



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, March 10, 2015

6:00 PM

Assembly Chambers

REGULAR MEETING

I. CALL TO ORDER

II. FLAG SALUTE

III. ROLL CALL

IV. CORRESPONDENCE/AGENDA CHANGES

AA [15-020](#) Reminders and Calendars

Attachments: [Reminder Calendar](#)

BB [15-021](#) Misc. Correspondence

Attachments: [Misc. Correspondence](#)

CC [15-022](#) Public Works Update

Attachments: [PW Update](#)

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)

DD [15-028](#) 1) Sitka High School Student Update, and 2) Edgecumbe Drive Update
<10 minutes

Attachments: [Reports 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.

- A** [15-026](#) Approve the minutes of the February 24, 2015 Assembly meeting
Attachments: [Consent Motion](#)
[mintues](#)
- B** [15-025](#) Approve liquor license renewal applications: 1) Watson Point, 2) Channel Club, 3) BPO Elks Lodge, 4) Ernie's Bar, 5) Pioneer Bar, 6) Pioneer Liquor Store, 7) Salty Sals Liquor Cabinet, 8) Cascade Convenience Center, 9) Baranof Island Brewing Company, 10) Pizza Express, and 11) Totem Square Inn.
Attachments: [Liquor license renewals](#)
- C** [15-024](#) Approve Material Sale and/or Lease Agreement between the CBS and Little Bit Heavy Equipment Rental contingent on receipt of proof of insurance
Attachments: [Little Bit](#)
- D** [RES 15-10](#) Urging the Alaska Legislature to Expand Medicaid Coverage to Improve the Health of Alaskans and Improve the Alaskan Economy
Attachments: [RES 2015-10 Medicaid Coverage](#)
- E** [ORD 15-11](#) Proposing to clarify the SGC by amending the footnote in Title 9 Health and Sanitation, by amending Sections 10.24.050 Fireworks Permissible Sales and Uses and 10.24 reference note, Section 10.44.070 (c) Common Carrier Definition, by repealing without replacement Section 10.48.030 Evidence, by amending Section 10.72.070 Juvenile Curfew Penalties, by repealing Section 10.84.020 Grandfather Clause for Liquor Sales Age, by amending Section 11.04.110 Public Holidays List, Section 11.40.230 Parking Reference, Section 11.56.100 for correct reference for Taxicab Medical Requirements, by repealing Section 11.64.010 Pedestrian Rules, and by amending Section 11.70.010 to remove outdated Helmet Standard Reference

Attachments: [MOTION ORD 15-11](#)

[ORD 2015-11](#)

Clarifying CODE ordinance first reading

- F** [ORD 15-12](#) Clarifying SGC by amending Title 6 Business License and Regulations at Section 6.04.080 Bond

Attachments: [MOTION ORD 15-12](#)

[ORD 2015-12](#)

Clarifying CODE ordinance first reading

- G** [ORD 15-14](#) Proposing to clarify SGC by Amending Section 13.13.025 Emission of Soot from an Oil Stove In a Vessel, Section 14.04.020 Ice and Snow Removal, Section 15.05.400 Cross-Connections, Sections 18.04.010 (E), (G), and (H) Tide Definitions, Sections 18.04.010 (I) Personal Property Definition and Title 18 Footnote 2 to Correct Statute References, Section 19.01.013 Adoption of Excavation and Grading Standards, Section 19.01.020 Building Permits Fees, Section 19.08.040 Definition Of "Islands," Section 22.08.585 Manufactured Home, and Section 22.08.590 Mobile Home. PULLED

Attachments: [MOTION ORD 15-14](#)

Clarifying CODE ordinance first reading PULLED

X. UNFINISHED BUSINESS:

- H** [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 (ADUS) as a permitted or conditional use

Attachments: [MOTION ORD 15-08 2nd](#)

[ORD 2015-08 ADUs](#)

XI. NEW BUSINESS:

New Business First Reading

- I** [ORD 15-13](#) Adjusting the FY15 Budget

Attachments: [ORD 2015-13](#)

Additional New Business Items

- J** [15-023](#) Discussion and/or direction to include any funding for "the Ride" through its coordinating agency Center for Community in the FY16 Municipal Budget

Attachments: [the Ride Center for Community](#)

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: 3-6-15*



Legislation Details

File #: 15-020 **Version:** 1 **Name:**
Type: Correspondence **Status:** AGENDA READY
File created: 3/4/2015 **In control:** City and Borough Assembly
On agenda: 3/10/2015 **Final action:**
Title: Reminders and Calendars
Sponsors:
Indexes:
Code sections:
Attachments: [Reminder Calendar](#)

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

REMINDERS

DATE

EVENT

TIME

Tuesday, March 10

Regular Meeting

6:00 PM

Tuesday, March 24

Regular Meeting

6:00 PM



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 | | |

Assembly Calendar

[2014](#) [Jan](#) [Feb](#) [Mar](#) [Apr](#) [May](#) [Jun](#) [Jul](#) [Aug](#) [Sep](#) [Oct](#) [Nov](#) [Dec](#) [2016](#)
April 2015

| Sunday | Monday | Tuesday | Wednesday | Thursday | Friday | Saturday |
|---------------|---|---|--|---|--------------|----------|
| 29 Mar | 30 | 31 | 1 Apr | 2 | 3 | 4 |
| | | 1:00pm SCVB Board | 7:00pm Library Board | 12:00pm - 1:30pm SEDA Board Meeting | | |
| 5 | 6 | 7 | 8 | 9 | 10 | 11 |
| | | 7:00pm Planning | 6:00pm Historic Preservation | 12:00pm LEPC 12:00pm <u>Parks & Rec</u> 6:00pm Budget Worksession: School District/Assembly | | |
| 12 | 13 | 14 | 15 | 16 | 17 | 18 |
| | | 6:00pm <u>Reg Assembly Mtg</u> | | | | |
| 19 | 20 | 21 | 22 | 23 | 24 | 25 |
| | | Special Meeting: Evaluations Municipal Attorney and Municipal Administrator - time to be determined | 6:00pm Police and Fire Commission - Fire Hall | 6:00pm 1st Municipal Budget Worksession | | |
| 26 | 27 | 28 | 29 | 30 | 1 May | 2 |
| | 6:00pm 2nd Municipal Budget Worksession | 1:00pm SCVB Board 6:00pm <u>Regular Assembly Mtg</u> | | | | |



Legislation Details

File #: 15-021 **Version:** 1 **Name:**
Type: Correspondence **Status:** AGENDA READY
File created: 3/4/2015 **In control:** City and Borough Assembly
On agenda: 3/10/2015 **Final action:**
Title: Misc. Correspondence
Sponsors:
Indexes:
Code sections:
Attachments: [Misc. Correspondence](#)

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



City and Borough of Sitka

100 Lincoln Street Sitka, Alaska 99835

Coast Guard City, USA

March 2, 2015

Doris Bailey
PO Box 953
Sitka AK 99835

Dear Doris,

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

The Employment Relation Board relies on the guidance and leadership of its board members; your commitment and personal sacrifice on behalf of this organization has indeed been helpful. The whole community is indebted to you for your valuable insight.

We wish you all the best and hope that you will find a way to stay involved in the future.

Warmest wishes,

Sara Peterson
Deputy Clerk



Service Award

The City and Borough of Sitka awards to

Doris Bailey

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

Signed and Sealed by Order of the Mayor of the City and Borough of Sitka
This 2nd day of March, 2015.

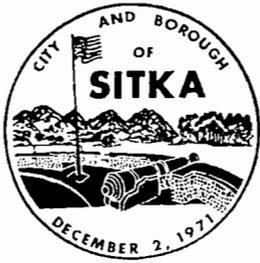
Attest:




Colleen Ingman, Municipal Clerk


Mim McConnell, Mayor





City and Borough of Sitka

100 Lincoln Street Sitka, Alaska 99835

Coast Guard City, USA

Jean Ayers
Alaska Historical Commission
Office of History & Archaeology
550 West 7th Ave., Suite 1310
Anchorage, AK 99501-3565

February 19, 2015

Dear Ms. Ayers:

The City & Borough of Sitka foresees the 150th Anniversary of the Purchase of Alaska as an exciting date in our city's future and anticipates that its commemoration will become a powerful focus of our community during 2017. Interested Sitkans have already begun discussions on how to best promote Sitka's role in this event. Key to initial planning has been our interaction with the Sitka Historical Society, for their staff have taken an active interest in initial planning meetings this year.

Consequently, on behalf of the City & Borough of Sitka, I give strong support to the Sitka Historical Society's grant proposal to the Alaska Historical Commission. We believe in the necessity of their proposal to fund a *150th Anniversary community liaison* whose responsibilities will include serving as Sitka's point of contact while working with interested persons and entities to commemorate the 150th Anniversary of the Purchase of Alaska. The *150th Anniversary community liaison* position promises to play a critical role in our community's promotion, organization and celebration of this landmark event, building on Sitka's reputation as a "must see" cultural tourism destination.

Because we have confidence in the ability of the Sitka Historical Society's to serve an active role in this commemoration, I anticipate that the City and Borough of Sitka will be providing a \$10,000 contribution for them to use as seed money for 150th Anniversary planning.

It is with great anticipation that I look forward to 2017, a year in which Sitka opens our newly renovated Centennial Hall and hosts a year of rich historically themed events that provide our citizens and visitors with engaging commemorative activities due this landmark event in Alaska's history.

Sincerely,

Mark Gorman
Municipal Administrator



Legislation Details

File #: 15-022 **Version:** 1 **Name:**
Type: Correspondence **Status:** AGENDA READY
File created: 3/4/2015 **In control:** City and Borough Assembly
On agenda: 3/10/2015 **Final action:**
Title: Public Works Update
Sponsors:
Indexes:
Code sections:
Attachments: [PW Update](#)

| Date | Ver. | Action By | Action | Result |
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PUBLIC WORKS ASSEMBLY UPDATE - WORK COMPLETED IN FEBRUARY, 2015

Kettleson Memorial Library Expansion:

Milestones this period

- Material submittals provided by contractor.
- Contractor has resumed work on site. All structural design issues have been resolved and the required changes are being incorporated into the work.

Future Milestones

- Framing of new structure to be complete April 2015.
- Construction is anticipated to be complete in November 2015.

Background

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

Centennial Hall Renovation:

Milestones This Period

- Permit/95% drawings and specifications were completed and are under review by staff.
- An independent structural review is underway.
- The 95% cost estimate is in progress.
- HCH Staff has finalized the plan for utilizing alternative venues for city/government/non-profit meetings during the period the HCH will be closed for construction and is in the process of finalizing leases for signature.

Future Milestones

- Assembly Work Session and approval of bid docs March 31 or April 14, 2015
- The target bid period is April – May, 2015.
- Assembly approval of contract award May 12 or 26, 2015.
- Close the building for construction August 1, 2015.
- Target construction substantial completion December 20, 2016.

Background

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

Ultra Violet (UV) Disinfection Facility:

Milestones This Period

- Building insulation and vapor barrier installed.
- Building interior metal framing ongoing.
- Electrical, HVAC, plumbing & fire sprinkler installation ongoing.

Future Milestones

- Interior process piping installation.
- Pre-facility startup meeting
- Complete electrical, HVAC, plumbing & fire sprinkler installation.
- Construction completion anticipated by fall 2015.

Background

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

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

Lake Street / Monastery Street Lift Station Improvements:

Milestones This Period

- Pumps, pipes and valves installed in the Lake Street lift station wet well and valve vault. Concrete lids with access hatches installed on structures, electric control hut set in place, and concrete slab poured. Concrete block retaining wall constructed.
- Existing Monastery Street lift station valve vault replaced with new valve vault.

Future Milestones

- Complete valve and pipe installation in Monastery Street valve vault, pump replacement in wet well, install electric control hut and pour concrete slab (late February).
- Test and start up operations at both new lift stations (early March).
- Install guardrails at Lake Street lift station and finish grading at both sites (mid-March).

