



# CITY AND BOROUGH OF SITKA

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

## Meeting Agenda

### City and Borough Assembly

*Mayor Gary Paxton  
Deputy Mayor Steven Eisenbeisz,  
Vice Deputy Mayor Valorie Nelson,  
Aaron Bean, Kevin Knox, Dr. Richard Wein, Kevin Mosher*

*Interim Municipal Administrator: Dave Miller  
Municipal Attorney: Brian Hanson  
Municipal Clerk: Sara Peterson*

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Tuesday, August 27, 2019

6:00 PM

Assembly Chambers

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#### REGULAR MEETING

I. CALL TO ORDER

II. FLAG SALUTE

III. ROLL CALL

IV. CORRESPONDENCE/AGENDA CHANGES

V. CEREMONIAL MATTERS

[19-177](#) Service Awards - Sitka Community Hospital Board Members and Library  
Commission Member, Alice Johnstone

Attachments: [Service Award Hospital Board](#)  
[Johnstone Service Award](#)

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

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**     [19-178](#)     Approve the minutes of the August 13 Assembly meeting

**Attachments:**   [Consent and Minutes](#)

**X. BOARD, COMMISSION, COMMITTEE APPOINTMENTS**

- B**     [19-180](#)     Reappoint Joshua Thomas to a three-year term on the Library Commission

**Attachments:**   [Motion Thomas](#)  
                         [Thomas Application](#)

- C**     [19-187](#)     Reappoint Charles Woodcock to a three-year term on the Health Needs and Human Services Commission

**Attachments:**   [Motion Woodcock](#)  
                         [Woodcock Application](#)

- D**     [19-179](#)     Appoint Al Stevens and Mike Johnson to unexpired terms on the Gary Paxton Industrial Park Board of Directors

**Attachments:**   [Motion GPIIP](#)  
                         [Stevens Application](#)  
                         [Johnson Application](#)  
                         [GPIIP Board Roster](#)

- E**     [19-181](#)     Appoint Stacy Mudry to a three-year term on the Planning Commission

**Attachments:**   [Motion Mudry](#)  
                         [Mudry Application](#)

**XI. UNFINISHED BUSINESS:**

- F**     [ORD 19-34](#)     Making supplemental appropriations for FY2019 and FY2020

**Attachments:**   [Motion Ord 2019-34](#)  
                         [Memo Ord 2019-34](#)  
                         [Ord 2019-34](#)  
                         [Historic Preservation grant](#)

**XII. NEW BUSINESS:**

- G**      [19-167](#)      Approve the term sheet for the utility dock transaction between the City and Borough of Sitka and Hanson Maritime Company (executive session anticipated)

**Attachments:** [Motion Term Sheet](#)

- H**      [19-183](#)      Authorize the Interim Municipal Administrator to execute all necessary documents to accept, execute, and administer a \$842,629 Airport Improvement Program Grant to complete the Environmental Assessment and Aviation Planning Services for the new Sitka Seaplane Base

**Attachments:** [Motion Seaplane Base](#)

[Memo Seaplane](#)

[Grant Offer from FAA](#)

[Action Plan Seaplane Base](#)

[Res 2018-22 Signed](#)

- I**      [ORD 19-37](#)      Making supplemental appropriations for FY2020 (Seaplane Base Grant - Environmental Assessment and Aviation Planning) 1st reading

**Attachments:** [Motion Ord 2019-37](#)

[Memo Ord 2019-37](#)

[Ord 2019-37](#)

- J**      [ORD 19-35](#)      Making supplemental appropriations for FY2020 (FY2019 Encumbrances) 1st reading

**Attachments:** [Motion Ord 2019-35](#)

[Memo Ord 2019-35](#)

[Ord 2019-35](#)

- K**      [ORD 19-36](#)      Making supplemental appropriations for FY2020 (electrical work at former Sitka Community Hospital facility) 1st reading

**Attachments:** [Motion Ord 2019-36](#)

[Memo Ord 2019-36](#)

[Ord 2019-36](#)

[Exhibit D](#)

- L**      [19-186](#)      Approve the Assembly Position Subcommittee recommendation from the August 19 meeting for the Tax Specialist position

**Attachments:** [Motion Subcommittee](#)

**XIII.      PERSONS TO BE HEARD:**

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

**XIV.      EXECUTIVE SESSION**

M      [19-185](#)      Financial / Legal Matter - Silva vs. CBS

Attachments: [Motion executive session](#)

**XV.      ADJOURNMENT**

*Note: Detailed information on these agenda items can be found on the City website at <https://sitka.legistar.com/Calendar.aspx> or by contacting the Municipal Clerk's Office at City Hall, 100 Lincoln Street or 747-1811. A hard copy of the Assembly packet is available at the Sitka Public Library. Assembly meetings are aired live on KCAW FM 104.7 and via video streaming from the City's website. To receive Assembly agenda notifications, sign up with GovDelivery on the City website.*

*Sara Peterson, MMC, Municipal Clerk  
Publish: August 23*



# CITY AND BOROUGH OF SITKA

## Legislation Details

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**File #:** 19-177      **Version:** 1      **Name:**

**Type:** Item      **Status:** AGENDA READY

**File created:** 8/20/2019      **In control:** City and Borough Assembly

**On agenda:** 8/27/2019      **Final action:**

**Title:** Service Awards - Sitka Community Hospital Board Members and Library Commission Member, Alice Johnstone

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** [Service Award Hospital Board](#)  
[Johnstone Service Award](#)

Date	Ver.	Action By	Action	Result
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# Service Award


*On behalf of the City and Borough of Sitka is hereby awarded to*

**David Lam**

*this expression of grateful acknowledgment for your valued  
service rendered in the public interest while serving  
on the Hospital Board. Thank you!*

Signed and sealed this 27<sup>th</sup> day of August, 2019

  
\_\_\_\_\_  
Mayor, Gary L. Paxton

  
\_\_\_\_\_  
ATTEST: Municipal Clerk, Sara Peterson





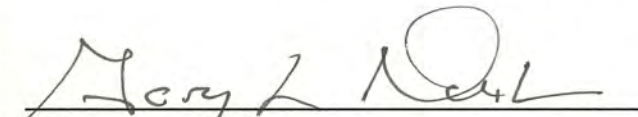
# Service Award

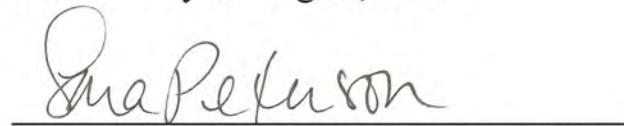
*On behalf of the City and Borough of Sitka is hereby awarded to*

***Alice Johnstone***

*this expression of grateful acknowledgment for your sixteen years of  
valued service rendered in the public interest while serving on the  
Library Commission. Thank you!*

Signed and sealed this 27<sup>th</sup> day of August, 2019

  
\_\_\_\_\_  
Mayor Gary L. Paxton

  
\_\_\_\_\_  
ATTEST: Municipal Clerk, Sara Peterson





# CITY AND BOROUGH OF SITKA

## Legislation Details

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File #: 19-178      Version: 1      Name:

Type: Item      Status: AGENDA READY

File created: 8/20/2019      In control: City and Borough Assembly

On agenda: 8/27/2019      Final action:

Title: Approve the minutes of the August 13 Assembly meeting

Sponsors:

Indexes:

Code sections:

Attachments: [Consent and Minutes](#)

Date	Ver.	Action By	Action	Result
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## **CONSENT AGENDA**

### **POSSIBLE MOTION**

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**I MOVE TO APPROVE THE CONSENT AGENDA  
CONSISTING OF ITEM A**

**I wish to remove Item(s) \_\_\_\_\_**

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

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

**POSSIBLE MOTION**

**I MOVE TO** approve the minutes of the  
August 13 Assembly meeting.



# CITY AND BOROUGH OF SITKA

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

## Minutes - Draft

### City and Borough Assembly

*Mayor Gary Paxton  
Deputy Mayor Steven Eisenbeisz,  
Vice Deputy Mayor Valorie Nelson,  
Aaron Bean, Kevin Knox, Dr. Richard Wein, Kevin Mosher*

*Interim Municipal Administrator: Dave Miller  
Municipal Attorney: Brian Hanson  
Municipal Clerk: Sara Peterson*

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Tuesday, August 13, 2019

6:00 PM

Assembly Chambers

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#### REGULAR MEETING

#### I. CALL TO ORDER

#### II. FLAG SALUTE

#### III. ROLL CALL

Bean arrived at 6:55 p.m.

**Present:** 6 - Eisenbeisz, Knox, Bean, Wein, Paxton, and Mosher

**Telephonic:** 1 - Nelson

#### IV. CORRESPONDENCE/AGENDA CHANGES

None.

**19-174** Reminders, Calendars and General Correspondence

#### V. CEREMONIAL MATTERS

**19-173** Athletic Awards - Sitka Little League Majors Baseball and Softball All-Star Teams

Mayor Paxton and Interim Administrator Dave Miller read and presented athletic awards to coaches and members of the Sitka Little League Majors Baseball and Softball All-Star teams.

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

None.

**VII. PERSONS TO BE HEARD**

None.

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

Mayor - Paxton thanked staff for their work.

Interim Administrator - Miller thanked Michael Harmon and Jay Sweeney for stepping in as Acting Administrator while he was on medical leave. Miller announced the City had submitted a grant application for the Peterson Street Storm Project, stated the NSRAA water agreement was moving forward, and remarked the Seaplane Base grant process was progressing as was the Cross Trail project. He reported on his attendance at the Police and Fire Commission meeting, final Sitka Community Hospital Board meeting and announced Dr. Vega was the new Medical Director at the Fire Hall. He stated the Tax Specialist had given notice, the position was being advertised, and would go forward to the Assembly Position Subcommittee.

Attorney - Hanson noted since the hospital transaction had been finalized, he had more time to dedicate to other projects.

Liaison Representatives - Knox reported on the Parks and Recreation Committee meeting, Wein spoke to his attendance at the Police and Fire Commission meeting, the final Sitka Community Hospital Board meeting, Library Commission meeting, and Health Needs and Human Services Commission meeting.

**IX. CONSENT AGENDA**

A motion was made by Knox that the Consent Agenda consisting of items A, B, & C be APPROVED. The motion PASSED by the following vote.

Yes: 6 - Eisenbeisz, Knox, Wein, Paxton, Mosher, and Nelson

Absent: 1 - Bean

**A 19-168** Approve the minutes of the July 23 Assembly meeting

This item was APPROVED ON THE CONSENT AGENDA.

**B 19-169** Approve an application for the renewal of a standard marijuana cultivation facility license for Darren H. Phillips dba Fiberflite at 120 Jarvis Street Unit C

This item was APPROVED ON THE CONSENT AGENDA.

**C RES 19-23** Authorizing a \$33,000 grant reallocation application to the Department of Homeland Security and Emergency Management (DHS & EM)

This item was APPROVED ON THE CONSENT AGENDA.

**X. BOARD, COMMISSION, COMMITTEE APPOINTMENTS**

- D 19-175** Appoint Candace Rutledge to an unexpired term on the Historic Preservation Commission in the category of At-Large

**A motion was made by Mosher that this Item be APPROVED. The motion PASSED by the following vote.**

**Yes:** 6 - Eisenbeisz, Knox, Wein, Paxton, Mosher, and Nelson

**Absent:** 1 - Bean

**XI. UNFINISHED BUSINESS:**

- E ORD 19-33** Amending Chapter 2.38 "Gary Paxton Industrial Park" of the Sitka General Code, at Section 2.38.010 "Designation", by removing Lot 17, Lot 18, and 7,496 square feet of the easement adjacent to Lot 17 from the site designated as the Gary Paxton Industrial Park

Wein reminded passage of the ordinance turned over lots 17, 18 and easement work to the City. He stated the Gary Paxton Industrial Park (GPIP) was acquired for economic development and disposal, not governmental purposes. He spoke in opposition to the Ordinance as he believed future uses for the land had not been considered. Paxton commented the project represented two years of work by staff for secondary water and sustainability. Eisenbeisz shared concerns over the location, however, said other areas for the project had proven to be cost prohibitive. He urged staff to take into consideration that the land would not be for future economic development and thanked staff for coming up with an economic alternative. Nelson believed the ordinance should be modified to transfer \$113,000 (lot 17 market value) to the GPIP Fund.

**A motion was made by Mosher that this Ordinance be APPROVED ON SECOND AND FINAL READING. The motion PASSED by the following vote.**

**Yes:** 4 - Eisenbeisz, Knox, Paxton, and Mosher

**No:** 2 - Wein, and Nelson

**Absent:** 1 - Bean

- F 19-066** Discussion / Direction / Decision on the selection of a Police Department third party investigator (postponed from the April 23 meeting)

Mayor Paxton reminded this item had been postponed at the April 23 meeting. Wein requested an update from Police Chief Baty and said the decision to investigate depended upon the state of the Department and what additional resources would be needed moving forward. Baty stated the Department was operating well and had a bright future. Staff appeared to be happy and satisfied. He noted he had addressed every issue that had arisen and been proactive. Baty did not believe an investigation to be necessary. Baty relayed he conducted a consistent and regular training program with the sergeants and that information was disseminated down to staff.

**No action was taken.**

**XII. NEW BUSINESS:**



**New Business First Reading****G     ORD 19-34     Making supplemental appropriations for FY2019 and FY2020**

Chief Finance and Administrative Officer Jay Sweeney stated the Sitka Home Rule Charter provided for two types of appropriations - operating and capital. Operating appropriations lapsed on June 30 unless funds were encumbered while capital appropriations never lapsed. If there was an appropriation that was unencumbered and department heads wished to continue to use the funds, they were asked to provide documentation to the administrator and then a supplemental appropriation was brought forward to the Assembly for consideration.

Assembly members asked questions related to the ordinance. Eisenbeisz wondered if the proposed telephone system was the best use of money and still relevant. IT Director Grant Turner commented it was the best plan moving forward. He told of the old system, inability to find repair parts, and added the new system would provide improved communications. Wein questioned Turner as to whether additional funds would be needed beyond what had been budgeted. Turner didn't believe so.

Wein asked if the funds had been received by the City or if the City was advancing funds. Sweeney replied the City always advanced funds on historic preservation grants. He explained there was a subgrant agreement with the subrecipient. The subrecipient submitted a reimbursement request to the City, the City reimbursed, and in turn submitted a reimbursement request to the State.

**A motion was made by Knox that this Ordinance be APPROVED ON FIRST READING. The motion PASSED by the following vote.**

**Yes:** 6 - Eisenbeisz, Knox, Wein, Paxton, Mosher, and Nelson

**Absent:** 1 - Bean

**Additional New Business Items****H     19-166     Approve the 2019-2022 International Brotherhood of Electrical Workers (IBEW), Local 1547 Collective Bargaining Agreement**

Utility Director Bryan Bertacchi and outside counsel Kimberly Gearity addressed the Assembly. Gearity explained the collective bargaining agreement was negotiated every three years. She relayed the parties had negotiated in July and believed a wage package had been agreed upon that was reasonable, fair, and would fall within the parameters of the Assembly.

Mosher while supportive, expressed concern of costs. Wein requested Gearity explain the financial implications prepared by Chief Finance and Administrative Officer Jay Sweeney. Gearity stated #1 identified cumulative over current costs and relayed the total cost for three years was roughly \$498,000. The cost included hourly rates, PERS, SBS, and Medicare. #2 identified a total percentage increase of 8.4% over three years. #3 provided a comparison of what a 1% wage increase would look like; a total of \$160,000 over three years. Nelson disclosed she had a family member who worked at the Electric Department. The Mayor ruled there was no conflict. Nelson expressed concern of the \$500,000 cost over a three-year period.



Wein paged through the agreement, read excerpts for the public and asked questions related to apprentice work, shift differential cost, on-call pay and the testing of marijuana for employment drug testing.

**A motion was made by Knox that this Item be APPROVED. The motion PASSED by the following vote.**

**Yes:** 5 - Eisenbeisz, Knox, Wein, Paxton, and Mosher

**No:** 2 - Bean, and Nelson

**I 19-170**

Approve the Assembly Position Subcommittee recommendations from the August 5 meeting for the following positions: Library Assistant, Scanner/Records Destruction Clerk (temporary), Customer Service Representative (temporary), Police Officers, Dispatch and Records Clerk

Knox asked Baty to come forward and explain the original request for four police officer positions. Knox expressed concern that the Department was down a significant number of officers and wondered of the effects of the subcommittee's recommendation for only two hires. Baty stated the Department was down five positions, however, there were no prospective candidates and he was comfortable with the two that had been recommended to be filled. Nelson stated she could only support two and reminded Chief Baty was still a temporary employee, litigation was pending with two employees and wondered if their litigation were to prevail and the City were ordered to bring them back to work, if there would be available positions. Wein reminded the Library position was a rehire and reviewed the other recommendations. Bean recalled Sitka Tribe of Alaska (STA) had received grant money for an officer position. Baty said until recently the position had been in limbo, however, billing had started and essentially STA was paying for an officer. Baty clarified that a position was not being added.

**A motion was made by Mosher to approve the recommendations of the Assembly Position Subcommittee as outlined in the draft meeting minutes of August 5, 2019 and forward to the Interim Municipal Administrator:**

- 1) Recommend a Library Assistant position be filled**
- 2) Recommend a Scanner/Records Destruction Clerk (temporary employee) position be filled - not to exceed six months and not to exceed the budget of \$20,000**
- 3) Recommend a Customer Service Representative (temporary employee) position be filled until mid-October or until the employee on family leave returns**
- 4) Recommend two Police Officers be hired**
- 5) Recommend the hire of Dispatch/Records Clerks up to the authorized strength and exempt the position from the hiring freeze**

**The motion PASSED by the following vote.**

**Yes:** 7 - Eisenbeisz, Knox, Bean, Wein, Paxton, Mosher, and Nelson

**J 19-171**

Discussion / Decision of Assembly Member Nelson's attendance at the White House Office of Intergovernmental Affairs State Leadership Day events on September 10

Mayor Paxton suggested the City pay for a portion of the trip for Ms. Nelson. Nelson declined and said she did not bring the request forward for that reason. Assembly members thanked Nelson for her willingness to attend on her own accord.

**K 19-172** Update and discussion / direction on next steps for the Municipal Administrator recruitment process and discussion of memo from Interim Municipal Administrator Dave Miller

Interim Administrator Dave Miller distributed applications to the Assembly. Members scheduled a special meeting for August 22 at 6:00 p.m. to develop a list of applicants to interview. Miller summarized his job proposition to assume the role of Assistant Administrator/PIO after an Administrator was hired. He stated he planned to retire soon and this would be a role in which he could help the new Administrator and new Fire Chief transition successfully.

**XIII. PERSONS TO BE HEARD:**

Jackie Ojala, Sitka Police Department employee, urged the Assembly to remember the reasons employees had requested an investigation in the first place. While pleased the Department was moving forward, she expressed disappointment in the investigation being put off and swept under the rug.

Shannon Haugland of the Daily Sitka Sentinel requested a list of individuals who had applied for the Municipal Administrator position.

Dave Miller invited the public to attend a birthday party for Smokey Bear at the Blue Lake Campground August 17.

**XIV. EXECUTIVE SESSION**

None.

**XV. ADJOURNMENT**

A motion was made by Mosher to ADJOURN. Hearing no objections, the meeting ADJOURNED at 7:43 p.m.

ATTEST:

\_\_\_\_\_  
Sara Peterson, MMC  
Municipal Clerk



# CITY AND BOROUGH OF SITKA

## Legislation Details

File #: 19-180 Version: 1 Name:  
Type: Item Status: AGENDA READY  
File created: 8/20/2019 In control: City and Borough Assembly  
On agenda: 8/27/2019 Final action:  
Title: Reappoint Joshua Thomas to a three-year term on the Library Commission  
Sponsors:  
Indexes:  
Code sections:  
Attachments: [Motion Thomas](#)  
[Thomas Application](#)

Date	Ver.	Action By	Action	Result
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## **POSSIBLE MOTION**

**I MOVE TO** reappoint Joshua Thomas to a three-year term on the Library Commission.



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

Board/Commission/Committee: Library

Name: Joshua Thomas

Preferred Phone: [REDACTED]

Address: [REDACTED]

Alternate Phone: \_\_\_\_\_

Email Address: [REDACTED]

Fax Number: \_\_\_\_\_

Length of Residence in Sitka: 13 years

Registered to vote in Sitka? ☒ Yes ☐ No

Employer: JKT Enterprise

Organizations you belong to or participate in:

Library Commission

member in good standing of local religion

Explain your main reason for applying:

A love of Books and the library

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

Knowledge of literature, member of the library commission.

