



CITY AND BOROUGH OF SITKA

ASSEMBLY CHAMBERS
330 Harbor Drive
Sitka, AK
(907)747-1811

Meeting Agenda City and Borough Assembly

*Mayor Mim McConnell
Deputy Mayor Matt Hunter
Vice-Deputy Mayor Benjamin Miyasato
Aaron Swanson, Steven Eisenbeisz
Tristan Guevin, and Michelle Putz*

*Municipal Administrator: Mark Gorman
Municipal Attorney: Robin L. Koutchak
Municipal Clerk: Colleen Ingman, MMC*

Tuesday, February 10, 2015

6:00 PM

Assembly Chambers

REGULAR MEETING

I. CALL TO ORDER

II. FLAG SALUTE

III. ROLL CALL

IV. CORRESPONDENCE/AGENDA CHANGES

[15-012](#) Correspondence and Reminders

Attachments: [Reminders and Calendars.pdf](#)

[Heat Pump Rebate Program Update.pdf](#)

[Public Works Update.pdf](#)

V. CEREMONIAL MATTERS

none anticipated

VI. SPECIAL REPORTS: Government to Government, Municipal Boards/Commissions/Committees, Sitka Community Hospital, Municipal Departments, School District, Students and Guests (time limits apply)

[15-009](#) Update on Electric Rates - Utility Director, Chris Brewton

VII. PERSONS TO BE HEARD

Public participation on any item off the agenda. All public testimony is not to exceed 3 minutes for any individual, unless the mayor imposes other time constraints at the beginning of the agenda item.

VIII. REPORTS**a. Mayor, b. Administrator, c. Attorney, d. Liaison Representatives, e. Clerk, f. Other****IX. CONSENT AGENDA**

All matters under Item IX Consent Agenda are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

- A** [15-005](#) Approve the minutes of the January 27, 2015 Assembly meeting

Attachments: [Motion Consent Agenda.pdf](#)

[Motion Minutes.pdf](#)

[Minutes Jan. 27.pdf](#)

- B** [RES 15-06](#) Supporting the Native American Tourism and Improving Visitor Experience Native Act

Attachments: [Motion Resolution 2015-06.pdf](#)

[Resolution 2015-06.pdf](#)

- C** [RES 15-07](#) Supporting the reinstatement of a full \$60 million into the Revenue Sharing Fund on a yearly basis with a one-year appropriation of \$8 million to the Fund with an effective date prior to June 30, 2015

Attachments: [Motion Resolution 2015-07.pdf](#)

[Resolution 2015-07.pdf](#)

X. UNFINISHED BUSINESS:

- D** [ORD 15-05](#) Adjusting the FY15 Budget

Attachments: [Motion Ordinance 2015-05.pdf](#)

[Ord 2015-05](#)

- E** [ORD 15-04](#) Modifying Chapter 4.24 of the Sitka General Code, Hotel, Motel and Bed and Breakfast Transient Room Tax, by adding Section 4.24.070 which creates a special revenue fund entitled "Visitor Activities Enhancement Fund," which directs that all bed taxes collected are deposited in the fund, and which sets forth policy as to how such funds may be appropriated and used

Attachments: [Motion Ordinance 2015-04.pdf](#)

[Ordinance 2015-04](#)

XI. NEW BUSINESS:

New Business First Reading as Amended

- F [ORD 15-03A](#) Plans to issue a Request for Proposal(s) for an entity(ies) to take on the responsibilities for planning, coordinating, promoting and executing all phases of conventions, tourism and marketing for Sitka. Formally dissolving the Sitka Convention and Visitor's Bureau under the City's oversight once the Request for Proposal(s) is awarded. The CBS will provide a percentage of bed tax revenues for funding purposes
- Attachments:* [Motion Ordinance 2015-03A.pdf](#)
 [Ordinance 2015-03A.pdf](#)
 [SCVB Overview](#)
- G [ORD 15-06A](#) Adding a new title to Sitka General Code entitled "Title 7, Marijuana Regulations" to regulate and tax the use, possession, manufacture and sale of marijuana as well as provide penalties for violation as defined in Chapter 7.30, Section 7.30.010 entitled "Public Consumption"
- Attachments:* [Motion Ordinance 2015-06A.pdf](#)
 [Memo Ordinance 2015-06A.pdf](#)
 [Ordinance 2015-06A.pdf](#)

New Business First Reading

- H [ORD 15-07](#) Amending Sitka General Code Title 15 "Public Utilities" by adding a new Chapter 15.07 entitled "Storm Drainage"
- Attachments:* [Motion Ordinance 2015-07.pdf](#)
 [Memo Ordinance 2015-07.pdf](#)
 [Ordinance 2015-07.pdf](#)
 [CBS Stormwater Design Standards.pdf](#)
 [Notice to local Contractors.pdf](#)
 [Planning Commission recommendation.pdf](#)
- I [RES 15-08](#) Increasing permanent and temporary moorage rates
- Attachments:* [Motion Resolution 2015-08.pdf](#)
 [Memo Moorage Rates.pdf](#)
 [Resolution 2015-08.pdf](#)

Additional New Business Items

XIV. ADJOURNMENT

*Sara Peterson, CMC
Acting Municipal Clerk
Publish: February 6*



Legislation Details

File #: 15-012 **Version:** 1 **Name:**
Type: Item **Status:** AGENDA READY
File created: 2/6/2015 **In control:** City and Borough Assembly
On agenda: 2/10/2015 **Final action:**
Title: Correspondence and Reminders
Sponsors:
Indexes:
Code sections:
Attachments: [Reminders and Calendars.pdf](#)
[Heat Pump Rebate Program Update.pdf](#)
[Public Works Update.pdf](#)

| Date | Ver. | Action By | Action | Result |
|------|------|-----------|--------|--------|
|------|------|-----------|--------|--------|

REMINDERS

| <u>DATE</u> | <u>EVENT</u> | <u>TIME</u> |
|-----------------------------|--|--------------------|
| Tuesday, February 10 | Regular Meeting | 6:00 PM |
| Tuesday, February 11 | Worksession: School Board (District Office) | 6:00 PM |
| Tuesday, February 24 | Regular Meeting | 6:00 PM |



Assembly Calendar

[2014](#) [Jan](#) [Feb](#) [Mar](#) [Apr](#) [May](#) [Jun](#) [Jul](#) [Aug](#) [Sep](#) [Oct](#) [Nov](#) [Dec](#) [2016](#)

February 2015

| Sunday | Monday | Tuesday | Wednesday | Thursday | Friday | Saturday |
|-------------------|-------------------|--|---|--|-------------------|-------------------|
| 1 Feb | 2 | 3 | 4 | 5 | 6 | 7 |
| | | McConnell 7:00pm Planning 7:00pm <u>School</u> | 7:00pm Library Board | 12:00pm - 1:30pm SEDA Board Meeting | Eisenbeisz | Eisenbeisz |
| 8 | 9 | 10 | 11 | 12 | 13 | 14 |
| Eisenbeisz | Eisenbeisz | Eisenbeisz 6:00pm <u>Reg Assembly Mtg</u> | Eisenbeisz 6:00pm Historic Preservation 6:00pm Worksession with School Board at School District Office | Eisenbeisz 12:00pm LEPC 12:00pm <u>Parks & Rec</u> | Eisenbeisz | |
| 15 | 16 | 17 | 18 | 19 | 20 | 21 |
| McConnell | McConnell | McConnell 12:00pm <u>Tree/Landscape</u> 7:00pm <u>Planning</u> 7:00pm <u>School</u> | McConnell 6:30pm STA | | | |
| 22 | 23 | 24 | 25 | 26 | 27 | 28 Mar |
| | | 1:00pm SCVB Board 6:00pm <u>Regular Assembly Mtg</u> | 6:00pm Police and Fire Commission - Fire Hall | 6:30pm <u>Hospital Board</u> | | |

Assembly Calendar

[2014](#)
[Jan](#)
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[May](#)
[Jun](#)
[Jul](#)
[Aug](#)
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[Oct](#)
[Nov](#)
[Dec](#)
[2016](#)

March 2015

| Sunday | Monday | Tuesday | Wednesday | Thursday | Friday | Saturday |
|-----------------|-----------|--|--|---|-----------|-----------|
| 1 Mar | 2 | 3 | 4 | 5 | 6 | 7 |
| McConnell | McConnell | McConnell 7:00pm Planning 7:00pm <u>School</u> | McConnell 7:00pm Library Board | McConnell 12:00pm - 1:30pm SEDA Board Meeting | McConnell | McConnell |
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| McConnell | McConnell | McConnell 12:00pm <u>Tree/Landscape</u> | McConnell | McConnell | McConnell | McConnell |
| 22 | 23 | 24 | 25 | 26 | 27 | 28 |
| McConnell | McConnell | McConnell 6:00pm <u>Regular Assembly Mtg</u> | McConnell 6:00pm Police and Fire Commission - Fire Hall | McConnell | McConnell | |
| 29 | 30 | 31 | 1 Apr | 2 | 3 | 4 |
| | | 1:00pm SCVB Board | 7:00pm Library Board | 12:00pm - 1:30pm SEDA Board Meeting | | |



Memorandum

February 4, 2015

To: Mark Gorman, Municipal Administrator
From: Carole Gibb, Administrative Assistant
Via: Christopher Brewton, Utility Director
Subject: **Heat Pump Rebate Program Update**

Citizen response to the City of Sitka Electric Department Heat Pump Rebate has been very strong, and very positive, from the start. The application portion of the program, launched December 29, 2014, went for five weeks and ended on February 2, 2015. Sixty-seven residential customers signed up for the \$750 rebate, which is being funded by \$50,000 in capital funds earmarked for demand-side management.

Once the homeowner installs their Energy Star-rated heat pump, they submit receipts and their Building Department inspection form to the Electric Department, and then their rebate check is issued promptly. The 67 participants in the program have 90 days to complete their installation, but many people have expressed eagerness to follow through sooner rather than later, and to date a dozen residents have already submitted their final paperwork and have claimed their rebates.

The information collected on the rebate application form tells us that of 67 participants who are installing a heat pump as their primary heat source, 27 were previously heating primarily with electric heat (resistive or a hydronic boiler system). The number of households moving from oil heat to the heat pump as their primary heat source is 32. One household is new construction, and the rest of our applicants have been using a combination (for example, electric on one floor, and oil on another.) These applicants using a combination of heat sources generally expressed the intent to reduce or cease their use of oil, but will keep oil stoves or boilers intact as a backup. One interesting side note is that 22 people listed wood as a secondary heat source (either in a wood stove or fireplace), and there was widespread intend to keep using that source.

Additional data collection and analysis will certainly tell us more, but at this point, it can be assumed that those customers moving from oil to electric heat (32+) will use more electricity, and those moving from resistive or boiler system electric heat to the heat pump (27) will use less.

Some benefits of the program include:

1. Residents have been enthused about the opportunity to receive the rebate to increase their home's heating efficiency and lower their costs. So the good will factor is a plus.
2. This program has helped put us in touch with a pool of residents who are actively interested in efficient home heating, and the Electric Department now has a database

that can help us examine demand/load differences, as well as providing an impetus for additional data collection in the future.

3. Economically, the program has generated income to the city, since obtaining building permits was one of the clear conditions set for eligibility. There have been significant dollars spent locally on equipment and installation services as well. Actual costs vary, depending on where the units are purchased, and also the homeowner's ability to keep costs down by doing some work themselves. So far, with just 20 percent of the participants completing their installations, related spending has amounted to \$35,694.00.

PUBLIC WORKS ASSEMBLY UPDATE - WORK COMPLETED IN JANUARY, 2015

Kettleston Memorial Library Expansion:

Milestones this period

- Material Submittals provided by contractor.
- Contractor stopped work for 4 weeks as structural design issues were resolved and new steel is fabricated.
- Initial change order signed for structural revisions; another change order is anticipated to fully resolve this issue.

Future Milestones

- Construction to resume the first week of February 2015.
- Framing of new structure to be complete April 2015.
- Construction is anticipated to be complete in November 2015.

Background

The State funding of \$5.7 million awarded to CBS is a direct appropriation with no funding match requirements. A private donation of \$400,000 has also been given to the project by the John J. and Eleanor Brust Family and the City has committed \$200,000 in CPET funding and \$357,000 from the General Fund. The Friends of the Library have also raised almost \$90,000. \$350,000 of the budget was allocated to the Centennial Hall Parking Lot Project to relocate the Swan Lake storm drain, leaving a current project budget of approximately \$6.4 million for the expansion and renovation of the Library.

Centennial Hall Renovation:

Milestones This Period

- The project scope and the size of new additions were reduced and other building design elements were simplified or eliminated to reduce estimated project costs and now project is within budget.
- A revised 65% cost estimate was performed to confirm the revised project is now within the budget- confirmed.
- Construction document production is underway; should be available for review mid February 2015.
- Staff is finalizing the plan for utilizing alternative venues for city/government/non-profit meetings and during the period the HCH will be closed for construction.

Future Milestones

- Finalize agreement(s) for alternative venues for the construction duration.
- The target bid period is March 18 – April 17, 2015.
- Assembly approval of contract award May 6, 2015.
- Close the building for construction August 1, 2015.
- Target construction substantial completion December 20/15.

Background

The 35% design estimated cost for this project was roughly \$16.3 million for the full scope of the remodel project. The rectified 65% design estimated cost for this project was ~ \$18.5 million for the full scope of the remodel project. Scope was reduced to bring the project within its funding of \$16.3 million. The current funding includes four State grants totaling \$11,500,000; a \$1,991,271 FY10 Legislative Grant designated for a lightering facility visitor's center (previously planned for under the O'Connell Bridge), \$1,180,000 FY 11 CPET Head Tax grant, \$1,400,000 Marine Passenger Funds, and a \$232,620 heat pump grant for a total project budget/funds of \$16.3 million.

Ultra Violet (UV) Disinfection Facility:

Milestones This Period

- Building structural steel erected.
- Building roof and 3 walls installed.
- Building roof panels sealed and roof peak installed.
- 24" exterior process water lines installed and passed pressure and bacteria tests.
- Sewer, fire water and domestic water service lines installed.

Future Milestones

- Interior process piping installation.
- Begin placement of building insulation.
- Begin construction of interior rooms.
- Construction completion anticipated by fall 2015.

Background

The Blue Lake drinking water system is a surface water system, which must comply with the EPA Enhanced Surface Water Treatment Rules (ESWTRs). The UV Disinfection Facility will provide the additional microbial and disinfection controls required under the ESWTRs. The current total project cost estimate is \$8,966,000. Funding for this project is provided by State of Alaska Department of Environmental Conservation (ADEC) loans and grants:

- \$4,000,000 FY 2011 ADEC Loan (Includes \$2,500,000 financed with \$1,500,000 subsidized)
 - \$2,550,000 FY 2012 ADEC Loan
 - \$3,500,000 FY 2012 ADEC Grant (30% local match requirement).
 - \$2,061,000 FY 2013 ADEC Grant (30% local match requirement).
- \$12,111,000 Total Project Funding

Jarvis Control and Crescent Harbor Shelter Re-roofing:

Milestones This Period

- Final design drawings submitted by contractor and reviewed by Public Works.

Future Milestones

- Review/approve submittals.
- Complete construction before June 2015.

Background

The Crescent Harbor Shelter roof is the original from the 1985 construction of the Shelter and is failing. It will be replaced with architectural shingles and will match the roofs planned for Harrigan Centennial Hall and Kettleon Memorial Library. The Jarvis Substation Control Building currently has a flat (low slope) roof. It is leaking, under-insulated, and expensive to maintain, thus a shingled gable roof and added insulation are in this design to reduce annual operating and replacement costs. The Assembly awarded a Design-Build contract in the amount of \$185,500 to CBC Construction for completion of this project during the September 23, 2014 assembly meeting. Total project funding includes \$105,493 from the Harbor Fund and \$120,000 from the Electric Fund for a total approved budget of \$225,493.

Lake Street / Monastery Street Lift Station Improvements:

Milestones This Period

- Material procurement: Electric control huts, valves and piping shipped to Sitka.

Future Milestones

- Work to resume in February upon arrival of remaining materials. Project scheduled for completion in March 2015.

Background

The Lake Street and Monastery Street lift stations require an inordinate amount of maintenance and repair by the wastewater staff and are in need of immediate replacement; the pumps are outdated and replacement parts are difficult to find. Access to the Lake Street lift station is dangerous due to the location of the ladder rungs. Current available funding is from the Wastewater Enterprise Fund (\$350,000 for Lake Street and \$420,000 for Monastery Street) and from an ADEC loan for \$1,379,170. The Assembly authorized award of a design-build contract to CBC Construction for \$841,000 on August 12, 2014.

Baranof Warm Springs Dock Replacement:

Milestones This Period

- Alaska Department of Transportation continued design efforts with CBS Public Works, Harbor Department and Baranof Property Owner Association feedback.

Future Milestones

- Provide review/comment for State of Alaska as needed to keep project moving forward.
- Design development through early 2015.
- Construction is anticipated in fall 2015.

Background

The City and Borough of Sitka (CBS) received a \$1,900,000 FY2013 Alaska Legislature Grant to reconstruct the Baranof Warm Springs Dock. The funding was provided with the understanding that CBS would assume ownership and maintenance responsibilities for the dock once it is reconstructed. The Assembly approved the Administrator to execute a Memorandum of Agreement with the Alaska Department of Transportation and Public Facilities (ADOT&PF) for completion of the Baranof Warm Springs Dock Reconstruction and Ownership Transfer. ADOT&PF will be reimbursed the cost of designing and constructing the improvements from the FY13 Legislative Grant.

Eagle Way and Old Harbor Mountain Road Utility and Road Upgrades:

Milestones This Period

- Notice to proceed issued to DOWL January 23, 2015.

Future Milestones

- Begin design January 2015
- Project kickoff meeting February 2015
- Final design of the project is expected in summer/fall 2015.
- Construction is anticipated summer 2016.

Background

Funding for the project consists of a \$1,500,000 2013 Commerce Community and Economic Development Grant. The project will include a minimum of 24-foot-wide paved road with possible pedestrian amenities and storm drainage and a new water main and services within Eagle Way. The project will also include a minimum of 24-foot wide paved road and storm drain improvements within Old Harbor Mountain Road.

Nelson Logging Road Upgrades:

Milestones This Period

- LEI Engineering & Surveying negotiations for design fees and scope ongoing.

Future Milestones

- Complete negotiations for design fees and scope.
- Request Assembly approval to award design contract at the first February 2015 meeting.
- Phase One, Route Planning of the project is expected to be completed in June 2015.
- Construction is anticipated summer 2016.

Background

This project includes upgrading Nelson Logging Road to include upgrading and/or replacing both inadequate bridges and the roadway to accommodate two-way traffic. The roadway is also to be moved toward the south and/or raised above the winter and spring flooding at the Starrigavan Creek estuary and eliminate sloughing off of the roadway into Starrigavan estuary. Funding for the project is provided by \$2,343,000 2013 Commerce Community and Economic Development Grant.

Edgecumbe Drive Street Reconstruction:

Milestones This Period

- 65% design submittal provided in January.

Future Milestones

- CBS and S&S finalized change order that will include a 10-foot-wide asphalt multi-use path along the uphill side of Edgecumbe Drive instead of a 5-foot-wide concrete sidewalk. Change order expected to be signed in February 2015.
- Construction to begin in April 2015. Substantial completion date is August 21, 2015. Final completion date is October 30, 2015.

Background

The project includes drainage, sidewalk, curb and gutter, road subgrade and pavement improvements on Edgecumbe Drive from Peterson Street to Cascade Creek Road. The total project budget is \$5.46M. The Assembly approved award of a design-build contract to S&S for \$4,636,500 on May 27, 2014.

Monastery and Baranof Water and Sewer Project:

Milestones This Period

- 30 % plans received for review.
- Review meeting with consultant and CBS staff.
- Presented one-way for Monastery Street alternative with sidewalk to Police and Fire Commission for their concurrence.

Future Milestones

- Final design of the project is expected in March 2015.
- Construction is anticipated as early as summer 2015.

Background

The project includes replacement of the water and wastewater systems, new pavement with curb and gutter, storm drain improvements and sidewalk on one side on Baranof Street.

Funding for the project is provided by the following sources:

- \$533,000 FY 2014 ADEC Sewer Loan
 - \$497,000 FY2014 ADEC Water Loan
 - \$763,000 FY 2015 ADEC Grant (30% local match requirement)
 - \$102,000 CBS Capital Improvement Monastery Street FY15
 - \$81,000 CBS Capital Improvement Baranof Street FY15
- \$1,976,000 Total Project Funding

Storm Water Management Plan:

Milestones This Period

- Storm Water Ordinance was submitted to the Planning Commission for review and comment in December 2014. The Planning Commission unanimously supported the ordinance to be brought to the Assembly.

Future Milestones

- Storm Water Ordinance will be submitted to the Assembly for approval in February 2015.

Background

The first phase of the Storm Water Master Plan was completed in late June 2012 with Tetra Tech Alaska, LLC gathering existing infrastructure data and condition inventory to include in our GIS system along with precipitation analysis and drainage basin delineation as part of the first phase of the project. The second year grant funding (FY13) was approved by the Alaska Department of Environmental Conservation and the grant agreement was authorized by the Assembly in July 2012. The grant amount of \$43,388 requires a forty percent CBS match of \$28,925. This phase included collecting more field data, preparing the Storm Water Management plan, Sitka specific rainfall intensities, recommended Best Management Practices, Capital Improvement Plan and an example Storm Water Ordinance.

Federal Land Access Program (FLAP) Grant: Phases 4&5:

Milestones This Period

- Next section scheduled for work is the separated pathway along Yaw Drive which will end at the Indian River Trailhead parking lot. Work will continue this winter as long as weather permits.
- Fourth quarter reporting for the Western Federal Lands Access Program will be completed.

Future Milestones

- US Geologic Survey easement agreement and permit reviewed, awaiting final document.
- The completion date is estimated around November 2015.

Background

The City and Borough of Sitka has been awarded a \$916,897 MAP-21 Federal Lands Access Program (FLAP) Grant for Phase 5 Cross Trail multimodal pathway (Cross TMP), Baranof Street and Yaw Drive connectors, by Western Federal Lands (WFL). The Assembly approved submission of the grant in Resolution 2013-03 in February 2013. Phase 4 of the project, a \$926,000 STIP Grant for a multimodal pathway reconstruction and re-routing from Yaw Drive to the CBS property was funded by the Department of Transportation in the 2009 STIP. DOT planners, with the concurrence of Western Federal Lands (WFL) and CBS, initiated action to combine the two projects as a single \$1.8 million grant and have the project managed by Western Federal Lands for greater efficiency and cost savings.

Federal Land Access Program (FLAP) Grant: Phase 6:

Milestones This Period

- Grant application was submitted and awarded on June 26, 2014 by Western Federal Lands.
- Match agreement signed and sent off to Western Federal Lands for their signature.

Future Milestones

- Secure a reimbursable agreement.
- Hire a consulting company for planning, design, and complete environmental and permitting.
- The completion date is estimated around May 2016.

Background

The City and Borough of Sitka has been awarded a \$250,000 MAP-21 Federal Lands Access Program (FLAP) Grant for Phase 6 Cross Trail multimodal pathway (Cross TMP), connector from Kramer Drive to Alaska Marine Ferry Terminal, by Western Federal Lands (WFL). The Assembly approved submission of the grant in Resolution 2014-06 in April 2014. The Western Federal Lands Access Program application was submitted in April 2014, and then awarded on July 26, 2014. This is listed as a FY16 budgeted project with Western Federal Lands Access Program.

Solid Waste Management Plan:

Milestones This Period

- A consultant company, Bell & Associates was hired to put together an RFP for the bidding of the curbside recycling and trash pickup, and scrap yard services for CBS. Draft RFP completed January 23, 2015.

Future Milestones

- Project out to bid February 12, 2015.
- Proposals due March 31, 2015.
- SWAC meeting April 2015 after all proposals have been reviewed.
- Assembly contract award May 1, 2015

Background

The City and Borough of Sitka currently does not have a Solid Waste Management Plan to address the current or future needs of the Solid Waste Fund and general operations. As we approach the end of the current collection and off-island disposal contracts in 2015, we believe it is in the best interest of the CBS to be better prepared with a plan that details the goals and direction of our solid waste management backed with data and a financial plan. At the June 6, 2013 Assembly Meeting, the Assembly approved advertising for a Request of Qualifications and select a consultant to develop a Solid Waste Management Plan. The funding for a Solid Waste Management Plan will come from the working capital of the Solid Waste Fund which is approximately \$1.3 million. The Solid Waste Management Plan is a time and materials, not to exceed \$250,000 contract. The total amount is dependent on the complexity of future goals and the amount of public process exploring options.

Sitka Transient Float Replacement:

Milestones This Period

- Concept float plan, section and cost estimates completed and indicate the project is short funding necessary to complete full electrical installation on the float. Staff continues to look at other funding options to assist with the project.
- The project was submitted to the Port & Harbor Commission on January 14, 2015. Based on feedback from that meeting, Staff has instructed the Consultant to complete the full design and break the work into manageable pieces to allow for a scope that fits the budget.

Future Milestones

- Finalize scope and fees for design development through construction documents and initiate contract amendment.
- Construction is anticipated to begin in fall 2015.

Background

CBS received a FY15 State of Alaska Municipal Harbor Facility Matching Grant, for the Sitka Transient Float Replacement Project, which will cover 50% of eligible construction costs not to exceed 2,700,000 in match funding. CBS has allocated a total of \$3,450,000 from the Harbor Enterprise Fund for the project for a total budget of \$6,150,000.

Airport Terminal Upgrades:**Milestones This Period**

- Hosted eight Delta Airlines employees as they scoped out space in the terminal to establish a ticket counter and boarding gate on January 15.
- Engaged in conversations with Delta, Alaska Airlines and the State of Alaska DOT to support Delta's efforts to establish daily flights to and from Seattle by May 15, 2015.

Future Milestones

- Modify existing lease(s) as needed to accommodate Delta's space requirements at the terminal.
- After Delta's plans have been finalized, host a workshop with the Airport Users Group to develop passenger-flow improvements.
- After improvements are fully developed, MCG will make a presentation to the Assembly with cost estimates and recommendations.

Background

The original project included design of improvements to the baggage makeup and TSA baggage screening areas, which will primarily be covered by a TSA grant. Funding collected from a previous PFC program amounts to \$275,000 and can be used to scope passenger-flow improvement options.

Hollywood & New Archangel Water, Sewer and Road Upgrades:**Milestones This Period**

- None.

Future Milestones

- Pre-construction meeting scheduled for February 9, 2015.
- Project construction expected to start in March 2015, depending on the weather.
- Substantial Completion date is August 28, 2015.

Background

The project includes water, sewer, storm drain, pavement, curb and gutter and sidewalk improvements on Hollywood Way and New Archangel Street from Halibut Point Road to Marine Street. Funding is available from ADEC Loans (\$750,000), an ADEC Grant (\$552,300) and from the General Fund (\$232,000) for ADEC-ineligible expenses.

Gary Paxton Industrial Park Dock:

Milestones this period

There was no significant progress on this project this period. The engineering of the project remains on hold while ever-evolving changes to the proposed use of the dock facility continue to be considered by the GPIP Board of Directors, and the CBS/DPW staff. Possible changes to the original basis of design include (but are not limited to) 1) constructing facilities that will be fully ready and able to accommodate a large (250 ton) sling-type boat haulout device; 2) design/construct whatever configuration is chosen, so that the facility can be easily expanded in the future to accommodate container ships of the sort used in other major Alaskan ports; and 3) relocate the facility to the shallower waters at the head of the cove. CBS staff is preparing concept sketches of several possible layouts or configurations to be considered under #3. Please note that Item #3 will exclude the possibility of Item #2. The GPIP Board of Directors had some discussion regarding this project at their joint Work Session with the CBS Municipal Assembly on January 8, 2015; it was that discussion that in large part generated interest in Item #3.

Future Milestones

Further discussion of the direction for this project will be an item on the agenda for the next meeting of the GPIP Board of Directors, in February 2015.

Background

The project is funded by a Designated Legislative Grant, administered by the State of Alaska, Department of Commerce, Community & Economic Development, Division of Community & Regional Affairs. The total amount of the Grant is \$7.5 M. On the local level, the project is administered by Public Works and the Sawmill Cove Industrial Park Director. The firm of Moffatt & Nichol (M&N) has been awarded a contract to provide the design for the GPIP Dock Project.

Seaplane Base:

Milestones This Period

- Teleconference with FAA regarding specifics of project and grant funding.

Future Milestones

- Meetings with upland property owners to discuss potential for them to provide tidelands access for new seaplane facility.
- Request Assembly approval for application for grant funding to cover required environmental documents.

Background

In August 2002, the Sitka Seaplane Base Master Plan was completed and includes a Condition & Needs Assessment and Master Plan Alternatives Report. The plan considered 12 alternative sites for a new seaplane base and found the north end of Japonksi Island, between the Coast Guard Base and the cove behind the SEARHC buildings on Seward Avenue was the best alternative. In February 2009, the Assembly unanimously approved Resolution 2009-35 "Supporting the development of the Sitka Seaplane Base." This approved staff applying for and executing a Federal Aviation Administration Airport Improvement Program grant for up to \$500,000 to develop the siting plan, issues resolution, design, environmental, and permitting phases of the project. Utilizing proceeds from that grant, in June 2012, an updated Sitka Seaplane Base Siting Analysis was completed which considered a new site and redevelopment of the existing site in addition to the previously recommended Japonski site. The Japonski site was again selected as the preferred site. The findings of this study were presented to the Port and Harbors Commission on April 11, 2012 where they unanimously approved further study of the Japonski Island site. Preliminary discussions with the US Coast Guard (USCG) regarding potential Seaplane Base access from USCG property were encouraging.

Jeff Davis Street Water and Sewer Improvements:

Milestones This Period

- None.

Future Milestones

- Advertisement for professional design services.
- Final design of the project is expected in spring 2016.
- Construction is anticipated summer 2016.

Background

The project will replace approximately ~50-year old undersized water main with new, large diameter pipe within Jeff Davis Street. The project will also remove 3 residences on Jeff Davis from a section of failing 1930's vintage wood stave sewer and connect them to the existing sewer main. Funding for the project is provided by the following sources; \$644,000 FY2015 ADEC Grant and \$812,000 FY2014 ADEC Water Loan.



Legislation Details

File #: 15-009 Version: 1 Name:
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File created: 2/4/2015 In control: City and Borough Assembly
On agenda: 2/10/2015 Final action:
Title: Update on Electric Rates - Utility Director, Chris Brewton
Sponsors:
Indexes:
Code sections:
Attachments:

| Date | Ver. | Action By | Action | Result |
|------|------|-----------|--------|--------|
|------|------|-----------|--------|--------|



Legislation Details

File #: 15-005 Version: 1 Name:

Type: Item Status: AGENDA READY

File created: 2/4/2015 In control: City and Borough Assembly

On agenda: 2/10/2015 Final action:

Title: Approve the minutes of the January 27, 2015 Assembly meeting

Sponsors:

Indexes:

Code sections:

Attachments: [Motion Consent Agenda.pdf](#)
[Motion Minutes.pdf](#)
[Minutes Jan. 27.pdf](#)

| Date | Ver. | Action By | Action | Result |
|------|------|-----------|--------|--------|
|------|------|-----------|--------|--------|

CONSENT AGENDA

POSSIBLE MOTION

**I MOVE TO APPROVE THE CONSENT AGENDA
CONSISTING OF ITEMS A, B & C**

I wish to remove Item(s) ____

**REMINDER – Read aloud a portion of each item being
voted on that is included in the consent vote.**

If this is pulled from the consent agenda the following motion would be in order:

POSSIBLE MOTION

I MOVE TO approve the minutes of the
January 27, 2015 Assembly meeting.



CITY AND BOROUGH OF SITKA

ASSEMBLY CHAMBERS
330 Harbor Drive
Sitka, AK
(907)747-1811

Minutes - Draft City and Borough Assembly

*Mayor Mim McConnell
Deputy Mayor Matt Hunter
Vice-Deputy Mayor Benjamin Miyasato
Aaron Swanson, Steven Eisenbeisz
Tristan Guevin, and Michelle Putz*

*Municipal Administrator: Mark Gorman
Municipal Attorney: Robin L. Koutchak
Municipal Clerk: Colleen Ingman, MMC*

Tuesday, January 27, 2015

6:00 PM

Assembly Chambers

REGULAR MEETING

I. CALL TO ORDER

II. FLAG SALUTE

III. ROLL CALL

Putz was absent from 6:20pm to 8:30pm

Present: 7 - McConnell, Hunter, Swanson, Miyasato, Eisenbeisz, Guevin, and Putz

IV. CORRESPONDENCE/AGENDA CHANGES

Eisenbeisz requested Item K be moved and addressed before Item F. No objection was heard.