Background

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

Baranof Warm Springs Dock Replacement:

Milestones This Period

- Alaska Department of Transportation (ADOT) design efforts are developing slower than anticipated, however CBS Public Works has been assured by ADOT that the project will still be completed in 2015 and that an updated schedule is pending. The Baranof Property Owners Association will be updated once additional information is available.

Future Milestones

- Provide review/comment for State of Alaska in a timely manner.
- Design development through early 2015.
- Construction is still anticipated in fall 2015.

Background

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

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

Milestones This Period

- Project kickoff meeting conducted in February 2015.
- Begin design
- Completed topographic survey.

Future Milestones

- 35% plans submittal to CBS in March.
- Final design of the project is expected in summer/fall 2015.
- Construction is anticipated summer 2016.

Background

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

Nelson Logging Road Upgrades:

Milestones This Period

- Assembly approval to award contract to LEI Engineering & Surveying on February 24, ²⁰¹⁵.
- **Future Milestones**
- Sign contract and issue notice to proceed.
- Phase One, Route Planning of the project is expected to be completed in June 2015.
- Construction is anticipated summer 2016.

Background

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

Edgecumbe Drive Street Reconstruction:

Milestones This Period

- Executed change order with S&S General Contractors to construct 10-foot-wide Multi-Use Path along the uphill side of the road rather than a 5-foot-wide sidewalk.
- Provided review comments to 65% design drawings.

Future Milestones

- Construction on Phase I of the project – from Cascade Creek Road to Charteris Street – to begin in March 2015. Early construction will focus on replacement or repair of existing storm drainage pipes and structures, and demolition of existing curb, gutter and sidewalk.
- Construction on Phase II of the project – Charteris St. to Peterson Street – will begin in May 2015.
- Paving of the travel lanes scheduled for August 2015.
- Substantial completion date is September 21, 2015. Final completion date is October 30, 2015.

Background

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

Monastery and Baranof Water and Sewer Project:

Milestones This Period

- Provided 35% review comments to consultant.
- Police and Fire Commission approval of Public Works recommendation for one way road for Monastery Street from Sawmill Creek Road to DeGroff Street due to inadequate right-of-way width to accommodate two way traffic.

Future Milestones

- 65% design of the project is expected in March 2015.
- Construction is anticipated as early as summer 2015.

Background

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

Funding for the project is provided by the following sources:

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

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

Milestones This Period

- Next section scheduled for work is the separated pathway along Yaw Drive which will end at the Indian River Trailhead parking lot. This will run adjacent to Kaelke Pond. Work will continue this winter as long as weather permits.

Future Milestones

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

Background

The City and Borough of Sitka has been awarded a \$916,897 MAP-21 Federal Lands Access Program (FLAP) Grant for Phase 5 Cross Trail multimodal pathway (Cross TMP), Baranof Street and Yaw Drive connectors, by Western Federal Lands (WFL). The Assembly approved submission of the grant in Resolution 2013-03 in February 2013. Phase 4 of the project, a \$926,000 STIP Grant for a multimodal pathway reconstruction and re-routing from Yaw Drive to the CBS property was funded by

the Department of Transportation in the 2009 STIP. DOT planners, with the concurrence of Western Federal Lands (WFL) and CBS, initiated action to combine the two projects as a single \$1.8 million grant and have the project managed by Western Federal Lands for greater efficiency and cost savings.

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

Milestones This Period

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

Future Milestones

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

Background

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

Solid Waste Management Plan:

Milestones This Period

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

Future Milestones

- Proposals due March 31, 2015.
- SWAC meeting April 2015 after all proposals have been reviewed.
- Assembly contract award May 1, 2015

Background

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

Sitka Transient Float Replacement:

Milestones This Period

- Concept float plan, section and cost estimates completed and indicate the project is short funding necessary to complete full electrical installation on the float. Staff continues to look at other funding options to assist with the project.
- A contract amendment was signed to complete final design and permitting for the project.

Future Milestones

- Staff will present the ~35% design to the P&H Commission on March 11, 2015.
- PND will present the ~65% design to the P&H Commission on April 8, 2015.
- Construction is anticipated to begin in fall 2015.

Background

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

Airport Terminal Upgrades:

Milestones This Period

- Engaged in conversations with Delta, Alaska Airlines and the State of Alaska DOT to support Delta's efforts to establish daily flights to and from Seattle by May 15, 2015.

Future Milestones

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

Background

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

Hollywood & New Archangel Water, Sewer and Road Upgrades:

Milestones This Period

- Hosted pre-construction conference with Coastal Excavation on February 11, 2015.
- Reviewed contractor's materials submittal package.

Future Milestones

- Contractor will "pot-hole" existing water and sewer service connections to identify what materials are needed to connect existing services to new water and sewer mains.
- Project construction scheduled to start in March 2015 with pavement removal at Hollywood Way.
- Work scheduled to begin on New Archangel in May 2015.
- Paving for both roads scheduled for June 2015.
- Substantial Completion date is August 28, 2015.

Background

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

Lake Street Storm Water Crossing and Outfall:

Milestones This Period

- Working with trenchless technology consultant to develop Cured-In-Place Pipe (CIPP) project specifications.

Future Milestones

- Select contractor to install CIPP liner, obtain Assembly approval to award contract in March 2015.
- Install CIPP liner in Spring or early Summer 2015, depending on availability of CIPP contractor.
- Depending on remaining budget, take advantage of CIPP contractor's presence in Sitka to address other failing storm water pipes.

Background

The project will repair a 42" culvert passing Arrowhead Creek under Lake Street, near 701 Lake Street. The culvert is corroding and is in danger of collapse. This project was budgeted in FY15 from the General Fund (\$299,000).

Seaplane Base:

Milestones This Period

- Begin working on steps necessary to prepare grant application to fund environmental process for the Seaplane Base.

Future Milestones

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

Background

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

Jeff Davis Street Water and Sewer Improvements:

Milestones This Period

- None.

Future Milestones

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

Background

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

Jarvis Control and Crescent Harbor Shelter Re-roofing:

Milestones This Period

- None.

Future Milestones

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

Background

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

Gary Paxton Industrial Park Dock:

Milestones this period

There was no significant progress on this project this period. The engineering of the project remains on hold while ever-evolving changes to the proposed use of the dock facility continue to be considered by the GPIIP Board of Directors and CBS staff. Possible changes to the original basis of design include (but are not limited to) 1) constructing facilities that will be fully ready and able to accommodate a large (250 ton) sling-type boat haulout device; 2) design/construct whatever configuration is chosen, so that the facility can be easily expanded in the future to accommodate container ships of the sort used in other major Alaskan ports; and 3) relocate the facility to the shallower waters at the head of the cove. CBS staff is preparing concept sketches of several possible layouts or configurations to be considered under #3. Please note that Item #3 will exclude the possibility of Item #2. The GPIIP Board of Directors held a meeting on February 12, 2015; however, due to sparse attendance by Board members, this project was not discussed at that time.

Future Milestones

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

Background

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

Hrebar Rifle Range: (Shooting Range Improvements)

Milestones this period

- Signage was installed; “Use at Your Own Risk” safety signs installed at each shooting shelter and at the main entrance.

Future Milestones:

- Develop scope for project
- Get quotes to fix the end berm height for the 100 and 200 yard ranges.
- Get quotes to bring the heights of the medians up to a consistent height in between the 100 yd. and the 200 yd. ranges.

Background:

The City and Borough of Sitka was awarded a \$50,000 Legislative Grant for Tony Hrebar Range Improvements. The project consists of raising the height of berms will significantly improve range safety. Range berms have sloughed and settled and are no longer the standard height. The backstop berms are critical to prevent bullets from traveling downrange, beyond the shooter’s target. The interior berms restrict bullets from traveling to adjacent ranges. Any additional funds will be spent to re-surface and improve range drainage. Inadequate drainage has caused washouts of surfacing material and rutting. The uneven surfaces are dangerous. Installing a properly sized drainage system will help preserve gravel surfacing but also keep the range surface even and hazard free thereby reducing tripping hazards.

SPRING CLEAN-UP 2015

The City and Borough of Sitka announces its Annual Community Wide Spring Clean-up

JARVIS STREET TRANSFER STATION

WILL BE OPEN THE FOLLOWING TIMES DURING THE SPRING CLEANUP:

SATURDAY, April 18th thru SUNDAY, April 26th 8 A.M. - 4 P.M.

All **RESIDENTIAL** property owners are encouraged to clean up their property and haul all refuse to the Jarvis Street Transfer Station (205 Jarvis Street) **FREE OF CHARGE** during **SPRING CLEANUP**. Commercial waste will be accepted at normal rates (\$0.06 per pound).

SAWMILL COVE SCRAP YARD

WILL BE OPEN THE FOLLOWING TIMES DURING SPRING CLEANUP:

SATURDAY, April 18th thru SUNDAY, April 26th 8 A.M. - 4 P.M.

Junk vehicles, scrap metal, white goods, boat trailers, & properly cleaned fuel tanks accepted.

Vehicles will be accepted by the City of Sitka at the Sawmill Cove Scrap Yard free of charge, but residents are responsible for transporting the vehicle and its title to the scrap yard.

NO VEHICLE PICKUP THIS YEAR, VEHICLES MUST BE TOWED AT OWNER'S EXPENSE
TITLES ARE REQUIRED FOR ALL VEHICLES

HOUSEHOLD HAZARDOUS WASTE COLLECTION AT

THE WASTEWATER TREATMENT PLANT WILL BE OPEN THE FOLLOWING TIMES:

SATURDAY, April 25th 8 A.M. - 4 P.M. and SUNDAY, April 26th - 8 A.M. - 3 P.M.

FREE Household Hazardous Waste Collection Event for households and certain small businesses is scheduled for Saturday April 25th from 8 A.M. - 4 P.M. and Sunday, April 26th from 8 A.M. - 3 P.M. at the Wastewater Treatment Plant, 100 Alice Loop, located off Airport Road. Wastes will be accepted during these times **ONLY**. Household Hazardous Wastes will **NOT** be accepted at the Transfer Station or Sawmill Cove Scrap Yard.

RECYCLABLES / RESIDENTIAL YARD WASTE / JUNKED BOATS

Recyclables – Residents are encouraged to recycle all glass, tin cans, aluminum, #1, #2, and #5 plastics, mixed paper, cardboard and newspaper products at the Recycling Center located at 802 Sawmill Creek Road (across from the National Cemetery). Unbroken Fluorescent bulbs are only accepted at the Transfer Station on Saturday's from 12 P.M. – 1 P.M. and normally cost \$.50 to recycle, customers are charged on their utility bill. During Spring Cleanup (April 18-26) fluorescent bulbs will be accepted **FREE OF CHARGE (no commercial)**.

Residential Yard Waste - Up to 5 cubic yards of residential yard waste per customer will be accepted **FREE OF CHARGE** at the **Granite Creek Waste Area**, 401 Granite Creek Road (left side) **weekends only** during Spring Cleanup from 8 A.M.- 4 P.M. (pickup truck loads only). Commercial operators' waste is not part of Sitka's Spring Cleanup and must be paid for.

Junk Boats – Will be charged according to size. Boats must be clean of any debris including engines, outdrives, fuel tanks etc. **WOODEN or FIBERGLASS Boats will be accepted at the Sitka Landfill. Metal boats will be accepted at the Sawmill Cove Scrap Yard.** Contact PW Maintenance Shop at 747-4041 to arrange disposal at the Sitka Landfill.

FOR MORE INFORMATION CONTACT PUBLIC WORKS 747-1806



SPRING 2015 FREE HOUSEHOLD HAZARDOUS WASTE COLLECTION EVENT

SATURDAY, April 25th (8:00 A.M. - 4:00 P.M.)
SUNDAY, April 26th (8:00 A.M. - 3:00 P.M.)

WHO'S ELIGIBLE: All households, certain small businesses and government agencies are eligible to dispose of up to 200 lbs. of waste per year. Please contact the Public Works Office at 747-1806 for more information.

WHAT'S ELIGIBLE: Solvents, oil, paint, antifreeze, cleaners, poisons, acids, batteries, caustics, furniture stripper, herbicides, pesticides, flares, printing & photographic chemicals.

