



CITY AND BOROUGH OF SITKA

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

Meeting Agenda City and Borough Assembly

Mayor Cheryl Westover
Deputy Mayor Pete Esquiro, Vice-Deputy Mayor Thor
Christianson,
Terry Blake, Phyllis Hackett, Mim McConnell, and Mike Reif

Municipal Administrator: Jim Dinley
Municipal Attorney: Theresa Hillhouse
Municipal Clerk: Colleen Ingman, MMC

Tuesday, June 26, 2012

6:00 PM

Assembly Chambers

Sitka Historical Museum Project - Update 5:00 - 5:50 PM

REGULAR MEETING

I. CALL TO ORDER

II. FLAG SALUTE

III. ROLL CALL

IV. CORRESPONDENCE/AGENDA CHANGES

V. CEREMONIAL MATTERS

1) Proclamation Raven Radio 30th Anniversary, and 2) Recognize outgoing Assemblymember Terry Blake

Government-to-Government Update with Sitka Tribe of Alaska

VI. PERSONS TO BE HEARD

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

VII. REPORTS

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

VIII. CONSENT AGENDA

All matters under Item VIII 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.

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|---|----------------------------------|--|--|
| A | <u>12-92</u> | | Approve the minutes of the June 12, 2012 and a clarifying amendment to the May 22, 2012 Assembly meetings. |
| | | | <u>Attachments:</u> <u>Minutes</u> |
| | | | <u>Amended Minutes</u> |
| B | <u>12-88</u> | | Re-appointments: |
| | | | A) Celeste Tydingco to a term on the Sitka Community Hospital Board |
| | | | B) Pauline Fredrickson to a term on the Sitka Community Hospital Board |
| | | | <u>Attachments:</u> <u>Appointments</u> |
| C | <u>12-87</u> | | Authorize a temporary PT position to assist with the EMPG Grant - Sitka Fire Department |
| | | | <u>Attachments:</u> <u>Sitka Fire Dept PT</u> |
| D | <u>RES 12-12</u> | | Authorizing the application for a loan from the ADEC under the Alaska Drinking Water Fund for Baranof Street Water Main Replacement |
| | | | <u>Attachments:</u> <u>RES 12-14</u> |
| E | <u>RES 12-13</u> | | Authorizing the application for a loan from the ADEC under the Alaska Drinking Water Fund for Hollywood Way Water Main Replacement |
| | | | <u>Attachments:</u> <u>RES 12-13</u> |
| F | <u>RES 12-14</u> | | Authorize the application for a loan from the ADEC under the Alaska Clean Water Fund for Hollywood Way and New Archangel Sewer Replacement |
| | | | <u>Attachments:</u> <u>RES 12-14</u> |
| G | <u>12-91</u> | | Authorize a sole procurement for ABB69 kV Circuit Breakers Blue Lake Switchyard - \$75,998 |
| | | | <u>Attachments:</u> <u>ABB Proposal Breakers</u> |
| H | <u>12-93</u> | | Award a Combiner/Multiplexeor System under the 2011 Homeland Security Grant low bidder Procomm Alaska - \$77,521 |
| | | | <u>Attachments:</u> <u>SPD Combiner Multiplexer</u> |

IX. UNFINISHED BUSINESS:

- I [ORD 12-07S](#) Amending the Sales Tax Exemption at Sitka General Code Subsection 4.09.100N entitled "Over One Thousand Dollars in Sales and Rents of Tangible Personal Property and on Sales of Services," and "Over One Thousand Dollars in Rent or Lease of Real Property on a Monthly Basis."
Attachments: [ORD 12-07 S](#)
- J [12-83](#) Direction/Decision regarding a request for a vacation right-of-way 4600 HPR - Conner and Valerie Nelson
Attachments: [Vacate Nelson](#)
- K [ORD 12-18](#) Amending SGC at Section 4.12.020 Entitled "Property Subject to Tax" to increase the Biennial Motor Vehicle Registration Tax to be used for municipal roads
Attachments: [ORD 12-18 Motor Vehicle](#)
 [ORD 12-18 Docs](#)

X. **NEW BUSINESS:**

New Business First Reading

- L [ORD 12-20](#) Amending SGC Section 15.01.020 entitled "Electric Rates" by Increasing Rates for all Customer Classes to Fund Voter Approved Improvements for the Blue Lake Hydroelectric Expansion Project and Implementing a Structure for Residential Class Customers to Promote Energy Conservation, and also Amending SGC Section 15.01.030 entitled "Billing-Credit-Deposit-Fees" to Increase Emergency Electric Service Charges
Attachments: [ORD 12-20](#)
 [Memo_Electric Ratesv 2](#)
- M [ORD 12-19](#) Amending SGC Subsection 4.09.100Y entitled "Exemption for Retired Persons who have Reached the Age of Sixty-Five to Exclude Alcoholic Beverages, Cigarettes, and Other Tobacco Products as Exempt Sales, and making clerical edits
Attachments: [ORD 12-19](#)

Additional New Business Items

- N [12-90](#) Approve scheduling a five minute segment of Sitka on "Today in America" - \$19,800
Attachments: [Today in America](#)
- O **12-86** Discussion/Decision on putting forth an advisory vote on pursuing a dock downtown

- P [12-89](#) Appoint an interim Assemblymember to fill Terry Blake's term until the results of the election are certified on October 9, 2012

Attachments: [Interim Assembly Appointment](#)

XI. PERSONS TO BE HEARD:

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

XII. EXECUTIVE SESSION

Mike Litman & Jeff Farvour v. CBS Litigation

XIII. ADJOURNMENT

*Colleen Ingman, MMC
Municipal Clerk
Publish: 6-22-12*



CITY AND BOROUGH OF SITKA

100 Lincoln Street,
Sitka, Alaska 99835

Legislation Details

File #: 12-92 **Version:** 1 **Name:**

Type: Minutes **Status:** AGENDA READY

File created: 6/20/2012 **In control:** City and Borough Assembly

On agenda: 6/26/2012 **Final action:**

Title: Approve the minutes of the June 12, 2012 and a clarifying amendment to the May 22, 2012 Assembly meetings.

Sponsors:

Indexes:

Code sections:

Attachments: [Minutes](#)
[Amended Minutes](#)

Date	Ver.	Action By	Action	Result
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CITY AND BOROUGH OF SITKA

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

Minutes - Draft

City and Borough Assembly

Mayor Cheryl Westover
Deputy Mayor Pete Esquiro, Vice-Deputy Mayor Thor
Christianson,
Terry Blake, Phyllis Hackett, Mim McConnell, and Mike Reif

Municipal Administrator: Jim Dinley
Municipal Attorney: Theresa Hillhouse
Municipal Clerk: Colleen Ingman, MMC

Tuesday, June 12, 2012

6:00 PM

Assembly Chambers

REGULAR MEETING

I. CALL TO ORDER

Present: 7 - Westover, McConnell, Blake, Christianson, Esquiro, Reif, and Hackett

II. FLAG SALUTE

III. ROLL CALL

V. CORRESPONDENCE/AGENDA CHANGES

Motions were made and approved to take several of the items up out of order throughout the meeting.

VI. PERSONS TO BE HEARD

None.

VII. REPORTS

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

Mayor - Met with Governor Parnell last Wednesday thanked him for all the funding provided to Sitka. Saturday greeted the Wilderness Explorer for their inaugural visit to Sitka.

Administrator - Spoke to the numerous public works projects.

Clerk - Continued to advertise for candidates to fill Assembly member Blake's seat up until the October election. Interested people may apply up until noon on June 20. Had received three so far: Jack Ozment, Bill Paden and Michelle Putz.

Other - McConnell reported on behalf of Linda Behnken on the Gulf of Alaska Halibut Bycatch. When Behnken testified recently in Kodiak she referred to the CBS Assembly resolution. Reif questioned the filtration system. Harmon replied that

currently they are focusing on the Indian River site because of the existing infrastructure and pumps. Additionally, it is isolated from the Blue Lake Dam project. Wells will be explored in the Starrigavan area where there is a very good possibility of a water source.

VIII. CONSENT AGENDA

- A 12-78** Approve the minutes of the May 22 & 29 and June 5, 2012 Assembly meetings.

This item was APPROVED ON CONSENT AGENDA.

- C 12-79** Approve a Request for Proposal award to Sitka Sound Science Center for \$35,300 in Fisheries Enhancement Funds

SSSC Board Chair Jim Seeland, appreciates the funding. Spoke to the changes they have or are planning to make and all their partnerships. Steve Reifensstuhl of NSRAA, supports SSSC proposal for the funds. It is an interregional part of the fisheries. Spoke to the economic value of the fish which is in the millions.

This item was APPROVED ON CONSENT AGENDA.

- D 12-82** Award contract to furnish Diesel Fuel for CBS, Sitka School District and Sitka Community Hospital to Petro Marine Services- bid amount \$127,682.50

This item was APPROVED ON CONSENT AGENDA.

- B 12-80** Reappoint: 1) Grant Miller, 2) Aaron Wilkinson & 3) Charles Horan to terms on the Sawmill Cove Industrial Park Board and 4) Linda Speerstra to a Tree & Landscape Committee

Reif publically thanked the individuals for filling additional terms. He took the opportunity to encourage people to run for the Assembly.

A motion was made by Christianson that these Appointments be APPROVED. The motion PASSED by the following vote.

Yes: 7 - Westover, McConnell, Blake, Christianson, Esquiro, Reif, and Hackett

IX. UNFINISHED BUSINESS:

- E ORD 12-17** Adopting Budgets for the Fiscal Year July 1, 2012 through June 30, 2013

Hillhouse explained that in accordance with Charter and Code provisions if there are any substantial amendments tonight the Administrator's budget would go into effect. You have the option in next fiscal year to do supplemental amendments. Hackett does not support this budget because of the cut to non-profits. She continues to

support the budget process starting earlier. Christianson believes we will have a supplemental budget ordinance next month for consideration and urged members to consolidate their desires into one ordinance if possible.

A motion was made by Hackett that this Ordinance be PASSED ON SECOND AND FINAL READING AS AMENDED. The motion PASSED by the following vote.

Yes: 5 - Westover, McConnell, Blake, Christianson, and Reif

No: 2 - Esquiro, and Hackett

- F ORD 12-07S** Amending the Sales Tax Exemption at Sitka General Code Subsection 4.09.100N entitled "Over One Thousand Dollars in Sales and Rents of Tangible Personal Property and on Sales of Services," and "Over One Thousand Dollars in Rent or Lease of Real Property on a Monthly Basis."

Sweeney projected the revenue for a nine month period to be roughly \$500,000 however, he clarified that it is a speculative guess. Reif hopes the additional funds will go into a maintenance/infrastructure "Sinking Fund." Westover cautioned; until we see how it plays out we really have no idea what we will collect.

A motion was made by McConnell that this Ordinance be PASSED ON FIRST READING AS PREVIOUSLY AMENDED. The motion PASSED by the following vote.

Yes: 7 - Westover, McConnell, Blake, Christianson, Esquiro, Reif, and Hackett

- I 12-85** Authorize the Administrator to execute an agreement for Contract No. 3 - Supply of Gates and Hoist for the Blue Lake Expansion Project to Linita Design and Manufacturing Corporation - not to exceed \$817,690.00

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

Yes: 7 - Westover, McConnell, Blake, Christianson, Esquiro, Reif, and Hackett

- K 12-81** Approve the award and design contract for Centennial Hall Renovations to McCool Carson Green Architects with a not to exceed amount of \$1,217,763

Esquiro brought up the money the city spends on planning and design. It is a costly piece that warrants careful consideration. Mayor has shared some of the same concerns; yet realizes the need to get it right the first time. Harmon informed that the industry standards for percentages are: 7-10% for raw design with no public process. Blatchley Middle School is a good example of that. You add in the public process and it bumps the costs up to 15%, and if you have extensive permitting it goes to 15-18%, sometimes even higher.

Reif wondered if it would make sense to do the renovations before the parking. Harmon's plan is to address the parking first, which will still accomodate staging areas for construction.

Esquiro wanted to know what the plans were to fund the balance of the project. Harmon responded that it was a Legislative Priority this year and he assumes it will be requested again next year. There are also areas for costs savings between the original plan and what is now before us. There are grant funds for visitor's centers that may be shifted over and a portion of our cruise ship dollars. Dinley added, that the library and museum will also be seeking independent funding.

A motion was made by McConnell that this Contract be APPROVED. The motion PASSED by the following vote.

Yes: 7 - Westover, McConnell, Blake, Christianson, Esquiro, Reif, and Hackett

IV. CEREMONIAL MATTERS

Mayor Westover presented Athletic Awards to the Sitka High School Lady Wolves Softball Team for their three-peat state win at the 2012 Alaska State Small-School Softball Championship in Anchorage, AK.

Coach Potruski commented that this wouldn't be possible without the Assembly's support of Sitka Schools and their programs. Coach Hagen presented the mayor with a ball signed by the teammates.

G 12-45

Anderson APPEAL of Planning Commission's decision to grant variances submitted by Boyd Didrickson - 428 Kaagwaantann Street

Motion by Reif to convene as the Board of Adjustment. Motion PASSED by the following vote.

Yes: 7 - Westover, McConnell, Blake, Christianson, Esquiro, Reif, and Hackett

Christianson moved to add to 1: The area was developed during an era when zoning codes did not exist. The motion to AMEND PASSED on the following vote.

Yes: 6 - Westover, McConnell, Christianson, Esquiro, Reif, and Hackett

No: 1 - Blake

Reif moved to further amend by adding to 1: The placement of the existing structure is extremely close to a platted road and granting the variances would move the structure significantly back from the road. The motion to AMEND PASSED on the following vote.

Yes: 7 - Westover, McConnell, Blake, Christianson, Esquiro, Reif, and Hackett

Westover moved to add to 2: To allow him to reconstruct a larger house, rather than a small cabin. The motion to AMEND PASSED on the following vote.

Yes: 6 - Westover, McConnell, Christianson, Esquiro, Reif, and Hackett

No: 1 - Blake

Reif moved to add to 3: Public welfare is improved by the removal of the existing structure and by placement of the new structure farther back from the road. The motion to AMEND PASSED on the following vote.

Yes: 6 - Westover, McConnell, Blake, Christianson, Esquiro, and Reif

No: 1 - Hackett

Reif moved to add to 4: The applicant plans to construct the home using some Native art work similar to his prior structure. The motion to AMEND PASSED on the following vote.

Yes: 7 - Westover, McConnell, Blake, Christianson, Esquiro, Reif, and Hackett

Reif moved to approve the variances approved by the Planning and Zoning Commission:

- 1. Reduction of the front setback from 20 feet to 10 feet;**
 - 2. Reduction of both side setbacks from 5 feet to 3 feet;**
 - 3. Increase in allowable lot coverage from 35% to 50%; and**
 - 4. Reduction in the parking requirements from 2 spaces to 1 space.**
- With the findings as amended.**

The motion to APPROVE THE VARIANCES PASSED on the following vote.

Yes: 6 - Westover, McConnell, Christianson, Esquiro, Reif, and Hackett

No: 1 - Blake

Reif moved to insert ALL FOUR in between grant and variances and insert AS AMENDED after findings.

The motion to AMEND PASSED on the following vote.

Yes: 7 - Westover, McConnell, Blake, Christianson, Esquiro, Reif, and Hackett

City and Borough of Sitka

Planning Director, Wells Williams participated telephonically. He explained this is the second time this is in front of the assembly; there was a title issue two years ago. Planning Commission Chairman Twaddle informed that they had considerable deliberations over many meetings. There are several variances requested on this piece of property. Eventually the Planning Commission was able to find a solution that would work for the property owner.

Hackett and Reif asked if the commission talked about a possible compromise. Hackett thinks the height is the issue. Planning responded, we can't control what the applicant submits. If Didrickson wanted he could build up to three stories in height. Reif confirmed that it was standard in the village that many of the lots and structures do not meet Sitka's current setbacks.

Didrickson

Applicant Boyd Didrickson has shown he owns the property. He had a title search done in the 1980's and has been paying the taxes. He would like to build a two story house. It has already been approved twice.

Appellant

William and Don Anderson were present and represented by Attorney Todd Araujo. He spoke to SGC as it relates to the size being substandard. Spoke to word "special" and their views. Believes having a small lot in this zone does not justify granting a variance. No evidence that Didrickson suffered a hardship that is not shared by other neighbors. He contends an undue hardship cannot be established in this case. As for the third finding, he believes it was regurgitated language and restated in the affirmative. With regards to the fourth finding, that it will not adversely affect the Comprehensive Plan. He fails to see the logic of tearing it down as that does not preserve existing structure.

Lastly, they don't think it enhances the neighborhood. It is going to be completely different and new. He sees each of the Planning Commission's findings as conclusions of law and not findings of fact.

Anderson's would like the decision overturned or at a minimum remanded back to the Planning Commission.

RebuttalsCity and Borough of Sitka

Planning Director Williams respectfully disagrees with numerous points of Anderson's attorney. It is the view of the Planning office that we did indeed do the work that is required of our office by the code and so did the Planning Commission in their evaluation of the property. The submission by Didrickson is different and there have been alterations to lessen the impact to the Andersons. We spent many meetings trying to reach a compromise. Chairman Twaddle added, they looked at the rear set back of 10 foot not requiring a reduction. The intention of the applicant is to rebuild his home and include some of the cultural significance. We talked to him about reducing his eaves, but he didn't want to do it for esthetic purposes. The ten foot front set back is the only issue left. He believes it will largely improve safety. Twaddle doesn't view this as a lot of variances for the size of lot. This is substandard lot size. There are multiple non-conforming existing structures in the village. The best overall outcome to move the dwelling back from the road with a new structure.

Reif recalled that when the village was platted in 1956 that it became known as the Indian Village Plat. It was based on a village and foot traffic; today's model is much different.

Didrickson

The house will be in the back of my existing house and be 12 feet higher. I just want a big eave so snow and rain doesn't get on my windows. He doesn't want to go smaller. He plans to put carvings up again.

Appellant Anderson

Don Anderson - The driveway is very small. He spoke to a telephone pole that could be moved. However, he learned to move the pole would cost around \$20K and to go underground was more expensive. Our road system is only eight feet wide.

BOA Deliberation

Spoke to adopting additional findings. Mayor Westover recapped that this is a tough

decision. Both sides have good points and I know the Planning Commission worked many years on this. She wondered if the city could get involved in helping move the pole. One suggestion was to remand it back and get the electric department input. Hackett does have a problem with the findings, especially number 4. Also mentioned Williams comment on the Planning Commission minutes of March 6, where he mentioned a possible framework with the STA. It might be time to come up with a framework to help deal with these situations. This is not the rest of Sitka, it is the Village and it is unique. Christianson believes we should make a decision one way or the other. He doesn't want to remand it back to the Planning Commission, we owe it to everyone involved to make a decision. Reif would also like this body to vote on it.

McConnell moved to uphold the Planning Commission's decision to grant all four variances to Boyd Didrickson of 428 Kaagwaantaan and adopt the following findings as amended:

- 1. There are special circumstances to the intended use that do not generally apply to the other properties. Specifically the size of the parcel is substandard and if the applicant were to chose to rebuild the building in its current position, the structure is a greater detriment rather than moving it back; The area was developed during an era when zoning codes did not exist The placement of the existing structure is extremely close to a platted road granting the variances would move the structure significantly back from the road.**
- 2. The variance is necessary for the preservation of a substantial property right to allow to reconstruct a house on this lot of record. Regardless of how the property was obtained, it is a deeded property; To allow him to reconstruct a larger house, rather than a small cabin.**
- 3. The granting of this variance will not be injurious to nearby parcels, or public infrastructure by moving the building back from the road it will allow greater access. The 10 foot rear setback being maintained constitutes an effort to ensure that it is not injurious to the adjacent parcel; Public welfare is improved by the removal of the existing structure and placement of the new structure farther back from the road.**
- 4. The granting of this variance will not adversely affect the Comprehensive Plan. It facilitates 2.3.15 To publicly encourage community awareness of the value of protecting historic and cultural resources; and 2.3.17 To encourage the preservation and/or renovation of historical building and sites on public lands; and it is consistent with 2.4.3 To encourage the prevention of deteriorating building conditions and the rehabilitation of deteriorating residential areas; and 2.4.4 To enhance the historic character of older neighborhoods, including the Native Village. The applicant plans to construct home using native art work similar to his prior structure.**

And further support that the Didrickson proposal will improve the neighborhood.

The original motion as amended PASSED on the following vote.

Esquiro moved to reconvene as the Assembly in regular session. The motion PASSED on unanimous roll call vote.

Yes: 5 - Westover, McConnell, Christianson, Esquiro, and Reif

No: 2 - Blake, and Hackett

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

Yes: 7 - Westover, McConnell, Blake, Christianson, Esquiro, Reif, and Hackett

X. NEW BUSINESS:

H 12-83 Direction/Decision regarding a request for a vacation right-of-way 4600 HPR - Conner and Valerie Nelson

Conner Nelson testified when he bought the property he thought it was a private right of away (ROW). When Carlson subdivided back in 1977, the Planning Commission mandated he put aside a 20' ROW should he ever subdivide. In 1981, Wyatt subdivided the property and contributed 20' to the 40' easement that was to be dedicated for city access to the Benchlands. At that time, there was a plat note that the city had five years to develop the ROW, which the city did not do. So in 1986, Wyatt figured the ROW was gone. Conner spoke to the terrain and offered a picture depicting a rock wall, which he thought would be very difficult to develop.

Valorie Nelson spoke to a Stipulation for Judgment in the early 1990's where no more rock quarrying would occur.

Williams advised that the Carlson Subdivision Plat from 1978 has four lots and a ROW and includes a dedication certificate, which is a standard vehicle in which public ROWs are dedicated. The four lots are individual parcels that are distinct from that. Nelson got a deed for the lots. The adjacent property owners do not own it. In order for the public process to vacate it there has to be an affirmative decision that the ROW is not needed.

Hackett believes the subdivision plat of Carlson is the official document.

Williams disclosed, in 2003 he understood that it was an easement. Now, he says he was in error. Since then there has been a more careful review of the records. The plat spells out that it is ROW, not an easement.

Hillhouse advised, concerning the rules on property you refer to the plat. In this particular case it could be vacated, purchased or you may still want an easement. The city's issue is: are we willing to give up the ROW that the city may need in the future.

Harmon mentioned that this is a public ROW; how does the public vacate that? You always want to have at the minimum utility access to your property. Rock cliffs don't mean a lot to us. We know what owners want to do today; but how do you answer that for the future. If Nelson wants to come up with a different location we would be supportive of that.

A motion was made by McConnell to extend the meeting 10 minutes, to 10:40pm. The motion PASSED by unanimous vote.

Christianson queried an easement versus ROW; is the easement of lesser value. Harmon responded, depending on how the easement is worded; if you word it correctly it could be close to equal value. Harmon sees its potential for a utility easement versus a road. It would be hard to be used as a road. Christianson wondered if it could be moved over; would that be amicable to both parties? Harmon recalls it was discussed in some of the processes. If a straight shot could be kept

and moved, he would be flexible on an equal trade basis.

The Mayor announced this item and the other items of unfinished business will be taken up at the June 26, 2012 Assembly meeting.

XI. NEW BUSINESS- First Reading

- L ORD 12-18** Amending SGC at Section 4.12.020 Entitled "Property Subject to Tax" to increase the Biennial Motor Vehicle Registration Tax to be used for municipal roads

The Assembly did not get to this item due to time constraints.

XII. PERSONS TO BE HEARD:

Valorie Nelson testified that they have been put off many times on this issue. This was heard at the May 1 Planning meeting and should have been on the next Assembly meeting, it wasn't. She called the Planning Department and was basically told: We are not going to put it on, it is your responsibility and you need two sponsors for an ordinance. "You asked us to buy into this town because it's our community. Then you treat us like this. It feels it is the community against the assembly and administration. The assembly and mayor need to be a balance between assembly and administration. Make sure that the rules are followed." She was disappointed in what she saw tonight.

Planning Commission Chair Twaddle contributed that the city definitely does need a ROW in that area. There is another piece of nearby property that would perhaps serve for this purpose.

XIII. EXECUTIVE SESSION - Mike Litman & Jeff Farvour vs. CBS Litigation

The Assembly did not get to this item due to time constraints.

XIV. ADJOURNMENT

Christianson moved to adjourn the meeting. The meeting **ADJOURNED at 10:37 PM.**

ATTEST:

Colleen Ingman, MMC
Municipal Clerk

N ORD 12-17 Adopting Budgets for the Fiscal Year July 1, 2012 through June 30, 2013**Discussion and clarification on the 2% COLA amendment.**

Hillhouse - What we are talking about here is making money that may be available to the unions, we will negotiate with them. We just don't give an amount to ASEA-this is going to be your COLA. We have to negotiate any wages, terms, hours etc. We have identified some additional money that the Administrator may negotiate with the unions on. Rather than us saying we are awarding this to those employees.

Dinley - The ASEA contract already says that if the salary for non-reps gets an increase they will get an equal raise. It is already in the contract.

Hillhouse - I understand that may be in the contract, but that doesn't mean that is the only position ASEA may take when they go into negotiations. I just want to make it clear that the assembly isn't unilaterally acting and awarding money to a union and that we will be working with the union and its employees on proper negotiations. It's just a matter to make sure we don't get into any collective bargaining agreement unfair labor practice violations.

Reif - So as the administrator do you want us to build into the budget 2% for all staff so that you will have that money if you need it?

Dinley - If you build it in we would be able to offer, but we don't have to provide it.

Christianson - Budgeting is not necessarily spending.

Recess from 9:20 PM to 9:26 PM.

A motion was made by Blake that this Ordinance be AMENDED by adding the following decrements back into the budget

- 1) Parks & Recreation Manager \$94,460**
 - 2) Customer Service Representative \$25,214**
 - 3) Summertime Groundskeepers \$ 56,500**
 - 4) Assistant Clerk 3/4 Time \$15,650**
 - 5) COLA Expense all Staff 2% \$162,000**
 - 6) Support of Convention & Visitors Bureau \$43,320**
 - 7) Support of Sitka Historical Society \$20,000**
 - 8) Contractual Snow Removal \$16,500**
 - 9) Library Operating Hours/Library Assistants \$26,160**
 - 10) Centennial Building Supplies/Repairs/Maintenance \$4,800**
 - 11) Infrastructure Maintenance Sinking Fund \$164,776**
 - 12) Assessing Consultants & Equipment \$1,500**
 - 13) Recreation Training & Contractual/Equipment \$12,300**
- These AMENDMENTS PASSED by the following vote.**

Yes: 7 - Westover, McConnell, Blake, Christianson, Esquiro, Reif, and Hackett



CITY AND BOROUGH OF SITKA

100 Lincoln Street,
Sitka, Alaska 99835

Legislation Details

File #: 12-88 Version: 1 Name:

Type: Appointment Status: AGENDA READY

File created: 6/19/2012 In control: City and Borough Assembly

On agenda: 6/26/2012 Final action:

Title: Re-appointments:
A) Celeste Tydingco to a term on the Sitka Community Hospital Board
B) Pauline Fredrickson to a term on the Sitka Community Hospital Board

Sponsors:

Indexes:

Code sections:

Attachments: [Appointments](#)

Date	Ver.	Action By	Action	Result
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Should this item be pulled from the Consent Agenda the following motions would be in order:

POSSIBLE MOTION

I MOVE to 1) Reappoint Celeste Tydingco and Pauline Fredrickson to terms on the Sitka Community Hospital Board.

Note: Applications and letters of interest are available at the Municipal Clerk's office.



CITY AND BOROUGH OF SITKA

100 Lincoln Street,
Sitka, Alaska 99835

Legislation Details

File #: 12-87 Version: 1 Name:

Type: Item Status: AGENDA READY

File created: 6/19/2012 In control: City and Borough Assembly

On agenda: 6/26/2012 Final action:

Title: Authorize a temporary PT position to assist with the EMPG Grant - Sitka Fire Department

Sponsors:

Indexes:

Code sections:

Attachments: [Sitka Fire Dept PT](#)

Date	Ver.	Action By	Action	Result
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Should this item be pulled from the Consent Agenda the following motions would be in order:

POSSIBLE MOTION

I MOVE to authorize the Sitka Fire Department to hire a temporary part-time employee funded under the EMPG Grant, which has no impact to the overall Fire Department budget.




City and Borough of Sitka

100 Lincoln Street Sitka, Alaska 99835

Coast Guard City, USA

June 19, 2012

To: Assembly, City and Borough of Sitka
Via: Jim Dinley, Municipal Administrator 
From: David E. Miller, Fire Chief/Emergency Manager
Subject: EMPG Grant

We at the Fire Department are getting ready to apply for the EMPG grant for the upcoming year (2013) and are asking for the assembly's approval to hire a temporary part time employee to bring what research and programming we have started over the last couple of years to a point where we can distribute a finished product. This product when finished will be very fluid in that we will always be making changes to update it.

The EMPG is a \$30K matching grant that in the past has paid two hours a day of the Fire Chiefs salary as well as overtime for one department engineer to work on the grant and for a few months each year a temporary person to help.

This year we would like to have the Chief and Assistant Chiefs position get two hours a day each. Then bring in a temporary part time person to work 20 hours per week. The overall budget to the fire department would not be affected as the chiefs position is currently being covered this way (\$10K) and the assistant chief's position will be saving \$10K and that money will be going to pay for the part time position. All three positions will be matched by the grant.

This is a very worthwhile grant that will help our community out in case of an emergency.

Thanks very much for your time.

David E. Miller

Fire Chief/ Emergency Manager



CITY AND BOROUGH OF SITKA

100 Lincoln Street,
Sitka, Alaska 99835

Legislation Details

File #: RES 12-12 Version: 1 Name:

Type: Resolution Status: AGENDA READY

File created: 6/6/2012 In control: City and Borough Assembly

On agenda: 6/26/2012 Final action:

Title: Authorizing the application for a loan from the ADEC under the Alaska Drinking Water Fund for Baranof Street Water Main Replacement

Sponsors:

Indexes:



Code sections:

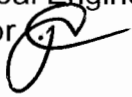
Attachments: [RES 12-14](#)

Date	Ver.	Action By	Action	Result
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MEMORANDUM

To: Mayor Westover and Members of the Assembly
Jim Dinley, Municipal Administrator

From: Michael Harmon, Public Works Director 
Lance Henrie, Senior Engineer 

Reviewed: Stephen Weatherman, Municipal Engineer
Jay Sweeney, Finance Director 
Dan Tadic, Senior Engineer

Date: June 20th, 2012

Subject: FY13 Alaska Drinking Water Fund and Alaska Clean Water Fund Loans

Background:

Each year staff submits loan applications to the Alaska Drinking Water Fund (ADWF) and Alaska Clean Water Fund (ACWF). Most recently, the loans have had a 20 year term at 1.5% interest.

The following three projects were identified in the ADWF and ACWF State Water and Wastewater Loan Programs Intended Use Plans as being eligible for funding in SFY 2013:

Baranof Street Water Replacement	ADWF	\$685,000
Hollywood Way Water Main Replacement	ADWF	\$250,000
Hollywood Way & New Archangel St. Sewer	ACWF	\$500,000

All three of the projects listed above have been provided the following subsidized amount in the Intended Use Plans.

Baranof Street Water Replacement	ADWF	\$239,750
Hollywood Way Water Main Replacement	ADWF	\$87,500
Hollywood Way & New Archangel St. Sewer	ACWF	\$45,000

Baranof Street requires replacement of old undersized 6" ductile iron (DI) water main with new 8" HDPE water main and the replacement of all services between Sawmill Creek Road and Lincoln Street. Hollywood Way consists of replacing the existing 4" DI water main with 8" HDPE water main, replacing old sewer main with High Pressure PVC pipe, and the replacement of all services within the Hollywood Way Right of Way. New Archangel also requires replacement of old sewer main between Marine Street and Halibut Point Road. This section of sewer main has been an ongoing maintenance

problem for years. All projects will also address the required separation distance between water and sewer mains.

Analysis

The total value of the funding for these projects through the ADWF and ACWF FY13 loan programs would be \$1,435,000. The subsidized amount included in the FY13 Intended Use Plan would result in a \$327,250 savings to the Water Fund and \$45,000 savings to the Wastewater Fund.

Fiscal Note

The capital improvements being financed by these loans are following the plan set forth in the Water System Master Plan, previously reviewed and approved by the Assembly.

As noted during budget deliberations earlier this year and during discussions of the recent water user fee increases, undesignated working capital in the Water Fund, while slowly building, remains at a low level. For this reason, debt financing of these improvements, through a low-interest loan, is the most feasible alternative.

Each additional increment of new debt taken on impacts cash flow from operations; for this reason, we need to continue to follow the financing plan laid out within the overall Water System Master Plan.

Recommendation:

Approve Resolutions 2012-12, 2012-13 and 2012-14, authorizing the City and Borough to apply for and execute ADWF and ACWF loans for the three projects listed above, in the amount of \$1,435,000, of which \$372,250 is expected to be subsidized.

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

POSSIBLE MOTION

I MOVE TO APPROVE Resolution 2012-14 on
First and Final Reading.

Sponsor: Administrator

CITY AND BOROUGH OF SITKA

RESOLUTION NO. 2012-14

A RESOLUTION OF THE ASSEMBLY OF THE CITY AND BOROUGH OF SITKA, ALASKA AUTHORIZING THE APPLICATION FOR A LOAN FROM THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION UNDER THE ALASKA CLEAN WATER FUND FOR HOLLYWOOD WAY AND NEW ARCHANGEL STREET SEWER REPLACEMENT

WHEREAS, the City and Borough of Sitka (CBS) seeks to obtain the necessary financial assistance to construct water and wastewater improvements; and

WHEREAS, the State of Alaska, Department of Environmental Conservation (the Department) is able to offer funding through the Alaska Drinking Clean Fund; and

WHEREAS, the Municipality wishes to apply for a loan from the Alaska Clean Water Fund for Hollywood Way and New Archangel Street Sewer Replacement.

NOW, THEREFORE, BE IT RESOLVED by the Assembly of the City and Borough of Sitka, Alaska that the municipality is authorized to apply to the Alaska Department of Environmental Conservation for a loan from the Alaska Clean Water Fund for construction of the wastewater project named above. Jim Dinley, Administrator, is authorized to execute any and all documents that may be required by the Department to reflect the indebtedness, the terms of its repayment, and any security therefore, including but not limited to a loan agreement and promissory note.

PASSED AND APPROVED by the Assembly of the City and Borough of Sitka, Alaska on this 26th day of June 2012.

Cheryl Westover, Mayor

ATTEST:

Colleen Ingman, MMC
Municipal Clerk

**ALASKA CLEAN WATER FUND
Point Source Funding Priority List**

Fiscal Year 2013

Rank	Score	Community Name/System Owner	Project Title	Requested Project Amount	Available Assistance Amount ³	Interest Rate	Term (Years)	Disadvantage Community	Subsidy ⁴		Green Reserve ⁵		Estimated Binding Commitment	Sustainability Policy ⁸
									Subsidy for Disadvantage Community ³	Subsidy for Green Project	Project Type ⁶	Green Credit Amount ⁷		
1	615	Bristol Bay Borough	Sewage Line Relocation of the Beach	\$2,670,000	\$2,670,000	1.50%	20	Yes	\$75,000				7/15/2012	Fix it First
2	615	Dillingham	Wastewater Treatment Plant Upgrades	\$2,000,000	\$2,000,000	1.50%	20	Yes	\$75,000	\$15,000	ENG-BC	\$2,000,000	7/15/2012	Fix it First
3	615	Dillingham	Wastewater Collection System Upgrades ¹	\$2,000,000	\$2,000,000	1.50%	20	Yes			ENG-BC	\$2,000,000	8/1/2012	Fix it First
4	605	Unalaska	Wastewater Treatment Plant Upgrade	\$8,566,600	\$8,566,600	1.50%	20	Yes	\$75,000				7/15/2012	Improve TFM
5	550	Anchorage	Girdwood Wastewater Treatment Facility - Ph II	\$3,000,000	\$3,000,000	1.50%	20	No					9/26/2012	Fix it First
6	535	Anchorage	Asplund Disinfection Study & Upgrade	\$2,000,000	\$2,000,000	1.50%	20	No					9/26/2012	Fix it First
7	530	Anchorage	West 71st Avenue Sewer Rehab	\$800,000	\$800,000	1.50%	20	No					6/3/2013	Fix it First
8	530	Valdez	Valdez WWTP Outfall Line	\$1,230,675	\$1,230,675	1.50%	20	No					8/1/2012	Fix it First
9	525	Juneau	CBJ Lawson Ck. Lift Sta. Reconstruct-Const. Phase	\$675,000	\$675,000	1.50%	20	No					8/1/2012	Fix it First
10	500	Sitka	Hollywood Way & New Archangel St Sewer	\$500,000	\$500,000	1.50%	20	Yes	\$45,000	\$7,500	ENG-BC	\$50,000	12/20/2012	Fix it First
11	500	King Cove	Downtown Wastewater System Upgrade	\$100,000	\$100,000	1.50%	20	Yes	\$9,000				7/15/2012	Fix it First
12	495	North Pole	Utility Emergency Response Generators	\$302,500	\$302,500	1.50%	20	Yes	\$27,225	\$4,538	ENG-BC	\$302,500	11/1/2012	Improve TFM
13	490	Seward	Lowell Point and SMIC Lagoons Sludge Removal	\$490,000	\$490,000	1.50%	20	Yes	\$44,100	\$7,350	ENG-BC	\$490,000	8/1/2012	Improve TFM
14	455	Petersburg	Pumpstation 1 Force Main	\$270,000	\$270,000	1.50%	20	Yes	\$13,699				7/16/2012	Improve TFM
15	410	Anchorage	Anchorage Landfill Leachate Control Vault Upgrades ²	\$1,700,000	\$1,599,108	1.50%	20	No					10/31/2012	Improve TFM

Total Requested Amount: **\$26,304,775**

Subsidized Amounts: **\$364,024** **\$34,388**

Total Available Amount: **\$26,203,883**

Total Subsidized Amount³: **\$398,412**

Total Green: **\$4,842,500**

¹ Subsidy funding for the Dillingham - Wastewater Collection System Upgrades project was not provided due to the Dillingham - Wastewater Treatment Plant Upgrades receiving maximum allowed subsidy for both Disadvantage Community and Green project. Also, only partial subsidy funding was available for the Petersburg - Pumpstation 1 Force Main project and the Department may increase subsidy funding if funds become available.

