



CITY AND BOROUGH OF SITKA

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

Meeting Agenda

City and Borough Assembly

*Mayor Steven Eisenbeisz
Deputy Mayor Thor Christianson,
Vice Deputy Mayor Valorie Nelson,
Kevin Knox, Kevin Mosher, Crystal Duncan, Rebecca Himschoot*

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

Tuesday, November 24, 2020

6:00 PM

Assembly Chambers

REGULAR MEETING

I. CALL TO ORDER

II. FLAG SALUTE

III. ROLL CALL

IV. CORRESPONDENCE/AGENDA CHANGES

[20-234](#) Reminders, Calendars, and General Correspondence

Attachments: [Reminders and Calendars](#)
[SPD Quarterly Report](#)

V. CEREMONIAL MATTERS

[20-227](#) Proclamation - Small Business Saturday

Attachments: [Small Business Saturday](#)

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

[20-230](#) Special Report: 1) Greater Sitka Chamber of Commerce / Visit Sitka, and, 2) CBS Electric Department

Attachments: [Visit Sitka Financial Operational Report FY2021-Q1](#)
[2020 Electric Assembly Presentation \(003\)](#)

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** [20-229](#) Approve the minutes of the November 10 assembly meeting
Attachments: [Consent and Minutes](#)
- B** [20-231](#) Approve a liquor license renewal application for Ernie's Bar Inc. dba Ernie's Bar at 130 Lincoln Street
Attachments: [Motion and Memo Ernie's](#)
- C** [20-228](#) Approve the Acting Administrator list for 2021: Melissa Haley, Michael Harmon, Scott Elder, and Sara Peterson
Attachments: [Motion and Memo Acting](#)

IX. BOARD, COMMISSION, COMMITTEE APPOINTMENTS

None.

X. UNFINISHED BUSINESS:

- D** [ORD 20-52](#) Amending Title 2 "Administration" of the Sitka General Code Chapter 2.04 "City and Borough Assembly" by amending Section 2.04.040 "Committees"
Attachments: [Motion and Ord 2020-52](#)

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

- E** [ORD 20-55](#) An emergency ordinance of the City and Borough of Sitka limiting capacity at all bars, restaurants and other large gathering places and providing guidance to mitigate the spread of COVID-19
Attachments: [Motion Ord 2020-55](#)
[Ord 2020-55](#)

- F [ORD 20-53](#) Making supplemental appropriations for Fiscal year 2021 (Brady Lift Station Rehab Project)
 Attachments: [Motion Ord 2020-53](#)
 [Memo and Ord 2020-53](#)
- G [ORD 20-54](#) Making supplemental appropriations for Fiscal Year 2021 (Homeland Security Grant for Secure Access Upgrade)
 Attachments: [Motion Ord 2020-54](#)
 [Memo and Ord 2020-54](#)

Additional New Business Items

- H [20-232](#) Discussion / Direction / Decision on Tract A11 Whitcomb Heights Subdivision RFP Response
 Attachments: [dDiscussion Direction Decision Whitcomb Heights](#)
 [Assembly Memo Tract A11 WHS RFP Response](#)
 [Pioneer Response Tract A11 WHS RFP](#)
 [Tract A11 Benchlands Development RFP](#)
- I [RES 20-31](#) Extending Resolution No. 2020-05 which continues the declaration by the Municipal Administrator of a local disaster emergency in response to COVID-19 and a request for State and Federal assistance
 Attachments: [Motion Res 2020-31](#)
 [Res 2020-31](#)
 [Signed Res 2020-05](#)
- J [20-233](#) Update / Discussion on the CARES Act Working Group progress (public comment to be taken)
 Attachments: [Update Discussion](#)

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

Not anticipated.

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: November 20*



CITY AND BOROUGH OF SITKA

Legislation Details

File #: 20-234 **Version:** 1 **Name:**

Type: Item **Status:** AGENDA READY

File created: 11/19/2020 **In control:** City and Borough Assembly

On agenda: 11/24/2020 **Final action:**

Title: Reminders, Calendars, and General Correspondence

Sponsors:

Indexes:

Code sections:

Attachments: [Reminders and Calendars](#)
[SPD Quarterly Report](#)

Date	Ver.	Action By	Action	Result
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REMINDERS

<u>DATE</u>	<u>EVENT</u>	<u>TIME</u>
Tuesday, November 24	Regular Meeting	6:00 PM
Tuesday, December 1	Special Meeting <i>Discussion/Direction on sale of former Sitka Community Hospital building</i>	6:00 PM
Tuesday, December 8	Regular Meeting	6:00 PM



Assembly Calendar

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

November 2020

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1 Nov	2	3	4	5	6	7
			6:00pm Library Commission - Liaison Nelson 6:00pm School Board - Liaison Himschoot 7:00pm Planning Commission - Liaison Christianson			
8	9	10	11	12	13	14
		12:00pm Parks & Recreation - Liaison Mosher 6:00pm Regular Assembly Mtg	HOLIDAY 5:00pm CANCELLED Tree & Landscape - Liaison Himschoot 6:00pm Historic Preservation - Liaison Duncan 6:00pm CANCELLED Port & Harbors Commission - Liaison Knox	12:00pm LEPC - Liaison Nelson 1:30pm Health Needs & Human Services - Liaison Duncan		
15	16	17	18	19	20	21
			7:00pm CANCELLED Planning Commission - Liaison Christianson			
22	23	24	25	26	27	28
		6:00pm Regular Assembly Mtg	6:00pm CANCELLED Police and Fire - Liaison Nelson	HOLIDAY		
29	30	1 Dec	2	3	4	5
		6:00pm Special Meeting: Disc/Dir on sale of former SCH building	6:00pm Library Commission - Liaison Nelson 6:00pm School Board - Liaison Himschoot 7:00pm Planning Commission - Liaison Christianson			

Assembly Calendar

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

December 2020

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
29 <u>Nov</u>	30	1 <u>Dec</u>	2	3	4	5
		6:00pm <u>Special Meeting: Disc/Dir on sale of former SCH building</u>	6:00pm <u>Library Commission - Liaison Nelson</u> 6:00pm <u>School Board - Liaison Himschoot</u> 7:00pm <u>Planning Commission - Liaison Christianson</u>			
6	7	8	9	10	11	12
		12:00pm <u>Parks & Recreation - Liaison Mosher</u> 6:00pm <u>Regular Assembly Mtg</u>	5:00pm <u>Tree & Landscape - Liaison Himschoot</u> 6:00pm <u>Historic Preservation - Liaison Duncan</u> 6:00pm <u>Port & Harbors Commission - Liaison Knox</u>	12:00pm <u>LEPC - Liaison Nelson</u> 1:30pm <u>Health Needs & Human Services - Liaison Duncan</u>		
13	14	15	16	17	18	19
			7:00pm <u>Planning Commission - Liaison Christianson</u>	6:00pm <u>Special Budget Meeting: Big Picture Guidance</u>		
20	21	22	23	24	25	26
		6:00pm <u>Regular Assembly Mtg</u>	6:00pm <u>Police and Fire - Liaison Nelson</u>		HOLIDAY	
27	28	29	30	31	1 <u>Jan</u>	2
					HOLIDAY	

SPD QUARTERLY ADMINISTRATIVE REPORT November 2020

To CBS Administrator:

DEPARTMENT OVERVIEW:

The overall assessment of the Police Department is that we are close to full manpower and have reached a level of stability in hiring and retention of personnel. We have a good mix of seasoned Officers and new Officers, as well as a growing number of locals seeking employment as Police Officers. We currently have four local Officers that have been recruited locally and one more that is currently in our recruitment and selection process. The overall health of the Department is stable.

COVID has not adversely affected our response to community needs other than not being able to attend the many community functions that were held in the past. We have adopted a policy of wearing a mask when contacting all individuals while in doors.

- **JAIL:** Jail is currently one position down. We have one jailer who is scheduled to attend the Correctional Academy in January 2021.
- **DISPATCH:** Currently one position down. Tara Smith has been promoted to Dispatch Supervisor. All dispatchers are fully trained and working independent of trainers.
- We have subscribed to Association of Public Safety Communications Officials, (APCO) which is an international level certification program for all of our dispatchers.
- **PATROL:** The Department is funded for 16 sworn positions. Currently the Department is one Sergeant position down and one Officer position down.

SPECIAL PROJECTS:

Retired Sgt. Ray Majeski was hired as a Temporary records reviewer last year. He has completed the extensive review of many of the open reports that we have when I took over as Chief. Because of the confidential nature and vetting that is required in most fields of our department, we are currently using him on a temporary basis to assist in evidence audit and disposal. Additionally we will be using him to electronically file old reports.

RECRUITMENT AND TRAINING:

Currently we have one applicant for Police Officer. We have three applicants for the dispatch position and the possibility that some may be interested in also applying for the jailer position.

We continue to provide weekly training to our supervisors and conduct daily shift trainings to Officers.

PROJECTS:

We are still in the building phase of our RMS system we are working with the provider to fix bugs, and building the program to our specific needs. Our complete evidence audit is now moving forward and still has thousands of cases to go through.

We have received a fifty-thousand dollar Homeland security grant to strengthen and update our security system.

STATISTICS:

Statistics are now available with our eForce records management system. The data collection has been collected since the beginning of the year and will become more robust as time passes and we continue to add more data. The following are statistic numbers that have been compiled since the beginning of the year.

- Phone calls answered: 24,520
- 911 Emergency calls: 2489
- Calls for Service: 17,007
- Incident Reports: 817



CITY AND BOROUGH OF SITKA

Legislation Details

File #: 20-227 Version: 1 Name:

Type: Item Status: AGENDA READY

File created: 11/17/2020 In control: City and Borough Assembly

On agenda: 11/24/2020 Final action:

Title: Proclamation - Small Business Saturday

Sponsors:

Indexes:

Code sections:

Attachments: [Small Business Saturday](#)

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

Proclamation

Small Business Saturday

WHEREAS, the City and Borough of Sitka, Alaska, celebrates our local small businesses and the contributions they make to our local economy and community; according to the United States Small Business Administration, there are 31.7 million small businesses in the United States, they represent 99.9% percent of all firms with paid employees in the United States, and are responsible for 65.1% of net new jobs created from 2000 to 2019; and

WHEREAS, small businesses employ 47.1% of the employees in the private sector in the United States, 62% of U.S. small businesses reported that they need to see consumer spending return to pre-COVID levels by the end of 2020 in order to stay in business, 65% of U.S. small business owners said it would be most helpful to have their "regulars" return and start making purchases again, and three-quarters of U.S. consumers are currently looking for ways to Shop Small® and support their community; and

WHEREAS, 96% of consumers who shopped on Small Business Saturday® agree that shopping at small, independently-owned businesses supports their commitment to making purchases that have a positive social, economic, and environmental impact and 97% of consumers who shopped on Small Business Saturday agree that small businesses are essential to their community; and

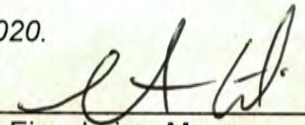
WHEREAS, 95% of consumers who shopped on Small Business Saturday reported the day makes them want to shop or eat at small, independently-owned businesses all year long, not just during the holiday season; and

WHEREAS, the City and Borough of Sitka supports our local businesses that create jobs, boost our local economy and preserve our communities; and

WHEREAS, advocacy groups, as well as public and private organizations across the country have endorsed the Saturday after Thanksgiving as Small Business Saturday.

NOW, THEREFORE, the Assembly of the City and Borough of Sitka, Alaska does hereby proclaim, November 28, 2020, as **SMALL BUSINESS SATURDAY** and urges the residents of Sitka, and communities across the country, to support small businesses and merchants on Small Business Saturday and throughout the year.

Signed and sealed on this 24th day of November, 2020.

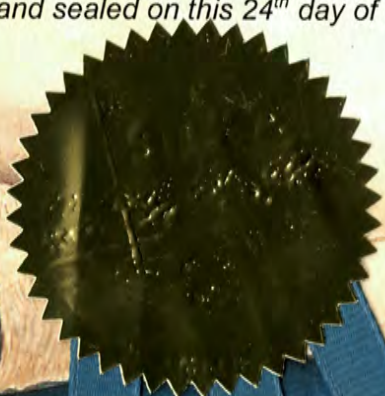


Steven Eisenbeisz, Mayor

ATTEST:



Sara Peterson, MMC, Municipal Clerk





CITY AND BOROUGH OF SITKA

Legislation Details

File #: 20-230 Version: 1 Name:

Type: Item Status: AGENDA READY

File created: 11/18/2020 In control: City and Borough Assembly

On agenda: 11/24/2020 Final action:

Title: Special Report: 1) Greater Sitka Chamber of Commerce / Visit Sitka, and, 2) CBS Electric Department

Sponsors:

Indexes:

Code sections:

Attachments: [Visit Sitka Financial Operational Report FY2021-Q1](#)
[2020 Electric Assembly Presentation \(003\)](#)

Date	Ver.	Action By	Action	Result
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Visit Sitka Operation Update

General Overview of Sitka Travel Industry – Outlook to 2021

The 2021 “Draft” cruise ship calendar has been released by Cruise Line Agencies of Alaska. The draft includes most of the ships on the schedule but does not include some of the smaller cruise companies. The first scheduled call will be on April 29 and the final call on October 10, 2021, with the major cruise lines planning full schedules for 2021.

There is still a lot of uncertainty around 2021 ferry travel. At this time, one AMH Ferry is scheduled to call in Sitka one day a week through April 2021. There are no schedules posted from May 2021 or later. Efforts continue to support reform of the system to create a sustainable marine highway system.

Based on current travel research, general sentiment is that Americans are planning to travel as soon as travel restrictions are lifted. This summer Sitka experienced an influx of visitors who stayed in local accommodations, went shopping and frequented local eateries. VS partners have shared that independent travelers are booking trips in 2021 as well as into 2022. Travelers appear to be searching out locations that are more remote, offer privacy and are considered “safe”, a combination Sitka can offer.

Marketing & Promotion Updates: 7/1-9/30

In August, Visit Sitka hosted a writer for ten days for the Sitka TV Show, an eight-episode anthology series planned to share unique stories of Sitka and be filmed in the community. There was a public meeting held for the community to meet the writer and hear more about the project. VS also provided on-site support for Driven Equation, an LA-based production company, to conduct a five-day film shoot in Sitka. Driven Equation worked with the VS team to produce five 1-minute videos about city attractions, food, outdoors and wildlife, culture, and conventions in Sitka. VS team members collaborated with local community members and Sitka businesses to highlight different aspects of our community. The completed videos will be released at the end of November. VS also ran a ½ page ad in the July/August issue of *Alaska* magazine which reaches an average 348,181 readers per issue.

In this quarter the Visit Sitka website visitsitka.org had 13,702 visits with 31,410 page-views and 13,702 unique visitors. The website also was expanded to include a Special Offers page for partners to showcase their latest deals. On average, Visit Sitka’s Instagram account increased by an average 264 followers per month (for a total of 7,856 at the end of September) and reached a total of 190,108 unique viewers. Visit Sitka’s Facebook page maintained a high level of engagement.

In September, the VS team hired and onboarded a Communications Specialist to help market Sitka, develop the VS leads program, and further build relationships with partners. The VS team also continued to develop their photo asset library through Canto, an online platform that will allow for

storage of digital assets, share assets with travel writers and allow asset uploads from photographers for programs such as the photo contest.

Visit Sitka (VS) renewed a contract with local marketing firm, Element Agency, to provide marketing support for 2020-2021. Element will assist with social media management as well as production of the 2021-22 Visit Sitka Official Visitors' Guide. In this quarter VS worked on content, layout and advertising sales for the 2021-22 guide. VS released the 2020 Summer Pocket Guide to highlight businesses operating through the summer 2020 to assist the independent travelers with activities, dining and shopping options.

Meeting & Conventions (M&E) Update: 7/1-9/30

In September, the Events & Conventions Development Fellow joined the VS team through the Alaska Fellows Program. The Fellow will work with VS to create a Meetings & Conventions collateral program to encourage event planners to bring their meetings and conventions to Sitka. This program will include a dedicated meeting planners guide, a new digital meeting guide area on visitsitka.org, a planners' toolkit, social media development and an education program.

Visitor Services Update: 7/1-9/30

In July, VS team members reopened the Visit Sitka Information Center (104 Lake St.) and made appropriate COVID-19 modifications for the building, including rearranging the Visitor Information Center, separating workstations, laminating pamphlets and brochures, requiring masks inside the building, and sign-in sheets for contact tracing. VS distributed Visit Sitka Magazines by mail, locally and throughout the state including distribution racks at Westmark Sitka Hotel, Totem Square Inn and 2 racks at the Airport.

Between July and September, VS team members directly interacted with 279 guests from 28 states in addition to local Sitka community members. 18% of visitors were in-state travelers. Two VS volunteers provided 118 hours of additional support while VS team members provided telephone support services for visitors and locals looking for most up-to-date protocols. To accommodate distancing requirements for VS staff and the addition of an Alaska Fellow, VS added an additional phone line to field phone inquiries. Throughout the month of July and most of August, the VS team continued to supply biweekly COVID-19 updates through email.

VS leadership attended biweekly Alaska Travel Industry Association (ATIA) Destination Marketing Organization (DMO) COVID support meetings. They also attended the Southeast Conference Tourism Committee Meeting representing Sitka's tourism industry, and attended virtual events such as Southeast Conference Annual Meeting, Alaska Chamber Fall Forum, American Indian Alaska Native Tourism Association Conference and ATIA Voice of the Membership pre-convention meetings.

Financial Update: FY2021- Q1

The Profit and Loss statement covers the first three quarters of the 2020 calendar year. The Greater Sitka Chamber of Commerce utilized bookkeeping services from Balance Accounting Solutions. The Chamber operates on a calendar year with budgets and financials reviewed and approved by the Finance Committee and the Board of Directors.

Attachment: The Greater Sitka Chamber of Commerce, Inc.

Visit Sitka Profit & Loss Statement, January 1, 2020 through September 30, 2020.

Income Update: 7/1-9/30

The Profit & Loss Statement reflects income from the CBS Contract in the amount of \$375,150. This amount reflects \$125,050 per quarter for three quarters of FY20. The Sitka Chamber raises revenues outside the contract through marketing partnerships and sales. Partners of Visit Sitka, which include local tourism businesses and non-profits contributed \$39,188 towards the marketing programs at up to this point in 2020.

