available. Meeting milestones for design completion and permitting is critical to maintaining our schedule integrity for construction and permitting, and also enhances our ability to qualify for grant funding for construction. We expect the USACE to issue the permit in March of this year. The current timeline for 65% design completion is June 10, 2016. The schedule to begin construction is March of 2017. This 2017 March construction timing is critical in order to have the least impact on vessel traffic through the height of A Season. Our expectation is to be able to accommodate all regular container traffic and utilize the LCD and USCG docks for fishing vessel offloads. Our goal is to have a functional dock face and uplands by A Season of 2018, before we head into the second construction season of surfacing and final utility tie-ins.

Attached with this memo are the remaining tasks and associated costs to complete final design, project improvement analysis, and project bidding support. This proposal outlines the overall costs associated with the remaining 7 tasks to complete design and permitting.

We anticipate pacing the UMC Expansion and Replacement Project design through the 65%, 95% and 100% design levels with benchmarks of completions in June, October, and November of 2016. Ideally, each completed design milestone will transition into the next phase of design. Each of these design levels will have direct input from the City of Unalaska City Council and the public. Because of the timing of the benchmarks, permitting, and construction date we asked PND Engineers, Inc. to produce a proposal to complete the tasks required for 100% design. The proposal indicates that to complete design up to and including permitting and bid documents, the project budget will require an additional \$1,121,000. We have included this amount in the CMMP for Council's review and consideration later this spring. The overall cost of design is running at approximately 4.5 - 5% of the project cost which aligns well or slightly under traditional engineering ratio costs.

In an effort to clearly communicate the intent of this resolution to Council, the status of the funding for the design of the UMC project as well as the status of the design contract must be discussed. The funding for the 65% design is already in the budget. The funding for the tasks outlined in PND's proposal beyond 65% design is not currently in the budget. This Resolution will allow the City Manager to enter into an agreement with PND Engineers for 65% design in an amount not to exceed \$935,000, with an option to extend PND's design agreement to complete the remaining tasks if Council appropriates the remaining funding in the FY17 Capital Budget.

There are several reasons why we are requesting this approach to the design contract. We do not anticipate requiring additional design funds prior to the new fiscal year, so we do not believe a budget amendment for the remaining amount is appropriate. By requiring that the request for additional design funds goes through the budget process, Council has an opportunity to review, ask questions, and have confidence in their funding decision. Ultimately, Council's deliberations on budget issues add integrity and accountability to the project. We believe that this is very important for the UMC project, and by utilizing the budget process to fund the remaining design amount, the process adds to the credibility of the project.

Additionally, the timing of extending the design contract is very important. We anticipate PND completing the 65% design of UMC at the end of FY16. It is imperative that we keep the design process moving on schedule in order to meet industries' needs by avoiding heavy construction during the A Season. We have concerns about being able to award a contract during the summer with the timing of Council meetings and travel schedules without causing a delay in the design schedule.

For these reasons, we request that City Council authorize the City Manager to enter into an agreement with PND Engineers, Inc. for the 65% design of the Unalaska Marine Center Expansion and Replacement Project in an amount not to exceed \$935,000. Further we ask the City Council to also authorize the City Manager to extend PND Engineers, Inc. design

contract upon adoption of the FY17 Capital Budget for the Unalaska Marine Center Expansion and Replacement Project to complete design services in an amount not to exceed the UMC Expansion and Replacement Project adopted FY17 Capital Budget.

ALTERNATIVES:

- 1) Council could fully support Resolution 2016-13
- 2) Council could choose to not award this Contract
- 3) Council could request staff to award part of this contract

FINANCIAL IMPLICATIONS:

This contract will be paid for out of the Port Fund with existing appropriations for design of the Unalaska Marine Center (UMC) Expansion and Replacement Project. Further design costs outlined for design completion will need to be approved by the City Council through the adoption of the FY17 Capital Budget.

LEGAL: N/A

STAFF RECOMMENDATION:

Staff recommends approving this Resolution

PROPOSED MOTION:

I move to approve Resolution 2016-13

CITY MANAGER'S COMMENTS: Recommend council pass this resolution as it allows the City Manager to enter into the agreement with PDN to move forward with the design of the UMC project and provides approval for completing the design if the funding for the remaining design is appropriated for FY17.

Attachment:

1. PND Engineers, Inc., Proposal for Engineering Services



February 4, 2016

PND 111135

Peggy McLaughlin
Director of Ports
City of Unalaska
P.O. Box 610
Unalaska, Alaska 99685

Re: UMC Dock Position III and IV Replacement– Proposal for Final Design Development, Potential Project Improvement Analysis and Project Bidding Support.

Dear Ms. McLaughlin:

PND Engineers, Inc. (PND) is pleased to provide this proposal for continued engineering services for the Unalaska Marine Center (UMC) Dock Position III and IV Replacement project. Based on our previous meetings, visits and discussions with the City of Unalaska, PND is prepared to provide final design development for the project by end of 2016 with construction planned to begin Spring 2017.

As we have discussed and presented, the construction of the dock is planned over two seasons – Season I will include demolition of the existing docks and installation of the OPEN CELL SHEET PILE™ bulkhead structure, quarry development, backfill, vibracompaction, dock facebeam, dock fenders, high mast light foundations, crane rail foundation and underground utilities. Season II construction will include final completion of the facility including remaining utility work, connection to existing adjacent docks (UMC Position V and USCG), container crane rails, crane stops/hold-downs, drainage, concrete surfacing, lighting and electrical and paving.