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

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

I am familiar and friendly with several people employed by the library and on the commission.

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

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

Date: 9/12/19

Signature: [Signature]

Your complete application and resume should be returned to the Municipal Clerk's Office by noon on the Wednesday prior to an advertised Assembly meeting.

Please note: all information submitted will be made public and published online. Appointments are normally made during open session of an Assembly meeting, however, Assembly members may vote to discuss applicant(s) in closed executive session. In this case, do you wish to be present when your application is discussed? ☐ Yes ☐ No

Return to:

Melissa Henshaw, Deputy Clerk/Records Specialist, 100 Lincoln Street  
Fax: 907-747-7403 Email: [melissa.henshaw@cityofsitka.org](mailto:melissa.henshaw@cityofsitka.org)

Library Board  
Sitka, Alaska

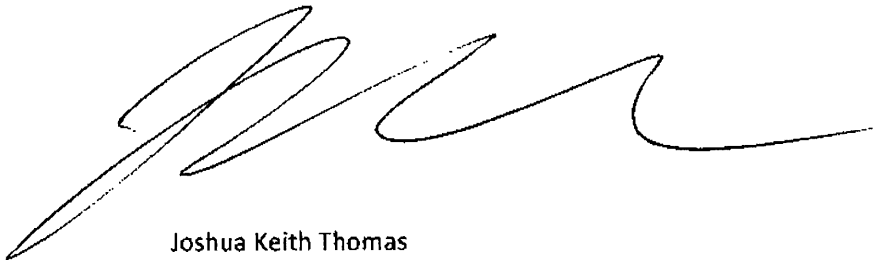
8/12/19  
~~8/25/19~~

To Whom It May Concern,

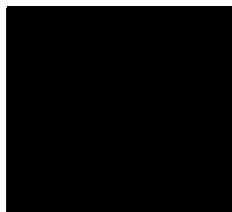
Dear Sir or Madam, I am interested in joining the Library Board here in Sitka. I have had a lifetime's love of books, and by extension libraries. As an extensive reader and autodidact I know the entertainment and educational value to a community of having a good working library available to all people.

For these reasons I feel that I would be a great asset to the Library Board. I await your response and I'm looking forward to serving on this board.

Sincerely,

A handwritten signature in black ink, appearing to read 'Joshua Keith Thomas', with a long horizontal flourish extending to the right.

Joshua Keith Thomas







## LIBRARY COMMISSION

NAME	CONTACT NUMBERS	TERM STARTS	EXPIRES	CATEGORY
NICOLE FILIPEK PO Box 251	206-769-3685 nicolefilipek@gmail.com	2/14/17	2/14/20	Chair
DANIEL GUNN 204 Marine Street	738-0738 danielforestgunn@gmail.com	1/23/18 1/8/19	1/12/19 1/8/22	Vice Chair
PAUL BAHNA 3001 Barker Street	747-7749 623-0945 bnbahna@alaska.edu	7/24/18	6/13/20	Secretary  Eidler/Litman's term
JOSHUA THOMAS PO Box 473	817-471-6054 Josh0417@att.net	9/13/16	9/13/19	
ALICE JOHNSTONE 213 Shotgun Alley	747-3931 johnstone@ak.net	7/22/03 7/11/06 7/14/09 7/24/12 7/14/15	7/22/06 7/11/09 7/14/12 7/24/15 7/14/18	
DARRYL REHKOPF 210 Observatory Street	738-5629 darrylrehkopf@hotmail.com	8/22/17 5/14/19	4/12/19 5/14/22	
STEPHEN MORSE 314 Tilson Street	509-607-7327 stephen_morse@hotmail.com	4/24/18 2/26/19	1/26/19 2/26/22	
Richard Wein PO Box 2424	752-0577 assemblywein@cityofsitka.org			Assembly Liaison
Elizabeth O'Donnell 214 Observatory	747-8014			Emeritus Member

7 Members from Public 3-year terms

Established by Ordinance 72-50, Ord. 03-1730 added 2 more members

First Wednesday of the Month, 6:00 p.m. at the Sitka Public Library, 320 Harbor Drive

### **OATH OF OFFICE REQUIRED**

Revised: May 16, 2019



# CITY AND BOROUGH OF SITKA

## Legislation Details

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File #: 19-187      Version: 1      Name:

Type: Item      Status: AGENDA READY

File created: 8/21/2019      In control: City and Borough Assembly

On agenda: 8/27/2019      Final action:

Title: Reappoint Charles Woodcock to a three-year term on the Health Needs and Human Services Commission

Sponsors:

Indexes:

Code sections:

Attachments: [Motion Woodcock](#)  
[Woodcock Application](#)

Date	Ver.	Action By	Action	Result
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## **POSSIBLE MOTION**

**I MOVE TO** reappoint Charles Woodcock to a three-year term on the Health Needs and Human Services Commission.



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

Board/Commission/Committee: Health needs and Human Services Commission

Name: Charlie Woodcock Preferred Phone: [REDACTED]

Address: [REDACTED] Alternate Phone: [REDACTED]

Email Address: [REDACTED] Fax Number: [REDACTED]

Length of Residence in Sitka: almost 3 years Registered to vote in Sitka? ☒ Yes ☐ No

Employer: Youth Advocates of Sitka

Organizations you belong to or participate in: Hope coalition, Pathways, Rotary club, Woodheen Health network, Sitka Health Summit, BHC, FFJA, Local BHC, a commission on the Health needs & human services commission.

Explain your main reason for applying:

assist with the local development of policy

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

20+ years of experience in human services

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

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

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

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

Date: 8-15-19 Signature: [Signature]

Your complete application and resume should be returned to the Municipal Clerk's Office by noon on the Wednesday prior to an advertised Assembly meeting.

Please note: all information submitted will be made public and published online. Appointments are normally made during open session of an Assembly meeting, however, Assembly members may vote to discuss applicant(s) in closed executive session. In this case, do you wish to be present when your application is discussed? ☐ Yes ☐ No

Return to:

Melissa Henshaw, Deputy Clerk/Records Specialist, 100 Lincoln Street  
Fax: 907-747-7403 Email: [melissa.henshaw@cityofsitka.org](mailto:melissa.henshaw@cityofsitka.org)

**Charlie Lynn Woodcock**  
**Curriculum Vitae**

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**Youth Advocates of Sitka**

**Executive Director**

[REDACTED]

**Phone:** [REDACTED]

**Fax:** [REDACTED]

**E-mail:** [REDACTED]

**Mailing Address**

[REDACTED]

**Sitka, AK 99835**

**Cell Phone:** [REDACTED]

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**Education**

**Ph.D., Academic Psychology (12-98) thru (3-09)**

**Walden University**

- \* All but dissertation is completed
- \* Specialization within Counseling Psychology

**M.Ed., Counseling and Human Development (5/98)**

**Lindsey Wilson College: Columbia, KY**

- \* NCA, CACREP, and SACS Certification
- \* 3.95 G.P.A.
- \* Specialization within Mental Health Counseling

**B.A., Human Services (5/96)**

- \* Cum Laude
- \* 3.9 G.P.A.
- \* Graduated with Honors for the Human Services Dept.

**Ph.D. Dissertation**

Title: "The relevant aspect of Field Dependence/Independence within predicting successful discharge from a Residential Psychiatric Treatment Facility"

Advisor: John Bender Ph.D.

**Relevant Experience**

**Employment**

**Executive Director (11/16)-(present)**

**Youth Advocates of Sitka**

- \* Responsible for the entire agency's administrative and program operation.
- \* The primary representative of the organization to the community.
- \* Ensuring all programs and functions are in compliance with regulatory, accreditation, and industry standards.

**Corporate Compliance Officer (2/14)-(9/16)**

**Spectrum Care Academy**

- \* Responsible for the organizations compliance with State and Federal regulation.
- \* Play central role in Joint Commission preparation and development of elements of performance.
- \* Responsible for a Consultation role with all Facility Directors.
- \* Responsible for Policy and Procedure development and implementation.

**Clinical/Program Director—Facility Administrator (2/05)-(2/14)**

**Glasgow, Columbia, and London Spectrum Care Academy**

- \* Responsible for the day-to-day operation and supervision of two free standing nine bed Psychiatric Residential Treatment Facility for adolescences.
- \* Responsible for the clinical and program supervision of services provided.
- \* Responsible for ensuring compliance to State and Federal regulations.

**Adjunct Professor of Psychology****Western KY University Region Campus (2003-2009)**

- \* Taught an array of intro and upper level psychology undergraduate classes.
- \* Taught some graduate classes.
- \* Mentor and supervisor of on-site undergraduate practicum students and graduate level intern students.

**Institutional Therapeutic Recreational Activity Director****Glasgow State Nursing Facility (1999-2005)**

- \* Department Head--supervise a department of five Activity therapists.
- \* Coordinate and designed all therapeutic interactions toward residential population.
- \* Responsible for treatment plan development and CQI (Continuous Quality Improvement) issue formation and development.
- \* Responsible for formal data analysis of therapeutic interaction patterns and trends.

**MHA: Mental Health Associate (2002)-(2005)****Spectrum Care Academy (Part-time position)**

- \* Provide group therapy toward residential population: Adolescent psychiatric residents.
- \* Participate within behavioral modification program with residential population.
- \* Monitor residential self-administration of psychotropic medications

**Liaison Position between Glasgow State Nursing Facility and Specialized Services--  
Systematic group-effort toward community placement**

- \* Designed and implemented a complex behavioral program to assist within placement transition
- \* Clinical Supervision of five contracted providers, and program development.
- \* Assisted within the ELP (essential life planning) process.
- \* Coordinated interaction with facility and LifeSkills(Specialized Services).

**Dual Position:MH/MR Social Worker & Activities Consultant****Glasgow State Nursing Facility**

- \* Designed and implemented a complex one-on-one program and coding system.
- \* Experience within individual Care Plan development and MDS process.
- \* Active within the restructuring process of departmental and therapeutic focus.

**Assistant to the Director of Social Services (5/96)-(1/97)****Glasgow State Nursing Facility**

- \* Assisted Director with departmental paperwork and resident's progress notes
- \* Possessed liaison position between inter-departmental interaction
- \* Interacted with family members and residents, both upon a social and therapeutic level

**Internships****Graduate Level Internship (400 Supervised hours) (1/98)-(4-98)****Glasgow State Nursing Facility**

- \* 140 Direct Clinical Internship hours
- \* Active within programmatic and interdepartmental changes related to Licenser requirements.
- \* Initiated a computer database which quantified and analyzed internal residential incident data, to correlate relational rhythmic patterns.
- \* Active within the Risk Management process and the Monthly Incident Report development.

**Graduate Level Internship (600 Supervised hours) (9/97)-(12/97)****Barren County Correctional Center**

- \* 240 Direct Clinical Internship hours
- \* Caseload of individual(139 hours) and group(118 hours) interaction
- \* Experiences in anger control and chemical dependency counseling

**Graduate Level Practicum (150 Supervised hours) (6/97)-(8/97)****Summit Manor**

- \* 40 Direct Clinical Internship hours
- \* Co-lead Alzheimer's Therapeutic Group
- \* Experiences with play, touch, and music therapy through individual sessions

**Undergraduate Level Practicum (240 Supervised hours) (8/95)-(6/96)****Glasgow State Nursing Facility**

- \* Experiences within Psychopathology and Pharmacological
- \* Interacted with residents through therapeutic activities
- \* Experiences within clerical duties of Social Services Dept.





## Health Needs and Human Services Commission

NAME	CONTACT NUMBERS	TERM STARTS	EXPIRES	CATEGORY
CHARLIE WOODCOCK PO Box 115	747-2910 606-224-9958 charlie.woodcock@sitkayouth.org	9/25/18	9/13/19	<b>CHAIR</b> <i>Herrera's term</i>
LOYD PLATSON 805 Charles Street	747-3636 x226 w 623-7560 c lplatson@scpsak.org	8/25/15	10/28/17 11/7/20	<b>VICE CHAIR</b>
DOUG OSBORNE 222 Tongass Drive	966-8674 douglaso@searhc.org	1/27/15	10/14/17 10/24/20	
JEFF ARNDT 207 Cedar Heights	738-2025 queenmab@gci.net	11/11/15	11/11/18 10/23/21	
BARBARA KENDALL 206 Park Street	738-1808 bekendall40@yahoo.com	8/23/16	8/23/19	
VERA GIBSON 107 Rudolph Walton Circle	747-3636 x224 w 738-0812 c vgibson@scpsak.org	10/24/17	11/22/19	<i>Treas term</i>
HOLLY MARBAN 705 Sawmill Creek Road	966-8938 907-713-5311 hmarban@searhc.org	1/8/19	1/8/22	
Melissa Henshaw Deputy Clerk/Records Specialist	747-1826 melissa.henshaw@cityofsitka.org			Secretary
Richard Wein PO Box 2424	738-0577 assemblywein@cityofsitka.org			Assembly Liaison

Established by Ordinance 2013-23

7 members, 3-year terms. A vacancy on the commission shall be filled by appointment by the Assembly for any remainder of an unexpired term.

Meeting schedule: 2<sup>nd</sup> Thursday of the month; 1:30 p.m. at Harrigan Centennial Hall, 330 Harbor Drive  
– Meetings are to be held no less than four times per year.

Revised: August 9, 2019



# CITY AND BOROUGH OF SITKA

## Legislation Details

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File #: 19-179      Version: 1      Name:

Type: Item      Status: AGENDA READY

File created: 8/20/2019      In control: City and Borough Assembly

On agenda: 8/27/2019      Final action:

Title: Appoint Al Stevens and Mike Johnson to unexpired terms on the Gary Paxton Industrial Park Board of Directors

Sponsors:

Indexes:

Code sections:

Attachments: [Motion GPIIP](#)  
[Stevens Application](#)  
[Johnson Application](#)  
[GPIIP Board Roster](#)

Date	Ver.	Action By	Action	Result
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## **POSSIBLE MOTION**

**I MOVE TO** appoint Al Stevens and Mike Johnson to unexpired terms on the Gary Paxton Industrial Park Board of Directors.



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

Board/Commission/Committee: Gary Paxton Industrial Park  
Name: Alan C. Stevens Daytime Phone: [REDACTED]  
Address: [REDACTED] Evening Phone: [REDACTED]  
Email Address: [REDACTED] Fax Number: N/A  
Length of Residence in Sitka: 30 years Registered to vote in Sitka? ☒ Yes ☐ No  
Employer: Silver Bay Seafoods  
Organizations you belong to or participate in:

LEPC

Explain your main reason for applying: To help GPIIP keep moving forward as I know the future motives of all the businesses including Silver Bay. To provide input for Silver Bay Seafoods and how this business may or may not effect the other GPIIP Businesses.

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

LEPC member 25 years (and participate)

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

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

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

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

Date: 8-8-19 Signature: Alan C. Stevens

Your complete application and resume should be returned to the Municipal Clerk's Office by noon on the Wednesday prior to an advertised Assembly meeting.

Please note: all information submitted will be made public and published online. Appointments are normally made during open session of an Assembly meeting, however, Assembly members may vote to discuss applicant(s) in closed executive session. In this case, do you wish to be present when your application is discussed? ☐ Yes ☒ No

Return to:

Melissa Henshaw, Deputy Clerk/Records Specialist, 100 Lincoln Street  
Fax: 907-747-7403 Email: melissa.henshaw@cityofsitka.org

But please contact me for any questions.

August 8<sup>th</sup>, 2019

To: City and Borough of Sitka Assembly Members

From: Al Stevens

Subject: Letter of Interest

Most of you know me or know of me. For those of you who do not, I am a resident of Sitka, 30 years. Retired Coast Guard, retired Assistant Fire Chief and am currently employed with Silver Bay Seafoods as their Health and Safety Coordinator.

I have read the conflict of interest page carefully and truly believe that I can still be an active board member without excusing myself to often when it comes to matters involving Silver Bay Seafoods. However, if necessary I may have to excuse myself, dependent on the matter if it does pertain to a financial gain.

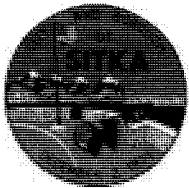
I am also on the LEPC Board and feel it will be no problem or conflict to join the Gary Paxton Industrial Park as a board member. I can bring a lot of what this company is currently involved with and as a Health and Safety Coordinator, I am also very much in tune with the other businesses who also are located within the industrial park.

Due to my background and experience, I do believe I can remain fair and impartial to any and all of the past, present and future issues dealing with the GPIIP and I feel I can also help move the City and Borough as well as GPIIP forward in the right directions for all businesses to succeed as the industrial park continues to grow.

Thank you for your consideration  
Respectfully

A handwritten signature in dark ink, appearing to read 'Al Stevens', with a long horizontal flourish extending to the right.

Al Stevens, USCG Retired  
Sitka Fire Department Retired



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

Board/Commission/Committee: G P I P  
Name: Mike Johnson Daytime Phone: [REDACTED]  
Address: [REDACTED] Evening Phone: [REDACTED]  
Email Address: [REDACTED] Fax Number: [REDACTED]  
Length of Residence in Sitka: 40 Registered to vote in Sitka? ☒ Yes ☐ No  
Employer: Delta Western

Organizations you belong to or participate in:

Sitka Sportsman's Association  
Sitka Shore Shots  
Juneau Gold Rush Days planning committee

Explain your main reason for applying:

To help thoughtfully advance the design & construction of a marine haulout facility & other marine related industries.

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

5 years experience operating an 88 ton Marine Travelift & associated yard equipment. Two years as operations manager for Halibut Pt. Marine Services. Eleven years in the petroleum industry with emphasis on marine operations.

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

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

Delta Western will be operating a marine fleet fueling station @ the GPIP dock. I am the General Manager for Delta Western - Sitka.

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

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

Date: 8/20/19 Signature: [Signature]

Your complete application and resume should be returned to the Municipal Clerk's Office by noon on the Wednesday prior to an advertised Assembly meeting.

Please note: all information submitted will be made public and published online. Appointments are normally made during open session of an Assembly meeting, however, Assembly members may vote to discuss applicant(s) in closed executive session. In this case, do you wish to be present when your application is discussed? ☐ Yes ☒ No

Return to:

Melissa Henshaw, Deputy Clerk/Records Specialist, 100 Lincoln Street  
Fax: 907-747-7403 Email: melissa.henshaw@cityofsitka.org



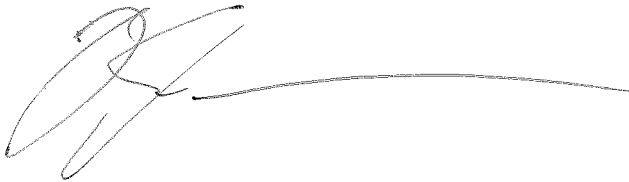
To whom it may concern:

I am applying to join the Gary Paxton Industrial Park board primarily to assist with the layout, design, and construction planning of a marine haul out facility at the park. With the largest small-boat harbor system in the state and the anticipated closure of Halibut Point Marine Services yard I think it's crucial that we find a way to construct a facility capable of hauling out most of the Sitka fleet in a cost effective and efficient manner. I also hope to help boost the marine service sector which will be needed to support this venture. I'd like to help pave the way for marine related businesses to move into the industrial park and create year-round family wage jobs.

I have a good deal of experience with running a boat haul out facility in Sitka. I was an equipment operator for Halibut Point Marine Services for five years, two of those years I was operations manager for the yard. I am very familiar with boatyard operations, the various style of boat hulls common to this area and the equipment necessary to move these boats in and out of the water in our environment. I think I can offer a perspective based off my experience which will hopefully provide useful to the board.