Expense Updates: 7/1-9/30

In the expense portion of the report, you will see direct (marketing, promotion, staffing) and indirect (office and insurance) expenses. The overall spending to date is on-track with the budgeted amounts based on the funding allocated and once the obligated funding is sent to the Chamber, the Profit & Loss statement reflects a \$58,000 variance with one quarter remaining in 2020's calendar year.

Respectfully,

Rachel Roy, Executive Director

Greater Sitka Chamber of Commerce | Visit Sitka

Visit Sitka
Profit & Loss Statement
September 30, 2020

	Actuals YTD
REVENUE	
Income	
CBS contract revenue	\$ 375,150
Total Income	\$ 375,150
Direct Expense	
Planner Printing	\$ 17,695
Planner Graphic Design	\$ 21,886
Planner Photo Usage	\$ 750
Fundraising Expense	\$ -
Salaries	\$ 137,307
Special events expense	\$ -
Advertising	\$ 96,754
Alaska Co-op Marketing	\$ -
Website/Digital Media	\$ 911
Webpage (2018 Brand Voice)	\$ 276
Postage & freight (Planner)	\$ 12,113
Office Technology	\$ 5,575
Rent	\$ 18,900
Leasehold improvements	\$ 2,681
Payroll tax expense	\$ 11,734
Professional Development/Training	\$ 1,559
Promotion: Cruise	\$ 12,535
Promotion: Conventions	\$ 16,913
Promotion: Tourism	\$ 26,376
Travel Writers & FAM Tours	\$ 23,460
Travel/Training	\$ -
Membership/Volunteer Events	\$ 915
Membership/Volunteer Training: CVS	\$ 86
Total Direct Expenses	\$ 408,425
Indirect Expenses	
Utilities	\$ 2,924
Insurance: Liability	\$ 2,357
Insurance: worker's comp	\$ 985
Bank online fees	\$ 1,575
Dues & Subscriptions	\$ 2,945
Accounting Services	\$ 2,886
Professional Services	\$ 318
Office supplies	\$ 3,951
Office Equipment	\$ -
Telephone & internet	\$ 7,146
Misc Expense	\$ -
Total Indirect Expenses	\$ 25,087
Total Expenses	\$ 433,513
TOTAL NET INCOME (LOSS)	\$ (58,363)



Electric Department–Path and Challenges

SITKA ELECTRIC DEPARTMENT –

- *Work Focus*

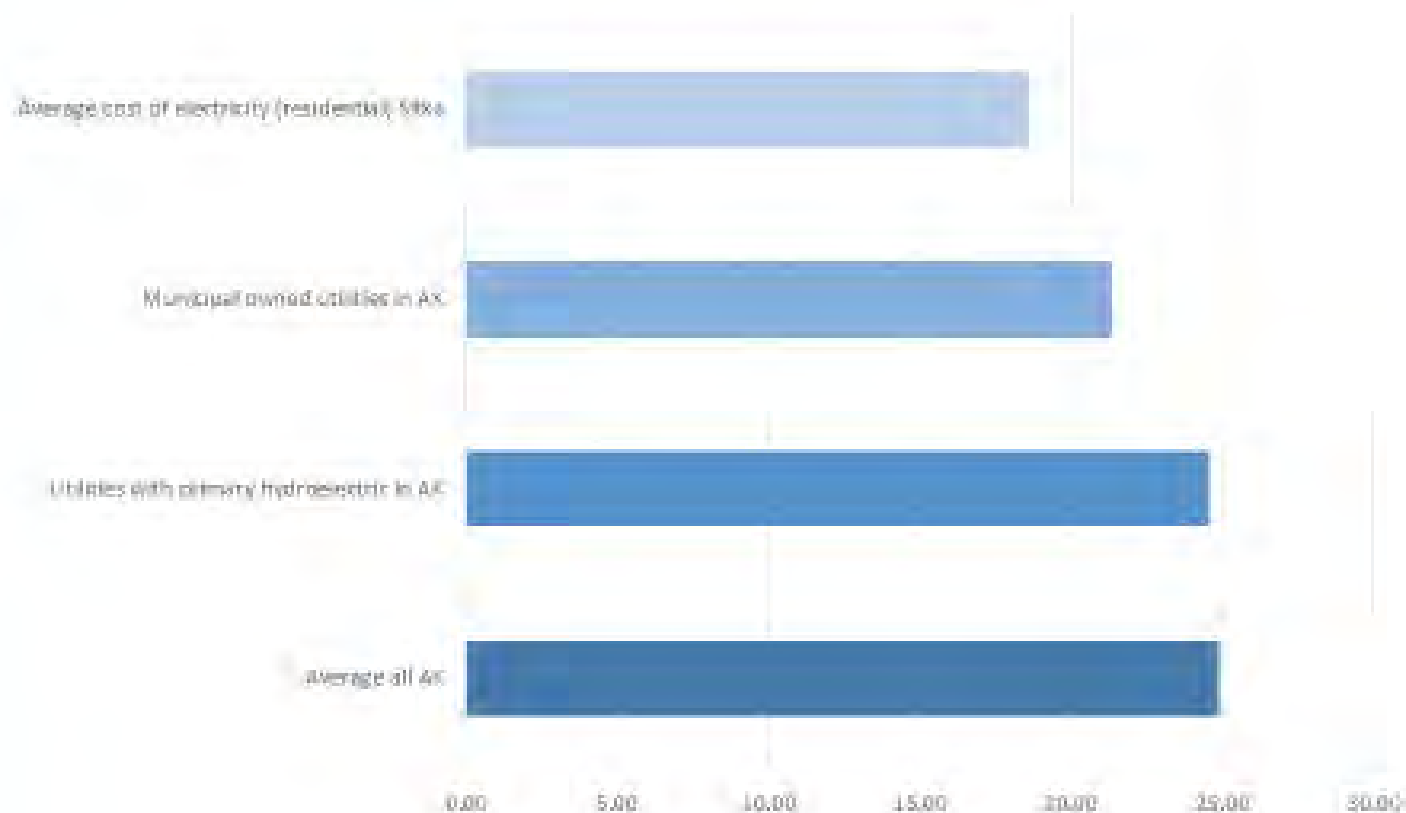
- a. *Preventive Maintenance and Planning–Asset tracking, Life cycle costs and Planned replacement*
- b. *Manage contracts*
- c. *Recruitment and Retention*
- d. *Technical Information Management–Properly Update, Catalog, Scan & Update all Files and Drawings*
- e. *10 Year Capital Plan Implementation – ongoing. Need financial plan to determine how to meet need for capital investment.*
- f. *Regulatory Compliance*
- g. *Develop a long-term load-based Generation Expansion Plan*

- *Challenges*

- a. *Growing the Capital Fund – Construction costs are increasing at 2X the Consumer Price Index (CPI)*
- b. *Planning and funding future Capital projects – T&D line builds, Green Lake Phase 2 & 3, & Relicense*
- c. *Retirements – knowledge and experience leaving, replacements are difficult to find*
- d. *Reactive work due to old Infrastructure – Industry and local data indicates high probabilities of failure*
- e. *Regulations – Compliance, Permits, etc.*
- f. *External Overhead Costs – Federal, etc.*
- g. *Sitka is an Island Grid – No outside backup/High initial cost of regulatory compliance if that were to change*
- h. *SEARHC– future load growth could present revenue and need for planned generation growth*
- i. *The cost to provide power to small islands around Sitka is unprofitable and the infrastructure is failing*

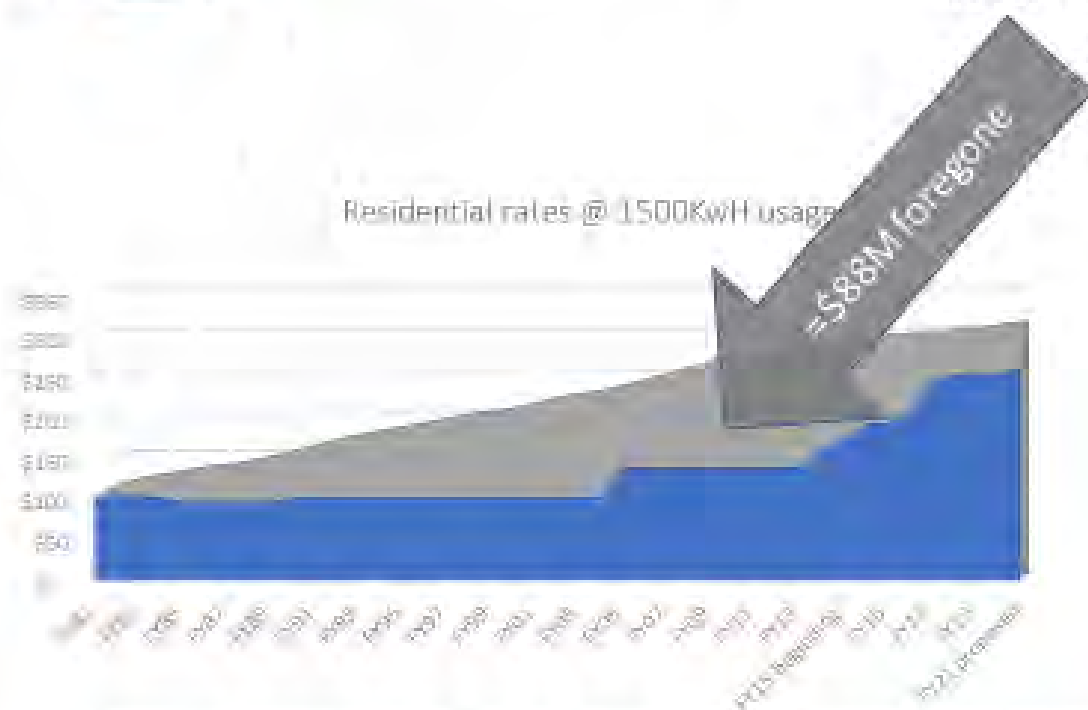
Rates within Alaska

Average prices of residential electricity in the state of Alaska in 2019 (cents/kWh) (data from U.S. Energy Information Administration-utilities with over 700 customers)





Long periods of stagnant rates result much more stepped rate increases as well as a significant amount of lost revenue that could be used finance capital investments with less debt



Annual increases with inflation can help generate revenue for capital as well as reduce the need for controversial large increases.

Cost of 1500kWh usage With annual CPI





Electric Department – Finance

Department Budget Status

- 25 Full Time Personnel + 6 Relief Operators = 31 Total
- FY20 Operations Expenditures – \$8.4M
 - Salaries-\$4.4M, Insurance-\$750K, Utilities/fuel \$94K
 - Repairs/Maintenance \$214K Supplies/Contracts \$1.1M,
 - IT \$145K, Admin/Finance fees \$870K,
 - Vehicles (includes future replacement) \$306K, Misc. Expenses \$384K,
 - Utility subsidization (covered by GF) \$71K
- FY20 Interest and Principal Payments - \$7.9M
(down to \$7M FY21 due to refunding-possibly more if advance refunding takes place)
- Total Annual Expense (Operations + Debt) - \$16.3 M
 - Labor & Benefits – 27%
 - Materials, Contracts, & Repairs – 1.5%
 - Admin/Finance/IT charges – 6%
 - Insurance – 5%
 - Debt – 49%
 - Vehicles – 2%
 - Other Exp –3% (including utility subsidy)
- Total Annual Net Operating Revenue Requirement –
\$16,982,718
(FY2020-exceeded by \$95,000)

Capital Status

- Working Capital @ end of FY2020 \$9.1M
 - Amount appropriated for Capital, but unspent \$5.2M
 - Unrestricted cash in F200 \$6.9M
 - Receivables \$1 M
 - Inventory \$1.2M
 - Less current liabilities -\$5.3M
(Additional \$10.9M restricted for debt service)
- Bond covenants
 - Requires that operating revenue (includes interest earned) to meet or exceed 125% of operating expense and bonded debt service. If we don't meet it we must transfer funds from the rate stabilization fund or the General fund. Ensures that the fund is generating funds to invest in its infrastructure.
 - ~1.2M generated in FY20 after factoring non-bonded debt
- Due to refinancing in early FY21 and additional \$3.3M available for Capital

Rates

Current rates (increased 2% as of 7/1) summer seasonal increase changed from April-September to May-October) in 2020 no increase until July due to COVID. 2%/inflation increases anticipated in near term.

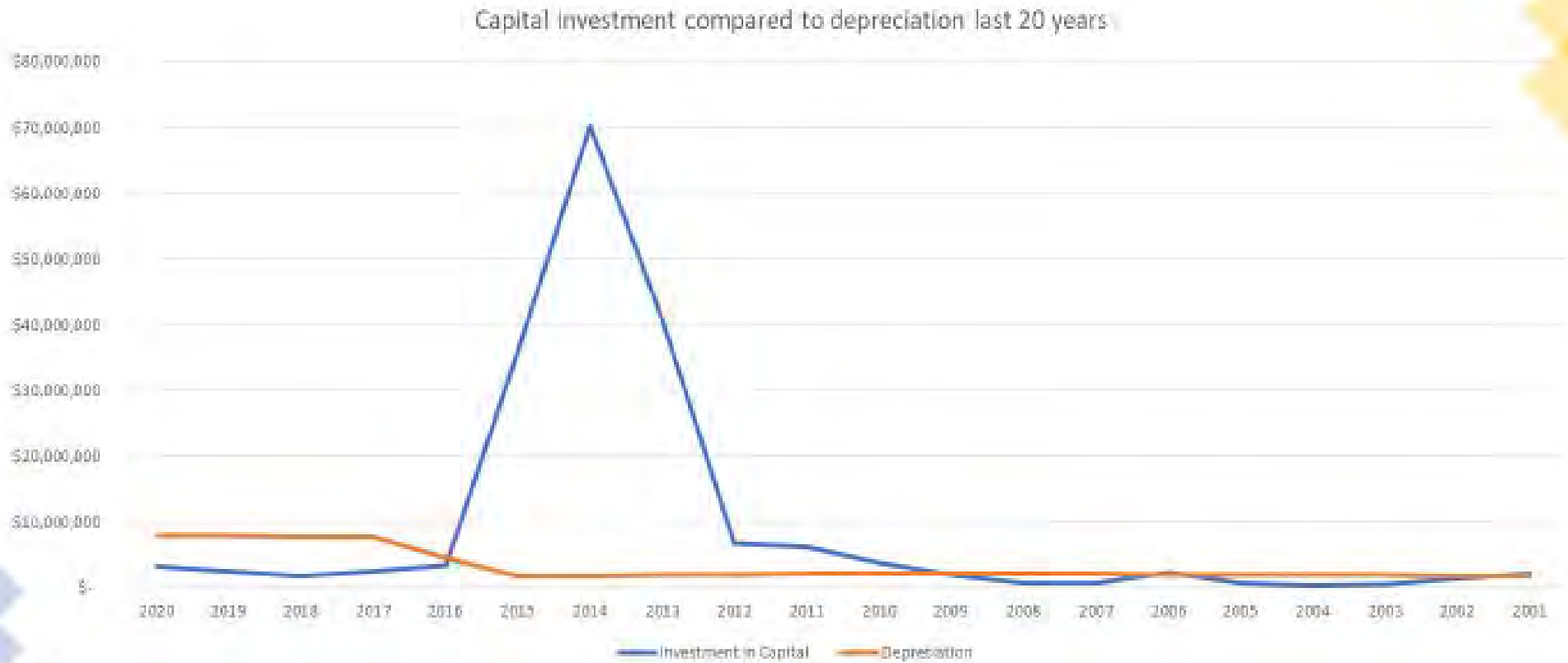
Monthly fee: 20.48

Summer/KwH: .1958 (May through October)

Winter: .1224 (November through April)



Depreciation





Electric Department – Key Distribution Challenges

PRESENT SITUATION:

- 3 Substations – Marine Street, Jarvis, Industrial Park
- Jarvis Street and Industrial park are currently adequate for needed loads
- The New Marine Street Substation will serve 80% of Sitka Customers
 - New Marine Street Substation is nearing completion
 - Some added capacity is part of the new design

Old Marine Street Station

- Once complete, the Old Substation at Marine Street will need refurbishment of the electrical structure and pole, the addition of an oil containment system, and at least partial transformer replacement
- The restoration of the old portion of the Marine Street Substation will allow for redundancy as well as for planned maintenance which was not possible previously without sustained outages
- ALTERNATE 1 – Do nothing. The switchyard will soon fail, and redundancy will be lost. This will limit the capability to maintain the new system, and provide no backup
- ALTERNATE 2– Run to fail. The risk to the Transmission system would be greater as the type of failure would be unpredictable. Replacement costs will rise. Environmental risks are higher without containment. Replacement could be unscheduled and would result in the loss of redundancy during the process.
- **ALTERNATE 3 – Repair/replace the old transformers and add oil containment. Replace the existing pole, and refurbish the structure**



ELECTRIC DEPARTMENT – Key Transmission Challenges

69KV Transmission Line from Blue Lake Powerhouse to Thimbleberry Trailhead on SC Road –

- Steep Grade, Extensive Tree growth close to the line, extensive pole age and damage.
- Critical line Segment to get both GL Power and BL power to Town
- ALTERNATE 1 – Do Nothing, brownouts during normal system failures or transmission line work. Potential for extended outages is High.
- ALTERNATE 2 – Extensive tree trimming program coupled with complete pole inventory coupled with targeted pole replacement.
 - ✓ Environmental Issues makes tree clearing and trimming costly and not timely
 - ✓ Access for maintenance and emergencies is costly, slow and dangerous
- ALTERNATE 3 – Replace Fairbanks Morse Diesels with similar to offset outage risk
- ALTERNATE 4 – Mitigate failure risk with replacement *overhead* transmission (Blue lake power plant to Thimbleberry Trailhead).
 - ✓ Would reduce long term costs of maintenance.
 - ✓ Significant increase in safety and reliability
 - ✓ Fewer, less costly and faster repairs
 - ✓ Would reduce fossil fired emissions from Jarvis
 - ✓ Would reduce scope of Oil Release best practices (amount of stored fuel)
- ALTERNATE 5 – Mitigate failure risk with *underground* cable transmission (Blue lake power plant to Thimbleberry Trailhead) Costly
- ALTERNATE 6 – Mitigate failure risk with *marine* cable transmission (Blue lake to Thimbleberry Trailhead) Costly

69KV Transmission Line from Green Lake Powerhouse to Blue Lake Substation

- Easier access compared to Blue Lake Segment, Growth rate of trees is high
- ALTERNATE 1 – Do Nothing, rolling blackouts during normal system failures or transmission line work a possibility
- ALTERNATE 2 – Extensive tree trimming program coupled with targeted pole replacement.



