

Regular Meeting
Tuesday, July 28, 2020
6:00 p.m.



Unalaska City Hall
Council Chambers
43 Raven Way

Council Members
Thomas D. Bell
Darin Nicholson
David M. Gregory

UNALASKA CITY COUNCIL

P. O. Box 610 • Unalaska, Alaska 99685
(907) 581-1251 • www.ci.unalaska.ak.us

Council Members
Dennis M. Robinson
Alejandro R. Tungul
Shari Coleman

Vincent M. Tutiakoff Sr., Mayor
Erin Reinders, City Manager

Due to recommended social distancing measures to stop the spread of COVID-19 and the City Manager's Emergency Order suspending the provisions of UCO § 2.20.075 regarding council member participation by telephone conference, this meeting will be conducted via telephone conference and online with the ZOOM platform. A limited number of Council Members and City Staff will be in Chambers while observing six foot social distancing. In order to provide for social distancing, we can accommodate eight (8) community members in person at the meeting. Seating is on a first come, first served basis. Coverings over nose and mouth are required to be worn upon entering the building and until seated; and again when exiting chambers and the building.

PARTICIPATION AND TESTIMONY OPTIONS

- Listen to the meeting on KUCB TV Channel 8 or Radio station 89.7
- Email comments, testimony or questions to the City Clerk (mveeder@ci.unalaska.ak.us) no later than 5:00 p.m. on the day of the meeting, to be read into the record by the clerk
- Join online via ZOOM (see below)
- Call in to the meeting (toll free numbers below)

LINK TO JOIN ZOOM MEETING: <https://us02web.zoom.us/j/3547251432>

Meeting ID: 354 725 1432

TO JOIN BY TELEPHONE

TOLL FREE (833) 548-0276; or (833) 548-0282; or (877) 853-5247; or (888) 788-0099

Meeting ID: 354 725 1432

AGENDA

1. **Call to order**
2. **Roll call**
3. **Pledge of allegiance**
4. **Recognition of visitors**
5. **Adoption of agenda**
6. **Approve minutes of previous meetings** July 14 and July 21, 2020
7. **Reports** City Manager
8. **Community Input & Announcements** *Members of the public may make announcements of interest to the community.*

9. **Public testimony on agenda items** *Time for members of the public to testify or provide information to Council regarding items on the agenda. Members of the public may also speak when the issue comes up on the regular agenda.*

10. **Public hearing** *Members of the public may testify about any item set for public hearing.*

- a. Ordinance 2020-12: Creating budget amendment #10 to the Fiscal Year 2020 budget, recognizing CARES Act revenue of \$5,477,777 and increasing COVID-19 related budgeted expenditures by \$5,477,777 in the CARES Act special revenue fund
- b. Ordinance 2020-13: Creating budget amendment #1 to the Fiscal Year 2021 budget, recognizing CARES Act revenue of \$7,976,175 and increasing COVID-19 related budgeted expenditures by \$7,976,175 in the CARES Act special revenue fund and providing \$159,735 in additional monies to fully fund the Construction Phase of the Pyramid Water Treatment Plant Inline Micro Turbine Project

11. **Work session**

- a. Planning Department demonstration of the new ESRI Public Portal
- b. Presentation from JYW Architects regarding new Public Safety Facility

12. **Regular agenda**

- a. Unfinished Business, Second Reading of Two Ordinances
 - i. Ordinance 2020-12: Creating budget amendment #10 to the Fiscal Year 2020 budget, recognizing CARES Act revenue of \$5,477,777 and increasing COVID-19 related budgeted expenditures by \$5,477,777 in the CARES Act special revenue fund
 - ii. Ordinance 2020-13: Creating budget amendment #1 to the Fiscal Year 2021 budget, recognizing CARES Act revenue of \$7,976,175 and increasing COVID-19 related budgeted expenditures by \$7,976,175 in the CARES Act special revenue fund and providing \$159,735 in additional monies to fully fund the Construction Phase of the Pyramid Water Treatment Plant Inline Micro Turbine Project
- b. New Business
 - i. Ordinance 2020-14: Amending Unalaska Code of Ordinances 13.08.010, Discharge of Firearms in the City
 - ii. Resolution 2020-48: Authorizing the City Manager to enter into an agreement with Industrial Resources, Inc. for the construction of the Pyramid Water Treatment Plant Micro Turbines Project in the amount of \$1,394,497
 - iii. Resolution 2020-49: Continuing measures to protect public health

13. **Council Directives to City Manager**

14. **Community Input & Announcements** *Members of the public may make announcements of interest to the community.*

15. **Executive Session**

16. **Adjournment**

Regular Meeting
Tuesday, July 14, 2020
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Pursuant to the City's Manager's Emergency Order of March 17, 2020, suspending the provisions of UCO §2.20.075 regarding council member participation in meetings by teleconference, and due to recommended social distancing measures to stop the spread of coronavirus, this meeting was conducted primarily via telephone conference call. The call-in number was published with the agenda. Members of the public were encouraged to participate by telephone and to email testimony in advance. Audio of the meeting was broadcast on local television and radio stations.

MINUTES

1. Call to order

Vice Mayor Robinson called the Regular Meeting of the Unalaska City Council to order on Tuesday, July 14, 2020, in the Unalaska City council chambers at 6:00 pm.

2. Roll call

Present in Chambers:

Dennis Robinson, Vice Mayor
Thomas D. Bell
Shari Coleman

Present Telephonically:

Darin Nicholson
Alejandro Tungul
David Gregory

Absent:

Vincent Tutiakoff, Sr.

3. Pledge of allegiance: Vice Mayor led the Pledge of Allegiance

4. Recognition of visitors: None

5. Adoption of agenda

Coleman made a motion to adopt agenda; Bell seconded.

Roll Call Vote: Tungul – yes; Gregory – yes; Robinson – yes; Bell – yes; Nicholson – yes; Coleman – yes.

Motion passed 6-0.

6. Approve minutes of previous meetings

a. June 15 Special Meeting

b. June 23 Regular Meeting

c. June 26 Special Meeting

Coleman made a motion to adopt June 15 and 26, 2020, Special Meeting minutes and June 23, 2020, regular meeting minutes; Bell seconded.

Roll Call Vote: Tungul – yes; Gregory – yes; Robinson – yes; Bell – yes; Nicholson – yes; Coleman – yes.

Motion passed 6-0.

7. Reports

- a. Financials, May 2020 – In the packet
- b. City Manager – In the packet

City Manager and Staff provided additional information and answered Council questions regarding:

- Council Directive to City Manager regarding Purchase Power Agreement
- Air Service/Bankruptcy Auction
- Innovative Readiness Training

8. Community Input & Announcements

- City Clerk read a letter submitted for community input by Erica Aus regarding fiber optics
- Council Member Tungul thanked PCR Staff for their hard work on the 4th of July parade

9. Public testimony on agenda items

- City Clerk read a letter submitted for public testimony by Bobbi Lekanoff regarding City Health Mandates
- Alyssa McDonald gave public comment regarding CARES Act

10. Work session

Coleman made a motion to adjourn to Work Session; Bell seconded.
No objection; motion passed by consensus.

a. CARES Act Funding

Planning Director provided Council with an update on previous discussions and actions regarding the Unalaska CARES Grant Program. The City Manager and Planning Director facilitated Council discussion and answered Council questions addressing specific items in Resolution 2020-46.

Public Comment given by:

- Bill Shaishnikoff, Bering Shai Marine, Bering Rock and Gravel
- Amber Vernon, “Keepin’ It Reel Charters”
- Daneen Looby, The Bookkeeper, Inc.

7:40 pm – Recess

7:50 pm – Back on record

Interim Finance Director presented an overview of the spending plan guidelines for the CARES Act funds as outlined in Resolution 2020-47 which included staff recommendations to allocate CARES Act funding in the form of grants to businesses and non-profit organizations and allocations to the City for response and prevention. City Manager and Interim Director answered Council questions regarding the proposed allocations of CARES Act spending.

11. Regular agenda

Coleman made a motion to reconvene to Regular Session; Bell seconded.

Roll Call Vote: Nicholson – yes; Gregory – yes; Coleman – yes; Tungul – yes; Bell – yes; Robinson – yes.

Motion passed 6-0.

a. Resolution 2020-43: Authorizing the write-off of various accounts receivable

Coleman made a motion to adopt Resolution 2020-43; Bell seconded.

Roll Call Vote: Tungul – yes; Robinson – yes; Nicholson – yes; Gregory – yes; Bell – yes; Coleman – yes.

Motion passed 6-0.

- b. Resolution 2020-44: Authorizing the City Manager to sign and execute two Purchase and Sale Agreements to obtain land on which to construct the Generals Hill Booster Pump Project

Coleman made a motion to adopt Resolution 2020-44; Tungul seconded.

Roll Call Vote: Coleman – yes; Gregory – yes; Nicholson – yes; Robinson – yes; Tungul – yes; Bell – yes.

Motion passed 6-0.

- c. Resolution 2020-45: Continuing measures to protect the public health

Coleman made a motion to adopt Resolution 2020-45; Bell seconded.

Roll Call Vote: Bell – yes; Nicholson – yes; Gregory – yes; Robinson – yes; Coleman – yes; Tungul – yes.

Motion passed 6-0.

- d. Resolution 2020-46: Establishing the formulas to be used in awarding the Unalaska CARES Funds for local businesses and non-profit organizations who have experienced economic impacts due to COVID-19

Bell made a motion to adopt Resolution 2020-46; Coleman seconded.

Bell made a motion to amend Resolution 2020-46 to delete “*based on a first come first serve bases pursuant to the CARES Acts Spending plan approved by Council*” and insert “*pursuant to the CARES Act spending plan approved by City Council, or reduced proportionately if the cumulative application requests exceed the spending cap.*”

Coleman seconded.

Roll Call Vote: Bell – yes- Coleman – yes; Nicholson – yes; Robinson – yes; Tungul – yes; Gregory – yes.

Motion passed 6-0.

Bell made a motion to amend Resolution 2020-46 to delete “*WHEREAS, based on the applications received from nonprofit organizations the City Council awards the total sum of \$909,832.73 per the attached Exhibit ‘B’;*” at paragraph 7 insert “*and non-profit organizations*”

Coleman seconded.

Roll Call Vote: Bell – yes; Coleman – no; Nicholson – no; Robinson – no; Tungul – no; Gregory – no.

Motion failed 5-1.

Roll Call Vote on main motion as amended: Coleman – yes; Bell – yes; Gregory – yes; Nicholson – yes; Robinson – yes; Tungul – yes.

Motion passed 6-0.

- e. Resolution 2020-47: Providing spending guidelines of CARES Act Funds

Bell made a motion to adopt Resolution 2020-47; Coleman seconded.

Coleman made a motion to amend Resolution 2020-47 changing the following percentage:

- *Grants to support Businesses and Non-Profit Organizations* – ~~30%~~ 40%
- *City’s Response and Prevention* – ~~60%~~ 50%

Bell seconded.

Roll Call Vote on motion to amend: Nicholson – yes; Robinson – yes; Tungul – yes; Coleman – yes; Coleman – yes; Bell – yes; Gregory – yes.

Motion passed 6-0.

Roll Call Vote on main motion as amended: Nicholson – yes; Bell – yes; Robinson – yes; Tungul – yes; Coleman – yes; Gregory – yes.
Motion passed 6-0.

Bell made a motion to reconsider Resolution 2020-46.
Motion failed for lack of second.

- f. Ordinance 2020-12: Creating budget amendment #10 to the Fiscal Year 2020 budget, recognizing CARES Act revenue of \$5,477,777 and increasing COVID-19 related budgeted expenditures by \$5,477,777 in the CARES Act special revenue fund

Coleman made a motion to move Ordinance 2020-12 to Second Reading and Public Hearing on July 28, 2020; seconded by Bell.

Roll Call Vote: Tungul – yes; Gregory – yes; Bell – yes; Coleman – yes; Nicholson – yes; Robinson – yes.

Motion passed 6-0.

- g. Ordinance 2020-13: Creating budget amendment #1 to the Fiscal Year 2021 budget, recognizing CARES Act revenue of \$7,976,175 and increasing COVID-19 related budgeted expenditures by \$7,976,175 in the CARES Act special revenue fund and providing \$159,735 in additional monies to fully fund the Construction Phase of the Pyramid Water Treatment Plant Inline Micro Turbine Project

Bell made a motion to move Ordinance 2020-13 to Second Reading and Public Comment on July 28, 2020; Coleman seconded.

Roll Call Vote: Coleman – yes; Bell – yes; Gregory – yes; Nicholson – yes; Robinson – yes; Tungul – yes.

Motion passed 6-0.

12. **Council Directives to City Manager** - None

13. **Community Input & Announcements** - None

14. **Adjournment**

Vice Mayor adjourned the meeting at 9:58 pm.

Marjie Veeder, CMC
City Clerk

rfw

Special Meeting
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MINUTES

1. Call to order

Vice Mayor Robinson called the Special Meeting of the Unalaska City Council to order on Tuesday, July 21, 2020, in the Unalaska City council chambers at 6:06pm.

2. Roll call

Present in Chambers:

Dennis Robinson, Vice Mayor
Thomas D. Bell
Darin Nicholson

Present via Zoom:

Vincent Tutiakoff, Sr.
Alejandro Tungul
Shari Coleman

Absent:

None

3. Pledge of allegiance – Vice Mayor led the Pledge of Allegiance

4. Recognition of visitors - Mike Hubbard, Financial Engineering Company, Brooks Chandler, City Attorney

5. Adoption of agenda

Nicholson made a motion to adopt agenda; Bell seconded

Roll Call Vote: Bell - yes; Robinson – yes; Nicholson – yes; Coleman – yes; Gregory – yes.

Motion passed 5-0.

6. Public testimony on agenda items

City Clerk read letters submitted for public testimony by:

- Jimmer McDonald, MAC Enterprises, Inc.
- K. Prather, Alaska Tire & Service - Anchorage
- Ernest Sifsof, Dillingham
- Helen Foster, Dillingham
- Timothy Carr, Bremerton, WA
- David Lyons
- Gene Makarin, APL
- Dimitri Philemonof, APIA
- Piama Oleyer
- Tom Enlow, UniSea, Inc.

Public Testimony given by:

- Bernie Karl
- Chris Salts
- John Ziagos
- Dave Matthews.
- Alyssa McDonald
- Tom Robinson

7. Work session

Nicholson made a motion to enter into Work Session; Bell seconded.

Roll Call Vote: Tungul – yes; Gregory – yes; Robinson – yes; Bell – yes; Nicholson – yes; Coleman – yes.
Motion passed 6-0.

a. Disclosures by Mayor and Council Members

The following disclosures were made on record:

- Vincent Tutiakoff, Sr., Mayor
 - Chair of the Ounalashka Corporation Board of Directors
 - Shareholder of Ounalashka Corporation stocks
 - Trustee and Beneficiary of the Ounalashka Settlement Trust
- Dennis Robinson, Vice Mayor
 - Member of Board of Directors of Ounalashka Corporation
 - Shareholder of Ounalashka Corporation stocks
- David Gregory, Council Member
 - Employee of Ounalashka Corporation
 - Spouse is a Member of Board of Directors of Ounalashka Corporation
 - Spouse is a shareholder of Ounalashka Corporation stock
 - Children are both shareholders of Ounalashka Corporation stock

b. Discuss Power Purchase Agreement with Ounalashka/Chena Power, LLC

- Brooks Chandler, City Attorney, presented an overview of the Draft Power Purchase Agreement and answered Council questions.
- Mike Hubbard, Financial Engineering Company, presented a Geothermal Project update and answered Council questions.

