

**WHITTIER CITY COUNCIL  
WILL HOLD  
A REGULAR MEETING  
TUESDAY, JANUARY 19, 2016  
AT 7:00 PM**

**COUNCIL CHAMBERS  
P-12 BUILDING**

**AGENDA**

	<b>Page #</b>
<b>1. CALL TO ORDER</b>	
<b>2. OPENING CEREMONY</b>	
<b>3. ROLL CALL</b> A. Council Members Present B. Administration Present	
<b>4. APPROVAL OF MINUTES</b> A. December 15, 2015- Regular Meeting	<b>1</b>
<b>5. APPROVAL OF REGULAR MEETING AGENDA</b>	
<b>6. MAYOR'S REPORT</b> A. Mayor Report - Dan Blair B. Vice Mayor Report - Dave Pinquoch	
<b>7. MANAGER'S REPORT</b> A. City Manager's Report - Mark Lynch 1. Financial Report B. City Attorney's Report – Holly Wells C. Directors Report 1. Harbor Report – Andy Dennis 2. Public Safety Report - Dave Schofield 3. Public Works Report - Scott Korbe	<b>7</b>    <b>8</b> <b>9</b> <b>11</b>
<b>8. COMMISSION/COMMITTEE REPORTS</b> A. Planning Commission B. Port & Harbor Commission C. Park & Recreation Committee D. PWSAC	<b>12</b> <b>none</b> <b>none</b> <b>none</b>
<b>9. CITIZENS COMMENTS ON AGENDA ITEMS NOT SCHEDULED FOR PUBLIC HEARING</b>	
<b>10. APPROVAL OF CONSENT CALENDAR</b> A. Liquor License Renewals – Anchor Inn and Varly's Swiftwater Seafood Café	<b>15</b>
<b>11. PUBLIC HEARINGS (NON-ORDINANCE)</b>	

<b>12.</b>	<b>PRESENTATIONS</b>	<b>Page #</b>
	A. Girdwood Board of Supervisors – Policing	
	B. Larry Gilman – Request for Lease Transfer	
<b>13.</b>	<b>ORDINANCES</b>	
	<b>A. Introduction (1st reading)</b>	
	#01-2016 - Amending WMC Chapter 2.14 concerning public records	<b>17</b>
	#02-2016 - Repealing WMC 2.08.052, and Amending WMC 2.04.070 and 2.04.075 concerning telephonic attendance and excused absences.	<b>24</b>
	<b>B. Public Hearing (2<sup>nd</sup> reading)</b>	
<b>14.</b>	<b>RESOLUTIONS</b>	
	#01-2016 – Encouraging the Alaska Legislature to take decisive action concerning State budget	<b>27</b>
	#02-2016 – Annual Fee Schedule	<b>29</b>
	#03-2016 – Adopting an alternative allocation method for the FY2016 Shared Fisheries Business Tax Program and certifying that this allocation method fairly represents the distribution of significant effects of fisheries business activity in the Prince William Sound Fisheries Management Area.	<b>33</b>
<b>15.</b>	<b>COUNCIL DISCUSSION</b>	
<b>16.</b>	<b>CITIZEN DISCUSSION</b>	
<b>17.</b>	<b>EXECUTIVE SESSION</b>	
	A. Girdwood Policing - (matters that may affect the finances of the City)	
	B. City Manager’s contract - (subjects that tend to prejudice the reputation and character of any person)	
<b>18.</b>	<b>UNFINISHED BUSINESS</b>	
	A. Shotgun Cove Road project	
	B. WMC Revision	
	C. ARRC/COW land swap	
	D. Improve Salmon sport fishing in Northwest PWS	
	E. Whittier Manor Lease	
	F. Public Safety Complex	
<b>19.</b>	<b>NEW BUSINESS</b>	
<b>20.</b>	<b>ADJOURNMENT</b>	



# THE CITY OF WHITTIER

Gateway to Western Prince William Sound

P.O. Box 608 • Whittier, Alaska 99693 • (907) 472-2327 • Fax (907) 472-2404

**WHITTIER CITY COUNCIL  
REGULAR MEETING  
TUESDAY, DECEMBER 15, 2015  
7:00 PM  
COUNCIL CHAMBERS  
P-12 BUILDING**

## **MINUTES**

### **1. CALL TO ORDER**

Mayor Daniel Blair called the meeting to order at 7:00 p.m.

### **2. OPENING CEREMONY**

Mayor Daniel Blair led the Pledge of Allegiance.

### **3. ROLL CALL**

**A. Council Members Present:** Victor Shen, Debra Hicks, Ata Ma'ae, Dave Pinquoch (telephonic), Shawni Phillips (telephonic- joined at 7:19 pm) and Dan Blair.

**B. Council Members Absent:** Peter Denmark

**C. Administration Present:** Mark Lynch, City Manager, Scott Korbe, Public Works Director, Andy Dennis, Harbormaster, David Schofield, Chief of Police and Jennifer Rogers, Acting City Clerk.

Others present: William Earnhart, June Miller, Ken Hunt, Dave Dickason and Anna Dickason

### **4. APPROVAL OF MINUTES**

#### **A. 10 November 2015, Regular Meeting Minutes**

**MOTION:** Victor Shen made a motion to approve the regular meeting minutes of November 10, 2015 as written.

**SECONDED:** Debra Hicks seconded the motion.

**VOTE:** Debra Hicks: Yes, Victor Shen: Yes, David Pinquoch, Yes, Ata Ma'ae: Yes, Shawni Phillips, Yes, Dan Blair: Yes

**Motion passed 6-0**

#### **B. 1 December 2015, Special Meeting Minutes**

**MOTION:** Victor Shen made a motion to approve the Special Meeting minutes of December 1, 2015 as written.

**SECONDED:** Debra Hicks seconded the motion.

**VOTE:** Debra Hicks: Yes, Victor Shen: Yes, David Pinquoch, Yes, Ata Ma'ae: Yes, Shawni Phillips, Yes, Dan Blair: Yes

**Motion passed 6-0**

## **5. APPROVAL OF REGULAR MEETING AGENDA**

**MOTION:** Victor Shen made a motion to approve the special meeting agenda for tonight, December 15th 2015 with an amendment to move the Executive Session to below item 19.

**SECONDED:** Ata Ma'ae seconded the motion.

**VOTE:** Debra Hicks: Yes, Victor Shen: Yes, David Pinguoch, Yes, Ata Ma'ae: Yes, Shawni Phillips, Yes, Dan Blair: Yes

**Motion passed 6-0**

## **6. MAYOR'S REPORT**

### **A. Mayor's Report by Mayor Daniel Blair**

Mayor Daniel Blair reported that he attended the Alaska Conference of Mayors and the Whittier Chamber of Commerce meeting in November. He also met with the Army Corps of Engineers to discuss plans for the head of the bay.

### **B. Vice Mayor's Report by Vice Mayor David Pinguoch**

None

## **7. MANAGER'S REPORT**

### **A. City Manager's Report- Mark Lynch**

See written manager's report in original council packet.

Mark Lynch briefly went over his written report. He also introduced Andy Dennis as the new harbormaster.

- **Finance Report-** November report was included in the original council packet.

### **B. Directors Reports**

- **Harbor Report- Andy Dennis**

See written report in original council packet.

- **Public Safety Report- Dave Schofield**

See written report in original council packet.

- **Public Works Report – Scott Korbe**

See written report in original council packet.

## **8. COMMISSION REPORTS**

- **Planning Commission**

None

- **Port and Harbor Commission**

See minutes from the October 1, 2015 meeting in the original council packet.

- **Parks & Recreation Committee**

None

- **PWSAC**

None

**9. CITIZEN'S COMMENTS ON AGENDA ITEMS NOT SCHEDULED FOR PUBLIC HEARING**

None

**10. CONSENT AGENDA**

None

**11. PUBLIC HEARING (NON-ORDINANCE)**

None

**12. PRESENTATIONS**

None

**13. ORDINANCES**

**Introduction (first reading)**

None

**B. PUBLIC HEARING (2<sup>ND</sup> reading)**

1. #34-2015- An ordinance amending Title 8 entitled, "Health and Safety" to adopt Chapter 8.30 entitled, "Marijuana Regulation" and designating the Whittier City Council as the City's local regulatory authority on marijuana.