15-004 Correspondence and Reminders

V. CEREMONIAL MATTERS

15-001 Certificate for retiring employee Brenda Calkins

Mayor McConnell presented a certificate to retiring employee Brenda Calkins and thanked Calkins for her service of more than 11 years to the City and Borough of Sitka.

VI. **SPECIAL REPORTS: Government to Government, Municipal Boards/Commissions/Committees, Sitka Community Hospital, Municipal Departments, School District, Students and Guests (time limits apply)**

Rob Allen, Interim CEO of Sitka Community Hospital, gave an update from his first week on the job. Allen reported the Hospital had \$900,000 in cash on hand and hoped to see that number continue to grow. He thanked the Assembly for their

continued support.

VII. PERSONS TO BE HEARD

Melissa Marconi-Wentzel, Executive Director of the Sitka Health Summit, thanked those Sitkans who had participated in the recent Community Health Assessment training.

VIII. REPORTS

a. Mayor, b. Administrator, c. Attorney, d. Liaison Representatives, e. Clerk, f. Other

Mayor - Reported she had attended meetings having to do with the branding project and it was progressing nicely; continued to attend the Gary Paxton Industrial Park Board meetings which had been helpful in understanding the complexity of the proposals; attended the Marijuana Town Hall meeting and thanked the panelists for a great job with their presentations and in answering questions; attended part of the MAPP training for the Health Assessment project and looked forward to seeing the results from the work on this project and how it would end up benefiting the community; met with Mark Gorman and the Planning Department staff to talk about process and timeline for updating the Comprehensive Plan; met with Mark Gorman, staff and Michelle Putz to talk about various revenue ideas. McConnell phoned into an Alaska Municipal League teleconference last week. AML staff needed permission from the Board to continue a neutral stand on the Ketchikan lawsuit with the State concerning local contributions for education funding. The statewide required local contribution amounts to about \$220 million so that is the additional money the State would need to pay under the Superior Court ruling. Municipal lobbyists were concerned that the legislature would want to take Municipal Revenue Sharing and increase the 22% PERS debt retirement municipalities were required to pay in order to cover the \$220 million. School debt service could be another community related benefit under the attack. There was a suggestion to have the legislature sunset the senior property tax exemption, let that be managed on the local level, and in return modify municipal sharing and the 22% PERS payments. McConnell noted this was confusing and urged individuals to ask for clarification.

Administrator - Reported staff responses to the Municipal Solutions report would be provided to the Assembly in the near future, announced Maegan Bosak was the new Director of Planning and Community Development and thanked Scott Brylinsky for stepping in as interim the past few months.

Attorney - Noted she was continuing to work with Delta Airlines to assist with getting settled in the terminal, announced the Employment Relations Board would meet January 28 to discuss a petition filed by the Fire Department Engineers.

Liaison - Putz attended the recent Tree and Landscape Committee meeting and recognized CBS employee Jud Kirkness for receiving his recent certification as a tree arborist, Eisenbeisz reported on recent meetings of the Hospital Board and Gary Paxton Industrial Park Board, and Hunter reported on the Port and Harbors Commission meeting.

Clerk - Reminded the Assembly of the Government to Government Dinner Meeting on January 30.

Assembly Member Putz excused herself from the meeting at 6:20pm.

IX. CONSENT AGENDA

- A 15-002** Approve the minutes of the January 13, 2015 Assembly meeting

X. UNFINISHED BUSINESS:

- B ORD 15-01** Authorizing a lease amendment to the tidelands lease in Alaska Tidelands Survey 1160 to Wade and Gretchen Parrish

A motion was made by Hunter to APPROVE this Ordinance on second and final reading. The motion PASSED by the following vote.

Yes: 6 - McConnell, Hunter, Swanson, Miyasato, Eisenbeisz, and Guevin

Absent: 1 - Putz

- C ORD 15-02** Adjusting the FY15 Budget

A motion was made by Swanson that this Ordinance be APPROVED on second and final reading. The motion PASSED by the following vote.

Yes: 6 - McConnell, Hunter, Swanson, Miyasato, Eisenbeisz, and Guevin

Absent: 1 - Putz

XI. NEW BUSINESS:**New Business Items**

- D 15-003** Appoint Doug Osborne to an unexpired term on the Health Needs and Human Services Commission

Guevin stated he was excited to see Doug Osborne appointed to the Commission and thanked Patrick Williams for his previous service on the Commission.

A motion was made by Hunter to APPROVE this item. The motion PASSED by the following vote.

Yes: 6 - McConnell, Hunter, Swanson, Miyasato, Eisenbeisz, and Guevin

Absent: 1 - Putz

New Business First Reading as Amended

- E ORD 15-03A** Plans to issue a Request for Proposal(s) for an entity to take on the responsibilities for planning, coordinating, promoting and executing all phases of conventions, tourism and marketing for Sitka. Formally dissolving the Sitka Convention and Visitor's Bureau under the City's oversight once the Request for Proposal(s) is awarded. The CBS will provide a percentage of bed tax revenues for funding purposes

Evy Kinnear, Vice President of the Sitka Convention and Visitors Bureau Board (SCVB), spoke in support of the ordinance.

Hunter noted the importance of the services that had been provided by SCVB.

A motion was made by Swanson that this Ordinance be APPROVED on first reading as AMENDED. The motion PASSED by the following vote.

Yes: 6 - McConnell, Hunter, Swanson, Miyasato, Eisenbeisz, and Guevin

Absent: 1 - Putz

Eisenbeisz wondered if the Assembly was limited to one entity as the ordinance was currently written to which Attorney Koutchak replied yes. Koutchak noted any change to this would be considered a substantive change and would require the Ordinance to come back before the Assembly again for first reading.

A motion was made by Eisenbeisz to AMEND line 8 to read, "...a request for proposal(s) for an entity or entities to take on the reponisibilities..." and line 25 and 26 to read, "...will be better served by an organization(s)." The motion to amend PASSED by the following vote.

Yes: 6 - McConnell, Hunter, Swanson, Miyasato, Eisenbeisz, and Guevin

Absent: 1 - Putz

Eisenbeisz wondered how the property and cash of SCVB would be handled after after the SCVB was dissolved. Jay Sweeney, Chief Finance and Administrative Officer, explained the process for handling the property and cash in possession of the SCVB on June 30, 2015. The cash would be put into the budget as a donation to take effect on July 1. The personal property, desks and computers etc, would fall under the purview of the property disposal guidelines of Sitka General Code.

New Business First Reading

- K ORD 15-04** Modifying Chapter 4.24 of the Sitka General Code, Hotel, Motel and Bed and Breakfast Transient Room Tax, by adding Section 4.24.070 which creates a special revenue fund entitled "Visitor Activities Enhancement Fund," which directs that all bed taxes collected are deposited in the fund, and which sets forth policy as to how such funds may be appropriated and used

Hunter explained the idea behind the ordinance noting the bed tax money would be put into a special revenue fund that was protected and would allow for some strategic thought when using in the future - a convention for example.

Guevin thanked Chief Finance and Administrative Officer, Jay Sweeney, for his work on this ordinance.

Assembly members discussed possibilities for dispensing funds in the future.

A motion was made by Hunter that this Ordinance be APPROVED on first reading. The motion PASSED by the following vote.

Yes: 6 - McConnell, Hunter, Swanson, Miyasato, Eisenbeisz, and Guevin

Absent: 1 - Putz

F RES 15-01 Authorizing the application for a loan increase to the Alaska Department of Environmental Conservation under the Alaska Clean Water Fund for the Channel, Lake, Monastery and Landfill lift stations

Jay Sweeney, Chief Finance and Administrative Officer, explained the advantage of getting this loan at a low interest rate.

A motion was made by Swanson that this Resolution be APPROVED on first and final reading. The motion PASSED by the following vote.

Yes: 6 - McConnell, Hunter, Swanson, Miyasato, Eisenbeisz, and Guevin

Absent: 1 - Putz

G RES 15-02 Supporting a community playground at Crescent Harbor Park

Ken Corson, member of the Parks and Recreation Committee, urged the Assembly to support this resolution.

Hunter expressed there was community support for the playground.

Eisenbeisz was glad to see the ADA issue addressed and hoped to see sufficient parking in the area.

A motion was made by Hunter that this Resolution be APPROVED on first and final reading. The motion PASSED by the following vote.

Yes: 6 - McConnell, Hunter, Swanson, Miyasato, Eisenbeisz, and Guevin

Absent: 1 - Putz

H RES 15-03 Approving the City's participation in a proposed refinancing by the Alaska Municipal Bond Bank of certain of the Bond Bank's general obligation bonds, which provided funds to purchase the City's General Obligation Refunding Bond, 2005, and General Obligation Bond, 2008, under loan agreements between the City and the Bond Bank; and authorizing the City's finance director to approve a revised schedule of principal and interest payments with respect to the City's 2005 Bond and 2008 Bond, in accordance with the loan agreements, if the Bond Bank successfully refinances its bonds

Jay Sweeney, Chief Finance and Administrative Officer, provided an overview of the resolution and the opportunity to refinance the general obligation bonds.

A motion was made by Hunter that this Resolution be APPROVED on first and final reading. The motion PASSED by the following vote.

Yes: 6 - McConnell, Hunter, Swanson, Miyasato, Eisenbeisz, and Guevin

Absent: 1 - Putz

I RES 15-04 Approving the sale of Block 4, Lot 17 building and property at Gary Paxton Industrial Park to Ed & Clara Gray D.B.A. Monarch Tannery, and authorizing the Municipal Administrator to sign the agreement

Guevin reminded the Assembly of the GPIIP (Gary Paxton Industrial Park) Strategic Plan and urged them to follow those guidelines. He didn't feel due diligence had been done or steps had been followed. He stated the burden was on us going through the public process. While he supported the Monarch Tannery he felt a precedent would be set. Without a comprehensive plan he could not justify selling public property without going through the process.

Hunter expressed support for the sale of the subject property and wished the Monarch Tannery luck. He stated at some point private industry had to be given the ability to grow and make a business decision.

McConnell noted there were gaps in the Action Plan as outlined in the Strategic Plan and noted the Tannery was already using the Park property, was being displaced, and looking for a better piece of property to expand their business.

Eisenbeisz was excited to get the Tannery going on the subject property but wondered if this was the highest and best use of the property. He later added it would be difficult for private business to operate in a leased land agreement when the business owned the building.

Swanson believed the intent of the Park was for economic growth and noted since the early 90's most of these lots had been vacant. He didn't believe the City should be in real estate.

Garry White, GPIIP Director, explained the Board had been working on the Strategic Plan since 2008 and added it was a living document that had been addressed by the Board at least a dozen times. He further added there was an infinite number of highest and best uses for the Park and how that equated to Sitka. The goal was to get meaningful development to Sitka.

A motion was made by Swanson that this Resolution be APPROVED on first and final reading. The motion PASSED by the following vote.

Yes: 5 - McConnell, Hunter, Swanson, Miyasato, and Eisenbeisz

No: 1 - Guevin

Absent: 1 - Putz

J RES 15-05 Approving the sale of Block 4, Lot 12A, Lot 13, Lot 9C and Block 4, Lot 11 building and property containing the former water treatment plant at Gary Paxton Industrial Park to Silver Bay Seafoods, LLC, and authorizing the Municipal Administrator to sign the agreements

Betty Jo Moore, Andrea Thomas, Corrie Baggen, Ken Helem, Steve Reifensuhl, Brian Howey, Dale Adams and Wayne Younger spoke in support of the resolution.

Jim Seeland, of Sitka Sound Science Center, spoke in support of Silver Bay Seafoods and noted they had been a wonderful community partner.

Rich Riggs, CEO of Silver Bay Seafoods, noted Silver Bay Seafoods had overwhelmingly exceeded their expectations as a business and had given back to the community.

Troy Denkinger, founder and President of Silver Bay Seafoods, reminded the Assembly of the GPIP Board's recommendation to proceed with the sale as noted in the resolution and spoke of future visions for the property.

Clyde Bright spoke in opposition to the resolution.

Brian Hanson, private Attorney, speaking on behalf of Cove Partners and Star West owners of Lot 5 in GPIP, addressed their concerns over access and use at the Park. He noted this sale may drive what happened with future decisions.

Jeff Farvour, spoke against the resolution and urged the Assembly to make a more informed decision and recommended postponing the resolution.

Pat Glaab stated the development proposal was premature, and while he was supportive of Silver Bay Seafoods he recommended more time be taken to understand the plan of the Park.

Assembly Deliberation:

Guevin stated he was not opposed to Silver Bay Seafoods but again reminded the Assembly of the importance in following the GPIP Strategic Plan. Guevin noted there was a responsibility to the citizens of Sitka and the Assembly needed to do their due diligence.

A motion was made by Swanson that this Resolution be APPROVED on first and final reading as AMENDED. The motion PASSED by the following vote.

Yes: 6 - McConnell, Hunter, Swanson, Miyasato, Eisenbeisz, and Putz

No: 1 - Guevin

Putz rejoined the meeting at 8:30pm. She noted there were definitely pieces missing and wondered if this resolution should be postponed.

Assembly members discussed the concerns regarding the disposal of Lot 9C.

Clyde Bright spoke in support of postponement.

Rich Riggs stated it would be good to get input on Lot 9C but he would be ok with pulling it out of the resolution in order to proceed.

Chris Brewton offered some comments in regards to the letter he submitted about the substation at the Industrial Park. He noted the substation currently had 60% capacity available. He asked for advance notice if the load were to increase so the Electric Department could plan accordingly.

Steve Reifentstahl and Dale Adams spoke against postponing the resolution.

Troy Denkinger spoke against postponing the resolution and spoke in favor of pulling Lot 9C.

Eisenbeisz wondered if it would be burdensome to pull Lot 9C. Attorney Koutchak stated it would not be an issue.

Garry White came forward and restated it was the Board's recommendation to sell the subject properties. He further added a definite location had not been determined for the dock.

A motion was made by Guevin to POSTPONE this item until resolution on the dock had been reached. The motion FAILED by the following vote.

Yes: 2 - Miyasato, and Guevin

No: 5 - McConnell, Hunter, Swanson, Eisenbeisz, and Putz

A motion was made by Swanson to AMEND the resolution and purchase and sales contract by pulling Lot 9C. The motion PASSED by the following vote.

Yes: 7 - McConnell, Hunter, Swanson, Miyasato, Eisenbeisz, Guevin, and Putz

McConnell wished some benchmarks had been set and expressed concern with Lot 12A and Lot 13.

Hunter understood the need for benchmarks, however, this company, an economic powerhouse, was ready to move forward.

Eisenbeisz stated Silver Bay Seafoods had proven themselves and noted they were willing to work with the City.

Guevin reminded the Assembly this was being passed on one reading and the importance of the public process.

Miyasato spoke in support of the motion as amended.

L ORD 15-05 Adjusting the FY15 Budget

A motion was made by Hunter that this Ordinance be APPROVED on first reading. The motion passed by the following vote.

Yes: 7 - McConnell, Hunter, Swanson, Miyasato, Eisenbeisz, Guevin, and Putz

M ORD 15-06 Adding a new title to Sitka General Code entitled "Title 7, Marijuana Regulations" to regulate and tax the use, possession, manufacture and sale of marijuana as well as provide penalties for violation as defined in Chapter 7.30, Section 7.30.010 entitled "Public Consumption"

Andrea Thomas spoke against passage of the ordinance and noted when voting in the State election she voted for no public consumption in any public place. She stated the public was not informed about what the ordinance was about.

A motion was made by Swanson to APPROVE this Ordinance on first reading. The motion passed by the following vote.

Yes: 7 - McConnell, Hunter, Swanson, Miyasato, Eisenbeisz, Guevin, and Putz

Eisenbeisz wondered if marijuana regulations would better fit under Title 10 of Sitka General Code - Public Peace, Safety and Morals.

Putz spoke of the potential hazard of combining marijuana and alcohol and noted further restrictions should be placed in the ordinance.

Scott Brylinsky, Interim Planning Director, noted the ordinance was modeled after Anchorage's ordinance although there were some similarities to those in Colorado.

Guevin wondered if it was anticipated that Title 7 would grow. Municipal Attorney, Robin Koutchak, responded yes. She suggested the next ordinance to come forward would be establishing a local regulatory agency. Police Chief, Sheldon Schmitt, concurred.

A motion was made by Eisenbeisz to AMEND the ordinance by adding marijuana regulations to Title 10 of the Sitka General Code. The motion FAILED by the following vote.

Yes: 3 - Swanson, Eisenbeisz, and Guevin

No: 4 - McConnell, Hunter, Miyasato, and Putz

Putz wondered whether the ordinance prohibited public consumption in terms of food and drink items. Koutchak noted that edibles were included in this.

The Assembly further discussed issues surrounding public consumption.

Andrea Thomas and Steve Reifentstuhel spoke in favor of the amendment.

A motion was made by Putz to AMEND the Ordinance by removing section B.4. The motion FAILED by the following vote.

Yes: 2 - Swanson, and Miyasato

No: 5 - McConnell, Hunter, Eisenbeisz, Guevin, and Putz

XII. PERSONS TO BE HEARD:

Andrea Thomas noted the ordinance was not clear on where marijuana would be and would not be allowed and felt the public had not been informed.

XIII. EXECUTIVE SESSION

None.

XIV. ADJOURNMENT

A motion was made by Swanson to ADJOURN. Hearing no objections the

meeting ADJOURNED at 9:55pm.

ATTEST: _____

Sara Peterson, CMC
Acting Municipal Clerk



Legislation Details

File #: RES 15-06 Version: 1 Name:
Type: Resolution Status: AGENDA READY
File created: 2/4/2015 In control: City and Borough Assembly
On agenda: 2/10/2015 Final action:
Title: Supporting the Native American Tourism and Improving Visitor Experience Native Act
Sponsors:
Indexes:
Code sections:
Attachments: [Motion Resolution 2015-06.pdf](#)
[Resolution 2015-06.pdf](#)

| Date | Ver. | Action By | Action | Result |
|------|------|-----------|--------|--------|
|------|------|-----------|--------|--------|

POSSIBLE MOTION

I MOVE TO approve Resolution 2015-06 on
first and final reading.

Sponsors: McConnell/Miyasato

CITY AND BOROUGH OF SITKA

RESOLUTION NO. 2015-06

A RESOLUTION OF THE CITY AND BOROUGH OF SITKA SUPPORTING THE NATIVE AMERICAN TOURISM AND IMPROVING VISITOR EXPERIENCE NATIVE ACT

WHEREAS, the City and Borough of Sitka supports the tourism projects and initiatives of American Indians, Alaska Natives and Native Hawaiians which creates economic development and employment across Indian Country while preserving and highlighting our cultures, languages, and traditional lifeways; and

WHEREAS, the NATIVE Act is designed to enhance and integrate Native American tourism, empower native communities, increase coordination and collaboration between Federal tourism assets, and expand heritage and cultural tourism opportunities in the United States; and

WHEREAS, the NATIVE Act will accelerate Native American community development, increase international tourism to the United States and recognize the value of Indian Country participation in international tourism promotion; and

WHEREAS, Indian Country is ready to perform the provisions of the NATIVE Act to advance Indian Country tourism by assisting tribes and providing the tools to develop and enhance tourism programs in Indian Country; and

NOW, THEREFORE, BE IT RESOLVED that the Assembly of the City and Borough of Sitka supports the NATIVE Act and encourages Congress to pass the legislation to enhance community development, recognize and encourage Native American tribal participation in tourism, and provide permanent funding mechanisms for technical assistance to advance economic development in Indian Country for tribes engaged in tourism.

PASSED, APPROVED AND ADOPTED by the Assembly of the City and Borough of Sitka, Alaska, on this 10th day of February, 2015.

Mim McConnell
Mayor

ATTEST:

Sara Peterson, CMC
Acting Municipal Clerk



Legislation Details

File #: RES 15-07 Version: 1 Name:

Type: Resolution Status: AGENDA READY

File created: 2/4/2015 In control: City and Borough Assembly

On agenda: 2/10/2015 Final action:

Title: Supporting the reinstatement of a full \$60 million into the Revenue Sharing Fund on a yearly basis with a one-year appropriation of \$8 million to the Fund with an effective date prior to June 30, 2015

Sponsors:

Indexes:

Code sections:

Attachments: [Motion Resolution 2015-07.pdf](#)
[Resolution 2015-07.pdf](#)

| Date | Ver. | Action By | Action | Result |
|------|------|-----------|--------|--------|
|------|------|-----------|--------|--------|

POSSIBLE MOTION

I MOVE TO approve Resolution 2015-07 on
first and final reading.

CITY AND BOROUGH OF SITKA

RESOLUTION NO. 2015-07

A RESOLUTION OF THE CITY AND BOROUGH OF SITKA SUPPORTING THE REINSTATEMENT OF A FULL \$60 MILLION INTO THE REVENUE SHARING FUND ON A YEARLY BASIS WITH A ONE-YEAR APPROPRIATION OF \$8 MILLION TO THE FUND WITH AN EFFECTIVE DATE PRIOR TO JUNE 30, 2015

WHEREAS, all of Alaska’s boroughs and cities are appreciative to the Governor and the Legislature for the continuation of the Revenue Sharing program; and

WHEREAS, since 2008, municipalities have received a total of \$60 million per year to be divided among all boroughs, cities and unorganized communities in the State; and

WHEREAS, this money is a small share of the resource funding that is provided to the State; and

WHEREAS, \$60 million is also a small part of the total state-wide budget for the year; and

WHEREAS, municipalities are political subdivisions of the State of Alaska; and

WHEREAS, boroughs and cities can only raise their own money through increased taxes and/or fees; and

WHEREAS, in the past 2014 Legislative Session, the amount deposited into the Revenue Sharing fund dropped to \$52 million; and

WHEREAS, the larger municipalities use these funds to keep taxes as low as possible; and

WHEREAS, the smaller municipalities use these funds to provide basic services, such as snow removal, public building maintenance, harbor upkeep, fuel and insurance.

NOW, THEREFORE, BE IT RESOLVED that the Assembly of the City and Borough of Sitka requests the Alaska State Legislature to reinstate the amount of \$60 million on an annual basis into the Revenue Sharing Fund and also that the Alaska State Legislature appropriate an additional \$8 million to the fund with an effective date prior to June 30, 2015.

PASSED, APPROVED AND ADOPTED by the Assembly of the City and Borough of Sitka, Alaska, on this 10th day of February, 2015.

Mim McConnell, Mayor

ATTEST:

Sara Peterson, CMC
Acting Municipal Clerk



Legislation Details

File #: ORD 15-05 Version: 1 Name:
Type: Ordinance Status: SECOND READING
File created: 1/20/2015 In control: City and Borough Assembly
On agenda: 2/10/2015 Final action:
Title: Adjusting the FY15 Budget
Sponsors:
Indexes:
Code sections:
Attachments: [Motion Ordinance 2015-05.pdf](#)
[Ord 2015-05](#)

| Date | Ver. | Action By | Action | Result |
|-----------|------|---------------------------|--------|--------|
| 1/27/2015 | 1 | City and Borough Assembly | | |

POSSIBLE MOTION

I MOVE TO approve Ordinance 2015-05 on second and final reading.

CITY AND BOROUGH OF SITKA

ORDINANCE NO. 2015-05

AN ORDINANCE OF THE CITY AND BOROUGH OF SITKA
ADJUSTING THE FY15 BUDGET

BE IT ENACTED by the Assembly of the City and Borough of Sitka, Alaska as follows:

1. **CLASSIFICATION.** This ordinance is not of a permanent nature and is not intended to be a part of the Sitka General Code of the City and Borough of Sitka, Alaska.

2. **SEVERABILITY.** If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and application thereof to any person and circumstances shall not be affected thereby.

3. **PURPOSE.** The purpose of this ordinance is to adjust the FY15 budgets for known changes.

4. **ENACTMENT.** The Assembly of the City and Borough of Sitka hereby adjusts the FY15 budget for known changes. In accordance with Section 11.10(a) of the Charter of the City and Borough of Sitka, Alaska, the budget for the fiscal period beginning July 1, 2014 and ending June 30, 2015 is hereby adjusted as follows:

| <u>Account Number</u> | <u>Account</u> | <u>Increase</u> | <u>Decrease</u> |
|---|--------------------------------------|-----------------|-----------------|
| <u>FISCAL YEAR 2015 EXPENDITURE BUDGETS</u> | | | |
| GENERAL FUND | | | |
| Assessing Department – Travel & Training: | | | |
| 100-500-005-5212.000 | Contracted/Purchased Services | | \$1,500 |
| 100-500-005-5201.000 | Travel & Training | \$1,500 | |
| To budget required classes for the Assessing Tech that has been scheduled in Alaska. These funds will come from within their department. | | | |

EXPLANATION

Necessary revisions in the FY 2015 budget were identified. These changes involve the increase of expenditure accounts and causes decreased cash flows to the fund balance of various funds. A short explanation of each budget revision is included.

5. **EFFECTIVE DATE.** This ordinance shall become effective on the day after the date of its passage.

PASSED, APPROVED, AND ADOPTED by the Assembly of the City and Borough of Sitka, Alaska this 10th day of February, 2015.

ATTEST:

Mim McConnell, Mayor

Sara Peterson, CMC
Acting Municipal Clerk



Legislation Details

File #: ORD 15-04 Version: 1 Name:
Type: Ordinance Status: SECOND READING
File created: 1/20/2015 In control: City and Borough Assembly
On agenda: 2/10/2015 Final action:
Title: Modifying Chapter 4.24 of the Sitka General Code, Hotel, Motel and Bed and Breakfast Transient Room Tax, by adding Section 4.24.070 which creates a special revenue fund entitled "Visitor Activities Enhancement Fund," which directs that all bed taxes collected are deposited in the fund, and which sets forth policy as to how such funds may be appropriated and used

Sponsors:

Indexes:

Code sections:

Attachments: [Motion Ordinance 2015-04.pdf](#)
[Ordinance 2015-04](#)

| Date | Ver. | Action By | Action | Result |
|-----------|------|---------------------------|--------|--------|
| 1/27/2015 | 1 | City and Borough Assembly | | |

POSSIBLE MOTION

I MOVE TO approve Ordinance 2015-04 on second and final reading.

CITY AND BOROUGH OF SITKA

ORDINANCE NO. 2015-04

**AN ORDINANCE OF THE CITY AND BOROUGH OF SITKA, ALASKA
MODIFYING CHAPTER 4.24 OF THE SITKA GENERAL CODE, HOTEL, MOTEL
AND BED AND BREAKFAST TRANSIENT ROOM TAX, BY ADDING SECTION
4.24.070 WHICH CREATES A SPECIAL REVENUE FUND ENTITLED “VISITOR
ACTIVITIES ENHANCEMENT FUND,” WHICH DIRECTS THAT ALL BED TAXES
COLLECTED ARE DEPOSITED IN THE FUND, AND WHICH SETS FORTH POLICY
AS TO HOW SUCH FUNDS MAY BE APPROPRIATED AND USED**

BE IT ENACTED by the Assembly of the City and Borough of Sitka, Alaska as follows:

1. **CLASSIFICATION.** This ordinance is of a permanent nature and is intended to become a part of the Sitka General Code.

2. **SEVERABILITY.** If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and application thereof to any person or circumstances shall not be affected thereby.

3. **PURPOSE.** The purposes of this ordinance is to create a new special revenue fund of the City and Borough of Sitka into which all Hotel, Motel, and Bed and Breakfast Transient Room Taxes collected shall be deposited, and, to set forth policy as to how such proceeds in the fund may be appropriated.

4. **ENACTMENT.** The Assembly of the City and Borough of Sitka hereby amends Chapter 4.24 of the Sitka General Code by adding Section 4.24.070 entitled “Visitor Activities Enhancement Fund,” as follows:

4.24.070

VISITOR ACTIVITIES ENHANCEMENT FUND

A. A new special revenue fund of the city and borough of Sitka, entitled the Visitor Activities Enhancement Fund, is henceforth created. The purpose of the Visitor Activities Enhancement Fund shall be to serve as a depository for all hotel, motel, and bed and breakfast transient room taxes henceforth collected until such funds are appropriated for visitor enhancement purposes.

40 B. All hotel, motel, and bed and breakfast transient room taxes collected will be deposited
41 into the Visitor Activities Enhancement Fund.

42
43 C. The Administrator, through the preparation of the Annual Consolidated Operating Budget
44 of the Municipality, shall plan for the appropriation of funds contained in the Visitor
45 Activities Enhancement Fund. If appropriations are required above the amount authorized in
46 the Annual Consolidated Operating Budget of the Municipality, the Administrator shall bring
47 forth supplemental appropriation ordinances, in accordance with the Home Rule Charter of
48 the City and Borough of Sitka.

49
50 D. The proceeds contained in the Visitor Activities Enhancement Fund may be appropriated
51 by the Assembly for any purpose related to the enhancement of tourism and visitor-related
52 activities in the Municipality, to include but not be limited to contractual funding of a
53 Convention and Visitor's Bureau, funding of travel of Municipal officials to travel-related
54 conventions and trade shows, and procurement of tourism-related advertising. All such
55 procurements shall be subject to Municipal procurement regulations in accordance with Title
56 III of the Sitka General Code.

57
58 E. If at any such time the Visitor Activities Enhancement Fund is dissolved, the net
59 proceeds of the Fund will revert back to the General Fund. Also, at any time through an
60 appropriation, the Assembly may direct the transfer of any amount of unexpended proceeds
61 in the Visitor Activities Enhancement Fund to any other fund of the Municipality to be used
62 for any lawful purpose.

63
64 F. Any investment earnings on the unspent proceeds contained in the Visitor Activities
65 Enhancement Fund shall be added to the corpus of the Fund and will be available for
66 appropriation by the Assembly.

67
68 5. **EFFECTIVE DATE.** This ordinance shall become effective July 1, 2015.

69
70 **PASSED, APPROVED, AND ADOPTED** by the Assembly of the City and Borough of
71 Sitka, Alaska this 10th day of February, 2015.

72
73
74 _____
Mim McConnell, Mayor

75 **ATTEST:**

76
77 _____
78 Sara Peterson, CMC
79 Acting Municipal Clerk



Legislation Details

File #: ORD 15-03A Version: 1 Name:
Type: Ordinance Status: FIRST READING
File created: 1/8/2015 In control: City and Borough Assembly
On agenda: 2/10/2015 Final action:
Title: Plans to issue a Request for Proposal(s) for an entity(ies) to take on the responsibilities for planning, coordinating, promoting and executing all phases of conventions, tourism and marketing for Sitka. Formally dissolving the Sitka Convention and Visitor's Bureau under the City's oversight once the Request for Proposal(s) is awarded. The CBS will provide a percentage of bed tax revenues for funding purposes

Sponsors:

Indexes:

Code sections:

Attachments: [Motion Ordinance 2015-03A.pdf](#)
[Ordinance 2015-03A.pdf](#)
[SCVB Overview](#)

| Date | Ver. | Action By | Action | Result |
|-----------|------|---------------------------|------------------------------------|--------|
| 1/27/2015 | 1 | City and Borough Assembly | | |
| 1/27/2015 | 1 | City and Borough Assembly | | |
| 1/13/2015 | 1 | City and Borough Assembly | APPROVED | |
| 1/13/2015 | 1 | City and Borough Assembly | APPROVED | Pass |
| 1/13/2015 | 1 | City and Borough Assembly | PASSED ON FIRST READING AS AMENDED | Pass |

POSSIBLE MOTION

I MOVE TO approve Ordinance 2015-03A on first reading as amended.

CITY AND BOROUGH OF SITKA

ORDINANCE NO. – 2015-03A

AN ORDINANCE OF THE CITY AND BOROUGH OF SITKA (CBS), ALASKA PLANS TO ISSUE A REQUEST FOR PROPOSAL(S) FOR AN ENTITY(IES) TO TAKE ON THE RESPONSIBILITIES FOR PLANNING, COORDINATING, PROMOTING AND EXECUTING ALL PHASES OF CONVENTIONS, TOURISM AND MARKETING FOR SITKA. FORMALLY DISSOLVING THE SITKA CONVENTION AND VISITOR’S BUREAU UNDER THE CITY’S OVERSIGHT ONCE THE REQUEST FOR PROPOSAL(S) IS AWARDED. THE CBS WILL PROVIDE A PERCENTAGE OF BED TAX REVENUES FOR FUNDING PURPOSES

1. CLASSIFICATION. This ordinance is of a permanent nature and is intended to become a part of the Sitka General Code.

2. SEVERABILITY. If any provision of this ordinance or any application to any person or circumstance is held invalid, the remainder of this ordinance and application to any person or circumstances shall not be affected.