ELECTRIC DEPARTMENT – Key Generation Challenges

- **Fuel Release and Back-up Fuel**

- 200,000-gallon tank and containment last overhaul 15+ years ago. Spill 8/2015
- ALTERNATE 1 – Remove existing 200,000-gallon tank and containment
- ALTERNATE 2 – Engineer Piping and Instrumentation, Tank Overhaul, Generate operations and clearance procedures
- ALTERNATE 3- If 69KV SMC Trans line is approved, reduce scope to one additional 40,000 gallon above ground day tank.
 - Heart Lake Transmission Line requires 7 days of fuel - Absolute worst-case scenario
 - SMC 69KV line would reduce this requirement to 3 days (with two tanks existing and adding one more tank)

- **40+ Year Old Green Lake Plant Overhaul Phase 2-3**

- Will be 50 years old in 2030, old equipment with lots of running hours and extensive cycling
- ALTERNATE 1 – Do nothing, regular maintenance converting to large scale, expensive, long unplanned failures
- ALTERNATE 2 – Define scope of individual units, Overhaul of Turbine Generators and Balance of Plant, \$15-30M

- **3 Fairbanks Diesels –**

- 40+ years old
- Winter Jarvis St capacity without Fairbanks is 12mw + 4.0mw = 16 mw (about 6 mw below winter peak capacity)
- ALTERNATE 1 – Do Nothing, brownouts during normal system failures or transmission line work
- ALTERNATE 2 – Replace old machines with similar Diesel Generation (Air permit issues & High Cost \$15M+)
- ALTERNATE 3 – Reduce the need for the Fairbanks Morse machines by mitigating failure risk with new 69kv transmission line (Blue lake PP to Thimbleberry Trailhead)
- ALTERNATE 4 – Refurbish old machines as needed to maintain emergency back-up capability



Electric Department – 10-year Plan & Risk Mitigation

SUMMARY –

- **Key Capital Projects –**

- ✓ Expand Marine Street Substation (Marine St Backup) \$6M, FY17-FY20
- ✓ Jarvis St Fuel Storage \$1.5M, FY22-23
- ✓ Green Lake Phase 2&3 Overhaul FY-TBD \$15-30M
- ✓ Green Lake Waterway Overhaul in FY21-FY22, \$4.8M
- ✓ Sawmill Creek Road 69KV line \$4M, TBD

- **Rates –**

- ✓ Capital Improvements can stabilize the long-term rate
- ✓ Other Revenue Opportunities (SEARHC, USCG, Interruptibles)
- ✓ New Capital Needed by 2030 (Green Lake unit overhauls, GL permit, etc.)





DISCUSSION



CITY AND BOROUGH OF SITKA

Legislation Details

File #: 20-229 Version: 1 Name:

Type: Item Status: AGENDA READY

File created: 11/17/2020 In control: City and Borough Assembly

On agenda: 11/24/2020 Final action:

Title: Approve the minutes of the November 10 assembly meeting

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 ITEMS A, B, & C**

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
November 10 assembly meeting.



CITY AND BOROUGH OF SITKA

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

Minutes - Draft

City and Borough Assembly

*Mayor Steven Eisenbeisz
Deputy Mayor Thor Christianson,
Vice Deputy Mayor Valorie Nelson,
Kevin Knox, Kevin Mosher, Crystal Duncan, Rebecca Himschoot*

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

Tuesday, November 10, 2020

6:00 PM

Assembly Chambers

REGULAR MEETING

I. CALL TO ORDER

II. FLAG SALUTE

III. ROLL CALL

Vice-Deputy Mayor Nelson presided over the meeting. Participating by videoconference were: Eisenbeisz, Christianson, Knox, and Himschoot.

Present: 6 - Christianson, Knox, Mosher, Nelson, Eisenbeisz, and Himschoot

Absent: 1 - Duncan

IV. CORRESPONDENCE/AGENDA CHANGES

No agenda changes.

20-226 Reminders, Calendars, and General Correspondence

V. CEREMONIAL MATTERS

20-221 Ceremonial: 1) Proclamation Honoring Veteran's Day, and, 2) Citation Honoring Elaine Strelow

Municipal Administrator John Leach read and presented a proclamation honoring Veteran's day to veteran representative Ted Allio. Leach read and presented a citation honoring Elaine Strelow to Sitka Lutheran Church Pastor Sandra Rudd.

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 reported that the Emergency Operations Center (EOC) was meeting on a regular basis. He echoed what Dr. Zink said, that it was individual responsibility on how the virus spreads, to be good citizens, and watch out for each other.

School Board Vice President Eric Van Cise reported on November 11 the School Board would be conducting a superintendent evaluation for Interim Superintendent John Holst. He stated on November 18 there would be a work session with public participation to discuss a strategic plan and to lay ground work for the superintendent search. He relayed that remote learning would begin November 11 and there were plans for schools to open November 18 depending on COVID case numbers with the exception that Baranof Elementary school may open Monday. He stated the closure was guided by staff, unified command, and public health.

VII. PERSONS TO BE HEARD

Richard Wein thanked the Veterans and Ms. Strelow. He relayed this week in the news the notice from Pfizer regarding a vaccine. He stated that it would be nice to have a landslide warning and urged the Assembly to bring up the topic again to get closure. Charles Hart spoke to the recent COVID spike and asked Sitkans to wear masks, be cautious, and to be kind. Rowan Chevalier asked the Assembly to reconsider a local mask mandate stating it was for the health and safety of the community and it was a simple thing to do. Galen Paine encouraged the Assembly to implement a mask mandate.

VIII. CONSENT AGENDA

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

Yes: 6 - Christianson, Knox, Mosher, Nelson, Eisenbeisz, and Himschoot

Absent: 1 - Duncan

- A 20-219** Approve the minutes of the two October 20 assembly meetings and October 27 assembly meeting

This item was APPROVED ON THE CONSENT AGENDA.

- B 20-218** Approve the following liquor license renewal applications: 1) BPO Elks Lodge #1662 at 412 Sawmill Creek Road, 2) Pioneer Liquor Inc. dba Pioneer Bar at 212 Katlian Street, and, 3) Pioneer Liquor Inc. dba Pioneer Liquor Store at 212 Katlian Street

This item was APPROVED ON THE CONSENT AGENDA.

IX. BOARD, COMMISSION, COMMITTEE APPOINTMENTS

- C 20-220** Reappoint Doug Osborne to a three-year term on the Health Needs and Human Services Commission

Richard Wein stated Osborne was the backbone of the commission and thanked him for serving.

A motion was made by Knox that this item be APPROVED. The motion PASSED

by the following vote.

Yes: 6 - Christianson, Knox, Mosher, Nelson, Eisenbeisz, and Himschoot

Absent: 1 - Duncan

X. UNFINISHED BUSINESS:

D 20-182 Award FY21 General Fund Non-Profit Grants (*postponed at the September 24 special assembly meeting*)

Municipal Administrator John Leach relayed the non-profit organizations that had applied and received funds through the CARES Act funding that had also applied for the General Fund grants.

Nelson was in support of funding Sitka Ham Amateur Radio Klub. Christianson stated the CARES Act funding received wouldn't change his original amounts. Eisenbeisz felt that the CARES Act funding was separate from this funding and noted the need of matched funds with this process as important for making the money go as far as possible. Knox agreed with the separation of the two different funds/grants and noted the value of these organizations. Himschoot wondered if reallocation could be made and gave context for her choices. Municipal Clerk Sara Peterson explained the process that a majority was needed in order for the organization to receive funding.

Public Comment on the amendment: Richard Wein thanked Nelson and Christianson for reconsidering funding to the Sitka Ham Amateur Radio Klub.

Assembly Deliberation on the amendment: Christianson would like to allocate funding to the Sitka Ham Amateur Radio Klub. Himschoot was in support.

A motion was made by Nelson to AMEND adding \$1,000 funding to the Sitka Ham Amateur Radio Klub. The amendment PASSED by the following vote.

Yes: 5 - Christianson, Knox, Mosher, Nelson, and Himschoot

No: 1 - Eisenbeisz

Absent: 1 - Duncan

Public Comment: Richard Wein felt the funds should stay in the General Fund and wondered how to cut other services in order to fund this. He suggested the Assembly reconsider awarding funds to Sitka Ham Amateur Radio Klub. Michele Friedman stated she did not have public comment on the amounts presented when called upon to testify. Angie DeMoral thanked the Assembly for their hard work. Roger Schmidt thanked the support of the Assembly stating that these allow for matching grants and noted the importance of that. Lynne Brandon appreciated the Assembly considering awarding this funding and said the money received allowed for the city to leverage additional grants.

Assembly Deliberation: Mosher mentioned the budget shortfall and that future adjustments could be made. Nelson noted the wording of may and not shall be awarded and would like to fully fund Ham Radio Klub. Christianson noted the importance of the Ham Radio Klub.

Applicant: Sitka Ham Amateur Radio Klub Darryl Ault clarified that not all vessels had

Ham radio. This would be for the operators mobile command post that would incorporate other entities out of the title wave zone. Ham radio has been around over 100 years. He assists the police and fire department but that the unit had not been sanctioned by them.

A motion was made by Christianson as AMENDED to award the following FY21 General Fund Non-Profit Grant funding in the category of Human Services:

- *Brave Heart Volunteers \$8,167**
- *Sitka Counseling and Prevention Services \$5,167**
- *Sitka Ham Amateur Radio Klub \$1,000**
- *Sitka Pregnancy Center \$583**
- *Southeast Alaska Independent Living \$8,500**

to award the following FY21 General Fund Non-Profit Grants in the category of Cultural and Educational Services:

- *Alaska Arts Southeast \$5,983**
- *Civil Air Patrol \$533**

to award the following FY21 General Fund Non-Profit Grants in the category of Community Development:

- *Sitka Trail Works \$8,000.**

The motion PASSED by the following vote.

Yes: Christianson, Himschoot, Eisenbeisz, Knox, Mosher

No: 1 - Nelson

Absent: 1 - Duncan

XI. NEW BUSINESS:

New Business First Reading

- E ORD 20-52** Amending Title 2 "Administration" of the Sitka General Code Chapter 2.04 "City and Borough Assembly" by amending Section 2.04.040 "Committees"

Mosher spoke in support, felt the ordinance was a clean up of Code. Christianson liked the solutions. Himschoot suggested a clerical clarification.

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

Yes: 6 - Christianson, Knox, Mosher, Nelson, Eisenbeisz, and Himschoot

Absent: 1 - Duncan

Additional New Business Items

- F RES 20-29** Reestablishing a Climate Action Task Force to advise the Assembly on methods for planning and mitigating the impacts of climate change *(1st and*

final reading)

Eisenbeisz clarified that the Task Force needed to be staffed within 3 months.

Public Comment on the amendment: Michelle Putz wondered if the amendment was in addition to or replacement. Richard Wein told of the cost and staff time and felt the amendment was not the intent of the original resolution. He stated the task force should determine the direction. Kent Barkhau wondered what was being asked of the task force. Heather Bauscher advocated for the youth voice and stated that they had already put in a lot of work.

A motion was made by Knox to AMEND line 49 to add, "BE IT FURTHER RESOLVED that the Sitka Assembly hereby intends to pursue the establishment of a Sustainability Commission by ordinance which shall be tasked with advising the Sitka Assembly on pathways and actions necessary to create a more sustainable municipality." The motion PASSED by the following vote.

Yes: 4 - Eisenbeisz, Knox, Mosher, and Himschoot

No: 2 - Christianson, and Nelson

Absent: 1 - Duncan

Richard Wein was in support stating it was a good idea to have in place but wondered if the Health Needs and Human Services Commission could be repurposed to include this area with a few additional members. Heather Bauscher, Chair of the local advisory committee to fish and game thanked those who had worked on it and stated the local Sitka advisory passed a resolution supporting the climate emergency. Michelle Putz encouraged the Assembly to pass it, she recognized this was not put together as the past task force but it could also be postponed to do a little revamp. Elizabeth Bagley was in support to make future generations bright/thrive. Joel Hanson felt that this should be a commission similar to the City and Borough of Juneau's commission. Darby Osborne with Youths for a Sustainable Future urged that the task force be changed to a commission as a long-term body. Mia Anderson with Youths for a Sustainable Future asked the Assembly to change to a commission rather than a task force and to emulate the City and Borough of Juneau's Commission. Kay Kreiss advocated for a commission rather than a task force. Tava Guillory with Youths for a Sustainable Future told of the needed permanence of this and urged the change to a commission rather than a task force. Kent Barkau was in support of a broad, dedicated, long-term commission to address issues to guide the Assembly.

Municipal Administrator John Leach pointed out that there were 18 existing boards/commissions with the need to become more efficient and possible consolidation. Christianson didn't feel that the title made a difference but that it was up to the dedicated members. Knox felt it was something that should be long-term and his preference to be codified as more formal. He would like some amendments and would like to see a sustainable commission. Mosher stated he and Nelson reworked this from a previous version back in the spring and was for sustainable living and energy but that being mindful of the costs to citizens was important. Nelson spoke in support, noted the cost of staff time involved, and felt that it was a good starting point.

A motion was made by Nelson to suspend the rules to allow for public comment. The motion PASSED by the following vote.

Yes: 6 - Eisenbeisz, Christianson, Knox, Mosher, Nelson, and Himschoot

Absent: 1 - Duncan

Eric Jordan advocated for a long-term task force.

A motion was made by Mosher to APPROVE the resolution as AMENDED on FIRST and FINAL READING. The motion PASSED by the following vote.

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

No: 1 - Nelson

Absent: 1 - Duncan

G RES 20-30

Encouraging people in the City and Borough of Sitka to continue COVID-19 prevention efforts for keeping Sitka Schools open *(1st and final reading)*

Christianson stated the intent of the resolution was to focus efforts and remain diligent in an attempt to bring COVID-19 case numbers down.

Charles Dean spoke in opposition to masks. Richard Wein spoke to the notion of keeping schools open and stated the schools have done a good job. Speaking in support of the resolution were: Beth Short Rhoads, Eric Jordan, Patty Dick, Cindy Westergaard, and Eric Van Cise.

Christianson encouraged those to take advantage of testing when traveling in state, to wear a mask when inside and around people, and to keeping distance. He felt that the case count could be brought back down and asked those to be mindful of others. Mosher noted this was voluntary and the need to be careful to not make decisions in fear. He stated that there was a balance in this community, asked those to set a good example, and work together. Himschoot thanked the school district and students. She felt this resolution was in line with quarantining and testing, encouraging people to take responsibility, and make good personal positive choices.

A motion was made by Christianson that this resolution be APPROVED on FIRST and FINAL READING. The motion PASSED by the following vote.

Yes: 6 - Christianson, Knox, Mosher, Nelson, Eisenbeisz, and Himschoot

Absent: 1 - Duncan

H 20-222

Discussion / Direction / Decision on the Request for Proposal for the development of the 17 acre waterfront parcel at 4951 Halibut Point Road

Municipal Administrator John Leach reminded of the parcel RFI and asked for direction from the Assembly with requested changes, and/or additions to the RFP as written, how long it should be open, and the structure of the review team. Planning Director Amy Ainslie had kept options open as directed from the last meeting. She explained the parcel.

Eisenbeisz wondered if the RFP evaluation criteria appeared more toward commercial development rather than residential or cultural. Ainslie stated there was a wide range and adjustments and language could be made. Direction to staff was to keep the RFP as written, for the RFP to be open for 60 days, and to add a Sitka Tribe of Alaska representative or Tribal Council member to the review team.

I 20-224

Discussion / Direction on the sale of the former Sitka Community Hospital

building

Municipal Administrator John Leach stated he was approached recently by SEARHC to potentially purchase the former Sitka Community Hospital building noting that this was early stages and no negotiations had been made. Planning Director Amy Ainslie showed a chart of the decision process. First decision for the Assembly was to keep, sell, or lease the building. Next step would be to determine by competitive or not and the thresholds based on the value of the property which was unknown, and the possibility of needing to bring it to an advisory vote.

Mosher stated he was possibly interested in selling. Christianson thought this should be a special meeting topic. He was unsure if it should be sold and was not ready to make a decision tonight. Eisenbeisz was unsure of the legalities, but wanted to make sure that the proper path was taken and that it received due diligence. Himschoot was unsure to sell or not, wondered if there was a formal condition of the building. Leach stated there was a walk through prior to the lease but that there was no recent appraisal done. Eisenbeisz stated he would work with staff to schedule a special meeting.

J 20-223

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

Municipal Administrator John Leach reviewed and gave details of the categories.

Richards Wein didn't feel that using the funds for testing would be a good use. He felt that there were a number of organizations that fed people in Sitka, and the funds could be distributed to them with food cards.

Assembly consensus was to use the remaining \$50,000 from the CARES Act homeless program for a subrecipient food program with Sitka Tribe of Alaska.

XII. PERSONS TO BE HEARD:

Richard Wein was disappointed that there wasn't public comment taken on some discussion and direction items. He spoke to the importance of Harbor Point and gave his opinions on the parcel.

XIII. REPORTS

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

Liaison Representatives - Mosher reported on the Parks and Recreation Committee meeting and Nelson attended the Library Commission meeting.

XIV. EXECUTIVE SESSION

K 20-225

Municipal Administrator Employment Agreement

A motion was made by Mosher to Extend the meeting to 11:00 p.m. The motion PASSED by the following vote.

Yes: 6 - Himschoot, Knox, Mosher, Eisenbeisz, Nelson, and Christianson

Absent: 1 - Duncan

A motion was made by Knox to go into executive session to consider the terms of the Municipal Administrator's employment agreement under the statutory categories of discussing subjects that (1) may tend to prejudice the reputation and character of an individual and (2) may have an adverse effect upon the finances of the City and Borough of Sitka, and invite in, when ready, Municipal Administrator John Leach, and the Municipal Attorney Brian Hanson, if desired and when ready. In addition, move to exclude the Municipal Clerk. The motion PASSED by the following vote.

