



CITY AND BOROUGH OF SITKA

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

Meeting Agenda City and Borough Assembly

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

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

Tuesday, February 24, 2015

6:00 PM

Assembly Chambers

REGULAR MEETING

I. CALL TO ORDER

II. FLAG SALUTE

III. ROLL CALL

IV. CORRESPONDENCE/AGENDA CHANGES

A [15-019](#) Reminders and Calendars

Attachments: [Reminders Calendars](#)

V. CEREMONIAL MATTERS

None Scheduled

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

None pre-scheduled

VII. PERSONS TO BE HEARD

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

VIII. REPORTS

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

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

- B** [15-014](#) Approve the minutes of the February 10, 2015 Assembly meeting.
Attachments: [Consent Motion](#)
[Minutes](#)
- C** [15-013](#) Appointments CONSENT:
I) Employment Relations Board Appoint One - John Holst
II) Historic and Human Services Commission (STA Appointment) - Robert Sam, Mike Miller (Alternate)
Attachments: [Appointments single](#)
- D** [15-015](#) Appointments NON-CONSENT:
III) Planning Commission Appoint One (unexpired term): 1) John Welsh; 2) Scott K. Saline, 3) Shelia Finkenbinder, 4) Ralph K. Ash, 5) Mary-Jane (Emjay) Messinger, 6) Alexandria Jajduch, 7) Randy Hughey
Attachments: [Nomination Planning Applicants](#)
[Planning Commission Applicants](#)
[Planning Applicant](#)

Needs to be PULLED to have a separate vote taken due to number of candidates
- E** [RES 15-09](#) Requesting the North Pacific Fishery Management Council reduce Halibut bycatch in the Gulf of Alaska and Bering Sea Trawl Fisheries by lowering Halibut prohibited species catch CAPS by not less than 50% of the current limits. And further requesting that Governor Walker make his nominations of Alaskans to serve on the North Pacific Council contingent on a mandate to reduce the quantity of Halibut bycatch in the Gulf of Alaska and Bering Sea Trawl Fisheries by not less than 50% of the current limits
Attachments: [RES 15-09 Halibut Bycatch](#)
- F** [15-016](#) Approve Professional Services Contract to LEI ENgineering & Surveying for Nelson Logging Road Upgrade - Phase I and authorize the Administrator to approve future amendments to complete final design & permitting upon completion of Phase I - not to exceed \$117,360.00
Attachments: [Nelson Logging Road Award](#)

- G** [15-018](#) Approve and enter into a Professional Services Contract with Microsoft to host the CBS email system as well as standardize Microsoft software across the City

Attachments: [Microsoft Service Contract](#)

X. UNFINISHED BUSINESS:

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

Attachments: [MOTION ORD 15-03 A](#)

[2015-03 Dissolve SCVB AMENDED.pdf](#)

[SCVB Overview](#)

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

Attachments: [MOTION ORD 15-06A](#)

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

[Ord 2015-06A.pdf](#)

- J** [ORD 15-07](#) Amending Sitka General Code Title 15 "Public Utilities" by adding a new Chapter 15.07 entitled "Storm Drainage"

Attachments: [MOTION ORD 15-07](#)

[Memo Ordinance 2015-07.pdf](#)

[Ordinance 2015-07.pdf](#)

[CBS Stormwater Design Standards.pdf](#)

[Notice to local Contractors.pdf](#)

[Planning Commission recommendation.pdf](#)

XI. NEW BUSINESS:

New Business First Reading

- K** [ORD 15-08](#) An ordinance of the City and Borough of Sitka, Alaska amending Sitka General Code Title 22 Zoning under Chapter 22.20 Supplemental District Regulations and Development Standards
And updating Chapter 22.16 District Regulations, Table 22.16.015-1 to allow for and regulate accessory dwelling units (ADJUS) as a permitted or conditional use
Attachments: [MOTION ORD 15-08](#)
[ORD 2015-08 ADUs](#)
- L** [ORD 15-09](#) Amending SGC Chapter 2.38 "Gary Paxton Industrial Park Board" at Section 2.38.080 (A)7(a) "General Powers"
Attachments: [MOTION ORD 15-09](#)
[Ord 2015-09 ORD VS RES](#)
- M** **ORD 15-10** An Ordinance of the City and Borough of Sitka Amending Title 15 of the Sitka General Code to Increase Wastewater Rates at Sections 15.04.100 Entitled "Service Connection Charge", 15.04.320 Entitled "Rates And Fees" and to Increase Solid Waste Treatment and Refuse Collection Fees at Section 15.06.035 Entitled Rates for Treatment and Collection PULLED

Additional New Business Items

- N** [15-017](#) Discussion/Direction on assigning the Health Needs and Human Services Commission or another committee with the task of organizing public meeting to discuss the health aspects of marijuana and reporting their findings back to the Assembly
Attachments: [Discussion Direction Public Meetings on Marijuana](#)

XII. PERSONS TO BE HEARD:

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

XIII. EXECUTIVE SESSION**XIV. ADJOURNMENT**

*Colleen Ingman, MMC
Municipal Clerk
Publish: 2-20-15*



Legislation Details

File #: 15-019 **Version:** 1 **Name:**
Type: Correspondence **Status:** AGENDA READY
File created: 2/19/2015 **In control:** City and Borough Assembly
On agenda: 2/24/2015 **Final action:**
Title: Reminders and Calendars
Sponsors:
Indexes:
Code sections:
Attachments: [Reminders Calendars](#)

Date	Ver.	Action By	Action	Result
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REMINDERS

<u>DATE</u>	<u>EVENT</u>	<u>TIME</u>
Tuesday, February 24	Regular Meeting	6:00 PM
Tuesday, March 10th	Regular Meeting	6:00 PM
Congressional Trip week of March 2nd.		



**In Honor of Heart Health Month
Do something to keep your heart healthy!**

Assembly Calendar

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

February 2015

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

Assembly Calendar

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

March 2015

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



Legislation Details

File #: 15-014 **Version:** 1 **Name:**
Type: Minutes **Status:** AGENDA READY
File created: 2/18/2015 **In control:** City and Borough Assembly
On agenda: 2/24/2015 **Final action:**
Title: Approve the minutes of the February 10, 2015 Assembly meeting.
Sponsors:
Indexes:
Code sections:
Attachments: [Consent Motion](#)
[Minutes](#)

Date	Ver.	Action By	Action	Result
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CONSENT AGENDA

POSSIBLE MOTION

**I MOVE TO APPROVE THE CONSENT AGENDA
CONSISTING OF ITEMS, B, C, E, F & G**

I wish to remove Item(s) D

**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 February 10, 2015 Assembly meeting.



CITY AND BOROUGH OF SITKA

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

Minutes - Draft City and Borough Assembly

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

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

Tuesday, February 10, 2015

6:00 PM

Assembly Chambers

REGULAR MEETING

I. CALL TO ORDER

II. FLAG SALUTE

III. ROLL CALL

Present: 5 - McConnell, Hunter, Swanson, Guevin, and Putz

Absent: 2 - Miyasato, and Eisenbeisz

IV. CORRESPONDENCE/AGENDA CHANGES

15-012 Correspondence and Reminders

Mayor McConnell requested Item J be moved ahead of item F.

Putz commented many of the Public Works projects were funded by state grants and expressed concern that with the recent budget shortfalls some grants may be unfunded. Administrator Gorman commented that staff was working with Senator Stedman's office, had captured outstanding grants and balances and would monitor the situation.

V. CEREMONIAL MATTERS

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

Rob Allen, Interim CEO of Sitka Community Hospital, reported the cash situation was stable. Allen noted an interim CFO had been hired and hoped to provide a cash flow analysis in the near future. He also reported an interim compliance officer had been hired. Allen added the Hospital, with grant funding, was working with the Daily Sitka Sentinel to provide reflective vests for paper carriers.

15-009 Update on Electric Rates - Utility Director, Chris Brewton

Chris Brewton, Utility Director, provided a report on electric rates. Brewton noted CBS was currently 12.7% behind in sales revenue and thus a rate increase would be coming forward in the near future.

VII. PERSONS TO BE HEARD

None.

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

Mayor - Attended the Innovation Summit in Juneau where she had the opportunity to network with people and volunteered to be a "champion" for the new Arts and Culture Cluster group for Southeast Alaska. Also attended the Governor's Awards Ceremony for the Arts and Humanities because the Sitka Fine Arts Camp received an award. The Assembly met with the Sitka Tribal Council members recently sharing a fine meal and good company; a full agenda of topics was discussed. Mayor McConnell was honored to attend the Civil Air Patrol award ceremony where a 16 girl was promoted. She was impressed by the young people involved in this organization and appreciative of the adults who give their time to guide them. Sponsored the Community Heroes table at the Sitka Chamber of Commerce Awards Gala. The Big Brothers Big Sisters organization was the honoree and it was good to meet some of their dedicated volunteers and support their cause. Met with the CEO of Sealaska, Anthony Mallott, and two of his staff members and talked about their plans for the region. Joined staff and CBS lobbyist for a lobbying trip in Juneau. The main takeaway from the day was don't ask the state for money unless it's for health and safety and expect budget cuts, including a possible loss or decrease of municipal sharing. They were interested in hearing about non-monetary actions they could take. Some that were mentioned were capping the PERS/TRS past service cost amount at 22% of salary and repealing termination studies; and either funding the Senior/Veteran property tax exemption or repealing it and giving control to local governments for those decisions. Attended the 150th Commemoration meeting. A steering committee had been formed. McConnell reported she was on the committee but was looking for an assembly member to take her place or serve as an alternate.

Administrator- Reported work had resumed on Kettleton Memorial Library, a Department Head Retreat was held at UAS, announced Wendy Lowrance had accepted the Assessor position and would begin in April, reported on recent legislative trip.

Attorney - Reported she was continuing to work on the issues related to marijuana regulation.

Liaisons - Guevin reported on the recent School Board meeting and reminded there would be a worksession with the School Board and Assembly on February 11.

IX. CONSENT AGENDA**A 15-005** Approve the minutes of the January 27, 2015 Assembly meeting

This item was APPROVED on the Consent Agenda.

B RES 15-06 Supporting the Native American Tourism and Improving Visitor Experience Native Act

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

Yes: 5 - McConnell, Hunter, Swanson, Guevin, and Putz

Absent: 2 - Miyasato, and Eisenbeisz

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

This item was APPROVED on the Consent Agenda.

X. UNFINISHED BUSINESS:

D ORD 15-05 Adjusting the FY15 Budget

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

Yes: 5 - McConnell, Hunter, Swanson, Guevin, and Putz

Absent: 2 - Miyasato, and Eisenbeisz

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

Tonia Rioux of the Sitka Convention Visitors Bureau (SCVB) expressed concern over the use of bed tax in this fund and that there would possibly be less money available for marketing. Evy Kinnear, SCVB board member, expressed some of those same concerns.

Hunter explained his thoughts for supporting this fund and its purpose. The money would be given to an organization based on the services provided and maintained in a special revenue fund to be used for marketing. Putz also added the fund would be flexible but it was clear the money would be spent on marketing and tourism.

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

Yes: 5 - McConnell, Hunter, Swanson, Guevin, and Putz

Absent: 2 - Miyasato, and Eisenbeisz

XI. NEW BUSINESS:**New Business First Reading as Amended**

- J 15-007** Appoint Melissa Greenhalgh to an unexpired term on the Port and Harbors Commission and appoint two of the following to two unexpired terms on the Hospital Board: Robert J. Bell, Gloria Hagerman, Valorie Nelson, Brooke Volschenk

Hunter thanked Greenhalgh for her interest in serving on the Port and Harbors Commission.

A motion was made by Hunter that Melissa Greenhalgh be appointed to the Port and Harbors Commission. The motion PASSED by the following vote.

Yes: 5 - McConnell, Hunter, Swanson, Guevin, and Putz

Absent: 2 - Miyasato, and Eisenbeisz

Municipal Attorney Koutchak noted that Bell's wife worked at Sitka Community Hospital however that wasn't a reason to disqualify him. Koutchak pointed out that a current member of the Hospital Board had a daughter and son-in-law who worked at the Hospital.

A motion was made by Swanson to nominate Robert J. Bell, Gloria Hagerman, and Brooke Volschenk to fill two unexpired terms on the Hospital Board. A vote was taken. Hagerman received 5 votes, Volschenk received 4 votes, and Bell received 1 vote. Hagerman and Volschenk were appointed.

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

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

Yes: 5 - McConnell, Hunter, Swanson, Guevin, and Putz

Absent: 2 - Miyasato, and Eisenbeisz

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

Mike Svenson spoke to the issue of public safety and marijuana consumption.

Andrea Thomas thanked staff for further clarifying the ordinance but wondered how

private clubs were affected.

Assembly members discussed whether or not marijuana use would be excluded in private clubs. Administrator Gorman and Attorney Robin Koutchak noted that there would be opportunities to further refine the ordinance but reminded it was important to pass the ordinance as it pertained to public consumption prior to the state law going into effect February 24 legalizing personal use.

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

Yes: 5 - McConnell, Hunter, Swanson, Guevin, and Putz

Absent: 2 - Miyasato, and Eisenbeisz

New Business First Reading

H ORD 15-07 Amending Sitka General Code Title 15 "Public Utilities" by adding a new Chapter 15.07 entitled "Storm Drainage"

Dan Tadic, Municipal Engineer, explained the ordinance and stated it would cover new construction from this point forward. The ordinance was established to promote, protect and preserve the public interest by regulating the planning, construction and maintenance of public and private storm drainage systems within the CBS.

Hunter and Putz thanked staff for their work.

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

Yes: 5 - McConnell, Hunter, Swanson, Guevin, and Putz

Absent: 2 - Miyasato, and Eisenbeisz

I RES 15-08 Increasing permanent and temporary moorage rates

Kevin Knox, Chairman of the Port and Harbors Commission, offered support of the resolution.

Hunter thanked staff and members of the public for their work.

Jay Sweeney, Chief Finance and Administrative Officer, noted if rate increases were avoided now there would be a massive rate increase in the future. Increasing the rates now allowed for a reasonable rate increase and put the City in a position to do harbor rebuilds in the time periods that were required.

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

Yes: 5 - McConnell, Hunter, Swanson, Guevin, and Putz

Absent: 2 - Miyasato, and Eisenbeisz

Additional New Business Items

K 15-008 Board of Adjustment: Approve a conditional use permit request filed by Corrie Bosman for operation of a two bedroom bed and breakfast at 629 DeGroff Street

A motion was made by Hunter to convene as the Board of Adjustment. The motion PASSED by a unanimous voice vote.

Scott Brylinsky, Interim Planning Director, gave an overview of the request.

Corrie Bosman, applicant, came forward and explained her plans for the two guestroom bed and breakfast and stated use would be minimal.

Janet Eddy spoke in support of the request.

A motion was made by Hunter to APPROVE a conditional use permit request filed by Corrie Bosman for a two bedroom bed and breakfast at 629 DeGroff Street under the following findings and conditions as proposed by the Planning Commission:

FINDINGS

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

The request is supported by general approval criteria as follows:

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

4. Use characteristics of the proposed conditional use that affect adjacent uses and districts, including hours of operation, number of persons, traffic volumes, off-street parking and loading characteristics, trash and litter removal, exterior lighting, noise, vibration, dust, smoke, heat and humidity, recreation and open space requirements, specifically applicant has shown adequate off street parking;
 5. Community appearance such as landscaping, fencing and screening, dependent upon the specific use and its visual impacts.
- The following criteria determining impacts of conditional uses have been considered.
- a. Amount of vehicular traffic to be generated and impacts of the traffic on nearby land uses.
 - b. Amount of noise to be generated and its impacts on surrounding land uses.
 - c. Odors to be generated by the use and their impacts.
 - d. Hours of operation.
 - e. Location along a major or collector street.
 - f. Potential for users or clients to access the site through residential areas or substandard street creating a cut through traffic scenario.
 - g. Effects on vehicular and pedestrian safety.
 - h. Ability of the police, fire, and EMS personnel to respond to emergency calls on the site.
 - i. Logic of the internal traffic layout.
 - j. Effects of signage on nearby uses.
 - k. Presence of existing or proposed buffers on the site or immediately adjacent the site.
 - l. Relationship if the proposed conditional use is in a specific location to the goals, policies, and objectives of the comprehensive plan.
 - m. Other criteria that surface through public comments or planning commission assembly review.

CONDITIONS

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

The motion PASSED by the following vote.

Yes: 5 - McConnell, Hunter, Swanson, Guevin, and Putz

Absent: 2 - Miyasato, and Eisenbeisz

A motion was made by Hunter to reconvene as the Assembly in regular session. The motion PASSED by a unanimous voice vote.

L 15-006 Discussion/Direction on the municipal taxation report from Michael Gatti

Attorney Robin Koutchak gave an overview of the report.

Assembly members discussed options such as a municipal income tax, fuel tax, and other possible ideas for taxation.

The Assembly directed staff to schedule a worksession with Michael Gatti for April.

M 15-010 Discussion/Direction on a language change to Sitka General Code 2.38.080 Gary Paxton Industrial Park Board General powers (A)(7)(A)

Attorney Robin Koutchak explained that most of the Code and Charter mandated disposal or sale of land be done by ordinance, however, in the Code dealing with the Gary Paxton Industrial Park, the language stated that sale, purchase or trade of land be approved by resolution.

Assembly members offered their thoughts on changing the language from resolution to ordinance to make it consistent with the rest of the Code. Direction was given to staff to draft an ordinance changing the language from resolution to ordinance.

XII. PERSONS TO BE HEARD:

Randy Hughes, Assessor, reminded the public February 15 was the deadline for filing real property tax exemptions, senior exemptions, disabled veteran exemptions, community purpose exemptions and personal property surveys.

Nancy Yaw-Davis offered it would be helpful to explain to the public what transpired with the recent sales at the Gary Paxton Industrial Park. Yaw-Davis stated individuals were not informed with marijuana regulations. She thanked the Assembly for their service.

XIII. EXECUTIVE SESSION**N 15-011 Baranof Island Brewing Company Loan**

Mayor McConnell recused herself stating that the Baranof Island Brewing Company was a client of hers.

Shannon Haugland of the Daily Sitka Sentinel and Rachel Waldholz of Raven Radio reminded the Assembly of the parameters of Executive Session and asked for a summary after the Session finished.

A motion was made by Putz to go into Executive Session with Chief Finance and Administrative Officer Jay Sweeney under the statutory categories of discussing subjects that tend to prejudice the reputation and character of any person and to discuss matters, the immediate knowledge of which would adversely affect the finances of the City and Borough of Sitka and invite Suzan Hess and Rick Armstrong of Baranof Island Brewing Company in when ready. The motion PASSED by the following vote.

Yes: 4 - Hunter, Swanson, Guevin, and Putz

Absent: 2 - Miyasato, and Eisenbeisz

Recused: 1 - McConnell

The Assembly went into Executive Session from 8:25pm to 9:25pm.

A motion was made by Putz to reconvene as the Assembly in regular session. The motion PASSED by a unanimous voice vote.

A motion was made by Swanson to direct the Municipal Administrator to report back to the Assembly after 90 days on the status of Baranof Island Brewing Company's two promissory notes. The motion PASSED by the following vote.

Yes: 4 - Hunter, Swanson, Guevin, and Putz

Absent: 2 - Miyasato, and Eisenbeisz

Recused: 1 - McConnell

XIV. ADJOURNMENT

A motion was made by Putz to ADJOURN. Hearing no objections the meeting ADJOURNED at 9:29pm.

ATTEST: _____

**Sara Peterson, CMC
Acting Municipal Clerk**



Legislation Details

File #: 15-013 **Version:** 1 **Name:**
Type: Appointment **Status:** AGENDA READY
File created: 2/18/2015 **In control:** City and Borough Assembly
On agenda: 2/24/2015 **Final action:**
Title: Appointments CONSENT:
I) Employment Relations Board Appoint One - John Holst
II) Historic and Human Services Commission (STA Appointment) - Robert Sam, Mike Miller (Alternate)

Sponsors:

Indexes:

Code sections:

Attachments: [Appointments single](#)

Date	Ver.	Action By	Action	Result
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If this item is pulled from the consent agenda the following motion would be in order:

POSSIBLE MOTION

I MOVE to appoint John Holst to a term on the Employment Relations Board;and Robert Sam and alternate Mike Miller as STA representatives on the Historic and Human Services Commission



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

Board/Commission/Committee: Employment Relations Board
 Name: John Holst Daytime Phone: 907-738-7935
 Address: PO Box 1954 Evening Phone: Same
 Email Address: holstj@gcio.net Fax Number: NA
 Length of Residence in Sitka: 21 years Registered to vote in Sitka? Yes No
 Employer: Self Employed / Semi Retired
 Organizations you belong to or participate in:
Past Assembly Member Former Supt of Schools
Past SEDA Board Education Consortium 1993-2001

Explain your main reason for applying:
It is important to have "labor peace"... I believe I can help that to happen.

What background, experience or credentials will you bring to the board, commission, or committee membership?
Prior Supt of Schools
Former Assembly Member @ the time the original agreements were done

Please disclose any potential conflicts of interest that may arise from your appointment. These may include but are not limited to:

- A substantial financial interest of \$1000 annually that could be influenced by your appointment.
- An immediate family member employed within the scope of this appointment.

None that I am aware of having

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

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

Date: 2/5/15 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

RESUME

John Holst
Alaska Educational Options
P.O. Box 1954
Sitka, AK 99835
(907) 738-7935
holstj@gci.net

HIGHER EDUCATION

B.A., University of Wisconsin-River Falls, 1969, English Secondary Education
M.S., University of Wisconsin-River Falls, 1976, Educational Administration

PROFESSIONAL EXPERIENCES

2010-Present, Executive Manager, Sheldon Jackson College Trustees
2001-Present, Management Consultant
1993-2001, Superintendent of Schools, Sitka, Alaska
1990-1993, Superintendent of Schools, Craig, Alaska
1985-1990, Principal of Ketchikan High School, Ketchikan, Alaska
1982-1985, Principal of Valley Park Elementary, Ketchikan, Alaska
1980-1982, Vice Principal of Ketchikan High School, Ketchikan, Alaska
1977-1980, Principal of Prentice High School, Prentice, Wisconsin
1969-1977, English and Math Teacher, Spring Valley, Wisconsin

MUNICIPAL GOVERNMENT ACTIVITIES & ORGANIZATIONS

Facilitated Leadership Retreat – Senior Staff of the City and Borough of Sitka, February, 2014
Coordinated/Facilitated Land Sale, City and Borough of Sitka, 2013
Advisor to the Sitka Economic Development Association 2005 - Present
Assembly Member – City and Borough of Sitka, 2005 - 7
Sitka Economic Development Association Founding Board Member, 1995 - 2005
Facilitated Goal Setting – Assembly of the City and Borough of Sitka, 2003
Chaired Sitka Education Consortium for Economic Development, 1993 - 2001, \$4.2 million Impact
Presiding Member of Ketchikan City and Borough Planning Commission, 1983 - 1989

OTHER PROFESSIONAL ACTIVITIES

Facilitated Numerous Strategic Planning Sessions for Organizations/Companies in Sitka
Facilitated Strategic Planning for Denali Borough School District, 1999 - 2005
School Improvement Planning & Facilitation in Numerous School Districts and Sites, 2001 – Present
Mentoring of Principals in Numerous Alaskan Schools, 2001 – Present
Professional Services for Avant Garde Learning, Anchorage, 2005 – Present
Facilitated Highly Successful Strategic Plan for the Sitka School District
Accomplished Legislative Lobbyist for the Sitka School District

PROFESSIONAL PUBLICATIONS AND PRESENTATIONS

Subject of National School Board Association's Team Leadership, 2002
Numerous Professional Presentations to School Board Association Annual Meetings, 1992 – 2000
"Small School Districts Can Also Succeed with Strategic Planning" *Strategic Planner*, 1992



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

Board/Commission/Committee: Historic Preservation
Name: Robert Sam Daytime Phone: 623-7097
Address: 448 Kathleen St Evening Phone: 623-7097
Email Address: bob.sam@sitkatrIBE-nSn.gov Fax Number: 747-4915
Length of Residence in Sitka: life long Registered to vote in Sitka? [X] Yes ___ No
Employer: self-employed
Organizations you belong to or participate in: Sitka Tribe of Alaska council member

Explain your main reason for applying: original founding commission member - returning

What background, experience or credentials will you bring to the board, commission, or committee membership?
won numerous state & federal historic preservation awards; NAGPRA experience, etc.

Please disclose any potential conflicts of interest that may arise from your appointment. These may include but are not limited to:

- A substantial financial interest of \$1000 annually that could be influenced by your appointment.
An immediate family member employed within the scope of this appointment.

None

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

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

Date: 1.30.15 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? [X] Yes ___ No

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



Sitka Tribe of Alaska
456 Katlian Street
Sitka, Alaska
Office - 907-747-3207
Fax - 907-747-4915

January 26, 2014

Colleen Ingman, Municipal Clerk
City & Borough of Sitka
100 Lincoln Street
Sitka Alaska 99835

Dear Ms. Ingman:

The Sitka Tribe of Alaska Tribal Council has elected council member Robert Sam to serve as the STA representative on the Historic Preservation Commission, and council member Mike Miller as alternate member in the event Mr. Sam cannot serve.

If there is anything further we need to provide, please contact KathyHope Erickson at the phone number or e-mail address below.

Thank you very much.