² Full funding of the Anchorage - Landfill Leachate Control Vault Upgrades project for \$1,700,000 will be dependent upon remaining available loan funds. The Department will negotiate with Anchorage to provide additional funds as they become available later in the year.

³ Total available loan and subsidy funding amounts of \$32,754,854 and \$469,287, respectively are split on a ratio of 80/20 between Point Source Priority List (\$26,203,883 & \$375,430 of subsidy) and Non-Point Source Priority List (\$6,550,971 & \$93,857 of subsidy) projects. Note - an added amount of subsidy for Point Source Priority Listed projects resulted from an insufficient amount of listed disadvantaged Non-Point Source Priority Listed projects.

⁴ Criteria for being eligible for a loan subsidy may be referenced on page 9 under the narrative section of the IUP.

⁵ Funding for Green projects is based on meeting a minimal required amount of \$844,400 under the State's capitalization grant for the program.

⁶ Green Project Reserve Category Type: GIF - Green Infrastructure, WTR - Water Efficiency, ENG - Energy Efficiency & EIN - Environmentally Innovative. Green Project Justification Type: BC - Business Case / CAT - Categorical.

⁷ Prior to funding any project shown to have a funding subsidy for Green, a Business Case for project Green eligibility must be found justified.

⁸ Sustainability Policy - "Fix it First" - fix existing critical infrastructure; "Improve TFM" - improve technical, financial and managerial capacity of the system; and, "Planning" - planning and development of alternative projects that reflect the full life cycle cost of infrastructure.

**ALASKA DRINKING WATER FUND
Point Source Funding Priority List**

Fiscal Year 2013

Rank	Score	Community Name/System Owner	Project Title	Requested Project Amount	Available Assistance Amount ²	Interest Rate	Term (Years)	Disadvantage Community	Subsidy ³		Green Reserve ⁴		Estimated Start Date	Sustainability Policy ⁷
									Subsidy for Disadvantage Community ²	Subsidy for Green Project	Project Type ⁵	Green Credit Amount ⁶		
1	146	College Utilities	Sherwood Forest Water Main Extension Phase II	\$1,540,000	\$1,540,000	1.50%	20	Yes	\$500,000				5/1/2013	Fix it First
2	126	Sitka	Hollywood Way Water Main Replacement	\$250,000	\$250,000	1.50%	20	Yes	\$87,500	\$1,500	WTR-BC	\$25,000	5/30/2013	Fix it First
3	126	Sitka	Baranof Street Water Main Replacement	\$685,000	\$685,000	1.50%	20	Yes	\$239,750	\$4,110	WTR-BC	\$68,500	7/16/2012	Fix it First
4	126	Haines	Piedad Springs Water Source Upgrades	\$338,760	\$338,760	1.50%	20	Yes	\$118,566	\$12,226	ENG-BC	\$203,760	8/1/2012	Fix it First
5	126	Haines	AC Replacement Muncaster	\$787,500	\$787,500	1.50%	20	Yes	\$275,625	\$47,250	WTR-BC	\$787,500	7/1/2012	Fix it First
6	126	Anchorage	41st Cope Northstar Water Upgrade	\$1,699,402	\$1,699,402	1.50%	20	No					8/1/2012	Fix it First
7	125	Bethel	Institutional Corridor ¹	\$ 14,417,880	\$ 4,811,842	1.50%	20	Yes	\$500,000	\$8,473	ENG-BC	\$3,200,000	6/1/2015	Fix it First

Total Requested Amount: **\$ 19,718,542**

Subsidized Amounts: **\$1,721,441** **\$73,559**

Total Available Amount: **\$ 10,112,504**

Total Subsidized Amount³: **\$1,795,000**

Total Green: **\$ 4,284,760**

¹ Full project funding and Green subsidy funding of the Bethel - Institutional Corridor project will be dependent upon remaining available loan funds. The Department will negotiate with Bethel to provide additional funds as they become available later in the year.

² Determination of total available funding for projects may be referenced on page 5 of the IUP narrative section.

³ Total available loan subsidy allowed under this IUP is \$1,795,000.

⁴ Criteria for being eligible for a loan subsidy may be referenced on page 9 under the narrative section of the IUP.

⁵ Projects which demonstrate adequate criteria for meeting a Green project component will be eligible to receive additional subsidy as shown.

⁶ Green Project Reserve Category Type: GIF - Green Infrastructure, WTR - Water Efficiency, ENG - Energy Efficiency & EIN - Environmentally Innovative.

Green Project Justification Type: BC - Business Case / CAT - Categorical.

⁷ Prior to funding any project shown to have a funding subsidy for Green, a Business Case for project Green eligibility must be found justified.

⁸ Sustainability Policy - "Fix it First" - fix existing critical infrastructure; "Improve TFM" - improve technical, financial and managerial capacity of the system; and, "Planning" - planning and development of alternative projects that reflect the full life cycle cost of infrastructure.



CITY AND BOROUGH OF SITKA

100 Lincoln Street,
Sitka, Alaska 99835

Legislation Details

File #: RES 12-13 Version: 1 Name:

Type: Resolution Status: AGENDA READY

File created: 6/6/2012 In control: City and Borough Assembly

On agenda: 6/26/2012 Final action:

Title: Authorizing the application for a loan from the ADEC under the Alaska Drinking Water Fund for Hollywood Way Water Main Replacement

Sponsors:

Indexes:



Code sections:

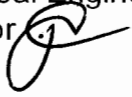
Attachments: [RES 12-13](#)

Date	Ver.	Action By	Action	Result
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MEMORANDUM

To: Mayor Westover and Members of the Assembly
Jim Dinley, Municipal Administrator

From: Michael Harmon, Public Works Director 
Lance Henrie, Senior Engineer 

Reviewed: Stephen Weatherman, Municipal Engineer
Jay Sweeney, Finance Director 
Dan Tadic, Senior Engineer

Date: June 20th, 2012

Subject: FY13 Alaska Drinking Water Fund and Alaska Clean Water Fund Loans

Background:

Each year staff submits loan applications to the Alaska Drinking Water Fund (ADWF) and Alaska Clean Water Fund (ACWF). Most recently, the loans have had a 20 year term at 1.5% interest.

The following three projects were identified in the ADWF and ACWF State Water and Wastewater Loan Programs Intended Use Plans as being eligible for funding in SFY 2013:

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Hollywood Way & New Archangel St. Sewer	ACWF	\$500,000

All three of the projects listed above have been provided the following subsidized amount in the Intended Use Plans.

Baranof Street Water Replacement	ADWF	\$239,750
Hollywood Way Water Main Replacement	ADWF	\$87,500
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Baranof Street requires replacement of old undersized 6" ductile iron (DI) water main with new 8" HDPE water main and the replacement of all services between Sawmill Creek Road and Lincoln Street. Hollywood Way consists of replacing the existing 4" DI water main with 8" HDPE water main, replacing old sewer main with High Pressure PVC pipe, and the replacement of all services within the Hollywood Way Right of Way. New Archangel also requires replacement of old sewer main between Marine Street and Halibut Point Road. This section of sewer main has been an ongoing maintenance

problem for years. All projects will also address the required separation distance between water and sewer mains.

Analysis

The total value of the funding for these projects through the ADWF and ACWF FY13 loan programs would be \$1,435,000. The subsidized amount included in the FY13 Intended Use Plan would result in a \$327,250 savings to the Water Fund and \$45,000 savings to the Wastewater Fund.

Fiscal Note

The capital improvements being financed by these loans are following the plan set forth in the Water System Master Plan, previously reviewed and approved by the Assembly.

As noted during budget deliberations earlier this year and during discussions of the recent water user fee increases, undesignated working capital in the Water Fund, while slowly building, remains at a low level. For this reason, debt financing of these improvements, through a low-interest loan, is the most feasible alternative.

Each additional increment of new debt taken on impacts cash flow from operations; for this reason, we need to continue to follow the financing plan laid out within the overall Water System Master Plan.

Recommendation:

Approve Resolutions 2012-12, 2012-13 and 2012-14, authorizing the City and Borough to apply for and execute ADWF and ACWF loans for the three projects listed above, in the amount of \$1,435,000, of which \$372,250 is expected to be subsidized.

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

POSSIBLE MOTION

I MOVE TO APPROVE Resolution 2012-13 on
First and Final Reading.

Sponsor: Administrator

CITY AND BOROUGH OF SITKA

RESOLUTION NO. 2012-13

**A RESOLUTION OF THE ASSEMBLY OF THE CITY AND BOROUGH OF SITKA,
ALASKA AUTHORIZING THE APPLICATION FOR A LOAN FROM THE ALASKA
DEPARTMENT OF ENVIRONMENTAL CONSERVATION UNDER THE ALASKA
DRINKING WATER FUND FOR HOLLYWOOD WAY
WATER MAIN REPLACEMENT**

WHEREAS, the City and Borough of Sitka (CBS) seeks to obtain the necessary financial assistance to construct water and wastewater improvements; and

WHEREAS, the State of Alaska, Department of Environmental Conservation (the Department) is able to offer funding through the Alaska Drinking Water Fund; and

WHEREAS, the Municipality wishes to apply for a loan from the Alaska Drinking Water Fund for Hollywood Way Water Main Replacement.

NOW, THEREFORE, BE IT RESOLVED by the Assembly of the City and Borough of Sitka, Alaska that the municipality is authorized to apply to the Alaska Department of Environmental Conservation for a loan from the Alaska Drinking Water Fund for water system improvements. Jim Dinley, Administrator, is authorized to execute any and all documents that may be required by the Department to reflect the indebtedness, the terms of its repayment, and any security therefore, including but not limited to a loan agreement and promissory note.

PASSED AND APPROVED by the Assembly of the City and Borough of Sitka, Alaska on this 26th day of June 2012.

Cheryl Westover, Mayor

ATTEST:

Colleen Ingman, MMC
Municipal Clerk



CITY AND BOROUGH OF SITKA

100 Lincoln Street,
Sitka, Alaska 99835

Legislation Details

File #: RES 12-14 Version: 1 Name:

Type: Resolution Status: AGENDA READY

File created: 6/6/2012 In control: City and Borough Assembly

On agenda: 6/26/2012 Final action:

Title: Authorize the application for a loan from the ADEC under the Alaska Clean Water Fund for Hollywood Way and New Archangel Sewer Replacement

Sponsors:

Indexes:

Code sections:

Attachments: [RES 12-14](#)

Date	Ver.	Action By	Action	Result
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CITY AND BOROUGH OF SITKA

100 Lincoln Street,
Sitka, Alaska 99835

Legislation Details

File #: 12-91 Version: 1 Name:

Type: Item Status: AGENDA READY

File created: 6/20/2012 In control: City and Borough Assembly

On agenda: 6/26/2012 Final action:

Title: Authorize a sole procurement for ABB69 kV Circuit Breakers Blue Lake Switchyard - \$75,998

Sponsors:

Indexes:

Code sections:

Attachments: [ABB Proposal Breakers](#)

Date	Ver.	Action By	Action	Result
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Summit Electric Sales Co., Inc.
1321 North 30th Street
Renton, WA 98056
www.sumsales.com

All ABB orders placed with Summit Electric should be made out to the following address;

ABB Inc.
12040 Regency Parkway
Cary, North Carolina 27518

Additionally, all orders should be sent to Summit Electric for entry into the ABB system.

ABB Inc. has consolidated all customer receipts for US Operations into a single lockbox, wire account, and physical delivery location. Depending upon the method you pay ABB, please update your Accounts Payable Records for all ABB business accounts to these new addresses:

Mail Payment To:

ABB Inc.
PO Box 88868
Chicago IL 60695-1868

Courier (Physical) Deliveries

JP Morgan
Attn: ABB Inc. Box 88868
Chicago, IL 60603

ACH/EFT Transfer To:

JP Morgan Chase, NY
ABA Number: 021000021
Account Name: ABB Inc.
Account No. : 323884326
(Foreign exchange payments, add Swift Code CHASUS33)

Thank you in advance for helping us through this transition period.

Regards,

Paul Miller
President
Summit Electric Sales Company
www.sumsales.com

ABB High Voltage
100 Distribution Circle
Mount Pleasant, Pennsylvania, United States

Dead Tank Breakers
For
City and Borough of Sitka Electric Dept - 72PM40-12B

SUBMITTED BY:
ABB Inc.
100 Distribution Circle
Mount Pleasant, PA 15666

Kelly Naugle
724-696-1528
kelly.naugle@us.abb.com

18 Jun 2012

ABB Negotiation Number: 12Q1631788 Rev 1
Equipment: Dead Tank Breaker

Dear Valued Customer:

Attached is a quotation from ABB Inc., per your request.

The opportunity to provide these items to you is greatly appreciated, and this offering is intended to meet your highest expectations.

We would like to highlight some of the value and features that these ABB products and services bring to you.

- The type PM is the most longstanding brand in the industry with over 25,000 units in service today
- Design features that minimize SF6 emissions, reduce maintenance, and increase safety
- ABB produces the type PM circuit breakers in ISO 9001 and 140001 certified facilities
- The support of the largest OEM service team in the industry.

We thank you for the opportunity to provide you with the most popular line of HV dead-tank circuit breakers in the world, the type PM. As part of our offering, ABB has proposed our popular Oasis control system which is designed to meet or exceed most industry specified control features used on our high voltage breakers. The Oasis platform has been widely accepted by many users across the US. As a result, we are now able to insure immediate release of pre-approved engineering drawing packages and therefore shorter lead-times.

ABB has a long-standing reputation for providing the customer with custom and standard High Voltage Products that are desired for the customers' unique application. Rather than forcing the customer to accept a standard configuration, ABB has invested in systems and processes to allow us to provide custom configurations to the customer with short cycle times at a high degree of accuracy and quality. ABB Inc. stands ready to work with you to supplement this product offering with technical application experts, training and support services intended to reduce your total cost of ownership.

ABB also offers turnkey removal and installation services, OEM commissioning, training programs and maintenance agreements for new high voltage equipment. Please call your local ABB representative for more information including the availability of extended warranty programs.

We look forward to your consideration of this offering, and will be pleased to answer any questions you may have.

Kelly Naugle
ABB Inc.
100 Distribution Circle
Mount Pleasant, PA 15666

Scope of Supply and Prices

Total Bid Package Pricing Schedule	
Item 10	
	72PM40-12B
Unit Price	\$37 682
Total Price for (2) units	\$75 364
Lead Time	23 - 25 weeks ARO
Factory Location: 9AAE300180: US: Mount Pleasant	
Product Code: 9AAC30400525: High Voltage Products and Systems /Circuit Breakers /Dead Tank Circuit Breakers /72PM	
Item 20 – Oasis Package	
	72PM40-12B
Unit Price	\$35 436
Total Price for (2) units	\$70 872
Lead Time	14 - 16 weeks ARO
Factory Location: 9AAE300180: US: Mount Pleasant	
Product Code: 9AAC30400525: High Voltage Products and Systems /Circuit Breakers /Dead Tank Circuit Breakers /72PM	
Total Bid Package Item 10	
	\$75,364
Total Bid Package Item 20	
	\$70,872

***stainless steel cabinets and hardware can be added for an additional \$2,563 per cabinet.**

A **Circuit Breaker Sentinel (CBS)** can be supplied in addition to any circuit breaker. The Circuit Breaker Sentinel™ is a microprocessor-based control device, which enables real-time condition monitoring for circuit breakers. See attached descriptive bulletin.

Circuit Breaker Sentinel (CBS).....**\$12,500**

A **Circuit Breaker Sentinel Lite (CBS-LT)** can be supplied in addition to any circuit breaker. The Circuit Breaker Sentinel Lite™ is a microprocessor-based control device, which enables real-time condition monitoring for circuit breakers. This unit excludes interrupter wear, timing and velocity data. See attached descriptive bulletin.

Circuit Breaker Sentinel Lite (CBS-LT).....**\$10,500**

A **Circuit Breaker Sentinel F6 (CBS-F6)** can be supplied in addition to any circuit breaker. The Circuit Breaker Sentinel F6™ is a microprocessor-based control device, which enables real-time condition monitoring for circuit breakers. This unit excludes all functions except SF6 pressure and temperature data. See attached descriptive bulletin.

Circuit Breaker Sentinel F6 (CBS-F6).....**\$3,500**

Circuit Breaker Sentinel (CBS)TM

The Circuit Breaker Sentinel (CBS) is a diagnostic and monitoring system for SF₆, single-pressure power circuit breakers rated 38 kV and above. The Circuit Breaker Sentinel monitors (1) interrupter wear, (2) integrity of the SF₆ gas system, (3) the circuit breaker mechanical system, (4) the electrical control system and auxiliaries. It consists of a modular microprocessor unit and sensors.

The unit is housed in a NEMA-1 enclosure, which is installed inside the circuit breaker control cabinet or in an additional enclosure mounted on the side of the control cabinet.

The Circuit Breaker Sentinel contains several dedicated electronic board assemblies. The Circuit Breaker Sentinel is designed and tested to operate under a temperatures range, from -40°F to 160°F (-40°C to +70°C), and to withstand electro-magnetic interference (EMI) conditions in a substation environment.

It has been tested according to IEC 61000-4 standards for EMI immunity. The CBS has indicator lights that provide first information about alarms. Its sensors detect parameters necessary to determine the condition of the circuit breaker, such as gas density, temperature, current, voltage and position.

Its electronic board assemblies utilize microprocessors which continuously collect data from these sensors, perform calculations, store data in memory and compare data against established limits or set-points for each parameter.

Technical Data Sheet

Item 10

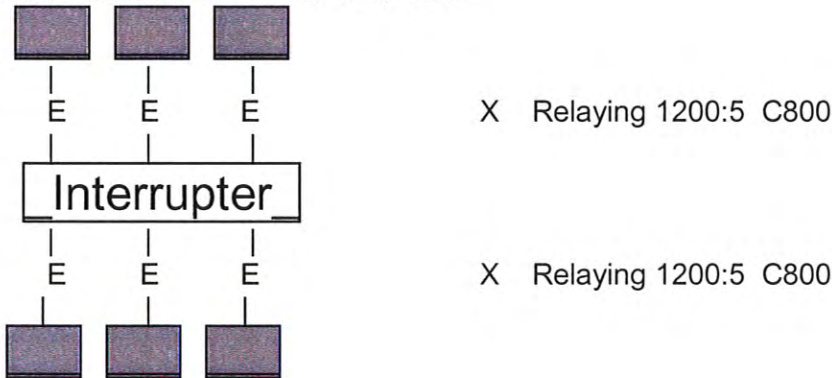
ABB Product ID:	72PM40-12B
CT Frequency	60 Hz
Trip Coil Circuit	Primary and Secondary
Close Coil Circuit	Primary Only
Maximum	72.5 (kV)
Continuous Current	1200 (A)
Interrupting Current	40 (kA)
BIL	350 (kV)
Interrupting Time	3 Cycles
Mechanism Type	BLK 222
Bushing Material	Composite
Bushing Creep	72 in.
Motor Voltage	125 VDC / 120 VAC
Control Voltage	125 VDC
Cabinet Material	Standard
Exterior Paint Color	ANSI 70 Gray
Interior Paint Color	ANSI 70 Gray
Duty Cycle	O-0.3Sec-CO-3min-CO
Energy Storage	Spring - Spring
SF ₆ GAS	ABB TO SUPPLY

Item 20 - Oasis Package

ABB Product ID:	72PM40-12B
CT Frequency	60 Hz
Trip Coil Circuit	Primary and Secondary
Close Coil Circuit	Primary Only
Maximum	72.5 (kV)
Continuous Current	1200 (A)
Interrupting Current	40 (kA)
BIL	350 (kV)
Interrupting Time	3 Cycles
Mechanism Type	BLK 22
Bushing Material	Composite
Bushing Creep	72 in.
Motor Voltage	125 VDC / 120 VAC
Control Voltage	125 VDC
Cabinet Material	Standard
Exterior Paint Color	ANSI 70 Gray
Interior Paint Color	ANSI 70 Gray
Duty Cycle	O-0.3Sec-CO-3min-CO
Energy Storage	Spring - Spring
SF ₆ GAS	ABB TO SUPPLY

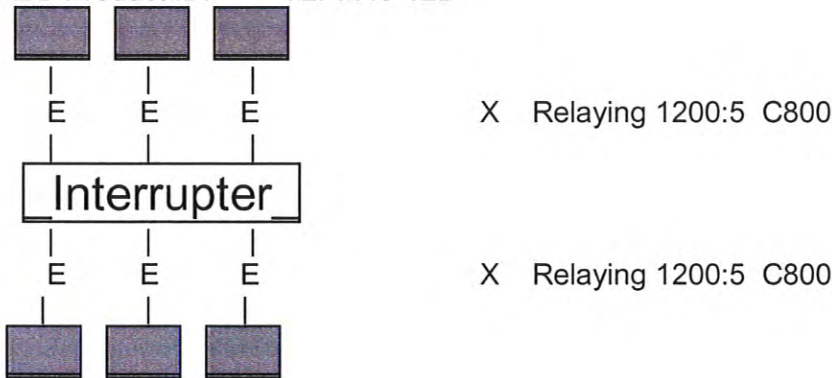
Item 10

ABB Product ID: 72PM40-12B



Item 20 – Oasis Package

ABB Product ID: 72PM40-12B



Comments and Clarifications

General

- ❖ This offering is made on the basis of ABB Inc. General Terms and Conditions of Sale, which is enclosed for review. We stand open to negotiate any of the items therein in an effort to reach a mutually acceptable set of terms and conditions applicable to this potential contract. (see below).
- ❖ Freight terms are CIP Destination prepaid and allowed.
- ❖ ABB Inc offers a 0.5% annual leak rate
- ❖ (6) NEMA 4 hole terminal pads will be supplied with each breaker.
- ❖ This quote reflects the ABB power circuit breaker 72.5PM40-12B pedestal design.

Spec

- ❖ III.E The quoted breakers have a rated interrupting time of 3 cycles at 40kA.
- ❖ IV.A.4 A miniature test switch disconnect and circuit breaker will be provided.
- ❖ IV.B.2 A miniature test switch disconnect and circuit breaker will be provided.
- ❖ IV.F.5 GFI receptacle is rated 120VAC, 20 A.
- ❖ VI.C Motor charging time is 15 seconds.
- ❖ VIII.A The quoted breakers use composite bushings.
- ❖ IX.D A standard set of general maintenance tools are provided with the breakers.
- ❖ IX. 3 SF6 gas filling apparatus is provided with the breakers.
- ❖ Provisions for a travel recorder are provided
- ❖ XII Proposal Data Required

A. Coil Ratings

- | | |
|-----------------------------|-----|
| 1. Trip coil amperes, each. | 2.4 |
| 2. Close coil amperes | 2.4 |

B. Power Requirements

- | | |
|----------------------|------|
| 1. Motor load - H.P. | 18 A |
|----------------------|------|

C. Physical Characteristics

- | | |
|------------------------------|----------------------|
| 1. Total weight of breaker | 4,300 lbs. |
| 2. Overall dimensions | See attached outline |
| 3. Pounds of SF6 gas. | 22 |
| 4. Bushing terminal details. | See attached outline |

D. Rating of Circuit Breaker Including:

- | | |
|--|---------|
| 1. Max. symmetrical interrupting capability - amperes (RMS). | 40,000 |
| 2. Three second short time current capability - amperes (RMS). | 40,000 |
| 3. Closing and latching capability - amperes (RMS). | 104,000 |
| 4. Rated closing time - cycles. | 3 |
| 5. Voltage range factor K. | 1 |
| 6. Number of stored CO operations. | 1 |

Oasis – Item 20 – General Comments

- ❖ Quoted breakers are designed in the U.S.A., manufactured and tested in Mexico.
- ❖ Quoted breakers are designed to the Oasis Control Package. Pre-approved wiring diagram is attached for review.
- ❖ Quoted breaker is designed with the US-Design Control Cabinet (page 2 of outline drawing).
- ❖ Construction drawings will be sent 6 weeks ARO, approval drawings are not provided.
- ❖ ABB Inc offers a 5 year warranty

General Terms and Conditions

PRICES

Prices are firm for shipment quoted, and do not include federal, state, or local taxes of any kind.

PAYMENT

Net payment is due within 30 days after date of invoice.

VALIDITY

Bid is valid for acceptance for a period of 30 days following bid opening.

SHIPMENT/DRAWINGS

Based on receipt of an order within the quoted validity period, we can ship the equipment based on the lead times listed above, after receipt of a complete and valid purchase order or contract. Each breaker will be shipped with an instruction manual, field assembly drawing, outline drawing, wiring diagram, and wiring connection drawing, located in the documentation storage pocket inside the control cabinet.

Drawings for approval, if required, will be submitted electronically via e-mail within 8 weeks after receipt of a written and valid purchase order. Drawings for approval include a breaker outline drawing, wiring diagrams, connection diagrams, CT performance curves, nameplate drawings, and bushing outline drawing. Instruction manuals are fixed documents and are not submitted for approval. The quoted breaker shipment is contingent upon the customer returning approval drawings within 2 weeks after submittal. Delays in the return of approval drawings that cause a delayed final release to production will result in rescheduling of the circuit breaker shipment to the next available production slot, which may significantly exceed the time of drawing delay.

Final drawings as well as production test reports will also be submitted via e-mail in electronic format within 2 weeks after shipment of the circuit breakers.

WARRANTY

Standard warranty period is the earlier of 12 months from energization but not to exceed 18 months from shipment. Further clarification regarding warranty coverage is included in the attached document, ABB Inc. General Terms and Conditions of Sale.

FREIGHT/DELIVERY TERMS

Freight prepaid and allowed (CIP per INCOTerms 2010) with the destination as defined in the bid. Freight is prepaid and allowed to first truck unload point. Title transfers from ABB to Customer when the product is loaded on the truck at the factory and Risk of Loss is covered by ABB to the defined delivery point. Freight prepaid and allowed includes only the trucking expense and does not include offloading equipment, cranes, rail, ship or any other carriage. Re-consignment or redirection of shipment will incur a \$725 handling fee and additional freight charges will apply. All prices are contingent upon

gaining valid shipping clearances at the time of shipment. If clearance is not available due to highway construction, changes in state regulations, changes in bridge limitations or other items beyond our control, ABB will not be responsible for any additional shipping or handling charges. Due to the volatility in the price of fuel a surcharge may apply at time of shipment.

STORAGE AND TITLE

ABB allows 5 days from date of shipment from factory for Customer to accept delivery and confirm shipment location. In the event the Purchaser cannot accept delivery when the Seller is ready to ship, in accordance with the acknowledged shipment date, outside storage will be necessary. Storage charges are as follows:

Size	Charge
Breakers 250kV and less	\$425 / Day
Breakers above 250kV	\$795 / Day

A \$950 offloading and handling fee will apply to each breaker that requires storage.

If storage includes provisioning the breakers with energized heaters, a \$1750 per breaker fee will apply to cover labor, materials, and electricity. Upon storage the EXW point will pass and the Purchaser will take title to the Product.

LIMITATION OF LIABILITY

Manufacturer's total, aggregate liability for any claims made or damages arising out of the performance of this contract shall not exceed the contract price. Further provided that in no event shall the manufacturer be liable for any incidental or consequential damages whatsoever, including but not limited to loss of use of product or work, loss of profits, capital or revenue.

SF6 GAS

Quoted prices include SF6 gas to be furnished in returnable cylinders.

WITNESS TESTING

Customers are welcome to visit our assembly facilities to witness ANSI Standard production tests. Please note that production test dates, in order to assure smooth production flow for all customer's products, are set at the time of product scheduling. Should a customer elect to witness production testing, notification is required 4 weeks prior to the scheduled test date to afford sufficient time to coordinate the visit with our test laboratory.

CONDITIONS

Except as otherwise noted herein, the attached ABB Inc. General Terms and Conditions of Sale shall apply to this quotation and subsequent purchase order or contract.

ABB INC. GENERAL TERMS AND CONDITIONS OF SALE

1. General. The terms and conditions contained herein, together with any additional or different terms contained in ABB's Proposal, if any, submitted to Purchaser (which Proposal shall control over any conflicting terms), constitute the entire agreement (the "Agreement") between the parties with respect to the order and supersede all prior communications and agreements regarding the order. Acceptance by ABB of the order, or Purchaser's acceptance of ABB's Proposal, is expressly limited to and conditioned upon Purchaser's acceptance of these terms and conditions, payment for or acceptance of any performance by ABB being acceptance. These terms and conditions may not be changed or superseded by any different or additional terms and conditions proposed by Purchaser to which terms ABB hereby objects. Unless the context otherwise requires, the term "Equipment" as used herein means all of the equipment, parts, accessories sold, and all software and software documentation, if any, licensed to Purchaser by ABB ("Software") under the order. Unless the context otherwise requires, the term "Services" as used herein means all labor, supervisory, technical and engineering, installation, repair, consulting or other services provided by ABB under the order. As used herein, the term "Purchaser" shall include the initial end use of the Equipment and/or services; provided, however, that Paragraph 13(a) shall apply exclusively to the initial end user.

2. Prices.

(a) Unless otherwise specified in writing, all Proposals expire thirty (30) days from the date thereof.

(b) Unless otherwise stated herein, Services prices are based on normal business hours (8 a.m. to 5 p.m. Monday through Friday). Overtime and Saturday hours will be billed at one and one-half (1 1/2) times the hourly rate; and Sunday hours will be billed at two (2) times the hourly rate; holiday hours will be billed at three (3) times the hourly rate. If a Services rate sheet is attached hereto, the applicable Services rates shall be those set forth in the rate sheet. Rates are subject to change without notice.

(c) The price does not include any federal, state or local property, license, privilege, sales, use, excise, gross receipts, or other like taxes which may now or hereafter be applicable. Purchaser agrees to pay or reimburse any such taxes which ABB or its suppliers are required to pay or collect. If Purchaser is exempt from the payment of any tax or holds a direct payment permit, Purchaser shall, upon order placement, provide ABB a copy, acceptable to the relevant governmental authorities of any such certificate or permit.

(d) The price includes customs duties and other importation or exportation fees, if any, at the rates in effect on the date of ABB's Proposal. Any change after that date in such duties, fees, or rates, shall increase the price by ABB's additional cost.

3. Payment.

(a) Unless specified to the contrary in writing by ABB, payment terms are net cash, payable without offset, in United States Dollars, 30 days from date of invoice by wire transfer to the account designated by ABB in the Proposal.

(b) If in the judgment of ABB the financial condition of Purchaser at any time prior to delivery does not justify the terms of payment specified, ABB may require payment in advance, payment security satisfactory to ABB, or may terminate the order, whereupon ABB shall be entitled to receive reasonable cancellation charges. If delivery is delayed by Purchaser, payment shall be due on the date ABB is prepared to make delivery. Delays in delivery or nonconformities in any installments delivered shall not relieve Purchaser of its obligation to accept and pay for remaining installments.

(c) Purchaser shall pay, in addition to the overdue payment, a late charge equal to the lesser of 1 1/2% per month or any part thereof or the highest applicable rate allowed by law on all such overdue amounts plus ABB's attorneys' fees and court costs incurred in connection with collection.

4. Changes.

(a) Any changes requested by Purchaser affecting the ordered scope of work must be accepted by ABB and resulting adjustments to affected provisions, including price, schedule, and guarantees mutually agreed in writing prior to implementation of the change.

(b) ABB may, at its expense, make such changes in the Equipment or Services as it deems necessary, in its sole discretion, to conform the Equipment or Services to the applicable specifications. If Purchaser objects to any such changes, ABB shall be relieved of its obligation to conform to the applicable specifications to the extent that conformance may be affected by such objection.

5. Delivery.

(a) All Equipment manufactured, assembled or warehoused in the continental United States is delivered F.O.B. point of shipment. Equipment shipped from outside the continental United States is delivered F.O.B. United States port of entry. Purchaser shall be responsible for any and all demurrage or detention charges.

(b) If the scheduled delivery of Equipment is delayed by Purchaser or by Force Majeure, ABB may move the Equipment to storage for the account of and at the risk of Purchaser whereupon it shall be deemed to be delivered.

(c) Shipping and delivery dates are contingent upon Purchaser's timely approvals and delivery by Purchaser of any documentation required for ABB's performance hereunder.

(d) Claims for shortages or other errors in delivery must be made in writing to ABB within ten days of delivery. Equipment may not be returned except with the prior written consent of and subject to terms specified by ABB. Claims for damage after delivery shall be made directly by Purchaser with the common carrier.

6. Title & Risk of Loss. Except with respect to Software (for which title shall not pass, use being licensed) title to Equipment shall remain in ABB until fully paid for. Notwithstanding any agreement with respect to delivery terms or payment of transportation charges, risk of loss or damage shall pass to Purchaser upon delivery.

7. Inspection, Testing and Acceptance.

- (a) Any inspection by Purchaser of Equipment on ABB's premises shall be scheduled in advance to be performed during normal working hours.
- (b) If the order provides for factory acceptance testing, ABB shall notify Purchaser when ABB will conduct such testing prior to shipment. Unless Purchaser states specific objections in writing within ten (10) days after completion of factory acceptance testing, completion of the acceptance test constitutes Purchaser's factory acceptance of the Equipment and its authorization for shipment.
- (c) If the order provides for site acceptance testing, testing will be performed by ABB personnel to verify that the Equipment has arrived at site complete, without physical damage, and in good operating condition. Completion of site acceptance testing constitutes full and final acceptance of the Equipment. If, through no fault of ABB, acceptance testing is not completed within thirty (30) days after arrival of the Equipment at the site, the site acceptance test shall be deemed completed and the Equipment shall be deemed accepted.

8. Warranties and Remedies.

(a) Equipment and Services Warranty. ABB warrants that Equipment (excluding Software, which is warranted as specified in paragraph (d) below) shall be delivered free of defects in material and workmanship and that Services shall be free of defects in workmanship. The Warranty Remedy Period for Equipment (excluding Software, Spare Parts and Refurbished or Repaired Parts) shall end twelve (12) months after installation or eighteen (18) months after date of shipment, whichever first occurs. The Warranty Remedy Period for new spare parts shall end twelve (12) months after date of shipment. The Warranty Remedy Period for refurbished or repaired parts shall end ninety (90) days after date of shipment. The Warranty Remedy Period for Services shall end ninety (90) days after the date of completion of Services.

(b) Equipment and Services Remedy. If a nonconformity to the foregoing warranty is discovered in the Equipment or Services during the applicable Warranty Remedy Period, as specified above, under normal and proper use and provided the Equipment has been properly stored, installed, operated and maintained and written notice of such nonconformity is provided to ABB promptly after such discovery and within the applicable Warranty Remedy Period, ABB shall, at its option, either (i) repair or replace the nonconforming portion of the Equipment or re-perform the nonconforming Services or (ii) refund the portion of the price applicable to the nonconforming portion of Equipment or Services. If any portion of the Equipment or Services so repaired, replaced or re-performed fails to conform to the foregoing warranty, and written notice of such nonconformity is provided to ABB promptly after discovery and within the original Warranty Remedy Period applicable to such Equipment or Services or 30 days from completion of such repair, replacement or re-performance, whichever is later, ABB will repair or replace such nonconforming Equipment or re-perform the nonconforming Services. The original Warranty Remedy Period shall not otherwise be extended.

(c) Exceptions. ABB shall not be responsible for providing working access to the nonconforming Equipment, including disassembly and re-assembly of non-ABB supplied equipment, or for providing transportation to or from any repair facility, all of which shall be at Purchaser's risk and expense. ABB shall have no obligation hereunder with respect to any Equipment which (i) has been improperly repaired or altered; (ii) has been subjected to misuse, negligence or accident; (iii) has been used in a manner contrary to ABB's instructions; (iv) is comprised of materials provided by or a design specified by Purchaser; or (v) has failed as a result of ordinary wear and tear. Equipment supplied by ABB but manufactured by others is warranted only to the extent of the manufacturer's warranty, and only the remedies, if any, provided by the manufacturer will be allowed.

(d) Software Warranty and Remedies. ABB warrants that, except as specified below, the Software will, when properly installed, execute in accordance with ABB's published specification. If a nonconformity to the foregoing warranty is discovered during the period ending one (1) year after the date of shipment and written notice of such nonconformity is provided to ABB promptly after such discovery and within that period, including a description of the nonconformity and complete information about the manner of its discovery, ABB shall correct the nonconformity by, at its option, either (i) modifying or making available to the Purchaser instructions for modifying the Software; or (ii) making available at ABB's facility necessary corrected or replacement programs. ABB shall have no obligation with respect to any nonconformities resulting from (i) unauthorized modification of the Software or (ii) Purchaser-supplied software or interfacing. ABB does not warrant that the functions contained in the software will operate in combinations which may be selected for use by the Purchaser, or that the software products are free from errors in the nature of what is commonly categorized by the computer industry as "bugs".

(e) THE FOREGOING WARRANTIES ARE EXCLUSIVE AND IN LIEU OF ALL OTHER WARRANTIES OF QUALITY AND PERFORMANCE, WHETHER WRITTEN, ORAL OR IMPLIED, AND ALL OTHER WARRANTIES INCLUDING ANY IMPLIED WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE OR USAGE OF TRADE ARE HEREBY DISCLAIMED. THE REMEDIES STATED HEREIN CONSTITUTE PURCHASER'S EXCLUSIVE REMEDIES AND ABB'S ENTIRE LIABILITY FOR ANY BREACH OF WARRANTY.