Yes: 6 - Nelson, Mosher, Eisenbeisz, Himschoot, Christianson, and Knox

Absent: 1 - Duncan

The Assembly was in executive session from 10:00 p.m. to 10:15 p.m.

A motion was made by Mosher to reconvene as the Assembly in regular session. The motion PASSED by the following vote.

Yes: 6 - Mosher, Nelson, Knox, Christianson, Eisenbeisz, and Himschoot

Absent: 1 - Duncan

Knox commented that Leach was doing an outstanding job given the circumstances he walked into. He said we're all very pleased with the job he was doing overall.

A motion was made by Mosher to make the following changes to the Municipal Administrator's employment agreement:

- * A \$15,000 raise on March 1, 2021 (one-year employment anniversary) to \$140,000 per year;
- * A 1.5% annual raise with satisfactory performance;
- * Three months' pay and benefits severance package (in the event the employee is terminated by the Assembly within a term of five years from the initial date of hire, the Municipality shall give the employee three months of pay as severance. Severance pay shall be equal to the monetary value of all pay and benefits provided for the period of severance pay due. This section does not apply if employee is terminated for commission of a crime or gross misconduct as determined by the Municipal Attorney. Severance pay shall be paid in a lump sum payment, less applicable taxes. The Municipality also agrees to pay the Employee's COBRA health insurance premium coverage for three months after date of separation. Employee shall be entitled to any accrued but unused vacation as the date of separation;
- * Annual evaluations (in accordance with the Charter);
- * Leave accrual rate of an 8-year employee (16.67 hours per month).

The motion PASSED by the following vote.

Yes: 6 - Eisenbeisz, Christianson, Himschoot, Nelson, Knox, and Mosher

Absent: 1 - Duncan

XV. ADJOURNMENT

A motion was made by Himschoot to ADJOURN. Hearing no objections, the meeting ADJOURNED at 10:18 p.m.

ATTEST: _____
Melissa Henshaw, CMC
Deputy Clerk



CITY AND BOROUGH OF SITKA

Legislation Details

File #: 20-231 Version: 1 Name:

Type: Item Status: AGENDA READY

File created: 11/18/2020 In control: City and Borough Assembly

On agenda: 11/24/2020 Final action:

Title: Approve a liquor license renewal application for Ernie's Bar Inc. dba Ernie's Bar at 130 Lincoln Street

Sponsors:

Indexes:

Code sections:

Attachments: [Motion and Memo Ernie's](#)

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

POSSIBLE MOTION

I MOVE TO approve a liquor license renewal application for Ernie's Bar Inc. dba Ernie's Bar at 130 Lincoln Street and forward this approval to the Alcoholic Beverage Control Board without objection.




City and Borough of Sitka

PROVIDING FOR TODAY . . . PREPARING FOR TOMORROW

Coast Guard City, USA

MEMORANDUM

To: Mayor Eisenbeisz and Assembly Members
Thru: John Leach, Municipal Administrator 
From: Sara Peterson, Municipal Clerk
Date: November 17, 2020
Subject: Approve liquor license renewal application for Ernie's Bar

Our office has received notification of the following liquor license renewal application:

Lic #: 373
DBA: Ernie's Bar
License Type: Beverage Dispensary
Licensee: Ernie's Bar Inc.
Premises Address: 130 Lincoln Street

A memo was circulated to the various departments who may have a reason to protest this request. No departmental objections were received.

Recommendation:

Approve a liquor license renewal application for Ernie's Bar Inc. dba Ernie's Bar at 130 Lincoln Street and forward this approval to the Alcoholic Beverage Control Board without objection.



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Commerce,
Community,
and Economic Development

ALCOHOL & MARIJUANA CONTROL OFFICE
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

October 30, 2020

City and Borough of Sitka

Via Email: sara.peterson@cityofsitka.org ; melissa.henshaw@cityofsitka.org

Re: Notice of Liquor License Renewal Application

License Number	DBA	Type	City	Borough	Community Council
373	Ernie's Bar	Beverage Dispensary	Sitka	Sitka	NONE

We have received a completed renewal application for the above listed license (see attached application documents) within your jurisdiction. This is the notice required under AS 04.11.480.

A local governing body may protest the approval of an application(s) pursuant to AS 04.11.480 by furnishing the director **and** the applicant with a clear and concise written statement of reasons for the protest within 60 days of receipt of this notice, and by allowing the applicant a reasonable opportunity to defend the application before a meeting of the local governing body, as required by 3 AAC 304.145(d). If a protest is filed, the board will deny the application unless the board finds that the protest is arbitrary, capricious, and unreasonable.

To protest the application referenced above, please submit your written protest within 60 days, and show proof of service upon the applicant and proof that the applicant has had a reasonable opportunity to defend the application before a meeting of the local governing body.

Sincerely,

A handwritten signature in black ink, appearing to read "Glen Klinkhart".

Glen Klinkhart, Director
amco.localgovernmentonly@alaska.gov

STATE OF ALASKA - ALCOHOLIC BEVERAGE CONTROL BOARD

LICENSE NUMBER

FORM CONTROL

XXXX

ISSUED

10/29/2020

ABC BOARD

LIQUOR LICENSE

2021 - 2022

373

LICENSE RENEWAL APPLICATION DUE
DECEMBER 31, 2022 (AS 04.11.270(b))

THIS LICENSE EXPIRES MIDNIGHT
FEBRUARY 28, 2023 UNLESS DATED BELOW

TYPE OF LICENSE: Beverage Dispenser

LICENSE FEE: \$2,500.00

1104

CITY / BOROUGH: Sitka
Sitka

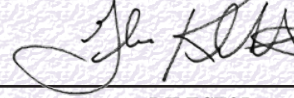
D/B/A: Ernie's Bar
130 Lincoln Street

Mail Address:
Ernie's Bar Inc
PO Box 777
Sitka, AK 99835

This license cannot be transferred without permission
of the Alcoholic Beverage Control Board

☐ Special restriction - see reverse side

ISSUED BY ORDER OF THE
ALCOHOLIC BEVERAGE CONTROL BOARD



DIRECTOR

04-900 (REV 9/09)

THIS LICENSE MUST BE POSTED IN A VISIBLE PLACE ON THE PREMISES

STATE OF ALASKA - ALCOHOLIC BEVERAGE CONTROL BOARD

LICENSE NUMBER

FORM CONTROL

XXXX

ISSUED

10/29/2020

ABC BOARD

LIQUOR LICENSE

2021 - 2022

373

LICENSE RENEWAL APPLICATION DUE
DECEMBER 31, 2022 (AS 04.11.270(b))

THIS LICENSE EXPIRES MIDNIGHT
FEBRUARY 28, 2023 UNLESS DATED BELOW

TYPE OF LICENSE: Beverage Dispenser

LICENSE FEE: \$2,500.00

CITY / BOROUGH: Sitka
Sitka

D/B/A: Ernie's Bar
130 Lincoln Street

Mailing Address:
Ernie's Bar Inc
PO Box 777
Sitka, AK 99835

This license cannot be transferred without permission
of the Alcoholic Beverage Control Board

☐ Special restriction - see reverse side

ISSUED BY ORDER OF THE
ALCOHOLIC BEVERAGE CONTROL BOARD

COPY

DIRECTOR

THIS LICENSE MUST BE POSTED IN A VISIBLE PLACE ON THE PREMISES

04-900 (REV 9/09)



Alaska Alcoholic Beverage Control Board

Master Checklist: Renewal Liquor License Application

Doing Business As:		License Number:	
License Type:			
Examiner:		Transaction #:	

Document	Received	Completed	Notes
AB-17: Renewal Application			
App and License Fees			

Supplemental Document	Received	Completed	Notes
Tourism/Rec Site Statement			
AB-25: Supplier Cert (WS)			
AB-29: Waiver of Operation			
AB-30: Minimum Operation			
AB-33: Restaurant Affidavit			
COI / COC / 5 Star			
FP Cards & Fees / AB-08a			
Late Fee			

Names on FP Cards:	
--------------------	--

	Yes	No
Selling alcohol in response to written order (package stores)?	<input type="checkbox"/>	<input type="checkbox"/>
Mailing address and contact information different than in database (if yes, update database)?	<input type="checkbox"/>	<input type="checkbox"/>
In "Good Standing" with CBPL (skip this and next question for sole proprietor)?	<input type="checkbox"/>	<input type="checkbox"/>
Officers and stockholders match CBPL and database (if "No", determine if transfer necessary)?	<input type="checkbox"/>	<input type="checkbox"/>

LGB 1 Response: [City & Borough of Sitka](#)

LGB 2 Response:

☐ Waive☐ Protest☐ Lapsed☐ Waive☐ Protest☐ Lapsed



Alaska Alcoholic Beverage Control Board

Form AB-17: 2021/2022 License Renewal Application

- This form and any required supplemental forms must be completed, signed by the licensee, and postmarked no later than 12/31/2020 per AS 04.11.270, 3 AAC 304.160, with all required fees paid in full, or a non-refundable \$500.00 late fee applies.
- Any complete application for renewal or any fees for renewal that have not been postmarked by 02/28/2021 will be expired per AS 04.11.540, 3 AAC 304.160(e).
- All fields of this application must be deemed complete by AMCO staff and must be accompanied by the required fees and all documents required, or the application will be returned without being processed, per AS 04.11.270, 3 AAC 304.105
- Receipt and/or processing of renewal payments by AMCO staff neither indicates nor guarantees in any way that an application will be deemed complete, renewed, or that it will be scheduled for the next ABC Board meeting.

Establishment Contact Information

Licensee (Owner):	Ernie's Bar Inc	License #:	373
License Type:	Beverage Dispensary		
Doing Business As:	Ernie's Bar		
Premises Address:	130 Lincoln St		
Local Governing Body:	City and Borough of Sitka		
Community Council:	none		

If your mailing address has changed, write the NEW address below:

Mailing Address:	PO Box 777		
City:	Sitka	State:	AK
		ZIP:	99835

Section 1 – Licensee Contact Information

Contact Licensee: The individual listed below must be listed in Section 2 or 3 as an Official/Owner/Shareholder of your entity and must be listed on CBPL with the same name and title.

This person will be the designated point of contact regarding this license, unless the Optional contact is completed.

Contact Licensee:	Stanley J Filler	Contact Phone:	9077478815
Contact Email:	stanfillersr@outlook.com		

Optional: If you wish for AMCO staff to communicate with **anyone other than the Contact Licensee** about your license, list them below:

Name of Contact:	Pete Menendez	Contact Phone:	9077383463
Contact Email:	trainwreckalaska.com		

Name of Contact:	Patricia MacPike	Contact Phone:	9077380759
Contact Email:	erniesbarsitka@gmail.com		

Name of Contact:		Contact Phone:	
Contact Email:			



Form AB-17: 2021/2022 License Renewal Application

Section 2 – Entity or Community Ownership Information

Sole Proprietors should skip this Section.

Use the link from Corporations, Business and Professional Licensing (CBPL) below to assist you in finding the Entity #.

<https://www.commerce.alaska.gov/cbp/main/search/entities>

Alaska CBPL Entity #:	44680D
-----------------------	--------

READ BEFORE PROCEEDING: Any new or changes to Shareholders (10% or more), Managers, Corporate Officers, Board of Directors, Partners, Controlling Interest or Ownership of the business license must be reported to the ABC Board within 10 days of the change and must be accompanied by a full set of fingerprints on FBI-approved card stock, AB-08a's, payment of \$48.25 for each new officer with a date-stamped copy of the CBPL change per AS 04.11.045, 50 & 55, or a Notice of Violation will be issued to your establishment and your application will be returned.

The only exception to this is a Corporation who can meet the requirements set forth in AS 04.11.050(c).

DO NOT LIST OFFICERS OR TITLES THAT ARE NOT REQUIRED FOR YOUR ENTITY TYPE.

- **Corporations** of any type including non-profit must list ONLY the following:
 - All shareholders who own 10% or more stock in the corporation
 - Each President, Vice-President, Secretary, and Managing Officer regardless of percentage owned
- **Limited Liability Corporations**, of any type must list ONLY the following:
 - All Members with an ownership interest of 10% or more
 - All Managers (of the LLC, not the DBA) regardless of percentage owned
- **Partnerships** of any type, including *Limited Partnerships* must list ONLY the following:
 - Each Partner with an interest of 10% or more
 - All General Partners regardless of percentage owned

Important Note: All entries below must match our records, or your application will be returned per AS 04.11.270, 3 AAC 304.105. You **must** list full legal names, all required titles, phone number, percentage of shares owned (if applicable) and a full mailing address for each official of your entity whose information we require. **If more space is needed: attach additional completed copies of this page. Additional information not on this page will be rejected.**

Name of Official:	Stanley J Filler				
Title(s):	President/Secretary	Phone:	9077478815	% Owned:	100
Mailing Address:	PO Box 777				
City:	Sitka	State:	AK	ZIP:	99835

Name of Official:					
Title(s):		Phone:		% Owned:	
Mailing Address:					
City:		State:		ZIP:	

Name of Official:					
Title(s):		Phone:		% Owned:	
Mailing Address:					
City:		State:		ZIP:	



Form AB-17: 2021/2022 License Renewal Application

Section 3 – Sole Proprietor Ownership Information

Corporations, LLC's and Partnerships of ALL kinds should skip this section.

READ BEFORE PROCEEDING: Any new or changes to the ownership of the business license must be reported to the ABC Board within 10 days of the change and must be accompanied by a full set of fingerprints on FBI approved cardstock, AB-08a's, payment of \$48.25 for each **new** owner or officer and a date stamped copy of the CBPL change per AS 04.11.045, or a Notice of Violation will be issued to your establishment and your application will be returned.

Important Note: All entries below must match our records, or your application will be returned per AS 04.11.270, 3 AAC 304.105. You must list full legal names, phone number, and mailing address for each owner or partner whose information we require.

If more space is needed, attach additional copies of this page. Additional owners not listed on this page will be rejected.

This individual is an: ☐ Applicant ☐ Affiliate

Name:				Contact Phone:	
Mailing Address:					
City:		State:		ZIP:	
Email:					

This individual is an: ☐ Applicant ☐ Affiliate

Name:				Contact Phone:	
Mailing Address:					
City:		State:		ZIP:	
Email:					

Section 4 – License Operation

Check ONE BOX for EACH CALENDAR YEAR that best describes how this liquor license was operated:

- | | 2019 | 2020 |
|---|-------------------------------------|-------------------------------------|
| 1. The license was regularly operated continuously throughout each year. (Year-round) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. The license was only operated during a specific season each year. (Seasonal)
<i>If your operation dates have changed, list them below:</i>
_____ to _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. The license was only operated to meet the minimum requirement of 240 total hours each calendar year.
<i>A complete AB-30: Proof of Minimum Operation Checklist, and all documentation must be provided with this form.</i> | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. The license was not operated at all or was not operated for at least the minimum requirement of 240 total hours each year, during one or both calendar years. <i>A complete Form AB-29: Waiver of Operation Application and corresponding fees must be submitted with this application for each calendar year during which the license was not operated.</i> | <input type="checkbox"/> | <input type="checkbox"/> |

If you have not met the minimum number of hours of operation in 2020, you are not required to pay the fees, however a complete AB-29 is required with Section 2 marked "OTHER" and COVID is listed as the reason.

Section 5 – Violations and Convictions

Have ANY Notices of Violation been issued for this license **OR** has ANY person or entity in this application been convicted of a violation of Title 04, 3AAC 304 or a local ordinance adopted under AS 04.21.010 in 2019 or 2020?

Yes ☐ No ☒

If you checked YES, you MUST attach a list of all Notices of Violation and/or Convictions per AS 04.11.270(a)(2)

If you are unsure if you have received any Notices of Violation, contact the office before submitting this form.



Alaska Alcoholic Beverage Control Board


Form AB-17: 2021/2022 License Renewal Application

Section 6 – Certifications


As an applicant for a liquor license renewal, I declare under penalty of perjury that I have read and am familiar with AS 04 and 3 AAC 304, and that this application, including all accompanying schedules and statements, are true, correct, and complete.

- I agree to provide all information required by the Alcoholic Beverage Control Board or requested by AMCO staff in support of this application and understand that failure to do so by any deadline given to me by AMCO staff will result in this application being returned and potentially expired if I do not comply with statutory or regulatory requirements.
- I certify that all current licensees (as defined in AS 04.11.260) and affiliates have been listed on this application, and that in accordance with AS 04.11.450, no one other than the licensee(s) has a direct or indirect financial interest in the licensed business.
- I certify that this entity is in good standing with Corporations, Business and Professional Licensing (CBPL) and that all entity officials and stakeholders are current and accurately listed, and I have provided AMCO with all required changes of Shareholders (10% or more), Managers, Corporate Officers/Board of Directors, Partners, Controlling Interest or Ownership of the business license, and have provided all required documents for any new or changes in officers.
- **I certify that all licensees, agents, and employees who sell or serve alcoholic beverages or check identification of patrons have completed an alcohol server education course approved by the ABC Board and keep current, valid copies of their course completion cards on the licensed premises during all working hours, if applicable for this license type as set forth in AS 04.21.025 and 3 AAC 304.465.**
- I certify that I have not altered the functional floor plan or reduced or expanded the area of the licensed premises, and I have not changed the business name from what is currently approved and on file with the Alcoholic Beverage Control Board.

I certify on behalf of myself or of the organized entity that I understand that providing a false statement on this form or any other form provided by AMCO is grounds for rejection or denial of this application or revocation of any license issued.


Signature of licensee
Stanley J Filler
Printed name of licensee

S.Royce
NOTARY PUBLIC
State of Alaska
My Commission Expires 06/20/2021


Signature of Notary Public
Notary Public in and for the State of: ALASKA
My commission expires: 6-20-21

Subscribed and sworn to before me this 13 day of October, 2020.

Restaurant/Eating Place applications must include a completed AB-33: Restaurant Receipts Affidavit

Recreational Site applications must include a completed Recreational Site Statement

Tourism applications must include a completed Tourism Statement

Wholesale applications must include a completed AB-25: Supplier Certification

All renewal and supplemental forms are available online

Any application that is not complete or does not include ALL required completed forms and fees will not be processed and will be returned per AS 04.11.270, 3 AAC 304.105.