Sincerely,

Michael A. Baines, Chairman
Sitka Tribe of Alaska



Legislation Details

File #: 15-015 **Version:** 1 **Name:**

Type: Appointment **Status:** AGENDA READY

File created: 2/18/2015 **In control:** City and Borough Assembly

On agenda: 2/24/2015 **Final action:**

Title: Appointments NON-CONSENT:
III) Planning Commission Appoint One (unexpired term): 1) John Welsh; 2) Scott K. Saline, 3) Shelia Finkenbinder, 4) Ralph K. Ash, 5) Mary-Jane (Emjay) Messinger, 6) Alexandria Jajduch, 7) Randy Hughey

Sponsors:

Indexes:

Code sections:

Attachments: [Nomination Planning Applicants](#)
[Planning Commission Applicants](#)
[Planning Applicant](#)

Date	Ver.	Action By	Action	Result
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POSSIBLE MOTION

Planning Commission

I NOMINATE John Welsh, Scott Saline, Shelia Finkenbinder, Raph Ash, Mary-Jane Messigner, Alexandria Jajduch, and Randy Hughey to fill an unexpired term on the Planning Commission. **Be prepared to vote on your choice – ONE seat is open**

MEM	Welsh	Saline	Finkenbinder	Ash	Messigner	Hughey	Jajduch
MP							
SE							
MH							
MM							
TG							
AS							

The candidate getting the greatest number of votes (with a minimum of four) will be appointed.



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

Board/Commission/Committee: Planning Commission

Name: John Welsh 747-3533 Daytime Phone: 752-7433 (cell.)

Address: 409 B De Armond St.

Email Address: welshmx@yahoo.com Fax Number: _____

Length of Residence in Sitka: 5 Registered to vote in Sitka? Yes No

Employer: Sitka Cabs, / Fishing Vessel SEAWAY

Organizations you belong to or participate in: Sitka School District. Father of three students currently Enrolled. I have no conflicts of interest.

Explain your main reason for applying: I am interested in and have many ideas to contribute to planning affordable housing in Sitka I'd like to see Sitka become a place where young people can get a start and build a life. .

What background, experience or credentials will you bring to the board, commission, or committee Membership? I have an extensive background in business and in education. My many years working with environmental impact plans in forestry, equip me to understand land issues. I have built alternative housing. As an educator, I worked in complex committee and organiztional settings. As a logger, I developed a 'go for it' ethic and a belief that nothing is too steep or too hard.

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: Feb 5, 2015 Signature: John E. Welsh

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

Letter Supporting John Welsh's
Application for Planning Commission.

Dear Assemblypersons,

I would like to work on the Planning Commission, first to greatly expand my knowledge of the dynamics of property in Sitka and, secondly, to collaborate in planning that makes Sitka a place where all our children who want to can get a start, become homeowners, and stay here, happy and successful.

My present area of interest is affordable housing. I've been following press reports on the project on Lillian Street. An incredibly interesting idea is at play in that experiment in affordable housing. Namely, the buyer will not own the land. I have heard criticism by people who said they would apply if not for that factor. Yet, actually, this is a very advanced concept of 'ownership.' This is akin to the tribal or ejidal belief that individuals do not own the land. Individuals acquire certain rights to certain parcels and to the structures they call home, but society owns the land; the land is everybody's. In fact, even in the general American ethic of private ownership, the land is not owned absolutely in a totally private way. It can slip away or change hands in a variety of legal or governmental ways. As a member of the commission, I would like to study and develop creative perspectives on ownership, perspectives that at some point may enable Sitka to organize land use in new ways, ways that let young folks get started, have a good place, and thrive. I have much more to say about this, to learn about this, and to think about. I would like to do so in the context of discussion with the other commission members, and with the knowledge I will gain by participating on the commission.

I ask the Assembly for the chance to participate as a member of the Planning Commission, so that I can become effectively involved in the issues and opportunities that either are foreseen, or that will emerge during both the near and long-term future of our community.

Respectfully,
John Welsh



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

Board/Commission/Committee: PLANNING
Name: Scott K. Satine Daytime Phone: 738 7889
Address: _____ Evening Phone: _____
Email Address: shsatine@gci.net Fax Number: _____
Length of Residence in Sitka: 34 years Registered to vote in Sitka? Yes ___ No
Employer: self employed

Organizations you belong to or participate in:
SITKA VETERANS, ALASKA NATIVE SISTERSHOOD, Ground source heat Pump Assn. AND REFRIGERATION ENGINEERS SOCIETY, GEO EXCHANGE.ORG

Explain your main reason for applying:
GET EDUCATED ON WHY SITKA IS HARDER TO SURVIVE IN THAN WHEN I MOVED HERE TO BECOME ALASKAN AND LIVE HERE IN 1981

What background, experience or credentials will you bring to the board, commission, or committee membership?
2 YEARS ATTENDING SITKA COLLABORATION n I'VE BOUGHT MORE BLUE TREES THAN...? STAKE HOLDER IN REVITALIZING INDIAN VILLAGE.

Please disclose any potential conflicts of interest that may arise from your appointment. These may include but are not limited to:

- A substantial financial interest of \$1000 annually that could be influenced by your appointment.
- An immediate family member employed within the scope of this appointment.

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 FEB 2015 Signature: [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

Outline: education: High School - St. Anthony Village MN
US Navy - Boot camp San Diego 1976
Submarine School 1977
U.S. Navy SCUBA School 1978
Damage Control School 1978
Hospital Corpsman Striker 1977
Fire Control Watchstander 1977
Nuclear Weapons Security Guard -
QM3 (SS/DV)
3 years 3 mo stationed on
USS QUEENTISH SSN 651

Trade Schools Divers Inst of Tech Seattle
1981 mixed gas
Diving Medical Tech @
College of Oceanwreing L.A. CA
1986
Dunwoody Institute 1994-95
Refrigeration

CCF - climate master / water surronve
Rehau Academy -
Wisdom + ASSO every 2 years

Permits: Sea Cucumbers / 3K Halibut IFQ
Admin # 962 unlimited Refrigeration
state of ALASKA -

self employed: through Refrigeration + Halibut

Volunteers: city of SITKA (fisheries committee 1997)
" (fire dept advisory 2009?)
" 2 years attendance in SITKA collaboration

34 years of watching hard working people move to Gustavus
Pelkissburg and Wrangell because SITKA's rent speaking code
chokes vision and I feel I can reverse these causes
ONCE I get educated from being on planning
Commission

Sheila Finkenbinder

415 DeArmond Street, Sitka, AK 99835
907.738.3098 ~ sitkasheila@gmail.com

Mayor Mim McConnell
City & Borough of Sitka Assembly
100 Lincoln Street
Sitka, AK 99835

February 10, 2015

Dear Mayor and Assembly Members,

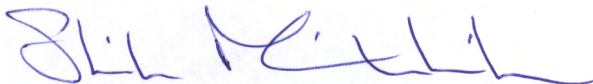
With this letter, I am applying for a position on the city's Planning Commission. I appreciate the importance of this commission in helping the City of Sitka to move into the future in a thoughtful, well planned and even, imaginative way. The opening that is now available presents an opportunity for me to give back to the community.

Having worked in the areas of job training and economic development for the past twenty years or so; I believe that my experience at Sitka Works, the Chamber of Commerce and the Alaska Legislature will prove useful in fulfilling the duties of this commission.

Through my work experiences here in Sitka, and through leadership positions in several non-profit organizations, I've done my share of imagining, planning, collaborating and implementing a variety of programs and events. I would be happy to bring this experience to the Planning Commission.

Thank you for your consideration of my application.

Respectfully,



Sheila Finkenbinder

Sheila Finkenbinder

415 DeArmond Street, Sitka, AK 99835

907.738.3098 ~ sitkasheila@gmail.com

SUMMARY OF QUALIFICATIONS

- Creative and experienced at developing, administering and evaluating grants and programs
- Skilled at preparing accurate and thoughtful written materials and public presentations
- Excellent people skills with wide network of local and statewide contacts
- Skilled at Mac or PC use; Word, Excel, PowerPoint, WordPress
- Familiar with governmental procedures at state and local levels
- Organized, thorough, analytical, productive and positive

EMPLOYMENT ACCOMPLISHMENTS

Legislative Aide, Representative Peggy Wilson (907) 465-3824 Jan. 2011 - Dec. 2012

- Assisted the representative in Juneau during two legislative sessions: writing/editing letters, newsletters, proposed bills, citations, website, etc.; researching; preparing the representative for committee meetings; assisting with constituent issues/questions; 'pushing' two bills through the legislature. Maintained Rep. Wilson's Sitka office during interim months.

Executive Director, Greater Sitka Chamber of Commerce (907) 747-8604 August 2008 - Dec. 2010

- Successfully implemented all aspects of a business/trade organization: membership, weekly luncheons, events organization, policy etc., reporting to a 12-member board of directors.
- Prepared and managed the budget and maintained impeccable financial records.
- Grew the annual events calendar. Renewed relationship with Coast Guard Air Station.
- Upgraded and maintained the Chamber's website. Sent out weekly informative newsletters.

Founding Director, Sitka Works! (No longer in business) October 1997 - July 2008

- Founded and successfully led a non-profit agency, providing workforce and business development services.
- Hired, trained and supervised staff; reporting to 6-member board of directors.
- Developed and managed the agency's policies and procedures, as well as all program goals and objectives.
- Planned, wrote proposals, and administered over \$2 million in grants, from state, federal and city sources.
- Initiated and managed the Sitka Business Resource Center project: providing entrepreneurial counseling, training, and technical assistance.
- Developed and oversaw the Sitka Artisans Market, 2001-2007.
- Promoted the agency through extensive media marketing, public presentations and website.

Employment Program Director, Sitka Tribe of Alaska (907) 747-3207 Jan. 1996 - July 1997

- Implemented employment and training programs for Alaska Native youths and adults.

Employment Specialist, Sitka Teen Resource Center, Jeff Budd, ED Oct. 1991 - Nov. 1995

- Coached 'at-risk' teenagers in job search and work maturity skills through Youth Employment Program.

EDUCATION

Bachelor of Arts in Drama and Certificate of Education, K-12 University of Washington, Seattle, WA

RELATED ACTIVITIES / EXPERIENCE

Sitka Historical Society , Treasurer	2013-present
Alaska Business Week , Company Advisor to high school students	2010-2013
Sitka Woman's Club - President, V-P, Secretary, Treasurer	2006-present
Sitka Republican Women - President	2010-2013
Cape Decision Lighthouse Society - Secretary	1998-2009
Alaska InvestNet - Governing Board member	2004-2006
Fortress of the Bear - Secretary	2007-2010



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

Board/Commission/Committee: SITKA PLANNING COMMISSION
 Name: RALPH K ASH Daytime Phone: 747 5168
 Address: 714 MONASTERY ST Evening Phone: 11
 Email Address: KENASH@GCI.NET Fax Number: _____
 Length of Residence in Sitka: 38 YEARS Registered to vote in Sitka? Yes No
 Employer: _____
 Organizations you belong to or participate in: ROTARY - USCG AUX

Explain your main reason for applying: Sitka has been good to me. I will try to return the greatness.

What background, experience or credentials will you bring to the board, commission, or committee membership?
30 YEARS AAF/USAF - 6 MO COACH, PLANNING DIV 432.FEW TITLED

Please disclose any potential conflicts of interest that may arise from your appointment. These may include but are not limited to:

- A substantial financial interest of \$1000 annually that could be influenced by your appointment.
- An immediate family member employed within the scope of this appointment.

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

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

Date: 2/17/2015 Signature: Ralph K Ash

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

2/17/2015

To whom it may concern,
I read the article in SFEB Sentinel
and figured I had time but not
much expertise in planning.

I have 30 years AF military experience.
Fighter pilot, staff operations in wing
air divisions and command AF.
33 years in the C-140X. (30 here in Sitka)

I have 6 children (2 living in Sitka).
Wife deceased 12 years ago.

Palak K Ash

R K Ash
714 Monastery St
Sitka AK 99835-7211



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

Board/Commission/Committee: PLANNING COMMISSION

Name: Mary-Jane (Emjay) Messinger Daytime Phone: 752-5207

Address: 100 Lance Dr. PO BOX 1864 Evening Phone: 752-5207

Email Address: Its4emjay@yahoo.com Fax Number: _____

Length of Residence in Sitka: Almost 3 years Registered to vote in Sitka? Yes No

Employer: Retired

Organizations you belong to or participate in:

This will be my first real volunteer service since my arrival in Sitka.

Explain your main reason for applying:

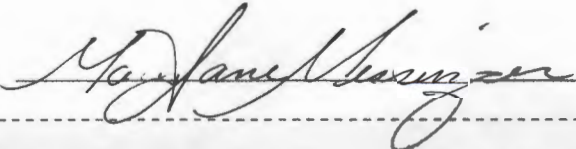
I became aware of and interested in the planning commission when the junkyard across from my home became an issue. I was intrigued by what was involved in dealing with that situation. I believe it is a very important endeavor to plan for Sitka's expanding needs and yet maintain the essences of our community for all of its residents.

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

I have no direct experience in this field. I feel, however, that my vast range of experiences gives me qualities that will prove to be an asset to the commission.

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: February 17, 2015 Signature: 

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

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



Mary-Jane-Messinger
PO Box 1864
Sitka, AK 99835

Phone · 907-752-5207

Date of Birth · 5-19-1951

·Educational Data·

- 1969 Graduated from Cathedral High School · Springfield·MA
- 1971 Graduated from Springfield Technical Community College· Springfield·MA ·
Associate of Science Degree
(Major·Graphic Arts)
- 76-78 Holyoke Community College · Holyoke·MA
(Various art courses-no degree)
- 2000 Graduated from Northampton Area Community College·Bethlehem·PA
Associate of Arts Degree (Major·Fine Arts)

I have continued my education by attending classes and workshops as a non-matriculated student at a number of colleges in Allentown and Philadelphia. Schools attended · Cedar Crest College · Tyler School of Art (Temple Univ.) · University of the Arts

·Employment History·

- 71-72 Burt Printing Company · Springfield·MA
Mechanical artist
- 72-78 Aetna Life & Casualty · Hartford·CT
Originally I was hired as a mechanical artist but within 8 months I was promoted to the position of Photo Composition Supervisor. In this capacity I was responsible for a staff of seven as well as the night shift supervisor. I met with clients to determine their needs then prepared the work by specing or marking up copy for typesetting. I was involved with some design work for forms and other printed material. I also contracted with outside vendors when work could not be done in-house.

78-80 Aetna Life & Casualty · Hartford·CT

Audio Visual Graphic Designer

In this position I assessed clients' needs to produce artwork designed for slides and overheads required by all areas of the company. Conventional art board techniques were used as well as computer graphics produced on the Genigraphics system (the first computer for this application www.genigraphics.com). I worked with producers on the graphics for film, television, and multi-image productions. On occasion I was called upon to design TV studio sets. Another of my responsibilities was to coordinate visual special effects with outside contractors.

80-97 Spouse and stay-at-home mother · Palmerton·PA

In these simultaneous positions I raised 2 sons and maintained a household as my husband started and built 2 businesses which required extensive travel. I have had minimal direct involvement with those businesses. Even though I wasn't involved in the day to day routine, I always maintained an interest, concern and solid understanding of them. (this would prove very beneficial in 2009.)

I did a great deal of volunteer work over the years. I was actively involved in Cub/Boy Scouting for 9 years. I was vice president and treasurer of the parent/teacher organization at The Hillside School where my younger son attended. For the following two years I served as its President. During those two years active membership increased to all-time highs. We also raised more funds which directly benefited the students. I organized the first school wide Science Fair which was well supported and attended. I also worked one on one with students to improve their reading skills. Other years I aided the art teacher or assisted in the health office at the S.S. Palmer Elementary School.

97--- Returning to college as a non-traditional student added another element to my life. I created a studio and engaged in art making. I continue to take courses/workshops that interest me and would further my knowledge of art.

04--- Blick Art Supplies · Allentown·PA

Part-time Retail Clerk. I also have demoed and taught glass bead making at the store.

- 05--- Rodale Aquatic Center at *Cedar Crest College* · Allentown·PA
Part-time Swimming Instructor. I taught children's classes (ages 3 through 12) as well as parent/infant classes. I was trained and certified in Red Cross Basic First Aid.
- 06-08--- Dedicated to art making.
- 09-11--- President of UniTech Industries Inc. · Palmerton·PA
When my husband passed away suddenly, I stepped into his shoes at our light manufacturing company which produced the UniMove (www.unimove.com). All of the objectives that I set for myself I was able to achieve in order to sell the assets, while assuring the continued employment for those employees wishing to stay on with the new company. This was also beneficial to our dealers and distributors worldwide as well as the continued availability of spare parts for the end users.

·Personal Interests·

I have always enjoyed a sense of adventure. I love to travel and am open to new experiences. In my more active years I had the opportunity to experience rock climbing, caving, soaring, mountain biking, whitewater canoeing/kayaking, back country backpacking, scuba diving and ballooning. I used to ride a unicycle as well as ski competitively. My main outdoor enjoyment these days is kayaking, both white water and recreational paddling. I have had several formal pool/river classes and swift water rescue trainings.

May 2012

I moved to Sitka, AK to enjoy this special place and all it has to offer.



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

Board/Commission/Committee: Planning Commission
 Name: Alexandria Najduch Daytime Phone: (708) 623-5961
 Address: 237 Lincoln St. Apt #606 Evening Phone: (708) 623-5961
 Email Address: alex.najduch@gmail.com Fax Number: _____
 Length of Residence in Sitka: ~ 1 year Registered to vote in Sitka? Yes No
 Employer: University of Alaska Southeast

Organizations you belong to or participate in:

Sitka Start Mentor Program

Explain your main reason for applying:

Please see attached.

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

Please see attached.

Please disclose any potential conflicts of interest that may arise from your appointment. These may include but are not limited to:

- A substantial financial interest of \$1000 annually that could be influenced by your appointment.
- An immediate family member employed within the scope of this appointment.

None.

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

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

Date: 2/18/2015 Signature: Alexandria Najduch

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

Explain your main reason for applying:

As a somewhat recent transplant to Sitka, I have fallen in love with the majestic views, small-town feel and welcoming atmosphere. However, as I started to search for the “perfect” housing option I found there are major housing/zoning obstacles facing Sitka that are unique to the city. Because of land scarcity, it seems housing and zoning regulations affect citizens in a modified trickledown effect. The number of renters is high compared to the average income per capita, an issue that is not unrecognized by the City and Borough of Sitka. Also not unrecognized is the idea that for economic prosperity and sustainability to exist it is best to have fewer renters and more homeowners. I greatly admire the city for working on affordable housing options and thinking “outside of the box.”

It is because of my personal understanding of these I hope to join the Planning Commission, to be a part of a team that is clearly focused on improving the city. If appointed, I would work hard to make sure the Commission works in the best interest of the citizens. As a young professional, I hope to buy a home, be an active community member and make Sitka a permanent residence. For these dreams to become a reality, Sitka needs to be a city where young, working people can achieve the same economic milestones that they would be able to achieve elsewhere. I want to be a part of making this happen and feel the Planning Commission is the venue for this work.

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

I have a strong background in statistics and economics and am extremely capable of understanding complex topics and engaging in creative problem-solving. I currently work as a Data Analyst for the University of Alaska Southeast and can bring all of these analytical skills to the Planning Commission.

It would truly be an honor to join the Planning Commission. Thank you for your time.

Alexandria Najduch

237 Lincoln Street, Apt. #606 – Sitka, AK • (708)623-.5961 • alex.najduch@gmail.com

Summary of Qualifications:

- Theoretical and practical experience with monitoring and evaluation surveys, data analysis, outcome measurement and report writing
- Experience conducting training seminars on evaluation and financial best practices
- Confident in the application of project design and management
- Proficient in GIS software; ESRI (ArcGIS) and Idrisi
- Skilled in financial and statistical analysis software including SPSS, SAS & JMP

Experience

Data Analyst, University of Alaska Southeast – Sitka, AK

May 2014 – Present

- Track, analyze and monitor student enrollment data, labor market information, and career placement data
- Liaise with Workforce Development partners to ensure the University is informed on current economic trends
- Provide accurate reports to administration to make formative decisions
- Use innovative new technology to provide detailed graphs, charts and projections

Floor Supervisor, Eastern Mountain Sports- Northborough, MA

June 2012 -January 2014

- Managed and directed over 15 staff members to achieve financial and service goals and objectives
- Understood business indicators and made appropriate adjustments with payroll and spending
- Communicated diplomatically and navigated any conflict that arose from customers or staff to maintain a positive environment
- Evaluated, interviewed and hired new employees in timely fashion

Resettlement Evaluator, World Vision-Port-au-Prince, Haiti

May 2012- June 2012

- Strategically created and implemented a survey designed to evaluate the camp transition process
- Utilized SPSS to enter and analyze research findings
- Collected GPS coordinate points and used ArcMap 10 to construct a map of World Vision temporary shelters
- Wrote a comprehensive report detailing the monitoring and evaluation process, survey results, and suggestions for the future

Monitoring and Evaluation Assessor, Worcester Youth Center- Worcester, MA

March 2011 - April 2011

- Created a monitoring and evaluation plan for the Worcester Youth Center encapsulating significant information
- Captured quantitative and qualitative data allowing for both internal use by staff and external use for funders
- Lead staff tutorials to ensure effective use and implementation

Graduate Research Assistant National Children's study- Worcester, MA

March 2011 -July 2012

- Compiled literature reviews relating to the National Children's Study and associated material
- Assisted professors in preparation for meetings and brainstorming sessions
- Became familiar with the research of Clark University professors to contribute in future research
- Completed several research ethics training sessions from the National Institute of Health

Research Associate, Opportunity International (Microfinance Organization) – Oak Brook, IL

May 2009-August 2009

- Gained a thorough understanding of microfinance and microenterprise development through various sustainable solutions
- Provided services to the poor while empowering communities in developing countries
- Assisted in the areas of strategic research, grant writing, information gathering, and fundraising

Language Skills

Fluent English and German

Computing Skills

GIS (Geographic Information Systems) ArcGIS (ArcMap10) and Idrisi; Statistical Analysis Software: SAS, JMP, SPSS, Atlas and Crystal Reports; Microsoft Office 2010 Suites: Excel, Access, Word, Power Point and Publisher; Film Editing & Photography: Corel Video Studio Pro, Final Cut Pro, Adobe Lightroom

Education

Master of Arts, International Development and Social Change, Clark University, Worcester, MA (2014)

Bachelor of Arts in Political Science & German /Minor: Economics, Augustana College, Rock Island, IL (2010)

Semester Program, East German Literature and Art, Universitiit Halle-Wittenberg, Sachsen-Anhalt, Germany (2009)



PLANNING COMMISSION

NAME	CONTACT NUMBERS	TERM STARTS	EXPIRES	CATEGORY
RICHARD PARMELEE 405 Hemlock St.	747-3077 w 738-0606 c 747-3461 h rjparmelee@gmail.com	5/8/07 4/27/10 4/23/13	5/8/10 4/27/13 4/23/16	CHAIR
CHRIS SPIVEY PO Box 312	747-6636 w 738-2524 c spi3050@yahoo.com	12/11/12 1/28/14	2/8/14 1/28/17	VICE CHAIR <i>Rogers term</i>
DARRELL WINDSOR PO Box 1973	738-4046 c dwindsor@gci.net	6/28/11 6/24/14	6/28/14 6/24/17	
DEBRA POHLMAN 506 Arrowhead St.	623-0417 dpohlarbear@gmail.com	6/25/13	6/25/16	
Scott Brylinsky Interim Planning Director	747-1824 planningdirector@cityofsitka.com			Staff Liaison
Maegan Bosak Planner I	747-1814 maegan@cityofsitka.com			Liaison and Secretary

5 members from public, 3-year terms
 Established by Ordinance 74-118/SGC2.18 & Charter Article VIII
 Must be registered to vote
 First and Third Tuesdays 7:00 p.m. - Harrigan Centennial Hall

**CONFLICT OF INTEREST FORMS
 OATHS OF OFFICE**

Revised: November 3, 2014

REC'D 2/20/15
10 AM



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

Board/Commission/Committee: PLANNING

Name: Randy Hughey Daytime Phone: 738-2999

Address: 220 Lakewood Dr Evening Phone: _____

Email Address: randywhughey@gmail.com Fax Number: _____

Length of Residence in Sitka: 25 years Registered to vote in Sitka? Yes No

Employer: retired

Organizations you belong to or participate in: SCDC, AK Assoc. for Career & Tech Ed., Grace Harbor Church, Retired Educators of Alaska.

Explain your main reason for applying: I'm interested in influencing public policy toward a wide range of affordable home ownership means.

What background, experience or credentials will you bring to the board, commission, or committee membership? As a retired teacher, counselor, and administrator I am experienced at working with groups to accomplish a goal. As the President of SCDC, I know some things about housing.

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: Feb 17, 2015 Signature: RHughey

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



Legislation Details

File #: RES 15-09 **Version:** 1 **Name:**

Type: Resolution **Status:** AGENDA READY

File created: 2/18/2015 **In control:** City and Borough Assembly

On agenda: 2/24/2015 **Final action:**

Title: Requesting the North Pacific Fishery Management Council reduce Halibut bycatch in the Gulf of Alaska and Bering Sea Trawl Fisheries by lowering Halibut prohibited species catch CAPS by not less than 50% of the current limits. And further requesting that Governor Walker make his nominations of Alaskans to serve on the North Pacific Council contingent on a mandate to reduce the quantity of Halibut bycatch in the Gulf of Alaska and Bering Sea Trawl Fisheries by not less than 50% of the current limits

Sponsors:

Indexes:

Code sections:

Attachments: [RES 15-09 Halibut Bycatch](#)

Date	Ver.	Action By	Action	Result
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If this item is pulled from the consent agenda the following motion would be in order:

POSSIBLE MOTION

I MOVE TO approve Resolution 2015-09
on first and final reading.

Hi Tristan and Mim,

Attached is a draft halibut bycatch resolution that we hope the City Assembly will consider.

