



CITY AND BOROUGH OF SITKA

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

Meeting Agenda

City and Borough Assembly

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

*Municipal Administrator: John Leach
Municipal Attorney: Brian Hanson
Municipal Clerk: Sara Peterson*

Tuesday, September 8, 2020

6:00 PM

Assembly Chambers

REGULAR MEETING

I. CALL TO ORDER

II. FLAG SALUTE

III. ROLL CALL

IV. CORRESPONDENCE/AGENDA CHANGES

[20-181](#) Reminders, Calendars, and General Correspondence

Attachments: [Reminders and Calendars](#)

V. CEREMONIAL MATTERS

[20-177](#) Proclamation Honoring Posthumously Patricia "Patty" Bickar

Attachments: [Proclamation Bickar](#)

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

VII. PERSONS TO BE HEARD

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

VIII. 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.

- A** [20-178](#) Approve the minutes of the August 11 and 25 Assembly meetings

Attachments: [Consent and Minutes](#)

IX. BOARD, COMMISSION, COMMITTEE APPOINTMENTS

- B** [20-180](#) Appoint Ben Hughey to three-year terms on the Police and Fire Commission and the Parks and Recreation Committee

Attachments: [Motion Hughey](#)

[Hughey Application Police and Fire](#)

[Hughey Application Parks and Rec](#)

[Hughey Resume](#)

[Police and Fire roster](#)

[Parks and Rec Roster](#)

X. UNFINISHED BUSINESS:

- C** [ORD 20-45](#) Amending the official zoning map to rezone Lot 2-2, Sheldon Jackson Campus Subdivision Number 2 from multifamily residential (R-2) to Cemetery (C)

Attachments: [Motion and Memo Ord 2020-45](#)

[Ord 2020-45](#)

[Appendix A](#)

[STA Rezone P&Z Background](#)

- D** [ORD 20-46](#) Making supplemental appropriations for fiscal year 2021 (FY2020 purchase orders)

Attachments: [Motion and Memo Ord 2020-46](#)

[Ord 2020-46](#)

- E** [ORD 20-47](#) Making supplemental appropriations for fiscal year 2020 and 2021 (re-appropriations and supplemental appropriations)

Attachments: [Motion and Memo Ord 2020-47](#)

[Ord 2020-47](#)

- F [ORD 20-48](#) Making supplemental appropriations for fiscal year 2021 (Green Lake Phase I Supplemental Capital Appropriation)

Attachments: [Motion and Memo Ord 2020-48](#)
[Ord 2020-48](#)

XI. **NEW BUSINESS:**

- G [20-174](#) Approve hire offer for Michelle Murdock as Human Resources Director

Attachments: [Motion and Memo Murdock](#)

- H [20-179](#) Decision on whether to allow sales tax free day(s) following the Thanksgiving holiday and set date(s)

Attachments: [Motion Sales Tax Free Days](#)

- I [20-173](#) Update / Discussion on the CARES Act Working Group progress (public comment to be taken)

Attachments: [Update Discussion](#)

- J [20-175](#) Discussion / Direction / Decision on CARES Act appropriations

Attachments: [Discussion Direction Decision and Memo](#)

XII. **PERSONS TO BE HEARD:**

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

XIII. **REPORTS**

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

XIV. **EXECUTIVE SESSION**

- K [20-176](#) Financial Matter - Responses to the Request for Information issued with respect to the 17 acre waterfront parcel of municipal land located at 4951 Halibut Point Road

Attachments: [Motion Executive Session](#)

XV. ADJOURNMENT

Note: Detailed information on these agenda items can be found on the City website at <https://sitka.legistar.com/Calendar.aspx> or by contacting the Municipal Clerk's Office at City Hall, 100 Lincoln Street or 747-1811. A hard copy of the Assembly packet is available at the Sitka Public Library. Regular Assembly meetings are livestreamed through the City's website, aired live on KCAW FM 104.7, and broadcast live on local television channel 11. To receive Assembly agenda notifications, sign up with GovDelivery on the City website.

*Sara Peterson, MMC, Municipal Clerk
Publish: September 4*



CITY AND BOROUGH OF SITKA

Legislation Details

File #: 20-181 **Version:** 1 **Name:**

Type: Item **Status:** AGENDA READY

File created: 9/3/2020 **In control:** City and Borough Assembly

On agenda: 9/8/2020 **Final action:**

Title: Reminders, Calendars, and General Correspondence

Sponsors:

Indexes:

Code sections:

Attachments: [Reminders and Calendars](#)

Date	Ver.	Action By	Action	Result
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REMINDERS

<u>DATE</u>	<u>EVENT</u>	<u>TIME</u>
Tuesday, September 8	Regular Meeting	6:00 PM
Tuesday, September 22	Regular Meeting	6:00 PM
Thursday, September 24	Special Meeting Annual Award of General Fund Nonprofit Grants	6:00 PM



Municipal Election Reminders

Monday, September 21	First day of Advanced/Absentee voting at Harrigan Centennial Hall – Meeting Rooms 2 & 3 Weekdays through October 5 from 8:30 a.m. to 4:30 p.m.
Tuesday, October 6	Municipal Election
Wednesday, October 7	Advanced/Absentee/Questioned ballot counting begins at Harrigan Centennial Hall – Auditorium Time to be announced

Assembly Calendar

2019 Jan Feb Mar Apr May Jun Jul Aug Sep Oct Nov Dec 2021

September 2020

Sunday		Monday	Tuesday		Wednesday	Thursday		Friday	Saturday	
30	Aug	31	1	Sep	2	3	4	5		
					Christianson 6:00pm Library Commission - Liaison Christianson 6:00pm School Board - Liaison Mosher 7:00pm Planning Commission - Liaison Mosher	Christianson	Christianson	Christianson		
6		7	8		9	10	11	12		
			12:00pm Parks & Recreation - Liaison Knox 6:00pm Regular Assembly Mtg		5:00pm Tree & Landscape - Liaison Wein 6:00pm Historic Preservation - Liaison Mosher 6:00pm Port & Harbors Commission - Liaison Knox	12:00pm LEPC - Liaison Nelson 1:30pm Health Needs & Human Services - Liaison needed				
13		14	15		16	17	18	19		
					7:00pm Planning Commission - Liaison Mosher	2:00pm Investment Committee - Liaison Christianson				
20		21	22		23	24	25	26		
			6:00pm Regular Assembly Mtg		6:00pm Police and Fire - Liaison Nelson	6:00pm Special Meeting: Annual Award of General Fund Non-Profit Grants				
27		28	29		30	1	Oct	2	3	

Assembly Calendar

[2019](#)
[Jan](#)
[Feb](#)
[Mar](#)
[Apr](#)
[May](#)
[Jun](#)
[Jul](#)
[Aug](#)
[Sep](#)
[Oct](#)
[Nov](#)
[Dec](#)
[2021](#)

October 2020

Sunday		Monday	Tuesday	Wednesday	Thursday		Friday	Saturday	
27	Sep	28	29	30	1	Oct	2	3	
4		5	6	7	8		9	10	
				6:00pm <u>Library Commission - Liaison Christianson</u> 6:00pm <u>School Board - Liaison Mosher</u> 7:00pm <u>Planning Commission - Liaison Mosher</u>	12:00pm <u>LEPC - Liaison Nelson</u> 1:30pm <u>Health Needs & Human Services - Liaison Wein</u>				
11		12	13	14	15		16	17	
			12:00pm <u>Parks & Recreation - Liaison Knox</u> 6:00pm <u>Regular Assembly Mtg</u>	5:00pm <u>Tree & Landscape - Liaison Wein</u> 6:00pm <u>Historic Preservation - Liaison Mosher</u> 6:00pm <u>Port & Harbors Commission - Liaison Knox</u>					
18		19	20	21	22		23	24	
				7:00pm <u>Planning Commission - Liaison Mosher</u>					
25		26	27	28	29		30	31	Nov
			6:00pm <u>Regular Assembly Mtg</u>	6:00pm <u>Police and Fire - Liaison Nelson</u>					



CITY AND BOROUGH OF SITKA

Legislation Details

File #: 20-177 Version: 1 Name:
Type: Ceremonial Status: AGENDA READY
File created: 9/2/2020 In control: City and Borough Assembly
On agenda: 9/8/2020 Final action:
Title: Proclamation Honoring Posthumously Patricia "Patty" Bickar
Sponsors:
Indexes:
Code sections:
Attachments: [Proclamation Bickar](#)

Date	Ver.	Action By	Action	Result
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OFFICE OF THE MAYOR
City & Borough of Sitka

Proclamation

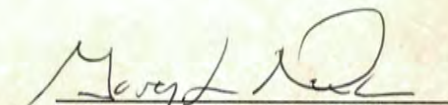
HONORING
POSTHUMOUSLY

Patricia "Patty" Bickar


- WHEREAS,** Patty Bickar came to Sitka in 1960 as a wife and business partner to her husband Oliver "Porky" Bickar, and a mother to their young children; and
- WHEREAS,** In 1967 Patty began teaching middle school mathematics, first at the Etolin Street School, and soon after at Blatchley Middle School. She served generations of Sitkans at Blatchley, and mentored many new young teachers there over her career; and
- WHEREAS,** beginning in 1969 Patty was an active member and officer of the teacher's honorary society, Delta Kappa Gamma. She was the president of the local Iota chapter in 1975-1978, and State president from 1985-1987; and
- WHEREAS,** Patty was a long-time member of the Sitka American Cancer Society- leading their Daffodil Sale for many years; and
- WHEREAS,** Patty was known for her handmade gifts, which she bestowed on everyone she came in contact with. She was very active in Don Seesz's evening woodworking class, where she made bird feeders, doll cradles, Norwegian Stacking boxes and even progressed to making Morris Chairs. She was such a dedicated and faithful student that they awarded her a prize of free tuition for the rest of her life; and
- WHEREAS,** Patty was the first female member of the Sitka Rotary Club, and the first female Rotarian in Alaska, joining soon after Rotary began admitting women in 1987. She led the Rotary Rose Sale for many years, was an active member of the Club, and was president of the Club in 1993-1994; and
- WHEREAS,** in 1991 Patty was a founder of the Babies and Books group for Sitka, and was an active member- producing the monthly newsletters and mailing books out to Sitka's families with young children; and
- WHEREAS,** in her waning years, Patty took good care of Sitka's ducks at Swan Lake, feeding them cracked corn on her daily walk around the lake from her home.

NOW, THEREFORE, BE IT RESOLVED, that the Assembly of the City and Borough of Sitka joins all Sitkans in extending our condolences to Patty Bickar's adult children David, Christianne, and Brian and their families, and in expressing our profound appreciation for Patty Bickar's life's accomplishments and contributions to our community. In her long life, long before she joined Rotary, Patty practiced the Rotary motto- "Service Above Self".

Signed and sealed on this 8th day of September 2020.


Gary L. Paxton, Mayor

ATTEST:


Sara Peterson, MMC
Municipal Clerk





CITY AND BOROUGH OF SITKA

Legislation Details

File #: 20-178 Version: 1 Name:

Type: Item Status: AGENDA READY

File created: 9/2/2020 In control: City and Borough Assembly

On agenda: 9/8/2020 Final action:

Title: Approve the minutes of the August 11 and 25 Assembly meetings

Sponsors:

Indexes:

Code sections:

Attachments: [Consent and Minutes](#)

Date	Ver.	Action By	Action	Result
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CONSENT AGENDA

POSSIBLE MOTION

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

I wish to remove Item(s) _____

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

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

POSSIBLE MOTION

I MOVE TO approve the minutes of the August 11 and 25 Assembly meetings.



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ASSEMBLY CHAMBERS
330 Harbor Drive
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Minutes - Draft

City and Borough Assembly

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

*Municipal Administrator: John Leach
Municipal Attorney: Brian Hanson
Municipal Clerk: Sara Peterson*

Tuesday, August 11, 2020

6:00 PM

Assembly Chambers

REGULAR MEETING

I. CALL TO ORDER

II. FLAG SALUTE

III. ROLL CALL

Knox participated by videoconference.

Present: 7 - Christianson, Eisenbeisz, Knox, Wein, Paxton, Mosher, and Nelson

IV. CORRESPONDENCE/AGENDA CHANGES

[20-165](#)

Reminders, Calendars, and General Correspondence

Administrator Leach reviewed the correspondence documents.

V. CEREMONIAL MATTERS

None.