3. PURPOSE. The Assembly, through passage of this ordinance, has determined that Sitka’s bed tax supported visitor services will be better served by an organization(s) that is not under the municipality’s purview and responsibility. By dissolving the Sitka Convention and Visitor’s Bureau and issuing a request for proposals to assume the responsibilities for planning, coordinating, promoting and executing all phases of conventions, tourism and marketing for Sitka, that it will better serve the community and the city’s management structure.

4. ENACTMENT. NOW, THEREFORE, BE IT ENACTED by the Assembly of the City and Borough of Sitka that SGC Chapter 2.34 is deleted in its entirety at the time of award of the request for proposal.

Chapter 2.34
SITKA CONVENTION AND VISITORS’ BUREAU

Sections:

- 2.34.010 Formation.
2.34.020 Term.
2.34.030 Powers and duties.
2.34.040 Fiscal matters.
2.34.050 Voluntary association.

2.34.010 Formation.

45 ~~There shall be a board known as the Sitka convention and visitors' bureau, composed of seven members. The~~
46 ~~members shall be nominated by the assembly and confirmed by a majority vote of the assembly members who~~
47 ~~are present at any regular or special meeting. The bureau shall organize itself and function according to the~~
48 ~~provisions of Chapter 2.60 of the Sitka General Code.~~

49 **2.34.020 Term.**

50 ~~The term of office of the Sitka convention and visitors' members shall be three years, but the first bureau~~
51 ~~members shall be appointed and serve terms as follows:~~

52 ~~A.—Three members for a term of three years;~~

53 ~~B.—Three members for a term of two years;~~

54 ~~C.—One member for a term of one year.~~

55 ~~Members shall serve until their successors have been confirmed by the assembly. There shall be no pay for~~
56 ~~bureau membership.~~

57 **2.34.030 Powers and duties.**

58 ~~A.—The bureau shall be responsible for the formulation of policies governing the planning and execution of~~
59 ~~programs dealing with all phases of convention and tourist promotion and service to tourists.~~

60 ~~All such policies and plans of operation, shall be approved by the assembly prior to execution, but after~~
61 ~~approval, the bureau shall administer such programs to see that they are executed in line with assembly~~
62 ~~authorization.~~

63 ~~B.—The bureau shall submit periodic reports to the assembly as may be determined by the assembly, but not~~
64 ~~less than quarterly.~~

65 **2.34.040 Fiscal matters.**

66 ~~A.—The city may allocate funds from its budget to assist in programs of the bureau. The bureau may also~~
67 ~~solicit funds from other sources, but all funds directly received become city property even though used~~
68 ~~specifically for bureau purposes.~~

69 ~~B.—The bureau shall submit an annual budget and sources of income for the coming year, which shall be~~
70 ~~approved by the assembly as part of the general fund budget of the municipality.~~

71 ~~C.—Within the limits of the budgeted amounts, the bureau may incur expenses. Bills before payment shall be~~
72 ~~approved by the assembly under the same procedures as ordinary bills.~~

73 **2.34.050 Voluntary association.**

74 ~~A.—The bureau may form an auxiliary voluntary association to aid in the bureau purposes. Such purposes may~~
75 ~~include the solicitation of funds. Any actions and solicitations by such an auxiliary shall make it clear that its~~
76 ~~actions are not those of an official branch of the municipality, but rather those of a private voluntary~~
77 ~~organization.~~

78 ~~B.—Any funds received by such auxiliary shall be expended only with prior bureau approval. If any auxiliary~~
79 ~~funds remain upon termination of the auxiliary, such funds revert to the Sitka general fund.~~

80 ~~C.—Any disbursements by the auxiliary shall be reported to the assembly in no less than itemized quarterly~~
81 ~~reports.~~

82 ~~D.—The bureau may not guarantee payment of any auxiliary expense without prior assembly approval, nor~~
83 ~~may the bureau donate any moneys to the auxiliary without prior assembly approval, nor may the bureau solicit~~
84 ~~funds for the auxiliary.~~

85 ~~E.—The auxiliary may be dissolved at any time by the bureau or the assembly.~~

86 5. **EFFECTIVE DATE.** This ordinance shall become effective on the day after
87 the date of its passage.

88
89 **PASSED, APPROVED, AND ADOPTED** by the Assembly of the City and
90 Borough of Sitka, Alaska this 24th day of February, 2015.

91
92
93

Mim McConnell, Mayor

94 **ATTEST:**

95
96
97

Sara Peterson, CMC
Acting Municipal Clerk

100

101 First reading: 1/13/15
102 First reading as amended: 1/27/15
103 First reading as amended: 2/10/15

104



Sitka Convention & Visitors Bureau

Current and Potential Organizational Structure

Mission: To market Sitka as a year-round visitor destination and meeting site, and to enhance the economy

Introduction

The Sitka Convention and Visitors Bureau (SCVB) was established by the City and Borough of Sitka in 1980 as Sitka's official destination marketing organization. Our mission is "To market Sitka as a year-round visitor destination and meeting site and to enhance the local economy". The agency fulfills its mission through a variety of mediums, some of which include:

Marketing and Promotion: design and publish annual visitors guide, place ads online and in print media, maintain social media pages, create and distribute promotional videos, promote Sitka through trade shows, maintaining sitka.org, hosting media members and group tour operators, cruise line visits and Public Relations.

Visitor Services: respond to visitor inquiries in a variety of mediums, staff visitor information desks at both lightering facilities, mail requested information to visitors for trip-planning purposes, create and distribute printed information pieces for use by visitors while in Sitka.

Convention Sales and Services: solicit conventions and meetings to be held in Sitka through a variety of mediums, assist with conference planning (securing locales, bids, printed collateral, etc.), create and distribute convention delegate welcome folders and welcome signs in downtown businesses.

Member Services: update and include members in sitka.org and the annual visitor guide, as well as brochure displays, email newsletters, summer cruise ship calendar, educational seminars, customer service training, one-on-one marketing consultation, and international exposure through the SCVB's marketing and promotional efforts.

Current Organizational Structure

Formation

The Sitka Convention & Visitors Bureau was formed under the City & Borough of Sitka (CBS) in 1980. It is identified as a "quasi-city" organization because it is neither a non-profit nor a city department. City of Sitka and Borough General Code Chapter 2.34 (Appendix A) includes details relating to the formation, powers, duties and financial structure of the SCVB. This section of the code is out of date and does not reflect current SCVB operations. The following paragraphs describe current SCVB operations.

Term (Board Assignment)

The SCVB board is comprised of seven members, each serving a term of three years. Those interested in serving on the SCVB board must complete a CBS Board/Commission Application Form. The application is submitted to the deputy clerk; the CBS Assembly then nominates and approves board members by a majority vote.

Powers and duties

Policies governing planning and execution

See the introduction

Reporting to the assembly

Reports provided at each SCVB board meeting.

Employees

Hiring: The executive director is hired and supervised by the SCVB Board; all other employees are hired and supervised by the executive director.

Benefits: Year-round employees are eligible for basic medical benefits and a \$25,000 life insurance policy. Employees must pay 100% of costs to add dependents or family members to their medical insurance policy.

Relationship to Tourism-related Commissions / Community Groups

The SCVB does everything in its power to stay connected to local commissions, groups, and planning events that impact the tourism sector. Currently, the SCVB an assigned seat on the Tourism Commission, although the seat has been empty for some time.

Fiscal matters

Funding

Bed Taxes: Currently, the SCVB is funded using a formula of 92% of projected bed taxes (that is, 92% of what is expected to be brought in the coming fiscal year). Although this is the historical funding calculation, there is no set or written methodology for funding the SCVB though bed taxes.

Member Dues: The SCVB has over 200 active memberships. Rates vary from just over \$100 for a non-profit to \$770 for large airlines or boat operators.

Ad Sales: Members are able to promote their businesses through paid print ads in the annual vacation guide, banner ads on the SCVB website, and on the airport phone board.

Finances: The SCVB has its own bank accounts and CD accounts. A bookkeeper is employed by the SCVB to manage payroll and process accounts payable. All accounts receivable invoicing is handled in-house, as are deposits of cash and checks (receipts and coding are forwarded to the bookkeeper for the GL). The SCVB is audited with the City in October of each year. All financial reports, information, and receipts are submitted to the City for the audit process

Future Organizational Structure

The issue of SCVB organizational structure has been an ongoing topic for years. The Board's original preference was to modify the general code to align with the SCVB's current mode of operation. However, the Board was notified by an assembly member that the agency could not remain quasi-city, which only left the options of becoming a non-profit or a for-profit agency. The Board agreed that if non-profit was the only option, then a 501(c)3 would be the best choice. During the paperwork process, the SCVB was notified that the majority vote of the Assembly was required to become a non-profit. It is still the Board's opinion that remaining quasi-city would be the most desirable option. The possibility of becoming a department of the City and Borough of Sitka was widely dismissed because of the perceived cost to the city to absorb the SCVB as a department.

As we see it there are three options for the SCVB's future organizational structure, these options are described in detail below.

Option 1: Modify Current Ordinance

Formation

City of Sitka General Code Chapter 2.34 would be modified to fit the current operational structure of the SCVB. Several documents exist highlighting problem areas of the current code and suggest modifications. These suggestions were approved by the SCVB Board but were never brought forward to the City Assembly.

Term (Board Assignment)

Board assignment would remain the same as it is currently structured.

Powers and duties Relationship to Tourism-related Commissions / Community Groups

The SCVB Board is in favor of bringing the Tourism Commission and other willing tourism-related groups under the SCVB as active subcommittees to the SCVB Board. The purpose of the subcommittees would be to systematically explore and implement relevant projects and ideas from Visitor Industry Plan (VIP) 2.0 and other projects as identified by the subcommittees, SCVB Board, community, and Assembly. Unifying these groups would be more efficient, help prevent duplication of efforts, and ensure that all groups are operating with a common vision. Additionally, it would and prevent duplication of efforts, allow for resource sharing, and would provide a vehicle for review and implementation of additional worthwhile visitor industry plans that have remained dormant (such as those outlined in VIP 2.0).

Perceived Benefits

- From the SCVB standpoint, this option allows for the most seamless transition.
- The current operational structure has worked well over the years for the SCVB.
- The Tourism Commission and other tourism-related community groups can be brought under one umbrella.

Perceived Risks

- It is unknown if the current quasi-city status is a legally valid operational structure (especially regarding paid memberships, etc.).
- The SCVB would retain bank accounts, payroll, and finances completely independent of the CBS, therefore, the city has little control over the agency's finances.

Additional Resources Needed

The SCVB would need to hire an additional person if the Assembly agreed to place the Tourism Commission under the SCVB. This person would convene/advertise meetings, create subcommittee packets, take minutes, and be responsible for following up and completing any tasks related to the subcommittees. In order to hire someone with the appropriate experience, we would need an additional \$15,000 year, based a contract employee rate of \$30/hour for 40 hours per month.

Employees

Employee procedures would remain unchanged from the current organizational structure.

Fiscal matters

Funding

Funding would be similar, but the SCVB Board prefers that a set funding formula be developed guaranteeing ongoing funding of the SCVB. For a long time the SCVB has requested to be forward-funded in order to help with planning, long-term marketing planning and campaigns.

Finances

All financial procedures would remain unchanged from the current organizational structure

Option 2: 501(c)3

Note: Currently, all CVBs in larger Alaskan cities are 501(c)6 non-profits. Due to the fact that we have not engaged in political lobbying and don't plan to (that has been the place of the City Assembly) Foraker agreed that 501(c)3 would likely be a better form for the SCVB.

Formation

The SCVB began the process of becoming a 501(c)3 with the assistance of Foraker. We have all of the paperwork and are aware of all the next-steps required to move ahead with 501(c)3 status.

Board Assignment

There are several options for board assignment, but it is typical for visitor bureaus and other member organizations to either 1) have the board assign future members or 2) let the membership vote new board members in.

Powers and duties

Relationship to Tourism-related Commissions / Community Groups

In this organizational structure, it would be difficult to bring the Tourism Commission to be brought underneath the SCVB, since the City Assembly would essentially have no authorization to assign projects to a non-profit group. Other tourism-related groups, such as the Downtown Revitalization Group, would still be able to be absorbed by the agency.

Perceived Benefits

- Non-profit status would cleanly separate of the SCVB from CBS, which greatly reduces CBS liability regarding SCVB operations
- The SCVB would have greater freedom in operations without the quasi-city status
- All donations and member fees would be tax-deductible
- Additional grants *may* be available

Perceived Risks

- CBS would have less control over the SCVB
- If a funding mechanism/formula wasn't clearly defined, it could have a drastically negative impact on visitor marketing efforts
- Board members would no longer be assigned by the assembly
- Increased workload for staff to maintain requirements of 501(c)3 status

Additional Resources Needed

No additional resources would be necessary, as paperwork is mostly completed and the cost of retaining an attorney to help with the process has already been paid.

Employees

Employee procedures would remain unchanged from the current organizational structure.

Fiscal matters

Funding

In order for the SCVB to continue receiving bed taxes, an MOA would need to be established between the agency and CBS. It is assumed that this would require an annual refresh, although the SCVB Board would prefer something be established with more longevity.

Finances

Finances would remain as they are in their current structure; however, the SCVB would no longer be included in annual audits with the CBS.

Option 3: SCVB becomes a City Department

Formation

Additional research will be required to determine the process of integrating the SCVB as a department of CBS.

Board Assignment

As a department of the CBS, the SCVB would likely have a commission, similar to the Library Commission or Police & Fire Commission. Commission members would be assigned by the Assembly.

Powers and duties

Relationship to Tourism-related Commissions / Community Group

The Tourism Commission would likely be replaced by the Convention & Visitors Bureau Commission, although work could still be done to forward viable VIP 2.0 and other identifiable goals by convening subcommittees.

Perceived Benefits

- Full control and oversight by the CBS
- Funding secured as a city department
- Significantly improved benefits for employees
- Some current expenses (such as bookkeeping and legal) would be covered as part integration into CBS.

Perceived Risks

- Increased expense to CBS
 - Potential decrease in personnel or marketing budget due to increased personnel/benefit costs and lack of membership and ad sales funding
- Lack of membership offers no recourse if a business has multiple complaints – they will still automatically be represented

Additional Resources Needed

Significant resources would be required to incorporate the SCVB as a department of the CBS. It was estimated that the current personnel structure would increase the SCVB budget by \$100,000; these costs could potentially be offset by a reduction in staff or by increasing the CBS bed taxes by 2%.

Employees

All employees would be hired and retained per CBS personnel policies, including full benefit packages currently offered to city employees.

Fiscal matters

Funding

As a city department, the SCVB would be included in the CBS budget and could still receive bed tax revenue as a funding source. Membership and ad sales (~\$78,000 in FY14) would likely no longer be permitted.

Finances

All financial items would be handled by the CBS finance department and existing bank accounts would be dissolved and moved into accounts of the CBS.

Appendix A.

City of Sitka and Borough General Code Chapter 2.34

SITKA CONVENTION AND VISITORS' BUREAU

Sections:

[2.34.010](#) Formation.

[2.34.020](#) Term.

[2.34.030](#) Powers and duties.

[2.34.040](#) Fiscal matters.

[2.34.050](#) Voluntary association.

2.34.010 Formation.

There shall be a board known as the Sitka convention and visitors' bureau, composed of seven members. The members shall be nominated by the assembly and confirmed by a majority vote of the assembly members who are present at any regular or special meeting. The bureau shall organize itself and function according to the provisions of Chapter [2.60](#) of the Sitka General Code. (Ord. 80-431 § 4 (part), 1980.)

2.34.020 Term.

The term of office of the Sitka convention and visitors' bureau members shall be three years, but the first bureau members shall be appointed and serve terms as follows:

- A. Three members for a term of three years;
- B. Three members for a term of two years;
- C. One member for a term of one year.

Members shall serve until their successors have been confirmed by the assembly. There shall be no pay for bureau membership. (Ord. 80-431 § 4 (part), 1980.)

2.34.030 Powers and duties.

- A. The bureau shall be responsible for the formulation of policies governing the planning and execution of programs dealing with all phases of convention and tourist promotion and service to

tourists.

All such policies and plans of operation, shall be approved by the assembly prior to execution, but after approval, the bureau shall administer such programs to see that they are executed in line with assembly authorization.

B. The bureau shall submit periodic reports to the assembly as may be determined by the assembly, but not less than quarterly.

(Ord. 80-431 § 4 (part), 1980.)

2.34.040 Fiscal matters.

A. The city may allocate funds from its budget to assist in programs of the bureau. The bureau may also solicit funds from other sources, but all funds directly received become city property even though used specifically for bureau purposes.

B. The bureau shall submit an annual budget and sources of income for the coming year, which shall be approved by the assembly as part of the general fund budget of the municipality.

C. Within the limits of the budgeted amounts, the bureau may incur expenses. Bills before payment shall be approved by the assembly under the same procedures as ordinary bills.

(Ord. 80-431 § 4 (part), 1980.)

2.34.050 Voluntary association.

A. The bureau may form an auxiliary voluntary association to aid in the bureau purposes. Such purposes may include the solicitation of funds. Any actions and solicitations by such an auxiliary shall make it clear that its actions are not those of an official branch of the municipality, but rather those of a private voluntary organization.

B. Any funds received by such auxiliary shall be expended only with prior bureau approval. If any auxiliary funds remain upon termination of the auxiliary, such funds revert to the Sitka general fund.

C. Any disbursements by the auxiliary shall be reported to the assembly in no less than itemized quarterly reports.

D. The bureau may not guarantee payment of any auxiliary expense without prior assembly approval, nor may the bureau donate any moneys to the auxiliary without prior assembly approval, nor may the bureau solicit funds for the auxiliary.

E. The auxiliary may be dissolved at any time by the bureau or the assembly.

(Ord. 80-431 § 4 (part), 1980.)



Legislation Details

File #: ORD 15-06A Version: 1 Name:

Type: Ordinance Status: FIRST READING

File created: 1/21/2015 In control: City and Borough Assembly

On agenda: 2/10/2015 Final action:

Title: Adding a new title to Sitka General Code entitled "Title 7, Marijuana Regulations" to regulate and tax the use, possession, manufacture and sale of marijuana as well as provide penalties for violation as defined in Chapter 7.30, Section 7.30.010 entitled "Public Consumption"

Sponsors:

Indexes:

Code sections:

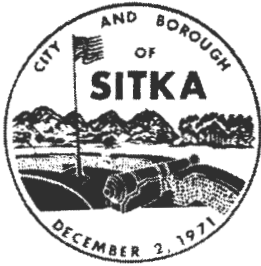
Attachments: [Motion Ordinance 2015-06A.pdf](#)
[Memo Ordinance 2015-06A.pdf](#)
[Ordinance 2015-06A.pdf](#)

| Date | Ver. | Action By | Action | Result |
|-----------|------|---------------------------|--------|--------|
| 1/27/2015 | 1 | City and Borough Assembly | | |
| 1/27/2015 | 1 | City and Borough Assembly | | |
| 1/27/2015 | 1 | City and Borough Assembly | | |

POSSIBLE MOTION

I MOVE TO approve Ordinance 2015-06A on first reading as amended.

Note: The additions made by staff are highlighted in yellow.




City and Borough of Sitka

100 Lincoln Street Sitka, Alaska 99835

Coast Guard City, USA

Memorandum

To: Mayor McConnell and Assembly Members
Mark Gorman, Municipal Administrator

From: Scott Brylinsky, Temporary Planner 

Subject: Ordinance 2015-06

Date: February 3, 2015

Attached for your consideration is a revised ordinance defining public consumption of marijuana. This ordinance was put forward for first reading at the January 27 Assembly meeting, where it passed unanimously.

Based on discussion and questions, language was added to:

- further clarify the definition of businesses that the public frequents, and;
- clarify the reference to the minor offense fine schedule.

CITY AND BOROUGH OF SITKA

ORDINANCE NO. 2015-06A

AN ORDINANCE OF THE CITY AND BOROUGH OF SITKA ADDING A NEW TITLE TO SITKA GENERAL CODE ENTITLED "TITLE 7, MARIJUANA REGULATIONS" TO REGULATE AND TAX THE USE, POSSESSION, MANUFACTURE AND SALE OF MARIJUANA AS WELL AS PROVIDE PENALTIES FOR VIOLATION AS DEFINED IN CHAPTER 7.30, SECTION 7.30.10 ENTITLED "PUBLIC CONSUMPTION"

1. **CLASSIFICATION.** This ordinance is of a permanent nature and is intended to become a part of the Sitka General Code (SGC").

2. **SEVERABILITY.** If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and application thereof to any person or circumstances shall not be affected thereby.

3. **PURPOSE.** This ordinance is being recommended to create a comprehensive regulatory scheme for the regulation of marijuana and associated marijuana products which became legal in the State of Alaska by popular vote. To wit, Ballot Measure 2 – An act to tax and regulate the production, sale and use of marijuana, as codified as Alaska Statutes 17.38 provides for the legalization of marijuana in the State election and certified on November 28, 2014 by the State of Alaska, Division of Elections.

4. **ENACTMENT. NOW, THEREFORE, BE IT ENACTED** by the Assembly of the City and Borough of Sitka ("CBS") that the SGC is amended to add a new Title 7, Marijuana Regulations, to read as follows:

Title 7
MARIJUANA REGULATIONS

Chapter:
7.30 Public Consumption

Chapter 7.30
Public Consumption

Section:
7.30.10 Public Consumption

7.30.10 Public Consumption

A. Pursuant to Alaska Statute 17.38.40, Public consumption of marijuana is prohibited. A person who violates this law is guilty of a violation punishable by a fine of up to \$100.00.

48 B. **Except as otherwise provided**, it is unlawful for a person to knowingly consume
49 marijuana:

50 1. Upon any public street, alley, sidewalk, municipally operated harbor walkways and
51 floats, restrooms and parking lots, any municipally controlled area open to the general
52 public and public school grounds, whether in a motor vehicle or not;

53 2. At any public park, recreation area, playground, or ball field, whether in a motor
54 vehicle or not;

55 3. **In or upon those portions of any private property upon which the public has an**
56 **express or implied license to enter or remain, including but not limited to eating and/or**
57 **drinking establishments, places of business or amusement, and;**

58 4. Any other public or private property, where such area is posted that consumption of
59 marijuana is prohibited; and

60 5. Upon establishment of a local regulatory authority, or similar body, exemptions may
61 be given for special events by the assembly, upon advice by the local regulatory authority
62 or similar body, with such conditions as the assembly may require for the public good.
63

64 C. For purposes of this section, the definitions for words and phrases below shall apply:

65 1. Marijuana, per Alaska Statue 17.38.900(6): “Marijuana” means all parts of the plant
66 of the genus cannabis whether growing or not, the seeds thereof, the resin extracted from
67 any part of the plant, and every compound, manufacture, salt, derivative, mixture, or
68 preparation of the plant, its seeds, or its resin, including marijuana concentrate.

69 “Marijuana” does not include fiber produced from the stalk, oil, or cake made from the
70 seeds of the plant, sterilized seed of the plant which is incapable of germination, or the
71 weight of any other ingredient combined with marijuana to prepare topical or oral
72 administrations, food, drink, or other products; and

73 2. Consume shall have the meaning, in all conjugate forms, of consumption set forth in
74 Alaska Statute 17.38.900(3): Consumption means the act of ingesting, inhaling, or
75 otherwise introducing marijuana into the human body.
76

77 D. **Pursuant to AS 12.25.195**, violation of this section is a minor offense punishable as set
78 forth in the **state’s** minor offense fine schedule **under the Alaska Court System’s Rules**
79 **of Administration bail and fine schedule, at such time as that schedule may be**
80 **updated to include marijuana related violations.**
81

82 5. **EFFECTIVE DATE.** This Ordinance shall become effective February 24, 2015.
83

84 **PASSED, APPROVED, AND ADOPTED** by the Assembly of the City and Borough of
85 Sitka, Alaska this 24th day of February, 2015.
86

87
88 _____
Mim McConnell, Mayor

89 **ATTEST:**
90
91 _____
92 Sara Peterson, CMC
93 Acting Municipal Clerk



Legislation Details

File #: ORD 15-07 Version: 1 Name:

Type: Ordinance Status: AGENDA READY

File created: 2/3/2015 In control: City and Borough Assembly

On agenda: 2/10/2015 Final action:

Title: Amending Sitka General Code Title 15 "Public Utilities" by adding a new Chapter 15.07 entitled "Storm Drainage"

Sponsors:

Indexes:

Code sections:

Attachments: [Motion Ordinance 2015-07.pdf](#)
[Memo Ordinance 2015-07.pdf](#)
[Ordinance 2015-07.pdf](#)
[CBS Stormwater Design Standards.pdf](#)
[Notice to local Contractors.pdf](#)
[Planning Commission recommendation.pdf](#)

| Date | Ver. | Action By | Action | Result |
|------|------|-----------|--------|--------|
|------|------|-----------|--------|--------|

POSSIBLE MOTION

I MOVE TO approve Ordinance 2015-07 on
first reading.

MEMORANDUM

To: Mayor McConnell and Assembly Members
Mark Gorman, Municipal Administrator

From: Michael Harmon, P.E., Public Works Director *MH*
Dan Tadic, P.E., Municipal Engineer *DT*

Reviewed: Jay Sweeney, Chief Finance and Administrative Officer *(1)*

Date: February 4, 2015

Subject: Ordinance 2015-07 – Stormwater Drainage

Background

The Sitka Stormwater Management Plan was completed in June 2013. The plan includes: stormwater regulations; local hydrology to include precipitation and design storms; hydrologic modeling; drainage basin delineation; drainage inventory; drainage problem identification and assessments; low impact development and stormwater best management practices; and recommendations. The document can be found in its entirety on the City website under the Contractor Resources link on the Public Works page.

On December 10, 2013 the Assembly adopted the aforementioned plan and authorized Public Works to develop a Stormwater Ordinance utilizing proceeds from the Benchlands property sale. The goal of the endeavor was to provide design and development standards to protect and preserve public interest by regulating the planning, construction, and maintenance of public and private storm drainage systems within the City. The draft Stormwater Ordinance and associated Design Guidelines was completed in November 2014.

Analysis

The Public Works Maintenance Supervisor estimates that his crew spends over a thousand man-hours each year responding to drainage issues related to poor development standards. This is a significant burden for the General Fund. The cost impacts associated with drainage issues are not the City's alone. Public Works gets hundreds of phone calls and emails each year from the general public with drainage concerns, many of which are the result of improperly constructed or lack of drainage infrastructure. Private property owners are often forced to expend their hard earned dollars on drainage solutions to fix problems that could have been avoided in the first place. In some cases, the City could face legal action due to damage to private property as a result of improper stormwater management.

Fixing plugged culverts and improperly constructed ditches are not the only problems the City faces related to drainage. Lack of physical access to drainage infrastructure is quite common. Sufficient easement width does not do us any good if the infrastructure is at the bottom of a steep slope. Once developments are constructed in this way, it is extremely difficult and expensive to remedy. Hillside Subdivision is the most egregious example of this situation.

Prior to taking the Stormwater Ordinance to the Planning Commission, Public Works emailed the documents to contacts in the local Contractor and Engineering community in an effort to solicit comments from them early in the process. One local Contractor took the opportunity to discuss his likes and dislikes of the proposed standards a few weeks later. Several refinements were made to the guidelines based on that discussion. On January 20, 2015 the Planning Commission unanimously recommended approval of this ordinance to the Assembly.



The runoff generated from this storm flowed over the top of the ditch and eroded portions of the adjacent trail. Riprap ditch liner was too small and washed down the ditch. This situation is fairly common throughout Sitka (Benchlands 4-lot Subdivision, 2015).



CBS has inherited maintenance responsibility for numerous drainage structures to which we do not have physical access. This reality makes it difficult if not impossible to properly maintain. When culverts like this one gets plugged and can't be accessed for maintenance, and if private property is flooded as a result, there could be legal consequences (Hillside Subdivision, 2012).

CITY AND BOROUGH OF SITKA

ORDINANCE NO. 2015-07

AN ORDINANCE OF THE CITY AND BOROUGH OF SITKA AMENDING
SITKA GENERAL CODE TITLE 15 "PUBLIC UTILITIES" BY ADDING A NEW
CHAPTER 15.07 ENTITLED "STORM DRAINAGE"

1. **CLASSIFICATION.** This ordinance is of a permanent nature and is intended to be a part of the Sitka General Code.

2. **SEVERABILITY.** If any provision of this ordinance or any application to any person or circumstance is held invalid, the remainder of this ordinance and application to any person and circumstances shall not be affected.

3. **PURPOSE.** This ordinance is established to promote, protect, and preserve the public interest by regulating the planning, construction, and maintenance of public and private storm drainage systems within the CBS. The specific objectives of this Chapter include but are not limited to:

1. The prevention and abatement of flooding and runoff related property damage, nuisances, or hazards;
2. The prevention of adverse effects of alterations in surface water quantities, locations, and flow patterns;
3. The prevention of actions or practices which would reduce the ability of the public drainage system to convey storm drainage at its intended capacity;
4. The establishment of minimum standards for planning, construction, and maintenance of storm drainage improvements within the CBS; and
5. The establishment of administrative procedures for permits, plan reviews, and construction quality control for grading or drainage improvements significantly affecting the public drainage system.

4. **ENACTMENT.** NOW, THEREFORE, BE IT ENACTED by the Assembly of the City and Borough of Sitka that the Sitka General Code Title 15, Public Utilities, and Sitka General Code Title 21, are hereby amended by adding a new Chapter 15.07, Storm Drainage, and a new paragraph under Chapter 21.40.020, Compliance with standard specifications and subdivision agreements, to read as follows:

41 **Chapter 15.07**
42 **STORM DRAINAGE**

43
44 **Sections:**

| | | |
|----|------------------|--|
| 45 | 15.07.010 | Definitions |
| 46 | 15.07.020 | Purpose |
| 47 | 15.07.030 | Applicability |
| 48 | 15.07.040 | Administration |
| 49 | 15.07.050 | Design and Construction Standards |
| 50 | 15.07.060 | Special Drainage Use Zones |

51
52 **15.07.010 Definitions.**

53 For purposes of this chapter, the following words and phrases shall have the meanings
54 respectively ascribed to them by this section:

55 "CBS" means City and Borough of Sitka.

56 "Director of Public Works" means either the Director of the City's Department of Public
57 Works or the Director's designee.

58 "Design Storm" means a rainfall event of chosen intensity and duration selected for a
59 storm drainage analysis or system design, and is usually expressed as having a statistical
60 probability of recurrence, such as once in every 5, 10, 50, or 100 years on average. A 100-year
61 storm has a 1% probability of occurring in a given year.

62 "Designated Special Drainage Use Areas" means areas within the City which have been
63 designated as critical to the passage of stormwater runoff from upland origins to salt water
64 discharge.

65 "Development" means, but is not limited to, buildings, bridges, road building, grading,
66 land-filling, excavations, utilities or other capital improvements and other land-use changes that
67 add impervious area.

68 "Drainage Basins" means those lands draining to a common watercourse or outlet
69 including the headwaters of said watercourse.

70 "Drainage System" means the system of facilities for collecting and conveying
71 stormwater runoff, including streams, pipelines, channels, ditches, lakes, wetlands, and other
72 drainage structures and appurtenances, natural and manmade.

73 "Erosion" means the process by which stormwater dislodges and transports soil and other
74 materials.

75 "Excavation" means the physical, man-made removal of earth material.

76 "Flood Plain" means the low-lying area adjacent to a watercourse onto which excessive
77 water flows during periods of prolonged and intensive precipitation. The flood plain for a
78 particular watercourse is a geographical area flooded by a storm of specified recurrence interval.

79 "Grading" means any act which changes the elevation of the ground surface.

80 "Impervious" means impenetrable - completely resisting the entrance of liquids.

81 "Peak Discharge" means the maximum rate of stormwater runoff at a particular point
82 determined for the design storm.

83 "Public Drainage System" means all drainage systems lying within dedicated public
84 easements and rights-of-way or other public lands, and watercourses through private lands which
85 serve as integral parts of drainage systems which convey surface water from streets or public
86 lands, or which provide common drainage from more than one parcel.

87 "Recurrence interval" is the estimated interval of time between storms of a given intensity
88 and duration.

89 "Sediment" means waterborne particles, graded or undefined, occurring by erosive action.

90 "Sedimentation" means the deposition of debris and soil sediment displaced by erosion
91 and transported by runoff.

92 "Storm Sewer" means an underground conduit to convey discharges to an outfall point.

93 "Stream" means a surface water route generally consisting of a channel with bed, banks,
94 or sides, in which surface waters flow in draining from higher to lower land, both perennial and
95 intervening; the channel and intervening artificial components, excluding flows which do not
96 persist more than 24 hours after cessation of rainfall at some time of the year.

97 "Watercourse" means the course or route followed by waters draining from the land,
98 generally formed by nature.