I come from a blue-collar background and was originally trained as a heavy diesel mechanic. My career has journeyed through several different fields to include commercial fishing, charter fishing, fabrication and welding, marine repair, boat yard operations, and now into petroleum sales & distribution. I serve as a board member on the Sitka Sportsmans Association and I coach youth competitive shooting sports 9 months per year. I've also served on the Ports & Harbors Commission in the past.

I do travel a fair bit for work but will make every effort to attend the monthly GPIIP meetings if given the opportunity to join the board.

A handwritten signature in black ink, consisting of a stylized, cursive 'P' followed by a long horizontal line extending to the right.



## GARY PAXTON INDUSTRIAL PARK BOARD OF DIRECTORS

NAME	CONTACT NUMBERS	TERM STARTS	EXPIRES	CATEGORY
SCOTT WAGNER 304 Nicole Drive	747-6850 w 747-3791 h scott_wagner@nsraa.org	11/25/14 6/28/16 6/26/18	6/24/16 6/28/18 6/26/20	CHAIR
SHEILA FINKENBINDER 415 DeArmond Street	738-3098 c sitkasheila@gmail.com	3/28/17	3/28/19 3/26/21	At-Large
VAUGHN MORRISON 114 Toivo Circle	738-0294 vmorrison26@yahoo.com	9/25/18	9/25/20	
WAYNE UNGER PO Box 833	738-9396 wayne.unger@silverbayseafoods.com	4/24/18	4/24/20	Resigned 8/9/19
ROB PARRISH 318 Lincoln Street	907-205-1134 aestheticak@gmail.com	3/26/19	3/26/21	Resigned 8/20/19
Garry White 329 Harbor Drive, #212	747-2660 w 747-7688 fax garrywhite@gci.net			GPIP Director
Dave Miller City & Borough of Sitka 100 Lincoln Street	747-1808 w 747-7403 fax dave.miller@cityofsitka.org			Interim Municipal Administrator
Kevin Mosher 100 Lincoln Street	752-0467 assemblymosher@cityofsitka.org			Assembly Liaison
Sarah Nelson 329 Harbor Drive, #212	747-2660 w 747-7688 fax sedasitka@gmail.com			Secretary

Established by Ordinance 00-1568

Five members appointed by the Assembly for 2-year terms, one designated At-Large

Revised: August 21, 2019



# CITY AND BOROUGH OF SITKA

## Legislation Details

File #: 19-181 Version: 1 Name:  
Type: Item Status: AGENDA READY  
File created: 8/20/2019 In control: City and Borough Assembly  
On agenda: 8/27/2019 Final action:  
Title: Appoint Stacy Mudry to a three-year term on the Planning Commission  
Sponsors:  
Indexes:  
Code sections:  
Attachments: [Motion Mudry](#)  
[Mudry Application](#)

Date	Ver.	Action By	Action	Result
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## **POSSIBLE MOTION**

**I MOVE TO** appoint Stacy Mudry to a three-year term on the Planning Commission.



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

Board/Commission/Committee: PLANNING COMMISSION

Name: STACY MUDRY

Preferred Phone: [REDACTED]

Address: [REDACTED]

Alternate Phone: [REDACTED]

Email Address: [REDACTED]

Fax Number: [REDACTED]

Length of Residence in Sitka: 20 YEARS com

Registered to vote in Sitka? ☒ Yes ☐ No

Employer: SELF-EMPLOYED @ SITKA READY-MIX & RENTAL EQUIPMENT, LLC.

Organizations you belong to or participate in:

SEE ATTACHED

Explain your main reason for applying:

SEE ATTACHED

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

SEE ATTACHED

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

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

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

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

Date: 8-13-2019

Signature: Stacy Mudry

Your complete application and resume should be returned to the Municipal Clerk's Office by noon on the Wednesday prior to an advertised Assembly meeting.

Please note: all information submitted will be made public and published online. Appointments are normally made during open session of an Assembly meeting, however, Assembly members may vote to discuss applicant(s) in closed executive session. In this case, do you wish to be present when your application is discussed? ☐ Yes ☒ No

Return to:

Melissa Henshaw, Deputy Clerk/Records Specialist, 100 Lincoln Street

Fax: 907-747-7403 Email: [melissa.henshaw@cityofsitka.org](mailto:melissa.henshaw@cityofsitka.org)

# Applying for Vacancy Position with the City of Sitka Planning Commission

My name is Stacy Mudry. I do not belong to any outside organizations other than my business that I have been growing for years here in Sitka. I feel that I am at a time in my life where I should expand my knowledge and experience to my community and I honestly believe that this position on the planning commission is a perfect fit for my knowledge.

I have an Associates Degree in Construction Drafting from Mesa Community College.

I moved to Sitka in October 1999, in which I worked for my brother at Interiorworks, before getting a job at Sitka Ready-Mix in March of 2000.

In 2011, my husband, Darryl Howard and I bought into Sitka Ready-Mix & Rental Equipment, LLC. I have been an owner/store manager since. With all of the growth that our business has overcome, I have overseen a half dozen or so upgrades or remodels for our business.

For anyone that is not familiar with my business, we are a ready-mix supplier, equipment rental yard, and a fairly good size retail store with top name brands; such as STIHL, HILTI, Honda Power Equipment and more. These types of brands have strict criteria for customer service.

My company is one that is always trying our best to help everyone, and if we do not have something to help a person, we will try our best to help figure out a solution for them or another resource. I am constantly saying that I think we are Sitka's information.

This is why I think I would be a good fit for this position, as I enjoy trying to solve problems and helping everyone. Well that...and my background in the construction industry.



## PLANNING COMMISSION

NAME	CONTACT NUMBERS	TERM STARTS	EXPIRES	CATEGORY
CHRIS SPIVEY 109 Lillian Drive	738-2524 c spi3050@yahoo.com	12/11/12	2/8/14 1/28/17 1/24/20	CHAIR
DARRELL WINDSOR PO Box 1973	738-4046 c dwindsor@gci.net	6/28/11	6/28/14 6/24/17 7/25/20	VICE CHAIR
RANDY HUGHEY 220 Lakeview Drive	738-2999 c randywhughey@gmail.com	2/24/15	10/23/15 10/13/18 10/23/21	
<i>TAYLOR COLVIN 1308 Sawmill Creek Rd</i>	<i>738-1018 taycolvin@gmail.com</i>	<i>7/11/17</i>	<i>6/14/19</i>	<i>Pohlman's term</i>
VICTOR WEAVER PO Box 2034	907-461-2031 alaskanengineer@gmail.com	11/27/18	4/26/19 5/14/22	
Planning Director	747-1815			Staff Liaison
Amy Ainslie Planner I	747-1814 amy.ainslie@cityofsitka.org			Secretary
Aaron Bean 103 Toivo Circle	738-8923 assemblybean@cityofsitka.org			Assembly Liaison
Kevin Knox PO Box 6415	738-4664 assemblyknox@cityofsitka.org			Alternate Assembly Liaison

5 members from public, 3-year terms

Established by Ordinance 74-118/SGC2.18 & Charter Article VIII

Must be registered to vote

First and Third Wednesday at 7:00 p.m. – Harrigan Centennial Hall, 330 Harbor Drive

### CONFLICT OF INTEREST FORMS OATHS OF OFFICE

Revised: August 1, 2019



# CITY AND BOROUGH OF SITKA

## Legislation Details

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File #: ORD 19-34      Version: 1      Name:

Type: Ordinance      Status: AGENDA READY

File created: 8/6/2019      In control: City and Borough Assembly

On agenda: 8/27/2019      Final action:

Title: Making supplemental appropriations for FY2019 and FY2020

Sponsors:

Indexes:

Code sections:

Attachments: [Motion Ord 2019-34](#)  
[Memo Ord 2019-34](#)  
[Ord 2019-34](#)  
[Historic Preservation grant](#)

Date	Ver.	Action By	Action	Result
8/13/2019	1	City and Borough Assembly		



## **POSSIBLE MOTION**

**I MOVE TO** approve Ordinance 2019-34 on  
second and final reading.



# City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

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## MEMORANDUM

**To:** Mayor Gary Paxton and Assembly Members

**From:** Jay Sweeney, Chief Financial Officer

**Reviewed:** David Miller, Interim Administrator  
Brian Hanson, Municipal Attorney  
Amy Ainslie, Planner 1

**Date:** July 29, 2019

**Subject:** Supplemental Appropriations to FY2019 and FY2020 Consolidated Operating Budgets

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### **Requested Action**

Approve supplemental budget appropriation for FY2019 and FY2020 for various purposes.

### **Summary**

Staff is requesting supplemental appropriations to the FY2019 and FY2020 Consolidated Operating Budgets.

The supplemental appropriations to the FY2019 budget are to cover two very small budget overruns in the Harbor and Pet Adoption Funds totaling \$3,393 in the aggregate, and, to provide technical appropriations in the amount of \$53,392 for pass-through funding and formulaic transfers in the Airport Terminal Fund, GPIP Contingency Fund, and Tobacco Excise Tax Funds.

The supplemental appropriations to the FY2020 Consolidated Operating Budget are to provide for reimbursement authority for State of Alaska Historic Preservation Fund and Homeland Security grants which were not fully expended in FY2019 and whose operating appropriations lapsed on June 30, 2019; to provide for reimbursement authority for a new State of Alaska Historic Preservation Fund grant received in May, 2019; and, to provide for supplemental appropriations for outside legal services, acquisition of a new telephone system, and completion of purchases of an ambulance and fire truck due to lapsing of FY2019 appropriations for these expenditures on June 30, 2019.

### **Background Information and Discussion**

#### **FY2019 supplemental appropriations.**

The Harbor Fund had a budget overrun of \$260 pertaining to unanticipated repairs.

The Pet Adoption Fund had a budget overrun of \$3,133 pertaining to unanticipated pet adoption expenses above the FY2019 approved appropriation.

The Airport Terminal Fund had a portion of the revenue bond issuance costs related to its FY2019 revenue bond issuance paid for by the State of Alaska. Even though these costs were paid directly by the State of Alaska, accounting rules require that the full amount of the costs paid for by the State be recorded as revenue and a matching expenditure. There is no fs transaction; it is a wash.

By Assembly direction, all investment earnings in the GPIIP Contingency Fund are transferred to the GPIIP Fund. In FY2019, the total amount of investment earnings in the GPIIP Contingency Fund that were transferred exceeded the budgeted amount and an additional appropriation is needed for the excess.

Per the Home Rule Charter, all tobacco excise tax proceeds are to be transferred into the Sitka Community Hospital Dedicated Fund. In FY2019, the total amount of excise tax proceeds that were transferred exceeded the budgeted amount and an additional appropriation is needed for the excess.

#### FY2020 supplemental appropriations.

#### Historic Preservation Grants.

State of Alaska Historic Preservation Fund grants are awarded to the City and Borough of Sitka as the grantee, even though the applications are submitted by 3<sup>rd</sup> party organizations. This is because the City and Borough of Sitka previously applied for and received status as a Certified Local Government. As a Certified Local Government, the City and Borough of Sitka is obligated to administer all aspects of the Historic Preservation Fund grant program in Sitka, including solicitation and submission of project proposals and grant applications, submission of grant reports and reimbursement requests to the State of Alaska, reimbursement of reimbursement requests from 3<sup>rd</sup> party organizations, and adhering to all requirements of 2 CFR Part 200 as the funding source is the Federal government.

Authority to reimburse 3<sup>rd</sup> party organizations is accomplished through an annual operating appropriation in the General Fund, which is matched by budgeted grant revenue. These operating appropriations lapse on June 30 of each fiscal year, however, so if a grant is not fully expended during the course of a fiscal year a supplemental operating appropriation is needed to continue reimbursements to 3<sup>rd</sup> party organizations in the subsequent fiscal year.

Additionally, on May 20, 2019, the City and Borough of Sitka received notice of award of a new \$25,000 grant under the State of Alaska Historic Preservation Fund for the renovation of the interior of Fraser Hall on the Alaska Arts Southeast campus. The Assembly had previously approved a resolution to apply for the grant. The Fiscal Year 2020 Consolidated Operating Budget currently includes an approved appropriation for \$10,000 (*General Fund, Donations and Non-Profit Support, Pass-Through Grants*), but the appropriation is insufficient to cover the full amount of the grant award for the Fraser Hall Rehabilitation Grant.

Also, on July 23, 2019, the Assembly approved Resolutions supporting three additional State of Alaska Historic Preservation Fund grant applications. In anticipation of these grant applications being approved, an additional supplemental operating appropriation of \$50,000 is being requested so that authority to reimburse 3<sup>rd</sup> party organizations is accomplished if the grants are approved.

#### Telephone System

In the FY2019 Consolidated Operating Budget, the Assembly appropriated \$150,000 for the acquisition of a new telephone system for the Municipality. Due to both lack of staffing due to IT Director vacancy and complexities involved in the design and engineering of the new telephone system, its acquisition could not be accomplished in FY2019. Fixed asset acquisitions are considered operating expenditures and not part of the capital improvements program; therefore, appropriations for fixed asset acquisitions lapse on June 30 of each year. A supplemental appropriation is required to complete the acquisition of the new telephone system in FY2020.

#### Central Garage

Purchases of the Ford Ambulance and the Pierce Suburban Fire Pumper approved in the FY2019 fixed asset budget but were not completed by June 30 and thus lapsed. Both items are specialized equipment with long lead-times. The ambulance and fire truck were procured in FY2019, however delivery and customization will take place in FY2020.

#### Gary Paxton Industrial Park

The Assembly approved a supplemental operating appropriation in FY2019 for legal expenses associated with hiring an outside attorney to draft a purchase agreement for the GPIIP utility dock. The FY2019 appropriation was not fully encumbered and lapsed on June 30, 2019. The balance of the lapsed appropriation is still necessary and required in FY2020.

#### Fiscal Note

The source of funding for appropriations all State of Alaska Historic Preservation Fund grant reimbursements to 3<sup>rd</sup> party organizations is matching grant revenue. The City and Borough of Sitka retains a 10% grant administration fee from each grant to cover costs associated with administration of the Historic Preservation Fund grant program in Sitka.

The source of funding for formulaic transfers between funds is the underlying investment earnings or tax revenue.

The source of funding for supplemental appropriations necessary to complete expenditures for which operating appropriations lapsed on June 30, 2019 is underlying fund balances. As the lapsing of the FY2019 appropriations caused the funds to return to the fund balances and increase them, supplemental appropriations in FY2020 have the effect of re-appropriating the funds.

The source of funding to cover FY2019 budget overruns are the underlying fund balances.

## CITY AND BOROUGH OF SITKA

## ORDINANCE NO. 2019-34

AN ORDINANCE OF THE CITY AND BOROUGH OF SITKA MAKING SUPPLEMENTAL APPROPRIATIONS  
FOR FY2019 AND FY2020

**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 make supplemental operating appropriations.

4. **ENACTMENT.** In accordance with Section 11.10(a) of the Charter of the City and Borough of Sitka, Alaska, the Assembly hereby makes the following supplemental appropriations for the fiscal year appropriations for the fiscal year beginning July 1, 2018 and ending June 30, 2019, and, makes the following supplemental appropriations for the fiscal year beginning July 1, 2019 and ending June 30, 2020:

<b><u>FISCAL YEAR 2019 EXPENDITURE BUDGETS</u></b>
<b>GENERAL FUND</b>
<b>ENTERPRISE AND INTERNAL SERVICE FUNDS</b>
<b>Harbor Fund – Fixed Assets: Increase appropriations in the amount of \$260 to cover roof repairs and unforeseen additional repairs.</b>
<b>Airport Terminal Fund – Operations: Increase appropriations in the amount of 27,170 to cover airport terminal revenue bond administrative issuance costs.</b>
<b>SPECIAL REVENUE FUNDS</b>
<b>Fund 113 – Pet Adoption Fund – Operations: Increase appropriations in the amount of \$3,133 to cover pet adoption-related expenditures.</b>
<b>Fund 173- GPIP Contingency – Operations: Increase appropriations in the amount of \$9,559 to cover interest earnings transferred to the GPIP Fund.</b>
<b>Fund 190- Tobacco Excise Tax – Operations: Increase appropriations in the amount of \$16,663 to cover more tax being remitted to Sitka Community Hospital than was anticipated.</b>

In accordance with Section 11.10 (a) of the Charter of the City and Borough of Sitka, Alaska, supplemental appropriations for the fiscal period July 1, 2019 and ending June 30, 2020 are hereby made:

<b><u>FISCAL YEAR 2020 EXPENDITURE BUDGETS</u></b>
<b>GENERAL FUND</b>
<b>Other Expenditures – Pass Through Grants: Appropriate \$19,557 for the Sitka Sawmill Design II Project grant from the State of Alaska Historic Preservation Fund. The FY2019 appropriation for this grant lapsed on June 30, 2019.</b>
<b>Other Expenditures – Pass Through Grants: Appropriate \$1,414 for the Fraser Hall Entry &amp; Exterior Project Preservation grant from the State of Alaska Historic Preservation Fund. The FY2019 appropriation for this grant lapsed on June 30, 2019.</b>
<b>Other Expenditures – Pass Through Grants: Appropriate \$25,000 for the Fraser Hall Interior Rehab grant from the State of Alaska Historic Preservation Fund.</b>
<b>Other Expenditures – Pass Through Grants: Appropriate \$50,000 for potential State of Alaska Historic Preservation Fund grants whose applications were approved by the Assembly on July 23, 2019.</b>
<b>General Fund - Fixed Assets: Appropriate \$386,938 for the Police Department Radio Consoles funded by Homeland Security Grants. The FY2019 appropriation for this grant lapsed on June 30, 2019.</b>
<b>ENTERPRISE AND INTERNAL SERVICE FUNDS</b>
<b>Gary Paxton Industrial Park – Operations: Appropriate \$14,724 for outside attorney to write a purchase agreement regarding the GPIP Utility Dock. The FY2019 appropriation for this grant lapsed on June 30, 2019.</b>
<b>Management Information Systems – Fixed Assets: Appropriate \$150,000 for the Phone System Upgrade. The FY2019 appropriation for this upgrade lapsed on June 30, 2019.</b>
<b>Central Garage – Fixed Assets: Appropriate \$25,453 for the Pierce Suburban Fire Pumper (\$5,000) and the Ford Ambulance (\$20,453). The FY2019 appropriation for these purchases lapsed on June 30, 2019.</b>

#### EXPLANATION

This ordinance provides for supplemental appropriations to the FY2019 and FY2020 consolidated operating budgets, in accordance with Section 11.10 (a) of the Home Rule Charter of the City and Borough of Sitka, Alaska.

Supplemental appropriations to the FY2019 consolidated operating budget address budget overruns in FY2019. Rationale for each supplemental appropriation are as follows:

**Harbor Fund – unforeseen additional repair expenses above total appropriations;**

**Airport Terminal Fund – The FY2019 budget provided for an appropriation of \$24,000 for net revenue bond issuance costs. Governmental accounting guidelines require that bond issuance costs paid for by the Alaska Municipal Bond Bank Authority be recorded as both revenue and a matching outlay. This appropriation is to provide for the portion of the**

matching outlay (paid for by the State of Alaska) which exceeds total appropriations for the Airport Terminal Fund;

Pet Adoption Fund - unforeseen pet adoption expenses above total appropriations;

GPIP Contingency Fund – All investment earnings on the balance of the GPIP Contingency Fund are transferred to the GPIP Fund. The balance of investment earnings transferred exceeded the total appropriation for the GPIP Contingency Fund.

Tobacco Excise Tax Fund – While all tobacco excise tax proceeds are remitted to the Sitka Community Hospital, an appropriation is still needed to authorize such remittances. Total excise tax proceeds exceeded the FY2019 appropriation for the fund.