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

[20-156](#)

Special Report: CBS Police Chief Robert Baty

Police Chief Robert Baty addressed the Assembly. He spoke of the recent letters and newspaper articles accusing the Sitka Police Department of sexism, racism, and having a culture of excessive force. Baty reminded the letters and newspaper articles spoke to issues from the past, long before his administration and tenure. Baty spoke

to his goals and vision for the Department and spoke to the professionalism of the Department. In closing, Baty told of the August 11 press release announcing closure to the murder of Jessica Baggen in 1996. Baty shared that through tireless effort and the work of many investigators, the Alaska State Troopers, and the advancement of DNA technology sequencing, the cold case had been solved.

VII. PERSONS TO BE HEARD

David Nelson, Sitka Chapter President of the Public Safety Employees Association (PSEA), spoke to recent media reports on the Sitka Police Department. He stated the reports were not representative of PSEA, were inflammatory, and unhelpful to the community. Nelson stated officers of the Sitka Police Department act with dignity and honor.

Richard Wein spoke to the Baggen murder case, reminded closure was difficult, and extended his thoughts to the family. In addition, he spoke to the economic downturn in the state, poor fishing seasons, the soon to expire year long employment guarantee under the SEARHC/SCH Asset Purchase Agreement, and recommended not delaying dentist and medical checkups despite COVID-19.

VIII. CONSENT AGENDA

- A [20-158](#) Approve the minutes of the July 28 Assembly meeting

A motion was made by Mosher that this Item be APPROVED. The motion PASSED by unanimous voice vote.

- B [20-157](#) Approve the following marijuana license renewal applications for licensee Northern Lights Indoor Gardens, LLC at 1321 Sawmill Creek Road Suites M, N, O, and P: 1) retail marijuana store, and, 2) standard marijuana cultivation facility

Eisenbeisz disclosed his business had a business relationship with Northern Lights Indoor Gardens. He was recused. Nelson disclosed she provided accounting services for the entity who owned Sawmill Creek Plaza. There was no conflict.

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

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

Recused: 1 - Eisenbeisz

IX. BOARD, COMMISSION, COMMITTEE APPOINTMENTS

- C [20-159](#) Appoint Jamal Floate to an unexpired term on the GPIIP Board of Directors in the category of At-Large

Wein noted Floate was the owner of the Admin Building at GPIIP and was curious what plans Floate had for the property.

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

following vote.

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

D [20-160](#)

Reappoint Darrell Windsor to a three-year term on the Planning Commission

Wein thanked Windsor for reapplying.

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

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

X. UNFINISHED BUSINESS:

E [ORD 20-43](#)

Making supplemental appropriations for fiscal year 2021 (GPIP Haulout)

Wein commented the appropriation was for consultant fees of \$100,000 and reminded considerable money had already been spent. Christianson, offering an alternative view, stated it was more for engineering services - a distinct product that needed to be done.

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

Yes: 5 - Christianson, Eisenbeisz, Knox, Paxton, and Mosher

No: 2 - Wein, and Nelson

XI. NEW BUSINESS:

New Business First Reading

F [ORD 20-44](#)

An Emergency Ordinance of the City and Borough of Sitka temporarily authorizing the Mayor to modify and/or waive various sections of the Sitka General Code dealing with public meetings and teleconference participation in those public meetings in order to protect the life, health, welfare, and property of elected and appointed officials, staff, and the public during the government declared COVID-19 public health emergency

Marshall Albertson hoped this ordinance wouldn't give the Mayor additional power.

Municipal Attorney Hanson explained this was a housekeeping ordinance. He noted as a result of the COVID-19 public health emergency in March 2020, the Assembly had conducted public meetings that were not always strictly in compliance with Sitka General Code (SGC). Hanson cited telephonic participation as one example and listed others. Per SGC, telephonic participation was limited for each Assembly Member and the Mayor to four times a year (October to October). Due to the pandemic, that number had been exceeded for some members. Hanson relayed the issues had been discussed with the Clerk and they believed in an effort to be transparent it was best to bring the ordinance forward that would allow for the Mayor to modify/waive respective sections of SGC, have staff develop a list of the retroactive issues generated by the

pandemic, and bring back for the Mayor's consideration.

Nelson said she wasn't a fan of retroactive ordinances, reminded the ordinance wasn't specific to telephonic participation and referenced Sections 4(A) and 4(B) of the ordinance. Christianson reminded the pandemic had widely changed the landscape for meetings and the way meetings were conducted - e.g. Zoom. Wein reminded, per Charter, the Mayor was given certain authority and this ordinance gave him additional power. He spoke in opposition and suggested an ordinance come back that dealt solely with the telephonic participation matter. Paxton clarified he fully understood he was one of seven members, understood his responsibility, and noted he did not wish to have additional power. Mosher reminded the emergency ordinance would expire in 61 days. Eisenbeisz said he was a stickler for following the SGC, understood the need for further refinement, and in the meantime this emergency ordinance would allow for Code compliance. Hanson suggested the Assembly have a discussion at a future meeting to discuss how to deal with certain items in the event of an emergency. He told of other municipalities taking similar action.

A motion was made by Mosher that this Emergency Ordinance be POSTPONED to the August 25 regular meeting. The motion FAILED by the following vote.

Yes: 3 - Wein, Nelson, and Mosher

No: 4 - Eisenbeisz, Paxton, Christianson, and Knox

Marshall Albertson spoke in support of postponing the ordinance.

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

Yes: 5 - Christianson, Eisenbeisz, Knox, Paxton, and Mosher

No: 2 - Wein, and Nelson

Additional New Business Items

G [20-162](#) Approve the Request for Proposal for the sale and development of Tract A11, Whitcomb Heights Subdivision

Planning Director Amy Ainslie explained a private entity had submitted a proposal to purchase a portion of Tract A11 of the Whitcomb Heights Subdivision. Ainslie noted the Tract was over 4 acres in size and reminded of the direction given at the June 23 Assembly meeting requesting the Administrator prepare an RFP for the sale of the entire Tract.

Wein spoke to the Shannon and Wilson, Inc. South Kramer Landslide Runout Analysis and Debris Flow Report. He also expressed a desire for the release of the landslide report, however, noted the release was delayed by the State.

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

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

H [20-163](#) Approve the Request for Proposal for the lease of a portion of Tract C,

ASLS 79-4 on Harbor Mountain Bypass Road for the purposes of a cell tower site

Planning Director Amy Ainslie explained New Horizons LLC was contracted by Verizon Wireless to locate parcels in Sitka for cell tower development. The only areas found suitable were municipal holdings. Ainslie said she had informed the applicant of the need for a competitive bid process. Wein noted the land was zoned R-1, spoke to diminished property values in the Lower 48 within close proximity of cell towers, spoke to the need for parity with previous cell tower leases on power poles, and the failure to mention G5 in the RFP. He stated it was important to know what their plans were for advanced technology relating to cell towers.

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

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

I [20-164](#)

Discussion / Direction on what level of information the Assembly would like to see before the Administrator enters any CARES Act contracts or subrecipient agreements

Administrator Leach relayed the Cares Act Working Group had been meeting twice a week and provided a status report on the categories. Leach wished to receive clarification from the Assembly on what level of information they would like to receive before he entered into contracts or subrecipient agreements. Mosher preferred the contracts/agreements not have to come back to the Assembly. Christianson wished to be informed of the overall highlights, not specifics. Paxton concurred. Wein requested as much information as possible. Nelson agreed and suggested a regular item be added to future agendas for an update. Wein concurred and requested public comment be taken.

J [20-161](#)

Appoint two Assembly members to serve on the Haulout Task Force

Paxton relayed he'd received comments that Knox and Christianson be appointed. Assembly Member Nelson also wished to be considered. Knox, Christianson, and Nelson provided statements on why they should be considered.

George Paul expressed the importance of the entire community being represented.

Members stated who they wished to be appointed:

Mosher - Nelson and Christianson

Eisenbeisz - Christianson and Knox

Paxton - Nelson and Christianson

Nelson - Nelson and Knox

Wein - Nelson and Knox

Christianson - Christianson and Knox

Knox - Christianson and Knox

Christianson and Knox each received 5 votes and Nelson received 4 votes.

XII. PERSONS TO BE HEARD:

George Paul stated the community and world was in a kick them down mentality, spoke to the recent media report relating to the Sitka Police Department, and encouraged the Assembly to refrain from bringing divisive issues forward.

Marshall Albertson urged the Assembly to reflect on the number of businesses closing and stated Sitka was not business friendly.

Richard Wein spoke to a recent economic report and noted Sitka had the highest rent.

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

Mayor - Paxton spoke to Governor Dunleavy's press conference and the clear recognition of the impact of the virus across Alaska, spoke to the change in airport testing, and told of a teleconference with Senator Lisa Murkowski.

Administrator - Leach reminded of the CARES Act funding opportunities for nonprofits and businesses, housing support, and food programs. Leach commended Chief Finance and Administrative Officer Jay Sweeney for his work with FEMA reimbursement.

Attorney - Hanson provided an update on the following cases: Ferguson, Sulzbach, Rutter, and Gleason.

Liaison Representatives - Wein reported on the Planning Commission, EOC meeting, and Sitka Infectious Disease Taskforce.

Clerk - Peterson reminded of the upcoming election, urged the public to respond to the 2020 Census, and reviewed vacancies on CBS Boards/Commissions.

XIV. EXECUTIVE SESSION

None.

XV. ADJOURNMENT

A motion was made by Mosher to ADJOURN. Hearing no objections, the meeting ADJOURNED at 8:38 p.m.

ATTEST: _____
Sara Peterson, MMC
Municipal Clerk



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Minutes - Draft

City and Borough Assembly

*Mayor Gary Paxton
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Christianson*

*Municipal Administrator: John Leach
Municipal Attorney: Brian Hanson
Municipal Clerk: Sara Peterson*

Tuesday, August 25, 2020

6:00 PM

Assembly Chambers

WORK SESSION 5:00 P.M.

[20-166](#)

Work Session: Pre-Audit Orientation

Joy Merriner with BDO presented the overall audit strategy, planned scope, and timeline.

REGULAR MEETING

I. CALL TO ORDER

II. FLAG SALUTE

III. ROLL CALL

Knox participated by videoconference.

Present: 5 - Knox, Wein, Paxton, Mosher, and Nelson

Absent: 2 - Christianson, and Eisenbeisz

IV. CORRESPONDENCE/AGENDA CHANGES

No agenda changes.

[20-172](#)

Reminders, Calendars, and General Correspondence

V. CEREMONIAL MATTERS

[20-167](#)

Service Award - Howie Pitts

Mayor Paxton read a service award honoring Howie Pitts for his personal time in

maintaining the grounds of the Animal Shelter. Wein thanked Pitts for his service.

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

Municipal Administrator John Leach spoke to the new reporting being used by Sitka Unified Command. Leach commented it was in alignment with the State's recommendations with emphasis on local mitigation. He stated a team from Sitka Unified Command was working to build a COVID-19 data dashboard with helpful information for the community. He noted the current alert level was at moderate.

VII. PERSONS TO BE HEARD

None.

VIII. CONSENT AGENDA - No items.

None.

IX. BOARD, COMMISSION, COMMITTEE APPOINTMENTS

None.

X. UNFINISHED BUSINESS:

None.

XI. NEW BUSINESS:

New Business First Reading

- A ORD 20-45** Amending the official zoning map to rezone Lot 2-2, Sheldon Jackson Campus Subdivision Number 2 from multifamily residential (R-2) to Cemetery (C)
- Steve Hartford, Legal Director with Sitka Tribe of Alaska (STA), spoke in support stating STA saw the historic cemetery on Sawmill Creek Road as a cultural site. He told of graves there that were ancestors of tribal citizens along with orphans that were brought to Sitka of native origin and were buried there. He stated the new zoning designation allowed for maintaining or upgrading the property and would allow for grant funding.
- Wein was in support of the rezoning. He recalled when the topic first came to Assembly's attention from a previous rezoning that included more commercial uses and within that rezoning was the cemetery area. He was happy it was removed from that original zoning request and felt it long overdue.
- A motion was made by Mosher that this ordinance be APPROVED on FIRST READING. The motion PASSED by the following vote.**
- Yes:** 5 - Knox, Wein, Paxton, Mosher, and Nelson

Absent: 2 - Christianson, and Eisenbeisz

B ORD 20-46

Making supplemental appropriations for fiscal year 2021 (FY2020 purchase orders)

Controller Melissa Haley explained the ordinance was needed to reduce FY2020 appropriations and move to FY2021 for expenditures in progress that had not been paid for. She gave the example of outstanding purchase orders and noted a significant portion were in Central Garage because of COVID-19 shutdowns and delays in procuring equipment.