99

100 **15.07.020 Purpose.**

101 A. This Chapter is established to promote, protect, and preserve the public interest by
102 regulating the planning, construction, and maintenance of public and private storm drainage
103 systems within the CBS.

104 B. The specific objectives of this Chapter include but are not limited to:

- 105 1. The prevention and abatement of flooding and runoff related property damage, nuisances,
106 or hazards;
- 107 2. The prevention of adverse effects of alterations in surface water quantities, locations, and
108 flow patterns;
- 109 3. The prevention of actions or practices which would reduce the ability of the public
110 drainage system to convey storm drainage at its intended capacity;
- 111 4. The establishment of minimum standards for planning, construction, and maintenance of
112 storm drainage improvements within the CBS; and
- 113 5. The establishment of administrative procedures for permits, plan reviews, and
114 construction quality control for grading or drainage improvements significantly affecting
115 the public drainage system.

116 C. This Chapter is intended to promote the health, safety and welfare of the public and
117 nothing herein is intended to or shall be deemed to create a duty in the CBS to protect or promote
118 the interests of any particular person or class of persons. The existence of these regulations or
119 any failure, refusal or omission of the CBS to enforce any provision herein shall not prevent,
120 supplant or affect the right of any person affected by the clearing, grading, or drainage operations
121 of another to invoke such private remedies as may be available against such other person.

122

123

124 **15.07.030 Applicability.**

125 A. This Chapter shall apply to all property within the CBS, both privately and publicly
126 owned.

127 B. To the extent permitted by law, governmental entities, including municipal corporations
128 and their departments, government owned utilities, school districts, and agencies and
129 departments of State and Federal government, shall be subject to the provisions of this Chapter.

130 C. Other CBS, State and Federal laws and regulations may apply to storm drainage related
131 matters within the CBS. Compliance with the provisions of this Chapter does not guarantee
132 compliance with such other requirements.

133

134 **15.07.040 Administration.**

135 The Director of Public Works is charged with the administration and enforcement of this
136 Chapter. The Director is empowered to establish such administrative procedures and guidelines
137 as are required in the execution of this authority.

138

139 **15.07.050 Design and Construction Standards.**

140 A. Design and construction standards for storm drainage improvements within the CBS shall
141 be prepared, maintained, and revised from time-to-time by the Director of Public Works and
142 made available in written form to the general public upon request.

143 B. Construction standards for storm drainage improvements are referred to as “City and
144 Borough of Sitka Standard Specifications” and are hereby adopted as official CBS standards for
145 design and construction of culverts, catch basins, drains, ditches, drainage inlets, and other
146 ordinary drainage improvements.

147 C. Design standards for storm drainage improvements are referred to as “City and Borough
148 of Sitka Stormwater Design Standards” and are hereby adopted as official CBS standards for the
149 hydrologic and hydraulic design and sizing of culverts, drains, ditches, drainage inlets, and other
150 ordinary drainage improvements.

151 D. Construction of drainage improvements in public rights-of-way, easements and areas for
152 which drainage permits are required under the Sitka General Code shall be designed and
153 constructed in compliance with standards adopted in this Chapter.

154 E. The Director of Public Works may revise and update the “City and Borough of Sitka
155 Standard Specifications” or the “City and Borough of Sitka Stormwater Design Standards” to
156 reflect changes in technology, new information concerning hydrologic or meteorological
157 assumptions, changes in the type and availability of construction materials, and standards
158 guidance from other governmental entities.

159 F. The Director of Public Works may allow deviations from the “City and Borough of Sitka
160 Standard Specifications” or the “City and Borough of Sitka Stormwater Design Standards” when
161 he/she determines that drainage can be better accommodated by alternate design or construction
162 methods, or when substitutions of alternate construction materials would not result in loss of
163 essential function. A variance may also be granted by the Director of Public Works when he/she
164 finds that:

- 165 1. Downstream facilities have sufficient capacity under design conditions to safely convey
166 the proposed runoff;
- 167 2. The quality of the receiving waters will be maintained;
- 168 3. There is minimal potential for adverse effects from the proposed runoff;
- 169 4. The proposed system can be maintained; and,

170 5. The proposed system does not compromise the structural integrity of abutting roadways,
171 foundations, or structures.

172
173 **15.07.060 Special Drainage Use Zones.**

174 A. Areas within the CBS which are critical or may reasonably become critical to the passage
175 of stormwater runoff from upland origins are hereby established as “Designated Special
176 Drainage Use Areas.” Critical areas are those in which existing or potential flooding, drainage,
177 erosion, water quality, and/or instability conditions present a reasonable likelihood of harm to the
178 welfare and safety of surrounding property, or to the integrity of surface water systems and
179 resources.

180 B. Designated Special Drainage Use Areas may be identified and delineated on maps for
181 purposes of this Chapter. The Director of Public Works shall be responsible for preparing,
182 maintaining and updating maps of Designated Special Drainage Use Area boundaries.

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184 ***

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186 **5. EFFECTIVE DATE.** This ordinance shall become effective on the day after the date of its
187 passage.

188
189 **PASSED, APPROVED, AND ADOPTED** by the Assembly of the City and Borough of Sitka,
190 Alaska this 24th day of February, 2015.

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192
193
194 _____
Mim McConnell, Mayor

195
196 ATTEST:

197
198
199 _____
200 Colleen Ingman, MMC
201 Municipal Clerk

CITY AND BOROUGH OF SITKA STORMWATER DESIGN STANDARDS

BACKGROUND

These Stormwater Design Standards present acceptable methods for the analysis and design of conveyance systems and hydraulic structures within the City and Borough of Sitka (CBS). These standards encompass the following:

- Design and analysis methods
- Pipe systems
- Outfalls
- Culverts
- Open conveyances
- Private drainage systems.

Where space and topography permit, open conveyances are preferred for stormwater conveyance.

DESIGN EVENT STORM FREQUENCY

Hydraulic structures are analyzed and sized for a specific storm frequency to provide an acceptable level of service at an acceptable cost. When selecting a storm frequency for design, consideration is given to the potential degree of damage to adjacent properties, potential hazard and inconvenience to the public, the number of users, and the initial construction cost of the conveyance system or hydraulic structure.

The design event recurrence interval indicates the probability that such an event will occur in any one year. The greater the recurrence interval, the lower the probability that the event will occur in any given year. For example, a peak flow having a 25-year recurrence interval has a 4 percent probability of being equaled or exceeded in any future year. A peak flow having a 2-year recurrence interval has a 50 percent probability of being equaled or exceeded in any future year. Table 1 shows the design event for each conveyance system category.

| TABLE 1. DESIGN EVENT FREQUENCIES | |
|---|---|
| Type of Structure | Design Return Period (Exceedance Probability) |
| Roadway Culverts - tributary drainage area > 25 acres | 100 years (1%) |
| Roadway Culverts – tributary drainage area < 25 acres | 50 years (2%) |
| Driveway Culverts | 25 years (4%) |
| Trunk Storm Sewer System and Storm Sewer Feeder Lines | 25 years (4%) |
| Outfall Energy Dissipation | 100 years (1%) |
| Side Ditches, Storm Water Inlets and Gutter Flow | 25 years (4%) |
| Bridges in Designated Flood Hazard Areas | 100 years (1%) |

DETERMINATION OF DESIGN FLOWS

All existing and proposed conveyance systems shall be analyzed and designed using the peak flows from hydrographs developed using the methods set forth in the Alaska Highway Drainage Manual, Chapter 7, Hydrology, or other approved methodology. In general, either event-based or continuous runoff hydrologic modeling may be used for conveyance sizing.

For event-based hydrologic modeling, the 24-hour storm distributions for the 10-, 25-, 50- and 100-year frequency design storms are provided in Appendix A to these stormwater design standards.

Exception: For drainage sub-basins of 10 acres or less, the capacity of conveyance elements may be determined using the culvert sizing table provided in Table 2.

Figure 1 illustrates the application of design event frequencies to various culvert conditions.

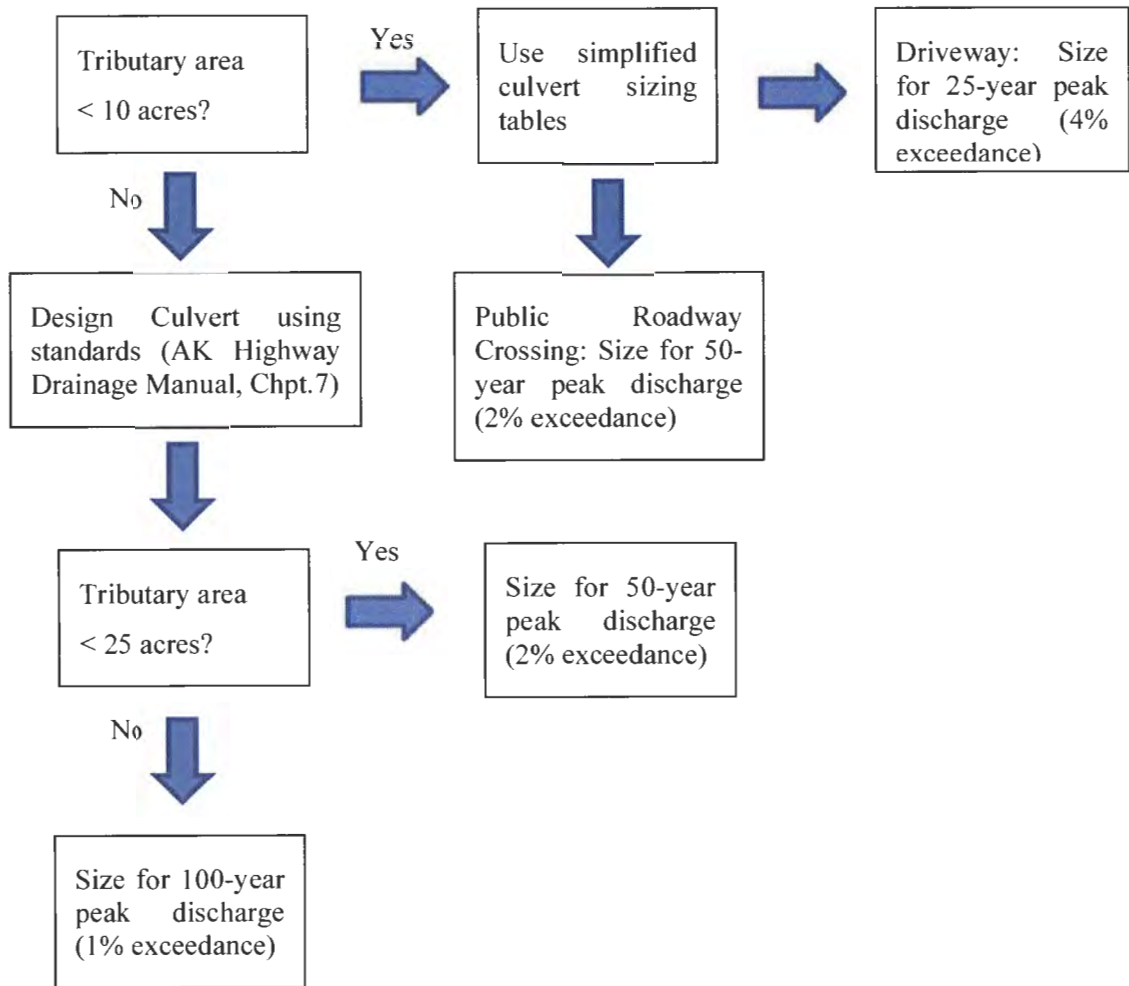


Figure 1. Determination of Design Flows

| TABLE 2. | | |
|---|-------------------------------|--|
| SIMPLIFIED CULVERT SIZING TABLE | | |
| Public Roadway Culvert (50-year / 2% Exceedance) | | |
| Contributing Land-Use | Pipe Diameter (inches) | Range of Tributary Area (Acres) |
| <i>Low Density Development</i> | 18" | 0-10 |
| <i>Medium Density Development</i> | 18" | 0-7.8 |
| | 24" | 7.9-10 |
| <i>High Density Development</i> | 18" | 0-4.1 |
| | 24" | 4.2-8.8 |
| | 36" | 8.9-10 |
| Driveway Culvert (25-year / 4% Exceedance) | | |
| Contributing Land-Use | Pipe Diameter (inches) | Range of Tributary Area (Acres) |
| <i>Low Density Development</i> | 18" | 0-10 |
| <i>Medium Density Development</i> | 18" | 0-8.8 |
| | 24" | 8.9-10 |
| <i>High Density Development</i> | 18" | 0-4.6 |
| | 24" | 4.7-9.8 |
| | 36" | 9.9-10 |

Figure 2 is excerpted from the Stormwater Master Plan and provides an illustration of the contributing land use densities listed in Table 2.



Figure 2. Examples of Land Use Densities referred to in Table 2

OFF-SITE ANALYSIS

Off-site analysis shall initially consist of a qualitative assessment of existing and potential flooding and erosion problems upstream and downstream of the site and of the conveyance capacity of the primary and overflow stormwater runoff flow paths. If conditions warrant, a more detailed quantitative analysis shall be required. Areas with steep slopes or erosive soils warrant increased review of runoff conveyance.

Conveyance analysis shall be conducted for at least a quarter-mile downstream from the site to evaluate potential impacts as well as the adequacy of the downstream conveyance facilities to accommodate flow from the site and all other upstream sources. Conveyance analysis shall extend upstream of the site past any backwater conditions caused by the proposed development.

For the 25-year event, there shall be a minimum of one-half foot of freeboard between the water surface and the top of any manhole or catch basin.

BACKWATER ANALYSIS

A computer program capable of backwater profile analysis, such as Hydrologic Engineering Center-River Analysis System (HEC-RAS) for surface water conveyance or Storm Water Management Model (SWMM) for pipe conveyance, is recommended over hand calculations. However, hand calculations are acceptable.

CONVEYANCE SYSTEM ROUTE DESIGN

Where feasible, all pipes shall be located outside the travel lane, unless otherwise specified below. New conveyance system alignments that are not in dedicated tracts or rights-of-way shall be located in drainage easements that are adjacent and parallel to property lines. The width of the permanent easement must be completely within a single parcel or tract and not split between adjacent properties in new development. In existing developments, storm drain easements shall follow lot ownership lines to the maximum extent practical. Topography and existing conditions are conditions under which a drainage easement may be placed not adjacent and parallel to a property line. Requirements for conveyance system tracts and easements are discussed below.

Exceptions:

- This routing requirement shall not apply in cases where it would require relocation of streams or natural drainage channels.
- Perpendicular crossings and cul-de-sacs are exempted from this requirement.
- For curved sections only of local minor roads and local road cul-de-sacs, pipe placement may be located underneath pavement areas, but no closer than 6 feet from the roadway centerline.

EASEMENTS, ACCESS, AND DEDICATED TRACTS

Natural Channels and Stormwater Facilities

All man-made drainage facilities and conveyances and all natural channels (on the project site) used for conveyance of altered flows due to development (including swales, ditches, stream channels, lake shores, wetlands, estuaries, gullies, ravines, etc.) shall be located within easements or dedicated tracts as required by CBS. Easements shall contain the natural features and facilities and shall allow CBS access for purposes of inspection, maintenance, repair or replacement, flood control, water quality monitoring, and other activities permitted by law.

All drainage facilities such as wet ponds or infiltration systems to be maintained by the CBS shall be located in tracts dedicated to CBS. Conveyance systems can be in easements.

Maintenance Access

All storm drain easements shall have physical access from a public street or right-of-way. In cases where such access requires a road, the access easement shall be a minimum of 15-foot wide. Access easements shall be surfaced with a minimum 12-foot width of crushed rock, or other approved surface to allow year-round equipment access to the facility with a 15 percent maximum grade.

Maintenance access must be provided for all manholes, catch basins, vaults, or other underground drainage facilities to be maintained by CBS. Maintenance shall be through an access easement or dedicated tract. Drainage structures for conveyance without vehicular access must be channeled.

Access to Conveyance Systems

All publicly and privately maintained conveyance systems shall be located in dedicated tracts, drainage easements, or public rights-of-way in accordance with this manual.

Exception: roof downspout, minor yard, and footing drains unless they serve other adjacent properties.

Table 3 lists minimum easements for drainage facilities.

| TABLE 3. MINIMUM EASEMENT WIDTHS FOR CONVEYANCE SYSTEM ACCESS, INSPECTION AND MAINTENANCE | |
|--|---|
| Conveyance Width | Easement Width |
| Channels | 15 feet from top of slope on one side for access, 5 feet from top of slope for other side |
| Pipes/Outfalls \leq 48" with up to 6' cover (max) | 10 feet centered on pipe ^a |
| Pipes/Outfalls \leq 60" with up to 6' cover (max) | 15 feet centered on pipe ^a |
| Pipes/Outfalls \leq 60" with greater than 6' cover | 20 feet centered on pipe ^a |
| Pipes/Outfalls $>$ 60" | 30 feet centered on pipe ^a |
| ^a . May be greater, depending on depth and/or number of pipes in easement. | |

Conveyance systems to be maintained and operated by CBS must be located in a dedicated tract or drainage easement granted to CBS. Any new conveyance system located on private property designed to convey drainage from other private properties must be located in a private drainage easement granted to the contributors of stormwater to the systems to convey surface and stormwater and to permit access for maintenance or replacement in the case of failure.

All drainage tracts and easements, public and private, must have a minimum width of 10 feet. In addition, all pipes and channels must be located within the easement so that each pipe face or top edge of channel is no closer than 5 feet from its adjacent easement boundary. Pipes greater than 5 feet in diameter and channels with top widths greater than 5 feet shall be placed in easements adjusted accordingly, so as to meet the required dimensions from the easement boundaries.

PIPE SYSTEM DESIGN CRITERIA

Pipe systems are networks of storm drain pipes, catch basins, manholes, and inlets designed and constructed to convey storm and surface water. The hydraulic analysis of flow in storm drain pipes typically is limited to “gravity flow”; however, in analyzing existing systems it may be necessary to address pressurized conditions.

Analysis Methods

Two methods of hydraulic analysis using Manning’s equation are used for the analysis of pipe systems. The first method is the Uniform Flow Analysis Method, commonly referred to as the Manning’s Equation, and is used for the design of new pipe systems and analysis of existing pipe systems. The second method is the Backwater Analysis Method and is used to analyze the capacity of both proposed, and existing, pipe systems. If off site analysis determines that, as a result of the project, runoff would cause damage or interrupt vital services, a backwater (pressure sewer) analysis shall be required. Results shall be submitted in tabular and graphic format showing hydraulic and energy gradient.

When using the Manning’s equation for design, each pipe in the system shall be sized and sloped such that its barrel capacity at normal full flow is equal or greater than the required conveyance capacity. Table 4 provides the recommended Manning’s “n” values for preliminary design for pipe systems. (Note: The “n” values for this method are 15 percent higher in order to account for entrance, exit, junction, and bend head losses.) Manning’s “n” values used for final pipe design must be documented in the Stormwater Site Plan.

Nomographs may also be used for sizing the pipes. For pipes flowing partially full, the actual velocity may be estimated from engineering nomographs by calculating Q_{full} and V_{full} and using the ratio of Q_{design}/Q_{full} to find V and d (depth of flow).

**TABLE 4.
RECOMMENDED MANNING'S "N" VALUES FOR PRELIMINARY PIPE DESIGN**

| Type of Pipe Material | Analysis Method | |
|--|-----------------|-------------------------|
| | Backwater Flow | Manning's Equation Flow |
| A. Concrete pipe and CPP-smooth interior pipe | 0.012 | 0.014 |
| B. Annular Corrugated Metal Pipe or Pipe Arch: | | |
| 1. 2 $\frac{3}{8}$ x $\frac{1}{2}$ inch corrugation (riveted) | | |
| a. plain or fully coated | 0.024 | 0.028 |
| b. paved invert (40% of circumference paved): | | |
| (1) flow full depth | 0.018 | 0.021 |
| (2) flow 0.8 depth | 0.016 | 0.018 |
| (3) flow 0.6 depth | 0.013 | 0.015 |
| c. treatment 5 | 0.013 | 0.015 |
| 2. 2.3 x 1-inch corrugation | 0.027 | 0.031 |
| 3. 3.6 x 2-inch corrugation (field bolted) | 0.030 | 0.035 |
| C. Helical 2 $\frac{3}{8}$ x $\frac{1}{2}$ -inch corrugation and CPEP-single wall | 0.024 | 0.028 |
| D. Spiral rib metal pipe and PVC pipe | 0.011 | 0.013 |
| E. Ductile iron pipe cement lined | 0.012 | 0.014 |
| F. High density polyethylene pipe (butt fused only) | 0.009 | 0.009 |

Acceptable Pipe Sizes

All storm drainage pipes shall have a minimum 18-inch diameter unless approved by CBS. Cross-street connections from a concrete inlet to a Type III or IV catch basin or manhole (CB leads) may use corrugated polyethylene pipe 12-inch diameter if approved. Storm sewer pipe used for private roof/footing/yard drain systems can be less than 12-inch diameter if sized according to the application and approved by CBS.

Pipe Materials

Pipe materials shall meet the requirements of CBS standard specifications. All storm drainage pipe, except as otherwise provided for in these standards, shall be double-walled, corrugated, polyethylene pipe, minimum 18-inch diameter unless approved by CBS, with a smooth internal diameter (AASHTO M-294 Type S) or approved equal, with a joint meeting CBS standards, except for perforated pipe and major underground detention facilities. Drainage pipe shall have a minimum cover of 12 inches as measured from the top of pipe to the top of paved surface.

When extreme slope conditions or other unusual topographic conditions exist, other pipe materials and methods may be used with prior approval by CBS, such as, but not limited to, polyvinyl chloride (PVC) or high density polyethylene (HDPE).

All metal parts must be corrosion resistant. Examples of preferred materials include aluminum, stainless steel, and plastic. Zinc and galvanized materials are discouraged because of aquatic toxicity. Painted metal parts shall not be used because of poor longevity.

Pipe material, joints, and protective treatment shall be in accordance with CBS Standard Specifications and AASHTO and ASTM treatment standards as amended by the CBS. The applicant is responsible for contacting CBS to determine the allowable pipe materials which can be used.

Pipe Slope and Velocity

Minimum velocity is 2 feet per second at design flow. CBS may waive these minimums in cases where topography and existing drainage systems make it impractical to meet the standard.

Maximum slopes, velocities, and anchor spacings are shown in Table 5. Where flow velocities exceed 15 feet per second for the conveyance system design event, provide anchors at bends and junctions.

Pipe direction changes or size increases or decreases are allowed only at manholes and catch basins. This does not apply to detention tanks or vaults.

Downsizing of pipes is only allowed under special conditions as allowed by CBS (i.e., no hydraulic jump can occur; downstream pipe slope is significantly greater than the upstream slope; velocities remain in the 3 to 8 fps range, no debris blockage potential etc.).

| TABLE 5. MAXIMUM PIPE SLOPES AND VELOCITIES | | | |
|---|--|--------------------|----------------------------|
| Pipe Material | Pipe Slope Above Which Pipe Anchors Required and Minimum Anchor Spacing ^a | Max. Slope Allowed | Max. Velocity at Full Flow |
| Spiral Rib ^b , PVC ^b , CPEP-single wall | 20% (minimum 1 anchor per 100 feet of pipe) | 20% ^d | 30 fps |
| Concrete ^b or CPP-smooth interior ^b | 20% (minimum 1 anchor per 50 feet of pipe) | 20% ^d | 30 fps |
| HDPE ^c | 50% (minimum 1 anchor per 100 feet of pipe; cross slope installations only) | None | None |

a. As supported by engineering calculations.

b. Not allowed in landslide hazard areas.

c. Butt-fused pipe joints required. Above-ground installation is required on slopes greater than 40% to minimize disturbance to steep slopes.

d. Maximum slope of 200% allowed for these pipe materials with no joints (one section) with structures at each end and properly grouted.

Key: PVC = polyvinyl chloride pipe; CPP = corrugated high density polyethylene pipe; HDPE = high density polyethylene

Downsizing of downstream culverts within a closed system with culverts 18-inches in diameter or smaller will not be permitted.

Normally pipes connecting into a structure shall match crown elevations (see exceptions in the layout criteria below).

Pipes on Steep Slopes

Steep slopes (greater than 20 percent) shall require all drainage to be piped from the top to the bottom in HDPE pipe (butt fused). Additional anchoring design is required for these pipes.

Pipe System Layout Criteria

Pipes must be laid true to line and grade with no curves, bends, or deflections in any direction. Exceptions may include HDPE on steep slopes per CBS.

A break in grade or alignment or changes in pipe material shall occur only at catch basins or manholes.

Connections to a pipe system shall be made only at catch basins or manholes. No wyes or tees are allowed except on private roof/footing/yard drain systems on pipes 8-inches in diameter, or less, with clean-outs upstream of each wye or tee.

Provide 6 inches minimum vertical and 3 feet minimum horizontal clearance (outside surfaces) between storm drain pipes and other utility pipes and conduits.

Suitable pipe cover over storm pipes in road rights-of-way shall be calculated for HS-20 loading by the Engineer of Record. Pipe cover is measured from the finished grade elevation down to the top of the outside surface of the pipe. Pipe manufacturers' recommendations are acceptable if verified by CBS.

Pipe cover in areas not subject to vehicular loads, such as landscape planters and yards, may be reduced to an 18-inch minimum.

Debris barriers (trash racks) are required on inlets to closed concrete structures (see CBS Engineering Standard Specifications).

Where a minimal fall is necessary between inlet and outlet pipes in a structure, pipes must be aligned vertically by one of the following in order of preference:

- Match pipe crowns
- Match 80 percent diameters of pipes
- Match pipe inverts.

Where inlet pipes are higher than outlet pipes, drop manhole connections may be required or increased durability in the structure floor may be required.

HDPE pipe systems longer than 100 feet must be anchored at the upstream end if the slope exceeds 25 percent and the downstream end placed in a minimum 4-foot long section of the next larger pipe size. This sliding sleeve connection allows for the high thermal expansion/contraction coefficient of the pipe material.

Pipe Structure Criteria

Catch Basins and Manholes

For the purposes of this manual, all catch basins and manholes shall meet the requirements outlined in CBS Standard Specifications.

Catch basin (or manhole) diameter shall be determined by pipe diameter and orientation at the junction structure. A plan view of the junction structure, drawn to scale, will be required when more than four pipes enter the structure on the same plane, or if angles of approach and clearance between pipes is of concern. The plan view (and sections if necessary) must ensure a minimum distance (of solid concrete wall) between pipe openings of 8 inches for 48-inch and 54-inch diameter catch basins and 12 inches for 72-inch and 96-inch diameter catch basins.

Catch basin evaluation of structural integrity for H-20 loading will be required for multiple junction catch basins and other structures which exceed the recommendations of the manufacturers.

Catch basins shall be provided within 50 feet of the entrance to a pipe system for silt and debris removal.

Maximum surface runs between inlet structures on paved roadway surface shall be as listed in Table 6.

Minimum longitudinal roadway slope shall be 0.5 percent.

The Washington State Department of Transportation Hydraulics Manual can be used in determining the capacity of inlet grates when capacity is of concern. When verifying capacity, assume grate areas on slopes are 80 percent free of debris, and “vaned” grates are 95 percent free. In sags or low spots, assume grates are 50 percent free of debris, and “vaned” grates, 75 percent free.

A metal frame and grate for catch basin and inlet, that is deemed bicycle safe, shall be used for all structures collecting drainage from the paved roadway surface (see CBS Standard Specifications).

| TABLE 6. MAXIMUM SURFACE RUNS BETWEEN INLET STRUCTURES | |
|---|------------------------|
| Roadway Slope (%) | Maximum Spacing (feet) |
| 0.5 to 1 | 200 |
| 1 to 8 | 350 |
| 8 to 12 | 150 |

OUTFALLS

All piped discharges to streams, rivers, ponds, lakes, or other open bodies of water are designated outfalls and shall provide for energy dissipation to prevent erosion at or near the point of discharge. Properly designed outfalls are critical to reducing the chance of adverse impacts as the result of concentrated discharges from pipe systems and culverts, both onsite and downstream. Outfall energy dissipation systems include rock splash pads, flow dispersal trenches, gabion or other energy dissipaters, and tightline systems. A tightline system is typically a continuous (i.e., joint-free, such as butt-fused HDPE pipe) length of pipe used to convey flows down a steep or sensitive slope with appropriate energy dissipation at the discharge end.

General Design Criteria for Outfall Features

All energy dissipation at outfalls shall be designed for peak flows from a 100-year, 24-hour storm event. For outfalls with a maximum flow velocity of less than 10 feet per second, a rock splash pad is acceptable. For velocities equal to or greater than 20 feet per second, an engineered energy dissipater must be provided. See Table 7 and Figure 3 for a summary of the rock protection requirements at outfalls. The following sections provide general design criteria for various types of outfall features.

**TABLE 7.
ROCK PROTECTION AT OUTFALLS**

| Discharge Velocity at Design Flow (fps) | Minimum Dimensions for Required Protection | | | | |
|---|--|-------------|---|---|----------------|
| | Type ^a | Thickness | Width | Length | Height |
| 0 to 5 | Class I Riprap | 1 foot | Diameter + 6 feet | 8 feet or 4 x diameter, whichever is greater | Crown + 1 foot |
| >5 to 10 | Class II Riprap | 2 feet | Diameter + 6 feet or 3 x diameter, whichever is greater | 12 feet or 4 x diameter, whichever is greater | Crown + 1 foot |
| >10 to 20 | Class III Riprap or Gabion outfall | As required | As required | As required | Crown + 1 foot |
| >20 | Engineered energy dissipater required | | | | |

a. Riprap classes as specified by Alaska DOT Standard Specifications.

Note: Riprap sizing governed by side slopes on outlet channel is assumed to be approximately 3:1.

General Design Criteria to Protect Aquatic Species and Habitat

Outfall structures should be located where they minimize impacts to fish, shellfish, and their habitats. However, new pipe outfalls can also provide an opportunity for low-cost fish habitat improvements. For example, an alcove of low-velocity water can be created by constructing the pipe outfall and associated energy dissipater back from the stream edge and digging a channel, over widened to the upstream side, from the outfall to the stream. Overwintering juvenile and migrating adult salmonids may use the alcove as shelter during high flows. Potential habitat improvements should be discussed with the Alaska Department of Fish and Game (ADF&G) biologist prior to inclusion in design.

Bank stabilization, bioengineering, and habitat features may be required for disturbed areas. Outfalls that discharge to the ocean or a major water body may require tide gates. Contact the CBS for specific requirements.

Rock Splash Pad

At a minimum, all outfalls as defined above must be provided with a rock splash pad except as specified in Table 7.

Flow Dispersal Trench

The flow dispersal trenches should only be used when both criteria below are met:

- An outfall is necessary to disperse concentrated flows across uplands where no conveyance system exists and the natural (existing) discharge is unconcentrated.
- The 100-year peak discharge rate is less than or equal to one-half of a cubic foot per second.