9. Patent Indemnity.

(a) ABB shall defend at its own expense any action brought against Purchaser alleging that the Equipment or the use of the Equipment to practice any process for which such Equipment is specified by ABB (a "Process") directly infringes any claim of a patent of the United States of America and to pay all damages and costs finally awarded in any such action, provided that Purchaser has given ABB prompt written notice of such action, all necessary assistance in the defense thereof and the right to control all aspects of the defense thereof including the right to settle or otherwise terminate such action in behalf of Purchaser.

(b) ABB shall have no obligation hereunder and this provision shall not apply to: (i) any other equipment or processes, including Equipment or Processes which have been modified or combined with other equipment or process not supplied by ABB; (ii) any Equipment or Process supplied according to a design, other than an ABB design, required by Purchaser; (iii) any products manufactured by the Equipment or Process; (iv) any patent issued after the date hereof; or (v) any action settled or otherwise terminated without the prior written consent of ABB.

(c) If, in any such action, the Equipment is held to constitute an infringement, or the practice of any Process using the Equipment is finally enjoined, ABB shall, at its option and its own expense, procure for Purchaser the right to continue using said Equipment; or modify or replace it with non-infringing equipment or, with Purchaser's assistance, modify the Process so that it becomes non-infringing; or remove it and refund the portion of the price allocable to the infringing Equipment. THE FOREGOING

PARAGRAPHS STATE THE ENTIRE LIABILITY OF ABB AND EQUIPMENT MANUFACTURER FOR ANY PATENT INFRINGEMENT.

(d) To the extent that said Equipment or any part thereof is modified by Purchaser, or combined by Purchaser with equipment or processes not furnished hereunder (except to the extent that ABB is a contributory infringer) or said Equipment or any part thereof is used by Purchaser to perform a process not furnished hereunder by ABB or to produce an article, and by reason of said modification, combination, performance or production, an action is brought against ABB, Purchaser shall defend and indemnify ABB in the same manner and to the same extent that ABB would be obligated to indemnify Purchaser under this "Patent Indemnity" provision.

10. Limitation of Liability.

(a) In no event shall ABB, its suppliers or subcontractors be liable for special, indirect, incidental or consequential damages, whether in contract, warranty, tort, negligence, strict liability or otherwise, including, but not limited to, loss of profits or revenue, loss of use of the Equipment or any associated equipment, cost of capital, cost of substitute equipment, facilities or services, downtime costs, delays, and claims of customers of the Purchaser or other third parties for any damages. ABB's liability for any claim whether in contract, warranty, tort, negligence, strict liability, or otherwise for any loss or damage arising out of, connected with, or resulting from this Agreement or the performance or breach thereof, or from the design, manufacture, sale, delivery, resale, repair, replacement, installation, technical direction of installation, inspection, operation or use of any equipment covered by or furnished under this Agreement, or from any services rendered in connection therewith, shall in no case (except as provided in the section entitled "Patent Indemnity") exceed one-half (1/2) of the purchase price allocable to the Equipment or part thereof or Services which gives rise to the claim.

(b) All causes of action against ABB arising out of or relating to this Agreement or the performance or breach hereof shall expire unless brought within one year of the time of accrual thereof.

(c) In no event, regardless of cause, shall ABB be liable for penalties or penalty clauses of any description or for indemnification of Purchaser or others for costs, damages, or expenses arising out of or related to the Equipment and/Services.

11. Laws and Regulations. ABB does not assume any responsibility for compliance with federal, state or local laws and regulations, except as expressly set forth herein, and compliance with any laws and regulations relating to the operation or use of the Equipment or Software is the sole responsibility of the Purchaser. All laws and regulations referenced herein shall be those in effect as of the Proposal date. In the event of any subsequent revisions or changes thereto, ABB assumes no responsibility for compliance therewith. If Purchaser desires a modification as a result of any such change or revision, it shall be treated as a change per Article 4. Nothing contained herein shall be construed as imposing responsibility or liability upon ABB for obtaining any permits, licenses or approvals from any agency required in connection with the supply, erection or operation of the Equipment. This Agreement shall be governed by the laws of the State of New York, but excluding the provisions of the United Nations Convention on Contracts for the International Sale of Goods and excluding New York law with respect to conflicts of law. Purchaser agrees that all causes of action against ABB under this Agreement shall be brought in the State Courts of the State of New York, or the U.S. District Court for the Southern District of New York. If any provision hereof, partly or completely, shall be held invalid or unenforceable, such invalidity or unenforceability shall not affect any other provision or portion hereof and these terms shall be construed as if such invalid or unenforceable provision or portion thereof had never existed.

12. OSHA. ABB warrants that the Equipment will comply with the relevant standards of the Occupational Safety and Health Act of 1970 ("OSHA") and the regulations promulgated thereunder as of the date of the Proposal. Upon prompt written notice from the Purchaser of a breach of this warranty, ABB will replace the affected part or modify it so that it conforms to such standard or regulation. ABB's obligation shall be limited to such replacement or modification. In no event shall ABB be responsible for liability arising out of the violation of any OSHA standards relating to or caused by Purchaser's design, location, operation, or maintenance of the Equipment, its use in association with other equipment of Purchaser, or the alteration of the Equipment by any party other than ABB.

13. Software License.

(a) ABB owns all rights in or has the right to sublicense all of the Software, if any, to be delivered to Purchaser under this Agreement. As part of the sale made hereunder Purchaser hereby obtains a limited license to use the Software, subject to the following: (i) The Software may be used only in conjunction with equipment specified by ABB; (ii) The Software shall be kept strictly confidential; (iii) The Software shall not be copied, reverse engineered, or modified; (iv) The Purchaser's right to use the Software shall terminate immediately when the specified equipment is no longer used by the Purchaser or when otherwise terminated, e.g. for breach, hereunder; and (v) the rights to use the Software are non-exclusive and non-transferable, except with ABB's prior written consent. (b) Nothing in this Agreement shall be deemed to convey to Purchaser any title to or ownership in the Software or the intellectual property contained therein in whole or in part, nor to designate the Software a "work made for hire" under the Copyright Act, nor to confer upon any person who is not a named party to this Agreement any right or remedy under or by reason of this Agreement. In the event of termination of this License, Purchaser shall immediately cease using the Software and, without retaining any copies, notes or excerpts thereof, return to ABB the Software and all copies thereof and shall remove all machine readable Software from all of Purchaser's storage media.

14. Inventions and Information. Unless otherwise agreed in writing by ABB and Purchaser, all right, title and interest in any inventions, developments, improvements or modifications of or for Equipment and Services shall remain with ABB. Any design, manufacturing drawings or other information submitted to the Purchaser remains the exclusive property of ABB. Purchaser shall not, without ABB's prior written consent, copy or disclose such information to a third party. Such information shall be used solely for the operation or maintenance of the Equipment and not for any other purpose, including the duplication thereof in whole or in part.

15. Force Majeure. ABB shall neither be liable for loss, damage, detention or delay nor be deemed to be in default for failure to perform when prevented from doing so by causes beyond its reasonable control including but not limited to acts of war (declared or undeclared), Acts of God, fire, strike, labor difficulties, acts or omissions of any governmental authority or of Purchaser, compliance with government regulations, insurrection or riot, embargo, delays or shortages in transportation or inability to obtain necessary labor, materials, or manufacturing facilities from usual sources or from defects or delays in the performance of its suppliers or subcontractors due to any of the foregoing enumerated causes. In the event of delay due to any such cause, the date of delivery will be extended by period equal to the delay plus a reasonable time to resume production, and the price will be adjusted to compensate ABB for such delay.

16. Cancellation. Any order may be cancelled by Purchaser only upon prior written notice and payment of termination charges, including but not limited to, all costs identified to the order incurred prior to the effective date of notice of termination and all expenses incurred by ABB attributable to the termination, plus a fixed sum of ten (10) percent of the final total price to compensate for disruption in scheduling, planned production and other indirect costs.

17. Termination. No termination by Purchaser for default shall be effective unless, within fifteen (15) days after receipt by ABB of Purchaser's written notice specifying such default, ABB shall have failed to initiate and pursue with due diligence correction of such specified default.

18. Export Control.

(a) Purchaser represents and warrants that the Equipment and Services provided hereunder and the "direct product" thereof are intended for civil use only and will not be used, directly or indirectly, for the production of chemical or biological weapons or of precursor chemicals for such weapons, or for any direct or indirect nuclear end use. Purchaser agrees not to disclose, use, export or re-export, directly or indirectly, any information provided by ABB or the "direct product" thereof as defined in the Export Control Regulations of the United States Department of Commerce, except in compliance with such Regulations.

(b) If applicable, ABB shall file for a U.S. export license, but only after appropriate documentation for the license application has been provided by Purchaser. Purchaser shall furnish such documentation within a reasonable time after order acceptance. Any delay in obtaining such license shall suspend performance of this Agreement by ABB. If an export license is not granted or, if once granted, is thereafter revoked or modified by the appropriate authorities, this Agreement may be canceled by ABB without liability for damages of any kind resulting from such cancellation. At ABB's request, Purchaser shall provide to ABB a Letter of Assurance and End-User Statement in a form reasonably satisfactory to ABB.

19. Assignment. Any assignment of this Agreement or of any rights or obligations under the Agreement without prior written consent of ABB shall be void.

20. Nuclear Insurance – Indemnity. For applications in nuclear projects, the Purchaser and/or its end user customer shall have complete insurance protection against liability and property damage resulting from a nuclear incident to and shall indemnify ABB, its subcontractors, suppliers and vendors against all claims resulting from a nuclear incident.

21. Resale. If Purchaser resells any of the Equipment, the sale terms shall limit ABB's liability to the buyer to the same extent that ABB's liability to Purchaser is limited hereunder.

22. Entire Agreement. This Agreement constitutes the entire agreement between ABB and Purchaser. There are no agreements, understandings, restrictions, warranties, or representations between ABB and Purchaser other than those set forth herein or herein provided.



CITY AND BOROUGH OF SITKA

100 Lincoln Street,
Sitka, Alaska 99835

Legislation Details

File #: 12-93 Version: 1 Name:

Type: Item Status: AGENDA READY

File created: 6/20/2012 In control: City and Borough Assembly

On agenda: 6/26/2012 Final action:

Title: Award a Combiner/Multiplexeor System under the 2011 Homeland Security Grant low bidder
Procomm Alaska - \$77,521

Sponsors:

Indexes:

Code sections:

Attachments: [SPD Combiner_Multiplexer](#)

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

POSSIBLE MOTION

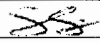
I MOVE TO award the Combiner/Multiplexer System for Sitka Police Department funded under the 2011 Homeland Security Grant to Procomm Alaska for their low bid of \$77,521

P O L I C E

DEPARTMENT

MEMO

City and Borough of Sitka

To:	Jim Dinley
From:	Sheldon Schmitt 
Subject:	Sitka Combiner Bid award
Date:	Wednesday, June 20, 2012

The City and Borough of Sitka accepted the 2011 Homeland Security grant. One of the projects is a combiner/multiplexor system. According to the purchasing requirements of the City and Borough of Sitka and of Homeland Security, this project went out to bid on May 29, 2012. The bidding processed closed on June 19th at 2:00 pm. Fourteen different entities downloaded the bid package, however, only one responded.

The bid from Procomm Alaska met the bid requirements and came in at \$77,521.00 which was less than the \$86,000.00 that was awarded under the Homeland Security Grant.

I recommend that the contract be awarded to Procomm Alaska for the amount of \$77,521.00.

Attached are the RFP, the Grant award document, the list of entities that downloaded the package and the proposal from Procomm Alaska.

PART III

SUMMARY OF WORK

The City and Borough of Sitka (Sitka) is seeking proposals and sealed bids from qualified vendors to furnish and install equipment, accessories, hardware, software, labor, training, and materials to install a seven (7) channel transmit combiner and receiver multi-coupler RF system with corresponding antennas. Maintenance on the systems installed will be included. The proposed system will be installed in Sitka, AK. The contract shall be awarded to the company that submits the best overall proposal meeting the needs of Sitka. Proposals will be evaluated based upon the requirements and industry standards (75%) and bids (25%). Notwithstanding all of the technical requirements, the vendor must supply a complete and useable system compatible with all digital / analog protocols with no gaps in system compatibility. Vendors are encouraged to highlight any discrepancies noted within the RFP and to propose alternate solutions which may be in the best interest of Sitka, provided they meet the minimum requirements. Pricing for any options must be included within the sealed bid at the time of delivery.

Two copies of the proposal along with sealed bids shall be submitted to no later than 2:00 p.m., Tuesday, June 19, 2012. An electronic copy of the entire proposal and proposed contracts (minus bids) shall be included. Proposals should be submitted to:

Office of the City Clerk
City and Borough of Sitka
100 Lincoln St.
Sitka, A.K. 99835

The customer contact for this project is:

Tim White, Police Technician
City and Borough of Sitka Police Department
304 Lake St., Room 102
Sitka, A.K. 99835
907-966-5704

City and Borough of Sitka reserves the right to reject any and all proposals received and to waive any formalities as may be permitted by law.

General Information

The City and Borough of Sitka, Alaska, (hereinafter referred to as the customer) is soliciting proposals and sealed bids from qualified vendors to furnish and install equipment, accessories, hardware, software, labor, training, and materials necessary to install a seven (7) channel transmit combiner and receiver multi-coupler RF system with corresponding antennas. The proposed system will be installed in Sitka, Alaska. This solicitation is for the purchase of technology goods and services and shall be awarded as per City and Borough of Sitka Statutes. The proposals received shall remain confidential until the contract is awarded; therefore there will not be a public bid opening.

The schedule for this project is currently as follows:

Request for Proposals / Bids Issued May 29, 2012

Deadline for written questions June 8, 2012

Question responses June 15, 2012

Proposals / Bids Due June 19, 2012

Proposals Reviewed June 20, 2012

Contract Award June 27, 2012

Approximate Installation Completion September 30, 2012

Final Acceptance and Testing Completed October 31, 2012

Any questions regarding this RFP should be directed in writing to Tim White at timw@sitkapd.com with read receipt requested.

All items will be shipped FOB to City and Borough of Sitka Police Department, 304 Lake St, Room 102, Sitka, AK, or as otherwise specified. The vendor will be fully responsible for all equipment that is delivered at other than the scheduled times and locations.

All wiring requirements shall be specified within the proposal. All interconnection wiring to the radios, tower and grounding shall be included. All required patch cables and installation are to be included and shall be the required length and a maximum of 25% extra. The city reserves the right to specify a cable coloring scheme to be utilized.

Payment will be made as invoiced. Proposals shall include a payment schedule.

Local tax should not be included in the proposal. A tax exempt card for local taxes may be applied for at the city offices. The customer will not reimburse local taxes. All exceptions must be clearly indicated as applicable and summarized at the end of the proposal. An authorized signature must accompany this list indicating that all exceptions are noted and disclosed. Vendor warrants that his bid is genuine and not collusive nor sham and that he has not conspired nor agreed in any manner to fix any bid price or any element of such price, payment or agreement for commission percentage, brokerage, or any other compensation for the procurement of this contract.

The vendor and all subcontractors, at their own expense, shall provide and maintain insurance with a company licensed to do business in Alaska as follows:

1. Workman's Compensation as required by all federal, state, maritime or other laws.

2. Comprehensive general liability including contractors liability, contingent liability, contractual liability, completed operation and product liability all on the occurrence basis with personal injury coverage:
 - a. Personal injury each person \$1,000,000
 - b. Each occurrence \$1,000,000
 - c. Property damage \$1,000,000
3. The contractor and all subcontractors in connection with the above mentioned insurance shall furnish to the customer a certificate of insurance showing proof of insurance and naming City and Borough of Sitka as additionally insured and that insurance is in full force prior to commencement of the contract.
 - a. Umbrella liability limit of liability \$1,000,000

All insurance required to be maintained or provided by the Contractor and subcontractors shall be with companies and through policies approved by the Purchasing Agent. The city has the right to inspect in person, prior to the commencement of work, all of the Contractor's insurance policies in regards to required insurance coverage's. All such Insurance Companies shall carry a Best's rating of A+ (or equivalent) and be approved and licensed to do business in the State of Alaska.

The contractor and all subcontractors in connection with the contract will be certified for the work they are responsible for. For example, any personnel climbing and working on the tower will be tower certified, any personnel working on the Motorola Quantar radio will be certified to work on it, etc.

The project consists of providing equipment and installation of a seven (7) channel transmit combiner and receive multi-coupler with antennas.

The frequencies of the seven radios are as follows;

Tx	Rx	
155.655	158.730	PD Main
154.445	159.060	Fire Main
155.340	155.340	SCH (Simplex)
156.240	153.830	SAR
155.055	159.240	Fire Tac1
153.590	158.190	Electric Dept
151.3925	156.0075	Public Works Repeater

In addition, the State of Alaska has an ALMR stand-alone site co-located with the City of Sitka. They are using the following frequencies.

154.775	138.0375	Control
155.600	138.3875	Ch 1
155.8625	138.5875	Ch 2
155.1375	138.1875	Ch 3
155.3625	138.0875	Ch 4

The vendor shall provide the following:

Provide and install one (1) seven channel combiner – multi-coupler (up to two racks size 87”H x 24”W x 40”D).

Build RF jumper coax cables between penetration panel and combiner/multi-coupler and between combiner/multi-coupler and each of base station/repeater (7 radios total).

Check the status of existing antennas and coax to be reused with a new RF system (sweep antennas and coax with a Site Master or equivalent).

Provide and install one (1) wide bandwidth (26 MHz), 2.5 dB gain VHF antenna for the future use at the 60 feet level on the tower.

Re-organize antennas on the tower so Multi-coupler Rx antenna and ALMR Rx antenna would be located at 100 feet level (top of the tower). TX antennas would be installed on 60 feet level with additional antennas at the 35 feet level if necessary.

Removed unused / or bad antennas from tower and return to the City for storage.

Tune radios, combiner and multi-coupler for optimum performance.

Verify that there is no interference to or from the co-located ALMR radios.

Sweep antennas and coax runs with Site Master (or equivalent) at the end of project for verification of the work.

All components of the system shall meet the requirements of FCC Rules and Regulations Part 68 (Registration) and Part 15 (Emission and Interference). The vendor shall provide in the bid response all license, permits and registration numbers obtained in their compliance with these Rules and Regulations.

All specialized terms utilized within the proposal and contract shall be as defined by the Sitka Police Department, National Emergency Number Association (NENA), Association of Public Safety Communications Officers (APCO), National Academy of Emergency Dispatch (NAED) and the National Fire Protection Association (NFPA). All other terms shall be as defined by Mosby’s Emergency Dictionary and Webster’s Dictionary.

Requirements

Taking exception to a significant capability may disqualify the bid response and create no further evaluation of the response.

All equipment at the location shall include 72” tall racks. All grounding will meet or exceed Motorola R52 grounding standards.

The vendor shall provide a detailed description and block diagram of the system to be provided, including a discussion of the system’s architecture and its ability to provide service required by the customer. Electrical and other connection requirements are to be specified.

The vendor shall provide all documentation to show proper certification for the task performed. For example, tower certification for any personnel involved in tower work.

The vendor shall provide along with their response a narrative concerning the procedures for reporting troubles, including telephone number and email address for first, second and third level supervision and general maintenance overview.

Acceptance

The vendor must thoroughly test the entire system prior to conversion.

The customer requires the vendor to ring-talk test each radio at least twice prior to cutover with the customer's representative present. During the testing, the vendor shall log all troubles found and make any necessary repairs or adjustments at their cost. These reports shall be submitted to the customer showing all errors found and corrective action taken to resolve troubles.

The vendor shall make sure that all features of the radios are working.

The vendor must provide, at a minimum, a qualified engineering technician (initially onsite and thereafter immediately available to the site) for the first 24 hours after the cutover.

The proposal shall include all contracts necessary for the purchase and maintenance as proposed. It is the intent of the customer to select and award contracts at the June Assembly meeting; therefore any required contract clarification, negotiations and corrections must be completed by June 19, 2012, without exception.

State of Alaska

Division of Homeland Security and Emergency Management

Under

US Department of Homeland Security
Federal Emergency Management Agency
Grant Programs Directorate

Page 1 of 6

AWARD DATE

10/28/2011

FEDERAL GRANT PROGRAM

2011 Homeland Security Grant
Program

OBLIGATING AWARD DOCUMENT

AMENDMENT

FEDERAL GRANT NUMBER

EMW-2011-SS-00053

RECIPIENT NAME AND ADDRESS

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

PERFORMANCE PERIOD

FROM

12/01/2011

TO

12/31/2013

CFDA

97.067

AWARD AMOUNT

\$116,450.00

STATE GRANT NUMBER

11SHSP-GR34076

FUNDING NUMBER 063373831

FUNDING ALLOCATION

EIN 92-0041163

PLANNING

EXERCISE

METHOD OF PAYMENT

REIMBURSEMENT

TRAINING

EQUIPMENT

\$116,450.00

PURPOSE OF AWARD

The State Homeland Security Program (SHSP) provides funding to support the implementation of the State Homeland Security Strategy to address the identified planning, equipment, training, and exercise needs at the state and local levels to prevent, protect against, respond to, and recover from acts of terrorism and other catastrophic events. Consistent with the Implementing Recommendations of the 9/11 Act of 2007 (Public Law 110-53), states are required to ensure that at least 25 percent of SHSP appropriated funds are dedicated towards law enforcement terrorism prevention-oriented planning, training, exercise, and equipment activities, including those activities which support the development of identified capabilities. Project Budget Details are funding allocations, and are not to be construed as expenditure authorizations or approvals.

GRANT TERMS AND CONDITIONS

See Attached

GRANT REQUIREMENTS, ASSURANCES AND AGREEMENTS

See Attached

SPECIAL CONDITIONS

See Attached

AGENCY INFORMATION

ADDRESS

Division of Homeland Security and Emergency Management
PO Box 5750
JBER, AK 99505-5750

WEBSITE

http://ready.alaska.gov

EMAIL

mva.grants@alaska.gov

PHONE

907-428-7000

FAX

907-428-7009

AGENCY PROJECT MANAGER

PHONE

FAX

EMAIL

Michelle Heun

907-428-7089

907-428-7009

michelle.heun@alaska.gov

AGENCY APPROVAL

RECIPIENT ACCEPTANCE

NAME AND TITLE OF APPROVING AGENCY OFFICIAL

John W. Madden, Director

NAME AND TITLE OF AUTHORIZED RECIPIENT OFFICIAL

SIGNATURE OF APPROVING AGENCY OFFICIAL

SIGNATURE OF AUTHORIZED RECIPIENT OFFICIAL

DATE

FOR STATE USE ONLY

GO LOCATION CODE 109291001

DIVISION FILE NUMBER

DATE
RETURNED

Request for Equipment Funds

Alaska Division of Homeland Security and Emergency Management

Application for Homeland Security Grant Funds

Please contact Michelle Heun (michelle.heun@alaska.gov) at 907-428-7089 if you have any questions regarding this application.

Jurisdiction:	City and Borough of Sitka	
Responsible Borough: (if applicable)	Sitka	<input checked="" type="checkbox"/> Law Enforcement Related
Total Amount Requested	\$ 116,450	<input type="checkbox"/> Alaska Shield Request

1. Briefly explain the project and funding needs to support the below item description(s).

The City and Borough of Sitka has, over the past several years, repositioned all of its regular and emergency radio communications onto a hilltop site. This site is accessible most of the year, but secure. We have included many redundant systems to make sure that this site will remain active in an emergency with minimal assistance. With the communications equipment that is needed to maintain interoperability within different agencies in the Sitka area, we have started to run into two major issues, antenna space on our tower and interference between radios. Both of these issues can be alleviated with the purchase of equipment called a multicoupler/combiner.

A multicoupler/combiner allows for the simultaneous transmitting and receiving of emergency radio communications from and to several different radios through two antennas. The filters in a multicoupler keep the radio frequencies from interfering with each other, and because there are only two antennas needed we will free up space on the tower. Unused antennas will also remain on the tower so that we have redundancies if there is a failure on a primary antenna.

The funding for this request will be used to purchase the multicoupler/combiner and cables needed, and for a complete installation by the vendor with certification upon completion.

2. Select one and indicate the amount of funding needed.

Choose one equipment type from the authorized equipment list (AEL).	Dollar Amount
Interoperable Communications Equipment	\$86,000

Please provide an item description and the authorized equipment list (AEL) number for each piece of equipment within the category selected above. The AEL number can be found at www.rkb.us.

Item Description	AEL #	Unit Each	Discipline
Multicoupler/Combiner	06CP-03-TOWR	1	Public Safety Communications
			Choose an item.
			Choose an item.

		Choose an item.
		Choose an item.
		Choose an item.
		Choose an item.
		Choose an item.
		Choose an item.
		Choose an item.
		Choose an item.
		Choose an item.
		Choose an item.
		Choose an item.
		Choose an item.

3. Complete a Project Budget Detail (PBD) and attach with each application.

Select one primary goal for this request.

Goal 5: Provide statewide, sustainable, interoperable communications infrastructure to support local, regional, and statewide response to all-hazard and terrorist related incidents

Select one primary objective for this request. The objective must align with the corresponding goal selected above.

5A. Ensure local agencies and jurisdictions possess operable and interoperable capabilities as needed.

Jurisdiction Point of Contact:

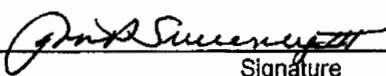
1. **Name:** Sheldon Schmitt, Chief of Police
2. **Address:** 304 Lake St. #102, Sitka, AK 99835
3. **Telephone Number:** 907-747-3245
4. **Fax Number:** 907-747-7122
5. **Email Address:** sheldons@sitkapd.com

Authorization to Submit Application:

By signature below the undersigned acknowledge they have been duly authorized by the jurisdiction to submit this application and will comply with the assurances, agreements, and/or special conditions set forth upon receipt of grant award.

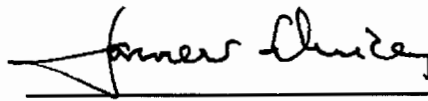
Jurisdiction Financial Officer:

Printed Name: John P. Sweeney III


 Signature

Jurisdiction Signatory Official:

Printed Name: James Dinley

A handwritten signature in black ink, appearing to read "James Dinley", written over a horizontal line.

Signature

**Submit applications by fax or email to: Fax 907-428-7009, email mva.grants@alaska.gov
Attn: Jim King, Grants Administrator (jim.king@alaska.gov)**

Project Budget Detail

Jurisdiction: City & Borough of Sitka

Type Activity: Equipment

PBD #	Item Description	Qty	Unit Cost	Budgeted Cost
1	Multi-Coupler/Combiner	1	\$ 86,000.00	\$86,000.00
2				\$0.00
3				\$0.00
4				\$0.00
5				\$0.00
6				\$0.00
7				\$0.00
8				\$0.00
9				\$0.00
10				\$0.00
11				\$0.00
12				\$0.00
13				\$0.00
14				\$0.00
15				\$0.00
16				\$0.00
17				\$0.00
18				\$0.00
19				\$0.00
20				\$0.00
Total				\$86,000.00

Official CBS Plan Holders List for Sitka Antenna Combiner System**Bid Document, Addendum No. 1, Addendum No. 2****Document ID:** PB91044307**Contact:** Tim White**Department:** Public works bids and RFPs**Doc Type:** Bid Document**Email:** timw@sitkapd.com**Phone:** (907) 966-5704**Fax:** (000) 000-0000**Address:** 100 Lincoln

Sitka

AK

99835

Effective Date: 05/29/2012**Expiration or Bid****Opening Date:** 06/19/2012

Last Changed on 06/15/2012

First / Last Name	Company	Phone	Fax	Email	Address	City	State	Zip
Jason Simon	Edge Group	(186) 645-2267	(000) 000-0000	jason@edge-group.com	4035 Willowbend Blvd. Suite 400	Houston	TX	77025
William Kubiicki	emr	(623) 581-2875	(623) 582-9499	billkubiicki@emrcorp.com	22402 N. 19th Ave	Phoenix	AZ	85027
Jeremy Cloe	CDWG	(847) 371-7072	(847) 371-7872	jerecio@cdwg.com	230 Milwaukee	Vernon Hills	IL	60061
Philip Williams	Williams USA Inc	(866) 828-6763	(866) 828-6763	n8972@williamscom.com	po box 89	Windsor	CA	95492
Megan Verdoorn	Contractor Plan Center	(503) 650-0148	(503) 650-8273	megan@contractorplancenter.com	5468 SE International Way	Milwaukee	OR	97222
Plan Center	Daily Journal of Commerce	(120) 662-2827	(120) 662-2841	plans@djc.com	83 Columbia Street, Ste. 200	Seattle	WA	98104
Jason Hall	eRepublic	(916) 932-1300	(000) 000-0000	jhall@erepublic.com	100 Blue Ravine Road	Folsom	CA	95630
asfdasdf adsf	adf	(111) 111-1111	(111) 111-1111	asfdasdf@aol.com	1651 something Ave	asfdasf	AK	55555
Mike Feryan	Telewave, Inc.	(559) 636-7946	(559) 741-1938	mike.feryan@telewave.com	660 Giguere Court	San Jose	CA	95133
Jim Vincent	Vincent Communications Inc	(559) 292-7010	(559) 292-7132	jim@vincentcom.com	5773 E Shields	Fresno	CA	93727
CHERYL MOORE	PROCOMM ALASKA LLC	(907) 563-1176	(907) 261-2663	CMOORE@PROCOMMALAK.COM	2100 E 63RD AVE	ANCHORAGE	AK	99507
Eduardo Zaldivar	Fiplex Communications, Inc.	(305) 884-8991	(305) 884-4041	ezakiivar@fiplex.com	7331 NW 54th Street	Miami	FL	33166
Dan Jackson	Bidclerk	(131) 238-0477	(000) 000-0000	djackson@bidclerk.com	28 N Clark St Ste 450	Chicago	IL	60602
Cory Edwards	SPX	(207) 655-8131	(207) 655-8173	Cory.edwards@spx.com	22 Tower Rd	Raymond	ME	04071
Ali Tingley	The Plans Room	(907) 563-2029	(907) 562-0956	ali@theplansroom.com	4831 Old Seward Hwy '202	Anchorage	AK	99503

***07-194 City of Sitka – Japonski
Island Site Antenna Combiner
System***

Proposal to

CITY OF SITKA

Presented by

PROCOMM ALASKA LLC

June 18, 2012



PCA #07-194
City of Sitka – Combiner
06/18/2012

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The design, technical, and cost information furnished with this proposal is to be considered proprietary information of ProComm Alaska LLC. Such information is submitted with the restriction that it is to be used only for the evaluation of the proposal, and is not to be disclosed publicly or in any manner to anyone other than those employed by City of Sitka required to evaluate the proposal, without the express written permission of ProComm Alaska LLC.

~~Design, engineering and pricing information contained in this offering is considered confidential, proprietary and trade secret and may not be shared with any person or agency not directly associated with the addressee without the express written consent of ProComm Alaska, or its designees.~~



PROJECT DESCRIPTION

1.0 PROJECT DESCRIPTION

The objective of this project is to consolidate antenna resources on the City of Sitka's radio tower. PCA proposes installing a 7 channel combiner/multi-coupler with one receive and three transmit antennas. City of Sitka has released a Request for Proposal and this proposal is the response to the RFP from ProComm Alaska LLC (PCA) for the completion of this project.

2.0 PROJECT IDENTIFICATION

Project Number:	07-194 Revision #7
Purchaser:	City of Sitka
End User:	City of Sitka
Proposal Date:	6/18/2012
Prepared By:	Gary Peters / Jarek Grzeda

STATEMENT OF WORK

3.0 PURPOSE OF STATEMENT OF WORK

PCA presents this Statement of Work (SOW) to summarize project deliverables and define project responsibilities. It is the intent of PCA that this document be a mutually agreed upon document and reflects the most current understanding of task responsibilities.

The SOW will express the actual work involved for the installation and optimization phase of the project, the installation standards that will be followed, and the responsibilities of both PCA and City of Sitka in the completion of the contract. A final SOW must be approved by City of Sitka prior to contract execution.

4.0 STATEMENT OF WORK AMENDMENT PROCEDURE

Changes to this document must be submitted by a written request from either City of Sitka or PCA, and approved by the other party. A Change Request form is included in Appendix A of this document and will be used to identify the Scope of Work of the requested change. PCA will determine whether additional equipment, services, modification to the time line, and relevant pricing changes are needed in order to implement the Change Request.

Approval for any additional expenditure must be obtained by City of Sitka prior to the commencement of any additional work or ordering of equipment as a result of the Change Request.

City of Sitka will officially notify PCA of approval of the Change Request by providing a signed Change Request or a Notice-to-Proceed reflecting the changes.



PCA will proceed with all due diligence to incorporate the changes approved in the Change Request.

5.0 PROCOMM ALASKA RESPONSIBILITIES

- 5.1 Provide and install one (1) seven channel EMR brand antenna transmitter combiner receiver multi-coupler in the City of Sitka radio site at the Japonski Island site.
- 5.2 Provide a Safety/Tower Rescue and Climber certified tower crew and Motorola certified Radio Frequency technicians to relocate and install VHF antennas on the tower for a new combiner/multi-coupler and existing ALMR system, install and tune transmit combiner and receiver multi-coupler equipment using Quantar level settings internal to each transmitter.
- 5.3 Provide RF connectors and RF jumper cables for internal wiring between radios, combiner, multi-coupler and penetration panel. PCA's tower crew will remove the unused antennas from tower and return to the City for storage and provide new tower hardware for cable management as needed.
- 5.4 A PCA technician (w/representative of City of Sitka) will monitor the operation of radio site for one more day after installation to confirm operation of the equipment. See note in Assumptions (7.3) regarding potential intermod.
- 5.5 Provide City of Sitka with the As Builds including results of line sweeps made with Site Master, and final measurements of Quantar and Daniels repeaters. All installations will be in accordance with Motorola R56 Guidelines for Site Installation by our ETA International Certified Technicians.

6.0 CITY OF SITKA RESPONSIBILITIES

- 6.1 Provide PCA with an onsite single point contact for the project.
- 6.2 Upon completion of Design Review, City of Sitka needs to provide written notice to proceed referencing the final Design Review documents.
- 6.3 PCA may require assistance traveling to sites as a result of impassable roads or difficult to access sites such as those located at mountain tops. City of Sitka needs to provide transportation and access to these sites as required.
- 6.4 During the Kickoff Meeting, City of Sitka will need to identify the location(s) for equipment storage. This location will be used as the "ship to" address for the equipment and the storage facility will be used to warehouse the equipment as the sites are being prepared. The person responsible to receive the equipment will also be communicated to PCA during this meeting.



- 6.5 During the Kickoff Meeting, the team will establish with City of Sitka the amount of involvement the City of Sitka would like during the implementation process. PCA and City of Sitka will establish times and dates of availability to participate in these events. We have worked well together on many projects in the past.
- 6.6 Provide State Department of Labor determination if Little Davis Bacon applies to contract prior to issuing Purchase Order. Current proposal pricing is based off non Little Davis Bacon work. Should a determination occur that Title 36 (Little Davis Bacon) applies, ProComm Alaska will issue a change order for the adjusted labor rates.

7.0 QUALIFICATIONS AND ASSUMPTIONS

- 7.1 Freight pricing includes non-expedited delivery of all equipment to ProComm Alaska for equipment programming and staging and also to the Sitka Police Department for installation. Delivery of equipment will be accomplished by a combination of drop-ship freight directly to the City of Sitka facility, local freight companies, and delivery by the installation personnel as required. Changes or delays as a result of customer changes or contract delays will affect delivery schedules and project timelines. The customer will be responsible for any additional freight charges that result from such delays.
- 7.2 ProComm Alaska assumes there will be no weather delays or excessive stand-by time due to site access. Should there be excessive weather delays and/or stand-by time; ProComm Alaska will submit a Change Order to capture this additional expense.
- 7.3 City of Sitka Addendum No. 1 removed a simplex channel and introduced a two frequency half duplex repeater pair in to the frequency line up. Addendum No. 2 did a good job of delineating the new requirements based on vendor questions. Addendum No. 2 was received on Friday 6/15/12. We ran our studies over the weekend after getting all of the necessary answers to our questions. To make drastic changes in the combiner design at this late stage of the RFP response was impossible due to lack of time required to do so.

With the introduction of the new frequency pair, new inter-modulation and interference potential characteristics were introduced in to the mix by the new pair when mixed with an ALMR system control channel, and SPD Main and Fire Main transmit channels. The end result could be a de-sense and an intermod byproduct with direct hits and a negative effect on SPD main and SFD main. PCA assumes that if real-time site conditions require this issue to be mitigated if the math is correct, that a corrective action plan will be taken by change order to correct this. A new FCC frequency pair may be necessary to remedy this recently introduced issue. See attached I/M studies.



- 7.4 The changes to the communications system affected by this proposal may require changes to the underlying FCC license. The FCC holds the licensee exclusively responsible for compliance at all times. No modifications to FCC licenses are included in this proposal unless specifically indicated in the Scope of Work. If requested, assistance is available in evaluating whether FCC License modifications are required.

8.0 WARRANTY & LIMITATION OF LIABILITY

ProComm Alaska shall make available to City of Sitka any product warranties made by the manufacturer (s) of the software, products, or services utilized by ProComm Alaska in connection with goods and services provided hereunder, to the extent transferable and without recourse.