A motion was made by Nelson that this ordinance be APPROVED on FIRST READING. The motion PASSED by the following vote.

Yes: 5 - Knox, Wein, Paxton, Mosher, and Nelson

Absent: 2 - Christianson, and Eisenbeisz

C ORD 20-47

Making supplemental appropriations for fiscal year 2020 and 2021 (re-appropriations and supplemental appropriations)

Controller Melissa Haley explained the recording of depreciation, the Fisheries Enhancement Fund overage, and reappropriating fixed assets based on grants for police equipment.

A motion was made by Nelson that this ordinance be APPROVED on FIRST READING. The motion PASSED by the following vote.

Yes: 5 - Knox, Wein, Paxton, Mosher, and Nelson

Absent: 2 - Christianson, and Eisenbeisz

D ORD 20-48

Making supplemental appropriations for fiscal year 2021 (Green Lake Phase I Supplemental Capital Appropriation)

Wein wondered why a \$1.3 million cash appropriation needed to be made, if the loan was guaranteed, and if not, what was plan B. He pointed out the \$2 million bracket in the Electric Department and wondered how it would shape up in context. Nelson stated her main concern going forward with a capital improvement was possible rate increases for the public.

Municipal Administrator John Leach noted that the Green Lake hydro rehab was past due and told of the risk. He explained the first phase of the three phase project was anticipated to be \$3 million through a USDA loan, that USDA was backlogged and was taking more time to get loan approval. He reiterated the risk of deferred maintenance and higher possibility of failure which have lead to discussions of possible rate increases with the insurance carrier. Controller Melissa Haley stated the hope of not having to use the appropriation, but that with it, it allowed awarding of the bid. She told of the refunded callable bonds that resulted in significant savings which allowed for working capital to be put towards the project. She stated that capital spending did not impact bond covenants. Utility Director Scott Elder noted because of the timeline, the project needed to get started and if it were delayed, it would cost the City time and money. He stated it was in the best fiscal interest to move forward in this manner.

A motion was made by Nelson that this ordinance be APPROVE on FIRST READING. The motion PASSED by the following vote.

Yes: 5 - Knox, Wein, Paxton, Mosher, and Nelson

Absent: 2 - Christianson, and Eisenbeisz

Additional New Business Items

E [20-169](#) Update / Discussion on the CARES Act Working Group progress (public comment to be taken)

Marshall Albertson spoke to his CARES Act funding grant applications stating his disapproval of being eligible for one grant, but that he had three essential businesses under one umbrella with separate sales tax accounts. He said that if he filed a lawsuit, it would delay the distribution of the funding to all applicants.

Assembly Discussion:

Nelson felt that if applicants had separate sales tax accounts, each of the accounts should qualify to receive funding. She stated the City shouldn't be making it harder for people and noted that many people had several businesses and separate sales tax accounts. Paxton noted the need to distribute the funding fairly to businesses and that this was for the benefit and survivability of Sitka. He stated if funding remained, then adjustments could be made and that it was a complex process. Wein asked of the decision making process and reasoning. He thought that the simplest way to distribute would be using the sales tax account number or EIN number. He felt that it should have been approved to allow for largest distribution. Mosher a member of the CARES Act Funding Working Group (WG) stated the decision made was to be as fair as possible, he was not in support of starting the process over, and noted that decisions could be made on how to distribute the remaining funds. Knox a WG member spoke to the discussion from the WG of going the route of using the EIN number. He told of the need to distribute to nonprofit organizations and other entities without sales tax account numbers. He stated it was a way to capture the validity of the organization as nonprofits had EIN. He anticipated having funds leftover and there could be another application period to provide funding, but that by using the EIN it was a way to get money out quickly then revisit in phase 2 as more targeted. He thought it important to point out that there wasn't a lot of guidance given by the Feds on how to spend the funding. Nelson preferred to continue the round as progress was being made and money disbursed, although noted there was room for improvement.

Municipal Administrator John Leach told of the process that began in March, the appeal process, and options noting the Assembly could decide on how to disburse the remaining funds. He relayed that the WG had begun discussions for the remaining funds. Leach explained that the WG realized there were a number of businesses without a sales tax account number. He reminded the application was presented to the Assembly in July. He provided an update on each of the funding categories. He gave final points: 1) it was important to understand the Grant Analyst was not the authority on whether the application was approved or denied, and 2) the citizens had been the top priority in distributing funds.

F [20-168](#) Discussion / Direction on the City and Borough of Sitka seal project

Knox introduced the item and went over the process of receiving feedback from boards/commissions/committees and in public sessions. He noted the interest in the ones that stood out and the idea of approaching the artists to make changes. He asked for direction from the Assembly suggesting to bring back the top three.

Members offered opinions on their preferences. Mosher suggested when the entries came back to the Assembly for review, that they be on letterhead as an example.

Planning Director Amy Ainslie shared data from the public outreach stating that the Sitka Tribe of Alaska had submitted feedback.

It was determined that the top five designed would be brought back in a month with modifications.

G [20-171](#)

Approve the promotion of Melissa Haley from Controller to Finance Director

Nelson told of her concerns with the starting rate of pay. Wein felt that Haley's credentials were sterling and looked forward to her ability to help steer the City in a good financial way. Mosher agreed stating that Haley was the person for the job and worth the pay. Paxton expressed his delight.

Municipal Administrator John Leach spoke that he made the offer based on her record and experience.

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

Yes: 5 - Knox, Wein, Paxton, Mosher, and Nelson

Absent: 2 - Christianson, and Eisenbeisz

H [20-170](#)

Approve the promotion of Antonio Rosas from Harrigan Centennial Hall Building Supervisor to Harrigan Centennial Hall Building Manager

Wein felt this was a great choice as Tony had been with the city for a long time and knew the job. He felt there would be a good transition. Paxton stated the City was lucky to have Tony and thanked Don Kluting for his job.

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

Yes: 5 - Knox, Wein, Paxton, Mosher, and Nelson

Absent: 2 - Christianson, and Eisenbeisz

XII. PERSONS TO BE HEARD:

None.

XIII. REPORTS

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

Administrator - Leach spoke to alert levels, urged citizens to apply for CARES Act grant funding, and temporary employee openings.

Liaison Representatives - Wein reported on the Tree and Landscape Committee and Health Needs and Human Services Commission. Nelson on the Local Emergency Planning Committee.

Clerk - Peterson reported on the upcoming October 6 Municipal Election and voting options. She reminded folks of the 2020 Census and read through vacancies for boards and commissions.

XIV. EXECUTIVE SESSION

None.

XV. ADJOURNMENT

A motion was made by Nelson to ADJOURN. Hearing no objections, the meeting ADJOURNED at 7:50 p.m.

ATTEST: _____

Melissa Henshaw, CMC
Deputy Clerk



CITY AND BOROUGH OF SITKA

Legislation Details

File #: 20-180 Version: 1 Name:

Type: Item Status: AGENDA READY

File created: 9/3/2020 In control: City and Borough Assembly

On agenda: 9/8/2020 Final action:

Title: Appoint Ben Hughey to three-year terms on the Police and Fire Commission and the Parks and Recreation Committee

Sponsors:

Indexes:

Code sections:

Attachments: [Motion Hughey](#)
[Hughey Application Police and Fire](#)
[Hughey Application Parks and Rec](#)
[Hughey Resume](#)
[Police and Fire roster](#)
[Parks and Rec Roster](#)

Date	Ver.	Action By	Action	Result
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POSSIBLE MOTION

I MOVE TO appoint Ben Hughey to three-year terms on the Police and Fire Commission and the Parks and Recreation Committee.



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

Board/Commission/Committee: Police & Fire Commission

Name: Ben Hughey

Preferred Phone: [REDACTED]

Address: [REDACTED]

Alternate Phone:

Email Address: [REDACTED]

Fax Number:

Length of Residence in Sitka: 22 years

Registered to vote in Sitka? Y Yes No

Employer: Sitka Conservation Society

Organizations you belong to or participate in:

Sitka Cycling Club

Explain your main reason for applying:

I've recently returned to Sitka after leaving for education and work, and I'd like to contribute to the vital roles that the Police and Fire departments serve in the community.

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

I would bring a background in organizational performance, management, public policy, and program evaluation from a UW graduate program in Public Administration

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


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

None

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

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

Date: 9/2/2020

Signature: 

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

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

Return to:

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

Fax: 907-747-7403 Email: melissa.henshaw@cityofsitka.org



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

Board/Commission/Committee: Parks and Recreation Committee

Name: Ben Hughey

Preferred Phone: [REDACTED]

Address: [REDACTED]

Alternate Phone: _____

Email Address: [REDACTED]

Fax Number: _____

Length of Residence in Sitka: 22 years

Registered to vote in Sitka? Y Yes No

Employer: Sitka Conservation Society

Organizations you belong to or participate in:

Sitka Cycling Club

Explain your main reason for applying:

I've recently returned to Sitka after leaving for education and work, and I'd like to contribute my experience in public lands policy and planning.

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

I would bring a background in organizational performance, management, public policy, and program evaluation from a UW graduate program in Public Administration

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

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

None

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

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

Date: 9/2/2020

Signature: _____

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

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

Return to:

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

Fax: 907-747-7403

Email: melissa.henshaw@cityofsitka.org

Ben W. Hughey


[linkedin.com/in/benhughey](https://www.linkedin.com/in/benhughey)

▪ Seeking opportunities to give back to the community that raised me

Education

University of Washington | June 2018

Daniel J. Evans School of Public Policy & Governance

Master of Public Administration

Budgeting and Financial Analysis, Program Evaluation, Managing Organizational Performance

Dartmouth College | June 2012

Bachelor of Arts in Geography

Urban Applications of GIS, Economics of Public Policymaking, Data Analysis, Human Geography

Sitka High School | June 2007

EXPERIENCE

Office of Senator Cory Booker

Washington, DC

Legislative Fellow

January 2019 – present

Legislative staff with a portfolio focused on energy and the environment. Collected input from stakeholders and nationally renowned scientists and experts to assemble recommended and politically feasible policy approaches. Represented the Senator in constituent and industry meetings on broad range of issues.

Mountains to Sound Greenway Trust

Seattle, WA

Policy & GIS Coordinator

June 2012 – December 2018

Led diverse policy and planning portfolio and oversaw organizational GIS, producing maps and analysis.

Organized state and federal political advocacy coalitions to advance shared environmental priorities.

Convened federal, tribal, state, and local public land managers to facilitate stakeholder involvement in public land planning. Successfully led federal designation campaign by soliciting thousands of supporters and building relationships with congressional delegation. Established a network of over one hundred recreation and transportation professionals to support the launch of an innovative transit-to-trails initiative.

Alaska House of Representatives

Sitka, AK

Energy & Natural Resources Advisor

May – October 2017

Advised the office of Representative Jonathan Kreiss-Tomkins on energy and recreation issues. Surveyed tribes and NGOs for input on pending energy efficiency legislation.

City and Borough of Sitka

Sitka, Alaska

GIS Intern

July – September 2011

Developed data and map solutions to meet local government priorities. Compiled, modernized, and enhanced the municipal utilities GIS database to strategically address needs of Public Works department.

USFS Tongass National Forest

Sitka, Alaska

Trail & Cabin Crew member

Summers 2007, 2008, 2009

Constructed and maintained cabins and trails in remote locations across the Sitka Ranger District.

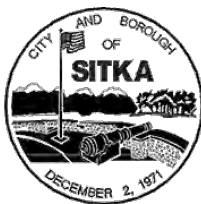
Sitka Trail Works

Sitka, Alaska

Trail Crew member

Summer 2006

Joined crew in major trail rehabilitation projects along the Causeway and to Sea Lion Cove.