PIPE/CULVERT DISCHARGE PROTECTION

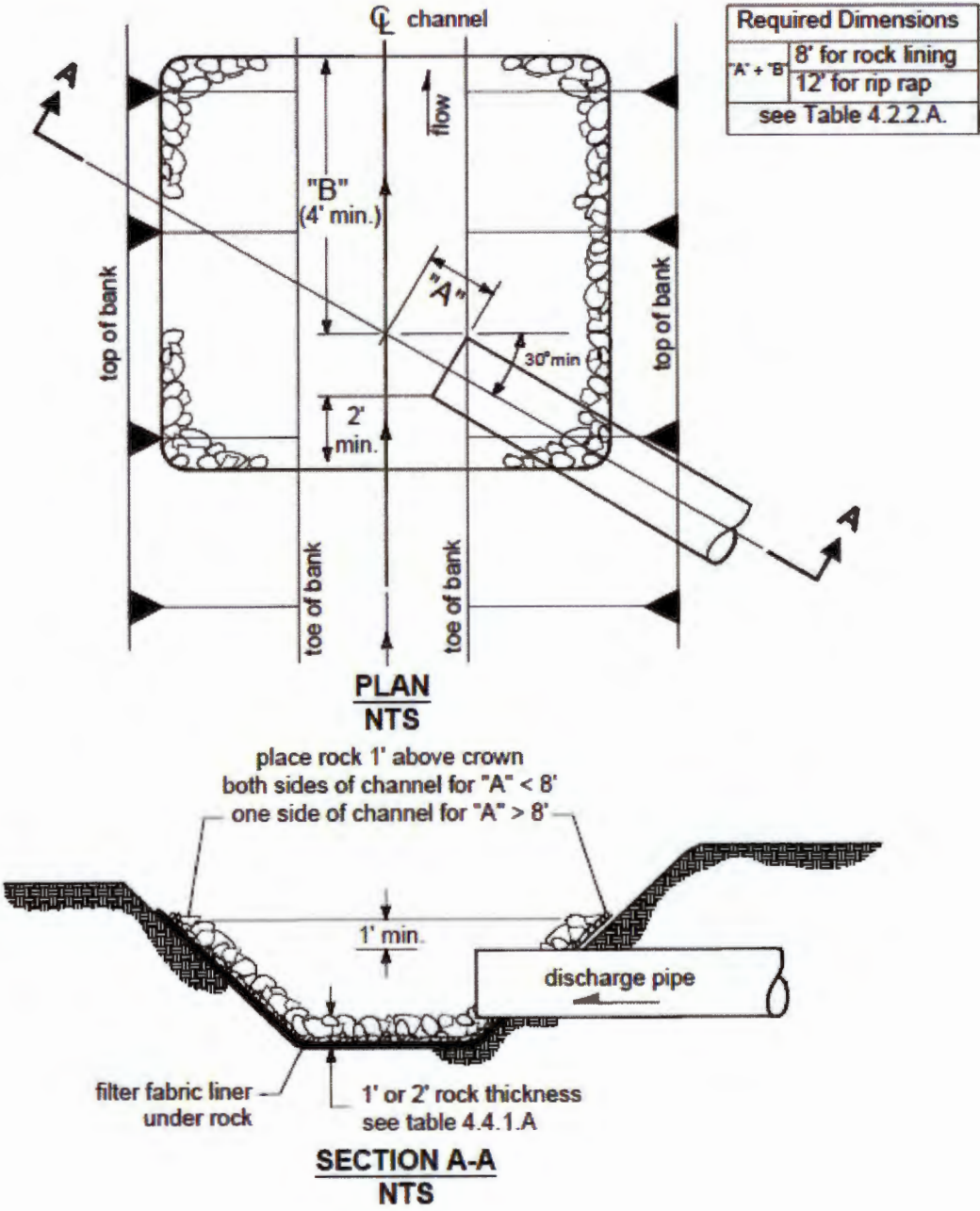


Figure 3. Outfall Discharge Protection

Tightline Systems

Tightline systems consist of continuous (i.e., joint-free, or restrained joint) pipe systems that traverse a steep slope and avoid introducing water to the slope. Such systems may be needed to prevent aggravation or creation of a downstream erosion problem. The following general design criteria apply to tightline systems:

- Outfall tightlines may be installed in trenches with standard bedding on slopes up to 20 percent. In order to minimize disturbance to slopes greater than 20 percent, it is recommended that tightlines be placed at grade with proper pipe anchorage and support.
- Except as indicated above, tightlines or conveyances that traverse the marine intertidal zone and connect to outfalls should be buried to a depth sufficient to avoid exposure of the line during storm events or future changes in beach elevation. If non-native material is used to bed the tightline, such material should be covered with at least 3 feet of native bed material or equivalent.
- HDPE tightlines must be designed to address the material limitations, particularly thermal expansion and contraction and pressure design, as specified by the manufacturer. The coefficient of thermal expansion and contraction for solid wall polyethylene (SWPE) pipe is on the order of 0.001 inch per foot per Fahrenheit degree. Sliding sleeve connections should be used to address this thermal expansion and contraction. These sleeve connections consist of a section of the appropriate length of the next larger size diameter of pipe into which the outfall pipe is fitted. These sleeve connections should be located as close to the discharge end of the outfall system as is practical.
- Due to the ability of HDPE tightlines to transmit flows of very high energy, special consideration for energy dissipation must be made. Flows of very high energy will require a specifically engineered energy dissipater structure.

CULVERT CRITERIA

For the purpose of this manual, culverts are single runs of pipe that are open at each end and have no structures such as manholes or catch basins.

Approved pipe materials are detailed in the pipe system design criteria earlier in this chapter. Galvanized or aluminized pipe are not permitted in marine environments or where contact with salt water may occur, even infrequently through backwater events.

Culvert Design Criteria

Flow capacity shall be determined by analyzing inlet and outlet control for headwater depth. Nomographs used for culvert design shall be included in the submitted stormwater plan.

All culverts shall be designed to convey the flows for the design storm event. The maximum design headwater depth shall be 2.0 times the diameter of the culvert with no saturation of roadbeds. Culverts shall be a minimum 18 inches diameter unless approved by CBS.

Where design flow velocity exceeds 8 feet per second, inlets and outlets shall be protected from erosion by a CBS Culvert Headwall (see CBS Standard Specifications) or approved equal, and rock lining, riprap, or biostabilization as detailed in Table 7 and approved by CBS.

Debris barriers are required on the inlet end of all culverts greater than 18 inches in diameter. Culverts greater than 36 inches in diameter within stream corridors are exempt.

Minimum culvert velocity shall be 2 feet per second and maximum culvert velocity shall be 15 feet per second. A maximum velocity of 30 feet per second may be used with an engineered outlet protection

designed. No maximum velocity for HDPE pipe shall be established but outlet protection shall be provided.

All CPP and PVC culverts and pipe systems shall have concrete headwalls at exposed pipe ends.

Bends are not permitted in culvert pipes.

If the minimum cover cannot be provided on a flat site, pipe shall be designed for loadings by a licensed engineer.

- Maximum culvert length: 150 feet
- Minimum separation from other pipes:
 - 6 inches vertical (with bedding) and in accord with the CBS design criteria
 - 3 feet horizontal

Trench backfill shall be per CBS Standard Specifications.

All driveway culverts shall be of sufficient length to provide a minimum 3:1 slope from the edge of the driveway to the bottom of the ditch. Culverts shall have beveled end sections to match the side slope.

Fish Passage

Fish passage shall be accommodated as required by ADF&G and/or the U.S. Army Corps of Engineers.

OPEN CONVEYANCES

Open conveyances can be either roadside ditches, grass lined swales, or a combination thereof. Consideration must be given to public safety when designing open conveyances adjacent to traveled ways and when accessible to the public. Where space and topography permit, open conveyances are the preferred means of collecting and conveying stormwater.

Open conveyances shall be designed by one of the following methods:

- Manning's Equation (for uniform flow depth, flow velocity, and constant channel cross-section)
- Direct Step Backwater Method (utilizing the energy equation)
- Standard Step Backwater Method (utilizing a computer program).

Velocities must be low enough to prevent channel erosion based on the native soil characteristics or the compacted fill material. For velocities above 5 feet per second, channels shall be either rock-lined across the bottom and on the side slopes up to the roadway shoulder top with a minimum thickness of 8 inches, or shall be stabilized in a fashion acceptable to the CBS. Water quality shall not be degraded due to passage through an open conveyance. See Table 8.

Channels having a slope less than 6 percent and having peak velocities less than 5 feet per second shall be lined with vegetation.

Channel side slopes shall not exceed 2:1 for undisturbed ground (cuts) as well as for disturbed ground (embankments). All constructed channels shall be compacted per CBS standard specifications and standard details. Channel side slopes adjacent to roads shall not exceed 2:1 and will meet all other AASHTO and CBS road standards.

Channels shall be designed with a minimum freeboard of one-half-foot when the design flow is 10 cubic feet per second or less and 1 foot when the design discharge is greater than 10 cubic feet per second.

Check dams for erosion and sedimentation control may be used for stepping down channels and swales being used for biofiltration.

| TABLE 8. OPEN CONVEYANCE PROTECTION | | | | | |
|--|-----------------------|--|------------------------------|---|----------------------|
| Velocity at Design Flow (fps) | | | | Minimum Height Required Above Design | |
| Greater Than | Less Than or Equal To | | Protection ^a | Thickness | Water Surface (feet) |
| 0 | 5 | | Ditch Lining | 0.5 feet | 0.5 |
| 5 | 8 | | Class I Riprap | 1 feet | 2 |
| 8 | 12 | | Class II Riprap | 2 feet | 2 |
| 12 | 20 | | Slope mattress, gabion, etc. | Varies | 1 |

a. Ditch Lining and Riprap materials as specified by CBS Standard Specifications.

Note: Riprap sizing governed by side slopes on channel, assumed no steeper than 2H:1V. Bioengineered lining allowed for design flow up to 8 fps.

Simplified Ditch Design

The Simplified Ditch Design method can be used when also using the Simplified Culvert Sizing Table. This method allows the designer the option of employing a ditch design driven by the size and capacity of the upstream culvert (selected using the Simplified Culvert Sizing Table) and the longitudinal slope of the ditch.

The optional method is provided as a convenient guide to designers. Because the size of the ditch is based on the inlet capacity of the upstream culvert, the resulting ditch design from this method may be conservative, and a more efficient design may be achievable on a given site using more detailed design methods. The following assumptions were made in developing the Simplified Ditch Design tool:

- Drainage tributary area limitations for Simplified Culvert Sizing Table apply
- Trapezoidal ditch cross section
- Ditch bottom width is twice the upstream culvert diameter, or greater
- Ditch side slopes are 2H:1V or flatter
- Ditch minimum depth, based on upstream culvert diameter:
 - 18-inch diameter culvert 2.0 feet deep
 - 24-inch diameter culvert 2.5 feet deep
 - 36-inch diameter culvert 3.0 feet deep
- Assumed peak discharge from upstream culvert (consistent with Simplified Culvert Sizing Table):
 - 18-inch diameter 14 cfs
 - 24-inch diameter 30 cfs
 - 36-inch diameter 36 cfs

Armoring of channels designed using the Simplified Ditch Design tool must conform to the requirements in Figure 4. Based on the diameter of the upstream culvert (18-, 24- or 36-inch curve), and the

longitudinal slope of the ditch, the flow velocity is determined. The flow velocity defines the type of armoring required (Ditch Lining, Class I Riprap, or Class II Riprap); armoring thickness shall be as defined in Table 8. Where velocity exceeds 12 feet per second, an engineered lining must be designed.

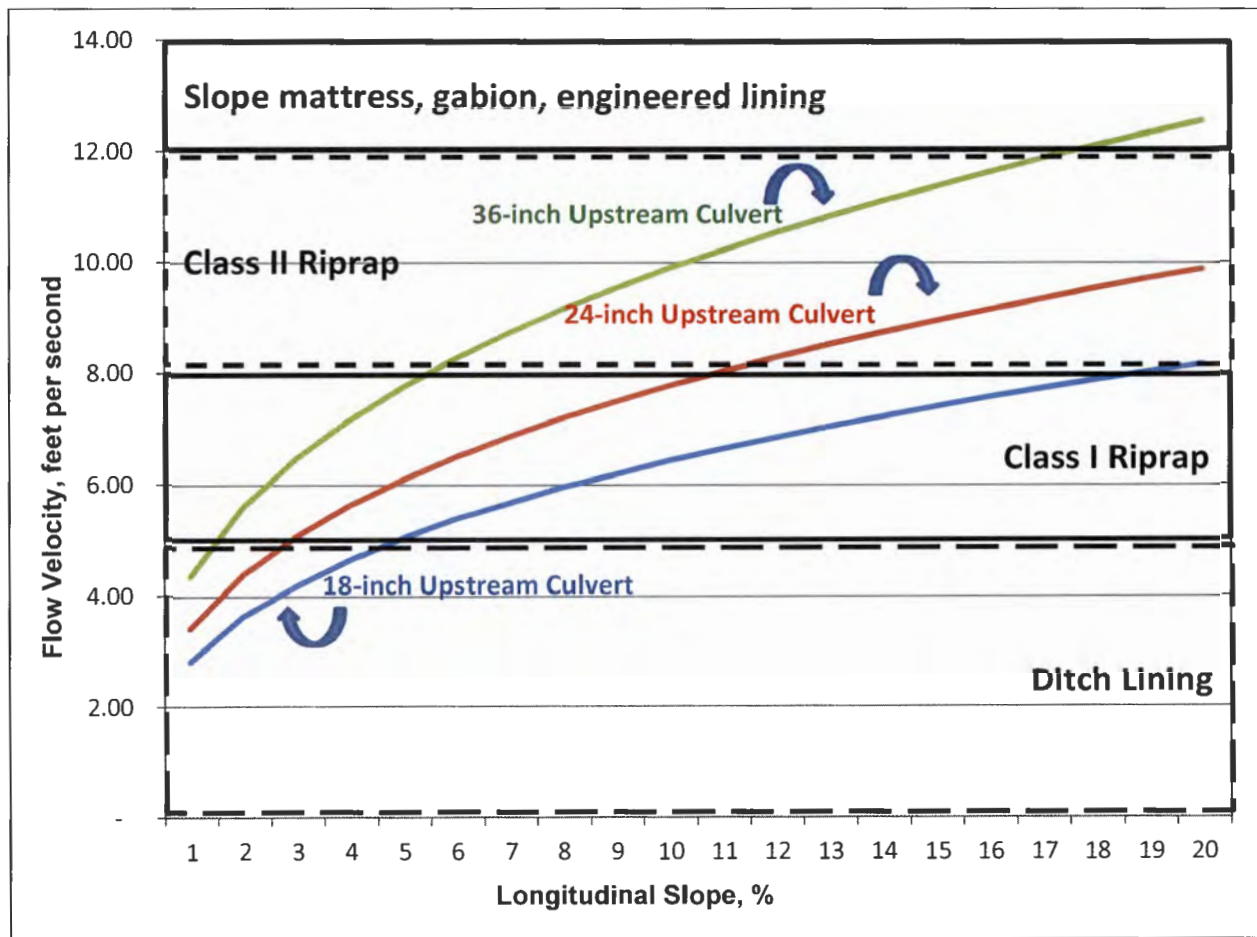


Figure 4. Armoring required for Simplified Ditch Design

PRIVATE DRAINAGE SYSTEMS

The engineering analysis for a private drainage system is the same as for a public system.

Discharge Locations

Stormwater will not be permitted to discharge directly onto CBS roads or system without the prior approval of the CBS. Discharges to a CBS system shall be into a structure such as an inlet, catch basin, manhole, through an approved sidewalk underdrain or curb drain, or into an existing or created CBS ditch. Concentrated drainage will not be allowed to discharge across sidewalks, curbs, or driveways.

Roof downspouts and subsurface drains are required to be directed to a dispersion system or to the stormwater drainage system.

Drainage Stub-Outs

If drainage outlets (stub-outs) are to be provided for each individual lot, the stub-outs shall conform to the following:

- Each outlet shall be suitably located at the lowest elevation on the lot, so as to service all future roof downspouts and footing drains, driveways, yard drains, and any other surface or subsurface drains necessary to render the lots suitable for their intended use. Each outlet shall have free-flowing, positive drainage to an approved stormwater conveyance system or to an approved outfall location.
- Outlets on each lot shall be located per CBS standard details.
- The developer and/or contractor is responsible for coordinating the locations of all stub-out conveyance lines with respect to the utilities (e.g., power, gas, telephone, television).
- All individual stub-outs shall be owned and maintained by the property owner to the storm drain main line.

Dan Tadic

From: Dan Tadic
Sent: Wednesday, November 05, 2014 12:19 PM
To: 'Chris Balovich' (chris@cbcalaska.com); Chuck McGraw (chuck@mcgconstructors.com); Cliff Richter (cliff@bihasitka.org); Jeremy Twaddle (jeremytwaddle@yahoo.com); Jerome Mahoskey (pacificservices.ak@gmail.com); Kris Pearson (kris@coastalexcaavation.net); Larry Shinn (lpshinn@acipaving.com); mwebb1202@gmail.com; oneillengr@ak.net; Todd Fleming (todd.fleming@alaska.gov); Troy's Excavation (troysexcaavationsitka@yahoo.com); 'earthmovers.jon@gmail.com'; ssgencon@ptialaska.net; Harry Greene (haroldgreene94@yahoo.com); Ryan Wilson (rwilson@acsalaska.net)
Cc: Mark Buggins (markb@cityofsitka.com); Michael Harmon (michael@cityofsitka.com); Scott Brylinsky (scottbrylinsky@gmail.com); Stephen Weatherman (stephen@cityofsitka.com); garyb@cityofsitka.com; Mark Gorman (markgorman@cityofsitka.com); Nick Kepler (nickk@cityofsitka.com); David Longtin
Subject: DRAFT Sitka Stormwater Ordinance and Design Guidelines
Attachments: DRAFT CBS Stormwater Ordinance and Design Guidelines 11.2014.pdf

Good afternoon,

The Sitka Stormwater Management Plan was completed in June 2013 utilizing grant funding provided by ADEC. For those interested, the entire document can be found at the following link on the City website:

http://www.cityofsitka.com/government/departments/publicworks/documents/Final_Sitka_Stormwater_Plan_with_Apps_062713.pdf

The final deliverable under this project is a stormwater ordinance and associated design standards. The goal of this endeavor was to protect and preserve public interest by regulating the planning, construction, and maintenance of public and private storm drainage systems within the CBS. A draft version is attached for your review and comment.

City Staff is currently reviewing this document as well, but we wanted to get this out to the local Contractor community for review and comment as a first level of public process. We will also be taking this to the Planning Commission prior to asking the Assembly to formally adopt this ordinance. A few things worth highlighting within the standards:

- The guidelines apply to both public and private drainage systems.
- An effort was made to simplify the requirements for those situations that warrant it. There are simplified tables for both culverts and ditches with a tributary area under 10 acres which could be used in lieu of more rigorous calculations.
- There are also mechanisms for a variance to the requirements within the ordinance.

I would appreciate any comments by November 18, 2014 – two weeks from today. Please feel free to forward this to anyone I may have missed. Please submit your comments in writing (email or letter) for the public record.

Thanks,

Dan Tadic, P.E.
Municipal Engineer
City and Borough of Sitka
Department of Public Works
100 Lincoln Street
Sitka, AK 99835
P (907) 747-1807



City and Borough of Sitka

100 Lincoln Street Sitka, Alaska 99835

Coast Guard City, USA

January 26, 2015

City and Borough of Sitka
Dan Tadic, Municipal Engineer
100 Lincoln Street
Sitka, AK 99835

Dear Dan,

This letter is to officially inform you the Planning Commission made a motion of recommendation to the Assembly to approve your proposed amendment to Sitka General Code Title 15 Public Utilities, adding a new section SGC 15.07 Storm Drainage. This recommendation was granted at the January 20, 2015 meeting.

MOTION: M/S WINDSOR/POHLMAN move to recommend approval to the Assembly of a proposed amendment to Sitka General Code Title 15 Public Utilities, adding a new section SGC 15.07 Storm Drainage.

ACTION: Motion **PASSED unanimously 3-0** on a voice vote.

We appreciate your patience throughout this process and thank you for working with us on this matter. If you should have any questions, please feel free to contact me at 747-1814.

Sincerely,

Maegan Bosak
Planner I



Legislation Details

File #: RES 15-08 Version: 1 Name:
Type: Resolution Status: AGENDA READY
File created: 2/4/2015 In control: City and Borough Assembly
On agenda: 2/10/2015 Final action:
Title: Increasing permanent and temporary moorage rates
Sponsors:
Indexes:
Code sections:
Attachments: [Motion Resolution 2015-08.pdf](#)
[Memo Moorage Rates.pdf](#)
[Resolution 2015-08.pdf](#)

| Date | Ver. | Action By | Action | Result |
|------|------|-----------|--------|--------|
|------|------|-----------|--------|--------|

POSSIBLE MOTION

I MOVE TO approve Resolution 2015-08 on
first and final reading.

Memo

Thru : Mark Gorman, Municipal Administrator

To: City and Borough of Sitka Assembly

From: Jay Sweeney, Chief Finance and Administrative Officer

Date: February 6, 2014

Re: Executive Summary of Changes to Sitka Harbor Schedule of Rates and Fees, Approved by the Port and Harbors Commission

Mayor McConnell and Assembly Members,

Over the course of the last three months, the Port and Harbors Commission has engaged in rigorous and thorough discussions of possible changes to the schedule of fees and charges in effect in the Sitka Municipal Harbor System. During those discussions, members of the public, especially commercial fishermen, participated with suggestions, comments, and sometimes criticisms. A comprehensive public conversation was conducted over the course of several meetings.

In addition, Municipal staff participated in and facilitated the discussions, providing analyses, rate models, and financial projections as requested by the Port and Harbors Commission. The Assembly Liaison, Assembly Member Hunter, was also present for most of the meetings, participating fully.

As a result of these discussions, the Port and Harbors Commission has voted to recommend approval of the following changes to the schedule of fees and charges:

Permanent Moorage (effective April 1, 2015) –

- Vessels 20 feet in length and under \$2.24 per foot per month, if owners pay in advance for one year
- All other Vessels \$2.99 per foot per month

(Note: the April 1 effective date was chosen to coincide with quarterly moorage billing.)

This increase represents an increase of 6.68% in the permanent moorage rate with one exception: a vessel 20 feet in length and under will experience a 20% decrease in the permanent moorage rate (if a year's moorage is paid in advance).

Transient Moorage (effective immediately)–

- Vessels up to eighty feet in length \$.93 per foot per day.
- Vessels eighty-one feet to one hundred fifty feet in length \$1.59 per foot per day.

- Any vessel greater than one hundred fifty feet in length \$2.39 per foot per day
- A 25% credit in daily transient moorage will be given to any commercial vessel actively loading or unloading fish and which produces a fish ticket or processor contract. The credit will be good for up to 10 days per fish ticket or contract.

This increase represents a 6.68% increase in transient rates, with the following exception: a vessel receiving the credit will experience a 19.5% decrease in the daily transient rate.

Monthly Transient Permit Moorage (effective immediately) –

- Vessels up to one hundred fifty feet in length \$15.94
- Vessels over one hundred fifty feet in length \$23.91

Eliason Harbor end ties (effective immediately) –

- All vessels \$2.75 per foot per day

O'Connell Bridge Facility (effective immediately) –

- All vessels \$5.00 per foot per day

Tender Fees (effective immediately) -

- \$1,145.87 per ship per day

It is important to note that there was not unanimous consensus from all of the public who attended the various meetings, but the majority of the public, commercial fishermen, and Port and Harbors Commission members support the recommended fee changes.

CITY AND BOROUGH OF SITKA

RESOLUTION NO. 2015-08

A RESOLUTION OF THE CITY AND BOROUGH OF SITKA, ALASKA, INCREASING PERMANENT AND TEMPORARY MOORAGE RATES

WHEREAS, Sitka General Code Section 13.06.010 Moorage charges and fees, Subsection (A) states, Moorage fees and charges shall be established by resolution and approved by the Assembly; and

WHEREAS, the Port and Harbors Commission voted on January 14, 2015 to approve an increase in permanent and temporary moorage of 6.68%; and

WHEREAS, the Port and Harbors Commission voted on January 14, 2015 to approve a 25% credit in daily temporary moorage for any commercial vessel actively loading or unloading fish and producing a fish ticket.

NOW, THEREFORE, BE IT RESOLVED that the Assembly of the City and Borough of Sitka, Alaska, hereby approves the following permanent and temporary moorage charges, effective as stated:

Permanent Moorage (effective April 1, 2015):

Vessels 20 feet in length and under \$2.24 per foot per month, if owners pay in advance for one year

All other Vessels \$2.99 per foot per month

Transient Moorage (effective immediately):

Vessels up to eighty feet in length \$.93 per foot per day

Vessels eighty-one feet to one hundred fifty feet in length \$1.59 per foot per day

Any vessel greater than one hundred fifty feet in length \$2.39 per foot per day

A 25% credit in daily transient moorage will be given to any commercial vessel actively loading or unloading fish and which produces a fish ticket or processor contract. The credit will be good for up to 10 days per fish ticket or contract.

Monthly Transient Permit Moorage (effective immediately):

Vessels up to one hundred fifty feet in length \$15.94

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Vessels over one hundred fifty feet in length \$23.91

Eliason Harbor end ties (effective immediately):

All vessels \$2.75 per foot per day

O'Connell Bridge Facility (effective immediately):

All vessels \$5.00 per foot per day

Tender Fees (effective immediately):

\$1,145.87 per ship per day

PASSED, APPROVED AND ADOPTED by the Assembly of the City and Borough of Sitka, Alaska on this 10th day of February, 2015.

Mim McConnell, Mayor

ATTEST:

Sara Peterson, CMC
Acting Municipal Clerk



Legislation Details

File #: 15-007 Version: 1 Name:

Type: Item Status: AGENDA READY

File created: 2/4/2015 In control: City and Borough Assembly

On agenda: 2/10/2015 Final action:

Title: Appoint Melissa Greenhalgh to an unexpired term on the Port and Harbors Commission and appoint two of the following to two unexpired terms on the Hospital Board: Robert J. Bell, Gloria Hagerman, Valorie Nelson, Brooke Volschenk

Sponsors:

Indexes:

Code sections:

Attachments: [Motion Appointments.pdf](#)
[Greenhalgh application.pdf](#)
[Bell application.pdf](#)
[Hagerman application.pdf](#)
[Nelson application.pdf](#)
[Volschenk application.pdf](#)

| Date | Ver. | Action By | Action | Result |
|------|------|-----------|--------|--------|
|------|------|-----------|--------|--------|

POSSIBLE MOTIONS

Port and Harbors Commission

I MOVE TO appoint Melissa Greenhalgh to an unexpired term on the Port and Harbors Commission.

Hospital Board

I NOMINATE Robert J. Bell, Gloria Hagerman, Valorie Nelson, and Brooke Volschenk to fill two unexpired terms on the Hospital Board.

Be prepared to vote on your choices – TWO seats are open



**Application for Appointment to Boards, Committees, and Commissions
City and Borough of Sitka**

Board/Commission/Committee: Port & Harbors
 Name: Melissa Greenhalgh Daytime Phone: 738-1320
 Address: PO box 25 Sitka Evening Phone: _____
 Email Address: melissarae1984@yahoo.com Fax Number: _____
 Length of Residence in Sitka: 1 1/2 yrs Registered to vote in Sitka? Yes No
 Employer: MT. Edgewood High School

Organizations you belong to or participate in:

6 months as port and harbors secretary

Explain your main reason for applying:

I have become very passionate about our harbors and the people in them. I want to do my part to make the harbors a better place and help my community.

What background, experience or credentials will you bring to the board, commission, or committee membership?

I have had the chance to see behind the scenes while working at the harbor so I think I will be able to provide an insiders perspective on issues.

Please attach a letter of interest, outline, or resume which includes your education, work, and volunteer experience that will enhance your membership.

→ (To be considered, your application must be complete AND be accompanied by one of the above supporting documents.)

Date: 1/29/15 Signature: Melissa Greenhalgh

Your complete application and resume should be returned to the Municipal Clerk's Office by noon on the Wednesday prior to an advertised Assembly meeting. Applications received after the deadline will be considered but will not be included in the Assembly packets for review prior to appointment.

Appointments are normally made during open session of an Assembly meeting, however, Assembly members may vote to discuss applicant(s) in closed executive session. In this case, do you wish to be present when your application is discussed? Yes No

Return to:
 Sara Peterson, Deputy Clerk
 100 Lincoln Street
 Fax: 907-747-7403
 Email: sara@cityofsitka.com

Melissa Greenhalgh
PO box 25 Sitka AK 99835
907-738-1320
Melissarae1984@yahoo.com

Letter of interest for the Port and Harbors Commission

Dear City Assembly,

I have only lived in Sitka for a year and a half but in this short time I have really grown to love this town and all of the residents in this great community. I have worked in the Harbor office for 6 months now and I have grown to respect and admire the work that the harbor employees do on a day to day basis. I have gotten to know a lot of the harbor users and I really care about what is best for them all. I have loved my time as the Port and Harbor commission secretary and I have learned a lot about how the process works and just how important these volunteer commissions are to the community and the assembly.

Now that I have taken a position outside of the city I am no longer able to serve as secretary, therefore I saw an opportunity to stay involved in something that I am very passionate about by asking to serve as a commissioner. I believe that my behind the scenes knowledge of how things are ran in the harbor and in the office would be a huge asset to the commission. I will give my all to help serve the harbor users and the community of Sitka.

Thank you all for your time.

Sincerely,

Melissa Greenhalgh

Melissa (Miles) Greenhalgh

707 Sawmill Creek Road, PO Box 25, Sitka, AK 99835

Phone: 907/738-1320

Email: melissarae1984@yahoo.com

PROFILE

- Excellent customer service record. I believe that customer service is first and foremost in any work environment.
- Inventory controls: ordering, receiving, physical inventory tracking
- Experienced with Microsoft software applications: Word and Excel
- Proficient in the use of office equipment
- Great organizational, time-management skills, with the ability to multi-task, prioritize, and meet deadlines.
- Work well in busy environments, dealing with multiple interruptions
- Problem solver and solution oriented
- Self-motivated, detail oriented
- Strong work ethic, and am a dedicated employee
- Critical thinker - I have the ability to analyze data and other factors to make solid, independent decisions
- Strong team builder, able to delegate and share tasks effectively, provide support and leadership, and promote a cohesive team environment.
- Supervisory experience

EXPERIENCE

August 2014 – Present, Administrative Assistant, Sitka Harbor Department, Borough of Sitka

- Receive payments and reconcile cash, generate daily reports
- Oversee harbor slip assignments and cancellations (includes letters of impound, non-payment, and registrations)
- Handle all customer accounts and record management
- Maintain customer account records and generate annual cash account records/report utilizing Microsoft Excel and Word
- Recording secretary for Sitka Harbor Advisory Board – prepare agendas, record minutes, and maintain historical records
- Provide general office support for copying, scanning, and faxing for department

2013 – August 2014, Teller, First National Bank, Sitka, AK

- Facilitated banking transactions (check cashing, account deposits/withdrawals/transfers, loan/mortgage payments, etc.) for commercial and regular customers. Reconciled cash drawer at the end of each day.
- ATM teller, charged with replenishing and balancing the ATM on a weekly basis.
- Filing and organizing customer information and daily reports.

2007 – August 2013, Big Five Sporting Goods, Logan, UT

Store Manager, 2011 – 2013

- Managed all daily operations of store, oversaw all transactions

- Supervised staff of fifteen employees (hiring, training, terminations, other actions as needed)
- Prepared work schedules and reviewed timesheets for accuracy and submission into system
- Customer relations: assured that all staff offered excellent service and customers had positive experience while visiting the store; resolved customer concerns/complaints
- Provided a positive environment to build and retain an efficient, confident, and helpful work team.
- Ordered and received freight, checked all incoming freight for quality control
- Tracked physical inventory and generated annual inventory reports
- Reconciled cash and performed daily bookkeeping, maintained store records
- Managed firearm sales in accordance with state and federal firearm regulations

Assistant Store Manager, 2007 - 2011

- Work included tasks as outlined above while reporting to store manager.
- Prepared merchandise for floor displays and special sales;

2005 – 2007, Department Manager, Kohl’s Department Store, Logan, Utah

- Provided pleasant, helpful, customer service to clientele
- Ran cash register, assuring that all financial transactions were completed accurately
- Tagged and prepared merchandise for floor displays and sales
- Inventoried merchandise regularly

2002 – 2005, Server, Juniper Inn, North Logan, Utah

SKILLS/TRAINING

Superior interpersonal skills

Leadership

Management

Accounting

Cash Handling

Office Equipment: Scanners, Fax Machines, Copiers, 10-Key, Computers,

EDUCATION

Sky View High School
Smithfield, Utah

Graduated 2003

Utah State University – Concurrent Enrollment General Education coursework:

Beginning Accounting (3 Student Credit Hours - SCH)

AP History (3 SCH)

AP Government (3 SCH)

AP Anatomy (3 SCH)

Physiology (3 SCH)

January 30, 2015

Madame Mayor and Assembly Members,

I strongly support Melissa Greenhalgh for the open seat on the Port and Harbors Commission

Since her arrival in the harbor office Melissa has been more than a good employee. Her excellent people skills have earned her the respect and appreciation of harbor users, a win for the harbor office.

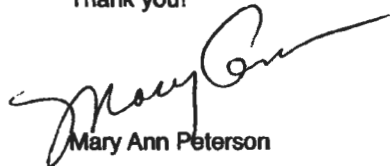
Melissa has also been a major support person for the Harbor Commission. There have been so many instances where Melissa has helped me on a project - being supportive, thinking ahead and anticipating what might be needed. I know I am not the only commissioner who appreciates her.

Melissa is a definitely a team player with an excellent work ethic that will benefit Port and Harbors. She actually loves our harbors and the diverse personalities that inhabit them and her unique perspective on our harbor system will contribute to good decision making. It's a good fit.

The one thing Melissa lacks is also a point in her favor - she lacks that Y chromosome.
We need another woman on the Commission!

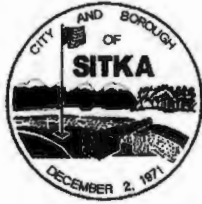
I hope you will consider her application favorably. Melissa will be such an asset to our group.

Thank you!