Phase II of this project, a future phase, will include several optional facility improvements which at this time are not included in the detailed design scope of the project. This proposal does include tasks to provide additional scoping and planning to more accurately define the needs and details of these optional future facility improvements and ensure that accommodations are incorporated into Phase I construction to allow the future improvements to occur in a cost effective manner at a later date. See attached conceptual drawing of potential facility improvements. Potential facility improvements include:

1. Modify Existing Warehouse Structure- including addition of restroom facilities
2. New Cargo/Seafood Handling Facility
3. New Port Office/Shop Building
4. Dredge at dock face of UMC Positions I-VII and Light Cargo Dock
5. UMC Position V-VII Backreach Concrete Surfacing

The scope of work for final design of the project is compiled of the following tasks, costs and deliverables to complete the proposed scope of work for UMC Dock Position III and IV Replacement.

SCOPE OF WORK

Task D1 – Final Design for Dock Positions III and IV Replacement:

PND will utilize recently completed survey, bathymetry, geotechnical, preliminary design efforts and communications with the City to complete the final design development and engineering for Phase I of the UMC Dock Position III and IV Replacement project. Detailed structural design and calculations will be prepared for all structural components under dead load, live load, mooring and seismic stability, including kinematic seismic analysis. Project scope is as defined in the 35% design submittal. Technical specifications for materials will be provided for all project components. Design drawings and specifications will be submitted for the City's review at approximately 65%, 95%, and 100% phases of design. A final signed and stamped plan set will be provided for construction. This task also includes three trips to Unalaska for meetings with Ports and City Council presentation members to discuss the latest dock design and development of Phase II (described in Task D6).

Task D2 – Final Lighting and Electrical Design:

PND proposes to subcontract with Morris Engineering Group to develop final electrical drawings and specifications to be included in the design packages. Electrical design included in the project are two 120-ft high mast lights as well as conduit and necessary connections for future dock components including: crane power, container plug-ins, office building, warehouse building stub-out and ship-to-shore power.

Task D3 – Quarry Development Design and Specifications:

PND will provide design for the project quarry to be used as the material source for the project. A drawing and specifications package will be developed based on the proposed quarry location near the project, located on City property near the project. The quarry will be configured to provide the material quantities required for construction of the project, including requirements to stabilize the quarry face to allow beneficial use of the flat uplands created by the development (with appropriate safety set back). The drawing package and specifications for quarry development will be incorporated into the final design drawing package as an optional (or required) backfill material source for the project.

Task 4 – Additional Permitting Support:

The USACE permit application, mitigation plan and supporting documents for this project have been completed and submitted. PND is currently developing the application and supporting documents for the Incidental Hazard Authorization (IHA) application. As part of this scope of work, PND will continue to develop and complete the Biological Assessment, Marine Mammal Monitoring Plan in support of the IHA. This task includes addressing questions from permitting agencies and/or public comments during the review process. This task includes continuation of monthly marine mammal observations by High Tide Environmental May through September, augmented by more frequent observations by Ports. Additional permitting support may be required if federal funding and NEPA permitting is required for the project, permitting process may be delayed.

Task 5 – Bid Phase Services:

PND will develop bidding documents and a construction contract for construction of the dock replacement. PND will also coordinate the bid process, conduct a pre-bid meeting, answer bidder technical questions, issue addenda as required, collect bids, and assist the City with evaluation of bidders. It is assumed that there will be one contract for the construction of the dock (Phase I – Season 1 and Season 2). This task assumes the contract format will be City of Unalaska contract format.

Task 6 – Hydroacoustic Monitoring:

PND will provide Hydroacoustic field data collection of underwater sound levels during construction of UniSea G1 Dock Replacement (Summer 2016) to assist the City of Unalaska with technical data in support of the UMC IHA application. Hydroacoustic data will be collected during several phases of pile installation activities (i.e., vibratory hammer pile-driving, impact hammer pile-driving) at various distances from the noise source in depths ranging from 3 ft. to 50 ft. with and without wide area bubble curtains. This information will be used establish underwater noise levels expected under various scenarios during similar pile installation activities at Unalaska Marine Center Dock construction and will assist City of Unalaska with IHA application and mitigation techniques.

Task 7 – Potential Dock Improvements Scoping and Analysis:

PND will continue previous scoping and planning efforts with the City to clearly identify scope and details of potential future improvements to the dock facility. Potential dock improvements include: new cargo/seafood handling facility, port office/shop building, modifications to the existing dock warehouse, shore-to-ship electrical power (and potential need for electrical fly wheel system) and backreach paving at positions V-VII. This work will include planning, cost estimating, conceptual drawings and preliminary design in order to present options to City Council for selection. Included in this task is consultation with architect Burkhardt-Croft to assist with determination of the optimal layout, materials, and costs of the optional buildings. Also included in this task is an evaluation of electrical power system upgrades which may be needed to support the potential future improvements.