Supplemental appropriations for FY2020 pertain to FY2019 operating appropriations which lapsed on June 30, 2019 and which are required in FY2020. Rationale for FY2020 supplemental appropriations are as follows:

State of Alaska Historic Preservation Fund grants are budgeted for annually as grant revenue and a matching operating appropriation for reimbursements to sub-grantees. This is because the City and Borough is the primary grantee and sponsoring organizations are sub-grantees. If a State of Alaska Historic Preservation Fund grant is not fully expended in a fiscal year, the remaining unexpended amount must be re-appropriated the next fiscal year through a supplemental operating appropriation.

IT Fund – Fixed asset acquisitions are considered operating appropriations and lapse on June 30 of each fiscal year. Due to complexities involved in the design and engineering of the new telephone system, the FY2019 operation appropriation could not be fully expended prior to its lapsing.

Central Garage – Purchases of the Ford Ambulance and the Pierce Suburban Fire Pumper approved in the FY2019 fixed asset budget but were not completed by June 30 and thus lapsed.

Gary Paxton Industrial Park – The Assembly approved a supplemental operating appropriation in FY2019 for legal expenses associated with hiring an outside attorney to draft a purchase agreement for the GPIP utility dock. The FY2019 appropriation was not fully encumbered and lapsed on June 30, 2019. The balance of the lapsed appropriation is still necessary and required in FY2020.

Total supplemental appropriations to date for the Harbor Fund in FY2019 total \$0, not including this supplemental appropriation. Increases of operating budgets in the amount of \$46,592, to comply with Charter provisions pertaining to non-lapsing of encumbered funds at the end of a fiscal year (“Year-end soft close”), are not included in this amount.

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 27th Day of August, 2019.

\_\_\_\_\_  
Gary L. Paxton, Mayor

ATTEST:

\_\_\_\_\_  
Sara Peterson, MMC  
Municipal Clerk

1<sup>st</sup> reading 8/13/19  
2<sup>nd</sup> and final reading 8/27/19

Sponsor: Interim Administrator



THE STATE  
of ALASKA

GOVERNOR MICHAEL J. DUNLEAVY

Department of Natural Resources

Division of Parks and Outdoor Recreation  
Office of History and Archaeology

550 West 7th Avenue, Suite 1  
Anchorage, AK 99501  
Main: 907.269.4304

May 20, 2019

P. Keith Brady, Municipal Administrator  
City & Borough of Sitka  
100 Lincoln Street  
Sitka, AK 99835

RE: HPF Grant # 18023 *Fraser Hall: Interior Rehabilitation*

Dear Mr. Brady:

Enclosed is a fully executed grant agreement for the above-referenced Historic Preservation Fund (HPF) project. The period of performance for this 60-40 matching grant began upon execution by our office (5-8-2019) and ends September 30, 2019.

Please note this agreement was initially assigned as HPF #19002, but is now assigned as HPF # 18023. We recently had a Certified Local Government (CLG) grant cancellation, so we needed to fund another CLG project with HPF-18 money, rather than HPF-19, to help us meet the federally mandated allocation to CLGs each year. We understand that this project for Fraser Hall will be completed by September 30, 2019, so it is an excellent candidate. In addition to the change in HPF number, the end date on pages 1 and 3 of the grant agreement was changed to September 30, 2019. All other provisions remain the same.

Project billing and reporting forms are available in electronic format and will be e-mailed to staff for future use upon request. The *Summary of Documentation* form, backup financial information, and a written narrative report must accompany any request for reimbursement.

Thank you for participating in this HPF grant program. If you have any questions, please contact me at [jean.ayers@alaska.gov](mailto:jean.ayers@alaska.gov) or (907) 269-8694.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jean Ayers".

Jean Ayers  
Grants Administrator

Enc: Executed Grant Agreement

Cc: Amy Ainslie, CBS Planner  
Rebecca Poulson, Project Manager  
Roger Schmidt, Sitka Fine Arts Camp



**Historic Preservation Fund**  
**State-Local Agreement for Certified Local Government**  
**CFDA # 15.904      HPF Project # 18023**

This grant agreement is between the State of Alaska, by and through the State Historic Preservation Office for purposes of the National Historic Preservation Act of 1966, as amended, (P.L. 96-515), hereafter, the State, and,

City & Borough of Sitka      EIN 92-00041163      hereafter, the Grantee  
100 Lincoln St.      Sitka, AK 99835

Article 1. Grant Title: Fraser Hall: Interior Rehabilitation

Article 2. Appendices: Appendices referred to in this agreement and attached to it are considered part of it.

Article 3. Performance of Services

- 3.1 Appendix A: Scope of Work to be performed by the Grantee.
- 3.2 Appendix B: Project Budget.
- 3.3 Appendix C: Specific Provisions for HPF Grants.
- 3.4 Appendix D: Standard Provisions
- 3.5 Appendix E: Assurances, Certifications, and other requirements for performance of services under this grant.
- 3.6 Appendix F: Project proposal as submitted by the Grantee is made a part of this agreement by this reference.

Article 4. Period of Performance: The period of performance of the grant agreement begins May 8, 2019 and ends September 30, 2019  
There can be no time extensions.

Article 5. Consideration for this matching and reimbursable grant.

- 5.1 The estimated total cost of the project is \$ 41,667  
The 60% estimated Federal share of the project is \$ 25,000  
The 40% estimated non-federal share of the project is \$ 16,667
- 5.2 In full consideration of the Grantee's performance under this grant agreement, the State shall apply to the National Park Service for sixty percent (60%) of the estimated total cost of the project or sixty percent (60%) of the actual total cost of the project, whichever is less, in accordance with Appendix B and Appendix D of this agreement.
- 5.3 The State shall assess and retain an indirect cost, which may fluctuate, but will not exceed 8.5 % of the total project costs, per Appendix B: Project Budget.
- 5.4 The State may withhold or retain ten percent (10%) of the total award to Grantee until final reports and products have been submitted and approved.
- 5.5 To request reimbursement, Grantee shall submit narrative and financial reports, backup documentation of claimed costs, and other pertinent information to:

*State of Alaska: Department of Natural Resources  
Division of Parks and Outdoor Recreation  
Office of History and Archaeology  
550 West 7th Avenue, Suite 1310  
Anchorage, AK 99501*

<b>Grantee Information and Signature</b>	<b>DNR Use Only</b>
DUNS: 063373831	<b>Grant Tracking</b>
Sponsor Name: Individual or Entity City & Borough of Sitka	Federal Funding Agency: Department of Interior, National Park Service
Sponsor Signature <i>P. Keith Brady</i> Date 4/23/2019	Name: Historic Preservation Fund Grants-in-Aid to State Historic Preservation Offices
Name and Title: Type or Print P. Keith Brady, Municipal Administrator	Opportunity #: NPS - HPF Grant #: 02-19-171384
<b>State of Alaska Information and Signature</b>	
Department of Natural Resources Division of Parks and Outdoor Recreation Office of History and Archaeology	Encumbrance No. Financial Coding Vendor No.
Signature: State Certifying Officer <i>Judith E. Bittner</i> Date 5-8-19	Project Name: Fraser Hall: Interior Rehab
Name and Title: Type or Print Judith E. Bittner, State Historic Preservation Officer	Grant Purpose: Development

## NOTARY STATEMENT

This certifies that on the 23<sup>rd</sup> day of April, 2019, before me a Notary Public in and for the State of Alaska, duly commissioned and sworn, personally appeared

P. Keith Brady, Municipal Administrator  
Name and Title

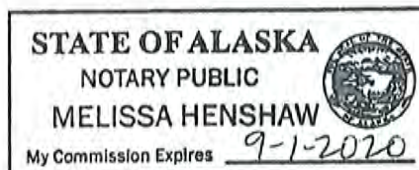
who has executed this instrument on behalf of the City & Borough of Sitka

WITNESS my hand and official seal the day and year in this certificate first above written.

*Melissa Henshaw*

Signature: Notary Public

My commission expires 9-1-2020





## Appendix A: Scope of Work

### HPF # 18023: Sitka, Fraser Hall Interior Rehabilitation

Grant Period: May 8, 2019 to September 30, 2019

Federal Share: \$ 25,000

The City & Borough of Sitka (CBS) in partnership with the Sitka Fine Arts Camp shall rehabilitate the large classroom on the main floor of Fraser Hall, a contributing building to the Sheldon Jackson School National Historic Landmark. Recipient shall hold a public event near the end of the project and post information and photographs about the project on the Sitka Fine Arts Camp website. All rehabilitation work must apply and conform to the *Secretary of Interior's Standards for the Treatment of Historic Properties*, <https://www.nps.gov/tps/standards/treatment-guidelines-2017.pdf>

#### Timeline

#### Project Deliverables

Jul, Oct, Jan, Apr, Jul	Submit to the Office of History and Archaeology (OHA) written reports describing project work during the preceding three months, referencing benchmarks in this scope of work.
May - Jun 2019	Complete and submit to the OHA the Project Notification and Environmental Screening worksheets required by the National Park Service for projects involving National Historic Landmarks.  Complete Section 106 consultation with the OHA prior to beginning rehabilitation work on the building. <b>Provide a copy of the OHA letter indicating consultation has been done and project work may proceed.</b> Update property covenant.
May - Jun 2019	Recruit restoration team members with appropriate expertise to conduct work. Select members and <b>submit their résumés to OHA for review before contracts are signed.</b> Document that the contractor(s) was provided information on the Secretary's standards referenced above and has agreed to comply with them.
Jun - Sep 2019	Train volunteers. Perform rehabilitation work. Document work with photographs throughout the process. Photos must be dated, described, and include photographer attribution (or prepare a log with this information).
Sept 2019	Publicize and host an event for members of the Sitka Historic Preservation Commission and the public. Post information about the building and the rehabilitation project on the Sitka Fine Arts Camp and/or a Sheldon Jackson School website.

#### **Final Reports and Products**

***Prior to October 31, 2019 submit final reports and products to OHA.***

***Submit electronic or digital copies on DVD or Flash Drive.***

1. Written report describing project activities conducted with grant funds. Include details: who, what, where, when, why. Describe how the *Secretary's Standards for Treatment* were applied.
2. Final billing/reimbursement request with financial documentation supporting claimed eligible costs.
3. Minutes of Sitka Historic Preservation Commission meetings showing its knowledge of and participation in the project.
4. Two print and one digital copy of the promotional materials for the event and project photographs as described above.

## Appendix B: Budget

### HPF # 18023: Fraser Hall Interior Rehabilitation

#### COST CATEGORIES:

Personal Services	30,548.00
Contractual	14,950.00
Materials/Supplies	7,111.00
Other: CBS, Permit, Disposal	2,145.00
Room & Board for Interns	35,000.00
<b>Total Direct Costs (Over-Match Anticipated)</b>	<b>89,754.00</b>
 <b>Total Direct Costs for HPF Grant Purposes</b>	 <b>38,403.00</b>
x 8.5 % State Indirect Rate	<u>3,264.00</u>
<b>Total Project Costs</b>	<b>41,667.00</b>
40% Grantee Share	16,667.00
60% Federal Share	25,000.00
 Minus the State Indirect Cost	 - <u>3,264.00</u>
Potential Reimbursement to Grantee	21,736.00

**Compensation Limit:** Compensation for an employee or consultant shall not exceed 120% of a GS-15, step 10 in the Federal Civil Service. As of January 2019, this maximum is \$95.74 per hour. If employee or consultant services exceed this rate, only the amount up to \$95.74/hour may be claimed against the Historic Preservation Fund grant or used as matching expenses. <https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/2019/general-schedule/>

**Volunteers:** If a person performs volunteer services outside his profession or trade, volunteer time may be valued at the Federal minimum wage rate or a higher applicable rate for general laborers, if Grantee documents such, and they are approved by the State Historic Preservation Office. For examples, see rates compiled by the *Independent Sector's Value of Volunteer Time by State*: [https://www.independentsector.org/volunteer\\_time](https://www.independentsector.org/volunteer_time)

**State Indirect Costs:** The State may apply an indirect cost to all reimbursements in accordance with this Grant Agreement. The indirect cost rate may fluctuate throughout the grant period of performance, but it will not exceed the State's federally approved indirect rate in effect at the time.

**Budget Flexibility and Amendments:** Grantee may revise the project budget shown in Attachment B without a formal amendment to this agreement. However, such revisions are limited to a maximum of 10% of the total amount of this agreement or \$10,000, whichever is less over the entire term of this agreement.

Such budget revisions are also limited to changes in existing budget line items, and the creation of new budget line items that are within the scope of the project. Budget revisions may not be used to increase any budget item for project administrative expenses. Changes to the budget beyond the limits described above may only be made by a formal amendment to this agreement.

**Retainage:** Ten percent (10%) of the total federal award may be withheld until the project is deemed acceptably complete by the State Historic Preservation Office. Reimbursement of retainage will be made upon approval of final products, acceptable narrative and financial reports, expenditure documentation, and any special conditions of the grant.



## Appendix C: Specific Provisions for HPF Grants

### HPF # 18023: Fraser Hall Interior Rehabilitation

1. **Reports:** Grantee shall submit quarterly narrative progress reports detailing project activity within 30 days following the end of each quarter. Grantee shall use the Scope of Work as a basis for reports and describe activities related to the benchmarks. A final narrative report, billing and final products (publications, plans, etc) are due within 30 days following project end. *The final narrative report is distinct from final products. The report details methodology, activities, and timeline over the life of the grant.* The final report shall delineate how the local historic preservation commission was kept advised of the project and how the *Secretary of Interior Standards and Guidelines* were applied.
2. **Publications:** Publications assisted with HPF grants shall acknowledge support by the National Park Service and the Alaska Division of Parks and Outdoor Recreation, Office of History and Archaeology in this manner: *This publication has been financed in part with Federal funds from the Department of the Interior, National Park Service and through the assistance of the State of Alaska Office of History and Archaeology. Contents and opinions expressed do not necessarily reflect the views or policies of the Department of the Interior or the State of Alaska, nor does the mention of trade names or commercial products constitute endorsement or recommendation.*
3. **Photographs:** Grantee shall allow the State of Alaska and the National Park Service the right to use photographs (i.e.: before/after development, workshops, public forums) in reports or publications.
4. **Audits:** Grantee shall make all relevant records available for audit for a period of three (3) years after the term of the project. Governmental entities are also required to comply with the State of Alaska, Single Audit Regulations 2 AAC 45.010 and the Federal Single Audit Act of 1984 P.L. 98-502.
5. **Amendments:** Any proposed change to the project deliverables, budget, period of performance, or adverse conditions must immediately be brought to the attention of the State Historic Preservation Office, in writing. It may be necessary to receive prior National Park Service approval before the changes may take place. The Office of History and Archaeology will notify the grant recipient in writing when the approval has been obtained in the form of an amendment to the grant agreement. Failure to obtain such approval prior to implementation of changes may jeopardize reimbursement.
6. **Termination:** This Grant Agreement provides for the voluntary and involuntary suspension or termination of said Agreement consistent with all Federal requirements governing grants.
7. **Covenants:** If applicable, a protective covenant shall be attached to the property deed and a copy supplied to the Alaska Office of History and Archaeology. The covenant will apply when there is a change in ownership; it will be enforceable by Alaska law, and will be monitored by the Alaska Office of History and Archaeology. The covenant is effective upon execution of the document, and shall be recorded prior to disbursement of HPF monies. HPF cannot be repaid to avoid the deed restriction.
8. **Fund Balances:** Grantee shall notify the Office of History and Archaeology at least three (3) months prior to the performance period end date if anticipating any unexpended grant funds.
9. **Reimbursement Requests:** Payments are made on a cost reimbursement basis. When requesting reimbursement, Grantee shall include a completed Summary of Documentation form accompanied by source documents. The *Summary* serves as cover sheet and checklist for all eligible costs claimed during that reporting period. Source documents may be copies of accounts ledgers, paid bills, invoices, canceled checks, receipts of payment by vendor or contractor, timesheets, etc.
10. **Payments:** Reimbursement requests are typically processed on a quarterly basis and payments made to the Grantee within thirty (30) days after receipt of all necessary documentation. Reimbursements will not be made without acceptable narrative progress reports or backup financial information.

## Appendix D: Standard Provisions

Article 1. Definitions. In the grant agreement, attachments, and amendments, "Certifying Officer" means the person who signs this grant agreement on behalf of the entity and includes a successor or authorized representative.

Article 2. State Saved Harmless. The Grantee shall indemnify, save harmless and defend the State, its officers, agents and employees from liability of any nature or kind, including costs and expenses, for or on account of any and all legal actions or claims of any character whatsoever resulting from injuries or damage sustained by any person or persons or property as a result of any error, omission or negligent act of the Grantee relating to its performance of this grant.

Article 3. Inspections and Retention of Records. The State may inspect, in the manner and at reasonable times it considers appropriate, all of the Grantee's facilities, records and activities under this grant agreement. The Grantee shall retain property receipts and other grant records for at least 3 years after project completion or equipment disposal.

Article 4. Disputes. Any dispute concerning a question of fact arising under this grant agreement, which is not disposed of by mutual agreement, shall be decided without bias by the Certifying Officer. The decision shall be in writing and mailed or otherwise furnished to the Grantee. The decision of the Certifying Officer is final and conclusive, unless, within 30 days from the date of receipt of the decision, the Grantee mails or otherwise furnishes a written appeal to the Commissioner of the Department. The Commissioner shall hear the appeal. The decision of the Commissioner is final and conclusive, unless it is fraudulent or not supported by substantial evidence. In any proceeding under this Article, the Grantee has a right to offer evidence in support of its appeal. Pending final decision of a dispute, the Grantee shall proceed with the Performance of the grant agreement in accordance with the Certifying Officer's decision.

Article 5. Equal Employment Opportunity (EEO). The Grantee may not discriminate against any employee or applicant for employment because of race, religion, color, national origin, age, physical handicap, sex, marital status, changes in marital status, pregnancy or parenthood. The Grantee shall post in a conspicuous place, available to employees and applicants for employment, a notice setting out the provisions of this paragraph.

The Grantee shall state, in all solicitations or advertisements for employees to work on grant-funded projects, that it is an equal opportunity employer and that all qualified applicants will receive consideration for employment without regard to race, religion, color, national origin, age, physical handicap, sex, marital status, changes in marital status, pregnancy or parenthood.

The Grantee shall include the provisions of the EEO article in every contract relating to this grant agreement and shall require the inclusion of these provisions in every agreement entered into by any of its contractors, so that those provisions will be binding upon each contractor and subcontractor.

Article 6. Termination. The Certifying Officer, by written notice may terminate this grant agreement, in whole or in part, when it is in the best interest of the State. The State is liable only for payment in accordance with the provision of this agreement for services rendered before the effective date of termination.

Article 7. Lobbying Activities. In accepting these funds, the Grantee agrees and assures that none of the funds will be used for the purpose of lobbying activities before the Alaska Legislature or United States Congress.

Article 8. Payment of Taxes. As a condition of this grant agreement, the Grantee shall pay all Federal, State and Local taxes incurred by the Grantee and shall require their payment by any contractor or any other persons in the performance of this grant agreement.

Article 9. Worker's Compensation Insurance. The Grantee shall provide and maintain worker's compensation insurance as required by AS 23.30 for all employees engaged in work under this grant agreement. The Grantee shall require any contractor to provide and maintain worker's compensation insurance for its employees as required by AS 23.30.

Article 10. Insurance. The Grantee is responsible for obtaining any necessary liability insurance.

Article 11. Current Prevailing Rates of Wage and Employment Preference. Certain grant projects are constrained by the provision of Alaska Statute 36: PUBLIC CONTRACTS. To the extent that such provisions apply to the project that is the subject of this grant agreement, the Grantee shall pay the current prevailing rates of wage to employees as required by AS 36.05.010. Further, in accordance with AS 36.10.010, the work force employed in the completion of this project shall be 95% local residents where they are available and qualified. If 10 or fewer persons are employed, then 90% of the project work force shall be local residents where they are available and qualified.

Article 12. Right to Withhold Funds. The Department may withhold payments under this grant agreement for any violation of the provisions of this grant agreement.

Article 13. Governing Law. This grant agreement is governed by the laws of the State of Alaska and the United States government. The Grantee shall perform all aspects of this project in compliance with all appropriate laws and regulations. It is the responsibility of the Grantee to ensure that all permits required for the construction and operation of this project by the Federal, State, or Local governments have been obtained.