8. Executive Session

8:17 p.m. - Bell made a motion to go into Executive Session to discuss with the City attorney the draft Power Purchase Agreement between the City of Unalaska and Ounalashka/Chena Power, LLC, a matter for proposed City Council action which has serious legal implications and the immediate public disclosure of which may adversely affect the legal positions of the City; Nicholson seconded.

Roll Call Vote: Tungul – yes; Gregory – yes; Bell – yes; Coleman – yes; Nicholson – yes; Robinson – yes.
Motion passed 6-0.

a. Discuss Power Purchase Agreement with Ounalashka/Chena Power, LLC

10:27 p.m. - Executive Session ended. No action taken.

9. Adjournment

Vice Mayor adjourned the meeting at 10:28pm.

Marjie Veeder, CMC
City Clerk

rfw

MEMORANDUM TO COUNCIL

To: Mayor and City Council Members
From: Erin Reinders, City Manager
Date: July 28, 2020
Re: City Manager Report

Upcoming Deadlines: The following filing and application deadlines and events are coming up.

- July 23-August 24: Declaration of Candidacy period for Municipal Election
- August 18: State Primary Election
- August 20: First half property tax payment due
- September 16: Absentee in person voting begins for Municipal Election
- October 6: Municipal Election (2 Council & 2 School Board seats)
- October 20: Second half property tax payment due
- November 3: State General Election

Employee Awards: In the midst of COVID-19 we are now trying to catch up on issuing well deserved employee awards and celebrating these awards in new ways. Giving a shout out to the award winners in the Manager's Report is one of those ways! Jennifer VanDeventer, of the Finance Department, has received a Rock Star Award for her hard work and diligence in working with other City employees to maintain consistency and accuracy. Mark Descoteaux, in the Wastewater Division of the Department of Public Utilities, has received a Value Award for his efforts in decreasing wastewater treatment plant energy usage. Congratulations to both Jen and Mark! We have a great time in the City of Unalaska, and I am glad to have these two on board.

COVID-19 Undivided Command: The City of Unalaska remains in a state of emergency. Given the duration of this event, Unalaska Unified Command will now be holding regular meetings once a week and issuing regular news release three times a week. We believe this is a sustainable approach, and one that can be adapted as the situation evolves. Community members can expect news releases on Monday, Wednesday, and Friday. Please be assured that if the situation warrants, additional news releases will be issued to keep the community informed.

CARES Act Spending: The City of Unalaska is receiving \$13,453,952 in CARES Act funding. The City Council has approved spending parameters for this funding related to city response efforts and prevention measures, as well as the grant program and the grant program details. Tonight's meeting includes a public hearing and approval of two budget amendments related to CARES Act funding.

The staff team has worked diligently to develop a responsible spending plan related to the City's response and prevention efforts within the 50% of the CARES Act funding limit approved by Council. The Finance Director has provided a standalone memo updating council on our plan (see the attachment – **CARES Act Response/Prevention Items**). No specific Council action is required.

Staff has been hard at work on the Grant Program. Council approved 50% of the CARES Act for this Grant Program. We have been able to process payments to 25 non-essential businesses and 13 essential businesses using the established 80 day formula approved by council and 11 nonprofit organizations as specifically approved by Council. The application period for the program closed on Friday, July 24, 2020 at noon. Staff will review the outstanding business applications and process according to the established 80 day formula. Then, staff will process all business applications in accordance with the stratified schedule approved by Council. Any appeals regarding granting decisions will first go to the Planning Director, then me, then to City Council. Bil Homka will be available to provide an update at the meeting.

Tsunami Warning Response: As we are all aware, a Tsunami Warning was issued for Unalaska on the evening of July 21, 2020. City staff worked to ensure that the community was notified of this warning through a variety of means, including Nixle, KUCB, sirens, as well as Police, Ports, and Fire/EMS personnel driving around to notify the community. We met internally to discuss what went well and what could be improved from an operational standpoint. We are now working to address those issues, including tsunami sirens and public education.

DPU Director Dan Winters has been coordinating the repairs of the tsunami sirens, and provides the following update. The City has contracted the services of a local electrician to analyze the issues plaguing our tsunami sirens. The electrician has been in contact with the siren manufacturer and has recently received the testing procedure, and testing began on Friday, July 24, 2020. We suspect that some of the needed repairs will be simple and can be accomplished promptly; however, some repairs might involve ordering parts and will take longer. While repairing the sirens, the public should expect periodic testing of the sirens. Before the tests, we will use the Nixle messaging system to inform the public.

The Department of Public Safety is working to renew community messaging about tsunami readiness and response in partnership with local media.

Air Service: Port Director Peggy McLaughlin has provided the following overview regarding the City's efforts to continue pushing for reliable and regular passenger air service direct to Anchorage. July 15, 2020 Port Director initiated a meeting with AK DOT, SWAMC, AEB, PSPA, and the new owners of Ravn. The primary focus of this discussion was to outline an exit strategy for seafood industry workers at the end of B Season. Rob McKinney, CEO and new owner of Ravn/Penair/Corvis outlined the tentative dates for staffing and training employees, operational logistics, and meeting the FAA requirements milestones as set by the bankruptcy court. Contingencies were discussed and Alaska Airlines, AK DOT and PSPA will monitor closely to determine capacity requirements for and passenger travel options for end of B Season. EAS RFP has been extended and is due to close August 3, 2020. The Port is in weekly contact with Ravn Airlines.

Innovative Readiness Training (IRT): The Q-Tribe is hosting an IRT (Innovative Readiness Training) Program team from the Army's Civil Affairs Command as they perform a Civil Affairs Assessment of Unalaska. The Q-Tribe recently invited the City to participate in this process. The process includes two visits. The first visit was between July 22 and July 26. Several city staff members were able meet with the three visiting IRT team members on July 23, 2020. Team members specialized in public health, water supply and sanitation engineering, and transportation. City staff offered the City's perspective on our infrastructure needs, identified other key stakeholders that would be beneficial for the team to meet with, and volunteered to provide additional information about the community. The second visit is currently set for the August 21 to August 28 timeframe. This visit will be more in-depth and involve eight team

members. It sounds as though their areas of specialty will include public health, information technology, bridges and roadways, facility safety, disaster preparedness, and water and sanitation engineering. The team's ultimate goal is to build relationships with local stakeholders and to assess community needs and identify potential solutions. This report will be the final deliverable, which is expected to be complete by the end of September.

Executive Level Searches: Unalaska's new Police Chief, Jay King, is scheduled to arrive on island on July 29, 2020. He will officially begin employment on August 1. John Lucking's contact remains effective through the end of August and he will be working with Jay to help ensure a successful transition.

We continue our efforts to fill the Finance Director role on a permanent basis with highly competent and qualified individual to effectively serve our organization and community. After an internal discussion, we have determined that outside recruitment assistance is warranted. Staff is working on an RFP so that we can evaluate various proposals and select the best one that meets our needs. Jim Sharpe continues to serve as Interim Finance Director, and is participating in meetings telephonically and remains available for staff even while off island.

Directives to the City Manager: Three directives to the City Manager remain outstanding.

- *Options for Increased Tobacco Tax (11/27/18). Ongoing.* Council discussed this in detail at the July 9, 2019 Council Meeting. Future discussions will include additional information on Tobacco Excise Tax, a combination Tobacco Excise Tax with increased sales tax on alcohol and marijuana, fund dedication options, and potential rates. City Clerk, Marjie Veeder is working with our city attorneys and will bring additional information to Council in the coming months. We had the tentatively scheduled this to be on the July 29 agenda. However, this has been again postponed given current workloads and the complex nature of this topic.
- *Fiscal Sustainability Plan and Policy (5/14/19). Initiated.* Interim Finance Director Jim Sharpe began a discussion with City Council on sustainable long term planning at the December 12, 2019 Council meeting. He provided informational material for Council to review. This is in a holding pattern given our current state of emergency.
- *Cooperatively Develop and Negotiate PPA with OCCP for 80 – 100 mkwhr (6/23/20). Ongoing.* We have continued to build on our effort that we have been undertaking for the past six months. Given the complex nature of this topic and the time required to discuss it, a stand-alone special meeting was held on July 21, 2020. This date was selected in coordination with OCCP due to other scheduling conflicts. Council provided guidance to the City's negotiating team in executive session. We are proceeding accordingly, and anticipate bringing the issue back to Council for the August 11, 2020 meeting.

MEMORANDUM TO COUNCIL

To: Mayor and City Council Members
From: Jim Sharpe, Interim Finance Director
Through: Erin Reinders, City Manager
Date: July 28, 2020
Re: CARES Act Response/Prevention Items

SUMMARY: The City of Unalaska is receiving a total of \$13,453,952 in CARES Act funding. The staff team has worked diligently to develop a responsible use of funds related to the City's response/prevention efforts based on a spending plan of \$6,726,976. No City Council action is required.

PREVIOUS COUNCIL ACTION: At their July 14, 2020 meeting, Council approved a spending plan that includes: 40% for grants, 50% for the City's response/prevention; 10% contingency. Additionally, tonight's meeting includes a public hearing and approval of two budget amendments related to CARES Act funding.

BACKGROUND: The City will receive up to \$13,453,952 in CARES Act monies from the Federal Government, passed through the State of Alaska.

A staff team has been assembled to develop parameters on how the monies received can be utilized to meet the current needs of the City and in the future. In essence, the CARES Act guidance indicates funds should be used for the following purposes:

- Provide grant funding to City residents, businesses and not-for-profits negatively impacted by COVID-19 (Grants)
- Cover the cost associated with the City's response to the Pandemic (Response)
- Cover costs associated with the prevention and anticipation of future COVID-19 related outbreaks (Prevention)

DISCUSSION: As a result of internal meetings and research, the following items fall within the parameters approved by City Council:

Response

- Personnel costs associated with response – these costs include re-deploying staff to address COVID-19 related tasks (i.e. food program development, quarantine site preparation) and staying home to limit the amount of close contact and reduce the potential spread of COVID-19; as of June 30, 2020, these costs have totaled \$1,440,566. It is our expectation that additional personnel costs will be incurred related to compliance with the federally mandated Emergency Paid Sick Leave and Expanded Family and Medical Leave Act.
- Emergency Support to Clinic – already provided in April 2020 (\$500,000)
- Cancel library construction contract (\$223,662)

- Improved technology so employees can work from home and work more effectively in the work place with limited interactions and travel – this area is a critical piece of the City's response as well as prevention going forward
 - Increased bandwidth to improve ability.
 - Improved remote network connectivity allowing employees to work from home, reducing foot traffic in City Hall in prevention of future outbreaks
- Goods and services costs associated with response – these costs include, but are not limited to, cleaning supplies, plexiglass to protect employees and residents in situations when proper social distancing cannot be maintained
- Increased legal and insurance costs; currently, these are estimated at \$50,000 combined
- Preparation of and continued cleaning of the isolation site
- Public Safety personnel costs from March 27, 2020 through December 30, 2020 – the Act allows for personnel costs for all public safety personnel (police and fire) as a qualify expense; currently, it is our expectation that amounts will be spent in other areas such that the full amount of these costs (\$5,000,000) will using the CARES Act funds

Prevention

- Improve airflow systems in City buildings – improved airflow and filtration will help prevent/reduce the spread Covid-19 or any future airborne illness
- Backup generators for certain public buildings – continued electrical service is critical to operate technology within public buildings; loss of power when employees are on-site and working remotely would prohibit an employee to effectively complete their job tasks and increase the need for face to face contact
- Replace antiquated first responder radio equipment – the current equipment is approximately 15 years old and, while it remains functional, does not meet current regulatory requirements. Without proper and reliable communication equipment, the City's ability to properly respond to any public health emergency in the future is severely hampered.
- Improved bandwidth so employees can effectively work from home and more effectively use web based communications, programs, and training – the goal is to reduce exposure to employees through interactions with fellow employees and increase efficiencies.
- Purchase software packages to improve the City's electronic record keeping system, thus reducing the amount of paper shuffled between employees and/or City residents and minimizing the risk of future virus exposure. Examples include:
 - Electronic timekeeping
 - Computer aided mass assessment
 - Electronic archival system
- Install cardlock system in City buildings to better manage access to buildings, provide greater security to employees that are working non-standard shifts, reduce foot traffic, and mitigate the impact of future outbreaks through limited access
- Improve Council Chambers to better allow for social distancing – New/updated software, hardware, microphones, audio and visual systems, and speakers would reduce the requirement for community members to be physically present to attend Council Meetings thus reducing exposure and risk of contamination in the future

CITY OF UNALASKA
UNALASKA, ALASKA

ORDINANCE 2020-12

CREATING BUDGET AMENDMENT #10 TO THE FISCAL YEAR 2020 BUDGET, RECOGNIZING CARES ACT REVENUE OF \$5,477,777 AND INCREASING COVID-19 RELATED BUDGETED EXPENDITURES BY \$5,477,777 IN THE CARES ACT SPECIAL REVENUE FUND

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 FY20 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. 10 to Ordinance #2019-07

	<u>Current</u>	<u>Requested</u>	<u>Revised</u>
I. OPERATING BUDGETS			
A. Governmental Funds			
Sources:			
CARES Act Special Revenue Fund - Grant revenue	\$ -	\$ 5,477,777	\$ 5,477,777
Uses:			
CARES Act Special Revenue Fund - COVID-19 expenditures	\$ -	\$ 5,477,777	\$ 5,477,777

PASSED AND ADOPTED by a duly constituted quorum of the Unalaska City Council on July 28, 2020.

Vincent M. Tutiakoff, Sr.
Mayor

ATTEST:

Marjie Veeder, CMC
City Clerk

CITY OF UNALASKA

**Summary of Budget Amendment and Schedule of Proposed Accounts
Budget Amendment 10 to the FY20 Budget**

- 1) CARES Act Special Revenue Fund - Operating Budget
 - Add \$5,477,777 to Federal Grants-Unrestricted revenue to recognize CARES Act grant revenue
 - Add \$5,477,777 to operating expenditures in the CARES Act fund to recognize COVID-19 related expenditures of CARES Act funds.