SCHEDULE

PND proposes to complete project deliverables on the following schedule:

Work Item/Deliverable	Time after NTP
Notice to Proceed (NTP) from City of Unalaska	est. 2/11/16
Submit IHA Initial Application	6 weeks (est. 3/18/16)
Phase 1 Drawings and Specifications - 65% Submittal	20 weeks (est. 6/24/16)
Phase 2 Drawings and Specifications - 65% Submittal	20 weeks (est. 6/24/16)
Authorization of funding for completion of design	approx. 7/5/2016
Phase 1 Drawings and Specifications - 95% Submittal	36 weeks (est. 10/14/16)
Phase 2 Drawings and Specifications - 95% Submittal	36 weeks (est. 10/14/16)
Phase 1 Drawings and Specifications - 100% Submittal (IFB)	40 weeks (est. 11/14/16)
Phase 2 Drawings and Specifications - 100% Submittal (IFB)	40 weeks (est. 11/14/16)
Bidding & Contract Documents	40 weeks (est. 11/14/16)
City Council Presentation	TBD (est. June, Oct 2016)

FEE PROPOSAL SUMMARY

Attached to this proposal are detailed fee breakdowns for each proposed work task. PND proposes to perform Task 4, 5, 6 and 7 on a Time and Materials (T&M) basis utilizing our attached standard billing rates.

Task	Task Description	Contract Method	Fee through 65% submittal (6/24/2016)	Total Fee \$
1	Design UMC Positions III and IV Replacement	Fixed Fee	\$695,000	\$1,598,700
2	Lighting and Electrical Design	Fixed Fee	\$30,000	\$63,400
3	Quarry Development Design	Fixed Fee	\$30,000	\$54,750
4	Additional Permitting Support (IHA)	T&M	\$50,000	\$66,230
5	Construction Contract and Bid Phase Services	T&M	\$20,000	\$54,240
6	Hydroacoustic Monitoring – data for IHA	T&M	\$30,000	\$38,263
7	Potential Improvements Scoping and Analysis	T&M	\$80,000	\$98,489
Total through 65% submittal (6/24/2016)			\$935,000	
Total Fee				\$1,956,802


We understand the design of the project is planned to be authorized with a limited notice to proceed through 65% design completion, with authorization for final design completion anticipated in early July, 2016. The scope and fee schedule presented above through 65% submittal, June 24, 2016, will not be exceeded without authorization for completion of final design scope and fee.


The above scope provides all engineering design, contract and bidding services for the City to contract the work for construction based upon the known project scope. A separate proposal for fabrication inspection, QA and construction management related activities can be provided once the design is complete and the project scope and schedule are more clearly defined.

We look forward to assisting the City through successful development of this project and appreciate the opportunity to work with the City of Unalaska. Please call if you have any questions regarding this proposal.

Sincerely,

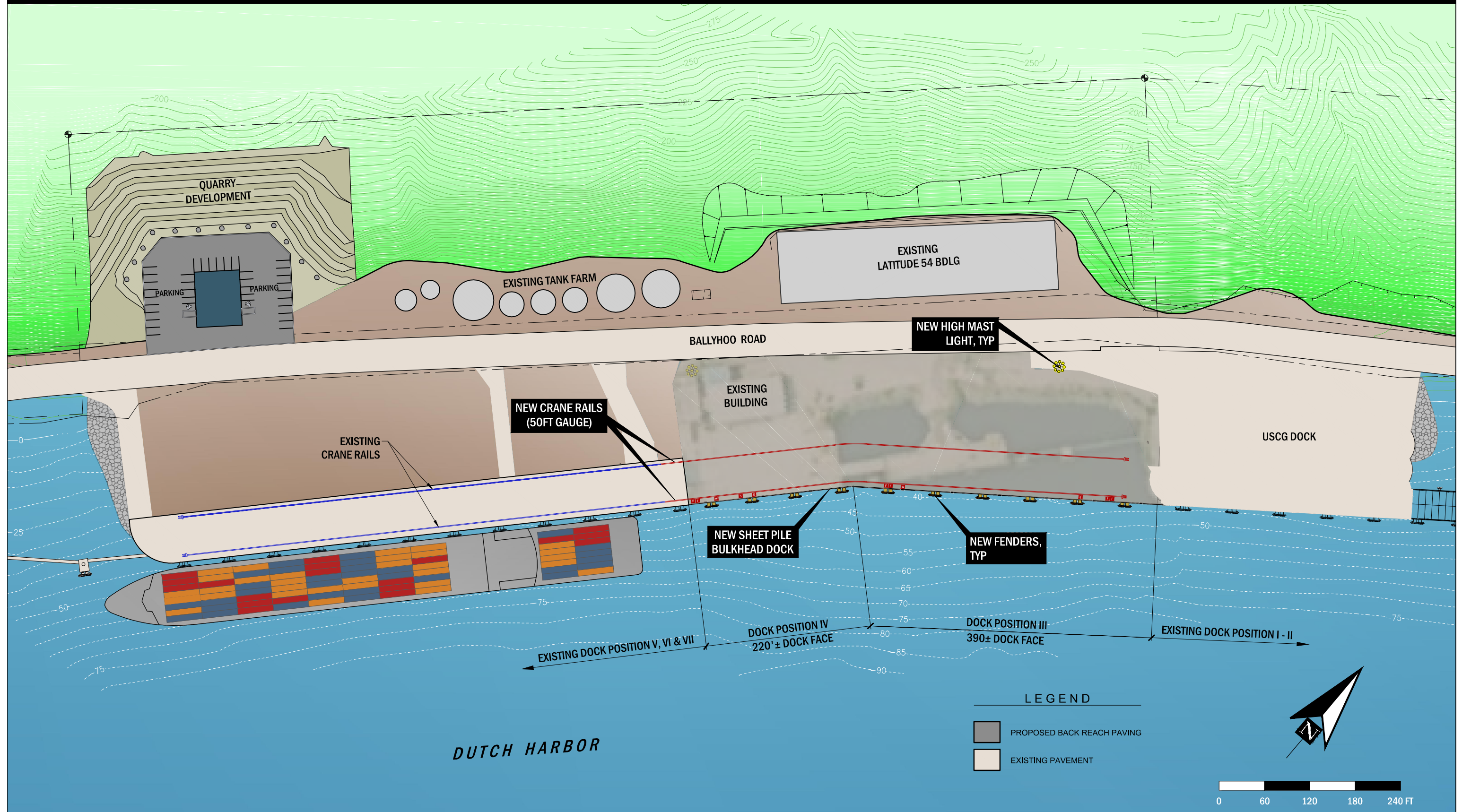
PND Engineers, Inc.