Mary Ann Peterson

f/v Last Dance
907-752-3684



PORT AND HARBORS COMMISSION

| NAME | CONTACT NUMBERS | TERM STARTS | EXPIRES | CATEGORY |
|---|---|----------------|----------------|-------------------------------------|
| KEVIN KNOX 324 Wachusetts Street | 738-4664 c kevin@bluesteel.org | 12/10/13 | 4/10/15 | CHAIR <i>Lamade's term</i> |
| JOSH ARNOLD 106 Shotgun Alley | 738-0854 c 747-0545 oceanlure@gmail.com | 5/13/14 | 5/22/15 | VICE CHAIR <i>Coleman's term</i> |
| STAN JOHNSON 405 Louise Court | 752-0947 c 747-6145 h nwslj@acsalaska.net | 5/27/12 | 5/27/15 | |
| MICHAEL JOHNSON 2017 Cascade Creek Road | 752-7900 c 966-4042 h southeastmike@hotmail.com | 6/11/13 | 6/11/16 | |
| MARY ANN PETERSON PO Box 593 | 752-3684 map3684@gmail.com | 10/7/13 | 10/7/16 | |
| CLAY DAVIS 511 Verstovia Avenue | 747-4225 w clayrdavis@fs.fed.us | 1/13/15 | 7/8/17 | <i>Tjosmsland's term</i> |
| <i>BEN LAWRIE 2015 Cascade Creek Road</i> | <i>738-6150 c 7-7-6150 h lawriebs@gmail.com</i> | <i>3/26/13</i> | <i>3/26/16</i> | <i>Resigned 12/12/14</i> |
| Stan Eliason Office: 617 Katlian Street | 747-3439 w 738-0832 stan@cityofsitka.com? | | | Harbormaster Non-voting |
| Matthew Hunter 102 Remington Way | 738-6851 c assemblyhunter@cityofsitka.com | | | Assembly Liaison |
| Melissa Greenhalgh Harbor Dept. Staff | 747-3439 w melissarae@cityofsitka.com | | | Secretary |

7 members from the public, 3-year terms
 Established by Resolution 88-375
 Nine meetings per year, September – May, 2nd Wednesday
 Harrigan Centennial Hall 6:00 p.m.

Revised: January 14, 2015



**Application for Appointment to Boards, Committees, and Commissions
City and Borough of Sitka**

Board/Commission/Committee: Community Hospital Board

Name: Robert J Bell Daytime Phone: 907-738-9169

Address: 106 Anna Dr, Sitka, Alaska 99835 Evening Phone: 907-738-9169

Email Address: johnbell1967@yahoo.com Fax Number: 907-966-5508

Length of Residence in Sitka: 22 Years Registered to vote in Sitka? Yes No

Employer: United States Coast Guard Air Station Sitka, Civilian

Organizations you belong to or participate in:

Benevolent and Protective Order of Elks *Member 16 years*

Explain your main reason for applying: **I want to help restore, maintain and continually improve the Community Hospital and all of its adjacent health care organizations. I want to insure there will always be constant ready health care in our community. The bottom line, I want to give back to society."**

What background, experience or credentials will you bring to the board, commission, or committee membership?

I believe that my life skills and experience are needed for the Hospital Board. By utilizing my abilities to the maximum, I would continue to strengthen the foundation of the community Hospital. Please see "Letter of Interest" for more specific experience and credentials.

Please attach a letter of interest, outline, or resume which includes your education, work, and volunteer experience that will enhance your membership.

→ (To be considered, your application must be complete AND be accompanied by one of the above supporting documents.)

Date: **1/20/2015** Signature: 

Your complete application and resume should be returned to the Municipal Clerk's Office by noon on the Wednesday prior to an advertised Assembly meeting. Applications received after the deadline will be considered but will not be included in the Assembly packets for review prior to appointment.

Appointments are normally made during open session of an Assembly meeting, however, Assembly members may vote to discuss applicant(s) in closed executive session. In this case, do you wish to be present when your application is discussed? **XX** Yes No

Return to:
Sara Peterson, Deputy Clerk
100 Lincoln Street
Fax: 907-747-7403 Email: sara@cityofsitka.com

My Mission Objective

If Selected, I would insure the viability and preservation of the Community Hospital, and its talented and dedicated doctors and staff. I believe it will take a strong team on the board to help work thru the challenges that lie ahead. I would commit to active participation. I would pride myself in supporting other Board Members as a team and I believe being selected as an opportunity to learn and grow with the organization. Setting the strategic direction and selecting the CEO for the Sitka Community Hospital is a major responsibility of the board. As a Board member, I would first want to confirm all facts presented, and participate in active discussion, before making any decision. While it is clear that the CEO is responsible for the day to day running of the hospital, the board needs to maintain oversight. As economic pressures surround us, and the demand for the hospital services continues to raise, our requirement to be good stewards of the community hospital will continue to be vital. The community hospital has a tradition of high quality service to patients. If selected, I would continue involvement related to the economic security, and engagement of hospital staff and patients alike. The Sitka Community Hospital has a team of professionals with a proven track record in transforming plans into reality. Periodic stumbles and setback are to be expected. If selected, I would help contribute as a team member to provide prudent direction. I understand that the board has enormous trust and confidence from the community. You can be assured, I will be a team player, and I will study all projects closely and carefully, I will have accountability.

Current Employment: United States Coast Guard *Civilian*

Mechanical Maintenance Supervisor over 10 Years 2002-2015

Participates with planning USCG public works annual budget exceeding 300K. Responsible for mechanical related projects. Appraising project upgrades, including scope of works & bid process. Communicates and negotiates with awarded contractors. Performs quality assurance.

Past Employment: City of Sitka Public Works Dept. 1998-2002

Sheldon Jackson College 1993-1998

United States Navy (Honorable Discharge) 1985-1993

Education: Federal & State Engineering Related Certifications 1993-2015

University of Wisconsin via US Navy: *Thermal Dynamics* 1989

High School Diploma: *Crook County High Prineville OR.* 1985

Community Service: Benevolent and Protective Order of Elks *Member 16 years*

Southeast/Edgecombe Football Organization 2004-2007

Household Hazardous Waste Collection Event 1996-2002

Personal Reference:

Commander Mark Visalia: ***Commanding Officer USCG Air Station***

Dr. Don Lehmann MD: ***Sports Medicine***

DR. Robert Hunter MD: ***Internal Medicine/Geriatrics***



Hospital Board Roster

| Board Member | Phone | Address, E-mail | Employer/ Occupation | First Appointed | Term Expires |
|--|--------------------------|---|---|--------------------|---|
| Celeste Tydingco President | 747-3621 h | 118 Jacobs Circle sitkaot@gmail.com | Homemaker | 2/08/11 | 6/30/15 |
| Ann Wilkinson Secretary | 747-2707 h | PO Box 174 wilkinson99835@gmail.com | Self-Employed | 6/28/11 6/24/14 | 6/30/14 6/30/17 |
| Mary Ann Hall | 747-7265 h | 2037 Halibut Point Road ob1jry@gmail.com | Retired/Lab Technician | 10/13/09 | 6/30/16 |
| Hans von Rekowski | 747-5419 | 3003 Mikele Street hvonn@acsalaska.net | Retired | 3/25/14 | 6/30/17 |
| Paul Bahna, MD | 747-7749 w 623-0945 h | 600 DeGroff Street A bnbahna@uas.alaska.edu | Biology Professor | 7/1/13 | 6/30/16 |
| <i>Medical Staff Liaison*</i> Debra Pohlman, MD | 747-3241 w | Sitka Community Hospital 209 Moller Avenue dpholman@sitkahospital.org | Physician | | Dec 31 each year |
| <i>Assembly Liaison*</i> Steven Eisenbeisz | 738-9075 c | 208 Lincoln Street assemblyeisenbeisz@cityofsitka.com | | | October (each year after election) |
| <i>Hospital Staff</i> Rob Allen Wendy Fowler | 747-1738 747-1725 | Interim CEO Exec Asst/Recording Secretary | rallen@sitkahospital.org wfowler@sitkahospital.org | | |

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- 1 Member a Physician 3-year term

*unless unable to fill in 60 days; a non-physician will be appointed

- 1 Member from the Assembly 1-year - non-voting
 - 1 Member from Medical Staff 1-year - non-voting; recommended by medical staff, approved by Assembly
- Established by Ordinance 73-55

OATH OF OFFICE REQUIRED



**Application for Appointment to Boards, Committees, and Commissions
City and Borough of Sitka**

Board/Commission/Committee: Sitka Community Hospital Board

Name: Gloria Hagerman

Daytime Phone: 9077473656

Address: 347 Wortman Loop

Evening Phone: 9077473656

Email Address: hags@gci.net

Fax Number: _____

Length of Residence in Sitka: 32 years
____ No

Registered to vote in Sitka? x Yes

Employer: Retired

Organizations you belong to or participate in:

Sitka United Methodist Church; organist, choir director, pastor parish relations committee and worship committee

Explain your main reason for applying:

I have been considering this position since retiring from Sitka Community Hospital a year and a half ago. As a Registered Nurse I feel I have seen and been a part of many administrations in this Hospital for many years. I have experience with Hospital issues and care very much about its continuing presence in the community. It is vital that we get our affairs in order and continue to be a strong source of valued and affordable healthcare. I feel that I can be a positive part of that process.

What background, experience or credentials will you bring to the board, commission, or committee membership?

I have been a Registered nurse since 1980. When we moved to Sitka in 1983 I continued my profession and worked in various clinics i.e. Sitka Medical, Dr. Totten's office where I was nurse to three physicians and Mountainside Family Healthcare where I was charge/triage nurse. I have a Bachelor of Science Degree in Nursing from Northern Arizona University. I have participated in various community programs such as immunization clinics and health clinics. I feel I am organized, research oriented, have had experience on committees and a team player.

Please attach a letter of interest, outline, or resume which includes your education, work, and volunteer experience that will enhance your membership.

→ (To be considered, your application must be complete AND be accompanied by one of the above supporting documents.)

Date: 1-13-2015

Signature: Gloria Hagerman

Your complete application and resume should be returned to the Municipal Clerk's Office by noon on the Wednesday prior to an advertised Assembly meeting. Applications received after the deadline will be considered but will not be included in the Assembly packets for review prior to appointment.

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Return to:

Sara Peterson, Deputy Clerk

100 Lincoln Street

Fax: 907-747-7403

Email: sara@cityofsitka.com

I have always enjoyed being on committees because I feel I can contribute in many ways. I am open minded and a good listener. I have been a nurse for 35 years and am now retired.

I have been part of the Medical community since we moved here in 1983. The Hospital Board has always intrigued me and I wanted to be part of it. However, being an employee that was not possible. The Board is the heart of the Hospital and is an integral part of a smooth functioning organization.

I have a Bachelor of Science Degree from Northern Arizona University with a minor in psychology. During that education process I learned how to communicate in a group and group processes. I have worked in various medical settings since living in Sitka and am very aware of changes and how to cope with them in a positive manner.

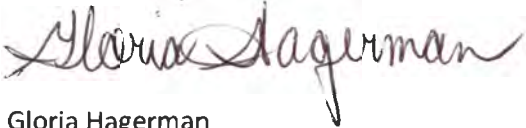
I helped start the Sitka High School baseball team many years ago which was a major negotiating effort.

I organize and direct the Harry Janzen Community Christmas program every year.

I am an active member of the United Methodist Church and am on a variety of committees there.

As a nurse I participated in many Health and Immunization programs in Sitka.

Thank you for your consideration. I feel I can be an asset to this committee.

A handwritten signature in dark ink that reads "Gloria Hagerman". The signature is written in a cursive style with a large, stylized initial 'G'.

Gloria Hagerman



Hospital Board Roster

| Board Member | Phone | Address, E-mail | Employer/ Occupation | First Appointed | Term Expires |
|--|--------------------------|---|---|--------------------|---|
| Celeste Tydingco President | 747-3621 h | 118 Jacobs Circle sitkaot@gmail.com | Homemaker | 2/08/11 | 6/30/15 |
| Ann Wilkinson Secretary | 747-2707 h | PO Box 174 wilkinson99835@gmail.com | Self-Employed | 6/28/11 6/24/14 | 6/30/14 6/30/17 |
| Mary Ann Hall | 747-7265 h | 2037 Halibut Point Road ob1jry@gmail.com | Retired/Lab Technician | 10/13/09 | 6/30/16 |
| Hans von Rekowski | 747-5419 | 3003 Mikele Street hvonn@acsalaska.net | Retired | 3/25/14 | 6/30/17 |
| Paul Bahna, MD | 747-7749 w 623-0945 h | 600 DeGroff Street A bnbahna@uas.alaska.edu | Biology Professor | 7/1/13 | 6/30/16 |
| <i>Medical Staff Liaison*</i> Debra Pohlman, MD | 747-3241 w | Sitka Community Hospital 209 Moller Avenue dpholman@sitkahospital.org | Physician | | Dec 31 each year |
| <i>Assembly Liaison*</i> Steven Eisenbeisz | 738-9075 c | 208 Lincoln Street assemblyeisenbeisz@cityofsitka.com | | | October (each year after election) |
| <i>Hospital Staff</i> Rob Allen Wendy Fowler | 747-1738 747-1725 | Interim CEO Exec Asst/Recording Secretary | rallen@sitkahospital.org wfowler@sitkahospital.org | | |

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1 Member a Physician 3-year term

*unless unable to fill in 60 days; a non-physician will be appointed

1 Member from the Assembly 1-year - non-voting

1 Member from Medical Staff 1-year - non-voting; recommended by medical staff, approved by Assembly

Established by Ordinance 73-55

OATH OF OFFICE REQUIRED



**Application for Appointment to Boards, Committees, and Commissions
City and Borough of Sitka**

Board/Commission/Committee: Hospital

Name: Valorie Nelson Daytime Phone: 907-747-4269

Address: 107 Littlebyrd Way Evening Phone: 907-747-4589

Email Address: valorie@ablueberryinn.com Fax Number: _____

Length of Residence in Sitka: 58 years Registered to vote in Sitka? Yes No

Employer: USDAFS

Organizations you belong to or participate in: WOTM; Sitka Emblem Club; Pioneers of Alaska; Sons of Norway

Explain your main reason for applying: Care for Community

What background, experience or credentials will you bring to the board, commission, or committee membership? Former elected official (assembly & mayor); Former assembly liason to hospital board; strong background in accounting and business management.

Please attach a letter of interest, outline, or resume which includes your education, work, and volunteer experience that will enhance your membership.

→ (To be considered, your application must be complete AND be accompanied by one of the above supporting documents.)

Date: 11/21/15 Signature: Valorie L. Nelson

Your complete application and resume should be returned to the Municipal Clerk's Office by noon on the Wednesday prior to an advertised Assembly meeting. Applications received after the deadline will be considered but will not be included in the Assembly packets for review prior to appointment.

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Return to:
Sara Peterson, Deputy Clerk
100 Lincoln Street
Fax: 907-747-7403
Email: sara@cityofsitka.com

VALORIE L. NELSON
107 Littlebyrd Way
SITKA, AK 99835
(907) 747-4589
valorie@ablueberryinn.com

SUMMARY OF

QUALIFICATIONS: Many years in Management, Accounting and Construction have provided a strong background in the ability to communicate effectively with all levels of management, co-workers and clients as well as being self-motivated and a quick learner.

**PROFESSIONAL
EXPERIENCE:**

1994 – Present USDA Forest Service, Sitka, AK
Acting Budget Officer/Budget Analyst/Accounting Technician
Budget execution duties; studies, audits & reports on internal controls and use of funds. Monitoring expenditures in relation to planned levels. Processed TOS authorizations, manual and computer processing of payments and adjustments; data entry; filing; accounts receivable; expenditure tracking and budget analysis.

1984 –2013 Keystone Associates, Inc., Sitka, AK
Office Manager/Vice President
Management of general contracting business office; processing accounts payable and receivable; processing timesheets and payroll; preparation of quarterly reports, tax returns and financial statements.

1977 – 2004 Rice Bookkeeping Services, Sitka, AK
Owner
Manual and computer processing of timesheets, payroll and union reports; preparation of quarterly federal, state and local tax reports, federal and state income tax forms; financial statements; accounts payable and receivable.

1998 – 2004 City and Borough of Sitka, Sitka, AK
Mayor/Councilmember
Elected Official responsible for protecting the good of the community.

EDUCATION: University of Alaska, Sitka, AK
Sitka High School, Sitka, AK

REFERENCES: Available upon request



Hospital Board Roster

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| Ann Wilkinson Secretary | 747-2707 h | PO Box 174 wilkinson99835@gmail.com | Self-Employed | 6/28/11 6/24/14 | 6/30/14 6/30/17 |
| Mary Ann Hall | 747-7265 h | 2037 Halibut Point Road ob1jry@gmail.com | Retired/Lab Technician | 10/13/09 | 6/30/16 |
| Hans von Rekowski | 747-5419 | 3003 Mikele Street hvonn@acsalaska.net | Retired | 3/25/14 | 6/30/17 |
| Paul Bahna, MD | 747-7749 w 623-0945 h | 600 DeGroff Street A bnbahna@uas.alaska.edu | Biology Professor | 7/1/13 | 6/30/16 |
| <u>Medical Staff Liaison*</u> Debra Pohlman, MD | 747-3241 w | Sitka Community Hospital 209 Moller Avenue dpholman@sitkahospital.org | Physician | | Dec 31 each year |
| <u>Assembly Liaison*</u> Steven Eisenbeisz | 738-9075 c | 208 Lincoln Street assemblyeisenbeisz@cityofsitka.com | | | October (each year after election) |
| <u>Hospital Staff</u> Rob Allen Wendy Fowler | 747-1738 747-1725 | Interim CEO Exec Asst/Recording Secretary | rallen@sitkahospital.org wfowler@sitkahospital.org | | |

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3-year terms

1 Member a Physician

3-year term

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1 Member from the Assembly 1-year - non-voting

1 Member from Medical Staff 1-year - non-voting; recommended by medical staff, approved by Assembly

Established by Ordinance 73-55

OATH OF OFFICE REQUIRED

Revised: January 19, 2015



**Application for Appointment to Boards, Committees, and Commissions
City and Borough of Sitka**

Board/Commission/Committee: Sitka Community Hospital Board
 Name: Brooke Volschenk Daytime Phone: 208-283-0203
 Address: 1805B Alder Way Evening Phone: Same
 Email Address: bkvolschenk@uas.alaska.edu Fax Number: N/A
 Length of Residence in Sitka: 10 years Registered to vote in Sitka? Yes No
 Employer: Sitka Sound Science Center

Organizations you belong to or participate in:

Sitka Sound Science Center

Explain your main reason for applying:

Sitka Community Hospital is an asset to the community of Sitka and I would like to see it thrive and grow. I am applying to be on the hospital board so that I can better serve my community and utilize my business knowledge and experience for a greater cause.

What background, experience or credentials will you bring to the board, commission, or committee membership?

I have two years of experience in nonprofit accounting and business management. I am currently completing my BBA at UAS.

Please attach a letter of interest, outline, or resume which includes your education, work, and volunteer experience that will enhance your membership.

→ (To be considered, your application must be complete AND be accompanied by one of the above supporting documents.)

Date: 2/3/2015 Signature: 

Your complete application and resume should be returned to the Municipal Clerk's Office by noon on the Wednesday prior to an advertised Assembly meeting. Applications received after the deadline will be considered but will not be included in the Assembly packets for review prior to appointment.

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Return to:
 Sara Peterson, Deputy Clerk
 100 Lincoln Street
 Fax: 907-747-7403
 Email: sara@cityofsitka.com

Brooke Volschenk

bkvolschenk@uas.alaska.edu

Permanent Address:
1805B Alder Way
Sitka, AK 99835
208-283-0203

Education

| | | |
|--|--------------------------------|---------------------------|
| University of Alaska Southeast | <i>Sitka, Alaska</i> | 2012-Present |
| Bachelor of Business Administration with Accounting Emphasis | | <i>Degree in Progress</i> |
| Oregon State University | <i>Corvallis, Oregon</i> | 2011-2012 |
| Whitman College | <i>Walla Walla, Washington</i> | 2010-2011 |

Experience

Sitka Sound Science Center *Sitka, Alaska* **05/2014-Present**

Business Manager

- Develop and oversee over \$2 million in total organizational budgets including general and special revenue funds
- Process and pay invoices and maintain purchasing records
- Coordinate biweekly payroll for 15-30 employees
- Produce invoices for all billable activities and reimbursable grants
- Track and process tax returns and payments
- Maintain grant and contract records
- Review organizational contracts
- All cash management activities including receipt, depositing, and recording of all funds and reconciling all accounts
- Maintain payroll and personnel files
- Provide financial reports to the Board of Directors, the Executive Director, and granting and contracting agencies
- Close out fiscal years and prepare/support annual audit process
- Work with executive staff and board on financial and HR policies
- Maintain and update organizational Board Policy and Procedure Manual and the Employee Handbook

Sitka Counseling & Prevention Services *Sitka, Alaska* **09/2013-05/2014**

Accountant

Also served as Accountant for partner company, "River's Edge Properties"

- Coordinated monthly payroll for 35+ employees
- Created budgets and forecasts for the management group and made recommendations on how to control costs
- Prepared quarterly financial reports for three separate grants
- Reconciled bank statements and balance sheets monthly
- Gathered and organized data for auditors
- Coded invoices to general ledger accounts
- Managed accounts payable, accounts receivable, and payroll departments
- Presented monthly financial overview to the Board of Directors
- Prepared and submitted tax returns, ensuring compliance with accounting deadlines

Sitka Convention & Visitors Bureau *Sitka, Alaska* **04/2011-01/2012**

Administrative Assistant

- Edited and distributed company publications including newsletters and customer directories.
- Ordered and received office supplies.
- Opened, sorted, and distributed faxes, e-mails, and physical mail.
- Put together marketing gift baskets and folders for high profile clients.

- Created and organized a new filing system that is implemented in the business today.
- Filed company documents and handled banking information.

Bayne Business Works

Sitka, Alaska

05/2011-09/2011

Administrative Assistant

- Handled client phone calls, faxes, and questions and directed phone calls to the appropriate personnel.
- Scheduled and coordinated meetings and interviews with clients and with other businesses.
- Sent out and received mail and packages for multiple customers as well as for the business itself on a weekly basis.
- Ordered and received office supplies and inventory, responsible for making sure that all supplies were stocked and in the correct location.
- Handled customer special requests and errands as necessary.
- Filed and organized customer and sensitive company financial documents.



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1 Member from the Assembly 1-year - non-voting

1 Member from Medical Staff 1-year - non-voting; recommended by medical staff, approved by Assembly

Established by Ordinance 73-55

OATH OF OFFICE REQUIRED

Revised: January 19, 2015



Legislation Details

File #: 15-008 Version: 1 Name:

Type: Item Status: AGENDA READY

File created: 2/4/2015 In control: City and Borough Assembly

On agenda: 2/10/2015 Final action:

Title: Board of Adjustment: Approve a conditional use permit request filed by Corrie Bosman for operation of a two bedroom bed and breakfast at 629 DeGroff Street

Sponsors:

Indexes:

Code sections:

Attachments: [Motion BOA Bosman.pdf](#)
[Memo B&B CUP.pdf](#)
[Site map and photos.pdf](#)
[Parking Layout.pdf](#)
[Floorplan.pdf](#)
[Application.pdf](#)
[Planning Commission Minutes.pdf](#)
[Mailings.pdf](#)
[BOA outline.pdf](#)
[Hoffman comment.pdf](#)

| Date | Ver. | Action By | Action | Result |
|------|------|-----------|--------|--------|
|------|------|-----------|--------|--------|

BOARD OF ADJUSTMENT

1)

I MOVE TO convene as the Board of Adjustment.

2)

I MOVE TO approve a conditional use permit request filed by Corrie Bosman for a two bedroom bed and breakfast at 629 DeGroff Street under the following findings and conditions as proposed by the Planning Commission and request that they be entered into the minutes as part of the permanent record (no need to read further):

FINDINGS

1. The granting of the proposed conditional use permit will not:
 - a. Be detrimental to the public health, safety, and general welfare;
 - b. Adversely affect the established character of the surrounding vicinity; nor
 - c. Be injurious to the uses, property, or improvements adjacent to, and in the vicinity of, the site upon which the proposed use is to be located.
2. The granting of the proposed conditional use permit is consistent and compatible with the intent of the goals, objectives and policies of the comprehensive plan and any implementing regulation, *specifically:*
Section 2.5.2 Encourage the development of facilities to accommodate visitors without significant impacts on residential properties.
3. All conditions necessary to lessen any impacts of the proposed use are conditions that can be monitored and enforced, *specifically, the required annual reporting condition.*
4. The proposed use will not introduce hazardous conditions at the site that cannot be mitigated to protect adjacent properties, the vicinity, and the public health, safety and welfare of the community from such hazard.
5. The conditional use will be supported by, and not adversely affect, adequate public facilities and services; or that condition can be imposed to lessen any adverse impacts on such facilities and services.
6. Burden of proof: the applicant has met the burden of proof.

The request is supported by general approval criteria as follows:

1. Site topography, slope and soil stability, geophysical hazards such as flooding, surface and subsurface drainage and water quality, and the possible or probable effects of the proposed conditional use upon these factors, *specifically the structure is existing;*
2. Utilities and service requirements of the proposed use, including sewers, storm drainage, water, fire protection, access and electrical power; the assembly and planning commission may enlist the aid of the relevant public utility officials with specialized knowledge in evaluating the probable effects of the proposed use and may consider the costs of enlarging, upgrading or extending public utilities in establishing conditions under which the conditional use may be permitted;
3. Lot or tract characteristics, including lot size, yard requirements, lot coverage and height of structures;

4. Use characteristics of the proposed conditional use that affect adjacent uses and districts, including hours of operation, number of persons, traffic volumes, off-street parking and loading characteristics, trash and litter removal, exterior lighting, noise, vibration, dust, smoke, heat and humidity, recreation and open space requirements, *specifically applicant has shown adequate off street parking*;
5. Community appearance such as landscaping, fencing and screening, dependent upon the specific use and its visual impacts.

The following criteria determining impacts of conditional uses have been considered.

- a. Amount of vehicular traffic to be generated and impacts of the traffic on nearby land uses.
- b. Amount of noise to be generated and its impacts on surrounding land uses.
- c. Odors to be generated by the use and their impacts.
- d. Hours of operation.
- e. Location along a major or collector street.
- f. Potential for users or clients to access the site through residential areas or substandard street creating a cut through traffic scenario.
- g. Effects on vehicular and pedestrian safety.
- h. Ability of the police, fire, and EMS personnel to respond to emergency calls on the site.
- i. Logic of the internal traffic layout.
- j. Effects of signage on nearby uses.
- k. Presence of existing or proposed buffers on the site or immediately adjacent the site.
- l. Relationship if the proposed conditional use is in a specific location to the goals, policies, and objectives of the comprehensive plan.
- m. Other criteria that surface through public comments or planning commission assembly review.

CONDITIONS

1. Contingent upon a completed satisfactory life safety inspection.
2. The facility shall be operated consistent with the application and plans that were submitted with the request.
3. The facility shall be operated in accordance with the narrative that was submitted with the application.
4. The applicant shall submit an annual report every year, covering the number of nights the facility has been rented over the twelve month period starting with the date the facility has begun operation.
5. The Planning Commission, at its discretion, may schedule a public hearing at any time following the first nine months of operations for the purpose of resolving issues with the request and mitigating adverse impacts on nearby properties.
6. Failure to comply with any of the conditions may result in revocation of the conditional use permit.

3)

I MOVE TO reconvene as the Assembly in regular session.



City and Borough of Sitka

100 Lincoln Street Sitka, Alaska 99835

Coast Guard City, USA

MEMORANDUM

To: Mark Gorman, Municipal Administrator
Mayor McConnell and Members of the Assembly

From: Maegan Bosak, Planning and Community Development Director *MB*

Subject: Bosman- Two bedroom Bed & Breakfast Conditional Use Permit

Date: February 2, 2015

The Planning Commission is recommending approval of a conditional use permit request for operation of a two bedroom bed and breakfast filed by Corrie Bosman at 629 DeGroff Street. Action on this item was taken at the January 6, 2015 Planning Commission meeting. The recommendation to approve the request, based on the following findings, passed unanimously 3-0.

Ms. Bosman owns a two-story, three bedroom, two bathroom home at 629 DeGroff Street. The applicant is requesting the ability to rent the two bedrooms upstairs however she anticipates that the second room will only be used for overflow. Bosman has explained that this is an "Air B&B" with all reservations being made online and primarily servicing the independent traveler. Guests will be responsible for their own food and transportation.

The applicant is able to provide four off-street parking spaces at the residence.

The R-1 single-family and duplex residential district is intended primarily for single-family or duplex residential dwellings at moderate densities, but structures and uses required to serve recreational and other public needs of residential areas are allowed as conditional uses subject to restrictions intended to preserve the residential character of the R-1 district.

The Planning Office has not received any comments on this request.

Recommendation:

Approve the recommended request with the following conditions and findings.

MOTION: M/S SPIVEY/WINDSOR move to recommend approval to the Assembly of a two bedroom bed and breakfast conditional use permit requested by Corrie Bosman at 629 DeGross Street. The property is also known as Lot 15, Amended Plat of Pinehurst Addition, US Survey 1804 with the following conditions:

1. Contingent upon a completed satisfactory life safety inspection.
2. The facility shall be operated consistent with the application and plans that were submitted with the request.
3. The facility shall be operated in accordance with the narrative that was submitted with the application.
4. The applicant shall submit an annual report every year, covering the number of nights the facility has been rented over the twelve month period starting with the date the facility has begun operation.
5. The Planning Commission, at its discretion, may schedule a public hearing at any time following the first nine months of operations for the purpose of resolving issues with the request and mitigating adverse impacts on nearby properties.
6. Failure to comply with any of the conditions may result in revocation of the conditional use permit.

ACTION: Motion **PASSED unanimously 3-0** on a voice vote.

MOTION: M/S SPIVEY/WINDSOR move to approve the following findings:

FINDINGS: 22.30.160 Planning commission review and recommendation.

C. Required Findings for Conditional Use Permits. The planning commission shall not recommend approval of a proposed development unless it first makes the following findings and conclusions:

The granting of the proposed conditional use permit will not:

- a. Be detrimental to the public health, safety, and general welfare;
 - b. Adversely affect the established character of the surrounding vicinity; nor
 - c. Be injurious to the uses, property, or improvements adjacent to, and in the vicinity of, the site upon which the proposed use is to be located;
2. The granting of the proposed conditional use permit is consistent and compatible with the intent of the goals, objectives and policies of the comprehensive plan and any implementing regulation, *specifically Section 2.5.2 Encourage the development of facilities to accommodate visitors without significant impacts on residential properties;*
 3. All conditions necessary to lessen any impacts of the proposed use are conditions that can be monitored and enforced, *specifically, the required annual reporting condition;*
 4. The proposed use will not introduce hazardous conditions at the site that cannot be mitigated to protect adjacent properties, the vicinity, and the public health, safety and welfare of the community from such hazard;
 5. The conditional use will be supported by, and not adversely affect, adequate public facilities and services; or that conditions can be imposed to lessen any adverse impacts on such facilities and services;
 6. Burden of proof: the applicant has met the burden of proof.