**MOTION:** Victor Shen made a motion to open the public hearing for ordinance #34-2015.

**SECONDED:** Debra Hicks seconded the motion.

**VOTE:** Debra Hicks: Yes, Victor Shen: Yes, David Pinguoch, Yes, Ata Ma'ae: Yes, Shawni Phillips, Yes, Dan Blair: Yes

**Motion passed: 6-0**

Dave Dickason asked for clarification on the purpose of this ordinance. Mark Lynch replied that if the city doesn't create its own regulations, the state will do it for us. He went on to explain that at a later time, we'll have to make a decision as a community regarding sales, distributions, etc.

Dan Blair further stated that the ordinance establishes local control.

June Miller questioned why it was necessary to have this topic in the Turnagain Times. Dan Blair explained that a Turnagain Times reporter came at a previous meeting and chose to write about it. He went on to say, "With this ordinance, all we're doing is saying that we want to make our own regulations, and if we don't adopt this, we're saying that we want someone else to decide for us, and I don't that's what we want. I think we want to be able to make that decision. That's all we're doing at this point. The way the law reads is, if we don't step up, they'll step up for us."

Anna Dickason asked if there is a date for a meeting in which the public would be invited to give public comment on possible sale. She stated that she wants to be able to participate. Dan Blair replied, "We're not in a hurry to do that. The reason we're in a hurry about this particular ordinance is that there was a deadline to pass this." Mark added that the deadline is January 2016.

City Attorney, Will Earnhart added, "With this ordinance, we're reserving the right to make our own regulations."

Hearing no further public comment, Mayor Daniel Blair entertained a motion to close the public hearing.

**MOTION:** Ata Ma'ae made a motion to close the public hearing for ordinance #34-2015.

**SECONDED:** Debra Hicks seconded the motion.

**VOTE:** Debra Hicks: Yes, Victor Shen: Yes, David Pinquoch, Yes, Ata Ma'ae: Yes, Shawni Phillips, Yes, Dan Blair: Yes

**Motion passed: 6-0**

**MOTION:** Victor Shen made a motion to adopt ordinance #34-2015.

**SECONDED:** Debra Hicks seconded the motion.

**VOTE:** Debra Hicks: Yes, Victor Shen: Yes, David Pinquoch, Yes, Ata Ma'ae: Yes, Shawni Phillips, Yes, Dan Blair: Yes

**Motion passed: 6-0**

David Pinquoch stated that though he didn't have any discussion on this matter, the council should have been given the opportunity to have a discussion.

1. #35-2015- An ordinance of the City Council of the City of Whittier, Alaska adopting an operating and capital budget for the fiscal year 2016 and appropriating the amount of \$14,565,388.

**MOTION:** Victor Shen made a motion to open the public hearing for ordinance #35-2015.

**SECONDED:** Debra Hicks seconded the motion.

**VOTE:** Debra Hicks: Yes, Victor Shen: Yes, David Pinquoch, Yes, Ata Ma'ae: Yes, Shawni Phillips, Yes, Dan Blair: Yes

**Motion passed: 6-0**

Hearing no public comment, Mayor Blair entertained a motion to close the public hearing.

**MOTION:** Shawni Phillips made a motion to close the public hearing for ordinance #35-2015.

**SECONDED:** Debra Hicks seconded the motion.

**VOTE:** Debra Hicks: Yes, Victor Shen: Yes, David Pinquoch, Yes, Ata Ma'ae: Yes, Shawni Phillips, Yes, Dan Blair: Yes

**Motion passed: 6-0**

**MOTION:** Shawni Phillips made a motion to adopt ordinance #35-2015.

**SECONDED:** Debra Hicks seconded the motion.

**DISCUSSION:** Dave Pinquoch complimented the city manager and department heads for coming in under their budget. He stressed concerns that he and Peter Denmark have about merging departments. They want to make sure that merging the departments doesn't muddy the waters to where council can't decipher what money is going where. He asked that we maintain clarity and don't become engrained in one budget for two different operations.

Mark replied that there is one operation, which is the Department of Public Safety. All items will have its own line item code. Salaries and fuel have already been merged for the new budget. He added that they can go back to the old way of doing it, but from an accounting perspective, it is a lot easier and it saves time and effort on the finance end. He stated that he and the department head will always be happy to speak to specifics when needed.

Dave Pinquoch stated that though it is convenient for budgetary reasons, it doesn't necessarily give clarity to council. He added that he and Peter feel that if it becomes an issue, it can be discussed at a later time.

**VOTE:** Debra Hicks: Yes, Victor Shen: Yes, David Pinquoch, Yes, Ata Ma'ae: Yes, Shawni Phillips, Yes, Dan Blair: Yes

**Motion passed: 6-0**

#### **14. RESOLUTIONS**

None

#### **15. COUNCIL DISCUSSION**

Mayor Blair voiced that he would like to hold a workshop at 6:00 pm before the January regular meeting to discuss local priorities.

Victor Shen stated that through social media, he has noticed a slight disagreement between recreation users. He wants to encourage harmony among the different user groups. Mayor Blair replied that we should look into how other communities deal with this type of problem.

Ata Ma'ae asked for an update on the swings. Mark Lynch replied that they arrived and the public works department will put them up in the spring. Scott Korbe added that they've been here for about four weeks. Mayor Blair asked if AML (Alaska Marine Lines) shipped them to us for free. Scott replied in the affirmative. He also suggested that the council send a thank-you letter to AML.

#### **16. CITIZEN'S DISCUSSION**

June Miller suggested that we put up signage designating cross country and snow machine trails. Scott Korbe stated that we cannot post signs on private property without the owner's permission. Mayor Blair added that we also have a sign ordinance.

There was further discussion about the possibility of purchasing a snow groomer.

#### **17. UNFINISHED BUSINESS**

**A. Shotgun Cove Road Project**

**B. WMC Revision**

**C. ARRC/COW Land Swap**

**D. Improve Salmon Sport Fishing in Northwest PWS**

**E. Whittier Manor Lease**

**F. Public Safety Complex**

City Manager, Mark Lynch reported that when the bids were rejected, he was directed to do some value engineering and he has been working with the architect. He'll have more information next month. Our code required that we negotiate with the three lowest bidders. Square footage will have to be removed out of the original design to get the cost within budget. The building will be two levels instead of three.

#### **18. NEW BUSINESS**

##### **A. FIREWORKS**

Approval is needed for the New Year's Eve fireworks display. Dave Schofield stated that as long as the fireworks are within 300 ft. of the water. In year's past, it's something that has been allowed until 1:00 am and historically, people set them off at the triangle.

Dave Pinquoch asked if there had been discussion in the past which would change the policy within certain parameters so that the Chief of Police can approve the fireworks. Mayor Blair replied that yes, it has been discussed. Mark Lynch added that he hasn't made the change.

**MOTION:** Debra Hicks made a motion to permit fireworks from December 31<sup>st</sup> 12:00 (noon) to 1:00 am on January 1<sup>st</sup>.

**SECONDED:** Victor Shen seconded the motion.

**VOTE:** Debra Hicks: Yes, Victor Shen: Yes, David Pinquoch, Yes, Ata Ma'ae: Yes, Shawni Phillips, Yes, Dan Blair: Yes

**Motion passed: 6-0**

## **19. EXECUTIVE SESSION**

**MOTION:** Ata Ma'ae made a motion to move to Executive Session to discuss Girdwood Policing and the City Manager Evaluation at 7:54 pm.

Mark Lynch stated that for the first item of discussion in the executive session, the attendees will include all council members, the city manager and Dave Schofield. The second item of discussion will include all council members and the city manager.