Dempsey S. Thieman, P.E., S.E.
Vice President


John W. Pickering, P.E.
President

Attachment(s):

- Conceptual Drawing
- PND Standard Rate Schedule (eff. May 2015)
- Detailed Fee Breakdown



**PND ENGINEERS, INC.
STANDARD RATE SCHEDULE
EFFECTIVE MAY 2015**

		<i>Hourly Rate</i>
<u>Professional:</u>	Senior Engineer VII	\$180.00
	Senior Engineer VI	\$165.00
	Senior Engineer V	\$155.00
	Senior Engineer IV	\$145.00
	Senior Engineer III	\$135.00
	Senior Engineer II	\$125.00
	Senior Engineer I	\$115.00
	Staff Engineer V	\$110.00
	Staff Engineer IV	\$105.00
	Staff Engineer III	\$100.00
	Staff Engineer II	\$90.00
	Staff Engineer I	\$85.00
	Environmental Scientist VI	\$165.00
	Environmental Scientist V	\$150.00
	Environmental Scientist IV	\$135.00
	Environmental Scientist III	\$120.00
	Environmental Scientist II	\$105.00
	Environmental Scientist I	\$90.00
	GIS Specialist	\$90.00
<u>Surveyors:</u>	Senior Land Surveyor III	\$120.00
	Senior Land Surveyor II	\$110.00
	Senior Land Surveyor I	\$100.00
<u>Technicians:</u>		
	Technician VI	\$125.00
	Technician V	\$110.00
	Technician IV	\$90.00
	Technician III	\$80.00
	Technician II	\$70.00
	Technician I	\$45.00
	CAD Designer VI	\$110.00
	CAD Designer V	\$100.00
	CAD Designer IV	\$85.00
	CAD Designer III	\$70.00



CLIENT:
PROJECT:

City of Unalaska
UMC Dock Expansion - Civil & Structural Final Design

1/28/2016

PND LABOR:

Task No.	Task (Scope of Work)	Senior Eng. VII 180	Senior Eng. III 135	Senior Eng. II 125	Staff Eng. III 100	Land Surveyor I 100	Cad Des. V 100	Enviro. Sci. V 150	Total Hours	Labor Cost
1	Project Mgmt - corresp, contract admin., mgmt	240	80	80	24			24	448	\$ 70,000
2	Final Design Criteria Development	24	36	36	24				120	\$ 16,080
3	Technical Specifications - Season 1	80	220	120	120				540	\$ 71,100
5	Technical Specifications - Season 2	64	110	120	120				414	\$ 53,370
6	Utilities - Storm Water System	48	110	64	80		16		318	\$ 41,090
7	Utilities - Water System	48	60	24	80		16		228	\$ 29,340
8	Utilities - Fuel System	48	60	24	80		16		228	\$ 29,340
9	Existing Utility Tie-in	12	60	64	24		16		176	\$ 22,260
10	Utility Vaults/Lids	24	36	36	12		40		148	\$ 18,880
11	Drainage Outfall Design	6	12	16	24		30	12	100	\$ 11,900
12	ExistingSD Culvert Tie-ins	6	24	24	32		18		104	\$ 12,320
13	Water/Oil Separator Design	6	12	16			8	12	54	\$ 7,300
14	Trench Drain Design between crane rails	12	24	32	40		24		132	\$ 15,800
15	Survey and Site Control	12	24		12	40			88	\$ 10,600
16	Pile Drivability Review and Criteria Development	12	48	12	48				120	\$ 14,940
17	Geotechnical - Existing Dock Info Evaluation/Analysis	12	48	36	12		10		118	\$ 15,340
18	Container Crane Criteria and Coordination	12	18	36	36		8		110	\$ 13,490
19	Container Crane Rail and Foundation System Design	24	120	120	80		64		408	\$ 49,920
20	Future Crane Tie-ins (Vault, Tray, Flywheel)	24	32	24	10				90	\$ 12,640
21	Crane Stop Design	12	32	24	10				78	\$ 10,480
22	Existing Crane Rail Tie-in	12	24	24	64		12		136	\$ 16,000
23	Container Crane Holddown and Pins	8	12	8	24		8		60	\$ 7,260
24	Dock Surfacing and Concrete Pavement Design	24	72	72	60		64		292	\$ 35,440
25	Dock Backreach Grading and Surfacing	24	80	60	60		64		288	\$ 35,020
26	Sheet pile Layout and Geometry	12	24	24	64		60		184	\$ 20,800
27	Dock Design - Internal Stability Analysis	24	72	48	72				216	\$ 27,240
28	Dock Design - Global Stability Analysis	24	80	80	12		64		196	\$ 26,320
29	Dock Tailwall Design	24	60	80	60				224	\$ 28,420
30	FEM Dock Design (Plaxis), seismic analysis	40	80	120	120		36		396	\$ 48,600
31	Dock Sheetpile interlock analysis and calculations	24	40	80	60				204	\$ 25,720
32	Dock Interface Design - Pos V and Pos II (USCG)	24	120	48	12		64		268	\$ 34,120
33	Project Earthwork Quantity Calculations (Civil 3D)	12	24	12	24		40		112	\$ 13,300
34	Dock Bullrail Layout and Details	6	24	24	6		12		72	\$ 9,120
35	Vessel Mooring Analysis (Optimoor FEM)	8	72	72	24				176	\$ 22,560
36	Vessel Berthing Analysis	8	72	72	24				176	\$ 22,560
37	Dock Fendering Design and Calcs.	16	96	60	36		64		272	\$ 33,340
38	Dock Interface Suspended Slab/Pile Design	12	32	32	40		24		140	\$ 16,880
39	Mooring Bollard Design	8	32	16	16		24		96	\$ 11,760
40	Ladder Design	4	12	12	24		10		62	\$ 7,240
41	Welded Joint Designs and Specs (AWS Prequal)	12	24	12	24				72	\$ 9,300
42	Corrosion Design - Galv. / Future Anode	10	16	24	32		24		106	\$ 12,560
43	Reinforced Concrete Beam Design	10	24	24	10		12		80	\$ 10,240
44	Face Beam Design (season 1 and season 2)	10	72	72	64		24		242	\$ 29,320
45	Electrical and Lighting Structural Supports	10	24	24	16		24		98	\$ 12,040
46	High Mast Light Foundation Design	8	16	16	24		24		88	\$ 10,400
47	Vibrocompaction Design and Details	10	16	36	48				110	\$ 13,260
48	Bubble Curtian Design	12	24	40	40		36	36	188	\$ 23,400
49	ADEC Water Design and Submittal (PE Stamped)	12	18	24	24		12	12	102	\$ 12,990
50	ADEC Storm Water Permitting Design and Submittal	12	18	24	10		60	24	148	\$ 18,190