FOR OFFICE USE ONLY

License Fee:	\$2500.	Application Fee:	\$ 300.00	Misc. Fee:	\$
Total Fees Due:					\$2800.00

AMCO

Department of Commerce, Community, and Economic Development

CORPORATIONS, BUSINESS & PROFESSIONAL LICENSING

[State of Alaska](#) / [Commerce](#) / [Corporations, Business, and Professional Licensing](#) / [Search & Database Download](#) /
[Corporations](#) / Entity Details

ENTITY DETAILS

Name(s)

Type	Name
Legal Name	ERNIE'S BAR, INC.

Entity Type: Business Corporation

Entity #: 44680D

Status: Good Standing

AK Formed Date: 10/13/1989

Duration/Expiration: Perpetual

Home State: ALASKA

Next Biennial Report Due: 1/2/2023

Entity Mailing Address: PO BOX 777, SITKA, AK 99835

Entity Physical Address: 130 LINCOLN ST, SITKA, AK 99835

Registered Agent

Agent Name: STANLEY FILLER

Registered Mailing Address: BOX 777, SITKA, AK 99835

Registered Physical Address: 130 LINCOLN ST, SITKA, AK 99835

Officials

☐ Show Former

AK Entity #	Name	Titles	Owned
	Stan Filler	President, Treasurer, Director, Secretary, Shareholder	100.00

Filed Documents

Date Filed	Type	Filing	Certificate
10/13/1989	Creation Filing		
6/04/1990	Biennial Report		
12/26/1990	Biennial Report		
2/03/1993	Biennial Report	Click to View	
12/22/1994	Biennial Report	Click to View	
12/20/1996	Biennial Report	Click to View	
12/24/1998	Biennial Report	Click to View	
2/01/2001	Biennial Report	Click to View	
6/09/2003	Election or Resolution to Dissolve	Click to View	
6/30/2003	Biennial Report	Click to View	
6/30/2003	Agent Change	Click to View	
6/30/2003	Agent Change	Click to View	
1/03/2005	Biennial Report	Click to View	
10/03/2006	Biennial Report	Click to View	
11/14/2008	Biennial Report	Click to View	
10/07/2010	Biennial Report	Click to View	
10/29/2012	Biennial Report	Click to View	
10/14/2014	Biennial Report	Click to View	
11/03/2016	Biennial Report	Click to View	
10/03/2018	Biennial Report	Click to View	
10/12/2020	Biennial Report	Click to View	

Alaska Department of Commerce, Community, and Economic Development

Division of Corporations, Business, and Professional Licensing

PO Box 110806, Juneau, AK 99811-0806

This is to certify that

ERNIES BAR, INC

P. O. BOX 777, SITKA, AK 99835

owned by

ERNIES BAR, INC.

is licensed by the department to conduct business for the period

October 12, 2020 to December 31, 2022
for the following line(s) of business:

72 - Accommodation and Food Services



This license shall not be taken as permission to do business in the state without having complied with the other requirements of the laws of the State or of the United States.

This license must be posted in a conspicuous place at the business location.
It is not transferable or assignable.

Julie Anderson
Commissioner

Alaska Department of Commerce, Community, and Economic Development

Division of Corporations, Business, and Professional Licensing

PO Box 110806, Juneau, AK 99811-0806

This is to certify that

ERNIES BAR, INC

P. O. BOX 777, SITKA, AK 99835

owned by

ERNIES BAR, INC.

ENDORSEMENT: 310466 - 1

Effective October 12, 2020 through December 31, 2022

This business license has an endorsement for the physical address shown below:

130 LINCOLN STREET, SITKA, AK 99835



This license shall not be taken as permission to do business in the state without having complied with the other requirements of the laws of the State or of the United States.

This license must be posted in a conspicuous place at the business location.
It is not transferable or assignable.

Julie Anderson
Commissioner



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

**Department of Commerce, Community,
and Economic Development**

ALCOHOL & MARIJUANA CONTROL OFFICE

550 West Seventh Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

October 29, 2020

Ernie's Bar Inc

DBA: Ernie's Bar

Via Email: stanfillersr@outlook.com ; trainwreckalaska.com ; erniesbarsitka@gmail.com

Re: Beverage Dispensary License #373 DBA: Ernie's Bar

Dear Applicant:

I have received your application for renewal of your liquor license. Our staff has reviewed your application after receiving your application and required fees. Your renewal documents appear to be in order, and I have determined that your application is complete for purposes of AS 04.11.510, and AS 04.11.520.

Your application is now considered complete and will be sent electronically to your local governing body, your community council if your proposed premises is in Anchorage or certain locations in the Matanuska-Susitna Borough, and to any non-profit agencies who have requested notification of applications. The local governing body will have 60 days to protest the renewal of your license or waive protest.

A temporary license has been issued for this establishment.

Your application will be scheduled for the January 2021 board meeting for Alcoholic Beverage Control Board consideration. The address and call-in number for the meeting will be posted on our home page. The board will not grant or deny your application at the meeting unless your local government waives its right to protest per AS 04.11.480(a).

Please feel free to contact us through the alcohol.licensing@alaska.gov email address if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Olivia", written over a white rectangular background.

Olivia Frank
Occupational Licensing Examiner



CITY AND BOROUGH OF SITKA

Legislation Details

File #: 20-228 Version: 1 Name:

Type: Item Status: AGENDA READY

File created: 11/17/2020 In control: City and Borough Assembly

On agenda: 11/24/2020 Final action:

Title: Approve the Acting Administrator list for 2021: Melissa Haley, Michael Harmon, Scott Elder, and Sara Peterson

Sponsors:

Indexes:

Code sections:

Attachments: [Motion and Memo Acting](#)

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

POSSIBLE MOTION

I MOVE TO approve the
Acting Administrator list for 2021: Melissa Haley,
Michael Harmon, Scott Elder, and Sara Peterson.




City and Borough of Sitka

PROVIDING FOR TODAY...PREPARING FOR TOMORROW

Coast Guard City, USA

MEMORANDUM

To: Mayor Eisenbeisz and Assembly Members

From: John Leach, Municipal Administrator 

Date: November 18th, 2020

Subject: Approval of the Acting Administrator List for 2021

Following is the updated Acting Administrator list for the 2021 calendar year. These Department Heads are authorized to serve in my capacity, in no particular order, should I be absent.

- Melissa Haley, Finance Director
- Michael Harmon, Public Works Director
- Scott Elder, Electric Director
- Sara Peterson, Municipal Clerk

2.08.015 Selection of acting administrator.

No later than January 15th of each calendar year, the administrator shall provide in writing to the assembly a list of at least three department heads from which the administrator can select a person to serve as acting administrator for a given period of time during the next twelve months. The administrator will select from that list, unless unforeseen circumstances require the administrator to select another person not on the list. If another person is selected, the assembly will be informed as soon as possible. The assembly by majority vote may direct the administrator to change the list or the selection. (Ord. 14-39A § 4, 2014: Ord. 03-1755 § 4, 2003.)



CITY AND BOROUGH OF SITKA

Legislation Details

File #: ORD 20-52 Version: 1 Name:

Type: Ordinance Status: AGENDA READY

File created: 11/4/2020 In control: City and Borough Assembly

On agenda: 11/24/2020 Final action:

Title: Amending Title 2 "Administration" of the Sitka General Code Chapter 2.04 "City and Borough Assembly" by amending Section 2.04.040 "Committees"

Sponsors:

Indexes:

Code sections:

Attachments: [Motion and Ord 2020-52](#)

Date	Ver.	Action By	Action	Result
11/10/2020	1	City and Borough Assembly		

Sponsors: Mosher / Nelson

POSSIBLE MOTION

I MOVE TO approve Ordinance 2020-52 on second and final reading amending Title 2 "Administration" of the Sitka General Code Chapter 2.04 "City and Borough Assembly" by amending Section 2.04.040 "Committees".

CITY AND BOROUGH OF SITKA

ORDINANCE NO. 2020-52

**AN ORDINANCE OF THE CITY AND BOROUGH OF SITKA AMENDING TITLE 2
“ADMINISTRATION” OF THE SITKA GENERAL CODE CHAPTER 2.04 “CITY AND
BOROUGH ASSEMBLY” BY AMENDING SECTION 2.04.040 “COMMITTEES”**

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

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

3. PURPOSE. The purpose of this ordinance is to establish that standing committees need only be convened and appointed at the discretion of the assembly by a majority vote of its members.

4. ENACTMENT. NOW, THEREFORE, BE IT ENACTED by the Assembly of the City and Borough of Sitka that the Sitka General Code Title 2, entitled “Administration”, be amended by editing Chapter 2.04, entitled “City and Borough Assembly”, at Section 2.04.040, entitled “Committees,” to read as follows (deleted language stricken, new language underlined):

**Title 2
ADMINISTRATION**

Chapters:

2.04 City And Borough Assembly

* * *

**Chapter 2.04
CITY AND BOROUGH ASSEMBLY**

Sections:

- 2.04.010 Agenda.
- 2.04.020 Meetings.
- 2.04.035 Introduction of ordinances and resolutions.
- 2.04.040 Committees.

* * *

2.04.040 Committees.

A. The assembly shall have the following standing committees:

1. Police and fire;
2. Utilities and finance;
3. Airport, harbors and transportation;
4. Streets and roads;
5. Parks and recreation;
6. Public sanitation;

7. Public health services;

and shall have such special committees as may be appointed. Any ~~assemblyman~~member shall be privileged to sit with any committee at all times; such ~~assemblyman~~member shall have the right to participate in committee discussion except that members of the committee shall have priority to obtaining the floor and only committee members may vote. Reasonable opportunity for the public to be heard shall be allowed. Special committees automatically terminate upon completion of the assignment given to them upon formation of the committee.

B. Selection of the Committees. Upon organization annually at the first meeting following certification of the election for assembly members, if the assembly by a majority vote of its members decides to make committee appointments to any standing and/or special committee, a committee on committees shall be appointed by the mayor to recommend committee appointments to the ~~chair~~mayor. The mayor then appoints the committees, but ~~he~~the mayor is not bound by the recommendation of the committee ~~on~~of committees. The committee appointments are subject to ratification by a majority of the members of the assembly. If appointments are not made to a standing committee or any special committee formed, such committees shall not convene or act.

C. Committee of the Whole. The presiding officer may appoint another member of the body to preside over the committee of the whole. Upon adjourning, the committee of the whole, the mayor resumes the chair and the member who acted as chairman of the committee of the whole shall make a report of the proceedings and recommendations of the committee of the whole to the assembly. Generally the rules of the assembly shall be followed in the committee of the whole except at the discretion of the chair the rules may be relaxed and the rules relating to participation by the presiding officer and the number of times a member should speak shall not be in effect unless a majority of the committee orders that they be. Reasonable opportunity for the public to be heard shall be allowed.

* * *

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

PASSED, APPROVED, AND ADOPTED by the Assembly of the City and Borough of Sitka, Alaska, this 24 day of November, 2020.

Steven Eisenbeisz, Mayor

ATTEST:

Sara Peterson, MMC
Municipal Clerk

1st reading 11/10/2020
2nd and final reading 11/24/2020

Sponsors: Mosher and Nelson



CITY AND BOROUGH OF SITKA

Legislation Details

File #: ORD 20-55 Version: 1 Name:

Type: Ordinance Status: AGENDA READY

File created: 11/18/2020 In control: City and Borough Assembly

On agenda: 11/24/2020 Final action:

Title: An emergency ordinance of the City and Borough of Sitka limiting capacity at all bars, restaurants and other large gathering places and providing guidance to mitigate the spread of COVID-19

Sponsors:

Indexes:

Code sections:

Attachments: [Motion Ord 2020-55](#)
[Ord 2020-55](#)

Date	Ver.	Action By	Action	Result
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Sponsors: Knox / Duncan

POSSIBLE MOTION

I MOVE TO approve Emergency Ordinance 2020-55 on first reading limiting capacity at all bars, restaurants and other large gathering places and providing guidance to mitigate the spread of COVID 19.

Notes:

- Per Sitka Home Rule Charter Section 3.03, the affirmative votes of at least five assembly members shall be required for adoption of an emergency ordinance.
- Re-enactment/second reading is prescheduled for December 22, 2020.

**CITY AND BOROUGH OF SITKA
ORDINANCE NO. 2020-55**

**AN EMERGENCY ORDINANCE OF THE CITY AND BOROUGH OF SITKA
LIMITING CAPACITY AT ALL BARS, RESTAURANTS AND OTHER LARGE GATHERING
PLACES AND PROVIDING GUIDANCE TO MITIGATE THE SPREAD OF COVID-19**

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

1. CLASSIFICATION. This emergency 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.

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

3. PURPOSE. The purpose of this emergency ordinance is to provide additional protections and help mitigate the impacts of rising COVID-19 infection rates in the City and Borough of Sitka. More specifically:

WHEREAS, the Assembly recognizes that an emergency exists due to the COVID-19 pandemic that affects the life, health, welfare or property of persons owning real property in Sitka; and

WHEREAS, the COVID-19 pandemic has recently seen a significant increase in infections around the United States, including Alaska and the City and Borough of Sitka; and

WHEREAS, it is the priority of the City and Borough of Sitka, the Sitka School District, and the citizens of Sitka to reopen our schools under the Sitka Schools SMART precautions; and

WHEREAS, the current rate of infection and spread is preventing our children from returning to school, severely hampering their educational growth, socialization, and future success, and the closure of our schools is also an incredible strain on the economy of Sitka, curtailing the ability of many families to work in full.

4. ENACTMENT. NOW, THEREFORE, BE IT ENACTED by the Assembly of the City and Borough of Sitka the following restrictions and requirements for bars, restaurants and other large gathering places to protect the health, welfare and safety of the citizens of Sitka, and our limited healthcare systems:

Section 1. Bars and restaurants.

1. Indoor service is permitted at a reduced capacity: 50% for restaurants and 25% for bars. Curbside and delivery service are encouraged, including alcohol service permitted by the State of Alaska.
2. Outdoor service permissible. Table service only. No standing at bar tops. All customer must to be seated.
3. Masks or face coverings required for all staff and customers, unless eating or drinking.
4. Staff and customers must adhere to physical distancing protocols, including remaining at least six feet apart.
5. Outdoor service under temporary tents or structures is permitted. Temporary tents or structures must have either two (2) walls removed, four (4) walls pulled up at least 50%, or windows open to create an equivalent amount of ventilation.

Section 2. Large Gathering Places (50 persons or more) – e.g., social and religious gatherings or activities, bingo halls, theaters/ performing art centers, fairs and markets, etc.

1. Indoor gatherings of groups larger than 50 persons are prohibited.
2. For indoor gatherings of groups of 50 persons or smaller, staff, customers, and other persons gathering must adhere to the following:
 - a. All persons must follow physical distancing protocols, including remaining at least six (6) feet apart. While signing or projecting one's voice, those persons must remain at least ten (10) feet apart.
 - b. All staff must follow Center for Disease Control guidance for COVID-19 hand hygiene and wearing of masks or face coverings.
 - c. Physical distancing and mask/face coverings protocols must be prominently posted such that they are reasonably viewable by the public.

5. ENFORCEMENT. The failure to follow this emergency ordinance poses a substantial risk to the life, health and welfare of the persons in Sitka and, accordingly the City and Borough of Sitka shall be able to and may seek an expedited court order requiring a person, whether an individual or entity, not complying with this emergency ordinance to comply with and enjoin any activity that violates this emergency ordinance. Further, failure to follow this emergency ordinance is punishable by the maximum fines and penalties permitted by law under the State of Alaska Health Orders.

6. EMERGENCY DECLARATION. In accordance with the Home Rule Charter of the City and Borough of Sitka, Section 3.03 "Emergency Ordinances," the Assembly of the City and Borough of Sitka hereby declares that an emergency exists that affects the life, health, welfare or property of persons within Sitka for those reasons stated above.

7. EFFECTIVE DATE AND EXPIRATION DATE. This emergency ordinance shall become effective on the day it is adopted, as an emergency exists as stated above and expires on December 22, 2020, unless re-enacted at the December 22, 2020 regular meeting of the Assembly, if the emergency still exists on that date. A public service announcement shall be widely distributed providing public notice of this emergency ordinance.

INITIALLY PASSED, APPROVED, AND ADOPTED by the Assembly of the City and Borough of Sitka this 24th day of November, 2020.

Steven Eisenbeisz, Mayor

ATTEST:

Sara Peterson, MMC
Municipal Clerk

1st reading – Emergency Ordinance 11/24/2020 in accordance with Home Rule Charter, Section 3.03.

Re-enactment pre-scheduled for 12/22/2020

Sponsors: Knox/Duncan



CITY AND BOROUGH OF SITKA

Legislation Details

File #: ORD 20-53 Version: 1 Name:

Type: Ordinance Status: AGENDA READY

File created: 11/18/2020 In control: City and Borough Assembly

On agenda: 11/24/2020 Final action:

Title: Making supplemental appropriations for Fiscal year 2021 (Brady Lift Station Rehab Project)

Sponsors:

Indexes:

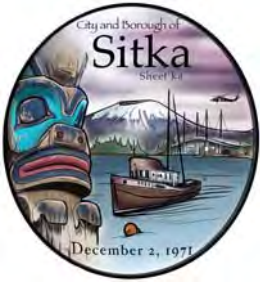
Code sections:

Attachments: [Motion Ord 2020-53](#)
[Memo and Ord 2020-53](#)

Date	Ver.	Action By	Action	Result
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POSSIBLE MOTION

I MOVE TO approve Ordinance 2020-53 on first reading making supplemental appropriations for Fiscal year 2021 (Brady Lift Station Rehab Project).




City and Borough of Sitka

PROVIDING FOR TODAY...PREPARING FOR TOMORROW


Coast Guard City, USA

MEMORANDUM

To: Mayor Eisenbeisz and Assembly Members

Thru: John Leach, Municipal Administrator 

From: Michael Harmon, P.E.

Date: November 17, 2020 

Subject: Brady Lift Station Rehabilitation- Budget Adjustment Request

Background

Brady Lift Station is responsible for pumping all sewage generated north of Brady Street to the Wastewater Treatment Plant at 100 Alice Loop on Japonski Island. Much of the lift station equipment is outdated and requires excessive maintenance, most notably, a plug valve in the lift station has failed, making it impossible to isolate one of the three pumps for maintenance. It is important that this project be completed as soon as possible due to the risk and implications of lift station failure, however, it is equally important that the project be completed in the most cost-effective manner.