**SECONDED:** Debra Hicks seconded the motion.

**VOTE:** Debra Hicks: Yes, Victor Shen: Yes, David Pinquoch, Yes, Ata Ma'ae: Yes, Shawni Phillips, Yes, Dan Blair: Yes

**Motion passed: 6-0**

**MOTION:** Victor Shen made a motion to return to the regular session at 9:13 pm.

**SECONDED:** Debra Hicks seconded the motion.

**VOTE:** Debra Hicks: Yes, Victor Shen: Yes, David Pinquoch, Yes, Ata Ma'ae: Yes, Shawni Phillips, Yes, Dan Blair: Yes

**Motion passed: 6-0**

## **20. ADJOURNMENT**

**MOTION:** Debra Hicks moved to adjourn the meeting at 9:14 p.m.

**SECONDED:** Ata Ma'ae seconded the motion.

**VOTE:** Motion passed unanimously.

**Attest:**

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Brenda Krol  
City Clerk

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Daniel Blair  
Mayor





## THE CITY OF WHITTIER

*Gateway to Western Prince William Sound*

P.O. Box 608 • Whittier, Alaska 99693 • (907) 472-2327 • Fax (907) 472-2404

To: Mayor and Council

From: Mark Lynch, City Manager

Subject: Manager's report

Date: January 14, 2015 (for 1/19/16 Council meeting)

**ARRC:** I met with Jim Kubitz of ARRC on December 21, 2015. We discussed various issues including the Master Lease and Land Swap. Nothing new resulted. On January 6, 2016 I sent the attached letter to ARRC. This letter has also been shared with our legislative delegation in Juneau.

**Governor:** On December 22, 2015 the Mayor and I, along with our lobbyist Kris Knauss, met with Governor Walker for about 40 minutes. We had a good discussion concerning the possibility of the State becoming more involved in working with the City to see land currently owned by the State (ARRC) transferred to City ownership, either outright or by encouraging ARRC to proceed with a reasonable land swap. A memo was presented to the Governor concerning this, and it is attached.

**Finance Officer:** I have hired Lynette Dennis as a part-time finance consultant while she is training on our system. When Ashley leaves in February she will move into the full-time Finance Officer position.

**Girdwood Policing:** The Girdwood Board of Supervisors will attend our January meeting to explain their need and position on this.

**Public Safety Building:** As part of my directive to do value engineering, I have been working with the contractor that was determined to be the contractor with the best initial cost proposal, after offering an opportunity to the three low bidders to revise their proposals. However, even after significant modifications to the design to lower costs the result remained well above our currently available funding level. We have included a request for additional funding in our CAPSIS submission to the State, and I am currently looking for potential grant sources. I will continue to update as more info becomes available.

**Lobbyist reports:** Kris Knauss and I have been working on submission of the CAPSIS requests to the legislature and will have those finalized before session starts.

**RR Plaza Project:** The Corps of Engineers work has progressed well and the plan is still on schedule for completion next summer. As soon as the weather allows in the Spring, the City will level the lot and the Corps will begin reconstruction of the monument.

**Shotgun Cove Road:** Work will be completed on the culverts at second Salmon Run beginning in the Spring.

**GP:** I am still working with Roger Stiles concerning a lease extension for the egg room and a Land Use Agreement for storage, for GP. I plan to have something for the February meeting.

January 14, 2016

From: Harbormaster

To: City Manager

Subj: Monthly Harbor Report

The Harbor Staff has been focused on the following:

Administration:

- Annual contract renewals were mailed last month, and 69 new slips were offered and accepted.
- New harbor management software was purchased and will be installed January 20. All computers at the harbor will be out of service during the installation, which is expected to take 5 hours. The new software combines the functions of FSM (slip assignments, waiting lists, customer account information) and Caselle (point of sale transactions and financial reporting) into one system. Additionally, will provide the capability of automating contract renewals and bill payments.

Harbor:

- The oil incinerator is not operational, and appears to have been out of commission for a number of years. Various types of containers, totaling 1500 gallons of oil, oily water, ethylene glycol and diesel had accumulated in the EVOS building. NRC Environmental was contracted to remove and dispose of it.
- New radiator, tires and slings for the travel lift are being installed.
- Corrective maintenance was performed on the deck crane at the city dock. Gaskets were replaced in the hydraulic fluid reservoir to stop rainwater from leaking into the hydraulic system. The hydraulic system was drained, flushed and refilled.
- The access ladder on the north end of the city dock was coming loose from the piling and was unsafe for use. New bolts were installed to properly attach it to the piling.
- Staff is replacing bolts to level fingers on B float.

Copy to:

File



# THE CITY OF WHITTIER

Gateway to the Western Prince William Sound

P. O. Box 608 • Whittier, Alaska 99693 • (907) 472-2327 • Fax (907) 472-2404

## MEMORANDUM

To: Mark Lynch, City Manager

From: David M. Schofield, Director of Public Safety

Re: Monthly Public Safety Council Report

Date: 15 January 2016

### POLICE

Equipment Violation	4	Disorderly Conduct	2
Agency Assist	16	Public Assist	18
Noise Disturbance	6	Motorist Assist	11
Arrest Warrant	4	Theft	1
Paper Service	2	Assault	2
Criminal Trespass	3	MICS IV	1
Domestic Disturbance	5	Speeding	2
Welfare Check	14	DUI	1
Motor Vehicle Accident	6	Wild Life conservation	16

Transfield Services Security/law enforcement contract is up for renewal. Transfield Services is currently going through a name change; I have requested the new contract be available for the March Council meeting if possible. The new contract would be for just shy of five years.

The Whittier Security Vulnerability Assessment which was performed last March has been completed and a written document provided from Homeland Security.

### EMS/FIRE

#### 9 EMS calls

3 Advanced life support  
6 Basic life support

#### 4 Fire calls

- 1 False alarm
- 1 Standby
- 1 Public Assistance
- 1 Vehicle accident

#### **Total Fire and EMS Calls: 154**

<u>EMS</u>	<u>120 EMS Calls</u>
	88 BLS
	32 ALS
	54 Transports

<u>Fire</u>	<u>34 Fire Calls</u>
	4 Fires
	6 Rescue
	15 False Alarms
	5 Public Assistance
	1 HAZMAT
	3 Standby

#### **2015 New Training certifications**

- 3 Emergency Trauma Technicians
- 3 HAZMAT Technicians
- 2 Marine Firefighters
- 2 Pre hospital trauma life support (PHTLS)
- 1 Pediatric Education for Prehospital Professionals (PEPP)
- 1 Tactical Combat Casualty Care (TCCC)

#### **Classes Taught**

7 CPR/AED	4 Fire Extinguisher
2 BLS	3 Fire Prevention
7 First Aid	2 ETT
1 Wilderness First Aid	2 BB Pathogens

Whittier Fire and EMS has been awarded a Broselow Pediatric system by the State of Alaska. This system supplies you with all the information and equipment you need for a young patients' emergency resuscitation requirements. This usually sells for about \$ 1800.00. Ed Hedges did an excellent job in getting this for us.

# Memorandum

To: Mark Lynch - City Manager

From: Scott Korbe

Subject: Monthly Public Works Report

Date: January 14, 2016

During the past month the Publics Works Department has been focused on the following:

## **Equipment:**

- ▶ Travel Lift
  - Repair Radiator
  - Replace front tires
  - Hydraulic Service
- ▶ L150 Loader
  - Replace Tires
- ▶ Snow Blower
  - Differential and Axel Service

## **Sanitary Sewer**

- ▶ Fog Service all lift stations

## **Water**

- Annual Maintenance – water meters and double checks

## **Roads**

- ▶ Plow snow and insure drainage

## **Construction Projects**

- ▶ SCR Phase 4 (Second Salmon Run Culverts)
  - Winter Shutdown until spring
- ▶ Well House Electrical and emergency generator –
  - Working with CRW engineering to finalize Bid Documents. They will be onsite 1-19-16 to inspect current electrical panels for electrical code issues and compliance.
- ▶ RR Plaza at the Pedestrian Tunnel
  - Waiting on the corp to issue the design plans.