WHAT'S NOT ELIGIBLE: Explosives, blasting caps and gun powder, reactives such as sodium metal and radioactive wastes, and fluorescent bulbs.

WHERE: Deliver your items to the Wastewater Treatment Plant, 100 Alice Loop, located off Airport Road.

Please DO NOT deliver items prior to or after the event times.

Sponsored by City & Borough of Sitka



Legislation Details

File #: 15-028 **Version:** 1 **Name:**
Type: Item **Status:** AGENDA READY
File created: 3/5/2015 **In control:** City and Borough Assembly
On agenda: 3/10/2015 **Final action:**
Title: 1) Sitka High School Student Update, and 2) Edgecumbe Drive Update <10 minutes
Sponsors:
Indexes:
Code sections:
Attachments: [Reports Scheduled](#)

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

REPORTS – SCHEDULED To be less than 10 minutes

**SHS Student Update –
Requested by Tim Fulton, SHS School Board**



**Edgecumbe Drive Update
Requested by: Dan Tadic, Municipal Engineer**





Legislation Details

File #: 15-026 **Version:** 1 **Name:**
Type: Item **Status:** AGENDA READY
File created: 3/4/2015 **In control:** City and Borough Assembly
On agenda: 3/10/2015 **Final action:**
Title: Approve the minutes of the February 24, 2015 Assembly meeting
Sponsors:
Indexes:
Code sections:
Attachments: [Consent Motion](#)
[mintues](#)

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

CONSENT AGENDA

POSSIBLE MOTION

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

I wish to remove Item(s) _____

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



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 24, 2015

6:00 PM

Assembly Chambers

REGULAR MEETING

I. CALL TO ORDER

II. FLAG SALUTE

III. ROLL CALL

Present: 6 - McConnell, Hunter, Swanson, Eisenbeisz, Guevin, and Putz

Absent: 1 - Miyasato

IV. CORRESPONDENCE/AGENDA CHANGES

Mayor mentioned that Item M had been previously pulled from tonight's agenda.

A 15-019 Reminders and Calendars

V. CEREMONIAL MATTERS

None.

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

None.

VII. PERSONS TO BE HEARD

None.

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

Mayor - Attended meetings in Juneau: The Alaska Municipal League (AML) board meeting, the Alaska Conference of Mayors, and the AML Legislative Fly-In. There was a lot of information shared by the AML Lobbyist, Ray Gillespie. We also heard from Senator Murkowski and key legislators from both the House and Senate. The messages were similar to what we heard during our early February trip to Juneau. We spent an afternoon at a crowded forum on the Marijuana legislation. SB 30 is the bill to watch for this issue. My main take-away from the three days was not to expect increases in state revenue this year. Instead, the focus will be on making major cuts. Next year will likely be more talk about how to find more revenue. I did not hear any hope about oil price increases saving the day in the final hour as in past years.

I enjoyed an afternoon at Blatchley Middle School watching the Discovery Week performances and viewing the project displays. This appears to be a popular annual event for both students and guest teachers.

Matt Hunter, Steven Eisenbeisz, and I met with Mark Gorman, Rob Allen and Jay Sweeney to discuss the Sitka Community Hospitals current situation, board structure and possible avenues for strengthening the Assembly's fiduciary ability in overseeing its operations.

Senator Dan Sullivan was in town Friday and I attended the Chamber lunch and then he met with us at the city office. I will be Lobbying in DC first week of March and then 3rd week in Miami with the cruise industry.

Administrator - Filled the Planner I position with Carol Gibb. Possibility of herring fishery going coop this year - that will impact sales tax collection. The Municipal Solutions recommendations will be posted on the website. Issuing an RFP for our permanent fund. Took a tour of our community jail and was pleased. The state administration plans to remove some funding support.

Attorney - Past week working on lease issues for both Delta and Alaska Airlines. The Alcoholic Beverage Control Board adopted an emergency regulation early today, defining what a "public place" is in relation to marijuana consumption. The measure gave the ABC Board authority to define a "public place," in which marijuana use is barred. The board unanimously voted to define "public place" as the same definition that exists in criminal law. That includes highways, schools, businesses, parks, playgrounds and other areas not designed for residence. The emergency regulation will remain in effect for 120 days, or until the Legislature passes a law that includes a definition of a public place. Ours is more strict than what the state came up with.

Liaisons - Putz spoke to the Tree and Landscape moving forward and are looking at Katlian Street improvements. A Tree and Landscape ordinance is coming forward soon. She participated in the Investment Advisory Committee and learned that we need to address our Permanent Fund because we are taking out more than we can afford.

Clerk - Mentioned that we are in the process of refilling the Employment Relations Board (ERB) Board. An employee election will be held this week with Mo McBride running unopposed. If John Host is appointed tonight than those two will choose the third person who will chair the board.

IX. CONSENT AGENDA

- B** 15-014 Approve the minutes of the February 10, 2015 Assembly meeting.
- A motion was made by Hunter to APPROVE the Consent Agenda consisting of Items B, C, E, F, & G. The motion CARRIED by a 6-0 roll call vote.**
- C** 15-013 Appointments CONSENT:
- I) Employment Relations Board Appoint One - John Holst
 II) Historic Preservation Commission (STA Appointment) - Robert Sam, Mike Miller (Alternate)
- 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
- 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
- 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
- D** 15-015 Appointments NON-CONSENT: 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, and 7) Randy Hughey
- Mayor McConnell recused herself because one of the applicants is her employer.
- Eisenbeisz noted that several applications were not complete and did not include any letters of interest, or resume etc., he cannot support an applicant that doesn't submit the required documentation or if their submittal isn't legible. Deputy Mayor Hunter added, they do have some very fine candidates. Putz encouraged candidates not appointed to apply for other commission vacancies.
- A vote was taken and Randy Hughey received four votes from Deputy Mayor Hunter, Guevin, Putz and Swanson and was appointed to the Planning Commission to serve the unexpired term.**

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

Philip Ruppell, an employee of the Sitka Convention and Visitor's Bureau wanted to know whether for-profit entities could apply and if the city could use public bed taxes to fund a profitable entity. He was also curious how this might better serve the community based on what is being done now.

Hunter believes eligible entities would include for-profit businesses. Gorman added the intent was for both non and profits to apply. Bed Tax Funds are provided to the private sector currently. Eisenbeisz did not want to make it exclusive to one group. He will support whomever can market Sitka the best. Putz envisioned this route will better serve the community as we have an ordinance currently that is no longer being followed. Eisenbeisz expressed his current concerns with the lack of documentation on how the public funds are currently being spent and also expressed concern about the amount of municipal property that has been donated to the Sitka Convention and Visitor's Bureau.

A motion was made by Swanson that this Ordinance be APPROVED. The motion PASSED by the following vote.

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

No: 1 - Eisenbeisz

Absent: 1 - Miyasato

- 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"

Jere Christner had questions about the exemption it doesn't elaborate or is not clear. Hunter explained that this is the very first piece of getting legislation into code and we needed to move forward with something. This clause anticipates future legislations, regulatory board etc., it doesn't create one now because we are not ready yet. Putz wondered if a rented hotel room is considered a private space. Municipal Attorney responded only if the hotel allows smoking.

A motion was made by Putz that this Ordinance be APPROVED. The motion PASSED by the following vote.

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

Absent: 1 - Miyasato

- J** ORD 15-07 Amending Sitka General Code Title 15 "Public Utilities" by adding a

new Chapter 15.07 entitled "Storm Drainage"

Eisenbeisz thought with our rainfall we would already have this in place, we don't but we are about to.

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

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

Absent: 1 - Miyasato

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 (ADUS) as a permitted or conditional use

Hunter mentioned that no one has applied yet but this would make housing more affordable for people and he hopes making it less restrictive will get these units started. Eisenbeisz is glad to find a way to make it easier on folks and hopes they will take advantage.

A motion was made by Swanson that this Ordinance be APPROVED. The motion PASSED by the following vote.

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

Absent: 1 - Miyasato

- L** **ORD 15-09** Amending SGC Chapter 2.38 "Gary Paxton Industrial Park Board" at Section 2.38.080 (A)7(a) "General Powers"

The motion to pass the ordinance on first reading FAILED.

Yes: 2 - Guevin, and Putz

No: 4 - McConnell, Hunter, Swanson, and Eisenbeisz

Absent: 1 - Miyasato

- 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 15.05.240 A entitled "service Connection Charge, 15.05.620 entitled Rates and Fees and to increase wastewater rates at Sections 15.04.100 entitled Service Connection Charge, 15.04.320 entitled Rates and Fees

This item was PULLED prior to the meeting and not introduced.

Additional New Business Items

- N** 15-017 Discussion/Direction on assigning the Health Needs and Human Services Commission the task of organizing a town hall meeting to discuss the health aspects of marijuana and reporting their findings back to the Assembly

Sponsors: McConnell and Miyasato

Mayor explained that the commission was willing and would focus on the health aspects. Putz understands it as just holding one town hall meeting with a panel talking about marijuana and whether it is good for you or not. The panel would be made up of public members with experience on the subject and facilitated by Doug Osborne. Eisenbeisz offered that the intent was to have an open forum for people to discuss health concerns or benefits then report back to us on their findings. Gorman brought up that last week the city was formally approached by a business owner who wants to establish a commercial growth area and therefore Sitka needs to have some community discussion(s). No motion was made or vote taken.

XII. PERSONS TO BE HEARD:

Nancy Yaw Davis read a prepared statement and was disappointed there wasn't an out pouring of citizens opposing this. She added she doesn't support the \$100 fine, it is too small. She provided a written statement.

XIV. ADJOURNMENT

A motion was made by Hunter that this meeting be ADJOURNED. The motion PASSED without objection and the meeting adjourned at 7:10 PM.

ATTEST:

Colleen Ingman, MMC
Municipal Clerk



Legislation Details

File #: 15-025 **Version:** 1 **Name:**

Type: Item **Status:** AGENDA READY

File created: 3/4/2015 **In control:** City and Borough Assembly

On agenda: 3/10/2015 **Final action:**

Title: Approve liquor license renewal applications: 1) Watson Point, 2) Channel Club, 3) BPO Elks Lodge, 4) Ernie's Bar, 5) Pioneer Bar, 6) Pioneer Liquor Store, 7) Salty Sals Liquor Cabinet, 8) Cascade Convenience Center, 9) Baranof Island Brewing Company, 10) Pizza Express, and 11) Totem Square Inn.

Sponsors:

Indexes:

Code sections:

Attachments: [Liquor license renewals](#)

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

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

POSSIBLE MOTION

I move to forward the liquor license renewals for the attached listed renewals onto the Alcoholic Beverage Control Board without objection.

OFFICE OF THE MUNICIPAL CLERK

March 4, 2015

TO: Mayor and Assembly

FROM: Colleen Ingman, Municipal Clerk 

SUBJECT: Liquor license Renewals

This office is in receipt of the following liquor license renewal applications:

| Lic. # | Doing Business As | License Type | Licensee | Premises Address |
|--------|--------------------------------|-------------------------------|-------------------------------------|------------------------------------|
| 202 | Watson Point Liquors | Package Store | Triple C Ventures, Inc. | 1867 Halibut Point Road |
| 212 | Channel Club | Beverage Dispensary | The Channel, LLC | 2906 Halibut Point Road |
| 363 | BPO Elks Lodge #1662 | Club | BPO Elks Lodge #1662 | 412 Sawmill Creek Blvd |
| 373 | Ernie's Bar | Beverage Dispensary | Ernie's Bar, Inc. | 130 Lincoln Street |
| 865 | Pioneer Bar | Beverage Dispensary | Pioneer Liquor, Inc. | 212 Katlian Street |
| 872 | Pioneer Liquor Store | Package Store | Pioneer Liquor, Inc. | 212 Katlian Street |
| 3268 | Salty Sals Liquor Cabinet | Package Store | House of Liquors, Inc. | 326 Lincoln Street |
| 4390 | Cascade Convenience Center | Package Store | Triple C Ventures, Inc. | 1211 A Sawmill Creek Road |
| 4912 | Baranof Island Brewing Company | Brewery | Baranof Island Brewing Company, LLC | 215 Smith Street, Unit A & B |
| 5204 | Pizza Express | Restaurant / Eating Place | Hector Barragan | 1321 Sawmill Creek Road, Ste H & I |
| 5249 | Totem Square Inn | Beverage Dispensary - Tourism | JL Totem, Inc. | 201 Katlian Street |

A memo was circulated to the various departments and no objections were received.