As you may have heard on the news, this year the trawl fleet in the Bering Sea threatened to take 93% of the available halibut resource as bycatch, leaving only 7% to the residents of Bering Sea communities and other quota share holders. The deplorable waste of this valuable resource finally galvanized the North Pacific Fishery Management Council to consider significant reductions in the Bering Sea halibut bycatch caps, called Prohibited Species Catch caps. These reductions, which range from 10% to 50%, will be before the Council for final action at their June meeting in SITKA. Since the Bering Sea is a nursery ground for halibut, bycatch in the Bering Sea hurts fishermen and coastal communities all the way down the coast to Sitka and beyond. We hope to bring sufficient public pressure on the Council that they are empowered to reduce bycatch caps by 50% during their June meeting, and then follow up with more significant long-term bycatch reductions for the Bering Sea and Gulf of Alaska.

Please let me know if you have questions on the resolution and how I can assist with moving this forward. I will be in DC next week but will be back in Sitka for the remainder of the month and most of March.

I expect this resolution to be unanimously supported in Sitka. Halibut bycatch effects subsistence, sport, charter and commercial fishermen.

Thank you!

Linda Behnken

Alaska Longline Fishermen's Association
834 Lincoln Street
Sitka, AK 99835
www.alfastaff.org
www.alfafish.acsalaska.net

907 747 3400 (office)
907 738 3615 (cell)

Small boats. Big ideas.

CITY AND BOROUGH OF SITKA

RESOLUTION 2015-09

A RESOLUTION OF THE CITY AND BOROUGH OF SITKA REQUESTING THE NORTH PACIFIC FISHERY MANAGEMENT COUNCIL REDUCE HALIBUT BYCATCH IN THE GULF OF ALASKA AND BERING SEA TRAWL FISHERIES BY LOWERING HALIBUT PROHIBITED SPECIES CATCH CAPS BY NOT LESS THAN 50% OF THE CURRENT LIMITS. AND FURTHER REQUESTING THAT GOVERNOR WALKER MAKE HIS NOMINATIONS OF ALASKANS TO SERVE ON THE NORTH PACIFIC COUNCIL CONTINGENT ON A MANDATE TO REDUCE THE QUANTITY OF HALIBUT BY-CATCH IN THE GULF OF ALASKA AND BERING SEA TRAWL FISHERIES BY NOT LESS THAN 50% OF THE CURRENT LIMITS.

WHEREAS, the abundance of North Pacific halibut has declined significantly over the past two decades; and

WHEREAS, the commercial catch limits for halibut in the Gulf of Alaska and Bering Sea have been reduced by 70% over the past decade in order to conserve halibut stocks; and

WHEREAS, the halibut fishery is of critical importance to Alaska's subsistence, sport, and commercial fishermen; and

WHEREAS, coastal communities in Alaska depend on Alaska's halibut resource for subsistence, recreation, and livelihood, and

WHEREAS, the daily halibut catch available to charter clients in the Gulf of Alaska has been reduced by 50% in some areas; and

WHEREAS, halibut bycatch limits for trawl fisheries operating in the Gulf of Alaska have been reduced by only 15% over the same time period; and

WHEREAS, observer coverage of Gulf of Alaska trawl catch fell 50% between 2013 and 2014; and

WHEREAS, halibut by-catch limits for trawl fisheries operating in the Bering Sea have not been significantly reduced for 30 years; and

WHEREAS, trawl by-catch of halibut in the Central Bering Sea is now more than 10 times the catch allocated to historic halibut harvesters in the area.

NOW, THEREFORE BE IT RESOLVED that the City and Borough of Sitka requests immediate action by the North Pacific Fishery Management Council to reduce halibut bycatch in the Gulf of Alaska and Bering Sea trawl fisheries by not less than 50%; and, to increase observer coverage on Gulf of Alaska trawlers to 100% and to maintain observer coverage on Bering Sea trawlers at not less than 100%; and,

BE IT FURTHER RESOLVED that the City and Borough of Sitka requests Governor Walker make his nominations of Alaskans to serve on the North Pacific Council in March in keeping with the "Alaska first" principles of fisheries management that protects our fishery resources and the fishermen and fishing communities dependent on those resource. Additionally, the CBS respectfully request copies of this resolution be sent to all members of the North Pacific Fishery Management Council, the Honorable Bill Walker, Governor of Alaska, members of the Alaska State Senate and House, the Alaska Congressional Delegation, and regional Tribal entities within the State of Alaska.

48 **PASSED, APPROVED AND ADOPTED** by the Assembly of the City and Borough of Sitka,
49 Alaska on this 24th day of February 2015.

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Mim McConnell, Mayor

54
55 ATTEST:

56
57 _____
58 Colleen Ingman, MMC
59 Municipal Clerk



Legislation Details

File #: 15-016 **Version:** 1 **Name:**

Type: Item **Status:** AGENDA READY

File created: 2/18/2015 **In control:** City and Borough Assembly

On agenda: 2/24/2015 **Final action:**

Title: Approve Professional Services Contract to LEI Engineering & Surveying for Nelson Logging Road Upgrade - Phase I and authorize the Administrator to approve future amendments to complete final design & permitting upon completion of Phase I - not to exceed \$117,360.00

Sponsors:

Indexes:

Code sections:

Attachments: [Nelson Logging Road Award](#)

Date	Ver.	Action By	Action	Result
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Should this item be pulled from the Consent Agenda the following motion is suggested:

POSSIBLE MOTION

I MOVE TO award a Professional Services Contract for the Nelson Logging Road Upgrade Project Phase One to LEI Engineering & Surveying and further authorize the Municipal Administrator to approve future contract amendments to complete the final design and permitting upon completion of Phase I not to exceed amount of \$117,360.00.

MEMORANDUM

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

From: Dan Tadic, P.E., Municipal Engineer *DT*
Stephen Weatherman, P.E., Senior Engineer *S*

Reviewed: Michael Harmon, P.E., Public Works Director *MH*
Jay Sweeney, Chief Finance and Administration Officer *JS*
Tori Fleming, Contract Coordinator *TF*

Date: February 18, 2014

Subject: Nelson Logging Road Upgrade
Approval to Award Design Contract

Background:

A Request for Qualifications for design of the Nelson Logging Road Upgrade was published in accordance with City and Borough Procurement Policy.

The Nelson Logging Road Upgrade project includes, but may not be limited to, the following Improvements.

- Retrofit and/or replacement of the existing two bridges and their approaches;
- Replacement of the structural plate pipe arch what has failed at the end of the road;
- Replacement of, at a minimum, two compromised culverts;
- Realignment of the egress to Halibut Point Road;
- Widen the existing alignment where has sufficient distance; and
- Widen the road as funding allows within the current funding that has been allocated to the project.

The final scope of improvements is contingent on the availability of funds within the established \$2,343,000 budget.

Six (6) proposals were received and scored by a selection committee consisting of CBS Public Works Department staff. A project team led by LEI Engineering & Surveying was selected as the most qualified firm to complete the design.

LEI Engineering & Surveying has provided a fee proposal for a not-to-exceed time and expense cost of \$117,360.00 to complete phase one services consisting of preliminary engineering and alternative analysis. A copy of that proposal is attached.

Analysis:

Engineering services are planned to be provided in sequential phases allowing refinement of services as each phase is further developed with CBS.

- Phase I services include performing a preliminary assessment of the access road and structures on the Nelson Logging Road. The LEI team will perform all background research for cultural resources and permit investigation at this time. LEI will develop a decision matrix to enable the CBS to prioritize improvements along the access road given the current funding that is available.
- Phase II services will consist of those activities necessary to further the project in design and permit based on final design tasks selected by CBS on the decision matrix. These will include at a minimum: Bridge Design, Roadway Design, Hydraulic Engineering, Geotechnical Exploration, Wetland Delineation and the Cultural Resources Investigation.

Public Works has set a phase one design completion date of May, 2015. Upon completion of phase one, scope and fees will be established to complete final design and permitting. Construction is currently planned to begin spring/summer 2016. The total project cost is estimated to be \$2,343,000.

Fiscal Note:

The project is funded by a 2012 Alaska Department of Commerce, Community, and Economic Development Grant totaling \$2,343,000.

- Phase I design costs are 117,360.00
- Phase II design costs are estimated to be between \$150,000 to \$200,000 which is dependent on the Phase I scope chosen.

Recommendation:

- **Approve award of a Professional Services Contract for the Nelson Logging Road Upgrade Project Phase One to LEI Engineering & Surveying with a not-to-exceed amount of \$117,360.00.**
- **Authorize the Administrator to approve a future contract amendment(s) to complete the final design & permitting upon completion of phase one.**

STATE-OWNED NELSON LOGGING ROAD UPGRADE

SCOPE OF SERVICES

A) INTRODUCTION

Nelson Logging Road is owned by the State of Alaska Department of Natural Resources but currently maintained by the City and Borough of Sitka. The road is 1.2 miles long and runs from Halibut Point Road alongside the Starrigavan estuary and creek to the City and Borough's Tony Hrebar Shooting Range, State Public Safety Academy Shooting Range, USDA Forest Service Off-Road Vehicle Recreation Area and logging areas, and upper Starrigavan Valley in the Tongass National Forest.

This project is currently funded for a total of \$ 2,343,000 which includes safety improvements to the Halibut Point Road/Nelson Logging Road intersection, upgrading the roadway to 28 feet for two-way traffic, and upgrading both inadequate bridges and the engineering and permitting effort required to bring about construction of the route. The roadway is also to be moved toward the south to raise the roadway above the winter and spring flooding at the Starrigavan Creek estuary and eliminate sloughing off of the roadway into Starrigavan estuary. The project also includes three parking areas, at the Tony Hrebar shooting range, at the head of the USDA Forest Service Off-Road Vehicle Recreation Area, and at the State Park Forest and Muskeg Trailhead.

Upgrading Nelson Logging Road is a State priority due to the mandatory use of the road year-round by the Alaska State Public Safety Training Academy. With the increased use, it is imperative that the safety improvements be effected as soon as possible. The Alaska State Troopers must have access to their shooting range year round for their Public Safety Training classes. Thousands of other users also drive or walk Nelson Logging Road for selective logging, access to trails, and access to the public shooting range and the Tongass National Forest.

The deteriorated condition of the road is causing both safety (The Sitka Police Department has a record of a minimum of four traffic accidents in the last seven years) and maintenance issues in the form of potholing and in recent days flooding has eroded the road edges away and at the structural plate pipe at the end has encroached on the roadway at this time. There is inadequate sight distance at the intersection with Halibut Point Road due to vegetation and an outcrop of bedrock. The vertical approach to this intersection is quite steep and is especially dangerous in winter when ice makes it nearly impassable. It is so narrow in places that vehicles run into stumps along the edges of the road. Driving an ambulance to provide emergency services on Nelson Logging Road is risky under icy winter conditions. The bridges are functionally obsolete given their overall narrow width. A one lane road should have a minimum of 15' of surfacing between the rails for a 25 mph road. The current structure has only 12-feet. Rectifying the safety issues along this route is imperative for the well being of the traveling public and the various agencies that use this route.

LEI Engineering & Surveying has been tasked as the lead consultant to engineer and permit the least-cost best alternative that will satisfy the needs of the project. The project team consists of the following companies in Table 1:

Table 1: Nelson Logging Road Team

Team Member	Discipline	Location
LEI	Overall Lead -Civil	Sitka, Alaska
AMEC	Structural	Seattle, Washington
Sea Level Consulting	Archaeological	Sitka, Alaska
ELS	Environmental-Wetland	Seattle, Washington
AMEC	Environmental	Seattle, Washington
AMEC	Geotechnical	Seattle, Washington

The Nelson Logging Road Improvement Project includes, but may not be limited to, the following improvements:

- Retrofit and/or replacement of the existing two bridges and their approaches;
- Replacement of the structural plate pipe arch which has failed at the end of the road;
- Replacement of, at a minimum, two compromised fish culverts;
- Realignment of the egress to Halibut Point Road;
- Widen the existing alignment where it has insufficient sight distance; and
- Widen the road as funding allows within the current funding that has been allocated to the project.

The final scope of improvements is contingent on the availability of funds within the established \$2.343 million budget that was granted through the Department of Transportation and Public Facilities. Close interaction with the City and Borough of Sitka (CBS), the Assembly, and the public is essential to the formulation of final scope work and the ultimate success of this important transportation project. Based on preliminary discussions with the CBS, it is understood that a conventional full design/bid/build (DBB) set of contract documents is preferred over a two stage contracting method using design/build (DB) with Owner procurement of materials followed by contractor installation.

LEI was selected as lead consultant to provide engineering services for the Nelson Logging Road project. LEI will manage all consultants, prepare permit applications and provide all civil, structural and environmental services as is required to complete the project. LEI is tasked with performing a preliminary assessment of the access road and structures on the Nelson Logging Road. LEI will develop a decision matrix to enable the CBS to prioritize improvements along the access road given the current funding that is available.

B) SUMMARY OF SERVICES

Engineering services under this project will be provided in sequential phases allowing refinement of services as each phase is further developed with the CBS. Several distinct tasks will be performed under each phase.

- Phase I services include performing a preliminary assessment of the access road and structures on the Nelson Logging Road. The LEI team will perform all background research for cultural resources and permit investigations at this time. LEI will develop a decision matrix to enable the CBS to prioritize improvements along the access road given the current funding that is available.
- Phase II services will consist of those activities necessary to further the project in design and permitting based upon final design tasks selected by CBS under the decision matrix. These will include at a minimum: Bridge Design, Roadway Design, Hydraulic Engineering, Geotechnical Exploration, Wetland

Delineation, and the Cultural Resource Investigation.

- Phase III will consist of engineering services during construction including contract administration and inspection should CBS require assistance.

Fee proposals will be provided in sequential phases to reflect the current and future needs of the CBS. Phase I services will be included in the initial contract and Phases 2 and 3 will be added by contract amendment at a future date.

PHASE 1: PRELIMINARY ENGINEERING AND ALTERNATIVE ANALYSIS

LEI's unique approach to this task is based upon decades of experience performing low volume road engineering in Southeast Alaska. This approach will begin with office route planning and then comprehensive and on the ground road reconnaissance to determine the best possible road location and alternatives to meet CBS objectives. Proper road layout is very important for this project because poor road location often results in higher construction costs, typically more environmental disturbance, and higher long term maintenance costs. Following on-the-ground road location, LEI's approach will include proven and effective interdisciplinary team collaboration to complete preliminary route design and analysis.

Task 1-1: Office Route Planning

The LEI team will assemble the best available remote sensing data for the project area using a combination of ESRI ArcGIS and AutoDesk Civil 3D. We expect that remote sensing data will include a combination of GIS datasets, imagery, digital ortho-photography and stereo aerial photography. We will use photogrammetric tools and techniques, such as Intergraph Stereo Analyst, to develop preliminary route alternatives from the mouth of Starrigavan Bay to the end-of-project and to other points requiring access (e.g., rock source specified in the project purpose and need) while minimizing resource impacts and construction costs. The preliminary route provided by CBS in the solicitation will be used as one of these preliminary route alternatives. LEI will especially focus on the major crossings, estuaries, historic channels wetlands and geologic ally sensitive segments, and segments that could result in significant earthworks; because these road segments will likely be major construction cost centers and areas with unavoidable environmental impact. The environmental staff of the LEI team will also collect relevant agency and published information about the area and determine likely sensitive environmental features in the project area prior to field reconnaissance in Task 2.

Task 1-1: Deliverables

1. Collect relevant agency and published information about the area;
2. Develop preliminary route alternatives;
3. Determine permit needs based upon route alternatives.

Task 1-2: Engineering Field Reconnaissance

Senior layout engineers will begin reconnaissance by field locating, flagging and GPS recording all major control points along planned road alignments; including stream crossings, grade driven constraints (such as benches and saddles), topographic features and proximity to rock borrow sources. The team will strive to avoid resource constraints and sensitive terrain by working closely with the geotechnical engineers; soils scientists; hydrologists; and wildlife, fish, vegetation, and wetland biologists who will be ascertaining the presence of sensitive environmental features.

Senior engineers will field flag trial grade lines where alignments are grade controlling, or compass line tangents where alignments are not grade controlling. Approximate roadway centerline (p-line) will then be flagged using trial grade lines and compass lines as reference and account for cuts/fills at centerline, based upon vertical offset from trial grade lines. Senior engineers will provide field flags with notes on flags at points of specific interest to aide survey crews in capturing important features during the preliminary route survey effort. Examples include: grade breaks, begin/end planned horizontal curves, begin/end full bench inhaul construction, opportunities for mitigation, potential rock borrow sources, segments with observed poor soils, planned earth structures and stream crossings. These efforts will result in minimizing engineering layout costs while assuring a complete field survey, which has historically proven to be a cost-effective design approach.

Structural analysis of each bridge will be comprised of evaluating and preparing a report detailing the current condition of the pilings, abutments, bridge girders, bridge deck, bull rails and guardrails at each bridge structure site.

Utilizing electronic radar, an audio gauge thickness of bridge girder steel will be determined on Bridge #1 and calipers will be determined on Bridge #2.

A structural analysis will be conducted to determine the load capacity of each of the bridge girders, deck and associated bridge members. Bridge girder capacity will be based off of reduced section properties calculated from audio gauge readings and caliper readings.

The bridge assessment will ascertain whether or not the bridge is currently within code compliance and will be evaluated using the current AASHTO Standards.

LEI has been tasked with determining if each bridge can be widened, and if so provide preliminary recommendations concerning configuration and any complications that may arise as a result.

Task 1-2: Deliverables

1. Field locate and assess the centerline of the proposed alternative routes;
2. Determine pipe types and sizes for stream crossing;
3. Assess condition of bridge #1;
4. Structural analysis/AASHTO Code compliance check of bridge #1;
5. Assess condition of bridge #2;
6. Structural analysis/AASHTO Code compliance check of bridge #2;
7. Assess condition of pipe arch near end of the project;
8. Structural analysis/AASHTO Code compliance check of pipe arch.

Task 1-3: Cultural Resources Investigation and Reporting

For the office analysis Sea Level Consulting understands that the project area is in the immediate vicinity of the significant prehistoric cultural resource and paleontological sites. The project consists of upgrades to the Nelson Logging Road, from Halibut Point Road to the Shooting Range, an approximate 1.2 miles of road plus .5 miles of proposed realignment adjacent the Starrigavan Estuary and Creek. Proposed upgrades will adhere to the U.S. Army Corps of Engineers (USACE) and other appropriate regulatory agency requirements. Federal and State laws and regulations require undertakings associated with Federal agencies to comply with the National Environmental Policy Act (42 United States Code [U.S.C.] 4321 et seq.), and Section 106 of the National Historic Preservation Act (16 U.S.C. 470 et seq., 36 Code of Federal Regulations [C.F.R.] Part 800).

In an effort to assist in the fulfillment of Federal requirements Sea Level Consulting will provide services to complete Phase I archaeological investigations and recommendations of historic property eligibility to the National Register of Historic Places. Sea Level will assist in establishing consulting parties, provide a draft scoping/initiation letter to the State Historic Preservation Office, and provide a draft cultural resources report or memorandum complete with recommendations for advanced investigations needed, based upon the decision matrix put forth by LEI for alternative routes. This will be done through archival research, data review, oral history interviews, and review of alternative recommendations. All archaeological work proposed in this phase will be consistent with the first design phase of the project.

In order to establish historic significance for cultural sites to determine National Register eligibility, Sea Level Consulting proposes to utilize the standard anthropological triad of field investigation, oral history, and archival research for this investigation. The field work for this shall be conducted in Phase II, but the research and investigations will be performed in this Phase (Phase I).

Local archival research will be obtained from the historical societies and museums, newspaper, and magazine archives, the State of Alaska Library and Historical Collections, Sitka Tlingit tribal members, the Sealaska Heritage Institute, the Sitka Ranger District, and other relevant sources. Southeast residents will be consulted and personal interviews will be conducted about historical knowledge and the locations of undocumented sites, structures, and geographic features. This work shall also be performed during the research, Phase I, of this project.

Task 1-3: Deliverables

1. Collect relevant agency and published information about the area;
2. Compile research, field results, map and inventory;
3. Draft Nelson Logging Road Cultural Resources Investigation Memorandum and submit to CBS for comment.

Task 1-4: Wetland mapping and Permit Research

For the office analysis ELS will conduct site research using resources such as the NRCS soil survey information, National Wetland Inventory mapping, aerial photographs, and information provided by the client.

At the conclusion of field work, ELS will prepare a wetland delineation report and associated graphics including the vicinity map, site map, soil survey map, National Wetlands Inventory map and other appropriate mapping as needed.

During the project, ELS will coordinate and correspond with LEI and CBS to ensure that an accurate assessment of permitting needs is captured for the final design development phase. Potential permits for both wetlands, aquatics and cultural resources may be seen in Appendix B.

In phase II, ELS will delineate and discuss mitigation options should ELS and LEI deem it appropriate based upon the decision matrix developed during phase I.

Task 1-4: Deliverables

1. Project site research using available resources;
2. Permit research based upon planning efforts and conceptual design by LEI;
3. Prepare two memorandums, one for permit needs and one for wetland delineation needs based upon National wetland inventory maps. Receive comments and finalize each memorandum.

Task 1-5: Geotechnical Field Reconnaissance

For the office analysis that will be conducted prior to the field reconnaissance, a geotechnical exploration plan will be developed to describe the field procedures for identification of geotechnical hazards, conduct a preliminary assessment of structure sites, and determine initial cut/fill geometries. Geotechnical input to the alternatives analysis will include identification of geo-hazards such as areas of mass wasting (landslide features, including rockfall avalanche or debris flow chutes), talus slopes, seepage and springs, and low-lying muskeg areas. We will flag these features in the field so the constraints can be reviewed and evaluated by the engineering team for route options.

Task 1-5: Deliverables

1. Develop geotechnical exploration plan;
2. Identify mapped geotechnical hazards;
3. Make recommendations as to the level of field investigation and exploration needed for each alternative. Phase I recommendations will determine level of effort needed for Phase II.

Task 1-6: Preliminary Engineering Survey

LEI will perform a rapid route survey of each p-line (preliminary road alignment location) alternative using Laser Technology survey equipment with electronic data capture. Laser Technology survey equipment will capture p-line data to a precision of 1:1000 horizontally and 1:2000 vertically. Rapid route survey with this equipment type is ideal for preliminary low volume road analysis, as p-line productions of 2000 to 2500 feet of route survey per crew day are possible. LEI will perform site surveys at all fish bearing streams and stream crossing with an anticipated 48-inch diameter or larger structure. Surveys will also capture resource constraints and geotechnical features. Property lines, easements, and right of ways (R/Ws) will be researched and incorporated by the LEI team. Preliminary route surveying with this type of equipment allows for lower cost data collection for alternatives analysis. Higher order survey data doesn't result in better solutions for alternatives analysis, but can result in much higher costs when routes are shifting during alternatives analysis, resulting in the need for expensive resurveying.

Geometric design of the preliminary routes will consider construction recommendations and constraints identified during reconnaissance, which will include mitigation measures identified by resource specialists. The preliminary alignment and bridge structure selection often requires balancing competing priorities. Hydraulic, environmental, roadway and bridge engineers will work collaboratively to develop multiple alternative and options to determine which ones best meet project goals. A collaborative approach assures solutions that are both environmentally responsible and cost-effective.

LEI will complete preliminary stream crossing designs concurrently with geometric roadway design to a level sufficient to convey design approach and structure type for costing of alternatives analysis. Major bridge and earth structures, including retaining walls and engineered fills, will also be designed to a preliminary level sufficient for alternatives analysis and cost estimation.

LEI will develop preliminary plans and estimate output for each route alternative for analysis and presentation in the draft and final Preliminary Engineering Report. The plans and estimate format will follow CBS design standards and guidelines, and will meet the objectives and requirements needed for the environmental analysis task in the project.

Task 1-6: Deliverables

1. Perform preliminary route survey of existing road;
2. Perform preliminary route survey of proposed alternative alignments;

3. Perform site surveys at each of the bridges;
4. Perform site surveys at structural plate arch pipe;
5. Perform site survey at trailhead parking lots;
6. Create digital terrain model for preliminary engineering design;
7. Develop preliminary plans and estimate.

Task 1-7: Preliminary Engineering Design

Task 1-7: Deliverables

1. Geometric design that upgrades existing alignment;
2. Geometric design of alternative alignments;
3. Complete preliminary stream crossing designs;
4. Complete preliminary structure evaluation to reuse existing structures.

Task 1-8: Alternatives Analysis and Preliminary Engineering Report

LEI recognizes the importance of considering alternative alignments from a project objective level and environmental compliance. Alternatives will be based on field route reconnaissance, preliminary design, and environmental resource constraints. Potential mitigation associated with each alternative (including feasibility, costs, and likely agency acceptance) will be identified to ensure that overall project costs among alternatives are evaluated objectively. LEI will develop a Preliminary Engineering Report presenting these alternatives to the CBS for review and consideration. This report will include a history of the project, project objectives, preliminary PS&E (plans, specifications, and estimate), overview of resource constraints, and any public interest issues that are identified during preliminary engineering. Pending the preliminary engineering report review by the CBS, LEI's environmental and cultural resource specialists will negotiate scope of services necessary to further the preferred design alternatives into advanced and final design.

Task 1-8: Deliverables

1. Compile resource investigation needs for inclusion in alternative analysis;
2. Negotiate environmental and cultural resource mapping, delineation and investigation needs;
3. Prepare draft preliminary engineering report comparing alternatives.
4. Make recommendations to widen or replace existing structures.
5. Respond to City and Borough of Sitka comments and finalize report.

Task 1-9: Agency Collaboration (Could fall into Phase 1 or 2)

Following field studies and selection of the preferred route, the LEI team recommends meeting with each permitting agency to discuss our permitting plan in order to develop and confirm the optimum approach to obtaining each permit as efficiently as possible based on the selected route. Advanced and continued communications with permitting agencies following selection of the preferred route will often allow permitting to be expedited. Suggestions from each agency will be incorporated into the applicable permit applications. LEI will support CBS throughout the permitting processes including responding to all agency comments and making expedited changes, which will help save time in the project schedule.