	Org	Object	Project	Current	Requested	Revised
1) CARES Act Fund - Operating Budget						
Sources:						
Federal Grants - Unrestricted	13010041	42310		\$ -	\$ 5,477,777.01	\$ 5,477,777.01
Uses:						
EM002 - COVID-19 Emergency Protective Measures						
Salaries and Wages	13020051	51100	EM002	\$ -	\$ 186,401.46	\$ 186,401.46
Temporary Employees	13020051	51200	EM002	\$ -	\$ 2,899.34	\$ 2,899.34
Overtime	13020051	51300	EM002	\$ -	\$ 4,699.78	\$ 4,699.78
Health Insurance Benefit	13020051	52100	EM002	\$ -	\$ 37,851.44	\$ 37,851.44
FICA/Medicare Employer Match	13020051	52200	EM002	\$ -	\$ 14,673.68	\$ 14,673.68
PERS Employer Benefit	13020051	52300	EM002	\$ -	\$ 37,817.24	\$ 37,817.24
Unemployment Ins Benefit	13020051	52400	EM002	\$ -	\$ 837.72	\$ 837.72
Workers Compensation Ins	13020051	52500	EM002	\$ -	\$ 3,027.11	\$ 3,027.11
Other Employee Benefits	13020051	52900	EM002	\$ -	\$ 70.90	\$ 70.90
Legal	13020052	53230	EM002	\$ -	\$ 63,352.00	\$ 63,352.00
Other Professional	13020052	53300	EM002	\$ -	\$ 364,003.00	\$ 364,003.00
Water / Sewerage	13020052	54110	EM002	\$ -	\$ 500.00	\$ 500.00
Solid Waste	13020052	54210	EM002	\$ -	\$ 500.00	\$ 500.00
Custodial Services/Supplies	13020052	54230	EM002	\$ -	\$ 275.00	\$ 275.00
General Insurance	13020052	55200	EM002	\$ -	\$ 20,000.00	\$ 20,000.00
Telephone / Fax / TV	13020052	55310	EM002	\$ -	\$ 800.00	\$ 800.00
Network / Internet	13020052	55320	EM002	\$ -	\$ 20,434.00	\$ 20,434.00
General Supplies	13020052	56100	EM002	\$ -	\$ 397,000.00	\$ 397,000.00
Computer Hardware / Software	13020052	56150	EM002	\$ -	\$ 2,000.00	\$ 2,000.00
Electricity	13020052	56220	EM002	\$ -	\$ 2,000.00	\$ 2,000.00
Heating Oil	13020052	56240	EM002	\$ -	\$ 800.00	\$ 800.00
Food/Bev/Related Emp Apprctn	13020052	56330	EM002	\$ -	\$ 3,500.00	\$ 3,500.00
Other	13020052	55999	EM002	\$ -	\$ 2,605,786.55	\$ 2,605,786.55
Community Grants	13020052	58400	EM002	\$ -	\$ 500,000.00	\$ 500,000.00
EM004- Stay at Home Personnel						
Salaries and Wages	13020051	51100	EM004	\$ -	\$ 743,414.73	\$ 743,414.73
Health Insurance Benefit	13020051	52100	EM004	\$ -	\$ 228,281.73	\$ 228,281.73
FICA/Medicare Employer Match	13020051	52200	EM004	\$ -	\$ 56,871.39	\$ 56,871.39
PERS Employer Benefit	13020051	52300	EM004	\$ -	\$ 157,790.01	\$ 157,790.01
Unemployment Ins Benefit	13020051	52400	EM004	\$ -	\$ 6,158.57	\$ 6,158.57
Workers Compensation Ins	13020051	52500	EM004	\$ -	\$ 13,755.73	\$ 13,755.73
Other Employee Benefits	13020051	52900	EM004	\$ -	\$ 2,275.63	\$ 2,275.63
					\$ 5,477,777.01	\$ 5,477,777.01

MEMORANDUM

To: Mayor and City Council Members
From: Jim Sharpe, Interim Finance Director
Through: Erin Reinders, City Manager
Date: July 14, 2020
Re: Ordinance 2020-12: Creating budget amendment #10 to the fiscal year 2020 budget, recognizing CARES Act revenue of \$5,477,777 and increasing COVID-19 related budgeted expenditures by \$5,477,777 in the CARES Act special revenue fund

SUMMARY: This ordinance will create a budget for the CARES Act special revenue fund that will recognize the portion of Unalaska's total anticipated CARES Act revenue that we received during June of 2020 and establish a budget for expenditures of those funds.

PREVIOUS COUNCIL ACTION: On April 2, 2020, Council adopted emergency Ordinance 2020-04 creating budget amendment #7 to the fiscal year 2020 budget, creating an appropriation for costs associated with the City's response to the COVID-19 pandemic; this was later converted into budget amendment #9 through Ordinance 2020-09 on May 6, 2020.

On May 26, 2020 council adopted Resolution 2020-37, authorizing the city manager to sign a grant agreement with the State of Alaska Department of Commerce, Community, and Economic Development and accepting coronavirus relief funds in the amount of \$13,453,952 for costs that are for necessary expenditures incurred due to the public health emergency with respect to the coronavirus disease 2019 (COVID-19).

BACKGROUND: On June 4, 2020, the City received \$5,477,777 from the Alaska DCCED, which was the first of 3 anticipated distributions of federal Coronavirus Aid, Relief, and Economic Security Act (CARES Act) money passed through the state of Alaska to Unalaska. The city must expend at least 80% of each distribution before the following distribution will be sent.

Budget amendments #7 and #9 were made to the City Manager's budget; CARES Act guidance recommends that costs be tracked separately. Therefore, staff has created a new fund in the accounting system to track costs. This will also assist in meeting reporting requirements as all CARES Act costs will be captured in one location in the City's accounting system.

The proposed budget amendment establishes a budget for the new fund and will allow staff to move COVID-19 related costs incurred to date from the City Manager's budget to the newly established fund. Any additional fiscal year 2020 costs recorded subsequent to budget amendment approval will be reflected in the newly established fund.

Communities receiving these payments are required to certify compliance with federal guidance regarding expenditures of CARES Act funds. Communities will be required to reimburse the state for any misspent funds.

The budget included with the proposed amendment differs from the allocations included in Resolution 2020-47 presented to Council at tonight's Council meeting due to the focus on response prior to June 30, 2020. Additionally, no grant funds were disbursed during FY 2020.

DISCUSSION: The city has been informed that they are eligible to receive up to \$13,453,952 in CARES Act funds during the grant period. The funds may only be used for expenses that are incurred between March 1 and December 30, 2020. Since the grant period spans the City's fiscal year a special revenue fund with a multi-year budget was created. This will allow the City to appropriately track and report grant revenues and expenditures.

This amendment to the FY20 budget will create a budget in the CARES Act special revenue fund for the grant money received during FY20 and the expenditures associated with those funds. The anticipated grant revenue expected during the first half of FY21 and the associated expenditures will be the subject of a second budget amendment at the beginning July that will amend the FY21 budget. Creating two separate budget amendments is strongly recommended because of the way that Munis treats the amounts budgeted in multi-year funds during the transition period between fiscal years.

ALTERNATIVES:

1. Council can approve the budget amendment as proposed
2. Council can alter the amounts included in the amendment and approve
3. Council can choose to delay adoption of the amendment to a future date

FINANCIAL IMPLICATIONS: The proposed amendment will move costs from the City Manager's budget into the new established fund and allow CARES Act eligible costs to be accounted for in one location on a go forward basis.

LEGAL: Not Applicable

STAFF RECOMMENDATION: Staff recommends Council adopt Ordinance 2020-13.

PROPOSED MOTION: I move to schedule Ordinance 2020-12 for second reading and public hearing on July 28, 2020.

CITY MANAGER COMMENTS: I support staff's recommendation.

ATTACHMENTS: None

CITY OF UNALASKA
UNALASKA, ALASKA

ORDINANCE 2020-13

CREATING BUDGET AMENDMENT #1 TO THE FISCAL YEAR 2021 BUDGET, RECOGNIZING CARES ACT REVENUE OF \$7,976,175 AND INCREASING COVID-19 RELATED BUDGETED EXPENDITURES BY \$7,976,175 IN THE CARES ACT SPECIAL REVENUE FUND AND INCREASING THE WATER FUND OPERATING BUDGET FOR TRANSFERS TO CAPITAL PROJECTS AND THE PROJECT BUDGET FOR THE PYRAMID WATER TREATMENT PLANT INLINE MICROTURBINES BY \$159,735.

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 FY21 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. 1 to Ordinance #2020-10

	<u>Current</u>	<u>Requested</u>	<u>Revised</u>
I. OPERATING BUDGETS			
A. Governmental Funds			
Sources:			
CARES Act Special Revenue Fund - Grant revenue	\$ 5,477,777	\$ 7,976,175	\$ 13,453,952
Uses:			
CARES Act Special Revenue Fund - COVID-19 expenditures	\$ 5,477,777	\$ 7,976,175	\$ 13,453,952
B. Proprietary Funds			
Sources:			
Water Fund - Budgeted Use of Unrestricted Net Position	\$ 993,058	\$ 159,735	\$ 1,152,793
Uses:			
Water Fund - Transfers to Water Capital Projects	\$ 100,000	\$ 159,735	\$ 259,735
II. CAPITAL BUDGETS			
A. Public Utilities - Project Budgets			
Sources			
Transfer in from Water Operating	\$ 2,052,284	\$ 159,735	\$ 2,212,019
Uses			
Pyramid Water Treatment Microturbines Project	2,052,284	159,735	\$ 2,212,019

PASSED AND ADOPTED by a duly constituted quorum of the Unalaska City Council on July 28, 2020.

 Vincent M. Tutiakoff, Sr.
 Mayor

ATTEST:

 Marjie Veeder, CMC
 City Clerk

City of Unalaska
Summary of Budget Amendment and Schedule of Proposed Accounts
Budget Amendment 1 to the FY21 Budget

- 1) CARES Act Special Revenue Fund - Operating Budget
 Add \$7,976,175 to Federal Grants-Unrestricted revenue to recognize CARES Act grant revenue
 Add \$7,976,175 to operating expenditures in the CARES Act fund to recognize COVID-19 related expenditures of CARES Act funds.
- 2) Water Fund - Operating Budget
 Add \$159,735 to Budgeted Use of Unrestricted Net Position and to Transfers to Capital Projects for Pyramid Water Treatment Microturbines project
- 3) Water Fund Capital Projects Budgets
 Add \$159,735 to Pyramid Water Treatment Microturbines project and to Transfer in From Water Operating

	Org	Object	Project	Current	Requested	Revised
1) CARES Act Fund - Operating Budget						
Sources:						
Federal Grants - Unrestricted	13010041	42310		\$ 5,477,777.00	\$ 7,976,175.01	\$ 13,453,952.01
Uses:						
Community Grants	13020052	58400		\$ -	\$ 4,036,185.60	\$ 4,036,185.60
EM002 - COVID-19 Emergency Protective Measures						
Salaries and Wages	13020051	51100	EM002	\$ 186,401.46	327,013.00	\$ 513,414.46
Temporary Employees	13020051	51200	EM002	\$ 2,899.34	2,685.00	\$ 5,584.34
Overtime	13020051	51300	EM002	\$ 4,699.78	5,562.00	\$ 10,261.78
Health Insurance Benefit	13020051	52100	EM002	\$ 37,851.44	75,703.00	\$ 113,554.44
FICA/Medicare Employer Match	13020051	52200	EM002	\$ 14,673.68	25,647.00	\$ 40,320.68
PERS Employer Benefit	13020051	52300	EM002	\$ 37,817.24	66,488.00	\$ 104,305.24
Unemployment Ins Benefit	13020051	52400	EM002	\$ 837.72	1,582.00	\$ 2,419.72
Workers Compensation Ins	13020051	52500	EM002	\$ 3,027.11	6,056.00	\$ 9,083.11
Other Employee Benefits	13020051	52900	EM002	\$ 70.90	104.00	\$ 174.90
Legal	13020052	53230	EM002	\$ 63,352.00	100,000.00	\$ 163,352.00
Other Professional	13020052	53300	EM002	\$ 364,003.00	100,000.00	\$ 464,003.00
Water / Sewerage	13020052	54110	EM002	\$ 500.00	3,000.00	\$ 3,500.00
Solid Waste	13020052	54210	EM002	\$ 500.00	3,000.00	\$ 3,500.00
Custodial Services/Supplies	13020052	54230	EM002	\$ 275.00	0.00	\$ 275.00
General Insurance	13020052	55200	EM002	\$ 20,000.00	0.00	\$ 20,000.00
Telephone / Fax / TV	13020052	55310	EM002	\$ 800.00	0.00	\$ 800.00
Network / Internet	13020052	55320	EM002	\$ 20,434.00	115,000.00	\$ 135,434.00
General Supplies	13020052	56100	EM002	\$ 397,000.00	500,000.00	\$ 897,000.00
Computer Hardware / Software	13020052	56150	EM002	\$ 2,000.00	318,100.00	\$ 320,100.00
Electricity	13020052	56220	EM002	\$ 2,000.00	12,000.00	\$ 14,000.00
Heating Oil	13020052	56240	EM002	\$ 800.00	4,800.00	\$ 5,600.00
Food/Bev/Related Emp Apprctn	13020052	56330	EM002	\$ 3,500.00	0.00	\$ 3,500.00
Other	13020052	55999	EM002	\$ 2,605,786.55	1,783,805.40	\$ 4,389,591.95
Community Grants	13020052	58400	EM002	\$ 500,000.00	0.00	\$ 500,000.00
EM004- Stay at Home Personnel						
Salaries and Wages	13020051	51100	EM004	\$ 743,414.73	\$ 170,844.00	\$ 914,258.73
Health Insurance Benefit	13020051	52100	EM004	\$ 228,281.73	\$ 11,277.00	\$ 239,558.73
FICA/Medicare Employer Match	13020051	52200	EM004	\$ 56,871.39	\$ 13,071.00	\$ 69,942.39
PERS Employer Benefit	13020051	52300	EM004	\$ 157,790.01	\$ 35,886.00	\$ 193,676.01
Unemployment Ins Benefit	13020051	52400	EM004	\$ 6,158.57	\$ 1,026.00	\$ 7,184.57
Workers Compensation Ins	13020051	52500	EM004	\$ 13,755.73	\$ 12,000.00	\$ 25,755.73
Other Employee Benefits	13020051	52900	EM004	\$ 2,275.63	\$ 618.00	\$ 2,893.63

FFCRA Accrual Tables

	<u>Org</u>	<u>Object</u>	<u>Project</u>	<u>Current</u>	<u>Requested</u>	<u>Revised</u>
Salaries and Wages	13020051	51100		\$ -	\$ 170,844.00	\$ 170,844.00
Health Insurance Benefit	13020051	52100		\$ -	\$ 11,277.00	\$ 11,277.00
FICA/Medicare Employer Match	13020051	52200		\$ -	\$ 13,071.00	\$ 13,071.00
PERS Employer Benefit	13020051	52300		\$ -	\$ 35,886.00	\$ 35,886.00
Unemployment Ins Benefit	13020051	52400		\$ -	\$ 1,026.00	\$ 1,026.00
Workers Compensation Ins	13020051	52500		\$ -	\$ 12,000.00	\$ 12,000.00
Other Employee Benefits	13020051	52900		\$ -	\$ 618.00	\$ 618.00

3) Water Proprietary Fund

Sources:

Budgeted Use of Unrestricted Net Position	51015549	49910		\$ 993,058.00	\$ 159,735.00	\$ 1,152,793.00
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Uses:

Transfers to Enterprise Capital Projects	51029854	59940		\$ 100,000.00	\$ 159,735.00	\$ 259,735.00
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4) Water Fund - Capital Project Budgets

Sources:

Pyramid Water Treatment Microturbines Transfers From Proprietary Operating	51119848	49130	WA17C	\$ 2,052,284.00	\$ 159,735.00	\$ 2,212,019.00
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Uses:

Pyramid Water Treatment Microturbines						
Engineering and Architectural	51125553	53240	WA17C	\$ 330,700.00	\$ 74,735.00	\$ 405,435.00
Other Professional Services	51125553	53300	WA17C	\$ -	\$ 85,000.00	\$ 85,000.00
Construction Services	51125553	54500	WA17C	\$ 1,400,213.00	\$ (5,716.00)	\$ 1,394,497.00
Telephone/Fax/TV	51125553	55310	WA17C	\$ 1,500.00	\$ -	\$ 1,500.00
Advertising	51125553	55901	WA17C	\$ 1,439.00	\$ -	\$ 1,439.00
Contingency	51125553	55912	WA17C	\$ 44,747.00	\$ 5,716.00	\$ 50,463.00
Machinery & Equipment	51125553	57400	WA17C	\$ 273,685.00	\$ -	\$ 273,685.00

MEMORANDUM TO COUNCIL

To: Mayor and City Council Members
From: Jim Sharpe, Interim Finance Director
Through: Erin Reinders, City Manager
Date: July 14, 2020
Re: Ordinance 2020-13: Creating budget amendment #1 to the fiscal year 2021 budget, recognizing CARES Act revenue of \$7,976,175 and increasing COVID-19 related budgeted expenditures by \$7,976,175 in the CARES Act special revenue fund and providing \$159,735 in additional monies to fully fund the Construction Phase of the Pyramid Water Treatment Plant Inline Micro Turbine Project.