All municipal accounts are either current or have made other arrangements for payment.



City & Borough of Sitka
Municipal Clerk's Office

100 Lincoln Street, Sitka AK 99835
Telephone: 907-747-1811 Fax: 907-747-4004



Memorandum

To: Assessing – Ruth
Collections - Mary
Municipal Billings – Mike
Sales Tax/Property Tax - Hardick
Utility Billing Clerk – Bev

Fire Department
Police Department
Building Official(s)

From: Colleen Ingman, Municipal Clerk

Date: February 25, 2015

Subject: Liquor License Renewal Applications

Attached is a list of renewals liquor license applications within Sitka's jurisdiction.

Please notify **no later than noon on March 4th** of any reason to protest these renewal requests.

Thank you.

Attachment



Legislation Details

File #: 15-024 **Version:** 1 **Name:**

Type: Item **Status:** AGENDA READY

File created: 3/4/2015 **In control:** City and Borough Assembly

On agenda: 3/10/2015 **Final action:**

Title: Approve Material Sale and/or Lease Agreement between the CBS and Little Bit Heavy Equipment Rental contingent on receipt of proof of insurance

Sponsors:

Indexes:

Code sections:

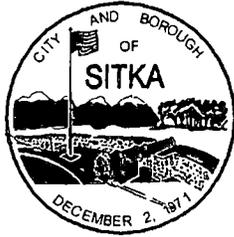
Attachments: [Little Bit](#)

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

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

POSSIBLE MOTION

I MOVE TO approve a material sale and/or lease agreement with Little Bit Heavy Equipment Rental to facilitate topsoil extraction and screening contingent on receipt of proof of the required insurance coverage



City and Borough of Sitka

PUBLIC WORKS

100 LINCOLN STREET • SITKA, ALASKA 99835
PHONE (907) 747-1804 • FAX (907) 747-3158

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

From: Michael Harmon, Public Works Director *MH*
Gary E. Baugher Jr., Maintenance and Operations Superintendent *GEB*

cc: Jay Sweeney, Finance Director
Robin Koutchak, Municipal Attorney *RK*

Date: 23 February 2015

Subject: Little Bit Heavy Equipment Rental

Background

The topsoil lease agreement was formalized in 2007 when Todd Miller Construction started operating and extracting topsoil from behind the Central Garage building. In August of 2014 Todd Miller sold his topsoil screen to Little Bit Heavy Equipment Rental. Harry Greene from Little Bit Heavy Equipment Rental asked if the lease could be brought up to date and he could continue the lease agreement. The topsoil lease that Todd Miller had long since expired. This would bring the agreement up to date and provide the Parks Division top soil for the flower beds, and other projects that require top soil.

Analysis

The terms of this lease is on a month to month basis, and commences on the first day of each month. The terms and conditions of this lease are as described in Items 1-6 of the terms section of the agreement.

Fiscal Note:

In lieu of a cash royalty, the contractor shall provide the bid quantity (10CY) of topsoil to the City and Borough of Sitka (CBS) for every 100CY produced. Topsoil shall be delivered to a location identified by the Public Works Superintendent and neatly stockpiled.

Recommendation:

Approve material sale and/or lease agreement with the owner of Little Bit Heavy Equipment Rental contingent on receipt of proof of the required insurance coverage.

AGREEMENT

MATERIAL SALE and/or LEASE

OF

MUNICIPALLY OWNED PROPERTY

The City and Borough of Sitka, represented by the Administrator or his authorized representative, hereinafter referred to as the Municipality, does hereby sell and/or lease; and

Little Bit Heavy Equipment Rental
Harry Greene
PO Box 361
Sitka, AK 99835

hereinafter called the Lessee or the Contractor, does hereby agree to purchase and/or lease the material and/or property designated herein, subject to the following terms and conditions:

SECTION I. DESCRIPTION

A. LEASE AREA: **Tract 4A2 / 4B USS 3695 (Public Services Center)**

The lease area available for material extraction has not been surveyed and thus is only graphically defined on the attached aerial photo.

B. TERMS.

The terms of this lease is month to month, and commences on the first day of each month. The terms and conditions of this lease are as described in Items 1-6 of this section.

1. The intent of this lease is to facilitate topsoil extraction and screening.
2. No more than 400 cubic yards can be removed from the site at any one time (event).
3. In lieu of a cash royalty, the contractor shall provide the bid quantity of topsoil to the City and Borough of Sitka (CBS). Topsoil shall be delivered to a location identified by the Public Works Superintendent and neatly stockpiled.
4. The bid royalty amount shall be based on 100 cubic yard lots of contractor generated material.
5. The minimum bid is 10 cubic yards per 100 cubic yard lot of contractor generated material.
6. Prior to commencing with a new lot, Little Bit Heavy Equipment Rental, shall provide CBS with the bid amount of topsoil.

Bid Amount = 10 CY per Lot. Lessee shall provide 10 CY for the first 100 CY Lot.

As soon as 100CY is removed from the lease area, an additional 10 CY shall be provided to CBS prior to removing material for the second lot from the lease area.

SECTION II. PAYMENTS

A. MATERIAL SALE:

1. Lessee shall be required to submit a yearly performance bond in the amount of \$5,000 issued by a Surety licensed to do business in Alaska. At the time each year that the pit cross sections are accomplished and Lessee is inspected for adherence to a reclamation plan, the Municipality shall release the prior year performance bond, in writing and accept a new bond for the next year of operation. (See Section III, 1)

The purpose of said bond shall be to correct non-conforming conditions created by the Lessee. An example might be to do necessary reclamation work left undone or otherwise correct site problems such as drainage control. Said bond may also be used to pay for unpaid royalties or other costs fairly owed to the Municipality.

SECTION III. OPERATING REQUIREMENTS

1. All topsoil provided to CBS shall meet the topsoil specifications identified in the City and Borough of Sitka Standard Specifications 2002.
2. Quantities will be based on end dump box measurement, in place.
3. All loads shall be inspected by the Public Works Superintendent, or his designee, prior to leaving the property. The site shall be available Monday thru Friday, from 7AM to 4PM local time, excluding holidays. Work shall not take place, and material shall not be transported from the site, outside of the period identified in the previous sentence. Lessee shall coordinate inspections.
4. No topsoil shall be removed from the subject property after the expiration of the lease without the permission of the Director of Public Works.
5. Erosion and Pollution Control:
 - a. All activities shall be performed in accordance with an approved Storm Water Pollution Prevention Plan (SWPPP). This plan shall be prepared by the Lessee and approved by the City and Borough before any work begins in the lease area (including mobilization).
 - b. The SWPPP shall be prepared to EPA standards. The SWPPP may require the installation and maintenance of siltation control structures at the Lessee expense.
 - c. Should the City and Borough determine that the operations cause silting or pollution of adjacent wetlands or other areas, this lease shall be void upon notification to the Lessee by the City and Borough.
 - d. No earthmoving shall be allowed during heavy rains, and the Lessee will, at their own expense, provide all proper drainage.
 - e. Access road construction or operations in connection with this contract shall be conducted so as to avoid damage to wetlands or water bodies.
6. The Contractor shall clean all asphalt surfaces daily if they become contaminated with topsoil or other silty debris generated from the contractors operations.
7. Excavations shall be contoured in such a manner that there is no hazard presented.
8. The Lessee shall maintain adequate supervision at all times when operations are in progress to ensure that the terms and conditions of this contract and all applicable Federal, State, and local laws, rules and regulations governing such operations are enforced. At all times, when operations are in progress, the Lessee or a person authorized by him to assume the responsibilities imposed by this contract, shall be present on the lease area.
9. The terms and conditions of this contract shall apply with equal force upon any agent, employee or contractor designated by the Lessee to perform any or all of the operations of severance,

extraction or removal of the materials discussed under this contract, and the Lessee shall be liable for non-compliance caused by any such agent, employee or contractor.

10. Tree stumps, overburden, and any other debris generated from the excavation or screening shall be disposed of off-site, by the Lessee at a location determined by the Lessee.

11. The Lessee shall coordinate his activities with the Public Works Superintendent.

12. At the expiration of this contract, the Lessee shall notify the Director of Public Works, so that an inspection for release can be scheduled. If the Lessee does not remedy any deficiencies, including but not limited to inadequately contoured slopes, leftover debris, etc., the City and Borough reserves the right to address the deficiencies. Costs incurred by the City and Borough shall be paid by the Lessee. The Director of Public Works shall be the sole authority regarding the release requirements.

13. If the Lessee is forced to end, restrict, or curtail his operations due to State or Federal law or regulations or for any other cause over which the City and Borough has no control, the City and Borough shall have no liability, whatsoever.

14. Lessee may not assign its rights under this lease or allow other parties to produce topsoil on the site without prior written approval of the City and Borough.

SECTION III. LIABILITY

1. The Lessee shall indemnify the City and Borough and hold it harmless from any and all claims, demands, suits, loss, liability and expense for injury to or death of persons and damage to or loss of property arising out of or connected with the exercise of privileges granted the Lessee by this contract, or arising out of any incident whatsoever which may occur on the lease site or commonly used facility. This includes but is not limited to damage to power lines, poles, and facilities, telephone lines and poles, survey monuments, roads, bridges and culverts, pollution and/or damage to water systems, or personal injury.

2. The City and Borough shall be named as an additional insured on Lessee's Comprehensive Liability Insurance Policy.

3. The Lessee shall carry Workers' Compensation Insurance covering all employees and shall also carry \$2,000,000 general liability insurance, naming the Municipality as an additional insured, and take such measures as are reasonable to protect the general public from injury on the site.

4. Waiver of Subrogation: Whenever: (i) any loss, cost, damage or expense resulting from fire, explosion or any other casualty or occurrence is incurred by either of the Parties to this Lease, or anyone claiming under it in connection with the Property or improvements; and (ii) the Party is then covered in whole or in part by insurance with respect to loss, cost, damage or expense or is required under this Lease to be so insured, then the Party so insured (or so required) releases the other Party from any liability the other Party may have on account of the loss, cost, damage or expense to the extent of any amount recoverable by reason of insurance and waives any right of subrogation which might otherwise exist in or accrue to any person on account of it, provided that the release of liability and waiver of the right of subrogation shall not be operative in any case where the effect is to invalidate the insurance coverage or increase its cost (provided that, in the case of increased cost, the other Party shall have the right, within thirty (30) days following written notice, to pay the increased cost keeping the release and waiver in full force and effect).

SECTION IV. IMPROVEMENTS AND OCCUPANCY

1. Any improvements or transportation facilities including crushers, mixing plants, buildings, bridges, roads or any other constructed by the Lessee in connection with this lease and within the lease area, shall be in accordance with plans approved by the Municipality. Improvement and

facility safety (both design & operation) shall be the responsibility of the Lessee not the Municipality. Lessee agrees to follow all applicable safety codes and regulations.

2. The Lessee shall, within sixty (60) days, after the expiration of termination date of this lease, remove all equipment and other personal property from the lease area.

SECTION V. INSPECTION

1. Authorized agents of the Municipality shall have access at all times to the lease area

2. At all times, when construction or operations are in progress, the Lessee shall have a representative readily available at the site of operations who shall be authorized to receive on behalf of the Lessee, any notices and instructions given by authorized Municipality personnel in regard to the performance under this contract, and to take such action thereon as is required by the terms of this contract.

SECTION VI. TERMINATION AND SUSPENSION

1. The lease may be terminated by the City and Borough if the Lessee breaches the contract and fails to correct this breach within thirty (30) days after written notice is served upon the Lessee.

