



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 Phyllis Hackett, Pete Esquiro, Mike Reif,
Benjamin Miyasato and Aaron Swanson*

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

Tuesday, July 8, 2014

6:00 PM

Assembly Chambers

REGULAR MEETING

I. CALL TO ORDER

II. FLAG SALUTE

III. ROLL CALL

IV. CORRESPONDENCE/AGENDA CHANGES

AA [14-155](#) Correspondence for July 8

Attachments: [Reminders and Calendars July 8](#)
[Service Awards Mailed](#)

BB [14-157](#) Public Works and Electrical Department Monthly Reports

Attachments: [Assembly update 7.1.2014](#)
[Assembly Package June 2014](#)

V. CEREMONIAL MATTERS

Service Awards: Linda Speerstra and Simon Greene Tree & Landscape

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

The Year of the Artist - Presentation by Jeff Budd <10 min

VII. PERSONS TO BE HEARD

Public participation on any item off the agenda. Not to exceed 3 minutes for any individual.

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** [14-151](#) Approve the minutes of the June 24, 2014 Assembly meeting

 Attachments: [CONSENT MOTION](#)
 [Minutes June 24](#)
- B** [14-152](#) Appointment: Reappoint TJ Tjomsland to a term on the Port & Harbors Commission

 Attachments: [Appointment July 8](#)
- C** [14-153](#) Authorize the emergency award of a sole source contract with WS Construction for replacement of failing floatation on Floats 5 and 6 Eliason Harbor - \$165,034.00

 Attachments: [WS Construction Award](#)
- D** [14-156](#) Authorize the Municipal Administrator to execute a Change Order with CBC Construction, Inc. to install an AYC guardrail along the breakwater spur boardwalk and transfer \$40,000 from the Commercial Passenger Vessel Excise Tax Fund to the Sea Walk Project

 Attachments: [Guardrail Seawalk](#)
 [Note Guardrail Photo](#)
 [AYC Rail](#)
- X. UNFINISHED BUSINESS:**
- E** [ORD 14-22](#) Modifying SGC Section 13.04 entitled "Definitions" to include Float Homes to definition of Float Houses and modifying Section 13.15 entitled "Reserved-Float House" to be entitled "Float Homes" and adding regulations for Floating Homes within the jurisdictional limits of the Harbor System as set forth in SGC 13.02.040

 Attachments: [MOTION ORD 12-22 A](#)
 [ORD 14-22 A](#)

 Final Reading
- F** [ORD 14-23](#) Modifying SGC Title 19 entitled Building and Construction by adding language to exempt float homes within the jurisdictional limits of the harbor system under SGC 19.08.025 entitled "Docks and Buildings" and adding Chapter 19.15 entitled "Building Code for Float Homes," Chapter

19.16 entitled "Electrical Code for Float Homes," and Chapter 19.17 entitled "Plumbing Code for Float Homes"

Attachments: [MOTION ORD 12-23 A](#)

[ORD 14-23 A](#)

Final Reading

- G** [ORD 14-24](#) Repealing SGC Chapter 4.06 entitled "Allocation of Revenues from Sale of Water" and Reenacting it with a new Chapter 4.06 of the SGC entitled "Proceeds from Raw Water Sale Contracts"

Attachments: [MOTION ORD 12-24](#)

[ORD 2014-24 GPIIP Water Fee](#)

Final Reading

XI. NEW BUSINESS:

- H** [14-154](#) Convene as the Board of Adjustment
Approve a temporary use permit for an asphalt plant filed by S&S General Contractors and Equipment Rentals, Inc. for Secon Southeast Alaska at 4660 Halibut Point Road (S&S rock pit). The request is to house a asphalt plat throughout the duration of the paving of Halibut Point Road (estimated September 15, 2014) at the S&S rock pit.

Attachments: [BOA docs](#)

[S&S Asphalt Plant Temporary Use Permit](#)

[BOA Hearing Outline](#)

Reconvene as the Assembly in Regular Session

XII. EXECUTIVE SESSION

XII. ADJOURNMENT

Colleen Ingman, MMC

Municipal Clerk

Publish: July 3, 2014



Legislation Details

File #: 14-155 **Version:** 1 **Name:**
Type: Correspondence **Status:** AGENDA READY
File created: 7/2/2014 **In control:** City and Borough Assembly
On agenda: 7/8/2014 **Final action:**
Title: Correspondence for July 8
Sponsors:
Indexes:
Code sections:
Attachments: [Reminders and Calendars July 8](#)
[Service Awards Mailed](#)

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

REMINDERS

<u>DATE</u>	<u>EVENT</u>	<u>TIME</u>
Tuesday, July 8	Regular Meeting	6:00 PM
Tuesday, July 22	Regular Meeting	6:00 PM
Tuesday, August 12	Worksession Legislative Priorities	5:00 PM
Tuesday, August 12	Regular Meeting	6:00 PM
Tuesday, August 26	Regular Meeting	6:00 PM



Assembly Calendar

2013 Jan Feb Mar Apr May Jun Jul Aug Sep Oct Nov Dec 2015

July 2014

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
29 Jun	30	1 Jul	2	3	4	5
	McConnell	McConnell 7:00pm Planning 7:00pm <u>School</u>	McConnell Esquiro	McConnell Esquiro Reif 12:00pm Parks & Rec 12:00pm - 1:30pm SEDA Board Meeting	McConnell Esquiro Reif	McConnell Esquiro Reif
6	7	8	9	10	11	12
McConnell Esquiro Reif	McConnell Esquiro Reif	McConnell Esquiro Reif 6:00pm <u>Reg Assembly Mtg</u>	McConnell Esquiro Reif 7:00pm Library Board 6:00pm Historic Preservation 6:00pm Port & Harbors Commission 6:00pm Police and Fire	McConnell Esquiro Reif	McConnell Esquiro Reif	McConnell Esquiro
13	14	15	16	17	18	19
McConnell Esquiro	McConnell Esquiro	McConnell Esquiro 7:00pm <u>Planning</u> 7:00pm <u>School</u>	McConnell Esquiro 6:30pm STA	McConnell Esquiro 12:00pm Tree and Landscape Committee	McConnell Esquiro	McConnell Esquiro
20	21	22	23	24	25	26
McConnell Esquiro	McConnell Esquiro	McConnell Esquiro 6:00pm <u>Regular Assembly Mtg</u>	McConnell	McConnell 6:30pm <u>Hospital Board</u>	McConnell	McConnell
27	28	29	30	31	1 Aug	2
McConnell	McConnell	1:00pm SCVB Board				

Assembly Calendar

[2013](#)
 [Jan](#)
 [Feb](#)
 [Mar](#)
 [Apr](#)
 [May](#)
 [Jun](#)
 [Jul](#)
 [Aug](#)
 [Sep](#)
 [Oct](#)
 [Nov](#)
 [Dec](#)
 [2015](#)

August 2014

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
27 Jul McConnell	28 McConnell	29 1:00pm SCVB Board	30	31	1 Aug	2
3	4	5 7:00pm Planning 7:00pm School	6 7:00pm Library Board 6:00pm Police and Fire	7 12:00pm Parks & Rec 12:00pm - 1:30pm SEDA Board Meeting	8	9
10	11 Reif	12 Reif 6:00pm Reg Assembly Mtg	13 Reif 6:00pm Historic Preservation 6:00pm Port & Harbors Commission	14 Reif	15 Reif	16
17	18	19 12:00pm Tree/Landscape 7:00pm Planning 7:00pm School	20 6:30pm STA	21	22	23
24	25	26 1:00pm SCVB Board 6:00pm Regular Assembly Mtg	27	28 6:30pm Hospital Board	29	30
31	1 Sep	2 7:00pm Planning 7:00pm School	3 7:00pm Library Board 6:00pm Police and Fire	4 12:00pm Parks & Rec 12:00pm - 1:30pm SEDA Board Meeting	5	6

Display: **Month** ▾ **Block** ▾ Navigation Bar: [Absolute](#) [Relative](#) [Both](#) [Neither](#)

Calendar: [Add/Edit](#) [Options](#) [Settings](#) [Logout](#)

Time zone: *America/Anchorage*

[Tweet](#) [Like](#)

Get your own calendar - it's free! [Create My Calendar](#)
 Questions or comments? Please [check the FAQ](#) or [contact us](#).
 Brown Bear Software - web applications on your own server, or hosted on ours.
[Remove all advertisements, add more email features?](#)



City and Borough of Sitka

100 Lincoln Street Sitka, Alaska 99835

Coast Guard City, USA

June 26, 2014

Cheryl Westover
515 Charteris Street
Sitka, AK 99835

Dear Cheryl,

On behalf of the City and Borough of Sitka, I want to thank you for your contributions of time and service to our community most recently as a member of the Planning Commission.

The Commission relies on the guidance and leadership of its board members; your time and energy were appreciated and we hope that you, too, benefited from the experience.

We wish you all the best!

Warmest wishes,

Sara Peterson
Deputy Clerk

Service Award

The City and Borough of Sitka awards to

Cheryl Westover

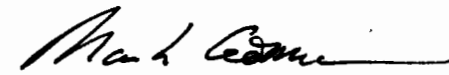
this expression of grateful acknowledgment for your valued services
rendered in the public interest while serving on the
Planning Commission. Thank you!

Signed and Sealed by Order of the Administrator of the City and Borough of Sitka
this 26th day of June, 2014.

Attest:



Colleen Ingman, MMC Municipal Clerk



Mark Gorman, Municipal Administrator





City and Borough of Sitka

100 Lincoln Street Sitka, Alaska 99835

Coast Guard City, USA

June 26, 2014

Penny Lehmann
116 Anna Drive
Sitka, AK 99835

Dear Penny,

On behalf of the City and Borough of Sitka, I want to thank you for your contributions of time and service to our community.

The Local Emergency Planning Committee relies on the guidance and leadership of its board members; your time and energy were appreciated and we hope that you, too, benefited from the experience.

We wish you all the best, and hope that you may consider volunteering again in the future.

Warmest wishes,

Sara Peterson
Deputy Clerk

Service Award

The City and Borough of Sitka awards to

Penny Lehmann

this expression of grateful acknowledgment for your valued services
rendered in the public interest while serving on the
Local Emergency Planning Committee. Thank you!

Signed and Sealed by Order of the Administrator of the City and Borough of Sitka
this 26th day of June, 2014.

Attest:



Colleen Ingman, MMC Municipal Clerk


Mark Gorman, Municipal Administrator



Legislation Details

File #: 14-157 Version: 1 Name:

Type: Item Status: AGENDA READY

File created: 7/2/2014 In control: City and Borough Assembly

On agenda: 7/8/2014 Final action:

Title: Public Works and Electrical Department Monthly Reports

Sponsors:

Indexes:

Code sections:

Attachments: [Assembly update 7.1.2014](#)
[Assembly Package June 2014](#)

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

PUBLIC WORKS ASSEMBLY UPDATE FOR WORK COMPLETED IN JUNE 2014

Ultra Violet (UV) Disinfection Facility:

Milestones This Period

- The project was bid for construction on June 9, 2014.
- The pre-bid meeting was held June 19, 2014.

Future Milestones

- Issue bid addenda as necessary
- The bids are scheduled to be open July 9, 2014.
- The project award for construction is planned for July 2014.
- Project construction could start in August 2014 depending on contractor schedule.
- The project construction is planned to be complete August 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 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.

Library Construction Phase:

Milestones This Period

- This project is currently being advertised with a bid opening date of July 24, 2014.
- The City has begun preparing for the use of the Stratton Library as a temporary library facility during construction. This space provides an opportunity to continue many of the current library programs and services. The State is committed to supporting the Kettleson project by making this facility available for the costs of utilities and maintenance required during the temporary occupancy. An MOA was signed in April.

Future Milestones

- Bid Opening July 24, 2014.
- Construction begins August 2014.
- Construction Complete August 2015.

Background

The project construction is anticipated to be completed in 2015. 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 \$250,000 in CPET funding. 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 \$6.1 million for the expansion and renovation of the Library.

Centennial Hall Renovation:

Milestones This Period

- The project is in the Design Development phase and the consultants are incorporating the feedback from the last round of public meetings.
- The first round of Design Development Public Meetings with the consultants took place in June 2014 and meeting minutes were widely distributed.

Future Milestones

- Meetings are planned for July 21 & 22, 2014 with a public meeting the evening of July 21, 2014. All meetings will be held at Harrigan Centennial Hall.
- Construction Documents and 95% cost estimate due in late fall 2014.
- Project bidding winter 2014.
- Award construction contract winter 2014.
- Begin construction spring 2015.
- Complete construction summer/fall - before Alaska Day 2016.

Background

The 35% design estimated cost for this project is \$16.2 million for the full scope of the remodel project. The approved funding plan includes three State grants totaling \$8,230,000; a \$1,991,271 FY10 Legislative Grant designated for a lightering facility visitor's center (previously planned for under the O'Connell Bridge), \$1,175,000 FY 11 CPET Head Tax grant, \$1,400,000 Marine Passenger Funds, \$232,620 pending heat pump grant, pending \$3,300,000 State CPET Grant, additional local funding if needed to be determined at a later date.

Hollywood & New Archangel Water, Sewer and Road Upgrades:

Milestones This Period

- Received and reviewed 95% design drawings.

Future Milestones

- Construction drawings and final cost estimate due July 25, 2014.
- Construction is anticipated in 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.

Lake Street / Monastery Street Lift Station Improvements:

Milestones This Period

- Assembled Request for Proposal (RFP) package for design and construction of improvements at Lake Street and Monastery Street Lift Stations.

Future Milestones

- Advertise design-build RFP in July 2014.
- Proposals due July 17, 2014.
- Recommend contract award to Assembly on August 12, 2014.
- Substantial Completion by end of calendar year 2014.

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 or repair. Pumps

are outdated and difficult to find replacement parts for, and 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). ADEC has made a loan commitment for repair/replacement of Channel, Lake Street and Monastery Street lift stations for \$1,379,170, which will be available in July 2014.

Alternative Water Source Filtration (Blue Lake Project):

Milestones This Period

- CBS, CH2MHill (engineering consultant) and the State of Alaska Department of Conservation Drinking Water team (DECDW) are working closely together to obtain final approval to construct.
- CH2MHill had been reviewing and approving material and equipment submittals from Barnard Construction.
- Pall (filtration unit manufacturer) personnel are on site to assist in filtration start-up.
- CH2MHill personnel have arrived on site and are assisting in startup and programming of the filtration equipment and connections to the overall water system computer system.
- Pump startup and commissioning is ongoing
- Onsite piping for the project is completed.
- Met with DNR for additional water take from Indian River for project duration.
- Real time water flow gage was installed in Indian River to meet DNR requirements.
- CBS personnel cleaned out the intake pipes and placed the temporary diversion wall on June 16, 2014.

Future Milestones

- Barnard Construction's activities are ongoing
- CBS, CH2MHill and the DECDW are working closely together to obtain final approval to construct. This includes a tracer study to verify chlorine contact time.
- CH2MHill personnel are planned to be on site for startup in July, 2014 as required
- The system is planned to be operational in July 2014.

Background

Due to the lack of well potential in the Indian River Valley, temporary surface water filtration will need to be utilized during the Blue Lake Project outage. Award of the design contract to CH2M HILL was approved by the Assembly on February 12, 2013. The project is on schedule to be operational by late July 2014. Construction is being completed by Barnard Construction under a change order for the Blue Lake Dam project managed by the Electric Department.

ANB Harbor Replacement:

Milestones This Period

- Since bedrock was encountered consistently deeper than anticipated during pile installation across the harbor, the engineer of record indicated that grouting eight (8) piles would be necessary to avoid excessive pile deflection under design loads. Excessive pile deflection could have caused damage to the float system if remedial action was not taken thereby potentially voiding the warranty on the floats. A Change Order was signed and Pacific Pile & Marine worked with a local contractor to complete this work in mid-June.
- Puffin Electric has installed GFI breakers at each pedestal in the harbor in accordance with NEC requirements.
- The new ANB Harbor sign was fabricated and installed by Marcus Lee (Leecraft) prior to the ribbon cutting ceremony on June 26, 2014.

- Transpac Marinas completed installation of supplemental floatation billets for float trim..

Future Milestones

- Complete asphalt repairs in the ANB Harbor parking lot and Katlian Street
- Close out grant agreement with the State of Alaska.

Background

CBS received a FY13 State of Alaska Municipal Harbor Facility Matching Grant, for the ANB Harbor Replacement Project, which will cover 50% of eligible construction costs not to exceed \$4,250,000 in match funding. CBS has received bond proceeds from the Alaska Municipal Bond Bank in the amount of \$4,300,000 for this project. On January 10, 2013, the Assembly awarded a Professional Services Contract to Moffatt & Nichol for the ANB Harbor Replacement Project. On June 25, 2013, the Assembly approved award of the Procurement Contract to Transpac Marinas, Inc. for \$2,698,870. On October 22, 2013, the Assembly approved award of the Installation Contract to Pacific Pile & Marine L.P. for \$3,639,319. The total project cost is currently estimated at \$7,500,000.

Swan Lake Restoration / Dredging Project:

Milestones This Period

- The contractor has begun dredging the lake.

Future Milestones

- The contractor will continue to dredge and complete all work in 2014.
- Purchase of a refurbished aquatic weed harvester was included in the grant funding. These floating machines cut and remove the vegetation to improve recreational opportunities and water flow through the lake. The search for a suitable harvester is ongoing with several suppliers.

Background

The Assembly approved award of a construction contract to Island Enterprises, Inc. in the amount of \$399,806 for the Swan Lake Restoration – Lake Dredging project on April 23, 2013. The project includes dredging prioritized selected locations to improve water flow through the lake, winter habitat for fish, access and recreation in general. The City and Borough of Sitka received \$771,236 in Federal funds through the Coastal Impact Assistance Program (CIAP) for this restoration project on Swan Lake. The grant is administered through the Wildlife and Sport Fish Restoration Program, CIAP Branch and runs through December 2015.

Baranof Warm Springs Dock Replacement:

Milestones This Period

- Alaska Department of Transportation anticipates the completion of permit drawings in late June/early July with environmental staff review thereafter.

Future Milestones

- Provide review/comment for State of Alaska as needed to keep project moving forward.
- Design development during summer/fall 2014.
- 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.

Jarvis Substation Control Building re-roof:

Milestones This Period

- A condition and needs assessment has been completed in coordination with Building Maintenance and Electric Department.
- A draft design/build RFP has been completed and is under internal review.

Future Milestones

- Issue the RFP for Professional Design-Builder (D-B) Services late July.
- Review Proposals received and recommend award for the D-B at the late August Assembly meeting.
- Award a contract for the work in September 2014 and begin construction fall 2014.
- Complete construction before January 2015.

Background

The Jarvis Street Improvements fund includes monies budgeted through the Electric Department in 2012 and 2014 and a transfer from the work on the Thimbleberry-Blue Lake Intertie and totals \$199,163. Funds remaining after this re-roof could be used to provide other improvements at the Jarvis Substation.

Wastewater Treatment Plant (WWTP) Improvements:

Milestones This Period

- Provided review comments to consultant on draft WWTP heating and ventilation (HVAC) evaluation report.
- Solicited and received proposals for a similar evaluation of the WWTP's building envelope – siding, exterior doors and windows and insulation.

Future Milestones

- Accept final draft of WWTP HVAC report in July 2014.
- Pursue ADEC Municipal Matching Grant for WWTP HVAC and building envelope improvements.
- Award contract for completion of WWTP building envelope evaluation in July 2014.
- Pursue ADEC loans for WWTP improvements in February 2015.

Background

The WWTP is functioning properly but would benefit from efficiency improvements to the heating, ventilation and insulation systems. Specifically, staff is seeking to replace the oil-fired boilers with heat pumps that take advantage of the availability of warm, treated effluent from the plant and make concurrent improvements to the building envelope. There is no construction funding currently available. We will be seeking funding through the ADEC grant-and-loan process.

Federal Land Access Program (FLAP) Grant:

Milestones This Period

- Received approval from the Corps of Engineers on our nationwide permit for installing two culverts on the Cross trail in phases 4&5.
- Construction has begun on the section from the High School to the Gavan Trail Intersection. This portion of the trail has been completed.

Future Milestones

- Compensatory Mitigation negotiated with a restrictive covenant (conservation easement) on a tract of City land located near the cross trail project – R&M said that we should have our delineation report the first or second week of July 2014.
- Materials are ordered for the construction phases.
- Continue construction of the Crosstrail not impacted by the Corps Permit for culverts.
- The completion date is estimated around May 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 M grant and have the project managed by Western Federal Lands for greater efficiency and cost savings.

Solid Waste Management Plan:

Milestones This Period

- The Consultant Team has been collecting current data for an existing conditions analysis.
- A SWAC committee meeting was held on May 28, 2014 at Centennial Hall with a good direction of a narrow scope focused on diversion and curbside recycling.
- Approximately 500 surveys have been received on the Solid Waste Management Plan.
- CBS has backed up and we are taking a different look at the scope of this project and the consultants have been put on hold. CBS has asked that CB&I submit all of the data collected into a document to lead the SWAC group forward with the project. The SWAC group will still be meeting in July.
- Updated Solid Waste Division under the public works section of the CBS website. This will include all of the current information from the SWAC Group meeting to include the minutes, presentation, and a copy of the scope of work.

Future Milestones

- Proposed Project Schedule:
 - July; Alternatives Evaluation.
 - July; SWAC Meeting to present Alternatives evaluation findings.
 - August – September; Plan drafting and presentation.
 - August; SWAC meeting to present plan.

Background

The City and Borough of Sitka (CBS) 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 assist Public Works in developing 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 M. 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.

Gary Paxton Industrial Park Dock:

Milestones this period

- The firm of Moffatt & Nichol (M&N) has been awarded a contract to provide the design for the SCIP Dock Project. Their main task during the month of June has been to prepare a Draft Alternatives Analysis Report (AA), utilizing recently collected data, the Basis of Design document prepared in May, and site data from past projects. This report presents three possible ways to build a dock structure at the Sawmill Cove location, and provides an “opinion of Probable Construction Costs” (OPCC) for each alternative. This analysis will help the CBS to see which construction method gives the most facility for the limited funds available. The Draft AA Report is now in the hands of the CBS project staff, for review and comment.
- The civil engineering sub-consultant (Dowl HKM) has provided a preliminary drawing showing the bathymetric contours of the seabed in Sawmill Cove. An interesting discovery is that deeper waters are closer to shore than previous data had indicated.
- The geotechnical sub-consultant (Shannon & Wilson) was on site with the drilling contractor (Discovery Drilling) June 11-21, 2014 performing subsurface explorations. Three borings were drilled offshore, with the drill rig embarked on a specialized landing craft; another two borings were drilled onshore. The data collected will be utilized to help determine the potential settlements of any earthworks that might be constructed, and the size and depth of any piling that might be required for the dock structure.