SUMMARY: This ordinance addresses both the CARES Act funding and the Micro Turbine Project.

CARES Act - This ordinance will increase the budget for the multi-year CARES Act special revenue fund by the amount of grant revenue we anticipate receiving during fiscal year 2021 and the associated planned expenditures.

Micro Turbine Project - This budget amendment request seeks Council's approval to transfer \$159,735.00 in Water Proprietary Fund Revenue into MUNIS Project WA17C, the Pyramid Water Treatment Plant Inline Micro Turbines Project, in order to fund engineering, professional services and construction that will allow the successful project completion.

PREVIOUS COUNCIL ACTION:

CARES Act - On May 26, 2020 council adopted Resolution 2020-37, authorizing the city manager to sign a grant agreement with the State of Alaska Department of Commerce, Community, and Economic Development and accepting coronavirus relief funds in the amount of \$13,453,952 for costs that are for necessary expenditures incurred due to the public health emergency with respect to the coronavirus disease 2019 (COVID-19).

Concurrent with this ordinance council is considering Ordinance 2020-12, creating amendment #10 to the fiscal year 2020 budget, recognizing CARES Act revenue of \$5,477,777 and increasing COVID-19 related budgeted expenditures by \$5,477,777 in the CARES Act special revenue fund.

Micro Turbine Project - Council funded the Pyramid Water Treatment Plant design and construction in 2010-2014, which included additional space in the process bay for eventual accommodation of the Pyramid Water Treatment Plant Inline Micro Turbine Project. Council provided \$50,000 from Water Proprietary Revenue to create the current project in FY2017 CMMP Ordinance 2016-12, adopted on May 24, 2016. On March 12, 2019 by Resolution 2019-12, Council approved the award of the Phase II (scoping, 15% design, and equipment manufacturer selection) to Rentricity, Inc. Council further approved \$2,052,284 in funding for phase III (complete bid package preparation, permitting, and construction) and phase IV (hydro turbine generator installation & commissioning) via Ordinance 2019-09 on September 10, 2019.

BACKGROUND:

CARES Act - On June 4, 2020, the City received \$5,477,777 from the Alaska DCCED, which was the first of 3 anticipated distributions of federal Coronavirus Aid, Relief, and Economic Security Act (CARES Act) money passed through the state of Alaska to Unalaska. The city must expend at least 80% of each distribution before the following distribution will be sent.

An amendment to the FY 2020 budget currently being considered by council will create a \$5,477,777 budget in the CARES Act special revenue fund for the grant money received during FY 2020 and the expenditures associated with those funds.

The \$7,976,175 in CARES Act grant revenue expected during FY21 and associated expenditures are the subject of this amendment to the FY 2021 budget. Creating two separate budget amendments is strongly recommended because of the way that Munis treats the amounts budgeted in multi-year funds during the transition period between fiscal years.

Communities receiving these payments are required to certify compliance with federal guidance regarding expenditures of CARES Act funds. Communities will be required to reimburse the state for any misspent funds.

The budget included with the proposed amendment differs from the allocations included in Resolution 2020-47 presented to Council at tonight's Council meeting as it includes the full allotment of grant funds for local businesses and not-for-profits, which will be disbursed during FY 2021.

Micro Turbine Project - Upon completion of this project, two hydro turbine generators (micro turbines) will be installed in the Pyramid Water Treatment Plant which utilize available excess water pressure to produce electricity. Currently, pressure reducing valves are used to dissipate this excess energy. The electricity generated through this project is planned to be utilized to offset electricity demand within the Pyramid Water Treatment Plant as well as to provide excess electricity to the City of Unalaska electrical grid. This project has an estimated payback period of 10.5 years and four-fold investment return over the expected life of the hydro turbine generators.

Staff let a Request for Qualifications to perform the Phase II work of Scoping, 15% Design, and Equipment Manufacturer Selection. Rentricity, Inc. was selected to perform these services. Rentricity, Inc. was also selected to prepare the project bid package and assist in equipment procurement and assist with permitting in Phase III. The essential equipment for this project (hydro turbine generators and electrical control panels) has been ordered and is currently being manufactured. Bids for construction were solicited and on May 28, 2020 five bids were opened. Industrial Resources Inc. (IRI) had the low bid in the amount of \$1,394,497.

DISCUSSION:

CARES Act - The city has been informed that they are eligible to receive up to \$13,453,952 in CARES Act funds during the grant period. The funds may only be used for expenses that are incurred between March 1 and December 30, 2020. Since the grant period spans the City's fiscal year a special revenue fund with a multi-year budget was created. This will allow the City to appropriately track and report grant revenues and expenditures.

This amendment to the FY 2021 budget captures the anticipated grant revenue expected during the first half of FY 2021 and the associated expenditures. Creating two separate budget

amendments is strongly recommended because of the way that Munis treats the amounts budgeted in multi-year funds during the transition period between fiscal years.

While staff has established a spending plan associated with CARES Act monies and prepared the budget in a manner that will minimize the need to approach Council in the future with multiple budget amendments, due to budgetary controls within the City's accounting system, staff anticipates presenting at least one additional budget amendment for administrative purposes. That budget amendment will redistribute budget amounts to align with spending.

Micro Turbine Project - The low bid is \$151,413 more than the construction cost estimate. This amount represents slightly less than 11% of the low bid amount. Given all the change that has occurred in the past year since the construction estimate was prepared, it is not surprising that the construction is more expensive than estimated. However, since the difference between the lowest bid and the third lowest bid is less than 3%, it is evident that the low bid represents a fair price for the construction of this project in the current construction environment.

The proposed budget amendment includes \$50,463 (less than 4% of the construction budget) for contingency. It is very important to retain adequate contingency in order to avoid project delays. Should additional funding be needed, valuable time would be lost seeking Council approval and the two reading time-frame of a Budget Amendment. The construction for this project is extremely time sensitive. The whole construction time period is limited to 45 days between April 15, 2021 and June 1, 2021. This construction window was chosen because water demand during this period is low enough such that when the Pyramid Water Treatment Plant is shut down during construction water demand can be met by the drinking water wells in the valley. The Pyramid Water Treatment Plant will be shut down up to three times for a period of no greater than 5 days during the construction window. If unforeseeable issues arise during construction that require Council approved additional funds it would be very difficult to avoid extending completion until the next possible construction window in October-December of 2021. This delay would not only delay project completion but also increase costs that the City would be responsible for.

This budget amendment would also provide \$8,322 in funding for engineering and professional services required for project completion. The resources required to finalize the bid package were more than expected, however, in-house engineering staff will take on more responsibility for inspection and on-site technical assistance which has reduced the outside engineering resources required. The requested amount reflects the difference between the additional design effort and the engineering savings during construction.

If the requested budget amendment is approved, staff will prepare the construction contract with the low bidder to be approved by the Council.

ALTERNATIVES:

CARES Act

1. Council can approve the budget amendment as proposed
2. Council can alter the amounts included in the amendment and approve
3. Council can choose to delay adoption of the amendment to a future date

Micro Turbine Project

Council could decide not to approve the requested budget amendment in its entirety which would essentially stop progress on the project. It would be possible to re-bid the project out at a later time (1-2 years) when the bidding environment might be better. The risk would be that the bidding

environment might not be more advantageous than it is currently and the future cost only increases meanwhile the City is not reaping the benefit of the generated electricity.

Council could decide to remove the \$50,463 of contingency funds that are part of this requested budget amendment. Any change orders during construction that require additional funds would then be requested on an emergency basis in an emergency Council meeting in an effort to avoid construction delays that would delay project completion and increase project cost.

FINANCIAL IMPLICATIONS:

CARES Act - The proposed amendment will appropriate funds to be used for grants to local businesses and not-for-profits as well as for the City’s continued response and prevention measures.

Micro Turbine Project - The project budget was \$2,052,284. Staff requests an additional \$159,735 for construction and additional engineering and other professional services to be able to successfully complete this project. The proposed revised budget and request for the project is set forth below:

MUNIS PROJECT WA17C - PYRAMID WTP MICRO TURBINES PROJECT							
DESC	BUDGET	EXPENSED	ENCUMBERED	PENDING ENCUMBRANCES	AVAILABLE BUDGET	THIS REQUEST	PROPOSED REVISED BUDGET
Engineering & Architectural	\$ 330,700	\$ 254,300	\$ 56,235	\$ -	\$ 20,165	\$ 74,735	\$ 405,435
Other Professional	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 85,000	\$ 85,000
Construction Services	\$ 1,400,213	\$ -	\$ -	\$ 1,394,497	\$ 5,716	\$ (5,716)	\$ 1,394,497
Telephone / Fax / TV	\$ 1,500	\$ 316	\$ -	\$ -	\$ 1,184	\$ -	\$ 1,500
Advertising	\$ 1,439	\$ 712	\$ 727	\$ -	\$ -	\$ -	\$ 1,439
Contingency	\$ 44,747	\$ -	\$ -	\$ -	\$ 44,747	\$ 5,716	\$ 50,463
Machinery and Equipment	\$ 273,685	\$ -	\$ 273,685	\$ -	\$ -	\$ -	\$ 273,685
	\$ 2,052,284	\$ 255,328	\$ 330,647	\$ 1,394,497	\$ 71,812	\$ 159,735	\$ 2,212,019

LEGAL: Not Applicable

STAFF RECOMMENDATION: Staff recommends Council adopt Ordinance 2020-13 to allow for future CARES Act spending and to fund construction and additional engineering and other professional services to be able to successfully complete this project that adds to the City’s renewable energy portfolio and provides a return on investment.

PROPOSED MOTION: I move to schedule Ordinance 2020-13 for second reading and public hearing on July 28, 2020.

CITY MANAGER COMMENTS: I support staff’s recommendation.

ATTACHMENTS: None

Date: July 24, 2020
Re: Unalaska Police Station (JYW No. 18072)
Conceptual Design Executive Summary

Introduction

Jensen Yorba Wall and our team of engineers were selected for a multi-phase project to determine the future of Unalaska Department of Public Safety (DPS) facilities. The project progressed through the initial condition survey and site investigation phases. With acceptance of the conceptual design presented here, the project will be ready to move into design and construction.

Condition Survey

The project started with a condition and functionality survey of the existing DPS building. Our team, including architects, structural engineers, mechanical engineers, and electrical engineers extensively surveyed the existing building including all systems and components. Our major findings were:

- The building was constructed in 1987 as a “spec” project by a private developer and so much of the construction was not built to institutional standards.
- The building is generally in good shape structurally. However the second floor is supported by most of the interior partitions of the first floor offices, making layout modifications difficult.
- The building systems—including all the mechanical piping and equipment—are at or near the end of their service life.
- The building is under-insulated by current standards, although the metal wall and roof panels have been well maintained.

Functionality Review

During our site visits our team interviewed members of the police and fire departments to investigate how well the building functioned. We also analyzed the building space program and compared it to fire and police stations in similar-sized Alaskan communities. Working with the Unalaska stakeholders, we developed ideal programs for both a stand-alone fire and police station. Our major findings were:

- The building is under-sized for both departments. The current building is 16,360 sf. The ideal fire station is around 16,000 sf and the ideal police station is around 18,800 sf.
- There are some spaces which can be shared, leading to a reduction in size if a single building continues to house both departments. However, these shared spaces only total about 2,200 sf, so savings are not significant. There are operational difficulties in having fire personnel share secured police areas.
- The current building is very constrained on exterior space, so parking is difficult when both departments are fully using the building.
- The detention area is small with no Sallyport. The layout of the space and the connection to Dispatch is not ideal.

Site Exploration / Initial Concept Design

We analyzed several different building sites around town as potential spots for new facilities. We also looked at the possibility of expanding the existing combined DPS building. We looked in-depth at 5 sites, including the existing DPS Site. Our conclusions were:

- The current DPS site does not lend itself to expansion of the existing building.
- The most likely candidate for a new building is the “Skate Park” site located across Raven Way from City Hall.
- The Skate Park site is large enough for a new combined DPS facility, but parking would be very constrained with such a large building. Additionally, there is not another likely City use for the current DPS building, which indicates it should be retained for police or fire use.
- The current DPS building with its large apparatus bay is more suited for retention as a fire station rather than a police station.
- **Conclusion:** a new stand-alone police station on the Skate Park site, with renovation of the current DPS building to house a stand-alone fire station, is the preferred solution.

Geotechnical Investigation

There was some concern that the Skate Park site would not be suitable for construction, so team member PND Engineers undertook a comprehensive investigation of the site with excavation and drilling equipment. Historically, the project location was a shallow lake. This lake was filled in 1989 using excavated rock material from a nearby project. Generally, the site is underlain by 15 feet of medium to very dense Sandy Gravel with Silt and Boulders over 10 feet of loose to very loose silty sand with organics, peat, and ash over a variable depth of loose to dense silty gravel and sands atop bedrock varying in depth.

Because of the danger of long-term settlement, a shallow foundation system is not recommended for the site. Foundations will be supported on piles driven and seated in bedrock. Piles may require drilling to advance through boulders in the fill. Boreholes indicate the bedrock depth is approximately 45’ below the surface. Although more expensive than a spread footing and stemwall foundation, a piling foundation system of this depth is not prohibitively expensive or technically infeasible.