POLICE AND FIRE COMMISSION

NAME	CONTACT NUMBERS	TERM STARTS	EXPIRES	CATEGORY
GREGG OLSON 138 Wolff Drive	907-830-9792 gregg.m.olson@gmail.com	11/12/19	11/12/22	CHAIR
JAMES MELLEMA 2304 A Halibut Point Rd	752-0412 nitejazz@mac.com	1/12/16	1/12/19 1/8/22	VICE CHAIR
LOYD PLATSON 805 Charles Street	747-3636 ext 226 623-7560 lplatson@scpsak.org	9/22/15	9/22/18 10/9/21	
NEIL AKANA 2220 Sawmill Creek Rd	747-8960 808-960-3238 npakana@hotmail.com	11/8/18	11/8/21	
LORRAINE LIL 105 Austin Street	738-1350 c 747-3309 committeework@outlook.com	6/13/17	6/13/20	Resigned 10/26/18
Robert Baty Police Chief	747-3349 robert.baty@sitkapd.org			Ex Officio
Dave Miller Fire Chief	747-1861 dave.miller@cityofsitka.org			Ex Officio
Valorie Nelson 107 Littlebyrd Way	747-5689 assemblynelson@cityofsitka.org			Assembly Liaison
Thor Christianson 500 Lincoln Street A9	738-2491 assemblychristianson@cityofsitka.org			Alternate Assembly Liaison
Serena Wild Police Dept. Staff	747-3349 serena.wild@sitkapd.org			Secretary

Established by Ordinance 83-579

Meet fourth Wednesday of each month at 6:00 p.m. – Harrigan Centennial Hall, 330 Harbor Drive

5 members from public 3-year terms

OATH OF OFFICE REQUIRED

Revised: January 23, 2020



PARKS AND RECREATION COMMITTEE

NAME	CONTACT NUMBERS	TERM STARTS	EXPIRES	CATEGORY
JAMES POULSON 1610 Sawmill Creek Road	623-8302 747-3219 w james.poulson1@gmail.com	8/30/18 11/12/19	11/22/19 11/12/22	CHAIR
SARAH LAWRIE 116 Molly Lane	738-5234 justsosarah@gmail.com	11/12/19	11/12/22	VICE CHAIR
BARBARA MORSE PO Box 2972	509-312-0617 morseb9@hotmail.com	3/22/16	3/22/19 3/26/22	
BRANDON MARX PO Box 6171	747-1700 738-1392 marxlaw@gci.net	5/28/19	6/12/21	<i>Wright's term</i>
RICH KRUPA PO Box 3126	966-1956 747-3904 krupar@sitkaschools.org	6/11/19	6/11/22	
SUSAN COMPAGNO 1207 Halibut Point Road	738-3497 747-7457 susancompagno2002@yahoo.com	6/25/19	6/25/22	
<i>BETH SMITH 109 Darrin Drive</i>	<i>747-7010 253-590-3137 bekumtoo@hotmail.com</i>	<i>3/14/17</i>	<i>3/14/20</i>	
Kevin Knox PO Box 6415	738-4664 c assemblyknox@cityofsitka.org			Assembly Liaison
Michael Colliver Building, Grounds, and parks Supervisor City and Borough of Sitka	747-4039 michael.colliver@cityofsitka.org			Ex-Officio
Melissa Henshaw Deputy Clerk City and Borough of Sitka	747-1826 melissa.henshaw@cityofsitka.org			Secretary

7 members from public - 3 year terms

Established by Ordinance 75-199 (2.56 SGC)

Second Tuesday, Noon – Harrigan Centennial Hall, 330 Harbor Drive

Community Resources				
Mary Miller Sitka National Historical Park 106 Metlakatla Street	747-0111 w 747-5938-fax mary_miller@nps.gov			
Lynne Brandon Sitka Trail Works 801 HPR	747-7244 w 747-7315 fax trail@gci.net			
Annemarie LaPalme Sitka Forest Service 2108 Halibut Point Road	747-4209 annemarie.lapalme@usda.gov			

Revised: May 7, 2020



CITY AND BOROUGH OF SITKA

Legislation Details

File #: ORD 20-45 Version: 1 Name:

Type: Ordinance Status: AGENDA READY

File created: 8/19/2020 In control: City and Borough Assembly

On agenda: 9/8/2020 Final action:

Title: Amending the official zoning map to rezone Lot 2-2, Sheldon Jackson Campus Subdivision Number 2 from multifamily residential (R-2) to Cemetery (C)

Sponsors:

Indexes:

Code sections:

Attachments: [Motion and Memo Ord 2020-45](#)
[Ord 2020-45](#)
[Appendix A](#)
[STA Rezone_P&Z Background](#)

Date	Ver.	Action By	Action	Result
8/25/2020	1	City and Borough Assembly		

POSSIBLE MOTION

I MOVE TO approve Ordinance 2020-45 on second and final reading amending the official zoning map to rezone Lot 2 2, Sheldon Jackson Campus Subdivision Number 2 from multifamily residential (R 2) to Cemetery (C).



City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

MEMORANDUM

To: Mayor Paxton and Assembly Members

Thru: John Leach, Municipal Administrator

From: Amy Ainslie, Planning Director

Date: August 19, 2020

Subject: Rezoning of STA Cemetery Property

Background

The Sitka Tribe of Alaska (STA) is requesting a zoning map amendment from R-2 multifamily residential to C cemetery for their lot on Sawmill Creek Road, formerly part of the Sheldon Jackson College Campus.

Prior to 2019, the city zoning code lacked a designation for cemeteries; they have historically resided in residential zones such as R-1 or R-2, or the Public lands district. The creation of the Cemetery district was the result of concerns raised during the Comprehensive Plan process, which identified the need for better tracking of burial sites, protection of these historic areas, and easing the process of obtaining burial permits/transfers. This rezoning is the first property that will now be under the newly created Cemetery district.

STA is motivated to pursue this zoning change to better preserve and protect the existing cemetery, apply for grants for the maintenance of the cemetery, and more easily track burial sites.

The Planning Commission reviewed this request on July 15, 2020 and unanimously recommended approval.

Analysis

Lot 2-2 is 54,110 square feet in size. It is not developed as it has historically been used as a cemetery burial site, particularly in conjunction with the operation of the Sheldon Jackson campus.

Cemetery zoning would result in less traffic, parking, noise, habitat, or other disturbances given the highly restricted nature of the zone and its use limitations,

particularly in comparison to the high density residential uses allowed in R-2. The use of the property will not change, as it has historically been used as a cemetery. This zoning change is an attempt to have the zoning accurately reflect the use of the property. Therefore, there's very little anticipated change to the character of the neighborhood or neighborhood harmony due to this action.

The intention of the Cemetery zone is to create small pockets of protection for properties used for burial/cemetery purposes. As historic burial sites are proximate to other development, it is expected that in many cases, rezoning a property to Cemetery will result in acceptable spot zoning.

The proposal to rezone this property directly correlates to Comprehensive Plan Historical, Cultural, and Arts Resources Action HCA 1.1c: *Coordinate and collaborate with interested parties to compile cemetery information by using our zoning maps to both identify and protect land used for cemeteries.*

Fiscal Note

None.

Recommendation

Approve the zoning map amendment to rezone Lot 2-2, Sheldon Jackson Campus Subdivision Number 2 from R-2 multifamily residential to Cemetery.

CITY AND BOROUGH OF SITKA

ORDINANCE NO. 2020-45

**AN ORDINANCE OF THE CITY AND BOROUGH OF SITKA, ALASKA AMENDING THE
OFFICIAL SITKA ZONING MAP TO REZONE LOT 2-2, SHELDON JACKSON CAMPUS
SUBDIVISION NUMBER 2 FROM MULTIFAMILY RESIDENTIAL (R-2) TO CEMETERY (C)**

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 rezone Lot 2-2, Sheldon Jackson Campus Subdivision Number 2 located on Sawmill Creek Road from Multi-family Residential (R-2) to Cemetery (C). The zoning is consistent with the goals and policies of the 2030 Sitka Comprehensive Plan, specifically Historical, Cultural, and Arts Resources Action HCA 1.1c.

4. ENACTMENT. NOW, THEREFORE, BE IT ENACTED by the Assembly of the City and Borough of Sitka that the official zoning map is amended to rezone Lot 2-2, Sheldon Jackson Campus Subdivision Number 2 located on Sawmill Creek Road from Multi-family Residential (R-2) to Cemetery (C).

Appendix A is attached showcasing zoning map amendment.

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

PASSED, APPROVED, AND ADOPTED by the Assembly of the City and Borough of Sitka, Alaska, this 8th day of September, 2020.

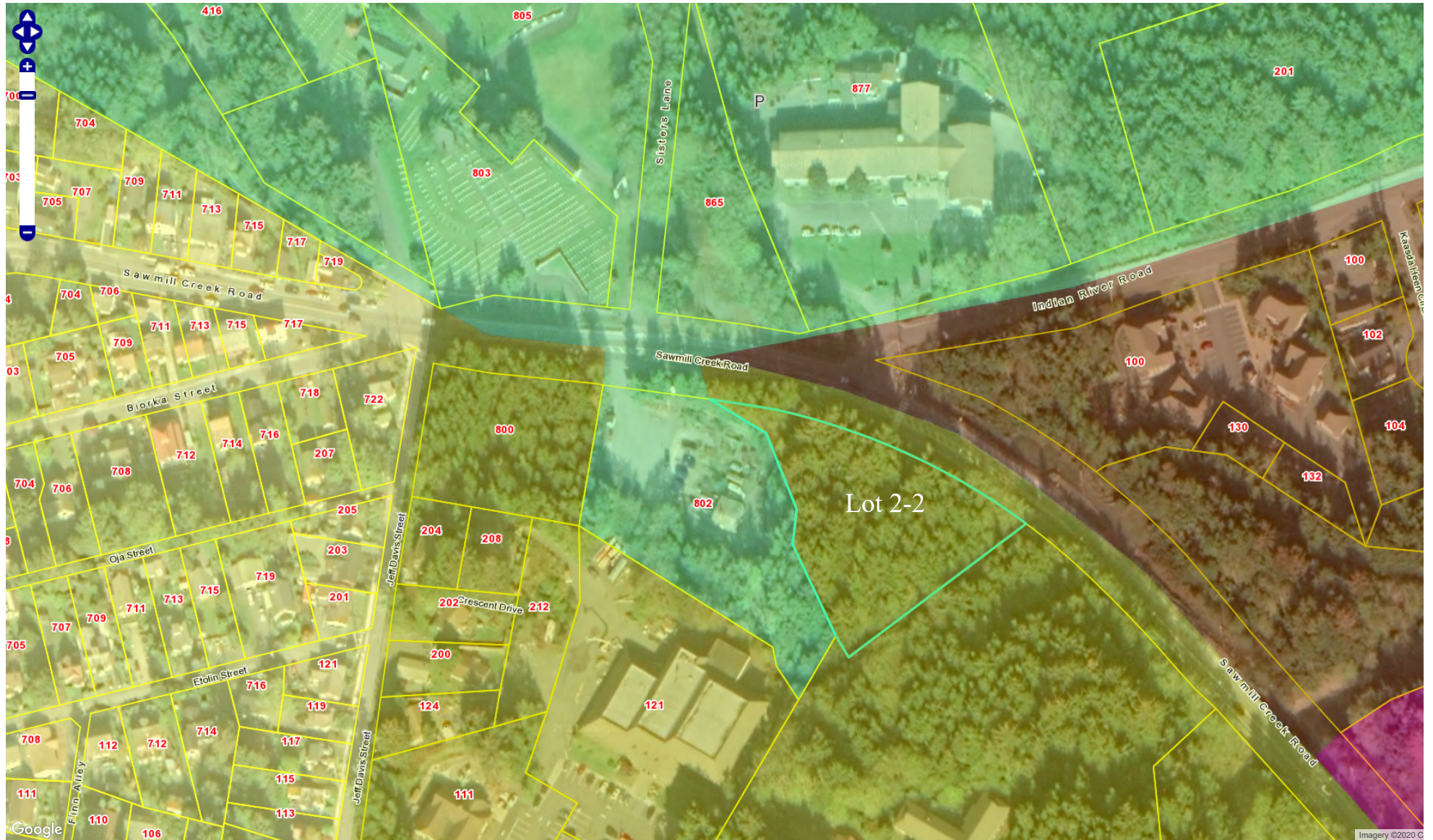
Gary L. Paxton, Mayor

ATTEST:

Sara Peterson, MMC
Municipal Clerk

1st reading 8/25/2020
2nd and final reading 9/8/2020

Sponsor: Administrator



Appendix A

Lot 2-2, Sheldon Jackson Campus Subdivision Number 2



City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

Coast Guard City, USA

Planning and Community Development Department

Case No: ZA 20-04
Proposal: Zoning Map Amendment: R2 to C
Applicant: Sitka Tribe of Alaska
Owner: Sitka Tribe of Alaska
Location: NHN Sawmill Creek Road
Legal Desc.: Lot 2-2, Sheldon Jackson Campus Subdivision Number 2
Zone: R-2 multifamily residential
Size: 54,110
Parcel ID: 1-8562-055
Existing Use: Cemetery
Adjacent Use: Former SJ Campus, recycling center, cemeteries, State Troopers
Utilities: N/A
Access: Sawmill Creek Road

KEY POINTS AND CONCERNS:

- Lots have been historically used for burial/cemetery, but zoned with the former SJ campus as R-2
- CBS created a new Cemetery zoning district in the spring of 2019. This will be the first property to be rezoned under the Cemetery district.
- Spot zoning is to be expected with Cemetery zoning.