ProComm Alaska shall warranty that the installation is free from defects in parts and labor for a period of 30 days from the date of installation provided such defects are communicated in writing within that period. ProComm Alaska shall correct reported deficiencies at its principal location or other location which ProComm at its sole discretion shall agree at no additional charge to the City of Sitka.

Except as expressly set forth above or in a contract signed by an officer of ProComm Alaska LLC, ProComm Alaska makes no warranties, expressed or implied, including warranties of merchantability or fitness for a particular purpose, in connection with materials or work order and the transactions contemplated hereby.

In no event shall ProComm Alaska be liable to City of Sitka for any indirect, special or consequential damage or lost profits arising out of or related to materials or work or the performance of breach hereof. Even if ProComm has been advised of the possibility thereof, ProComm's liability to City of Sitka hereunder, if any, shall in no event exceed the total of the charges paid to ProComm hereunder by City of Sitka.

9.0

10.0 PRICING SUMMARY

Item	Description	Price
1	Installation services,logistics,freight	\$25,511.00
3	Equipment and Material	\$52,010.00
4		
5		
Total		\$77,521.00



10.1 Pricing Guarantee

Prices quoted are dependent on the quoted price of PCA suppliers which are guaranteed for a limited time. Therefore, PCA will guarantee the price quoted for a period of 30 days. If Notice to Proceed exceeds the period specified, PCA reserves the right to pass on subsequent increases in costs to City of Sitka.

11.0 TERMS & CONDITIONS

- City of Sitka to pay 75 percent of the agreed upon sum at time of contract issuance.
- City of Sitka to pay the remaining 25 percent of the agreed upon sum upon City of Sitka acceptance of the completed work.
- This quote is valid for 30 days from submittal date.

12.0 EXCEPTIONS

ProComm Alaska takes exception to the Bonding and Surety requirements as the total project cost does not exceed \$100,000.

13.0 ACCEPTANCE

Unless specifically indicated in Section 10.0 (Terms & Conditions) above, acceptance of this proposal and issuance of a purchase order or other purchasing documentation by an authorized representative of the City of Sitka will constitute a contract to perform under the terms and conditions of this proposal.

Signatures:

ProComm Alaska Representative: _____ Date: _____

City of Sitka Representative: _____ Date: _____



PCA #07-194
City of Sitka – Combiner
06/18/2012

APPENDIX A CHANGE REQUEST FORM

Change Request No.: _____	Date: _____
 Requester: _____ Telephone: _____ Title: _____	
 Description of Change: 	
 Equipment or Services Required: 	
 Time Line Modification: 	
 Dollar Value of Change (including tax): \$ _____	
 Approvals: City of Sitka- _____ ProComm Alaska - _____ <div style="text-align: right; margin-top: 10px;">Authorized By/Title/Date _____ Authorized By/Title/Date _____</div>	

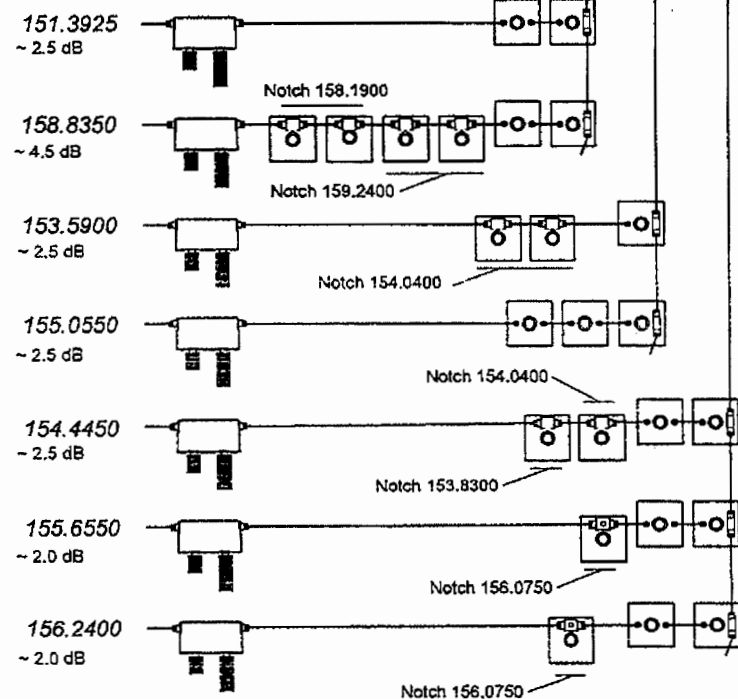
Date	Rev.	Change
6/15/2012	A	Changed Tx 153.9500 to 153.5900 Changed Tx Part Number to4SNC-10 Changed Special Note #2) Changed Tx-b & Tx-c separation to 10'

Special Notes :

#1) 158.8350 Tx will desense
158.7300 and 159.0600 Rx

#2) 153.5900 Tx will desense
153.8300 Rx

#3) 156.2400 Tx will desense
156.0075 Rx



RX Antenna
@ 100' level

5-Pole Preselector
153.8300 to 159.2400
BW = 5.410 MHz

115 VAC
P/S
13.6 VDC

Receiver Multicoupler
Production Part Number:
24108-1/P-5(VC-7,R19.7)

Quoted Part Number:
24018-1/SITKA-001

5 RU
Rack Height

8-Port Power
Divider

1605/B Load Termination

153.8300
154.0400
156.0750
158.1900
158.7300
159.0600
159.2400

Global Quote:
G3504

Transmitter Combiner
Production Part Number:
W64572/4SBC-14,4SNC-10
Quoted Part Number:
W64572/SITKA-001

15 RU
Rack Height

Notes:

- This is a functional Block Diagram for reference only.
- Not to Scale unless designated.
- All Frequencies are in MHz .
- All Insertion Losses are Typical.
- **All Tx input power = 100 Watts**
- System will be mounted on a 19" by 7' standard EIA rack

Proprietary Document

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DESIGNED BY:

Wm. Kubicki

DRAWN BY:

R. Phillips

CUSTOMER:

City of Sitka (AK)

SITE:

Police Department

EMR CORPORATION®

TITLE / DESC:

7-Channel VHF Tx Combiner System

FILE NAME:

Sitka, City of - 7ch VHF Tx System. vsd

REV#: A

DATE: June 9, 2012

PAGE: 1 of 1

3 OIM					
Receive Channel (MHz)	Transmit A (MHz)	Transmit B (MHz)	IM Product (MHz)	Delta (KHz)	

3 TX Mix IM					
Receive channel (MHz)	Transmit A (MHz)	Transmit B (MHz)	Transmit C (MHz)	IM Product (MHz)	Delta (KHz)
154.04000	153.95000	155.13750	155.05500	154.03250	-7.50000
154.04000	154.77500	155.13750	155.86250	154.05000	10.00000

5th OIM					
Receive channel (MHz)	Transmit A (MHz)	Transmit B (MHz)	IM Product (MHz)	Delta (KHz)	
154.04000	154.77500	155.13750	154.05000	10.00000	
158.19000	155.36250	153.95000	158.18750	-2.50000	

7th OIM					
Receive channel (MHz)	Transmit A (MHz)	Transmit B (MHz)	IM Product (MHz)	Delta (KHz)	

9th OIM					
Receive channel (MHz)	Transmit A (MHz)	Transmit B (MHz)	IM Product (MHz)	Delta (KHz)	
153.83000	155.05500	155.36250	153.82500	-5.00000	

11th OIM					
Receive channel (MHz)	Transmit A (MHz)	Transmit B (MHz)	IM Product (MHz)	Delta (KHz)	

13th OIM					
Receive channel (MHz)	Transmit A (MHz)	Transmit B (MHz)	IM Product (MHz)	Delta (KHz)	
154.04000	155.60000	155.86250	154.02500	-15.00000	

15th OIM					
Receive channel (MHz)	Transmit A (MHz)	Transmit B (MHz)	IM Product (MHz)	Delta (KHz)	

17th OIM					
Receive channel (MHz)	Transmit A (MHz)	Transmit B (MHz)	IM Product (MHz)	Delta (KHz)	

19th OIM					
Receive channel (MHz)	Transmit A (MHz)	Transmit B (MHz)	IM Product (MHz)	Delta (KHz)	

TRANSMIT	RECEIVE
153.95000	138.03750
154.77500	138.08750
155.05500	138.18750
155.13750	138.38750
155.36250	138.58750
155.60000	153.83000
155.86250	154.04000
	156.00750
	158.19000
	158.73000
	159.06000
	159.24000

end

end

SITKA, Rv A

INCL ALMR Freq

3 Tx Antennas

ANTxB

6/6/2012

3 OIM Receive Channel (MHz)	Transmit A (MHz) (MHz)	Transmit B (MHz)		IM Product (MHz)	Delta (KHz)
3 TX Mix IM Receive channel (MHz)	Transmit A (MHz)	Transmit B (MHz)	Transmit C (MHz)	IM Product (MHz)	Delta (KHz)
5th OIM Receive channel (MHz)	Transmit A (MHz)	Transmit B (MHz)		IM Product (MHz)	Delta (KHz)
7th OIM Receive channel (MHz)	Transmit A (MHz)	Transmit B (MHz)		IM Product (MHz)	Delta (KHz)
9th OIM Receive channel (MHz)	Transmit A (MHz)	Transmit B (MHz)		IM Product (MHz)	Delta (KHz)
11th OIM Receive channel (MHz)	Transmit A (MHz)	Transmit B (MHz)		IM Product (MHz)	Delta (KHz)
13th OIM Receive channel (MHz)	Transmit A (MHz)	Transmit B (MHz)		IM Product (MHz)	Delta (KHz)
15th OIM Receive channel (MHz)	Transmit A (MHz)	Transmit B (MHz)		IM Product (MHz)	Delta (KHz)
17th OIM Receive channel (MHz)	Transmit A (MHz)	Transmit B (MHz)		IM Product (MHz)	Delta (KHz)
19th OIM Receive channel (MHz)	Transmit A (MHz)	Transmit B (MHz)		IM Product (MHz)	Delta (KHz)

SITKA Rv. A

2 Tx Antennas

ANTxA

6/6/2012

TRANSMIT	RECEIVE
151.39250	153.83000
154.44500	154.04000
158.83500	158.00750
	158.19000
	158.73000
	159.06000
	159.24000

end

3 OIM						
Receive Channel (MHz)	Transmit A (MHz)	Transmit B (MHz)		IM Product (MHz)	Delta (KHz)	
3 TX Mix IM						
Receive channel (MHz)	Transmit A (MHz)	Transmit B (MHz)	Transmit C (MHz)	IM Product (MHz)	Delta (KHz)	SITKA
						3 Tx Antennas
5th OIM						
Receive channel (MHz)	Transmit A (MHz)	Transmit B (MHz)		IM Product (MHz)	Delta (KHz)	ANTxA
						8/6/2012
7th OIM						
Receive channel (MHz)	Transmit A (MHz)	Transmit B (MHz)		IM Product (MHz)	Delta (KHz)	
9th OIM						
Receive channel (MHz)	Transmit A (MHz)	Transmit B (MHz)		IM Product (MHz)	Delta (KHz)	
11th OIM						
Receive channel (MHz)	Transmit A (MHz)	Transmit B (MHz)		IM Product (MHz)	Delta (KHz)	
13th OIM						
Receive channel (MHz)	Transmit A (MHz)	Transmit B (MHz)		IM Product (MHz)	Delta (KHz)	
15th OIM						
Receive channel (MHz)	Transmit A (MHz)	Transmit B (MHz)		IM Product (MHz)	Delta (KHz)	
17th OIM						
Receive channel (MHz)	Transmit A (MHz)	Transmit B (MHz)		IM Product (MHz)	Delta (KHz)	
19th OIM						
Receive channel (MHz)	Transmit A (MHz)	Transmit B (MHz)		IM Product (MHz)	Delta (KHz)	
TRANSMIT		RECEIVE				
0.00000		153.83000				
151.39250		154.04000				
158.83500		156.00750				
end		158.19000				
		158.73000				
		159.06000				
		159.24000				
	end					

3 OIM Receive Channel (MHz)	Transmit A (MHz)	Transmit B (MHz)		IM Product (MHz)	Delta (KHz)
3 TX Mix IM Receive channel (MHz)	Transmit A (MHz)	Transmit B (MHz)	Transmit C (MHz)	IM Product (MHz)	Delta (KHz)
5th OIM Receive channel (MHz)	Transmit A (MHz)	Transmit B (MHz)		IM Product (MHz)	Delta (KHz)
7th OIM Receive channel (MHz)	Transmit A (MHz)	Transmit B (MHz)		IM Product (MHz)	Delta (KHz)
9th OIM Receive channel (MHz)	Transmit A (MHz)	Transmit B (MHz)		IM Product (MHz)	Delta (KHz)
11th OIM Receive channel (MHz)	Transmit A (MHz)	Transmit B (MHz)		IM Product (MHz)	Delta (KHz)
13th OIM Receive channel (MHz)	Transmit A (MHz)	Transmit B (MHz)		IM Product (MHz)	Delta (KHz)
15th OIM Receive channel (MHz)	Transmit A (MHz)	Transmit B (MHz)		IM Product (MHz)	Delta (KHz)
17th OIM Receive channel (MHz)	Transmit A (MHz)	Transmit B (MHz)		IM Product (MHz)	Delta (KHz)
19th OIM Receive channel (MHz)	Transmit A (MHz)	Transmit B (MHz)		IM Product (MHz)	Delta (KHz)

SITKA, Rv. A

3 Tx Antennas

ANTxC

6/6/2012

TRANSMIT	RECEIVE
154.44500	153.83000
155.65500	154.04000
156.24000	156.00750
end	156.19000
	156.73000
	159.06000
	159.24000
	end

3 OIM					
Receive Channel	Transmit A	Transmit B	IM Product	Delta	
(MHz)	(MHz)	(MHz)	(MHz)	(KHz)	
154.04000	155.13750	156.24000	154.03500	-5.00000	

3 TX Mix IM					
Receive channel	Transmit A	Transmit B	Transmit C	IM Product	Delta
(MHz)	(MHz)	(MHz)	(MHz)	(MHz)	(KHz)
154.04000	154.77500	155.13750	155.86250	154.05000	10.00000
156.00750	154.77500	155.65500	154.44500	155.98500	-22.50000
156.00750	155.13750	155.65500	154.77500	156.01750	10.00000
156.00750	155.13750	156.24000	155.36250	156.01500	7.50000
156.00750	155.36250	156.24000	155.60000	156.00250	-5.00000
156.00750	155.65500	156.24000	155.86250	156.03250	25.00000

SITKA, Rv A
INCL ALMR Freq.s

3 Tx Antennas

ANTxC

6/6/2012

5th OIM					
Receive channel	Transmit A	Transmit B	IM Product	Delta	
(MHz)	(MHz)	(MHz)	(MHz)	(KHz)	
154.04000	154.77500	155.13750	154.05000	10.00000	

7th OIM					
Receive channel	Transmit A	Transmit B	IM Product	Delta	
(MHz)	(MHz)	(MHz)	(MHz)	(KHz)	
159.06000	155.60000	154.44500	159.06500	5.00000	

9th OIM					
Receive channel	Transmit A	Transmit B	IM Product	Delta	
(MHz)	(MHz)	(MHz)	(MHz)	(KHz)	

11th OIM					
Receive channel	Transmit A	Transmit B	IM Product	Delta	
(MHz)	(MHz)	(MHz)	(MHz)	(KHz)	

13th OIM					
Receive channel	Transmit A	Transmit B	IM Product	Delta	
(MHz)	(MHz)	(MHz)	(MHz)	(KHz)	
154.04000	155.60000	155.86250	154.02500	-15.00000	
156.00750	155.65500	155.60000	155.98500	-22.50000	

15th OIM					
Receive channel	Transmit A	Transmit B	IM Product	Delta	
(MHz)	(MHz)	(MHz)	(MHz)	(KHz)	

17th OIM					
Receive channel	Transmit A	Transmit B	IM Product	Delta	
(MHz)	(MHz)	(MHz)	(MHz)	(KHz)	
159.24000	156.24000	155.86250	159.26000	20.00000	

19th OIM					
Receive channel	Transmit A	Transmit B	IM Product	Delta	
(MHz)	(MHz)	(MHz)	(MHz)	(KHz)	

TRANSMIT	RECEIVE
154.44500	138.03750
154.77500	138.08750
155.13750	138.18750
155.36250	138.38750
155.60000	138.58750
155.65500	153.83000
155.86250	154.04000
156.24000	156.00750

end

end

3 OIM					
Receive Channel (MHz)	Transmit A (MHz)	Transmit B (MHz)		IM Product (MHz)	Delta (KHz)

3 TX Mix IM					
Receive channel (MHz)	Transmit A (MHz)	Transmit B (MHz)	Transmit C (MHz)	IM Product (MHz)	Delta (KHz)

SITKA, Rv A

2 Tx Antennas

ANTxB

8/8/2012

5th OIM					
Receive channel (MHz)	Transmit A (MHz)	Transmit B (MHz)		IM Product (MHz)	Delta (KHz)
153.83000	155.05500	155.65500		153.85500	25.00000
159.06000	155.65500	153.95000		159.06500	5.00000

7th OIM					
Receive channel (MHz)	Transmit A (MHz)	Transmit B (MHz)		IM Product (MHz)	Delta (KHz)

9th OIM					
Receive channel (MHz)	Transmit A (MHz)	Transmit B (MHz)		IM Product (MHz)	Delta (KHz)

11th OIM					
Receive channel (MHz)	Transmit A (MHz)	Transmit B (MHz)		IM Product (MHz)	Delta (KHz)

13th OIM					
Receive channel (MHz)	Transmit A (MHz)	Transmit B (MHz)		IM Product (MHz)	Delta (KHz)
159.24000	155.65500	155.05500		159.25500	15.00000

15th OIM					
Receive channel (MHz)	Transmit A (MHz)	Transmit B (MHz)		IM Product (MHz)	Delta (KHz)

17th OIM					
Receive channel (MHz)	Transmit A (MHz)	Transmit B (MHz)		IM Product (MHz)	Delta (KHz)

19th OIM					
Receive channel (MHz)	Transmit A (MHz)	Transmit B (MHz)		IM Product (MHz)	Delta (KHz)

TRANSMIT	RECEIVE
153.95000	153.83000
155.05500	154.04000
155.65500	156.00750
156.24000	158.19000
end	158.73000
	159.06000
	159.24000
	end

3 OIM Receive Channel (MHz)	Transmit A (MHz) (MHz)	Transmit B (MHz)		IM Product (MHz)	Delta (KHz)
3 TX Mix IM Receive channel (MHz)	Transmit A (MHz)	Transmit B (MHz)	Transmit C (MHz)	IM Product (MHz)	Delta (KHz)
5th OIM Receive channel (MHz)	Transmit A (MHz)	Transmit B (MHz)		IM Product (MHz)	Delta (KHz)
7th OIM Receive channel (MHz)	Transmit A (MHz)	Transmit B (MHz)		IM Product (MHz)	Delta (KHz)
9th OIM Receive channel (MHz)	Transmit A (MHz)	Transmit B (MHz)		IM Product (MHz)	Delta (KHz)
11th OIM Receive channel (MHz)	Transmit A (MHz)	Transmit B (MHz)		IM Product (MHz)	Delta (KHz)
13th OIM Receive channel (MHz)	Transmit A (MHz)	Transmit B (MHz)		IM Product (MHz)	Delta (KHz)
15th OIM Receive channel (MHz)	Transmit A (MHz)	Transmit B (MHz)		IM Product (MHz)	Delta (KHz)
17th OIM Receive channel (MHz)	Transmit A (MHz)	Transmit B (MHz)		IM Product (MHz)	Delta (KHz)
19th OIM Receive channel (MHz)	Transmit A (MHz)	Transmit B (MHz)		IM Product (MHz)	Delta (KHz)

SITKA, Rv. A
3 Tx Antennas
ANTxB
6/62012

TRANSMIT	RECEIVE
153.95000	0.00000
155.05500	153.83000
end	154.04000
	156.00750
	158.19000
	158.73000
	159.06000
	159.24000
	end

3 OIM					
Receive Channel (MHz)	Transmit A (MHz)	Transmit B (MHz)		IM Product (MHz)	Delta (KHz)

3 TX Mix IM					
Receive channel (MHz)	Transmit A (MHz)	Transmit B (MHz)	Transmit C (MHz)	IM Product (MHz)	Delta (KHz)
154.04000	154.77500	155.13750	155.86250	154.05000	10.00000
158.73000	154.77500	155.36250	151.39250	158.74500	15.00000
159.06000	155.36250	158.83500	155.13750	159.06000	10.00000
159.08000	155.60000	158.83500	155.36250	159.07250	12.50000
159.24000	154.77500	155.86250	151.39250	159.24500	5.00000

SITKA, Rv. A
INCL ALMR Freq.s

3 Tx Antennas

ANTxA

6/6/2012

5th OIM					
Receive channel (MHz)	Transmit A (MHz)	Transmit B (MHz)		IM Product (MHz)	Delta (KHz)
154.04000	154.77500	155.13750		154.05000	10.00000

7th OIM					
Receive channel (MHz)	Transmit A (MHz)	Transmit B (MHz)		IM Product (MHz)	Delta (KHz)

9th OIM					
Receive channel (MHz)	Transmit A (MHz)	Transmit B (MHz)		IM Product (MHz)	Delta (KHz)

11th OIM					
Receive channel (MHz)	Transmit A (MHz)	Transmit B (MHz)		IM Product (MHz)	Delta (KHz)

13th OIM					
Receive channel (MHz)	Transmit A (MHz)	Transmit B (MHz)		IM Product (MHz)	Delta (KHz)
138.03750	155.86250	158.83500		138.02750	-10.00000
154.04000	155.60000	155.86250		154.02500	-15.00000

15th OIM					
Receive channel (MHz)	Transmit A (MHz)	Transmit B (MHz)		IM Product (MHz)	Delta (KHz)

17th OIM					
Receive channel (MHz)	Transmit A (MHz)	Transmit B (MHz)		IM Product (MHz)	Delta (KHz)

19th OIM					
Receive channel (MHz)	Transmit A (MHz)	Transmit B (MHz)		IM Product (MHz)	Delta (KHz)

TRANSMIT	RECEIVE
151.39250	138.03750
154.77500	138.08750
155.13750	138.16750
155.36250	138.38750
155.60000	138.58750
155.86250	153.83000
158.83500	154.04000

end

end



CITY AND BOROUGH OF SITKA

100 Lincoln Street,
Sitka, Alaska 99835

Legislation Details

File #: ORD 12-07S Version: 1 Name:

Type: Ordinance Status: SECOND READING

File created: 5/30/2012 In control: City and Borough Assembly

On agenda: 6/12/2012 Final action:

Title: Amending the Sales Tax Exemption at Sitka General Code Subsection 4.09.100N entitled "Over One Thousand Dollars in Sales and Rents of Tangible Personal Property and on Sales of Services," and "Over One Thousand Dollars in Rent or Lease of Real Property on a Monthly Basis."

Sponsors:

Indexes:

Code sections:

Attachments: [ORD 12-07 S](#)

Date	Ver.	Action By	Action	Result
6/13/2012	1	City and Borough Assembly		
6/5/2012	1	City and Borough Assembly	AMENDED	Pass
6/5/2012	1	City and Borough Assembly	PASSED ON FIRST READING	

POSSIBLE MOTION

I MOVE TO approve Ordinance 2012-07 S on
first reading as amended

CITY AND BOROUGH OF SITKA

ORDINANCE NO. 2012-07S

**AN ORDINANCE OF THE CITY AND BOROUGH OF SITKA
AMENDING THE SALES TAX EXEMPTION AT SITKA GENERAL CODE
SUBSECTION 4.09.100N ENTITLED "OVER ONE THOUSAND DOLLARS ON SALES
AND RENTS OF TANGIBLE PERSONAL PROPERTY AND ON SALES OF
SERVICES, AND OVER ONE THOUSAND DOLLARS IN RENT OR LEASE OF REAL
PROPERTY ON A MONTHLY BASIS."**

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

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

3. **PURPOSE.** The purpose of this ordinance is to amend the sales tax exemption at SGC 4.09.100N entitled "Over One Thousand Dollars on Sales and Rents of Tangible Personal Property and on Sales of Services, and Over One Thousand Dollars in Rent or Lease of Real Property on a Monthly Basis." This ordinance concerns the "sales tax cap" beyond which sales are exempt from taxation. It increases the dollar threshold over which sales are exempt from \$1,000 to \$1,500. ~~which is still far less than the \$7,500 tax cap for City and Borough of Juneau.~~ It also adds domestic partners to the definition of "members of immediate family" regarding "bundled" services.

4. **ENACTMENT.** NOW, THEREFORE, BE IT ENACTED by the Assembly of the City and Borough of Sitka that SGC4.09.100N is amended as follows (new language underlined; deleted language stricken):

**Chapter 4.09
Sales Tax**

* * *

4.09.100 Exemptions.

The following sales are exempt from taxation:

* * *

N. Over One Thousand Five Hundred Dollars on Sales and Rents of Tangible Personal Property and on Sales of Services, and Over One Thousand Five Hundred Dollars in Rent

or Lease of Real Property on a Monthly Basis. That portion of a selling price for a single piece of equipment or tangible personal property or sale unit in excess of one thousand five hundred dollars (\$1,500) is exempt. A single sale unit is:

1. Any retail merchandise sale where the selling price is totaled on one invoice or any sales slip, although this exemption does not apply if any portion of the invoice or sales slip refers to more than one business day;
2. Any sale of services sold by an individual unit price; or
3. Any liquor sale by lodges that hold an outdoor recreation lodge liquor license.

Notwithstanding any other provision of law, the exemption described in this subsection does not apply to any "running" invoice or sales slip representing the sale of items or commodities which are not services. The exemption described in this subsection applies to any sales of services in which services provided to more than one individual are packaged together or "bundled" for purposes of payment on one invoice or sales slip to the extent that such individuals are members of the immediate family of the person making the payment and the person making the payment provides to the seller a certification of such relationship on a form provided by the city and borough. For purposes of this subsection, "members of the immediate family" are the individual's spouse, children, parents, parents-in-law, siblings, grandparents, and grandchildren, and domestic partners. ~~Notwithstanding any other provision of law, if a seller can provide an invoice prepared no later than March 31, 2004, and evidence of an accompanying deposit of money that was received by the seller no later than March 31, 2004, as a down payment on the selling price for a single piece of equipment or tangible personal property or a single sale unit, the changes enacted by this subsection do not apply.~~

5. **EFFECTIVE DATE.** This ordinance shall become effective on ~~September~~ October 1, 2012.

PASSED, APPROVED, AND ADOPTED by the Assembly of the City and Borough of Sitka, Alaska this 12 day of June, 2012.

Cheryl Westover, Mayor

ATTEST:

Colleen Ingman, MMC
Municipal Clerk

First Reading June 5, 2012 amended on Lines 27 and 75/76
First Reading as Amended June 12



CITY AND BOROUGH OF SITKA

100 Lincoln Street,
Sitka, Alaska 99835

Legislation Details

File #: 12-83 Version: 1 Name:

Type: Item Status: UNFINISHED

File created: 6/6/2012 In control: City and Borough Assembly

On agenda: 6/26/2012 Final action:

Title: Direction/Decision regarding a request for a vacation right-of-way 4600 HPR - Conner and Valerie Nelson

Sponsors:

Indexes:

Code sections:

Attachments: [Vacate Nelson](#)

Date	Ver.	Action By	Action	Result
6/12/2012	1	City and Borough Assembly		

POSSIBLE MOTION

I MOVE TO vacate the 20 foot right-a-way
within Carlson Subdivision requested by
Conner and Valorie Nelson – 4600 Halibut
Point Road

and

if necessitated request that an ordinance be
prepared

Colleen Ingman

From: Valorie <valorie@ablueberryinn.com>
Sent: Tuesday, June 05, 2012 2:33 PM
To: Colleen Ingman; James Dinley
Cc: Connor Nelson
Subject: Fwd: Planning Commission minutes from May 1
Attachments: May 1 Final.doc

Municipal clerk & administrator: In checking w/the planning department we discovered that the request for vacation of right of way at 4600 HPR had not been forwarded this on to you. Please add this to the next agenda. Thankyou!

Sent from my Samsung smartphone on AT&T

----- Original message -----

Subject: Planning Commission minutes from May 1
From: Melissa <melissa@cityofsitka.com>
To: 'Connor Nelson' <keystone99835@yahoo.com>, 'Valorie' <valorie@ablueberryinn.com>
CC:

Attached are the minutes I promised as discussed over the phone.

Thank you,

Melissa Henshaw, Planner I
City and Borough of Sitka

100 Lincoln Street

Sitka, AK 99835

907-747-1814 FAX 907-747-6138



Nelson
Vacate Right-of-Way
4600 Block of Halibut Point Road

CERTIFICATE STATE OF ALASKA)

) SS

FIRST JUDICIAL DISTRICT)

I, THE UNDERSIGNED, BEING DULY APPOINTED AND QUALIFIED, AND AN ACTING ASSESSOR FOR THE CITY AND BOROUGH OF SITKA HEREBY CERTIFY THAT, ACCORDING TO THE RECORDS IN MY POSSESSION, THE FOLLOWING DESCRIBED PROPERTY IS CARRIED ON THE TAX RECORDS OF THE CITY AND BOROUGH OF SITKA IN THE NAME OF:

CHARLES CARLSON

AND THAT, ACCORDING TO THE RECORDS IN MY POSSESSION, ALL TAXES ASSESSED AGAINST SAID LANDS AND IN FAVOR OF THE CITY AND BOROUGH OF SITKA ARE PAID IN FULL; THAT CURRENT TAXES FOR THE YEAR 1977 WILL BE DUE ON OR BEFORE JULY 31, 1978

DATED THIS 19th DAY OF SEPTEMBER 1977

Sam C. Alein
ASSESSOR, CITY AND BOROUGH OF SITKA

CERTIFICATE OF APPROVAL BY THE ASSEMBLY

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS OF THE CITY AND BOROUGH OF SITKA ASSEMBLY AS RECORDED IN MINUTE BOOK 4, PAGE 21-22 DATED APRIL 12th 1977, AND THAT THE PLAT SHOWN HEREON HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE DISTRICT COURT, EX-OFFICIO RECORDER, SITKA, ALASKA.

DATE 7/12/77

Barthelme Flynn
CITY AND BOROUGH CLERK

CERTIFICATE OF APPROVAL BY THE BOARD

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS OF THE CITY AND BOROUGH OF SITKA PLATTING BOARD, AND THAT SAID PLAT HAS BEEN APPROVED BY THE BOARD BY PLAT RESOLUTION NO. 77-6 DATED APRIL 12th 1977, AND THAT THE PLAT SHOWN HEREON HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE DISTRICT MAGISTRATE, EX-OFFICIO RECORDER, SITKA, ALASKA.

DATE Sept. 16, 1977

Sam C. Alein
CHAIRMAN, PLATTING BOARD

Sam C. Alein
SECRETARY

U.S.S. 3670

NOTE:

45' R TEMPORARY TURNAROUND
TO EXPIRE WHEN ROAD IS EXTENDED

LEGEND

- BRASS CAP MON. (FOUND)
- REBAR & PLASTIC CAP (SET)
- REBAR & PLASTIC CAP (EXISTING)
- 4" x 4" WOOD POST (FOUND)

U.S.S. 3475

60

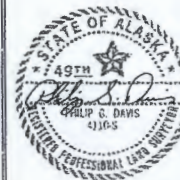
56

HALIBUT & POINT HIGHWAY

RECORDED 77-1719
SITKA REC. DIST.
DATE 9/19/77
TIME 10:31 A.M.
BY C. T. BROWN
SITKA

SURVEYOR'S CERTIFICATE

I hereby certify that I am a registered Surveyor, licensed in the State of Alaska, and that in JULY 1977 a survey of the herein described lands was conducted under my direct supervision and that this plat is a true and accurate representation of the field notes of said survey, and that all dimensions and other details are correct according to said field notes.



CERTIFICATE OF OWNERSHIP AND DEDICATION

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT WE HEREBY ADOPT THIS PLAN OF SUBDIVISION WITH OUR FREE CONSENT AND DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS NOTED.

DATE 9-21-77
OWNER Charles Carlson
WITNESS Catherine H. Land, Thomas J. Carlson

NOTARY'S ACKNOWLEDGEMENT

STATE OF ALASKA
FIRST JUDICIAL DISTRICT)
THIS IS TO CERTIFY THAT ON THIS 21st DAY OF August 1977, BEFORE ME, THE UNDERSIGNED A NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA, PERSONALLY APPEARED CHARLES CARLSON AND CATHERINE H. LAND TO ME, KNOWN AND KNOWN TO ME TO BE THE PERSONS NAMED IN THE FOREGOING CERTIFICATE OF OWNERSHIP AND DEDICATION AND THAT THEY INDIVIDUALLY ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FREELY AND VOLUNTARILY FOR THE USES AND PURPOSES THEREIN MENTIONED.

WITNESS MY HAND AND OFFICIAL SEAL THE DAY AND THE YEAR IN THIS CERTIFICATE NAMED FIRST ABOVE.

Rose S. Halgren
NOTARY PUBLIC FOR ALASKA

MY COMMISSION EXPIRES 10/11/79



VICINITY MAP
SCALE: 1" = 1 MILE

CARLSON SUBDIVISION

LOT 58
U.S. SURVEY 3475
FOR: CHARLES CARLSON
BOX 903
SITKA, ALASKA

DAVIS - SWANSON
AN AFFILIATE OF CHARLES POOL & ASSOCIATES
CONSULTING ENGINEERS AND SURVEYORS
P.O. BOX 1048, SITKA, ALASKA 99835

DATE 19 JULY 1977
SCALE 1" = 40'
NAME OF PHIL DAVIS
DRAWN BY: P.D.
PROJ. NO. 15210-01-00

U.S.S. 3670

NOTE:

45' R TEMPORARY TURNAROUND
TO EXPIRE WHEN ROAD IS EXTENDED.

LEGEND

- ⊕ BRASS CAP MON. (FOUND)
- REBAR & PLASTIC CAP (SET)
- REBAR & PLASTIC CAP (EXISTING)
- 4" x 4" WOOD POST (FOUND)

56

60

HALIBUT POINT HIGHWAY

537°48'W MEASURED
537°49'26"W HIGHWAY

Nelson

Vacate Right-of-Way

4600 Block of Halibut Point Road

77-1719

DATE	9/19	1977
TIME	10:34	A.M.
For stated by	C. J. B. B. B.	
Address	SITKA	

Nelson

Vacate Right-of-Way

4600 Block of Halibut Point Road





Nelson
Vacate Right-of-Way
4600 Block of Halibut Point Road

Nelson
Vacate Right-of-Way
4600 Block of Halibut Point Road





Nelson

Vacate Right-of-Way
4600 Block of Halibut Point Road

**City and Borough of Sitka
Planning and Zoning Commission
Draft Minutes of Meeting
April 17, 2012**

Present: Jeremy Twaddle (Chair), Darrell Windsor (Member), Richard Parmelee (Member), Tom Rogers (Member), Wells Williams (Planning Director), Melissa Henshaw (Planner)

Members of the Public: Stephen Weatherman (Municipal Engineer), Brian Oberreuter, Valorie/Connor Nelson, Craig Giammona (Daily Sitka Sentinel)

Chairman Twaddle called the meeting to order at 7:05 p.m.

Consideration of the Minutes from the April 3, 2012 meeting:

MOTION: M/S PARMELEE/WINDSOR moved to approve the meeting minutes for April 3, 2012.

ACTION: Motion **PASSED unanimously** on a voice vote.

This evening's business:

**VARIANCE REQUEST
417 MARINE TSREET
BRIAN OBERREUTER**

Public hearing and consideration of a variance request filed by Brian Oberreuter at 417 Marine Street. The request is for a reduction in the rear setback to 5 feet and an increase in lot coverage to 37% for placement of a garage. The property is also known as Lot 32 Block 26 Spruce Glen Subdivision.

Planner Henshaw review the request stating that this is an old area of town and therefore the lot is 5,000 square feet. The width is less than 60 feet and the 5 foot side setback is allowed by code. The applicant is asking for a rear setback from 10 feet to 5 feet and with the garage placement the lot coverage goes up to 37% from the allowed 35%. Water and sewer lines are accounted for and do not run under the proposed area. The applicant has talked with the adjacent neighbor stating that there are no objections.

Applicant: Brian Oberreuter came forward with plans that were passed around to Commissioners. It is a US steel building that he can put up himself and afford.

Chair Twaddle confirmed with Mr. Oberreuter that the shed is the same rear setback just that this new garage will be closer to the side property line.

Mr. Oberreuter expressed concern with his equipment and belongings out in the weather, and that this garage would cover them up to protect them.

Chair Twaddle confirmed with Planning Director Williams that the height restriction is 16 feet. This building has a height of 14 feet.

Planning Commission Minutes

April 17, 2012

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Public Comment: None

MOTION: M/S PARMELEE/ROGERS moved to approve a variance request filed by Brian Oberreuter at 417 Marine Street. The request is for a reduction in the rear setback to 5 feet and an increase in lot coverage to 37% for placement of a garage. The property is also known as Lot 32 Block 26 Spruce Glen Subdivision.

ACTION: Motion **PASSED unanimously** on a voice vote.

Staff recommended findings in support of the approval.

MOTION: M/S PARMELEE/ROGERS moved to approve the following findings in support of the approved variance:

1. That there are special circumstances that do not generally apply to other properties specifically the size of the property and the orientation or placement of existing structures;
2. The variance is necessary for the preservation and enjoyment of a substantial property right or use possessed by other properties but are denied to this parcel;
3. That the granting of such a variance will not be materially detrimental to the public welfare or injurious to the property, nearby parcels or public infrastructure; and
4. That the granting of such a variance will not adversely affect the comprehensive plan.