Conceptual Design

The new police station was taken through a conceptual design level for review and approval as well as professional cost estimation, which is currently underway. As designed, the project is two stories:

- 10,286 gsf on the first floor (including a 742 sf garage-like Sallyport)
- 5,912 gsf on the second floor
- **16,198 gross square feet total**

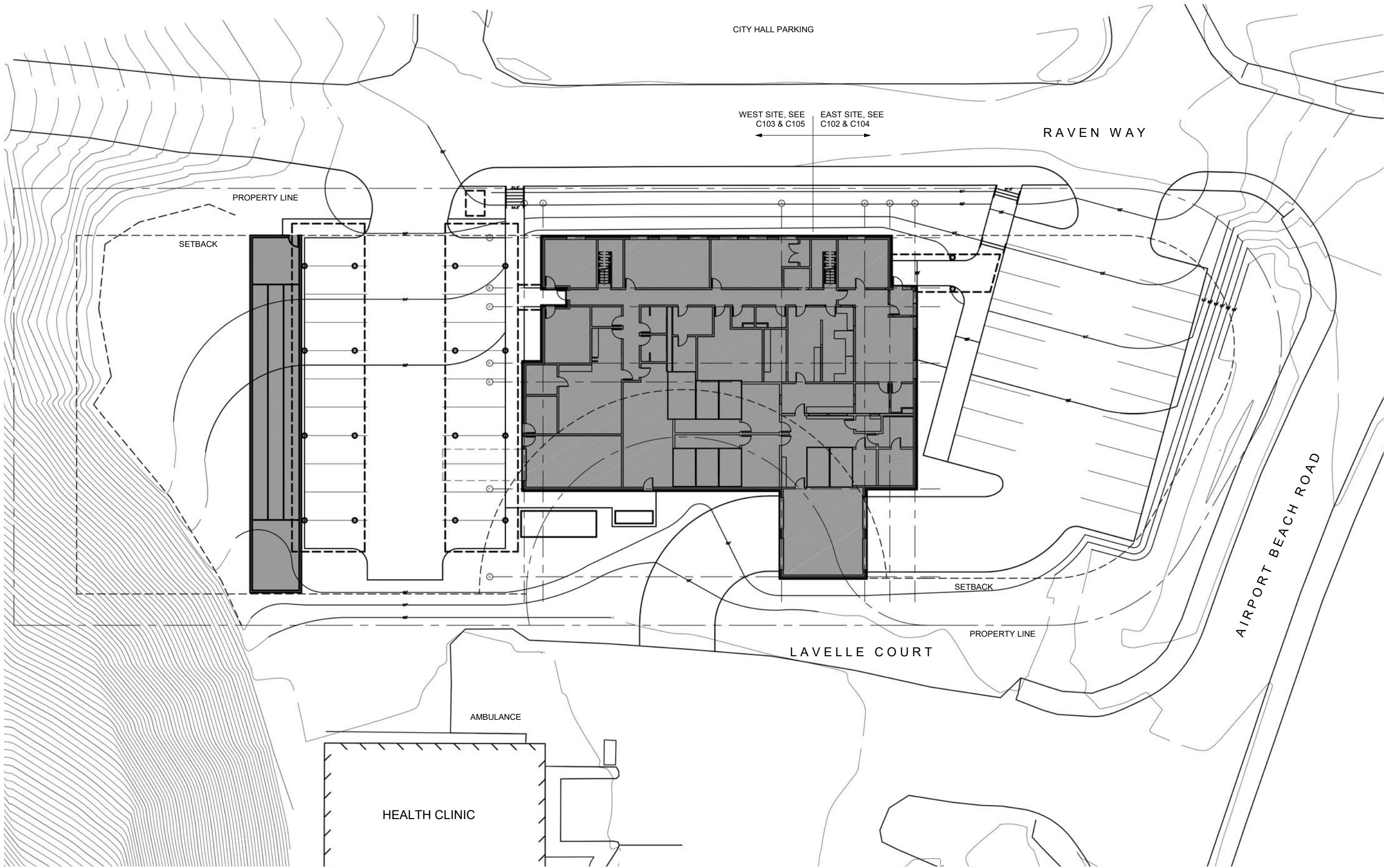
The project has all the rooms and spaces as per the ideal program, but achieves some efficiencies in circulation to be slightly smaller overall than targeted. Additionally, the 25-yard pistol range is located in a separate building to the west which helps reduce the size of the main building.

Next Steps

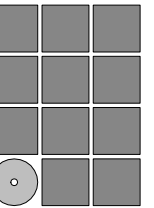
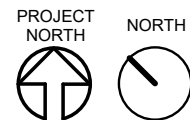
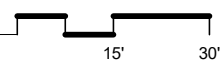
The conceptual building and site design has the preliminary approval of police personnel. The project should be more thoroughly vetted with the incoming Police Chief and other stakeholders as desired. Once the conceptual design is approved, the project is ready to move into complete design and documentation. If desired, the project could be ready for construction starting in the summer of 2021.

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1 Site Plan - Overall



**Jensen
Yorba
Wall Inc.**

522 West 10th Street
Juneau, Alaska 99801
907.586.1070
AECC137
jensenyorbawall.com

**City of Unalaska
Unalaska Police Station
Conceptual Design**

REVISIONS



SHEET TITLE

Site Plan - Overall

DATE: July 14, 2020
FILE: 18072

C101

RAVEN WAY

LIMIT OF WORK

PROPERTY LINE

SETBACK

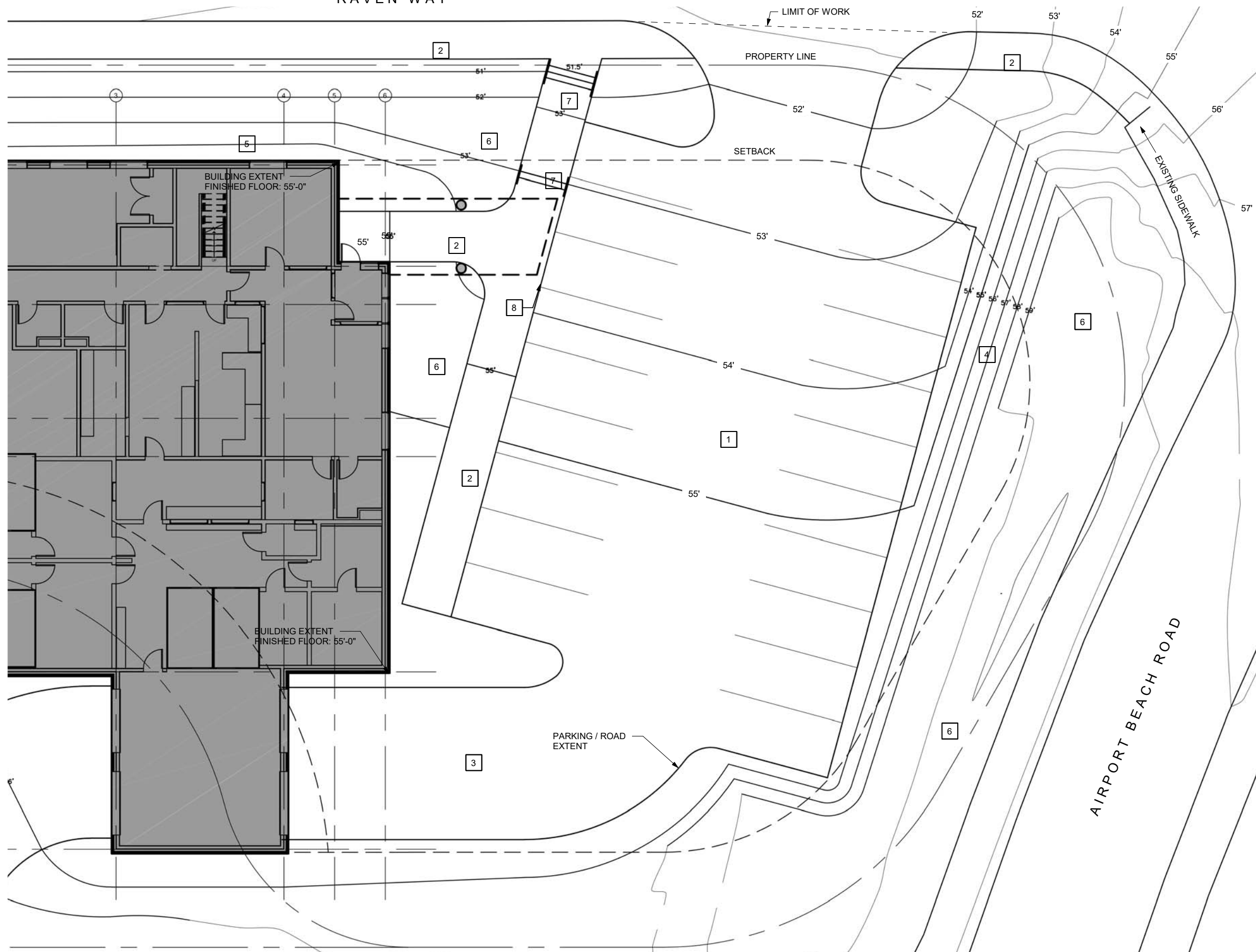
EXISTING SIDEWALK

AIRPORT BEACH ROAD

LAVELLE COURT

KEYNOTES:

- 1 ASPHALT PARKING LOT
- 2 CONCRETE SIDEWALK WITH CURB
- 3 ASPHALT DRIVE
- 4 ROCK RETAINING WALL 2H:1V
- 5 ROCKERY LANDSCAPE SLOPE 4H:1V
- 6 LANDSCAPING
- 7 CONC. STEPS WITH STEEL HANDRAIL
- 8 CANOPY
- 9 WOODEN DUMPSTER ENCLOSURE
- 10 FUEL OIL TANK
- 11 GENERATOR
- 12 ALT 1: PARKING CANOPY
- 13 ALT 2: SHOOTING RANGE

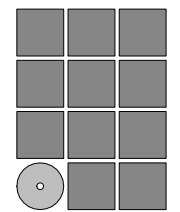


1 Site Plan - East

SCALE: 0 4' 8' 16'



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City of Unalaska
Unalaska Police Station
Conceptual Design

REVISIONS



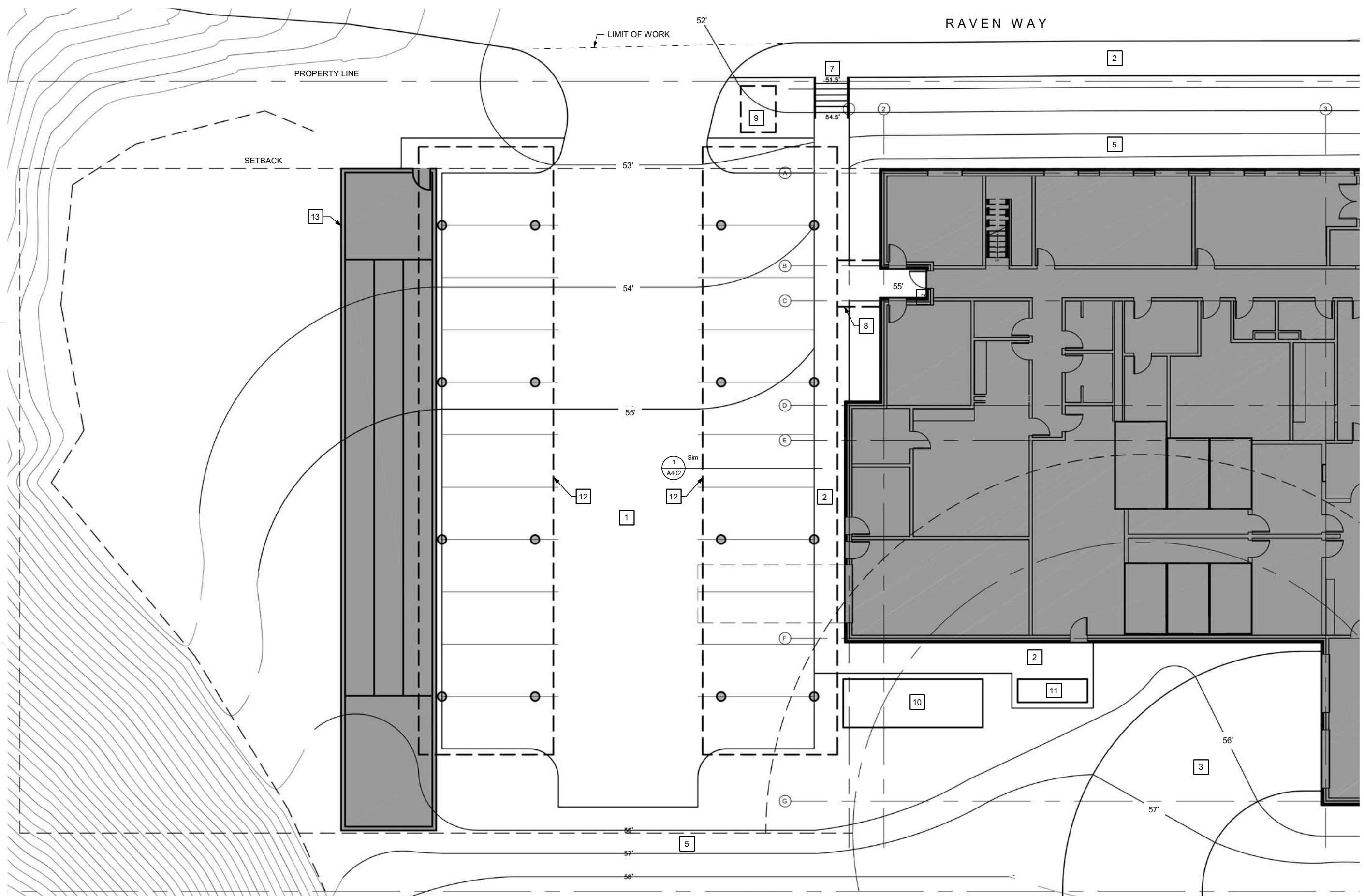
SHEET TITLE
Site Plan - East

DATE: July 14, 2020
FILE: 18072

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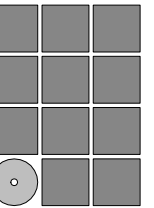
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1 Site Plan - West

SCALE: 0 4' 8' 16'



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Yorba
Wall Inc.**

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City of Unalaska
Unalaska Police Station
Conceptual Design

REVISIONS



SHEET TITLE
Site Plan - West

DATE: July 14, 2020
FILE: 18072

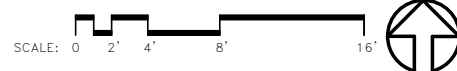
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Unalaska Police Station

Concept - Floor 1

July 14, 2020



Jensen Yorba Wall Inc.

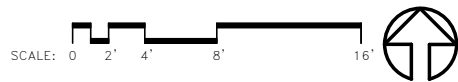
ARCHITECTURE
INTERIOR DESIGN
CONSTRUCTION MANAGEMENT

522 West 10th Street
Juneau, Alaska 99801
phone 907-586-1070
fax 907-586-3959
jensenyorbawall.com

Packet Page Number 30



Unalaska Police Station
 Concept - Floor 2
 July 14, 2020



CITY OF UNALASKA
UNALASKA, ALASKA

ORDINANCE 2020-14

AN ORDINANCE OF THE UNALASKA CITY COUNCIL AMENDING UNALASKA CODE OF ORDINANCES § 13.08.010, DISCHARGE OF FIREARMS IN CITY

BE IT ENACTED BY THE UNALASKA CITY COUNCIL, as follows:

Section 1: This is a Code Ordinance.