ATTACHMENTS

Attachment A: Aerial
Attachment B: Zoning Map
Attachment C: Plat
Attachment D: Applicant Materials

PROJECT DESCRIPTION

The applicants are requesting a zoning map amendment from R-2 multifamily residential to C cemetery for their lot on Sawmill Creek Road, formerly part of the Sheldon Jackson College Campus.

In deliberations, commissioners need to keep in mind that in the intention of the Cemetery zone is to create small pockets of protection for properties used for burial/cemetery purposes. As historic burial sites are proximate to other development, it is expected that in many cases, rezoning a property to Cemetery will result in acceptable spot zoning.

BACKGROUND

Prior to 2019, the city zoning code lacked a designation for cemeteries, historically residing in residential zones such as R-1 or R-2, or Public zones. This change was the result of concerns raised during the Comprehensive Plan process, identifying the need for better tracking of burial sites, protection of these historic areas, and to help ease the process of obtaining burial permits. This rezoning is the first property that will now be under the newly created Cemetery district.

The applicant is motivated to pursue this zone change because they would like to better preserve and protect the cemetery, apply for grants for the maintenance of the cemetery, and more easily track burial sites.

Descriptions of each zoning district:

SGC 22.16.050 R-2 multifamily residential district

- A. *Intent. The R-2 residential district is intended to include lands suited by topography and other natural conditions for urban development and which are provided with the full range of public utilities, including sewers, water, electricity, and storm drains or are intended to be provided with such utilities in the near future. This district is intended primarily for single-family and multiple-family residences at moderately high population densities. Structures required to serve governmental, educational, recreational, religious and limited professional office needs are allowed subject to permitted or conditional use restrictions intended to preserve and protect the residential character of the R-2 district.*

SGC 22.16.180 – C cemetery district

- A. *Intent. The cemetery district is intended to contain land used for cemeteries and limited accessory uses. All uses in the cemetery district are intended to be cemetery-related and conducted with reverence and respect for those interred. This a highly restrictive district.*

ANALYSIS

Project / Site: Lot to be rezoned is 54,110 square feet. Lot is not developed as it has historically been used as a cemetery/burial site.

Traffic: Heavy traffic on the right-of-way next to the property. Current cemetery use (which would not change with the rezoning) generates very little traffic.

Parking: Space is available to create parking if it would be desired by the property owner. No parking requirements for cemetery use.

Noise: Very minimal – intention of cemetery is to be a quiet, peaceful environment.

Public Health or Safety: No impacts to public health or safety anticipated.

Habitat: No concerns for habitat.

Property Value or Neighborhood Harmony: Cemetery zoning would likely result in less property value given the highly restricted nature of the zone and its use limitations, particularly in comparison to the high density residential uses allowed in R-2. However, the use of the

property will not change, as it has historical use as a cemetery. This zoning change is an attempt to have the zoning accurately reflect the use of the property. Therefore, there's very little anticipated change to the character of the neighborhood or neighborhood harmony due to this zoning change.

Comprehensive Plan: The proposal directly correlates to Historical, Cultural, and Arts Resources Action HCA 1.1c: *Coordinate and collaborate with interested parties to compile cemetery information* by using our zoning maps to both identify and protect land used for cemeteries.

STAFF RECOMMENDATION/CONCLUSION

Staff recommends approval of the zoning map amendment.

RECOMMENDED MOTIONS

- 1) **"I move to recommend approval of the zoning map amendment to rezone NHN Sawmill Creek Road from the R-2 multifamily residential district to the Cemetery district. The property is also known as Lot 2-2, Sheldon Jackson Campus Subdivision Number 2. The request is filed by the Sitka Tribe of Alaska. The owner of record is the Sitka Tribe of Alaska."**
- 2) **"I move to adopt the findings as listed in the staff report."**

The commission finds that:

- a. The zoning map amendment does not negatively impact the public health, safety, and welfare,
- b. The zoning map amendment has followed all code regarding amending the official zoning map with regards to public process;
- c. The zoning map amendment will not result in adverse effects on surrounding neighbors.
- d. The zoning map change is consistent with the public purpose of increasing commercial opportunities.
- e. The zoning map amendment comports with the Comprehensive Plan by aligning with goal HCA 1.1c: *Coordinate and collaborate with interested parties to compile cemetery information*.

VII. THE EVENING BUSINESS

- B** [ZA 20-04](#) Public hearing and consideration of a request for a zoning map amendment to rezone NHN Sawmill Creek Road from R-2 multifamily residential to C cemetery district. The property is also known as Lot 2-2, Sheldon Jackson Campus Subdivision Number 2. The request is filed by the Sitka Tribe of Alaska. The owner of record is the Sitka Tribe of Alaska.

Attachments: [ZA 20-04 STA SMC ZMA Staff Report](#)
 [ZA 20-04 STA SMC ZMA Aerial](#)
 [ZA 20-04 STA SMC ZMA Zoning Map](#)
 [ZA 20-04 STA SMC ZMA Plat](#)
 [ZA 20-04 STA SMC ZMA Applicant Materials](#)

Ainslie described the property and the new cemetery zoning in her report. The cemetery zone had been created in 2019 due to most cemeteries being located in residential or public zones. The newly created zone would help protect and identify burial sites in those areas. The Historic Preservation Commission had supported the creation of the cemetery zone to better preserve burial grounds and avoid difficulties with obtaining burial permits in the future. Ainslie noted that spot zoning may occur when rezoning cemeteries due to the locations, but it was acceptable and appropriate for this use. The property in question was the first to seek the rezoning. The 1 ¼ acre cemetery owned by Sitka Tribe of Alaska (STA) was located behind the former Sheldon Jackson College campus and had been used historically as a cemetery in conjunction with the use and operation of the campus. The campus and cemetery were currently zoned in the R-2 district. Ainslie mentioned the rezoning would help STA document burial sites, ease the process of obtaining burial permits, and protect the cemetery. She noted the zoning could also make the site more likely to qualify for grants for improvements, maintenance, and protection. Staff recommended approval.

Steven Hartford, legal director to the Tribe and representative of the applicant, was present. He noted the property had been identified by Tribal Elders for historic preservation. The zoning would assist STA in identifying and protecting an historic property that was significant to the Tribe and community at large. When asked, Hartford clarified there were burials already on the site. The rezoning would allow the Tribe to apply for grants to identify and preserve the sites.

M-Weaver/S-Mudry moved to approve a zoning map amendment to rezone NHN Sawmill Creek Road from R-2 multifamily residential to C cemetery district. The property was also known as Lot 2-2, Sheldon Jackson Campus Subdivision Number 2. The request was filed by the Sitka Tribe of Alaska. The owner of record was the Sitka Tribe of Alaska. Motion passed 4-0 by voice vote.

M-Weaver/S-Mudry moved to adopt the findings as listed in the staff report. Motion passed 4-0 by voice vote.

- C** [VAR 20-07](#) Public hearing and consideration of a variance to reduce a rear setback from 5 feet to 1.5 feet at 4658 Sawmill Creek Road in the Gary Paxton Special District. The property is also known as Lot 17, Sawmill Cove Industrial Park Resubdivision No. 1. The request is filed by the City and Borough of Sitka Department of Public Works. The owner of record is the City and Borough of



CITY AND BOROUGH OF SITKA

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT

GENERAL APPLICATION FORM

- Applications must be deemed complete at least **TWENTY-ONE (21)** days in advance of next meeting date.
- Review guidelines and procedural information.
- Fill form out completely. No request will be considered without a completed form.
- Submit all supporting documents and proof of payment.

APPLICATION FOR:☐

VARIANCE

☐

CONDITIONAL USE

☒

ZONING AMENDMENT

☐

PLAT/SUBDIVISION

BRIEF DESCRIPTION OF REQUEST: To change the zoning of 804 Sawmill Creek Road
from having no zoning to "cemetery" zoning.

PROPERTY INFORMATION:

CURRENT ZONING: None PROPOSED ZONING (if applicable): Cemetery
CURRENT LAND USE(S): Cemetery PROPOSED LAND USES (if changing): _____

APPLICANT INFORMATION:

PROPERTY OWNER: Sitka Tribe of Alaska
PROPERTY OWNER ADDRESS: 456 Katlian Street Sitka, Alaska 99835
STREET ADDRESS OF PROPERTY: 804 Sawmill Creek Road Sitka, Alaska 99835
APPLICANT'S NAME: Sitka Tribe of Alaska C/O Lisa Gassman
MAILING ADDRESS: 456 Katlian Street Sitka, Alaska 99835
EMAIL ADDRESS: lisa.gassman@sitkatriben-snn.gov DAYTIME PHONE: 907-747-3207

PROPERTY LEGAL DESCRIPTION:

TAX ID: 1-8562-055 LOT: 2-2 BLOCK: 2010-13 TRACT: N/A
SUBDIVISION: SJC2 US SURVEY: 407B

Sitka Tribe of Alaska

Last Name

06/17/2020

Date Submitted

804 Sawmill Creek Road

Project Address

REQUIRED INFORMATION:

For All Applications:

- N/A ☐ Completed General Application form
- N/A ☐ Supplemental Application (Variance, CUP, Plat, Zoning Amendment)
- N/A ☐ Site Plan showing all existing and proposed structures with dimensions and location of utilities
- ☒ Floor Plan for all structures and showing use of those structures
- ☒ Copy of Deed (find in purchase documents or at Alaska Recorder's Office website)
- ☒ Copy of current plat (find in purchase documents or at Alaska Recorder's Office website)
- ☐ Site photos showing all angles of structures, property lines, street access, and parking – emailed to planning@cityofsitka.org or printed in color on 8.5" x 11" paper
- ☐ Proof of filing fee payment

For Marijuana Enterprise Conditional Use Permits Only:

- ☐ AMCO Application

For Short-Term Rentals and B&Bs:

- ☐ Renter Informational Handout (directions to rental, garbage instructions, etc.)

CERTIFICATION:

I hereby certify that I am the owner of the property described above and that I desire a planning action in conformance with Sitka General Code and hereby state that all of the above statements are true. I certify that this application meets SCG requirements to the best of my knowledge, belief, and professional ability. I acknowledge that payment of the review fee is non-refundable, is to cover costs associated with the processing of this application, and does not ensure approval of the request. I understand that public notice will be mailed to neighboring property owners and published in the Daily Sitka Sentinel. I understand that attendance at the Planning Commission meeting is required for the application to be considered for approval. I further authorize municipal staff to access the property to conduct site visits as necessary. I authorize the applicant listed on this application to conduct business on my behalf.

Leslie [Signature] for Sitka Tribe of Alaska
Owner

6/17/2020
Date

Owner

Date

I certify that I desire a planning action in conformance with Sitka General Code and hereby state that all of the above statements are true. I certify that this application meets SCG requirements to the best of my knowledge, belief, and professional ability. I acknowledge that payment of the review fee is non-refundable, is to cover costs associated with the processing of this application, and does not ensure approval of the request.

Applicant (If different than owner)

Date

Sitka Tribe of Alaska

06/17/2020

804 Sawmill Creek Road

Last Name

Date Submitted

Project Address



CITY AND BOROUGH OF SITKA

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
SUPPLEMENTAL APPLICATION FORM
ZONING AMENDMENT APPLICATION

APPLICATION FOR

☒ ZONING MAP AMENDMENT

☒ ZONING TEXT AMENDMENT

ANALYSIS: (Please address each item in regard to your proposal)

- NEED/HARDSHIP/JUSTIFICATION FOR PROPOSAL: To preserve the cemetery and better protect the historic land.
- PUBLIC BENEFIT OF PROPOSAL: Allows the owners to apply for grants for up keep and helps track where people are buried
- CONSISTENCY WITH COMPREHENSIVE PLAN (Cite Section and Explain): Yes, Sitka Historical Preservation Conservation are updating their preservation plan.
- CONSISTENCY WITH PHYSICAL BOUNDARIES (Streets, Major Creeks, etc.): Yes, Sitka National Cemetery and Sitka National Historical Park
- DOES NOT RESULT IN SPOT ZONING BECAUSE: Historic Preservation
- PUBLIC HEALTH, SAFETY, AND WELFARE: Existing

Applicant

Date

Sitka Tribe of Alaska 06/17/2020

804 Sawmill Creek Road

Last Name

Date Submitted

Project Address



CITY AND BOROUGH OF SITKA

Legislation Details

File #: ORD 20-46 Version: 1 Name:
Type: Ordinance Status: AGENDA READY
File created: 8/19/2020 In control: City and Borough Assembly
On agenda: 9/8/2020 Final action:
Title: Making supplemental appropriations for fiscal year 2021 (FY2020 purchase orders)
Sponsors:
Indexes:
Code sections:
Attachments: [Motion and Memo Ord 2020-46](#)
[Ord 2020-46](#)

Date	Ver.	Action By	Action	Result
8/25/2020	1	City and Borough Assembly		

POSSIBLE MOTION

I MOVE TO approve Ordinance 2020-46 on second and final reading making supplemental appropriations for fiscal year 2021 (*FY2020 purchase orders*).