Task 1-9: Deliverables

1. Present the alternatives and recommendations and confirm optimum approach to Phase 2.
2. LEI and CBS work to plan and schedule Phase 2 of the project.
3. Prepare a final scope of services for Phase 2 of the project. This would include the Cultural Resource field investigation, wetland delineation and mapping and any associated surveying necessary to tie resource constraints and significant cultural resources to avoid.

APPENDIX A
PHASE 1- COST PROPOSAL

APPENDIX A : COST PROPOSAL

PRELIMINARY ENGINEERING AND ALTERNATIVE ANALYSIS

Task-1.1 Office Route Planning

1. Collect relevant agency and published information about the area.(\$1000.00)
2. Develop preliminary route alternatives and design standards.(\$2500.00)

Task-1.1 Subtotal: \$ 3,500.00

Task-1.2 Engineering Field Reconnaissance

1. Field locate and assess the centerline of the proposed alternative routes.(\$4,200.00)
2. Determine pipe types and sizes for stream crossings.(\$800.00)
3. Assess condition of bridge #1. (\$12,200.00)
4. Structural analysis/AASHTO Code compliance check of bridge #1.(\$9,700.00)
5. Assess condition of bridge #2. (\$8,500.00)
6. Structural analysis/AASHTO Code compliance check of bridge #2.(\$6,900.00)
7. Assess condition of pipe arch near end of the project. (\$600.00)
8. Structural analysis/AASHTO Code compliance. (\$500.00)

Task-1.2 Subtotal: \$ 43,400.00

Task-1.3 Cultural Resources Investigation & Reporting

1. Archival research & field planning. (\$2420.00)
2. Compile research, maps & current inventory.(\$2030.00)
3. Draft report findings & submit Phase II investigation needs for comment. (\$3,060.00)
4. Receive comments and finalize report. (\$330.00)

Task-1.3 Subtotal: \$ 7,840.00

Task-1.4 Wetland delineation and permit research

1. Project site research using available resources. (\$800.00)
2. Prepare draft wetland delineation requirements. (\$1,060.00)
3. Receive comments and finalize report.(\$360.00)
4. Coordinate with local agencies to determine permits required.(\$3,600.00)

Task-1.4 Subtotal: \$ 5,820.00

Task-1.5 Geotechnical Field Research and investigation recommendations

1. Develop geotechnical exploration plan.(\$400.00)
2. Identify potential geotechnical hazards. (\$2500.00)
3. Make recommendations to be investigated during preliminary engineering. (\$1600.00)

Task-1.5 Subtotal: \$ 4,500.00

Task-1.6 Preliminary Engineering Survey

1. Perform preliminary route survey of the existing road.(\$9,600.00)
2. Perform preliminary route survey of proposed alternative alignments.(\$4,800.00)
3. Perform site surveys at each of the bridges. (\$6,000.00)

4. Perform site survey at structural plate arch.(\$2,000.00)
 5. Perform site survey at parking lots. (\$3,000.00)
 6. Create digital terrain model for preliminary engineering design. (\$1,100.00)
- Task-1.6 Subtotal: \$ 26,500.00**

Task-1.7 Preliminary Engineering Design

1. Geometric design upgrading existing alignment.(\$2,500.00)
 2. Geometric design of alternative alignment. (\$2,500.00)
 3. Complete preliminary stream crossing designs.(\$1,500.00)
 4. Complete preliminary structure evaluation to widen existing bridges.(\$1000.00)
- Task-1.7 Subtotal: \$ 7,500.00**

Task-1.8 Alternatives Analysis and Preliminary Engineering Report

1. Compile resource needs for inclusion in alternative analysis. (\$600.00)
 - 2.. Prepare draft preliminary engineering report comparing alternatives.(\$3,400.00)
 3. Make recommendations to widen or replace existing structures. (\$800.00)
 4. Respond to City and Borough of Sitka comments and finalize report.(\$500.00)
- Task-1.8 Subtotal: \$ 5,300.00**

Task-1.9 Agency Collaboration

1. Present the alternatives and recommendations and confirm optimum approach to Phase 2.(\$2,000.0)
2. LEI and CBS work to plan and schedule Phase 2 of the project.(\$1,500.00)
3. Prepare a final scope of services for Phase 2 of the project.(\$500.00)

Task-1.9 Subtotal: \$ 4,000.00

Task-1.10 Expenses

1. Vehicle use on project, Phase I. (\$3,500.00)
2. Equipment costs(Phase I). (\$5,500.00)

Task-A.10 Subtotal: \$ 9,000.00

Total for Phase 1: \$117,360.00

EXCLUSIONS

Any services not specifically covered in this proposal that are required for completion of the project, are not included in this proposal. All application and permit fees will be the responsibility of the client.

ADDITIONAL SERVICES

LEI will be pleased to provide any additional services on an hourly basis as per the following schedule of rates, "Exhibit A

EXHIBIT "A"

LEI ENGINEERING & SURVEYING 2015 Professional Services Rate Sheet

Labor Rates

Principal-in-Charge	\$174.94/hr
Senior Project Manager	\$144.78/hr
Senior Engineer	\$144.78/hr
Value Engineer	\$144.78/hr
Project Manager	\$120.65/hr
Construction Engineer	\$120.65/hr
Engineer	\$115.37/hr
Archaeologist	\$110.00/hr
Survey Manager	\$105.57/hr
Senior Designer	\$105.57/hr
Land Surveyor	\$105.57/hr
Biologist/Scientist	\$100.00/hr
Inspector	\$89.37/hr
Designer	\$85.21/hr
GIS Analyst	\$84.92/hr
Engineer Technician	\$79.93/hr
Senior Drafter	\$79.93/hr
Survey Crew Chief	\$79.93/hr
Drafter	\$69.37/hr
Senior Field Technician	\$64.85/hr
Clerical	\$58.82/hr
Field Technician	\$54.29/hr
Three-Man Survey Crew	\$194.54/hr

Expenses

Out-of-pocket expenses billed at cost plus 10%.
Vehicle mileage billed at \$0.56/mile.

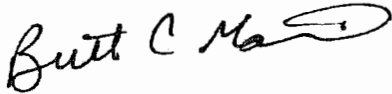
PAYMENT TERMS

Invoices for services rendered shall be issued at the end of each calendar month based on the engineer's estimate of project completion or by time spent, as appropriate. Payment in full is considered due upon receipt of the invoice. An accounting charge of one percent (2%) compounded monthly will be assessed against any unpaid

balance beginning 30-days following the date of the original invoice. Arrangements for payments other than as stated must be made prior to a commitment for services.

Thank you for the opportunity to submit this proposal. If you have any questions, please call my office at (503) 399.3828 or my cell phone at (907) 401.0777.

Sincerely,
LEI ENGINEERING & SURVEYING, LLC

A handwritten signature in black ink that reads "Brett C. Martin". The signature is written in a cursive style with a large, stylized initial "B".

Brett C. Martin, P.E.
Vice-President, Principal Engineer

I hereby certify that I have read and understand the terms of this proposal and by my signature am in agreement to these terms: hereby authorizing LEI Engineering & Surveying to begin work on proposed project.

Authorized Representative of City and Borough of Sitka.

Date

APPENDIX B
Potential Permits

Permits Required	
<input checked="" type="checkbox"/> Alaska DNR	<i>Comments:</i> A Title 16 Fish Habitat Permit will be needed for bridge crossings, which is obtained from Alaska Department of Natural Resources (DNR).
<input checked="" type="checkbox"/> COE	<i>Comments:</i> U.S. Army Corps of Engineers (COE) Section 404 permit will be needed for work in wetlands and Waters of the United States.
<input checked="" type="checkbox"/> OHA	<i>Comments:</i> An Alaska Cultural Resource Permit Application compliance from the Alaska Office of History and Archaeology will likely be needed to confirm that work would not disturb sites of historical significance wherever the road is moved or new area is disturbed.
<input type="checkbox"/> DNR	<i>Comments:</i> This land use permit may be required in the vicinity of Starrigavan Park since the park is leased from the State of Alaska. This may only be needed if the road may affect part of the park.
<input type="checkbox"/> ADEC	<i>Comments:</i> Alaska Department of Environmental Conservation (ADEC) Stormwater Pollution Prevention Plan will be needed for bridge construction. However, this permit will be required to be obtained by the construction contractor.
<input type="checkbox"/> CD/Bridge	<i>Comments:</i> Coast Guard Section 9 Bridge Permit will be needed for any new bridges that cross navigable waters.
<input checked="" type="checkbox"/> Other	<i>Comments:</i> Other permits that may be needed, particularly if federal funding is involved: ADEC Section 401 Certification if there is a discharge to navigable waters for bridge construction; consistency with Magnuson-Stevens Fishery Conservation and Management Act Essential Fish Habitat; and compliance with Protection of Wetlands Executive Order, Endangered Species Act, U.S. Fish and Wildlife Service (USFWS) Eagle Take Permit, Protection and Enhancement of the Cultural Environment Executive Order, Floodplain Protection Executive Order 11988, compliance with City and Borough of Sitka Floodplain Regulation, and Native Graves Protection and Repatriation Act.

Table 2: Expected and possible permits and approvals for the Nelson Logging Road Upgrade

APPENDIX C

SCHEDULE

LEI has created the following preliminary schedule that highlights the major tasks proposed in LEI's scope of work. This schedule focuses on the critical path to completion of early field reconnaissance, to preliminary engineering to alternatives select, and finally PS&E development.

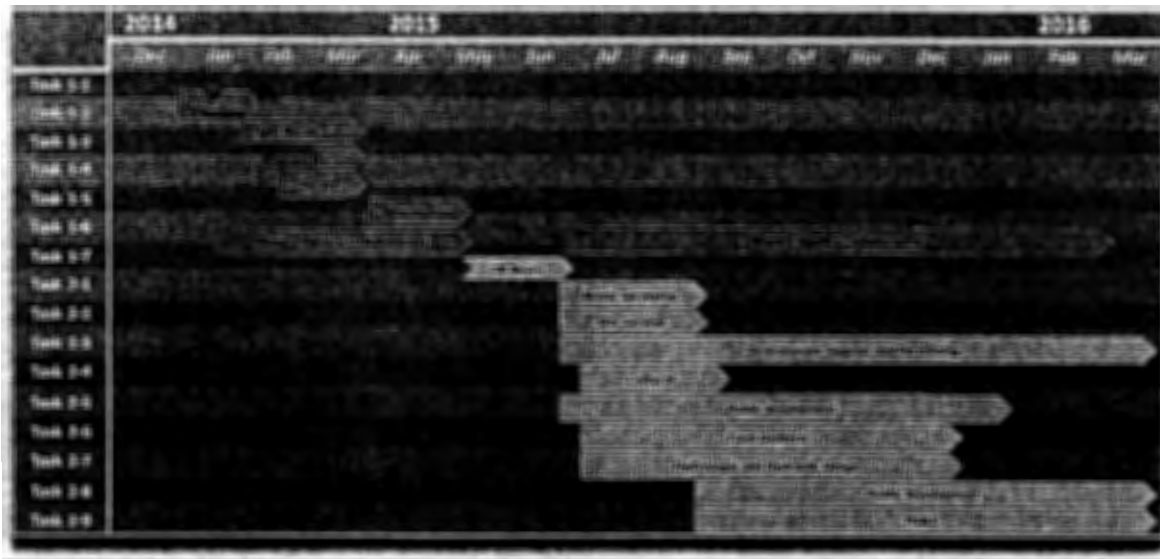


Figure 1: Schedule



Legislation Details

File #: 15-018 **Version:** 1 **Name:**

Type: Item **Status:** AGENDA READY

File created: 2/18/2015 **In control:** City and Borough Assembly

On agenda: 2/24/2015 **Final action:**

Title: Approve and enter into a Professional Services Contract with Microsoft to host the CBS email system as well as standardize Microsoft software across the City

Sponsors:

Indexes:

Code sections:

Attachments: [Microsoft Service Contract](#)

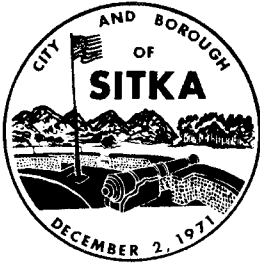
Date	Ver.	Action By	Action	Result
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If this item is pulled from the consent agenda the following motion would be in order:

POSSIBLE MOTION

I move to approve and enter into a Professional Services Contract with Microsoft to host the City and Borough of Sitka email system as well as standardize Microsoft software across the city.

Note: Funds are available this fiscal year with plans to appropriate adequate funding in FY'17, 18. Additionally, this was a recommendation that came out of the Municipal Solutions Efficiency Audit and Comprehensive Management Plan.




City and Borough of Sitka

100 Lincoln Street Sitka, Alaska 99835

Coast Guard City, USA

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

From: Ronald Duvall, Information Technology Director 

cc: Jay Sweeney, Chief Financial Administrative Officer

Date: February 18, 2015

Re: Microsoft Enterprise Agreement Purchase

Background

Over the past four months I have been working on solutions for standardizing the City and Borough of Sitka's (CBS) email system and Microsoft software. Currently CBS is operating two types of hosted email systems, three quarters of CBS emails are on a POP3 server and the other quarter are on an Exchange server. This combination is causing inefficiencies and confusion as to what functions are available to which employee. Secondly, the process of purchasing and installing Microsoft software has left the City with many versions to manage, maintain, and keep secure as well as a risk of being out of compliance with Microsoft Licensing, which could leave the CBS financially responsible in the future.

Analysis

The Microsoft Enterprise Agreement will be purchased using the Western States Contract Alliance (WSCA) pricing. This tactic will allow the CBS to take advantage of the large quantity of licenses that the State of Alaska has purchased and gives the CBS a large discount on pricing. The advantages of a Microsoft Enterprise Agreement are:

- Email Hosting
 - Guaranteed 99.9% uptime, financially backed service level agreement
 - IT-level web support and 24/7 phone support for critical issues
 - Active Directory integration to easily manage user credentials and permissions
 - World-class data security
 - Shared online calendars
- The Enterprise Agreement is a 3 year term that will host our email and guarantee us the latest version of Microsoft Software.
- This will improve efficiencies by guaranteeing all CBS employees are on the same email and software platform.
- Partnering with the State of Alaska for purchasing power, this will save CBS \$26,000 a year.
- The direct cost to the CBS will be \$74,715 per year over the next 3 years

The Microsoft Enterprise Agreement directly relates to suggestions made in the General Fund Efficiency Audit & Comprehensive Management Plan produced by Municipal Solutions. Specifically the Information Systems Analysis Sections on Software and Security.

To enter into this Microsoft Enterprise Agreement, the Assembly must pass a motion in accordance with Sitka General Code 3.16.020.

Fiscal Note

The funds are available this fiscal year with appropriations for FY2017 and FY2018 being included those supplemental budget ordinances. It is important to begin the projects (email standardization and desktop security) related to the Microsoft Enterprise Agreement as soon as possible. These projects will provide immediate benefits to the efficiencies of CBS employees, our interactions with the public, and the security of public data.

Recommendation

My recommendation is to enter into an Enterprise Agreement with Microsoft to host the CBS email system as well as standardize all Microsoft software across the City.



Legislation Details

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

Sponsors:

Indexes:

Code sections:

Attachments: [MOTION ORD 15-03 A](#)
[2015-03 Dissolve SCVB AMENDED.pdf](#)
[SCVB Overview](#)

Date	Ver.	Action By	Action	Result
2/10/2015	1	City and Borough Assembly		
1/27/2015	1	City and Borough Assembly	APPROVED	Pass
1/27/2015	1	City and Borough Assembly	APPROVED	Pass
1/13/2015	1	City and Borough Assembly	APPROVED	
1/13/2015	1	City and Borough Assembly	APPROVED	Pass
1/13/2015	1	City and Borough Assembly	PASSED ON FIRST READING AS AMENDED	Pass

Suggested Motion

I MOVE TO approve Ordinance 2015-03 A on second and final reading.

CITY AND BOROUGH OF SITKA

ORDINANCE NO. – 2015-03A

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

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

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

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

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

Chapter 2.34
SITKA CONVENTION AND VISITORS’ BUREAU

Sections:

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

2.34.010 Formation.

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

49 **~~2.34.020 Term.~~**

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

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

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

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

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

57 **~~2.34.030 Powers and duties.~~**

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

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

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

65 **~~2.34.040 Fiscal matters.~~**

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

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

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

73 ~~**2.34.050 Voluntary association.**~~

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

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

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

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

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

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

88

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

91

92

93

94 **ATTEST:**

95

96

97

98 _____
99 Sara Peterson, CMC
Acting Municipal Clerk

100

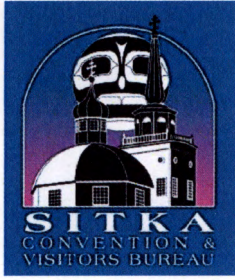
101 First reading: 1/13/15

102 First reading as amended: 1/27/15

103 First reading as amended: 2/10/15

104

Mim McConnell, Mayor



Sitka Convention & Visitors Bureau

Current and Potential Organizational Structure

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

Introduction

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

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

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

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

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

Current Organizational Structure

Formation

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

Term (Board Assignment)

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

Powers and duties

Policies governing planning and execution

See the introduction

Reporting to the assembly

Reports provided at each SCVB board meeting.

Employees

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

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

Relationship to Tourism-related Commissions / Community Groups

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

Fiscal matters

Funding

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

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

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

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

Future Organizational Structure

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

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

Option 1: Modify Current Ordinance

Formation

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

Term (Board Assignment)

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

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

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

Perceived Benefits

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

Perceived Risks

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

Additional Resources Needed

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

Employees

Employee procedures would remain unchanged from the current organizational structure.

Fiscal matters

Funding

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

Finances

All financial procedures would remain unchanged from the current organizational structure

Option 2: 501(c)3

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

Formation

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

Board Assignment

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

Powers and duties

Relationship to Tourism-related Commissions / Community Groups

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

Perceived Benefits

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

Perceived Risks

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

Additional Resources Needed

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

Employees

Employee procedures would remain unchanged from the current organizational structure.

Fiscal matters

Funding

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

Finances

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

Option 3: SCVB becomes a City Department

Formation

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

Board Assignment

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

Powers and duties

Relationship to Tourism-related Commissions / Community Group

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

Perceived Benefits

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

Perceived Risks

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

Additional Resources Needed

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

Employees

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

Fiscal matters

Funding

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

Finances

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

Appendix A.

City of Sitka and Borough General Code Chapter 2.34

SITKA CONVENTION AND VISITORS' BUREAU

Sections:

[2.34.010](#) Formation.

[2.34.020](#) Term.

[2.34.030](#) Powers and duties.

[2.34.040](#) Fiscal matters.

[2.34.050](#) Voluntary association.

2.34.010 Formation.

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

2.34.020 Term.

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

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

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

2.34.030 Powers and duties.

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

tourists.

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

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

(Ord. 80-431 § 4 (part), 1980.)

2.34.040 Fiscal matters.

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

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

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

(Ord. 80-431 § 4 (part), 1980.)

2.34.050 Voluntary association.

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

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

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

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

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

(Ord. 80-431 § 4 (part), 1980.)



Legislation Details

File #: ORD 15-06A **Version:** 1 **Name:**
Type: Ordinance **Status:** SECOND READING
File created: 1/21/2015 **In control:** City and Borough Assembly
On agenda: 2/10/2015 **Final action:**
Title: Adding a new title to Sitka General Code entitled "Title 7, Marijuana Regulations" to regulate and tax the use, possession, manufacture and sale of marijuana as well as provide penalties for violation as defined in Chapter 7.30, Section 7.30.010 entitled "Public Consumption"

Sponsors:

Indexes:

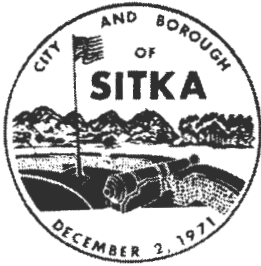
Code sections:

Attachments: [MOTION ORD 15-06A](#)
[Memo Ordinance 2015-06A.pdf](#)
[Ord 2015-06A.pdf](#)

Date	Ver.	Action By	Action	Result
2/10/2015	1	City and Borough Assembly		
1/27/2015	1	City and Borough Assembly	APPROVED	Pass
1/27/2015	1	City and Borough Assembly	APPROVED	Fail
1/27/2015	1	City and Borough Assembly	APPROVED	Fail

Suggested Motion

I MOVE TO approve Ordinance 2015-06A on second and final reading.




City and Borough of Sitka

100 Lincoln Street Sitka, Alaska 99835

Coast Guard City, USA

Memorandum

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

From: Scott Brylinsky, Temporary Planner 

Subject: Ordinance 2015-06

Date: February 3, 2015

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

Based on discussion and questions, language was added to:

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

CITY AND BOROUGH OF SITKA

ORDINANCE NO. 2015-06A

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

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

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

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

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

Title 7
MARIJUANA REGULATIONS

Chapter:
7.30 Public Consumption

Chapter 7.30
Public Consumption

Section:
7.30.10 Public Consumption

7.30.10 Public Consumption

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

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

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

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

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

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

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

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

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

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

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

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

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

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

87
88 _____
Mim McConnell, Mayor

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



Legislation Details

File #: ORD 15-07 **Version:** 1 **Name:**
Type: Ordinance **Status:** SECOND READING
File created: 2/3/2015 **In control:** City and Borough Assembly
On agenda: 2/10/2015 **Final action:**
Title: Amending Sitka General Code Title 15 "Public Utilities" by adding a new Chapter 15.07 entitled "Storm Drainage"

Sponsors:

Indexes:

Code sections:

Attachments: [MOTION ORD 15-07](#)
[Memo Ordinance 2015-07.pdf](#)
[Ordinance 2015-07.pdf](#)
[CBS Stormwater Design Standards.pdf](#)
[Notice to local Contractors.pdf](#)
[Planning Commission recommendation.pdf](#)

Date	Ver.	Action By	Action	Result
2/10/2015	1	City and Borough Assembly		

Suggested Motion

I MOVE TO approve Ordinance 2015-07 on second and final reading.

MEMORANDUM

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

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

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

Date: February 4, 2015

Subject: Ordinance 2015-07 – Stormwater Drainage

Background

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

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

Analysis

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

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

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



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



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



The above photo depicts the results of a plugged culvert after a significant rain on snow storm event. This situation could have been avoided with a properly designed and constructed drainage system (Hillside Subdivision, 2012).

Fiscal Note

An important consideration for Public Works in this process was to minimize the additional cost of development by simplifying the design requirements for those situations that warrant it – primarily smaller developments with small tributary areas. With that in mind, simplified tables were included in the design guidelines for both culvert-sizing and ditch design which can be used in lieu of more rigorous analysis and calculations. Also, the ordinance provides a mechanism for the Public Works Director to allow deviations at their discretion when it is determined that there will not be adverse downstream effects and the system can be properly maintained.

The Stormwater Management Plan was funded by way of Alaska Clean Water Action (ACWA) Grant funds provided by the ADEC and required local match funds as follows:

• ACWA Grant #12-03	\$34,000
• ACWA Grant #13-03	\$43,388
• Local match (includes partial in-kind services)	<u>\$51,592</u>
	\$128,980

The Stormwater Ordinance and Design Standards were funded by \$10,000 from proceeds from the Benchlands sales.

Recommendation

Approve Ordinance 2015-07 amending Sitka General Code Title 15, Public Utilities, to add a new Chapter 15.07, Storm Drainage.

CITY AND BOROUGH OF SITKA

ORDINANCE NO. 2015-07

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

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

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

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

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

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

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

43
44 **Sections:**

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

51
52 **15.07.010 Definitions.**

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

55 "CBS" means City and Borough of Sitka.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

99

100 **15.07.020 Purpose.**

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

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

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

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

122

123

124 **15.07.030 Applicability.**

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

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

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

133

134 **15.07.040 Administration.**

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

138

139 **15.07.050 Design and Construction Standards.**

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

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

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

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

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

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

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

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

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

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

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

183
184 ***

185
186 **5. EFFECTIVE DATE.** This ordinance shall become effective on the day after the date of its
187 passage.