51	Demolition Plan and Design- 65% - Final	12	64	64	72	80	292	\$	34,000		
52	Site Plan, Layout - 65% - Final	12	24	24	10	80	150	\$	17,400		
53	OCSP Layout and Details- 65% - Final	12	64	64	10	80	230	\$	27,800		
54	Utilities Drawings- 65% - Final	12	64	24	10	100	210	\$	24,800		
55	Dock Detail Drawings- 65% - Final	24	64	64	10	100	262	\$	31,960		
56	Fender Detail Drawings- 65% - Final	24	64	64	10	60	222	\$	27,960		
57	Electrical Drawing Coord. - 65%-Final	18	40	12	30	36	136	\$	16,740		
58	Paving Drawings- 65% - Final	24	64	24	10	60	182	\$	22,960		
59	Prepare Design Summary Presentations, PPT	32	64	64	80	84	324	\$	38,800		
60	Material Fab, Quantities	24	48	64	90		226	\$	27,800		
61	Design Phase Site Visits	144	144				288	\$	45,360		
62	Coordinate, Address Review from City and ADOT	48	60	60	100	60	328	\$	40,240		
63	Internal Design QA	64	80	24			168	\$	25,320		
64	Coordination, Peer Review, Meetings	120	160	140	140	40	600	\$	80,700		
	Labor Subtotal	1716	3450	2840	2534	40	1704	160	12444	\$	1,581,430

EXPENSES:

Item	Quantity	Unit	Cost per Unit	Expenses Cost
Travel (Airfare), 3 trips, 2 engineers	6	Each	\$650	\$ 3,900
Vehicle Rental + Fuel- 2 trips	12	Day	\$125	\$ 1,500
Room, Board, Meals	24	Day	\$200	\$ 4,800
Teleconference charges	1	All	\$500	\$ 500
General Expenses	1	All	\$5,000	\$ 5,000
TOTAL EXPENSES w/ 10% Admin Fee				Subtotal \$ 17,270

Total - PND Engineers, Inc.	\$ 1,581,430
Total - Expenses	\$ 17,270
Total Fixed Fee Task 1	\$ 1,598,700



CLIENT:
PROJECT:

City of Unalaska
UMC Dock Expansion - Electrical Design

1/28/2016

PND LABOR:

Task No.	Task (Scope of Work)	Senior Eng. VII 180	Senior Eng. III 135	Senior Eng. II 125	Staff Eng. III 100	Land Surveyor I 100	Cad Des. V 100	Enviro. Sci. V 150	Total Hours	Labor Cost
1	Project Mgmt - meetings, corresp, contract admin.	4	8						0	\$ 1,800
	Labor Subtotal	4	8	0	0	0	0	0	0	\$ 1,800
									Subtotal	\$ 1,800

EXPENSES:

Item	Quantity	Unit	Expenses Cost
Travel (Airfare)		Each	\$ -
Vehicle Rental + Fuel-		Day	\$ -
Room, Board, Meals		Day	\$ -
Teleconference charges		All	\$ -
General Expenses		All	\$ -
TOTAL EXPENSES w/ 10% Admin Fee			Subtotal \$ -