City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

MEMORANDUM

To: Mayor Paxton and Assembly Members

Thru: John Leach, Municipal Administrator 

From: Melissa Haley, Controller

Date: 8/18/2020

Subject: **Ordinance 2020-46 (FY2020 Purchase Orders):**

Background

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

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

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

Analysis

At the end of the fiscal year, there are often open purchase orders for work that is ongoing, or a product that has been ordered, but not delivered. When this happens the budget for the fiscal year that just ended is reduced and the current fiscal year budget is increased. Year-to-year this is often a similar amount. For example, in the Water Fund the FY19 open purchase orders were \$23,776, so the FY20 budget was increased by that amount. In FY20, the open purchase orders are \$20,114, so while the FY20 budget was increased \$23,777 at the beginning of the year, the current ordinance will decrease the FY20 budget by \$20,114. Certainly, this can be very different year-to-year depending on what unfinished projects are outstanding. All open PO's are reviewed and confirmed to be active prior to being transferred to the new fiscal year.

Fiscal Note

The re-appropriation from FY2020 to FY21 of encumbered funds lowers the FY2020 budget and increases the FY2021 budget.

Recommendation

In order to comply with section 11.12 of the Home Rule Charter, it is recommended that the budgets as described in the accompanying ordinance be decreased for FY20 and increased for FY21.

CITY AND BOROUGH OF SITKA

ORDINANCE NO. 2020-46

AN ORDINANCE OF THE CITY AND BOROUGH OF SITKA MAKING SUPPLEMENTAL
APPROPRIATIONS FOR FISCAL YEAR 2021
(FY2020 PURCHASE ORDERS)

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

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

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

3. **PURPOSE.** The purpose of this ordinance is to make supplemental appropriations for Fiscal Year 2021 which is necessary to ensure that encumbered appropriations do not lapse at the end of a fiscal year, in accordance with Section 11.12 of the Home Rule Charter of the City and Borough of Sitka.

4. **ENACTMENT.** In accordance with Section 11.10(a) of the Charter of the City and Borough of Sitka, Alaska, the Assembly hereby makes the following supplemental appropriation for the budget period beginning July 1, 2020 and ending June 30, 2021.

<u>FISCAL YEAR 2021 EXPENDITURE BUDGETS</u>
<p>In accordance with Section 11.10 (a) of the Charter of the City and Borough of Sitka, Alaska, the budget for the fiscal period beginning July 1, 2019 and ending June 30, 2020 is hereby adjusted as follows for the purchase orders open as of June 30, 2020.</p> <p>General Fund - \$147,287.90; Electric Fund - \$22,759.05; Water Fund - \$20,113.51; Wastewater Fund - \$16,213.59; MIS Fund - \$9,778.98; Central Garage Fund - \$479,192.50; and Building Maintenance Fund - \$12,900.00.</p>

Explanation

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

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

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

PASSED, APPROVED, AND ADOPTED by the Assembly of the City and Borough of Sitka, Alaska this 8th Day of September 2020.

ATTEST:

Gary L. Paxton, Mayor

**Sara Peterson, MMC
Municipal Clerk**

**1st reading 8/25/2020
2nd and final reading 9/8/2020**

Sponsor: Administrator



CITY AND BOROUGH OF SITKA

Legislation Details

File #: ORD 20-47 Version: 1 Name:

Type: Ordinance Status: AGENDA READY

File created: 8/19/2020 In control: City and Borough Assembly

On agenda: 9/8/2020 Final action:

Title: Making supplemental appropriations for fiscal year 2020 and 2021 (re-appropriations and supplemental appropriations)

Sponsors:

Indexes:

Code sections:

Attachments: [Motion and Memo Ord 2020-47](#)
[Ord 2020-47](#)

Date	Ver.	Action By	Action	Result
8/25/2020	1	City and Borough Assembly		

POSSIBLE MOTION

I MOVE TO approve Ordinance 2020-47 on second and final reading making supplemental appropriations for fiscal year 2020 and 2021 (re-appropriations and supplemental appropriations).




City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

MEMORANDUM

To: Mayor Paxton and Assembly Members

Thru: John Leach, Municipal Administrator 

From: Melissa Haley, Controller

Date: 8/18/2020

Subject: **Ordinance 2020-47 (Re-appropriation and Supplemental Appropriations)**

Background

This ordinance includes adjustments to appropriations for both the FY20 and FY21 budgets that are necessary for the following reasons:

Re-appropriation from FY20 to FY21:

- Work on two grant-funded projects is crossing fiscal years. These are for fixed assets rather than capital projects and therefore the appropriations lapsed at the end of the fiscal year. These funds were not fully encumbered as they are funded with federal dollars and the granting agency must approve procurement in advance for each purchase.

FY20 supplemental appropriation:

- In the GPIF Fund, depreciation was underbudgeted.
- The Cemetery Fund was over budget by \$248. This is because the disbursement is based in interest income and more was earned than was budgeted for.
- Due to higher than expected fish box tax remittances, the Fisheries Enhancement Fund grants exceed appropriations by \$2,417.

Analysis

The proposed FY21 re-appropriations also come with an increase to revenue, resulting in a net zero impact to the FY21 budget. The FY20 supplemental appropriations to cover funds that went overbudget are either cases in which disbursements are based on revenue and revenue was higher than expected or in the case of GPIF, depreciation was underbudgeted, but this is not a cash transaction.

Fiscal Note

The re-appropriation from FY2020 to FY21 of encumbered funds lowers the FY2020 budget and increases the FY2021 budget.

Recommendation

In order to comply with section 11.12 of the Home Rule Charter, it is recommended that the budgets as described in the accompanying ordinance be increased and/or decreased as described for FY20 and FY21.

CITY AND BOROUGH OF SITKA

ORDINANCE NO. 2020-47

AN ORDINANCE OF THE CITY AND BOROUGH OF SITKA
 MAKING SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2020 and 2021
 (Re-appropriations and Supplemental Appropriations)

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

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

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

3. **PURPOSE.** The purpose of this ordinance is to make supplemental appropriations for Fiscal Year 2021.

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

<u>FISCAL YEAR 2020 EXPENDITURE BUDGETS</u>
GENERAL FUND
Police Department – Fixed Assets: Re-appropriate \$113,927.00 from FY20 to FY21 for the completion of the new radio console. This is a grant from the State of Alaska Division of Homeland Security and Emergency Management.
Police Department – Fixed Assets: Re-appropriate \$36,386 from FY20 to FY21 for the Police Video Security and Network Infrastructure upgrades. This is a grant from the State of Alaska Division of Homeland Security and Emergency Management.
ENTERPRISE AND INTERNAL SERVICES FUNDS
Gary Paxton Industrial Park – Depreciation: Increase appropriation in the amount of \$94,610 to cover the overage in that account. The amount that was budgeted for depreciation was understated in error.
SPECIAL REVENUE FUNDS
Fund 430 – Cemetery Fund – Operations: Increase appropriations in the amount of \$248.00 to cover the overage in this account.
Fund 192 – Fisheries Enhancement Fund – Operations: Increase appropriations in the amount of \$2,417. 00 to cover the overage in this account.

In accordance with Section 11.10 (a) of the Charter of the City and Borough of Sitka, Alaska, the budget for the fiscal period July 1, 2020 and ending June 30, 2021 is hereby adjusted as follows:

FISCAL YEAR 2021 EXPENDITURE BUDGETS
GENERAL FUND
Police Department – Fixed Assets: Re-appropriate \$113,927.00 from FY20 to FY21 for the completion of the new radio console. This is a grant from the State of Alaska Division of Homeland Security and Emergency Management.
Police Department – Fixed Assets: Re-appropriate \$36,386 from FY20 to FY21 for the Police Video Security and Network Infrastructure upgrades. This is a grant from the State of Alaska Division of Homeland Security and Emergency Management.

EXPLANATION

The Municipal Administrator has determined that various unexpended appropriations for Fiscal Year 2020, which lapsed on June 30, 2020, are essential to the Municipality. The Municipal Administrator, therefore, is recommending that the lapsed appropriations identified above be re-appropriated in Fiscal Year 2021 through supplemental appropriations as set forth in Section 11.10 (a) of the Charter. . In addition, overages in some funds have been identified for fiscal year 2020 and supplemental appropriations are recommended. A short explanation of each supplemental appropriation is included

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

PASSED, APPROVED, AND ADOPTED by the Assembly of the City and Borough of Sitka, Alaska this 8th Day of September, 2020.

ATTEST:

Gary L Paxton, Mayor

Sara Peterson, MMC
Municipal Clerk

1st reading 8/25/2020
2nd and final reading 9/8/2020

Sponsor: Administrator



CITY AND BOROUGH OF SITKA

Legislation Details

File #: ORD 20-48 Version: 1 Name:

Type: Ordinance Status: AGENDA READY

File created: 8/20/2020 In control: City and Borough Assembly

On agenda: 9/8/2020 Final action:

Title: Making supplemental appropriations for fiscal year 2021 (Green Lake Phase I Supplemental Capital Appropriation)

Sponsors:

Indexes:

Code sections:

Attachments: [Motion and Memo Ord 2020-48](#)
[Ord 2020-48](#)

Date	Ver.	Action By	Action	Result
8/25/2020	1	City and Borough Assembly		

POSSIBLE MOTION

I MOVE TO approve Ordinance 2020-48 on second and final reading making supplemental appropriations for fiscal year 2021 (Green Lake Phase I Supplemental Capital Appropriation).




City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

MEMORANDUM

To: Mayor Paxton and Assembly Members

Thru: John Leach, Municipal Administrator 

From: Melissa Haley, Controller
Scott Elder, Electric Utility Director

Date: 8/18/2020

Subject: Ordinance 2020-48 Green Lake Phase I Supplemental Capital Appropriation

Background

The Green Lake Hydroelectric facility is the backbone of Sitka's Hydroelectric power generation. Any time either the Green Lake or the Blue Lake plant goes down, the utility must burn expensive diesel fuel in order to meet demand for electricity. Green Lake first went online in 1982 and has been running, without significant renovations, for nearly 40 years.

In order ensure continued generation, a phased project to rehabilitate the plant has been put into motion. Currently we are in the process of the first phase of the Green Lake Hydroelectric Plant Rehabilitation project, which is to be funded through working capital and through a low interest USDA loan. Currently we are in the process of applying for the USDA loan (approved by the assembly, first in February @ \$3 million and then again in May at \$4 million, due to very low interest rates). As these low interest rates have attracted many borrowers and as the Coronavirus pandemic has impacted USDA's normal processes, the application process is going slower than hoped. We are at a point where we must select a contractor to carry out the first phase of the work (addressing the most urgent repair needs related to the Project's dam intake structure, tunnel and penstock), however, we do not yet have the loan capital secured. Should we delay awarding the contract until the loan approval is in place, it is highly likely that the project will have to be pushed out another year (there is a small window each year in which lake levels allow for work on this phase of the project) increasing the cost of the project and also increasing the likelihood that a component of the Green Lake plant will catastrophically fail, meaning that we would have to meet electricity demand by burning diesel.

Analysis

There is approximately \$2.3 million available of the existing capital appropriation for the project. The additional \$1.3 million would ensure that there is funding committed to be able to award this key contract and keep the project on schedule. It is, however, unlikely that we would need to spend this appropriation, as we are near the final stages of the loan application and we hope to have the USDA funding available before significant expenditures have been incurred. Once the USDA loan comes through, the intention is to reduce the appropriation of the Electric Fund's working capital and instead spend down the loan. The goal of this supplemental appropriation is to ensure that there is sufficient funding appropriated to award this critical construction contract.

Fiscal Note

Due to the refunding of the revenue bonds that were callable earlier this year, we were able to un-restrict

a portion of the funds that are required to be set aside for debt service—as the debt service was reduced, so was the requirement to keep funds set aside in a debt service reserve. This has provided additional capital of at least \$1.8M.