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

191
192
193
194 _____
Mim McConnell, Mayor

195
196 ATTEST:

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

CITY AND BOROUGH OF SITKA STORMWATER DESIGN STANDARDS

BACKGROUND

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

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

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

DESIGN EVENT STORM FREQUENCY

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

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

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

DETERMINATION OF DESIGN FLOWS

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

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

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

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

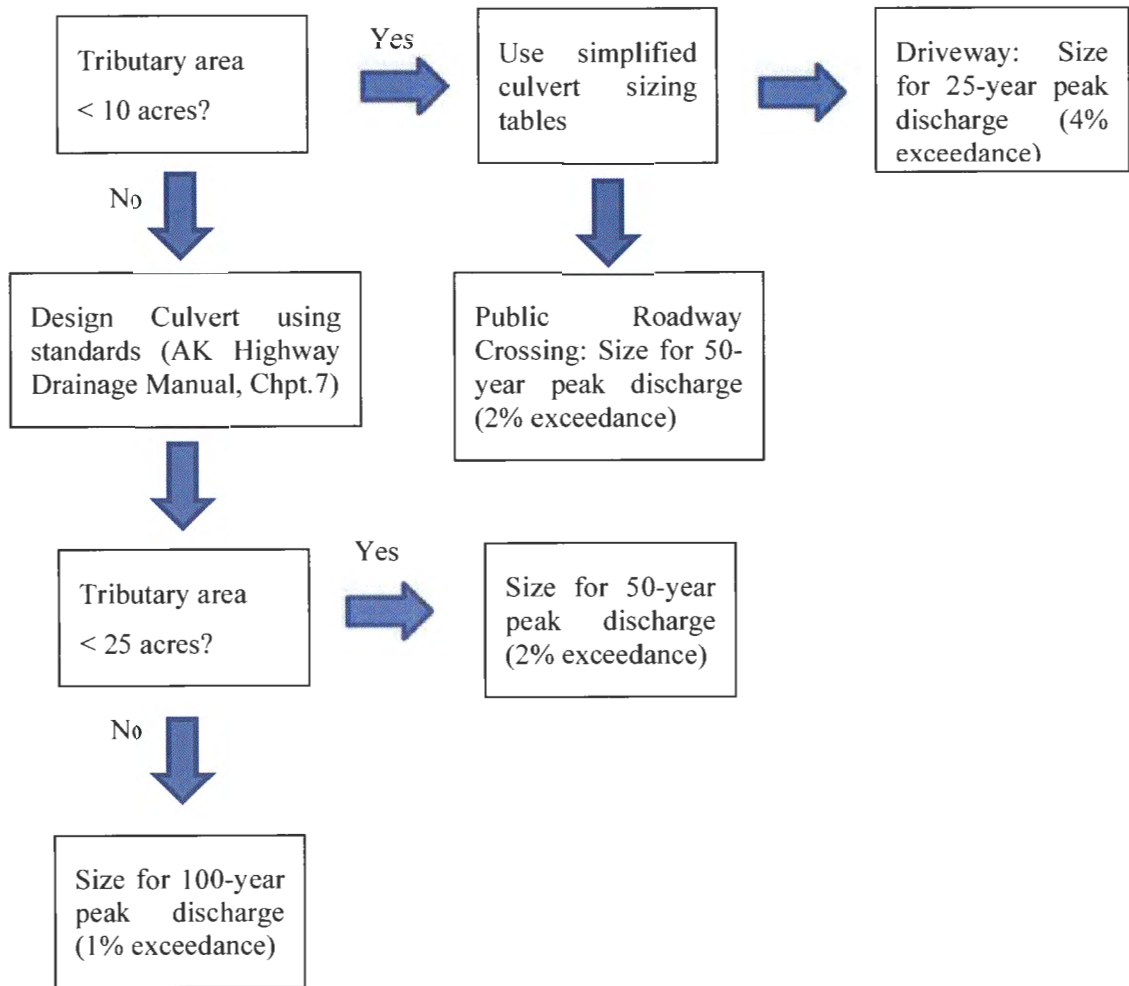


Figure 1. Determination of Design Flows

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

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



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

OFF-SITE ANALYSIS

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

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

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

BACKWATER ANALYSIS

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

CONVEYANCE SYSTEM ROUTE DESIGN

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

Exceptions:

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

EASEMENTS, ACCESS, AND DEDICATED TRACTS

Natural Channels and Stormwater Facilities

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

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

Maintenance Access

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

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

Access to Conveyance Systems

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

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

Table 3 lists minimum easements for drainage facilities.

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

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

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

PIPE SYSTEM DESIGN CRITERIA

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

Analysis Methods

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

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

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

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

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

Acceptable Pipe Sizes

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

Pipe Materials

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

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

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

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

Pipe Slope and Velocity

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

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

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

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

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

a. As supported by engineering calculations.

b. Not allowed in landslide hazard areas.

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

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

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

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

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

Pipes on Steep Slopes

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

Pipe System Layout Criteria

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

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

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

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

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

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

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

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

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

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

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

Pipe Structure Criteria

Catch Basins and Manholes

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

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

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

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

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

Minimum longitudinal roadway slope shall be 0.5 percent.

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

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

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

OUTFALLS

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

General Design Criteria for Outfall Features

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

**TABLE 7.
ROCK PROTECTION AT OUTFALLS**

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

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

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

General Design Criteria to Protect Aquatic Species and Habitat

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

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

Rock Splash Pad

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

Flow Dispersal Trench

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

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

PIPE/CULVERT DISCHARGE PROTECTION

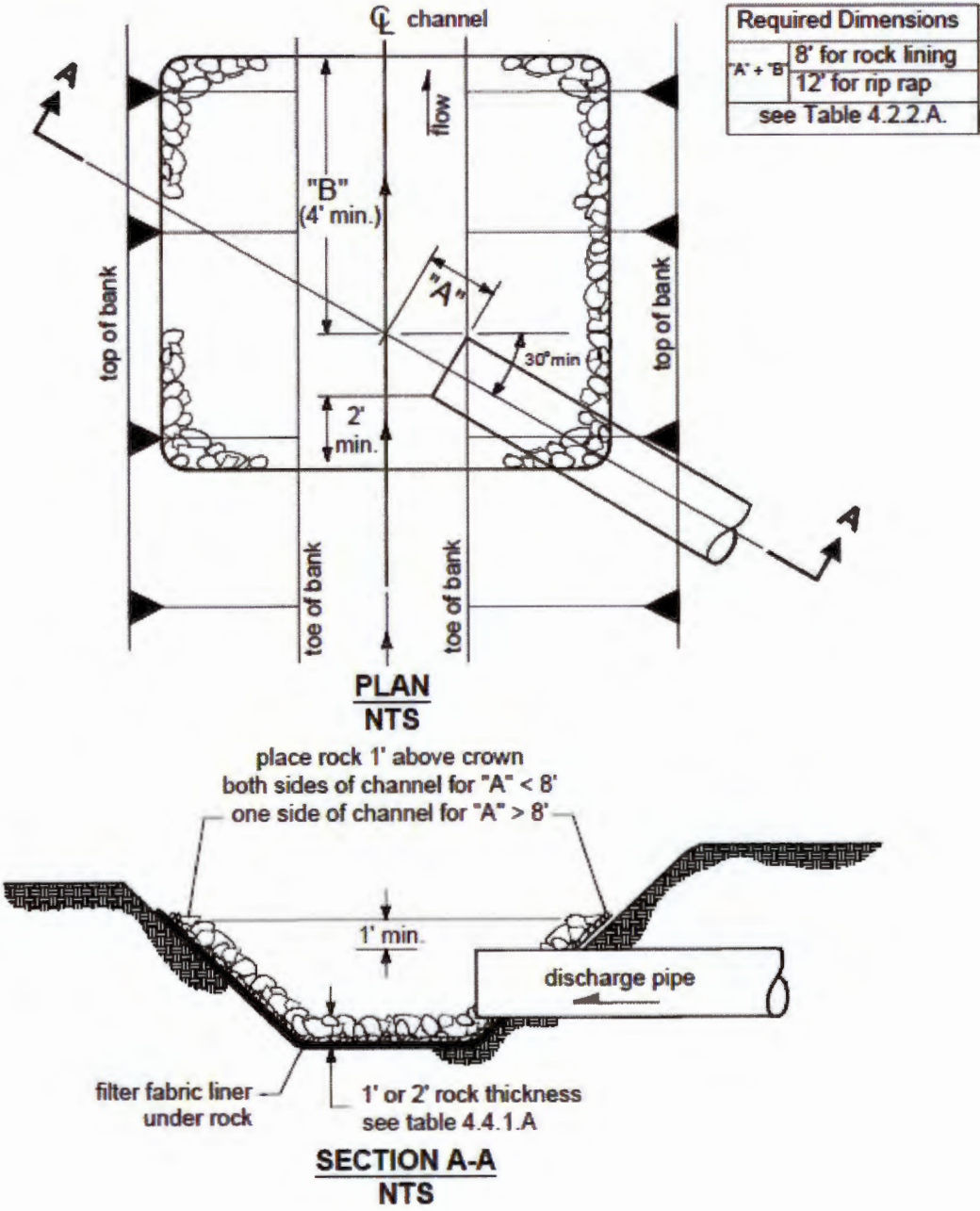


Figure 3. Outfall Discharge Protection

Tightline Systems

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

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

CULVERT CRITERIA

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

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

Culvert Design Criteria

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

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

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

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

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

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

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

Bends are not permitted in culvert pipes.

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

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

Trench backfill shall be per CBS Standard Specifications.

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

Fish Passage

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

OPEN CONVEYANCES

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

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

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

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

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

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

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

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

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

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

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

Simplified Ditch Design

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

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

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

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

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

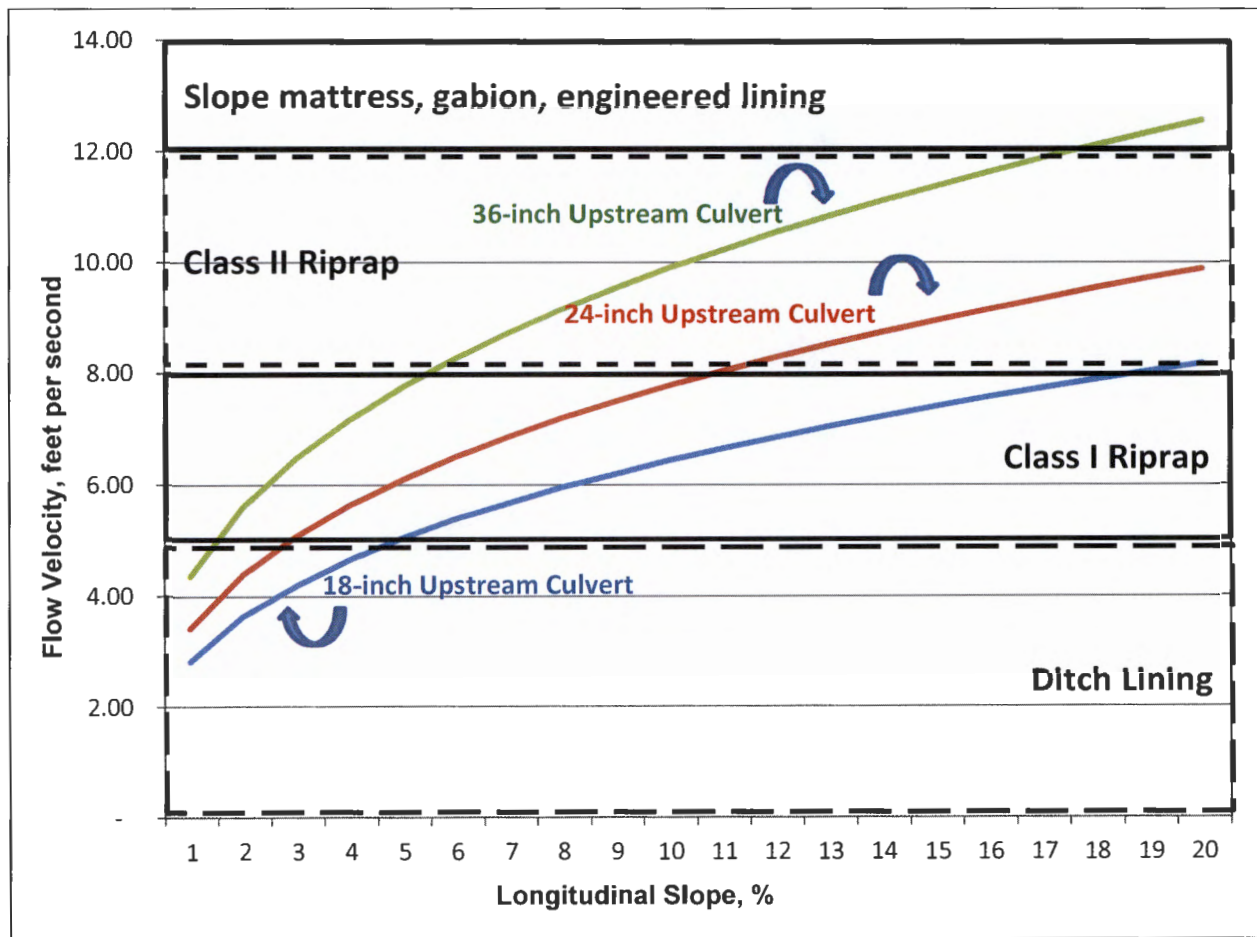


Figure 4. Armoring required for Simplified Ditch Design

PRIVATE DRAINAGE SYSTEMS

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

Discharge Locations

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

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

Drainage Stub-Outs

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

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

Dan Tadic

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

Good afternoon,

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

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

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

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

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

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

Thanks,

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



City and Borough of Sitka

100 Lincoln Street Sitka, Alaska 99835

Coast Guard City, USA

January 26, 2015

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

Dear Dan,

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

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

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

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

Sincerely,

Maegan Bosak
Planner I



Legislation Details

File #: ORD 15-08 **Version:** 1 **Name:**

Type: Ordinance **Status:** AGENDA READY

File created: 2/18/2015 **In control:** City and Borough Assembly

On agenda: 2/24/2015 **Final action:**

Title: An ordinance of the City and Borough of Sitka, Alaska amending Sitka General Code Title 22 Zoning under Chapter 22.20 Supplemental District Regulations and Development Standards And updating Chapter 22.16 District Regulations, Table 22.16.015-1 to allow for and regulate accessory dwelling units (ADJUS) as a permitted or conditional use

Sponsors:

Indexes:

Code sections:

Attachments: [MOTION ORD 15-08](#)
[ORD 2015-08 ADUs](#)

Date	Ver.	Action By	Action	Result
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POSSIBLE MOTION

I MOVE TO approve Ordinance 2015-08
on first reading.



City and Borough of Sitka

100 Lincoln Street Sitka, Alaska 99835

Coast Guard City, USA

MEMORANDUM

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

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

Subject: Ordinance 2015-8 Amending ADUs to be a permitted or conditional use

Date: February 17, 2015

The Planning Commission is recommending approval of a zoning text amendment on accessory dwelling units (ADUs) SGC 22.20.160 to add that an ADU may be considered through a conditional use permit process if it does not meet code requirements. The proposal is designed to create leniency in the requirements so long as the conditional use permit findings can be met. The request is filed by the City and Borough of Sitka. Action on this item was taken at the February 3, 2015 Planning Commission meeting. The recommendation to approve the request passed unanimously 3-0.

Accessory dwelling units were adopted in 2013 as a way to create additional housing options in various zones throughout Sitka. To date, we have had no applications that fulfill the necessary requirements outlined in code. Many have applied that do not have room for the required two parking spaces or are accessed off of an easement rather than the required municipally maintained right of way.

The Planning Commission revisited the requirements and determined that requests could be assimilated into various neighborhoods even if they did not meet all code requirements. The Commission determined that ADUs could be a permitted use when meeting requirements or a conditional use if the request does not meet requirements. By approving through the conditional use permit process, the Commission will have to determine an approval of findings and place conditions if necessary. The attached ordinance makes changes to SGC Table 22.16.015-1 and adds a section under ADU SGC 22.20.160 to add approval by conditional use permit

The Planning Commission spent multiple meetings discussing a variety of ADU options. The Planning Department appreciates the Commission's lengthy discussion and public input.

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

Recommendation: Approve the ordinance.

CITY AND BOROUGH OF SITKA

ORDINANCE NO. 2015-08

AN ORDINANCE OF THE CITY AND BOROUGH OF SITKA, ALASKA AMENDING SITKA GENERAL CODE TITLE 22 ZONING UNDER CHAPTER 22.20 SUPPLEMENTAL DISTRICT REGULATIONS AND DEVELOPMENT STANDARDS AND UPDATING CHAPTER 22.16 DISTRICT REGULATIONS, TABLE 22.16.015-1 TO ALLOW FOR AND REGULATE ACCESSORY DWELLING UNITS (ADUS) AS A PERMITTED OR CONDITIONAL USE

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

- 1. CLASSIFICATION. This ordinance is of a permanent nature and is intended to be a part of the Sitka General Code of the City and Borough of Sitka, Alaska.
- 2. SEVERABILITY. If any provision of this ordinance or any application to any person or circumstance is held invalid, the remainder of this ordinance and application to any person and circumstances shall not be affected.
- 3. PURPOSE. The purpose of this ordinance is to 1) amend the municipal zoning regulations to facilitate flexible housing types by allowing for Accessory Dwelling Units (ADUs) in selected residential zones under specific circumstances or through a conditional use permit.
- 4. ENACTMENT. NOW, THEREFORE, BE IT ENACTED by the Assembly of the City and Borough to: Add Section D under SGC Section 22.20.160 Accessory Dwelling Units, and to amend Chapter 22.16 District Regulations, under Section 22.15.015 Permitted, conditional and prohibited uses at Table 22.16.015-1 to make ADUs a permitted/conditional use under the R-1 and R-2 zones and a conditional use in the R-1, MH, R-1 LDMH and R-2 MHP zones that reads as follows:

* * *

Chapter 22.20
SUPPLEMENTAL DISTRICT REGULATIONS AND DEVELOPMENT STANDARDS
 * * *

22.20.160 Accessory dwelling units (ADUs).
 * * *

D. Conditional Use Permits may be sought if the above requirements cannot be met. Conditional Use Permit must be in conformance with SGC 22.24.

* * *

Chapter 22.16
DISTRICT REGULATIONS

22.16.015 Permitted, conditional and prohibited uses.
 * * *

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**Table 22.16.015-1
Residential Land Uses**

Zones	P(1)	SF	SFLD	R-1	R-1 MH	R-1 LDMH	R-2	R-2 MHP	CBD (11, 12)	C-1 (11)	C-2 (11)	WD (2, 11)	I	GI (3, 10)	LI(3)	R	OS	GP (13)
RESIDENTIAL																		

•Accessory dwelling unit				P(14) <u>C</u>	<u>C</u>	<u>C</u>		P(14) <u>C</u>	<u>C</u>									

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

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

Mim McConnell, Mayor

ATTEST:

Colleen Ingman, MMC
Municipal Clerk

**Table 22.16.015-1
Residential Land Uses**

Zones	P(1)	SF	SFLD	R-1	R-1 MH	R-1 LDMH	R-2	R-2 MHP	CBD (11, 12)	C-1 (11)	C-2 (11)	WD (2, 11)	I	GI (3, 10)	LI(3)	R	OS	GP (13)
RESIDENTIAL																		
• Single-family detached		P	P	P(4)	P(4)	P(4)	P(4)	P(4)		P	P	P		P	P	P	P	
• Townhouse				C(5)	C(5)	C(5)	C(5)	C(5)	C	P	P	P		C	C			
• Duplex				P	P		P	P		P	P	P		P	P			
• Residential zero lot line				P	P	P	P	P		P	P	P						
• Multiple-family				C(5)	C(5)	C(5)	P(5)	P(5)	P(5,8)	P(5)	P(5)	P(5)		C	C			
• Single manufactured home on an individual lot					P	P		P			P			C	C			
• Mobile home park								P			P	P						
• Accessory dwelling unit				P(14)			P(14)											
GROUP RESIDENCES																		
• Assisted living	C						C	C						C	C			
• Bunkhouse for transient workers							C	C				C		C				
• Dormitory	C(4)						C	C										
• Quasi-institutional	C			C	C	C	C	C						C	C			
TEMPORARY LODGING																		
• Hostel							C	C		P	P	P						
• Hotel/motel									P	P	P	P		PU/ CS	C	C		
• Bed and breakfast				C(7)	C(7)	C(7)	C(8)	C(8)	P	P	P	P		P	C			
• Short-term rental				C	C	C	C	C	P	P(9)	P(9)	P(9)		P	C	P(9)		
• Rooming house							C	C	C	P	P	P		C	C			
• Lodge										P	P	P		PU/ CS	C			
• Limited storage				C(6)	C(6)	C(6)	C(6)	C(6)						P	C			

P: Public Lands District

SF: Single-Family District

SFLD: Single-Family Low Density District

R-1: Single-Family/Duplex District

R-1 MH: Single-Family/Duplex/Manufactured Home District

R-1 LDMH: Single-Family/Duplex and Single-Family/Manufactured Home Low Density Districts

R-2: Multifamily District

R-2 MHP: Multifamily/Mobile Home District

CBD: Central Business District

C-1/C-2: General Commercial and General Commercial/Mobile Home Districts

WD: Waterfront District

I: Industrial District

GI: General Island District

LI: Large Island District

R: Recreational District

OS: Open Space District

GP: Gary Paxton Special District

P—Permitted

C—Conditional Use Permit Required

PU/CS—Permitted on Unsubdivided Islands and Conditional Use on Subdivided Islands

C. Residential Uses Table 22.16.015-1 Footnotes.

- Public facilities not otherwise identified may be permitted in the public zone subject to planning commission recommendation and assembly approval subject to findings

of fact that show the use is in the public interest; all reasonable safeguards are to be employed to protect the surrounding area; and that there are no reasonable alternative locations for the use.

2. All uses in the waterfront district are intended to be water-related or water-dependent except that upland uses may be non-water-related.
3. Uses listed as conditional uses in the GI and LI zones may be considered, but not necessarily approved, on a case-by-case basis.
4. Including zero lot developments.
5. Townhouse, cluster housing developments and planned unit developments are conditional uses subject to this title and Title 21 of this code, Subdivisions.
6. On-site storage of commercial fishing vessels, fishing equipment and other small business equipment is a permitted conditional use so long as such storage does not occupy more than four hundred square feet.
7. Bed and breakfast establishments are limited to three guest rooms in the R-1, R-1 MH, and R-1 LD districts as conditional uses only when no other rental such as apartments is in operation on the same lot.
8. Bed and breakfast establishments are limited to five guest rooms in the R-2, R-2 MHP districts as conditional uses only when no other rental such as apartments is in operation on the same lot.
9. Short-term rentals including legal nonconforming uses shall provide two off-street parking spaces per unit, comply with the municipal fire code, and comply with the requirements of the building department based on a life safety inspection.
10. Hotels, motels, lodges, boarding houses and bed and breakfasts capable of accommodating a maximum of six guests plus one guest for each one-half acre or fraction thereof above one acre on unsubdivided islands are permitted principal uses. Hotels, motels, lodges, boarding houses and bed and breakfasts, on unsubdivided islands that exceed this maximum, are conditional uses. Bed and breakfast establishments, boarding houses, hotels, motels and lodges are conditional uses on subdivided islands.
11. Many of the permitted and conditional uses in the CBD, C-1, C-2, and WD zones generate traffic, noise, odor, and general impacts to a higher level and greater degree than permitted and conditional uses in residential districts. Owners of residential uses in the CBD, C-1, C-2 and WD districts must be aware of and accepting of all the permitted uses in these districts.
12. Single or multiple apartments shall only be permitted on the first floor of structures in the CBD district if approved through the conditional use process. Single and multiple apartments are permitted uses on upper floors of structures in the CBD district.
13. Any uses, except retail and business uses, and natural resource extraction and mining support facilities uses may be approved in accordance with Section 2.38.080.
14. Accessory dwelling units shall be constructed in conformance with the standards outlined in Chapter 22.20, Supplemental District Regulations and Development Standards.

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.

(Ord. 02-1683 § 4 (part), 2002.)

22.20.150 Short-term rentals.

Short-term rentals including bed and breakfasts as defined in Chapter 22.08 of this code shall be conditional uses in the R-1 single-family and duplex residential district, the R-1 MH single-family, duplex and manufactured home district, the R-1 LD or R-1 LDMH single-family or duplex low density or single-family/manufactured home low density district, the R-2 multifamily residential district and the R-2 MHP multifamily mobile home district. Short-term rental in those districts shall be subject to the general rules set out under the provisions of Section 22.24.010. (Ord. 10-12 § 4 (part), 2010; Ord. 02-1683 § 4 (part), 2002.)

22.20.160 Accessory dwelling units (ADUs).

A. The following code section provides for binding standards and regulates the accessory dwelling units (ADUs). ADUs are intended to:

1. Utilize existing housing stock while preserving the appearance and character of single-family neighborhoods.
2. Provide additional affordable options for long-term rental housing.
3. Provide a broader range of more affordable housing.
4. Provide a mix of housing that responds to changing family needs, smaller households and multi-generational families.
5. Provide a means for residents, particularly seniors, single parents, and families with

grown children, to remain in their homes and neighborhoods and obtain extra income, security, companionship and services.

6. Encourage a more economic and energy-efficient use of Sitka's housing supply.

7. To maintain consistency with city and borough of Sitka's policies as recommended in the Comprehensive Plan (2.2.15, 2.2.16, 2.4.8.A, 2.5.1.B, 2.5.11, 2.10.3.B).

B. Creation. An accessory dwelling unit (ADU) is a second dwelling unit that is located on the same parcel as the primary single-family dwelling unit. ADUs must provide a complete, independent residential living space and shall include provisions for living, sleeping, eating, cooking and sanitation. ADUs can be studio-sized units, and one- and two-bedroom units. An ADU may be created through the following methods:

1. Constructing a detached ADU on a parcel with an existing single-family home.
2. Constructing a new single-family home with a detached ADU.

C. Accessory Dwelling Unit Requirements.

1. An ADU is a permitted use, on lots served by a publicly maintained right-of-way in the following residential zoning districts: R-1 and R-2 and related districts exclusive of MH and MHP. An ADU shall not be constructed on lots accessed by access easements. They are also not allowed on lots served by rights-of-way that have not been accepted by the municipality or state of Alaska for maintenance.
2. ADUs are intended for long-term rental use only. Rental of an ADU for a period of less than ninety consecutive days is prohibited. ADUs shall not be used for short-term vacation rentals and/or bed and breakfast purposes.
3. ADUs shall meet all development, design, zoning and building requirements at the time of construction (e.g., setback requirements and lot coverage standards) applica-

- ble to the primary dwelling unit, except as otherwise noted.
4. The ADU must be located on the same parcel as the primary dwelling unit.
 5. Only one ADU is allowed per parcel.
 6. Mobile homes, travel trailers and recreational vehicles shall not be used as an ADU.
 7. ADUs shall only be located on a parcel in conjunction with a single-family dwelling unit. ADUs shall not be located on parcels that contain a duplex and shall not be located on parcels that contain two or more dwelling units.
 8. ADUs shall be designed so that the appearance of the structure maintains, to the greatest extent possible, the appearance of a single-family property.
 9. If a separate external entrance for the ADU is necessary, where possible, it shall be located on the side or rear of the structure. On a corner lot, where there are two entrances visible from either street, where possible, solid screening is required to screen at least one of the entrances from the street.
 10. Exterior stairs shall be located in the side or rear yard wherever possible and must comply with setback and building code requirements.
 11. The maximum size of an ADU shall be eight hundred square feet.
 12. The following parking requirements are applicable for ADUs:
 - a. As part of the application submittal process, the applicant shall submit a parking plan delineating parking space(s) for the ADU and the primary dwelling unit.
 - b. Where parking is located in any portion of the interior side and/or rear setbacks solid screening is required from adjoining properties.
 - c. On-street parking is prohibited.