2. Failure of the Lessee to take immediate action to correct unwarranted damage to natural resources may be corrected by the City and Borough to prevent additional damage. Any cost incurred by the City and Borough shall be paid by the Lessee.

3. This lease may be terminated by mutual agreement of both parties on terms and conditions agreed upon, in writing by both parties.

SECTION VII. RESERVATIONS

1. The Municipality reserves the right to utilize the site during the term of this lease.

2. The Municipality reserves the right to permit other compatible uses, including the sale of materials, on the lands near the lease area provided the Municipality determines that such uses will not unduly impair the Lessee's operations under this contract.

SECTION VIII. PERMITS

1. Any permits necessary for operations under this contract shall be obtained by the Lessee prior to commencing such operations.

2. All operations shall be in accordance with the City and Borough of Sitka Conditional Use Permit (attached to lease), as it now exists or modified in the future.

SECTION IX. PASSAGE OF TITLE

1. All rights, title and interest in or to any material included in this lease shall remain with the Municipality until it has been paid for, or removed from the site, provided however, that the right, title and interest in or to any material which has been paid for, but not removed from the sale area by the Lessee within the period of the lease or any extension there of shall vest in the Municipality upon completion of the lease term.

SECTION X. EXPIRATION

1. The terms of this lease is month to month, and commences on the first day of each month, starting on the first day of _____, 2015.

SECTION XI. WARRANTIES

1. THIS LEASE IS MADE WITHOUT ANY WARRANTIES BY THE MUNICIPALITY, EXPRESS OR IMPLIED, AS TO THE QUANTITY, QUALITY, MERCHANTABILITY OR FITNESS FOR ANY PARTICULAR USE, CONCERNING THE MATERIAL TO BE EXTRACTED UNDER CONTRACT.

SECTION XII. WAIVER

1. No agent, representative or employee of the Municipality has authority to waive any provision of this agreement unless expressly authorized to do so, in writing, by the Administrator.

SECTION XIII. AMENDMENT AND AUTHORITY

No amendment of this Agreement shall be effective as against the City and Borough unless the City and Borough Administrator executes a written amendment on behalf of the Assembly. Each person affixing his or her signature on this Agreement represents by such act that he or she has the legal authority to bind legally any organization or entity he or she purports to bind.

IN WITNESS WHEREOF, on this _____ day of _____, 20 _____.

Little Bit Heavy Equipment Rental

CITY AND BOROUGH OF SITKA

By _____
Harry Greene, Owner

By _____
Mark Gorman, Municipal Administrator

(SEAL)

ATTEST:

By _____
Colleen Ingman, Municipal Clerk MMC



Legislation Details

File #: RES 15-10 **Version:** 1 **Name:**
Type: Resolution **Status:** AGENDA READY
File created: 3/4/2015 **In control:** City and Borough Assembly
On agenda: 3/10/2015 **Final action:**
Title: Urging the Alaska Legislature to Expand Medicaid Coverage to Improve the Health of Alaskans and Improve the Alaskan Economy
Sponsors:
Indexes:
Code sections:
Attachments: [RES 2015-10 Medicaid Coverage](#)

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

RESOLUTION 2015-10

**A RESOLUTION OF THE ASSEMBLY OF THE CITY AND BOROUGH OF SITKA
URGING THE ALASKA LEGISLATURE TO EXPAND MEDICAID COVERAGE TO
IMPROVE THE HEALTH OF ALASKANS AND TO IMPROVE
THE ALASKAN ECONOMY.**

WHEREAS, nearly 42,000 of our family members, friends and neighbors have the opportunity to gain health care coverage under expansion; and

WHEREAS, Medicaid expansion will improve health outcomes by reducing the number of uninsured Alaskans by half, improving preventive and primary care access, providing substance abuse treatment and mental health counseling, and reducing the mortality rate; and

WHEREAS, Medicaid expansion brings over \$1 billion in new federal revenue into Alaska over the first five years; and

WHEREAS, studies project expansion will likely yield 4,000 new jobs, \$1.2 billion more in wages and salaries paid to Alaskans, and \$2.49 billion in increased economic activity throughout the state; and

WHEREAS, with expansion the State would save \$6.1 million in FY2016 by using federal funds to pay for health services currently paid for with state general funds; and,

WHEREAS, federal funds will pay for 100% of services provided to the expansion population through 2016 and will transition to 90% in 2020 and beyond; and

WHEREAS, the State's continued participation is contingent upon maintaining the 90% match; and

WHEREAS, Medicaid expansion will significantly reduce the burden of uncompensated care, which was over \$90 million at non-tribal Alaska hospitals in 2013; and

WHEREAS, Medicaid expansion will serve as a catalyst for meaningful Medicaid reform; and

WHEREAS, leveraging the federal resources that come with expansion is the State's biggest opportunity to finance reform efforts; and

WHEREAS, the State has the option of various Medicaid expansion demonstration projects it may also consider as part of reform; and

NOW THEREFORE BE IT RESOLVED, the Assembly of the City and Borough of Sitka endorses Medicaid expansion, recognizing we all have an interest in ensuring that Alaskans are as productive as possible so they can contribute to our communities and economy; and

47
48 BE IT FURTHER RESOLVED, that the Assembly of the City and Borough of Sitka strongly
49 urges the Alaska Legislature to expand Medicaid for the benefit of Alaskans and the Alaska
50 economy to take effect in July 2015 and, though reform efforts should be of utmost importance,
51 this work should not delay health care coverage for those Alaskans who would be eligible for
52 Medicaid under expansion.

53
54 **PASSED, APPROVED AND ADOPTED** by the assembly of the City and Borough of
55 Sitka, Alaska on this 10th day of March 2015.

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Matt Hunter, Deputy Mayor

ATTEST:

Colleen Ingman, MMC
Municipal Clerk

THE HEALTHY ALASKA PLAN

Medicaid expansion — Saves Alaska money. Saves Alaska lives.

healthy for Alaskans;

healthy for the economy;

healthy for the state's budget;

a catalyst for reform.



Medicaid expansion provides thousands of Alaskans the opportunity to get the health care they need. Federal Medicaid dollars will generate jobs and economic activity in our state, save the state money, and provide a catalyst for Medicaid reform for Alaska.

GOOD FOR ALASKANS

Nearly 42,000 Alaskans between ages 19 and 64 will be eligible for health coverage under Medicaid expansion. An expected 20,000 will sign up the first year.

Here's who would be eligible:

- Single adults earning up to \$20,314 a year or less — that's \$9.76 an hour based on a 40-hour work week
- Married couples earning up to a combined income of \$27,490 a year or less.

Expanding Medicaid coverage

- Cuts the number of uninsured Alaskans by half,
- Improves access to preventive and primary care,
- Improves access to substance abuse treatment and mental health counseling, and
- Saves lives.

GOOD FOR ALASKA'S ECONOMY

Studies project that Medicaid expansion will bring more than \$1 billion in new federal money to Alaska over the first five years. That means Alaska would gain:

- 4,000 new jobs,
- \$1.2 billion in wages and salaries paid to Alaskans,
- \$2.5 billion in increased economic activity throughout the state, and
- Fewer lost work days and less employee turnover.

Expanding Medicaid will bring Alaska tax dollars back to Alaska. It could help stabilize rising insurance premiums and medical prices by reducing uncompensated care that health providers currently provide to Alaskans with no insurance coverage.

Learn more about the Healthy Alaska Plan at:
dhss.alaska.gov/healthyalaska

THE HEALTHY ALASKA PLAN

Medicaid expansion — Saves Alaska money. Saves Alaska lives.



nearly **42,000**
uninsured
ALASKANS
eligible for basic health
care coverage*



\$1.1
BILLION
in new federal
revenue for Alaska*



4,000
new
JOBS**



\$1.2
BILLION
more in wages
and salaries
paid to Alaskans**

GOOD FOR ALASKA'S BUDGET

Expanding Medicaid reduces the state's budget. Federal funds will pay for some health services currently paid for with state funds. State savings are estimated at \$6.1 million the first year.

Federal funds pay for 100 percent of expansion costs through 2016 and transition to 90 percent in 2020. Savings to the state will offset its share of the costs.

Federal financing of Medicaid expansion:

| Calendar year | Federal match rate |
|-----------------|--------------------|
| 2014-2016 | 100% |
| 2017 | 95% |
| 2018 | 94% |
| 2019 | 93% |
| 2020 and beyond | 90% |

The state's continued participation is contingent upon maintaining the 90 percent match.

The state currently pays virtually 100 percent of the health costs for Alaskans in our corrections system. Through Medicaid expansion, we will be able to bill some inmate health care costs to federal Medicaid, saving the state an estimated \$4 to \$7 million annually.

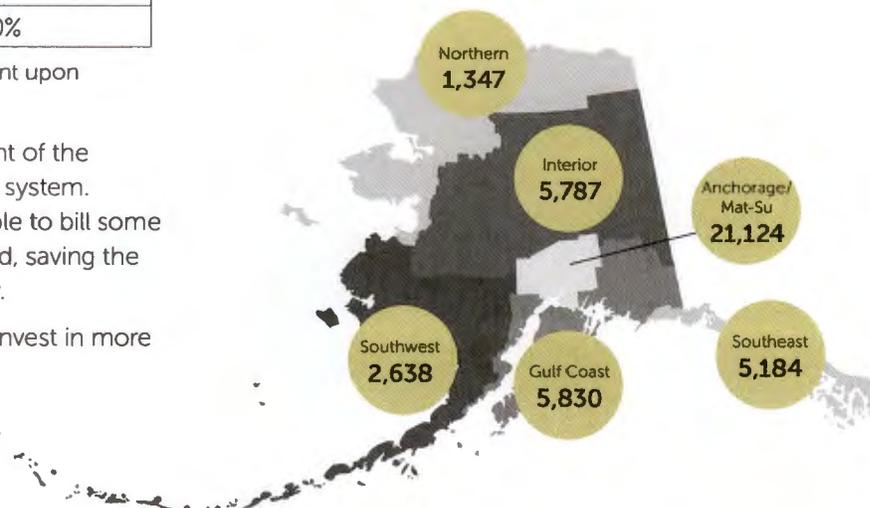
The state can invest in healthy Alaskans or invest in more prisons. Alaska's *2015 Recidivism Reduction Plan* states that Medicaid expansion provides substance abuse treatment and other critical health care services that help keep ex-prisoners out of jail.

A CATALYST FOR REFORM

Some Medicaid reforms are already underway. Leveraging the federal resources that come with expansion is our biggest opportunity to finance our reform efforts. The state will redesign Medicaid through a plan that makes sense for Alaska by evaluating options like:

- Payment reform
- Strengthened primary care
- Care management
- Workforce innovation
- Maximizing federal matching fund opportunities
- Improved telehealth capability

Nearly 42,000 Alaskans would be eligible for Medicaid after expansion:



* Projected Population, Enrollment, Service Cost and Demographics of Medicaid Expansion Beginning in FY2016, A memorandum prepared by Evergreen Economics for the Alaska Department of Health and Social Services

** Fiscal and Economic Impacts of Medicaid Expansion in Alaska, A report prepared by Northern Economics for the Alaska Native Tribal Health Consortium



Healthy Alaska Plan

Reform is Necessary

Reform is necessary

- State of the Budget Address
 - Identify 25% cuts of the next several years
- Minimize the impact to those we serve
- Efficiencies, Improvements and Innovations are critical to bend the cost curve

DHSS Budget = \$2.7B

- Medicaid = \$1.7B

The current Medicaid program is not sustainable



MISSION TO PROMOTE AND PROTECT THE HEALTH AND WELL-BEING OF ALASKANS

Catalyst for Reform

Building on Reforms Underway

- Control overutilization of hospital emergency room services
- Increased fraud and abuse prevention and control efforts
- Activities to reduce waste
- Home and community-based service improvements
- Coordination with Patient-Centered Medical Home initiatives
- Coordination with the Alaska tribal health system
- Investigating waiver options



MISSION TO PROMOTE AND PROTECT THE HEALTH AND WELL-BEING OF ALASKANS

Catalyst for Reform

Additional Reform Options

Building blocks to achieving meaningful reform

- Payment Reform
- Strengthened Primary Care
- Care Management
- Workforce Innovation
- Maximizing federal matching fund opportunities
- Improved Telehealth Capability



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Catalyst for Reform

Additional Reform Options

Reform strategies for increasing prevention and shared responsibility

- Cost-sharing options
- Health Savings Accounts (HSAs) for certain enrollees
- Services to direct patients to the appropriate level of care
- Incentives for healthy behaviors
- Increased access to preventative services
- Work assistance benefits for the expansion group



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Catalyst for Reform
Designing Reform

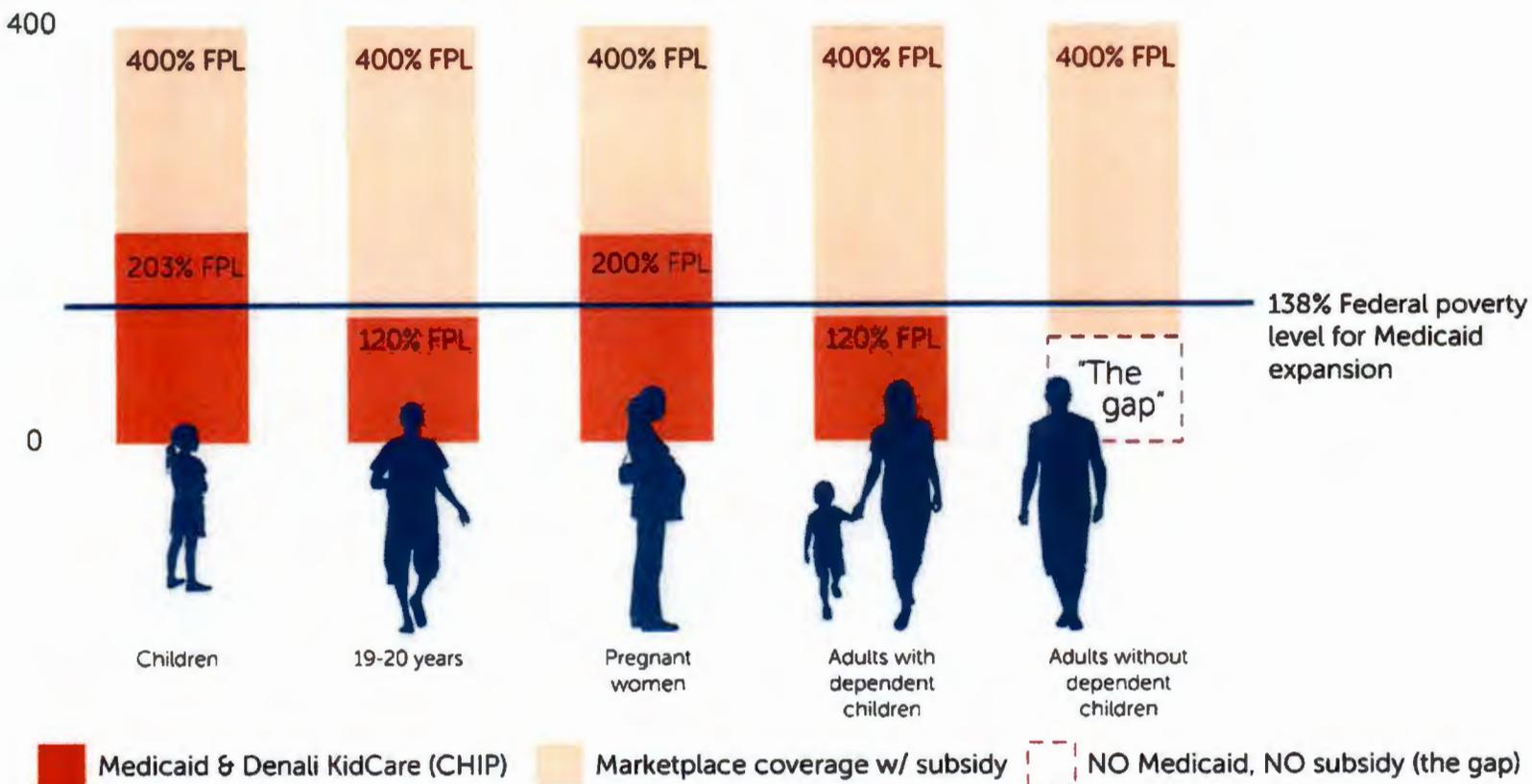
- Funding from the Alaska Mental Health Trust Authority
 - Trustees approved funding for an RFP
- Technical Assistance for Reform
 - Reform efforts in other states
 - Stakeholder process
 - Building An Alaskan Model



MISSION TO PROMOTE AND PROTECT THE HEALTH AND WELL-BEING OF ALASKANS

Healthy Alaskans

Who is covered now?



MISSION TO PROMOTE AND PROTECT THE HEALTH AND WELL-BEING OF ALASKANS

Healthy Alaskans

Medicaid Expansion

Higher Federal Match

An immediate economic boost

Reducing Uncompensated Care by reducing the number of uninsured

\$90M for non-tribal hospitals in 2011

Opportunities for reform and waivers

Reduce the cost of the Medicaid program



MISSION TO PROMOTE AND PROTECT THE HEALTH AND WELL-BEING OF ALASKANS

Healthy Alaskans

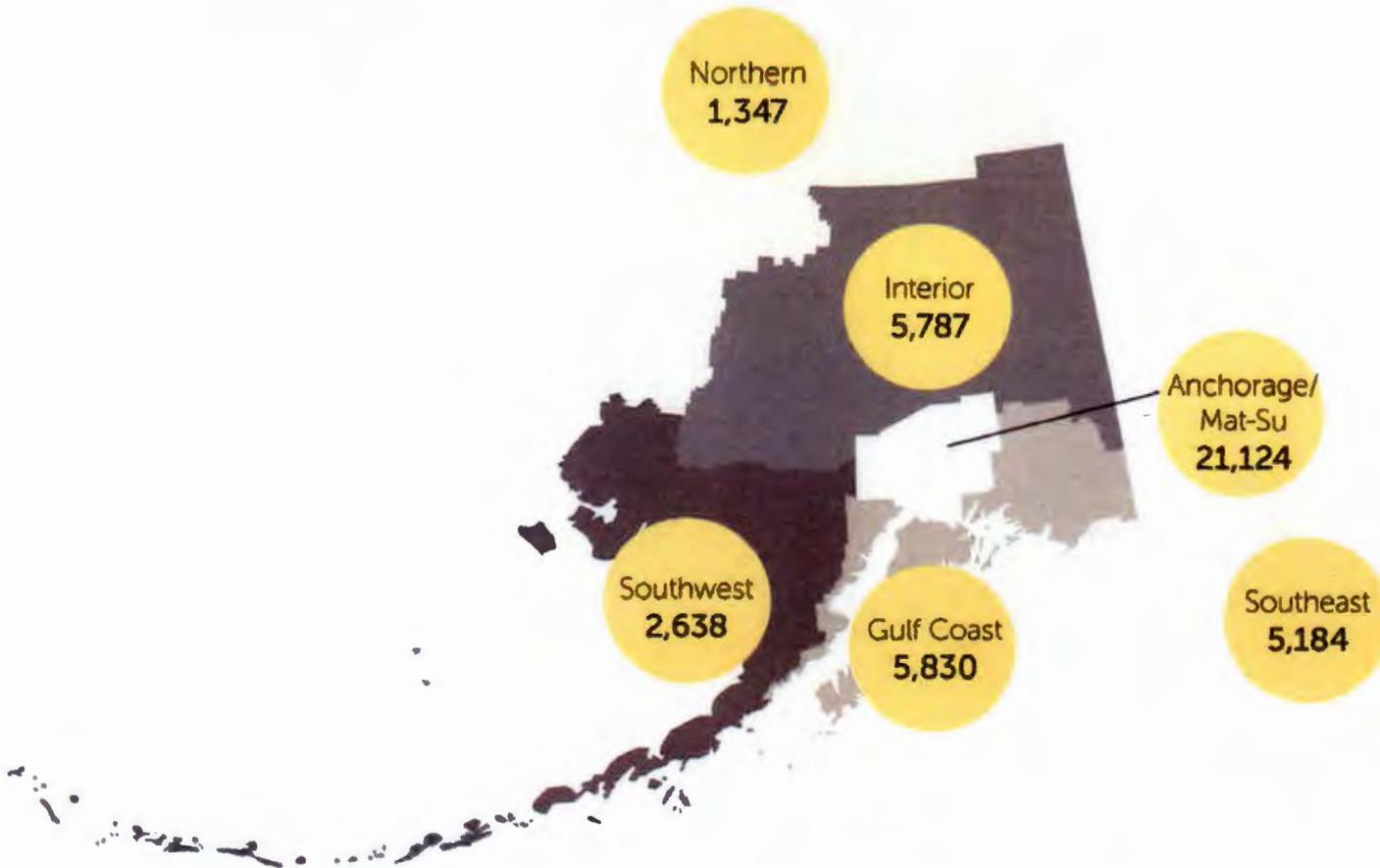
Who would be covered by Expansion?

- Adults without dependent children
- Ages 19 – 64
 - Not otherwise eligible for Medicaid or Medicare
- Earning up to 138% of the Federal Poverty Level (FPL)
 - Single adults earning up to \$20,314 per year
 - Married couples earning up to \$27,490 per year



MISSION TO PROMOTE AND PROTECT THE HEALTH AND WELL-BEING OF ALASKANS

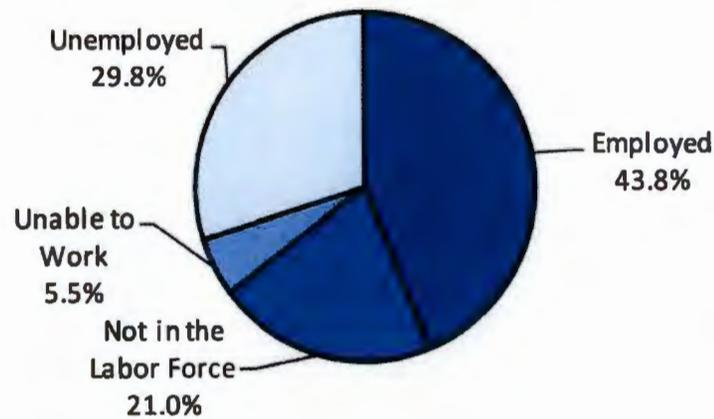
Healthy Alaskans



MISSION TO PROMOTE AND PROTECT THE HEALTH AND WELL-BEING OF ALASKANS

Healthy Alaskans The Expansion Population

**Employment Status of Alaska's
Medicaid Expansion Population**



| Health Coverage | Percent of Responses |
|-------------------------------|----------------------|
| None | 43.3% |
| Employer | 19.6% |
| Purchased | 4.3% |
| Partial Coverage* | 29.3% |
| Not Sure, Don't Know, Refused | 3.4% |

Source: Analysis by Evergreen Economics of data from the BRFSS survey
 *Partial coverage includes health insurance coverage through TRICARE and the U.S. Military, as well as healthcare services provided by tribal health facilities, and possibly other sources.