Recommendation

Approve a supplemental capital appropriation of \$1.3 million to ensure that the funding is available to award this contract and to keep the project on schedule.

CITY AND BOROUGH OF SITKA

ORDINANCE NO. 2020-48

**AN ORDINANCE OF THE CITY AND BOROUGH OF SITKA MAKING SUPPLEMENTAL
APPROPRIATIONS FOR FISCAL YEAR 2021
(Green Lake Phase I Supplemental Capital Appropriation)**

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

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

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

3. **PURPOSE.** The purpose of this ordinance is to make a supplemental capital appropriation for FY2020.

4. **ENACTMENT.** In accordance with Section 11.10(a) of the Charter of the City and Borough of Sitka, Alaska, the Assembly hereby makes the following supplemental appropriation for the budget period beginning July 1, 2020 and ending June 30, 2021.

<u>FISCAL YEAR 2020 EXPENDITURE BUDGETS</u>
<u>CAPITAL PROJECTS</u>
Fund 710 – Green Lake Phase 1 Rehabilitation #90839: Increase appropriations in the amount of \$1,300,000 from working capital.

EXPLANATION

Funds from the Electric Fund's available working capital may be needed in order to complete this phase of this capital project as scheduled.

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

PASSED, APPROVED, AND ADOPTED by the Assembly of the City and Borough of Sitka, Alaska this 8th Day of September 2020.

ATTEST:

Gary L. Paxton, Mayor

**Sara Peterson, MMC
Municipal Clerk**

**1st reading 8/25/2020
2nd and final reading 9/8/2020**

Sponsor: Administrator



CITY AND BOROUGH OF SITKA

Legislation Details

File #: 20-174 Version: 1 Name:

Type: Item Status: AGENDA READY

File created: 9/2/2020 In control: City and Borough Assembly

On agenda: 9/8/2020 Final action:

Title: Approve hire offer for Michelle Murdock as Human Resources Director

Sponsors:

Indexes:

Code sections:

Attachments: [Motion and Memo Murdock](#)

Date	Ver.	Action By	Action	Result
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POSSIBLE MOTION

I MOVE TO approve the hire offer for Michelle Murdock as Human Resources Director as recommended by the Municipal Administrator.



City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

MEMORANDUM

To: Mayor Paxton and Assembly Members

From: John Leach, Municipal Administrator

Date: September 2, 2020

Subject: Human Resources Director

Background

Sitka's previous Human Resources Director resigned last year, and the City has been seeking another Director since then. Kimberly Geariety has been serving remotely under contract as our Interim HR Director since May of this year.

Analysis

Michelle Murdock has been serving as the HR Director for the City of Unalaska since 2018 and was excited to apply for our position as an opportunity for growth and advancement. She received a Masters of Professionals: Human Resources and Employment Relations: Minor in Employment Law and Employee Relations from Penn State University in 2018. She has considerable experience working in Human Resources with municipalities, nonprofits, and the private sector.

The interview committee consisted of Jay Sweeney, Sara Peterson, and Kimberly Geariety. The committee unanimously supports the hiring of Michelle as our new Human Resources Director.

Fiscal Note

The Human Resources Director is funded at Range 37 Step F in the FY21 budget. I made the following offer to Michelle which she has accepted:

- Starting wage range 37D, full-time, benefitted
- Beginning annual leave balance of 40 hours
- Annual leave accrual rate of 152 hours per year per the personnel policy
- Sick leave accrual rate in accordance with the personnel policy
- Moving allowance up to \$15,000 based on approved receipts. This amount is based on a move from Dutch Harbor with no commercial air service available for

travel. A chartered airplane will be required along with barging of household goods, storage of belongings in Sitka until housing can be obtained, and temporary housing needs.

Recommendation

Hire Michelle Murdock as Sitka's Human Resources Director under the terms stated above.



City and Borough of Sitka

Human Resources

100 Lincoln Street • Sitka, Alaska 99835

Phone: (907) 747-1816 email: hr@cityofsitka.org

Coast Guard City, USA

August 17, 2020

Ms. Michelle Murdock

Sent via email: [REDACTED]

RE: Offer Letter for position of Human Resources Director

Dear Michelle,

On behalf of the City and Borough of Sitka, Alaska, I am pleased to make the following offer of employment to you:

Starting Salary:	\$98,841.60 per year, paid in bi-weekly payments (Grade 37, Step D), full-time, benefitted.
Annual Leave Accrual	12.67 hours per month (152 hours per year).
Starting Annual Leave Bank	40 hours to be placed in your leave bank, available immediately.
Other Benefits	As described in the City and Borough of Sitka Personnel Policies Handbook and attached to this offer letter.
Moving Expenses	Moving expenses reimbursed on arrival (with receipts) not to exceed \$15,000.
Starting Date	To be determined, proposed for October 26 th , 2020.

This offer is effective until 5:00 pm Alaska time August 21st, 2020. Please acknowledge your acceptance or rejection of this offer by email or in writing. If you need more time to consider the offer, please contact me before the deadline.

Michelle, the City and Borough of Sitka is extremely delighted at the prospect of having you join our team. We are excited to have an accomplished and highly skilled person join us and we look forward to working with you.

Sincerely,

John Leach
Municipal Administrator

Cc: Human Resources

Michelle Murdock

www.linkedin.com/pub/michelle-murdock/58/955/a35/

Objective

My passion, dedication and knowledge to a wide variety of cross disciplinary HR competencies to support organizations in establishing best practices, policies and procedures that will align with strategic planning and both short- and long-range success. Improvements and ensuring compliance with state, federal and internal policies and with concentration in both employment and employee relations.

Education

Penn State University

04/2018

Masters of Professionals: Human Resources and Employment Relations; Minor in Employment Law and Employee Relations

Western Governors University

11/2014

Bachelors of Science: Human Resource Management

Renton Technical College

05/2008

CNA and LPN Pre-requisites

Experience

City of Unalaska | 43 Raven Way, Unalaska, AK 99685

Human Resource Manager

10/2018 – Current

Manage the Human Resource Department in regards to all employee relations, negotiations with (3) unions and (1) nonunion in progressing updates and change to CBA's, Policies and Ordinances while enforcing and ensuring compliance with all policies. Responsible for developing performance evaluations and process and modifying compensation and classification city wide. Processing paperwork for employee status changes and in control of managing recruitment and accuracy in and development both in posting and JDs. Ensuring compliance in all state and federal reporting. Create and review contracts.

- Performance Evaluations implementation and enforcement
- Separation and Terminations and conduct exit interviews of all employees
- Recruitment for entire City of positions and reporting monthly breakdown analysis of recruitment to separations and job openings
- Compliance and report any state and federal reporting
- Negotiate and lead union deliberations with (3) unions and support and assist in development with ACM and CM in Title III ordinances
- Negotiate and review all benefits

*app requested
11-29-2020*



- Report HR annual budget
- Attend HR conferences and participate with Alaska HR Chapters
- Enforce and develop policies city wide
- Lead investigations and disciplinary actions for staff and advise Directors of recommendations.
- Work directly with our employment lawyers on matters
- Development and analysis of compensation and classification city wide
- Supervise HR Specialist
- Train employees
- Participate in audits
- Oversee and do day to day operations and administration of HR
- Oversee orientation of new hires

LifeWorks 501(c) | 906 New York Street, Longview WA 98632

Human Resource Manager

07/2017 – 09/2018

Oversee the entire Human Resource Department in regards to; all employee relations, work place investigations, policies and compliance including Employee Handbook, hiring and terminations, development of procedures, training and education, risk management and ensure compliance under employment laws and submissions of all state and federal reporting.

- Develop and implement and oversee all agency wide PIP (performance improvement plan) and or disciplinary actions
- Develop competitive compensation/bench market for the agency
- Review and rewrite all job descriptions correlating to title and compensation
- Develop leadership career path for all staff
- Revise and rewritten or created new policies (i.e. relief, LOA, recruiting, PTO, investigations, whistleblower etc.)
- Develop a written supervision plan for provisional hires
- Host/ create companywide trainings (i.e. ethics, harassment, PIP, GDP etc.)
- Assist and administer all claims under ADA, FMLA, L&I and LOA
- Oversee the entire Employee Handbook and Operations Manual (HR Section)
- Track and report OSHA – Created a new post-accident drug testing policy to ensure compliance u under OSHA new regulations
- Develop new internal recruitment guide and process for all employees interested in leadership positions
- Follow and ensure compliance with WAC, Federal and State Laws, DDA
- Oversee investigations and workplace disputes
- Help with ESD claims and prepare documentation
- Interview all candidates for open positions
- Established a Volunteer Program Protocol for Agency
- Established a new PTO program for the entire Agency
- Assist ED in benefit packages and selections and cost
- Conduct all exit interviews
- Hire and oversee onboarding of new hires
- Track HR required documentation
- Complete audits as requested
- Help restructure employee engagement and rewards and recognition
- Help Directors oversee the transfers of internal employees

Puget Sound Bank | 10500 NE 8th St, Suite 1500 | Bellevue WA 98004

HRA

07/2017 – 09/2018

- Create, develop and implement Total Compensation.
- Writes Business Proposals to Executives on approving new systems/budgets.
- Enhanced a Training Program Matrix for tracking.
- Reviewed and drafted a Mentorship Program.
- Maintain personnel files for each employee as well as I-9s and all confidential information.
- Input required/confidential information to HRIS
- Semi- monthly payroll processing including; entry verification, balances, exports.
- Performs reconciliation of payroll accruals and distributions.
- Acts as first line of employee support by: Filing routine workmen's compensation form, assisting with medical claims, distributing handbook and acknowledgement follow up
- Audits job descriptions to ensure accuracy.
- Assist department in the carry out various HR programs and procedures for all company employees
- Participates in benefits administration through Maxwell to include; claim resolution, change reporting, and vendor interactions, enrollments, term, changes and updates for every employee
- Assists in administration of compensation and referral bonus program; monitors performance appraisal process.
- Participates in recruitment effort through MyStaffingPro for exempt and nonexempt personnel (including managerial level and above) helps to coordinate the use of temporary employees.
- Performs exit interviews and all onboarding.
- Compiles reports from database as needed.
- Handles FMLA request, documents, and tracking.
- Establishes process and procedures to ensure compliance
- Creates HR Department certifications
- Maintains and updates yearly Employee Handbook.
- Handle employee relations issues.
- Manages the system of Paychex and Timeforce to correlate correct information.
- Assists in the transition of using Synergy to compile electronic HR personnel files.
- Work with vendors.
- Complete internal and external audits.
- Develop wellness trainings and activities.
- Create a HR risk assessment for the company.

University of Washington, Anesthesiology Dept | 1959 NE Pacific Street, Seattle WA 98195

Human Resource/ Payroll Specialist

11/2014 – 04/2015

- Responsible for payroll actions for staff within the department
- Created/Updated/Maintained payroll records electronically using OPUS system for all classified/professional/temporary/hourly staff
 - Created/ended records, updated distributions of pay
 - Ensured accuracy for documentation for approval by appropriate signatory authority
- Updated/reconciled payroll transactions with grants/contracts.
- Submitted request for salary transfer/process overpayments/underpayments
- Managed staff personnel file/creation/retention and organization

• • •

- Orientation all new staff and establish early communication
 - Collected and verified all payroll documents including I-9's, HIPPA Certificates, Security Agreements
- Oversaw updates of staff personal and campus data in OPUS
- Generated and verified ETR/PTR/check register reports for review
 - Entered data for ETR/PTR
- Received, reviewed and notified appropriate parties of upcoming payroll actions
- Reviewed payroll transactions via PERMS for accurate approval documentation, participate in PERM audits.
- Enforced/developed deadlines for payroll actions
- Managed LTR to ensure timely timekeeping and accuracy
 - Trained and provided guidance on processes
 - Troubleshoot leave, technical issues and questions for staff
- Managed OWLS (Online Work Leave Statements)
- Established/terminated leave system records as needed
- Volunteer coordinator- acted as a volunteer coordinator to educate faculty and staff who wished to bring volunteers to the department.
- Maintained Access database to ensure all employees have accurate information and is up to date.

ECONET | Downtown Seattle, WA

Human Resource Intern

08/2014 – 11/2014

Assisted Company with Human Resources related tasks for nonprofit.