- d. If additional parking is necessary, new parking space(s) shall utilize existing curb cuts.
13. All subdivisions of lots containing ADUs are prohibited unless all minimum lot sizes (exclusive of access easements), setbacks, lot coverage, and other requirements in the zoning and subdivision codes are met.
 14. Variances are prohibited on any lot containing an ADU including, but not limited to, variances for setbacks, lot coverage, building height, and off-street parking requirements.

(Ord. 13-14A § 4 (part), 2013.)

Chapter 22.24

SPECIAL USE PERMITS

Sections:

- 22.24.005 General.**
- 22.24.010 Conditional uses.**
- 22.24.020 Variances.**
- 22.24.030 Planned unit developments.**
- 22.24.040 Binding site plan approval.**
- 22.24.050 Nonconforming use permit.**

22.24.005 General.

Special permits are necessary for conditional uses, variances, planned unit developments, binding site plans and nonconforming uses. This chapter includes provisions for application, review and approval of these permits. Chapter 22.30, Article III, of this code provides procedural requirements associated with permit processing. (Ord. 02-1683 § 4 (part), 2002.)

22.24.010 Conditional uses.

A conditional use is a use that may not be appropriate in a particular zoning district according to the character, intensity, or size of the lot or the surrounding uses. This section establishes decision criteria and procedures for special uses, called conditional uses, which possess unique characteristics. The con-

**CITY AND BOROUGH OF SITKA
Planning Commission
Minutes of Meeting
February 3, 2015**

Present: Richard Parmelee (Chair), Debra Pohlman (Member), Chris Spivey (Member), Maegan Bosak (PCDD), Scott Brylinsky (Temporary Planner)

Absent: Darrell Windsor (Member)

Members of the Public: Sheila Finkenbinder

Chair Parmelee called the meeting to order at 6:59 p.m.

Roll Call:

PRESENT: 3 – Parmelee, Spivey, Pohlman

Consideration of the Minutes from the January 20, 2015 meeting:

MOTION: M/S SPIVEY/POHLMAN moved to approve the meeting minutes for January 20, 2015.

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

The evening business:

**ZONING TEXT AMENDMENT
ACCESSORY DWELLING UNITS
PLANNING DEPARTMENT**

Public hearing and consideration of a proposed zoning text amendment on accessory dwelling units (ADU) SGC 22.20.160 to add that an ADU may be considered through a conditional use permit process if it does not meet code requirements. The proposal is designed to create leniency in the requirements so long as the conditional use permit findings can be met. The request is filed by the City and Borough of Sitka.

APPLICANT: Brylinsky described request and history leading up to proposed zoning text amendment. Discussion of ADUs in waterfront zone. Point is to help create housing options for the community. Strict regulations have prevented any ADU permits so far. ADUs will not be allowed in the SF or SFLD zones.

COMMISSIONER DELIBERATION: Commissioner Pohlman asks about tiny homes and how this plays into it. Brylinsky says that an ADU would have to meet building codes (IRC) and could not be on wheels. Tiny homes are a separate area of interest. Spivey wants to maintain standard that ADUs have to be on a permanent foundation. Commissioners feel confident in making a motion of recommendation to the Assembly.

MOTION: M/S SPIVEY/POHLMAN move to recommend approval to the Assembly of a proposed zoning text amendment on accessory dwelling units (ADU) SGC 22.20.160 to add that an ADU may be considered through a conditional use permit process if it does not meet code requirements. The proposal is designed to create leniency in the requirements so long as the conditional use permit findings can be met. The request is filed by the City and Borough of Sitka also amending SGC Table 22.16.015-1 to make ADUs a permitted/conditional use under the R-1 and R-2 zones and a conditional use in the R-1 MH, R-1LDMH and R-2 MHP zones.

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

**DISCUSSION
COMPREHENSIVE PLAN
PLANNING DEPARTMENT**

Bosak gives report on new comprehensive plan proposed to begin this July. Shares history of comprehensive plans and what is legally required. Bosak and Brylinsky share that the proposed plan will be 10-20 pages and encompass all other plans.

Planning Commission is excited and looking forward to participating. They agree that they would like to take on the role of the Strategic Planning Commission and morph into a board that does more that look at variances and small code issues. Commissioner Spivey asks why the comp plan is over 100 pages? "Seems like they are written more by lawyers," he states. Commissioners agree that they would like to see a community driven shorter comp plan. Pohlman references state comprehensive plan and would like to see time limit on feedback.

The Planning Commission is interested in being a part of the process and is in support of the shorter plan model.

Commission will start thinking of public input questions.

PLANNING DIRECTOR'S REPORT: Discussion over air b&bs. Small operational B&B's are becoming more and more popular. Hide-a-bed rentals are gaining traction.

ADJOURNMENT:

MOTION: M/S SPIVEY/POHLMAN moved to adjourn at 7:45 pm.

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

Richard Parmelee, Chair

Maegan Bosak, Secretary

**CITY AND BOROUGH OF SITKA
Planning Commission
Minutes of Meeting
January 6, 2015**

Present: Richard Parmelee (Chair), Chris Spivey (Vice Chair), Darrell Windsor (Member), Maegan Bosak (Planner I), Scott Brylinsky (Interim Planning Director)

Absent: Debra Pohlman (Member)

Members of the Public: Michael LaGuire, James Poulson, George Eliason, Lynne Brandon (CBS Parks and Rec), Corrie Bosman, Cliff Richter, Andrew Thoms, Janet Eddy

Chair Parmelee called the meeting to order at 7:08 p.m.

Roll Call:

PRESENT: 3 – Parmelee, Windsor, Spivey

Consideration of the Minutes from the December 16, 2014 meeting:

MOTION: M/S SPIVEY/WINDSOR moved to approve the meeting minutes for December 16, 2014.

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

The evening business:

**CONDITIONAL USE PERMIT- B&B
LOT 15, AMENDED PLAT OF PINEHURST ADDITION, US SURVEY 1804
CORRIE BOSMAN**

Public hearing and consideration of a two bedroom bed and breakfast conditional use permit requested by Corrie Bosman at 629 Degroff Street. The property is also known as Lot 15, Amended Plat of Pinehurst Addition, US Survey 1804.

Planner I, Bosak, summarizes the case. The applicant is requesting a bed and breakfast permit in a single family 3 bedroom, 2 bathroom home. The two rooms upstairs will be rented. Applicant is providing four off street parking spaces, more than the required amount. No public comment has been received.

APPLICANT: Corrie Bosman explains that this will be an air b&b, all bookings will take place online and primarily servicing the independent traveler. Bosman expects that she will get a lot of people coming to town for local events at SJ or Fine Arts Camp. Asking for two bedrooms however the second room will only be for overflow guests, the rooms will not be booked independently. Bosman says she will only have 1-2 guests unless it is a family.

COMMISSIONER DELIBERATION: Commissioner Spivey has concerns over traffic and cars pulling in and out of the driveway. Commission agrees that this will mainly be walking guests and that the applicant is providing more than enough parking.

PUBLIC COMMENT: No public comment.

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

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

The granting of the proposed conditional use permit will not:

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

The request is supported by general approval criteria as follows:

1. Site topography, slope and soil stability, geophysical hazards such as flooding, surface and subsurface drainage and water quality, and the possible or probable effects of the proposed conditional use upon these factors, *specifically the structure is existing;*
2. Utilities and service requirements of the proposed use, including sewers, storm drainage, water, fire protection, access and electrical power; the assembly and planning commission may enlist the aid of the relevant public utility officials with specialized knowledge in evaluating the probable effects of the proposed use and may consider the costs of enlarging, upgrading or extending public utilities in establishing conditions under which the conditional use may be permitted;
3. Lot or tract characteristics, including lot size, yard requirements, lot coverage and height of structures;
4. Use characteristics of the proposed conditional use that affect adjacent uses and districts, including hours of operation, number of persons, traffic volumes, off-street parking and loading characteristics, trash and litter removal, exterior lighting, noise, vibration, dust, smoke, heat and humidity, recreation and open space requirements, *specifically applicant has shown adequate off street parking;*
5. Community appearance such as landscaping, fencing and screening, dependent upon the specific use and its visual impacts.

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

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

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

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

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

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

DISCUSSION

OLD CITY CEMETARY LOCATED AT THE END OF BARANOF STREET CBS PARKS AND RECREATION

Public hearing and consideration of a proposed Cross Trail temporary heavy equipment access using the old roadway through the old city cemetery located at the end of Baranof Street.

Interim Planning Director Brylinsky describes request and findings after staff site plan. He explains the historic travel route. Will be a change to sacred ground; research has shown that no gravesites will be disturbed. Photo shows memorial marker on rock, a seven foot buffer from marker will be established. Historic Preservation Commission recommended the temporary heavy equipment access.

APPLICANT: Lynne Brandon, CBS Parks and Rec, is available to answer any questions.

PUBLIC COMMENT: No public comment.

COMMISSIONER DELIBERATION: Commissioner Spivey asks why this is happening. Materials can't be taken in on Gavan trail as there is boardwalk so this temporary access will allow small equipment to be transported. Chair Parmelee ask the width of the path and Brandon responds that it will be 10 feet wide. Parmelee said when he walked it he thought he noticed other markers. Brandon explains legal process which has been subject to cultural resources study. They have had public meetings, contacted neighbors, worked with 9 different agencies, etc. Confident that everything is going to be done according to plan. This will be the first section of the cross trail that connects to downtown, very gradual grades.

DISCUSSION
ACCESSORY DWELLING UNITS (ADU)
CBS PLANNING DEPARTMENT

Discussion of possible modifications to the SGC requirements for Accessory Dwelling Units (ADUs).

PUBLIC COMMENT: Andrew Thoms, Sitka Conservation Society, interested in how this applies to micro homes. Lots of people interested in tiny homes, as it reduces environmental footprint and reverses the trend of large square footage. High School vocational program is building a micro home. Clear that restrictions on ADUs limited construction and SCS is submitting ideas on making it more lenient so the permit applies to more people. They propose that an ADU be a conditional use permit with conditions such as: hooked up permanently to utilities, uses locally sourced materials and blends in the neighborhood aesthetics. Commissioner Spivey asks how hard will it be to put on foundation rather the trailer? Thoms says it's not hard but about being able to easily transport. Easier to build in different location and then move onsite. It could be dropped on a foundation.

George Eliason, says ADUs are great idea but has concern over restrictions. Wonders why it can't be located off an access easement and why it must be a standalone dwelling. Commission addresses why access from easement was restricted as typically maintenance costs are shared and effects neighbors. Spivey states that standalone dwelling doesn't apply, that would simply be an apartment over the garage. The buildings wouldn't have to be connected if the garage/apartment could be considered an ADU. Brylinsky says that this could be a good example of an ADU as a conditional use.

COMMISSIONER DELIBERATION: Parmelee talks about zoning and ADUs and doesn't think we should apply all zoning, specifically SF and SFLD. Spivey is also against moving it into SF. Bosak explains that historically the reason limiting the zones to R-1 and R-2 was the idea against blending stick and manufactured structures for fire purposes. Also the aesthetics of the neighborhood and blending a mobile home. Parmelee asks about a new zone specifically for ADUs. Staff will come back with a proposal.

The Commission thinks that a no-car covenant might be a good idea however there is no way to enforce other than it being through a conditional use permit. ADUs currently must have two parking spaces and the Commission thinks that one space would be sufficient. Spivey reminds the group of the historical discussion and refers to enforcement and guests as the reason it wasn't reduced in the past. Commission says there should not be a no-car covenant.

Discussion over enforcement and Brylinsky talks to self regulation by the property owner. He thinks that owner compliance of a conditional use permit is the best form of enforcement. Commission is in support of a one car requirement. Commission again states that this would best be served through the conditional use permit process. Parmelee says this ADU permit isn't being used and he would like to see it revised and then come back again if there are issues. Spivey says it will lead to more non conformities. Commissioners ask Bosak about ADU inquires. She states there were approximately 10 and 3-4 could not meet parking requirements. Parmelee and Windsor are in favor of reducing parking requirements to one space. Spivey is against.

Commissioners might be for micro homes as ADUs if they are put on permanent foundations, skirted, hooked up to utilities and blends into the neighborhood aesthetics. Commission feels this deserves further discussion.

Commissioners feel that ADUs should be on a conditional use permit basis.

Brylinsky will draft a new ordinance for ADUs and submit for Commission discussion.

PLANNING DIRECTOR'S REPORT: Next meeting is only for Stormwater Ordinance. Planning Director position closes January 15th.

ADJOURNMENT:

MOTION: M/S SPIVEY/WINDSOR moved to adjourn at 8:12 pm.

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

Richard Parmelee, Chair

Maegan Bosak, Secretary

- 22.08.739 Sign face.
- 22.08.740 Sign, freestanding.
- 22.08.741 Sign, off-site.
- 22.08.742 Sign, permanent.
- 22.08.743 Sign, temporary.
- 22.08.744 Site plan.
- 22.08.745 Site plan, binding.
- 22.08.750 State highway.
- 22.08.751 Sports club.
- 22.08.760 Story.
- 22.08.770 Street.
- 22.08.780 Structure.
- 22.08.785 Subdivision code.
- 22.08.786 Subdivision, major.
- 22.08.787 Subdivision, minor.
- 22.08.790 Tank farms.
- 22.08.795 Temporary building or structure.
- 22.08.797 Tidelands.
- 22.08.800 Townhouse.
- 22.08.805 Tract or parcel.
- 22.08.830 Use, accessory.
- 22.08.840 Use, principal.
- 22.08.850 Variance.
- 22.08.851 Vessel.
- 22.08.853 Walkway.
- 22.08.854 Watchman or caretaker dwelling.
- 22.08.855 Watercourse.
- 22.08.860 Wetland.
- 22.08.865 Wildlife rehabilitation centers.
- 22.08.870 Yard, front.
- 22.08.880 Yard, rear.
- 22.08.890 Yard, side.
- 22.08.895 Zone or zone district.
- 22.08.896 Zoning code.

22.08.010 General interpretation.

For the purpose of this title, certain terms or words used herein shall be interpreted as follows:

- A. Words used in the present tense include the future tense.
- B. The singular number includes the plural;
- C. The word "person" includes a partnership and corporation as well as the individual;

- D. The word "lot" also includes the words, "plot," "parcel," or "tract";
 - E. The term "shall" is always mandatory;
 - F. The words "used" or "occupied" as applied to any land or building includes the words "intended," "arranged" or "designed" to be occupied.
- (Ord. 02-1683 § 4 (part), 2002.)

22.08.020 Interpretation of unlisted meanings.

When a word or term is not specifically stated, the city and borough administrator or his designee shall have the authority to interpret the meaning or description most comparable, subject to appeal to the planning commission, then to the assembly. (Ord. 02-1683 § 4 (part), 2002.)

22.08.025 Accessory dwelling unit.

An "accessory dwelling unit (ADU)" is a second dwelling unit that is located on the same parcel as the primary single-family dwelling unit. An ADU must provide a complete, independent residential living space and shall include provisions for living, sleeping, eating, cooking and sanitation. Accessory dwelling units are further regulated under Chapter 22.20 and other sections of this title. (Ord. 13-14A § 4 (part), 2013.)

22.08.030 Administrative officer.

"Administrative officer" means the city and borough administrator or his designee assigned to administer and enforce the zoning title. Said individual may include, but is not limited to, the planning director, or planning assistant. (Ord. 04-60 § 4(D) (part), 2004.)

22.08.040 Alteration.

"Alteration" means any change, addition or modification in a construction, location, occupancy or use classification. In buildings for businesses, commercial, industrial or similar uses, the installation or re-arrangement of partitions affecting more than one-third of a single floor area shall be considered an alteration. (Ord. 02-1683 § 4 (part), 2002.)

CITY AND BOROUGH OF SITKA
PLANNING DEPARTMENT
ZONE CHANGE APPLICATION

ZONE MAP AMENDMENT FEE	\$100.00
ZONE TEXT AMENDMENT FEE	\$100.00
<i>Plus</i> current city sales tax	

Applicant's Name: City and Borough of Sitka - Planning Dept.

Phone Number: _____

Mailing Address: _____

Applicant's Signature: Mueggen BOBWK Date Submitted 1/20/15

Provide information or data, as necessary, to fully outline the reasons and justifications for the request. Attach additional sheets as necessary.

- For official map amendments, the application shall contain:
1. A legal description of **each** subject property along with the owner's name, address, and contact person for **each** subject property;
 2. An analysis showing the public benefit of the proposed amendment;
 3. An analysis showing the proposal's consistency with the Comprehensive Plan;
 4. A map of the area to be rezoned.

LIST SPECIFIC REQUEST: Make accessory dwelling units (ADUs) P/C (permitted/conditional uses) under R-1 and R-2, and as C (conditional use) in R-1 MH, R-1 LDMH, R-2 MHP on the SGC Table 22.16.015-1.

EXPLANATION OF REQUEST: Also adding SGC 22.20.160 Section D stating that conditional use permits may be sought if the above requirements cannot be met.

Goal is to create leniency in the ADU requirements allowing for more housing options.

After the application and supporting materials has been determined to be complete by the Planning Office, the request will be placed on the next available Planning Commission agenda.



Legislation Details

File #: ORD 15-09 **Version:** 1 **Name:**
Type: Ordinance **Status:** AGENDA READY
File created: 2/18/2015 **In control:** City and Borough Assembly
On agenda: 2/24/2015 **Final action:**
Title: Amending SGC Chapter 2.38 "Gary Paxton Industrial Park Board" at Section 2.38.080 (A)7(a)
"General Powers"
Sponsors:
Indexes:
Code sections:
Attachments: [MOTION ORD 15-09](#)
[Ord 2015-09 ORD VS RES](#)

Date	Ver.	Action By	Action	Result
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POSSIBLE MOTION

I MOVE TO approve Ordinance 2015-09
on first reading.

CITY AND BOROUGH OF SITKA

ORDINANCE NO. 2015-09

AN ORDINANCE OF THE CITY AND BOROUGH OF SITKA, ALASKA AMENDING SITKA GENERAL CODE CHAPTER 2.38 "GARY PAXTON INDUSTRIAL PARK BOARD" AT SECTION 2.38.080 A (7) (a) "GENERAL POWERS"

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

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

3. PURPOSE. The purpose of this ordinance is to clarify a conflicting statement in the Sitka General Code to require that approval of any sale, purchase, or trade of land other than a short term lease at the Gary Paxton Industrial Park Board be by ordinance. Currently, Chapter 2.38.080(A)(7) states that the method shall be by ordinance subject to limitations and further states that any sale, purchase, or trade of land other than short term lease (which may be approved by the municipal administrator) shall be subject to approval by the Assembly by resolution.

4. ENACTMENT. NOW, THEREFORE, BE IT ENACTED by the Assembly of the City and Borough of Sitka that Section 2.38.080 of the Sitka General Code is amended to read as follows:

Chapter 2.38
Gary Paxton Industrial Park Board

2.38.080 General Powers

A. Subject to state laws and municipal ordinances, the board of directors shall generally exercise all powers necessary and incidental to operation of all Gary Paxton industrial park facilities in the public interest and in a sound business manner. In particular, and without limitation on the foregoing, the board:

7. Shall administer and dispose of tideland, submerged land, and other land identified by the assembly by ordinance as subject to Gary Paxton Industrial Park administration, subject to the following limitations:

48 a. Any sale, purchase, or trade of land other than short term lease (which
49 may be approved by the municipal administrator) shall be subject to
50 approval by the assembly by ordinance resolution.

51 ***

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

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

60
61
62
63 _____
Mim McConnell, Mayor

64 **ATTEST:**

65
66
67
68 _____
69 Colleen Ingman, MMC
70 Municipal Clerk
71

To: Assembly

From: Robin L. Koutchak, Municipal Attorney

Date: February 10, 2015

Issue : Ordinance or Resolution for GPIIP

Attached are the pertinent portions of the Charter and of the Code for your review.

As you will see, most of the Code and Charter mandate that disposal or sale of land be done by ordinance. To be internally consistent, we could have every disposal or sale be done by ordinance. However, in the code dealing with GPIIP, 2.38.080 (7), we see that we shall dispose or administer land by ordinance.

Subsection a. of 2.38.080 (7) goes on to say however that the sale, purchase or trade of land (except short term leases which may be approved by the city administrator) shall be subject to approval by the assembly by resolution.

Although some have suggested this is a "conflict", the fact is under generally accepted principals of law, when it comes to interpreting statutes and language in the statute (or ordinance, code or charter) "the more specific governs the general", therefore, following the resolution mandate of subsection 7 (a) has been proper. Every transaction has been legal, and in fact, every transaction has followed a process of going before the GPIIP board with multiple, properly noticed public meetings before coming to the Assembly. The public process has never been side skirted whether the sale has been by resolution or ordinance. It's not so much what you call the process, as it is that the public is allowed to be part of the process, which it has been with notice given and an opportunity to be heard.

The discussion next raises the issue of changing 2.38.080(7)(a) to make it consistent within itself or within the code. Legally, it could be changed to say "resolution" in both sections or it could be changed to say "ordinance" in both sections. If it were changed to be by ordinance, it would be internally consistent with the entire city code and charter.

However, research and anecdotal thought on the topic points out that GPIIP was created to move at the speed of commercial business, not at the speed of government. That is, (a) was purposefully worded "by resolution" so that commercial business would be taken care of in less than two readings, as required by ordinance. So an equally good argument could be made for making both sections read "by resolution". The safeguard, in the event it is decided to clarify the ability to decide by resolution, is that the Assembly can always table a resolution if they feel that they need more time or input to make a decision or they can send it back to the GPIIP board if they want more information or are not satisfied with the business transaction. So in this regard, it makes no difference whether a decision is made by ordinance or resolution. Interested members of the public always have the opportunity to be engaged or heard at the GPIIP board meetings, as well as at the Assembly level.

B. An ordinance which by its terms is to take effect from and after a specified day takes effect at midnight of the day specified.

(B.C.S. § 1.16.100.)



1.08.070 Retrospective ordinances.

No ordinance is retrospective unless expressly declared therein. (B.C.S. § 1.16.120.)

The Sitka Municipal Code is current through Ordinance 14-41, passed January 13, 2014.

Disclaimer: The City and Borough Clerk's Office has the official version of the Sitka Municipal Code. Users should contact the City and Borough Clerk's Office for ordinances passed subsequent to the ordinance cited above.



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(d) **Boards and Commissions.** The assembly may appoint and establish by ordinance boards and commissions, which ordinance shall prescribe their duties, purpose and functions; also qualifications and condition of service of the appointed members. A quorum of any board or commission, and the number of members required to approve an action, shall be a majority of its membership.

(e) **Committee of the Whole.** By ordinance the assembly may create, or designate itself to be a board of review, adjustment or equalization.

Section 2.14 Auditor.

The assembly shall provide for an annual independent audit of the accounts and other evidences of financial transactions of the municipality and may provide for more frequent audits as it deems necessary.

The audit shall be made by a certified public accountant who has no personal interest, direct or indirect, in the fiscal affairs of the municipality or any of its departments.

The audit is the primary responsibility of the assembly, and this responsibility may not be delegated to the administrator/staff.

ARTICLE III LEGISLATION

Section 3.01 Action Requiring an Ordinance.

In addition to other acts required by law or by this charter to be done by ordinance, those acts of the assembly shall be done by ordinance, which:

- (1) Adopt or amend an administrative code or establish, alter, or abolish any municipal department, office or agency.
- (2) Provide for a fine or other penalty or establish a rule or regulation for the violation of which a fine or other penalty is imposed.
- (3) Levy taxes or establish service areas.
- (4) Grant, renew or extend a franchise.
- (5) Regulate, not to exceed the amount permitted by state law, the rates charged by a municipal or other public utility.
- (6) Authorize the borrowing of money.
- (7) Convey or lease or authorize the conveyance or lease of any lands of the municipality.
- (8) Propose amendments to this charter.
- (9) Adopt with or without amendment ordinances proposed under initiative powers.
- (10) Fix the compensation of members of the assembly.
- (11) Make supplemental appropriations or transfer appropriations as provided in Sections 11.10 and 11.11.
- (12) Adopt or modify the official map, platting, or subdivision controls or regulations, or the zoning plan.
- (13) Amend or repeal any ordinance previously adopted except as otherwise provided in Section 6.01 with respect to repeal of ordinances reconsidered under the referendum power.
- (14) Establish a formal procedure for acquisition from the

state of land or rights in land and disposal of those lands or rights in land.

Section 3.02 Ordinances in General.

(a) **Enactment Procedure.** Except as otherwise provided in this Article, the following procedure shall govern the enactment of all ordinances: An ordinance may be introduced by any member of committee of the assembly at any regular or special meeting of the assembly. Upon introduction of any ordinance, sufficient copies shall be furnished to the clerk in order for him/her to immediately distribute at least one copy each to the assembly members. After an ordinance has been introduced, and unless it is rejected at the same meeting by the affirmative votes of not less than a majority of the assembly members, the assembly shall promptly cause the ordinance to be published, together with a notice setting out the time and place for a public hearing on the ordinance and for its consideration by the assembly. The public hearing on any ordinance not rejected shall follow the required publication by at least seven days and it may be held separately or in connection with a regular or special assembly meeting and may be adjourned from time to time. At the public hearing held in accordance with the notice, copies of the ordinance shall be distributed to all persons present who request them, and the ordinance shall be read in full, if requested by an assembly member present at the meeting. All persons interested shall have an opportunity to be heard. After the hearing, the assembly shall consider the ordinance and may adopt it with or without amendment, or reject it. But if upon consideration, the assembly amends the ordinance as to its substance, it may not adopt the amended ordinance until the ordinance or its amended sections have been published and until the ordinance has been subjected to hearing and to all other procedures required in the case of a newly introduced ordinance. The same procedure shall govern if the amended ordinance is again amended as to its substance.