**Notes from the PW Director** This month I have focused my attention on the following areas:

- ▶ Harbor –
  - Bringing the Harbormaster up to speed
    - General Operations
    - Capital Projects
    - Harbor Rebuild
    - Emergency Generator
    - Maintenance and repairs
- ▶ Participated in the following meetings
  - Rural Utility Business Assoc (RUBA) BMP inspection.
  - Council Meeting
  - P&H
  - P&Z
  - CRW – Well House Electrical



# THE CITY OF WHITTIER

*Gateway to Western Prince William Sound*

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**PLANNING COMMISSION  
REGULAR MEETING  
WEDNESDAY, OCTOBER 7, 2015  
Homeowner's Lounge, BTI Bldg.**

**MINUTES**

**1. CALL TO ORDER**

Charlene Arneson called the meeting to order at 6:05 pm.

**2. ROLL CALL**

**Commission members present and establishing a quorum:**

Charlene Arneson	Seat A	Present
Terry Bender	Seat B	Absent
Ed Hedges	Seat C	Present
Jean Swingle	Seat D	Present
Dyanna Pratt	Seat E	Present

**ADMINISTRATION PRESENT**

Mark Lynch, City Manager

Jennifer Rogers, Deputy City Clerk

**PUBLIC PRESENT**

**3. MOTION:** Dyanna Pratt made a motion to excuse Terry Bender from tonight's meeting.

**SECOND:** Ed Hedges

**DISCUSSION:** Jean Swingle stated that they have only met about eight times in the year. Terry was reminded of the meeting the night before. The Deputy Clerk attempted to call her prior to the start of the meeting, but was not successful in contacting her.

**VOTE:** Motion Failed

#### **4. APPROVAL OF REGULAR MEETING AGENDA**

**MOTION:** Dyanna Pratt made a motion to approve the October 7, 2015 Regular Meeting Agenda as is.

**SECOND:** Jean Swingle

**VOTE:** Motion passed unanimously

**DISCUSSION:** None

#### **5. APPROVAL OF MINUTES**

**MOTION:** Dyanna Pratt made a motion to approve the Regular Meeting Minutes of September 2, 2015 as is.

**SECOND:** Jean Swingle

**VOTE:** Motion passed unanimously

**DISCUSSION:** None

#### **6. ADMINISTRATIVE REPORTS**

City Manager, Mark Lynch stated that he forwarded the notes from the last meeting to the legal department for review. Mark also gave his recommendations on how the tidelands should be zoned. The Commission agreed with his recommendations. An official map with these suggestions and language for the Whittier Municipal Code will be available at the next meeting for final review before sending it to City Council.

#### **7. NEW BUSINESS:**

None

#### **8. NON-ACTION BUSINESS**

##### **A. Tidelands- Maps**

Covered under Administrative Reports

##### **B. Tank Farm**

Nothing to report

##### **C. Land Trades with Alaska Railroad**

Nothing to report

##### **D. Hazard Mitigation Plan**

Nothing to report

##### **E. Smitty's Cove Park**

Nothing to report

##### **F. Whittier Historic Railroad Plaza**

Nothing to report

**G. CVP Fund Projects**

Nothing to report

**H. Shotgun Cove Land**

Nothing to report

**I. Street Addresses**

Nothing to report

**9. CORRESPONDENCE**

None

**10. PUBLIC COMMENT**

None

**11. COMMISSION COMMENTS**

Charlene Arneson reminded the commission members that they should be more diligent in notifying the commission when they expect to be absent from meetings.

**12. NEXT MEETING AGENDA ITEMS**

**13. NEXT MEETING ATTENDANCE PLANS: To be determined.**

**MOTION:** Ed Hedges made a motion to adjourn the meeting.

**SECOND:** Dyanna Pratt

**VOTE:** Unanimous

**14. ADJOURNMENT:** Charlene Arneson adjourned the meeting at 6:41pm.

**ATTEST:**

 for Jennifer Rogers

Jennifer Rogers  
Deputy City Clerk



Charlene Arneson  
Commission Chairperson





THE STATE  
of **ALASKA**  
GOVERNOR BILL WALKER

Department of Commerce, Community,  
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD

Sarah Daulkon Oates  
550 W 7<sup>th</sup> Avenue, Suite 1500  
Anchorage, AK 99501  
Phone: 907.269.0350  
alcohol.licensing@alaska.gov

December 11, 2015

City of Whittier  
Attn: Brenda Krol  
VIA Email: [cclerk@whittieralaska.gov](mailto:cclerk@whittieralaska.gov)  
Cc: [irogers@whittieralaska.gov](mailto:irogers@whittieralaska.gov)

RECEIVED

DEC 11 2015

Re: Notice of 2016/2017 Liquor License Renewal Applications

Dear Ms. Krol,

We have received a renewal application for each of the following licenses within your jurisdiction:

Lic. #	Doing Business As	License Type	Licensee	Premises Address
1400	Anchor Inn	Beverage Dispensary-Tourism	Chou Joe 7 YenWen Anne Shen	Lot 2 Block 1
2502	Varly's Swiftwater Seafood Café	Restaurant/Eating Place-Seasonal	Donald & Margaret Varlamos	Lot 8 Whittier Boat Harbor
3131	Anchor Inn	Beverage Dispensary Duplicate	Chou Joe & YenWen Anne Shen	Lot 2 Block 1

A local governing body as defined under AS 04.21.080(b)(18) may protest the approval of an application(s) pursuant to AS 04.11.480 by providing the board and the applicant with a clear and concise written statement of reasons in support of a protest within 60 days of receipt of this notice. If a protest is filed, the board will not approve the application unless it finds that the protest is arbitrary, capricious, and unreasonable. Instead, in accordance with AS 04.11.510(b), the board will notify the applicant that the application is denied for reasons stated in the protest. The applicant is entitled to an informal conference with either the director or the board and, if not satisfied by the informal conference, is entitled to a formal hearing in accordance with AS 44.62.330-44.62-630. **IF THE APPLICANT REQUESTS A HEARING, THE LOCAL GOVERNING BODY MUST ASSIST IN OR UNDERTAKE THE DEFENSE OF ITS PROTEST.**

Under AS 04.11.420(a), the board may not issue a license or permit for premises in a municipality where a zoning regulation or ordinance prohibits the sale or consumption of alcoholic beverages, unless a variance of the regulation or ordinance has been approved. Under AS 04.11.420(b) municipalities must inform the board of zoning regulations or

ordinances which prohibit the sale or consumption of alcoholic beverages. If a municipal zoning regulation or ordinance prohibits the sale or consumption of alcoholic beverages at the proposed premises and no variance of the regulation or ordinance has been approved, please notify our office and provide a certified copy of the regulation or ordinance if you have not previously done so.

Protest under AS 04.11.480 and the prohibition of sale or consumption of alcoholic beverages as required by zoning regulation or ordinance under AS 04.11.420(a) are two separate and distinct subjects. Please bear that in mind when responding to this notice.

AS 04.21.010(d), if applicable, requires the municipality to provide written notice to the appropriate community council(s).

If you wish to protest the application(s) referenced above, please do so in the prescribed manner and within the prescribed time. Please show proof of service upon the applicant. For additional information regarding local governing body protests, please refer to 3 AAC 304.145.

If you have any questions or concerns or require additional information, please feel free to contact our licensing unit at [alcohol.licensing@alaska.gov](mailto:alcohol.licensing@alaska.gov).

Sincerely,



***Sarah Daulton Oates***

Records & Licensing Supervisor

[sarah.oates@alaska.gov](mailto:sarah.oates@alaska.gov)



# THE CITY OF WHITTIER

*Gateway to Western Prince William Sound*

P.O. Box 608 • Whittier, Alaska 99693 • (907) 472-2327 • Fax (907) 472-2404

To: Mayor and Common Council  
From: Mark Lynch, City Manager  
Subject: Ordinance #01-2016 – Public Records  
Date: January 15, 2016

All,

This ordinance was prepared by our City attorney to bring this section of Whittier Municipal Code into conformity with State statute.