Public Works was forced to delay bidding of the project earlier this year when it became clear that the designed improvements were outside of the critical scope originally intended and had constructability issues. The design has been thoroughly revisited to address constructability and to re-use existing infrastructure wherever possible. There have been some sacrifices made that increase risk and maintenance requirements, but careful consideration has been made in this regard understanding that money is very tight. At this time Public Works is satisfied that the Brady Lift Station Rehabilitation is designed to maximize efficient use of funds and project implementation cannot afford further delay.

Additional funding for this project has been anticipated and was programmed and presented to the Assembly during the FY21 budget process. At that time, it was decided to wait until the bids were in to make this final budget adjustment. Now that formal bids have been received (November 13), CBS is able to accurately identify the amount of funding needed to complete the project.

Analysis

Current funding sources are \$428,759 from the Wastewater Fund for Brady Lift Station and \$217,400 from the Brady ADEC Clean Water Loan funds for Brady Lift Station. Following is a current budget summary:

Project Funding	\$ 646,159
Remaining Budget	\$ 323,625
Expenditures/Encumbrances	
DOWL	\$ 120,000
PTS	\$ 37,000
Boreal	\$ 78,192
Alaska Pump and Supply	\$ 53,730
CBS Staff	\$ 15,000
Remaining Costs	
Pre-order Materials	\$ 70,000
DOWL	\$ 20,000
Construction Bid	\$ 557,880
Construction Contingency (~10%)	\$ 60,000
Inspection & CBS Staff	\$ 20,000
Total Project Cost Estimate	\$ 1,031,802
Estimated Shortfall	\$ 385,643

Fiscal Note

At June 30, 2020, the Wastewater Fund had working capital of approximately \$8.5 million. With many looming infrastructure repairs, the fund has been building its working capital specifically so that needed repairs can be made and also so future repairs can be funded with a both low interest ADEC loans and the Wastewater Fund's working capital. The higher than anticipated cost of the Brady Street lift station repair is an example of why the fund must maintain adequate levels of working capital.

Recommendation

Authorize the CBS Municipal Administrator to commit \$400,000 additional Wastewater Funds to the completion of the Brady Lift Station Rehabilitation project.

CITY AND BOROUGH OF SITKA

ORDINANCE NO. 2020-53
AN ORDINANCE OF THE CITY AND BOROUGH OF SITKA MAKING SUPPLEMENTAL
APPROPRIATIONS FOR FISCAL YEAR 2021
(Brady Lift Station Rehab Project)

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 FY2021.

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>
CAPITAL PROJECTS
Fund 730 – Brady St. Lift Station Rehabilitation Project #90676: Increase appropriations in the amount of \$400,000 for the Brady Lift Station Rehab Project.

EXPLANATION. The Brady Lift Station Rehabilitation project is a critical infrastructure project. It is important that this project be completed as soon as possible due to the risk and implications of lift station failure. Additional funding for this project was programmed and presented to the Assembly during the FY21 budget process. It was decided to wait until the bids were in to make this final budget adjustment. Now that formal bids have been received (November 13), CBS is able to accurately identify the amount of funding needed to complete the project.

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 December 2020.

ATTEST:

Steven Eisenbeisz, Mayor

Sara Peterson, MMC
Municipal Clerk

1st reading 11/24/20
2nd and final reading 12/8/20

Sponsor: Administrator



CITY AND BOROUGH OF SITKA

Legislation Details

File #: ORD 20-54 Version: 1 Name:

Type: Ordinance Status: AGENDA READY

File created: 11/18/2020 In control: City and Borough Assembly

On agenda: 11/24/2020 Final action:

Title: Making supplemental appropriations for Fiscal Year 2021 (Homeland Security Grant for Secure Access Upgrade)

Sponsors:

Indexes:

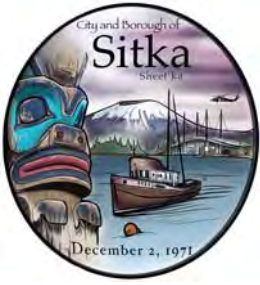
Code sections:

Attachments: [Motion Ord 2020-54](#)
[Memo and Ord 2020-54](#)

Date	Ver.	Action By	Action	Result
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POSSIBLE MOTION

I MOVE TO approve Ordinance 2020-54 on first reading making supplemental appropriations for Fiscal Year 2021 (Homeland Security Grant for Secure Access Upgrade) and direct the Municipal Administrator to accept the grant from the 2020 State Homeland Security and Emergency Management Grant Program.




City and Borough of Sitka


PROVIDING FOR TODAY...PREPARING FOR TOMORROW

Coast Guard City, USA

MEMORANDUM

To: Mayor Eisenbeisz and Assembly Members

Thru: John Leach, Municipal Administrator 

From: Robert Baty, Chief of Police 

Date: October 29, 2020

Subject: Accepting monies from the 2020 State Homeland Security and Emergency Management Grant Program

Background

In January of 2020, the Sitka Police Department applied for the 2020 State Homeland Security and Emergency Management Grant for a Secure Access Upgrade in the PD.

Analysis

In October we received an award of \$50,000 for the Secure Access Upgrade project.

Fiscal Note

A supplemental capital appropriation in the amount of \$50,000 will need to be made to the general fund. The grant consists of federal funding that is passed through the State of Alaska. As such it is considered to be federal and will be audited and included in the City and Borough of Sitka's Single audit under the federal schedule of awards. As a capital appropriation, if not fully completed this fiscal year, the appropriation will automatically roll over.

Recommendation

Direct the municipal administrator to accept the grant from the 2020 State Homeland Security and Emergency Management Grant Program and approve the supplemental capital appropriation in the amount of \$50,000.

Sponsor: Administrator

CITY AND BOROUGH OF SITKA

ORDINANCE NO. 2020-54

**AN ORDINANCE OF THE CITY AND BOROUGH OF SITKA MAKING SUPPLEMENTAL
APPROPRIATIONS FOR FISCAL YEAR 2021**

(Homeland Security Grant for Secure Access Upgrade)

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 FY2021.

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>
<u>CAPITAL PROJECTS</u>
Fund 700 – Secure Access Upgrade Project: Increase appropriations in the amount of \$50,000 from State Homeland Security and Emergency Management Grant for a secure access upgrade in the Police Department.

EXPLANATION

This appropriation is backed by federal grant revenue and all expenditures will be covered by the grand funding.

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 December 2020.

ATTEST:

Steven Eisenbeisz, Mayor

Sara Peterson, MMC
Municipal Clerk

1st reading 11/24/2020
2nd and final reading 12/8/2020

Sponsor: Administrator



CITY AND BOROUGH OF SITKA

Legislation Details

File #: 20-232 Version: 1 Name:

Type: Item Status: AGENDA READY

File created: 11/18/2020 In control: City and Borough Assembly

On agenda: 11/24/2020 Final action:

Title: Discussion / Direction / Decision on Tract A11 Whitcomb Heights Subdivision RFP Response

Sponsors:

Indexes:

Code sections:

Attachments: [dDiscussion Direction Decision Whitcomb Heights Assembly Memo Tract A11 WHS RFP Response Pioneer Response Tract A11 WHS RFP Tract A11 Benchlands Development RFP](#)

Date	Ver.	Action By	Action	Result
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Step 1

Discussion / Direction / Decision
on Tract A11 Whitcomb Heights Subdivision RFP
Response

Step 2

Possible Motion

I MOVE TO accept the RFP response from
Pioneer Land Development, LLC.




City and Borough of Sitka


PROVIDING FOR TODAY...PREPARING FOR TOMORROW

Coast Guard City, USA

MEMORANDUM

To: Mayor Eisenbeisz and Assembly Members

Thru: John Leach, Municipal Administrator 

From: Amy Ainslie, Planning Director 

Date: November 17, 2020

Subject: **RFP for Sale of Tract A11 Whitcomb Heights Subdivision - Response**

Background

At its August 5th meeting, the Assembly approved a Request for Proposals for the sale of Tract A11 Whitcomb Heights Subdivision, encompassing approximately 4 acres of land accessed from Kramer Avenue.

The RFP included background information on the land, including extensive wetland delineation and landslide risk assessment data, and available utilities in the area. Among various requirements, proposers were to provide the qualifications of the firm to develop the land into buildable residential lots within 3-5 years. A detailed site plan was to be provided along with a narrative on the development plan with the number of lots created, the proposed mixture of housing types, and expected income level of purchasers. A proposed purchase price was also to be provided.

The RFP was open for 30 days (October 2 – November 2). One response was received from Pioneer Land Development, LLC ("Pioneer"). Consistent with their request made to CBS to purchase the property earlier in 2020 (which initiated the RFP for the property) as reviewed by the Planning Commission and the Assembly, Pioneer was primarily interested in the southern 1 acre of property near the corner of Cushing Street and Kramer Avenue. Plans included development of 3-4 lots for residential development (though 3 were depicted in the site plan). One of the properties would be retained and built on, and the other 2-3 lots would be offered for sale. Build out was expected within 2 years. The total purchase price offered was \$17,500 which was based on \$0.40/square foot for the approximately 1 acre in the southern portion.

Analysis

A. RFP Requirements

Internal review of the response was performed by Planning, Public Works, and Electric. All reviewers concurred that the response had failed to meet the following requirements of the RFP:

- Requirement #3: Proposer has no prior track record for the proposed work.
- Requirement #6: Dimensions of parcels, buildings, and any other improvements were not provided.
- Requirement #8:
 - Mixture of housing types was not identified or explained beyond stating that expected development would be “single family residences pursuant to R-1 zoning”. This is despite the fact that R-1 zoning also allows duplexes, and conditionally allows multi-family housing and accessory dwelling units. The RFP also encouraged proposers to utilize the creativity afforded through the Planned Unit Development process to achieve a mixture of housing types and income levels of potential buyers.
 - Narrative was not definitive on the number of lots to actually be developed.
 - Expected income level of purchasers was to be provided – proposal only stated median income of potential buyers (which was essentially Sitka’s current overall median income).

B. Purchase Price

The proposed price of \$17,500 is based on \$0.40/square foot of the approximately 43,750 square feet Pioneer would like to develop. No consideration was offered for the remaining ~2.5-3 acres.

While we do not have an appraisal for the land, reviewers felt that this was a rather low offer. Comparable properties were difficult to find, but per a search of local listings, staff found two lots on the road system where utilities were proximate, but not yet on the site. One was about half an acre and had a listing price of approx. \$4.35/square foot and has recently sold, the other is just over 8,000 square feet, still being advertised for approx. \$12.07/square foot. Staff also looked at island properties in the Large Island districts such as Middle Island and Kasiana, neither of which are served by utilities; listing prices for properties ranged from \$1.31/square foot - \$1.64/square foot. Staff asserts that raw land in town, on the road system, with utilities close by should be at least comparable, if not more valuable, than raw land on large, subdivided islands with no access to utilities.

When lots in Jacob’s Circle were authorized for sale in 2011, utilities were available in the right-of-way but not to the lots themselves, nor were the lots prepped with building pads/sites. The average starting bid amounts were \$6.97/square foot, and 3 out of the 9 lots have since sold into private hands. Of the three that sold, the minimum starting bid was on average \$7.18/square foot. Again, not while a direct comparison, these figures do provide some baseline by which to gauge the appropriateness of the offered \$0.40/square foot.

The concerns surrounding the low offer price were even more pronounced when considering that though the proposer may not want to develop the remaining 2.5 – 3

acres of land, they have the opportunity to either develop it in the future or subdivide it out and sell it to another, more interested party. When the total area is taken into consideration, the price is approx. \$0.11/square foot. Contrary to statements made in Pioneer's response stating that the remaining land in question was "not intended for development", previous land planning efforts (which were included as an attachment to the RFP) had identified that the area could be suitable for single-family lots or perhaps sites for manufactured homes.

In the past, land may have been sold at a reduced rate or gifted in order to facilitate a community benefit such as affordable housing. With only two, perhaps three (though only two are shown in the site plan), lots made available for sale and no information provided as to the housing types or income of purchasers, reviewers found it difficult to identify a definitive or significant benefit towards affordable housing.

Fiscal Note

None at this time.

Recommendation

Staff recommends rejecting the response.

Future use and/or disposal of this land could be addressed through several means, a few of which could be:

- A renewed planning effort for Benchlands properties, including a disposal plan
- An auction for this tract with an established minimum bid price closer to fair market value
- A public/private partnership for an affordable housing project

**TRACT A11
BENCHLANDS DEVELOPMENT
PROPOSAL**

November 1, 2020

City and Borough of Sitka, Municipal Clerk
100 Lincoln Street
Sitka, Alaska 99835

RE: Whitcomb Heights Subdivision Tract A11 Benchlands Development Proposal

Dear City of Sitka,

Pioneer Land Development LLC (Pioneer) would like to formally express our interest in purchasing Tract A11 Whitcomb Heights Subdivision. Pioneer is a professional organization formed with the goal of developing land for the expansion of right-sized, quality, affordable housing for local Sitkans. The Pioneer proposal supports the Sitka Comprehensive Plan 2030 Housing goal of expanding the range, affordability, and quality of housing in Sitka while maintaining attractive, livable neighborhoods.

Pioneer proposes a development approach for Tract A11 with the primary focus on 1 acre eastern portion (East Parcel). The west portion poses significant development challenges including slope limitations, streams/ drainages, wetlands and landslide hazard. As such, this portion does not bring economic benefit to the project. Ensuring the West Parcel remains predominantly green open space supports the Sitka Plan intent for protecting sensitive environmental areas and ensuring attractive neighborhoods.

East Parcel (Timeframe 0 - 2 years)

- Developing 3-4 individual residential lots which will provide utility services to each lot
- Initiate building on at least one lot and offering the remaining lots for sale

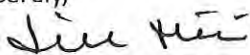
West Parcel

- An initial review indicates this portion be cost-prohibitive for development
- Protecting this important sensitive environmental and drainage area as open/green space in accordance with the original intent

Factoring development costs to extend utilities to the Tract and given a majority of the tract is identified with characteristics/limitations prohibitive to development, Pioneer would like to offer \$17,500. This translates to \$0.40 per square foot per acre for the Tract A11 land that is proposed to be developed.

Thank you in advance for your time and consideration in reviewing this proposal. Please contact us with any comments, questions or concerns.

Sincerely,



Pioneer Land Development LLC

Company Overview

Pioneer Land Development LLC. (Pioneer), was formed with the goal of creating affordable housing opportunities for Sitka residents. Pioneer is comprised of a professional team that includes local Sitkans and long-time Sitka visitors.

Project Background

In January 2020, Pioneer approached the City and Borough of Sitka Planning and Community Development Department to purchase approximately 1 acre of the 4-acre Tract A11 Whitcomb Heights Subdivision. This portion of Tract A11 lies in the low slide risk zone has suitable soil, topography, minimal wetlands and drainage issues (this area is hereafter referred to as the A11 east parcel). Only the A11 east parcel was perceived to be developable by Pioneer for affordable housing.

On May 20, 2020, Planning approved our request to purchase the 41,000 SF A11 east parcel and memorialized its review analysis to the Assembly.

On June 23, 2020, the assembly heard the proposal to purchase the A11 east parcel. However, pursuant to the meeting debate, the assembly voted to sell the entire A11 tract via a RFP, in effect quadrupling the land area initially solicited and including a large area not currently thought of as economically feasible to develop. Based on this change in scope, Pioneer offers the following information in support of its proposal to purchase the entire 4-acre tract.

1. Narrative Statement of Qualifications

The depth of experience in this partnership, in particular from Jill Hirai and Peter Lumkong satisfy the requisite experience level required for this development parcel and will engage with a local contractor for proposed utility and site improvements. Upon acquiring the land, Pioneer will also engage with an engineering firm to ensure that development activities are conducted in accordance with applicable regulations and approval mechanisms.

Pioneer member Jill Hirai

Graduate of Oregon State University (OSU) 2002 with B.A. in Interior Design and Housing Studies. Jill has over 20 years' experience working in Sitka in all aspects of Housing from Realtor, Escrow officer, Home designer, Surveyor, and Community Land Trust Board member. Jill has been a respected team member on countless subdivisions. Her work with O'Neill Surveying and Engineering and North 57 Land Surveying has allowed her to bring drafting and design expertise as well as field surveying skills to our Company.

"Providing affordable housing has been an interest that became a passion while studying Housing at OSU. It was apparent even before 2000 that Sitka was struggling to provide affordable housing. More recently, it has become evident that smaller sized homes are especially difficult to come by thus adding to the affordability gap." Affordable housing for an aging person in Sitka is extremely limited.

Additionally, vacant land is equally limited and is either undevelopable by modern standards, is too costly to develop for this purpose, or is unavailable to the public. Sitka's unique qualities that make it an appealing location to live, work and raise a family, also lend to unique challenges for new housing. This

in turn contributes to the ever-increasing gap between affordable homes and those only afforded by high-income households. This is a complex situation that requires a comprehensive solution, and there is no single answer that will solve this issue, however, making more land available to residents is a start.

Pioneer member Peter Lumkong

Graduate of Rutgers University, New Jersey in 1988 with a B.S. in Engineering and a B.A. in Economics. Peter has been a licensed professional civil engineer for over 20 years and has performed roles combining his experience in engineering design, and project management supporting land development. Peter has been a soccer coach for many years with the local Police Athletic League and is currently a coach of the Rutgers University Men's Rugby team in New Brunswick, New Jersey.

Peter worked as a commercial fisherman on Sitka-based fishing vessels for the 1988 & 1991 seasons.

Pioneer member Clare Lumkong

Graduate of Rutgers University, New Jersey in 1989 with a B.S. in Environmental Studies. Clare has over 30 years' experience with environmental permitting, compliance and protection of resources. She currently works as the Global Manager for Sustainability at Bristol Myers Squibb where she incorporates sustainability into all aspects of the company.

Clare volunteers with the local community RISE program to assist local families and is a board member of the Hightstown chapter of the Mercer County Library system. Peter and Clare have vacationed with their 2 children in Sitka on multiple occasions over the years.

Pioneer member Jarrett Hirai

Graduate of Western Oregon University with a bachelors in education and a masters in education from the University of Alaska, Southeast. Jarrett is a teacher at Blatchley Middle School and has been coaching sports in the Sitka community from the Middle School to the High School level since 2004.