(b) **Effective Date.** Except as otherwise provided in this article, every adopted ordinance shall become effective at the expiration of 30 days after adoption or at any date specified in the ordinance.

(c) **Meaning of "Publish."** As used in this section, the term "published" means that:

- (1) At least the title, which shall be a brief summary of the ordinance or sections concerned, together with any required notice, has been published in one or more newspapers of general circulation in the municipality;
- (2) Copies of the ordinance or sections concerned, together with any required notice, have been mailed or faxed to the same newspapers and, in accordance with assembly regulations, to additional newspapers of general circulation in the municipality;
- (3) Copies of the ordinance or section concerned, together with any required notice, have been posted conspicuously for public inspection.

ARTICLE XI FINANCE

for:

- (1) Transfer of appropriations for debt service, support payments, fixed assets, or transfers to other funds.
- (2) Transfer of appropriations to or from personnel costs and travel/training costs.

All transfers of appropriations will be documented and submitted to the assembly by the next regular assembly meeting.

The assembly by ordinance may transfer part or all of any unencumbered balance from one division, department, or sub-department to another. No transfer may be made from appropriations for debt service.

Section 11.12 Lapse of Appropriations and Surpluses

Every unencumbered surplus of the general fund or a service area shall lapse at the close of the fiscal year to the general fund or service area, respectively. An appropriation for a capital improvement shall not lapse until its purpose has been accomplished or abandoned.

Section 11.13 Administration of Budget

(a) **Budget Authority.** The administrator shall be responsible for execution of the budget, with oversight by the assembly. No monies shall be spent other than as authorized by the budget or in excess of budgeted amounts unless specifically authorized by the assembly.

The administrator shall provide the assembly with detailed information on budget execution and the assembly shall have the power to change or revoke any authorization.

(b) **Signatures Required.** All checks and orders, except for those concerned with administration of the school budget, shall be signed by the mayor or other elected officer designated by the assembly, and the administrator, finance officer or other administrative officer designated by the assembly.

(c) Appropriations and Unencumbered Balance Required.

No payment may be made and no obligation incurred against the municipality except in accordance with appropriations duly made. No payment may be made and no obligations incurred against any appropriation unless the administrator ascertains that there is a sufficient unencumbered balance in the appropriation and that sufficient funds are or will be available to cover the obligation.

(d) **Illegal Acts.** Every obligation incurred and every authorization of payment in violation of this charter shall be void. Every payment made in violation of the provisions of this charter shall be illegal. All officers or employees of the municipality who authorize or make such payments shall be jointly and severally liable to the municipality for the full amount so paid. The administrator shall proceed forthwith to collect the indebtedness unless otherwise directed by the assembly.

(e) Notwithstanding Section 11.13(c) of this charter, the assembly by ordinance may authorize payment of funds in

later fiscal years for a contract, lease or federal or state program or grant that the municipality might not otherwise be able to participate in.

(f) **Central Treasury.** Except as otherwise provided by the assembly by ordinance, the assembly shall provide that all funds of the municipality from whatever source shall be deposited in a central treasury.

(g) **Centralized Accounting.** Except for the school accounting system and the Community Hospital accounting system, the assembly shall provide for centralized accounting for the municipality. However, at the request of the school board, the assembly shall incorporate the school accounts in the centralized system. The assembly may choose, upon request of the hospital board or upon its own motion to incorporate hospital accounts in the centralized system.

(h) **Centralized Purchasing.** The assembly may provide for centralized purchasing, storage, and distribution of any supplies, materials, and equipment for the municipality and its departments if the associated costs and related benefits warrant such procedures.

Section 11.14 Competitive Bidding

The assembly by ordinance shall provide for competitive bidding.

(a) **Purchases.** Contracts for public improvements and whenever practicable other purchase of supplies, materials, equipment and services, except professional services and services of officers and employees of the municipality, shall be by competitive bid and awarded to the lowest qualified bidder. All contracts and purchases exceeding an amount to be established by ordinance shall require prior assembly approval.

* (b) **Disposals.** The municipality may sell, lease, or otherwise dispose of municipal property. Such disposal shall be by competitive bid and awarded to the highest qualified bidder, unless the assembly finds that competitive bidding is inappropriate due to the nature of the property or the circumstances surrounding its disposal, to include possible unjust results with regard to adjacent or neighboring property owners. The assembly shall enact ordinances governing property disposals.

Section 11.15 Enterprise Funds

Revenues from a municipal enterprise whether established before or after the ratification of this charter shall be first used for debt retirement, construction, acquisition, operation, maintenance, repair and capital improvement of the enterprise. Other uses of such revenues shall be only as authorized by ordinance or by budgetary action.

Section 11.16 Sitka Permanent Fund

(a) **Purpose.** A permanent fund is hereby created from appropriations to be made by assembly by ordinance. The permanent fund shall be maintained separate and apart from all other funds and accounts of the City and Borough. The purpose is to grow the principal of the permanent fund to

Chapter 18.12 REAL PROPERTY DISPOSAL

Sections:

- 18.12.010 Real property disposal.
- 18.12.014 Requirement for a public vote and disclosure of information for land disposals related to a dock or vessel transfer facility that could be used by large cruise ships.
- 18.12.015 Street and public area vacations.

18.12.010 Real property disposal.

A. Real property, including tidelands, and land acquired from the state, may be sold or leased only when authorized by ordinance. Lease of space within municipal buildings that are of a value of less than one thousand dollars shall be treated as disposals of personal property without ordinance. All other leases of space within a municipal building shall be treated as disposal of real property under this chapter.

Note: The value of a lease shall be determined by multiplying the monthly rent by the term of the lease.

B. Upon sale or disposal of real property valued over five hundred thousand dollars, or upon lease of real property, including tidelands, of a value of more than seven hundred fifty thousand dollars, the ordinance authorizing the sale, lease, or disposition shall provide that the ordinance be ratified by a majority of the qualified voters voting at a general or special election. Any such sale, lease, or disposition shall be revocable pending the outcome of the election. This subsection shall not apply to leases at the former Alaska Pulp Corporation mill site, and the property leased under Ordinance 99-1539.

C. No election, ratification by the electorate, or competitive bid is required for exchange of municipal property, both real and personal, including tidelands, or any interest in property, with the United States, the state of Alaska, or a political subdivision.

Such disposals to other governmental units, shall be done by ordinance.

All leases of real property and tidelands approved by the assembly and signed by the lessee prior to the date of enactment of the ordinance codified in this title are confirmed and ratified and voter ratification is waived. (Enactment date September 27, 1983).

D. The lease of any municipal property on a temporary basis may be made by the administrator upon motion of the assembly without ordinance. Temporary shall be defined as any lease terminable at the will of the municipality where no more than thirty days prior notice of intent to terminate is required.

E. Sale or lease of municipal real property, including tidelands shall be by competitive bid, unless the assembly finds that competitive bidding is inappropriate, due to the size, shape, or location of the parcel, rendering it of true usefulness to only one party, or is waived by subsection C of this section. The assembly may also find that competitive bidding is inappropriate due to the nature of the property

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(Ord. 00-1568 § 4 (part), 2000.)

2.38.070 Membership in associations.

The board of directors may maintain membership in any local, state or national group or association organized and operated for the promotion, improvement, or assistance in the administration of port and harbor facilities, or industrial park facilities and, in connection therewith, pay dues and fees thereto. The assembly shall select one of its members to serve as the liaison to the board. (Ord. 00-1568 § 4 (part), 2000.)

2.38.080 General powers.

A. Subject to state laws and municipal ordinances, the board of directors shall generally exercise all powers necessary and incidental to operation of all Gary Paxton industrial park facilities in the public interest and in a sound business manner. In particular, and without limitation on the foregoing, the board:

1. Shall be responsible for the operation, maintenance, development, and marketing of the municipally owned and operated Gary Paxton industrial park, including such facilities as site development, docks, and facilities appurtenant thereto;
2. Shall approve annual budgets prepared by the industrial park director to be submitted to the assembly for final approval and adoption;
3. Shall formulate and prepare planning documents for the ongoing development of the industrial park;
4. Shall enforce all rules and regulations necessary for the administration of the facilities under its management. Such rules and regulations shall be prepared and amended by the board and subject to the final approval of the assembly before implementation;
5. Shall prescribe the terms under which persons and vessels may use the facilities and shall establish and enforce standards of operation, consistent with the prospective purchasers agreement and the state of Alaska Department of Environmental Conservation Management Plan and the conveyance agreement with Alaska Pulp Corporation;
6. Shall, within the industrial park appropriation and in general conformity with the rates of pay established for municipal positions of similar responsibility, establish and may amend, the pay plan for industrial park municipal employees;
- * 7. Shall administer and dispose of tideland, submerged land, and other land identified by the assembly by ordinance as subject to Gary Paxton industrial park administration, subject to the following limitations:
 - a. Any sale, purchase, or trade of land other than short term lease (which may be approved by the municipal administrator) shall be subject to approval by the assembly by resolution.

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b. All land transactions by the board in accordance with this section shall be governed by this chapter rather than Title 18 of this code, as follows:

- i. The long term leasing of all of the property at the Gary Paxton industrial park is authorized regardless of value.
- ii. Leases shall be granted to the highest responsible bidder unless the assembly determines that because of the nature of the trust to be leased, the nature of the business being sought for the lease or seeking a lease, or the number of jobs to be produced, that competitive bidding is inappropriate and the terms of the proposed lease, including price, should be negotiated. Applications for non-bid dispositions shall be referred to the board for recommendations;

8. May propose capital improvement projects to and apply for funding from state and federal agencies; provided, that such request shall be subject to prioritization by the assembly with other municipal capital improvement funding requests;

9. Shall, on behalf of the municipality, enter into memoranda of understanding, permit negotiations and similar agreements with public agencies for industrial park purposes. The board may negotiate and enter into contracts for goods and services pursuant to regulations set out in this chapter; provided, that all legal services shall be provided by or under the supervision of the municipal attorney. All services provided by a municipal agency other than the municipal attorney shall be pursuant to a memorandum of understanding or other instrument providing for payment or such other settlement as the municipal administrator and board may approve. Contracts for public improvements and, whenever practicable, other purchase of supplies, materials, equipment, and services, except professional services and services of officers and municipal employees, shall be by competitive bid and awarded to the lowest qualified bidder according to the procedures established in Title 18. All contracts and purchased items specifically identified within the Gary Paxton industrial park budget shall not require prior assembly approval. All contracts and purchases shall require municipal administrator approval.

(Ord. 14-21 § 4 (part), 2014; Ord. 00-1568 § 4 (part), 2000.)

2.38.090 Leasing powers.

All leases of land, whether uplands or tidelands, within the Gary Paxton industrial park are subject to the leasing provisions set forth in this chapter. (Ord. 14-21 § 4 (part), 2014; Ord. 00-1568 § 4 (part), 2000.)

2.38.100 Adoption of regulations.

The board of directors shall adopt regulations for the administration of the industrial park. The board shall submit regulations to the assembly for review prior to final adoption. (Ord. 00-1568 § 4 (part), 2000.)

2.38.110 Gary Paxton industrial park director designated appointment.

(6)

A. The director of the Gary Paxton industrial park shall be the director appointed by the assembly upon the affirmative recommendation of a majority of the entire board. The board shall interview and recommend candidates to assembly for final approval. The director serves at the pleasure of the board. For purposes of Title 2, the director shall have the status of a department head as defined in Chapter 2.08. The assembly shall establish the compensation and benefits to be provided to the director.

B. The assembly may alternatively elect to enter into a services contract with another entity to perform all duties and functions of the director of the Gary Paxton industrial park as described in Section 2.38.120.

(Ord. 14-21 § 4 (part), 2014; Ord. 00-1568 § 4 (part), 2000.)

2.38.120 Director duties and responsibilities.

A. The director is responsible for the overall supervision and direction of the affairs of the Gary Paxton industrial park. The authority and duties of the director shall include the following:

1. To be responsible for carrying out all applicable laws, ordinances, rules, and regulations;
2. To be responsible for carrying out policies established by the board of directors and assembly;
3. To prepare and submit to the board of directors for approval a plan of organization and a job classification plan for the personnel employed in the Gary Paxton industrial park;
4. To prepare an annual budget as required by municipal ordinance;
5. To select, employ, control, and discharge all Gary Paxton industrial park employees and such other employees as the assembly by ordinance hereafter places under the supervision of the director subject to the provisions of the municipal personnel policies, except that the director may recommend changes to the personnel plan to allow for the peculiarities of the operation of Gary Paxton industrial park;
6. To prepare such reports as may be required on any phase of industrial park activity;
7. To attend all meetings of the board of directors;
8. To perform any other duty that may be necessary in the interest of the industrial park area.

(Ord. 14-21 § 4 (part), 2014; Ord. 00-1568 § 4 (part), 2000.)

2.38.130 Schedule of fees and charges.

A. A schedule of fees and charges for use of the industrial park public dock and other industrial park facilities shall be submitted to the assembly annually or more often as deemed necessary, for approval.

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Regular Meeting Minutes
April 25, 2000
Page 2

M/S Pearson/Rogers to accept the bid of \$1,800 from Boyd Didrickson for Lot 4 of Block 2 USS 2542.

Motion CARRIED by a unanimous roll call vote.

Item D.
Ordinance 00-1568

AMENDING TITLE 2 OF THE SITKA GENERAL CODE ADDING CHAPTER 2.38, ESTABLISHING RULES AND PROCEDURES GOVERNING LEASES AND PROPERTY MANAGEMENT AT THE FORMER ALASKA PULP CORPORATION MILL SITE

M/S Rogers/Perkins to adopt Ordinance 00-1568 on second and final reading.

Mayor Filler read the Title, Purpose and Effective Date portions of the ordinance.

A/S Nelson/Rogers to amend Section 2.38.020 to require conflict of interest statements of the Sawmill Cover Industrial Park Board of Directors annually. Motion was withdrawn.

A/S Pearson/Nelson to require written disclosure by each Board member of ownership interests in lessees and applicants to be lessees be filed with the Municipal Clerk by March 15 annually.

Motion to amend CARRIED by unanimous voice vote.

A/S Pearson/Filler to delete "Board members shall serve at the pleasure of the assembly" in Section 2.38.020, then "No employee or the spouse..." would start a new paragraph.

Motion to amend CARRIED by unanimous voice vote.

A/S Rogers/Pearson to strike the first sentence of Section 2.38.080 (a) 8 plus "The Board" from the beginning of the second sentence.

Motion as amended CARRIED by unanimous roll call vote. Motion as amended CARRIED unanimously on roll call vote.

Item E.
Ordinance 00-1569

AMENDING SECTION 13.06.010 OF THE SITKA GENERAL CODE TO INCREASE PERMANENT AND TRANSIENT MOORAGE RATES

M/S Nelson/Roger to adopt Ordinance 00-1569 on second and final reading.

Mayor Filler read the ordinance in full.

Harbormaster Majesky clarified when a billing is required. Administrator Paxton explained how the revenue could go directly toward maintenance of the harbors, per the intent of the increase. He will make a note for the budget review. Majesky noted little opposition had been heard from boat owners because they realized the maintenance was needed. Financing the repairs will take all of the increased amount for several years to come.

CITY AND BOROUGH OF SITKA

REGULAR MEETING MINUTES
April 11, 2000

7 p.m.
Harrigan Centennial Hall

- PRESENT:** Mayor Stan Filler; Assembly members Rob Allen, Thor Christianson, Valorie Nelson, Denny Pearson, and Dennis Rogers
- Staff Members: Gary Paxton, Administrator; Theron Cole, Attorney; Clifford Groh, Municipal Attorney, Kathy Hope Erickson, Municipal Clerk; Linda Strickland, Acting Municipal Clerk; Paula Bush, Finance Director; Hugh Bevan, Public Works Director; Wells Williams, Planning Director; Randy Cornelius, Electrical Superintendent; Bill McLendon, Police Chief
- ABSENT:** Keith Perkins was absent and excused.
- CALL TO ORDER:** The meeting was called to order at 7:02 p.m. by Mayor Stan Filler.
- ROLL CALL:** Answering roll call were Allen, Christianson, Filler, Nelson, Pearson, and Rogers
- FLAG SALUTE:** All in attendance stood for the Pledge of Allegiance.
- PROCLAMATIONS:** Volunteer Week: Mayor Filler so declared the week of April 9.
- Volunteer of the Quarter: Christianson explained the program, recognized the nominees, and presented the award to Judy Christianson.
- PRESENTATIONS:** Municipal Clerk Erickson presented Jean Frank and De Inger with pins for their work with ANS.
- Citizens Police Academy: Police Chief McLendon described the Academy, then presented certificates to the first graduates.
- Employees: Mayor Filler introduced the new Municipal Attorney Cliff Groh. Assembly member Nelson presented Kathy Erickson with flowers and balloons, as she was leaving the position of Municipal Clerk.
- CONSENT AGENDA:** M/S Rogers/Allen to approve the Consent Agenda consisting of the following items:
- Item A.
Minutes Minutes of the Regular Assembly meeting of March 14 and 21, 2000
- Item B.
Liquor Licenses Liquor license renewals for the Pilot House and the Harbor Inn/Twin Dragon.
- Item C.
Ordinance 00-1568 AMENDING TITLE 2 OF THE SITKA GENERAL CODE ADDING CHAPTER 2.38, ESTABLISHING RULES AND PROCEDURES GOVERNING LEASES AND PROPERTY MANAGEMENT AT THE FORMER ALASKA PULP CORPORATION MILL SITE
- Item D.
Ordinance 00-1569 AMENDING SECTION 13.06.010 OF THE SITKA GENERAL CODE TO INCREASE PERMANENT AND TRANSIENT MOORAGE RATES

CITY AND BOROUGH OF SITKA
ORDINANCE NO. 00-1568

AN ORDINANCE OF THE CITY AND BOROUGH OF SITKA, ALASKA AMENDING TITLE 2
OF THE SITKA GENERAL CODE ADDING CHAPTER 2.38, ESTABLISHING RULES AND
PROCEDURES GOVERNING LEASES AND PROPERTY MANAGEMENT AT THE FORMER
ALASKA PULP CORPORATION MILL SITE

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.** Unlike other property owned by the municipality, the former Alaska Pulp Corporation mill site was acquired not for governmental purposes from the state or federal government, but for economic development and disposal. In general, the property will not be used for public improvements. It will be leased or sold to individuals and corporations to develop business opportunities and provide jobs. For that reason, it is important to enact a procedure for property management and disposal at the site which more closely corresponds to private sector disposals.

4. **ENACTMENT.** NOW, THEREFORE, BE IT ENACTED by the Assembly of the City and Borough of Sitka that Title 2 of the Sitka General Code is amended to add Chapter 2.38, which shall read as follows:
 - A. Chapter 2.38 Sawmill Cove Industrial Site
 - 2.38.010 Designation
 - 2.38.020 Sawmill Cove Industrial Park Board of Directors
 - 2.38.030 Board of Directors organization
 - 2.38.040 Vacancies
 - 2.38.050 Meetings
 - 2.38.060 Coordination
 - 2.38.070 Membership in associations
 - 2.38.080 General powers
 - 2.38.090 Leasing powers
 - 2.38.100 Adoption of regulations
 - 2.38.110 Sawmill Cove Industrial Park Director designated appointment
 - 2.38.120 Director duties and responsibilities
 - 2.38.130 Schedule of fees and charges
 - 2.38.140 Industrial Park fees
 - 2.38.150 Preparation and submission of a budget
 - 2.38.160 Other fiscal matters
 - 2.38.170 Employee relations
 - 2.38.180 Definitions

2.38.010 Designation.

The former Alaska Pulp Corporation mill site is designated as the Sawmill Cove Industrial Park (Sawmill Cove). As described in Exhibit A, attached hereto and incorporated herein by reference. The Sawmill Cove Industrial Park is a municipal department subject to assembly general oversight.

2.38.020 Sawmill Cove Industrial Park Board of Directors.

There is established the board of directors of the City and Borough of Sitka, which shall be known as the City and Borough of Sitka Sawmill Cove Industrial Park Board of Directors. The Sawmill Cove Industrial Park Board shall consist of five members appointed by the assembly to serve without compensation for staggered two-year terms. Terms shall commence on June 1.

No employee or the spouse of an employee or a member of the immediate family or household of a member of the board of the Sawmill Cove Industrial Park may be a member of the board. To the extent possible, appointments to the board shall include persons having marine, engineering, financial, or other skills relevant to industrial park matters. One member of the board shall hold a seat at large. The Conflict of Interest provisions set out in this code and the Charter shall apply to actions of the Board of Directors. A written disclosure by each board member of his or her ownership interests in lessees and lessee applicants shall be filed with the municipal clerk by March 15th annually.

Members of the Board of Directors shall serve at the pleasure of the Assembly and may be removed by the Assembly at any time.

2.38.030 Board of Directors organization.

The board shall elect annually from its members a chair and vice chair and such other officers as it deems necessary.

2.38.040 Vacancies.

(a) A vacancy shall exist under the following conditions:

- (1) If a person appointed to membership fails to qualify and take office within thirty days of appointment;
- (2) If a member departs from the city and borough with the intent to remain away for a period of ninety or more days;
- (3) If a member submits his or her resignation to the assembly;
- (4) If a member is physically unable to attend board and standing committee meetings for a period of more than ninety days; or
- (5) If a member misses more than forty percent of the board and standing committee meetings in a twelve-month period.

(b) The chair of the board shall notify the assembly of any vacancy on the board. Upon notification, the assembly shall appoint a new member for the unexpired term.

2.38.050 Meetings.

The board shall meet at least once each month at a place and time to be designated by the chair. Meetings of the board or any duly constituted committee of the board shall be subject to the state and local open meeting laws.

2.38.060 Coordination.

2.38.060 Coordination.

The board shall submit to the assembly, at least quarterly, a report on Industrial Park operations and pending issues.

The Municipal Administrator or his designee shall be made an ex-officio member of the board.

The board shall adopt safety policies acceptable to the municipal risk manager or such other officer as the Director may designate.

In emergencies the Industrial Park shall, to the extent necessary to resolve the emergency, be under the control of the fire chief or such other officer as the Municipal Administrator may designate.

2.38.070 Membership in associations.

The Board of Directors may maintain membership in any local, state, or national group or association organized and operated for the promotion, improvement, or assistance in the administration of port and harbor facilities, or industrial park facilities and, in connection therewith, pay dues and fees thereto. The Assembly shall select one of its members to serve as the liaison to the Board.

2.38.080 General powers.

(a) Subject to state laws and municipal ordinances, the Board of Directors shall generally exercise all powers necessary and incidental to operation of all Sawmill Cove Industrial Park facilities in the public interest and in a sound business manner. In particular, and without limitation on the foregoing, the board:

1. Shall be responsible for the operation, maintenance, development, and marketing of the municipally owned and operated Sawmill Cove Industrial Park, including such facilities as site development, docks, and facilities appurtenant thereto.
2. Shall approve annual budgets prepared by the Industrial Park Director to be submitted to the assembly for final approval and adoption.
3. Shall formulate and prepare Planning Documents for the ongoing development of the Industrial Park.
4. Shall enforce all rules and regulations necessary for the administration of the facilities under its management. Said rules and regulations shall be prepared and amended by the Board and subject to the final approval of the assembly before implementation.
5. Shall prescribe the terms under which persons and vessels may use the facilities and shall establish and enforce standards of operation, consistent with the Prospective Purchasers Agreement and the State of Alaska Department of Environmental Conservation Management Plan and the Conveyance Agreement with Alaska Pulp Corporation.
6. Shall, within the Industrial Park appropriation and in general conformity with the rates of pay established for municipal positions of similar responsibility, establish, and may amend, the pay plan for Industrial Park municipal employees.
7. Shall administer and dispose of tideland, submerged land, and other land identified by the assembly by ordinance as subject to Sawmill Cove Industrial Park administration, subject to the following limitations:

(A) Any sale, purchase, or trade of land other than short term lease (which may be approved by the Municipal Administrator) shall be subject to approval by the assembly by resolution.

(B) All land transactions by the board in accordance with this section shall be governed by this chapter rather than Title 18 of this code, as follows:

1. The long term leasing of all of the property at the Sawmill Cove Industrial Park is hereby authorized regardless of value.
2. Leases shall be granted to the highest responsible bidder unless the assembly, determines that because of the nature of the trust to be leased, the nature of the business being sought for the lease (of seeking a lease) or the number of jobs to be produced, that competitive bidding is inappropriate and the terms of the proposed lease, including price, should be negotiated. Applications for non-bid dispositions shall be referred to the board for recommendations.

8. May propose capital improvement projects to and apply for funding from state and federal agencies; provided that such request shall be subject to prioritization by the assembly with other municipal capital improvement funding requests.

9. Shall, on behalf of the municipality, enter into memoranda of understanding, permit negotiations and similar agreements with public agencies for Industrial Park purposes. The board may negotiate and enter into contracts for goods and services pursuant to regulations set out in this ordinance; provided that all legal services shall be provided by or under the supervision of the Municipal Attorney. All services provided by a municipal agency other than the Municipal Attorney shall be pursuant to a memorandum of understanding or other instrument providing for payment or such other settlement as the Municipal Administrator and board may approve. Contracts for public improvements and, whenever practicable, other purchase of supplies, materials, equipment, and services, except professional services and services of officers and municipal employees, shall be by competitive bid and awarded to the lowest qualified bidder according to the procedures established in SGC Title 18. all contracts, and purchased items specifically identified within the Sawmill Cove Industrial Park budget shall not require prior assembly approval. All contracts and purchases shall require Municipal Administrator approval.