Article 14. Officials Not to Benefit. No member of or delegate to Congress or the Legislature, or officials or employees of the State or Federal government may share any part of this grant agreement or any benefit to arise from it.

Article 15. Covenant Against Contingent Fees. The Grantee warrants that no person or agency has been employed or retained to solicit or secure this grant agreement upon an agreement or understanding for a commission, percentage, contingent fee, or brokerage except employees or agencies maintained by the Grantee for the purpose of securing business. For the breach or violation of this warranty, the State may terminate this grant agreement without liability or in its discretion, deduct from the grant agreement price or consideration the full amount of the commission, percentage, brokerage, or contingent fee.

Article 16. Changes. Any changes which have been agreed to by both parties will be attached and made a part of this grant agreement by use of an amendment. Any such amendment must be dated and must be signed by both parties before the change is considered official and approved.



Article 17. Public Purposes. The Grantee agrees that the project to which this grant agreement relates shall be dedicated to public purposes for its useful life. The benefits of the project shall be made available without regard to race, religion, color, national origin, age, physical handicap, sex, marital status, change in marital status, pregnancy or parenthood.

Article 18. Site Control. If the grant project involves the occupancy and use of real property, the grantee assures that it has the legal right to occupy and use such real property for the purposes of the grant, and further that this is legal access to such property.

Article 19. Operation and Maintenance. Throughout the useful life of the project, the Grantee shall be responsible for the operation and maintenance of any facility, equipment, or other items acquired under this grant.

Article 20. Assurance. The Grantee shall spend monies appropriated under this grant only for the purposes specified in the grant agreement.

**Office of Management and Budget Circulars and Other Regulations.** The following Federal regulations are incorporated by reference into this agreement (full text can be found at <http://www.ecfr.gov>

**Administrative Requirements:** 2 CFR, Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*; in its entirety; Final Rule, Dec 2013.

**Determination of Eligible Costs:** 2 CFR, Part 200, Subpart E

**Audit Requirements:** 2 CFR, Part 200, Subpart F

**Drug-Free Work Place:** 2 CFR, Part 182 & 1401

**Non-Procurement Debarment and Suspension:** 2 CFR 180 and 1400

**New Restrictions on Lobbying:** 43 CFR 18

**Trafficking Victims Protection Act of 2000:** 2 CFR, Part 175

**Limit on Payments to Influence Federal Transactions:** FAR Clause 52.203-12, paragraphs (a) & (b)

### Appendix E: Assurances, Certifications, and Other

Enclosed are the following documents. Please complete and return as part of this grant agreement.

\_\_\_\_\_ Covenant: Example

\_\_\_\_\_ Section 106 Consultation with SHPO

\_\_\_\_\_ Willingness to Comply with Requirements of Federal Grant

\_\_\_\_\_ Assurances: Construction Programs

\_\_\_\_\_ Certifications Regarding Debarment, Suspension and Other Responsibility Matters, Drug-Free Workplace Requirements and Lobbying

\_\_\_\_\_ NPS Project Notification and Environmental Screening Worksheet  
(For projects involving a National Historic Landmark)



## Assurances—Non-Construction Programs

OMB Approval No. 0348-0040

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Please do not return your completed form to the Office of Management and Budget; send it to the address provided by the sponsoring agency.

**Note:** Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case you will be notified.

As the duly authorized representative of the applicant I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States, and if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§ 4728-4763) relating to prescribed standards for merit systems for programs funded under one of the nineteen statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§ 1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.O. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§ 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. § 36701 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
7. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply, as applicable, with the provisions of the Hatch Act (5 U.S.C. §§ 1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§ 276a and 276a-7), the Copeland Act (40 U.S.C. § 276c and 18 U.S.C. §§ 874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§ 327-333), regarding labor standards for federally assisted construction subagreements.
10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (e) evaluation of flood hazards in flood plains in accordance with EO 11988; (e) assurance of

project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§ 1451 et seq.); (f) conformity of Federal actions to State (Clear Air) Implementation Plans under Section 176(c) of the Clear Air Act of 1955, as amended (42 U.S.C. § 7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended, (P.L. 93-205).

12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§ 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
13. Will assist the awarding agency in assuring compliance with Section 106 of the national Historic Preservation Act of 1966, as amended (16 U.S.C. 470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. 469a-1 et seq.).

14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. 2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§ 4801 et seq.) which prohibits the use of lead based paint in construction or rehabilitation of residence structures.
17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act of 1984 or OMB Circular No. A-133, Audits of Institutions of Higher Learning and other Non-profit Institutions.
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations and policies governing this program.

Signature of Authorized Certifying Official

Title



Municipal Administrator

Applicant Organization

Date Submitted

City and Borough of Sitka

4/23/2019

## CERTIFICATIONS REGARDING DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS; DRUG-FREE WORKPLACE REQUIREMENTS AND LOBBYING

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Signature on this form provides for compliance with certification requirements under 15 CFR Part 26, "Governmentwide Debarment and Suspension (Nonprocurement)" and "Governmentwide Requirements for Drug-Free Workplace" and 15 CFR Part 28, "New Restrictions on Lobbying." The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of Commerce determines to award the covered transaction, grant, or cooperative agreement.

### 1. DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS

As required by Executive Order 12549, Debarment and Suspension, and implemented at 15 CFR Part 26, for prospective participants in primary covered transactions, as defined at 15 CFR Part 26, Sections 26.105 and 26.110 --

(1) The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;

(b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

(d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.

(2) Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

violation of such prohibition;

b) Establishing an ongoing drug-free awareness program to inform employees about--

(1) The dangers of drug abuse in the workplace;

(2) The grantee's policy of maintaining a drug-free workplace;

(3) Any available drug counseling, rehabilitation, and employee assistance programs; and

(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will--

(1) Abide by the terms of the statement, and

(2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

(e) Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to the Director, Office of Federal Assistance, Office of Federal Assistance and Management Support, HCHB Room 6054, U.S. Department of Commerce, Washington, DC 20230. Notice shall include the identification number(s) of each affected grant;

(f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted--

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e) and (f).

### 2. DRUG-FREE WORKPLACE REQUIREMENTS Alternate I. Grantees Other Than Individuals

As required by the Drug-Free Workplace Act of 1988, and implemented at 15 CFR Part 26, Subpart F, for grantees, as defined at 15 CFR Part 26, Sections 26.605 and 26.610 --

A. The grantee certifies that it will or will continue to provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for

B. The grantee shall insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:  
Place of Performance: (Street address, city, county, state, ZIP code): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Check ☐ if there are workplaces on file that are not identified here.

#### Alternate II. Grantees Who Are Individuals

As required by the Drug-Free Workplace Act of 1988, and implemented at 15 CFR Part 26, Subpart F, for grantees, as defined at 15 CFR Part 26, Sections 26.605 and 26.610 -

(A) The grantee certifies that, as a condition of the grant, he or she will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant;

(B) If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, he or she will report the conviction, in writing, within 10 calendar days of the conviction, to the Director, Office of Federal Assistance, Office of Federal Assistance and Management Support, HCHB Room 6054, U.S. Department of Commerce, Washington, DC 20230. When notice is made to such a central point, it shall include the identification number(s) of each affected grant.

#### 3. LOBBYING

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 15 CFR Part 28, for persons entering into a grant, cooperative agreement or contract over \$100,000, or loan or loan guarantee over \$150,000, as defined at 15 CFR Part 28, Sections 28.105 and 28.110, the applicant certifies that to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding

of any Federal contract, the making of any Federal grant, the making any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.


#### Statement for loan Guarantees and Loan Insurance

The Undersigned states, to the best of his or her knowledge and belief, that:

If any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

Submission of this statement is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required statement shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above applicable certification(s).

NAME OF APPLICANT	AWARD NUMBER AND/OR PROJECT NAME
City and Borough of Sitka	19002/Fraser Hall
PRINTED NAME AND TITLE OF AUTHORIZED REPRESENTATIVE	
P. Keith Brady, Municipal Administrator	4/23/2019
SIGNATURE	DATE
	



## Willingness to Comply with Grant Requirements

1. I understand that this is a grant agreement administered by the State of Alaska Department of Natural Resources, Division of Parks and Outdoor Recreation, Office of History and Archaeology.
2. In accepting these funds, I understand it is my responsibility to comply with all program requirements, pertinent State and Federal regulations, and the grant agreement.
3. In accepting these funds, I understand that project records are subject to audit after project completion, and that if such an audit questions expenditures for which I have been reimbursed, I will return any amount paid for questioned expenditures.
4. I understand that no grant or promise of a grant exists until the State Historic Preservation Officer (SHPO) or his/her designee signs the grant agreement, and that any funds expended prior to the grant period or before full grant execution (SHPO signature) may not be reimbursed without specific approval.
5. I understand that the State of Alaska may incorporate an indirect cost to help off-set administration of this grant. The percentage of the indirect may fluctuate over the course of the grant but will not exceed amount shown on the grant agreement.

  
\_\_\_\_\_  
Signature

4/23/2019  
Date

P. Keith Brady  
\_\_\_\_\_  
Print or Type Name

City and Borough of Sitka      Municipal Administrator  
\_\_\_\_\_  
Entity Name and Title



# CITY AND BOROUGH OF SITKA

## Legislation Details

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File #: 19-167      Version: 1      Name:

Type: Item      Status: AGENDA READY

File created: 8/6/2019      In control: City and Borough Assembly

On agenda: 8/27/2019      Final action:

Title: Approve the term sheet for the utility dock transaction between the City and Borough of Sitka and Hanson Maritime Company (executive session anticipated)

Sponsors:

Indexes:

Code sections:

Attachments: [Motion Term Sheet](#)

Date	Ver.	Action By	Action	Result
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Note: contract negotiation – executive session anticipated

## **Possible Motion**

### **Step 1:**

**I MOVE TO** go into executive session with the Municipal Attorney, and outside legal counsel Clay Keene and Scott Brandt-Erichsen, to discuss communications regarding a legal matter affecting the municipality, specifically the contract negotiation of the term sheet for the utility dock transaction between the City and Borough of Sitka and Hanson Maritime Company, and invite in, if and when ready, Garry White and Lee Hanson.

### **Step 2:**

**I MOVE TO** reconvene as the Assembly in regular session.

### **Step 3:**

**I MOVE TO** approve the term sheet for the utility dock transaction between the City and Borough of Sitka and Hanson Maritime Company and proceed with the purchase and sale agreement and other documents referenced.



# CITY AND BOROUGH OF SITKA

## Legislation Details

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File #: 19-183      Version: 1      Name:

Type: Item      Status: AGENDA READY

File created: 8/20/2019      In control: City and Borough Assembly

On agenda: 8/27/2019      Final action:

Title: Authorize the Interim Municipal Administrator to execute all necessary documents to accept, execute, and administer a \$842,629 Airport Improvement Program Grant to complete the Environmental Assessment and Aviation Planning Services for the new Sitka Seaplane Base

Sponsors:

Indexes:

Code sections:

Attachments: [Motion Seaplane Base](#)  
[Memo Seaplane](#)  
[Grant Offer from FAA](#)  
[Action Plan Seaplane Base](#)  
[Res 2018-22 Signed](#)

Date	Ver.	Action By	Action	Result
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## **Possible Motion**

**I MOVE** to authorize the Interim Municipal Administrator to execute all necessary documents to accept, execute, and administer a \$842,629 Airport Improvement Program Grant to complete the Environmental Assessment and Aviation Planning Services for the new Sitka Seaplane Base.



# City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

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## MEMORANDUM

**To:** Mayor Paxton and Assembly Members

**From:** Dave Miller, Interim Municipal Administrator

**Reviewed:** Brian Hanson, Municipal Attorney *BCH*  
Michael Harmon P.E., Public Works Director *MA*  
Melissa Haley, Acting CFAO *MH*

**Date:** August 20, 2019

**Subject:** **Airport Improvement Program (AIP) Grant for the Sitka Seaplane Base:**  
Funding for the Environmental Assessment & Aviation Planning Services  
(FAA Project No: 3-02-0488-001-2019)

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### Requested Action:

Authorize the Municipal Administrator to execute all necessary documents to accept, execute, and administer an \$842,629 Airport Improvement Program (AIP) grant offer from the Federal Aviation Administration (FAA) to complete the Environmental Assessment and Aviation Planning Services for the new Sitka Seaplane Base and commit to the required grant match of \$56,176.

### Summary

- The FAA has made an AIP grant offer for an Environmental Assessment and Aviation Planning Services grant for the proposed new Sitka Seaplane Base.
- We anticipate receiving three AIP grants for each phase of this project as follows:
  1. Environmental Assessment & Aviation Planning
  2. Design and Land Acquisition
  3. Construction
- The grant offer must be accepted, signed, and certified by August 30<sup>th</sup>, 2019 or the offer expires.
- The AIP grant offer totals \$898,805.00 with a CBS match of \$56,176.
- The FY20 Budget planned for a total of \$16,000,000 in contingent grants for all phases of this project.
- No grant match funds were appropriated in the FY 20 Budget. We anticipate a total match of approximately \$1-million for all phases of this project.
- Assembly approval is requested for the grant acceptance and City match.

## **Fiscal Note**

In the FY2020 budget the assembly has approved appropriations for contingent grants for this project up to \$16,000,000. Upon assembly approval to execute this grant award, \$842,629 will become approved. This grant requires a match in the amount of \$56,176. This will be a supplemental capital appropriation in the Harbor Fund. We propose that the funding of the match for this grant come from the General Fund. Due to conservative budgeting for FY2019, we anticipate more of a surplus than what was originally budgeted for in the General Fund.

This grant is a federal grant that requires full compliance with 2 CFR part 200 and is subject to a Single Audit.

## **Background**

CBS staff has prioritized the development of the new Sitka Seaplane Base Project and pursued AIP Grant funding from the FAA. Please refer to the attached Assembly Action Plan and associated resolution identifying this project as a high priority for completion.

The grant offer we have received for Phase-1 will fund the aviation planning and Environmental Assessment (EA) required to be completed before the project moves forward to complete the design and land acquisition (Phase 2). The work in Phase-1 will focus on the environmental permitting specific to the preferred State owned site at the north end of Japonski Island (1109 Seward Avenue) and the adjacent DNR tide and submerged lands. The CBS has applied to DNR for the conveyance of 23 acres of "Tide and Submerged Lands" for the dock and its operating area.

The EA will assess the suitability of the proposed location and the impacts of the site and any actions required to mitigate the predicted impacts. A "Finding of No Significant Impacts" (FONSI) from FAA at the completion of the EA is required to move forward and receive any additional AIP grants.

The aviation preliminary planning will include reviewing and updating the conclusions in the previous studies such as determining demand and correct size, planning for future expansion, facility layout, survey and topography verification, land acquisition planning for both the uplands, tide and submerged lands, and will include public meetings, agency meetings, and workshops with stakeholders.

Summary of work completed to qualify for this Phase-1 AIP grant:

- Published a Request for Airport Consultant Qualifications
- Set up a selection team and selected the highest ranked consultant team.
- Negotiated the Scope of Work and Fees.
- Completed the grant application and review with FAA
- Submitted signed grant application on 8/12/2019.
- The Grant Offer was received 8/16/2019.



U.S. Department  
of Transportation  
Federal Aviation  
Administration

Airports Division Alaskan Region

222 W. 7th Ave, #14  
Anchorage, AK 99513-7587

AUG 16 2019

Mr. Dave Miller  
Interim City Manager  
100 Lincoln Street  
Sitka, AK 99835-7114

Dear Mr. Miller:

We are enclosing two copies of the Grant Offer for **Airport Improvement Program (AIP) Project No. 3-02-0488-001-2019 for the Proposed New Sitka Seaplane Base in Sitka, Alaska**. This letter outlines expectations for success. Please read the conditions and assurances carefully.

To properly enter into this agreement, you must do the following:

- a. The governing body must provide authority to execute the grant to the individual signing the grant; i.e. the sponsor's authorized representative.
- b. The sponsor's authorized representative must execute the grant, followed by the attorney's certification, no later than **August 30, 2019**, in order for the grant to be valid.
  - The date of the attorney's signature must be on or after the date of the sponsor's authorized representative's signature.
  - All signatures must be made with blue or black ink; Signature stamps will not be accepted.
- c. You may not make any modification to the text, terms or conditions of the grant offer.
- d. After you properly execute the grant agreement:
  - Return one executed original Grant Agreement to our office via US mail or commercial courier.
  - Retain one copy of the executed Grant Agreement for your records.
- e. Because time is now critical for entering the executed grant into the FAA system, we request you send a copy of the signed agreement to our office by facsimile or email (pdf document) prior to sending the hardcopy document through U.S. mail or commercial courier.

Subject to the requirements in 2 CFR §200.305, each payment request for reimbursement under this grant must be made electronically via the Delphi eInvoicing System. Please see the attached Grant Agreement for more information regarding the use of this System.

The terms and conditions of this agreement require you to complete the project without undue delay. We will be monitoring your progress to ensure proper stewardship of these Federal funds. **We expect you to submit payment requests for reimbursement of allowable incurred project expenses consistent with project progress.** Should you fail to make draws on a regular basis, your grant may be placed in "inactive" status, which will affect your ability to receive future grant offers.

Until the grant is completed and closed, you are responsible for submitting formal reports as follows:

- A signed/dated SF-270 (non-construction projects) or SF-271 or equivalent (construction projects) and SF-425 annually, due 90 days after the end of each federal fiscal year in which this grant is open (due December 31 of each year this grant is open); and
- Performance Reports, which are due within 30 days of the end of a reporting period as follows:
  1. Non-construction project: Due annually at end of the Federal fiscal year.
  2. Construction project: Submit FAA form 5370-1, Construction Progress and Inspection Report at the end of each fiscal quarter.

As a condition of receiving Federal assistance under this award, you must comply with audit requirements as established under 2 CFR part 200. Subpart F requires non-Federal entities that expend \$750,000 or more in Federal awards to conduct a single or program specific audit for that year. Note that this includes Federal expenditures made under other Federal-assistance programs. Please take appropriate and necessary action to assure your organization will comply with applicable audit requirements and standards.

Once the project is completed and all costs are determined, we ask that you close the project without delay and submit the necessary final closeout documentation as required by your Region/Airports District Office.

Jonathan Linquist, (907) 271-5040, is the assigned program manager for this grant and is readily available to assist you and your designated representative with the requirements stated herein. We sincerely value your cooperation in these efforts and look forward to working with you to complete this important project.

Sincerely,



Kristi A. Warden  
Director, Airports Division





U.S. Department  
of Transportation  
Federal Aviation  
Administration

## GRANT AGREEMENT

### PART I – OFFER

Date of Offer	<u>AUG 1 6 2019</u>
Airport/Planning Area	<u>New Sitka Seaplane Base</u>
AIP Grant Number	<u>3-02-0488-001-2019</u>
DUNS Number	<u>063373831</u>
TO:	<u>City and Borough of Sitka</u>
	(herein called the "Sponsor")

FROM: The United States of America (acting through the Federal Aviation Administration, herein called the "FAA")

WHEREAS, the Sponsor has submitted to the FAA a Project Application dated August 4, 2019, for a grant of Federal funds for a project at or associated with the New Sitka Sea Plane Base Airport, which is included as part of this Grant Agreement; and

WHEREAS, the FAA has approved a project for the New Airport (herein called the "Project") consisting of the following:

#### Conduct Airport Planning and Environmental Study

which is more fully described in the Project Application.

NOW THEREFORE, According to the applicable provisions of the former Federal Aviation Act of 1958, as amended and recodified, 49 U.S.C. § 40101, et seq., and the former Airport and Airway Improvement Act of 1982 (AAIA), as amended and recodified, 49 U.S.C. § 47101, et seq., (herein the AAIA grant statute is referred to as "the Act"), the representations contained in the Project Application, and in consideration of (a) the Sponsor's adoption and ratification of the Grant Assurances dated March 2014, as applied and interpreted consistent with the FAA Reauthorization Act of 2018 (see 2018 FAA Reauthorization grant condition.), (b) and the Sponsor's acceptance of this Offer; and, (c) the benefits to accrue to the United States and the public from the accomplishment of the Project and compliance with the Grant Assurances and conditions as herein provided.