ACTION: Motion **PASSED unanimously** on a voice vote.

**VACATE 20' RIGHT-OF-WAY
4600 BLOCK HALIBUT POINT ROAD
VALORIE/CONNOR NELSON**

Consideration of a request to vacate the 20 foot right-of-way in the Carlson Subdivision in the 4600 block of Halibut Point Road.

Planning Director Williams explained where this requested 20 foot right-of-way is and that US Survey 3670 which is owned by the City is behind this right-of-way and the Carlson Subdivision. There is a cult-de-sac on the last lot that was never built out. The history of minor subdivision plats has been experimented with in the last 25 years and there have been various ways to do them. The street vacation process, if the Commission gets to that point, is an ordinance process. Although unusual it would be possible to have an Ordinance supersede and attorneys would recognize the process.

Chair Twaddle received confirmation from Planning Director Williams that this right-of-way is City owned but not City maintained.

Chair Twaddle called Stephen Weatherman, Municipal Engineer forward. He explained Public Works policy in order to vacate a right-of-way that there would have to be a benefit to the community in order to sell it. Although this right-of-way is not wide enough to build a road, it could be useful to run the water, sewer and electrical among other utilities up to US Survey 3670 without permission. Since the City is looking at developing

Planning Commission Minutes

April 17, 2012

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quarries in US Survey 3670, there is no benefit to the community at large to vacate this. If they gave up this right-of-way then the City would have to look elsewhere for permission to get access to that parcel. Mr. Weatherman stated that if they wanted to use this for road access they would look at acquiring additional right-of-way, but this would be for bringing utilities up in that area. He discussed access, wetlands, utilities and breakwater rock to/from US Survey 3670. If the quarries are done right after the quarries are finished it can be turned into residential areas.

APPLICANT: Connor Nelson came forward showing a topographical map of the area noting that there is a steep grade in this area. He discussed the history of this area starting with the 1977 Carlson Subdivision. There were two subdivisions and the City had the subdividers give up a 20 foot right-of-way making it a 40 foot right-of-way up to the Benchlands. Then 20 feet of the 40 foot right-of-way sunset in 1986. The City gave it up. In 1993 the City replatted the right-of-way into an easement. When Mr. Nelson asked the City whether it was a right-of-way or an easement years ago, Planning Director Williams stated at that time it was an easement.

Confirmation about the sunset was made by Planning Director Williams that it was a note on the plat.

Mr. Nelson continued that when the one 20 foot right of way went away both of them should have gone away. He stated that the City should give it back and that it isn't a right-of-way any longer.

Discussion occurred on the lot number(s) of the subdivisions involved.

Mr. Nelson has plans that include topographical information from 1998 that he showed the Commission. Planning Director Williams stated that it is possible that the maps are outdated.

Chair Twaddle asked Planning Director Williams what he thought the intent was to which he responded with initially it looked like an easement but that it also could have been made to accommodate an uncertain future as a right-of-way. He mentioned that Halibut Point Road was very different in 1977. The 1977 Carlson Subdivision has not changed and it is still considered a right-of-way. Wyatt-Cox Subdivision has changed but not the Carlson Subdivision.

Discussion occurred on this right-of-way as an easement.

Chair Twaddle asked if there are different possible locations for access to the tract to which Planning Director responded that as Mr. Weatherman mentioned earlier that the City would have to acquire property to do so.

PUBLIC COMMENT: Valorie Nelson came forward. She stated that the road maintenance agreement was drawn up for the City to sell Lot 1A of 3670 by competitive bid. There had to be a legal access to this parcel to sell it. The City was told by a judge that the City had to subdivide it before they sold it. Then when the Nelson's were out of town a road maintenance agreement was done. They didn't know about it until last year when it showed up on a title search. They then had to pay an attorney to get the property released that the City took. In 1994 the City and Nelson's reached an agreement on litigation about that rock quarry and what happened there. It states that when all rock is

extracted (an estimated 500,000 cubic yards) quarrying activities will cease. When the City took the right-of-way and platted it into an easement so they could have their road maintenance agreement to get their sale through to extend the pit; it no longer was a right-of-way on Carlson's because they made it an easement. They couldn't just use the 20 feet because the 20 feet only can serve four lots. So they then came over to Wyatt-Cox and took 20 feet from the Nelson's that they should not have been legally able to take.

Planning Director Williams responded that the City released their interest in property. After he asked if the Nelson's would be in town for the next Planning Commission meeting, Mr. Nelson replied that there isn't a question that this is an easement. It was replatted as an easement in 1993. He stated that the owners were kind of "arm twisted" to put them in on good faith that the City would make an access up to the Benchlands within five years and the City didn't do that so when the one went away, the other should have gone away. It was discussed if this was a right-of-way or an easement. The conclusion of the discussion is that Planning Director Williams sees this as a right-of-way and Mr. Nelson sees it as an easement.

Planning Director Williams stated that his view is that this process would need to be an Ordinance. He stated that the Planning Commission needs to make decision on if this is a right-of-way or an easement. Then decide whether to transfer it to the owner.

Chair Twaddle mentioned the last time that a right-of-way was vacated. Planning Director responded with some history in regards to previous vacations.

Public Comment: None.

Applicant: Mr. Nelson added that in 1993 there was a replat to turn this into an easement and the cult-de-sac was removed. He would like to do some projects out in this area however, unless this is an easement, then it wouldn't be feasible.

Chair Twaddle expressed that keeping the language clean would be in every ones best interest regardless of what the Commission chooses to do. Planning Director Williams agreed.

The Commission discussed this item, how to clear it up, Staff's views, and the process.

Mr. Weatherman confirmed that he could provide at the next meeting other routes up to US Survey 3670 from Halibut Point Road.

MOTION: M/S WINDSOR/ROGERS moved to defer the consideration of a request to vacate the 20 foot right-of-way in the Carlson Subdivision in the 4600 block of Halibut Point Road to the next Planning Commission meeting on May 1, 2012.

ACTION: Motion **PASSED unanimously** on a voice vote.

PLANNING DIRECTOR'S REPORT: Planning Director Williams stated that there would be two items on the next meeting on May 1. The deferred item from this meeting and another item that the Nelson's have interest in with regards to zero lot line code changes. Planning Director Williams invited the Chair to the next Assembly meeting for

Planning Commission Minutes

April 17, 2012

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the Anderson appeal of Didrickson's variance. Staff passed out the new application for conditional use permits requests for island properties. This application now includes the code sections that staff promised at the last meeting.

PUBLIC BUSINESS FROM THE FLOOR: Connor Nelson came forward to mention the issues with the S & S rock quarry. A few years back they moved their operation onto Lot 63 and they have been quarrying that. He believed that it is zoned C-2 and questioned why it is going on there as he thinks that they are not allowed to do so.

ADJOURNMENT

MOTION: M/S PARMELEE/ROGERS moved to adjourn at 8:43 p.m.

ACTION: Motion **PASSED unanimously** on a voice vote.

Jeremy Twaddle, Chair

Melissa Henshaw, Secretary

**City and Borough of Sitka
Planning and Zoning Commission
Draft Minutes of Meeting
May 1, 2012**

Present: Jeremy Twaddle (Chair), Darrell Windsor (Member), Richard Parmelee (Member), Wells Williams (Planning Director), Melissa Henshaw (Planner)

Members of the Public: Stephen Weatherman (Municipal Engineer), Richard Guhl, Valorie/Connor Nelson, Shannon Haugland (Daily Sitka Sentinel)

Chairman Twaddle called the meeting to order at 7:00 p.m.

Consideration of the Minutes from the April 17, 2012 meeting:

MOTION: M/S PARMELEE/WINDSOR moved to approve the meeting minutes for April 17, 2012.

ACTION: Motion **PASSED unanimously** on a voice vote.

This evening's business:

**VACATE 20' RIGHT-OF-WAY
4600 BLOCK HALIBUT POINT ROAD
VALORIE/CONNOR NELSON**

Consideration of a request to vacate the 20 foot right-of-way in the Carlson Subdivision in the 4600 block of Halibut Point Road.

Planning Director Williams stated that Staff comments will be just before deliberations.

Chair Twaddle called Stephen Weatherman, Municipal Engineer forward. Mr. Weatherman showed the previously requested right-of-way arials from Halibut Point Road to US Survey 3670. Three are pointed out on the aerial with one being the 20 foot right-of-way in the Carlson Subdivision. He mentioned that a conditional use permit request will be coming to the Commission in the near future for a quarry for a section in US Survey 3670. He continues to maintain that this right-of-way needs to remain in place as it is beneficial for utilities and drainage purposes.

Chair Twaddle received confirmation of a possible right-of-way location and its width.

Mr. Weatherman replied to Commissioner Windsor the difference between a right-of-way and an easement with regards to owner permission.

APPLICANT: Connor Nelson came forward with handouts. O'Neill Surveying and Engineering drew up a concept drawing to resubdivide the Carlson Subdivision. He would like to expand into this subdivision and build commercial buildings and living space. This entails changing the right-of-way with a jog and the access. He told about the history of this area with regards to previous owners, the other 20 foot right-of-way with the sunset, and that he was told in 1993 that this was an easement. He has put in a

Planning Commission Minutes

May 1, 2012

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lot of effort to this area with regards to a highway crossing permit and utilities. He also feels that there is good access to US Survey 3670 from Lot 65 just past the cove area. The right-of-way in the Carlson Subdivision would consist of cutting into a steep slope behind it thus creating a drainage issue. He explained about rock quarrying in US Survey 3670. In 1998 he proposed to put in a 40 foot right of way in the Wyatt-Cox Subdivision to have access to US Survey 3670 in which the City turned him down. Mr. Nelson confirmed to Commissioner Windsor that the right-of-way setback has to be 20 feet and with an easement, the owner can build right up to it.

PUBLIC COMMENT: Richard Guhl came forward stating that he is in support of Mr. Nelson's request. He has concerns that Public Works doesn't have the history from 5 years ago in which a study was done to determine topographically the preferred access to US Survey 3670. He passed out a drawing of an easement of 60 feet through mostly Lot 60 (his lot) which is the most gentle grade. He believes that this right-of-way should be given back since it has not benefitted the City and it will be on the tax rolls.

Planning Director Williams discussed chapter 18.12 Real Property Disposal. He reminded the Commission that this is only in regards to the 1977 plat of the Carlson Subdivision. Nelson's have owned it for 1.5 years and PAMCO owned it for 18 years. He read 18.12.010 that states "Real property, including tidelands, and land acquired from the state, may be sold or leased only when authorized by ordinance". And 18.12.015 C 2 that states "If the person or persons petitioning for vacation is, or are, the original subdividers who established the street, alley, or public thoroughfare, or portion thereof, sought to be vacated, then the municipality may vacate the same without payment of any kind being acquired from the petitioner or petitioners or the property owner or owners who receive the property by virtue of vacation" does not apply. He suggested based on history that the action be by making a motion recommending to the Assembly. There is not a precedence on this request since Public Works is not supporting it. Therefore, the applicant will then need sponsors from the Assembly or the Administrator to continue this request.

The Commission had a discussion with regards to the property, deeds, dedications, the size of the right-of-way and a viable right-of-way.

MOTION: M/S PARMELEE/WINDSOR moved to recommend to the Assembly that an Ordinance be prepared consistent with Title 18 to vacate the 20 foot right-of-way within Carlson Subdivision.

ACTION: Motion **PASSED unanimously** on a voice vote.

MOTION: M/S PARMELEE/WINDSOR moved to approve the following findings in support of the recommended vacation of the right-of-way:

1. The 20 foot right-of-way is insufficient in size;
2. Due to the steep topographical nature of US Survey 3670 in this location; and
3. Based on the study in 2008 by Public Works in which they found a superior alternative route where a 60 foot right-of-way could be in place.

CODE TEXT AMENDMENTS ZERO LOT LINES

SITKA PLANNING OFFICE

Public hearing and consideration of zoning and subdivision text amendments to zero lot lines including sections 21.08.260; 21.24.010; 21.24.020; 21.24.030; 21.24.040; 21.24.050; 22.08.580; 22.08.722 New; and Table 22.16.015-1. Full description details are available at the Sitka Planning Office and are available online at www.cityofsitka.com.

Planning Director Williams stated that he initiated this request to accommodate concerns that the Nelson's raised with the Menendez day care. He reviewed the changes with the Commission which included the inconsistency with the zoning code and the subdivision code, the reworded term to residential zero lot line, and definitions.

Chair Twaddle received confirmation from Planning Director Williams that a conditional use permit under this new code does not allow a day care of more than four children that are non family members.

PUBLIC COMMENT: Connor Nelson came forward hoping that this request wouldn't be rushed. He stated that he doesn't think that home occupations should be allowed. He is concerned with the language and doesn't think that we go back and retroact uses. The party wall agreements state residential use only. He isn't sure if people that have zero lot lines knows what is going on. Zero lot lines in his mind were always a trade off since the square footage is less. Since it is less then owners should get a residential unit only not a bed and breakfast or other uses.

Valorie Nelson came forward. She attended the January 17th meeting in which the party wall agreement was to be evaluated by the Municipal Attorney. In scope and jurisdiction 21.04.030 under C 21.24 a subdivision creating lots for residential units within common walls or for building residences on the side lot lines. Residences are just that; residences and not businesses. She doesn't think the Commission had enough time to explore nor did the attorney give favorable approval. The parking plan submitted was different than what the Commission requested. Home occupancy is a non residential use.

Planning Director Williams suggested this go to the first meeting in June also noting that Home Occupations should be looked at in this request.

Chair Twaddle confirmed with Planning Director Williams that it was determined by the Municipal Attorney that the party wall agreement is a private contract and not part of a conditional use permit. Discussion occurred in regards to home occupations, accessory use tables and affordable housing with too many rules and regulations.

PLANNING DIRECTOR'S REPORT: None

PUBLIC BUSINESS FROM THE FLOOR: Connor Nelson came forward with a question without a clear solution in regards to the dedications of right-of-ways and easement on a plat to which Planning Director Williams stated that it wasn't clear in the past whether it was private or public use.

ADJOURNMENT

MOTION: M/S PARMELEE/WINDSOR moved to adjourn at 8:59 p.m.

ACTION: Motion **PASSED unanimously** on a voice vote.

Jeremy Twaddle, Chair

Melissa Henshaw, Secretary

Nelson Right of Way Conversion Request
Carlson Subdivision in the 4600 Block of Halibut Point Road
May 1, 2012

Back before the board Tuesday night is the Nelson's request. Staff holds firm on their view that this is a right-of-way not an easement.

Stephen Weatherman, Municipal Engineer has submitted the requested material from the last meeting which is other possible locations from Halibut Point Road to US Survey 3670.

Nelson Right of Way Conversion Request
Carlson Subdivision in the 4600 Block of Halibut Point Road
April 17th, 2012

Connor and Valorie Nelson have asked that their request to convert a right of way to an easement be placed on the Planning Commission agenda. The property involves Carlson Subdivision near the Halibut Point Marine boat yard. The Nelsons have submitted a detailed packet for the board's review.

Carlson Subdivision was approved in 1977. While it is a four lot subdivision, a twenty foot wide right of way serves the parcels. This right of way was created instead of a twenty foot access and utility easement.

The Sitka General Code describes a detailed right of way vacation process in SGC Section 18.12.015. While a conversion of a right of way to an easement is not, specifically, referred to in this code section, it appears that the section is applicable in this case.

Historically, right of ways have only been vacated when the municipality makes an affirmative determination that the property will not be required by the city in the future. The Public Works Department tends to comment on these requests and is instrumental in deciding whether or not this high threshold has been met. If it has been met, the right of way is sold to the adjacent property owners. SGC 18.12.015 C. 2 provides the opportunity for the original subdivider to obtain the right of way at no cost. It is staff's understanding that the Nelsons were not a party of the subdivision in 1977.

Municipal Engineer Stephen Weatherman submitted an email, dated April 9th, that raises issues about the right of way conversion request. The issues include the elimination of right of the municipality to install utilities in the large USS 3670 tract above Carlson Subdivision.

If this request were to proceed, it would likely require a special purpose ordinance that would provide an exemption to SGC 18.12.015.

Chapter 18.12

REAL PROPERTY DISPOSAL

Sections:

18.12.010 Real property disposal.

18.12.014 Requirement for a public vote and disclosure of information for land disposals related to a dock or vessel transfer facility that could be used by large cruise ships.

18.12.015 Street and public area vacations.

18.12.010 Real property disposal.

A. Real property, including tidelands, and land acquired from the state, may be sold or leased only when authorized by ordinance.

18.12.015 Street and public area vacations.

A. Petition. No street, alley or public thoroughfare or any part thereof shall be vacated except upon petition of the owners of the majority of the front feet of the land fronting upon the part of the street, alley or public thoroughfare sought to be vacated.

B. Title to Vacated Area. Title to the street or other public area vacated on a plat, attaches to the lot or lands bordering the area in equal proportions; except that if the area was originally dedicated by different persons, original boundary lines shall be adhered to so that the street area that lies on one side of the boundary line shall attach to the abutting property on that side. The portion of a vacated street that lies inside the limits of a platted addition attaches to the lots of the platted addition bordering on the area. If a public square is vacated, the title to it vests in the municipality. If the property vacated is a lot, title vests in the rightful owner.

C. Payment.

1. If the municipality acquired the street or other public area vacated for legal consideration or by express dedication to the municipality, other than as a subdivision platting requirement, before the final act of vacation, the fair market value, as required by AS 29.40.170(b), shall be deposited by the petitioner or petitioners with municipality to be paid to the permanent fund upon vacation.

2. If the person or persons petitioning for vacation is, or are, the original subdividers who established the street, alley, or public thoroughfare, or portion thereof, sought to be vacated, then the municipality may vacate the same without payment of any kind being acquired from the petitioner or petitioners or the property owner or owners who receive the property by virtue of vacation.

3. If the person or persons petitioning for the vacation are not the original subdividers, but the municipality acquired the street, alley, or public thoroughfare or portion thereof as a result of a subdivision platting requirement, before the final act of vacation, the petitioner or petitioners or the owners of the land fronting upon that part of the street, alley, or public thoroughfare sought to be vacated shall be required to pay the amount determined by the assembly. (Ord. 93-1130 § 4(2), 1993.)



City and Borough of Sitka

PUBLIC WORKS

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

4/26/2012

Dear Chairman Twaddle, Planning Commission

Re: Consideration to vacate 20 feet Right Of Way in the Carlson Subdivision.

In response to your request for information showing the available Right of Way (ROW) access to the U.S.S. 3670 Parcel from Halibut Point Road we are providing the attached map. The map shows that access is available at Granite Creek Road, an un-named ROW, the ROW on the Carlson Subdivision and at the base of the No Name Mountain. If the ROW is vacated there will be approximately 5,000 feet between ROW accesses from Halibut Point Road to the U.S.S. 3670 Parcel in this area. The nearest access to the north from the Carlson Subdivision is approximately 1,800 feet and to the south is 3,200 feet.

Public Works opposes the vacation or the conversion of the ROW to an access and utility easement. There is no public good to be gained by the vacation. There are many ROWs in Sitka that are 20 foot wide. Some of the old Townsite has these ROWs. While we would prefer these roads to be one way they are currently mostly used as two way roads. In almost all cases the lots on either side of the ROWs are served by water, sewer, storm, electrical, phone and cable from these ROWs. The utilities extend down the ROW's block after block. The ROW on the Carlson Subdivision can be used for the same purpose to provide service to future subdivision and industrial development of U.S.S 3670. While the slope at the east side of the Carlson Subdivision is steep that does not preclude utilities or even a road if properly designed.

Public Works does not have a current plan to develop a road or utilities using this ROW however this is not important. This access has been used in planning concepts from the time it was established. We are currently moving forward on developing several new quarry sites on U.S.S 3670. It is not unreasonable to expect this ROW could be important for future development of either quarries or eventual conversion of the reclaimed quarries to residential or commercial subdivisions. Because these quarries and other uses for U.S.S 3670 require access to Halibut Point Road it is fiscally responsible to retain this ROW instead of acquiring it in the future from private holdings.

One final point is that the original subdivision was approved in 1977. Regardless of why the ROW was established the ROW existed when Mr. Nelson acquired the property.

Sincerely

Stephen L. Weatherman P.E.
Municipal Engineer
City and Borough of Sitka

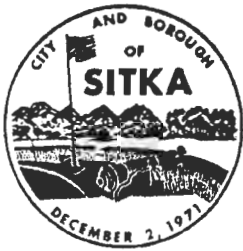
Melissa

From: Stephen Weatherman [stephen@cityofsitka.com]
Sent: Monday, April 09, 2012 3:04 PM
To: 'Wells Williams'; Melissa Henshaw
Cc: 'Michael Harmon'
Subject: Concideration to vacate 20 foot ROW in Carlson Subdivision

Dear Wells and Mellissa

Public Works does not support this proposed vacation. The CBS property located within U.S.S. 3670 can only be accessed at a very limited number of locations from Halibut Point Road. This location is one. This existing ROW could be used to bring utilities (water, sewer, storm and electrical) up into the CBS property. If the CBS property within U.S.S. 3670 is to be developed in the future this access is required. There is no public interest being served by vacating this ROW. A utility and access easement does not provide the same rights to the CBS as ROW.

Stephen L. Weatherman P.E.
Municipal Engineer
City and Borough of Sitka
100 Lincoln Street
Sitka, AK 99835
(907) 747-4042 office
(907) 738-5063 Cell
(907) 747-3158 Fax
stephen@cityofsitka.com



City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

Sitka Planning Commission Agenda

Tuesday, April 17, 2012

Held in the Harrigan Centennial Hall

330 Harbor Drive, Sitka, Alaska

7:00pm

- I. CALL TO ORDER AND ROLL CALL
- II. CONSIDERATION OF THE MINUTES FROM April 3, 2012
- III. THE EVENING BUSINESS
 - A. Public hearing and consideration of a variance request filed by Brian Oberreuter at 417 Marine Street. The request is for a reduction in the rear setback to 5 feet and an increase in lot coverage to 37% for placement of a garage. The property is also known as Lot 32 Block 26 Spruce Glen Subdivision. ** NO KNOWN CONFLICT WITH WATER OR SEWER.*
 - B. Consideration of a request to vacate the 20 foot right-of-way in the Carlson Subdivision in the 4600 Block of Halibut Point Road.
- IV. PLANNING DIRECTOR'S REPORT
- V. PUBLIC BUSINESS FROM THE FLOOR
- VI. ADJOURNMENT

NOTE: Individuals having concerns or comments on any item are encouraged to provide written comments to the Planning Office or make comments at the Planning Commission meeting. Written comments may be dropped off at the Planning Office in City Hall, emailed to melissa@cityofsitka.com, or faxed to (907) 747-6138. Those with questions may call (907) 747-1814.

Publish: April 9, 11

- ✓ ① NO KNOWN CONFLICT WITH WATER OR SEWER IN 20 FT ROW.
- ② SMALL WATER SERVICE (1" OR 3/4") AND 4" SEWER TO LOT 58 POSSIBLY EXISTS BUT LOCATION UNKNOWN BUT REMOVED TO BE CLEAR OF 20' ROW.

Providing for today...preparing for tomorrow

Connor/Valorie Nelson
107 Littlebyrd Way
Sitka, AK 99835

Paul/Lamoyne Smith
PO Box 777
Walnut Grove, CA 95690

Connor & Valorie Nelson
107 Littlebyrd Way
Sitka, Ak.

Melissa Henshaw
Sitka Planning Commission

Ref: Carlson Subdivision
Lot 58
Sub: Vacant R.O.W.

Dear Melissa,

If you could, I'd like this on your Apr. 3rd meeting. We'll be in town until March 22 if you have any questions, after that, you have my e-mail, and 738 0027 always works.

The Smiths and ourselves are the owners of Lots 58A – 58D. Our request is to turn the 20" R.O.W. into a private easement.

Short history. When Mr. Carlson sub-divide in 1977 he was required to dedicate the 20', with the understanding that when Lot 56 was sub-divided they would also be required to dedicate 20', with the understanding this would become a 40' R.O.W. to the benchlands.

In 1981 Lot 56 was sub-divided and 20' was dedicated for the 40' Benchland R.O.W., however, this dedication gave the City 5 yrs. To develop the R.O.W. or lose it. The 20' dedicated on Lot 56 went back to a private easement, as should have the 20' on Lot 58. Obviously, this 20' can't stand on it's own, nor can it perform the indicated function it was set aside for.

Thanks for your time,

Connor/Valorie
3/19/12

February 24, 2011

Mr. Jim Dinley

Administrator

City of Sitka

Dear Sir,

We are the owners of record for lots 58A and 58B of the Carlson Subdivision, Lot 58 U.S. Survey 3476. We would like to request the conversion of the 20 foot right-of-way as shown on the plat to a private easement.

My current assignment with the Coast Guard has me at Air Station Cape Cod, but my wife and I will be in Sitka next month for a 3 week visit. We would be available to meet and discuss at that time if you would like.

Thank you for your consideration of this matter.

Sincerely,

Paul and Kay Smith



City and Borough of Sitka

PUBLIC SERVICES

100 LINCOLN STREET • SITKA, ALASKA 99835

PHONE (907) 747-1804 FAX (907) 747-3158

FOUNDATION ONLY PERMIT

This permit is issued to the undersigned with the understanding that the applicant assumes all responsibility for the construction of the foundation, realizing that the plans have not been completely checked nor approved for construction, as to the loads presumed to be carried on the foundation or as to the superstructure to be erected thereon.

Before the foundation is used or a permit is issued for the construction of any structure on the foundation, the same must be made to conform in every manner with current ordinances and laws governing the construction of foundations for buildings. In issuing this permit, the municipality makes no warranties concerning compliance with either codes or ordinances and takes no responsibility for any failure of compliance or its consequences.

City approval of this permit does not authorize encroachment into any easement, required zoning setback, or recorded or unrecorded utility easement. Note that not all easements are reflected on plats. Nor does approval invalidate any covenants or subdivision plat restrictions. We strongly recommend a title search prior to any construction.

Received

JUN 24 2003

No work above the sole plate is to be started before a building permit has been issued.

STREET ADDRESS: 4608 HPR

DATE: June 24 2003 CONTACT PHONE NUMBER: 747-5030

OWNER/APPLICANT: Connor Nelson

OWNER/APPLICANT SIGNATURE: Clarice Bayne for Connor Nelson

ENGINEER: Macie J. Hareglak

ELECTRIC DEPARTMENT: _____ DUPLICATE

WATER/WASTEWATER DEPT: _____

BUILDING OFFICIAL: MM 6/27/03

PLANNING DIRECTOR: Quadrill 6-20-03 5' setback from leaves

FLOOD ZONE N/A

Elevation certificate is required for any structure located within a flood plain.

COMMENTS: Unless specifically approved otherwise, this permit does NOT authorize construction of a stem wall, or retaining device more than four (4) feet in height.

X

ITEM 1

UNSUBDIVIDED REMAINDER
OF LOT 1 OF U.S.S. 3670

10' MIN.

5'0" MIN.

40 x 125
STORAGE
Bldg

Lot 3
10776 sq. ft

VOID
PROP.
LINES

Lot 4
9406 sq. ft

20.00' ACCESS AND
UTILITY EASEMENT
FOR LOTS 1 & 2
ONLY

20' ACCESS AND UTILITY
EASEMENT TO BE VACATED

LOT 58 C

LOT 58 B

LOT 58 A

CARLSON SUBDIVISION

20' RIGHT-OF-WAY WITHIN CARLSON SUBD.
not to be considered a public right of way as per Well's

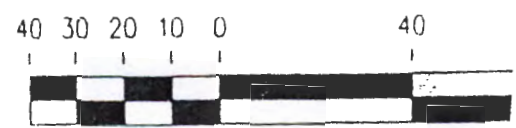
Lot 1
12182 sq. ft

Lot 2
10854 sq. ft

20.00' ACCESS AND
UTILITY EASEMENT
FOR LOTS 1, 2, 3 & 4

LOT 54 U.S.S. 3475

4608
H.P.R.



SCALE IN FEET

PLANNING AND ZONING COMMISSION
REGULAR MEETING
APRIL 4, 1977

PRESENT: Dee Longenbaugh, Chairman, Al Perkins, Bob Couch, Michael Schmidt, Planning Director, and Esther Middleton, Secretary.

ABSENT: Ted Larsen, (X) and Gordon Whitcomb, (X)

GUESTS: Dorothy Johnson, Ross Bingham, Phil Davis, Mike White, Dee White, Bonnie Davis, Caroline Breiding, Richard J. Buhl, Marianne McShane, Linda White and Diana L. Skarnes.

The regular meeting of Planning and Zoning was called to order by the Chairman at 7:35 P.M.

Minutes of the previous meeting were deferred until next meeting.

PLATTING

CAROLINE BREIDING
PRELIMINARY
SUBDIVISION
Lot 15, USS 3317
of the lots.

Mr. Schmidt showed a plot plan, explaining that a lot of time has been spent on the road situation. The cul de sac has been moved down and the road straighten. Mrs. Breiding is also asking for a 10' setback for the existing house. It was pointed out that by moving the cul de sac, it was not hurting any developability of the


Condition of the road followed, with it being pointed out that the existing road is just a driveway but will be expanded.

VARIANCE: Mr. Couch moved to accept the variance of 10' front setback on Lot 15-A. Mr. Perkins seconded, and the motion carried unanimously.

SUBDIVISION: Mr. Couch moved to allow the major subdivision of Lot 15, USS 3317, providing the survey drawing is corrected for the assembly as pencilled in on the sketch drawing showing the lowered cul de sac, the straighten road—seconded by Mr. Perkins. The motion carried unanimously.

CHARLES CARLSON
SUBDIVISION
LOT 58, USS 3475

Mr. Schmidt showed a plot plan showing four lots. One lot now has an existing trailer on it. He also showed pictures of the area. There would be a 20' R-O-W up the side. Most of the land is very flat. He is planning on putting in 4-plexes if he can get the financing. The lots range from 9,000 to 18,000 sq. ft. The adjoining neighbor would need to give 20' for R-O-W should he ever subdivide.



Mrs. Longenbaugh asked if it were possible to put a 4-plex on 9,000 ft. lot; was told yes. She also recommended that parking be on the property.

Mr. Perkins moved to approve the subdivision with the provision that parking be on the property, seconded by Mr. Couch and the motion carried unanimously.

MIKE WHITE
SUBDIVISION
OF LOT 3 of 6
USS 3557

Mr. Schmidt asked Mr. White how he was going to get into the 4th lot that he was creating and a short discussion followed on land-locked property. Mr. White said he thought access would be from Kainulainen Dr. Discussion on the setbacks of the existing house followed. Mrs. Longenbaugh asked if the back of the house was far enough from the lot line. Mr. Davis said it was calipered to be 10'.

ITEM 2

4

Page Four
Minutes, Regular Meeting,
Assembly, City and Borough of Sitka
April 12, 1977

NEW BUSINESS: (Continued)

Bid Opening: VARIOUS LLOYD PROUTY:
WOOD STRUCTURES,
EQUIPMENT, VEHICLES
(Contd.)

Item #1, Wood Frame Structure - - - - -	\$ 76.59
Item #2, Wood Frame Structure - - - - -	86.99
Item #3, Wood Frame Structure - - - - -	151.59

The Administrator recommended acceptance of the following bids:

Item #7, 1967 FORD ECONOLINE VAN, LARABEE LOGGING COMPANY.
Electric Winch, ERIC OLSEN (\$25.00).
1975 Ford Torino Sedan: WILLARD MAXEY (\$627.50).
Items #1, #2, #3, LLOYD PROUTY (totalling \$315.17).

M/S Nelson - Keck: For acceptance of the bids recommended for approval by the Administrator.

Motion carried unanimously upon roll call vote.

Subdivision Request:
CAROLINE BREIDING

In addition to her present home, Mrs. Breiding wishes to create an additional five lots on her property, Halibut Point Road (Lot 15, U. S. Survey 3317). In order to gain access to the additional lots, her present home would be located 8.3' instead of the required 20' from the proposed access road. The access road was difficult to plan because of the steep grade.

The Planning Commission recommended approval.

M/S Richards - Fager: For approval of the 8.3' setback variance requested.

Upon call for the question, the motion failed by a 3 - 4 vote.

Mr. Schmidt, Planning Director, showed a plat of the property involved and explained that it would not be possible for Mrs. Breiding to move her current home over to meet required setback regulations.

M/S Keck - : That the subdivision requested by Mrs. Breiding be granted. The motion died for lack of a second.

It was therefore recommended by the Assembly that the subdivision and setback variance request be sent back to the Planning Commission for redesign.

Subdivision Request:
CHARLES CARLSON



Mr. Carlson's property is located in U. S. Survey 3475, Lot 58. Mr. Schmidt showed a plat of the property and explained that Mr. Carlson wishes his lot subdivided into four lots. There would be a 20' private road on his property for access to the upper lots which would be widened at a later time if the adjacent property owner was to subdivide and dedicate his required 20'. The owner of the adjacent lot has been informed of this.

PLANNING COMMISSION
REGULAR MEETING
OCTOBER 20, 1980

PRESENT: Ron McClain, Michael Trent, Bob Dale, Al Perkins, Bob Couch, Chairman;
Glenda Boddy, Secretary.

ABSENT: Ben Grussendorf (E).

GUESTS: E. Z. Smith, Sr., David Cox, Art Schmidt, and Ernest Barker.

The meeting convened at 7:30 p.m. and the minutes were approved as corrected.

SUBDIVISION

Victor Wyatt
USS 3475,
Lot 56
Zoned C-2

Mr. Wyatt is requesting a subdivision of 3 lots containing (56A) 21,680 sq. ft.; (56B) 10,840 sq. ft., and (56C) 21,680 sq. ft. a total of 43,360 sq. ft. The property is zoned C-2, Commercial District Including Mobile Homes and Mobile Home Parks. The property is undeveloped and is relatively level. The site is on the north-west side of Halibut Point Road and has adequate access. A 20' access easement would be extended through Lot 56B and a 90' cul de sac would be shared with Charlie Carlson, owner of Lot 58.

David Cox, co-owner with Wyatt, cannot put 40' easement to the back lot and make 2 nice lots, it would take 2,360 sq. ft.

Dale: Are you requiring 10,000 sq. ft. per lot?

Cox: Yes, we feel for the C-2 zoning we should have it.

Dale: You could redesign the plot plan to make up the difference.

Cox: Cannot do that according to their (Cox/Wyatt) agreement, Wyatt will have 56A and Cox will have 56B,C.

Dale: There was a verbal agreement per Carlson (who was in the office today about 3:00) between Wyatt and himself to put in a 40' easement that will be dedicated to the City for access to the benchland.

A lengthy discussion was held (1) the importance of the road for access to the benchland, (2) the 30' to 40' bank that will be left after clearing and excavation is done and if it can still be used as access, (3) when the City would make final decisions in regards to access to benchland, and what would be done if it is not used, (4) the legality of the City requesting access on private lands (Section 21.20.010), and (4) how Mr. Cox would develop his land, and placement of structures in regards to the access easement.

Item 4

SUBDIVISION

Continued

Wyatt



M/S McClain/Perkins to grant this request for subdivision of 3 lots with the 20' road access to be developed to lots 56B and 56C, and a 20' road access along the north side of Lot 56B to be dedicated to the Municipality for access to the benchland.

The question was asked and voted (4-0-0) to approved this request for subdivision with the conditions noted in the motion.

Smith/Bernard
USS 3482
Lots 38A & B
Zoned C-2

This application proposed to resubdivide Lots 38A and B to provide better access to the property. The lots consist of 30,000 sq. ft. each and are located on the north side of Halibut Point Road.

The site is between the residential Estrem subdivision to the south east and residential lots to the northwest. This subdivision proposal is in response to access problems due to the steepness of the property and lot width. Existing road frontage is 82.5' as proposed the road frontage is 165'. Access to 38D would be through the Estrem Subdivision on Vallhalla Drive.

Couch questioned the use of Vallhalla Drive since it belongs to Estrem and not the City.

The Planning Department recommends approval of this request with the following conditions: (1) Access be obtained to Lot 38D across Viking Way and Vallhalla Drive through the Estrem Subdivision, (2) a 10' utility easement be granted along the southern property line of lot 38C and (3) tentative subdivision approval shall expire one (1) year from Planning Commission approval.

Access to Smith's property will be off Halibut Point Road with parking to the right of the shop.

A lengthy discussion was held on: (1) the future subdivisions of these lots, (2) the C-2 Zoning, (3) access off of Vallhalla Drive, and (4) plat history.

M/S Perkins/McClain to grant this request for subdivision with the following stipulations (1) access be obtained to Lot 38D across Viking Way and Vallhalla Drive through the Estrem Subdivision, (2) a 10' utility easement be granted along the southern property line of Lot 38C. The question was asked and voted (4-0-0) to approve with the stipulations mentioned in the motion.

A-3

October 20, 1980

PLANNING COMMISSION
STAFF REPORT

RE: P 80-16 PROPOSED LOT DIVISION OF LOT 56, U.S. SURVEY 3475 FOR 3
LOTS LOCATED AT 4602 HALIBUT POINT ROAD.

(C-2) (WYATT) (STRAGIER)

RECOMMENDATION: FOR APPROVAL

PROJECT DESCRIPTION

This application proposes to subdivide a 43,360 sq. ft. lot into 3
parcels of 10,580 sq. ft., 10,580 sq. ft., and 21,680 sq. ft.

ZONING: C-2 COMMERCIAL DISTRICT INCLUDING MOBILE HOME AND MOBILE HOME PARKS

SITE AND AREA CONSIDERATIONS

The property is undeveloped and is relatively level. The site is one the
northwest side of Halibut Point Road and has adequate access.