The request is supported by general approval criteria as follows:

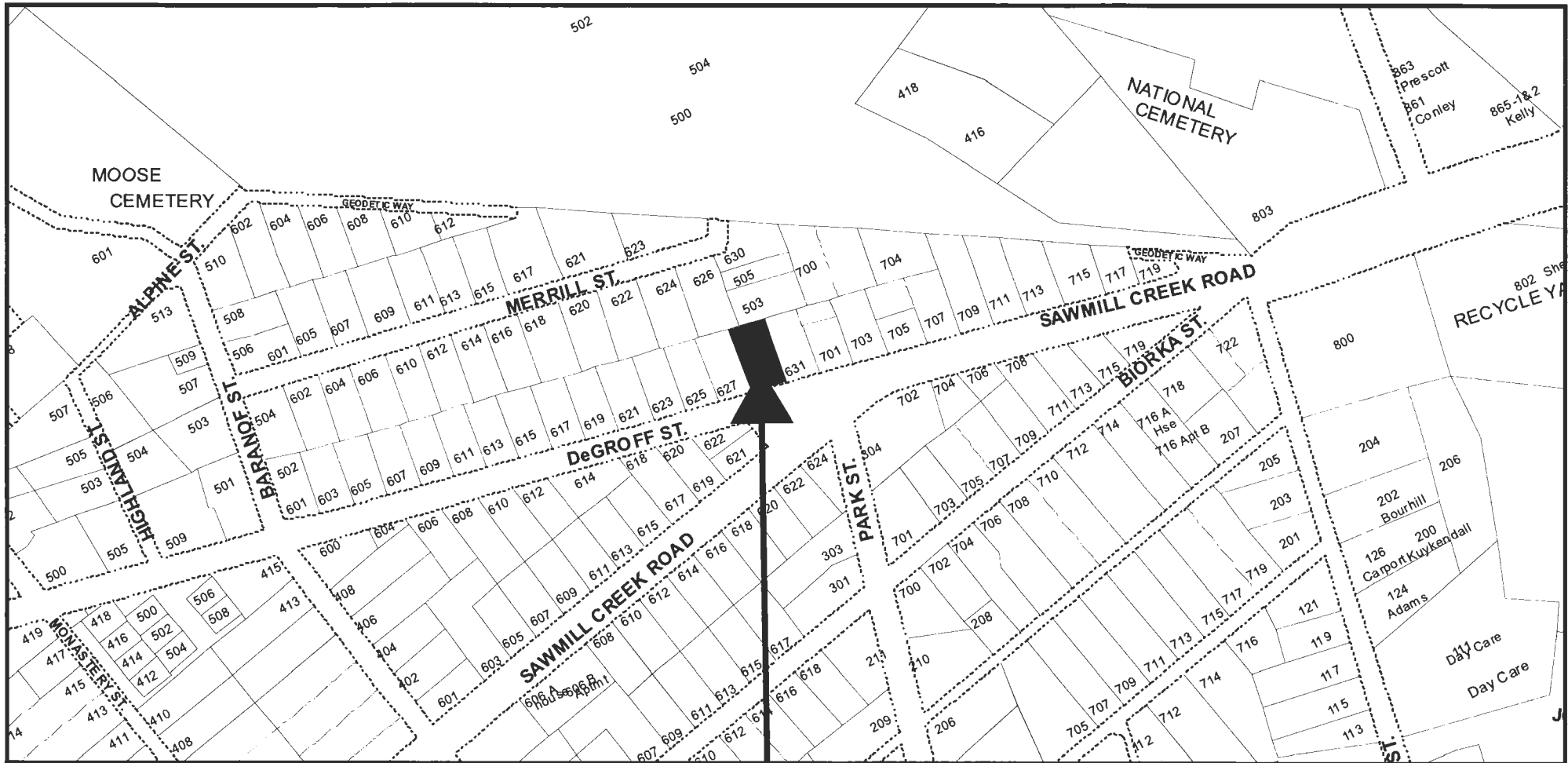
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2. Utilities and service requirements of the proposed use, including sewers, storm drainage, water, fire protection, access and electrical power; the assembly and planning commission may enlist the aid of the relevant public utility officials with specialized knowledge in evaluating the probable effects of the proposed use and may consider the costs of enlarging, upgrading or extending public utilities in establishing conditions under which the conditional use may be permitted;
3. Lot or tract characteristics, including lot size, yard requirements, lot coverage and height of structures;
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5. Community appearance such as landscaping, fencing and screening, dependent upon the specific use and its visual impacts.

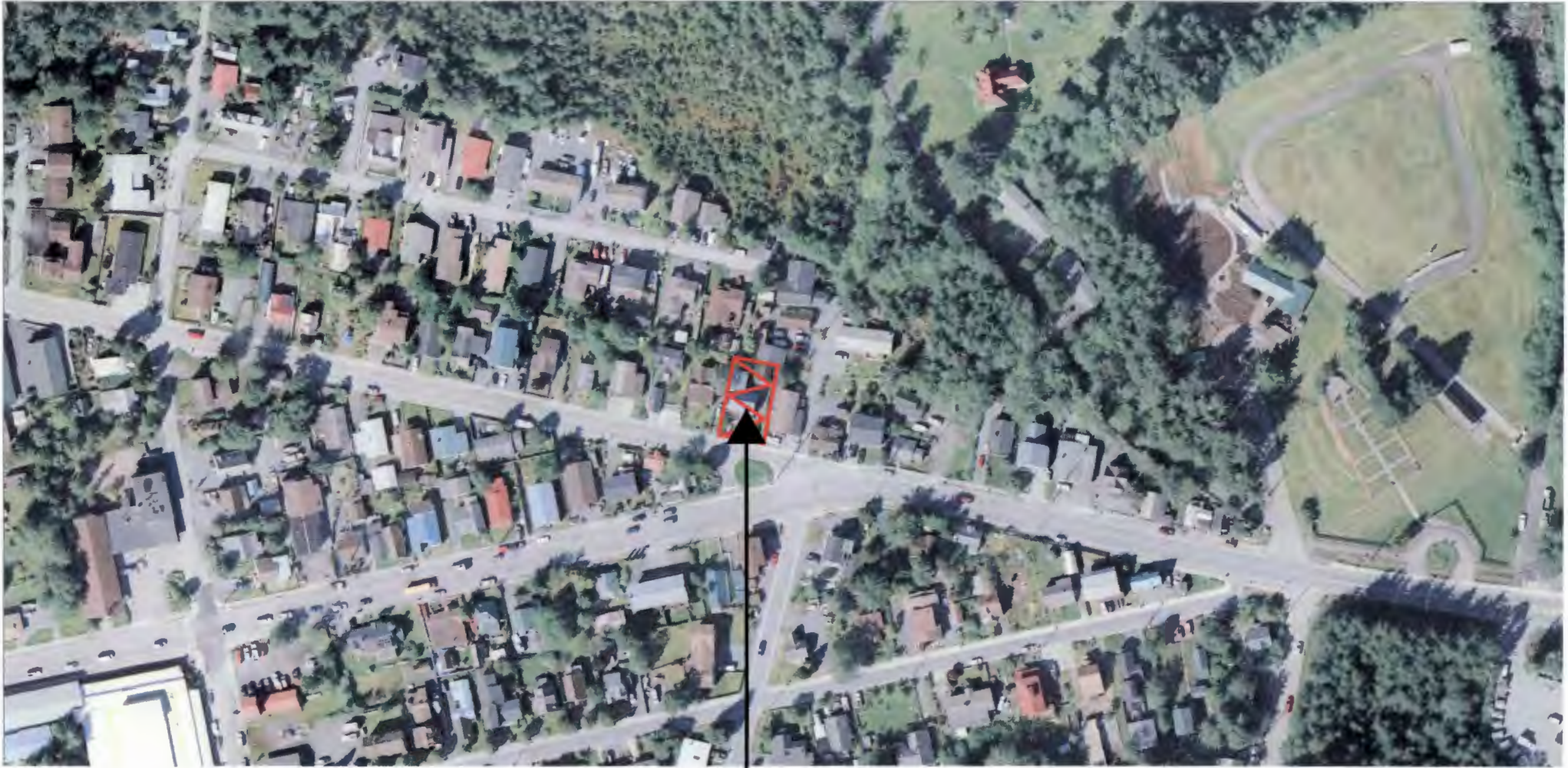
The following criteria determining impacts of conditional uses have been considered.

- a. Amount of vehicular traffic to be generated and impacts of the traffic on nearby land uses.
- b. Amount of noise to be generated and its impacts on surrounding land uses.
- c. Odors to be generated by the use and their impacts.
- d. Hours of operation.
- e. Location along a major or collector street.
- f. Potential for users or clients to access the site through residential areas or substandard street creating a cut through traffic scenario.
- g. Effects on vehicular and pedestrian safety.
- h. Ability of the police, fire, and EMS personnel to respond to emergency calls on the site.
- i. Logic of the internal traffic layout.
- j. Effects of signage on nearby uses.
- k. Presence of existing or proposed buffers on the site or immediately adjacent the site.
- l. Relationship if the proposed conditional use is in a specific location to the goals, policies, and objectives of the comprehensive plan.
- m. Other criteria that surface through public comments or planning commission assembly review.

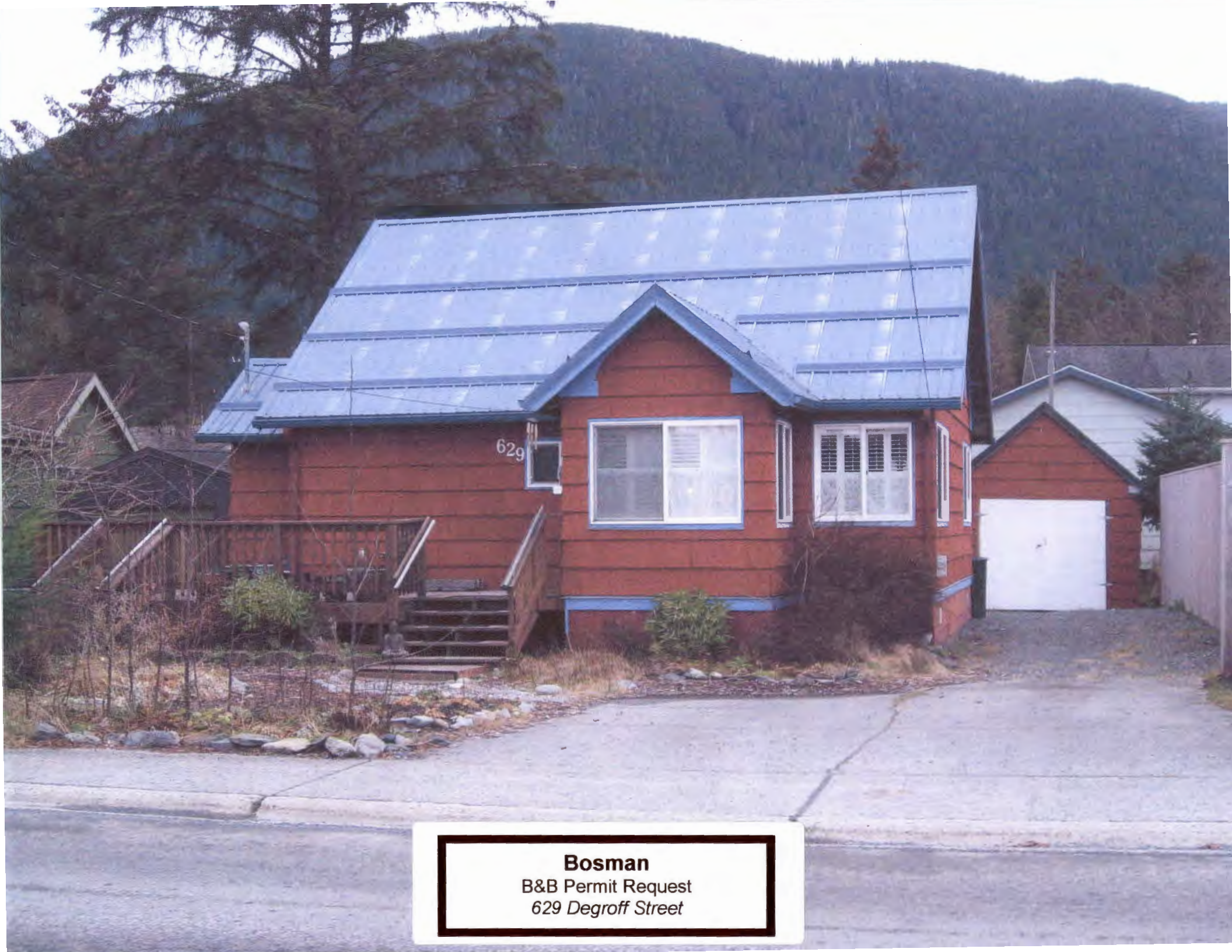
ACTION: Motion **PASSED unanimously 3-0** on a voice vote.



Bosman
B&B Permit Request
629 Degroff Street



Bosman
B&B Permit Request
629 Degroff Street

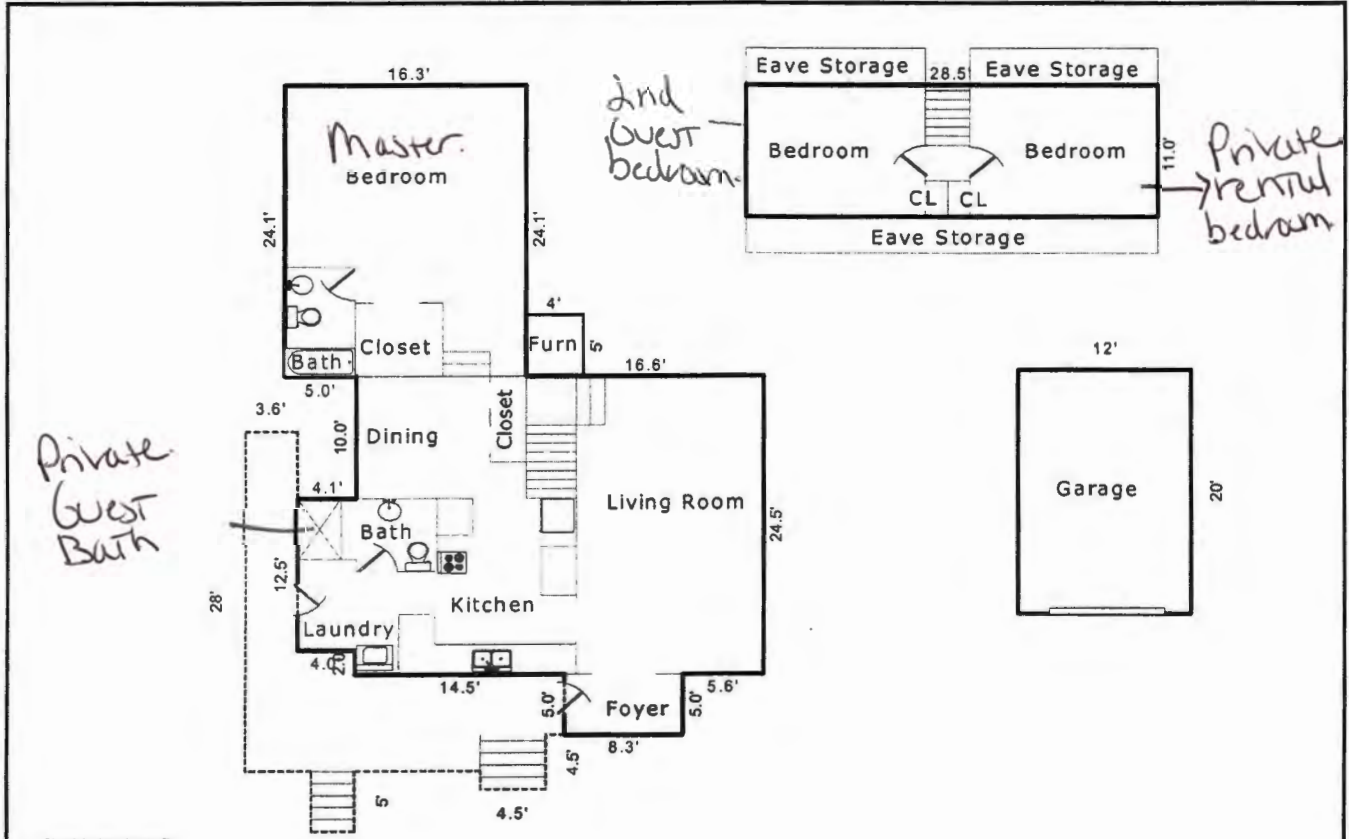


629

Bosman
B&B Permit Request
629 Degroff Street

Building Sketch

| | | | | |
|------------------|---------------------|--------|---------------------------|-------------------------|
| Client | Alaska Pacific Bank | | | |
| Property Address | 629 Degroff St | | | |
| City | Sitka | County | City and Borough of Sitka | State AK Zip Code 99835 |
| Lender | Alaska Pacific Bank | | | |



Sketch by Apex Media™

Comments: All program calculations are approximate. Interior walls are not drawn to scale.

| AREA CALCULATIONS SUMMARY | | | |
|---------------------------|--------------|----------|------------|
| Code | Description | Net Size | Net Totals |
| GLA1 | First Floor | 1188.8 | 1188.8 |
| GLA2 | Second Floor | 313.5 | 313.5 |
| GAR | Garage | 240.0 | 240.0 |
| P/P | Wood Deck | 274.6 | 274.6 |
| OTH | Furnace | 20.0 | 20.0 |

| LIVING AREA BREAKDOWN | | | |
|-----------------------|-------------|--|-----------|
| | Breakdown | | Subtotals |
| First Floor | 16.7 x 24.1 | | 402.5 |
| | 28.3 x 10.0 | | 283.0 |
| | 5.0 x 8.3 | | 41.5 |
| | 2.0 x 28.4 | | 56.8 |
| | 12.5 x 32.4 | | 405.0 |
| | 28.5 x 11.0 | | 313.5 |
| Second Floor | | | |
| | | | |

Net LIVABLE Area (rounded) 1502

6 Items (rounded) 1502

CITY AND BOROUGH OF SITKA
PLANNING DEPARTMENT
SHORT-TERM RENTAL &
BED & BREAKFAST APPLICATION

| | |
|---------------------------------|----------|
| Short-Term Rental Fee | \$100.00 |
| Bed & Breakfast Fee | \$ 35.00 |
| (per Guestroom) | |
| * plus current city sales tax * | |

APPLICANT'S NAME: Corrie Bosman
PHONE NUMBER: 907-752-0464
MAILING ADDRESS: Box 6005, Sitka AK 99835

OWNER'S NAME: Sane
(If different from applicant)
PHONE NUMBER: _____
MAILING ADDRESS: _____

PROJECT ADDRESS: 629 Deyniff
LEGAL DESCRIPTION Lot: 15 Block: _____
Subdivision: Pinehurst Sub.
U.S. Survey: _____ Zoning Classification: R-1

State all reasons for justifying request: See attached

Describe how the facility will be operated, what meals will be served, and how guests will be transported. (This information may be provided on a separate sheet).
See attached

Anticipated start date: February 15, 2015

What months of the year the facility will be in operation: Year round - expect
most use in Spring + Summer months

- Drawing of the **interior** layout showing:
1. Size and location of rooms
 2. Types of facilities in the rooms
 3. Windows and exits
 4. Location of smoke alarms and fire extinguishers
 5. Guestrooms specifically delineated on the plans

- Drawing of the **exterior** site plan showing:
1. Dimensions of the home
 2. How the house sits on the lot
 3. Location of parking

- Check if facility is not fully constructed at the time of the application
- Check if Life Safety Inspection has already been completed. If not, please contact the Building Department at 747-1832 to schedule an appointment. This Inspection is to certify that the residence complies with life and fire safety code aspects.

Bed and Breakfast applicants shall be aware that only limited cooking facilities such as small toaster ovens, microwaves, and refrigerators are allowed and those appliances must be outside of guestrooms.

In applying for and signing this application, the property owner hereby grants permission to Municipal staff to access the property before and after Planning Commission's review for the purposes of inspecting the proposed and/or approved structures.

SIGNATURE OF APPLICANT: [Signature] Date: 12/15/14

SIGNATURE OF OWNER: _____ Date: _____
(If different from the applicant)

Application for B&B at 629 Degroff
Supplemental Information
Applicant Corrie Bosman

(1) State all reasons for justifying request:

Applicant requests a permit for an Air B&B (see www.airbnb.com). This is a popular online service that easily allows independent travelers (singles or couples only) looking to rent a room within a home as a cost effective alternative to a hotel. Applicant believes this would be of great use to parents of Sitka Fine Arts Camp children, attendees of the Summer Music Festival, Whalefest and other special events in Sitka when affordable lodging where guests can walk to events is limited. Further, there is a group of tourists that prefer to stay in a more home oriented environment of which there are limited options in town currently. The home is centrally located downtown but is in an R-1 zone and therefore a conditional use permit is requested. There are other B & B's in the general neighborhood. It is believed that the guests would have little to no impact on the surrounding neighborhood.

(1) Describe how the facility will be operated, what meals will be served, and how guests will be transported.

Guest would be responsible for their own transportation. While there are four parking spaces at the home guests would be limited to one vehicle total. For guests who do not rent a vehicle the house is centrally located and less than a 5 minute walk from the hotels where the airport shuttle drops passengers.

Guests will be provided a private bedroom and private unattached-bathroom including linens and towels. No cooking facilities exist in the room but guests will be permitted limited kitchen access (ability to boil water for coffee and tea and use of microwave and refrigerator.) Meals will not be provided. Guests will also have use of the laundry facilities for a nominal cost.

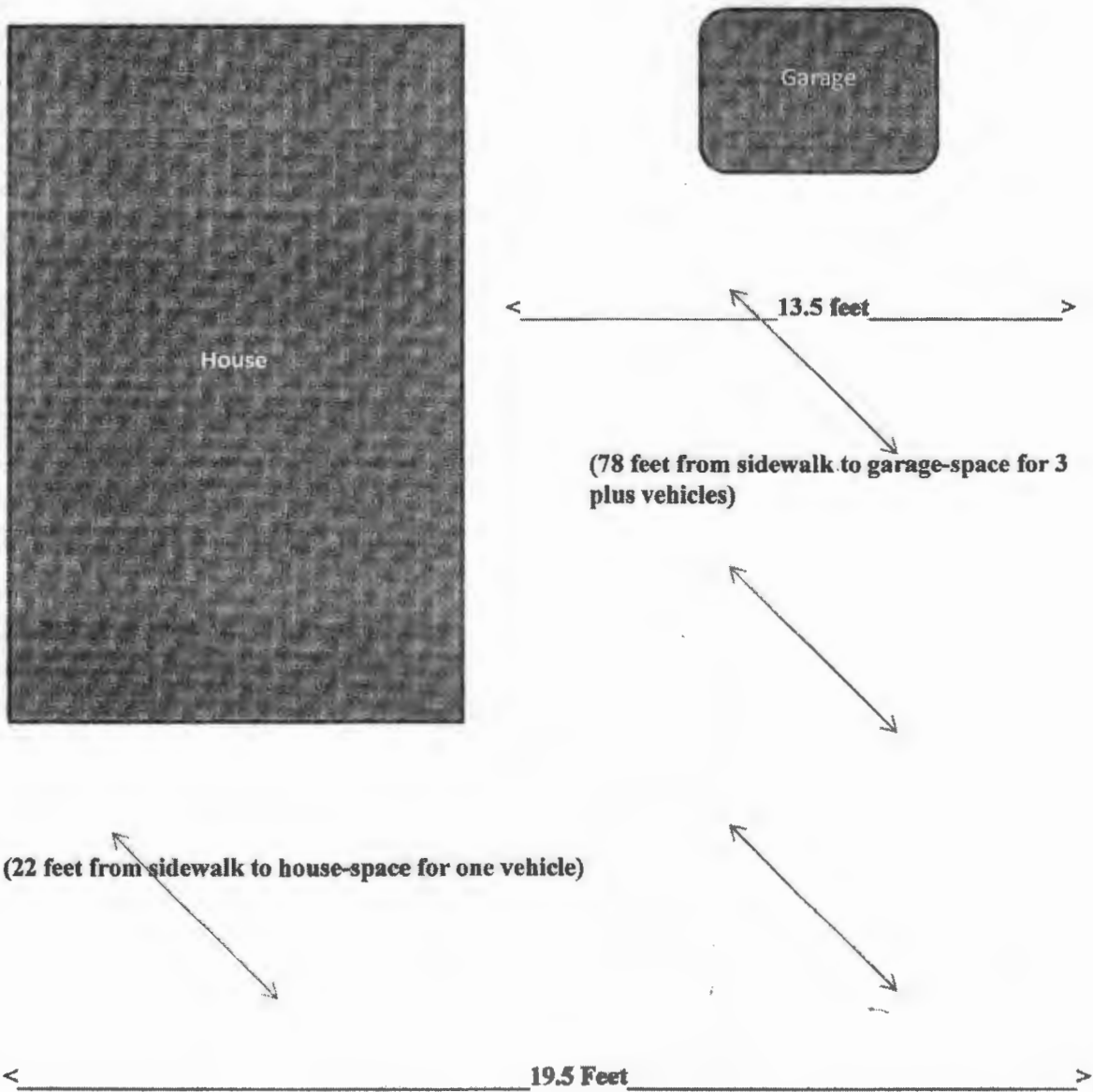
There are two rooms available. However, a maximum of three guests will be permitted at any time. It is expected the second room would only be used in case of family or friends traveling together who do not wish to share a bed. This will limit any guest vehicles to one at any given time.

Guests will be provided information and maps of Sitka and its facilities.

No children under 12, no pets and no smokers will be allowed.

A business license will be obtained and bed/sales tax will be collected.

PARKING FOR 629 DEGROFF STREET: B&B APPLICATION



CITY AND BOROUGH OF SITKA
Planning Commission
Minutes of Meeting
January 6, 2015

Present: Richard Parmelee (Chair), Chris Spivey (Vice Chair), Darrell Windsor (Member), Maegan Bosak (Planner I), Scott Brylinsky (Interim Planning Director)

Absent: Debra Pohlman (Member)

Members of the Public: Michael LaGuire, James Poulson, George Eliason, Lynne Brandon (CBS Parks and Rec), Corrie Bosman, Cliff Richter, Andrew Thoms, Janet Eddy

Chair Parmelee called the meeting to order at 7:08 p.m.

Roll Call:

PRESENT: 3 – Parmelee, Windsor, Spivey

Consideration of the Minutes from the December 16, 2014 meeting:

MOTION: M/S SPIVEY/WINDSOR moved to approve the meeting minutes for December 16, 2014.

ACTION: Motion **PASSED unanimously 3-0** on a voice vote.

The evening business:

**CONDITIONAL USE PERMIT- B&B
LOT 15, AMENDED PLAT OF PINEHURST ADDITION, US SURVEY 1804
CORRIE BOSMAN**

Public hearing and consideration of a two bedroom bed and breakfast conditional use permit requested by Corrie Bosman at 629 Degroff Street. The property is also known as Lot 15, Amended Plat of Pinehurst Addition, US Survey 1804.

Planner I, Bosak, summarizes the case. The applicant is requesting a bed and breakfast permit in a single family 3 bedroom, 2 bathroom home. The two rooms upstairs will be rented. Applicant is providing four off street parking spaces, more than the required amount. No public comment has been received.

APPLICANT: Corrie Bosman explains that this will be an air b&b, all bookings will take place online and primarily servicing the independent traveler. Bosman expects that she will get a lot of people coming to town for local events at SJ or Fine Arts Camp. Asking for two bedrooms however the second room will only be for overflow guests, the rooms will not be booked independently. Bosman says she will only have 1-2 guests unless it is a family.

COMMISSIONER DELIBERATION: Commissioner Spivey has concerns over traffic and cars pulling in and out of the driveway. Commission agrees that this will mainly be walking guests and that the applicant is providing more than enough parking.

PUBLIC COMMENT: No public comment.

MOTION: M/S SPIVEY/WINDSOR move to approve the following findings:

C. Required Findings for Conditional Use Permits. The planning commission shall not recommend approval of a proposed development unless it first makes the following findings and conclusions:

The granting of the proposed conditional use permit will not:

- a. Be detrimental to the public health, safety, and general welfare;
 - b. Adversely affect the established character of the surrounding vicinity; nor
 - c. Be injurious to the uses, property, or improvements adjacent to, and in the vicinity of, the site upon which the proposed use is to be located;
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 5. The conditional use will be supported by, and not adversely affect, adequate public facilities and services; or that conditions can be imposed to lessen any adverse impacts on such facilities and services;
 6. Burden of proof: the applicant has met the burden of proof.

The request is supported by general approval criteria as follows:

1. Site topography, slope and soil stability, geophysical hazards such as flooding, surface and subsurface drainage and water quality, and the possible or probable effects of the proposed conditional use upon these factors, *specifically the structure is existing;*
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- i. Logic of the internal traffic layout.
- j. Effects of signage on nearby uses.
- k. Presence of existing or proposed buffers on the site or immediately adjacent the site.
- l. Relationship if the proposed conditional use is in a specific location to the goals, policies, and objectives of the comprehensive plan.
- m. Other criteria that surface through public comments or planning commission assembly review.

ACTION: Motion **PASSED unanimously 3-0** on a voice vote.

MOTION: M/S SPIVEY/WINDSOR move to recommend approval to the Assembly of a two bedroom bed and breakfast conditional use permit requested by Corrie Bosman at 629 Degroff Street. The property is also known as Lot 15, Amended Plat of Pinehurst Addition, US Survey 1804 with the following conditions:

1. Contingent upon a completed satisfactory life safety inspection.
2. The facility shall be operated consistent with the application and plans that were submitted with the request.
3. The facility shall be operated in accordance with the narrative that was submitted with the application.
4. The applicant shall submit an annual report every year, covering the number of nights the facility has been rented over the twelve month period starting with the date the facility has begun operation.
5. The Planning Commission, at its discretion, may schedule a public hearing at any time following the first nine months of operations for the purpose of resolving issues with the request and mitigating adverse impacts on nearby properties.
6. Failure to comply with any of the conditions may result in revocation of the conditional use permit.

ACTION: Motion **PASSED unanimously 3-0** on a voice vote.

DISCUSSION

OLD CITY CEMETARY LOCATED AT THE END OF BARANOF STREET CBS PARKS AND RECREATION

Public hearing and consideration of a proposed Cross Trail temporary heavy equipment access using the old roadway through the old city cemetery located at the end of Baranof Street.

Interim Planning Director Brylinsky describes request and findings after staff site plan. He explains the historic travel route. Will be a change to sacred ground; research has shown that no gravesites will be disturbed. Photo shows memorial marker on rock, a seven foot buffer from marker will be established. Historic Preservation Commission recommended the temporary heavy equipment access.

APPLICANT: Lynne Brandon, CBS Parks and Rec, is available to answer any questions.

PUBLIC COMMENT: No public comment.

COMMISSIONER DELIBERATION: Commissioner Spivey asks why this is happening. Materials can't be taken in on Gavan trail as there is boardwalk so this temporary access will allow small equipment to be transported. Chair Parmelee ask the width of the path and Brandon responds that it will be 10 feet wide. Parmelee said when he walked it he thought he noticed other markers. Brandon explains legal process which has been subject to cultural resources study. They have had public meetings, contacted neighbors, worked with 9 different agencies, etc. Confident that everything is going to be done according to plan. This will be the first section of the cross trail that connects to downtown, very gradual grades.

DISCUSSION
ACCESSORY DWELLING UNITS (ADU)
CBS PLANNING DEPARTMENT

Discussion of possible modifications to the SGC requirements for Accessory Dwelling Units (ADUs).

PUBLIC COMMENT: Andrew Thoms, Sitka Conservation Society, interested in how this applies to micro homes. Lots of people interested in tiny homes, as it reduces environmental footprint and reverses the trend of large square footage. High School vocational program is building a micro home. Clear that restrictions on ADUs limited construction and SCS is submitting ideas on making it more lenient so the permit applies to more people. They propose that an ADU be a conditional use permit with conditions such as: hooked up permanently to utilities, uses locally sourced materials and blends in the neighborhood aesthetics. Commissioner Spivey asks how hard will it be to put on foundation rather the trailer? Thoms says it's not hard but about being able to easily transport. Easier to build in different location and then move onsite. It could be dropped on a foundation.

George Eliason, says ADUs are great idea but has concern over restrictions. Wonders why it can't be located off an access easement and why it must be a standalone dwelling. Commission addresses why access from easement was restricted as typically maintenance costs are shared and effects neighbors. Spivey states that standalone dwelling doesn't apply, that would simply be an apartment over the garage. The buildings wouldn't have to be connected if the garage/apartment could be considered an ADU. Brylinsky says that this could be a good example of an ADU as a conditional use.

COMMISSIONER DELIBERATION: Parmelee talks about zoning and ADUs and doesn't think we should apply all zoning, specifically SF and SFLD. Spivey is also against moving it into SF. Bosak explains that historically the reason limiting the zones to R-1 and R-2 was the idea against blending stick and manufactured structures for fire purposes. Also the aesthetics of the neighborhood and blending a mobile home. Parmelee asks about a new zone specifically for ADUs. Staff will come back with a proposal.

The Commission thinks that a no-car covenant might be a good idea however there is no way to enforce other than it being through a conditional use permit. ADUs currently must have two parking spaces and the Commission thinks that one space would be sufficient. Spivey reminds the group of the historical discussion and refers to enforcement and guests as the reason it wasn't reduced in the past. Commission says there should not be a no-car covenant.

Discussion over enforcement and Brylinsky talks to self regulation by the property owner. He thinks that owner compliance of a conditional use permit is the best form of enforcement. Commission is in support of a one car requirement. Commission again states that this would best be served through the conditional use permit process. Parmelee says this ADU permit isn't being used and he would like to see it revised and then come back again if there are issues. Spivey says it will lead to more non conformities. Commissioners ask Bosak about ADU inquires. She states there were approximately 10 and 3-4 could not meet parking requirements. Parmelee and Windsor are in favor of reducing parking requirements to one space. Spivey is against.

Commissioners might be for micro homes as ADUs if they are put on permanent foundations, skirted, hooked up to utilities and blends into the neighborhood aesthetics. Commission feels this deserves further discussion.

Commissioners feel that ADUs should be on a conditional use permit basis.

Brylinsky will draft a new ordinance for ADUs and submit for Commission discussion.