Thank you,  
Mark Lynch

CITY OF WHITTIER  
ORDINANCE NO. 01-2016

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WHITTIER, ALASKA AMENDING WHITTIER MUNICIPAL CODE SECTION 2.14.010, OPEN RECORDS; WHITTIER MUNICIPAL CODE SECTION 2.14.020, ACCESS AND INSPECTION OF RECORDS; WHITTIER MUNICIPAL CODE SECTION 2.14.030, COPIES OF RECORDS; AND WHITTIER MUNICIPAL CODE SECTION 2.14.050, EXEMPTIONS FOR PARTICULAR RECORDS; REGARDING PUBLIC ACCESS TO CITY RECORDS.

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**Section 1.     Classification.** This Ordinance is a permanent code ordinance.

**Section 2.     Amendment of Section.** Whittier Municipal Code Section 2.14.010, Open records, is amended to read as follows:

2.14.010 Open records.

**A.     Definition of public records.   Public records include books, papers, files, accounts, writings, including drafts and memorializations of conversations, and other items, regardless of format or physical characteristics, that are developed or received by the City, or by a private contractor for the City, and that are preserved for their informational value or as evidence of the organization or operation of the city; public records do not include proprietary software programs, reference documents, or transitory documents. In this section:**

**1.     “Reference document” means a writing or image that is acquired or created solely for the purpose of creating or incorporation into a record, and includes, without limitation, notes, calculations, and working papers.**

**2.     “Transitory document” means a writing or image that after its immediate use has no value as evidence of the organization, function, policies, decisions, procedures, operations, or other activities of the City, and includes without limitation transmittals, suspense copies when a reply has been received, routine requests for information, and routine appointment and scheduling requests.**

**B.     Public records open to inspection.** Except as provided by WMC 2.14.050, or by other provision of municipal, State or Federal law, the ~~public books, records, papers, files, accounts, writings and transactions~~ of the City are open to inspection by the public under reasonable rules during regular office hours. The City of Whittier recognizes the competing interest of personal privacy and the right of the public to have access to information concerning the conduct of the people’s business.

**Section 3.     Amendment of Section.** Whittier Municipal Code Section 2.14.020, Access and inspection of records, is amended to read as follows:

2.14.020 Access and inspection of records.

Public records may be inspected at the City office where the records are kept during the regular office hours of that particular office. All City officers and employees shall, consistent with the orderly conduct of City business, make a good faith and diligent effort

to respond to requests for inspection of records made pursuant to this code. If the City office is unable to produce the documents at the time of request an appointment shall be made to produce the documents no later than **five working days after** ~~72 hours from the~~ time of request and any items requested not produced and not denied shall receive a written reason and attempt to reschedule delivery of items. ~~If one or more requests by a single requester or agent of a requester within a calendar month are anticipated to require more than four person hours to complete, the City may require the requester to pay costs for the period in excess of four hours. The costs may not exceed the unit cost of salary and benefits for employees who are involved in the search. Except in the case of news organizations, authorized search costs must be paid before the records are searched.~~

**Section 4. Amendment of Section.** Whittier Municipal Code Section 2.14.030, Copies of records, is amended to read as follows:

2.14.030 Copies of records; **Costs of search and copying.**

A. Certified Copies. The City Clerk shall give, on request and payment of costs, a certified copy of any public records required to be disclosed under this code.

B. Photographic or Other Copies. The City shall provide copies of records only at the request of the requester and at the requester's expense. **Except as otherwise provided in this section, the fee for copying public records may not exceed the standard unit cost of duplication established by the City Manager.**

C. **If the production of records for one requester in a calendar month exceeds five person-hours, the City shall require the requester to pay the personnel costs required during the month to complete the search and copying tasks. The personnel costs may not exceed the actual salary and benefit costs for the personnel time required to perform the search and copying tasks. The requester shall pay the fee before the records are disclosed, and the City may require payment in advance of the search.** Charge for Copies. The charge for copies (whether certified or not) may not exceed the cost to the City, which cost may include photocopy, clerical and other costs directly related to the provision of the copies. Payment for copies must be received before making the copies, except in the case of a request from an employee or agent of a news organization. The City Clerk is authorized to establish rates and charges for copies of public records, both certified and photographic, and for clerical time as set forth in WMC 2.14.020 and in subsections (A) and (B) of this section. The City Clerk may, in his or her discretion, waive charges for incidental copies.

**D. The City Manager may reduce or waive a fee when the City Manager determines that the reduction or waiver is in the public interest. Fee reductions and waivers shall be uniformly applied among persons who are similarly situated. The City Manager may waive a fee of \$5 or less if the fee is less than the cost to the City to arrange for payment.**

**Section 5. Amendment of Section.** Whittier Municipal Code Section 2.14.050, Exemptions for particular records, is amended to read as follows:

2.14.050 Exemptions for particular records.

This ~~chapter does not~~ code shall not be construed to require disclosure of the following public records or information:

A. Confidential or privileged public records. Public records containing information which is accorded confidential or privileged status under this code, or under state or federal law, are open to public inspection only in a manner that does not disclose such confidential or privileged information.

B. Public records sought by a party involved in litigation shall be disclosed in accordance with the rules of procedure applicable in a court or administrative adjudication. In this subsection, "involved in litigation" means a party to litigation or a party representing a party to litigation, including a person who is obtaining records for the party. ~~Personnel, payroll or medical files which reveal the financial or medical status of any specific individual, the release of which would constitute an unwarranted invasion of privacy.~~

~~C.B.~~ Records of vital statistics and adoption proceedings.

~~D.C.~~ Records pertaining to juveniles.

~~E.D.~~ Medical and related public health records.

~~F.E.~~ Records required to be kept confidential by Federal law or regulation or by State law.

F. ~~Trade secrets.~~

G. ~~Patented and/or copyrighted material.~~

H. ~~Organized, coordinated, collated, modified, created, interpreted or compiled information. Nothing in this chapter requires an agency to organize, coordinate, collate, modify, create, interpret or compile records requested. Only a literal or verbatim record need be provided.~~

G. Law enforcement records. Public records compiled or maintained for law enforcement purposes are open to inspection and disclosure, except that such disclosure shall not be made if disclosure of the records:

1. Could reasonably be expected to interfere with enforcement proceedings;

2. Would deprive a person of a right to a fair trial or impartial adjudication;

3. Could reasonably be expected to constitute an unwarranted invasion of the personal privacy of a suspect, defendant, victim, or witness;

4. Could reasonably be expected to disclose the identity of a confidential source;

5. Would disclose confidential techniques and procedures for law enforcement investigations or prosecutions;

6. Would disclose guidelines for law enforcement investigations or prosecutions if the disclosure could reasonably be expected to risk circumvention of the law.

H. Security records. Records or information pertaining to a plan, program, or procedures for establishing, maintaining, or restoring security in the City, or to a detailed description or evaluation of systems, facilities, or infrastructure in the City, but only to the extent that the production of the records or information

1. Could reasonably be expected to interfere with the implementation or enforcement of the security plan, program, or procedures;

2. Would disclose confidential guidelines for investigations or enforcement and the disclosure could reasonably be expected to risk circumvention of the law; or

3. Could reasonably be expected to endanger the life or physical safety of an individual or to present a real and substantial risk to the public health and welfare.

139 **I. Identity of complainants.**

140 **1. The name, address, telephone number, or other identifying information**  
141 **about complainants in actions to enforce building, environmental, or other City**  
142 **ordinances or regulations and State statutes or regulations are not open to public**  
143 **inspection.**

144 **2. This subsection does not prohibit disclosure of the contents of the complaint,**  
145 **so long as the complainant is not identifiable.**

146 **3. This subsection does not prohibit the disclosure of the name of the**  
147 **complainant when such disclosure becomes necessary to the fair and just disposition**  
148 **of the charge or complaint in enforcement proceedings.** Police investigation compiled  
149 by any agency as a part of an investigation of criminal activity, except that such records  
150 may be released to other governmental agencies if necessary for the proper administration  
151 of justice. Police information practices in regard to criminal justice information shall be  
152 governed by provisions AS 12.62.0910 et seq.