PLANNING DEPARTMENT RECOMMENDATIONS

For approval

Conditions of approval:

1. Twenty (20) foot road access be developed to Lots 56B and 56C.
2. Road access be dedicated to the Municipality
3. Tentative plat approval shall expire one year from Planning Commission
approval date.



RD:glb

intensities, densities, and land uses.

(Ord. 03-1729 § 4 (part), 2003.)

21.08.020 "B".

A. "Block" means an area of land within a subdivision that is entirely bounded by rights-of-way (other than alleys), physical barriers, and exterior boundaries of the subdivision.

B. "Block length" means the distance between intersections of through streets, measured between the right-of-way lines of the intersecting streets, which distance is the longest dimension of a block.

C. "Boundary survey map" is a map of the boundaries of a parcel.

(Ord. 03-1729 § 4 (part), 2003.)

21.08.030 "C".

A. "Comprehensive plan" means an official adopted document including text, charts, graphics or maps or any combination designed to portray general and long range proposals for the arrangement of land uses and development of an economic base and human resource and which is intended to guide development policy towards achieving orderly and coordinated development within the entire community.

B. "Crosswalk" means a public right-of-way, ten feet or more in width, which provides pedestrian passage through a street or within a block.

(Ord. 03-1729 § 4 (part), 2003.)

21.08.040 "D".

A. "Dedication" means the deliberate appropriation of land or rights in land by its owner for any general and public use, reserving to himself or herself no other rights than such as are compatible with the full exercise and enjoyment of the public use to which the property has been devoted. The intention to dedicate shall be evidenced by the owner by the presentation for filing of a final plat or short plat showing the dedication thereon; and the acceptance by the public shall be evidenced by the approval of such plat for filing by the city. A dedication by the owner under the terms of this section is a conveyance of an interest in property which shall be deemed to include the warranties of title listed in AS 34.15.030. The dedication of streets, alleys, sidewalks, or public open space shall convey a fee interest in the area dedicated. The dedication of all other public rights-of-way including utility rights-of-way shall be deemed to create an easement ingress to perform the indicated function in the area depicted.

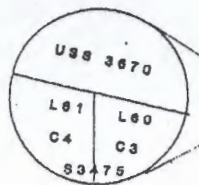
(Ord. 03-1729 § 4 (part), 2003.)

21.08.050 "E".

A. "Easement" means an interest in land owned by another that entitles the easement holder to a specified limited use of said area of land.

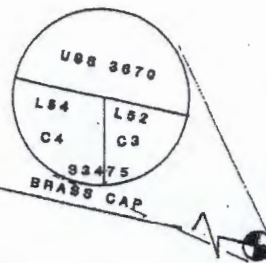
B. "Engineer" means a registered, professional, civil engineer authorized to practice engineering in the state of Alaska. Engineers perform the consultation, investigation, evaluation, planning, design, and inspection of private and public works, structures, or projects. Unless also qualified as a surveyor, an engineer may not engage in the preparation of subdivisions. (Cross reference: AS 08.48.291(8)).

Item 5

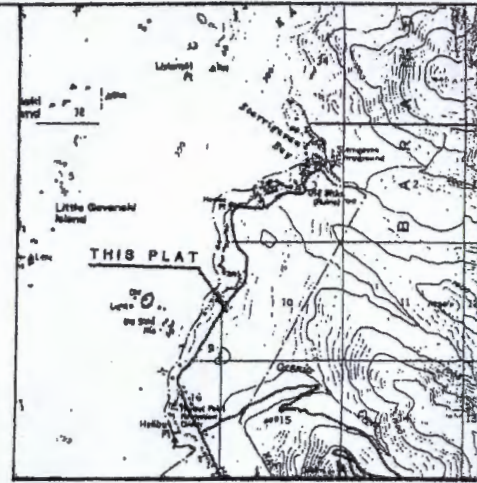


BRASS CAP

U . S . S . 3 6 7 0



BRASS CAP



VICINITY MAP

NOTE 1

Easement granted to the City & Borough of Sitka for a period not to exceed 5 years, if this easement is not utilized & developed 5 years after the filling of this plat it will become null and void.

CARLSON SUBDIVISION

LOT 58 D

LOT 58 C

LOT 58 B

LOT 58 A

LOT 56-B LOT 56-C

LOT 56-A

LOT 54

NOTE 1

Easement granted to the City & Borough of Sitka for a period not to exceed 5 years. If this easement is not utilized & developed 5 years after the filling of this plat it will become null and void.

HALIBUT POINT HIGHWAY

N 37°34' 43" E (MEASURED)
N 37°48' 28" E (HIGHWAY)

Nelson
Vacate Right-of-Way
4600 Block of Halibut Point Road

Return to:
 City and Borough of Sitka
 Municipal Clerk's Office
 100 Lincoln Street
 Sitka, Alaska 99835

RELEASE OF EASEMENT

City and Borough of Sitka ("CBS"), 100 Lincoln Street, Sitka, Alaska 99835, and Roger and Judith Sudnikovich, PO Box 1171, Sitka, Alaska 99835, vacate and release any interest they have in an easement along the southwest side of Wyatt-Cox Subdivision #2.

Wyatt-Cox Subdivision #2 is set out in Sitka Alaska Recording District Plat # 2010-15, filed on October 20, 2010.

The easement vacated and released by this document was granted in a Road Maintenance Agreement, dated November 28, 1992. That document was recorded in the Sitka Alaska Recording District at Book 99, Pages 297 and 298.

Roger and Judith Sudnikovich are the owners of Lot 1A of USS 3670 Subdivision. USS 3670 was recorded as Plat 93-23 in the Sitka Alaska Recording District on November 2, 1993. The easement was originally made to provide access across property in Wyatt-Cox Subdivision #2. This Release of Easement is made because access is not required to access Lot 1A of USS 3670 Subdivision.

This Release of Easement is binding on all future land owners of Lot 1A of USS 3670 Subdivision.

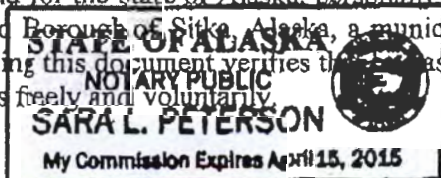
CITY AND BOROUGH OF SITKA

James Dinley

James Dinley, Municipal Administrator

STATE OF ALASKA)
) ss.
 FIRST JUDICIAL DISTRICT)

THIS CERTIFIES that on the 24 day of May, 2011, before me, a Notary Public in and for the State of Alaska, personally appeared JAMES DINLEY, Municipal Administrator of the City and Borough of Sitka, Alaska, a municipality organized under the laws of the State of Alaska, and by signing this document verifies that he has been authorized to execute the documents on its behalf, and he signs freely and voluntarily.



Sara L. Peterson
 Notary Public for Alaska
 My Commission expires: 4-15-2015

Roger Sudnikovich
ROGER SUDNICKOVICH

Judith Sudnikovich
JUDITH SUDNIKOVICH

State of Alaska)
) ss.
First Judicial District)

THIS CERTIFIES that on this 24 day of May, 2011, before me, the undersigned, a Notary Public in and for the State of Alaska, duly commissioned and sworn, personally appeared Roger Sudnikovich and Judith Sudnikovich known to me to be the persons mentioned and who executed this document, and they acknowledged to me that they signed this document freely and voluntarily.



Ruth M. Joens
Notary Public in and for the State of Alaska
My Commission Expires: 4/12/2012

Return to:
City & Borough of Sitka
304 Lake Street Room 104
Sitka, Alaska 99835

BOOK 99 PAGE 297
SITKA RECORDING DISTRICT

Book Page
SITKA RECORDING DISTRICT

Road Maintenance Agreement

Whereas, the City and Borough of Sitka has subdivided USS 3670, Sitka Recording District, First Judicial District, State of Alaska, and,


Whereas, the City and Borough of Sitka owns both Lot 1A and the remainder of USS 3670, and,

Whereas, there is a need to establish access for Lot 1A should it be sold to another party,

Now, therefore, in consideration of the premises and the future purchase of Lot 1A, USS 3670 Subdivision, USS 3670, the City and Borough of Sitka agrees as follows:

1. The City and Borough will grant a 20 foot access easement from Lot 1A to the dedicated access from Halibut Point Road located at Lots 58 A-D of Carlson Subdivision and Lots 56A & B of Wyan Cox Subdivision USS 3473.
2. The purchaser shall at his or her convenience build an access road across the dedicated access and the granted easement from Lot 1A to Halibut Point Road.
3. This easement and agreement shall run with the land and shall be binding upon the owners of Lot 1A and any future owners of affected portions of USS 3670.
4. The cost of maintaining the proposed access shall be borne proportionately by the affected owners based upon the benefit derived by their prospective properties.

DATED this 28th day of October at Sitka, Alaska



Gary L. Paxton
Administrator

Road Maintenance Agreement
City and Borough of Sitka
11/28/92 USS 3670
Page 2

STATE OF ALASKA

FIRST JUDICIAL DISTRICT

Municipal Acknowledgment

THIS CERTIFIES that on this 28th day of October, 1992 before me, a Notary Public in and for the State of Alaska, personally appeared GARY L. PAXTON to me known and known to me to be the person whose name is subscribed to the foregoing deed, and after first duly sworn according to law, he stated to me under oath that he is the Administrator of the City and Borough of Sitka, Alaska a corporation organized under the laws of the State of Alaska, that he has been authorized by said corporation to execute the foregoing deed on its behalf and he executed the same freely and voluntarily as the free act and deed of said corporation.

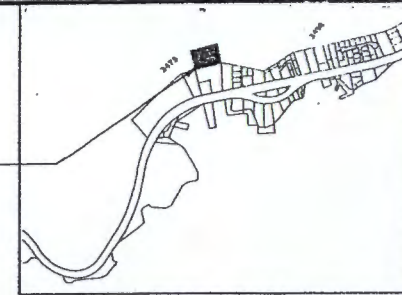
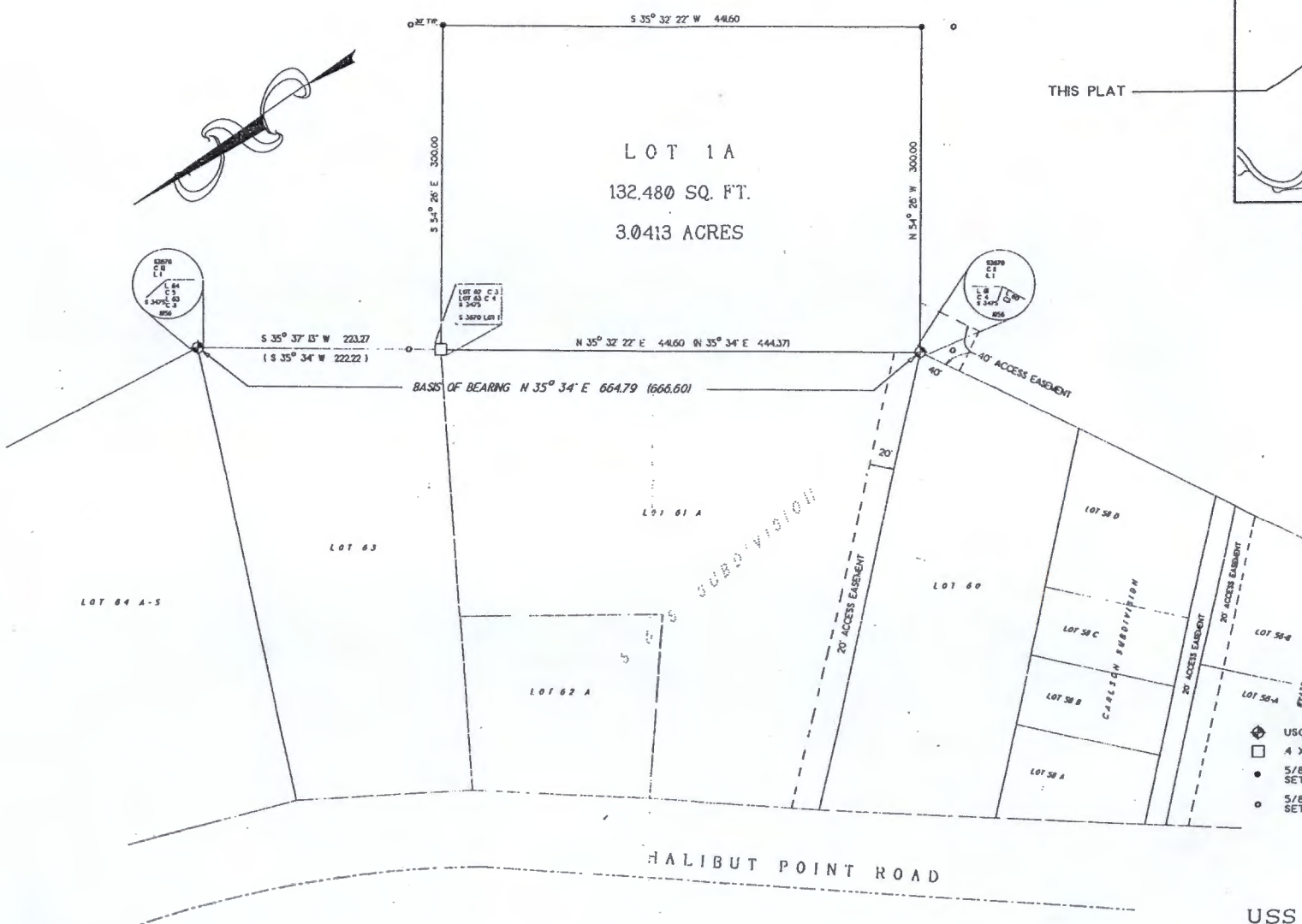
WITNESS my hand and official seal the day and year in this certificate first above written.



G. L. Paxton
Notary Public for Alaska
residing at Sitka, Alaska
Commission expires 7-1-95

92-1583
1800
RECORDED FILED
SITKA REC
DISTRICT
Oct 28 11 34 AM '92
RECD
SITKA

USS 3670



VICINITY MAP

SCALE: 1" = 1000'

93-23
 APPROVED - 11-20-93
 SITHA
 DATE 11-2 11-93
 BY 246 P.N.
 304 LAKE ST.
 SITKA, AK 99831

LEGEND

- ◆ USGLO BRASS CAP FOUND THIS SURVEY
- 4 X 4 WOODEN POST FOUND THIS SURVEY
- 5/8" REBAR WITH 1-1/2" ALUMINUM CAP SET THIS SURVEY
- 5/8" REBAR WITH 1-1/2" ALUMINUM CAP SET THIS SURVEY AS A 30' WITNESS CORNER.

HALIBUT POINT ROAD

USS 3670 SUBDIVISION



SURVEYOR'S CERTIFICATE
 I HEREBY CERTIFY THAT I AM PROPERLY LICENSED AND LICENSED TO PRACTICE LAND SURVEYING IN THE STATE OF ALASKA AND THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION AND THE MONUMENTS SHOWN THEREON ARE ACTUALLY SET AS DESCRIBED AND THAT ALL DIMENSIONS AND OTHER DETAILS ARE CORRECT.
 DATE: 7-20-93 REGISTRATION NO. 33375
 NOEL F. STRAGIER 2327-1

PREPARED BY:
STRAGIER ENGINEERING SERVICES INC.
 CIVIL ENGINEERING
 LAND SURVEYING
 504 D-GROFF ST., SITKA, ALASKA 99835
 NOEL "BABE" STRAGIER, P.E., R.L.S., PRESIDENT

A SUBDIVISION OF A PORTION OF LOT 1, USS 3670
 JOB NO. 1697 DATE: 7-12-93
 DRAWN BY: BABE SCALE: 1" = 50'
 PREPARED FOR:
 CITY & BOROUGH OF SITKA
 304 LAKE ST.
 SITKA, ALASKA 99835

SITKA PLAT 93-23



CITY AND BOROUGH OF SITKA

100 Lincoln Street,
Sitka, Alaska 99835

Legislation Details

File #: ORD 12-18 Version: 1 Name:

Type: Ordinance Status: FIRST READING

File created: 6/6/2012 In control: City and Borough Assembly

On agenda: 6/26/2012 Final action:

Title: Amending SGC at Section 4.12.020 Entitled "Property Subject to Tax" to increase the Biennial Motor Vehicle Registration Tax to be used for municipal roads

Sponsors:

Indexes:

Code sections:

Attachments: [ORD 12-18 Motor Vehicle](#)
[ORD 12-18 Docs](#)

Date	Ver.	Action By	Action	Result
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CITY AND BOROUGH OF SITKA

ORDINANCE NO. 2012-18

**AN ORDINANCE OF THE CITY AND BOROUGH OF SITKA AMENDING SITKA
GENERAL CODE AT SECTION 4.12.020 ENTITLED "PROPERTY SUBJECT TO
TAX" TO INCREASE THE BIENNIAL MOTOR VEHICLE REGISTRATION TAX TO
BE USED FOR MUNICIPAL ROADS**

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

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

3. **PURPOSE.** The purpose of this ordinance is to amend SGC 4.12.020 entitled "Property subject to tax" to add an additional biennial motor vehicle registration tax assessment to the tax levied pursuant to AS 28.10.431, to be paid at the same time the current motor vehicle registration tax is due. The additional tax as well as the current tax assessed under AS 28.10.431 shall be used for municipal road maintenance, road replacement, new roads, road extensions, and road infrastructures (i.e., sidewalks, gutters, bike lanes, etc.).

Based on applicable state law at AS 28.10.431(j), the tax increase will not take effect until January 1, 2014.

4. **NOW, THEREFORE, BE IT ENACTED** by the Assembly of the City and Borough of Sitka that SGC 4.12.020 entitled "Property subject to tax" is amended as follows (new language underlined; deleted language stricken):

4.12.020 Property subject to tax.

A. All property within the corporate limits of the city and borough, both real and personal, of every nature, not exempt under the laws of the United States or the state of Alaska is subject to taxation for school and municipal purposes, and taxes upon such property must be assessed, levied and collected as provided herein, except the following property shall not be subject to taxation:

1. Personal property consisting of household goods, jewelry, intangibles and personal effects, including motorcycles and snowmobiles not used in business and all motor vehicles subject to the motor vehicle registration tax.

B. Beginning January 1, 2014, any vehicle, including motor vehicles, electric vehicles and trailers, required to be registered with the Division of Motor Vehicles under

1 AS 28.10.421, shall also be assessed an additional biennial motor vehicle registration tax to
2 that assessed under AS 28.10.431.

3
4 1. The additional tax shall be paid at the same time that the motor vehicle
5 registration tax is currently paid at the rate set out below:

- 6
7 a. \$ 50.00 – Motorcycles required to be registered under AS 28.10.421(b)(5);
8 b. \$100.00 – Non-commercial trailers required to be registered under
9 AS 28.10.421(b)(6);
10 c. \$200.00 – Non-commercial vehicles required to be registered under
11 AS 28.10.421(b)(1) and (b)(2); and
12 d. \$400.00 – Commercial vehicles required to be registered under
13 AS 28.10.421(b)(3), (b)(4), and (c)(1)-(4).

14
15 2. If the motor vehicle registration tax is paid annually, the amount assessed under
16 this subsection shall be half of the assessment set out above.

17
18 3. All biennial motor vehicle registration taxes collected under this subsection as
19 well as the current tax collected under AS 28.10.431 shall be used for municipal
20 road maintenance, road replacement, new roads, road extensions, and road
21 infrastructures (i.e., sidewalks, gutters, bike lanes, etc.).

22
23 CB. All boats and vessels located within the boundaries of the city and borough on
24 January 1st of any given year shall be subject to taxation under the same procedures and
25 with the same assessment dates and due dates as personal property, except that valuation
26 and taxation shall be on the basis of registered and certified length according to the
27 schedule set forth below:

28
29 * * *

30
31 **5. EFFECTIVE DATE.** This ordinance shall become effective as of January 1, 2014.

32
33 **PASSED, APPROVED, AND ADOPTED** by the Assembly of the City and Borough of
34 Sitka, Alaska this 26 day of June, 2012.

35
36
37 _____
Cheryl Westover, Mayor

38 **ATTEST:**

39 _____
40 Colleen Ingman, MMC
41 Municipal Clerk

ORD 12-18 Item L

MOTOR VEHICLES

Sharon Joseph

From: Theresa Hillhouse
Sent: Wednesday, March 21, 2012 9:57 AM
To: Sharon Joseph
Subject: FW: Sitka DMV reg increase ordinance
Attachments: AO2011-125-2011_To Revise AO2010-81.pdf; 12.07.010_eff 2012-01-01.pdf; MVRT-Bristol Bay Borough_Ord 2009-11_clarifies Ord 2007-07.pdf; Ordinance No 2009-06_eff 01-01-2011.pdf; Ordinance No 2010-02_eff 01-01-2011_clarification.pdf

From: Oates, Stacy V (DOA) [<mailto:stacy.oates@alaska.gov>]
Sent: Monday, March 19, 2012 6:21 PM
To: Theresa Hillhouse
Subject: RE: Sitka DMV reg increase ordinance

Theresa,

Attached are the following:

- Ordinances from a couple of municipalities. I included Unalaska, who charges an additional fee, but didn't clarify how it should be collected for commercial vehicles (just wanted to give you an example of why it helps for us to review the proposed ordinance first).
- A worksheet for calculating the effect of any change in MVRT. I've requested vehicle counts for you, which I'll forward as soon as they arrive.

Below is a chart with annual collections made for Sitka. You'll need to deduct the 8% collection fee to arrive at the amount remitted to Sitka.

FY12	FY11	FY10	FY09	FY08	FY07	FY06	FY05	FY04	FY03	
\$ 51,393	\$ 108,051	\$ 108,543	\$ 117,669	\$ 120,247	\$ 126,481	\$ 115,293	\$ 123,047	\$ 121,801	\$ 120,771	\$

Regards,
Stacy

Stacy Oates
DMV Administrative Officer
1300 W Benson Blvd Ste 400, Anchorage, AK 99503-3392
Ph: 907-269-3782 Fx: 907-333-8615 fax Stacy.Oates@Alaska.gov

From: Theresa Hillhouse [<mailto:hillhouse@cityofsitka.com>]
Sent: Friday, March 16, 2012 3:35 PM
To: Oates, Stacy V (DOA)
Subject: Sitka DMV reg increase ordinance

Thanks for all your help. Please send a copy of the MOA DMV registration increase ordinance and Sitka spreadsheet re vehicles.

Article 5. Fees and Charges.

Section

- 411. Registration fees levied
- 421. Registration fee rates
- 423. Emission control inspection program fees

Section

431. Biennial motor vehicle registration tax
441. Schedule of other fees and charges

Collateral references. — 7A Am. Jur. 2d, Automobiles and Highway Traffic, § 71 et seq.

60 C.J.S., Motor Vehicles, § 245 et seq.

Sec. 28.10.411. Registration fees levied. (a) For every year during any part of which a vehicle is subject to registration under this chapter, a registration fee shall be paid to the department at the time of original registration and at each biennial renewal of registration after that time.

- (b) *[Repealed, 1983 Initiative Proposal No. 2, § 6.]*
 (c) *[Repealed, § 6 ch 70 SLA 1986.]*
 (d) *[Repealed, § 41 ch 37 SLA 1986.]*
 (e) *[Repealed, § 3 ch 89 SLA 1987.]*

(f) A resident 65 years of age or older on January 1 of the year the vehicle is registered or a resident with a disability that limits or impairs the ability to walk and who provides proof of that disability as provided in 23 C.F.R. 1235.2 is entitled to an exemption from the registration fee required under this section for one vehicle subject to registration under AS 28.10.421(b)(1), (2), (5), or (6). An exemption may not be granted except upon written application for the exemption on a form prescribed by the department. (§ 7 ch 178 SLA 1978; am 1983 Initiative Proposal No. 2, § 6; am § 85 ch 6 SLA 1984; am § 41 ch 37 SLA 1986; am § 6 ch 60 SLA 1986; am § 6 ch 70 SLA 1986; am § 3 ch 89 SLA 1987; am § 58 ch 63 SLA 1993; am §§ 6, 7 ch 44 SLA 1996; am § 2 ch 128 SLA 1998; am § 4 ch 46 SLA 2007)

Effect of amendments. — The 2007 amendment, effective July 4, 2007, inserted “or a resident with a disability that limits or impairs the ability to walk and who provides proof of that disability as provided in 23 C.F.R. 1235.2” in the first sentence of subsection (f).

Editor's notes. — Section 87, ch. 63, SLA 1993 provides "[i]f any section of this bill is found to violate the single subject rule it is severed from the rest of the bill."

Sec. 28.10.420. Assignment. [Repealed, § 7 ch 178 SLA 1978.]

Sec. 28.10.421. Registration fee rates. (a) Unless otherwise provided by law,

(1) the fees prescribed in this section shall be paid to the department at the times provided under AS 28.10.108 and 28.10.111; and

(2) an additional fee of \$10 shall be added to the registration fee set out in this section for registration not conducted by mail or not conducted at an emissions inspection station or contract office offering vehicle registration services; the department may waive this additional fee for a good cause based on criteria established in regulations adopted by the department.

(b) The biennial registration fees under this subsection are imposed within the following classifications for:

- | | |
|--|--------|
| (1) a passenger vehicle, low-speed vehicle, or motor home not used or maintained for the transportation of persons or property for hire or for other commercial use | \$100; |
| (2) a pick-up truck or a van not exceeding 10,000 pounds unladen weight and not registered in the name of a company or business | \$100; |
| (3) a taxicab | \$160; |

- (4) a motor bus with a gross weight of 10,000 pounds or less, used for commercial purposes in the State of New York;
(5) a motorcycle or a motor vehicle with a gross weight of 10,000 pounds or less, used for hire or for other commercial purposes in the State of New York;
(6) a trailer not used for hire or for other commercial purposes in the State of New York, including a trailer, box trailer, utility trailer or similar trailer, used for hire or for other commercial purposes in the State of New York.

(c) The biennial registration fee shall be based upon the actual unloaded weight of the vehicle or upon the actual weight of the vehicle as determined by the commissioner or the county clerk, for a vehicle and a motor vehicle, or for a motor vehicle of a company or business for hire, excepting taxicabs, of property for hire or truck, wrecker, tow car,

- (1) up to and including 5,000
- (2) more than 5,000, up to and including 12,000
- (3) more than 12,000, up to and including 18,000
- (4) more than 18,000

(d) The special register otherwise specified, for

- (1) a historic vehicle

(A) AS 28.10.181(b)(1) for the purpose of historical exclusion under AS 28.10.181(b) .

(B) AS 28.10.181(b)(2) plus the fee required for a new title is eligible for the fee discount in subparagraph (A) if the vehicle is a historic plate;

(C) AS 28.10.181(b)(i) for the purpose of historical exclusion under AS 28.10.181(b) .

- (2) special request pl

(A) Alaska National
(B) veterans or retire
(C) recipients of the
(D) owners of custom
(E) Iditarod race fini
(F) other special req
plus the fee required fo
paragraph shall be coll
request plates;

- (3) a vehicle owned by or by a resident 65 years of age or older on a form prescribed by the Department of Transportation;
(4) a vehicle owned by a person who is a member of the National Guard or the Reserve of the United States Armed Forces;
(5) a vehicle owned by a person who is a member of the National Guard or the Reserve of the United States Armed Forces and is required for that vehicle;
(6) a vehicle owned by a person who is a member of the National Guard or the Reserve of the United States Armed Forces and is required for that vehicle;
(7) a snowmobile or

le registration tax
s and charges

s, § 245 et seq.

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gistration fee shall be
each biennial renewal

ie vehicle is registered
valk and who provides
to an exemption from
subject to registration
e granted except upon
e department. (§ 7 ch
6 SLA 1984; am § 41
n § 3 ch 89 SLA 1987;
128 SLA 1998; am § 4

tion 87, ch. 63, SLA 1993
f this bill is found to violate
severed from the rest of the

provided by law,
artment at the times

set out in this section
ons inspection station
ment may waive this
lations adopted by the

imposed within the

sed or maintained for
mercial use \$100;
aden weight and not
..... \$100;
..... \$160;

(4) a motor bus with a seating capacity for 20 or more persons and used exclusively for commercial purposes in the transporting of visitors or tourists \$300;

(5) a motorcycle or a motor-driven cycle \$60;

(6) a trailer not used or maintained for the transportation of persons or property for hire or for other commercial use, including, but not limited to, a boat trailer, baggage trailer, box trailer, utility trailer, house trailer, travel trailer, or a trailer rented or offered for rent \$30.

(c) The biennial registration fees under this subsection are imposed and are based upon the actual unladen weight as established by the manufacturer's advertised weight or upon the actual weight, which the owner shall furnish, subject to the approval of the commissioner or the commissioner's representative, for a vehicle, including a low-speed vehicle and a motor vehicle pulling a trailer or semi-trailer, that is registered in the name of a company or business, or is used or maintained for the transportation of passengers for hire, excepting taxicabs and buses under (b) of this section, or for the transportation of property for hire or for other commercial purposes, including a low-speed vehicle, truck, wrecker, tow car, hearse, ambulance, and tractor, as follows:

(1) up to and including 5,000 pounds \$180;

(2) more than 5,000 pounds to and including 12,000 pounds \$268;

(3) more than 12,000 pounds to and including 18,000 pounds \$516;

(4) more than 18,000 pounds \$662.

(d) The special registration fees under this subsection are imposed biennially, unless otherwise specified, for

(1) a historic vehicle registered under

(A) AS 28.10.181(b)(1) and that is driven or moved on a highway for the primary purpose of historical exhibition or similar activity, one time only upon initial registration under AS 28.10.181(b) \$10;

(B) AS 28.10.181(b)(2) \$30
plus the fee required for that vehicle under (b) of this section, unless the historic vehicle is eligible for the fee described under (C) of this paragraph; the fee required by this subparagraph shall be collected only on the first issuance and on the replacement of the historic plates;

(C) AS 28.10.181(b)(2) and that is driven or moved on a highway for the primary purpose of historical exhibition or similar activity, one time only upon initial registration under AS 28.10.181(b) \$10;

(2) special request plates for

(A) Alaska National Guard personnel \$30;

(B) veterans or retired veterans \$30;

(C) recipients of the Purple Heart none;

(D) owners of custom collector vehicles \$50;

(E) Iditarod race finishers \$50;

(F) other special request plates \$30;

plus the fee required for that vehicle under (b) of this section; the fee required by this paragraph shall be collected only on the first issuance and on the replacement of special request plates;

(3) a vehicle owned by a person with a disability and registered under AS 28.10.181(d), or by a resident 65 years of age or older who files a written application for an exemption on a form prescribed by the department none;

(4) a vehicle owned by the state none;

(5) a vehicle owned by an elected state official the fee required for that vehicle under (b), (c), (h), or (i) of this section;

(6) a vehicle owned by a rancher, farmer, or dairyman and registered under AS 28.10.181 \$68;

(7) a snowmobile or off-highway vehicle \$10;

- (8) an amateur mobile radio station vehicle,
(A) with a transceiver capable of less than 5-band operation the fee required for that vehicle under (b) or (c) of this section;
(B) in recognition of service to the public a mobile amateur radio station owned by an amateur with general class or higher license, provided the station must be satisfactorily proved capable of operating on at least five bands from 160 through 10 meters, must have an antenna, and must have a power supply and wiring as a permanent part of the vehicle; the transmitting unit may be removed from the car for service or dry storage none for a mobile amateur radio station vehicle included in (b)(1) or (2) of this section;
- (9) dealer registration plates
(A) the initial set of plates \$88;
(B) each subsequent set of plates \$50;
- (10) a vehicle owned by a municipality or charitable organization meeting the requirements of AS 28.10.181(e) \$10;
- (11) a vehicle owned by a Pearl Harbor survivor, a former prisoner of war, a recipient of the Medal of Honor awarded by the President of the United States in the name of the United States Congress, or the spouse, parent, guardian, brother, sister, or dependent of a member of the United States armed forces killed in the line of duty none;
- (12) special request university plates \$50 plus the fee required for that vehicle under (b), (c), (h), or (i) of this section; the fee required by this paragraph shall be collected only on the first issuance and on the replacement of special request plates; the commissioner of administration shall separately account by university campus designation for the fees received under this paragraph that the department deposits in the general fund; the annual estimated balance in the accounts that is in excess of the cost of issuing special request university plates may be appropriated by the legislature for the support of programs at each campus;
- (13) special request dog mushing plates \$50 plus the fee required for that vehicle under (b), (c), (h), or (i) of this section; the fee required by this paragraph shall be collected only on the first issuance and on the replacement of special request plates; the commissioner of administration shall separately account for the fees received under this paragraph that the department deposits in the general fund; notwithstanding (g) of this section, the annual estimated balance in the account that is in excess of the cost of issuing special request plates may be appropriated by the legislature for the support of programs benefiting dog mushing;
- (14) special request Alaska children's trust plates \$100 plus the fee required for that vehicle under (b), (c), (h), or (i) of this section; the fee required by this paragraph shall be collected only on the first issuance and the replacement of special request plates; the commissioner of administration shall separately account for the fees received under this paragraph that the department deposits in the general fund; notwithstanding (g) of this section, the annual estimated balance in the account that is in excess of the cost of issuing special request plates may be appropriated by the legislature into the Alaska children's trust grant account established in AS 37.14.205;
- (15) special request plates commemorating the arts \$150 plus the fee required for that vehicle under (b), (c), (h), or (i) of this section; the fee required by this paragraph shall be collected biennially in the same manner as the fee required under (b), (c), (h), or (i) of this section; the commissioner of administration shall separately account for the fees received under this paragraph that the department deposits in the general fund; notwithstanding (g) of this section, the annual estimated balance in the account that is in excess of the cost of issuing special request plates may be appropriated by the legislature for the support of programs benefiting the arts;
- (16) special request plates commemorating Alaska veterans \$100

plus a fee of \$35 and the fee required for that vehicle under (b), (c), (h), or (i) of this section; the \$100 fee required by this paragraph shall be collected only on the first issuance of and the replacement of the commemorative veterans' plates; the \$35 fee required by this paragraph shall be collected biennially in the same manner as the fee required under (b), (c), (h), or (i) of this section; the commissioner of administration shall separately account for the fees received under this paragraph that the department deposits in the general fund; notwithstanding (g) of this section, the annual estimated balance in the account that is in excess of the cost of issuing special request plates may be appropriated by the legislature to the Alaska veterans' cemetery fund created under AS 37.05.600 and for the support of programs benefiting Alaska veterans;

(17) special request plates commemorating and supporting troops \$40 plus the fee required for that vehicle under (b), (c), (h), or (i) of this section; the \$40 fee required by this paragraph shall be collected on issuance and biennial renewal in the same manner as the fee required under (b), (c), (h), or (i) of this section; the commissioner of administration shall separately account for the fees received under this paragraph that the department deposits in the general fund; notwithstanding (g) of this section, the annual estimated balance in the account that is in excess of the cost of issuing special request plates may be appropriated by the legislature to the organization for which the specialty license plate was purchased for the benefit of Alaska troops and their families;

(18) special request plates

(A) for active firefighter and emergency medical service provider \$30;

(B) for former firefighter and emergency medical service provider \$50

plus the fee required for that vehicle under (b), (c), (h), or (i) of this section; the fee required by (A) and (B) of this paragraph shall be collected only on the first issuance of and the replacement of the plates;

(19) special request fraternal organization member plates \$50 plus the fee required for that vehicle under (b), (c), (h), or (i) of this section; the \$50 fee required by this paragraph shall be collected only on the first issuance of and the replacement of the plates.

(e) A vehicle registered under this section which, by the removal of seats, a camper unit, a canopy or other equipment, may be converted into a vehicle on which the registration fee is computed on a different basis or in a different amount may not be driven or moved with seats, camper unit, canopy or other equipment removed unless the other applicable registration fee is paid.

(f) In addition to the fees imposed under (b) and (d) of this section, the following special biennial registration fee is imposed upon renewal of registration for a passenger vehicle, motor home, pick-up truck, or a van with special request Winter Olympics commemorative plates \$60.

(g) The fees collected by the department under this section shall be deposited in the general fund. The Department of Administration shall separately account for three percent of the fees collected under this section and deposited in the general fund. The annual estimated balance in the account may be used by the legislature to make appropriations for administration of AS 28.10.021(a) and AS 28.22 (Alaska Mandatory Automobile Insurance Act).

(h) The annual registration fees under this subsection for vehicles, including low-speed vehicles, used for commercial purposes are imposed and are based upon the actual unladen weight as established by the manufacturer's advertised weight or upon the actual weight, which the owner shall furnish, subject to the approval of the commissioner or the commissioner's representative, as follows:

- (1) up to and including 5,000 pounds \$90;
- (2) more than 5,000 pounds to and including 12,000 pounds \$134;
- (3) more than 12,000 pounds to and including 18,000 pounds \$258;
- (4) more than 18,000 pounds \$331.