MISSION TO PROMOTE AND PROTECT THE HEALTH AND WELL-BEING OF ALASKANS

Healthy Alaskans

How many will sign up?

| | 2016 | 2017 | 2018 | 2019 | 2020 | 2021 |
|------------------------------|---------------|---------------|---------------|---------------|---------------|---------------|
| Newly Eligible Adults | 41,910 | 41,980 | 42,050 | 42,120 | 42,190 | 42,260 |
| Take-up Rate* | 47.90% | 55.40% | 63% | 63% | 63% | 63% |
| New Enrollees | 20,066 | 23,273 | 26,492 | 26,535 | 26,580 | 26,623 |



MISSION TO PROMOTE AND PROTECT THE HEALTH AND WELL-BEING OF ALASKANS

Healthy Alaskans Cost Per Enrollee

Projected Cost of Service Per Newly Eligible Medicaid Enrollee by Fiscal Year,
Weighted by Expected Gender and Age Distribution of the Expansion Population

| | 2016 | 2017 | 2018 | 2019 | 2020 | 2021 |
|--------------------------|---------|---------|---------|---------|---------|---------|
| Per Enrollee Cost | \$7,248 | \$7,495 | \$7,752 | \$8,018 | \$8,293 | \$8,433 |

Estimated Distribution of Expansion Group With Respect to Gender and Age

| Gender | Ages 19-34 | Ages 35-44 | Ages 45-54 | Ages 55-64 | All Ages |
|---------------|--------------|--------------|--------------|--------------|-------------|
| Male | 20.1% | 5.2% | 13.6% | 14.4% | 54% |
| Female | 12.6% | 5.8% | 13.8% | 14.5% | 46% |
| Total | 32.7% | 11.0% | 27.4% | 28.9% | 100% |



MISSION TO PROMOTE AND PROTECT THE HEALTH AND WELL-BEING OF ALASKANS

Healthy Economy New Federal Dollars

- Higher Federal Contribution under Expansion

| | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 & Beyond |
|-----------------------------|------|------|------|------|------|------|---------------|
| FMAP under Expansion | 100% | 100% | 100% | 95% | 94% | 93% | 90% |

- \$1.12B from FY2016 – FY2021

| | 2016 | 2017 | 2018 | 2019 | 2020 | 2021 |
|-----------------------|-----------|-----------|-----------|-----------|-----------|-----------|
| Federal Match* | \$145,435 | \$170,633 | \$195,514 | \$200,683 | \$204,087 | \$204,928 |

* Costs in Thousands of Dollars



MISSION TO PROMOTE AND PROTECT THE HEALTH AND WELL-BEING OF ALASKANS

Healthy Economy
Impact to the Economy



40,000
uninsured
ALASKANS
will be eligible for basic
health care coverage



\$1.1
BILLION
in new federal
revenue for Alaska



4,000
new
JOBS



\$1.2
BILLION
more in wages
and salaries
paid to Alaskans



MISSION TO PROMOTE AND PROTECT THE HEALTH AND WELL-BEING OF ALASKANS

Healthy Budgets

State Spending on Expansion

\$38M in Savings (FY2016 – FY2021)

| | | 2016 | 2017 | 2018 | 2019 | 2020 | 2021 |
|---------------------------------|---|------------------|------------------|------------------|------------------|------------------|------------------|
| C O S T S | State Match for Health Care Costs | \$0 | \$3,804 | \$9,854 | \$12,064 | \$16,346 | \$19,587 |
| | Administrative Costs for Medicaid expansion | \$0* | \$1,392 | \$1,478 | \$1,499 | \$1,600 | \$1,625 |
| Costs: | | \$0 | \$5,196 | \$11,332 | \$13,563 | \$17,946 | \$21,212 |
| O F F S E T S | Chronic & Acute Medical Assistance (CAMA) | \$1,000 | \$1,300 | \$1,400 | \$1,500 | \$1,500 | \$1,500 |
| | Corrections | \$4,100 | \$7,000 | \$7,000 | \$7,000 | \$7,000 | \$7,000 |
| | Behavioral Health Grants | \$1,000 | \$5,000 | \$9,000 | \$13,000 | \$16,000 | \$16,000 |
| Offsets | | \$6,100 | \$13,300 | \$17,400 | \$21,500 | \$24,500 | \$24,500 |
| Savings to State GF | | (\$6,100) | (\$8,104) | (\$6,068) | (\$7,937) | (\$6,554) | (\$3,288) |
| Federal Match | | \$145,435 | \$170,633 | \$195,514 | \$200,683 | \$204,087 | \$204,928 |

* FY16 Administrative Cost is being funded by the Alaska Mental Health Trust Authority



MISSION TO PROMOTE AND PROTECT THE HEALTH AND WELL-BEING OF ALASKANS

Questions?

Thank You



MISSION TO PROMOTE AND PROTECT THE HEALTH AND WELL-BEING OF ALASKANS



Legislation Details

File #: ORD 15-11 **Version:** 1 **Name:**

Type: Ordinance **Status:** AGENDA READY

File created: 3/4/2015 **In control:** City and Borough Assembly

On agenda: 3/10/2015 **Final action:**

Title: Proposing to clarify the SGC by amending the footnote in Title 9 Health and Sanitation, by amending Sections 10.24.050 Fireworks Permissible Sales and Uses and 10.24 reference note, Section 10.44.070 (c) Common Carrier Definition, by repealing without replacement Section 10.48.030 Evidence, by amending Section 10.72.070 Juvenile Curfew Penalties, by repealing Section 10.84.020 Grandfather Clause for Liquor Sales Age, by amending Section 11.04.110 Public Holidays List, Section 11.40.230 Parking Reference, Section 11.56.100 for correct reference for Taxicab Medical Requirements, by repealing Section 11.64.010 Pedestrian Rules, and by amending Section 11.70.010 to remove outdated Helmet Standard Reference

Sponsors:

Indexes:

Code sections:

Attachments: [MOTION ORD 15-11](#)
[ORD 2015-11](#)

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

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

POSSIBLE MOTION

I MOVE TO approve Ordinance 2015-11 on first reading.



City & Borough of Sitka
Municipal Clerk's Office
100 Lincoln Street, Sitka AK 99835
Telephone: 907-747-1811 Fax: 907-747-4004



Memorandum

To: Mayor and Assembly
Cc: Municipal Administrator Mark Gorman
From: Municipal Clerk Colleen Ingman
Date: March 4, 2015
Subject: **Ordinances resulting from Legal Analysis**

In September of 2014, CBS contracted with Code Publishing to complete a legal analysis of our code. Their attorney recommended items that they felt needed immediate action to bring the code into legal compliance and, where possible, has recommended amending language for this purpose.

We considered doing a single "clean-up" ordinance but quickly learned that one clean up ordinance that addressed all the recommendations would be extremely bulky and difficult to follow. It is still our intent to bring forward as few ordinances as possible, but at the same time keep the amendments concise enough that they can be easily understood. We will combine amendments whenever possible.

The attached Ordinances 2015, 11; 12 & 14 all resulted from the legal analysis and have been shared with the various departments.

It is my intent to have all clarifying ordinances passed by the final meeting in April, so a few more are forthcoming. I have placed them on the Consent Agenda for first reading as the majority will be fairly straight forward, plus we are not required to take public testimony until second reading.

Attachment: **Ordinance 2015-11; 2015-12; 2015-14**

From: Colleen Ingman [redacted]
Sent: Friday, December 26, 2014 2:19 PM
To: Sara Peterson
Subject: Clarifying Titles 7 - 12 of SGC

Hi Sara,
Attached is an ordinance that clarifies things brought up during the legal review for Titles 7-12.
Please route the draft to Legal, Police and Fire departments for their review and comments.

Thanks!

Colleen

RE: Review/Comment : Clarifying Titles 7 - 12 of SGC

Page 1 of 2

RE: Review/Comment : Clarifying Titles 7 - 12 of SGC

Dave Miler [redacted]
Sent: Tuesday, December 30, 2014 12:38 PM
To: Lt. Jeff Ankerfelt [jeffa@sitkapd.com]; Sara Peterson; Robin Koutchak; Janine Canul; Sheldon Schmitt [sheldons@sitkapd.com]

Fire Department feels the same as the PD

From: Lt. Jeff Ankerfelt [redacted]
Sent: Tuesday, December 30, 2014 12:29 PM
To: Sara Peterson; Robin Koutchak; Janine Canul; Sheldon Schmitt; Dave Miller
Subject: RE: Review/Comment : Clarifying Titles 7 - 12 of SGC

Hi Sara,
Thanks for the PD a chance to view this. No objections to any of the changes from the police. Thanks, Jeff.

Lieutenant Jeff Ankerfelt
Sitka Police Department
304 Lake Street
Sitka, Alaska 99835
Phone: (907) 966-5702
Fax: (907) 747-7122



CITY AND BOROUGH OF SITKA

ORDINANCE NO. 2015-11

AN ORDINANCE OF THE CITY AND BOROUGH OF SITKA, ALASKA PROPOSING TO CLARIFY THE SITKA GENERAL CODE BY AMENDING THE FOOTNOTE IN TITLE 9 HEALTH AND SANITATION, BY AMENDING SECTIONS 10.24.050 FIREWORKS PERMISSABLE SALES AND USES AND 10.24 REFERENCE NOTE, SECTION 10.44.070 (C) COMMON CARRIER DEFINITION, BY REPEALING WITHOUT REPLACEMENT SECTION 10.48.030 EVIDENCE, BY AMENDING SECTION 10.72.070 JUVENILE CURFEW PENALTIES, BY REPEALING SECTION 10.84.020 GRANDFATHER CLAUSE FOR LIQUOR SALES AGE, BY AMENDING SECTION 11.04.110 PUBLIC HOLIDAYS LIST, SECTION 11.40.230 PARKING REFERENCE, SECTION 11.56.100 FOR CORRECT REFERENCE FOR TAXICAB MEDICAL REQUIREMENTS, BY REPEALING SECTION 11.64.010 PEDESTRIAN RULES, AND BY AMENDING SECTION 11.70.010 TO REMOVE OUTDATED HELMET STANDARD REFERENCE

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.** As found in Alaska Statute 29.25.050, the municipal clerk is responsible for ensuring that the municipal code is kept current. Sitka's municipal clerk sought legal analysis from Code Publishing Company for a review of the Sitka General Code for state and federal constitutional issues and apparent conflicts. These clarifying changes to these Code sections are derived from that review and further analysis.

In Title 9, Footnote 1 refers to an Alaska Statute for authorization of garbage collection that no longer exists. The correct reference is named.

In Title 10, fireworks are now regulated by the federal Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF). A reference to current fireworks regulations is added. A correct reference to a common carrier definition is applied to sales of liquor. Section 10.48.030 serves no legal or practical purpose as "common fame" does not currently exist as a legal concept and this section is covered by Alaska Rule of Evidence 404 regarding character evidence. Alaska Statutes require a maximum fine of \$250 for curfew violators. The special grandfather provision for legal drinking age is no longer needed for those born before 1965.

In Title 11, public holidays are updated to their correct names. The correct AAC reference for taxicab operators' medical rules is named. A redundant section on pedestrian rules at traffic control signals is removed. The American National Standards Institute (ANSI) no longer makes standards and has chosen to use American Society for Testing and Materials (ASTM) standard F1447, so ANSI is being removed from the helmet standards list.

97 ~~prostitution within the meaning of this title; and any person residing in such~~
98 ~~house or place with knowledge of its character, shall be presumed, in any~~
99 ~~prosecution against such house, place, person, or persons, guilty as in this title~~
100 ~~provided. (Ord. 73-59 § 3 (part), 1973.)~~

101 ***

102 VIII. Offenses By or Against Minors

103 10.72 Juvenile Curfew

104 10.72.070 Penalties.

105 F. The maximum penalty for violation of this chapter shall be three hundred
106 dollars, **except**

107 **for curfew violation, which shall carry a maximum penalty of not more**
108 **than two hundred fifty dollars. (AS 29.35.085(b))**

109 ***

110 10.84 Liquor Regulations

111 ~~10.84.020 Age.~~

112 ~~Whenever in this chapter an age limit is set at twenty one years, any person who~~
113 ~~was born on or before December 31, 1964, shall be deemed to have attained~~
114 ~~the age limit. (Grandfather clause—Section 18, CH 109, SLA 1983.) (Ord. 73-59~~
115 ~~§ 3 (part), 1973.)~~

116 ***

117 Title 11

118 VEHICLES AND TRAFFIC

119 11.04 Definitions

120 11.04.110 Public Holidays

121 "Public holidays" means New Year's Day, ~~Washington's Birthday,~~ **President's**
122 **Day**, Memorial Day, **Independence Day** ~~Fourth of July,~~ Labor Day, Alaska Day,
123 Veterans' Day, Thanksgiving Day and Christmas Day.