SUBCONSULTANTS:

Morris Engineering Group	All	\$ 56,000
TOTAL EXPENSES w/ 10% Admin Fee		Sub-total \$ 61,600

Total - PND Engineers, Inc.	\$ 1,800
Total - Expenses	\$ -
Total - Subconsultants	\$ 61,600
Total Fixed Fee Task 2	\$ 63,400



CLIENT:
PROJECT:

City of Unalaska
UMC Dock Expansion Quarry Development and Design

1/28/2016

PND LABOR:

Task No.	Task (Scope of Work)	Senior Eng. VII 180	Senior Eng. III 135	Senior Eng. II 125	Staff Eng. III 100	Land Surveyor I 100	Cad Des. V 100	Enviro. Sci. V 150	Total Hours	Labor Cost
1	Project Mgmt - meetings, corresp, contract admin.	10	10	4	4				28	\$ 4,050
2	Civil 3D Earthwork Grading Model Dvlpmt	4	8	12	12		40		76	\$ 8,500
3	Existing Conditions Evaluation	10	8	8					26	\$ 3,880
5	Rock Anchor Design and Detailing	10	4	12			40		66	\$ 7,840
6	Drainage Design	8	16	8	8		40		80	\$ 9,400
7	Utilities - Relocate	8	12	8	16		40		84	\$ 9,660
8	Specifications	8	12	12	12				44	\$ 5,760
9	Review Existing Geotech Probes		2				4			\$ 670
10	Construction Access	4	8	6	6		4			\$ 3,550
11	Existing Concrete Fnd. - Coordination with OC	2	8							\$ 1,440
Labor Subtotal		64	88	70	58	0	168	0	404	\$ 54,750
Subtotal									\$	54,750

EXPENSES:

Item	Quantity	Unit	Cost per Unit	Expenses Cost
Travel (Airfare), 2 trips, 2 engineers		Each	\$650	\$ -
Vehicle Rental + Fuel- 2 trips		Day	\$125	\$ -
Room, Board, Meals		Day	\$200	\$ -
Teleconference charges		All	\$200	\$ -
General Expenses		All	\$868	\$ -
TOTAL EXPENSES w/ 10% Admin Fee				Subtotal \$ -

SUBCONSULTANTS:

All	\$ -
TOTAL EXPENSES w/ 10% Admin Fee	Sub-total \$ -

Total - PND Engineers, Inc.	\$ 54,750
Total - Expenses	\$ -
Total - Subconsultants	\$ -
Total Fixed Fee Task 3	\$ 54,750



CLIENT:
PROJECT:

City of Unalaska
UMC Dock Expansion - Permitting Support

1/28/2016

PND LABOR:

Task No.	Task (Scope of Work)	Senior Eng. VII 180	Senior Eng. III 135	Senior Eng. II 125	Staff Eng. III 100	Land Surveyor I 100	Cad Des. V 100	Enviro. Sci. V 150	Total Hours	Labor Cost
1	Project Mgmt - meetings, corresp, contract admin.	4	4						8	\$ 1,260
2	Modifications to Corp Permit	8	4					30	42	\$ 6,480
3	Modifications to the BA	4	4					20	28	\$ 4,260
5	Address Review Questions from NMFS, Public	4	4					40	48	\$ 7,260
6	Develop Marine Mammal Monitoring Plan	10	2					116	128	\$ 19,470
7									0	\$ -
Labor Subtotal		30	18	0	0	0	0	206	254	\$ 38,730
Subtotal									\$	38,730

EXPENSES:

Item	Quantity	Unit	Expenses Cost
Travel (Airfare)		Each	\$ -
Vehicle Rental + Fuel-		Day	\$ -
Room, Board, Meals		Day	\$ -
Teleconference charges		All	\$ -
General Expenses		All	\$ -
TOTAL EXPENSES w/ 10% Admin Fee			Subtotal \$ -

SUBCONSULTANTS:

High Tide Environmental	All	\$ 25,000
TOTAL EXPENSES w/ 10% Admin Fee		Sub-total \$ 27,500

Total - PND Engineers, Inc.	\$ 38,730
Total - Expenses	\$ -
Total - Subconsultants	\$ 27,500
Total Time and Materials Fee - Task 4	\$ 66,230



CLIENT:
PROJECT:

City of Unalaska
UMC Dock Expansion - Const. and Bid Documents

1/28/2016

PND LABOR:

Task No.	Task (Scope of Work)	Senior Eng. VII 180	Senior Eng. III 135	Senior Eng. II 125	Staff Eng. III 100	Land Surveyor I 100	Cad Des. V 100	Tech IV 125	Total Hours	Labor Cost
1	Project Mgmt - meetings, corresp, contract admin.	6	8		8				22	\$ 2,960
2	Research Unit Costs and Buy America	6	28		64				98	\$ 11,260
3	Update Cost Estimate	6	16		64				86	\$ 9,640
5	Final Cost Estimate	4	16		16				36	\$ 4,480
6	Prepare Construction Schedule	4	20		10				34	\$ 4,420
7	Prepare and Submit Bid Ready Contract Documents	8	16		16				40	\$ 5,200
8	Bidding Assistance	12	18		18				48	\$ 6,390
9	Attend Prebid Meeting, develop Minutes	4	4		6				14	\$ 1,860
10	Prepare Addenda/Respond to Tech Questions	12	24		16				52	\$ 7,000
11	Prepare Award Recommendation	2	2		4				8	\$ 1,030
Labor Subtotal		64	152	0	222	0	0	0	438	\$ 54,240
Subtotal										\$ 54,240