- Worked with Director and group of HR to execute HR performances throughout the company
- Managed projects; scheduled meetings using Microsoft Office (Excel, PowerPoint, Word, Outlook)
- Experience with the HRIS system- Lumina
- Created, charted and submitted finalized EEOC of 121 employees
- Created payroll charts for employees that were readable and easy to understand for 2015 calendar year
- Filed paperwork for employees
- Recreated an internal employee current job description for an international and national company of 121 employees updating 80 current positions addition to corrected formats
 - Upcoming projects
 - Redrafted job descriptions for current jobs
 - Organized the internal database for job descriptions to filter out the vacant and historic jobs.

Maxim Healthcare | Salt Lake City, UT

(Transferred) Traveling CNA

05/2009 – 11/2009

Traveled to multiple locations, hospitals but primary worked at the VA hospital assisting all department with the care and treatment of patients. Some of the duties consisted of the following:

- Patient care
- Charting
- Documented incidents and charted vitals
- 1:1 care watch
- Assisted medical procedures



- Assisted ROM and ADLs
- Discharge and intake patients

Maxim Healthcare | Multiple Locations, Seattle, Tacoma and Bellevue WA

Traveling CNA

05/2008 – 05/2009

Traveled to multiple locations, hospitals and home healthcare assisting all department with the care and treatment of patients. Some of the duties consisted of:

- Patient care
- Charting
- Documented incidents and charted vitals
- 1:1 care watch
- Assisted medical procedures
- Assisted ROM and ADLs
- Discharge and intake patients

Talbot Rehabilitation and Long-Term Care | Renton, WA

CNA

06/2007 – 04/2008

Worked in a long-term rehabilitation Center where I assisted long term patients with the following:

- Patient care
- Documented incidents and charted vitals
- Assisted medical procedures
- Assisted ROM and ADLs
- Cleaning, personal care
- Medicines
- Activities
- Charting
- Meals

Professional Membership and Associations

- | | |
|--|-------------------|
| • Society of Human Resource Management (SHRM) | 10/2013 – Current |
| • Anchorage Society of Human Resource Association Chapter (ASHRM) | 10/2018 – Current |
| • National Association of Professional Women | 10/2014 – 02/2018 |
| • Elected Board Member of Parks, Culture and Recreation (PCR) City of Unalaska – 3 year term | 12/2019 – Current |
| • Board Member on the Unalaska Visitors Bureau (UVB) Board Seat D - 3 year term | 04/2020 – Current |
| • Founding Member of Labor and Employment Relations Association (LERA) | 07/2013 – Current |



CITY AND BOROUGH OF SITKA

Legislation Details

File #: 20-179 Version: 1 Name:

Type: Item Status: AGENDA READY

File created: 9/2/2020 In control: City and Borough Assembly

On agenda: 9/8/2020 Final action:

Title: Decision on whether to allow sales tax free day(s) following the Thanksgiving holiday and set date(s)

Sponsors:

Indexes:

Code sections:

Attachments: [Motion Sales Tax Free Days](#)

Date	Ver.	Action By	Action	Result
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Potential Sales Tax Free Days for 2020

Friday, November 27

Saturday, November 28



I MOVE to authorize ___date(s)___ as Sales Tax Free day(s) for 2020 noting the sales tax free day(s) will not be applicable to any sale of fuel, alcoholic beverages, tobacco products, and marijuana, nor affect any sale which is part of a continuing obligation of the buyer to pay the seller over time.

4.09.020 Collection of tax.

A. The tax described in Section 4.09.010(A) is imposed on the purchaser and must be collected by the seller and paid to the city and borough of Sitka by the seller as provided in Section 4.09.270. The seller holds all taxes collected in trust for the city and borough of Sitka. The tax must be applied to the sales price.

B. The assembly at their first meeting of September each year shall consider whether to authorize any sales tax free day(s) that have historically followed Thanksgiving. If authorized, the sales tax free day(s) will not be applicable to any sale of fuel, alcoholic beverages, tobacco products, and marijuana, as such are defined in this code, nor affect any sale which is part of a continuing obligation of the buyer to pay the seller over time.

4.09.010 Levy of sales tax.

A. There is levied a consumer's sales tax on sales, rents, and leases made in the city and borough of Sitka. This tax applies to sales, rentals, and leases of tangible personal property; sales of services sold within the city and borough of Sitka; sales of services performed wholly or partially within the city and borough of Sitka when the provision of such services originates or terminates within the city and borough of Sitka; and rentals and leases of real property located within the city and borough of Sitka. Notwithstanding any provision of law, air or sea charter services, provided a person or entity in the business of providing such charter services, are exempt from sales tax by the city and borough of Sitka if the charter does not commence and end within the city and borough of Sitka.

B. The rate of levy of the sales tax levied under subsection A of this section is five percent on sales made during the months of October, November, December, January, February, and March. The rate of levy of the sales tax levied under subsection A of this section is six percent on sales made during the months of April, May, June, July, August, and September.¹

C. A flat rate of ten dollars per fish box shall be levied on the packaged fish and/or seafood caught or taken and retained by fish charter customers as part of the fish charter. This tax shall be paid by the fish charter customer, collected by whoever packages the fish and/or seafood caught or taken by the fish charter customer, and is in addition to any sales tax paid based on the cost of the charter. This tax is effective January 1, 2007. For purposes of this subsection, a "fish box" means any packaging by a fish charter operator or processor of fish and/or seafood caught or taken as part of the charter by a fish charter customer. The sales tax collected from this levy on fish boxes shall be deposited by the finance director in the following funds in the following ratios:

1. Thirty percent in the harbor fund;
2. Thirty percent in a fisheries enhancement fund, available to be used for any fisheries enhancement proposal upon approval of the proposal by the assembly; and
3. Forty percent in the general fund.

D. Except as provided in subsection C of this section, all moneys accumulated under the terms of this chapter shall be deposited by the finance director in the general fund of the city and borough of Sitka and shall be used for the general operating expenses of the city and borough of Sitka in such a proportion as deemed advisable from time to time by the assembly.

4.09.270 Returns—Payment—Authority of city and borough of Sitka.

A. A person who has a tax liability under Section 4.09.010 shall file a return on a form or in a format prescribed by the city and borough of Sitka and pay the tax due quarterly. The return shall be filed and the tax paid on or before the last day following the end of

the period for which the tax is due. Each person engaged in business in the city and borough of Sitka subject to taxation under Section 4.09.010 shall file a return in accordance with the following:

1. Quarterly. Unless as otherwise provided for in this section, sellers shall on or before the last day of the month succeeding the end of each quarter year ending March 31st, June 30th, September 30th, and December 31st, prepare a return for the preceding quarter year. Returns shall be filed personally, with the finance department by 4:45 p.m., placed in the drop box located outside of City Hall, or postmarked on the last day of the month following the end of each quarter year. In the event the last day of the month falls on a legal holiday, Saturday, or Sunday, then the return may be filed on the first business day following.
 2. Monthly. If a seller fails to file or is late in filing returns for two of the last four quarters, the finance director may require the seller to submit returns and payment each month.
 3. Yearly. If a seller submits within the dates required for the four quarterly returns for a calendar year and the total amount collected and remitted to the city and borough of Sitka is two hundred dollars or less, seller may request in writing to the finance director, to file a sales tax return once a year for the previous calendar year. The yearly sales tax return is due on January 31st of each year. If total sales tax collected and/or remitted to the city and borough of Sitka exceeds two hundred dollars, seller may be required to file quarterly sales tax returns for future sales. If seller fails to file yearly sales tax return by due date, seller may be required to file and remit sales tax quarterly. If the seller fails to file yearly sales tax return and the amount of sales tax collected during the period of the return exceeds five hundred dollars, seller may be required to submit sales tax returns and remit sales tax to the city and borough of Sitka monthly for a minimum of one year.
 4. Itinerant Seller. A person doing business within the city and borough of Sitka and liable for an itinerant nonresident business license on less than an annual basis shall file a sales tax return and remit in full the tax shown as due within twenty-four hours following the expiration of his license, but in any event prior to leaving the city and borough of Sitka.
 5. Filing to be Continuous. A person who has filed a sales tax return will be presumed to be making sales in successive quarters unless the person files a return showing termination or sale of their business.
- B. For the purposes of the sales tax, a return must be filed by the seller required to collect the tax.
- C. Each return must be authenticated by the person filing the return or by the person's agent authorized in writing to file the return.



CITY AND BOROUGH OF SITKA

Legislation Details

File #: 20-173 Version: 1 Name:

Type: Item Status: AGENDA READY

File created: 9/2/2020 In control: City and Borough Assembly

On agenda: 9/8/2020 Final action:

Title: Update / Discussion on the CARES Act Working Group progress (public comment to be taken)

Sponsors:

Indexes:

Code sections:

Attachments: [Update Discussion](#)

Date	Ver.	Action By	Action	Result
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Update / Discussion
on the CARES Act Working Group progress.
(public comment to be taken)



CITY AND BOROUGH OF SITKA

Legislation Details

File #: 20-175 Version: 1 Name:

Type: Item Status: AGENDA READY

File created: 9/2/2020 In control: City and Borough Assembly

On agenda: 9/8/2020 Final action:

Title: Discussion / Direction / Decision on CARES Act appropriations

Sponsors:

Indexes:

Code sections:

Attachments: [Discussion Direction Decision and Memo](#)

Date	Ver.	Action By	Action	Result
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Discussion / Direction / Decision
on CARES Act appropriations.

POSSIBLE MOTIONS

Option A

I MOVE TO give the Municipal Administrator authority to move existing appropriations between expenses, fixed assets, and personnel, so long as the thresholds of the categories approved are maintained, limited to CARES Act funding.

OR

Option B

I MOVE TO acknowledge that we cannot properly identify amounts for each “accounting bin” and allow the Municipal Administrator to come forward after the funding has been spent with a “clean-up” appropriation.




City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

MEMORANDUM

To: Mayor Paxton and Assembly Members

Thru: John Leach, Municipal Administrator 

From: Melissa Haley, Finance Director

Date: September 3, 2020

Subject: Discussion direction on CARES Act appropriations:

Background

The assembly approved CARES Act funding appropriations by category, as developed by the CARES Act working group, but overall appropriations were for expenses, as at the time the supplemental appropriation went forward, we did not have the details of the spending. As we develop the various CARES Act program, it is clear that we will have expenditures in personnel and fixed assets and, per section 11.11 of the Charter, the Administrator may not transfer between these accounting classifications. While there have been no deviations from the categories approved by the assembly, in an accounting sense, we have to treat personnel expenses and fixed/capital asset purchase differently from general expenses.

(From section 11.11 of the Home Rule Charter)

*(b) **Transfer of Appropriations.** The administrator may transfer part or all of any unencumbered balance between classification of expenditures within a department, sub-department, internal service fund, or enterprise fund except for:*

(1) Transfer of appropriations for debt service, support payments, fixed assets, or transfers to other funds.

(2) Transfer of appropriations to or from personnel costs and travel/training costs.

Analysis

In order to move forward with disbursing CARES Act funds prior to the deadline, it is very likely that we will not know until all funding has been expended how much will be allocated to general expense, personnel, and/or fixed/capital assets. We would like to identify a solution preemptively so that the Assembly is proactively aware of this challenge and so that our path forward is open and transparent.

Fiscal Note

Nothing proposed would impact the total amount of spending, just the “accounting bins”.

Recommendation

Two proposed paths forward are:

1. Make a motion to give the Administrator authority to move existing appropriations between expenses, fixed assets, and personnel, so long as the thresholds of the categories approved are maintained, limited to CARES Act funding.
2. Make a motion acknowledging that we cannot properly identify amounts for each “accounting bin” and allow the Administrator to come forward after the funding has been spent with a “clean-up” appropriation.



CITY AND BOROUGH OF SITKA

Legislation Details

File #: 20-176 Version: 1 Name:

Type: Item Status: AGENDA READY

File created: 9/2/2020 In control: City and Borough Assembly

On agenda: 9/8/2020 Final action:

Title: Financial Matter - Responses to the Request for Information issued with respect to the 17 acre waterfront parcel of municipal land located at 4951 Halibut Point Road

Sponsors:

Indexes:

Code sections:

Attachments: [Motion Executive Session](#)

Date	Ver.	Action By	Action	Result
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Executive Session

POSSIBLE MOTIONS

Step 1:

I MOVE to go into executive session to discuss the responses to the Request for Information issued with respect to the 17 acre waterfront parcel of municipal land located at 4951 Halibut Point Road, which involve certain matters the immediate knowledge of which would adversely affect the finances of the municipality, and invite in Planning Director Amy Ainslie and Finance Director Melissa Haley.

Step 2:

I MOVE to reconvene as the Assembly in regular session.

*Sitka General Code 2.04.020 Meetings

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

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