2.38.090 Leasing powers.

All leases of land, whether uplands or tidelands, within the Sawmill Cove Industrial Park are subject to the leasing provisions set forth in this chapter.

2.38.100 Adoption of regulations.

The Board of Directors shall adopt regulations for the administration of the industrial park. The Board shall submit regulations to the Assembly for review prior to final adoption.

2.38.110 Sawmill Cove Industrial Park Director designated appointment.

The Director of the Sawmill Cove Industrial Park shall be the Director appointed by the assembly upon the affirmative recommendation of a majority of the entire board. The board shall interview and recommend candidates to Assembly for final approval. The Director serves at the pleasure of the board. For purposes of SGC Title 2, the Director shall have the status of a department head as defined in SCG Chapter 2.08. The Assembly shall establish the compensation and benefits to be provided to the Director.

The Assembly may alternatively elect to enter into a services contract with another entity to perform all duties and functions of the Director of the Sawmill Cove Industrial Park as described in Section 2.38.110 below.

2.38.120 Director duties and responsibilities.

(a) The Director is responsible for the overall supervision and direction of the affairs of the Sawmill Cove Industrial Park. The authority and duties of the Director shall include the following:

1. To be responsible for carrying out all applicable laws, ordinances, rules, and regulations.
2. To be responsible for carrying out policies established by the Board of Directors and assembly.
3. To prepare and submit to the Board of Directors for approval, a plan of organization and a job classification plan for the personnel employed in the Sawmill Cove Industrial Park.
4. To prepare an annual budget as required by municipal ordinance.
5. To select, employ, control, and discharge all Sawmill Cove Industrial Park employees and such other employees as the Assembly by ordinance hereafter places under the supervision of the Director subject to the provisions of the municipal personnel policies, except that the Director may recommend changes to the personnel plan to allow for the peculiarities of the operation of Sawmill Cove Industrial Park.
6. To prepare such reports as may be required on any phase of Industrial Park activity.
7. To attend all meetings of the Board of Directors.
8. To perform any other duty that may be necessary in the interest of the Industrial Park area.

2.38.130 Schedule of fees and charges.

1. A schedule of fees and charges for use of the Industrial Park Public Dock and other Industrial Park facilities shall be submitted to the Assembly annually or more often as deemed necessary, for approval.
2. The Assembly, prior to imposing any fee on activities related principally to or property located in the Sawmill Cove Industrial Park, shall consider the extent to which such fee is necessary to support municipal services delivered by or facilities provided by the municipality.

2.38.140 Industrial Park fees.

(LEAVE BLANK FOR NOW. TO BE DETERMINED)

2.38.150 Preparation and submission of a budget.

The Director shall prepare the budget in accordance with approved city and borough procedure and format and shall submit it to the Board of Directors for approval and recommendation to the Assembly. The Board of Directors shall modify the budget as it deems necessary and forward it to the Municipal Administrator for transmittal to the Assembly. The board shall annually prepare and submit to the Municipal Administrator a proposed six-year capital improvements program for submittal to and consideration by the Assembly.

2.38.160 Other fiscal matters.

All other fiscal matters, including, but not limited to, custody of and expenditure of funds, accounting, and collection shall be governed by the municipal charter and ordinances.

2.38.170 Employee relations.

For purposes of that chapter, the Director is a municipal employee Department Head as defined in SGC 2. who formulates, determines, or effectuates management policies.

2.38.180 Definitions.

Whenever the following words and terms are used in this Title, they shall have the meaning ascribed to them in this Chapter, unless the context clearly indicates otherwise.

"Board" or "Board of Directors" means the Sawmill Cove Industrial Park Board.

"Boats" means all vessels, ships, boats, skiffs, and water craft of every kind and description, and aircraft using or present in the boat harbor. The essential element of a boat is that its purpose and use is navigation as a means of transportation.

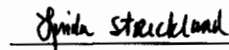
"city and borough" means the City and Borough of Sitka, Alaska.

5. EFFECTIVE DATE. This ordinance shall become effective on the day after the date of its passage and shall sunset on June 30, 2002 unless reenacted by the Assembly of the City & Borough of Sitka.

PASSED, APPROVED, AND ADOPTED by the Assembly of the City and Borough of Sitka, Alaska this 25th day of April, 2000.


Stan J. Filler, Mayor

ATTEST:


Linda Strickland
Acting Municipal Clerk

Hackett agreed with Hunter. She added it was important to note this was not a "Cadillac pay scale" its target was 90% of mid-point not 100%. She was in support of the ordinance mainly because the plan compensated for performance and not longevity, was more sustainable than existing practices and within budget. Hackett mentioned this study was not about senior staff noting most of the increases were not supervisory people.

Esquiro appreciated Hunter's analogy, evaluating that this plan was good for the long run and the City would realize benefits. Miyasato noted this ordinance would make up for all the years CBS didn't have the study showing the inequities. Mayor McConnell stated it had to do with fairness and inequities. The represented employees had unions speaking for them whereas these employees didn't.

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

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

Absent: 1 - Reif

XI. NEW BUSINESS:

New Business First Reading

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

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

Excused: 1 - Reif

K 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 that this Ordinance be APPROVED on first reading. The motion PASSED by the following vote.

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

Excused: 1 - Reif

L 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

A motion was made by Swanson that this Ordinance be APPROVED. The motion PASSED by the following vote.

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

Absent: 1 - Reif

M 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

Gorman assured this would not displace any commercial vessels in the harbors. With the reconstruction of ANB two slips were identified as a pilot project and assured that DEC standards must be met.

Planning Director, Wells Williams, stated businesses would not be allowed only home offices.

A motion was made by Swanson that this Ordinance be APPROVED. The motion PASSED by the following vote.

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

Absent: 1 - Reif

A motion was made by Hackett to amend Line 121 by inserting "at least 25". The motion to AMEND PASSED on the following vote.

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

Excused: 1 - Reif

It was noted any business purpose needed to be identified in the Moorage Agreement.

Hunter liked that this would be handled at the Port and Harbors Commission level and not come back to the Assembly.

A motion was made by Hunter to Amend by adding "unless approved in the moorage agreement" at the end of Line 103. The motion to AMEND PASSED by the following vote.

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

Excused: 1 - Reif

N 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"

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

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

This item was APPROVED on the Consent Agenda.

- 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

This item was APPROVED on the Consent Agenda.

Approval of the Consent Agenda

A motion was made to Approve the Consent Agenda. The motion Carried by the following vote:

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

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 that this Ordinance be APPROVED . 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

CITY AND BOROUGH OF SITKA

ORDINANCE NO. 2014-21

AN ORDINANCE OF THE CITY AND BOROUGH OF SITKA AMENDING THE SITKA GENERAL CODE TO REFLECT THE RECENT NAME CHANGE OF SAWMILL COVE INDUSTRIAL PARK TO GARY PAXTON INDUSTRIAL PARK AS APPROVED BY RESOLUTION NO. 2014-08

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 purpose of this ordinance is to change references within the SGC from Sawmill Cove Industrial Park (“SCIP”) to Gary Paxton Industrial Park (“GPIP”) as approved and passed by Resolution No. 2014-08 on May 27, 2014. Provisions of the SGC affected by Resolution 2014-08 under this ordinance are as follows:

- SGC Title 2 “Administration;”
- SGC Chapter 2.38, specifically sections 2.38.010 “Designation,” 2.38.020 “Sawmill Cove industrial park board of directors,” 2.38.080 “General powers,” 2.38.090 “Leasing powers,” 2.38.110 “Sawmill Cove industrial park director designated appointment,” 2.38.120 “Director duties and responsibilities,” 2.38.130 “Schedule of fees and charges,” and 2.38.180 “Definitions;”
- SGC 4.04.010 “Funds, divisions and departments;”
- SGC 4.06 “Allocation of Revenue From Sale of Water;”
- SGC 15.06.020 “Solid waste disposal policy and rates” in paragraphs A., D., G. and J.;
- SGC 22.12.010 “Districts established;”
- SGC Chapter 22.16 “District Regulations,” specifically sections 22.16.015B. “Permitted, conditional and prohibited uses” including Tables 22.16.015-1, 22.16.015-2, 22.16.015-3, 22.16.015-4, 22.16.015-5, and 22.16.015-6; and
- SGC 22.16.170 “SC Sawmill Cove special zone.

In addition, SGC 15.05.625 entitled “Water and wastewater rates – Sawmill Cove industrial park” will be deleted in its entirety in accordance with ordinance 2014-19.

4. **ENACTMENT.** NOW, THEREFORE, BE IT ENACTED by the Assembly of the City and Borough of Sitka that SGC Title 2 entitled “Administration,” SGC Chapter 2.38 entitled “Sawmill Cove Industrial Site,” SGC Chapter 4.04 entitled “Budgetary Organization,” SGC Chapter 4.06 entitled “Allocation of Revenues From Sale of Water,” SGC Chapter 15.05 entitled “Water System,” SGC Chapter 15.06 entitled “Solid Waste Treatment and Refuse Collection,” SGC Chapter 22.12 “Zoning Maps and Boundaries,” and SGC 22.16 entitled “District Regulations” is modified as follows (new language underlined; deleted language stricken):

**Title 2
ADMINISTRATION**

Chapters:

* * *

2.38 Gary Paxton Sawmill Cove Industrial Site

* * *

Chapter 2.38

GARY PAXTON SAWMILL COVE INDUSTRIAL PARK SITE

Sections:

- 2.38.010 Designation.**
- 2.38.020 Gary Paxton Sawmill Cove industrial park board of directors.**
- 2.38.030 Board of directors organization.**
- 2.38.040 Vacancies.**
- 2.38.050 Meetings.**
- 2.38.060 Coordination.**
- 2.38.070 Membership in associations.**
- 2.38.080 General powers.**
- 2.38.090 Leasing powers.**
- 2.38.100 Adoption of regulations.**
- 2.38.110 Gary Paxton Sawmill Cove industrial park director designated appointment.**

* * *

2.38.010 Designation.

The former Alaska Pulp Corporation mill site is designated as the Gary Paxton Sawmill Cove industrial park (GPIP Sawmill Cove). As described in Exhibit A, attached to the ordinance codified in this chapter and incorporated herein by reference. The Gary Paxton Sawmill Cove industrial park is a municipal department subject to assembly general oversight.

2.38.020 Gary Paxton Sawmill Cove industrial park board of directors.

A. There is established the board of directors of the city and borough of Sitka, which shall be known as the city and borough of Sitka Gary Paxton Sawmill Cove industrial park board of directors. The Gary Paxton Sawmill Cove industrial park board shall consist of five members appointed by the assembly to serve without compensation for staggered two-year terms. Terms shall commence on June 1st.

B. No employee or the spouse of an employee or a member of the immediate family or household of a member of the board of the Gary Paxton Sawmill Cove industrial park may be a member of the board. To the extent possible, appointments to the board shall include persons having marine, engineering, financial or other skills relevant to industrial park matters. One member of the board shall hold a seat at large. The conflict of interest provisions set out in this code and the Charter shall apply to actions of the board of directors. A written disclosure by each board member of his or her ownership interests in lessees and lessee applicants shall be filed with the municipal clerk by March 15th annually.

* * *

2.38.080 General powers.

A. Subject to state laws and municipal ordinances, the board of directors shall generally exercise all powers necessary and incidental to operation of all Gary Paxton Sawmill Cove industrial park facilities in the public interest and in a sound business manner. In particular, and without limitation on the foregoing, the board:

1. Shall be responsible for the operation, maintenance, development, and marketing of the municipally owned and operated Gary Paxton Sawmill Cove industrial park, including such facilities as site development, docks, and facilities appurtenant thereto;

* * *

7. Shall administer and dispose of tideland, submerged land, and other land identified by the assembly by ordinance as subject to Gary Paxton Sawmill Cove industrial park administration, subject to the following limitations:

* * *

b. All land transactions by the board in accordance with this section shall be governed by this chapter rather than Title 18 of this code, as follows:

- i. The long term leasing of all of the property at the Gary Paxton Sawmill Cove industrial park is authorized regardless of value.
- ii. Leases shall be granted to the highest responsible bidder unless the assembly determines that because of the nature of the trust to be leased, the nature of the business being sought for the lease or seeking a lease, or the number of jobs to be produced, that competitive bidding is inappropriate and the terms of the proposed lease, including price, should be negotiated. Applications for non-bid dispositions shall be referred to the board for recommendations;

* * *

9. Shall, on behalf of the municipality, enter into memoranda of understanding, permit negotiations and similar agreements with public agencies for industrial park purposes. The board may negotiate and enter into contracts for goods and services pursuant to regulations set out in this chapter; provided, that all legal services shall be provided by or under the supervision of the municipal attorney. All services provided by a municipal agency other than the municipal attorney shall be pursuant to a memorandum of understanding or other instrument providing for payment or such other settlement as the municipal administrator and board may approve. Contracts for public improvements and, whenever practicable, other purchase of supplies, materials, equipment, and services, except professional services and services of officers and municipal employees, shall be by competitive bid and awarded to the lowest qualified bidder according to the procedures established in Title 18. All contracts, and purchased items specifically identified within the Gary Paxton Sawmill Cove industrial park budget shall not require prior assembly approval. All contracts and purchases shall require municipal administrator approval.

2.38.090 Leasing powers.

All leases of land, whether uplands or tidelands, within the Gary Paxton Sawmill Cove industrial park are subject to the leasing provisions set forth in this chapter.

* * *

2.38.110 Gary Paxton Sawmill Cove industrial park director designated appointment.

A. The director of the Gary Paxton Sawmill Cove industrial park shall be the director appointed by the assembly upon the affirmative recommendation of a majority of the entire board. The board shall interview and recommend candidates to assembly for final approval. The director serves at the pleasure of the board. For purposes of Title 2, the director shall have the status of a department head as defined in Chapter 2.08. The assembly shall establish the compensation and benefits to be provided to the director.

B. The assembly may alternatively elect to enter into a services contract with another entity to perform all duties and functions of the director of the Gary Paxton Sawmill Cove industrial park as described in Section 2.38.120.

2.38.120 Director duties and responsibilities.

A. The director is responsible for the overall supervision and direction of the affairs of the Gary Paxton Sawmill Cove industrial park. The authority and duties of the director shall include the following:

* * *

3. To prepare and submit to the board of directors for approval, a plan of organization and a job classification plan for the personnel employed in the Gary Paxton Sawmill Cove industrial park;

* * *

5. To select, employ, control, and discharge all Gary Paxton Sawmill Cove industrial park employees and such other employees as the assembly by ordinance hereafter places under the supervision of the director subject to the provisions of the municipal personnel policies, except that the director may recommend changes to the personnel plan to allow for the peculiarities of the operation of Gary Paxton Sawmill Cove industrial park;

* * *

2.38.130 Schedule of fees and charges.

* * *

B. The assembly, prior to imposing any fee on activities related principally to or property located in the Gary Paxton Sawmill Cove industrial park, shall consider the extent to which such fee is necessary to support municipal services delivered by or facilities provided by the municipality.

* * *

2.38.180 Definitions.

Whenever the following words and terms are used in this title, they shall have the meaning ascribed to them in this chapter, unless the context clearly indicates otherwise.

“Board” or “board of directors” means the Gary Paxton Sawmill Cove industrial park board.

* * *

**Chapter 4.04
BUDGETARY ORGANIZATION**

Sections:

4.04.010 Funds, divisions and departments.

4.04.010 Funds, divisions and departments.

The following funds, divisions and departments of the city and borough are established:

FUND	DIVISION	DEPARTMENT
* * *		
I. Gary Paxton Sawmill Cove Industrial Park	Operations	

* * *

**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 Gary Paxton industrial park. ~~Sawmill Cove Industrial Park.~~**
- 4.06.025 Allocation of revenues from sales of water at Gary Paxton industrial park ~~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 Gary Paxton industrial park. ~~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 Gary Paxton industrial park. ~~Sawmill Cove Industrial Park.~~

4.06.020 Allocation of revenues from sales of raw water at Gary Paxton industrial park. ~~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 Gary Paxton industrial park ~~Sawmill Cove Industrial Park~~ shall be deposited into the Gary Paxton industrial park ~~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 Gary Paxton industrial park ~~Sawmill Cove Industrial Park~~

shall be deposited equally into the general fund, the electric fund, the water fund, and the Gary Paxton Sawmill Cove Industrial Park enterprise fund.

4.06.025 Allocation of revenues from sales of water at Gary Paxton industrial park. 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 Gary Paxton industrial park 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 Gary Paxton industrial park. Sawmill Cove Industrial Park.

All of the revenues received from the sales of treated water at Gary Paxton industrial park. Sawmill Cove Industrial Park shall be deposited into the water fund.

* * *

Chapter 15.06

SOLID WASTE TREATMENT AND REFUSE COLLECTION

* * *

15.06.020 Solid waste disposal policy and rates.

A. Junk automobiles and small trucks (three-quarter ton or smaller) may be delivered to Gary Paxton Sawmill Cove industrial park (GPIP SMCIP) scrap yard at a rate of three cents per pound.

* * *

D. Fuel tanks must be cleaned and cut into pieces less than five feet by twelve feet prior to delivery to the GPIP SMCIP scrap yard.

* * *

G. Recyclables including mixed paper, cardboard, and newsprint that are delivered to the GPIP SMCIP-scrap yard shall be billed at a rate of four cents per pound.

H. Tires off of large trucks and heavy equipment may be delivered to the transfer station or GPIP SMCIP-scrap yard and shall be billed at a rate of twenty-five dollars each.

* * *

J. Household hazardous waste may be disposed of during normal business hours at the GPIP SMCIP-scrap yard. Commercially generated household hazardous waste will not be accepted at any time.

* * *

Chapter 22.12

ZONING MAPS AND BOUNDARIES

* * *

22.12.010 Districts established.

The city and borough is divided into districts as shown on the zoning maps of the city and borough which, together with all explanatory matter, are adopted by reference to be a part of this title. The districts shall be as follows:

* * *
GPSC Gary Paxton Sawmill Cove special district

* * *

**Chapter 22.16
DISTRICT REGULATIONS**

Sections:

* * *

22.16.170 GP Gary Paxton ~~SC Sawmill Cove~~ special zone.

* * *

22.16.015 Permitted, conditional and prohibited uses.

* * *

B. Any use which causes, or may be reasonably expected to cause, an excessive disturbance not in keeping with the character and stated intent of this district. "Excessive" is defined for these purposes as a degree exceeding that generated by uses permitted in the district in their customary manner of operation or to a degree injurious to the public safety, health, welfare or convenience.

If the letter "P" appears in the box, the use is permitted outright subject to the provisions of the code. If the letter "C" appears in the box, the use is a conditional use subject to review and approval including site plan approval. If the box contains a number, there will be a corresponding footnote further specifying the conditions applicable to the use in the zone.

With the exception of the Gary Paxton Sawmill Cove special district or as otherwise provided in this code, if the letter "P," "C," or another notation does not appear in the box, the use is prohibited.

The Gary Paxton Sawmill Cove special (GP/GPS SC/SCS) district was specifically developed to allow for a wide range of flexible uses on the site. When the site was acquired, it was recognized that a number of appropriate uses may surface that could not be anticipated. Appropriate and inappropriate uses could be regulated through lease agreements and sales agreements that must be approved by the municipality. As a result, the GP/GPS SC/SCS district use tables shall function differently from the manner outlined above.

Any uses, except retail and business uses, at Table 22.16.015-6, as well as natural resource extracting and mining support facilities uses within Table 22.16.015-5, may be approved in the GP/GPS SC/SCS district without a requirement of a zoning amendment in accordance with Section 2.38.080.

Retail and business uses in the GP/GPS SC/SCS district that are permitted uses, conditional uses, or prohibited uses on the site are governed by Table 22.16.015-6. Natural resource extractions and mining support facilities are conditional uses governed by Table 22.16.015-5 in

the GP/GPS SC/SCS district. These use tables are binding on the owners and the operators in the Gary Paxton industrial park. ~~Sawmill Cove Industrial Park~~. No changes to these tables shall be made without a zoning ordinance text amendment that follows the full procedures in Chapter 22.30, Zoning Code Administration, of this code.

**Table 22.16.015-1
Residential Land Uses**

Zones	P(1)	SF	SFLD	R-1	R-1 MH	R-1 LDMH	R-2	R-2 MHP	CBD (11, 12)	C-1 (11)	C-2 (11)	WD (2, 11)	I (3, 10)	LI(3)	R	OS	<u>GP SC</u> (13)

R-2 MHP: Multifamily/Mobile Home District GP: Gary Paxton SC: Sawmill Cove Special District

**Table 22.16.015-2
Cultural/Recreational Uses**

ZONES	P(1)	SF (7)	SFLD(7)	R-1 (7)	R-1 MH (7)	R-1 LDMH (7)	R-2 (7)	R-2 MHP(7)	CBD	C-1	C-2	WD(2)	I	GI(3)	LI(3)	R	OS	<u>GPSC</u> (9)

R-2 MHP: Multifamily/Mobile Home District GP: Gary Paxton SC: Sawmill Cove Special District

**Table 22.16.015-3
General Services Uses**

ZONES	P(1)	SF	SFLD	R-1 (6)	R-1 MH (6)	R-1 LDMH (6)	R-2	R-2 MHP	CBD	C-1	C-2	WD(2)	I	GI(3)	LI(3)	R	OS	<u>GPSC</u> (8)

R-2 MHP: Multifamily/Mobile Home District GP: Gary Paxton SC: Sawmill Cove Special District

**Table 22.16.015-4
Public Facilities Uses**

ZONES	P(1)	SF	SFLD	R-1	R-1 MH	R-1 LDMH	R-2	R-2 MHP	CBD	C-1	C-2	WD (2)	I	GI(3)	LI(3)	R	OS	<u>GPSC</u> (6)
--------------	-------------	-----------	-------------	------------	-------------------	---------------------	------------	--------------------	------------	------------	------------	-------------------	----------	--------------	--------------	----------	-----------	----------------------------

**Table 22.16.015-4
Public Facilities Uses**

ZONES	P(1)	SF	SFLD	R-1	R-1	R-1	R-2		C-	WD	I	GI(3)	LI(3)	R	OS	GPSC (6)
				1	MH	LDMH	2	MHP	CBD	1	C-2	(2)				
* * *																

R-2 MHP: Multifamily/Mobile Home District GP: Gary Paxton SC: Sawmill Cove Special District

* * *

**Table 22.16.015-5
Manufacturing/Storage Uses**

ZONES	P(1)	SF	SFLD	R-1	R-1	R-1	R-2		C-	C-	WD(2)	I(3)	GI(4)	LI(4)	R	OS	GPSC (7)
				1	MH	LDMH	2	MHP	CBD	1	2						
* * *																	

R-2 MHP: Multifamily/Mobile Home District GP: Gary Paxton SC: Sawmill Cove Special District

* * *

**Table 22.16.015-6
Retail and Business Uses**

ZONES	P(1)	SF	SFLD	R-1	R-1	R-1	R-2		CBD	C-	C-	WD(2)	I(3)	GI(4)	LI(4)	R	OS	GPSC
				1	MH	LDMH	2	MHP	(8)	1	2							
* * *																		
• Sales of goods that are wholly manufactured at Gary Paxton industrial park GPIIP Sawmill Cove Industrial Park SCIP																		P
• Sales of gifts, souvenirs and promotional materials that bear the logo or trade name of a GPIIP or SCIP permitted use business																		P
* * *																		

R-2 MHP: Multifamily/Mobile Home District GP: Gary Paxton SC: Sawmill Cove Special District

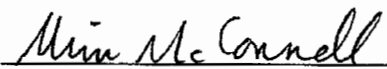
* * *

22.16.170 GP Gary Paxton SC Sawmill Cove special zone.

A. Intent. The Gary Paxton Sawmill Cove special zone is intended to apply to the Gary Paxton Sawmill Cove industrial park site and the associated tidelands portions and adjacent municipal tracts as defined by the zoning maps. It provides development flexibility for this unique site by allowing many uses that are permitted in both the waterfront and industrial zoning districts.

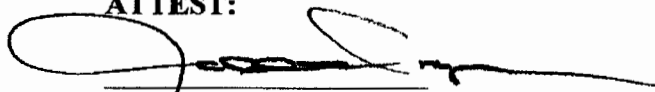
5. **EFFECTIVE DATE.** This ordinance shall become effective the day after its passage.

PASSED, APPROVED, AND ADOPTED by the Assembly of the City and Borough of Sitka, Alaska this 24th day of June, 2014.



Mim McConnell, Mayor

ATTEST:



Colleen Ingman, MMC
Municipal Clerk



Legislation Details

File #: 15-017 **Version:** 1 **Name:**

Type: Item **Status:** AGENDA READY

File created: 2/18/2015 **In control:** City and Borough Assembly

On agenda: 2/24/2015 **Final action:**

Title: Discussion/Direction on assigning the Health Needs and Human Services Commission or another committee with the task of organizing public meeting to discuss the health aspects of marijuana and reporting their findings back to the Assembly

Sponsors: Mim McConnell, Benjamin Miyasato

Indexes:

Code sections:

Attachments: [Discussion Direction Public Meetings on Marijuana](#)

Date	Ver.	Action By	Action	Result
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Discussion/Direction

On whether to assign the Health Needs and Human Services Commission or another committee with the task of organizing a town hall meeting to discuss the health aspects of marijuana and to report their findings back to the Assembly

Possible Motion

I move to direct the _____ to schedule public meeting(s) to discuss the health aspects of marijuana and to report their findings back to the Assembly.