EXPENSES:

Item	Quantity	Unit	Cost per Unit	Expenses Cost
Travel (Airfare), 2 trips, 2 engineers	0	Each	\$650	\$ -
Vehicle Rental + Fuel- 2 trips	0	Day	\$125	\$ -
Room, Board, Meals	0	Day	\$200	\$ -
Teleconference charges	0	All	\$200	\$ -
General Expenses	0	All	\$868	\$ -
TOTAL EXPENSES w/ 10% Admin Fee				Subtotal \$ -

SUBCONSULTANTS:

0	All	\$0	\$ -
TOTAL EXPENSES w/ 10% Admin Fee			Sub-total \$ -

Total - PND Engineers, Inc.	\$ 54,240
Total - Expenses	-
Total - Subconsultants	-
Total Time and Materials Fee - Task 5	\$ 54,240



CLIENT:
PROJECT:

City of Unalaska
UMC Dock Expansion Hydroacoustic

1/28/2016

PND LABOR:

Task No.	Task (Scope of Work)	Senior Eng. VII 180	Senior Eng. III 135	Senior Eng. II 125	Staff Eng. III 110	Land Surveyor I 100	Cad Des. V 100	Tech IV 125	Total Hours	Labor Cost
1	Hydroacoustic field data planning and design	6	4		25		2	4	41	\$ 5,070
2	Field Measurement		4		84			2	90	\$ 10,030
3	Data analysis and report	6	8		50		4	4	72	\$ 8,560
	Labor Subtotal	12	16	0	159	0	6	10	203	\$ 23,660
									Subtotal	\$ 23,660

EXPENSES:

Item	Quantity	Unit	Cost per Unit	Expenses Cost
Travel (Airfare), 2 trips, 2 engineers	2	Each	\$650	\$ 1,300
Sound Level Recorder Rental Fee	3	Week	\$2,500	\$ 7,500
Deployment Rigging	1	Each	\$600	\$ 600
Replacement Batteries	1	Each	\$250	\$ 250
Vehicle Rental + Fuel- 2 trips	5	Day	\$125	\$ 625
Room, Board, Meals	7	Day	\$200	\$ 1,400
Shipping	2	All	\$800	\$ 1,600
General Expenses	0	All	\$868	\$ -
TOTAL EXPENSES w/ 10% Admin Fee				Subtotal \$ 14,603

SUBCONSULTANTS:

	0	All	\$0	\$ -
TOTAL EXPENSES w/ 10% Admin Fee				Sub-total \$ -

Total - PND Engineers, Inc.	\$ 23,660
Total - Expenses	\$ 14,603
Total - Subconsultants	\$ -
Total Time and Materials Fee - Task 6	\$ 38,263



CLIENT:
PROJECT:

City of Unalaska
UMC Dock Expansion - Potential Improvements Design

1/28/2016

PND LABOR:

Task No.	Task (Scope of Work)	Senior Eng. VII 180	Senior Eng. III 135	Senior Eng. II 125	Staff Eng. III 100	Land Surveyor I 100	Cad Des. V 100	Enviro. Sci. V 150	Total Hours	Labor Cost
1	Project Mgmt - meetings, corresp, contract admin.	8	8	8					24	\$ 3,520
2	Coordination	4	10						14	\$ 2,070
3	Master Planning and Scoping	4	10		18		16		48	\$ 5,470
5	Future Utilities	4	12		12			16	44	\$ 5,940
6	Cost Estimating	4	8		16				28	\$ 3,400
7	Concept Drawings	4	6				24		34	\$ 3,930
8	Public Input and Presentation	24	36	18	18				96	\$ 13,230
Labor Subtotal		52	90	26	64	0	40	16	288	\$ 37,560
									Subtotal	\$ 37,560

EXPENSES:

Item	Quantity	Unit	Cost per Unit	Expenses Cost
Travel (Airfare), 1 trips, 1 engineers	1	Each	\$650	\$ 650
Vehicle Rental + Fuel- 2 trips	2	Day	\$125	\$ 250
Room, Board, Meals	1	Day	\$200	\$ 200
Teleconference charges	1	All	\$100	\$ 100
General Expenses	1	All	\$250	\$ 250
TOTAL EXPENSES w/ 10% Admin Fee				Subtotal \$ 1,595

SUBCONSULTANTS:

Burkhart Croft Architects	L.S.	\$33,940	\$ 33,940
Morris Engineering Group	L.S.	\$20,000	\$ 20,000
TOTAL EXPENSES w/ 10% Admin Fee			Sub-total \$ 59,334

Total - PND Engineers, Inc.	\$ 37,560
Total - Expenses	\$ 1,595
Total - Subconsultants	\$ 59,334
Total Time and Materials Fee - Task 7	\$ 98,489

CITY OF UNALASKA
UNALASKA, ALASKA

RESOLUTION NO. 2016- 17

A RESOLUTION OF THE UNALASKA CITY COUNCIL AUTHORIZING THE CITY MANAGER
TO DISPOSE OF CITY OF UNALASKA PERSONAL PROPERTY, SPECIFICALLY A 1999
FREIGHTLINER AMBULANCE, TO AN ALASKAN MUNICIPAL CORPORATION OR AGENCY
THEREOF.