Future Milestones

- Subsurface geotechnical information will be processed, and laboratory tests will be conducted on soil samples collected during the on-site drilling. The geotechnical sub-consultant (Shannon & Wilson) will complete a draft report for M&N to review.
- Another sub-consultant (Norton Corrosion Limited) will perform salinity analysis on water samples collected at Sawmill Cove, for cathodic protection design.
- When CBS has reviewed the Draft Alternatives Analysis Report, and discussed with the Consultant the findings presented there, a Final AA Report will be prepared and submitted. At that point CBS will decide on the specific type of structure that is preferred, and the Engineering Consultant will progress into starting the Design Phase of the Project.

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 (Mr. Garry White).

Centennial Hall & Crescent Harbor Parking Lot Development:

Milestones This Period

- None.

Future Milestones

- Remaining work includes: pavement “birdbath” repair, installing a guard rail near the lightering dock, light pole installation, and sealing the decorative pavers.
- Final contract completion date was extended to July 1, 2014, by Change Order 6. A change order will be needed to further extend the completion date to allow for the correct light poles to be erected and to install the guardrail and seal the pavers.

Background

The project includes the complete reconstruction of the Centennial Hall and Crescent Harbor parking lots. The improvements include storm drain, water, sewer, curb and gutter, paving, lighting, pedestrian plaza and landscaping. The project was accepted as substantially complete on September 30, 2013. S&S General Contractors was awarded the construction contract in the amount of \$2,613,651. The total project budget is \$3,950,000. There is an unencumbered balance of approximately \$200,000.

Edgecumbe Drive Street Reconstruction:

Milestones This Period

- None.

Future Milestones

- Issue notice to proceed on contract once contractor submits insurance documents meeting the requirements of the contract.
- Project kickoff meeting within 20 days of contract award.
- DOWL HKM, S&S’s design consultant, is expected to complete geotechnical work and final design by December 2014.
- Public meeting to discuss progress of the design slated for late summer 2014.
- 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 \$5.46 million.

Seaplane Base:

Milestones This Period

- None

Future Milestones

- Face to face meetings with upland property owners to discuss potential for them to provide tidelands access for new seaplane facility.
- Continue discussion with the Coast Guard regarding access through their property.

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 concluded that the north end of Japonksi Island, between the Coast Guard Base and the cove behind the SEARHC buildings along Seward Avenue was the preferred alternative. In February 2009, the CBS Assembly unanimously approved Resolution

2009-35 “Supporting the Development of the City and Borough of Sitka Seaplane Base.” This resolution approved staff applying for and executing an 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 another 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.

Airport Water Main Repairs – US Coast Guard Housing Project:

Milestones This Period

- None

Future Milestones

- Construction is anticipated in July/August 2014.

Background

The existing 8-inch cast iron (CI) water main which serviced the Sitka Rocky Gutierrez Airport and associated outbuildings experienced a break in 2012. As part of the repair effort, a section of the pipe was removed and an old valve was opened to provide water to the airport from an old 10-inch asbestos cement (AC) water main which also services the US Coast Guard housing on Lifesaver Drive. The 10-inch AC pipe is fed from a 16” ductile iron (DI) water main in Airport Road. The US Coast Guard contracted with ANC Research & Development, LLC to upgrade the water system within Lifesaver Drive. As part of this work, they will be replacing the 10-inch AC water main with High Density Polyethylene (HDPE) pipe within Lifesaver Drive from the 16” DI water main in Airport Road. With a Contractor already contracted to complete work for the US Coast Guard in the immediate vicinity, it was advantageous to contract with them to complete repairs for the City and Borough as well to avoid additional mobilization fees. On August 13, 2013, the Assembly approved award of a Construction Contract to ANC Research & Development, LLC in the amount of \$56,425 to install a new section of 8-inch water main to service the airport and remove the vintage 10-inch AC pipe from service. Funding for this project is provided from a FY 2013 Water Fund Capital Budget Item: Repair, Airport Water Main near USCG Housing for \$75,000.

O’Cain Avenue Water Main Replacement:

Milestones This Period

- None.

Future Milestones

- Complete design for replacement of water main and services on this stretch of O’Cain Avenue in summer 2014.
- Construction could occur as early as fall 2014, but more likely in 2015.

Background

The water main was installed in 1968 and is in need of replacement. Some water services provide service to multiple residences; this project will provide a dedicated service to each residence. The \$100,000 project will be funded from the Water Enterprise Fund.

Water Service Calls; Leaks/Locates/Routine Repairs & Maintenance:

- The Water Division is back to full staff, and operators responded to 48 different calls for assistance: 20 calls for locates (many for QAP on SMC Rd, Coastal Excavation on HPR and ACI on Harbor Drive, the DOT projects); 12 service leaks were found – 9 on the customer side and 3 on the city side of the properly line; 8 requests for water shutoffs/turn-ons; and 2 investigations for low pressure concerns. Two hydrants were repaired in the past 2 months.
- Water operators completed inspections on the new water system; Mountain View Subdivision off Price Street. Operators witnessed the flushing, pressure testing, disinfection and microbiological testing of the new 8” main.
- Water operators worked with Coastal Excavation (DOT job) and completed the relocation of the water main in front of the Channel Club – the old water main was located down on the beach under the stream that crosses HPR. This location makes repair of the old main very difficult and required several permits to access it. The new 12” main was installed up under the road way. This work included a new service connection for the Channel Club. Two new valves were also inserted in the HPR 12” main shortening the distance between the existing valves to give operators better control of the system if sections need to be isolated. All service connections and two hydrants that were connected to the old problematic 8” cast iron main between Davidoff and Cascade Creek Rd on HPR were changed over to the parallel 16” ductile iron main. This allowed the old 8” CI main, which had broken twice in the past, to be abandoned.
- Operators assisted the contractor with, and inspected, a tap and installation of new services for the 8 lots being developed off Kramer Avenue in Whitcomb Heights.
- Two annual reports were prepared in May and June, the annual Consumer Confidence Report or Water Quality Report and the Watershed Control Report were made ready for distribution and posted on the city’s web site before the end of June.
- Semi-annual lead and copper sampling was also conducted in June. This is the only water quality sampling that actually takes place in the consumer’s home at their tap. It takes a lot of operator time dedicated to coordinating this effort which monitors how much lead or copper dissolves into the standing water from the household plumbing. We began adding a soda ash solution to our water in 2000 to reduce the corrosiveness of our very soft water to stay in compliance with this federal rule.
- Our Chief Water Operator coordinated with PW equipment operators and WW operators as truck drivers to perform annual maintenance in Indian River and reconstruct the short rock dam in preparation for using Indian River as a source for our drinking water while the Blue Lake system is off line – this is scheduled to take place near the end of August for a two month period.
- Water operators continue working on a near daily basis with the Barnard Const. group and our CH2MHill Engineers who are assembling the temporary water treatment system at the old Indian River Water Plant site. The CT tanks have been disinfected, filled with city water and tested for volatile organic compounds – a DEC requirement. Test results were great - all below the detection limit. The membrane filtration trailers are in place and the manufacturer’s tech reps have been on site for the last three weeks setting up their systems and preparing the membrane filters for testing. Raw and finished water pumps have been installed and tested. Flow controls are being adjusted and tested.
- Water operators ordered and took delivery of chemicals for disinfection and membrane cleaning for the temporary Indian River system.

Wastewater (WW) Operations:

- CCTV investigation of the sewer main on Eagle Way was preformed for our Engineering Division as they prepare to reconstruct that gravel road and utilities. The collection lines under sections of Verstovia St. were inspected in preparation for a PW paving project. No deficiencies were noted in need of repair prior to paving. CCTV inspection of the Burkhart main was preformed to locate service connections for two lots. And the section of main installed through the geofoam in front of Lakeside Grocery was inspected and approved.
- WW operators also inspected the new sewer mains installed at Arrowhead Estates, Whitcomb Heights, USCG housing and Mt. View subdivision. Inspections include; pressure testing new lines, vacuum testing new manholes and CCTV inspection of each entire new main.
- WW operators continued performing locates for and inspections of the work by ASRC's subcontractor, Coastal Excavation on the DOT HPR project.
- WW operators reviewed plans to replace the service line from the library. In April they had CCTV inspected this service as part of the library renovation project; everyone agreed it was a good idea to install a new service from the building to the main across Harbor Drive.
- The backflow preventer testing in our lift station system that began in March continues as time allows. This is a time consuming task and it must be done by a person certified in back flow preventer testing which is not an easy certification to achieve. Water and WW Divisions try to keep at least two operators certified.
- Lift station pumps at Monastery, Granite Creek and Wachusetts were pulled and cleaned of "rag" material. The smaller LS pump has a difficult time handling the cleaning wipes that are popular. Many of these are advertised as flushable. Flushable does not necessarily mean pumpable!
- WW operators performed many locates for various construction projects including; a new boiler building at Silver Bay Seafoods, the new High School Vocational building and the USFS at their HPR compound.

Gary Paxton(Sawmill Cove) Industrial Park – Wastewater (WW) Update:

- The extended aeration biological WWTP for the industrial park has been shut-down. All flows from the park at now being pumped to the municipal system. June will be the last month of operation for that WWTP and related reporting to ADEC. Operators are monitoring the LS operation on SCADA as part of our overall municipal collection system.



BLUE LAKE EXPANSION PROJECT

MONTHLY UPDATE FOR CITY ASSEMBLY

Report No. 19

Month ending June 30, 2014

SCOPE

- 83 ft. dam raise with modified tunnel system and new 15.9 MW powerhouse (\$89 million)
- Eight supply contracts for Owner-Furnished equipment and materials (\$16 million)

PROJECT HIGHLIGHTS DURING THIS MONTH

- June 4 – Barnard completed the new tunnel intake structure on time, Project Milestone No. 4.
- June 4 – The Electric Department reduced generation at the Blue Lake project to help fill the reservoir before the Generation Outage (scheduled to start in late August, 2014).
- June 12 – An executive partnering session was held in Sitka, with managers from the City, McMillen, Barnard and its subcontractors.
- June 16 – Jacobs completed the dam contraction joint grouting plan in preparation for the BOC meeting.
- June 19 – ASRC McGraw Constructors (AMCL) completed the tree felling activities in the burn area at the east end of Blue Lake. This work is included in Contract 8, Reservoir Debris Management.
- June 23-26 – A WEG site representative was on site to inspect the installation of 69 kV Main Transformer No. 1.
- June 24 and 25 – A FERC Board of Consultants (BOC) meeting was held in Sitka.
- June 27 – Electrical installation and testing of main transformer T1 was completed in the Blue Lake switchyard.
- June 27 – Barnard completed the roof and roof hatch at the Gate House.
- June 30 – The new intake structure is 50% submerged.
- June – NAES performed the following tasks related to the turbine generator installation:
 - Unit 3 is fully installed and ancillary mechanical and electrical equipment is 50% complete.
 - Unit 5 is 70% installed and ancillary equipment is 10% complete.
 - Unit 4 is 40% installed and ancillary equipment is 10% complete.
 - Continued to install control cables
- June – NAES has pulled all of the 12.5 kV cables.
- June – NAES has substantially completed the control room so the City is able to install the control station and SCADA equipment.
- June – EPS completed the testing of the switchyard control panels and relays.
- June – EPS began testing MV switchgear CTs and relays.
- June – Barnard showed good progress on the dam construction completing 8 block placements
TO DATE – 51 of 53 blocks placed on the Dam Raise. In June Barnard started work on the

spillway section of the dam, which is the most complicated formwork for the dam raise. Eight of 9 placements completed on the Left Abutment and Cutoff Wall. 3230 CY of 3350 CY has been placed at the powerhouse. Concrete tests have been better than required by the specification.

- June – Crux completed one curtain grout hole on the right abutment. A total of 4 out of 11 have been completed to date.
- June – Crux completed three curtain grout holes on the left abutment. A total of 3 out of 19 have been completed to date.
- June – Crux completed all of the micro piles required by the contract and began drilling for the placement of rock anchors.
- June – Barnard has completed about 50% of the reservoir access road.

COST SUMMARY - updated 6/30/2014

Project Element	Current Contract Total or Projected Amount	Payments	
		Paid this Month	Paid to Date*
Supply Contracts			
Contract 1 - Turbine Generator Equipment	\$11,573,707	\$41,321	\$10,746,343
Contract 2 - Switchgear	\$647,672	\$0	\$584,488
Contract 2A/2B - SS/Raw Water Switchgear	\$300,000	\$0	\$208,547
Contract 3 - Gates and Hoist	\$780,185	\$0	\$703,376
Contract 4 - Penstock	\$836,315	\$0	\$795,778
Contract 5 - 69 kV Transformers	\$603,406	\$0	\$543,130
Contract 6 - Bridge Crane Equipment	\$270,518	\$27,052	\$272,298
Contract 7 - Steel Building	\$1,145,712	\$0	\$1,084,397
Contract 8, Debris Management**	\$2,258,714	\$0	\$1,412
Contract 9, General Construction	\$93,901,406	\$5,094,265	\$68,883,167
Temporary Filtration**	\$1,651,424	\$25,468	\$316,510
Diesel Fuel	\$1,260,000	\$0	\$0
Remaining Project Costs		\$0	\$0
License Amendment	\$1,400,000	\$35,480	\$1,271,826
Engineering	\$9,498,393	\$2,211	\$11,858,774
Construction Management	\$8,076,201	\$254,215	\$5,889,513
City Performed Work	\$1,495,000	\$19,070	\$1,978,454
Incentive Payment	\$1,600,000	\$0	\$0
Cost of Bond Issuance/Reserve Account	\$3,500,000	\$0	\$0
TOTALS	\$140,798,653	\$5,499,083	\$105,138,013
ESTIMATED TOTAL PROJECT COST	\$145,256,725		

*Paid to Date includes unpaid retainage

COST CHANGES THIS MONTH

- A work change directive has been issued to install a rock trap in the tunnel during the generation outage.
- A work change directive has been issue to replace culverts supplied by the USFS on the Blue Lake Road.

We do not expect these change items to impact the overall project schedule.

CONSTRUCTION SCHEDULE MILESTONES: PLANNED/ACTUAL

Construction Start	11-20-2012 / 12-03-2012	Sub. Comp. BLU #3	10-24-2014/
Drainage Tunnel Comp.	07-01-2013 / 05-05-2013	Sub. Comp. FVU	11-12-2014/
Tunnel ex. complete	08-19-2013 / 07-24-2013	Sub. Comp. BLU#5	11-22-2014/
Intake Structure complete	06-04-2014/06-04-2014	Substantial Completion	02-01-2015/

NOTES ON PROJECT SCHEDULE

- The most recent look-ahead schedule submitted by Barnard shows the following work to be performed in July:
 - The start of dry commissioning is scheduled for July 7. All equipment required to operate the T/G No. 3 will be install so that testing of Unit 3 may begin.
 - Dam contraction joint grouting to elevation 403' will begin on July 18.
 - The first placement on the dam spillway is scheduled for July 1.
 - The scour wall is well ahead of schedule and should be completed in July.
 - Crux will be working on both abutments from two cranes to complete the curtain grouting.
 - Barnard and CBS are reviewing the generation outage work plan and schedule.
- Wet commissioning is scheduled for October 10 when the penstock is rewatered.
- The CM team and Electric Department continue working on the City-performed work tasks to ensure these activities are completed on time.
- Project commissioning plans are now being developed by the Contractor and the City. This is a high priority.

OTHER ITEMS OF INTEREST

- We were able to raise the Blue Lake water level by 20 feet in June. This now means we likely will have a better than expected water level in Blue Lake, going into the coming winter. We will be making judgments on what appears to be a lack of snow pack.
- Good progress on the dam work continued in June. The difficult spillway construction has now started.
- The FERC staff and Board of Consultants did not raise any issues of concern in our June meeting. The next Board meeting is expected in early 2015, when the project is substantially complete.

PROJECT RISK PROFILE

A discussion of the major risk areas follows below. As a general rule risks are measured as follows:

LOW: Probability of less than 10%, or mitigation cost less than \$1 million.

MODERATE: Probability of more than 30%, or mitigation cost up to \$5 million.

HIGH: Probability of more than 60%, or mitigation cost likely more than \$5 million.

The City's project team believes the following risk areas will dominate the potential for increases in overall Project cost. We also believe these areas pose the greatest risk for schedule delays.

Construction Schedule: In Barnard's most recent (June 17, 2014) schedule, the critical start of the 2014 Generation Outage is shown starting on August 24, 2014, zero days ahead of schedule. The powerhouse dry testing and curtain grouting are the biggest areas of concern for meeting this date.

CURRENT RISK: MODERATE

Generation outage schedule: A lot of work remains to be done in the powerhouse before commissioning of the turbine-generators can start. The current schedule calls for only 17 days of wet commissioning for this equipment. This is optimistic. The additional water we now have in the lakes may mitigate the impacts of this risk.

CURRENT RISK: MODERATE

Weather and Lake Levels: The tunnel intake structure was completed on schedule and Blue Lake has been filling during the month of June. Water levels in Blue Lake and Green Lake are nearly balanced at the end of June. We expect very adequate water levels during testing of the new turbine-generators in late October, 2014.

CURRENT RISK: VERY LOW

Temporary Water Filtration Plant: During the August through September 2014 outage of the Blue Lake tunnel, the City will get its drinking water from a temporary water supply. This temporary system is currently being installed at Indian River. This system must be in place and fully operational prior to the Generation Outage. Any delay in the filtration plant beyond August 23, 2014, will delay the Project. Barnard will be providing the filtration project as a change order to Contract 9. The filtration project is being managed by McMillen LLC and CH2M Hill has completed the final design. The City Water Department will operate the plant with assistance from CH2MHILL and the supplier.

CURRENT RISK: LOW [*The current status of the filtration system design and planned construction is described in Appendix 1. If the filtration system is constructed as planned, we will be on track for the Expansion Project.*]

Other: This is a broad combination of bad things that might happen such as: earthquakes; construction site accidents; floods; extreme winter weather; fire; labor unrest; etc. We expect that many of these risks would be covered by insurance at least in part.

CURRENT RISK: LOW

PROJECT PHOTO RECORD THIS MONTH

Photos are taken of each work area each month from a fixed location to document construction progress by work area. Relevant photos of the project for this month are provided on the following pages.



Figure 1. Dam and Left Abutment Area, Barnard showed good progress on the dam construction completing 8 block placements. To date 51 of 53 blocks placed on the Dam Raise. In June Barnard started work on the spillway section of the dam, which is the most complicated formwork for the dam raise. Eight of 9 placements completed on the Left Abutment and Cutoff Wall.



Figure 2. Drainage Tunnel and Scour Wall, Crux completed all of the micro piles required by the contract and began drilling for the placement of rock anchors.



Figure 3. Intake Portal and Right Abutment, Barnard completed the new tunnel intake structure on time, Project Milestone No. 4. The new intake structure is now 50% submerged.



Figure 4. Gate House Location, Barnard completed the roof and roof hatch at the Gate House.



Figure 5. Dam Staging area, no change this month.



Figure 6. Lower Portal Area, No change this month.



Figure 7. Powerhouse Site, AMCL continued work on the raw water intake and after bay.



Figure 8. Powerhouse Interior, NAES performed the following tasks related to the turbine generator installation: Unit 3 is fully installed and ancillary mechanical and electrical equipment is 50% complete, Unit 5 is 70% installed and ancillary equipment is 10% complete, Unit 4 is 40% installed and ancillary equipment is 10% complete and continued to install control cables.

Other Items of Interest:



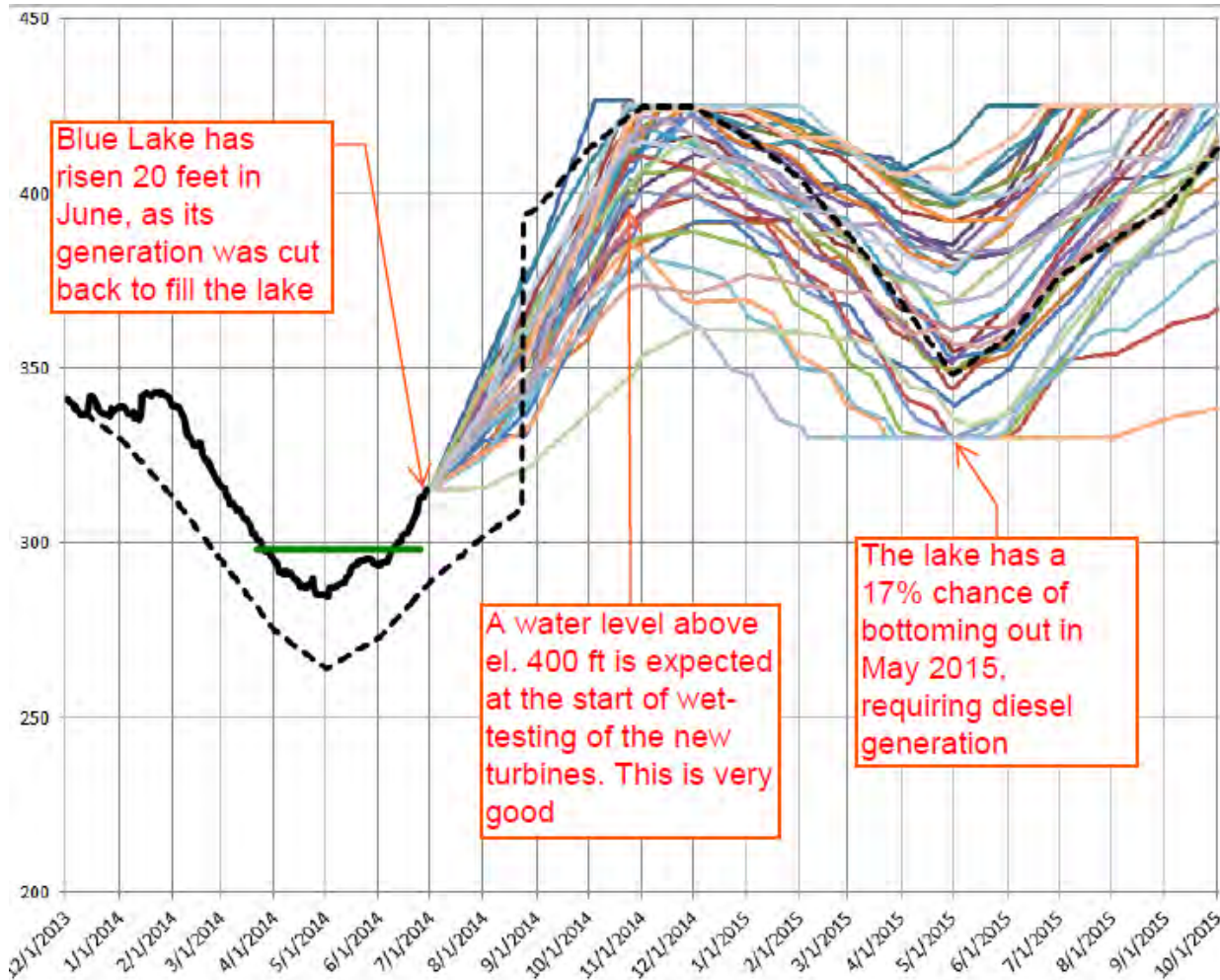
Figure 9. East End of Blue Lake, ASRC McGraw Constructors (AMCL) completed the tree felling activities in the burn area at the east end of Blue Lake. This work is included in Contract 8, Reservoir Debris Management. Photo by Phil Mooney, ADF&G.