(i) A one-time registration fee of \$20 is imposed upon initial registration for a trailer or semi-trailer used for commercial purposes. (§ 7 ch 178 SLA 1978; am §§ 4, 5 ch 54 SLA 1979; am § 2 ch 151 SLA 1984; am § 41 ch 21 SLA 1985; am §§ 7 — 9 ch 60 SLA 1986; am § 1 ch 70 SLA 1986; am §§ 6 — 8 ch 24 SLA 1988; am § 2 ch 72 SLA 1989; am § 2 ch 91 SLA 1989; am §§ 17, 18 ch 108 SLA 1989; am §§ 5, 6 ch 115 SLA 1989; am §§ 6, 9 ch 20 SLA 1990; am § 13 ch 90 SLA 1991; am § 4 ch 8 SLA 1993; am §§ 59, 60, 79 ch 63 SLA 1993; § 2 ch 56 SLA 1995; am §§ 8 — 12 ch 44 SLA 1996; am § 3 ch 97 SLA 1996; am § 2 ch 5 SLA 1997; am § 3 ch 42 SLA 1997; am § 2 ch 36 SLA 1998; am § 18 ch 48 SLA 1998; am § 5 ch 88 SLA 1998; am §§ 1, 2, 3 ch 5 SLA 1999; am § 3 ch 44 SLA 2001; am §§ 2, 3 ch 11 SLA 2002; am § 2 ch 31 SLA 2002; am § 3 ch 56 SLA 2002; am §§ 1 — 4 ch 38 SLA 2003; am § 2 ch 68 SLA 2003; am § 13 ch 96 SLA 2005; am §§ 1 — 3 ch 95 SLA 2006; am §§ 5, 6 ch 14 SLA 2007; am § 5 ch 46 SLA 2007; am § 2 ch 2 SLA 2009; am § 2 ch 21 SLA 2009; am § 3 ch 115 SLA 2010; am § 2 ch 116 SLA 2010)

Revisor's notes. — Paragraph (d)(13) was enacted as (16); renumbered in 1996. Paragraph (d)(15) was enacted as paragraph (d)(14). Renumbered in 1998.

Effect of amendments. — The 2001 amendment, effective July 1, 2001, in paragraph (d)(2), added present subparagraph (E) and redesignated former subparagraph (E) as subparagraph (F).

The first 2002 amendment, effective July 1, 2002, in paragraph (d)(1) added "registered under" at the end of the introductory language, rewrote subparagraph (A), and added subparagraphs (B) and (C); and in paragraph (d)(2) substituted "collector vehicles" for "collection vehicles" in subparagraph (D), deleted former subparagraph (E), which specified the fee for owners of antique vehicles, and redesignated former subparagraph (F) as subparagraph (E).

The second 2002 amendment, effective January 1, 2003, updated a section reference in paragraph (d)(3).

The third 2002 amendment, effective September 17, 2002, substituted "person with a disability" for "disabled veteran or other handicapped person" in paragraph (d)(3) and made stylistic changes.

The first 2003 amendment, effective August 31, 2003, increased the fees in subsections (b), (c), (h), and (i).

The second 2003 amendment, effective September 9, 2003, added paragraph (d)(16).

The 2005 amendment, effective August 28, 2005, updated subsection references throughout subsection (d).

Sec. 28.10.423. Emission control inspection program fees. In addition to the biennial registration fee specified in AS 28.10.421, a \$2 fee is imposed upon every vehicle required to be inspected under an emission control program established under AS 46.14.400 or 46.14.510. This fee shall be collected at the same time and in the same manner as the registration fee. (§ 2 ch 56 SLA 1985; am § 4 ch 74 SLA 1993; am § 3 ch 56 SLA 1995; am § 13 ch 44 SLA 1996)

Editor's notes. — Section 20, ch. 44, SLA 1996 amends § 7, ch. 56, SLA 1995 to change the effective date for the 1995 amendment to AS 28.10.423 from July 1, 1996 to January 1, 1997.

Sec. 28.10.430. Release by lienholder. [Repealed, § 7 ch 178 SLA 1978.]

Sec. 28.10.431. Biennial motor vehicle registration tax. (a) There is levied a motor vehicle registration tax within each municipality that elects, by passage of an appropriate ordinance, to come under this section. A municipality shall file a written notice of election with the department and may not rescind the notice for a subsequent

fiscal year. The election under 1978, levied a vote of the people for in this subbody has been municipal elect

(b) The biennial AS 28.10.411 a year in the first

Motor Vehicle
 (1) motorcycle
 (2) vehicles specified in AS 28.10.421
 (3) vehicles specified in AS 28.10.421
 (4) vehicles specified in AS 28.10.421
 (c)(1)-(4)
 5,000 pounds or less
 5,001-12,000 pounds
 12,001-18,000 pounds
 18,001 pounds or over
 (5) vehicles specified in AS 28.10.421
 (6) vehicles specified in AS 28.10.421
 (7) vehicles specified in AS 28.10.421
 (8) vehicles specified in AS 28.10.421
 (9) vehicles eligible for dealer plates under AS 28.10.421(d)
 (c) The registration tax in the same manner

ation for a trailer
 §§ 4, 5 ch 54 SLA
 ch 60 SLA 1986;
 SLA 1989; am § 2
 A 1989; am §§ 6,
 §§ 59, 60, 79 ch
 3 ch 97 SLA 1996;
 8; am § 18 ch 48
 3 ch 44 SLA 2001;
 2002; am §§ 1 —
 m §§ 1 — 3 ch 95
 2 ch 2 SLA 2009;
 1 2010)

ive October 28, 2006,
 paragraph (b)(1) and
 age of subsection (c),
 "ehicles" in paragraph
 ranges.
 ffective May 29, 2007,
 paragraph (d)(2), and
 s to Medal of Honor
 ambers of the armed
 in paragraph (d)(11).
 effective July 4, 2007,

ffective June 23, 2009,
 bparagraph (E), and
 raph (E) as subpara-

t, effective August 23,
 added "to the Alaska
 d under AS 37.05.600
 r the legislature".

ffective September 29,
 laska children's trust
 S 37.14.205" for "prin-
 n's trust under AS

, effective July 2, 2010,

87, ch. 63, SLA 1993
 bill is found to violate
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 and in the same
 A 1993; am § 3 ch

to AS 28.10.423 from
 7.

78.]

There is levied a
 by passage of an
 all file a written
 for a subsequent

fiscal year. The notice must be filed on or before January 1 of the year preceding the year election under this section is to become effective. If a municipality has, before October 15, 1978, levied a motor vehicle registration or ad valorem tax that has been repealed by a vote of the people at any regular or special municipal election, then the election provided for in this subsection is not effective until the ordinance passed by the local governing body has been approved by the people at the next regularly scheduled general or special municipal election.

(b) The biennial tax is levied upon motor vehicles subject to the registration fee under AS 28.10.411 and 28.10.421 and is based upon the age of vehicles as determined by model year in the first year of the biennial period, according to the following schedule:

	Tax According to Age of Vehicle Since Model Year:							
	1st	2nd	3rd	4th	5th	6th	7th	8th or over
Motor Vehicle								
(1) motorcycle	\$ 17	\$ 15	\$ 13	\$ 10	\$ 7	\$ 5	\$ 4	\$ 4
(2) vehicles specified in AS 28.10.421(b)(1)	121	99	77	55	39	28	19	16
(3) vehicles specified in AS 28.10.421(b)(3)	121	99	77	55	39	28	19	16
(4) vehicles specified in AS 28.10.421 (c)(1)-(4)								
5,000 pounds or less	121	99	77	55	39	28	19	16
5,001-12,000 pounds	198	154	121	99	77	55	33	22
12,001-18,000 pounds	447	392	348	304	260	227	205	194
18,001 pounds or over	546	469	403	348	304	260	216	194
(5) vehicles specified in AS 28.10.421(b)(4)	198	154	121	99	77	55	33	22
(6) vehicles specified in AS 28.10.421(b)(6)	17	15	13	10	7	5	4	4
(7) vehicles specified in AS 28.10.421(d)(8)	121	99	77	55	39	28	19	16
(8) vehicles specified in AS 28.10.421(b)(2)	121	99	77	55	39	28	19	16
(9) vehicles eligible for dealer plates under AS 28.10.421(d)(9).	88							

(c) The registration tax shall be levied, collected, enforced and otherwise administered in the same manner as provided for the registration fees in this chapter. Only one

registration tax may be collected with respect to the same motor vehicle in the year for which the tax is paid.

(d) If a person has paid both the registration fee levied in AS 28.10.411 and 28.10.421 and the registration tax levied in this section, and the department determines that the payor is entitled to a refund in whole or in part of the registration tax, the department shall make the refund to which the person is entitled. A refund may not be made unless application for a refund is filed with the department by December 31 of the year following the year for which the refund is claimed.

(e) The department shall refund money collected under this section, less eight percent as collection costs, to a municipality for which the money was collected, as determined by (1) the address of residence of an individual required to pay the tax, or (2) the situs of the vehicle if the vehicle is not owned by an individual; the tax situs is the location at which the motor vehicle is usually, normally, or regularly kept or used during the registration period. For the first year in which the tax is levied within a municipality, the department may retain actual costs of collection of the tax within the municipality as determined by the department.

(f) Money received by an organized borough under this section shall be allocated by the borough by ordinance for city, area outside city, and service area purposes within the borough.

(g) Payment of the registration tax is in lieu of all local use taxes and ad valorem taxes on motor vehicles subject to the tax. A municipality which elects to come under the provisions of this section may not levy use or ad valorem taxes on motor vehicles subject to the registration tax during a fiscal year in which the election is in effect.

(h) A vehicle owned by a former prisoner of war exempted from registration fees under AS 28.10.421(d)(11) is subject to a motor vehicle registration tax under this section.

(i) *[Repealed, § 28 ch 90 SLA 1991.]*

(j) A municipality that imposes a motor vehicle registration tax as described under (a) of this section may also increase or decrease the scheduled amount of tax described under (b) or (l) of this section by passage of an appropriate ordinance. A municipality that chooses to change the tax imposed under (b) or (l) of this section shall file a written notice of the change with the department by January 1 of the year preceding the year in which the change in tax is to take effect. A municipality may not change the amount of the tax imposed under this section more than once every two years. The department may charge a municipality a one-time fee to cover the cost to the department of implementing a change under this subsection.

(k) A vehicle registration application and renewal application for vehicles subject to a municipal vehicle registration tax shall itemize the total amount due in a manner that separately shows the amount of vehicle registration tax imposed by the municipality.

(l) Notwithstanding (b) of this section, an annual tax is levied upon vehicles specified in AS 28.10.421(c) and subject to the registration fee under AS 28.10.411 and 28.10.421 if the owner elects to register the vehicle annually as allowed under AS 28.10.108(f). The tax is based on the age of the vehicle as determined by model year according to the following schedule:

	Tax According to Age of Vehicle Since Model Year:							
	1st	2nd	3rd	4th	5th	6th	7th	8th
								or over
Motor Vehicle								
5,000 pounds or less	\$ 66	\$ 55	\$ 44	\$ 33	\$ 22	\$ 17	\$ 11	\$ 8

		Tax According to Age of Vehicle Since Model Year:							
		1st	2nd	3rd	4th	5th	6th	7th	8th or over
Motor Vehicle									
5,001-12,000 pounds		110	88	66	55	44	33	22	11
12,001-18,000 pounds		240	207	185	163	141	119	107	97
18,001 pounds or over		295	251	218	185	161	141	119	97.

(§ 7 ch 178 SLA 1978; am § 3 ch 151 SLA 1984; am § 48 ch 138 SLA 1986; am § 28 ch 90 SLA 1991; am § 34 ch 30 SLA 1992; am § 61 ch 63 SLA 1993; am §§ 14, 15 ch 44 SLA 1996; am § 1 ch 76 SLA 1996; am §§ 3, 4 ch 5 SLA 1997; am § 29 ch 32 SLA 1997; am §§ 4 — 6 ch 5 SLA 1999)

Revisor's notes. — Subsections (j) and (k) were enacted as (i) and (j) respectively. Relettered upon enactment in 1996. In 2009, in (b)(1), "\$4" was substituted for "\$2" to correct a typographical error in ch. 32, SLA 1997.

Editor's notes. — Section 87, ch. 63, SLA 1993 provides "[i]f any section of this bill is found to violate the single subject rule it is severed from the rest of the bill."

Opinions of attorney general. — Since a borough's election to request the department to collect the motor vehicle registration tax on its behalf and to remit those taxes to it was first in time, it should take precedence over the later request by a city within the borough. February 19, 1986, Op. Att'y Gen.

Sec. 28.10.440. Dismantled vehicle. [Repealed, § 7 ch 178 SLA 1978.]

Sec. 28.10.441. Schedule of other fees and charges. The following fees and charges are imposed by the department for the stated services that it provides:

- (1) title fee, including transfer of title \$15;
- (2) lien filing fee \$15;
- (3) replacement of any registration plate set, including special request plates \$5;
- (4) duplicate of original certificate of title \$15;
- (5) duplicate of certificate of registration \$2;
- (6) temporary preregistration permit issued under AS 28.10.031 none;
- (7) special transport permit issued under AS 28.10.151 \$5;
- (8) special permit for vehicle used for transport of a person with a disability issued under AS 28.10.495 none.

(§ 7 ch 178 SLA 1978; am § 28 ch 85 SLA 1988; am § 4 ch 56 SLA 2002; am § 5 ch 38 SLA 2003)

Effect of amendments. — The 2002 amendment, effective September 17, 2002, substituted "a person with a disability" for "disabled or handicapped person" in paragraph (8).

The 2003 amendment, effective June 3, 2003, increased the fees in paragraphs (1), (2), and (4) and made a stylistic change.

Article 6. Registration and Title Violations.

Section

- 451. Unlawful to violate provisions requiring registration and title
- 461. Driving vehicle without evidence of registration
- 471. Driving vehicle when registration suspended or revoked or permit expired

Section

- 481. Improper use of evidence of registration or certificate of title
- 491. Felonies relating to title, registration, identification number, and removal and representation of vehicles



Alaska Department of Administration

Division of Motor Vehicles

2011 Currently Registered Vehicles

	PSNGR	MTRCYCLE	COMM. TRAILER	TRAILER	COMM. TRUCK	PICKUP	BUS	SNOW MOBILE	ALL VEHICLES
OTHER OUTSIDE	16,710	1,627	1,092	1,965	913	5,708	79	211	28,305
OTHER AK	9,211	500	193	3,066	1,008	7,657	263	3,160	25,058
WASHINGTON	958	82	123	182	207	429	2	28	2,011
MUNI OF ANCHORAGE	192,733	11,819	2,934	34,996	14,050	64,723	858	15,894	338,007
FAIRBANKS N/STAR BOR	67,004	5,352	1,490	20,507	8,136	35,236	465	11,546	149,736
CITY & BOR OF JUNEAU	22,510	1,265	444	3,634	2,260	8,112	344	458	39,027
KETCHIKAN GATEWAY BOR	8,241	596	130	2,014	960	4,266	153	170	16,530
CITY & BOR OF SITKA	4,776	304	74	1,276	564	2,685	58	80	9,817
NOME	925	42	29	68	391	1,232	14	78	2,779
HAINES	1,786	201	54	701	263	1,267	57	134	4,463
YAKUTAT	347	14	18	24	86	307	1	4	801
BETHEL	1,751	67	15	465	351	1,472	19	482	4,622
TOK	1,097	98	48	599	127	1,081	21	276	3,347
GLENNALLEN	1,127	68	30	612	162	989	36	335	3,359
DELTA JUNCTION	3,392	229	95	1,858	333	2,646	32	548	9,133
VALDEZ	2,621	233	59	1,144	450	1,867	27	619	7,020
CORDOVA	1,402	116	165	499	194	1,455	6	95	3,932
NORTH SLOPE BOR	873	32	45	86	911	636	19	340	2,942
UNALASKA	1,166	93	130	109	744	825	5	15	3,087
MATSU BOROUGH	64,764	4,238	1,409	21,220	3,524	36,201	342	10,642	142,340
CRAIG	799	49	19	257	150	698	8	24	2,004
KODIAK ISLAND BOR	7,245	466	143	1,618	745	4,586	45	195	15,043
BRISTOL BAY BOR	864	48	56	201	351	1,106	14	34	2,674
SKAGWAY	860	112	27	236	173	568	144	26	2,146
NENANA	644	31	8	257	71	390	8	92	1,501
PETERSBURG	1,708	144	94	801	212	1,455	10	163	4,587
DILLINGHAM	1,135	50	7	149	175	1,033	16	149	2,714
KOTZEBUE	333	14	6	36	101	291	0	254	1,035
KENAI PENINSULA BOROUGH	41,390	2,985	1,222	17,565	4,118	27,678	238	5,629	100,825
WRANGELL	1,214	105	10	228	108	1,065	5	133	2,868
METLAKATLA	419	11	0	26	15	248	8	1	728
FINAL TOTAL	460,005	30,991	10,169	116,399	41,853	217,912	3,297	51,815	932,441



CITY AND BOROUGH OF SITKA

100 Lincoln Street,
Sitka, Alaska 99835

Legislation Details

File #: ORD 12-20 Version: 1 Name:

Type: Ordinance Status: AGENDA READY

File created: 6/19/2012 In control: City and Borough Assembly

On agenda: 6/26/2012 Final action:

Title: Amending SGC Section 15.01.020 entitled "Electric Rates" by Increasing Rates for all Customer Classes to Fund Voter Approved Improvements for the Blue Lake Hydroelectric Expansion Project and Implementing a Structure for Residential Class Customers to Promote Energy Conservation, and also Amending SGC Section 15.01.030 entitled "Billing-Credit-Deposit-Fees" to Increase Emergency Electric Service Charges

Sponsors:

Indexes:

Code sections:

Attachments: [ORD 12-20](#)
[Memo Electric Ratesv 2](#)

Date	Ver.	Action By	Action	Result
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CITY AND BOROUGH OF SITKA

ORDINANCE NO. 2012-20

AN ORDINANCE OF THE CITY AND BOROUGH OF SITKA AMENDING
SITKA GENERAL CODE SECTION 15.01.020 ENTITLED "ELECTRICAL
RATES" BY INCREASING RATES FOR ALL CUSTOMER CLASSES TO FUND
VOTER APPROVED IMPROVEMENTMENTS FOR THE BLUE LAKE
HYDROELECTRIC EXPANSION PROJECT AND IMPLEMENTING A
STRUCTURE FOR RESIDENTIAL CLASS CUSTOMERS TO PROMOTE
ENERGY CONSERVATION, AND ALSO AMENDING SITKA GENERAL CODE
SECTION 15.01.030 ENTITLED "BILLING – CREDIT – DEPOSIT – FEES" TO
INCREASE EMERGENCY ELECTRIC SERVICE CHARGES

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

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

3. **PURPOSE.** This ordinance will increase the electrical rates for all consumer classes at SGC 15.01.020 based on the cost of service and provide sufficient revenues to meet all fiscal requirements to complete approved electrical utility capital projects, including the Blue Lake Hydroelectric Expansion Project. The ability to acquire reasonable cost financing for these projects requires electric rate increases to meet revenue bond covenants and financial margins. Further, the continued high cost of heating oil has resulted in residential customers significantly increasing electrical consumption. This unprecedented load growth has contributed to the full utilization of limited hydroelectric generation and the requirement to operate expensive diesel generation to meet system demand. The new rate structure is added to SGC 15.01.020 and is designed to encourage energy conservation by charging more for increased consumption.

This ordinance also increases the emergency electric service charges found at SGC 15.01030.

4. **ENACTMENT.** NOW, THEREFORE, BE IT ENACTED by the Assembly of the City and Borough of Sitka that SGC 15.01.020 is amended as follows (new language underlined; deleted language stricken):

Chapter 15.01 ELECTRIC UTILITY POLICIES

* * *

15.01.020 Electrical rates.

* * *

B. Residential Services.

* * *

2. Energy Charges.

First 1,000 kWh	\$0.0800 per kWh
1,001 to 2,000 kWh	\$0.0850 per kWh
2,001 to 3,000 kWh	\$0.1200 per kWh
Over 3,001 kWh	\$0.1600 per kWh
Customer Charge is \$15 per Month – Minimum Bill Charge is \$35.00 per month	

First 200 kWh	\$0.1417 per kWh
201 kWh to 1,000 kWh	\$0.0801 per kWh
Over 1,000 kWh	\$0.0918 per kWh
Minimum Charge is \$21.25 per month.	

C. General Service – (Commercial, Industrial and Government.)

* * *

2. Energy Charges.

First 500 kWh	\$0.1417 per kWh
501 kWh to 10,000 kWh	\$0.0900 \$0.0903 per kWh
10,001 kWh to 100,000 kWh	\$0.0900 \$0.0850 per kWh
Over 100,001 kWh	\$0.0900 \$0.0750 per kWh
Customer Charge is \$39.00 - Minimum Bill charge is \$50.00 \$21.25 per month	

3. Demand Charges.

First 25 kW	No Charge
Over 25 kW	\$4.50 \$3.90 per kW

D. Boat Service.

* * *

2. Energy Charges.

First 150 kWh	\$0.1090 <u>\$0.1417</u> per kWh
All additional kWh	\$0.1090 <u>\$0.0953</u> per kWh
<u>Customer Charge is \$6.75 - Minimum Bill Charge is \$21.25 per month</u>	

E. Street and Security Light Service.

* * *

2. Rate per Month. This fee is in addition to the actual installation charges required for installing the desired fixture.

Monthly unmetered street or security light energy rate is calculated as follows:

(0.482 kWh per lamp watt) times (the wattage of the lamp) = kWh per month.	
Example: 0.482 kWh x 100 Watt lamp = 48 kWh per month.	
Monthly energy rate is: kWh per month times \$0.1552 <u>\$0.1417</u> per kWh	
kWh per month x \$0.1552 <u>\$0.1417</u> /kWh = \$7.45 <u>\$6.80</u> per month energy rate	
Typical lamp energy rates:	
70 Watt	<u>\$5.23</u> per month
100 Watt	\$7.45 <u>\$6.80</u> per month
150 Watt	\$11.17 <u>\$10.20</u> per month
175 Watt	\$13.04 <u>\$11.91</u> per month
250 Watt	\$18.63 <u>\$17.01</u> per month
400 Watt	\$29.95 <u>\$27.35</u> per month
1,000 Watt	\$74.81 <u>\$68.32</u> per month

* * *

F. Interruptible Service – Large Customer.

* * *

3. Rate per Month. Basic customer charge for each month or portion of a month: one hundred dollars.

Energy Charge. The energy charge for all kilowatt-hours shall be 0.0317 times the city and borough's price per gallon for number 2 heating oil, assuming an overall oil heating system efficiency of seventy percent and the use of the price paid by the city and borough of Sitka for number 2 heating oil for all of the city and borough-owned buildings. The rate will vary monthly with the price paid by the city and borough of Sitka for number 2 heating oil for all city-owned buildings. The maximum energy charge for all kilowatt hours under this rate shall be nine ~~eight~~ cents per kilowatt hour.

* * *

15.01.030 Billing – Credit – Deposits - Fees.

* * *

E. Service Charges.

* * *

3. There will be a separate two-hundred ten dollar service charge for the following types of emergency electrical service:

- a. Reconnecting electrical service disconnected due to nonpayment outside the hours of eight a.m. to four p.m., Monday through Friday including holidays.
- b. An electrical service trouble call outside the hours of eight a.m. to four p.m., Monday through Friday, if determined to be the fault or the responsibility of the customer.

* * *

5. **EFFECTIVE DATE.** This ordinance shall become effective on September 1, 2012.

PASSED, APPROVED, AND ADOPTED by the Assembly of the City and Borough of Sitka, Alaska this 10 day of July, 2012.

Cheryl Westover, Mayor

ATTEST:

Colleen Ingman, MMC
Municipal Clerk

Memorandum

June 19, 2012

To: Jim Dinley, Municipal Administrator
 From: Christopher Brewton, Utility Director
 Subject: **Electric Rate Increase - Summary**

This memorandum is to provide supplemental information relative to the proposed electric rate schedules submitted for Assembly approval. The following will address the overall objectives of the proposed rates and provide examples that will show impacts of the new rate schedules.

What does an electric rate accomplish?

Properly designed electric rates should:

- Produce adequate revenue to cover fixed & operational costs, debt service, and fund replacement & renewal of utility plant,
- Be simple to understand, & acceptable to customers, regulators and elected officials,
- Be easy to administer within constraints of billing system,
- Produce fair cost apportionment within customer classes,
- Be flexible & comply with regulatory requirements,
- Provide rate & revenue stability,
- Be nondiscriminatory and provide proper price signals.

How are electric rates developed?

The proposed rates were developed by a two-step process. The first step was to complete a Cost of Service Study (COSS). The purpose of a COSS is to determine the actual utility cost to serve each class of customer. Table 1 below is the existing COSS summary. Then utilizing the COSS, rates are designed to allocate costs to each customer class with the intent that each class pays their fair share for energy without under or overcharging the other classes.

For example, it is typically less expensive for a utility to serve a large industrial customer than residential. Why? The industrial customer consumes large amounts of energy relative to a residential customer and is usually physically located at one place. Residential on the other hand consume modest amounts of energy and are geographically widely spaced. So it takes more poles, distribution wires, and transformers to serve a class of customer that uses less energy.

Customer Class	Cost of Service	Projected Revenues	% Change
Residential Service	\$ 5,713,429	\$ 4,711,025	21%
Boat Service	416,204	442,392	-6%
Lighting	131,987	115,198	15%
GS Commercial	3,144,752	2,985,086	5%
GS Government	2,395,603	2,188,863	9%
GS Sawmill Creek	610,465	513,795	19%
GS Interruptible	222,041	185,097	20%
Total	12,634,480	11,141,455	13.4%

Table One – Cost of Service Summary – Without Rate Adjustments

Thereby using cost of service principals, rates are designed that equitably charges all customer classes. Of particular importance however, is the need for the utility to collect adequate revenue to maintain financial stability and meet all bond and debt covenants. The following tables will show the impacts of the new proposed rates, by customer class.

Residential Service							
Consumption (kWh)	Rate			Effective Rate (kWh)		Avg # of Billed Accounts	
	Old	New	Difference	Old	New	Summer	Winter
150	\$21.25	\$35.00	\$13.75	\$0.1417	\$0.2333	-	-
250	\$32.35	\$35.00	\$2.65	\$0.1294	\$0.1400	1077	638
500	\$52.37	\$55.00	\$2.63	\$0.1047	\$0.1100	1221	731
924(S)	\$86.33	\$88.92	\$2.59	\$0.0934	\$0.0962	-	-
1000	\$92.42	\$95.00	\$2.58	\$0.0924	\$0.0950	640	721
1362(W)	\$125.65	\$125.77	\$0.12	\$0.0923	\$0.0923	-	-
1500	\$138.32	\$137.50	-\$0.82	\$0.0922	\$0.0917	456	524
2000	\$184.22	\$180.00	-\$4.22	\$0.0921	\$0.0900	185	361
2500	\$230.12	\$240.00	\$9.88	\$0.0920	\$0.0960	88	226
3000	\$276.02	\$300.00	\$23.98	\$0.0920	\$0.1000	35	141
4000	\$339.48	\$460.00	\$120.52	\$0.0849	\$0.1150	10	48
5000	\$459.62	\$620.00	\$160.38	\$0.0919	\$0.1240	6	22
7000	\$643.22	\$940.00	\$296.78	\$0.0919	\$0.1343	1	7
9000	\$826.82	\$1,260.00	\$433.18	\$0.0919	\$0.1400	1	6

Table Two – Residential Rate Comparison

Boat Service							
Consumption (kWh)	Rate			Effective Rate (kWh)		Avg # Billed Accounts	
	Old	New	Difference	Old	New	Summer	Winter
150	\$21.25	\$23.10	\$1.85	\$0.1417	\$0.1540	588	375
500	\$54.61	\$61.25	\$6.64	\$0.1092	\$0.1225	54	200
1000	\$102.26	\$115.75	\$13.49	\$0.1023	\$0.1158	9	70
1500	\$149.91	\$170.25	\$20.34	\$0.0999	\$0.1135	6	14
2000	\$197.56	\$224.75	\$27.19	\$0.0988	\$0.1124	2	1
2500	\$245.21	\$279.25	\$34.04	\$0.0981	\$0.1117	0	5
3000	\$292.86	\$333.75	\$40.89	\$0.0976	\$0.1113	0	4

Table Three – Boat Service Rate Comparison

General Service (Energy Charges Only)							
Consumption (kWh)	Rate			Effective Rate		Avg # of Billed Accounts	
	Old	New	Difference	Old	New	Summer	Winter
500	\$70.85	\$109.85	\$39.00	\$0.1417	\$0.2197	382	311
1000	\$116.00	\$154.85	\$38.85	\$0.1160	\$0.1549	126	165
2000	\$206.30	\$244.85	\$38.55	\$0.1032	\$0.1224	61	93
3000	\$296.60	\$334.85	\$38.25	\$0.0989	\$0.1116	27	49
4000	\$386.90	\$424.85	\$37.95	\$0.0967	\$0.1062	21	41
5000	\$477.20	\$514.85	\$37.65	\$0.0954	\$0.1030	52	85
10000	\$928.70	\$964.85	\$36.15	\$0.0929	\$0.0965	31	44
25000	\$2,203.70	\$2,314.85	\$111.15	\$0.0881	\$0.0926	13	16
50000	\$4,328.70	\$4,564.85	\$236.15	\$0.0866	\$0.0913	5	15
100000	\$8,578.70	\$9,064.85	\$486.15	\$0.0858	\$0.0906	6	7
200000	\$16,078.70	\$18,064.85	\$1,986.15	\$0.0804	\$0.0903	3	0

Table Four – General Service Rate Comparison (Energy Charges Only)

Customer Class	Current Revenues	Proposed Revenue	Dollar Change	Percent Adjustment	Cost of Service	COS	After Adjustment
Residential Service	4,711,025	5,549,039	838,014	17.8%	5,713,429	21%	3%
GS Commercial	5,687,743	6,157,518	469,774	8.3%	6,150,820	8%	0%
GS Interruptible	185,097	210,860	25,763	13.9%	222,041	20%	5%
Boat Service	442,392	470,366	27,974	6.3%	416,204	-6%	-12%
Lighting	115,198	126,141	10,944	9.5%	131,987	15%	5%

Total	\$ 11,141,455	\$ 12,513,924	\$ 1,372,469	12.3%	\$ 12,634,480	13%	1%
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Table Five – Cost of Service Summary – With Rate Adjustments

Memorandum

June 19, 2012

To: Jim Dinley, Municipal Administrator
 From: Christopher Brewton, Utility Director
 Subject: **Electric Rate Increase - Summary**

This memorandum is to provide supplemental information relative to the proposed electric rate schedules submitted for Assembly approval. The following will address the overall objectives of the proposed rates and provide examples that will show impacts of the new rate schedules.

What does an electric rate accomplish?

Properly designed electric rates should:

- Produce adequate revenue to cover fixed & operational costs, debt service, and fund replacement & renewal of utility plant,
- Be simple to understand, & acceptable to customers, regulators and elected officials,
- Be easy to administer within constraints of billing system,
- Produce fair cost apportionment within customer classes,
- Be flexible & comply with regulatory requirements,
- Provide rate & revenue stability,
- Be nondiscriminatory and provide proper price signals.

How are electric rates developed?

The proposed rates were developed by a two-step process. The first step was to complete a Cost of Service Study (COSS). The purpose of a COSS is to determine the actual utility cost to serve each class of customer. Table 1 below is the existing COSS summary. Then utilizing the COSS, rates are designed to allocate costs to each customer class with the intent that each class pays their fair share for energy without under or overcharging the other classes.

For example, it is typically less expensive for a utility to serve a large industrial customer than residential. Why? The industrial customer consumes large amounts of energy relative to a residential customer and is usually physically located at one place. Residential on the other hand consume modest amounts of energy and are geographically widely spaced. So it takes more poles, distribution wires, and transformers to serve a class of customer that uses less energy.

Customer Class	Cost of Service	Projected Revenues	% Change
Residential Service	\$ 5,713,429	\$ 4,711,025	21%
Boat Service	416,204	442,392	-6%
Lighting	131,987	115,198	15%
GS Commercial	3,144,752	2,985,086	5%
GS Government	2,395,603	2,188,863	9%
GS Sawmill Creek	610,465	513,795	19%
GS Interruptible	222,041	185,097	20%
Total	12,634,480	11,141,455	13.4%

Table One – Cost of Service Summary – Without Rate Adjustments

Thereby using cost of service principals, rates are designed that equitably charges all customer classes. Of particular importance however, is the need for the utility to collect adequate revenue to maintain financial stability and meet all bond and debt covenants. The following tables will show the impacts of the new proposed rates, by customer class.

Residential Service							
Consumption (kWh)	Rate			Effective Rate (kWh)		Avg # of Billed Accounts	
	Old	New	Difference	Old	New	Summer	Winter
150	\$21.25	\$35.00	\$13.75	\$0.1417	\$0.2333	-	-
250	\$32.35	\$35.00	\$2.65	\$0.1294	\$0.1400	1077	638
500	\$52.37	\$55.00	\$2.63	\$0.1047	\$0.1100	1221	731
924(S)	\$86.33	\$88.92	\$2.59	\$0.0934	\$0.0962	-	-
1000	\$92.42	\$95.00	\$2.58	\$0.0924	\$0.0950	640	721
1362(W)	\$125.65	\$125.77	\$0.12	\$0.0923	\$0.0923	-	-
1500	\$138.32	\$137.50	-\$0.82	\$0.0922	\$0.0917	456	524
2000	\$184.22	\$180.00	-\$4.22	\$0.0921	\$0.0900	185	361
2500	\$230.12	\$240.00	\$9.88	\$0.0920	\$0.0960	88	226
3000	\$276.02	\$300.00	\$23.98	\$0.0920	\$0.1000	35	141
4000	\$339.48	\$460.00	\$120.52	\$0.0849	\$0.1150	10	48
5000	\$459.62	\$620.00	\$160.38	\$0.0919	\$0.1240	6	22
7000	\$643.22	\$940.00	\$296.78	\$0.0919	\$0.1343	1	7
9000	\$826.82	\$1,260.00	\$433.18	\$0.0919	\$0.1400	1	6

Table Two – Residential Rate Comparison

Boat Service							
Consumption (kWh)	Rate			Effective Rate (kWh)		Avg # Billed Accounts	
	Old	New	Difference	Old	New	Summer	Winter
150	\$21.25	\$23.10	\$1.85	\$0.1417	\$0.1540	588	375
500	\$54.61	\$61.25	\$6.64	\$0.1092	\$0.1225	54	200
1000	\$102.26	\$115.75	\$13.49	\$0.1023	\$0.1158	9	70
1500	\$149.91	\$170.25	\$20.34	\$0.0999	\$0.1135	6	14
2000	\$197.56	\$224.75	\$27.19	\$0.0988	\$0.1124	2	1
2500	\$245.21	\$279.25	\$34.04	\$0.0981	\$0.1117	0	5
3000	\$292.86	\$333.75	\$40.89	\$0.0976	\$0.1113	0	4

Table Three – Boat Service Rate Comparison

General Service (Energy Charges Only)							
Consumption (kWh)	Rate			Effective Rate		Avg # of Billed Accounts	
	Old	New	Difference	Old	New	Summer	Winter
500	\$70.85	\$109.85	\$39.00	\$0.1417	\$0.2197	382	311
1000	\$116.00	\$154.85	\$38.85	\$0.1160	\$0.1549	126	165
2000	\$206.30	\$244.85	\$38.55	\$0.1032	\$0.1224	61	93
3000	\$296.60	\$334.85	\$38.25	\$0.0989	\$0.1116	27	49
4000	\$386.90	\$424.85	\$37.95	\$0.0967	\$0.1062	21	41
5000	\$477.20	\$514.85	\$37.65	\$0.0954	\$0.1030	52	85
10000	\$928.70	\$964.85	\$36.15	\$0.0929	\$0.0965	31	44
25000	\$2,203.70	\$2,314.85	\$111.15	\$0.0881	\$0.0926	13	16
50000	\$4,328.70	\$4,564.85	\$236.15	\$0.0866	\$0.0913	5	15
100000	\$8,578.70	\$9,064.85	\$486.15	\$0.0858	\$0.0906	6	7
200000	\$16,078.70	\$18,064.85	\$1,986.15	\$0.0804	\$0.0903	3	0

Table Four – General Service Rate Comparison (Energy Charges Only)

Customer Class	Current Revenues	Proposed Revenue	Dollar Change	Percent Adjustment	Cost of Service	COS	After Adjustment
Residential Service	4,711,025	5,549,039	838,014	17.8%	5,713,429	21%	3%
GS Commercial	5,687,743	6,157,518	469,774	8.3%	6,150,820	8%	0%
GS Interruptible	185,097	210,860	25,763	13.9%	222,041	20%	5%
Boat Service	442,392	470,366	27,974	6.3%	416,204	-6%	-12%
Lighting	115,198	126,141	10,944	9.5%	131,987	15%	5%
Total	\$ 11,141,455	\$ 12,513,924	\$ 1,372,469	12.3%	\$ 12,634,480	13%	1%

Table Five – Cost of Service Summary – With Rate Adjustments



CITY AND BOROUGH OF SITKA

100 Lincoln Street,
Sitka, Alaska 99835

Legislation Details

File #: ORD 12-19 Version: 1 Name:

Type: Ordinance Status: AGENDA READY

File created: 6/19/2012 In control: City and Borough Assembly

On agenda: 6/26/2012 Final action:

Title: Amending SGC Subsection 4.09.100Y entitled "Exemption for Retired Persons who have Reached the Age of Sixty-Five to Exclude Alcoholic Beverages, Cigarettes, and Other Tobacco Products as Exempt Sales, and making clerical edits

Sponsors:

Indexes:

Code sections:

Attachments: [ORD 12-19](#)

Date	Ver.	Action By	Action	Result
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Sponsors: Mike Reif and
Mim McConnell

CITY AND BOROUGH OF SITKA

ORDINANCE NO. 2012-19

AN ORDINANCE OF THE CITY AND BOROUGH OF SITKA AMENDING
SITKA GENERAL CODE SUBSECTION 4.09.100Y ENTITLED "EXEMPTION
FOR RETIRED PERSONS WHO HAVE REACHED THE AGE OF SIXTY-FIVE"
TO EXCLUDE ALCOHOLIC BEVERAGES, CIGARETTES, AND OTHER
TOBACCO PRODUCTS AS EXEMPT SALES,
AND MAKING CLERICAL EDITS

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

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

3. **PURPOSE.** This ordinance amends SGC 4.09.100Y entitled "Exemption for Retired Persons Who Have Reached the Age of Sixty-Five" by excluding sales of alcoholic beverages, cigarettes and other tobacco products as exempt, and making such sales subject to sales taxes. This ordinance also defines "alcoholic beverages," "cigarettes" and "other tobacco products" in SGC 4.09.100Y. It additionally makes clerical edits to SGC 4.09.100Y.

4. **ENACTMENT.** NOW, THEREFORE, BE IT ENACTED by the Assembly of the City and Borough of Sitka that SGC 4.09.100Y entitled "Exemption for Retired Persons Who Have Reached the Age of Sixty-Five" is amended as follows (new language underlined; deleted language stricken):

Chapter 4.09
SALES TAX

* * *

4.09.100 Exemptions. The following sales are exempt from taxation:

* * *

Y. Exemption for Retired Persons Who Have Reached the Age of Sixty-Five.

1. Any retired person, sixty-five years of age or older, who is a resident of the state of Alaska, may apply for and be issued by the finance director a senior citizen sales tax exemption card which entitles the cardholder and the cardholder's spouse to be exempt from sales tax for the purchase of goods, services or rentals which are solely for the personal use or consumption of the cardholder or the cardholder's spouse. This exemption does not apply for purchases for the cardholder or the cardholder's spouse business venture(s), including but not limited to commercial fishing, or for purchase of alcoholic beverages, cigarettes, or other tobacco products.

2. Definitions.

"Alcoholic beverage" includes beer, wine, and all other spirituous, vinous, malt and other fermented or distilled liquid intended for human consumption and contains one-half of one percent or more of alcohol by volume, for which a license or permit for its sale or barter is required by Alaska Statute Title 04, entitled "Alcoholic Beverages."

"Cigarette" shall have the same meaning as defined in SGC 4.26.190.

"Other tobacco products" shall have the same meaning as defined in SGC 4.26.190.

~~b. As used in this section, "Rresident of the state of Alaska"~~ means a person who is physically present in the state with the intent to remain in the state indefinitely and to make a home in the state.

~~a. To be considered "Rretired" under this section;~~ requires both the applicant and spouse ~~must~~ be substantially out of the labor force or, if still working nearly full time, the pay received must be at a reduced rate from what the person earned previously.

* * *

PASSED, APPROVED, AND ADOPTED by the Assembly of the City and Borough of Sitka, Alaska this _____ day of _____, 2012.

Cheryl Westover, Mayor

Colleen Ingman, MMC
Municipal Clerk



CITY AND BOROUGH OF SITKA

100 Lincoln Street,
Sitka, Alaska 99835

Legislation Details

File #: 12-90 Version: 1 Name:

Type: Item Status: AGENDA READY

File created: 6/19/2012 In control: City and Borough Assembly

On agenda: 6/26/2012 Final action:

Title: Approve scheduling a five minute segment of Sitka on "Today in America" - \$19,800

Sponsors:

Indexes:

Code sections:

Attachments: [Today in America](#)

Date	Ver.	Action By	Action	Result
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FW: From the offices of Gary Williams - Today in America

James Dinley

Sent: Tuesday, June 19, 2012 1:56 PM

To: Serena Wild

put together with the link below

Jim Dinley

Municipal Administrator

City and Borough of Sitka

907-747-1808

jimdinley@cityofsitka.com

From: Lauren Wardell [<mailto:lwardell@usmstudios.com>]

Sent: Tuesday, June 19, 2012 1:37 PM

To: James Dinley

Subject: From the offices of Gary Williams - Today in America

June 19, 2012

Mayor Cheryl Westover

City Administrator Jim Dinley

City of Sitka, AK

jimdinley@cityofsitka.com

Cheryl and Jim,

Based on our conversation today, below is the link to the online production materials we discussed.

Please click on the link below to view the Production Materials

<http://todayinamericatv.com/ApQt/e-package/>

We are finalizing the scheduling for “**Today in America**” with **Terry Bradshaw** and more specifically, our segments for the 2012 season. We are interested in City of Sitka, AK for a five (5) minute segment on topics, trends and issues related to “Best Places to Visit, Work and Play” in our “Discover America” series.

This segment will air one (1) time nationally on Discovery Channel Transponder and nineteen (19) times regionally on ABC and FOX Broadcast Stations and/or ION Broadcast Stations in many of the top 100 markets nationwide based on viewer demographics, interests and the distribution checklist. As discussed, “Today in America” has no direct affiliation with the networks on which it airs.

\$19,800 USD is the total scheduling fee. Keep in mind, the Senior Producer will go over timing and visual aspects of the segment and answer any questions you may have with the project.

The Senior Producer and I will contact you on Wednesday, June 27th at 11:30 a.m. AKDT.

Regards,

Gary Williams
Associate Producer
Today in America
954.379.4323
www.todayinamericatv.com

Visit Us:



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P Please consider the environment before printing this e-mail



About the Show

Welcome to Today in America

In the age of shock television and outrageous reality shows, Today in America stands apart from this fad and plunges into the heart of mainstream America. Today in America was the brainchild of Producers who always hoped to create exceptional stories on unique individuals and businesses. Created exclusively for Terry Bradshaw to host, Today in America appeals to a broad audience. It captures the era of the changing economic times and digs into the knowledge and passion of each of its Featured Guests. The show's writers specialize in crafting immersive stories. "Viewers will be excited to see that we've gone beyond the typical news stories. From the moment we launched the series, we knew that we were telling stories that would get noticed" said Vice President of Production, Jim Nicholas. "These are stories about experts who have the ability to share first-hand insights with our viewers."

Far from being exclusive to any one field, Today in America successfully blends business news stories, lifestyle features and in-depth interviews with doctors, scientists, inventors, business owners, philanthropists and newsmakers from a variety of industries. Today in America is the first show of its genre hosted by Terry Bradshaw that's geared towards the educated, affluent viewer. Based on viewer feedback, the show has spawned interest, inquiries and practical applications.

Today in America provides an open invitation for all those who wish to tune-in to learn something new. As viewers enjoy the familiar voice of Terry Bradshaw telling each and every story, they should beware. They may not want to stop watching. Even if they're just remotely interested in a certain subject, they'll owe it to themselves to learn something new. In fact, viewers find they are learning the latest information right along with Terry himself! Terry had a chance to reflect on recent segments this past season and shared his thoughts. "I'm learning so much myself! I love how each story is so informative. You literally learn something new with each episode". And that is exactly what Producers want to keep doing. "Viewers can't get any closer than having this inside track" said Executive Producer, Paul Scott. "What they see on our show is what's really happening out there in the business world. It's an armchair seat!"

By covering the best new practices and the overall evolution of so many up-and-coming industries, it's no wonder that the show is thriving. Today in America producers won a combined 21 Telly Awards in 2010/2011. From stories on sustainable business solutions headquartered in Japan, to luxury eco-cruiselines in Alaska, the show is filmed on-location in cities around the world and also filmed and produced at United States Media Television's studios in Coral Springs, Florida. Along with Host Terry Bradshaw, Today in America combines a team of talented producers, writers, editors and broadcast professionals to deliver educational programming that is unparalleled in the industry. Today in America airs during the day on a variety of well-known news networks throughout the United States and Canada.

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Niche Viewership

Ideal Target Audience

Being featured in one of our well-planned television segments allows you to work with our experienced production team to maximize your benefits and bring the best information possible to viewers. Our professional writers present stories in a fashion aimed at showing consumers the value and importance of your product, service, or organization.

For business owners, being able to invite thousands of viewers and potential customers and show them around your company equals exponential exposure and instant validity. Using the power of broadcast television, web television, press releases and social media, that's exactly what being on our program, **Today in America**, does.

Livestream Partnership

Our show has continued to grow in audience. Over the years, **Today in America** Producers have been the recipients of numerous Telly Awards for their creative and technical excellence. Our award-winning segments air in National and Regional markets on networks including CNN Headline News, FOX Business Network, Discovery Channel and Travel Channel. This year, we've continued our innovation and leadership role by becoming an early adopter of a channel subscription with a fellow innovator, **Livestream**.

Livestream is one of the largest and most respected Internet sharing sites on the web. Livestream provides the best possible viewing experience with the highest clarity for users without the download of any software. Through our channel subscription on **Livestream**, **Today in America** segments run **24 hours a day, 7 days a week**, providing viewers in any viewing area, a more convenient way to watch the show.

With this venue, each Featured Guest on our show can expect to:

- Stream a minimum of 100 times monthly during its average airings rotation of 2-4 months.

- Be available *On Demand* intermittently at the lower portion of our Livestream Channel.

- Improve their "social strength" with sharability features such as an option to share via email, Twitter, Facebook and Google, quickly and effectively sharing content to the most popular social media communities on the web.

- Create and facilitate discussions about your segment via Livestream's Chat feature.

- Have the option of creating additional brand awareness by promoting and publicizing special deals, discounts, or events within our designated advertising sections within our channel and Top Scroll of our channel page (Please ask for additional information and rates).

Livestream operates with over 120 full-time staff members in New York, Los Angeles and Bangalore. Content is delivered through a global network of servers to ensure viewers around the world can watch streams smoothly and without lag. The maximum number of concurrent viewers on one channel can exceed 100,000. Therefore, our Program Director, Kyra Burton, encourages each Featured Guest, regardless of their company size, to invite others to view their segment, as it plays on Livestream!

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Show Objectives

An educational feature designed to educate business professionals and consumers on topics, trends, and issues related to today's ever-changing business environment. The program's producers invite a variety of associates and industry experts to be featured on the show. Company and industry representatives that are scheduled into the series address a variety of topics ranging from current business best practices, to practical topics such as employee retention, business efficiencies, environmental stewardship, and numerous other topics affecting their respective industries.

Companies and individuals scheduled will be included in promotional efforts for the series including press releases, positive exposure on social media sites such as Facebook, LinkedIn, Twitter, YouTube, and Livestream. All Featured Guests on the show will be given the complete licensing rights to their segment to utilize for any future legal purpose including web-sharing, tradeshows, batch duplications, and multi-language translations for any legal purpose.

Here's how it works for each Featured Guest:

A Production Coordinator will be assigned to your feature and will guide you through the entire production process. Upon final scheduling of your company, involvement will consist of:

1. Participation Agreement - to be signed and authorized by a representative of your company and approved by Executive Producer of Today in America.
2. Editorial Information Form (EIF) - this form is very important as it is the initial input for the Scripting Department to develop the segment outline and initial script. It needs to be filled out completely and returned to us within 2 weeks. Information such as contacts, key benefits, suggested shoot location(s) and on-camera representatives will be covered in this form.
3. Scheduling Fee - will ensure each Featured Guest and product/service exclusivity on the segment and will guarantee your participation and cover the necessary cost of Production and airings as part of the total project. We have also found that a financial commitment will ensure that the guest pays attention to our shows schedules and deadlines.
4. Material Requirements - this literature will assist our writers in the writing and promotions of the program. These materials include logos, press kits, current press releases, product literature, published articles, slides and ad transparencies and existing footage, if applicable.

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Show Schematic

This exciting half-hour program is designed to inform and entertain those in the business and consumer arena. The following format outlines a typical half-hour program of "Today in America." Variations in commercial time are estimated to be minimal.

INTRODUCTION OF HALF-HOUR "SPECIAL THEME"

:30

This introduction with Terry Bradshaw informs the viewers on the global business issues that will be discussed on the program. Leaders in designated fields will introduce viewers to the inner working of their area of expertise. They will provide thought-provoking insights that challenge the viewer.

ANIMATED SHOW OPEN

HOST INTRODUCTION

:30

6:00

A stimulating and dynamic open filled with graphics and shots of a variety of individual and corporate settings performing diverse and exciting activities relative to today's business arena. Host introduction contains information and commentary on the theme and subject matter of the program, select expert(s), their field of expertise and professional credentials, and information about why they were invited to be part of the program.

GUEST HOST INTERVIEWER(S):

COMMERCIAL TIME #1

1:30

PROBLEM-SOLUTION SEGMENT #1 **

5:00-7:00

This segment features the vast experiences and knowledge of some of the leading organizations, manufacturers, and business trendsetters from around the globe. New technologies are discussed that will keep our viewers ahead of their competitors. Thorough explanations are given of the featured guest's services or products so viewers can apply what they have learned. Interviews with company representatives and end-users are added to illustrate real-life and business applications.

COMMERCIAL TIME #2

1:00

PROBLEM-SOLUTION SEGMENT #2 **

5:00-7:00

This segment focuses on getting the most out of every asset including parts, facilities and workforce. We understand when companies optimize their assets they unlock new opportunities and improve cash flow. Each of these segments will demonstrate how to produce tangible results such as increased uptime, higher productivity, and most important improving the bottom line. Interviews with company representatives and end-users are added to illustrate real-life and business applications.

COMMERCIAL TIME #3

1:00

PROBLEM-SOLUTION SEGMENT #3 **

5:00-7:00

This feature delivers proven, implemented solutions that promise a return on investment. Within this story we will help individuals and business entities develop a business plan, utilizing today's technology that will help them reach their goals more effectively and faster than they imagined. Interviews with company representatives and end-users are added to illustrate real-life and business applications.

HOST CLOSE

CALL TO ACTION

CREDIT ROLL

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:30

This part of the program is a summarization of the show. The host will conclude with pertinent information, including "call-to-action" contact information, i.e., phone numbers, website addresses, etc.

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Production Materials

Preferred Networks

CNN Headline News

CNN Headline News is the ultimate resource for today's "Time Warriors" - people who do more, manage more and demand more out of every day - that need convenient and instant access to the information they rely upon to chart the course of their day. With television's most differentiated newscast, CNN Headline News is strategically designed to meet the needs of "Time Warriors" by delivering "Real News, Real Fast" and providing the relevant and comprehensive news that matters to this key consumer group with segments ranging from personal finance, health, sports, technology and entertainment. Every 30 minutes CNN Headline News delivers a concise, fast-paced newscast. There is no more convenient source for news and information available on television today than CNN Headline News. CNN Headline News "Local Edition" provides an opportunity for a 5-minute insert at 0:24 and 0:54 minutes past each hour through select local cable providers nationwide.

Discovery Channel

The mission of the Discovery Channel is to develop the highest-quality media content that enables consumers to discover and explore their world, satisfy their curiosity and fulfill their lifelong search for knowledge and understanding. Discovery Channel is the world's leading producer and exhibitor of non-fiction entertainment that enables 90+ Million Households explore their world, offering unique and riveting original programs in the genres of medicine, science and technology, innovations from business and industry around the globe, natural history, history, human adventure, and exploration.

ION

ION Media Networks, Inc. owns and operates the nation's largest broadcast television station group, reaching over 98+ million U.S. television households via its nationwide broadcast television & cable distribution systems. ION features popular television series and movies from the award-winning libraries of Warner Bros., Sony, CBS & NBC. ION targets the lucrative 35-64 demographic of baby boomers, and is currently experiencing record growth in viewer-ship.

Regional News Networks

Regional News Networks Many cities offer viewers a dedicated regional alternative to traditional news programming. Regional News Networks report the latest breaking regional news, keeping their finger on the focus of their respective city or region. For Example: New York's WRNN-TV "New York's Regional News Network" www.rnntv.com, reaching 6+ Million Tri-State Area Households and Offices/Hotels. Audiences consist of a desirable but elusive target -- the affluent & educated viewers.

ESPN2

ESPN2 Very popular 24-hour national cable network featuring a variety of professional leagues, professional tours, NCAA sports and championship events - both mainstream and alternative. Original sports programming includes the signature 2Night series; an offshoot of ESPN's signature SportsCenter program, features sport-specific, in-depth coverage with hosts and analysts breaking down the action of the day. (NFL 2Night, NBA 2Night, RPM 2Night, College Hoops 2Night), as well as, Baseball 2Day, the Bottom Line2 (score/news scroll), and live event coverage.

Fox Sports Net

24-hour network of regionalized affiliates reaching over 80 million households nationally featuring 'home team' local coverage, and national sports news and views with a variety of original programming such as "The Last Word", "Goin' Deep", "Rewind" and "Sports Geniuses", as well as, first rate live programming including Major League Baseball's Game of the Week, College Football Saturdays, NHL ice hockey, & professional boxing, Versus 24 hour national sports network reaching over 75 million households dedicated to upscale active outdoor lifestyle programming. Features a variety of original, adventurous and informative programming and live coverage including NHL Ice Hockey, cycling, fishing, hunting, college football, Indycar and more.

BNN

Canada's only all business network, BNN provides viewers comprehensive real time coverage of global business news from a Canadian perspective. BNN also specializes in company profiles, economic forecasting and analysis, segments on personal finance and regularly covers important corporate announcements as they happen including news conferences, annual meetings and key trade shows.

NBC Sports Network (formerly Versus)

24 hour national network reaching nearly 80 million households dedicated to covering premier live sports events and outdoor active lifestyle programming. Owned by NBC, it is also the home of the National Hockey League, Tour de France, and Indy Car racing. NBC Sports Network features a variety of original, adventurous and informative programming including college sports, bull riding, rodeo, snow sports, cycling, water sports, fishing, hunting and more.

"Today in America" and its national television show has no direct affiliation with the networks on which it airs. Airtime is purchased through cable providers, networks/stations and/or other media sellers.

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Production Timeline

The production timetable is an approximate schedule from the initial communication stages up to the airing of the programs. Please keep in mind, shoot dates and airings may vary based on a featured guest's individual requirements.

Initial Contact -Approximately 1-2 weeks prior to approval

Television Production is time sensitive by nature and it is crucial that we determine which organizations will be featured on our show as soon as possible. Once determined, the project will move into pre-production and script development. At this point, both organizations can mutually determine the most conducive time frames for filming and airing of the produced segment.

Material Requirements -Due within 2 weeks

Today in America's Public Relations Department will contact featured guest to request the following materials: completed Editorial Information Form, product literature, press kits, media lists and ad transparencies.

Production Scheduling

A Production Coordinator from *Today in America* will personally contact the featured guest. Typically, tentative decisions on shooting dates and locations are made at this time.

Public Relations -Immediate and ongoing

Today in America's Public Relations Department will begin promotional efforts immediately to ensure maximum exposure for participants and the series. Our PR department strives to gain a large targeted audience through press releases, online promotional campaigns and business networking sites.

Advertising/Promotions - Immediate and ongoing

A Social Media Campaign is implemented for each program to increase viewership. Additionally, each company will be featured in press releases, articles and various forms of promotional efforts.

Customization of Program

Approximately 6-10 weeks after receiving the completed Editorial Information Form and materials our writing staff will develop a script.

The script will be sent to featured guest for input and to be reviewed for accuracy and final approval. The script outline will consist of interview questions and information that will be included in the program. The scriptwriter will work with each company to highlight the product or service's most desirable features. If beneficial to the segment, consumer testimonials will be used to identify the functionality of the product or service in everyday use.

Production - Desired Location

Production takes place at a scheduled location and date. *Today in America* strives to maintain a tight production schedule, location and dates are finalized and determined a minimum of 45 days in advance. A more expedient production process can occur through the use of *Today in America's* locations in South Florida.

Post-Production - 6-9 weeks after production

Post-production includes, but is not limited to, primary graphics, voice-overs and other forms of editing. With the core of the program already produced, editors and producers will edit the shoot day footage and master it into the program to ensure continuity and customization.

Distribution - Varies accordingly

Today in America's programs air on major cable networks and are distributed to national and regional audiences. The networks are chosen based on their ability to reach a specific target audience and their potential household reach, as well as, the Distribution Checklist. Each *Today in America* segment will also stream a minimum of 300 times on web television via *Today in*

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Behind the Scenes



**TODAY
IN
AMERICA**

Editorial Information Form

The following participant information form will serve as our Production Staff's handbook and guide to better understand your product and organization. Please take the time to fill in each question carefully and thoroughly, as this will serve as one of our main references throughout the project.

Please include all legal symbols where needed.

Company Name _____

Project Contact _____ Title _____

Phone _____ Fax _____

Company Address _____

City _____ State _____ Zip _____

E-Mail Address _____

Web Site _____

Date _____

1. Please provide us with some background information on your organization and your industry.

2. What are some of the primary challenges your industry faces?

3. What solutions are you contributing to overcome these challenges?

4. What do you feel is the most important message to convey to educate our viewers?

5. List 5-7 questions and answers that would best illustrate the key points that you would want our viewers to learn.

6. Featured guests often have existing b-roll footage or digital stills of their product or service. If you have additional media that you would also like us to incorporate into your segment, please indicate the format in the space below:

(A) Betacam SP video footage (B) Mini DV footage

(C) Digital camera stills (D) DVD footage

7. Desired location for our cameras to film, and a brief description of the location.

8. Please write the names and titles of the interviewees that will appear on camera (not to exceed 4 interviewees):

9. Where do you believe your industry is heading and what role do you foresee your company playing?

The Production team has an ultimate goal of making this segment interesting, informative and a valuable tool for success. This information is extremely important to our overall mission.

I have completed the "Editorial Information Form" and acknowledge that this information is accurate to the best of my knowledge.

Project Contact	Title	Date
Today in America Representative	Title	Date



Things to Know

Production and Promotion Parameters?

1. Television exposure both nationally and regionally in selected markets in a half-hour program educating our viewers on selected topics per the Editorial Calendar.
2. Promotions of the show will be included in press releases, web television, an online promotional campaign that will be targeting to industry specific organizations, consumers, and business networking sites.
3. A broadcast quality copy of the full segment with the show open and close to which the guest owns complete licensing rights. This video can be used for a variety of purposes, like playing in a continual loop in strategic locations and trade shows. The main purpose for granting the licensing rights to the final edited segment is to provide the ability to educate and cross promote the series in a variety of ways.

How did you find our company?

A team of researchers and producers follow a specific formula that matches appropriate topics to be highlighted on the show. We then secure the names of national, regional and local technology and service providers that meet the programs profile, as well as, have the ability to pay the scheduling fee and follow up with them for a phone call. If an organization has the ability to pay the scheduling fee and wants media coverage and a production video produced, for which they own the rights to, then they are a fit for the show.

How does "Today in America" secure network airtime?

We purchase airtime through a nationally recognized media buyer who secures our timeslots weeks in advance. Today in America secures these slots from the cable providers, networks and/or other media sellers in many of the top markets around the country. Today in America and its programs have no direct affiliation with the networks on which they air.

Outside of the Scheduling fee, does the Guest incur any additional cost?

No, the scheduling fee is the only financial responsibility of the Guest.

When will I receive a copy of the segment?

A copy of the segment will be sent to you following the editing process. At this time, you will own complete licensing rights of the segment.

What do I need to participate?

The Associate Producer assigned to your segment as well as a Production Coordinator will assist you with the following items:

1. Processing the Participation Agreement.
2. Preliminary scheduling.
3. Completion of Editorial Information Form.
4. Providing Production Company with appropriate information such as footage, stills, literature. (if applicable).
5. Processing the scheduling fee.
6. A beneficial time for the filming of the segment.
7. Any cost associated with the response of the show, (i.e. 800 number).
8. URL address and company logo's.
9. Provide end-user for third party interview (if available), company spokesperson(s) for shooting.

Today in America...

Production Materials

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Behind the Scenes

"Today in America" takes a creative approach in educational television production. Because we produce, air and promote our own programs, we can ensure success by targeting qualified viewers in all the promotions of the show.

Media Promotions...

"Today in America" lends total support to featured companies and guests via a multimedia promotional campaign. This successfully proven media campaign is designed to maximize exposure, recognition and credibility in the featured industry. The program includes:

Editorial

Public relations and advertising join forces at "Today in America". Our in-house public relations and marketing department compliments the advertising program with added credibility of editorial coverage. They incorporate a newsworthy angle in every press release and article created. Upon your approval of the editorial copy, we distribute the articles and press releases to our customized listings. We also permit specific mailing request from each Featured Guest.

Media

Added to the scope of Today in America multimedia campaign is the application of top media services. News and press releases are distributed regularly to a variety of key national, regional, and local media services and then they are forwarded to subscribing newspapers and magazines. We will also utilize social media and online press releases targeting industry specific organizations, consumer and business networking sites.

Copyright © 2012 - Today in America



**TODAY
IN
AMERICA**

Participation Guidelines

These are the basic guidelines for participation.

Today in America (PRODUCTION COMPANY):

1. PRODUCTION COMPANY will provide a complete licensed and insured production and scriptwriting team (field production, graphics, music, voice-over's, program editing, set design and lighting) to complete all necessary taping for completed feature for PARTICIPANT.
2. PRODUCTION COMPANY will provide PARTICIPANT with a copy of its feature, including an open and close, to which PARTICIPANT will own complete licensing rights and may use for any legal purpose.
3. This feature will air nationally and regionally in targeted DMA markets as indicated on the distribution checklist. (See preferred network list for exact national networks.)
4. PRODUCTION COMPANY will include the featured guest in conjunction with the promotions of the series in any available editorial articles, as well as, press releases distributed to relevant industry organizations targeting consumer and business networking sites.

Featured Guest (PARTICIPANT):

1. PARTICIPANT will provide input into the scripting by filling out a PARTICIPANT questionnaire, reviewing and signing off on feature outline for accuracy, filling out and approving production schedules and providing literature as well as background information. PARTICIPANT is required to sign off and approve script and final edited segment before going to network.
2. PARTICIPANT will ship sample product/service literature including input for editorial articles, press release, names and contact information of any relevant industry associations or organizations that might have an interest in the show's topic and subject matter.
3. The total scheduling fee is due thirty days from scheduling.
4. PARTICIPANT understands that the PRODUCTION COMPANY will immediately begin work on certain aspects of the PARTICIPANT'S feature and delegate personnel in association with the development, promotion, scheduling, pre-production and production upon PARTICIPANT'S signing of the Participation Agreement and approval by Today in America's Executive Team.
5. PARTICIPANT, if appropriate, will provide end user for third party interview (if available), company spokesperson, talent and products for shooting.

PARTICIPANT acknowledges that they will provide the questionnaire and literature in a timely manner.

Today in America and its programs have no direct affiliation with the networks on which they air. Today in America purchases the time through cable providers, networks and/or other media seller.



Contact

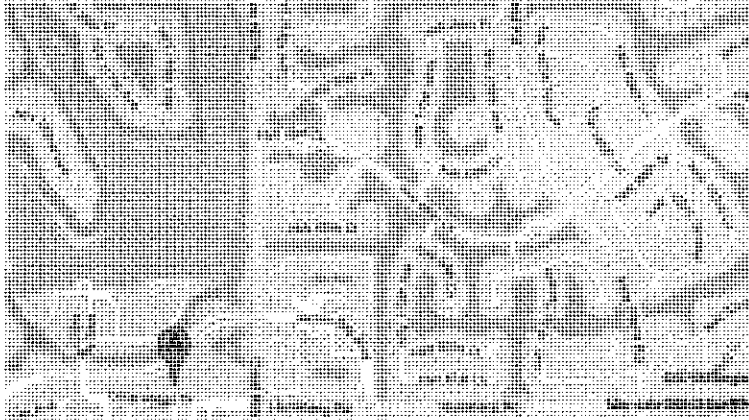
This concludes the material for consideration for our Television Program, "Today in America"

www.todayinamericatv.com

Corporate Headquarters & Studios

[Top](#)

6250 Coral Ridge Drive
Coral Springs FL 33076



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Behind the Scenes



CITY AND BOROUGH OF SITKA

100 Lincoln Street,
Sitka, Alaska 99835

Legislation Details

File #: 12-89 Version: 1 Name:

Type: Appointment Status: AGENDA READY

File created: 6/19/2012 In control: City and Borough Assembly

On agenda: 6/26/2012 Final action:

Title: Appoint an interim Assemblymember to fill Terry Blake's term until the results of the election are certified on October 9, 2012

Sponsors:

Indexes:

Code sections:

Attachments: [Interim Assembly Appointment](#)

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

Appoint Interim Assembly Member

I nominate Jack Ozment, Bill Paden, Michelle Putz, Matthew Hunter and Ryan Haug, _____ to fill Blake's assembly seat until a candidate is elected in October to fill the remaining balance of his term.

Financial Disclosure Statements are available in the Municipal Clerk's Office.

Sitka Home Rule Charter Excerpt

Section 2.10 Voting

A vote by secret ballot shall be taken only to elect assembly officers and fill assembly vacancies.

**APPOINTMENT OF AN ASSEMBLYMEMBER TO
TERRY BLAKE'S TERM EFFECTIVE UNTIL
OCTOBER 2012.**

I HAVE PREPARED A NUMBER OF COLORED BALLOTS; A DIFFERENT COLOR FOR EACH TIME YOU VOTE TO KEEP THE VOTES SEPARATED. YOU WILL ALSO HAVE A GRAY SECRECY SLEEVE TO SLIDE YOUR VOTED BALLOT INTO. IT OPENS AT THE END.

PLEASE MARK YOUR BALLOT WITH THE PENCILS I HAVE PROVIDED. THAT WAY YOU WON'T BE ABLE TO DECIPHER ONE PERSONS VOTE FROM ANOTHER E.G. BLUE INK VS. BLACK. FOLD YOUR BALLOT ONE TIME IN HALF.

**INTERIM ASSEMBLY MEMBER
SECRET BALLOT
JUNE 26, 2012**

INSTRUCTIONS

To vote for the candidate of your choice, mark the square to the right of the person's name.

**ONE to be appointed
Vote for NO MORE than 1**

JACK OZMENT

☐

BILL PADEN

☐

MICHELLE PUTZ

☐

MATTHEW HUNTER

☐

RYAN HAUG

☐


Late Filer Name

☐

Sitka, AK
May 18, 2012

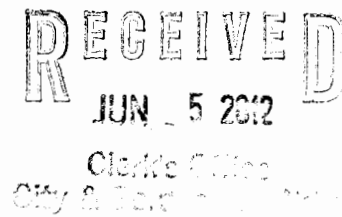
To: The Assembly of the City and Borough of Sitka
Re: Letter of Intent

Please accept this as a Letter of Intent for your consideration for the appointment of Jack Ozment to the Assembly, until the next Municipal election, to fill the seat vacated by Mr. Blake.

Thank you,

Jack Ozment

RECEIVED
MAY 21 2012

City & Borough of Sitka



June 1, 2012

Dear Assemblymembers,

Please let this letter serve as my desire to fulfill Assemblymember Terry Blake's assembly seat through the October 9, 2012 regular meeting. At which time a successful candidate will be sworn in to fulfill the remainder of Blake's term.


I was elected to the Sitka Assembly in October of 2002 and served a three-year term through October of 2005. First and foremost, I believe it is important to appoint someone who has previously served on the Assembly, especially for such a short duration. They are familiar with municipal processes, laws and issues and won't require the time it would take a new member to get up to speed, which realistically takes about one year.

I have been a resident of Sitka for 46 years and I will bring that knowledge to the table. When I ran for office I received 1913 votes, the highest number of votes cast for a candidate at that particular election, indicating strong support from our citizens.

While serving my attendance record was excellent. I did my home work, kept well informed on the issues and listened to a wide variety of Sitkans before casting my votes. I believe I served the municipality and citizenry well, was always open minded and even tempered. I treated people with respect and in return they respected me.

I'm enjoying my family and retirement and have no desire to seek another term. Yet I felt it was my duty to offer up my services as an experienced Assemblymember. Over the next few months the Sitka Assembly will be addressing several critical issues that will impact us all for years to come including our electrical and harbor rate structures. I believe as a Sitka resident for nearly half a century that I can best represent Sitkans and the municipality in reaching those critical decisions.

Respectfully Submitted,


Bill Paden

June 11, 2012

Michelle Putz
131 Shelikof Way
Sitka, AK 99835
(907) 747-2708, muperc@alaska.net

RECEIVED
JUN 11 2012
Clerk's Office
City & Borough of Sitka

Dear Mayor and Sitka Assembly:

Please consider me for the vacant City and Borough of Sitka Assembly seat. I qualify for the position, as I am a qualified voter of the municipality with nearly seven years of residency. Beyond being qualified, I would be a good choice for the seat because I have:

- A proven record of community and public service
- Exceptional knowledge of many of the issues facing the City, the schools, and the community,
- Good working relationships with City staff, Assembly, and government agencies, as well as Sitka citizens, groups, and businesses, and
- Experience working across political and social boundaries to get projects done.

I also believe that I would bring an important, fresh perspective to the assembly. I am part of a younger generation that is working to afford housing in Sitka. I understand and regularly seek ways to support local businesses. I understand better than many the need to bring and keep good jobs in Sitka. I have served on one of the City's commissions – I know what it feels like behind the scenes. I believe that my experience and my abilities, as well as my strengths in communications, strategic thinking, and activating, would greatly benefit the Sitka Assembly, and therefore, the community.

Thank you for your consideration. Please contact me if you would like further information or references.

Sincerely,



Michelle K. Putz

RECEIVED
JUN 18 2012

Clerk's Office
City & Borough of Sitka

June 18, 2012

Dear Mayor Westover and Assembly Members,

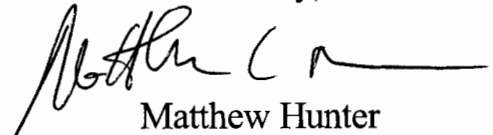
I am writing in hopes of being considered to fill the vacant seat on the City and Borough of Sitka Assembly. Sitka will continue to be my home for my entire life.

I was born at the Mt. Edgecumbe Public Health Service Hospital in 1982. I attended Sitka School District all 13 years, graduating in 2001. I am now six years into a career teaching math and science at Mt. Edgecumbe High School. I am an active and dedicated citizen in love with our community. I am familiar with the issues facing Sitka today.

My goal is the long-term success of Sitka. As part of planning for the future, Sitka must attract and keep more members of the younger generations. This will mean creation of new jobs and additional affordable housing. I will be accessible to the younger residents of our town, and I will keep an open mind to new solutions and points of view. I look forward to working with the rest of the Assembly to keep Sitka the special place it is for years to come.

Thank you for considering me for this seat.

Sincerely,



Matthew Hunter

Message Phone: 747-6851

E-mail: mchunter1@gmail.com

Matthew C. Hunter

102 Remington Way
Sitka, AK 99835
907-747-6851
mchunter1@gmail.com

EMPLOYMENT

- 2006-Present **Mt. Edgecumbe High School (State of Alaska)** **Sitka, AK**
Mathematics & Physics Teacher, Grades 9-12
Designed hands-on, Alaska-Specific curricula for Physics, Geometry, and Algebra 2. Worked with 90% Alaska Native student demographic from over 100 villages throughout rural Alaska. Coordinated building of 60ft school wind turbine with US Coast Guard, City of Sitka Electric Dept., and many other partners. Club Advisor: Future Educators of Alaska.
- 2011-2012 **Sitka Sound Ocean Adventures** **Sitka, AK**
(Summers) **Kayak Guide (Part Time)**
Led groups of up to six clients on 2 to 4.5 hour kayak tours of Sitka Sound and the Fort Rousseau Causeway State Historic Park. Responsible for timeliness and safety.
- 2001-2004 **Harris Aircraft Services, Inc.** **Sitka, AK**
(Summers) **Ramp Service Agent**

EDUCATION

- 2005-2006 **University of Alaska Southeast** **Sitka, AK**
Master of Arts in Teaching, June 2006
 - Twelve month, master's degree program including a nine-month in-school internship with master teachers and technology training
- 2001-2005 **St. Olaf College** **Northfield, MN**
Bachelor of Arts in Physics & Mathematics, May 2005
 - Studied abroad in Greece, Cuba, and the Baltic States
 - Laboratory Assistant: Physics & Astronomy
- 1997-2001 **Sitka High School** **Sitka, AK**
Diploma, June 2001

VOLUNTEERISM & INTERESTS

- 2007-Present Sitka Mountain Rescue - Technical Rescue Team, Team Leader & Medic
- 2009-Present Sitka Fire Department EMS - Alaska EMT-2 & WMA WEMT Certified
- 2007-2011 Board Member: Sitka Maritime Heritage Society
- Local WWII History – Speaker, Researcher, & Webmaster: www.sitkaww2.com
- Flying - Earned Private Pilot Certificate in August 2000
- Computer Programming – HTML, JavaScript, Microsoft Excel
- Outdoor Activities – Bicycle Commuting, Hiking, Mountaineering, Kayaking, Camping, etc.



Ryan J. Haug
710 Monastery Street
Sitka, AK 99835
ryan.haug@sitkayouth.org

RECEIVED
JUN 18 2012
Clerk's Office
City & Borough of Sitka

6/19/2012

City of Sitka Assembly
100 Lincoln Street
Sitka, AK 99835

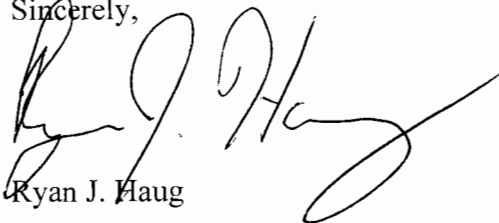
Dear Assembly Members:

I am writing to express my interest in the assembly seat vacated by Terry Blake. I have lived in Sitka since October 1996. During my time here in Sitka I have fallen in love with this community and the way I show my love for this community is service. When I was younger I volunteered at the Raptor Center and Search & Rescue while more recently serving as Chair for the Police and Fire Commission for two years of my three year appointment and as Treasurer of the Alaska Association of Homes for Children.

For the past ten years I have been working for Youth Advocates of Sitka with severely emotionally disturbed youth here in Sitka. Through my work with youth and their parents I have learned patience, caring and empathy, all great traits of a civil servant. Currently I hold the position of Programs Director. In this position I supervise 14 employees directly, am responsible for program budgeting, act as an advisor for all program coordinators and serve as acting Executive Director in her absence.

I hope you take my interest in this opportunity to serve Sitka seriously and I appreciate your time in doing so. If selected for this appointment I would be available immediately to begin my service.

Sincerely,


Ryan J. Haug