Section 2: Unalaska Code of Ordinances § 13.08.010(A) is amended to read as follows (new language is underlined; and language to be deleted is ~~overstruck~~):

§13.08.010 DISCHARGE OF FIREARMS IN CITY

(A) It shall be unlawful for any person to discharge any firearm in the corporate limits of the City of Unalaska except at an organized and insured ~~the municipal~~ shooting range in accordance with the rules and regulations of the organized and insured shooting range ~~under the supervision of the designated range master.~~

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

PASSED AND ADOPTED by a duly constituted quorum of the Unalaska City Council on August 11, 2020.

Vincent M. Tutiakoff, Sr.
Mayor

ATTEST:

Marjie Veeder, CMC
City Clerk

MEMORANDUM TO COUNCIL

To: Mayor and City Council Members
From: John Lucking, Director of Public Safety
Through: Erin Reinders, City Manager
Date: July 28, 2020
Re: Ordinance 2020-14: Amending Unalaska Code of Ordinances § 13.08.010,
Discharge of Firearms in City

SUMMARY: An amendment of UCO 13.08.010(A) is recommended to (a) clarify the location within city limits where firearms may be legally discharged; (b) that the City of Unalaska is not involved with the oversight or operation of the local shooting range; and (c) to remove the requirement that shooting take place under the supervision of the designated range master. Staff recommends approval.

PREVIOUS COUNCIL ACTION: This section of code was last amended in July 2016 to remove the phrase “pellet or B.B. gun” from the definition of a firearm.

BACKGROUND: Ounalashka Corporation (OC) is the landlord for the Aleutian Rod and Gun Club, the non-profit organization operating the shooting range in Unalaska for more than 20 years. Staff from OC contacted the City’s Planning Department in 2019, wanting to confirm they and their tenant were in compliance with zoning ordinances as well as City Code. The attached Planning Determination documents their compliance with zoning ordinances, but it was determined by Staff that a change in UCO 13.08.010(A) was advisable, as the present wording appears to restrict members of the public from legally discharging firearms inside City limits “except at the municipal shooting range, under the supervision of the designated range master.”

DISCUSSION: This section of code presently reads as follows:

§ 13.08.010 DISCHARGE OF FIREARMS IN CITY.

(A) It shall be unlawful for any person to discharge any firearm in the corporate limits of the City of Unalaska except at the municipal shooting range under the supervision of the designated range master.

...

It is understood that the original range exemption cited in City Code did not intend for the City of Unalaska (municipality) to oversee or be involved with the operation of a shooting facility. Unfortunately the words “municipal shooting range” were used when the intent was to create an exception in code allowing shooting enthusiasts to legally discharge firearms in a controlled and safe environment at an established shooting range.

The only shooting range operating in Unalaska is a long-term private club range, and is not a “municipal” shooting range, and has never been operated by the City of Unalaska. Further, that entity’s current range policy does not require the immediate supervision of a range master to be

on hand when their members are actively discharging firearms. The presence of a “range master” has never been that club’s practice.

With this in mind, changing the wording of the ordinance to allow for firearms to be lawfully discharged at an “organized and insured shooting range”, and eliminating the reference to the supervision of a range master, would clarify what has been a long time practice in Unalaska, and would remove any notion that the City (municipality) has any hand in operating or overseeing this private organization, or future organizations that may open a shooting range.

Staff recommends code be amended as follows:

§13.08.010 DISCHARGE OF FIREARMS IN CITY

(A) It shall be unlawful for any person to discharge any firearm in the corporate limits of the City of Unalaska except at an organized and insured ~~the municipal~~ shooting range in accordance with the rules and regulations of the organized and insured shooting range ~~under the supervision of the designated range master.~~

...

ALTERNATIVES: Council may choose to do nothing and allow the current language and confusion to stand.

FINANCIAL IMPLICATIONS: None.

LEGAL: None.

STAFF RECOMMENDATION: Staff recommends approval.

PROPOSED MOTION: I move to schedule Ordinance 2020-14 for Public Hearing and Second Reading on August 11, 2020.

CITY MANAGER COMMENTS: I support staff recommendation.

ATTACHMENTS: Planning Determination dated November 18, 2019

CITY OF UNALASKA
DEPARTMENT OF PLANNING
UNALASKA, ALASKA

PLANNING DETERMINATION

DETERMINATION:

**RECOGNIZING THE ALEUTIAN ROD AND GUN CLUB RANGE AS AN ACCEPTABLE USE
IN A MARINE RELATED INDUSTRIAL ZONE**

CURRENT PROPERTY OWNER:

**Ounalashka Corporation
PO Box 149
Unalaska, AK 99685**

ASSOCIATED DOCUMENT: N/A

LEGAL DESCRIPTION: **A Portion of the South-West Quadrant of Section 27, Township 72S,
Range 117W, Seward Meridian**

TAX LOT ID NO.:

01-09-500

PHYSICAL ADDRESS:

**180 ADOT ACCESS ROAD,
Unalaska, Alaska 99685**

WHEREAS, the unsubdivided property on Ballyhoo Mountain aside from the National Park Service land area is zoned Marine Related Industrial; and

WHEREAS, UCO 8.12.080 (B)(20) states "Uses permitted in the Public/Quasi-Public District" are included in by-right uses in the Marine Related Industrial Zone; and

WHEREAS, UCO 8.12.120 (B)(6) states "Park and recreation facilities" are included in the by-right uses in the Public/Quasi-Public Zone;

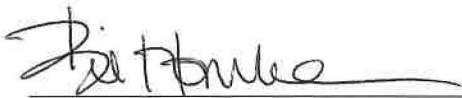
WHEREAS, a gun range is generally accepted to be a recreation facility or use; and the gun range has existed on this site for over 20 years; and

WHEREAS, UCO 8.12.220 allows for the Director of Planning to make a Planning Determination for unlisted by-right uses that meet the purposes and intent of the zone; and

WHEREAS, the provision allowing for Public/Quasi-Public uses allows for recreational uses supports the Purpose and Intent; and

WHEREAS, allowing the use of the gun range in this zone is in keeping with the Code and the Comprehensive Plan, and will not materially affect the health, safety and welfare of the surrounding neighborhood, as the site was specifically chosen for safety reasons.

THEREFORE BE IT RESOLVED, the Aleutian Rod and Gun Club Range to be an approved use within the Marine Related Industrial zoning category at this specific site.


Bil Homka, AICP
Planning Director

Date 11-18-19

CITY OF UNALASKA
UNALASKA, ALASKA

RESOLUTION 2020-48

A RESOLUTION OF THE UNALASKA CITY COUNCIL AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH INDUSTRIAL RESOURCES, INC. FOR THE CONSTRUCTION OF THE PYRAMID WATER TREATMENT PLANT MICRO TURBINES PROJECT IN THE AMOUNT OF \$1,394,497

WHEREAS, the Pyramid Water Treatment Plant Micro Turbines Project is an approved component of the City of Unalaska Capital & Major Maintenance Program; and

WHEREAS, the City of Unalaska has determined that it is in the best interests of the residents of the City of Unalaska to have such a Project; and

WHEREAS, the City of Unalaska has provided funding for such a Project; and

WHEREAS, the City of Unalaska awarded the design and preparation of bid-ready documents to construct the Project to Rentricity, Inc.; and

WHEREAS, the Invitation to Bid was publicly advertised for at least 30 days and four (4) sealed bids were received in response; and

WHEREAS, Industrial Resources, Inc., a construction firm with extensive experience working within and with the City of Unalaska, has been deemed the lowest responsive, responsible bidder for the proposed work; and

WHEREAS, funding is available in the Capital Project budget to award the work.

NOW THEREFORE BE IT RESOLVED that the Unalaska City Council authorizes the City Manager to enter into an Agreement with Industrial Resources, Inc. to perform the construction of the Pyramid Water Treatment Plant Micro Turbines Project for \$1,394,497.

PASSED AND ADOPTED by a duly constituted quorum of the Unalaska City Council on July 28, 2020.

Dennis M. Robinson
Vice Mayor

ATTEST:

Marjie Veeder, CMC
City Clerk

MEMORANDUM TO COUNCIL

To: Mayor and City Council Members
From: Thomas Cohenour, Director of Public Works
Through: Erin Reinders, City Manager
Date: July 28, 2020
Re: Resolution 2020-48: Authorizing the City Manager to enter into an agreement with Industrial Resources, Inc. for the construction of the Pyramid Water Treatment Plant Micro Turbines Project in the amount of \$1,394,497

SUMMARY: Resolution 2020-48 will authorize the City Manager to enter into an agreement with Industrial Resources, Inc. (IRI) for the construction of the Pyramid Water Treatment Plant Micro Turbines Project (MUNIS Project code WA17C) for a total of \$1,394,497. There is adequate funding in the Project budget to support the award. Staff recommends approval.

PREVIOUS COUNCIL ACTION: Council funded the Pyramid Water Treatment Plant design and construction in 2010-2014, which included additional space in the process bay to eventually accommodate the Pyramid Water Treatment Plant Inline Micro Turbine Project. Council provided \$50,000 from Water Proprietary Revenue to create the current project in FY2017 CMMP Ordinance 2016-12, adopted on May 24, 2016. On March 12, 2019 by Resolution 2019-12 Council approved the award of the Phase II (scoping, 15% design, and equipment manufacturer selection) to Rentricity, Inc. Subsequently, Council approved funding phase III (complete bid package preparation, permitting, and construction) and phase IV (hydro turbine generator installation and commissioning) of this project with additional funds totaling \$2,002,284 through Ordinance 2019-09 on September 10, 2019. On July 28, 2020, Council will consider the second reading of Ordinance 2020-13, appropriating an additional \$159,753 for construction of the Project. This item will be considered by Council in the same meeting if this Budget Amendment is approved.

BACKGROUND: Upon completion of this project, two hydro turbine generators (micro turbines) will be installed in the Pyramid Water Treatment Plant which will utilize available excess water pressure provided by the difference in elevation of Icy Creek Reservoir and the Pyramid Water Treatment Plant to produce electricity. Currently pressure reducing valves are required to dissipate this excess energy allowing for proper water treatment. The electricity generated through this project is planned to be utilized to offset electricity demand within the Pyramid Water Treatment Plant as well as to provide excess electricity to the City of Unalaska electrical grid. This project has an estimated payback period of 10.5 years and four-fold investment return over the expected life of the hydro turbine generators.

Staff let a Request for Qualifications to perform the Phase II work of Scoping, 15% Design, and Equipment Manufacturer Selection. Rentricity, Inc. was selected to perform these services. Rentricity, Inc. was also selected to prepare the project bid package and assist in equipment procurement and permitting in Phase III. The essential equipment for this project (hydro turbine generators and electrical control panels) has been ordered and is currently being manufactured. Bids were solicited and on May 28, 2020 five bids were opened. Industrial Resources Inc. (IRI) had the low bid in the amount of \$1,394,497.

DISCUSSION: Staff worked with Rentricity, Inc. to produce bid-ready documents for this project. The Project scope includes installing two water turbine generators to utilize the excess pressure provided by the elevation of Icy Creek reservoir to generate hydroelectric power. This work also includes the associated piping, pumps, and appurtenances; electrical equipment, conductors, and raceways; SCADA control system modifications; and equipment anchors and pipe supports. The bid package for the work was advertised beginning April 27, 2020, on the City Website, in the Anchorage Daily News, and the Seattle Daily Journal of Commerce. The Invitation to Bid was also emailed directly to potentially interested parties. Two Addenda were issued, and four bids were received before the bid deadline and were opened on May 28, 2020. One bid was received after the deadline and was not considered. Industrial Resources, Inc. provided the lowest cost bid for the work at \$1,394,497. The Engineer's Estimate was between \$1M and \$2.5M; a copy of it as well as the Bid Tabulation is attached to this Memo as Exhibits A and B, respectively. A budget amendment was requested in order to ensure sufficient funding through final completion.

ALTERNATIVES: As always, Council could chose to not award the work. Staff believes it makes good business sense to move forward with the award as this Project is anticipated to pay for itself within 10.5 years.

FINANCIAL IMPLICATIONS: Due to the additional funds approved in Ordinance 2020-13, the Project's budget is able to support the award. The Project retains \$50,463 for contingency purposes.

LEGAL: Not Applicable

STAFF RECOMMENDATION: Staff recommends Council adopt Resolution 2020-48 and award the construction to Industrial Resources, Inc. for \$1,394,497.

PROPOSED MOTION: I move to adopt Resolution 2020-48.

CITY MANAGER COMMENTS: I support staff's recommendation.

ATTACHMENTS:

Attachment 1: Engineer's Estimate

Attachment 2: Bid Tabulation

Attachment 3: Standard Form of Agreement

**Unalaska
Water Treatment Plant Turbines
Design and Construction Cost Estimate**

Description	Rentricity Estimate	Regan Estimate	
		Design/Engineering	Construction
Rentricity Permitting and Design (15% to 100%)	\$188,000	\$188,000	
Mechanical Labor	\$389,040		\$389,040
Mechanical Equipment	\$29,400		\$29,400
Mechanical Material and Components	\$229,200		\$229,200
Electrical Labor	\$77,500		\$77,500
RentricityTaku Construction Support	\$186,700	\$186,700	
Rentricity Engineering Support	\$35,000	\$35,000	
SCADA	\$30,000	\$30,000	\$30,000
Hydropower System and Support	\$300,000		\$300,000
Subtotal	\$1,464,840	\$439,700	\$1,055,140
Contingency 15%	\$219,726	deleted contingency on Engrg	\$158,271
TOTAL	\$1,684,566	\$439,700	\$1,213,411
Mobilization/Demobilization (20%)			\$242,682
Overhead and Profit (10%)			\$121,341
Administration		\$30,000	
TOTAL		\$469,700	\$1,577,434
		Engineering	Construction
GRAND TOTAL		\$2,047,134	

CITY OF UNALASKA
 Department of Public Works
 &
 Department of Public Utilities
 1035 East Broadway
 P.O. Box 610
 Unalaska, Alaska 99685
 TEL (907) 581-1260 FAX (907) 581-2187



April 20, 2020

Re: Pyramid Water Treatment Plant Microturbines Project

The Engineer's Estimate is expected to match US DOT FHA Project Classification E.