153 **J. Harbor and utility customer records. Information in records maintained for**  
154 **City harbor facilities and City utilities regarding a specific identifiable customer,**  
155 ~~Records held by the City of Whittier or any public utility pertaining to any client,~~  
156 ~~customer, tenant, operator, user or subscriber, the release of which would constitute an~~  
157 ~~unwarranted invasion of privacy of that person or entity.~~

158 ~~K. Records of engineering, marketing, accounting or other technical or financial~~  
159 ~~data, which, if released, would provide a competitive advantage to any other persons or~~  
160 ~~business engaged in similar or related activities.~~

161 **KL. Records containing a trade secret or proprietary information which have**  
162 **been provided on condition that the a trade secret or proprietary information be**  
163 **maintained as confidential, are open to public inspection only in a manner that does**  
164 **not disclose the trade secret or proprietary information** Proprietary information which  
165 a manufacturer, consultant or provider reasonably expects to be kept privileged or  
166 confidential to protect the property interests of persons providing the information or data.

167 **LM. City personnel records, including employment application and examination**  
168 **materials, except for the following:**

169 **1. The name and position title of a City employee;**

170 **2. Prior positions held by a City employee;**

171 **3. Whether a City employee is in the classified or exempt service;**

172 **4. The date of appointment and separation of a City employee;**

173 **5. The compensation authorized for a City employee.**

174 **6. Employment applications for the positions of City Manager and department**  
175 **head.**

176 **7. A City employee may examine the employee's own personnel files and may**  
177 **authorize others to examine those files.**

178 ~~N. Communications between any agency and the City Attorney which contain legal~~  
179 ~~questions concerning potential, pending or actual litigation. This subsection does not~~  
180 ~~protect from disclosure documents which were public records prior to the commencement~~  
181 ~~of the litigation, and public records which are otherwise subject to disclosure may not be~~  
182 ~~protected from disclosure by mere submission to the Attorney. Any documents marked~~  
183 ~~"Confidential" which are submitted to the agency from the municipal Attorney's office~~  
184 ~~shall only be produced if the City Attorney so authorizes.~~

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186  
187  
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**Section 6.**     **Effective date.** This ordinance shall be effective immediately upon adoption.



190 ENACTED this \_\_\_\_ day of \_\_\_\_\_ 2015.

191

192

193

194

\_\_\_\_\_  
Daniel Blair - Mayor

195

196 ATTEST:

197

198

199

[SEAL]

200

\_\_\_\_\_  
Brenda Krol - City Clerk

201

202

203

204

205 Ayes:

206 Nays:

207 Absent:

208 Abstain:



# THE CITY OF WHITTIER

*Gateway to Western Prince William Sound*

P.O. Box 608 • Whittier, Alaska 99693 • (907) 472-2327 • Fax (907) 472-2404

To: Mayor and Common Council  
From: Mark Lynch, City Manager  
Subject: Ordinance #02-2016 – Telephonic attendance  
Date: January 15, 2016

All,

It was recently discovered that the City code contained contradictory sections concerning telephonic attendance at City Council meetings. This ordinance corrects that matter and includes some minor language changes to simplify the process.

Thank you,  
Mark Lynch

**CITY OF WHITTIER, ALASKA  
ORDINANCE #02-2016**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WHITTIER, ALASKA REPEALING WHITTIER MUNICIPAL CODE SECTION 2.08.052 ENTITLED “PARTICIPATION BY TELECONFERENCE,” AND AMENDING WHITTIER MUNICIPAL CODE SECTIONS 2.04.070 ENTITLED “EXCUSED ABSENCES,” AND 2.04.075 ENTITLED “TELEPHONIC OR OTHER ELECTRONIC PARTICIPATION.”**

**THE WHITTIER CITY COUNCIL HEREBY ORDAINS:**

**Section 1. Classification.** This Ordinance is permanent in nature and upon approval of the City Council shall be codified in the Whittier Municipal Code.

**Section 2. Repeal of Section 2.08.052.** Section 2.08.052 is hereby repealed.

**Section 3. Amendment of Section 2.04.070.** Section 2.04.070 is hereby amended to read as follows: [deletions in red strikethrough, additions underlined in red]

**2.04.070 Excused absences.**

A. A Council member’s absence from a regular Council meeting may be excused only if:

1. The member is excused by motion of the Council at a regular meeting;
2. The absence occurs because the member was conducting authorized business on behalf of the City, in which case the absence will be automatically excused and the excusable absence will be noted in the minutes of the meeting at which the absence occurred.

B. No Council member may be excused from more than six regular meetings in a 12-month period unless the additional absences are necessitated by:

1. Education related to the member’s occupation or profession;
2. Travel required by the member’s occupation or profession;
3. Conditions of the member’s employment which are beyond his control; or
4. Any injury or illness of the member or a member of his family.

C. No Council member may be excused from more than nine regular meetings in a 12-month period unless the additional absences are necessitated by an injury or illness of the member. However, the additional absences shall not be excused if the Council finds that the conduct of the City’s business will be substantially impaired as a result of the

absences.

~~D. A Council member who is participating in a Council meeting telephonically is not allowed to participate in executive sessions.~~

~~E.D.~~ Except as hereinafter provided, all Council member requests for an excused absence must be made in writing, including electronic facsimile transmission, or email delivered to the City Clerk.

~~F.E.~~ In the event of an absence resulting from an event beyond the control of the Council member, the Council member, within 14 days, may request in writing to be excused from a missed meeting.

**Section 4. Amendment of Section 2.04.075.** Section 2.04.075 is hereby amended to read as follows: [deletions in red strikethrough, additions underlined in red]

**2.04.075 Telephonic or other electronic participation.** A council member may participate in a regular or special meeting, including any Executive Session thereof, by telephonic or other electronic means. ~~Telephonic or other electronic participation is limited to four (4) times per year.~~

~~A. A request to participate in a regular or special meeting must be made in writing (hand-delivered request, mail or email) to the City Clerk, 3 hours in advance of the meeting.~~

**Section 5. Effective Date.** This ordinance shall be effective upon adoption.

**PASSED AND APPROVED** by a duly constituted quorum of the Whittier City Council on this 19<sup>th</sup> day of January, 2016.

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Daniel Blair  
MAYOR

ATTEST:

---

Brenda Krol  
CITY CLERK

Ayes:  
Nays:  
Absent:  
Abstain:

**CITY OF WHITTIER, ALASKA  
RESOLUTION #01-2016**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WHITTIER,  
EXPRESSING A DEEP SENSE OF URGENCY FOR THE ALASKA STATE  
LEGISLATURE TO TAKE IMMEDIATE AND DECISIVE ACTION DURING  
THE 2016 LEGISLATIVE SESSION TO ENACT A COMPLETE PACKAGE OF  
INITIATIVES TO PROVIDE FOR A BALANCED, SUSTAINABLE, AND  
PREDICABLE STATE BUDGET FOR THE FORESEEABLE FUTURE.**

WHEREAS, Alaska is an 'owner state' who has developed its natural resources as the primary means to fund essential/desired public services offered by the state; and

WHEREAS, Alaska has relied predominately on the development of its vast oil reserves to fund the majority of state government expenditures over the past 35 years; and

WHEREAS, production of Alaskan North Slope crude oil has steadily decreased over the past 25 years; and

WHEREAS, global oil prices have remained highly volatile over recent decades, but until recently, have trended higher over time, masking the effect of decreasing oil production; and

WHEREAS, global oil prices have dropped significantly over the past two years and are projected to remain relatively low for the foreseeable future; and

WHEREAS, the combination of reduced oil production, reduced oil prices, and an overreliance on oil as the primary source of funding for state government has resulted in a massive state fiscal deficit; and

WHEREAS, cash reserves currently being used to cover the existing deficit will be depleted in just a few years, threatening the state's annual dividend program and potentially the state's Permanent Fund itself; and

WHEREAS, the State of Alaska has been duly warned by Standard & Poors that, due to the current fiscal imbalance, its credit rating will be downgraded if the Legislature fails to take appropriate action in 2016; and

WHEREAS, major business leaders in the state have warned that they would be unlikely to continue making significant commercial investments in Alaska if the Legislature fails to address the fiscal deficit during the 2016 legislative session; and

WHEREAS, Governor Walker has introduced a complete fiscal plan to provide a sustainable and predictable balanced budget, using the strength of our existing financial assets, and a balanced blend of spending reductions and additional new revenues; and

WHEREAS, while spending reductions must be a part of any balanced fiscal solution, extreme care must be exercised to not inadvertently cut our way into an economic recession as was done in the 1980s; and

WHEREAS, every dollar of cash reserves spent now to fund one-time budget shortfalls, is then unavailable to continue working for the state as an ongoing income producing asset into the future; and

WHEREAS, continuing to spend down cash reserves in the short-term, will reduce the amount of sustainable revenue we can plan to generate from our current financial assets in the future, resulting in the necessity to increase other sources of revenue (taxes) in the future to compensate; and

WHEREAS, now more than ever is the time for statesmanship, not provincial politics or electioneering rhetoric. Politically difficult decisions are required this year.