Lake Level Forecast

Case 25. Start June 29, 2014. Multi-year simulation using 36 year hydrologic record. 117,000 MWH system load until August 26, 2014. Interruptible loads remain on. No water wasting and Blue Lake powerhouse cut back to one turbine. In each of these 36 simulations, D4 diesel is run 10 hours each day during the Generation Outage at an average output of 3 MW.

Based on these results, the generation load at Blue Lake is being increased to one unit at 3.0 to 3.5 MW. We are at a point where the likelihood of spill at Green Lake is near 50/50. We want to fill Green Lake as high as we can this fall, but not spill. So we are now striving for a 50/50 spill probability at Green Lake, as we move into the Blue Lake Generation Outage.

Blue Lake water level simulation

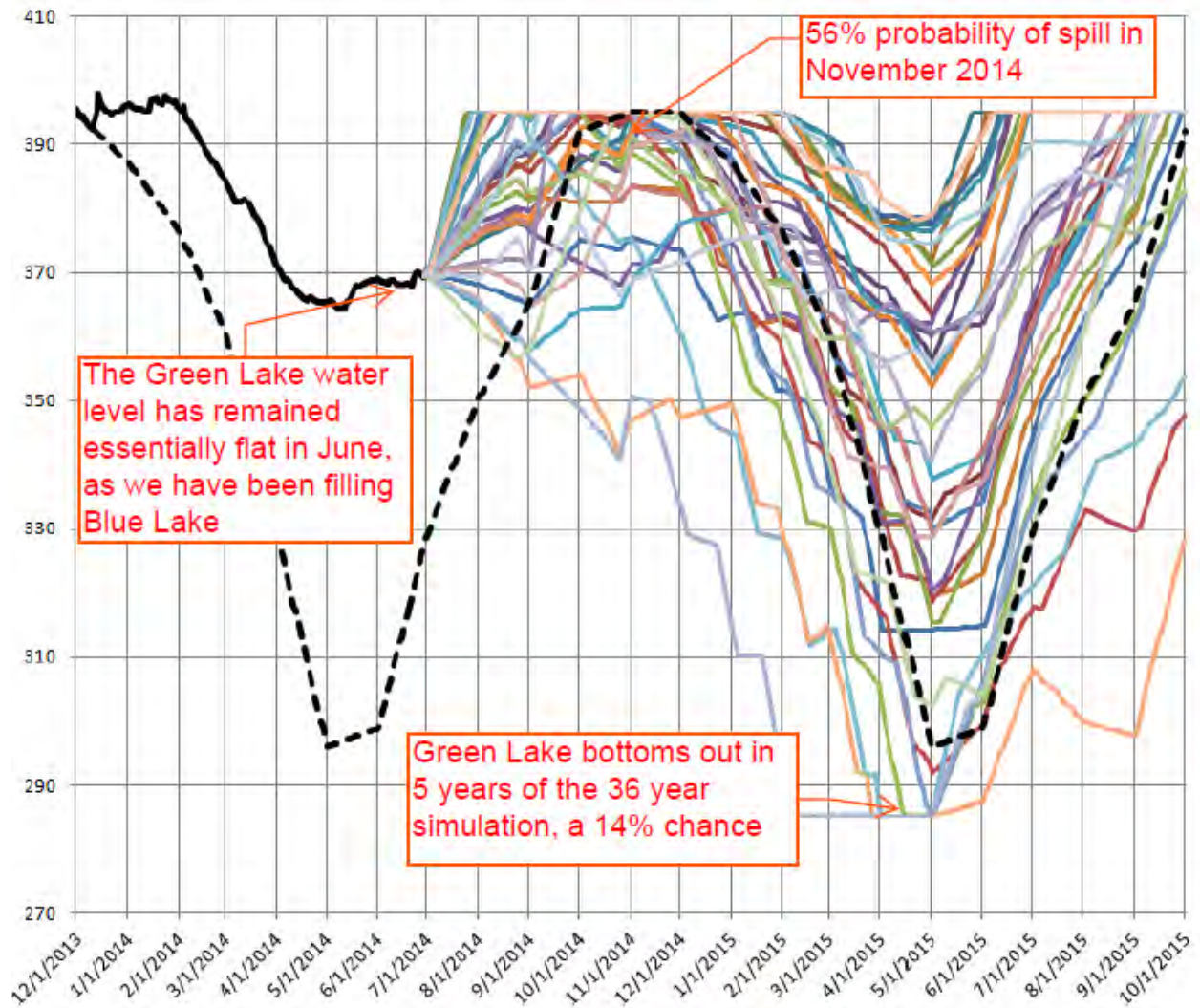


Total diesel generation predicted by this simulation:

Period	Dates	MWH of diesel	Cost at \$0.45 per kWh
Spring 2014	-	0	\$0
Generation Outage	Aug 26 – Oct 26, 2014	1,626 ⁽¹⁾	\$732,000
Spring 2015	Mar 30 – June 16, 2015	1215 (ave)	\$547,000 (ave)

(1) Assumes approx 30 MWH per day for daily peaks, scheduled manually in model

Green Lake water level simulation



Note to Assembly

While we can make all these fancy predictions, we are still basically at the mercy of the weather. A historic dry May helped us avoid high water levels in Blue Lake that could have interfered with construction of the new intake structure. More average rain and lake inflows during June allowed us to begin filling Blue Lake, after the intake was completed on June 4.

Note that all the forecasts above are based on 90% of average inflow (dry year conditions), due to the low snowpack observed in the Blue Lake and Green Lake basins. We will react to the weather and rain events, as they occur in July and August, adjusting our operating plan accordingly.

June 30, 2014

Summary of Temporary Filtration Project Status

Alternative Water Source Investigation Filtration (Blue Lake Project):

Barnard will be providing the Temporary Water Filtration Plant at Indian River as a Change Order to Contract 9.

- Barnard has completed the installation of the temporary Filtration equipment.
- CBS Water Department obtained all the necessary permits.
- CBS Water Department reestablished the water intake.
- CH2MHill is onsite to begin assisting with startup and testing of the plant.
- The City will provide plant operation with possible assistance from the supplier.
- Barnard has begun the commissioning phase. Filter units are tested individually before chlorine is added.
- The plant should be able to be put online July 20.

The Assembly approved additional funding for this work February 18. The total change order amount for Phase I & II is \$3,106,790.00.

Summary of Titan 130 Diesel Turbine Project Status

- June 5 – Signed a long-term (3 year) maintenance agreement with Solar (Anchorage).
- June 19 – Conducted tour of the Titan project for the Assembly & Administrator.
- June 23 – Received approximately 17,000 gallons of fuel oil and began initial testing/commissioning of fuel oil auxiliary skid. Also energized & commissioned turbine start air compressors.
- June 23 – Solar Marketing Team (San Diego) were in town to film/document our project. This is the first permanent modular installation for Solar and will be a huge marketing tool for their future business plan.
- Critical item pending is delivery & installation of fuel forwarding pumps. Fuel system presently modified for fuel skid testing.
- Completed on-site factory training with Solar. Additional advanced training will be required as department begins to operate & maintain the turbine.
- Completed installation of Reverse Osmosis water treatment system for turbine water purge system.
- July 7 – Factory reps for CG Transformers & ABB 69kV circuit breakers will be on site to test/commission new transformer and circuit breakers.
- July 14 – Solar and a host of technical support engineers will be in town to begin testing & startup of turbine.



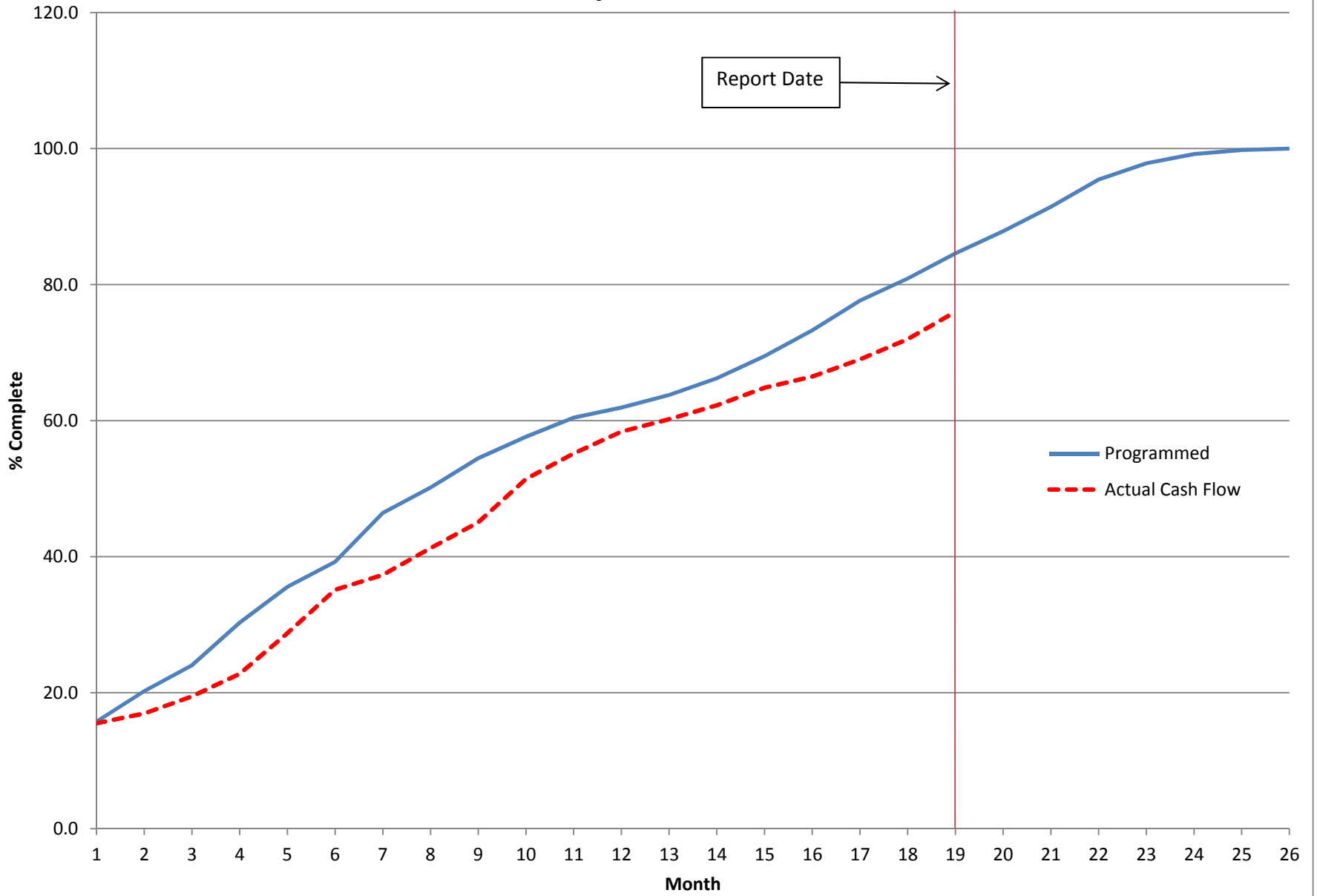
Figure 1. Titan 130 Diesel Turbine

City Supplied Work



Switchyard control panels fabricated by Bruce Belley, CBS Electric Department employee, for the Blue Lake Expansion project.

Total Project Cash Flow



BLUE LAKE EXPANSION PROJECT MONTHLY CONSTRUCTION REPORT

For Period Ending: JUNE 30, 2014

Prepared by: BARNARD CONSTRUCTION COMPANY, INC.

1. Progress of work

Environmental Protection

Barnard continues to install erosion and sediment control measures as required at the dam site, storage yard at Sawmill Cove Industrial Park and powerhouse area as ground disturbing activities continue. BMP maintenance and repair is ongoing as needed throughout the project site.

Gate Chamber Concrete

Barnard completed installation of the T-Rails and ladder in the gate shaft in June. The fixed wheel gate was also set at the bottom of the shaft.

Gate House

NAES and Schmolk have continued installing the electrical and mechanical gear inside the structure and down the gate shaft. Barnard installed the fixed wheel gate hoist. The cable will be put on the drum and gate when the hoist is energized in July.

Intake Structure

Barnard completed the intake structure on June 4, 2014. This included installation of the trashracks and bulkhead. We expect to commission the bubbler lines from the gate house in early July and put the bubbler system into operation as the reservoir fills up.

Dam Raise

Barnard crews completed 8 major concrete placements on the dam. M3 – M5 are now at Elevation 403, and M2/M6 are at elevation 425.

Crux Subsurface continued curtain grouting on the right and left abutments of the dam.

Scour Wall

Crux Subsurface mobilized another crew to the site in early June to begin micropile installation. 13 micropiles are completed to date and 17 micropiles are drilled and cased awaiting grouting. Crux has also completed drilling for the rock bolts and post-tensioned rock anchors that are required in the plunge pool walls. We anticipate completion of the micropile work in early July followed by construction of the scour wall concrete beam.

Powerhouse

Schmolk Mechanical continues installation of all powerhouse plumbing and has continued installation of the HVAC system.

NAES Power Contractors has continued installation of the electrical gear including the low voltage and medium voltage switchgear. NAES has begun terminating cables for LV and MV switchgear as well as the major electrical cabinets for the Unit #3 Turbine/Generator.

NAES has also continued installation of the Turbine-Generator equipment on all three units.

BLUE LAKE EXPANSION PROJECT MONTHLY CONSTRUCTION REPORT

For Period Ending: JUNE 30, 2014

Prepared by: BARNARD CONSTRUCTION COMPANY, INC.

ASRC has completed the concrete work for the raw water pump station and has started concrete placements for the afterbay weir. The station service transformer concrete pad was also completed in June.

ASRC also started Phase II of the powerhouse site utilities in late June.

Penstock

No work completed on Penstock in June.

Switchyard

T1 Transformer was installed and tested in June. The concrete work for this transformer is complete, and the site civil work will be completed in early July.

Temporary Filtration Plant

Barnard has nearly completed installation of the Temporary Filtration Plant. Testing and Startup activities has started and will continue into early July when we anticipate turning the plant over to the City for operation.

2. Status of Construction

Status of Ongoing Major Construction Activities

- Powerhouse Excavation – 98% complete
- Powerhouse Steel Building – 98% Complete
- Powerhouse Roof – 98% complete
- Precast Wall Panels – 99% complete
- Dam Raise – 51 of 53 monolith blocks placed.
- Dam Spillway – 0 of 9 placements
- Dam Parapet Walls and Crest Slab – 0 of 15 placements
- Left Abutment Thrust Block and Cutoff Wall – 8 of 9 placements completed.
- Powerhouse Concrete – 3230 CY placed to date.
- Gate Chamber Concrete – Complete.
- Intake Structure Concrete – Complete.

See Section 1 above for construction work completed in June 2014.

3. Construction Issues

Unit #4 Generator Sole plates were misaligned in their initial set. NAES has completed the repair required (milling) and reset the sole plates. HIEC/NAES identified a QC issue with a bolt hole in the drive end bearing for Unit #4. This will require drilling and tapping a new bolt hole.

4. Contract Status

BLUE LAKE EXPANSION PROJECT MONTHLY CONSTRUCTION REPORT

For Period Ending: JUNE 30, 2014

Prepared by: BARNARD CONSTRUCTION COMPANY, INC.

Barnard's key subcontractors for the Blue Lake Project are as follows:

Name	Scope
ASRC McGraw Constructors, LLC	Powerhouse Construction
Southeast Earthmovers, Inc.	Excavation
Blue Lake Tunnelers	Underground Construction
Crux Subsurface	Foundation Grouting, Micropiles, PRW's
O'Neill Surveying and Engineering	Land Survey
Baranof Materials Test Lab	Quality Control
NAES Power Contractors	Turbine-Generator Installation/Electrical

Barnard's key material suppliers for the Blue Lake Project are as follows:

Name	Scope
ASRC McGraw Constructors, LLC	Concrete Supply
Gerdau Reinforcing Steel	Concrete Reinforcing Steel
Haskell Corporation	Misc. Metal Fabrication

5. Critical Events and Dates

Please see attached summary progress schedule updated June 30, 2014.

Critical Dates for the Blue Lake Project are as follows:

Milestone	Date	Required Status of Construction
1	07/01/2013	Drainage Tunnel Complete – Completed May 6, 2013
2	08/19/2013	Initial Intake Excavation Complete – Completed July 21, 2013
3	06/04/2014	Intake Structure Complete – Completed June 4, 2014
4	08/24/2014	Ready for Generation Outage
5	61 days after start of Generation Outage	Substantial Completion of 1 st Blue Lake Turbine Generator
6	91 days after start of Generation Outage	Substantial Completion of 2 nd Blue Lake Turbine Generator
7	80 days after start of Generation Outage	Substantial Completion of Fish Valve Unit

6. Reservoir Filling

7. Foundations

Not applicable for this report.

8. Sources of Major Construction Material

The City and Borough of Sitka will be providing most of the major construction materials for this project. Please see list below.

BLUE LAKE EXPANSION PROJECT MONTHLY CONSTRUCTION REPORT

For Period Ending: JUNE 30, 2014

Prepared by: BARNARD CONSTRUCTION COMPANY, INC.

Contract No.	Vendor	Scope of Supply
1	Gilbert Gilkes and Gordon, Ltd.	Turbines and Generators
2	Myers	12.47 kV Switchgear
3	Linita Design and Manufacturing	Bulkhead Gate, Fixed Wheel Gate and Hoist
4	T Bailey, Inc.	Penstock and Manifold
5	WEG Electric	69kV Transformers
6	Benchmark Industrial Services	Powerhouse Bridge Crane
7	CHG Building Systems	Powerhouse Building

Materials Received this Period:

Misc. Metals/Rebar – Scour Wall Protection Plate and Tunnel Liner Segments.

9. Material Testing and Results

Concrete testing is ongoing for the dam raise, gate chamber and powerhouse concrete.

Compaction testing was completed for the gatehouse retaining wall.

No issues have been encountered to date.

10. Instrumentation

Not applicable for this report.

11. Photographs

BLUE LAKE EXPANSION PROJECT MONTHLY CONSTRUCTION REPORT

For Period Ending: JUNE 30, 2014

Prepared by: BARNARD CONSTRUCTION COMPANY, INC.



Figure 1: Powerhouse Turbine Floor



Figure 2: T1 Transformer

BLUE LAKE EXPANSION PROJECT MONTHLY CONSTRUCTION REPORT

For Period Ending: JUNE 30, 2014

Prepared by: BARNARD CONSTRUCTION COMPANY, INC.



Figure 3: Afterbay Concrete Weir Placement



Figure 4: Dam Raise View from Plunge Pool

BLUE LAKE EXPANSION PROJECT MONTHLY CONSTRUCTION REPORT

For Period Ending: JUNE 30, 2014

Prepared by: BARNARD CONSTRUCTION COMPANY, INC.



Figure 5: Micropile Installation in Plunge Pool



Figure 6: Access Road Slope Protection

BLUE LAKE EXPANSION PROJECT MONTHLY CONSTRUCTION REPORT

For Period Ending: JUNE 30, 2014

Prepared by: BARNARD CONSTRUCTION COMPANY, INC.



Figure 7: Intake Structure

12. Erosion Control and Other Environmental Issues

Barnard is continuing to install the required environmental protection measures on the project site ahead of ground disturbing activities. Ongoing maintenance of dewatering system at powerhouse excavation site will be required to maintain water quality in Sawmill Creek.

13. Other Items of Interest



Legislation Details

File #: 14-151 Version: 1 Name:

Type: Minutes Status: AGENDA READY

File created: 6/30/2014 In control: City and Borough Assembly

On agenda: 7/8/2014 Final action:

Title: Approve the minutes of the June 24, 2014 Assembly meeting

Sponsors:

Indexes:

Code sections:

Attachments: [CONSENT MOTION](#)
[Minutes June 24](#)

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

CONSENT AGENDA

POSSIBLE MOTION

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

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

POSSIBLE MOTION

I MOVE TO approve the minutes of the June 24, 2014 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 Phyllis Hackett, Pete Esquiro, Mike Reif,
Benjamin Miyasato and Aaron Swanson*

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

Tuesday, June 24, 2014

6:00 PM

Assembly Chambers

WORKSESSION - Road System Master Planning & Funding Strategy 5:00 - 5:50 PM

AA 14-148 Worksession Presentation

Public Works Director, Michael Harmon, presented a Road System Master Planning & Funding Strategy. Harmon noted funding was the real concern and expressed the need to identify funding for maintenance to help defray expensive construction costs 15-20 years from now.

Reif mentioned the idea of implementing a vehicle fee tax of \$100 per vehicle. This could be accomplished by ordinance.

REGULAR MEETING

I. CALL TO ORDER

II. FLAG SALUTE

III. ROLL CALL

Present: 7 - McConnell, Hunter, Hackett, Esquiro, Reif, Swanson, and Miyasato

IV. CORRESPONDENCE/AGENDA CHANGES

BB 14-149 Reminders and Calendars

CC 14-150 Misc. Correspondence

V. CEREMONIAL MATTERS

None.

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

DD 14-144 Bear Task Force Update <10 minutes

There was no one present to address this item therefore it was not heard.

VII. PERSONS TO BE HEARD

None.

VIII. REPORTS

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

Mayor - Attended the USCG Change of Command ceremony; met Rear Admiral Dan Abel who took over command of the 17th District and the new Sitka commander Mark Vislay.

She flew to Ketchikan for the day where she attended the signing of SB99 by Governor Parnell; was interviewed on KRBD Radio, with Sitka Chamber executive director Jennifer Robinson and SE Conference executive director Shelly Wright, by Kyle Johansen; met briefly with the Governor; and toured the Ketchikan shipyard and dry dock and the old Ketchikan Pulp Company site at Ward Cove, now being developed by the Ward Cove Group.

The Mayor, Mark Gorman, and Phyllis Hackett had meetings with the SEARHC CEO and COO and also the Sitka Community Hospital acting CEO and Board Chair. The intent was to get a clearer picture of how our major health care service providers and key players in our economy are doing. They were both interesting and informative meetings. Health care nationwide is in flux. We look forward to future meetings.

Administrator - Attended the recent Blue Lake Partnering Meeting and announced it looked like the City would be using far less diesel during the upcoming switchover to Green Lake than previously anticipated. He received the disappointing news that the Rasmuson Foundation staff had decided not to present the CBS Library project to the board for approval. Gorman noted Municipal Solutions would be in Sitka July 8th-11th. He toured the Solar Turbine project and stated it was a remarkable facility. Working on a tour of the Water Filtration Plant next.

Liaisons - Hackett reported on the Sitka Community Hospital Board Meeting. The Board was scheduled to conduct their first interview for their CEO and hold a community reception Thursday.

Clerk - Reminded that next month candidates would be able to file for the offices of Mayor, Assembly and School Board beginning on July 21 and ending on August 8. Three Assembly seats (one being that of Mayor) and two School Board seats would be on the ballot.

Other - Miyasato and Gorman attended the ribbon cutting ceremony at Indian River for the new bus turnaround. Hunter mentioned the recent tour of the Solar Turbine

pointing out that if Sitka didn't have such a major project like Blue Lake going on the turbine would have gotten much more press with a \$15 million price tag. He recognized a couple of the electrical employees who have only had two days off since the beginning of the installation and who have saved the city roughly \$4 M dollars by manufacturing switch boxes etc., on their own.

IX. CONSENT AGENDA

A 14-146 Approve the minutes of the June 10, 2014 Assembly meeting

B 14-147 Appointments: Reappoint 1) Grant Miller & Steven Eisenbeisz - Gary Paxton Industrial Park, 2) Ann Wilkinson - Sitka Community Hospital Board, 3) Jane Eidler - Library Commission, 4) Bert Stedman - Sitka Investment Committee, 5) Darrell Windsor - Planning Commission, and Appoint 6) Terrance Seslar - Planning Commission

X. UNFINISHED BUSINESS:

C ORD 14-19 Amending Title 15 of the SGC to increase Water Rates at Sections 15.05.240 A entitled "Service Connection Charge", 15.05.560 entitled "Rates and Fees" and 15.05.625A entitled "Water Service-Sawmill Cove Industrial Park AKA Gary Paxton Industrial Park."

A motion was made by Hackett to approve this ordinance on second and final reading. The motion PASSED on the following vote.

Yes: 7 - McConnell, Hunter, Hackett, Esquiro, Reif, Swanson, and Miyasato

D ORD 14-20 Amending Title 15 of SGC to increase wastewater rates at Sections 15.04.100 entitled "Service Connection Charge", 15.04.320 entitled "Rates and Fees" and 15.05.625 entitled "Wastewater Service - Sawmill Cove Industrial Park AKA Gary Paxton Industrial Park

A motion was made by Swanson to approve this ordinance on second and final reading. The motion PASSED by the following vote.

Yes: 7 - McConnell, Hunter, Hackett, Esquiro, Reif, Swanson, and Miyasato

E ORD 14-21 Amending SGC to reflect the recent name change of Sawmill Cove Industrial Park to Gary Paxton Industrial park as approved by Resolution No. 2014-08

Reif mentioned that he was pleased and proud of Paxton's service to his country and this community and noted this was a very deserving honor.

A motion was made by Hackett to approve this ordinance on second and final reading. The motion PASSED by the following vote.

Yes: 7 - McConnell, Hunter, Hackett, Esquiro, Reif, Swanson, and Miyasato

- F ORD 14-22** Modifying SGC Section 13.04 entitled "Definitions" to include Float Homes to definition of Float Houses and modifying Section 13.15 entitled "Reserved-Float House" to be entitled "Float Homes" and adding regulations for Floating Homes within the jurisdictional limits of the Harbor System as set forth in SGC 13.02.040

A clarifying edit was offered on Line 88 to insert within the jurisdictional limits of the harbor system. No objections were heard.

Administrator Mark Gorman explained this was not for transient situations but instead for permanent moorage within our harbor system. Hackett added this was a pilot project and only for two homes. Hunter reminded folks it was another way to get an affordable home.

A motion was made by Hunter to pass this ordinance on second reading as amended. The motion PASSED by the following vote.

Yes: 7 - McConnell, Hunter, Hackett, Esquiro, Reif, Swanson, and Miyasato

A motion was made by Reif to amend by further defining at Line 110 by inserting or 30' in height. The motion to amend PASSED by the following vote.

Yes: 7 - McConnell, Hunter, Hackett, Esquiro, Reif, Swanson, and Miyasato

- G ORD 14-23** Modifying SGC Title 19 entitled Building and Construction by adding language to exempt float homes within the jurisdictional limits of the harbor system under SGC 19.08.025 entitled "Docks and Buildings" and adding Chapter 19.15 entitled "Building Code for Float Homes," Chapter 19.16 entitled "Electrical Code for Float Homes," and Chapter 19.17 entitled "Plumbing Code for Float Homes"

Reif spoke to Line 201 and asked for further clarification on fire separation. Public Works Director, Michael Harmon, speculated it had to do with having two float homes close together. He was confident it was not relating to two structures on one float. Harmon felt the ordinance covered all bases as written.

A motion was made by Hackett that this ordinance be approved on second reading as amended. The motion PASSED by the following vote.

Yes: 7 - McConnell, Hunter, Hackett, Esquiro, Reif, Swanson, and Miyasato

Hunter was not in agreement with the amendment; he didn't think it was necessary or critical.

A motion was made by Reif to amend at Line 208 by adding - C. A clear space of four feet shall be provided between adjacent floats. The motion on the AMENDMENT passed by the following vote.

Yes: 6 - McConnell, Hackett, Esquiro, Reif, Swanson, and Miyasato

No: 1 - Hunter

A motion was made by Esquiro that this Ordinance be POSTPONED. The motion FAILED by the following vote.

Yes: 3 - Esquiro, Reif, and Swanson

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

XI. NEW BUSINESS:

New Business First Reading

H ORD 14-24 Repealing SGC Chapter 4.06 entitled "Allocation of Revenues from Sale of Water" and Reenacting it with a new Chapter 4.06 of the SGC entitled "Proceeds from Raw Water Sale Contracts"

Reif asked Garry White, Director of the Gary Paxton Industrial Park, to explain what were the serious points that the Board wanted to see in the ordinance.

White offered the proceeds had been going into the Industrial Park Fund and they were "OK" with that to cover their time etc. but once the proceeds became \$1 M dollars they understood that amount of money would not just flow back into the Park. This resulted in a conversation between the Board and CBS staff.

Reif spoke to Line 54 Raw Water Sales Fund and felt this section provided for the creation of funds for marketing and infrastructure care.

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, Hackett, Esquiro, Reif, Swanson, and Miyasato

XII. PERSONS TO BE HEARD:

None.

XIV. ADJOURNMENT

A motion was made by Miyasato to adjourn the meeting. Hearing no objection the meeting ADJOURNED at 7:10 PM.

ATTEST:

Colleen Ingman, MMC
Municipal Clerk



Legislation Details

File #: 14-152 Version: 1 Name:

Type: Appointment Status: AGENDA READY

File created: 6/30/2014 In control: City and Borough Assembly

On agenda: 7/8/2014 Final action:

Title: Appointment: Reappoint TJ Tjomsland to a term on the Port & Harbors Commission

Sponsors:

Indexes:

Code sections:

Attachments: [Appointment July 8](#)

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

Should this item be pulled from the consent the following motion would be in order:

POSSIBLE MOTION

I MOVE TO re-appoint 1) “TJ” David Tjosmsland to a term on the Port and Harbors Commission.



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

6/24/14

Board/Commission/Committee: PORTS + HARBORS

Name: "TJ" DAVID H. TJOINSZAND Daytime Phone: 738 1447

Address: _____ Evening Phone: _____

Email Address: _____ Fax Number: _____

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

Employer: _____

Organizations you belong to or participate in: RATHER THAN A REWRITE
HOW ABOUT I SUBMIT THE ATTACHED. NOTHING HAS CHANGED
OUT ^{SIDE} MY TIME ON THE COMMISSION WHICH I HAVE FOUND
PUN, PULLING ME AND I BELIEVE I HAVE ADDED TO AND
WILL CONTINUE TO ADD POSITIVE
 Explain your main reason for applying: INPUT TO THE OVER MISSION OF
THIS COMMISSION.

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

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: 6/24/14 Signature: [Handwritten 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? Yes No

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



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

Board/Commission/Committee: PORTS + HARBORS

Name: "TJ" DAVID H. TJOMSLAND Daytime Phone: 907-738-1447

Address: 106 COLTHILDE BAHNEC WAY Evening Phone: 747-3927 AFTER 7:30PM

Email Address: NONE MAIL ADD: PO BOX 6293 Fax Number: 907-747-3927

Length of Residence in Sitka: 10-11 YEARS Registered to vote in Sitka? Yes No

Employer: SELF- WILL, SITKA SOUP - RETIRED US DA FOREST SERVICE

Organizations you belong to or participate in:
DUCKS UNLIMITED 2002 - 2011 - CHAIR PERSON 2005-2009
NRA 2004 - 2011

Explain your main reason for applying: MORE INVOLVEMENT IN THE HARBOR + PORTS DEVELOPMENT AND FINANCING OTHER THAN PERSONS TO BE HEARD. MORE INVOLVEMENT IN THE DECISION MAKING PROCESS.

What background, experience or credentials will you bring to the board, commission, or committee membership? MY CAREER IN THE F.S. PROVIDED 26 YEARS OF DEVELOPING BUDGETS, SUPERVISING FOLKS, WORK WITH THE PUBLIC AND OTHER GOVERNMENT AGENCIES ON ALMOST A DAILY BASIS RANGING FROM DAY TO DAY ENCOUNTERS TO SOME HIGHLY CONTROVERSIAL ENVIRONMENTAL ASSESSMENT. BEING MODEST I LIKE TO THINK MY INTERPERSONAL SKILLS ARE ON THE HIGH SIDE. I ALSO SPEND TIME ON THE DOCKS AND LISTEN TO THE TALK

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: _____ 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? Yes No

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

Previous application

TJ PORTS + HARBOR COMMISSION

In 1969 I GRADUATED FROM LANE CO., EUGENE OREGON A.S. DEGREE IN FORESTRY. THAT YEAR I SIGNED UP WITH THE USDA, FOREST SERVICE. I STARTED OUT ON THE SHOVEL END OF THE BUSINESS AND WORKED MY WAY UP TO A RANGE DISTRICT OPERATIONS OFFICER RESPONSIBLE FOR FIRE SUPPRESSION, CUELS MANAGEMENT, LAW ENFORCEMENT, RANGE MANAGEMENT, RECREATION MAINTENANCE + DEVELOPMENT, FLEET AND FACILITIES MAINTENANCE ON A DISTRICT OF 667,600 ACRES. I SUPERVISED 12 FULL TIME, OR PART TIME EMPLOYEES. I WAS THE INCIDENT COMMANDER OF A TYPE II TEAM FOR CENTRAL OREGON. ON FIRE ASSIGNMENTS AT TIMES I WAS RESPONSIBLE FOR 3,500 FIRE FIGHTERS + SUPPORT FOLKS THROUGH MY STAFF. ONCE A LETTER OF AUTHORITY WAS SIGNED AND DELIVERED TO ME I WAS RESPONSIBLE FOR ALL ACTIONS + EVENTS ON THAT INCIDENT UNTIL I RETURNED IT BACK TO THE RANGE DISTRICT OR NATIONAL FOREST ON COMPLETION OF MY ASSIGNED TASKS. I RECEIVED 5 QUALITY STEP INCREASES DURING MY CAREER INCLUDING KUDOS AS OPERATIONS CHIEF FOR THE DEDICATION OF THE NEWBERT CRATER NATIONAL MONUMENT. I ALSO INSTRUCTED MANY CLASSES IN FIRE BEHAVIOR - VEHICLE SAFETY - ETHICS + CONDUCT - FOREMANSHIP - SAFETY SESSION OVER A VARIETY OF TOPICS. I ALSO MANAGED A BUDGET THAT WOULD BE \$4 TO \$6 MILLION/YEAR (DEPENDENT ON THE YEAR) MY YEARLY COMMITTED GOALS WERE ALWAYS ON TARGET

2/03

TJ - PORTS & HARBORS

OR MORE ACCOMPLISHED AT OR BELOW PROJECTED COSTS, MY COSTS PER UNIT (ACRE) HOUR, WERE OFTEN USED AS A FOREST OR REGIONAL GUIDES AS WHAT A GIVEN PROJECT MY COST.

THROUGH THE YEARS I VOLUNTEERED AT SUMMER CAMPS, BOY SCOUTS, SCHOOLS, YOUNG FOLKS ACTIVITIES BY AND LARGE EXPOSURE YOUNGER FOLKS TO FORESTY - THE FOREST.

I WAS A SOCCER "DAD" FOR 2 or 3 SEASONS, 7/8 YEAR OLDS



PORT AND HARBORS COMMISSION

NAME	CONTACT NUMBERS	TERM STARTS	EXPIRES	CATEGORY
STAN JOHNSON 405 Louise Court	752-0947 c 747-6145 h nwslj@acsalaska.net	5/27/12	5/27/15	Chair
BEN LAWRIE 2015 Cascade Creek Road	738-6150 c 747-6150 h lawriebs@gmail.com	3/26/13	3/26/16	Vice Chair
MICHAEL JOHNSON 2017 Cascade Creek Road	738-3941 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	
KEVIN KNOX 324 Wachusetts Street	738-4664 c kevin@bluesteel.org	12/10/13	4/10/15	<i>Lamade's term</i>
DAVID TJOSMSLAND PO Box 6293	738-1447 c 747-3927 no email address	10/23/12	7/12/14	<i>Miller's term</i>
JOSH ARNOLD 106 Shotgun Alley	738-0854 c 747-0545 oceanlure@gmail.com	5/13/14	5/22/15	<i>Coleman's term</i>
Stan Eliason Office: 617 Katlian Street	747-3439 w 738-0832 stan@cityofsitka.com			Harbormaster Non-voting
Matthew Hunter 102 Remington Way <i>Alternate: Phyllis Hackett 500 Lincoln St #B4</i>	738-6851 c assemblyhunter@cityofsitka.com <i>747-4872 h 738-1991 c assemblyhackett@cityofsitka.com</i>			Assembly Liaison
Diana Spiegle Harbor Dept Staff	747-3439 w diana@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: May 15, 2014



Legislation Details

File #: 14-153 Version: 1 Name:

Type: Item Status: AGENDA READY

File created: 6/30/2014 In control: City and Borough Assembly

On agenda: 7/8/2014 Final action:

Title: Authorize the emergency award of a sole source contract with WS Construction for replacement of failing floatation on Floats 5 and 6 Eliason Harbor - \$165,034.00

Sponsors:

Indexes:

Code sections:

Attachments: [WS Construction Award](#)

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

Should this item be pulled from the Consent Agenda the following motion would be in order:

POSSIBLE MOTION

I MOVE to authorize an emergency award of a sole source contract to WS Construction for replacement of failing flotation on Floats 5 and 6 Eliason Harbor.

MEMORANDUM

To: Mayor McConnell and Members of the Assembly
Cc: Mark Gorman, Administrator
From: Stan Eliason, Harbormaster
Subject: Funding Approval - Eliason Harbor Floatation Upgrades
Date: June 24, 2014

Background

Eliason Harbor, once referred to as New Thomsen Harbor, was designed by the State of Alaska, Department of Transportation and Public Facilities (ADOT&PF) and constructed in two phases. Phase I construction began in 1996 and Phase II construction was completed in 1999.

Eliason Harbor was evaluated as a part of the Harbor System Master Plan in late 2011. While the overall harbor facility was deemed in good condition with a remaining safe and useable life of 20 years, at that time the consultants noted issues with freeboard on the main floats and the log reinforced breakwater floats (5, 6 and West Transient).

The term "freeboard" in relation to float design refers to the height of the top of the deck boards above the water surface. Eliason Harbor design freeboard under dead loading was approximately 17.5 - 18 inches. For perspective, design freeboard for more recent projects at Thomsen Harbor (2006) and ANB Harbor (2013) under dead load was 20 inches and 22 inches respectively. Freeboard measurements obtained by Harbor Staff at Eliason Harbor prior to any floatation upgrades ranged from 14 - 18 inches. A freeboard measurement of just 15 inches places the lower timber sills at the water surface.

Analysis

Floatation upgrades at Eliason Harbor have been budgeted as Capital Projects under the Harbor Fund in FY12, FY13 and again in FY14. CBS attempted to secure State of Alaska Municipal Matching Grant Funding for this project last year; however the project was not selected for funding. It is imperative to get the timber elements out of the water in an effort to prevent rapid deterioration and ensure that the floats last another 20+ years.

CBS Harbor Department wishes to award a sole source contract with WS Construction on an emergency basis to complete the necessary repairs before the float deterioration rapidly

accelerates. WS Construction is very familiar with the infrastructure, and is the only locally available marine contractor at this time.

Phase One (\$84,436.00) consists of removing and replacing failing floatation at Float 5.

Phase Two (\$80,598.00) consists of removing and replacing failing floatation at Float 6.

In both cases, the old floatation will be replaced with encapsulated foam tubs; this floatation system has been used successfully for both Thomsen Harbor and ANB Harbor rebuilds.

Fiscal Note

The floatation upgrades at Eliason Harbor were not a scheduled improvement contained within the Sitka Harbor Master Plan CIP (2012). Despite this absence, upgrading the floatation at Eliason has been a high priority for the Harbor Department since the issue was first discovered in late 2010. The Harbor Department has spent nearly \$300,000 since 2011 adding floatation tubs to the floats at Eliason Harbor.

Funding would be provided for by undesignated working capital of the Harbor Fund.

Recommendation

Authorize awarding a sole source contract with WS Construction on an emergency basis for lump sum of \$165,034.00 for replacement of failing floatation on Floats 5 and 6 at Eliason Harbor.



TIDAL DATA	
EHW	14.6'
EHT	12.7'
MHHW	9.9'
MHW	9.1'
MLLW	0.0'
ELW	-4.0'



City and Borough of Sitka
 DEPARTMENT OF PUBLIC WORKS
 100 LINCOLN STREET • SITKA, ALASKA 99835
 TEL (907) 747-1804 FAX (907) 747-3158

**ELIASON HARBOR
 FLOATATION
 UPGRADES**

DRAWN:	JJH	SCALE:	N.T.S.
CHECKED:	D. TADIC	DATE:	07.12.2013
DRAWING NAME:	EliasonHarbor		
SHEET NO.:	1 / 1		





Legislation Details

File #: 14-156 Version: 1 Name:
Type: Item Status: AGENDA READY
File created: 7/2/2014 In control: City and Borough Assembly
On agenda: 7/8/2014 Final action:
Title: Authorize the Municipal Administrator to execute a Change Order with CBC Construction, Inc. to install an AYC guardrail along the breakwater spur boardwalk and transfer \$40,000 from the Commercial Passenger Vessel Excise Tax Fund to the Sea Walk Project

Sponsors:

Indexes:

Code sections:

Attachments: [Guardrail Seawalk](#)
[Note Guardrail Photo](#)
[AYC Rail](#)

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

Should this item be pulled from the Consent Agenda the following motion is suggested:

POSSIBLE MOTION

I MOVE TO authorize the Municipal Administrator to execute a Change Order with CBC Construction, Inc. to install an AYC guardrail along the breakwater spur boardwalk and transfer \$40,000 from the Commercial Passenger Vessel Excise Tax Fund (Fund 194) to the Sea Walk Project (Project No. 90695).

MEMORANDUM

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

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

cc: Mike Middleton, Deputy Finance Director *mm*
Robin Koutchak, Municipal Attorney *RK*
Mark Danielson, Human Resources Director
Gary Baugher, Maintenance & Operations Superintendent *GB*

Date: July 2, 2014

Subject: Sitka Sea Walk Breakwater Spur Boardwalk - Guardrail

Background:

Alaska National Insurance Company expressed concerns about the lack of a guardrail along the breakwater spur boardwalk trail in a letter dated March 6, 2014. In that letter, they cited several standards in support of their recommendation that the City install a guardrail to prevent injuries.

Public Works drafted a response letter dated March 26, 2014 which was signed by Jay Sweeney, Acting Administrator, in your absence. The Public Works letter stated the intent of the Sea Walk was for pedestrians, not bicycles, and pointed out that the project meets Federal Highways Administration (FHWA) design standards based on the intended use. The letter also stated the City's intent to install "Pedestrians only" signage which the Parks Department has since ordered.

On June 4, 2014 Alaska National provided a response stating that while the lack of guardrail would not impact our current coverage, they asserted that the installation of guardrails is the best practice to prevent fall accidents and to discourage the public from venturing off the breakwater structure.

On June 9, 2014 an Alaska National representative and Mike Venneburg (Venneburg Insurance) met with City representatives to discuss the issue. After a brief meeting at City Hall, a site visit was conducted. Alaska National remained steadfast that a guardrail was the best solution although they were partially responsive to the idea of additional rock fill placed along the sides of the boardwalk in conjunction with a topsoil planting area to cushion a potential fall.

Anaylsis:

The City has three options: Option 1 - do nothing, Option 2 - place additional rock & construct planting beds, or Option 3 - install guardrail. Option 1 has no upfront cost, however may expose the City to future litigation in the event of a fall injury. Option 2 cost is undefined; however there are constructability and likely permitting issues associated with it. In many areas, a substantial amount of rock would be required to support a planting bed with some rock required below the 12.7-foot US Army Corps of Engineers jurisdictional elevation. Additional permitting may be required. Seeing Options 1 and 2 as less than desirable, Public Works staff focused on Option 3.

The current guardrail (consisting of galvanized steel posts, stainless cables with Alaska Yellow Cedar (AYC) top rail and infill panels) used in other areas of the project, bid out at \$262.21 per linear foot. For the ~570 linear feet of boardwalk in question (to include both sides), the cost of this rail would be \$149,459.70 to fabricate and install. Working with the Contractor, Public Works requested cost information for an AYC rail option. This rail would consist of AYC posts, AYC top rail (similar to the AYC top rail used on other portions of the project) and one (1) stainless steel cable at mid-height. The Contractor provided a lump sum price for this option of \$57,390. Public Works feels that this option is constructible, cost effective, aesthetically pleasing, and resolves the concerns raised by Alaska National which they have confirmed via letter dated July 2, 2014 (attached).

Fiscal Note:

The Sea Walk project budget includes an unencumbered fund balance, however additional funds required to construct this option are estimated at \$40,000. The additional funds required are available within the undesignated balance of the Commercial Passenger Vessel Excise Tax Fund.

Recommendation:

Authorize the Administrator to execute a Change Order with CBC Construction, Inc. to install an AYC guardrail along the breakwater spur boardwalk as outlined above and transfer \$40,000 from the Commercial Passenger Vessel Excise Tax Fund (Fund 194) to the Sea Walk Project (Project No. 90695) to complete this work.



Anchorage
Boise
San Francisco
Seattle

SERVICE LEADER IN COMMERCIAL INSURANCE

July 2, 2014

Mark Gorman
Sitka City Administrator
City and Borough of Sitka
100 Lincoln Street
Sitka, Alaska 99835

Dear Mr. Gorman:

We have received and reviewed the specifications provided by Dan Tadic P.E. for the proposed Sea Walk guardrail design. Installation of the proposed guard rail along with 'pedestrian use only' signage will satisfy the loss control recommendation developed as respects the Sea Walk.

We appreciate your cooperation in this matter.

Sincerely,

Kevin Korynta

Kevin S. Korynta
Senior Underwriter
Alaska National Insurance Company

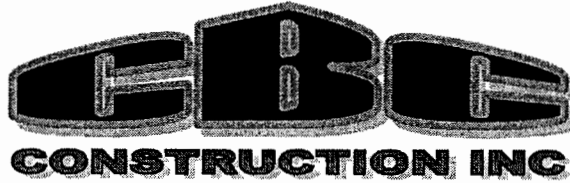
Cc: Venneberg Insurance
Steve Johnson / Senior Loss Control Consultant

Proposal

7/1/14

Chris Balovich, President

P.O. Box 6133
Sitka, AK. 99835
Tel: 907-747-9333
Fax: 907-747-9334



Proposal City of Sitka	Phone Ph- 907-747-1807
Street 100 Lincoln st	Job Name Sea Walk -(breakwater rails)
City, State, & Zip: Sitka, AK. 99835	Job Location: Sitka, AK.

Furnish labor and equipment and supplies for the following:

Install a yellow cedar guardrail per sketch.
Straighten out the boardwalk

LUMP SUM PRICE: \$57,390.00-----+tax

***EXCLUSIONS: Concrete**

We Propose hereby to finish the job in complete accordance with the above specifications, for the sum of:

Fifty Seven Thousand Three Hundred Ninety Dollars & 00/00 -----

Payment to be made as follows: Progress payments until final completion at which time the balance is to be paid in full.

All material is guaranteed to be as specified. All work to be completed in a timely workmanlike manner according to standard practices. Any alterations or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control including but not limited to weather and shipping. Owner to carry fire, tornado, and other necessary insurance. Our workers are fully covered under Workmen's Compensation Insurance.

Authorized Signature: _____ Date: 07/01/2014

This proposal may be withdrawn if not accepted within (30) days

Acceptance of Proposal~ The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Date of Acceptance: ____ / ____ / ____

Signature: _____ Signature: _____

Chris Balovich

From: Dan Tadic [dantadic@cityofsitka.com]
Sent: Tuesday, July 01, 2014 3:05 PM
To: 'Chris Balovich' (chris@cbcalaska.com)
Subject: Breakwater Boardwalk

Importance: High

Hi Chris,

I am in need of the cost to construct an AYC railing along both sides of the breakwater spur boardwalk. The rail must be 42" high (min). Per your sketch provided (see attached) the rail system will consist of 4x4 AYC posts @ ~6'-0" on center, with 3x8 AYC canted top rail (planed and/or sanded smooth) with a single 5/8" stainless steel cable at mid-height. Please provide a lump sum price for the above scope.

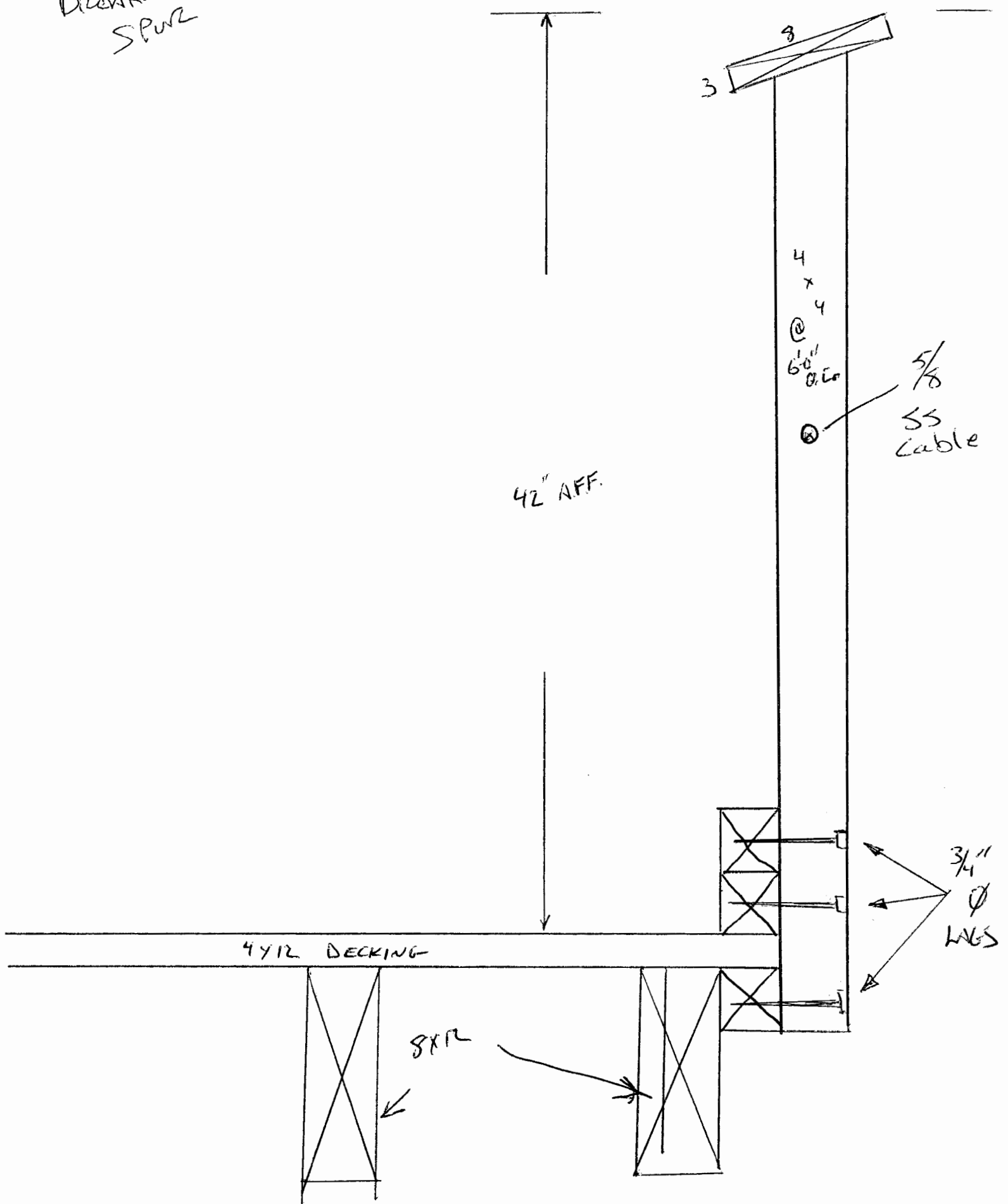
Also, there is a kink in the bw spur boardwalk as constructed. Please provide a lump sum price to remove the kink prior to constructing the new rail.

Our intent is to change order your existing contract to complete this work subject to Assembly approval.

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
F (907) 747-3158

BREAKWATER
SPUR





Anchorage
Boise
San Francisco
Seattle

SERVICE LEADER IN COMMERCIAL INSURANCE

June 4, 2014

John P. Sweeney, III
Chief Financial and Administrative Officer
City and Borough of Sitka
100 Lincoln Street
Sitka, Alaska 99835

Dear Mr. Sweeney:

Thank you for your letter dated March 26, 2014. Although the lack of guard rails on the breakwater structure will not impact your current coverage, we feel that the installation of guard rails is the best practice to prevent fall accidents from the walkway and to discourage the public from venturing off of the breakwater structure.

We welcome a meeting with representatives from The City and Borough of Sitka to discuss this further. We would like to include representatives from our loss control and underwriting departments and suggest that Mike Venneberg coordinate and participate in the meeting.

We appreciate our long standing relationship and look forward to working with all involved to get this resolved in everyone's best interest.

Sincerely,

Kevin Korynta

Kevin S. Korynta
Senior Underwriter
Alaska National Insurance Company

Cc: Venneberg Insurance
Steve Johnson / Senior Loss Control Consultant



City and Borough of Sitka

100 Lincoln Street Sitka, Alaska 99835

Coast Guard City, USA

March 26, 2014

Mr. Steve Johnson
Senior Loss Control Consultant
Alaska National Insurance Company
1111 Third Avenue, Suite 2600
Seattle, Washington 98101-3219

Subject: Sitka Sea Walk Breakwater Spur Trail – Guardrail Concerns

Dear Mr. Johnson:

This letter is in response to your letter to Sitka Municipal Administrator Mark Gorman dated March 6, 2014 in which you expressed concern with the absence of guardrail along the newly constructed walkway on the Crescent Harbor breakwater. Your letter cites several standards in defense of the recommendation to add guardrail to the breakwater spur trail and the seating wall at the end of the trail. However, the referenced standards are applicable for facilities which are intended for both pedestrians and bicycles. The Sea Walk was planned and designed for pedestrian use and is not intended for bicycles.

We feel that the Federal Highway Administration (FHWA) *Best Practices Design Guide for Designing Sidewalks and Trails for Access* is a more applicable criterion for the Sea Walk. FHWA recommends a minimum 3" high edge protection for pedestrian use only sidewalks and trails where edge protection is required. That recommendation is intended to protect wheelchairs from rolling over the edge. The breakwater spur trail is fully compliant with this standard as it includes a 12" high bull rail along the entire length on both sides and an 18" high concrete seating wall at the end. Chapter 15, Recreation Trail Design is included as an attachment to this correspondence for your reference (see page 15-39). The entire FHWA standard can be found at the following link: http://www.fhwa.dot.gov/environment/bicycle_pedestrian/publications/sidewalk2/pdf.cfm

Understanding the motivation behind your concern, the City and Borough of Sitka proposes to add signage periodically along the Sea Walk to inform users that the Sea Walk is intended for pedestrian use only. An example of the proposed signage is attached to this correspondence. These signs will be posted on 4" x 4" posts at reasonable intervals on either side of the breakwater spur trail to help ensure that the FHWA standard is met. We will also post warning signs at the end of the breakwater regarding the potential danger of climbing on the rocks past the seating wall. Public Works will advertise public service announcements on local radio and newspaper informing the public about the prohibited uses of the Sea Walk. The City and Borough believes firmly that these measures meet the goals outlined in the attached design standards utilized during the development of the project.

The Assembly took action on your letter during the March 25th, 2014 Assembly voting down the recommendation to add railing. The Assembly would like to see a dialogue regarding the standards that were followed during design and how specifically this information impacts your decision including our overall insurance coverage/rates.

We would be happy to meet with representatives from Alaska National to go over the intended use for the Sea Walk and finalize a plan to ensure that it can be enjoyed safely by pedestrians for years to come. We appreciate your consideration of our position. Please feel free to contact us with any questions.

Regards,



John P. Sweeney, III
Acting Administrator

cc: Mark Gorman, Municipal Administrator
Robin Koutchak, Municipal Attorney
Mike Venneberg, Venneberg Insurance

March 6, 2014

Mark Gorman
Sitka City Administrator
City and Borough of Sitka
100 Lincoln Street
Sitka, Alaska 99835

Dear Mark:

I visited Sitka the week of February 18th. While there, I noticed the new walkway located on the breakwater at Crescent harbor. The new walkway is a great addition for locals as well as visitors to enjoy the beauty of Sitka. I believe the walkway needs guard rails to prevent a fall accident from this raised structure. I have found a number of standards addressing this issue.

- The American Association of State Highway and Transportation Officials (AASHTO) Guide for the Planning, Design and Operation of Pedestrian Facilities Standard includes a section (3.3.14) on Off-Road and Shared-Use Paths. This calls for a minimum 2 ft. graded area adjacent to both sides of the trail and a minimum separation of 5 ft. between the edge of the path and the top of a slope that is more than 1V:3H.

(The slopes adjoining the trail appear to be much steeper than 1V:3H.)

- The following is from the Municipality of Anchorage's design guidelines.
[http://www.muni.org/Departments/works/project management/Design%20Criteria%20Manual/DCM%204%20Trails.pdf](http://www.muni.org/Departments/works/project%20management/Design%20Criteria%20Manual/DCM%204%20Trails.pdf)

Provide trails with minimum 2-foot wide graded shoulders on each side of the trail, measured from the edge of the paved surface, with a preferred slope of 3-5%. Wider shoulders of three feet are appropriate for trails that have a high percentage of use by runners and joggers since they often prefer a soft surface. A clear zone of 3 feet from the edge of the traveled surface or pavement should be maintained from trees, poles, walls, signs, or other potential obstructions. Where slopes are adjacent to canals, streams, or similar open water, or are steeper than 3H:1V, a wider shoulder, not less than 5 feet, should be provided (AASHTO, 1999). A physical barrier may also be warranted in certain situations. Side slopes of embankments should slope at 3H:1V or flatter, and never steeper than 2H:1V.

- Another standard, the Vermont Pedestrian and Bicycle Facility Planning and Design Manual says (section 3.4.8):
http://vtransengineering.vermont.gov/sites/aot_program_development/files/documents/ltf/PedestrianandBicycleFacilityDesignManual.pdf

Hand Rails, Bridge Railings and Vehicle Barriers

With the exception of sidewalks on bridges, most walkways do not require the use of handrails or vehicle barriers immediately adjacent to the facility. However, there are some cases where a protective handrail is required to protect pedestrians from adjacent hazards. There are also some situations where a vehicle barrier may be needed between a roadway and a walkway.

Hand Rails Where a sidewalk is located in close proximity to a hazard as described below, a protective handrail should be provided along the full extent of the hazard.

Protection is required when:

- A vertical drop along a sidewalk is more than 0.8 m (30 in) in height.
- The drop exceeds a slope grade of greater than 1:4.
- The hazard at the base of the slope is particularly dangerous (i.e., large boulders, rip rap, fast moving water or deep water).

To meet ADAAG guidelines, handrails should meet the following design standards. The top of the gripping surface of the rail should be a minimum of 865 mm (34 in) and maximum of 965 mm (38 in) above adjacent walkway surfaces. To provide for children, an additional railing can be provided at a maximum height of 685 mm (27 in). From the surface of the sidewalk to the top of the lower rail, all elements of the rail assembly shall be spaced such that a 150 mm (6 in) sphere cannot pass through any opening. For elements between 685 mm (27 in) and the top of the handrail, spacing shall be such that an 200 mm (8 in) sphere cannot pass through any opening. Pedestrian railings provided on bridge sidewalks shall meet the standards outlined in the AASHTO Standard Specifications for Highway Bridges, which are also shown in Chapter 5, section 5.3.6, Barriers, Bridge Railings, and Fencing.

The steep slopes and rip rap immediately adjoining the breakwater trail greatly increase the risk of serious injury should anyone fall near the trail edge. The standards above indicate that the best solutions are either to provide broad shoulders adjoining the trail, or to install railings. In this case, railings appear to be the most practical option.

The walkway ends at the turn of the breakwater in a round resting area. This area currently provides access to the rock breakwater allowing for climbing and sitting. This area also needs a rail to encourage the public to stay on the structure and not venture or climb or sit on the breakwater.

Please feel free to contact me with any questions on the above recommendations. My direct line is 206-515-1824.

Sincerely,



Steve Johnson
Senior Loss Control Consultant
Alaska National Insurance Company
Seattle, Division

Cc: Mark Danielson
Venneberg Insurance
Kevin Korynta/UW
Terry Kordewick/Sr VP Loss Control

The purpose of our visit to your business establishment is to evaluate the potential risk Alaska National Insurance Company has assumed under the terms of the referenced policy. We cannot, as a result of this survey, or the recommendations made, warrant that your business operations, work practices, and/or premises are safe and healthful, or that they are in compliance with all occupational safety laws, regulations, codes or standards. The maintenance of a safe and healthful workplace is the responsibility of the employer, and the completion of this survey is not an undertaking on our part to assume that responsibility.

Hello Colleen,

Mark had requested that I send you an Alaska Yellow Cedar guardrail photo as an example to be included as part of the Sea Walk guardrail agenda item. After discussing with Michael, we agree that we don't have an example of the proposed guardrail to share. Unfortunately, the best I can offer is an annotated sketch of the existing rail.

Thanks,

Dan Tadic, P.E.
Municipal Engineer
City and Borough of Sitka

Galvanized posts
to be replaced with
4x4 AYC (TYP)

Similar AYC toprail

A single stainless
steel cable will be
installed at mid-
height of posts





Legislation Details

File #: ORD 14-22 Version: 1 Name:
Type: Ordinance Status: THIRD READING
File created: 6/4/2014 In control: City and Borough Assembly
On agenda: 7/8/2014 Final action:
Title: Modifying SGC Section 13.04 entitled "Definitions" to include Float Homes to definition of Float Houses and modifying Section 13.15 entitled "Reserved-Float House" to be entitled "Float Homes" and adding regulations for Floating Homes within the jurisdictional limits of the Harbor System as set forth in SGC 13.02.040

Sponsors:

Indexes:

Code sections:

Attachments: [MOTION ORD 12-22 A](#)
[ORD 14-22 A](#)

Date	Ver.	Action By	Action	Result
6/24/2014	1	City and Borough Assembly		
6/24/2014	1	City and Borough Assembly		
6/10/2014	1	City and Borough Assembly	APPROVED	Pass
6/10/2014	1	City and Borough Assembly	AMENDED	Pass
6/9/2014	1	City and Borough Assembly	AMENDED	Pass

POSSIBLE MOTION

I MOVE TO approve Ordinance 2014-22 A on
as amended final reading.



City and Borough of Sitka

100 Lincoln Street Sitka, Alaska 99835

Coast Guard City, USA

MEMORANDUM

To: Mayor McConnell and Members of the Assembly

From: Stan Eliason, Harbormaster on behalf of Port and Harbor Commission

Subject: Float Houses and Float Homes

Date: June 5th 2014

The Port and Harbor Commission voted and approved the draft ordinances regarding float houses and float homes at their meeting on May 14th 2014. A great deal of time and effort was put into these ordinances to comply with all federal, state and local requirements to allow float houses and float homes within the CBS harbor system. The Port and Harbor Commission approved these unanimously.

RECOMMENDED ACTION: Approve the ordinances.

CITY AND BOROUGH OF SITKA

ORDINANCE NO. 2014-22 A

AN ORDINANCE OF THE CITY AND BOROUGH OF SITKA MODIFYING SITKA GENERAL CODE SECTION 13.04 ENTITLED "DEFINITIONS" TO INCLUDE FLOAT HOMES TO DEFINITION OF FLOAT HOUSES AND MODIFYING SECTION 13.15 ENTITLED "RESERVED - FLOAT HOUSES" TO BE ENTITLED "FLOAT HOMES" AND ADDING REGULATIONS FOR FLOATING HOMES WITHIN THE JURISDICTIONAL LIMITS OF THE HARBOR SYSTEM AS SET FORTH IN SGC 13.02.040

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

3. PURPOSE. The City and Borough of Sitka ("CBS") do not have provisions in the SGC relating to float homes within the jurisdictional limits of the harbor system as set forth in SGC 13.02.040. The purpose of this ordinance is to update SGC Title 13 which would modify the definition section in SGC 13.04 and add provisions within that title to regulate and provide guidance to float home owners to ensure compliance with all federal, state and local requirements to allow placement of float homes within the CBS harbor system. The proposed modifications and additions to SGC Title 13 are as follows:

- Modifying SGC 13.04.070 entitled "Float houses" to change to float homes to make consistent with changes within this Title and SGC Title 19.
• Modifying SGC 13.15 that was reserved for float houses by changing the term "float houses" to "float homes" to be consistent with this Title and SGC Title 19.
• Adding language to SGC 13.15 that was reserved for float homes within the harbor system jurisdiction.

4. ENACTMENT. NOW, THEREFORE, BE IT ENACTED by the Assembly of the City and Borough of Sitka that SGC 13.04.070 is amended to include float homes within the definition of float houses and SGC Section 13.15 of the Code entitled "Reserved - Float Houses" be modified to "Float Homes" and language be added to add requirements and regulate float homes within the jurisdiction of the City and Borough of Sitka harbor system (new language underlined; deleted language stricken where applicable; all language in SGC 13.15 except the title is new are not underlined):

47 **Chapters:**
 48 **13.02 General Provisions**
 49 **13.04 Definitions**
 50 **13.06 Charges/Fees**
 51 **13.07 Harbor Use Privileges and Prohibitions**
 52 **13.08 Reserved Mooring Staffs**
 53 **13.09 Anchoring**
 54 **13.10 Float Regulations**
 55 **13.11 Enforcement**
 56 **13.12 Nuisances**
 57 **13.14 Vessel Impoundment and Disposition**
 58 **13.15 Float Homes (~~Reserved—Float Houses~~)**

* * *

**Chapter 13.04
DEFINITIONS**

Sections:

* * *

13.04.070 Float Homes.~~Houses.~~

* * *

13.04.070 Float Homes.~~Houses.~~

“Float homes” or “float houses” means a floating structure used wholly as a dwelling unit, which is not designed to travel on water and which is otherwise not a vessel, as defined herein and meets construction requirements as provided in SGC 13.15 and SGC 19.15, 19.16 and 19.17.

* * *

Chapter 13.15

FLOAT HOMES (~~RESERVED—FLOAT HOUSES~~)

Sections:

- 13.15.010 Floating homes.**
- 13.15.020 Occupancy.**
- 13.15.030 Development standards.**
- 13.15.040 Construction.**
- 13.15.050 Floatation.**
- 13.15.060 Sewage systems.**
- 13.15.070 Safety.**
- 13.15.080 Moorage identification.**
- 13.15.090 Parking.**

13.15.010 Floating Homes.

A. General. Every floating home constructed, erected, enlarged, altered, conveyed, or moved into the jurisdictional limits of the harbor system after the effective date of this code shall be in compliance with this chapter and other pertinent laws and ordinances.

91 B. Permits required. Prior to placement of a floating structure, the owner shall apply for a
92 permit from the building official. The owner shall furnish the building official with a location
93 drawing, showing the general dimensions of the structure and its proposed place of location.
94 The structure must comply with relevant sections of SGC Chapter 19.

95
96 C. Every floating home must gain the necessary permits in order to moor, including but not
97 limited to:

- 98
99 1. Department of Environmental Conservation
100 2. Environmental Protection Agency

101
102 **13.15.020 Occupancy.**

103 A float home shall contain no more than one dwelling unit and may not be used for
104 business/commercial purposes unless approved in the Moorage Agreement.

105
106 **13.15.030 Development Standards.**

107 A. The dimensions of the floating structure must comply with SGC 19.15.012.

108
109 B. Floating homes:

- 110 1. May be up to two stories with a maximum height of 30'.
111 2. Must have a 5:12 pitched roof; gable style; one foot minimum eaves;
112 3. Must have bevel lap siding, side wall shingle of wood or other approved material;
113 4. Doors and windows shall be wrapped with a minimum 3.5 inch trim; and
114 5. Construction must have the intent to enhance the aesthetic of the harbor environment.

115
116 **13.15.040 Construction.**

117 All construction must comply with application sections in SGC Chapter 19.

118
119 **13.15.050 Safety.**

120 Safety equipment within a float home shall include one fire extinguisher of a type and in a
121 location to be established by the building official, one axe for cutting mooring lines, and one
122 life ring 30 inches in diameter with at least 25' of line.

123
124 **13.15.080 Moorage identification.**

125 A float home shall have prominently affixed to it a numbered address for identification.

126
127 **13.15.090 Parking.**

128 Off- street parking spaces shall be available on a first come basis.

129
130 5. **EFFECTIVE DATE.** This ordinance shall become effective 30 days after the date of
131 its passage.
132

133 **PASSED, APPROVED, AND ADOPTED** by the Assembly of the City and Borough of
134 Sitka, Alaska this 8th day of July, 2014.

135
136
137

Matt Hunter, Deputy Mayor

138
139 **ATTEST:**

140
141

142 Colleen Ingman, MMC
143 Municipal Clerk

144



Legislation Details

File #: ORD 14-23 Version: 1 Name:
Type: Ordinance Status: THIRD READING
File created: 6/4/2014 In control: City and Borough Assembly
On agenda: 7/8/2014 Final action:
Title: Modifying SGC Title 19 entitled Building and Construction by adding language to exempt float homes within the jurisdictional limits of the harbor system under SGC 19.08.025 entitled "Docks and Buildings" and adding Chapter 19.15 entitled "Building Code for Float Homes," Chapter 19.16 entitled "Electrical Code for Float Homes," and Chapter 19.17 entitled "Plumbing Code for Float Homes"

Sponsors:

Indexes:

Code sections:

Attachments: [MOTION ORD 12-23 A](#)
[ORD 14-23 A](#)

Date	Ver.	Action By	Action	Result
6/24/2014	1	City and Borough Assembly		
6/24/2014	1	City and Borough Assembly		
6/24/2014	1	City and Borough Assembly		
6/10/2014	1	City and Borough Assembly	APPROVED	Pass
6/10/2014	1	City and Borough Assembly	AMENDED	Pass

POSSIBLE MOTION

I MOVE TO approve Ordinance 2014-23 A on
as amended final reading.



City and Borough of Sitka

100 Lincoln Street Sitka, Alaska 99835

Coast Guard City, USA

MEMORANDUM

To: Mayor McConnell and Members of the Assembly

From: Stan Eliason, Harbormaster on behalf of Port and Harbor Commission

Subject: Float Houses and Float Homes

Date: June 5th 2014

The Port and Harbor Commission voted and approved the draft ordinances regarding float houses and float homes at their meeting on May 14th 2014. A great deal of time and effort was put into these ordinances to comply with all federal, state and local requirements to allow float houses and float homes within the CBS harbor system. The Port and Harbor Commission approved these unanimously.

RECOMMENDED ACTION: Approve the ordinances.

CITY AND BOROUGH OF SITKA

ORDINANCE NO. 2014-23 A

AN ORDINANCE OF THE CITY AND BOROUGH OF SITKA MODIFYING SITKA GENERAL CODE TITLE 19 ENTITLED "BUILDING AND CONSTRUCTION" BY ADDING LANGUAGE TO EXEMPT FLOAT HOMES WITHIN THE JURISDICTIONAL LIMITS OF THE HARBOR SYSTEM UNDER SGC 19.08.025 ENTITLED "DOCKS AND BUILDINGS" AND ADDING CHAPTER 19.15 ENTITLED "BUILDING CODE FOR FLOAT HOMES," CHAPTER 19.16 ENTITLED "ELECTRICAL CODE FOR FLOAT HOMES," AND CHAPTER 19.17 ENTITLED "PLUMBING CODE FOR FLOAT HOMES"

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

3. PURPOSE. The City and Borough of Sitka ("CBS") do not have provisions in the SGC relating to float homes within the jurisdictional limits of the harbor system as set forth in SGC 13.02.040. The purpose of this ordinance is to update SGC Title 19 which would allow for the building and construction of float homes as well as add provisions within that title to regulate and provide guidance to float home owners to ensure compliance with all federal, state and local requirements for the construction and building of float homes and include adoption by reference of the 2009 International Residential Code. The proposed modifications and additions to SGC Title 19 are as follows:

Modifying –

- SGC 19.08.025 entitled "Docks and floating buildings" to make an exception to float homes as regulated by SGC 13.15 and SGC 19.15 of required permitting and plan review for non-structural fire and life safety project components.

Adding -

- SGC Chapter 19.15 entitled "Building Code for Float Homes;"
- SGC Chapter 19.16 entitled "Electrical Code for Float Homes;" and
- SGC Chapter 19.17 entitled "Plumbing Code for Float Homes."

4. ENACTMENT. NOW, THEREFORE, BE IT ENACTED by the Assembly of the City and Borough of Sitka that SGC 19.08.025 entitled "Docks and floating buildings" is amended to exempt float homes as allowed regulated in SGC 13.15 and SGC 19.15 and add SGC 19.15 entitled "Building Code for Float Homes," SGC 19.16 entitled "Electric Code for Float Homes," and SGC 19.17 entitled "Plumbing Code for Float Homes" to regulate float homes and its construction within the jurisdiction of the City and Borough of Sitka (new language

49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94

**Title 19
BUILDING AND CONSTRUCTION**

Chapters:

- 19.01 Building Code**
- 19.02 Electrical Code**
- 19.03 Plumbing Code**
- 19.04 Mechanical Code**
- 19.05 Fire Code**
- 19.06 Uniform Code for Abatement of Dangerous Buildings**
- 19.07 Demolition or Removal of Municipally Owned Buildings**
- 19.08 Code Applicability**
- 19.09 Electrical Code for Islands**
- 19.10 Plumbing Code for Islands**
- 19.11 Mechanical Code for Islands**
- 19.12 Fire Code for Islands**
- 19.14 Building Code for Islands**
- 19.15 Building Code for Float Homes**
- 19.16 Electrical Code for Float Homes**
- 19.17 Plumbing Code for Float Homes**
- 19.20 Fire Marshal Deferral Standards**

* * *

**Chapter 19.08
CODE APPLICABILITY**

Sections:

- 19.08.010 Geographical limits.**
- 19.08.020 Sitka road system.**
- 19.08.025 Docks and floating buildings.**
- 19.08.030 Islands.**
- 19.08.040 Definition of “islands” for purposes of this title and Title 22.**

* * *

19.08.025 Docks and floating buildings.

Docks and floating buildings, with the exception of float homes as allowed in the Sitka Harbor System and regulated by SGC 13.15 and SGC 19.15, require permitting and plan review for non-structural fire and life safety project components only. Section 19.01.070 does not apply to docks and floating buildings.

* * *

**Chapter 19.15
BUILDING CODE FOR FLOAT HOMES**

Sections:

- 19.15.010 Adoption by reference certain portions of the International Residential Code for one and two family dwellings.**
- 19.15.020 Size of floatation system.**
- 19.15.030 Floatation and stability.**

- 95 **19.15.040 Reserve buoyancy criteria.**
- 96 **19.15.050 Exiting and emergency egress.**
- 97 **19.15.060 Mooring.**
- 98 **19.15.070 Fire separation.**

99
100 **19.15.010 Adoption by reference certain portions of the International Residential Code**
101 **for One and Two Family Dwellings.**

102 The 2009 International Residential Code for One and Two Family Dwellings, published by
103 the International Code Council, as amended in Title 19.01, is adopted and included by
104 reference, with the following exceptions:

- 105
- 106 A. Amend Chapter 2 and add new definition: **Float home** – A single family dwelling unit
107 attached to a flotation device, built to the minimum standards of the IRC and of this
108 ordinance. Float homes are not boats and are subject to all the laws and regulations governing
109 private dwelling units.
- 110
- 111 B. Chapter 4 of the IRC is deleted.
- 112
- 113 C. All references to garages are deleted.
- 114
- 115 D. Stairs providing a required means of egress from an area of not more than 200 square feet
116 shall have a minimum clear width of 30 inches. Maximum riser height shall be not more than
117 8 inches and minimum tread depth shall be not less than 9.25 inches.
- 118
- 119 E. Guards are not required where open decks, balconies, and walkways do not exceed 36
120 inches in height above the water line.
- 121
- 122 F. Fastenings in areas exposed to the elements shall be hot dipped galvanized steel, marine
123 grade bronze, copper, stainless steel, or other corrosion resistant material suitable for marine
124 use.
- 125
- 126 G. Boat wells under floating structures shall be separated from the dwelling unit, and from
127 structural members supporting the dwelling unit, by a minimum of one layer of 5/8 inch Type
128 X, water resistant, gypsum wall board, or equivalent approved fire rated assembly. Boat
129 wells shall provide adequate natural ventilation to prevent the buildup of flammable vapors.
- 130
- 131 H. All framing lumber in contact with the flotation device and all framing lumber within 12
132 inches of the water surface shall be factory preservative treated in accordance with AWP
133 U1. Plywood shall be exterior grade and all plywood below the deck level shall be marine
134 grade. Any other decay resistant materials shall be approved by the Building Official.
- 135
- 136 I. Roof coverings shall be fire-resistant or noncombustible.
- 137
- 138 J. The building official shall have the authority to rule on the applicability of this code as it
139 applies to residential floating structures.
- 140

141 **19.15.020 Size of flotation system.**

142 The dimensions of the flotation system shall be not larger than 20 feet by 40 feet.

143

144 **19.15.030 Flotation and Stability**

145 A. The flotation system shall be designed according to accepted marine engineering and
146 naval architectural principles. The flotation devices shall be structurally sound and securely
147 integrated with the framing for the attached structure. The design shall be approved and
148 sealed by an appropriately licensed professional engineer qualified in such design and shall
149 be submitted to the building official for approval.

150

151 B. The flotation device shall be water tight, durable and protected from deterioration by
152 water, impact damage due to floating debris, electrolytic action, corrosion, water-borne
153 solvents, organic infestation, chafing or physical abuse. Logs and unprotected plastic foam
154 insulation are not approved flotation devices.

155

156 C. Where solid flotation devices are not used, hulls shall be fitted with longitudinal and/or
157 transverse watertight bulkheads sufficient to keep the loaded hull afloat with positive stability
158 with any one compartment flooded. No compartment shall compromise more than 20 per
159 cent of the total available flotation volume.

160

161 D. Where solid floatation devices are not used the flotation devices shall be constructed so
162 that access to each compartment is readily available from the first floor level of the
163 completed floating structure.

164

165 E. A float home with a flotation device other than solid flotation shall be equipped with
166 bilge pumps and a bilge alarm system with detectors in each compartment with audible and
167 visual alarm indicators in the float home. At least one visual indicator shall be located outside
168 the float home in a place visible to passersby.

169

170 F. The overall buoyancy and stability of the flotation device and attached structure shall be
171 designed to accommodate moving and launching, wave action, loads imposed by mooring,
172 vessels and walkways moored to the structure, live and dead loads, and the design snow
173 loads and wind loads in effect in the City and Borough of Sitka.

174

175 G. The flotation device shall have sufficient stability in both the longitudinal and transverse
176 directions to limit the amount of heel from the horizontal resulting from off of center live
177 loading to a maximum of 4 degrees.

178

179 H. The flotation system and decking shall provide access to, and protection for, the sewage
180 holding tank.

181

182 **19.15.040 Reserve Buoyancy Criteria**

183 The flotation system shall have sufficient buoyancy to support the design weight of the float
184 home plus the maximum combined weight of deadweight items and design snow load and
185 maintain a minimum freeboard of 14 inches. When design wind load is applied to the
186 superstructure the amount of heel shall be not more than 4 degrees from horizontal or one

187 half the freeboard, whichever is less. Freeboard is measured from the surface of the water to
188 the bottom of the lowest floor or deck framing members.

189

190 **19.15.050 Exiting and Emergency Egress**

191 In addition to the requirements of the IRC, including, but not limited to Chapter 3, section
192 R311, floating homes shall have a 24 inch minimum width open deck on all sides. Decks
193 shall be constructed so as to prevent the ponding of water.

194

195 **19.15.060 Mooring**

196 Cleats, bollards, bull rails or other such devices shall be sufficient in number and attached to
197 the floating structure in such a way as to provide adequate mooring points to secure the float
198 home in the highest design wind load. Mooring lines shall be kept in good condition, kept
199 free of chafing, and shall be removable without the use of tools.

200

201 **19.15.070 Fire separation**

202 A. A clear space of at least eight feet shall be provided between adjacent structures
203 measured from building wall line horizontal to adjacent building wall line. Roof eave
204 projections shall be no closer than six feet. Table 302.1 of the IRC shall not apply.

205 B. Where floating homes are placed closer than eight feet from building wall line horizontal
206 to building wall line; walls, eaves and roofs shall be constructed in accordance with Table
207 302.1 of the IRC.

208 C. A clear space of four feet shall be provided between adjacent floats.

209

210 **Chapter 19.16**

211 **ELECTRICAL CODE FOR FLOAT HOMES**

212 Sections:

213 **19.16.070 Adoption by reference.**

214

215 **19.16.070 Adoption by reference.**

216 The 2011 Edition of the National Electrical Code, copyrighted by the National Fire
217 Protection Association, is adopted and incorporated by reference.

218

219 **Chapter 19.17**

220 **PLUMBING CODE FOR FLOAT HOMES**

221 Sections:

222 **19.17.010 Adoption by reference.**

223 **19.17.020 Sewage holding tank.**

224 **19.17.030 Sewage treatment.**

225 **19.17.040 Portable water.**

226

227 **19.17.010 Adoption by reference.**

228 The 2009 Edition of the Uniform Plumbing Code, promulgated by the International
229 Association of Plumbing and Mechanical Officials, is adopted and incorporated by reference,
230 including the following appendices:

231

232 Appendix A, Recommended Rules for Sizing the Water Supply System.

229 The 2009 Edition of the Uniform Plumbing Code, promulgated by the International
230 Association of Plumbing and Mechanical Officials, is adopted and incorporated by reference,
231 including the following appendices:

232

233 Appendix A, Recommended Rules for Sizing the Water Supply System.

234 Appendix B, Explanatory Notes on Combination Waste and Vent Systems.

235 Appendix I, Installation Standards.

236 Appendix K, Private Sewage Disposal Systems.

237

238 **19.17.020 Sewage holding tank**

239 A. Sewage holding tanks for float homes shall be sized in accordance with Table K-2,
240 Appendix K of the Uniform Plumbing Code.

241

242 B. Sewage holding tanks shall be constructed of materials not subject to corrosion or decay
243 and shall be watertight.

244

245 **19.17.030 Sewage Treatment**

246 Sewage, including greywater, shall be disposed of by pumping to a portable holding tank and
247 delivering to an approved sewage pump out facility. Alternatively, sewage may be treated
248 with an approved sewage treatment system and discharged into the water. The owner is
249 responsible for securing appropriate state and federal permits for such systems. Untreated
250 sewage or greywater shall not be discharged into the water.

251

252 **19.17.040 Potable Water**

253 Connections to the municipal water system shall be of an approved method, shall include
254 backflow prevention and shall be approved by the building official.

255

256 5. **EFFECTIVE DATE.** This ordinance shall become effective 30 days after the date
257 of its passage.

258

259 **PASSED, APPROVED, AND ADOPTED** by the Assembly of the City and Borough of
260 Sitka, Alaska this 8th day of July, 2014.

261

262

263

Matt Hunter, Deputy Mayor

264

265 **ATTEST:**

266

267 _____
Colleen Ingman, MMC

268 Municipal Clerk



Legislation Details

File #: ORD 14-24 Version: 1 Name:

Type: Ordinance Status: SECOND READING

File created: 6/18/2014 In control: City and Borough Assembly

On agenda: 6/24/2014 Final action:

Title: Repealing SGC Chapter 4.06 entitled "Allocation of Revenues from Sale of Water" and Reenacting it with a new Chapter 4.06 of the SGC entitled "Proceeds from Raw Water Sale Contracts"

Sponsors:

Indexes:

Code sections:

Attachments: [MOTION ORD 12-24](#)
[ORD 2014-24 GPIP Water Fee](#)

Date	Ver.	Action By	Action	Result
6/24/2014	1	City and Borough Assembly		


POSSIBLE MOTION

I MOVE TO approve Ordinance 2014-24 on second and final reading.



MEMORANDUM

To: Mayor McConnell and Members of the Assembly

From: Mark Gorman, Municipal Administrator 

Subject: **Gary Paxton Industrial Park Water Fee Ordinance**

Date: June 18, 2014

City staff and the Gary Paxton Industrial Park (GPIP) Board have communicated for several months on a revised ordinance to address Raw Water Fees generated from water sales at the Park. This included discussions with the Investment Committee. The ordinance before you is Administration's attempt to incorporate the GPIP Board's key language elements. Although, it departs from the specific language that the GPIP has requested, CBS feels it addresses the intent and provides the Assembly with appropriate authority and flexibility over future water revenues and allocations.

In your packet is a June 2 memo from Garry White, SEDA Executive Director, which addresses the discussions between CBS staff and the GPIP Board regarding language for this ordinance. I would direct your attention to page two of the memo in which under the heading "**GPIP Board Recommendations**", Mr. White succinctly provides the preferred language of the GPIP Board.



329 Harbor Dr., Ste. 212
Sitka, AK 99835

Phone: 1-907-747-2660

Monday, June 02, 2014

MEMORANDUM

To: Mark Gorman, CBS Administrator
From: Garry White, Director
Subject: Bulk Water Fee Discussion (SGC 4.06)

Introduction

Sitka General Code (SGC) 4.06 defines the allocation of revenues from the sale of water (Please see the attached current SGC 4.06). SGC 4.06 was established in July 2000, soon after the CBS had obtained permits to export water in bulk. While SGC 4.06 defines the sale of water, it does not address the allocation of "non-refundable payments" earned through bulk water contracts.

The Gary Paxton Industrial Park (GPIP) Board of Directors met in October and December 2013 and in May 2014 to discuss how "non-refundable payments" the CBS has been receiving from bulk water contracts fits within the current SGC 4.06.

Background

The CBS has entered into multiple agreements with various companies since 2000 to export raw water in bulk. In 2006 the CBS entered into a 20 year agreement with True Alaska Bottling Company (TAB) to export Sitka's water. The agreement with TAB requires a certain amount of water to be exported by set benchmark dates or the CBS can terminate the contract. TAB failed to meet the first benchmark date of December 8th, 2008. The CBS amended the agreement to allow TAB additional time to export water. A requirement of the first amendment was for TAB to pay the CBS a \$100,000 non-refundable payment to the CBS for a one year extension of their benchmark date to export water. In 2009, 2010, & 2012, three more contract amendments were granted by the CBS with \$100,000, \$150,000, and \$1,000,000 collected respectively by the CBS in non-refundable payments to allow TAB extension of the benchmark export dates.

The contract amendments allow for the non-refundable payments to be used as water credits in the event water is exported. If no water is exported, the payment becomes property of the CBS. To date no water has been exported by TAB. The current agreement with TAB (agreement assigned to Alaska Bulk Water Inc. in March 2014) sets a benchmark date of December 8th, 2015 to export water

The first three bulk water fee payments of \$100k, \$100k, and \$150k were allocated to the GPIP enterprise fund. However, when the most recent bulk water contract fee of \$1,000,000 was received, the allocation of the funds was in question.

The GPIIP Director offered the following comments concerning the non-refundable fees.

GPIIP Director's Comments

- Infrastructure to move water from the shore to a ship or other transportation methods has not been designed, permitted, funded, or constructed. Sitka's bulk water venture will not move forward until this has been completed.
- TAB has asked for CBS support in designing, permitting, and construction of a water based bulk water distribution system.
- The SEDA management contract to promote, market, and manage Sitka's bulk water venture is paid for out of the GPIIP enterprise fund.
- Blue Lake is a community asset that is being leveraged to receive the non-refundable payments.
- GPIIP relies on other CBS departments (electric, water, public works, etc.) to move the bulk water venture forward.
- SGC 4.06 needs to have clarification added concerning the "non-refundable payments" as it is not clearly defined in current SGC.
- SGC 4.06.025 should be deleted from code as it no longer applies.

GPIIP Board Final Recommendations

GPIIP Board's recommendations from the December 5th GPIIP Board meeting and reaffirmed at its May 14th meeting are the following:

1. A separate CBS account should be established for non-refundable payments associated with bulk water contracts. This new account shall be named the GPIIP Bulk Water Fee Fund.
2. Account funds will be transferred to appropriate enterprise/general funds to offset expenses for department services related to the CBS bulk water venture. Any department requesting to draw funds from the GPIIP Bulk Water Fee Fund shall include this as a line item in their annual budget and submit a draft of the budget to the GPIIP Board for their review and to allow the GPIIP Board to make their recommendations to the Assembly.
3. Capital projects requesting funds from the account will require recommendation from the GPIIP Board and approval from the CBS Assembly.
4. Section 4.06.025 is deleted from the SGC 4.06, as it is no longer applicable.

5. The remaining portions of SGC 4.06 will remain as currently written.

Additional Information

- The GPIIP Board's recommendations were brought to the CBS Investment for their review.
- The CBS Administration has developed the attached draft ordinance. The proposed ordinance differs in the allocation of revenues from the sale of raw water from the existing SGC 4.06 and SCIP Board recommendations.

Action

- Assembly discussion and approval of proposed changes to SGC 4.06.

Current Sitka General Code

Chapter 4.06 ALLOCATION OF REVENUES FROM SALE OF WATER

Sections:

- [4.06.010](#) Allocation of revenues from bulk sales of water.
- [4.06.020](#) Allocation of revenues from sales of raw water at Sawmill Cove Industrial Park.
- [4.06.025](#) Allocation of revenues from sales of water at Sawmill Cove Industrial Park subject to the agreement to convey with Alaska Pulp Corporation.
- [4.06.030](#) Allocation of revenues from sales of treated water at Sawmill Cove Industrial Park.

4.06.010 Allocation of revenues from bulk sales of water.

Twenty-five percent of the revenues received by Sitka from bulk sales of water shall be deposited into the general fund. Half of the remainder of the revenues received by Sitka from bulk sales of water shall be deposited into the electric fund, and the other half of the remainder of the revenues received by Sitka from bulk sales of water shall be deposited into the water fund. This section does not apply to sales of water at Sawmill Cove Industrial Park. (Ord. 00-1582 § 4A (part), 2000.)

4.06.020 Allocation of revenues from sales of raw water at Sawmill Cove Industrial Park.

For five years starting on the effective date of the ordinance codified in this chapter, fifty percent of the revenues received by Sitka from the sales of raw water at Sawmill Cove Industrial Park shall be deposited into the Sawmill Cove Industrial Park enterprise fund and the remaining fifty percent of such revenues shall be deposited into the water fund. Upon the passage of five years the revenues received by Sitka from the sales of raw water at Sawmill Cove Industrial Park shall be deposited equally into the general fund, the electric fund, the water fund, and the Sawmill Cove Industrial Park enterprise fund. (Ord. 00-1582 § 4A (part), 2000.)

4.06.025 Allocation of revenues from sales of water at Sawmill Cove Industrial Park subject to the agreement to convey with Alaska Pulp Corporation.

Notwithstanding any other provision of law, fifty percent of the revenues received before April 6, 2009 from sales of raw water subject to Section 9 of the Agreement to Convey between Sitka and Alaska Pulp Corporation shall be paid to Alaska Pulp Corporation. Seventy-five percent of the remainder of the revenues described in the previous sentence shall be deposited in the Sawmill Cove Industrial Park enterprise fund, and twenty-five percent shall be deposited in the general fund. This section shall sunset and be of no further force and effect on April 6, 2009. (Ord. 00-1582 § 4A (part), 2000.)

4.06.030 Allocation of revenues from sales of treated water at Sawmill Cove Industrial Park.

All of the revenues received from the sales of treated water at Sawmill Cove Industrial Park shall be deposited into the water fund. (Ord. 00-1582 § 4A (part), 2000.)

CITY AND BOROUGH OF SITKA

ORDINANCE NO. 2014-24

AN ORDINANCE OF THE CITY AND BOROUGH OF SITKA REPEALING SITKA GENERAL CODE CHAPTER 4.06 ENTITLED "ALLOCATION OF REVENUES FROM SALE OF WATER" AND REENACTING IT WITH A NEW CHAPTER 4.06 OF THE SITKA GENERAL CODE ENTITLED "PROCEEDS FROM RAW WATER SALE CONTRACTS"

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 purpose of this ordinance is to repeal SGC Chapter 4.06 entitled "Allocation of Revenues from Sale of Water" and replace it in its entirety with SGC Chapter 4.06 entitled "Proceeds from Raw Water Sale Contracts."

4. ENACTMENT. The Assembly of the City and Borough of Sitka hereby repeals the existing SGC Chapter 4.06 in its entirety and reenacts SGC Chapter 4.06 entitled "Proceeds From Raw Water Sale Contracts" as follows:

Title 4 REVENUE AND FINANCE

Chapters:

4.06 Proceeds from Raw Water Sale Contracts

Chapter 4.06 PROCEEDS FROM RAW WATER SALE CONTRACTS

Sections:

- 4.06.101 Establishment of raw water sale fund.
4.06.102 Reimbursing expenditures from other funds relating to the sale of raw water, maintenance of raw water distribution infrastructure, or retention of water rights.
4.06.103 Expenditure of net assets of the raw water sale fund.
4.06.104 Allocation of revenues from sales of raw water at Gary Paxton Industrial Park.

47 **4.06.101 Establishment of raw water sale fund.**

48 There shall be established a new fund within the fund system of the City and Borough of
49 Sitka entitled the Raw Water Sale Fund. The purpose of the Raw Water Sale Fund shall be to
50 receive all proceeds from bulk water sales contracts, to hold such deposits, and, to reimburse
51 expenditures made by other funds relating to the sale of bulk water, maintenance of bulk water
52 distribution infrastructure, or retention of water rights.

53
54 **4.06.102 Reimbursing expenditures from other funds relating to the sale of raw water,
55 maintenance of raw water distribution infrastructure, or retention of water rights.**

56 Any fund of the City and Borough of Sitka which expends funds in order to facilitate the sale of
57 raw water, negotiate raw water sale contracts, construct or maintain raw water distribution
58 infrastructure, or pursue legal or regulatory action to maintain water rights may request of the
59 Assembly that such expenditures be reimbursed out of the assets of the Raw Water Sale Fund.
60 Upon approval of the request, such reimbursements will be accomplished by the Finance
61 Department. Such requests may be made whenever appropriate, but shall not be made on a
62 basis more often than quarterly. The Assembly will consider recommendations from the GPIIP
63 Board prior to disbursing funds.

64
65 **4.06.103 Expenditure of net assets of the raw water sale fund.**

66 At any time, the Assembly of the City and Borough of Sitka may authorize the transfer of the
67 net assets of the Raw Water Sale Fund to any other fund within the City and Borough of Sitka to
68 be used for expenditures deemed appropriate by the Assembly. The Assembly will consider
69 recommendations from the GPIIP Board prior to transferring Raw Water Sale Fund assets. For
70 purposes of this Section, net assets shall be defined as the assets of the Raw Water Sale Fund,
71 less any liabilities. Any contractually mandated deposits for exclusive rights to purchase raw
72 water from the City and Borough of Sitka shall be defined as deposits until such deposits are
73 either earned through application towards future water sales, or, through the expiration of the
74 time period to exercise such rights.

75
76 **4.06.104 Allocation of revenues from sales of raw water at Gary Paxton Industrial Park.**

77 In the allocation of revenues from the Raw Water Sale Fund, the Assembly will strive to ensure
78 that the GPIIP has adequate resources to market, manage and administer the assets of the Park
79 with the goal of maximizing economic returns to the community. Further, The Assembly will
80 allocate funds as it deems appropriate to other departments of the CBS,

81
82 **5. EFFECTIVE DATE.** This ordinance shall become effective the day after the date of
83 passage.

84
85 **PASSED, APPROVED, AND ADOPTED** by the Assembly of the City and Borough of
86 Sitka, Alaska this 8th day of July, 2014.

87
88
89 _____
90 Matt Hunter, Deputy Mayor

91 ATTEST:

92 _____
93 Colleen Ingman, CMC
Municipal Clerk

ORDINANCE BEING REVISED

Sponsor: Administrator

CITY AND BOROUGH OF SITKA

ORDINANCE NO. 00-1582

AN ORDINANCE OF THE CITY AND BOROUGH OF SITKA, ALASKA AMENDING CHAPTER 4.06 OF THE SITKA GENERAL CODE TO ALLOCATE AMONG MUNICIPAL FUNDS THE REVENUES RECEIVED FROM THE SALE OF WATER

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 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 intended to allocate among funds of the City and Borough of Sitka the revenues received from large-scale sales of water.

4. **ENACTMENT.** NOW, THEREFORE, BE IT ENACTED by the Assembly of the City and Borough of Sitka that Title 4 of the Sitka General Code is amended as follows:

A. Title 4 is amended to add a new Chapter 4.06 to read as follows:

CHAPTER 4.06

ALLOCATION OF REVENUES FROM SALE OF WATER

Sections:

- | | |
|-----------------|--|
| 4.06.010 | Allocation of revenues from bulk sales of water. |
| 4.06.020 | Allocation of revenues from sales of raw water at Sawmill Cove Industrial Park. |
| 4.06.025 | Allocation of revenues from sales of water at Sawmill Cove Industrial Park subject to the Agreement to Convey with Alaska Pulp Corporation. |
| 4.06.030 | Allocation of revenues from sales of treated water at Sawmill Cove Industrial Park. |
| 4.06.010 | Allocation of revenues from bulk sales of water. |

Twenty-five percent of the revenues received by Sitka from bulk sales of water shall be deposited into the General Fund. Half of the remainder of the revenues received by Sitka from bulk sales of water shall be deposited into the Electric Fund, and the other half of the remainder of the revenues received by Sitka from bulk sales of water shall be deposited into the Water Fund. This section does not apply to sales of water at Sawmill Cove Industrial Park.

4.06.020 Allocation of revenues from sales of raw water at Sawmill Cove Industrial Park.

For five years starting on the effective date of this ordinance, fifty percent of the revenues received by Sitka from the sales of raw water at Sawmill Cove Industrial Park shall be deposited into the Sawmill Cove Industrial Park Enterprise Fund and the remaining fifty percent of such revenues shall be deposited into the Water Fund. Upon the passage of five years the revenues received by Sitka from the sales of raw water at Sawmill Cove Industrial Park shall be deposited equally into the General Fund, the Electric Fund, the Water Fund, and the Sawmill Cove Industrial Park Enterprise Fund.

4.06.025 Allocation of revenues from sales of water at Sawmill Cove Industrial Park subject to the Agreement to Convey with Alaska Pulp Corporation.

Notwithstanding any other provision of law, fifty percent of the revenues received before April 6, 2009 from sales of raw water subject to Section 9 of the Agreement to Convey between Sitka and Alaska Pulp Corporation shall be paid to Alaska Pulp Corporation. Seventy-five percent of the remainder of the revenues described in the previous sentence shall be deposited in the Sawmill Cove Industrial Park Enterprise Fund, and twenty-five percent shall be deposited in the General Fund. This section shall sunset and be of no further force and effect on April 6, 2009.

4.06.030 Allocation of revenues from sales of treated water at Sawmill Cove Industrial Park.

All of the revenues received from the sales of treated water at Sawmill Cove Industrial Park shall be deposited into the Water Fund.

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 this 25th day of July, 2000.

Stan J. Filler, Mayor

ATTEST:

Colleen Pellett, CMC
Municipal Clerk



Legislation Details

File #: 14-154 Version: 1 Name:

Type: Item Status: AGENDA READY

File created: 6/30/2014 In control: City and Borough Assembly

On agenda: 7/8/2014 Final action:

Title: Convene as the Board of Adjustment
Approve a temporary use permit for an asphalt plant filed by S&S General Contractors and Equipment Rentals, Inc. for Secon Southeast Alaska at 4660 Halibut Point Road (S&S rock pit). The request is to house a asphalt plat throughout the duration of the paving of Halibut Point Road (estimated September 15, 2014) at the S&S rock pit.

Sponsors:

Indexes:

Code sections:

Attachments: [BOA docs](#)
[S&S Asphalt Plant Temporary Use Permit](#)
[BOA Hearing Outline](#)

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

PLEASE NOTE: Application is to follow see attached message:

BOARD OF ADJUSTMENT

1)

I MOVE TO CONVENE AS THE BOARD OF ADJUSTMENT.

2)

I MOVE TO approve a temporary use permit for an asphalt plant filed by S&S General Contractors and Equipment Rentals, Inc. for Secon Southeast Alaska at 4660 Halibut Point Road (S&S rock pit). The request is to house an asphalt plant throughout the duration of the paving of Halibut Point Road (estimated September 15, 2014) at the S&S rock pit.

3)

I MOVE TO RECONVENE AS THE ASSEMBLY IN REGULAR SESSION

Colleen Ingman

From: Tyler Eddy <tyler.eddy@cityofsitka.com>
Sent: Wednesday, July 02, 2014 8:12 PM
To: Mark Gorman; welle@cityofsitka.com; maegan@cityofsitka.com; Colleen Ingman; Tyler Andrews
Cc: S&S General Contractors & Equipment Rental, Inc
Subject: S&S Pit Asphalt Plant Update

Mr. Mark Gorman,

I just wanted to touch bases with you today to keep you updated on the status of the S&S Pit and SECON. The application for the Board of Adjustment has been completed and all the paperwork is being reviewed by legal. It is still hopeful to get it in tomorrow, but I will not know until I get it back.


I will continue to keep you updated on the status of everything as much as possible, and as always feel free to contact me, (907) 758-1111

Tyler Eddy, Sec

S&S General Contractors and Equipment Rentals, Inc

MEMORANDUM

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

From: Wells Williams, Planning Director 

Subject: Temporary Use Permit Request for an Asphalt Plant in the S&S Quarry

Date: July 2, 2014

S&S General Contractors is applying for a temporary use permit for the asphalt plant in their quarry across from Cove Marina. The asphalt plant, operated by Secon Southeast Alaska, is providing all the asphalt for the current Sawmill Creek Road, Halibut Point Road, and Harbor Drive paving projects.

The Sitka General Code allows the Assembly to issue temporary permits for asphalt plants specific projects in the Industrial and Public Lands Districts. The code authorization for these permits is in the zoning ordinance Supplemental District Regulations and is not a part of the traditional conditional use process. The procedure recognizes the short term nature of the plants that are connected to a specific project.

The asphalt plant has been in operation at the pit for approximately a month. There was an inadvertent approval of the facility at that location by the Planning Office due to confusion about the plant's location. The approval, which would have lasted until June 30th, 2014 has been revoked.

Valorie and Connor Nelson raised the issue of the asphalt plant in their letter to the Municipal Administrator dated June 6th, 2014. There have been a large number of communications between all the parties involved, including direct contact between Secon and the Nelsons, since that letter was received.

The asphalt plant has numerous components and activities.

The majority quarry itself is surrounded by tall deciduous vegetation. There is an entrance directly onto Halibut Point Road. Truck scales are located at the left and side of the entry.

There are stock piles of materials, the plant itself, and truck traffic entering and exiting the quarry. The noise created through the process of creating asphalt is considered less than quarry and rock crusher activity that has previously occurred on the property. Planning Office staff inspected the property on July 1st and had a lengthy discussion with Secon employees about the operation and the noise inevitably from the equipment.

The potential off site impacts primarily involve truck traffic going to and from the parcels. The paving project often occurs at night to facilitate the completion of the work and to minimize the traffic delays along the highway. Secon responded to the Nelsons on June 8th concerning the use of compression truck brakes. It is the understanding of the Planning Office that the dialogue is ongoing.

The Planning Office prepared a public notice for the July 8th Assembly meeting and mailed it to property owners in the area.

**Aerial Vicinity Map
(Approximate)**



S&S General Contractors
Temporary Use Permit
4660 Halibut Point Road



S&S General Contractors
Temporary Use Permit
4660 Halibut Point Road



S&S General Contractors
Temporary Use Permit
4660 Halibut Point Road



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, July 8, 2014 on the following items:

Public hearing and consideration of a temporary use permit for an asphalt plant filed by S&S General Contractors and Equipment Rentals, Inc for Secon Southeast Alaska at 4660 Halibut Point Road (S&S rock pit). The request is to house a asphalt plant throughout the duration of the paving of Halibut Point Road (estimated September 15, 2014) at the S&S rock pit. The property is also known as Lot 61A S&S Minor Subdivision. The owner of record is John and Judith Sudnikovich.

Please see the hearing description on back of page. The Assembly may take action on July 8, 2014.

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.

Temporary use permit at 4660 Halibut Point Road:

The applicant is requesting a temporary use permit for an asphalt plant at 4660 Halibut Point Road. This would allow the applicant to operate the asphalt plant throughout the duration of the Halibut Point Road paving project, expected to be completed approximately September 15, 2014. The property is zoned Industrial and currently has an active conditional use permit for a rock crusher.

The I Industrial District is intended for industrial or heavier commercial uses including warehousing, wholesale and distribution operations, manufacturing, natural resource extraction, contractors' yards and other such uses that require larger property or larger water and sewer services.

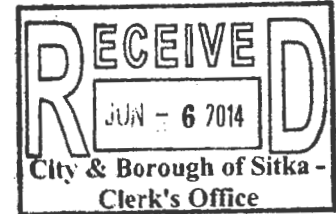
22.20.140 Asphalt plants and concrete batch plants.

A. The board of adjustment may issue temporary permits for asphalt and concrete batch plants, for specific named projects, in public lands and industrial districts except on park, school or hospital grounds. Such permits shall be for up to five months or the length of the project whichever is longer and may be renewed only once in any given calendar year.

B. The plant shall be removed upon completion of the project or within thirty days of the expiration of the permit.

C. Applicants shall address in their application neighborhood composition, traffic to and from the site, noise, dust, and stipulated hours of operation. A site plan shall also be provided.

Connor and Valorie Nelson
4608 HPR
Sitka, AK 99835
(907) 747-4589



June 6, 2014

City & Borough of Sitka
100 Lincoln St
Sitka, AK 99835

Attn: Municipal Administrator Gorman

Re: Violations of Stipulation for Judgement

Dear Mr. Gorman;

This letter is being sent to you per the stipulation for judgment and order in 1SI-92-440 CI. The intent of the stipulation was to "resolve all differences arising out of the ownership and use of Lot 1A, U.S. Survey 3670, and Lots 61A, 62A, and Lots 56A, B, and Cm U.S. survey 3475." This property is also referred to as the S&S rock pit and the hours of operation are limited from 7:00 a.m. to 5:30 p.m.. For the past week or so the operations appear to be going 24 hours per day in violation of item 1. of the agreement. Compression brakes are being applied as they crest the hill at 4600 HPR in violation of item 2. Per item 10, you the City & Borough of Sitka shall monitor and enforce that use permit, or any other law, in the same manner as with other use permits.

An asphalt plant is currently operating at the site (outside the permitted hours of use), yet we see no evidence of a permit as called for per SGC 22.20.140, therefore a stop work order should be issued immediately.

Per item 12 of the stipulation please be advised that this shall serve as your written notice that serious violations are occurring by both S&S and the City. S&S has been notified via telephone and will be sent a copy of this correspondence.

We look forward to a swift resolve to this issue.

Sincerely,
Connor Nelson
Valorie Nelson
Connor and Valorie Nelson

1 IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
2 FIRST JUDICIAL DISTRICT AT SITKA

3 VALORIE L. and CONNOR K.
4 NELSON, individually, and
5 KEYSTONE ASSOCIATES, INC.,

6 Plaintiffs,

7 v.

8 CITY AND BOROUGH OF SITKA,
9 S&S GENERAL CONTRACTORS
and EQUIPMENT RENTAL, INC.,
and JOHN ROGER SUDNIKOVICH,
10 individually,

11 Defendants.

FILED in the Trial Courts
State of Alaska, First District
Sitka

JAN 24 1994

Clerk of the Trial Courts
By _____ Deputy

No. 1SI-92-440 CI

12
13
14 STIPULATION FOR JUDGMENT AND ORDER

15
16 The above parties have reached agreement in settlement of
17 their differences. This agreement was reached with assistance of
18 counsel following a lengthy discussion on January 20, 1994, and
19 January 21, 1994. Nelson as used herein refers to all plaintiffs,
20 City, as used herein, refers to the City and Borough of Sitka, and
21 S&S refers to S&S General Contractors and Equipment Rental, Inc, and
22 John Roger Sudnikovich. Judgment may be entered on the following
23 terms:
24
25

Alaska Court System



2 of 10

2008-000677-0

1
2 **I. Scope of this agreement:**

3 The intent of the parties is to resolve all differences
4 arising out of ownership and use of Lot 1A, U.S. Survey 3670, and
5 Lots 61A, 62A, and Lots 56A, B, and C, U.S. Survey 3475. This
6 agreement shall not be construed to apply to any other real
7 property.

8 The scope of this settlement includes, but is not limited to:
9 (1) the above entitled case, (2) any pending appeal by plaintiffs
10 from the Planning and Zoning Commission or Platting Board to the
11 City & Borough of Sitka Assembly, and any appeal from the Assembly
12 or the Assembly sitting as a Board of Adjustment to the Superior
13 Court, and (3) the existing conditional use process for Lot 1A and
14 the proposed conditional use permit for the rock crusher.

15 The parties agree as follows:

16
17 **1. Hours of Operation:**

18 From March through October of each year, S&S General
19 Contractors (S&S) shall conduct its operations from 7:00 a.m. to
20 5:30 p.m., Monday through Thursday. From November through February
21 of each year S&S shall conduct its operations from 7:30 a.m. to 4:30
22 p.m. Monday through Friday. It is recognized that the demand for
23 product and weather may vary these hours and days of operation.
24 These hours do not include the earlier starting of equipment in
25



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

These hours do not include the earlier starting of equipment in preparation for work.

In the event that S&S obtains the contract for Thompson Harbor, or in the case of barge activities or any other similar contracts, these hours and days of operation may be modified.

S&S shall employ reasonable efforts to minimize the impact of its operations on the Nelsons' use and reasonable enjoyment of their property.

S&S will not operate on Sundays except for emergencies and occasional barge activity.

(2) Good Faith:

All parties realize that the future needs of S&S's business is uncertain but that mutual respect for S&S's business needs and Nelsons' quality of life needs can be made compatible with good faith effort. For example, S&S will talk with truck drivers hauling to and from their rock quarry in a way that will eliminate unnecessary use of compression brakes on their trucks so that noise will be reduced. These compression brakes are a significant cause of noise. S&S and Nelson agree that this problem will receive special attention.

(3) Dust:



1
2 S&S has installed a fog nozzle on their rock crusher for the
3 purpose of keeping down the dust generated by the rock crusher. S&S
4 shall maintain this device in good working order so long as the rock
5 crusher is in operation and shall use reasonable efforts to reduce
6 the dust. It is understood some dust is inherent in S&S's
7 operation.