Project Classification	Project Cost
A	\$ 0 - \$100,000
B	\$100,000 - \$250,000
C	\$250,000 - \$500,000
D	\$500,000 - \$1,000,000
E	\$1,000,000 - \$2,500,000
F	\$2,500,000 - \$5,000,000
G	\$5,000,000 - \$10,000,000
H	\$10,000,000 - \$15,000,000
I	\$15,000,000 - \$25,000,000
J	\$25,000,000 or greater

CITY OF UNALASKA, ALASKA
Department of Public Works
PYRAMID WATER TREATMENT PLANT MICROTURBINE PROJECT
5/28/2020
2:00 P.M. - COUNCIL CHAMBERS

Contractor / Business Name	Bid Form Used?	Addenda Acknowledgement		Bid Bond	Licenses		BID TOTAL
		No. 1	No. 2		State Contractor	State Business	
Northern Alaska Contractors	Yes	Yes	Yes	Yes	Yes	Yes	1,658,850.00
CON AM CONSTRUCTION CO.	Yes	Yes	Yes	Yes	Yes	Yes	1,431,000.00
Industrial Resources Inc.	Yes	Yes	Yes	Yes	Yes	Yes	1,394,497.00
STG Incorporated	Yes	Yes	Yes	Yes	Yes	Yes	2,360,750.00

Plan



 Witness

 Witness



 Witness

**STANDARD FORM OF AGREEMENT
BETWEEN THE OWNER AND CONTRACTOR**

THIS AGREEMENT is dated as of the _____ day of _____ in the year 2020, by and between the **CITY OF UNALASKA** (hereinafter called "OWNER") and **INDUSTRIAL RESOURCES, INC.** (hereinafter called "CONTRACTOR").

OWNER and CONTRACTOR, in consideration of the mutual covenants hereinafter set forth, agree as follows:

Article 1. WORK

CONTRACTOR shall complete all work as specified or indicated in the Contract Documents. The work is generally described as follows:

The work will include, but not be limited to, furnishing all plant, labor, tools, equipment, and materials and performing all operations in connection with the **Pyramid Water Treatment Plant Micro Turbines Project**. The work includes installing two water turbine generators to utilize the excess head pressure provided by the elevation of Icy Creek reservoir to create usable electricity. The existing Pyramid Water Treatment Plant (PWTP) will be reconfigured to allow hydroelectric power generation; which will be tied into the existing water plant main distribution panel (MDP) to allow for distribution to the water plant's electric power system. This work includes the associated piping, pumps, and appurtenances; electrical equipment, conductors, and raceways; SCADA control system modifications; equipment anchors and pipe supports; and all work necessary for a complete and operable hydropower system as detailed in the plan sheets issued for bid.

1. Project Location: Pyramid Water Treatment Plant, Unalaska, Alaska 99685
2. Owner: City of Unalaska, Department of Public Utilities

The Contract Documents, which comprise the entire agreement between OWNER and CONTRACTOR concerning the WORK, consist of the following:

- Construction Drawings (Plan Sheets)
- Technical Specifications
- Agreement
- State of Alaska Title 36 Wage Rate Requirements
- Instructions to Bidders
- Bid Forms
- Performance Bond
- Payment Bond
- General Conditions
- Supplementary Conditions
- Permits
- Addenda 1 through 2, inclusive.

- Change Orders which may be delivered or issued after the Effective Date of the Agreement and not attached hereto.

Article 2. CONTRACT TIME

- 2.1 All construction must be accomplished in one of two discrete, defined windows of time between processing seasons during periods of low domestic water demand and flow. Two options are provided. The first allowable window is after October 1, 2020 and before December 1, 2020 (Substantial Completion) to correspond with a low flow period. With this scenario, all WORK shall be completed by December 15, 2020 (Final Completion). The second allowable window is after April 15, 2021, and before June 1, 2021 (Substantial Completion). With this scenario, all WORK shall be completed by June 15, 2021 (Final Completion). Contingent on successful submission of the Performance Bond, Payment Bond, and a Certificate of Insurance, the Owner will provide a Notice to Proceed no later than July 15, 2020. Besides staging and preparations, actual field Work is limited to only one of the windows defined above. Full shutdowns or outages are only allowed for limited periods in these construction windows as described below. Select work can be performed prior to the construction window if the CONTRACTOR'S work does not interfere with the operations of the Pyramid Water Treatment Plant and the City of Unalaska Departments of Public Works and Public Utilities are informed and agree to the scope.
- 2.2 The CONTRACTOR is allowed a maximum duration of five days (120 hours) per each shutdown (*Outage*) to the Plant. Notice of Outages must be presented to the OWNER forty-eight (48) hours prior and in writing. Outages must not exceed the maximum duration unless the OWNER extends the period in writing. A maximum of three (3) shutdowns or Outages is allowed.
- 2.3 The CONTRACTOR is allowed to leave the Water Treatment Plant in temporary duty configuration (*Temporary Configuration*) for a maximum duration of twenty-one (21) days (504 hours) inside of the selected WORK window. Temporary Configuration must not exceed the maximum duration unless the OWNER extends the period in writing.
- 2.4 Liquidated Damages. The OWNER and CONTRACTOR recognize that time is of the essence of this Agreement and that the OWNER will suffer financial loss if the WORK is not completed within the times specified above, plus any extensions thereof allowed in accordance with Article 11 of the General Conditions. These losses include inconvenience to the City, administration and inspection costs, loss of efficiency, pumping costs, chemical costs, added operation and maintenance costs, and general inconvenience to the public. They also recognize the delays, expense, and difficulties involved in proving in a legal or arbitration proceeding the actual loss suffered by the OWNER if the WORK is not completed on time. Accordingly, instead of requiring any such proof, the OWNER and CONTRACTOR agree that as liquidated damages for delay (but not as a penalty) CONTRACTOR shall pay the OWNER One Thousand, Five Hundred Dollars (\$1,500.00) for each day that expires after the time specified for *Final Completion* and readiness for final payment. In addition, the CONTRACTOR shall pay the

OWNER One Thousand, Five Hundred Dollars (\$1,500.00) for each day that expires after the allowable time specified above for *Outages, or Temporary Configuration*.

Article 3. CONTRACT PRICE

- 3.1 The OWNER shall pay CONTRACTOR for completion of the work in accordance with the Contract Documents an amount equal to the sum of the Lump Sum prices for each separately identified and selected bid item (herein referred to as the "Contract Sum"). The Contract sum is based upon the Bid Items which are set forth in the Contract Documents and which are hereby accepted by the OWNER. T
- 3.2 The Contract Sum is agreed to be \$1,394,497 (One Million, Three Hundred Ninety Four Thousand, Four Hundred Ninety Seven Dollars).

Article 4. PAYMENT PROCEDURES

CONTRACTOR shall submit Applications for Payment in accordance with Article 13 of the General Conditions. Applications for Payment will be processed by the OWNER as provided in the General Conditions.

- 4.1 Progress Payments. The OWNER shall make progress payments on account of the Contract Price on the basis of CONTRACTOR's Applications for Payment on or about a day of the month mutually agreeable to the OWNER and CONTRACTOR as agreed to at the preconstruction conference. All progress payments will be on the basis of the progress of the work measured by the actual installed quantity of items, plus allowances for stockpiled materials.
 - 4.1.1 Prior to Substantial Completion, progress payments will be made in an amount equal to the percentage indicated below, but, in each case, less the aggregate of payments previously made and less such amounts as the OWNER shall determine, or the OWNER may withhold, in accordance with Article 13 (paragraph 13.8) of the General Conditions and the Supplemental Conditions.
 - a. Ninety percent of work completed.
 - b. Once 50 percent of the work is complete as determined by the OWNER, and if the character and progress of the work have been satisfactory to the OWNER, the OWNER, may determine that, as long as the character and progress of the work remain satisfactory to them, there will be no additional retainage on account of work completed; in which case, the remaining progress payments prior to Substantial Completion will be in an amount equal to 100 percent of the work completed.
 - 4.1.2 Upon Substantial Completion, in an amount sufficient to increase total payments to CONTRACTOR to 95 percent of the Contract Price, less such amounts as the OWNER shall determine, or the OWNER may withhold, in accordance with Article 13 of the General Conditions.

4.2 Final Payment. Upon final completion and acceptance of the work in accordance with the General Conditions; Affidavit of Payment of Debts and Claims; Affidavit of Release of Liens; and Receipt of Consent of Surety Company to Final Payment, the OWNER shall pay the remainder of the Contract Price as provided in said Article 13.

4.2.1 Deductions. The City may deduct from the amount of any payment made to Contractor any sums owed to City by Contractor including, but not limited to, past due sales tax, port and harbor fees, property tax, or rent. Before making any such deduction the City shall have provided Contractor written notice of the amount claimed by City to be due and owing from Contractor.

Article 5. INTEREST ON RETAINAGE

All retainage shall bear interest at the rate required by AS 36.90.250, if applicable.

Article 6. CONTRACTOR'S REPRESENTATIONS

In order to induce the OWNER to enter into this agreement, CONTRACTOR makes the following representations:

6.1 CONTRACTOR has familiarized itself with the nature and extent of the Contract Documents, work, site, locality, and all local conditions and Laws and Regulations that in any manner may affect cost, progress, performance, or furnishing of the work.

6.2 CONTRACTOR has obtained and carefully studied (or assumes responsibility for obtaining and carefully studying) all such examinations, investigations, explorations, tests, reports, and studies which pertain to the subsurface or physical conditions at or contiguous to the site or which otherwise may affect the cost, progress, performance, or furnishing of the work as CONTRACTOR considers necessary for the performance or furnishing of the work at the Contract Price, within the Contract Time, and in accordance with the other terms and conditions of the Contract Documents, including specifically the provisions of paragraph 4.2 of the General Conditions; and no additional examinations, investigations, explorations, tests, reports, studies, or similar information or data are or will be required by CONTRACTOR for such purposes.

6.3 CONTRACTOR has reviewed and checked all information and data shown or indicated on the Contract Documents with respect to existing Underground Facilities at or contiguous to the site and assumes responsibility for the accurate location of said Underground Facilities. No additional examinations, investigations, explorations, tests, reports, studies, or similar information or data in respect of said Underground Facilities are or will be required by CONTRACTOR in order to perform and furnish the work at the Contract Price, within the Contract Time, and in accordance with the other terms and conditions of the Contract Documents, including specifically the provisions of paragraph 4.4 of the General Conditions.

6.4 CONTRACTOR has correlated the results of all such observations, examinations, investigations, explorations, tests, reports, and studies with the terms and conditions of the Contract Documents.

6.5 CONTRACTOR has given the OWNER written notice of all conflicts, errors, or discrepancies that it has discovered in the Contract Documents and the written resolution thereof by the OWNER is acceptable to CONTRACTOR.

Article 7. MISCELLANEOUS

7.1 Terms used in this Agreement which are defined in Article 1 of the General Conditions will have the meanings indicated in the General Conditions.

7.2 The CONTRACTOR shall submit the Performance Bond, Labor and Material Payment Bonds, and Certification of Insurance and City of Unalaska business licenses and all Subcontractor City of Unalaska business licenses as required by the Contract Documents, prior to commencement of the Work. The Performance and Material Payment Bonds shall be in the amount of 100% of the contract bid price. **CONTRACTOR shall comply with all applicable State labor regulations, including State of Alaska Title 36, Public Contracts, otherwise known as the Little Davis-Bacon Act, and all labor regulations and minimum rates of pay contained therein.**

7.3 No assignment by a party hereto of any rights under or interests in the Contract Documents will be binding on another party hereto without the written consent of the party sought to be bound; and specifically but without limitation monies that may become due and monies that are due may not be assigned without such consent (except to the extent that the effect of this restriction may be limited by law), and unless specifically stated to the contrary in any written consent to an assignment no assignment will release or discharge the assignor from any duty or responsibility under the Contract Documents.

7.4 OWNER and CONTRACTOR each binds itself, its partners, successors, assigns, and legal representatives to the other party hereto, its partners, successors, assigns, and legal representatives in respect of all covenants, agreements, and obligations contained in the Contract Documents.

7.5 Until CONTRACTOR receives notice from the City that Project records need to be preserved, CONTRACTOR shall preserve all non-identical copies of all documents, records, or other information (including documents, records, or other information in electronic form) in its or its subcontractors' or agents' possession or control, or that come into its or its subcontractors' or agents' possession or control that relate to the WORK.

IN WITNESS WHEREOF, The OWNER and CONTRACTOR have signed all counterparts of this Agreement. All portions of the Contract Documents have been signed or identified by the OWNER and CONTRACTOR.

This Agreement will be effective on _____, 2020.

INDUSTRIAL RESOURCES, INC.

CITY OF UNALASKA, ALASKA

By: _____
Peter Rasco
Vice President/General Manager

By: _____
Erin Reinders, City Manager

State of Washington)
) ss.
Skagit County)

State of Alaska)
) ss.
Third Judicial District)

The foregoing instrument was acknowledged before me on the ____ day of _____, 2020, by Peter Rasco, the Vice President / General Manager of Industrial Resources, Inc., a Washington Corporation, on behalf of the corporation.

The foregoing instrument was acknowledged before me on the ____ day of January, 2020, by Erin Reinders, City Manager for the City of Unalaska, a First Class Alaska Municipal Corporation, on behalf of the City of Unalaska.

Notary Public, State of Washington
My Commission Expires _____

Notary Public, State of Alaska
My Commission Expires _____

CITY OF UNALASKA
UNALASKA, ALASKA

RESOLUTION 2020-49

A RESOLUTION OF THE UNALASKA CITY COUNCIL CONTINUING MEASURES TO PROTECT PUBLIC HEALTH

WHEREAS, the COVID-19 pandemic has generated a public health emergency that threatens to overwhelm the City of Unalaska health system and the economy of our community, endangering the lives and wellbeing of our citizens; and

WHEREAS, on March 11, 2020, the World Health Organization (WHO) declared the virus a pandemic; and

WHEREAS, on March 11, 2020, the State of Alaska declared a public health emergency in response to the anticipated outbreak of the virus in Alaska and Governor Dunleavy implemented several health mandates and recommendations to help reduce the spread of COVID-19; and

WHEREAS, on March 13, 2020, President Donald J. Trump declared a national emergency in response to the virus pandemic; and

WHEREAS, on March 15, 2020, Mayor Vincent M. Tutiakoff, Sr. declared a local emergency in the City of Unalaska, authorizing the City Manager to take necessary actions to reduce the impact and spread of the coronavirus known as COVID-19 through the City of Unalaska; and

WHEREAS, on March 18, 2020, the Unalaska City Council passed Resolution 2020-16, declaring a local emergency to remain in effect for so long as the declaration of a Public Health Disaster in the State of Alaska Remains in effect; and

WHEREAS, beginning on March 24, 2020, the Unalaska City Council has passed resolutions instituting additional local public health protective measures; and

WHEREAS, the Centers for Disease Control and Prevention (CDC) have issued public health guidance, including the social distancing measures, the recommendation that everyone wear a cloth face covering when in public settings where social distancing measures are difficult to maintain, and that certain individual take greater precautions; and

WHEREAS, local health officials have advised that in addition to practicing social distancing and staying at home as much as possible, additional measures that include the covering of an individual's nose and mouth will prevent asymptomatic individuals with COVID-19 from unknowingly spreading the disease; and

WHEREAS, local health officials have advised that stronger protective measures are required given Unalaska's remoteness, lack of road access to the mainland, and the fact that the majority of our community's businesses are designated as essential, critical or support critical infrastructure; and

WHEREAS, local health officials have advised that stronger protective measures are required to conserve limited local healthcare resources, as they strive to meet the needs of all community members and essential workforce employees; and

WHEREAS, as of July 20, 2020, there were 1,949 cumulative known COVID-19 cases in the state, including travel-related cases in geographically isolated and remote communities; and

WHEREAS, there have been cases of seasonal non-resident workers throughout Alaska, including Unalaska, which have not been counted toward state totals, and which have been contained due to effective quarantine measures; and

WHEREAS, as of July 20, 2020, there were 95 known positive test results in the City of Unalaska; and

WHEREAS, COVID-19 continues to pose a grave and imminent threat to the health, safety, order and welfare to the residents of the City; and

WHEREAS, this resolution shall have the same effect as a rule issued by the City Manager pursuant to Unalaska Code of Ordinances §2.96.040.