WHEREAS, Section 7.20.010(B) of the Unalaska Code of Ordinances (UCO) allows for the disposal of City of Unalaska surplus property, with a value of less than \$25,000.00, and is no longer needed for municipal purposes; and

WHEREAS, the Department of Public Safety has a 1999 Freightliner ambulance that is determined to be surplus property and is no longer needed for municipal purposes; and

WHEREAS, the 1999 Freightliner ambulance is a special purpose vehicle, with few other applications than as an emergency medical service vehicle; and

WHEREAS, it has been determined that the value of this ambulance is less than \$25,000.00; and

WHEREAS, UCO 7.20.010(B) states in part: personal property no longer needed for municipal purposes shall be disposed of in one or more of the following manner; (1) by public outcry auction to the highest bidder, (2) by public sealed auction to the highest bidder, (3) to the best qualified proposal who responds to a request for proposal to acquire property, (4) to an educational, religious, charitable, or non-profit association or corporation providing services to Unalaska citizens, (5) to the United States, the State of Alaska or an Alaska municipal corporation or any agency or department thereof; and

WHEREAS, the Department of Public Safety shall notify other Alaskan communities that the 1999 Freightliner ambulance is being disposed of by the City of Unalaska. Public Safety shall solicit letters of interest, asking that any interested parties detail their specific need and their understanding that they would pay for all shipping costs; and

WHEREAS, the letters of interest will be reviewed and a scoring matrix will be applied in order to select which interested party would receive the ambulance; and

WHEREAS, the selected party be responsible for all shipping cost; and

NOW THEREFORE BE IT RESOLVED that the Unalaska City Council authorizes the City Manager to dispose of City of Unalaska personal property, specifically a 1999 Freightliner surplus ambulance, to an Alaskan municipal corporation or agency thereof.

PASSED AND ADOPTED BY A DULY CONSTITUTED QUORUM OF THE CITY COUNCIL OF THE CITY OF UNALASKA THE ____DAY OF _____, 2016.

MAYOR

ATTEST:

MEMORANDUM TO COUNCIL

TO: MAYOR AND CITY COUNCIL MEMBERS
FROM: MIKE HOLMAN, DPS DIRECTOR
THRU: DAVID MARTINOSON, CITY MANAGER
FROM: DEPARTMENT OF PUBLIC SAFETY
DATE: FEBRUARY 1, 2016
RE: **RESOLUTION 2016 – 17 DISPOSAL OF SURPLUS AMBULANCE**

SUMMARY: During the February 9, 2016 meeting, we will discuss the disposal of the 1999 Freightliner ambulance, which is valued at under \$25,000.00.

PREVIOUS COUNCIL ACTION: Council has addressed disposal of a surplus ambulance in the past. In September of 2012, the council authorized the disposal of a 1993 ambulance in Resolution 2012-69, and later authorized the award of the ambulance to a nearby community.

BACKGROUND: In 2012 the council authorized the disposal of a 1993 surplus ambulance to a nearby community. The surplus ambulance was awarded to Cold Bay after they demonstrated a specific need through a letter of interest and the application of a scoring matrix. Cold Bay was responsible for paying the cost of shipping the ambulance to their community.

DISCUSSION: The City of Unalaska purchased a new ambulance in 2015 to replace the 1999 Freightliner ambulance. The 1999 Freightliner ambulance is a special use type of vehicle that has few applications other than as an emergency medical service vehicle. Currently, similar vehicles are being listed between \$5,000.00 and \$15,000.00 on various websites that specialize in selling used emergency vehicles. The cost for shipping the ambulance to a central location for such an auction is estimated to be well over \$5,000.00.

Considering that the ambulance is a special use vehicle and the cost for shipping the ambulance to a central location would approach its current value, the process detailed below is recommended by staff.

The Department of Public Safety would notify other Alaskan municipal corporations or agencies thereof that the 1999 Freightliner ambulance is being disposed of by the City of Unalaska. Public Safety would solicit letters of interest, asking that any interested parties detail their specific need and their understanding that they would pay for all shipping costs. The letters of interest would be reviewed and the attached scoring matrix would

be applied in order to select which interested party would receive the ambulance. The selected party would be responsible for all shipping costs.

ALTERNATIVES: The alternatives to approving this resolution include: disposing of the surplus ambulance through the auction process; re-purposing the vehicle for other City use; or to continuing to store the surplus ambulance.

FINANCIAL IMPLICATIONS: None, as the cost for shipping would be borne by the community awarded the ambulance.

LEGAL: None.

STAFF RECOMMENDATION: Staff recommends the Council approve the disposal of the 1999 Freightliner ambulance through the process outlined.

PROPOSED MOTION: Request a motion to adopt Resolution 2016 – 17, allowing the City Manager to dispose of the 1999 Freightliner ambulance to an Alaska municipal corporation or agency thereof that demonstrates the highest need, which will be established through a letter of interest and the application of a scoring matrix.

CITY MANAGER'S COMMENTS: I support the disposal of the 1999 Freightliner ambulance to the Alaska municipal corporation or agency thereof that demonstrates the highest need for this vehicle. The need will be established through a letter of interest and the application of a scoring matrix, with the understanding that the community selected would be responsible for covering all shipping costs.

[illegible]