124 ***

125 11.40.230 Parking method.

126 E. No person may park a vehicle upon a street, roadway, alley, or vehicular
127 way or area, for the purpose of:

128 ***

129 3. Displaying the vehicle for sale or hire in the regular course of the person's
130 business ... in accordance with the provisions of Section ~~11.40.140~~
131 ~~11.13.02.372.~~

132 ***

133 11.56.100 Application for driver's permit.

134 C. A taxicab driver's license shall not be issued to any person who does not
135 meet the medical standards set forth in **2 AAC 90.440** ~~13-AAC-08.025.~~

136 ***

137 ~~11.64.010 Pedestrians subject to traffic control signals.~~

144 ~~Pedestrians shall be subject to traffic control signals as heretofore declared in~~
145 ~~Sections 11.24.050 and 11.24.060, but at all other places pedestrians shall be~~
146 ~~granted those rights and be subject to the restrictions stated hereafter. (Ord. 73-~~
147 ~~64 § 3 (part), 1973.)~~

148 ***

149
150 11.70.010 Helmet requirements for young persons riding certain vehicles.

151 D. A certified protective helmet is a helmet containing a manufacturer
152 certification that meets the standards of the ~~American National Standards~~
153 ~~Institute~~, American Society for Testing and Materials (ASTM) or the United
154 States Consumer Product Safety Commission (CPSC).

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

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161 **PASSED, APPROVED, AND ADOPTED** by the Assembly of the City and Borough
162 of Sitka, Alaska this 24th day of March, 2015.

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166 _____
167 Matt Hunter, Deputy Mayor

167 **ATTEST:**

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170 _____
171 Colleen Ingman, MMC
172 Municipal Clerk



Legislation Details

File #: ORD 15-12 **Version:** 1 **Name:**
Type: Ordinance **Status:** AGENDA READY
File created: 3/4/2015 **In control:** City and Borough Assembly
On agenda: 3/10/2015 **Final action:**
Title: Clarifying SGC by amending Title 6 Business License and Regulations at Section 6.04.080 Bond
Sponsors:
Indexes:
Code sections:
Attachments: [MOTION ORD 15-12](#)
[ORD 2015-12](#)

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

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

POSSIBLE MOTION

I MOVE TO approve Ordinance 2015-12 on first reading.



City & Borough of Sitka
Municipal Clerk's Office
100 Lincoln Street, Sitka AK 99835
Telephone: 907-747-1811 Fax: 907-747-4004



Memorandum

To: Mayor and Assembly

Cc: Municipal Administrator Mark Gorman

From: Municipal Clerk Colleen Ingman

Date: March 4, 2015

Subject: **Ordinances resulting from Legal Analysis**

In September of 2014, CBS contracted with Code Publishing to complete a legal analysis of our code. Their attorney recommended items that they felt needed immediate action to bring the code into legal compliance and, where possible, has recommended amending language for this purpose.

We considered doing a single "clean-up" ordinance but quickly learned that one clean up ordinance that addressed all the recommendations would be extremely bulky and difficult to follow. It is still our intent to bring forward as few ordinances as possible, but at the same time keep the amendments concise enough that they can be easily understood. We will combine amendments whenever possible.

The attached Ordinances 2015, 11; 12 & 14 all resulted from the legal analysis and have been shared with the various departments.

It is my intent to have all clarifying ordinances passed by the final meeting in April, so a few more are forthcoming. I have placed them on the Consent Agenda for first reading as the majority will be fairly straight forward, plus we are not required to take public testimony until second reading.

Attachment: Ordinance 2015-11; 2015-12; 2015-14

Colleen Ingman

To: Jay Sweeney; Mike Middleton
Subject: Clarifying ORD
Attachments: 2015- SGC 06 Bond.docx

Hi Jay and Mike,

I may have sent this to you previously, but need to know if this ordinance still on track. Recommended change is second to last line under 6.04.080. I have lost the line numbers in my copy.

While it is clear why residents of the city should be asked, it is less clear (and risky from a due process standpoint) why those residents should own real property. In the abstract it does not seem that an apartment dweller's bond is less sure than any other bond.

Need approval to move forward.

Thanks!

*Best -
Colleen*

CITY AND BOROUGH OF SITKA

ORDINANCE NO. 2015-12

AN ORDINANCE OF THE CITY AND BOROUGH OF SITKA, ALASKA
PROPOSING TO CLARIFY SITKA GENERAL CODE BY AMENDING
TITLE 6 BUSINESS LICENSE AND REGULATIONS AT SECTION 6.04.080 BOND

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.** As found in Alaska Statute 29.25.050, the municipal clerk is responsible for ensuring that the municipal code is kept current. Sitka's municipal clerk sought legal analysis from Code Publishing Company for a review of the Sitka General Code for state and federal constitutional issues and apparent conflicts. This clarifying change is derived from that review and further analysis.

This section requires certain bond sureties to be executed by residents of the city and borough who are also "the owners of real property therein," perhaps incorrectly insinuating that an apartment dweller's bond is less sure than a real property owner.

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

Title 6
BUSINESS LICENSES AND REGULATIONS

6.04.080 Bond.

The application shall be accompanied by a bond in the amount of one hundred dollars for an annual license and fifty dollars for a license of less than a year. The bond may be cash; or a bond executed by the applicant and a surety company doing business in the state of Alaska and authorized to do business therein; or by the applicant and two or more qualified sureties who are residents of the city and borough and the owners of real property therein; which bond shall be conditioned that all ordinances of the city and borough have been complied with.

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

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

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ATTEST:

Colleen Ingman, MMC
Municipal Clerk

Matt Hunter, Deputy Mayor



Legislation Details

File #: ORD 15-14 **Version:** 1 **Name:**

Type: Ordinance **Status:** FIRST READING

File created: 3/4/2015 **In control:** City and Borough Assembly

On agenda: 3/24/2015 **Final action:**

Title: Proposing to clarify SGC by Amending Section 13.13.025 Emission of Soot from an Oil Stove In a Vessel, Section 14.04.020 Ice and Snow Removal, Section 15.05.400 Cross-Connections, Sections 18.04.010 (E), (G), and (H) Tide Definitions, Sections 18.04.010 (I) Personal Property Definition and Title 18 Footnote 2 to Correct Statute References, Section 19.01.013 Adoption of Excavation and Grading Standards, Section 19.01.020 Building Permits Fees, Section 19.08.040 Definition Of "Islands," Section 22.08.585 Manufactured Home, and Section 22.08.590 Mobile Home. PULLED

Sponsors:

Indexes:

Code sections:

Attachments: [MOTION ORD 15-14](#)

| 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 Ordinance 2015-14 on first reading.



Legislation Details

File #: ORD 15-08 **Version:** 1 **Name:**
Type: Ordinance **Status:** SECOND READING
File created: 2/18/2015 **In control:** City and Borough Assembly
On agenda: 3/10/2015 **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 (ADUS) as a permitted or conditional use

Sponsors:

Indexes:

Code sections:

Attachments: [MOTION ORD 15-08 2nd](#)
[ORD 2015-08 ADUs](#)

| Date | Ver. | Action By | Action | Result |
|-----------|------|---------------------------|--------|--------|
| 2/24/2015 | 1 | City and Borough Assembly | | |

Suggested Motion

I MOVE TO approve Ordinance 2015-08 on second and final 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 <u>dwelling unit</u> | | | | 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 than 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 15-13 **Version:** 1 **Name:**
Type: Ordinance **Status:** FIRST READING
File created: 3/4/2015 **In control:** City and Borough Assembly
On agenda: 3/10/2015 **Final action:**
Title: Adjusting the FY15 Budget
Sponsors:
Indexes:
Code sections:
Attachments: [ORD 2015-13](#)

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

POSSIBLE MOTION

I MOVE TO approve Ordinance 2015-13 on first reading.

Memo

To : Assembly, City and Borough of Sitka

From: Jay Sweeney, Chief Financial and Administrative Officer



Date: March 4, 2015

Re: Supplemental Appropriation Ordinance - Purposes

Mayor McConnell and Assembly Members,

The accompanying supplemental appropriation ordinance is submitted to you for two purposes.

At your last meeting, February 24, you approved entering into a Microsoft Enterprise Agreement. The cost of the agreement, as stated in accompanying memo for that agenda item, is \$74,715/year for three years. The accompanying ordinance below appropriates the first year of this cost. The source of the funds is the reserve working capital of the Management Information Systems Fund.

Also, the Municipality has been planning for some time to participate in a remodel of shared facilities in the City/State Building at 304 Lake Street. The remodel was original planned for next year, FY16, but the State of Alaska has expressed a desire to commence with the remodel this fiscal year. This is to the benefit of the Municipality, as the State of Alaska will manage the remodel project. The Municipality's share of the costs is 34%. The portion of the appropriation for restroom remodels is \$153,000 and the portion for window replacement is \$59,100. The source of the funds is from the reserve working capital of the Building Maintenance Fund.

CITY AND BOROUGH OF SITKA

ORDINANCE NO. 2015-13

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

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

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

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

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

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

| <u>Account Number</u> | <u>Account</u> | <u>Increase</u> | <u>Decrease</u> |
|---|-------------------------------|-----------------|-----------------|
| <u>FISCAL YEAR 2015 EXPENDITURE BUDGETS</u> | | | |
| MANAGEMENT INFORMATION SYSTEMS FUND | | | |
| 300-600-670-7106.000 | Fixed Assets - Machinery | 74,715.00 | |
| To appropriate funds from the working capital of the Management Information Systems Fund to pay for the first year of the Microsoft Enterprise Purchase Agreement approved by the Assembly at its February 24, 2015 Assembly meeting. | | | |
| MANAGEMENT INFORMATION SYSTEMS FUND | | | |
| 300-600-630-5212 | Contracted/Purchased Services | 9,000 | |
| To appropriate funds from the working capital of the Management Information Systems Fund to pay for contracted services related to the migration of the City and Borough of Sitka's email system based on the Microsoft Enterprise Purchase Agreement approved by the Assembly at its February 24, 2015 Assembly meeting. | | | |
| BUILDING MAINTENANCE FUND | | | |
| Operations | | | |
| 320-600-630-5212.000 | Contracted/Purchased Services | 212,000.00 | |
| To appropriate funds from the working capital of the Building Maintenance Fund to pay for the Municipality's matching share of repairs to the State/Municipal Building at 304 Lake Street. \$153,000 is for the Municipality's share of the first and 2 nd floor restroom remodels. \$59,100 is for the Municipality's share of replacing windows. These repairs were originally planned for FY16, but the State of Alaska wishes to commence with the repairs this fiscal year. | | | |

EXPLANATION

Necessary revisions in the FY 2015 budget have been identified as a result of ongoing Municipal activities. These changes involve the increase of expenditure accounts and causes decreased cash flows to the fund balance of various funds. A short explanation of each budget revision is included.

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

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

ATTEST:

Matt Hunter, Deputy Mayor

Colleen Ingman, MMC
Municipal Clerk



Legislation Details

File #: 15-023 **Version:** 1 **Name:**

Type: Item **Status:** AGENDA READY

File created: 3/4/2015 **In control:** City and Borough Assembly

On agenda: 3/10/2015 **Final action:**

Title: Discussion and/or direction to include any funding for "the Ride" through its coordinating agency Center for Community in the FY16 Municipal Budget

Sponsors: Tristan Guevin, Benjamin Miyasato

Indexes:

Code sections:

Attachments: [the Ride Center for Community](#)

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

Sponsors: Miyasato/Guevin



Sitka Tribe of Alaska operates the "blue buses" called The RIDE." through its coordinating agency Center for Community.

POSSIBLE MOTION(S)

You may opt to take testimony on the matter first to give you better insight as to what direction the assembly might want to go.

I move to propose budgeting \$ for
"The Ride" through its coordinating agency,
Center for Community.

in the Fiscal Year 2016 Municipal Budget

I move to postpone action on this item until
the April 14, 2015 regular assembly meeting
when we will have a better idea of the overall
funding request(s) and shortfalls.