PLANNING DIRECTOR'S REPORT: Next meeting is only for Stormwater Ordinance. Planning Director position closes January 15th.

ADJOURNMENT:

MOTION: M/S SPIVEY/WINDSOR moved to adjourn at 8:12 pm.

ACTION: Motion PASSED unanimously 3-0 on a voice vote.

Richard Parmelee, Chair

Maegan Bosak, Secretary



City and Borough of Sitka

100 Lincoln Street Sitka, Alaska 99835

Coast Guard City, USA

Notice of Public Hearings

The Assembly of the City and Borough of Sitka will hold a public hearing during a regular meeting scheduled Tuesday, February 10, 2015 on the following items:

Public hearing and consideration of a two bedroom bed and breakfast conditional use permit requested by Corrie Bosman at 629 DeGroff Street. The property is also known as Lot 15, Amended Plat of Pinehurst Addition, US Survey 1804.

The Assembly may take action on February 10, 2015. The Assembly meeting will begin at 6:00 pm in Harrigan Centennial Hall at 330 Harbor Drive in Sitka.

Interested residents are encouraged to make comments during the meeting and written comments can be submitted to the Municipal Clerk at 100 Lincoln Street.

Two bedroom bed & breakfast conditional use permit at 629 DeGroff Street:

The applicant is requesting a conditional use permit for a two bedroom bed and breakfast at 629 DeGroff Street. This would allow the applicant to rent out up to two bedrooms. Off-street parking spaces are available. The property is zoned R-1 Residential.

The R-1 single-family and duplex District is intended primarily for single-family or duplex residential dwellings at moderate densities, but structures and uses required to serve recreational and other public needs of residential areas are allowed as conditional uses subject to restrictions intended to preserve the residential character of the R-1 district.

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HOFFMAN, KRISTINA
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SITKA AK 99835

PEDRO/SHIRLEY RIETA

RIETA, PEDRO & SHIRLEY
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ROGILIO/TILDA CARBILLON REVOCABLE
TRUST

CARBILLON TRUST, ROGELIO & TILDA
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PETER/LINDA JONES

JONES, PETER/LINDA
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NANCY RICKETTS

RICKETTS, NANCY
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BARBARA ARNDT TRUST

ARNDT TRUST, BARBARA, L.
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CHARLES/JAMMIE WILEMAN

WILEMAN, CHARLES, D./JAMMIE
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NORMAN/CHARLOTT MIRANDA

MIRANDA, NORMAN & CHARLOTTE
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CRAIG/LESLEY WARREN

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SHORELINE WA 98177

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Bosman
B&E Permit Request
629 Degroff Street

Assembly Mailing
January 30, 2015

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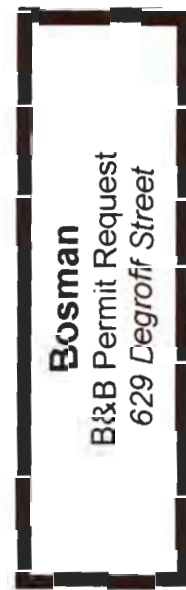
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P&Z Mailing
December 19, 2014

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P&Z Mailing
December 19, 2014

Bosman
B&B Permit Request
629 Degroff Street

BOA – HEARING OUTLINE
Conditional Use Permit

- I. **Board of Adjustment** (BOA) - Assembly (*SGC 22.30.060A*)
 - A. Quasi-judicial – avoid *ex parte* contacts
 - B. Authority to approve or deny conditional use permits -*SGC 22.30.060A*¹
 - C. Assembly’s Other Options - *SGC 22.30.170B.1*²
 - 1. Approve Planning Comm’n recommendation
 - 2. Approve with additional conditions
 - 3. Modify with or without applicant’s consent (some limitations)
 - 4. Deny application
 - 5. Remand –
 - a. Issues not covered
 - b. Procedural due process problems (new pertinent evidence)
- II. **Review Criteria**
 - A. Assembly reviews Planning Comm’n recommended decision regarding conditional use permit applications – *SGC 22.30.050F*³

¹ *SGC 22.30.060 Board of adjustment.*

The assembly of the city and borough shall function as the board of adjustment with the authority to:

- A. *Approve or deny conditional use permits.*

* * *

² *SGC 22.30.170 Assembly actions.* (emphasis added)

* * *

B. *Decisions.* *The assembly shall make its decision by motion or ordinance as appropriate.*

1. An assembly decision on a planning commission recommendation or following a public hearing shall include one of the following actions:

a. Approve as recommended.

b. Approve with additional conditions.

c. Modify, with or without the applicant’s concurrence; provided, that the modifications do not:

i. Enlarge the area or scope of the project.

ii. Increase the density or proposed building size.

iii. Significantly increase adverse environmental impacts as determined by the responsible official.

d. Deny (reapplication or resubmittal is permitted).

e. Deny with prejudice (reapplication or resubmittal is not allowed for one year).

f. Remand for further proceedings.

³ *SGC 22.30.050 Planning commission.*

The planning commission shall be constituted in accordance with Chapter 2.18 of this code and the Sitka Home Rule Charter and shall have the responsibility of reviewing and acting on the following:

* * *

B. Planning Comm'n decision and recommendation in this case regarding conditional use permit applications subject to Assembly review

C. Nature of the review by Assembly – review recommended Findings of Fact and General Approval Criteria Considerations and proposed conditions made by Planning Commission regarding each conditional use permit application

1. **FF criteria– All criteria must be met (SGC 22.30.160C)**
 - a. Not detrimental to public health, safety, general welfare;
 - b. Not adversely affect established character of surrounding vicinity;
 - c. Not injurious to uses, property or improvements adjacent to or in vicinity;
 - d. Not inconsistent with Comprehensive Plan;
 - e. Conditions to lessen impacts are monitorable & enforceable
 - f. No hazardous conditions that cannot be mitigated regarding adjacent & vicinity properties ; and
 - g. Not adversely affect public facilities & services, or imposed conditions mitigate impact.

2. **General Approval Criteria Considerations (SGC 22.20.160C)**
 - a. Effects of the conditional use on site (topography, slope and soil stability) and geophysical hazards (flooding, surface and subsurface drainage, water quality);
 - b. Utilities and service requirements (sewers, storm drainage, water, fire protection, access and electrical power);
 - c. Lot or tract characteristics (lot size, yard requirements, lot coverage and height of structures);
 - d. Use characteristics that affect adjacent uses and districts (operating hours; number of persons, traffic, parking and loading, trash and litter removal, exterior lighting, noise, vibration, dust, smoke, heat and humidity, recreation and open space requirements); and
 - e. Community appearance (landscaping, fencing, screening).

3. **Proposed Conditions**

F. Recommendations on conditional use permit applications.

* * *

4. SGC 22.30.160C – Planning Comm’n decision requirements⁴

⁴ *SGC 22.30.160 Planning commission review and recommendation.* (emphasis added)

Planning commission decision and action authority is defined in Section 22.30.050.

* * *

C. Required Findings for Conditional Use Permits. The planning commission shall not recommend approval of a proposed development unless it first makes the following findings and conclusions:

1. The city may use design standards and other elements in this code to modify the proposal. A conditional use permit may be approved only if all of the following findings can be made regarding the proposal and are supported by the record that the granting of the proposed conditional use permit will not:

- a. Be detrimental to the public health, safety, and general welfare;*
- b. Adversely affect the established character of the surrounding vicinity; nor*
- c. Be injurious to the uses, property, or improvements adjacent to, and in the vicinity of, the site upon which the proposed use is to be located.*

2. The granting of the proposed conditional use permit is consistent and compatible with the intent of the goals, objectives and policies of the comprehensive plan and any implementing regulation.

3. All conditions necessary to lessen any impacts of the proposed use are conditions that can be monitored and enforced.

4. The proposed use will not introduce hazardous conditions at the site that cannot be mitigated to protect adjacent properties, the vicinity, and the public health, safety and welfare of the community from such hazard.

5. The conditional use will be supported by, and not adversely affect, adequate public facilities and services; or that conditions can be imposed to lessen any adverse impacts on such facilities and services.

6. Burden of Proof. The applicant has the burden of proving that the proposed conditional use meets all of the criteria in subsection B of this section.

The city may approve, approve with conditions, modify, modify with conditions, or deny the conditional use permit. The city may reduce or modify bulk requirements, off-street parking requirements, and use design standards to lessen impacts, as a condition of the granting of the conditional use permit. In considering the granting of a conditional use, the assembly and planning commission shall satisfy themselves that the general criteria set forth for uses specified in this chapter will be met. The city may consider any or all criteria listed and may base conditions or safeguards upon them. The assembly and planning commission may require the applicant to submit whatever reasonable evidence may be needed to protect the public interest. The general approval criteria are as follows:

1. Site topography, slope and soil stability, geophysical hazards such as flooding, surface and subsurface drainage and water quality, and the possible or probable effects of the proposed conditional use upon these factors;

2. Utilities and service requirements of the proposed use, including sewers, storm drainage, water, fire protection, access and electrical power; the assembly and planning commission may enlist the aid of the relevant public utility officials with specialized knowledge in evaluating the probable effects of the proposed use and may consider the costs of enlarging, upgrading or extending public utilities in establishing conditions under which the conditional use may be permitted;

3. Lot or tract characteristics, including lot size, yard requirements, lot coverage and height of structures;

4. Use characteristics of the proposed conditional use that affect adjacent uses and districts, including hours of operation, number of persons, traffic volumes, off-street parking

III. BOA Procedure

A. Packet Review

1. Planning Comm'n FF and motions
2. Planning Comm'n minutes
3. Planning Comm'n record (written submissions)

B. Hearing (SGC 22.30.180)⁵

1. Follow Assembly procedures
2. Order
 - a. Staff
 - b. Applicant
 - c. Public
 - d. Rebuttal
 - i. Staff
 - ii. Applicant
 - e. Close evidentiary hearing -- Deliberate
 - f. Make Findings of Fact & Decision
 - i. Planning Comm'n recommended Findings of Fact and conditions
 - ii. Modify FF and conditions (use *SGC 22.30.160C* criteria)

C. Burden of proof on Applicant (SGC 22.30.160C.6)⁶

and loading characteristics, trash and litter removal, exterior lighting, noise, vibration, dust, smoke, heat and humidity, recreation and open space requirements;

5. *Community appearance such as landscaping, fencing and screening, dependent upon the specific use and its visual impacts.*

⁵ *SGC 22.30.180 Procedures for public hearings.* (emphasis added)

Public hearings shall be conducted in accordance with the hearing body's rules of procedure and shall serve to create or supplement an evidentiary record upon which the body will base its decision. The chair shall open the public hearing and, in general, observe the following sequence of events:

- A. Staff presentation, including submittal of any administrative reports. Members of the hearing body may ask questions of the staff.
- B. Applicant presentation, including submittal of any materials. Members of the hearing body may ask questions of the applicant.
- C. Testimony or comments by the public germane to the matter. Questions directed to the staff or the applicant shall be posed by the chair at its discretion.
- D. Rebuttal, response or clarifying statements by the staff and the applicant.
- E. The evidentiary portion of the public hearing shall be closed and the hearing body shall deliberate on the matter before it.

⁶ *SGC 22.30.160 Planning commission review and recommendation.* (emphasis added)

* * *

D. Assembly Options – See Section I.B above

IV. Actions after Assembly Decision

A. Remand - *SGC 22.30.200*⁷

B. Reconsideration - *SGC 22.30.190*⁸

C. Judicial Appeal (Superior Court – Sitka) - *SGC 22.30.240A*⁹

C. Required Findings for Conditional Use Permits. The planning commission shall not recommend approval of a proposed development unless it first makes the following findings and conclusions:

** * **

6. Burden of Proof. The applicant has the burden of proving that the proposed conditional use meets all of the criteria in subsection B of this section.

⁷ *SGC 22.30.200 Remand.*

In the event the assembly determines that the public hearing record or record on appeal is insufficient or otherwise flawed, the assembly may remand the matter back to the hearing body. The assembly shall specify the items or issues to be considered and the time frame for completing the additional work. The assembly may hold a public hearing on a closed record appeal only for the limited purposes identified in the remand.

⁸ *SGC 22.30.190 Reconsideration.*

A party to a public hearing or closed record appeal may seek reconsideration only of a final decision by filing a written request for reconsideration with the administrator within fourteen calendar days of the oral announcement of the final decision. The assembly shall consider the request at its next regularly scheduled meeting. If the request is denied, the previous action shall become final. If the request is granted, the assembly body may immediately revise and reissue its decision or may call for argument in accordance with the procedures for closed record appeals.

⁹ *SGC 22.30.240 Judicial appeal.*

A. Appeals from the final decision of the assembly, or other city board or body involving Title 21 SGC, and for which all other appeals specifically authorized have been timely exhausted, shall be made to superior court within thirty days of the date the decision or action became final, unless another time period is established by state law or local ordinance.

** * **



City and Borough of Sitka

100 Lincoln Street Sitka, Alaska 99835

Coast Guard City, USA

Notice of Public Hearings

The Assembly of the City and Borough of Sitka will hold a public hearing during a regular meeting scheduled Tuesday, February 10, 2015 on the following items:

Public hearing and consideration of a two bedroom bed and breakfast conditional use permit requested by Corrie Bosman at 629 DeGroff Street. The property is also known as Lot 15, Amended Plat of Pinehurst Addition, US Survey 1804.

The Assembly may take action on February 10, 2015. The Assembly meeting will begin at 6:00 pm in Harrigan Centennial Hall at 330 Harbor Drive in Sitka.

Interested residents are encouraged to make comments during the meeting and written comments can be submitted to the Municipal Clerk at 100 Lincoln Street.

As a neighbor directly across the street, I am sorry, but I am opposed to a B+B at this location, due to extra vehicles, noise (most of many visitors go fishing very early + since they are on vacation, think nothing of talking loudly at 4am - [I've had this problem with another neighbor's visitors]... Too small a property, ~~lack of available~~ ~~off~~ and they say off street parking, but I don't see it, ~~up~~

Providing for today ... preparing for tomorrow

Again, Sorry!
Kris Hoffmann
621 SMC.



Legislation Details

File #: 15-006 Version: 1 Name:

Type: Item Status: AGENDA READY

File created: 2/4/2015 In control: City and Borough Assembly

On agenda: 2/10/2015 Final action:

Title: Discussion/Direction on the municipal taxation report from Michael Gatti

Sponsors:

Indexes:

Code sections:

Attachments: [Memo and report.pdf](#)

| Date | Ver. | Action By | Action | Result |
|------|------|-----------|--------|--------|
|------|------|-----------|--------|--------|



City and Borough of Sitka

100 Lincoln Street Sitka, Alaska 99835

Coast Guard City, USA

Memorandum

To: Assembly

From: Robin L. Koutchak, municipal attorney

Re: Municipal Taxation Options

Date: February 4, 2015

Attached for Assembly review is a draft done by Anchorage law firm, Wohlforth, Brecht and Cartledge, through attorney Mike Gatti. A home rule municipality, as is the City and Borough of Sitka, has broad discretion to adopt rules and exercise powers. This memorandum sets out these basic ideas. There is not magic bullet. Municipalities, in short, when searching for funds, are best served by using a multitude of ideas and techniques.

WOHLFORTH | BRECHT | CARTLEDGE

A PROFESSIONAL CORPORATION

Julius J. Brecht
Cynthia L. Cartledge
William A. Earnhart
Ann Marie Garber
Michael Gatti
Eric E. Wohlforth

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ATTORNEY- CLIENT PRIVILEGE

MEMORANDUM

TO: Robin Koutchak, City and Borough Attorney

FROM: Michael Gatti

DATE: September 23, 2014

SUBJECT: Overview of Municipal Taxation

Municipalities in Alaska are vested with broad constitutional powers to engage in activities to provide services and facilities for the protection of the public's health, safety, and welfare. The Alaska Constitution states that the purpose and construction of local government in Alaska "is to provide for maximum local self-government with a minimum of local government units, and to prevent duplication of tax-levying jurisdictions. A liberal construction shall be given to the powers of local government units." Alaska Constitution art. X, § 1; and see, *Liberati v. Bristol Bay Borough*, 584 P.2d 1115 (Alaska 1978).

The constitution further provides that all local government powers are vested in boroughs and cities. The State may only delegate taxing powers to organized boroughs and cities, pursuant to Alaska Constitution art. X, § 2. The governing body for the organized borough is the assembly, whose composition is established by law or charter. Alaska Constitution art. X, § 4. The assembly may establish service areas to provide special services within the organized borough, which can include the levying of taxes, charges, or assessments within a service area to finance the special services. Alaska Constitution art. X, § 5. A home rule municipality, such as the City and Borough of Sitka ("CBS" or "Borough"), may exercise all legislative powers not prohibited by law or charter. Alaska Constitution art. X, § 11.

What all this means is that, unless prohibited by law, a home rule municipality is vested with broad discretion to adopt legislation and exercise powers in its best interest. It is within the foregoing framework that a municipality may adopt various revenue-raising measures to provide for public services and facilities.

A municipality when reviewing revenue options should also review its current revenue structure to ensure that it is capturing escaped taxes, fines, and fees. Oftentimes a review of ordinances, policies, and procedures can update or revise

revenue assessment and collection practices, which can result in found revenue. This effort should include an interdisciplinary approach, using the skills of the Borough Administrator, Attorney, Finance Director, and Assessor, to develop a report to advise the Mayor and Assembly of the status and issues underlining existing revenue programs.

I. Taxation of Real and Personal Property

Alaska Statute 29.45.010-.250 sets forth the requirement for real property taxation, which applies to municipalities, including those that are home rule. In accordance with Title 29, a municipality may tax real and personal property and adopt required or optional exemptions. For example, senior citizen and disabled veterans are required exemptions, which the Borough, along with other required exemptions, has incorporated into its code, pursuant to SGC 4.12.020.¹ Likewise, the Borough has adopted optional exemptions for community purpose property and business inventory.² A municipality may also levy a flat tax on personal property, pursuant to AS 29.45.055, which provides:

Sec. 29.45.055. Levy of flat tax on personal property.

(a) A municipality may by ordinance levy a flat tax on personal property that has been totally exempted from ad valorem taxes under AS 29.45.050(b). A municipality that levies a flat tax may classify the property as to type based on any characteristic and tax each item of property of the same type at a specific amount. A flat tax may be levied on all or on only some types of personal property. The flat tax ordinance must include a procedure under which the taxpayer may appeal the determination of ownership or classification of property subject to the tax. The municipality may establish procedures necessary to collect the tax.

(b) Except as provided in (a) of this section, adoption of a flat tax does not affect the authority of a municipality to levy other taxes or impose fees on the same or other personal property or on the use, possession, sale, or lease of the same or other personal property.

Although limited, a municipality may collect a property tax on refined fuel, but such fuel has to be physically loaded, unloaded, or stored in the municipality, pursuant to AS 29.45.101. This provision of Title 29 authorizes the limited taxation of fuel as personal property or business inventory. Since the Borough has exempted business inventory, taxation of this commodity would not be in order unless this exemption is

¹ Sitka Charter art. XIII, sets forth provisions related to taxation.

² Note, the cite contained in SGC 4.12.025(C) does not appear to be correct, since that relates to the relationship between city and borough tax structures.

repealed. Even though business inventory is exempt, it may be possible for a municipality to levy a flat tax on fuel in accordance with AS 29.45.101.³

II. Sales Tax

Sitka Charter 13.01(c) authorizes the Borough to levy a sales and use tax. It provides: "Any sales or use tax or change in rate thereof shall be by ordinance ratified by a majority of the qualified voters voting on the question." The implementation of the Charter's sales tax requirements is found in SGC 4.09.010(A), which states: "There is levied a consumer's sales tax on sales, rents, and leases made in the city and borough of Sitka." The ordinance includes implementation measures, a seasonal rate of levy, and a series of exemptions and procedures for the collection of the tax.

Sales tax collection is generally based on a self-reporting system, where a taxpayer provides a tax return to the Borough so that the Borough may assess and collect the tax. Because of the voluntary nature of sales tax remittance it is a good practice to periodically conduct audits of various businesses to determine the accuracy of sales tax remittance. The Borough's sales tax collection program should also be periodically reviewed to ensure that it is up to date and functioning in accordance with the code. This review is best assigned to the finance department, who should also regularly report the amount of outstanding delinquent sales taxes. The Borough's enforcement program should also be periodically reviewed for efficacy.⁴

Another issue that comes up from a review of the Borough sales tax code, is whether it is collecting a use tax for items purchased outside the Borough but used within the Borough. A use tax may generally be explained as a tax which "prevents

³ The Borough tax structure dedicates revenue to particular programs. The Attorney General has opined Alaska Constitution art. XI, § 7 does not prohibit the dedication of municipal revenue. 1988 WL 249509 (Alaska A.G.).

⁴ Note, SGC 4.09.410 authorizes sales tax audits.

consumers of retail products from buying out of state to avoid paying the in-state sales tax."⁵

III. Excise Tax

"Excise taxes are taxes upon the manufacture, sale or consumption of commodities, upon licenses to pursue certain occupations, and upon corporate privileges. They include any taxes which do not fall within the classification of a poll or property tax."⁶ In *Fannon v. Matanuska-Susitna Borough*, 192 P.3d 982 (Alaska 2008), the court was called upon to determine whether an excise tax on tobacco products was lawful. In concluding that it was, the court found that, due to the liberal construction of municipal powers and the broad taxing authority vested in municipalities, an excise tax on cigarettes was called for without a vote of the electorate. The Borough levies an excise tax on cigarettes and other tobacco products. SGC 4.26.010-.190.

A similar tax on alcohol would be limited by AS 04.21.010(c), which requires alcohol products to only be taxed in accordance with sales tax products. In *Lagos v. City and Borough of Sitka*, 823 P.2d 641 (Alaska 1991), the court reviewed this provision and held that, at the time, Sitka did not have authority to tax alcohol and therefore struck down the taxing ordinance.

IV. Excise Tax on Marijuana Products and Paraphernalia

On June 14, 2003, the Lt. Governor certified 13PSUM, an initiative application to tax and regulate the production, sale, and use of marijuana. The initiative would add a new chapter, AS 17.38 Regulation of Marijuana, to the Alaska Statutes, consisting of 14 provisions, including sections on local control and an amendment to AS 46.61 Excise Tax on Marijuana. If approved by the voters, the initiative would be adopted regulating various aspects of marijuana. The proposed initiative contains a section on local control, which provides authority for a local government to regulate marijuana activities. The initiative also contains a provision for a state excise tax on marijuana at \$50 per ounce or a proportionate part thereof. There may be certain parts of the marijuana plant that could be exempt from taxation or taxed at a different rate.

An interesting provision is contained in Section 3, which states that "[t]he provisions of this Act are independent and severable, and, except where otherwise indicated in the text, shall supersede conflicting statutes, local charter, ordinance, or resolution, and other state and local provisions."

It appears, notwithstanding the provisions of the proposed initiative, that state and local governments may tax marijuana use, consumption, and sale, along with its

⁵ 16 McQuillin Mun. Corp. § 44:254 (3d ed.). The ballot proposition adopting the sales tax should be examined.

⁶ 16 McQuillin Mun. Corp. § 44:242 (3d ed.).

paraphernalia, through their sales tax, since the sale of marijuana would constitute a retail sale. It may also be possible to tax marijuana as an excise tax without running afoul of Section 3 of the initiative, prohibiting inconsistent statutes, ordinances, or regulations. Simply because the State levies an excise tax on marijuana activities does not preempt a local government from doing the same. The State has a heavy burden to establish preemption of a local government measure. *Acevedo v. City of North Pole*, 672 P.2d 130 (Alaska 1983) helps to explain this concept:

State pre-emption of municipal enactments occurs when a particular exercise of authority has been prohibited to municipalities. *City of Kodiak v. Jackson*, 584 P.2d 1130, 1132 (Alaska 1978). "The prohibition must be either by express terms or by implication such as where the statute and ordinance are so substantially irreconcilable that one cannot be given its substantive effect if the other is to be accorded the weight of law." *Id.* (quoting *Jefferson v. State*, 527 P.2d 37, 43 (Alaska 1974)).

Assuming passage of initiative 13PSUM, a number of challenges arise.⁷ First, the question of what to do with taxes paid in cash must be solved. Since most marijuana retail establishments operate on a cash basis and pay their taxes in cash, there are concerns related to security and also how a municipality will deposit its cash in the bank. There is anecdotal evidence that banks are refusing to accept marijuana revenues because it could be considered drug money and they could be subject to money laundering problems by the federal government.⁸

Another consideration is a municipality's issuance of a business license to a marijuana retail establishment. One option is to adopt a licensing fee that is higher than your standard business license fee. For example, in Colorado to obtain a license to operate a marijuana facility, the City of Denver charges \$5,000.

V. Miscellaneous Charges and Fees

The Borough also has miscellaneous charges and fees established throughout its code, such as the driver facility charge (SGC 4.17), a hotel, motel, bed and breakfast transient room tax (SGC 4.24), and an excise tax on cigarettes and tobacco products (SGC 4.26).

⁷ Many questions associated with marijuana regulation and taxation are those of first impression in Alaska. How a court will address these issues will be based on the facts, circumstances, and law. The experience of other jurisdictions, such as Washington and Colorado, may be looked for guidance.

⁸ See attached publications.

VI. Motor Vehicle Registration Tax

Alaska Statute 28.10.431 authorizes a biennial motor vehicle registration tax ("MVRT"). A municipality may elect, by passage of an appropriate ordinance, to come under this section.⁹ To implement a motor vehicle registration tax, the municipality must file a written notice of election with the Department of Administration and may not rescind the notice for a subsequent fiscal year. The notice must be filed on or before January 1 of the year preceding the year election under this section is to become effective.

The MVRT is collected by the department and refunded to the municipality, less an eight percent charge for collection costs. A borough that collects the tax must allocate money received to a city, area outside the city, and a service area within the borough. The payment of the registration tax is in lieu of all local use taxes and *ad valorem* taxes. If the municipality elects to come under the provisions of the MVRT, it may not levy a use or *ad valorem* tax on motor vehicles, subject to the registration tax during a fiscal year in which the election is in effect. A municipality may also increase or decrease the scheduled amount of tax described under (b) or (l) of this section by passage of an appropriate ordinance, but must provide notice to the department by January 1 of the year preceding the year in which the change in tax is to take effect. The amount of the tax may not be changed for two years and the department may charge the municipality a one-time fee to cover the cost of the department implementing a change under this section.¹⁰

VII. Service Areas

Municipalities are constitutionally authorized to establish service areas, pursuant to Alaska Constitution art. X, § 5, and may levy taxes, charges, or assessments within a service area to finance special services. Sitka Charter art. XIV authorizes the establishment of service areas. Section 14.0 sets forth the purpose for a service area, which is to provide services not provided on an area-wide basis or to provide a higher level of service than that provided on an area-wide basis. A service area must be established by ordinance or by petition. Charter § 14.03 sets forth the criteria for service areas, which requires they be established according to criteria of need and economic operating efficiency, and comprise the area to which the services shall be provided. A new service area shall be established only after assembly determination that such services cannot be provided reasonably by an existing service area or by alteration of an existing service area. The service area may be financed by taxes,

⁹ The Borough has prepared two draft tax ordinances, 2014-27A-1 and 2014-27A-2, regarding motor vehicle registration taxes and other revenue raising measures. These ordinances should undergo further review and revision if the Assembly wishes to proceed with them.

¹⁰ On June 20, 2014, the Governor signed HB 19 establishing a permanent motor vehicle registration for vehicles eight years and older.

assessments, or other charges within a service area to finance the services. Service area revenue shall not be used for any other purpose outside of the service area.¹¹

Because the service area may be established to provide a higher level of services, it may be possible to establish a service area to provide financing to improve deteriorating roads in the community.

VIII. Local Improvement Districts

Sitka Charter art. XV provides authority for the establishment of a local improvement district. According to § 15.01, the purpose of local improvement districts is to "confer the special benefits of any municipal improvement." The costs of the improvement are paid out of the proceeds of special assessments levied against benefitted property. Section 15.02 sets forth the local improvement procedures, which requires the assembly to proscribe the procedures by ordinance, which are contained in Sitka Charter art. XV and SGC Title 17.¹² The assessment must be in proportion to the benefit.¹³ There are a number of methods associated with the assessment of the cost for the local improvements in the district.

IX. Municipal Debt

Alaska Statute 29.47 *et seq.* sets forth various financing mechanisms available to municipalities. They include revenue anticipation notes, bond anticipation notes, general obligation bonds, revenue bonds, refunding bonds, and other miscellaneous provisions. Some of the financing mechanisms are well-known to most communities, such as general obligation bonds, which can be established on a taxable or tax-exempt basis through voter authorization. AS 29.47.180. General obligation bonds pledge the full faith and credit of the municipality and are not subject to any taxing limitations for repayment. AS 29.47.200, AS 29.45.100.¹⁴

A municipality may issue revenue bonds, where the debt service is repaid from the revenue from the activity. Unless required by charter or ordinance, revenue bonds are not subject to a vote of the people, but may be approved by the assembly. A municipality may also issue bonds to finance or make loans to finance the acquisition, construction rehabilitation, or development of public improvements in improvement areas.¹⁵ AS 29.47.400.¹⁶

¹¹ AS 29.35.400-.490 addresses service areas; see Sitka Charter art. XIV; and see SGC 1.16.010.

¹² SGC 17.04, 17.08, 17.12, 17.16, 17.20, 17.24, 17.28, and 17.32 set forth the ordinance requirements for the establishment of local improvement districts.

¹³ See *Wasilla v. Wilsonoff*, 698 P.2d 656 (Alaska 1985); *Miller v. Matanuska-Susitna Borough*, 54 P.3d 285 (Alaska 2002).

¹⁴ See Sitka Charter § 12.02(B).

¹⁵ And see generally AS 29.47.010-.040; AS 29.47.080-.140; AS 29.47.180-.200; AS 29.47.240-.260; AS 29.47.300-.340; AS 29.47.390-.480.

X. Severance Tax

A municipality may also adopt a severance tax on resources. A 1986 Attorney General's opinion addresses this issue.¹⁷

XI. State and Federal Appropriations

Any overview of revenue-raising measures should also include a comment about the Borough seeking state or federal appropriations for major capital projects, such as road improvements.

CONCLUSION

The foregoing list of revenue raising options is presented to the Borough as a general overview to assist it in evaluating the best approach to address fiscal concerns, such as roads and other public facilities and services. Any legislative decision of the Mayor and Assembly to proceed with any particular revenue-raising measure should have a thorough fiscal analysis to determine its viability, as well as a dialogue with the community to receive its input on the matter. We remain available to answer questions and further assist in this matter.

¹⁶ See Sitka Charter art. XII.

¹⁷ 1986 WL 81094 (Alaska A.G.). Colorado and Washington are involved in litigation challenging their marijuana tax programs

ATTACHED PUBLICATIONS

1. For Your Information (FYI) - Excise 23: Excise Tax on Retail Marijuana; Colorado Department of Revenue, Taxpayer Service Division (April 2014).
2. Definitions, Colorado Article 28.8 of Title 39.
3. 1986 WL 81094 (Alaska A.G.).
4. Section 314(b) Fact Sheet, U.S. Department of the Treasury (October 2013).
5. Guidance Regarding Marijuana Enforcement, U.S. Department of Justice, Office of the Deputy Attorney General (August 29, 2013).
6. BSA Expectation Regarding Marijuana-Related Businesses, Department of the Treasury, Financial Crimes Enforcement Network (February 14, 2014).
7. Marijuana: Medical and Retail - An Abbreviated View of Selected Legal Issues, Todd Garvey, Legislative Attorney, and Charles Doyle, Senior Specialist in American Public Law (March 25, 2014).
8. 1988 WL 249509 (Alaska A.G.).
9. A Comprehensive Plan to Legalize and Regulate Marijuana in Maryland, Hon. Heather R. Mizeur, Maryland State Delegate (September 2014).
10. Alaska State Legislature HB 19.



Legislation Details

File #: 15-010 Version: 1 Name:

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Legislation Details

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Indexes:
Code sections:
Attachments: [Motion Executive Session.pdf](#)

| Date | Ver. | Action By | Action | Result |
|------|------|-----------|--------|--------|
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POSSIBLE MOTIONS

EXECUTIVE SESSION

I MOVE to go into Executive Session with Chief Finance and Administrative Officer Jay Sweeney under the statutory categories of discussing subjects that tend to prejudice the reputation and character of any person and to discuss matters, the immediate knowledge of which would adversely affect the finances of the City and Borough of Sitka and invite Suzan Hess and Rick Armstrong of Baranof Island Brewing Company in when ready.

Note: Suzan Hess and Rick Armstrong are aware of their right to hold the discussion in public.

I MOVE to reconvene as the Assembly in regular session