8 **(4) Rock Crusher:**

9
10 The rock crusher shall be moved. If S&S does not obtain the
11 Thomsen Harbor contract then rock will be taken from an area behind
12 the crusher with the crusher to be moved no later than October 1,
13 1994. This will permit the rock crusher to be moved back away from
14 the highway and Nelson's home so that the noise will be reduced.
15 However, if S&S obtains the Thomsen Harbor contract then the need
16 will be for shot rock rather than crushed rock and the effect will
17 be to minimize the use of the rock crusher which would remain in its
18 present location until the Thomsen Harbor contract is done and to
19 be moved by August 30, 1995.

20 **(5) Truck Traffic:**

21
22 The alleged noise and dust generated by truck traffic related
23 to S&S business has affected use of Nelson's property and their
24 enjoyment of their property. S&S will construct a ramp, at their
25



1
2 cost, by June 30, 1994, providing more direct access to the AML
3 barge loading area. This will reduce the trucks going by Nelsons'
4 property. This ramp will be constructed without regard to whether
5 or not S&S obtains the Thomsen Harbor job.

6 **(6) Future Operation of the Rock Quarry:**

7
8 Nelsons would be better able to plan the use of their land
9 if they knew how long the quarry operation would continue. The
10 parties have discussed how long it would take to extract rock from
11 Lot 1A. The estimate of rock available is approximately 500,000
12 cubic yards. The estimate of how long this will support a
13 commercial rock quarry depends on the demand. The Thomsen Harbor
14 job will need approximately 277,000 cubic yards. Without the
15 Thomsen Harbor contract the demand for rock from S&S's quarry is
16 uncertain.

17 When all the rock, estimated at 500,000 cubic yards have been
18 extracted and used, quarry operations on Lot 1A, U.S. Survey 3670
19 will cease.

20 **(7) Noise:**

21
22 The alleged noise from the rock quarry is produced by the
23 rock crusher, drilling, blasting, equipment, and truck operation.
24 The level of noise varies with weather and wind. City and S&S will
25



1
2 pay \$9,000.00 to Nelsons for noise remediation by February 27, 1994.

3 **(8) Drilling and Blasting:**

4
5 All drilling equipment operated by S&S shall have properly
6 installed and maintained mufflers.

7 S&S shall give 6 hours notice to Nelsons of any blasting of
8 rock. Notice may be either oral or written. If an emergency exists
9 or Nelsons are not at home then such good faith efforts of such
10 notice will be sufficient.

11 **(9) Information Sharing:**

12
13 S&S operations are monitored by various government agencies:
14 Bureau of Mines, OSHA, City & Borough of Sitka, etc. S&S shall give
15 to Nelsons copies, on request, of these reports that he has so they
16 may monitor S&S compliance with these standards.

17 It is recognized that Nelsons may contact the regulatory
18 authorities independently for this information if that information
19 is not available from and provided by S&S.

20 **(10) Conditional Use Permit:**

21
22 S&S shall apply for a Conditional Use Permit for the rock
23 crusher in addition to the application now pending as to use of Lot
24 1A for extraction of rock. Nelsons shall not oppose or appeal the
25



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

issuance of the Conditional Use Permits consistent with this agreement.

The City & Borough of Sitka shall monitor and enforce that use permit, or any other law, in the same manner as with other use permits.

(11) Compliance:

S&S operations shall comply with all applicable Federal, State and local laws and regulations.

Parties agree to contact each other before contacting any governmental agency.

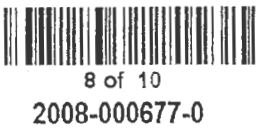
(12) Enforcement:

The intent of the parties is that this judgment of the Superior Court be capable of enforcement by either party at any time in the future that this agreement remains in effect.

The procedure to be followed by the parties is that if any party believes a serious violation has occurred then a petition for enforcement can be filed with the Superior Court.

This petition for enforcement must allege a serious violation of the judgment.

The burden of proof is on the petitioner to show by a preponderance of the evidence that a serious violation has occurred.



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

A serious violation is one that is continuous and materially impacts those issues intended to be resolved by this agreement.

The petitioner shall give written notice to the other party detailing the alleged violation. Upon receipt of said notice, the other party shall commence, complete, and cure within 15 business days the alleged violation, or in the event the violation cannot be cured within the 15 days, both parties shall agree to a reasonable time to cure the violation. It is understood that matters beyond the control of the parties shall extend the time required to cure the violation. In the event the violation is not cured within the time period, then petitioner may file its petition.

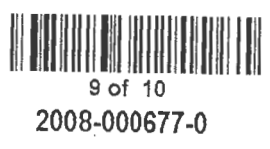
The petition must also allege that the claimed violation has not been corrected.

The petition must also allege that the moving party has acted reasonably and in good faith in the matter constituting the alleged violation.

(13) Public Communication

No communication to the public media of any kind shall be made by the parties, directly or indirectly without consent of all parties.

The purpose of this restriction is to avoid mistaken characterization of the agreement or any other conduct that will



1
2 exacerbate the unfortunate differences arising between the parties.

3 DATED at Sitka, Alaska, this 21st day of January, 1994.

4
5 Valorie L. Nelson
6 Valorie L. Nelson
7 Plaintiff

8 Stephen F. Sorensen
9 Stephen F. Sorensen
10 Attorney for Plaintiffs

11 Connor K. Nelson
12 Connor K. Nelson Individually
13 and on behalf of
14 Keystone Associates

15 John Roger Sudnikovich
16 John Roger Sudnikovich,
17 Individually and on behalf of
18 S&S General Contractors and
19 Equipment Rental, Inc.

20 Theron J. Cole
21 Theron J. Cole
22 Attorney for City & Borough
23 of Sitka

24 Edward A. Stahl
25 Edward A. Stahl
26 Attorney for Defendants
27 S&S General Contractors and
28 John Roger Sudnikovich

29 IT IS SO ORDERED

30 DATED this ^{24th} 21st day of January, 1994.

31 CERTIFICATION

32 I certify that on 24 day of Jan 1994
33 a true copy of this document was placed
34 in attorney's box / mailed to the following:

35 Larry G. Zervos
36 Superior Court Judge

D. Sorensen / J. Cole /

Ed Stahl

By J. Young

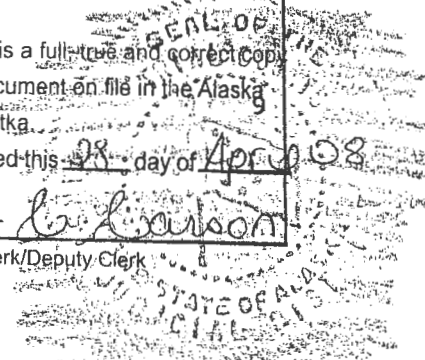
Alaska Court System

STIPULATION FOR JUDGMENT
Nelson v City and Sudnikovich
151-92-440 CI

37 I certify that this is a full, true and correct copy
38 of an original document on file in the Alaska
39 Trial Courts at Sitka.

Signed and sealed this 28 day of Apr 1998

40 by Amy L. Larson
41 Clerk/Deputy Clerk





500 108th Ave. NE Suite 1740
Bellevue, Washington 98004
(425) 827-3193
Fax (425) 576-5113

P.O. Box 32159
Juneau, Alaska 99801
(907) 780-5145
Fax (907) 780-5896

P.O. Box 7038
Ketchikan, Alaska 99901
(907) 225-6491
Fax (907) 225-6492

June 8, 2014

Mr. Connor Nelson and Mrs. Valorie Nelson
4608 Halibut Point Road
Sitka, AK 99835

Re: Response to Letter Dated June 6, 2014

Mr. and Mrs. Nelson:

On behalf of Secon I would like to apologize for the use compression brakes by our trucks. When we first heard of this complaint we instructed our drivers to discontinue use of compression brakes while hauling. It is my hope that this has reduced the disturbance that you were experiencing. If the use of compression brakes continues to be a problem please feel free to contact myself or the project manager directly; so that your concerns may be resolved quickly and without excess involvement. I can be reached at 907-254-0085 or the project manager, Bill Cheeseman at 907-254- 2398.

Best Regards,

A handwritten signature in cursive script that reads "Thomas Mason".

TJ Mason
Project Engineer



**General Contractors
& Equipment Rentals, Inc.**

City and Borough of Sitka
100 Lincoln Street
Sitka, AK 99835

June 9, 2014

RE: Asphalt Plant at S&S Pit
Secon Operating Hours & Use

Attn: Mark Gorman

S&S General Contractors & Equipment Rentals Inc. received a copy of the letter to the City and Borough of Sitka from Connor and Valorie Nelson on 6-6-14 regarding Secon's asphalt plant operating in the S&S Pit. The Nelson's feel as if there has been a list of violations committed, not uncommon for them.

There are two main documents that govern how S&S does operations in the pit. The Conditional Use Permit (CUP) dated January 5, 1995 clearly states what activities can occur and when. Paragraph two, sentence three clearly states the hours of operation are for crushing activities only. Movement of rock and loading of equipment can happen outside those hours, such as loading and hauling. In the Stipulations of Judgment dated January 24, 1994, 1 year prior to the CUP, Item 12 explains the process the Nelson's need to follow if they believe a serious violation of the Stipulations of Judgement have occurred.

Since 1994 a lot has changed in this area of town. A barge terminal and cruise ship dock have been installed across the street that are right out their front door. Barges come and go at all times of day, including at night, and when they are in loading / offloading occurs. This combined with 24 hour a day delivery of fish vans and containers leads to a lot of noise. When the cruise ships are in buses constantly travel between here and town also creating a lot of noise. An asphalt plant has now been temporarily installed by Secon, and some night operations of the plant have occurred. Immediatley after receiving the letter Secon was contacted, and is doing what they can to keep noise limited, see attached letter from Secon. The Nelson's letter identifies 3 items that need to be addressed:

- Hours of operation:
 - o The S&S Pit is zoned industrial. Per the conditional use permit the limited hours of 7:00am to 5:30pm apply only to time that rock is physically processed by equipment. All other activities can occur outside this work window. In addition, both the judgment and conditional use permit allow for modifications to the work hours if weather or contracts require it.
 - o On 12-2-13 S&S submitted a conditional use variance for setting up Secon's asphalt plant that was approved by CBS. The variance specifically identified work would take place outside the hours of 7:00am to 5:30pm.



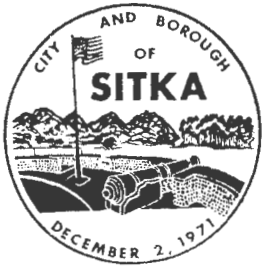
**General Contractors
& Equipment Rentals, Inc.**

- Compression Brakes:
 - o Upon receipt of the letter S&S immediately contacted Seccon regarding the use of compression brakes. Seccon notified their drivers, and all unnecessary compression brake use should now be limited.
- Asphalt Plant Permit:
 - o As identified above the S&S Pit is zoned industrial, and S&S submitted a variance that was approved for Seccon to setup the asphalt plant.

If you have any questions regarding this matter please don't hesitate to contact myself.

Sincerely,

Tim Eddy, President
S&S General Contractors and Equipment Rentals, Inc



City and Borough of Sitka

100 Lincoln Street Sitka, Alaska 99835

Coast Guard City, USA

June 13th, 2014

Tim Eddy, President
S&S General Contractors
P. O. Box 1440
Sitka, Alaska 99835

COPY

Dear Mr. Eddy,

Thank you for your letter to Municipal Administrator Mark Gorman dated June 9th, 2014.

The City and Borough of Sitka deeply appreciates your firm's prompt action on the asphalt plant in the S&S pit and looks forward to additional constructive dialogue.

Unfortunately, the approval of the facility for the S&S pit, in Ms. Bosak's email of December 2nd, 2013 was issued in error. It was the intent of the Planning Office to authorize the asphalt plant in the Granite Creek quarry area consistent with the phone conversation we had with S&S. The authorization was not intended to apply to the S&S pit across from the cove. The approval was inconsistent with Sitka General Code Section 22.20.140 Asphalt plant and concrete batch plants. The approval is herewith rescinded.

I sincerely apologize for any difficulties this rescinding of the approval generates.

The City and Borough understands the position you have taken in your letter of June 9th, 2014. It is the position of the municipality that the Stipulation for Judgment and Order, filed in Sitka Trial Courts January 24, 1994 does not supercede the requirement for Board of Adjustment approval, for an asphalt plant at the S&S pit, under SGC 22.20.140. An asphalt plant was not part of the extensive litigation that resulted in the agreement.

The City and Borough request that S&S General Contractors submit an application for Board of Adjustment approval of the asphalt plant. Once the application is received, it will be handled expeditiously.

There is a broad understanding of the importance of the asphalt plant to the major highway paving project and it is evident that the location of the plant adjacent a major road way has significant impacts.

Thank you for your willingness to continue to work to resolve the issues on this matter. The City and Borough looks forward to expressing our appreciation to Secon Southeast Alaska as well.

A handwritten signature in cursive script, appearing to read "Wells Williams".

Wells Williams, AICP
Planning Director

Cc: Robin Koutchak, Municipal Attorney
Mr. and Mrs. Connor and Valorie Nelson

Maegan Bosak

From: Maegan Bosak [maegan@cityofsitka.com]
Sent: Monday, December 02, 2013 2:50 PM
To: 'Tyler Eddy'
Subject: RE: Conditional Use Variance

Tyler,

Thank you for forwarding the letter. Being that this request is concurrent with the historical use of the property and in line with the current zoning, the Planning Office approves this request.
I will hold onto a copy of the letter for our files.

Please let me know if you have any questions or if I can be of any other assistance.

Thanks,

Maegan Bosak, Planner I
City and Borough of Sitka
907.747.1814

From: Tyler Eddy [mailto:sandstyler@acsalaska.net]
Sent: Monday, December 02, 2013 12:41 PM
To: maegan@cityofsitka.com
Subject: Conditional Use Variance

Attached is a request for an conditional use variance for the S&S pit across from Alaska Marine Lines on Halibut Point Road. Please let me know if you have any questions.

Thanks, Tyler

To: City of Sitka
Attn: Maegan Bosak, Planner I
100 Lincoln Street
Sitka, Alaska 99835

November 29, 2013

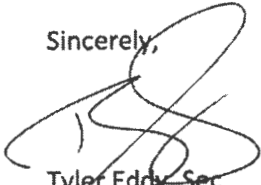
Re: Temporary Variance for Asphalt Plant

Maegan Bosak,

Secon has brought an asphalt plant to Sitka for providing paving services on Halibut Point Road and Sawmill Creek. Attached is Secon's letter requesting a temporary variance to operate out of the S&S pit.

Please let me know if there is anything else that you need with regards to this temporary variance request.

Sincerely,



Tyler Eddy, Sec
S&S General Contractors and Equipment Rentals, Inc



500 108th Ave. NE Suite 1740
Bellevue, Washington 98004
(425) 827-3193
Fax (425) 576-5113

P.O. Box 32159
Juneau, Alaska 99803
(907) 780-5145
Fax (907) 780-5896

P.O. Box 7035
Ketchikan, Alaska 99901
(907) 225-6491
Fax (907) 225-6492

November 27, 2013

Mr. Tyler Eddy
S&S General Contractors
P.O. Box 1440
Sitka, AK 99835

RE: Asphalt Plant at S&S Pit

Dear Mr. Eddy:

We have contacted the City of Sitka regarding the lease of S&S's pit on Halibut Point Road for the use and operation of our asphalt plant under S&S's conditional use permit. It was suggested by the City of Sitka that we send a letter through S&S requesting the variances to the conditional use permit we are seeking. The following information directly pertains to the variances we are requesting:

- The asphalt plant will be setup and operated from April through June of 2014. During this period the plant will operate for approximately 45 days to provide asphalt for paving operations on the Halibut Point Road Improvements, Sawmill Cove Upgrade, and Misc. paving projects
- Secon will vary from Condition 1a per 1c of the permit as follows:
 - During this time period Secon will be operating at nights for 2 weeks. Night shift will be from 7:00PM to 7:00AM.
 - Due to weather windows Secon may also operate on weekends if conditions permit.
 - Typical Work hours will be from 6:30 AM to 5:30PM Monday thru Sunday, but may vary from 4:00 AM to 10:00PM depending upon weather.
- These variances will allow Secon to proceed on the aforementioned projects while minimizing any interference with the general public.

We would appreciate you forwarding these temporary variance requests to the City of Sitka.

Thank you,

A handwritten signature in black ink that reads "TJ Mason". The signature is written in a cursive style and is followed by a horizontal line.

TJ Mason
Project Engineer

PAUL/LAMOYNE SMITH TRUST
SMITH, PAUL, J./LAMOYNE, K.
P.O. BOX 777
WALNUT GROVE CA 95690

JOHN/JUDITH SUDNIKOVICH
SUDNIKOVICH, JOHN/JUDITH
P.O. BOX 1171
SITKA AK 99835

PAUL/LAMOYNE SMITH TRUST
SMITH, PAUL, J./LAMOYNE, K.
P.O. BOX 1006
SITKA AK 99835

JOSHUA/BRIAN JOSHUA/BRIAN
JOHNSON/BLANKENSHIP
JOHNSON, JOSHUA/BLANKENSHIP, BRIAN
103 HORIZON WAY
SITKA AK 99835

4607 HALIBUT PT. ROAD, SITKA, LLC
4607 HALIBUT PT. ROAD, SITKA, LLC
P.O. BOX 3757
SEATTLE WA 98124

COVE MARINA, INC
7321 NE WM. Rogers Rd
Ind ianola, WA 98342

Richard/Marilyn Guhl
721 Sirstad St.
Sitka, AK 99835

Alfred Willard
202 N. Klein St, #A3
Anchorage, AK 99508

Connor/Valerie Nelson
107 Littlebyrd Way
Sitka, AK 99835

Assembly Mailing
July 1, 2014

S&S General Contractors
Temporary Use Permit
4660 Halibut Point Road



**General Contractors
& Equipment Rentals, Inc.**

To: City of Sitka
Attn: Ms. Mim McConnell, Mayor
100 Lincoln Street
Sitka, Alaska 99835

July 2nd, 2014

Re: Asphalt Plant Temporary Use Permit

Ms. Mim McConnell and the City and Borough of Sitka Assembly,

S&S prefaces its comments below with the disclaimer that it does not believe it needs to apply for a conditional use permit in order for SECON to operate an asphalt plant where it currently is located based upon both a settlement agreement, current regulations, and established uses by other operators of asphalt plants within the confines of City and Borough of Sitka. S&S is making the conditional use request delineated below as an accommodation to SECON and CBS in order that the road job may continue without delays which could be costly to all parties. Therefore by making the request below S&S waives no rights and specifically reserves the right to establish that no conditional use permit is needed for an asphalt plant either now or in the future at the current location of the SECON asphalt plant. With that understanding S&S on behalf of SECON makes the following request.

S&S is requesting an asphalt plant temporary use permit for the S&S rock pit on Halibut Point Road. This asphalt plant will be used by SECON who is currently leasing the S&S pit to complete paving operations on the Sawmill Creek Road Project (DOT #68216) and Halibut Point Project (DOT #69351). The following information details our anticipated operation:

- **Plant Type:** We are using an Almix asphalt plant. This plant consist of a silo, dryer drum, bag house, oil tank, button house, 2 generators, laboratory, and a set of aggregate feeders. Additionally we store asphalt oil in shipping containers onsite and aggregate. For both projects we require 6 separate aggregate piles for the different types of asphalt we will be placing.
- **Plant Use:** We are contracted to perform all of the paving on the Sawmill Creek Road Project (DOT#69351) for 2014 and the Halibut Point Road Project (DOT#68216). This plant is critical for the completion of these projects.
- **Plant Location and Access:** The plant is located at 5.5 mile Halibut Point Road in S&S rock pit. The S&S pit is located in an area surrounded by trees with direct access to Halibut Point Road.
- **Overall Duration:** We plan on operating till August 31, 2014; however, depending on weather and scope changes in the project we may operate till September 15, 2014.
- **Days of Operation:** The nature of our work is incredibly weather dependent, as a result we may be required to pave on weekends to meet our projected schedule.



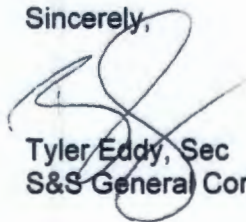
**General Contractors
& Equipment Rentals, Inc.**

- *Hours of Operation:* Hours of operation are variable based on the demands of the projects. Paving that is performed at night to minimize traffic congestion and delays to general public. We also adjust our hours of operations based on weather windows.
- *Noise:* The asphalt plant generates lower noise than traditionally generated by typical quarry operations. Noise at the edge of the property is less than routine truck traffic.
- *Dust:* There is no dust generated by the operations.

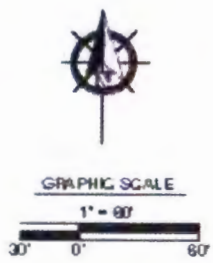
The Halibut Point Road Project and Sawmill Creek Road Project are critical for maintaining these high volume roads. The Alaska Department of Transportation has invested a significant amount of time and other resources in planning and developing these projects. Timely completion will benefit all residents of Sitka, as well as, visitors. The S&S pit on Halibut Point Road is an ideal location because of its size and proximity to the Halibut Point Road project which is where the majority of SECON's work will take place. There are no other realistic options that provide the space and proximity required.

S&S General Contractors and Equipment Rentals, Inc would appreciate it if you could add our request to the agenda for the assembly meeting on July 8th, 2014. Thank you for your consideration. S&S looks forward to SECON continuing their operations so that they can provide quality finished projects for the community of Sitka.

Sincerely,



Tyler Eddy, Sec
S&S General Contractors and Equipment Rentals, Inc



No.	Date	By	Reason

Revised: **S&S PIT SITKA**

DRAWING PREPARED FOR
S&S GENERAL CONTRACTORS

Date: November 11, 2019	Scale: 1"=80'
Drawn By: M.J.H.	
	Sheet 1

10/23/19 11:54 AM 5/25/20 10:21 AM 5/25/20 10:21 AM 5/25/20 10:21 AM

Colleen Ingman

From: Mike Clementz <mikeclementz@hotmail.com>
Sent: Monday, July 07, 2014 4:02 PM
To: Colleen Ingman
Subject: S&S Contractors temporary use permit for asphalt facility

Colleen: Cove Marina, Inc. fully supports this request by S & S Contractors for the use of a temporary permit for an asphalt facility to house a temporary plant for the paving of HPR.

I am sending this on behalf of myself, Chuck McCraw and Chris Perlatti – equal shareholders in Cove Marina Inc.

Signed: Michael J. Clementz, President of Cove Marina Inc

e mail address: mikeclementz@hotmail.com

phone: 360-552-5014

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 22.30240A*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.

** * **