Now, Therefore, Be It Resolved by the Council:

1. **Governor Mandates.** Everyone in the City must follow all health mandated issued by the State of Alaska. Review local requirements carefully as some are more restrictive than state mandates.

2. **Face Coverings.** All customers and visitors of businesses and organizations that are open and operating must wear face masks covering their nose and mouth to provide additional protection for employees and customers. The face coverings need not be medical-grade masks or N95 respirators, but can be cloth face coverings. Face masks may be temporarily removed as necessary and incidental to utilizing the business or service.

A cloth face covering is a material that covers the nose and mouth. It can be secured to the head with ties or straps or simply wrapped around the lower face. It can be made of a variety of materials, such as cotton, silk, or linen. A cloth face covering may be factory-made or sewn by hand, or can be improvised from household items such as scarfs, T-shirts, sweatshirts or towels.

A business owner or operator may refuse admission or service to any individual who fails to wear a face covering as required by this resolution.

3. **Traveler Quarantine.** A person traveling into the City of Unalaska by vessel or airplane, from another community or port, must self-quarantine for 14 days upon arriving at their destination and monitor for symptoms of illness. During travel and following the quarantine period, adherence to CDC guidance, State of Alaska mandates, and local orders or resolutions is required. This includes appropriate social distancing measures and adherence to face covering requirements. People traveling for critical business purposes are required to follow all State of Alaska health mandates including complying with their approved state plans.

- a. Critical workforce employees must self-quarantine immediately upon arrival. If their employer has filed the required protocol with the City as required at paragraph 4, critical workforce employees may work during their self-quarantine period in accordance with that protocol. All workers under the critical workforce exception are required to self-quarantine during non-work hours within the 14 day time period.

- b. Patients or travelers whose final destination is not Unalaska/Dutch Harbor are required to self-quarantine during their stopover in Unalaska/Dutch Harbor, but not remain here for the entire 14 day time period. This includes, but is not limited to, air travel.
- c. For individuals arriving on a vessel, time spent at sea is credited to the 14 day quarantine period. The time at sea is counted from the time of departure from the last location at which a crew member disembarked the vessel, provided that no one has boarded the vessel in that time. Vessel captains shall maintain a ship's log or equivalent record demonstrating compliance with State Health Mandate 17, when applicable, and detailing all activities at port or contact with other vessels or personnel during the time for which they seek credit for time at sea. For vessels that have been at sea more than 14 days and no one has disembarked or boarded the vessel, no quarantine is required unless individuals are showing symptoms of COVID-19, including, but not limited to fever, chills, or respiratory symptoms. Vessels at sea for less than 14 days, where no one has disembarked or boarded the vessel, may complete their quarantine in port as long as quarantine is not broken for the remainder of the 14 days.
- d. Anyone who is required to self-quarantine must adhere to the following:
 - 1) You may leave your designated quarantine location for:
 - i. medical emergencies or to seek medical care;
 - ii. to travel in your personal vehicle or vessel, individually or with members of your household, without contacting others, so long as you go directly from the quarantine location to the vehicle or vessel and directly back to the quarantine location; and
 - iii. to participate in outdoor recreational activities (i.e. fishing, hiking) individually or with members of your household, without contacting others, so long as you go directly from the quarantine location to the recreational activity and directly back to the quarantine location.
 - 2) Do not visit any public spaces, including, but not limited to stores, pools, meeting rooms, fitness centers or restaurants.
 - 3) Do not allow visitors in or out of your designated quarantine location other than a physician, healthcare provider, or individual authorized to enter the designated quarantine location by Unified Command.
 - 4) Comply with all rules or protocols related to your quarantine as set forth by your hotel or rented lodging.
 - 5) If you are required to self-quarantine and there are other individuals in your residence, hotel room, or rented lodging, you are required to comply with social distancing guidelines, sanitize regularly touched surfaces, and follow CDC best practices for hand washing.

4. Essential Services/Critical Infrastructure State Protocols. Businesses identified as “essential services” or as “critical infrastructure” and operating in the City shall submit all protocols or plans required by State of Alaska Health Mandates to the Unalaska Department of

Public Safety. These plans are to be submitted as soon as possible after filing these protocols or plans with the State of Alaska and regardless of whether the State review of those protocols or plans has been completed. Businesses shall also provide the City confirmation of the State's approval of its plan or protocol no more than three days after receiving such approval. In the event a business plan or protocol requires amendment or is rejected by the State, the business submitting that plan or protocol must notify the City no more than 48 hours after receiving the State's notification of deficiency. Such businesses shall submit their plans, protocols, or relevant notifications to the City of Unalaska by email to COVID19PLANS@ci.unalaska.ak.us. The definitions of "essential services" and "critical infrastructure" may be found in the Alaska Essential Services and Critical Workforce Order, Amended May 5, 2020. The plan submission requirements and definitions in the May 5 Order apply to businesses doing business in Unalaska regardless of any modifications or revocations of the Order or State Health Mandates 10, 10.1 or 18.

5. Business COVID-19 Protection Measures and Protocols. All businesses and organizations open and operating within the City shall comply with all relevant State of Alaska Health Mandates. All businesses and organizations which are open to members of the public at a physical location within the City shall post "COVID-19 Protection Measures and Procedures" on all entrances to and exits from the business. The "COVID-19 Protection Measures and Procedures" shall include, at minimum:

- a. The sanitation measures taken by the business or organization to prevent the spread of COVID-19.
- b. The social distancing measures taken by the business or organization to prevent the spread of COVID-19.
- c. A description of a process for obtaining goods or services from the business or organization without entering the business, if such a process is at all feasible.
- d. A contact number for individuals to report any violations of these measures to the owner or designee.
- e. Clearly state that any person with symptoms consistent with COVID-19 may not enter the premises.
- f. Shuttles, van services and taxis shall clearly state that the total number of passengers shall be limited to three.

A "business" for purposes of this rule does not include state, federal or municipal government operations or facilities.

This resolution shall expire on August 12, 2020. The City Council may extend it as necessary, or the City Manager may extend it or amend it pursuant to the emergency management powers under Unalaska Code of Ordinances § 2.96 and Resolution 2020-16.

Violation of this resolution is punishable as a misdemeanor under Unalaska Code of Ordinances § 2.96.090 and is a Public Nuisance, subject to the remedies in Unalaska Code of Ordinances, Title 11, Chapter 8, including prosecution as a minor offense.

Effective Date. This resolution shall be effective at noon on July 29, 2020.

PASSED AND ADOPTED by a duly constituted quorum of the Unalaska City Council on July 28, 2020.

Dennis M. Robinson
Vice Mayor

ATTEST:

Marjie Veeder, CMC
City Clerk

MEMORANDUM TO COUNCIL

To: Mayor and City Council Members
From: Erin Reinders, City Manager
Date: July 14, 2020
Re: Resolution 2020-49: Continuing measures to protect public health

SUMMARY: Council has been considering resolutions instituting local measures to protect the public health. The sire of these measures was approved on March 24, 2020. The measures continue to be evaluated as this situation unfolds.

PREVIOUS COUNCIL ACTION: Council approved Resolution 2020-17 on March 24, 2020. The focus of Resolution 2020-17 was on hunkering down, traveler quarantine and the closure of non-essential business. The resolution expired April 15. The date was set so that Council could reconsider the action at the April 14 Council Meeting.

Council approved Resolution 2020-19 on April 14, extending and clarifying the orders outlined in Resolution 2020-17, and instituted additional measures protecting the public health. The resolution expired April 29, 2020. The date was set so that Council could reconsider the action at the April 28 Council Meeting.

Council approved Resolution 2020-25 on April 28, extending the orders in Resolution 2020-19. This resolution expired May 13, 2020. The date was set so that Council could reconsider the action at the May 12 Council Meeting.

Council approved Resolution 2020-34 on May 12, extending the orders in Resolution 2020-25 and replacing the “Hunker Down” section with a “Social Distancing” section. This resolution expired May 27, 2020. The date was set so that Council could reconsider the action at the May 26 Council Meeting. Also on May 12, Council discussed the topic of Cruise Ships and the Alaska Marine Highway System passengers.

Council approved Resolution 2020-36 on May 26, extending and clarifying the orders the orders in Resolution 2020-34 and specifically addressing the Alaska Marine Highway System. This resolution expired June 10, 2020. The date was set so that Council could reconsider the action at the June 9 Council Meeting.

Council approved Resolution 2020-38 on June 9, extending and clarifying the orders the orders in Resolution 2020-36 and removed the reference to the Alaska Marine Highway System. This resolution expires June 24, 2020. The date was set so that Council could reconsider the action at the June 23 Council Meeting.

Council approved Resolution 2020-41 on June 23, extending the orders the orders in Resolution 2020-38 and began allowing for individuals in traveler self-quarantine to go outside or in their personal vehicles and vessels with certain limitations. This resolution expires July 15, 2020. The date was set so that Council could reconsider the action at the July 14 Council Meeting.

Council approved Resolution 2020-45 on July, extending the orders the orders in Resolution 2020-41 and clarified that time at sea counted toward the 14 traveler self-quarantine time period. This resolution expires July 29, 2020. The date was set so that Council could reconsider the action at the July 28 Council Meeting.

BACKGROUND: The nation, State and our City are in a state of emergency and in the midst of a public health crisis. New and updated State Mandates are coming out on a regular basis, and the State has eased back on a number of the state wide restrictions.

The state has significantly loosened restrictions in an effort to restart the economy, but State Health Mandates still provide protective requirements that apply locally. Of particular interest is Mandate 10.1, regarding traveler quarantine requirements that went into effect on June 6, 2020. It still contains a 14 day quarantine requirement for those coming in from out of state, but provides exceptions for people who provide negative SARS-CoV2 PCR tests, and for critical workforce following an approved plan. Companies with workers deemed critical under the Alaska Essential Services and Critical Workforce Infrastructure Order, who travel from out-of-state, remain subject to the Protective Plan requirements of State Health Mandate 10.1. A quarantine during nonworking hours is still required, even for critical workers. Health Mandate 10, Appendix 1 applies to all workers traveling into Alaska to work in a seafood processing plant, or onboard a processor or catcher-processor vessel. It provides six alternative methods to quarantine, depending, in part on whether the processing workers are shore-based or working on processor vessels. Appendix 1 contains detailed screening requirements for seafood processing workers, and also adopts by reference the CDC and OSHA requirements for Meat and Poultry Processing Workers and Employers.

Other State Health Mandates remain in effect as well:

- Health Mandate 15 regulates certain local healthcare practices. It contains detailed guidance as to certain types of procedures and types of practices. It requires “universal masking procedures” and other strict testing, screening and distancing measures to protect providers and patients.
- Health Mandate 17 and Appendix 1 regulate independent commercial fishing vessels. Appendix 1 reiterates the 14 day quarantine requirement and outlines not just onboard conduct, but also contains a detailed list of requirements to limit interaction with the public at times when the fishing vessels are in communities. All fishing vessels should have a completed, signed acknowledgment of Health Mandate 17, which is found at Appendix 2.
- Health Mandate 18 governs intrastate travel. As a community on the Alaska Marine Highway system, there is essentially no restriction on travel to Unalaska. The mandate does expressly allow communities to enact local travel restrictions, but the local restrictions cannot require automatic quarantine or measures that prevent travel for critical personal needs or conduct of essential services and critical infrastructure.

As with previous Council Resolutions addressing protective measures, Resolution 2020-49 addresses what is different locally from statewide mandates or additional protective measures specific to our community.

DISCUSSION: The resolution is set expire August 12, 2020 but may be amended or extended as necessary, and will be revisited at the Council Meeting on August 11, 2020.

Resolution 2020-49 may look a bit shorter than previous versions. This is due to several non-substantive changes as this pandemic continues. Several “whereas” statements that referenced previous resolutions addressing public health protective measures have been deleted from Resolution 2020-49. Other “whereas” statements have been refined to incorporate general references to state mandates and CDC guidance on social distancing measures. Previous sections with advisory statements for CDC Guidance and Social Distancing have been removed for the primary section in Resolution 2020-49.

The following protective measures from previous resolutions remain in Resolution 2020-49, with the revisions noted:

- **Face Coverings** - Customers and visitors of businesses and organizations must wear a covering over their nose and mouth (*no change*).
- **14 Day Traveler Self Quarantine** - Individuals traveling into the City by vessel or airplane must self-quarantine, with limited exceptions (*revised to clarify that critical workforce employees are expected to self-quarantine when not working by combining former subsection b with the subsection a*).
- **State Approved Plan Submittal** - Business that are required to submit plans to the State, must submit those to the City (*no change*).
- **Protective Protocols** - All business open to the public must post their basic measures to protect the public health on their doors (*no change*).

All along we have noted that the **14 Day Traveler Self Quarantine** is one of the most effective protective measures for our community. This remains so and is still supported by our local health care professionals. Given our unique location, limited access to urgent and long term health care facilities, and the fact that we have new positive cases on island, this protective measure is also supported by members of the local Unified Commend. There is no doubt that this impacts many of our local residents and businesses. Although alternatives that incorporate testing and reduce the self-quarantine time period do exist, they are not as effective and would increase pressure for testing supplies and local medical capabilities.

ALTERNATIVES: Council may choose to approve, amend or disapprove this resolution.

In regards to local Traveler Self Quarantine, the following are additional alternatives for consideration or to generate discussion now and in the future.

1. Delete Section 3 altogether. The City would only be following state mandates in regard to quarantine and testing requirements.
2. Council may wish to allow for “day travelers”, traveling for critical personal needs on the Alaska Marine Highway System, to disembark in Unalaska. Proposed Section 3 could be amended to include a new subsection with the following language:

Alaska Marine Highway System day travelers obtaining essential goods or services in Unalaska are exempt from required self-quarantine during their stopover in Unalaska/Dutch Harbor, but they are to follow all other local orders and resolutions and State mandates. Alaska Marine Highway System travelers arriving to Unalaska/Dutch Harbor as their final destination or who are

transferring to air travel after arriving to Unalaska/Dutch Harbor must self-quarantine upon arrival.

3. Council may wish to provide an alternative to the 14 day traveler self-quarantine, but still be stricter than the State. Proposed Section 3 could be revised to include a new subsection with the following language:

Self-quarantine may be reduced to 7 days, if upon arrival in Unalaska the traveler tests negative for COVID-19 and tests negative again at the end of the 7 day quarantine period.

FINANCIAL IMPLICATIONS: Unknown at this time.

LEGAL: This resolution, like all the other resolutions protecting public health that Council has considered during this pandemic, was drafted in close collaboration with Sam Severin, one of our City Attorneys.

STAFF RECOMMENDATION: With heavy consideration of our local health care professionals, the City Manager recommends approval.

PROPOSED MOTION: I move to approve Resolution 2020-49.