Jill Hirai and Jarrett Hirai were both born and raised in Sitka where they are active members of the local community and where they raise their 3 children.

2. Qualifications of project manager, engineer(s) of record and surveyor

Engineering and Surveying will be conducted under contract to Pioneer. Contracted services will be awarded to professionals and firms in good standing in the state of Alaska and with experience working in the Southeast region.

3. List of projects previously completed of a similar nature including a construction cost and start/completion dates for each project.

This proposal marks the first development project undertaken by Pioneer. The individual partners bring over 50 years' cumulative experience working and managing similar projects. Based on this experience, Pioneer anticipates various development challenges due to site characteristics and is qualified to develop a portion of the parcel to fulfill Sitka's Comprehensive Plan 2030 for housing. Specifically, Pioneer fully

anticipates addressing the need for an increased range of affordable housing and promoting housing quality.

4. Submit an organizational chart showing a designated project manager and staff, including consultants/contractors



A short list of contractors have been contacted regarding potential future work on this project should Pioneer's proposal be awarded. These contractors are all exclusively Sitka Based Companies and include:

- Pacific Services
- McGraw Custom Construction
- Forge Engineering
- North 57 Land Surveying
- Sitka Electric

5. Statement of firm's experience working in Southeast Alaska or a similar environment

As indicated in item 2. above, professional services including Engineering and Surveying and construction will be conducted under contract to Pioneer. Only individuals and or firms with experience working in Sitka or the Southeast region will be selected for the project.

6. Detailed proposed lot and structure layout with approximate dimensions of parcels, buildings, and improvements

Based on an understanding of Tract A11 from available maps, reports, and preliminary site inspections, Pioneer has prepared a detailed conceptual layout of lots, building areas, and improvements entitled Preliminary Concept to fulfill the RFP request. Research of Tract A11 (4 acres) revealed that approximately 1 acre is suitable for development. Therefore, Pioneer has focused on this area for development and the remaining 3 acres of the tract is proposed green space. It is noteworthy that this 3 acre portion of Tract A11 was largely not intended for development due to slope limitations, multiple significant drainages, wetlands, and more recently identified landslide risk.

Upon completion of wetland delineation of the parcel and professional consultation a Preliminary/Final development plan will be prepared for CBS review and approval.

7. Details on proposed roads, utilities, and drainage improvements to be constructed along with notations as to whether they will remain in private lands or dedicated for public use.

In the context of roads, utilities, and drainage improvements, Pioneer has prepared a detailed plan entitled Preliminary Concept per the RFP request. All improvements outside the Kramer ROW are proposed to remain in private hands.

8. Concept narrative of your development plan for the project including estimated time of completion, mixture of housing types and expected income levels of purchasers

Pioneer is considering 3-4 individual residential lots and plan to develop all lots together providing utility services to each lot within a 0-2 year time frame. Initiate building on at least one lot, while offering the remaining lots for sale.

Pioneer plans to offer lots at a competitive price to offset costs associated with site preparation prior to building and to enhance sales.

Pioneer anticipates lots to be utilized for single family residences pursuant to R-1 Zoning. The expected median income level of purchasers is estimated to be \$70,000 slightly below Sitka's current median household income of \$71,500 listed in the 2020 census.

9. Sources of funding for the project and a tentative development timetable.

Pioneer will utilize private capital to purchase the tract and for funding development. The anticipated development will occur within the first two years of acquisition of property.

10. Signed statement that plat notes for the Whitcomb Heights Subdivision have been reviewed and understood.

See Attachment acknowledgement

11. Proposed purchase price in U.S. dollars

Factoring development costs to extend utilities to the tract and given a majority of the tract is identified with characteristics / limitations prohibitive to development, Pioneer would like to offer \$17,500 for the tract. Equivalent to \$0.40 per square foot per proposed acre to be developed.

Please review the attached figures and advise regarding the next steps to acquire this parcel of land. Based on housing demands, Pioneer would like to begin the subdivision process as soon as possible. Your attention to this matter is greatly appreciated.

Sincerely,



Jill Hirai

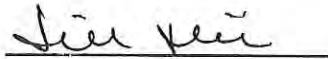
Member, Pioneer Development LLC.,
PO Box 1906, Sitka, AK 999835
907-752-0999 jillhirai@me.com

Acknowledgement

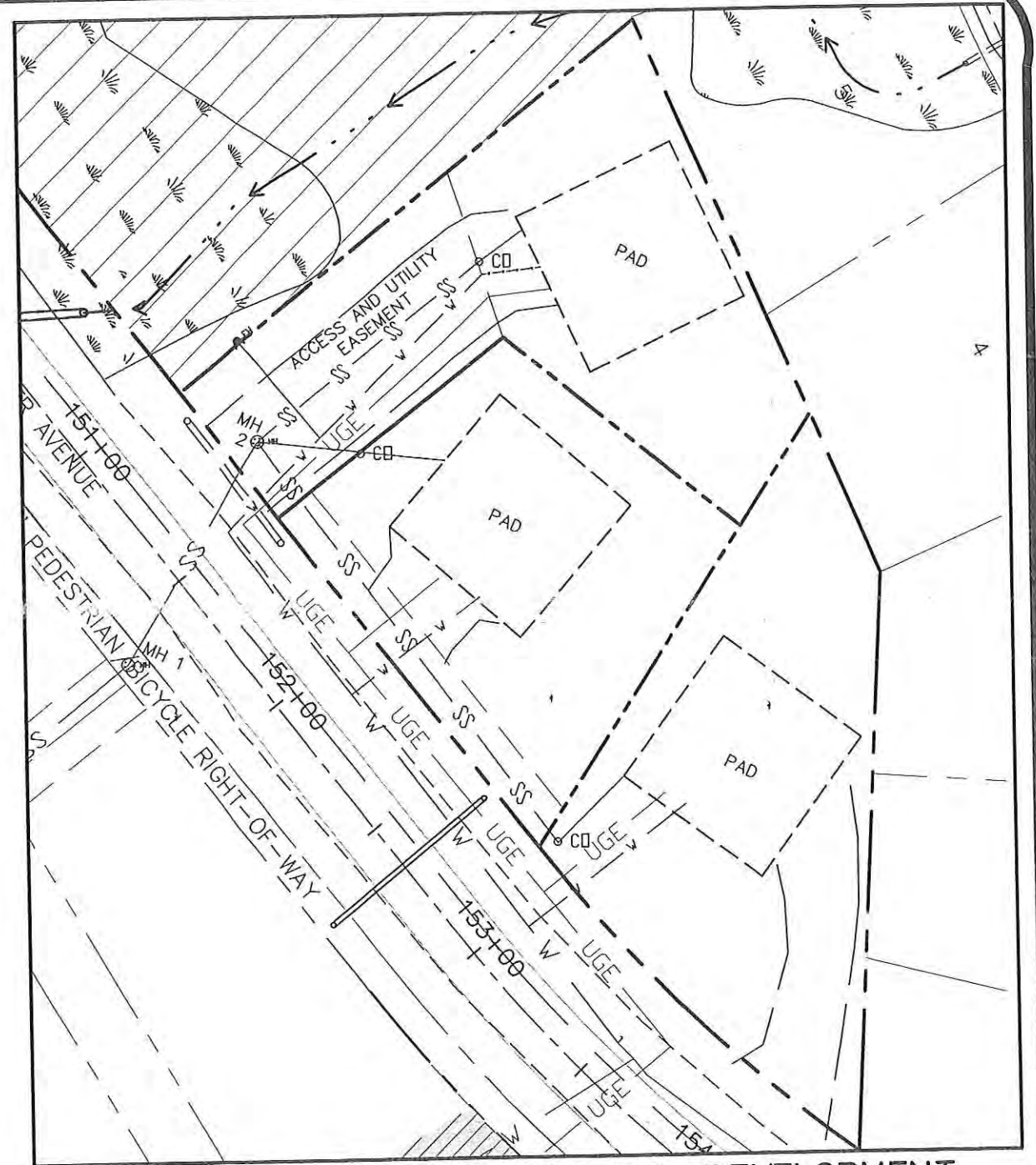
Pioneer Development LLC
PO Box 1906
Sitka, AK 999835

November 1, 2020

Pioneer Development LLC acknowledges that plat notes for the Whitcomb Heights Subdivision have been reviewed and understood.

A handwritten signature in black ink, appearing to read "Jill Hirai", is written over a horizontal line.

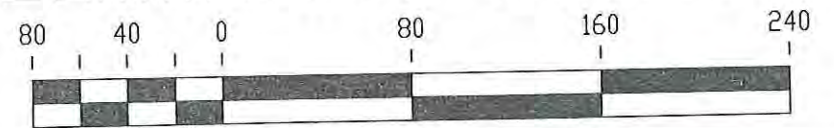
Jill Hirai
Member
Pioneer Development LLC



TRACT AREA PROPOSED FOR DEVELOPMENT
AREA BLOW UP
SCALE: 1:50

NOTE
DEVELOPMENT IS UNCERTAIN AND WILL BE DETERMINED BASED ON
ECONOMIC FEASIBILITY AFTER FURTHER INVESTIGATION AND
EVALUATION.

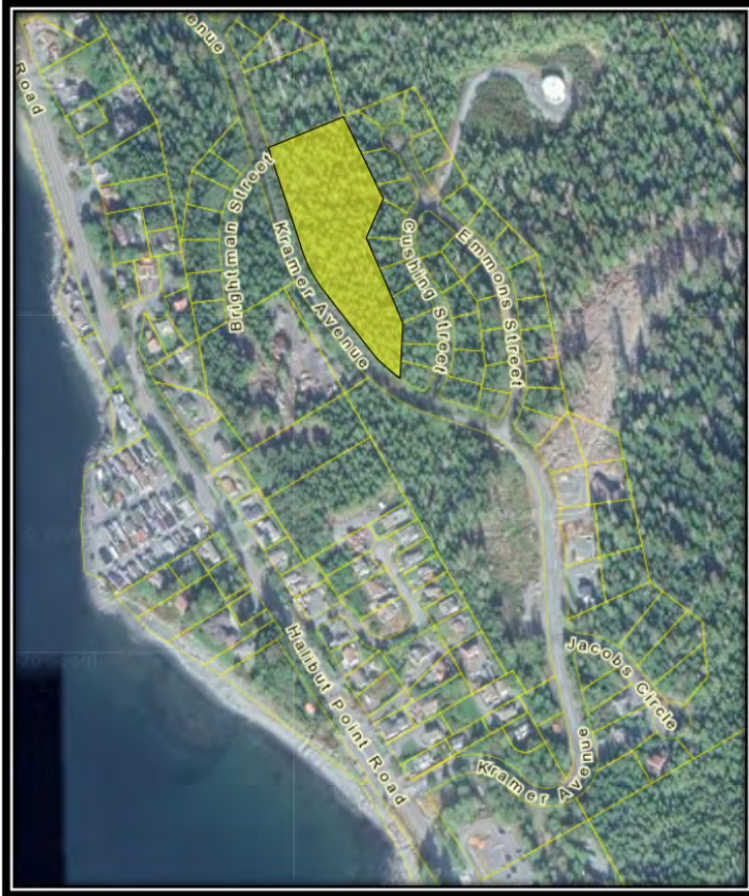
PRELIMINARY CONCEPT



SCALE IN FEET

REQUEST FOR PROPOSALS (RFP)

PURCHASE AND DEVELOPMENT OF TRACT A11 WITHIN WHITCOMB HEIGHTS SUBDIVISION



**Advertise Request for Proposal
Submittals Due**

**October 2, 2020 to November 2, 2020
November 2, 2020**

Released October 2, 2020

**REQUEST FOR PROPOSALS
ISSUED BY
THE CITY AND BOROUGH OF SITKA, ALASKA
FOR
PURCHASE AND DEVELOPMENT OF TRACT A11 WITHIN
WHITCOMB HEIGHTS SUBDIVISION
OCTOBER 2020**

A. Overview

The City and Borough of Sitka (CBS) owns 4.035 acres of development land located approximately 2.5 miles northwest of downtown Sitka. This property is part of the area generally known as the "Benchlands".

It is the objective of the CBS to sell Tract A11 for the purpose of residential development.

It is anticipated that proposers will request the flexibility that can be granted through the Planned Unit Development (PUD) subdivision process. The development parameters will be reflected on the approved subdivision plat.

There is PUD designation on the portion of the zoning map that covers the area. This PUD designation was used to list the types of structures that may be placed on specific parcels.

Prior to submitting proposals, proposers are strongly encouraged to review the Planned Unit Development chapter of CBS subdivision regulations. A substantial amount of flexibility is offered through the code sections. Proposed development plans that are submitted may recognize this flexibility and incorporate innovative components.

Zoning and subdivision regulations can be found online in the Sitka General Code at www.cityofsitka.com.

B. Property Characteristics

Between 1985 and 1987 approximately 13,300 feet of gravel surface roads were constructed in the Whitcomb Heights Subdivision. Kramer Avenue is the main collector street running lengthwise through the property for 1.17 miles.

Much of the gravel road system was constructed without utilities being installed. The roads have been minimally maintained since construction, but the roads remain generally sound with minimal environmental damage.

In 2009 the CBS constructed a new 1 million gallon potable water storage tank on the Benchlands. The water tank is located such that it can provide gravity water service to the entire Benchlands property.

A landslide risk assessment was completed in 2016 by Shannon and Wilson for this area and is included as an attachment in the Appendices. CBS will retain ownership of any portion of land deemed to be moderate or high risk per the Shannon and Wilson report.

C. Existing Utilities and Construction Requirements

Water, sanitary sewer, and electrical utilities have been extended in certain areas of Whitcomb Heights. Road and storm sewer improvements have also been extended. Kramer Avenue is an improved two lane gravel road just past Emmons Street.

Substantial storm drainage improvements have been made along Kramer Avenue, Jacobs Circle, and Emmons Street. Due to the importance of accommodating drainage and stream flows, requirements are outlined in Section D of this RFP.

A sixteen inch water main line extends up Kramer Avenue adjacent to an eight inch tank fill water line. A sixteen inch and an eight inch tank fill water line also extend past Tracts A12, A13, and A14 up to the water tank on Emmons Street. There is a privately-owned water main in Kramer Avenue extending from Emmons Street to the Tisher Subdivision; any connections to this main must be approved by both the owner of the water main and the CBS. CBS Utility Connection Permitting and fees will apply along with any “late-comer fee” that may be assessed by the owner of the main.

There is an eight inch sanitary sewer line in Kramer Avenue that terminates on Kramer Avenue at the intersection with Emmons Street. Sanitary sewer is not present in either the Cushing or Emmons Street rights-of-way.

Electrical lines are extended in Kramer Avenue to the Emmons intersection and up Emmons to the water tank. Electric infrastructure was installed recently by the Electric Department and the developer of Tisher Subdivision within the easement of the property that is directly across Kramer Avenue from the subject property. Tract A11 could be served from a primary junction that was installed during development of the Tisher Subdivision, and could also connect to existing electrical infrastructure at the entrance to Emmons Street at a later date to accommodate future development.

The water and electrical lines tend to be on the upland side of streets such as Kramer and Emmons. The sanitary sewer line, in Kramer, is on the seaward side of Kramer Avenue.

The CBS subdivision regulations require that lots in major subdivisions shall not be sold unless served by utilities and roads that are constructed to municipal standards. The municipality must also accept those roads and utilities for maintenance prior to the sale of any individual lot.

All utilities must be sized and constructed to accommodate development adequate for the proposed development. The construction of municipal utilities shall meet the standards of the CBS, the State of Alaska, Department of Environmental Conservation, and all other applicable state and federal standards and regulations. Utility and road design shall be completed by a State of Alaska licensed Civil Engineer.

The proposed location and dimensions of utilities shall be shown in the proposed development plan so they can be evaluated along with the rest of the proposal elements.

Obtaining all necessary geotechnical information and applicable permits during planning, design and construction shall be the sole responsibility of the Selected Proposer or its Contractors.

For each reference, the descriptions above use a relative compass. Relative north is uphill, east is towards town, and west is towards the Channel Club.

D. Drainage Improvement Requirements

Development of this land may increase stormwater runoff onto properties downstream. If sold, the selected proposer for this property will be required to adhere to CBS Stormwater Design Standards and complete a comprehensive hydrology study completed by a State of Alaska licensed Civil Engineer and accepted by CBS Department of Public Works.

E. Wetlands and Binding Plat Notes

A wetlands delineation study has been completed for the property; the 2008 Whitcomb Heights Subdivision Wetland Delineation Report (with Appendix A – Figures) is included as an attachment to this RFP. This is provided as informational only: CBS makes no warranties, either expressed or implied, nor assumes any liability whatsoever regarding the environmental aspects of the parcel to include without limitation: the soil conditions, water drainage, presence of wetlands, physical access, condition of improvements, natural or artificial hazards which may or may not exist, or the merchantability, suitability or profitability of the parcel or improvements for any use. It is the responsibility of the proposers to investigate and determine existing or pending regulations, restrictions and potential defects which would affect the parcel. The feasibility and costs of construction, permitting, engineering, replatting, etc., should be determined by the proposer, and will be borne solely by the selected proposer.

Binding plat notes are in effect for the Whitcomb Heights Subdivision. These plat notes are regulatory in nature and have direct impacts on how the properties can and cannot be developed. The plat is provided in the Appendix of this RFP.

Any modification or subdivision of the parcels will trigger the requirement for a new subdivision plat. Additional plat notes may be required prior to recording. Any new surveying/subdivision of this property will be done at the sole expense of the selected proposer.

F. Requirements for Proposals

It is the goal of the CBS for the selected proposer to purchase this parcel and develop it for a mixture of housing types and income levels. Development must occur in a timely manner with total build out of the project expected within 3-5 years from the date of purchase.

Proposers submitting proposals must include the following requested information arranged in this order:

1. Narrative statement of qualifications of your firm or enterprise and key consultants/contractors to be engaged, if applicable.
2. Qualifications of project manager, engineer(s) of record and surveyor, if applicable.
3. List of projects previously completed of a similar nature including a construction cost and start/completion dates for each project.
4. Submit an organizational chart showing a designated project manager and staff, including consultants/contractors, if known.
5. Statement of firm's experience working in Southeast Alaska or a similar environment.
6. Detailed proposed lot and structure layout with approximate dimensions of parcels, buildings, and improvements.
7. Details on proposed roads, utilities, and drainage improvements to be constructed along with notations as to whether they will remain in private lands or dedicated for public use.
8. Concept narrative of your development plan for the project including estimated time of completion, mixture of housing types and expected income levels of purchasers.
9. Sources of funding for the project and a tentative development timetable. In the event the project is contingent on funding from public housing programs, the deadline for application submittals and tentative award dates shall be provided.
10. Signed statement that plat notes for the Whitcomb Heights Subdivision have been reviewed and understood.
11. Proposed purchase price in U.S. dollars.
12. Responses are limited to no more than 15 pages.

Responses to this RFP will be evaluated and ranked based on the following criteria (100 points total):

1. Development Plan (0 to 30 points)
Does the proposal address the CBS's goals of timely providing a mixture of housing types? Is proposer and associated team qualified to perform the work?
2. Time of Completion (0 to 20 points)
What is the timeframe to bring lots to a saleable condition?

3. Purchase Price (0 to 50 points)

Points for purchase price shall be awarded based upon the following formula:
(Your Purchase Price/Highest Purchase Price) X 50 points

G. Terms and Conditions

1. CBS intends that as a result of the transaction contemplated by this RFP it will have no further responsibility of liability for the subject property. CBS intends that the selected proposer would acquire its interest in the subject property "AS IS/WHERE IS" with all faults and defects.
2. The selected proposer, in order to acquire its interest in the subject property, must acknowledge and agree that CBS has not made and does not make, and CBS specifically disclaims, any representations, warranties, covenants, agreements, or guarantees of any kind or character whatsoever, whether express or implied, oral or written, past, present, or future, with respect to the subject property, which extends to the environmental condition, including landslide risks, and regulatory status of the property.
3. The selected proposer will have the responsibility to investigate and determine existing or pending regulation, restrictions, and potential defects, including landslide risks. The feasibility and costs to remedy defects will be the sole responsibility of the selected proposer.
4. The selected proposer must acknowledge and agree that use of the subject property may be subject to regulatory action by federal, state, and municipal regulators, which is the sole responsibility of the selected proposer to determine.

H. Submissions and Inquiries

Submit five (5) copies of your Proposal(s) to:

City and Borough of Sitka, Municipal Clerk
100 Lincoln Street,
Sitka, Alaska 99835

The exterior of packaging, containing the proposals, shall be clearly marked **Tract A11 Benchlands Development Proposal**.

Proposals will be received until **4:00 p.m. local time Monday, November 2, 2020.**

As a part of the review of proposals, the City and Borough may, at its discretion, require the submittal of additional detailed information.

The City and Borough of Sitka has not, as of the date of the preparation of this RFP, established a review timetable.

Prior to the submittal, inquiries may be directed to Amy Ainslie, Planning Director, City and Borough of Sitka at planning@cityofsitka.org. While phone inquiries can be made to (907) 747-1815, emails are requested to allow for tracking of potential questions.

The City and Borough of Sitka reserves the right to modify this Request for Proposals at any time. The City and Borough further reserves the right to evaluate the proposals in any manner the City and Borough deems appropriate.

The City and Borough of Sitka reserves the right to accept or reject any and/or all proposals, to waive irregularities or informalities in the proposals, and to negotiate a contract with the respondent that best meets the selection criteria.

The materials provided in this RFP and appendices are provided for informational purposes only. Potential submitters shall take responsibility for independently verifying all information. Any sale or lease of the land will be in the condition “as is”. Any buyer will assume the entire risk as to the quality and suitability of the land for their intended purpose(s).

Outline of Appendices

Aerial Imagery

Plat 83-17 Whitcomb Heights Subdivision

Previous Concept Planning

Utility Mapping

**Whitcomb Heights Subdivision Wetland Delineation Report and Appendix A – Figures
Shannon & Wilson 2016 Report – South Kramer Avenue Landslide Report**



CITY AND BOROUGH OF SITKA

Legislation Details

File #: RES 20-31 Version: 1 Name:

Type: Resolution Status: AGENDA READY

File created: 11/18/2020 In control: City and Borough Assembly

On agenda: 11/24/2020 Final action:

Title: Extending Resolution No. 2020-05 which continues the declaration by the Municipal Administrator of a local disaster emergency in response to COVID-19 and a request for State and Federal assistance

Sponsors:

Indexes:

Code sections:

Attachments: [Motion Res 2020-31](#)
[Res 2020-31](#)
[Signed Res 2020-05](#)

Date	Ver.	Action By	Action	Result
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POSSIBLE MOTION

I MOVE TO approve Resolution 2020-31 on first and final reading extending Resolution No. 2020-05 which continues the declaration by the Municipal Administrator of a local disaster emergency in response to COVID 19 and a request for State and Federal assistance.

CITY AND BOROUGH OF SITKA

RESOLUTION NO. 2020-31

**A RESOLUTION OF THE CITY AND BOROUGH OF SITKA EXTENDING
RESOLUTION NO. 2020-05 WHICH CONTINUES THE DECLARATION BY
THE MUNICIPAL ADMINISTRATOR OF A LOCAL DISASTER
EMERGENCY IN RESPONSE TO COVID-19 AND A REQUEST FOR STATE
AND FEDERAL ASSISTANCE**

WHEREAS, the United States Centers for Disease Control and Prevention (CDC) has identified COVID-19, a respiratory disease that can result in serious illness or death, which is a new strain of coronavirus not previously identified in humans, as posing a significant public health risk; and

WHEREAS, on January 30, 2020, the World Health Organization designated the initial outbreak of COVID-19 as a Public Health Emergency of International Concern; and

WHEREAS, on January 31, 2020, United States Health Human Services Secretary Alex M. Azar II declared a public health emergency for the United States to aid the nation's healthcare community in responding to COVID-19; and

WHEREAS, on March 11, 2020, Governor Michael J. Dunleavy declared a public health disaster emergency due to the imminent threat of a COVID-19 outbreak in Alaska; and

WHEREAS, on March 15, 2020, in accordance with AS 26.23.140, CBS Municipal Administrator John M. Leach declared a local disaster emergency in response to COVID-19; and

WHEREAS, on March 16, 2020, in accordance with AS 26.23.140, the Assembly continued said declaration of a local disaster emergency to protect the health, safety and welfare of the residents of the CBS deeming it necessary to continue said declaration until November 24, 2020, or until COVID-19 is no longer declared a federal or state emergency, whichever occurs first; and

WHEREAS, on April 9, 2020, President Donald J. Trump approved a major disaster declaration for the State of Alaska to aid in COVID-19 recovery efforts; and

WHEREAS, on November 6, 2020, Alaska had over 17,000 confirmed cases, and 84 deaths from COVID-19, and these numbers are expected to increase; and

WHEREAS, on November 16, 2020, Governor Dunleavy declared a public health disaster emergency due to the ongoing widespread community transmission of COVID-19; and

WHEREAS, COVID-19 continues to pose an imminent threat to human health, safety and welfare to the residents of the City and Borough of Sitka (CBS); and

WHEREAS, due to the highly contagious nature of COVID-19, the available CBS infrastructure and resources, including Mount Edgecumbe Medical Center, the Sitka Airport, the Sitka School District, among others, will be likely inadequate to handle the consequences of a continued COVID-19 outbreak unless the CBS continues to implement emergency powers; and

48
49 **WHEREAS**, it is essential to extend local emergency powers given the potential ability of
50 COVID-19 to cause injury or death to people, necessitating measures to protect the public health,
51 safety, and welfare; and
52

53 **WHEREAS**, in order to contain any potential harm that may be caused by COVID-19, federal and
54 state assistance is needed to continue to supplement local efforts to respond to this public health
55 emergency; and
56

57 **WHEREAS**, the Assembly deems it necessary, through the Municipal Administrator, to continue
58 to request the Governor Dunleavy of Alaska to provide state assistance to the CBS in its response to
59 COVID-19, including assistance for fire protection, law enforcement, and the provision of other funds,
60 services, functions, supplies, or materials determined by the Municipal Administrator, in consultation
61 with local emergency agencies, to be necessary to meet the public health, safety, and welfare needs
62 arising from or incidental to COVID-19 and to recover from the damages caused; and
63

64 **WHEREAS**, the Assembly deems it necessary to continue the authorization and direct the
65 Administrator to continue implementation of any orders necessary to prevent the transmission of
66 infectious disease and to take measures to ensure that all cases of contagious disease are subject to
67 proper control and treatment; and
68

69 **WHEREAS**, the Assembly deems it necessary to make all resources of the municipal
70 government, including CBS personnel, available as necessary to deal with the emergency, and
71 municipal departments, agencies, and/or personnel may be transferred or altered in function for the
72 purpose of performing or facilitating performance services responsive to this emergency; and
73

74 **WHEREAS**, while the potential extent and effect of COVID-19 cannot yet be known, it remains
75 vital for the CBS to be prepared and take all needed precautions throughout the entire timeframe of the
76 emergency related to COVID-19; and
77

78 **WHEREAS**, because of the ongoing nature of the emergency, the Assembly deems it necessary to
79 extend said Resolution No.2020-05 until June 30, 2021, or until COVID-19 is no longer declared a
80 federal or state emergency, whichever occurs first; and
81

82 **NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE CITY AND**
83 **BOROUGH OF SITKA, ALASKA:**
84

85 **Section 1.** The Assembly of the City and Borough of Sitka hereby extends Resolution 2020-05,
86 entered March 16, 2020, which continues the declaration of a local disaster emergency by the
87 Municipal Administrator, effective on March 15, 2020, with respect to COVID-19. Said declaration
88 shall remain in effect until June 30, 2021, or until COVID-19 is no longer declared a federal or state
89 emergency, whichever occurs first. The Municipal Administrator is hereby authorized and directed to
90 give this Resolution prompt and general publicity and to file it promptly with the Alaska Division of
91 Homeland Security and Emergency Management.
92

93 **Section 2.** As authorized by AS 26.23.140, this Resolution is intended to continue the response and
94 recovery aspects of any and all applicable local or interjurisdictional disaster emergency plans, and to
95 authorize the furnishing of aid and assistance under those plans.
96

Section 3. The Municipal Administrator is hereby authorized and directed to request that the Governor of Alaska continue to provide such state assistance as may be available to meet the ongoing emergency created by COVID-19 and to request additional assistance from federal agencies where state capability is not adequate. Further, the Municipal Administrator is hereby authorized and directed to issue and implement any orders necessary to prevent the transmission of infectious disease and to take measures to ensure that all cases of contagious disease are subject to proper control and treatment. In addition, the Municipal Administrator is hereby authorized and directed to make all resources of the municipal government, including CBS personnel, available as necessary to deal with this emergency, and municipal departments, agencies, and/or personnel may be transferred or altered in function for the purpose of performing or facilitating performance services responsive to this emergency.

Section 4. Effective Date. This resolution shall be effective immediately after its adoption.

SIGNED in Sitka, Alaska this 24th day of November, 2020

Steven Eisenbeisz, Mayor

ATTEST:

Sara Peterson, MMC
Municipal Clerk

1st and final reading 11/24/2020

Sponsor: Administrator

CITY AND BOROUGH OF SITKA

RESOLUTION NO. 2020-05

A RESOLUTION OF THE CITY AND BOROUGH OF SITKA CONTINUING THE DECLARATION BY THE MUNICIPAL ADMINISTRATOR OF A LOCAL DISASTER EMERGENCY IN RESPONSE TO COVID-19 AND A REQUEST FOR STATE AND FEDERAL ASSISTANCE.

WHEREAS, COVID-19 is a respiratory disease that can result in serious illness or death and is caused by the SARS-Cov-2 virus ("virus"), a new strain of the coronavirus that has not been previously identified in humans and is easily transmittable person to person; and

WHEREAS, on March 11, 2020, the World Health Organization ("WHO") declared the virus a pandemic; and

WHEREAS, on March 11, 2020, the State of Alaska declared a public health emergency in response to the anticipated outbreak of the virus in Alaska, and since the declaration was announced, the State received confirmation of a positive case of the virus on March 12, 2020; and

WHEREAS, on March 13, 2020, President Donald J. Trump declared a national emergency in response to the virus pandemic; and

WHEREAS, on March 13, 2020, the State of Alaska Legislature announced initial actions to limit the spread of COVID-19, including limiting access to the State Capitol; and

WHEREAS, on the afternoon of March 13, 2020, Governor Michael J. Dunleavy closed all schools in Alaska for two weeks;

WHEREAS, a substantial number of the workforce in the City and Borough of Sitka ("CBS") have children in the Sitka School District and are now desperately searching for childcare solutions;

WHEREAS, the economy generated from cruise ship travelers during the short summer months supports the year-round businesses, citizens, and governments in the CBS; and

WHEREAS, the CBS is a community of approximately 8,500 people that was forecasted to receive approximately 200 thousand cruise ship travelers in 2020; and

WHEREAS, the cruise ships that normally come to the CBS originate from Seattle, Washington, and Vancouver, Canada; and

WHEREAS, during the week of March 9, 2020, the local economy supported by cruise ship travelers suffered catastrophic news: the State Department and Centers for Disease Control and Prevention recommended travel restrictions on cruise ships, the Port of Seattle described it was closing its cruise ship terminals in two week increments; at least two cruise lines voluntarily halted all cruise travel for 60 days; and the Prime Minister of Canada closed all cruise ports in Canada until July; and

WHEREAS, COVID-19 poses an imminent threat to human health, safety and welfare to the residents of the CBS; and

WHEREAS, due to the highly contagious nature of the virus, the available CBS infrastructure and resources, including Mount Edgecumbe Medical Center, the Sitka Airport, the Sitka School District, among others, will be likely inadequate to handle the consequences of a COVID-19 outbreak unless the CBS implements emergency powers; and

WHEREAS, it is essential to implement local emergency powers given the potential ability of the virus to cause injury or death to people, necessitating measures to protect the public health, safety, and welfare; and

WHEREAS, in order to contain any potential harm that may be caused by the virus, State and Federal assistance is needed to supplement local efforts to respond to this public health emergency; and

WHEREAS, in accordance with AS 26.23.140 a local disaster emergency may be declared only by the principal executive officer of a political subdivision, which in the case of the CBS is the Municipal Administrator, and any such declaration may not be continued or renewed for a period in excess of seven days, except by or with the consent of the governing board of the political subdivision, which in the case of the CBS is the Assembly; and

WHEREAS, in accordance with AS 26.23.140, the CBS Municipal Administrator, John M. Leach, on March 15, 2020, declared a local disaster emergency in response to COVID-19 (copy attached) and he has requested a continuance of that declaration, by the Assembly, in accordance with AS 26.23.140; and

WHEREAS, the Assembly deems it necessary to continue said declaration of a local disaster emergency to protect the health, safety and welfare of the residents of the CBS; and

WHEREAS, the Assembly deems it necessary, through the Municipal Administrator, to request the Governor of Alaska to provide State assistance to the CBS in its response to the virus, including assistance for fire protection, law enforcement, and the provision of other funds, services, functions, supplies, or materials determined by the Administrator, in consultation with local emergency agencies, to be necessary to meet the public health, safety, and welfare needs arising from or incidental to COVID-19 and to recover from the damages caused; and

WHEREAS, the Assembly deems it necessary to authorize and direct the Administrator to implement any orders necessary to prevent the transmission of infectious disease and to take measures to ensure that all cases of contagious disease are subject to proper control and treatment; and

WHEREAS, the Assembly deems it necessary to make all resources of the municipal government, including CBS personnel, available as necessary to deal with the emergency, and municipal departments, agencies, and/or personnel may be transferred or altered in function for the purpose of performing or facilitating performance services responsive to this emergency; and

WHEREAS, while the potential extent and effect of COVID-19 cannot yet be known, it remains vital for the CBS to be prepared and take all needed precautions throughout the entire timeframe of the emergency related to COVID-19; and

WHEREAS, because of the ongoing nature of the emergency, the Assembly deems it necessary to continue said declaration of a local disaster emergency until November 24, 2020, or until the virus is no longer declared a federal or state emergency, whichever occurs first.

NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF SITKA, ALASKA:

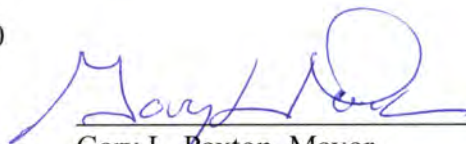
Section 1. The Assembly of the City and Borough of Sitka hereby continues the declaration of a local disaster emergency by the Municipal Administrator, on March 15, 2020, with respect to the COVID-19 virus. Said declaration shall remain in effect until November 24, 2020, or until the virus is no longer declared a federal or state emergency, whichever occurs first. The Municipal Administrator is hereby authorized and directed to give this Resolution prompt and general publicity and to file it promptly with the Alaska Division of Homeland Security and Emergency Management.

Section 2. As authorized by AS 26.23.140, this Resolution is intended to activate the response and recovery aspects of any and all applicable local or interjurisdictional disaster emergency plans, and to authorize the furnishing of aid and assistance under those plans.

Section 3. The Municipal Administrator is hereby authorized and directed to request that the Governor of Alaska provide such State assistance as may be available to meet the ongoing emergency created by COVID-19 and to request additional assistance from Federal agencies where State capability is not adequate. Further, the Municipal Administrator is hereby authorized and directed to issue and implement any orders necessary to prevent the transmission of infectious disease and to take measures to ensure that all cases of contagious disease are subject to proper control and treatment. In addition, the Municipal Administrator is hereby authorized and directed to make all resources of the municipal government, including CBS personnel, available as necessary to deal with this emergency, and municipal departments, agencies, and/or personnel may be transferred or altered in function for the purpose of performing or facilitating performance services responsive to this emergency.


Section 4. Effective Date. This resolution shall be effective immediately after its adoption.

SIGNED in Sitka, Alaska this 16th day of March 2020



Gary L. Paxton, Mayor

ATTEST:



Sara Peterson, MMC
Municipal Clerk

1st and final reading 3/16/2020
Sponsor: Administrator



CITY AND BOROUGH OF SITKA

Legislation Details

File #: 20-233 Version: 1 Name:

Type: Item Status: AGENDA READY

File created: 11/18/2020 In control: City and Borough Assembly

On agenda: 11/24/2020 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)

Note: Public comment will be taken after an update from the Municipal Administrator.