THE FEDERAL AVIATION ADMINISTRATION, FOR AND ON BEHALF OF THE UNITED STATES, HEREBY OFFERS AND AGREES to pay 93.75 percent of the allowable costs incurred accomplishing the Project as the United States share of the Project.

This Offer is made on and SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS:

### CONDITIONS

1. Maximum Obligation. The maximum obligation of the United States payable under this Offer is \$842,629.

The following amounts represent a breakdown of the maximum obligation for the purpose of establishing allowable amounts for any future grant amendment, which may increase the foregoing maximum obligation of the United States under the provisions of 49 U.S.C. § 47108(b):

\$842,629 for planning

\$0 airport development or noise program implementation; and,

\$0 for land acquisition.

The source of this Grant may include funding from the Small Airport Fund.

2. **Period of Performance.** The period of performance begins on the date the Sponsor formally accepts this agreement. Unless explicitly stated otherwise in an amendment from the FAA, the end date of the period of performance is 4 years (1,460 calendar days) from the date of formal grant acceptance by the Sponsor.  
  
The Sponsor may only charge allowable costs for obligations incurred prior to the end date of the period of performance (2 CFR §200.309). Unless the FAA authorizes a written extension, the sponsor must submit all project closeout documentation and liquidate (pay off) all obligations incurred under this award no later than 90 calendar days after the end date of the period of performance (2 CFR §200.343).  
  
The period of performance end date does not relieve or reduce Sponsor obligations and assurances that extend beyond the closeout of a grant agreement.
3. **Ineligible or Unallowable Costs.** The Sponsor must not include any costs in the project that the FAA has determined to be ineligible or unallowable.
4. **Indirect Costs - Sponsor.** Sponsor may charge indirect costs under this award by applying the indirect cost rate identified in the project application as accepted by the FAA, to allowable costs for Sponsor direct salaries and wages.
5. **Determining the Final Federal Share of Costs.** The United States' share of allowable project costs will be made in accordance with the regulations, policies, and procedures of the Secretary. Final determination of the United States' share will be based upon the final audit of the total amount of allowable project costs and settlement will be made for any upward or downward adjustments to the Federal share of costs.
6. **Completing the Project Without Delay and in Conformance with Requirements.** The Sponsor must carry out and complete the project without undue delays and in accordance with this agreement, and the regulations, policies, and procedures of the Secretary. Per 2 CFR § 200.308, the Sponsor agrees to report to the FAA any disengagement from performing the project that exceeds three months. The report must include a reason for the project stoppage. The Sponsor also agrees to comply with the assurances which are part of this agreement.
7. **Amendments or Withdrawals before Grant Acceptance.** The FAA reserves the right to amend or withdraw this offer at any time prior to its acceptance by the Sponsor.
8. **Offer Expiration Date.** This offer will expire and the United States will not be obligated to pay any part of the costs of the project unless this offer has been accepted by the Sponsor on or before **August 30, 2019**, or such subsequent date as may be prescribed in writing by the FAA.
9. **Improper Use of Federal Funds.** The Sponsor must take all steps, including litigation if necessary, to recover Federal funds spent fraudulently, wastefully, or in violation of Federal antitrust statutes, or misused in any other manner for any project upon which Federal funds have been expended. For the purposes of this grant agreement, the term "Federal funds" means funds however used or dispersed by the Sponsor, that were originally paid pursuant to this or any other Federal grant agreement. The Sponsor must obtain the approval of the Secretary as to any determination of the amount of the Federal share of such funds. The Sponsor must return the recovered Federal share, including funds recovered by settlement, order, or judgment, to the Secretary. The Sponsor must furnish to the Secretary, upon request, all documents and records pertaining to the determination of the amount of the Federal share or to any

settlement, litigation, negotiation, or other efforts taken to recover such funds. All settlements or other final positions of the Sponsor, in court or otherwise, involving the recovery of such Federal share require advance approval by the Secretary.

10. **United States Not Liable for Damage or Injury.** The United States is not responsible or liable for damage to property or injury to persons which may arise from, or be incident to, compliance with this grant agreement.
11. **System for Award Management (SAM) Registration And Universal Identifier.**
  - A. Requirement for System for Award Management (SAM): Unless the Sponsor is exempted from this requirement under 2 CFR 25.110, the Sponsor must maintain the currency of its information in the SAM until the Sponsor submits the final financial report required under this grant, or receives the final payment, whichever is later. This requires that the Sponsor review and update the information at least annually after the initial registration and more frequently if required by changes in information or another award term. Additional information about registration procedures may be found at the SAM website (currently at <http://www.sam.gov>).
  - B. Data Universal Numbering System: DUNS number means the nine-digit number established and assigned by Dun and Bradstreet, Inc. (D & B) to uniquely identify business entities. A DUNS number may be obtained from D & B by telephone (currently 866-705-5771) or on the web (currently at <http://fedgov.dnb.com/webform>).
12. **Electronic Grant Payment(s).** Unless otherwise directed by the FAA, the Sponsor must make each payment request under this agreement electronically via the Delphi eInvoicing System for Department of Transportation (DOT) Financial Assistance Awardees.
13. **Informal Letter Amendment of AIP Projects.** If, during the life of the project, the FAA determines that the maximum grant obligation of the United States exceeds the expected needs of the Sponsor by \$25,000 or five percent (5%), whichever is greater, the FAA can issue a letter amendment to the Sponsor unilaterally reducing the maximum obligation.  
  
The FAA can also issue a letter to the Sponsor increasing the maximum obligation if there is an overrun in the total actual eligible and allowable project costs to cover the amount of the overrun provided it will not exceed the statutory limitations for grant amendments. The FAA's authority to increase the maximum obligation does not apply to the "planning" component of condition No. 1.  
  
The FAA can also issue an informal letter amendment that modifies the grant description to correct administrative errors or to delete work items if the FAA finds it advantageous and in the best interests of the United States.  
  
An informal letter amendment has the same force and effect as a formal grant amendment.
14. **Air and Water Quality.** The Sponsor is required to comply with all applicable air and water quality standards for all projects in this grant. If the Sponsor fails to comply with this requirement, the FAA may suspend, cancel, or terminate this agreement.
15. **Financial Reporting and Payment Requirements.** The Sponsor will comply with all federal financial reporting requirements and payment requirements, including submittal of timely and accurate reports.
16. **Buy American.** Unless otherwise approved in advance by the FAA, the Sponsor will not acquire or permit any contractor or subcontractor to acquire any steel or manufactured products produced outside the United States to be used for any project for which funds are provided under this grant. The Sponsor will include a provision implementing Buy American in every contract.
17. **Audits for Public Sponsors.** The Sponsor must provide for a Single Audit or program specific audit in accordance with 2 CFR part 200. The Sponsor must submit the audit reporting package to the Federal



Audit Clearinghouse on the Federal Audit Clearinghouse's Internet Data Entry System at <http://harvester.census.gov/facweb/>. Provide one copy of the completed audit to the FAA if requested.

**18. Suspension or Debarment.** When entering into a "covered transaction" as defined by 2 CFR §180.200, the Sponsor must:

- A. Verify the non-federal entity is eligible to participate in this Federal program by:
  - 1. Checking the excluded parties list system (EPLS) as maintained within the System for Award Management (SAM) to determine if the non-federal entity is excluded or disqualified; or
  - 2. Collecting a certification statement from the non-federal entity attesting they are not excluded or disqualified from participating; or
  - 3. Adding a clause or condition to covered transactions attesting individual or firm are not excluded or disqualified from participating.
- B. Require prime contractors to comply with 2 CFR §180.330 when entering into lower-tier transactions (e.g. Sub-contracts).
- C. Immediately disclose to the FAA whenever the Sponsor (1) learns they have entered into a covered transaction with an ineligible entity or (2) suspends or debar a contractor, person, or entity.

**19. Ban on Texting While Driving.**

- A. In accordance with Executive Order 13513, Federal Leadership on Reducing Text Messaging While Driving, October 1, 2009, and DOT Order 3902.10, Text Messaging While Driving, December 30, 2009, the Sponsor is encouraged to:
  - 1. Adopt and enforce workplace safety policies to decrease crashes caused by distracted drivers including policies to ban text messaging while driving when performing any work for, or on behalf of, the Federal government, including work relating to a grant or subgrant.
  - 2. Conduct workplace safety initiatives in a manner commensurate with the size of the business, such as:
    - a. Establishment of new rules and programs or re-evaluation of existing programs to prohibit text messaging while driving; and
    - b. Education, awareness, and other outreach to employees about the safety risks associated with texting while driving.
- B. The Sponsor must insert the substance of this clause on banning texting while driving in all subgrants, contracts and subcontracts.

**20. AIP Funded Work Included in a PFC Application.**

Within 90 days of acceptance of this award, Sponsor must submit to the Federal Aviation Administration an amendment to any approved Passenger Facility Charge (PFC) application that contains an approved PFC project also covered under this grant award. The airport sponsor may not make any expenditure under this award until project work addressed under this award is removed from an approved PFC application by amendment.

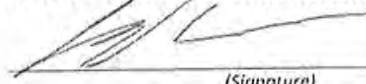
**21. Employee Protection from Reprisal.**

- A. Prohibition of Reprisals –
  - 1. In accordance with 41 U.S.C. § 4712, an employee of a grantee or subgrantee may not be discharged, demoted, or otherwise discriminated against as a reprisal for disclosing to a person or body described in sub-paragraph (A)(2), information that the employee reasonably believes is evidence of:

- i. Gross mismanagement of a Federal grant;
  - ii. Gross waste of Federal funds;
  - iii. An abuse of authority relating to implementation or use of Federal funds;
  - iv. A substantial and specific danger to public health or safety; or
  - v. A violation of law, rule, or regulation related to a Federal grant.
2. Persons and bodies covered: The persons and bodies to which a disclosure by an employee is covered are as follows:
- i. A member of Congress or a representative of a committee of Congress;
  - ii. An Inspector General;
  - iii. The Government Accountability Office;
  - iv. A Federal office or employee responsible for oversight of a grant program;
  - v. A court or grand jury;
  - vi. A management office of the grantee or subgrantee; or
  - vii. A Federal or State regulatory enforcement agency.
3. Submission of Complaint – A person who believes that they have been subjected to a reprisal prohibited by paragraph A of this grant term may submit a complaint regarding the reprisal to the Office of Inspector General (OIG) for the U.S. Department of Transportation.
4. Time Limitation for Submittal of a Complaint - A complaint may not be brought under this subsection more than three years after the date on which the alleged reprisal took place.
5. Required Actions of the Inspector General – Actions, limitations and exceptions of the Inspector General's office are established under 41 U.S.C. § 4712(b)
6. Assumption of Rights to Civil Remedy - Upon receipt of an explanation of a decision not to conduct or continue an investigation by the Office of Inspector General, the person submitting a complaint assumes the right to a civil remedy under 41 U.S.C. § 4712(c).
22. **2018 FAA Reauthorization.** This grant agreement is subject to the terms and conditions contained herein including the terms known as the Grant Assurances as they were published in the Federal Register on April 3, 2014. On October 5, 2018, the FAA Reauthorization Act of 2018 made certain amendments to 49 U.S.C. chapter 471. The Reauthorization Act will require FAA to make certain amendments to the assurances in order to best achieve consistency with the statute. Federal law requires that FAA publish any amendments to the assurances in the Federal Register along with an opportunity to comment. In order not to delay the offer of this grant, the existing assurances are attached herein; however, FAA shall interpret and apply these assurances consistent with the Reauthorization Act. To the extent there is a conflict between the assurances and Federal statutes, the statutes shall apply. The full text of the Act is at <https://www.congress.gov/bill/115th-congress/house-bill/302/text>.

The Sponsor's acceptance of this Offer and ratification and adoption of the Project Application incorporated herein shall be evidenced by execution of this instrument by the Sponsor, as hereinafter provided, and this Offer and Acceptance shall comprise a Grant Agreement, as provided by the Act, constituting the contractual obligations and rights of the United States and the Sponsor with respect to the accomplishment of the Project and compliance with the assurances and conditions as provided herein. Such Grant Agreement shall become effective upon the Sponsor's acceptance of this Offer.

**UNITED STATES OF AMERICA  
FEDERAL AVIATION ADMINISTRATION**



*(Signature)*

**Kristi A. Warden**

*(Typed Name)*

**Director, Airports Division**

*(Title of FAA Official)*

**PART II - ACCEPTANCE**

The Sponsor does hereby ratify and adopt all assurances, statements, representations, warranties, covenants, and agreements contained in the Project Application and incorporated materials referred to in the foregoing Offer, and does hereby accept this Offer and by such acceptance agrees to comply with all of the terms and conditions in this Offer and in the Project Application.

I declare under penalty of perjury that the foregoing is true and correct.<sup>1</sup>

Executed this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

**City and Borough of Sitka**

*(Name of Sponsor)*

*(Signature of Sponsor's Authorized Official)*

**By:**

**Dave Miller**

*(Typed Name of Sponsor's Authorized Official)*

**Title:**

**Interim City Manager**

*(Title of Sponsor's Authorized Official)*

**CERTIFICATE OF SPONSOR'S ATTORNEY**

I, \_\_\_\_\_, acting as Attorney for the Sponsor do hereby certify:

That in my opinion the Sponsor is empowered to enter into the foregoing Grant Agreement under the laws of the State of \_\_\_\_\_. Further, I have examined the foregoing Grant Agreement and the actions taken by said Sponsor and Sponsor's official representative has been duly authorized and that the execution thereof is in all respects due and proper and in accordance with the laws of the said State and the Act. In addition, for grants involving projects to be carried out on property not owned by the Sponsor, there are no legal impediments that will prevent full performance by the Sponsor. Further, it is my opinion that the said Grant Agreement constitutes a legal and binding obligation of the Sponsor in accordance with the terms thereof.

Dated at \_\_\_\_\_ (location) this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

**By:**

*(Signature of Sponsor's Attorney)*

<sup>1</sup>Knowingly and willfully providing false information to the Federal government is a violation of 18 U.S.C. Section 1001 (False Statements) and could subject you to fines, imprisonment, or both.

## ASSURANCES

### PLANNING AGENCY SPONSORS

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#### A. General.

1. These assurances shall be complied with in the performance of grant agreements for airport development, airport planning, and noise compatibility program grants for airport sponsors.
2. These assurances are required to be submitted as part of the project application by sponsors requesting funds under the provisions of Title 49, U.S.C., subtitle VII, as amended. As used herein, the term "public agency sponsor" means a public agency with control of a public-use airport; the term "private sponsor" means a private owner of a public-use airport; and the term "sponsor" includes both public agency sponsors and private sponsors.
3. Upon acceptance of this grant offer by the sponsor, these assurances are incorporated in and become part of this grant agreement.

#### B. Duration and Applicability.

The terms, conditions and assurances of this grant agreement shall remain in full force and effect during the life of the project.

#### C. Sponsor Certification.

The sponsor hereby assures and certifies, with respect to this grant that:

##### 1. General Federal Requirements.

It will comply with all applicable Federal laws, regulations, executive orders, policies, guidelines, and requirements as they relate to the application, acceptance and use of Federal funds for this project including but not limited to the following:

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#### FEDERAL LEGISLATION

- a. Title 49, U.S.C., subtitle VII, as amended.
- b. Federal Fair Labor Standards Act - 29 U.S.C. 201, et seq.
- c. Hatch Act - 5 U.S.C. 1501, et seq.<sup>2</sup>
- d. Rehabilitation Act of 1973 - 29 U.S.C. 794
- e. Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252) (prohibits discrimination on the basis of race, color, national origin)
- f. Americans with Disabilities Act of 1990, as amended, (42 U.S.C. § 12101 et seq.), prohibits discrimination on the basis of disability
- g. Age Discrimination Act of 1975 - 42 U.S.C. 6101, et seq.
- h. Single Audit Act of 1984 - 31 U.S.C. 7501, et seq.<sup>2</sup>
- i. Drug-Free Workplace Act of 1988 - 41 U.S.C. 702 through 706.

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#### EXECUTIVE ORDERS

- a. Executive Order 12372 - Intergovernmental Review of Federal Programs

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#### FEDERAL REGULATIONS

- a. 2 CFR Part 180 - OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement).
- b. 2 CFR Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards. [OMB Circular A-87 Cost Principles Applicable to Grants and Contracts with State and Local Governments, and OMB Circular A-133 - Audits of States, Local Governments, and Non-Profit Organizations].<sup>4, 5, 6</sup>
- c. 2 CFR Part 1200 – Nonprocurement Suspension and Debarment
- d. 14 CFR Part 13 - Investigative and Enforcement Procedures
- e. 14 CFR Part 16 - Rules of Practice For Federally Assisted Airport Enforcement Proceedings.
- f. 28 CFR § 50.3 - U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964.
- g. 49 CFR Part 18 - Uniform administrative requirements for grants and cooperative agreements to state and local governments.<sup>3</sup>
- h. 49 CFR Part 20 - New restrictions on lobbying.
- i. 49 CFR Part 21 – Nondiscrimination in federally-assisted programs of the Department of Transportation - effectuation of Title VI of the Civil Rights Act of 1964.
- j. 49 CFR Part 26 –Participation by Disadvantaged Business Enterprises in Department of Transportation Programs.
- k. 49 CFR Part 28 – Enforcement of Nondiscrimination on the Basis of Handicap in Programs or Activities conducted by the Department of Transportation.
- l. 49 CFR Part 30 - Denial of public works contracts to suppliers of goods and services of countries that deny procurement market access to U.S. contractors.
- m. 28 CFR Part 35- Discrimination on the Basis of Disability in State and Local Government Services.
- n. 28 CFR § 50.3 - U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964.
- o. 49 CFR Part 28 – Enforcement of Nondiscrimination on the Basis of Handicap in Programs or Activities conducted by the Department of Transportation.
- p. 49 CFR Part 32 – Governmentwide Requirements for Drug-Free Workplace (Financial Assistance)
- q. The Federal Funding Accountability and Transparency Act of 2006, as amended (Pub. L. 109-282, as amended by section 6202 of Public Law 110-252).

#### **SPECIFIC ASSURANCES**

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Specific assurances required to be included in grant agreements by any of the above laws, regulations or circulars are incorporated by reference in this grant agreement.

#### **FOOTNOTES TO ASSURANCE C.1.**

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- <sup>1</sup> These laws do not apply to airport planning sponsors.
- <sup>2</sup> These laws do not apply to private sponsors.



- <sup>3</sup> 49 CFR Part 18 and 2 CFR Part 200 contain requirements for State and Local Governments receiving Federal assistance. Any requirement levied upon State and Local Governments by this regulation and circular shall also be applicable to private sponsors receiving Federal assistance under Title 49, United States Code.
- <sup>4</sup> On December 26, 2013 at 78 FR 78590, the Office of Management and Budget (OMB) issued the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards in 2 CFR Part 200. 2 CFR Part 200 replaces and combines the former Uniform Administrative Requirements for Grants (OMB Circular A-102 and Circular A-110 or 2 CFR Part 215 or Circular) as well as the Cost Principles (Circulars A-21 or 2 CFR part 220; Circular A-87 or 2 CFR part 225; and A-122, 2 CFR part 230). Additionally it replaces Circular A-133 guidance on the Single Annual Audit. In accordance with 2 CFR section 200.110, the standards set forth in Part 200 which affect administration of Federal awards issued by Federal agencies become effective once implemented by Federal agencies or when any future amendment to this Part becomes final. Federal agencies, including the Department of Transportation, must implement the policies and procedures applicable to Federal awards by promulgating a regulation to be effective by December 26, 2014 unless different provisions are required by statute or approved by OMB.
- <sup>5</sup> Cost principles established in 2 CFR part 200 subpart E must be used as guidelines for determining the eligibility of specific types of expenses.
- <sup>6</sup> Audit requirements established in 2 CFR part 200 subpart F are the guidelines for audits.