NOW, THEREFORE, BE IT RESOLVED BY THE WHITTIER CITY COUNCIL, that:

Section 1. The City Council of the City of Whittier calls upon the Alaska State Legislature to take affirmative and immediate action this year to enact a comprehensive package of initiatives that will provide for a sustainable and predicable balanced state budget for the foreseeable future.

Section 2. The City Council of the City of Whittier appreciates the difficult work of the Administration to put forth one possible comprehensive fiscal solution; and while the Whittier City Council may not support every aspect of this plan, does recognize it as an appropriate starting point for legislative deliberation.

Section 3. The City Council of the City of Whittier believes a need exists to reduce State spending to sustainable levels.

Section 4. The City Council of the City of Whittier strongly encourages the Alaska State Legislature to engage in meaningful discussions of all fiscal options without regard to perceived negative political fallout.

Section 5. The Whittier City Clerk is instructed to transmit a copy of this resolution to every member of the Alaska State Legislature, the Governor, and local media outlets.

PASSED AND APPROVED by a duly constituted quorum of the Whittier City Council on this 19<sup>th</sup> day of January, 2016.

**ATTEST:**

---

Brenda Krol  
CITY CLERK

---

Daniel Blair  
MAYOR

Ayes:  
Nays:  
Absent:  
Abstain:



## THE CITY OF WHITTIER

*Gateway to Western Prince William Sound*

P.O. Box 608 • Whittier, Alaska 99693 • (907) 472-2327 • Fax (907) 472-2404

To: Mayor and Common Council  
From: Mark Lynch, City Manager  
Subject: Annual Fee Schedule  
Date: January 15, 2016

All,

I am placing a resolution before you to approve an annual fee schedule. Historically the City has passed fee schedules from time to time for the Harbor, yet other departments have established fees that were never formalized except by policy. For instance, the Admin Office charges for copies and faxes, but the rate is just posted on the wall. I believe that Council should be aware of what rates are charges and approve them annually. In the future I will plan to have this on an agenda before the end of the prior year. There are no increases on this fee schedule over 2015 by administration, however, the increases that were directed by Council concerning Wharfage, and winter parking for trucks and trailers are included. Removed from the Harbor fees are the charges for moorage and wait lists. If requested those will be charged per page at the applicable copying rate.

New to this fee schedule are camping fees. I arrived at these fees by comparing what other Cities charge as well as what comparable local rates are.

Also, nothing on this Fee Schedule is a departure from how fees have been charged in the past, but is an attempt to standardize fees across departments, and to clarify how fees are applied where necessary. An example of this would be Preferential and Annual Transient Moorage Fees. Historically the Harbor has charged 2.5% interest on these moorage fees. This was based on the idea that since the moorage is for 12 months, of which only 6 months is taxable, it would equal 2.5% sales tax over the course of a year (6 months at 5%, and 6 month at 0%). However, this is not spelled out in code and has been an unwritten policy for years. I have formalized it in the Fee Schedule. These moorage rates were set at \$64.20 per foot, per year, and 2.5% tax was being added, which works out to \$65.81 per foot, per year. To avoid confusion I have simply placed \$65.81 as the rate, and noted that "all applicable taxes are included." This is similar to the way we set the Parking and Launch Ramp fees last year with taxes included. Each item on the fee schedule that includes taxes is noted by an \*.

By next year, or maybe sooner, I would like to start moving fees from code to the annual fee schedule, mainly so they get reviewed every year. I recommend that we include water and sewer fees in the future so Council sees them annually and can be better aware if revenues are adequate to cover expenses. Other fees that I recommend moving would be such things as dog licenses, etc. Then, during budget time, if fee increases are determined to be necessary they can be placed on the fee schedule for approval.

Thank you,

Mark Lynch

**RESOLUTION NO. 02-2016**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WHITTIER APPROVING  
THE 2016 ANNUAL FEE SCHEDULE**

**WHEREAS**, the City of Whittier provides certain services for customers using City facilities;  
and

**WHEREAS**, the City charges certain fees for services; and

**WHEREAS**, a fee schedule is necessary to ensure fees are being charged appropriately and  
fairly; and

**WHEREAS**, City Council has reviewed and approves the attached Exhibit A, Annual Fee  
Schedule for 2016 calendar year.

**NOW THEREFORE BE IT RESOLVED THAT:** The City Council by this resolution hereby  
adopts the attached Exhibit A as the Fee Schedule for 2016.

**PASSED AND APPROVED THIS 19<sup>th</sup> DAY OF JANUARY, 2016.**

**CITY OF WHITTIER**

BY: \_\_\_\_\_

Dan Blair

ITS: Mayor

**ATTEST:**

\_\_\_\_\_  
Brenda Krol  
CITY CLERK



# EXHIBIT A

## 2016 WHITTIER FEE SCHEDULE

### ALL DEPARTMENTS

\* means any applicable taxes are included

SERVICE / FEE	DESCRIPTION	RATE	W/TAX	PER
Bad Checks		\$ 30.00		Each NSF *
Copies 8.5" x 11"	per page / per side	\$ 0.25		Each Page *
Color Copies 8.5" x 11"	per page / per side	\$ 1.00		Each Page *
Copies 8.5" x 14"	per page / per side	\$ 0.35		Each Page *
Color Copies 8.5" x 14"	per page / per side	\$ 1.50		Each Page *
Copies 11" x 17"	per page / per side	\$ 0.50		Each Page *
Color Copies 11" x 17"	per page / per side	\$ 2.00		Each Page *
CDs	Electronic files provided on CD	\$ 5.00		Each CD *
DVDs	Electronic files provided on DVD	\$ 10.00		Each DVD *
Emailed electronic records	Electronic files provided by email	\$ 5.00		Each email
Fax 1st Page	First Page	\$ 1.50		Each *
Fax Each Additional Page	Additional Pages	\$ 0.50		Each Page *
Labor Fee	1 hr Per Staff min.	\$ 75.00	\$ 78.75	Hour
Labor Overtime fee ( or after Hours)	2 hr Per Staff min. (if call out)	\$ 112.50	\$ 118.13	Hour
Labor Holiday Pay	2 hr Per Staff min. (if call out)	\$ 150.00	\$ 157.50	Hour
Notary	per Notary Stamp	\$ 10.00		Each Stamp *