**2. Responsibility and Authority of the Sponsor.**

It has legal authority to apply for this grant, and to finance and carry out the proposed project; that a resolution, motion or similar action has been duly adopted or passed as an official act of the applicant's governing body authorizing the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.

**3. Sponsor Fund Availability.**

It has sufficient funds available for that portion of the project costs which are not to be paid by the United States.

**4. Preserving Rights and Powers.**

- a. It will not take or permit any action which would operate to deprive it of any of the rights and powers necessary to perform any or all of the terms, conditions, and assurances in this grant agreement without the written approval of the Secretary

**5. Consistency with Local Plans.**

The project is reasonably consistent with plans (existing at the time of submission of this application) of public agencies in the planning area.

**6. Accounting System, Audit, and Record Keeping Requirements.**

- a. It shall keep all project accounts and records which fully disclose the amount and disposition by the recipient of the proceeds of this grant, the total cost of the project in connection with which this grant is given or used, and the amount or nature of that portion of the cost of the project supplied by other sources, and such other financial records pertinent to the project. The accounts and records shall be kept in accordance with an accounting system that will facilitate an effective audit in accordance with the Single Audit Act of 1984.
- b. It shall make available to the Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, for the purpose of audit and examination, any

books, documents, papers, and records of the recipient that are pertinent to this grant. The Secretary may require that an appropriate audit be conducted by a recipient. In any case in which an independent audit is made of the accounts of a sponsor relating to the disposition of the proceeds of a grant or relating to the project in connection with which this grant was given or used, it shall file a certified copy of such audit with the Comptroller General of the United States not later than six (6) months following the close of the fiscal year for which the audit was made.

#### 7. Planning Projects.

In carrying out planning projects:

- a. It will execute the project in accordance with the approved program narrative contained in the project application or with modifications similarly approved.
- b. It will furnish the Secretary with such periodic reports as required pertaining to the planning project and planning work activities.
- c. It will include in all published material prepared in connection with the planning project a notice that the material was prepared under a grant provided by the United States.
- d. It will make such material available for examination by the public, and agrees that no material prepared with funds under this project shall be subject to copyright in the United States or any other country.
- e. It will give the Secretary unrestricted authority to publish, disclose, distribute, and otherwise use any of the material prepared in connection with this grant.
- f. It will grant the Secretary the right to disapprove the Sponsor's employment of specific consultants and their subcontractors to do all or any part of this project as well as the right to disapprove the proposed scope and cost of professional services.
- g. It will grant the Secretary the right to disapprove the use of the sponsor's employees to do all or any part of the project.
- h. It understands and agrees that the Secretary's approval of this project grant or the Secretary's approval of any planning material developed as part of this grant does not mean constitute or imply any assurance or commitment on the part of the Secretary to approve any pending or future application for a Federal airport grant.

#### 8. Reports and Inspections.

It will submit to the Secretary such annual or special financial and operations reports as the Secretary may reasonably request.

#### 9. Civil Rights.

It will promptly take any measures necessary to ensure that no person in the United States shall, on the grounds of race, creed, color, national origin, sex, age, or disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in any activity conducted with, or benefiting from, funds received from this grant.

- a. Using the definitions of activity, facility and program as found and defined in §§ 21.23 (b) and 21.23 (e) of 49 CFR § 21, the sponsor will facilitate all programs, operate all facilities, or conduct all programs in compliance with all non-discrimination requirements imposed by, or pursuant to these assurances.



## b. Applicability

- 1) Programs and Activities. If the sponsor has received a grant (or other federal assistance) for any of the sponsor's program or activities, these requirements extend to all of the sponsor's programs and activities.
- 2) Facilities. Where it receives a grant or other federal financial assistance to construct, expand, renovate, remodel, alter or acquire a facility, or part of a facility, the assurance extends to the entire facility and facilities operated in connection therewith.
- 3) Real Property. Where the sponsor receives a grant or other Federal financial assistance in the form of, or for the acquisition of real property or an interest in real property, the assurance will extend to rights to space on, over, or under such property.

## c. Duration.

The sponsor agrees that it is obligated to this assurance for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the assurance obligates the sponsor, or any transferee for the longer of the following periods:

- 4) So long as the airport is used as an airport, or for another purpose involving the provision of similar services or benefits; or
- 5) So long as the sponsor retains ownership or possession of the property.
  - a.) Required Solicitation Language.
  - b.) It will include the following notification in all solicitations for bids, Requests For Proposals for work, or material under this grant agreement and in all proposals for agreements, including airport concessions, regardless of funding source:

"The **(Name of Sponsor)**, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises and airport concession disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award."

## d. Required Contract Provisions.

- 1) It will insert the non-discrimination contract clauses requiring compliance with the acts and regulations relative to non-discrimination in Federally-assisted programs of the DOT, and incorporating the acts and regulations into the contracts by reference in every contract or agreement subject to the non-discrimination in Federally-assisted programs of the DOT acts and regulations.
- 2) It will include a list of the pertinent non-discrimination authorities in every contract that is subject to the non-discrimination acts and regulations.
- 3) It will insert non-discrimination contract clauses as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a sponsor.
- 4) It will insert non-discrimination contract clauses prohibiting discrimination on the basis of race, color, national origin, creed, sex, age, or handicap as a covenant running with the land, in any future deeds, leases, license, permits, or similar instruments entered into by

the sponsor with other parties:

- a.) For the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
  - b.) For the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.
  - e. It will provide for such methods of administration for the program as are found by the Secretary to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the acts, the regulations, and this assurance.
  - f. It agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the acts, the regulations, and this assurance.
- 10. Engineering and Design Services.**
- It will award each contract, or sub-contract for program management, construction management, planning studies, feasibility studies, architectural services, preliminary engineering, design, engineering, surveying, mapping or related services with respect to the project in the same manner as a contract for architectural and engineering services is negotiated under Title IX of the Federal Property and Administrative Services Act of 1949 or an equivalent qualifications-based requirement prescribed for or by the sponsor of the airport.
- 11. Foreign Market Restrictions.**
- It will not allow funds provided under this grant to be used to fund any project which uses any product or service of a foreign country during the period in which such foreign country is listed by the United States Trade Representative as denying fair and equitable market opportunities for products and suppliers of the United States in procurement and construction.
- 12. Policies, Standards, and Specifications.**
- It will carry out the project in accordance with policies, standards, and specifications approved by the Secretary.
- 13. Disadvantaged Business Enterprises.**
- The recipient shall not discriminate on the basis of race, color, national origin or sex in the award and performance of any DOT-assisted contract covered by 49 CFR Part 26. The recipient shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure nondiscrimination in the award and administration of DOT-assisted contracts. The recipient's DBE program, as required by 49 CFR Parts 26, and as approved by DOT, is incorporated by reference in this agreement. Implementation of these programs is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to the recipient of its failure to carry out its approved program, the Department may impose sanctions as provided for under Parts 26 and 23 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. § 1001 and/or the Program Fraud Civil Remedies Act of 1936 (31 U.S.C. § 3801).



**FAA  
Airports**

## Current FAA Advisory Circulars Required for Use in AIP Funded and PFC Approved Projects

Updated: 4/18/2019

View the most current versions of these ACs and any associated changes at:  
[http://www.faa.gov/airports/resources/advisory\\_circulars](http://www.faa.gov/airports/resources/advisory_circulars) and  
[http://www.faa.gov/regulations\\_policies/advisory\\_circulars/](http://www.faa.gov/regulations_policies/advisory_circulars/)

NUMBER	TITLE
70/7460-1L Change 2	Obstruction Marking and Lighting
150/5000-9A	Announcement of Availability Report No. DOT/FAA/PP/92-5, Guidelines for the Sound Insulation of Residences Exposed to Aircraft Operations
150/5000-17	Critical Aircraft and Regular Use Determination
150/5020-1	Noise Control and Compatibility Planning for Airports
150/5070-6B Changes 1- 2	Airport Master Plans
150/5070-7 Change 1	The Airport System Planning Process
150/5100-13B	Development of State Standards for Nonprimary Airports
150/5200-28F	Notices to Airmen (NOTAMS) for Airport Operators
150/5200-30D Change 1	Airport Field Condition Assessments and Winter Operations Safety
150/5200-31C Changes 1-2	Airport Emergency Plan
150/5210-5D	Painting, Marking, and Lighting of Vehicles Used on an Airport
150/5210-7D	Aircraft Rescue and Fire Fighting Communications

NUMBER	TITLE
150/5210-13C	Airport Water Rescue Plans and Equipment
150/5210-14B	Aircraft Rescue Fire Fighting Equipment, Tools and Clothing
150/5210-15A	Aircraft Rescue and Firefighting Station Building Design
150/5210-18A	Systems for Interactive Training of Airport Personnel
150/5210-19A	Driver's Enhanced Vision System (DEVs)
150/5220-10E	Guide Specification for Aircraft Rescue and Fire Fighting (ARFF) Vehicles
150/5220-16E Changes 1	Automated Weather Observing Systems (AWOS) for Non-Federal Applications
150/5220-17B	Aircraft Rescue and Fire Fighting (ARFF) Training Facilities
150/5220-18A	Buildings for Storage and Maintenance of Airport Snow and Ice Control Equipment and Materials
150/5220-20A	Airport Snow and Ice Control Equipment
150/5220-21C	Aircraft Boarding Equipment
150/5220-22B	Engineered Materials Arresting Systems (EMAS) for Aircraft Overruns
150/5220-23	Frangible Connections
150/5220-24	Foreign Object Debris Detection Equipment
150/5220-25	Standard Airport Avian Radar Systems
150/5220-26 Changes 1-2	Airport Ground Vehicle Automatic Dependent Surveillance - Broadcast (ADS-B) Out Squitter Equipment
150/5300-13A Change 1	Airport Design
150/5300-14C	Design of Aircraft Deicing Facilities
150/5300-16A	General Guidance and Specifications for Aeronautical Surveys: Establishment of Geodetic Control and Submission to the National Geodetic Survey
150/5300-17C Change 1	Standards for Using Remote Sensing Technologies in Airport Surveys
150/5300-18B Change 1	General Guidance and Specifications for Submission of Aeronautical Surveys to NGS: Field Data Collection and Geographic Information System (GIS) Standards

NUMBER	TITLE
150/5320-5D	Airport Drainage Design
150/5320-6F	Airport Pavement Design and Evaluation
150/5320-12C Changes 1-8	Measurement, Construction, and Maintenance of Skid Resistant Airport Pavement Surfaces
150/5320-15A	Management of Airport Industrial Waste
150/5235-4B	Runway Length Requirements for Airport Design
150/5335-5C	Standardized Method of Reporting Airport Pavement Strength - PCN
150/5340-1L	Standards for Airport Markings
150/5340-5D	Segmented Circle Airport Marker System
150/5340-18F	Standards for Airport Sign Systems
150/5340-26C	Maintenance of Airport Visual Aid Facilities
150/5340-30J	Design and Installation Details for Airport Visual Aids
150/5345-3G	Specification for L-821, Panels for the Control of Airport Lighting
150/5345-5B	Circuit Selector Switch
150/5345-7F	Specification for L-824 Underground Electrical Cable for Airport Lighting Circuits
150/5345-10H	Specification for Constant Current Regulators and Regulator Monitors
150/5345-12F	Specification for Airport and Heliport Beacons
150/5345-13B	Specification for L-841 Auxiliary Relay Cabinet Assembly for Pilot Control of Airport Lighting Circuits
150/5345-26D	FAA Specification For L-823 Plug and Receptacle, Cable Connectors
150/5345-27E	Specification for Wind Cone Assemblies
150/5345-28G	Precision Approach Path Indicator (PAPI) Systems
150/5345-39D	Specification for L-853, Runway and Taxiway Retro reflective Markers
150/5345-42H	Specification for Airport Light Bases, Transformer Housings, Junction Boxes, and Accessories
150/5345-43H	Specification for Obstruction Lighting Equipment



NUMBER	TITLE
150/5345-44K	Specification for Runway and Taxiway Signs
150/5345-45C	Low-Impact Resistant (LIR) Structures
150/5345-46E	Specification for Runway and Taxiway Light Fixtures
150/5345-47C	Specification for Series to Series Isolation Transformers for Airport Lighting Systems
150/5345-49D	Specification L-854, Radio Control Equipment
150/5345-50B	Specification for Portable Runway and Taxiway Lights
150/5345-51B	Specification for Discharge-Type Flashing Light Equipment
150/5345-52A	Generic Visual Glideslope Indicators (GVGI)
150/5345-53D	Airport Lighting Equipment Certification Program
150/5345-54B	Specification for L-884, Power and Control Unit for Land and Hold Short Lighting Systems
150/5345-55A	Specification for L-893, Lighted Visual Aid to Indicate Temporary Runway Closure
150/5345-56B	Specification for L-890 Airport Lighting Control and Monitoring System (ALCMS)
150/5360-12F	Airport Signing and Graphics
150/5360-13A	Airport Terminal Planning
150/5360-14A	Access to Airports By Individuals With Disabilities
150/5370-2G	Operational Safety on Airports During Construction
150/5370-10H	Standards for Specifying Construction of Airports
150/5370-11B	Use of Nondestructive Testing in the Evaluation of Airport Pavements
150/5370-13A	Off-Peak Construction of Airport Pavements Using Hot-Mix Asphalt
150/5370-15B	Airside Applications for Artificial Turf
150/5370-16	Rapid Construction of Rigid (Portland Cement Concrete) Airfield Pavements
150/5370-17	Airside Use of Heated Pavement Systems
150/5390-2C	Heliport Design



NUMBER	TITLE
150/5395-1A	Seaplane Bases

**THE FOLLOWING ADDITIONAL APPLY TO AIP PROJECTS ONLY**

Updated: 3/22/2019

<b>NUMBER</b>	<b>TITLE</b>
150/5100-14E Change 1	Architectural, Engineering, and Planning Consultant Services for Airport Grant Projects
150/5100-17 Changes 1 - 7	Land Acquisition and Relocation Assistance for Airport Improvement Program Assisted Projects
150/5300-15A	Use of Value Engineering for Engineering Design of Airport Grant Projects
150/5320-17A	Airfield Pavement Surface Evaluation and Rating Manuals
150/5370-12B	Quality Management for Federally Funded Airport Construction Projects
150/5380-6C	Guidelines and Procedures for Maintenance of Airport Pavements
150/5380-7B	Airport Pavement Management Program
150/5380-9	Guidelines and Procedures for Measuring Airfield Pavement Roughness

# Action Plan

Strategy No. B  
Plan No. 1  
Updated: 8/16/19

**Strategy:** We will identify and pursue Economic Development Opportunities.

**Specific Result:** To build a public use Seaplane Base.

#	ACTION STEP (Number each one)	Assigned To:	Start Date:	Due Date:	Completed Date:
1	Work with the DEED Commissioner and Tim Mearig to on a letter for the acquisition of DEED Uplands property for the Sitka Seaplane Base. We received a 'Letter of Cooperation' from DEED.	Mayor, Cropper & Hanson	6/7/19	7/30/19	7/25/19
2	Complete the tidelands conveyance process. Application submitted to DNR 5/1/19.	Cropper	5/1/19	5/1/20	
3	Complete the Fair Market Value Appraisal of the DEED uplands property at a cost of \$4,500.	Cropper	6/18/19	7/30/19	6/30/19
4	Complete the Consultant selection process for the Environmental Assessment & Aviation Planning Services.	Cropper	5/1/19	7/30/19	8/12/19
5	Assembly to approve acceptance of grant offer & appropriation for grant and the required match. a Resolution authorizing the Mayor to Sign & Accept the LOI and also authorizing the CBS to prepare and submit all future SPB grant applications (typically requires a 6.25% match).	Harmon Richter	8/16/19 6/25/19	8/27/19 7/23/19	
6	Prepare and submit the Airport Improvement Project (AIP) Planning Grant request to the Federal Aviation Administration (FAA).	Cropper	5/1/19	8/1/19	8/12/19
7	<del>Attend the September State Board meeting and present the final LOI for their acceptance and signature.</del> NOT REQUIRED ANY MORE	Richter	9/18/19	9/19/19	
8	Complete EA/Planning phase work and develop preliminary Operational Business Plan.	Cropper	9/15/19	2/1/21	
9	Assembly approval of budget ordinance for all	Miller &	4/15/21	4/15/21	

	remaining grant match funding required to complete the project – Design, Land Acquisition and Construction. (6.25% of total project cost, approximately \$1 million match)	Assembly			
10	Complete grant submittal for 2021 AIP grants including Supplemental AIP Design, Construction & Land Acquisition 2021 grants.	Cropper	2/1/21	4/5/21	
11	Assembly to approve grant to enter design and construction phases. FAA grant requires CBS to fully commit to the project or return grant funding.	Miller & Assembly	4/25/21	4/25/21	
12	Award Consultant Design Contract, and prepare Design & Bid documents and bid project.	Miller & Assembly	5/25/21	4/1/22	
13	Execute Purchase Agreement for the DEED owned uplands.	Cropper, Sweeney & Hanson	9/25/21	1/25/22	
14	Apply for 2022 AIP Construction Grant.	Cropper	4/25/22	8/30/22	
15	Bid and Construct the Seaplane Base.	Cropper	5/25/22	9/25/24	
16	Complete the Operational Plan and Fee Schedule.	Cropper & Harmon	9/25/23	3/25/24	
17	Seaplane Base becomes operational	Cropper	9/25/24		
Responsible:			Michael Harmon		

**CITY AND BOROUGH OF SITKA**

**RESOLUTION NO. 2018-22**

**A RESOLUTION OF THE CITY AND BOROUGH OF SITKA AUTHORIZING THE ADMINISTRATOR TO PROCURE A LETTER OF COMMITMENT FROM THE STATE OF ALASKA FOR THE ACQUISITION OF PARCEL 1-9208-000 FOR A NEW SITKA SEAPLANE BASE FACILITY ON JAPONSKI ISLAND ELIGIBLE FOR AN AIRPORT IMPROVEMENT PROGRAM GRANT from THE FEDERAL AVIATION ADMINISTRATION (FAA)**

**WHEREAS**, the current Sitka seaplane base was originally constructed by the State of Alaska and transferred to CBS and provides the only non-private seaplane access in Sitka; and

**WHEREAS**, the current Sitka seaplane base was recently condemned and then reopened with a 5-year remaining service life after a major emergency repair was required due to significant structural failures; and

**WHEREAS**, the Assembly has now declared the Sitka Seaplane Base Project as a community Legislative Priority for the last three years and has completed a detailed siting study to determine the preferred location of a new seaplane base in Sitka; and

**WHEREAS**, the preferred Sitka seaplane base location is on Japonski Island at the end of Seward Street, parcel # 1-9208-000 and is owned by the State of Alaska; and

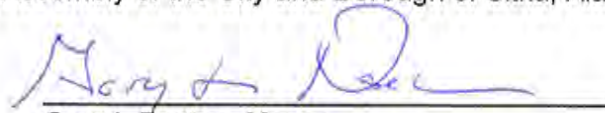
**WHEREAS**, this location and project is critical to the safety of seaplanes in the area including access to support tourism, fishing, search and rescue, health care and much more; and

**WHEREAS**, the Economic Impact Study conducted in 2016 predicts significant positive economic impacts to Sitka and is projected to stimulate commercial activity, tourism, and positive job creation; and

**WHEREAS**, to move the project forward, the CBS is requesting a letter of commitment from the State of Alaska to convey the critical property needed to support this vitally important project which is eligible for up to 100% Federal Funding.

**NOW, THEREFORE, BE IT RESOLVED** the Assembly of the City and Borough of Sitka, Alaska, hereby authorizes the Administrator to procure a letter of commitment from the State of Alaska for the acquisition of Parcel #1-9208-000 for a new Sitka Seaplane Base facility on Japonski Island eligible for an Airport Improvement Program grant from the Federal Aviation Administration.

**PASSED, APPROVED, AND ADOPTED** by the Assembly of the City and Borough of Sitka, Alaska on this 9<sup>th</sup> day of October, 2018.

  
Gary L Paxton, Mayor

ATTEST:

  
Sara Peterson, MMC  
Municipal Clerk

1<sup>st</sup> and final reading 10/9/18

Sponsor: Administrator



# CITY AND BOROUGH OF SITKA

## Legislation Details

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File #: ORD 19-37    Version: 1    Name:

Type: Ordinance    Status: AGENDA READY

File created: 8/20/2019    In control: City and Borough Assembly

On agenda: 8/27/2019    Final action:

Title: Making supplemental appropriations for FY2020 (Seaplane Base Grant - Environmental Assessment and Aviation Planning) 1st reading

Sponsors:

Indexes:

Code sections:

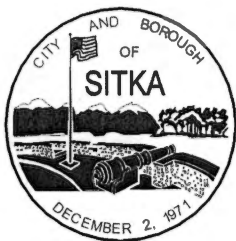
Attachments: [Motion Ord 2019-37](#)  
[Memo Ord 2019-37](#)  
[Ord 2019-37](#)

Date	Ver.	Action By	Action	Result
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## **POSSIBLE MOTION**

**I MOVE TO** approve Ordinance 2019-37 on  
first reading.



# City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

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## MEMORANDUM

**To:** Mayor Paxton and Assembly Members

**From:** Dave Miller, Interim Municipal Administrator

**Reviewed:** Brian Hanson, Municipal Attorney *BEH*  
Michael Harmon P.E., Public Works Director *MA*  
Melissa Haley, Acting CFAO *MH*

**Date:** August 20, 2019

**Subject:** **Airport Improvement Program (AIP) Grant for the Sitka Seaplane Base:**  
Funding for the Environmental Assessment & Aviation Planning Services  
(FAA Project No: 3-02-0488-001-2019)

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### Requested Action:

Authorize the Municipal Administrator to execute all necessary documents to accept, execute, and administer an \$842,629 Airport Improvement Program (AIP) grant offer from the Federal Aviation Administration (FAA) to complete the Environmental Assessment and Aviation Planning Services for the new Sitka Seaplane Base and commit to the required grant match of \$56,176.

### Summary

- The FAA has made an AIP grant offer for an Environmental Assessment and Aviation Planning Services grant for the proposed new Sitka Seaplane Base.
- We anticipate receiving three AIP grants for each phase of this project as follows:
  1. Environmental Assessment & Aviation Planning
  2. Design and Land Acquisition
  3. Construction
- The grant offer must be accepted, signed, and certified by August 30<sup>th</sup>, 2019 or the offer expires.
- The AIP grant offer totals \$898,805.00 with a CBS match of \$56,176.
- The FY20 Budget planned for a total of \$16,000,000 in contingent grants for all phases of this project.
- No grant match funds were appropriated in the FY 20 Budget. We anticipate a total match of approximately \$1-million for all phases of this project.
- Assembly approval is requested for the grant acceptance and City match.

## **Fiscal Note**

In the FY2020 budget the assembly has approved appropriations for contingent grants for this project up to \$16,000,000. Upon assembly approval to execute this grant award, \$842,629 will become approved. This grant requires a match in the amount of \$56,176. This will be a supplemental capital appropriation in the Harbor Fund. We propose that the funding of the match for this grant come from the General Fund. Due to conservative budgeting for FY2019, we anticipate more of a surplus than what was originally budgeted for in the General Fund.

This grant is a federal grant that requires full compliance with 2 CFR part 200 and is subject to a Single Audit.

## **Background**

CBS staff has prioritized the development of the new Sitka Seaplane Base Project and pursued AIP Grant funding from the FAA. Please refer to the attached Assembly Action Plan and associated resolution identifying this project as a high priority for completion.

The grant offer we have received for Phase-1 will fund the aviation planning and Environmental Assessment (EA) required to be completed before the project moves forward to complete the design and land acquisition (Phase 2). The work in Phase-1 will focus on the environmental permitting specific to the preferred State owned site at the north end of Japonski Island (1109 Seward Avenue) and the adjacent DNR tide and submerged lands. The CBS has applied to DNR for the conveyance of 23 acres of "Tide and Submerged Lands" for the dock and its operating area.

The EA will assess the suitability of the proposed location and the impacts of the site and any actions required to mitigate the predicted impacts. A "Finding of No Significant Impacts" (FONSI) from FAA at the completion of the EA is required to move forward and receive any additional AIP grants.

The aviation preliminary planning will include reviewing and updating the conclusions in the previous studies such as determining demand and correct size, planning for future expansion, facility layout, survey and topography verification, land acquisition planning for both the uplands, tide and submerged lands, and will include public meetings, agency meetings, and workshops with stakeholders.

Summary of work completed to qualify for this Phase-1 AIP grant:

- Published a Request for Airport Consultant Qualifications
- Set up a selection team and selected the highest ranked consultant team.
- Negotiated the Scope of Work and Fees.
- Completed the grant application and review with FAA
- Submitted signed grant application on 8/12/2019.
- The Grant Offer was received 8/16/2019.

CITY AND BOROUGH OF SITKA

ORDINANCE NO. 2019-37

AN ORDINANCE OF THE CITY AND BOROUGH OF SITKA MAKING SUPPLEMENTAL  
APPROPRIATIONS FOR FISCAL YEAR 2020

(Seaplane Base Grant – Environmental Assessment and Aviation Planning)

**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 make a supplemental capital appropriation for FY2020.

4. **ENACTMENT.** In accordance with Section 11.10(a) of the Charter of the City and Borough of Sitka, Alaska, the Assembly hereby makes the following supplemental appropriation for the budget period beginning July 1, 2019 and ending June 30, 2020:

<b><u>FISCAL YEAR 2020 EXPENDITURE BUDGETS</u></b>
<b>Harbor Fund Capital Project Fund</b>
<b>Fund 750 –Seaplane Base Project #90879: Increase appropriation in the amount of \$56,176 for the Grant match. These come from the General Fund working capital.</b>

**EXPLANATION**

The appropriation \$56,176 will leverage \$842,629 in grant funding from the FAA for the initial stages (environmental assessment and aviation planning). While the project is held in the Harbor Fund (capital project fund) the funds will be transferred from the General Fund.

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

**PASSED, APPROVED, AND ADOPTED** by the Assembly of the City and Borough of Sitka, Alaska this 10th Day of September, 2019.

**ATTEST:**

\_\_\_\_\_  
Gary L. Paxton, Mayor

\_\_\_\_\_  
Sara Peterson, MMC  
Municipal Clerk

1<sup>st</sup> reading 8/27/19

2<sup>nd</sup> and final reading 9/10/19

Sponsor: Interim Administrator



# CITY AND BOROUGH OF SITKA

## Legislation Details

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File #: ORD 19-35      Version: 1      Name:

Type: Ordinance      Status: AGENDA READY

File created: 8/20/2019      In control: City and Borough Assembly

On agenda: 8/27/2019      Final action:

Title: Making supplemental appropriations for FY2020 (FY2019 Encumbrances) 1st reading

Sponsors:

Indexes:

Code sections:

Attachments: [Motion Ord 2019-35](#)  
[Memo Ord 2019-35](#)  
[Ord 2019-35](#)

Date	Ver.	Action By	Action	Result
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## **POSSIBLE MOTION**

**I MOVE TO** approve Ordinance 2019-35 on  
first reading.





# City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

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## MEMORANDUM

**To:** Mayor Paxton and Assembly Members  
Dave Miller, Interim Municipal Administrator

**From:** Melissa Haley, Acting CFAO

**Date:** August 21, 2019

**Subject:** FY2020 Appropriation of funds encumbered in FY2019

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### **Summary**

Section 11.12 of the Home Rule Charter of the City and Borough of Sitka (the Charter) specifies that unencumbered surpluses of the General Fund lapse at the end of a fiscal year. The Municipality has historically interpreted this provision of the Charter to mean that encumbered (committed) appropriations at the end of a fiscal year do not lapse.

The accounting system for the Municipality is not able to maintain unexpired operating appropriations in one fiscal year, but, account for expenditures against such appropriations in subsequent fiscal years. Therefore, in order to ensure the provisions of Section 11.12 of the Charter are adhered to, encumbered but unexpended appropriations at the end of each fiscal year are re-appropriated through a supplemental appropriation as set forth in Section 11.10 of the Charter.

### **Background**

While there is a firm end to the fiscal year, often projects are ongoing and continue into a new fiscal year. When this happens, the committed portion of the budget must be moved into the new fiscal year.

### **Fiscal Note**

The FY2019 budget will be reduced by \$1,272,286 (\$415,376 in the General Fund, \$246,565 in the Electric Fund, \$23,776 in the Water Fund, \$52,068 in the Wastewater Fund, \$4,395 in the Solid Waste Fund, \$21,570 in the Harbor Fund, \$168,059 in the IT fund, \$331,664 in the Central Garage Fund, and \$8,812 in the Building Maintenance Fund) and the FY2020 Budget will increase by the same amount.

CITY AND BOROUGH OF SITKA

ORDINANCE NO. 2019-35  
AN ORDINANCE OF THE CITY AND BOROUGH OF SITKA  
MAKING SUPPLEMENTAL APPROPRIATIONS FOR FY2020  
(FY2019 Encumbrances)

**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 make supplemental appropriations for Fiscal Year 2019 which is necessary to ensure that encumbered appropriations do not lapse at the end of a fiscal year, in accordance with Section 11.12 of the Home Rule Charter of the City and Borough of Sitka.

4. **ENACTMENT.** In accordance with Section 11.10(a) of the Charter of the City and Borough of Sitka, Alaska, the Assembly hereby makes the following supplemental appropriations for the budget period beginning July 1, 2019 and ending June 30, 2020 is hereby adjusted as follows:

<b><u>FISCAL YEAR 2020 EXPENDITURE BUDGETS</u></b>
<b>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, 2019 and ending June 30, 2020 is hereby adjusted as follows for the purchase orders open as of June 30, 2019.</b>
<b>General Fund - \$415,376.23; Electric Fund - \$246,565.43; Water Fund - \$23,776.32; Wastewater Fund - \$52,068.14; Solid Waste Fund - \$4,395.00; Harbor Fund - \$21,570.23; MIS Fund - \$168,059; Central Garage Fund - \$331,663.82 and \$8,812.00.</b>

**EXPLANATION**

Section 11.12 of the Home Rule Charter of the City and Borough of Sitka (the Charter) specifies that unencumbered surpluses of the General Fund lapse at the end of a fiscal year. The Municipality has historically interpreted this provision of the Charter to mean that encumbered appropriations at the end of a fiscal year do not lapse.

The accounting system for the Municipality is not able to maintain unexpired operating appropriations in one fiscal year, but, account for expenditures against such appropriations in subsequent fiscal years. Therefore, in order to ensure the provisions of Section 11.12 of the Charter are adhered to, encumbered but unexpended appropriations at the end of each fiscal year are re-appropriated through a supplemental appropriation as set forth in Section 11.10 of the Charter.

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

**PASSED, APPROVED, AND ADOPTED** by the Assembly of the City and Borough of Sitka, Alaska this 10th Day of September, 2019.

**ATTEST:**

\_\_\_\_\_  
**Gary L Paxton, Mayor**

\_\_\_\_\_  
**Sara Peterson, MMC**  
**Municipal Clerk**

**1<sup>st</sup> reading 8/27/19**  
**2<sup>nd</sup> and final reading 9/10/19**

**Sponsor: Interim Administrator**



# CITY AND BOROUGH OF SITKA

## Legislation Details

File #: ORD 19-36    Version: 1    Name:

Type: Ordinance    Status: AGENDA READY

File created: 8/20/2019    In control: City and Borough Assembly

On agenda: 8/27/2019    Final action:

Title: Making supplemental appropriations for FY2020 (electrical work at former Sitka Community Hospital facility) 1st reading

Sponsors:

Indexes:

Code sections:

Attachments: [Motion Ord 2019-36](#)  
[Memo Ord 2019-36](#)  
[Ord 2019-36](#)  
[Exhibit D](#)

Date	Ver.	Action By	Action	Result
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## **POSSIBLE MOTION**

**I MOVE TO** approve Ordinance 2019-36 on  
first reading.



# City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

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## MEMORANDUM

**To:** Mayor Paxton and Assembly Members  
Dave Miller, Interim Municipal Administrator

**From:** Melissa Haley, Acting CFAO  
Cliff Richter, Municipal Engineer

**Date:** August 19, 2019

**Subject:** Appropriation for electrical repairs of former Sitka Community Hospital building

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### Summary

The project includes the replacement of four (4) Automatic Transfer Switches that are nearing the end of their useful life and are in need of replacement. The automatic transfer switches perform the function of switching critical, life safety hospital infrastructure and equipment over to generator power in the event of a power outage to avoid any disruption in essential hospital services, especially those related to the long term care facility. Additional related work includes existing branch circuit corrections that require rewiring to appropriate panels in order to comply with modern electrical codes per National Fire National Association (NFPA) 99 - Health Care Facilities Code.

### Background

Per Exhibit D of the Facility Lease Agreement, items 1 and 2 (the automatic transfer switches and the branch circuit corrections) are both the responsibility of the City and Borough of Sitka (CBS). As these repairs could not be accomplished prior to when the Sitka Community Hospital ceased operations, the CBS Public Works department is managing the project which will be paid for out of fund 190 (previously the Tobacco Excise Tax Fund), where all.

### Fiscal Note

All financial activity related to the Sitka Community Hospital and the Tobacco Excise Tax will be recorded in Fund 190 going forward. An appropriation of \$150,000 for the electrical repairs is needed to ensure that hospital building's electrical system functions properly.



CITY AND BOROUGH OF SITKA

ORDINANCE NO. 2019-36  
AN ORDINANCE OF THE CITY AND BOROUGH OF SITKA MAKING SUPPLEMENTAL  
APPROPRIATIONS FOR FY2020  
(Electrical Work at former Sitka Community Hospital Facility)

**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 make a supplemental operating appropriation for FY2020.

4. **ENACTMENT.** In accordance with Section 11.10(a) of the Charter of the City and Borough of Sitka, Alaska, the Assembly hereby makes the following supplemental appropriation for the budget period beginning July 1, 2019 and ending June 30, 2020.

:

<b><u>FISCAL YEAR 2020 EXPENDITURE BUDGETS</u></b>
<b>SPECIAL REVENUE FUNDS</b>
<b>Fund 190 –Sitka Community Hospital Dedicated Fund – Operations: Increase appropriation in the amount of \$150,000 for the electrical work at old Sitka Community Hospital facility.</b>

**EXPLANATION**

Per Exhibit D of the Facility Lease Agreement, specific repairs of the hospital building's electric system were negotiated to be the responsibility of the Lessor (CBS).

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

**PASSED, APPROVED, AND ADOPTED** by the Assembly of the City and Borough of Sitka, Alaska this 10th Day of September, 2019.

**ATTEST:**

\_\_\_\_\_  
**Gary L. Paxton, Mayor**

\_\_\_\_\_  
**Sara Peterson, MMC**  
**Municipal Clerk**

**1<sup>st</sup> reading 8/27/19**

**2<sup>nd</sup> and final reading 9/10/19**

**Sponsor: Interim Administrator**

## EXHIBIT D

### LESSOR'S WORK

1. Replacement of four main electrical automatic transfer switches related to emergency power.
2. Branch Circuit corrections within the electrical service infrastructure (see attached electrical assessment report dated 5/17/16).
3. Scullery grease interceptor installation (main kitchen)

Exhibit D



# CITY AND BOROUGH OF SITKA

## Legislation Details

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File #: 19-186      Version: 1      Name:

Type: Item      Status: AGENDA READY

File created: 8/20/2019      In control: City and Borough Assembly

On agenda: 8/27/2019      Final action:

Title: Approve the Assembly Position Subcommittee recommendation from the August 19 meeting for the Tax Specialist position

Sponsors:

Indexes:

Code sections:

Attachments: [Motion Subcommittee](#)

Date	Ver.	Action By	Action	Result
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## **POSSIBLE MOTION**

**I MOVE TO** approve the recommendation\* of the Assembly Position Committee as outlined in the draft meeting minutes of August 19, 2019 and forward to the Interim Municipal Administrator.

Informational – motion:

### **Tax Specialist**

A motion was made by Nelson to recommend to the Assembly that the position of Tax Specialist be filled. The motion PASSED by the following vote.

Yes: 2 – Wein and Nelson

\*The Controller also made a request for approval of a temp employee to be hired for cross-training purposes. The Subcommittee did not take act - see minutes.

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## Assembly Position Subcommittee Minutes

Monday, August 19, 2019    Noon  
Harrigan Hall Meeting Room 6

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### Subcommittee Members:

Steven Eisenbeisz, Valorie Nelson, and Dr. Richard Wein

**I. CALL TO ORDER**

Chair Eisenbeisz called the meeting to order at noon.

**II. ROLL CALL**

Subcommittee Members Present: Valorie Nelson (telephonic), and Dr. Richard Wein.

Subcommittee Members Absent: Steven Eisenbeisz (excused)

Others in attendance: Controller Melissa Haley and Municipal Clerk Sara Peterson

**III. CORRESPONDENCE /AGENDA CHANGES**

None.

**IV. PERSONS TO BE HEARD (*not to exceed 3 minutes*)**

None.

**V. APPROVAL OF MINUTES**

**A. July 15, 2019**

A motion was made by Nelson to approve the minutes of August 5, 2019. The motion **PASSED** by the following vote:

**Yes:** 2 – Wein and Nelson

**VI. UNFINISHED BUSINESS (None)**

**VII. NEW BUSINESS**

**B. Review of vacant positions:**

**1. Tax Specialist**

Controller, Melissa Haley, stated the Tax Specialist position was a critical, front line position of the sales tax office. Haley explained she was requesting the position be authorized to fill and in addition, receive authorization for the individual currently in the position to be hired as a temporary employee, for up to one week, to support training the new hire. She relayed the person leaving the position was moving from town and that the timing may not work for cross-training. Haley stated due to time constraints the Interim Administrator had authorized for this position to be advertised. If the Assembly were to vote against filling the position, then the advertisement would be removed, and no interviews conducted. Nelson spoke in opposition to retaining an

employee to assist in the transition if it would result in an increase to the budget. Haley stated it was unlikely the overlap would result in a budgetary increase as the position would be vacant and wages not being paid. Wein suggested the request for cross-training come back at a later date. Nelson reminded the issue could be brought before the Assembly on August 27 for the body to act upon.

**A motion was made by Nelson to recommend to the Assembly that the position of Tax Specialist be filled. The motion PASSED by the following vote.**

**Yes: 2 – Wein and Nelson**

#### **VIII. ADJOURNMENT**

**A motion was made by Wein to adjourn. Hearing no objections, the meeting adjourned at 12:12 p.m.**

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Attest: Sara Peterson, MMC  
Municipal Clerk





# CITY AND BOROUGH OF SITKA

## Legislation Details

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File #: 19-185      Version: 1      Name:

Type: Item      Status: AGENDA READY

File created: 8/20/2019      In control: City and Borough Assembly

On agenda: 8/27/2019      Final action:

Title: Financial / Legal Matter - Silva vs. CBS

Sponsors:

Indexes:

Code sections:

Attachments: [Motion executive session](#)

Date	Ver.	Action By	Action	Result
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## **POSSIBLE MOTIONS**

### **Step 1:**

**I MOVE** to go into executive session to receive and discuss an update from the Municipal Attorney and outside legal counsel, Michael Gatti and Megan Sandone, regarding financial and legal matters affecting the Municipality as a result of the lawsuit filed by Ryan Silva on August 23, 2018.

### **Step 2:**

**I MOVE** to reconvene as the Assembly in regular session.

\*Sitka General Code 2.04.020 Meetings

D. All meetings shall be open to the public except that the following may be discussed in closed executive session:

1. Matters, the immediate knowledge of which would adversely affect the finances of the municipality;
2. Subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion;
3. Matters which by law, municipal Charter or ordinances are required to be confidential;
4. Communications with the municipal attorney or other legal advisors concerning legal matters affecting the municipality or legal consequences of past, present or future municipal actions.