### HARBOR

Preferential Moorage	JAN through DEC	\$ 65.81		ft./year *
Annual Transient Moorage	JAN through DEC	\$ 65.81		ft./year *
Transient Moorage	Daily	\$ 1.10	\$ 1.16	ft./day
Transient Moorage	Monthly	\$ 21.40	\$ 22.47	ft./month
Transient Moorage (Winter)	SEPT 16 to APR 15	\$ 45.00		ft./season
Boat Lift - Short	1 hr min	\$ 299.50	\$ 314.48	1 hr
Boat Lift - Normal	1 hr min	\$ 269.50	\$ 282.98	1 hr
Boat Lift - Rail Car Lift	1 hr min	\$ 349.50	\$ 366.98	1 hr
Each Additional 1/2 hour		\$ 100.00	\$ 105.00	1/2 hr
Launch Ramp	One Way	\$ 10.00		Each *
Launch Ramp	Round Trip	\$ 20.00		Each *
Launch Ramp (Recreational/Pleasure)	Annual Launch Permit	\$ 160.00		Year *
Launch Ramp (Smitty's Cove Non-Recreational Use)	Annual Permit	\$ 500.00		Year *
Launch Ramp (Smitty's Cove Non-Recreational Use)	One Time Use	\$ 125.00		Each Time *
Launch Ramp	Single Kayak	\$ 10.00		Each Time *
Launch Ramp	Group Kayak(4 max)	\$ 35.00		Each Time *
Launch Ramp (Personal Water Craft)	Jet Ski	\$ 15.00		Each Time *
Wharfage	Freight	\$ 14.29	\$ 15.00	Ton
Wharfage	Raw Fish	\$ 19.05	\$ 20.00	Ton
Hoist	Min. 1 hr	\$ 41.50	\$ 43.58	1hr
Grid	Per Foot per Tide	\$ 2.20	\$ 2.31	ft./tide
<b>STORAGE / MAINTENANCE</b>				
Dry Storage -- Winter, Per Ft/Month	Vessel (Sept 16-Apr 15)	\$ 4.00		ft./month *
Boat Maintenance ( Day 1-7)	Vessel (Apr 16-Sept 15)		\$ 10.50	Day
Boat Maintenance (Starting day 8)	Vessel (Apr 16-Sept 15)		\$ 21.00	Day
Dry Storage--Clean Up Fee	Clean up fee (min. 1 hour)	\$ 75.00	\$ 78.75	per hour

SERVICE / FEE	DESCRIPTION	RATE	W/TAX	PER
<b>PARKING (daily rates are midnight-midnight)</b>				
Single Vehicle Parking (up to 24 ft.) No campers	Daily - Flat rate per day	\$ 11.00		Day *
Parking (January Through December) Per Car	Annual - Flat rate per year	\$ 250.00		Year *
Parking (October 15 to May 1) Truck & Trailer	Daily - Flat rate per day	\$ 15.00		Day *

<b>UTILITIES (Harbor)</b>				
Account Initialization (Setup)		\$ 25.00		Each *
KWH		\$ 0.15		Per KWH *
Monthly Service Charge	Only if elec. Used.	\$ 12.00	\$ 12.60	Month
Unmetered Electric		\$ 10.00	\$ 10.50	Day

<b>USED OIL AND WATER COLLECTION FEES</b>				
Absorbent Pads	Each	\$ 2.25	\$ 2.36	Each
Pure Used Oil (no solvents )	Per Gallon	\$ 1.60	\$ 1.68	Gallon
Used Oil and Water	Per Gallon	\$ 3.50	\$ 3.68	Gallon
Used Glycol	Per Gallon	\$ 2.00	\$ 2.10	Gallon
Fuel (Diesel, Jet Fuel, Heating)	Per Gallon	\$ 2.50	\$ 2.63	Gallon

<b>CAMPING (rates are noon-noon)</b>				
Tent Site + vehicle	Primitive w/ fire ring	\$ 11.00		Day *
Tent Site + vehicle	Primitive w/ fire ring	\$ 65.00		Week (7 days) *
RV / Trailer / Motorhome	Primitive w/ fire ring	\$ 20.00		Day *
RV / Trailer / Motorhome	Primitive w/ fire ring	\$ 120.00		Week (7 days) *

<b>MISCELLANEOUS</b>				
Late fee	1.5 % of unpaid balance	0.015		Per Month *
Owner/Agent Assist		\$ 75.00	\$ 78.75	Hour
Bilge Pump Out	Pump rate plus applicable labor rate			
Sewer Pump Out	\$40/hour pump fee plus applicable labor rate			
Bilge Pump Rental	min. 1 hour	\$ 40.00	\$ 42.00	Hour
Shower		\$ 4.00	\$ 4.20	Each
Snow Removal/Emergency	At applicable labor rate			Hour
Tow (boat rate) (plus labor charged per hour)	min 1 hour, Plus labor	\$ 75.00	\$ 78.75	Hour
Harbor Wait List		\$ 50.00		Year *

<b>All Equipment and Vehicles not listed above will be billed at current Blue Book rates.</b>				
<b>All Labor will be billed at applicable City rates (see All Departments).</b>				

## PUBLIC WORKS

<b>All Equipment and Vehicles will be billed at current Blue Book rates.</b>				
<b>All Labor will be billed at applicable City rates (see All Departments).</b>				

## PUBLIC SAFETY

Request for police records on paper		\$ 20.00	\$ 21.00	Each
Request for accident report on paper		\$ 20.00	\$ 21.00	Each
Civil Paper Service		\$ 50.00	\$ 52.50	Each
Records or reports on CD - add		\$ 20.00	\$ 21.00	Each
Records or reports on DVD - add		\$ 25.00	\$ 26.25	Each
Burn Permit - One Time		\$ 25.00	\$ 26.25	
Burn Permit - Commercial		\$ 100.00	\$ 105.00	
First Aid / CPR		\$ 50.00	\$ 52.50	

<b>All Equipment and Vehicles will be billed at current Blue Book rates.</b>				
<b>All Labor will be billed at applicable City rates (see All Departments).</b>				

**CITY OF WHITTIER, ALASKA  
RESOLUTION #03-2016**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WHITTIER, ALASKA, ADOPTING AN ALTERNATIVE ALLOCATION METHOD FOR THE FY 2016 SHARED FISHERIES BUSINESS TAX PROGRAM AND CERTIFYING THAT THIS ALLOCATION METHOD FAIRLY REPRESENTS THE DISTRIBUTION OF SIGNIFICANT EFFECTS OF FISHERIES BUSINESS ACTIVITY IN THE PRINCE WILLIAM SOUND FISHERIES MANAGEMENT AREA.**

**WHEREAS**, AS 29.60.450 requires that for a municipality to participate in the FY 16 Shared Fisheries Business Tax Program, the municipality must demonstrate to the Department of Commerce Community and Economic Development (DCCED) that the municipality suffered significant effects during calendar year 2014 from fisheries business activities; and

**WHEREAS**, 3 AAC 134.060 provides for the allocation of available program funding to eligible municipalities located within fisheries management areas specified by the Department of Commerce, Community and Economic Development (DCCED); and

**WHEREAS**, 3 AAC 134.070 provides for the use, at the discretion of the Department of Commerce, Community and Economic Development, of alternate allocation methods which may be used within fisheries management areas if all eligible municipalities within the area agree to use the method, and the method incorporates some measure of the relative significant effect of fisheries business activity on the respective municipalities in the area; and

**WHEREAS**, the Whittier City Council proposes to an alternative allocation method for allocation of FY 2016 funding available within the Prince William Sound Fisheries Management Area (FMA 15) in agreement with all other municipalities in this area participating in the FY 2016 Shared Fisheries Business Tax Program;

**THEREFORE BE IT RESOLVED**, that the Whittier City Council by this resolution certifies that the following alternative allocation method fairly represents the distribution of significant effects during 2014 of the fisheries business activity in the PWS Fisheries Management Area.

**ALTERNATIVE ALLOCATION METHOD:**

**ALL ELIGIBLE COMMUNITIES IN THE PWS FISHERIES MANAGEMENT AREA (CORDOVA, VALDEZ, AND WHITTIER) WILL RECEIVE AN EQUAL SHARE OF THE FUNDS AVAILABLE.**

**PASSED AND APPROVED** by a duly constituted quorum of the City Council for the City of Whittier, Alaska this 19th day of January, 2016.

**Introduced By:** Mark Lynch  
**Introduction Date:** 19 January 2016

**ATTEST:**

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Brenda Krol  
City Clerk

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Daniel Blair  
Mayor

Ayes:  
Nays:  
Absent:  
Abstain: