



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, MAY 19, 2020
AT 7:00 PM
COUNCIL CHAMBERS
3rd fl. PUBLIC SAFETY BUILDING**

Page #

AGENDA

- 1. CALL TO ORDER**
- 2. OPENING CEREMONY**
- 3. ROLL CALL**
 - A. Council Members Present
 - B. Administration Present
- 4. APPROVAL OF MINUTES**
 - A. April 21, 2020 Regular Meeting Minutes
 - B. May 05, 2020 Emergency Special Meeting
- 5. APPROVAL OF REGULAR MEETING AGENDA**
- 6. MAYOR'S REPORT**
 - A. Mayor Report – Dave Dickason
 - B. Vice Mayor Report – Peter Denmark
- 7. MANAGER'S REPORT**
 - A. City Manager and Director Reports
- 8. COMMISSION/COMMITTEE REPORTS**
 - A. Planning Commission
 - B. Port & Harbor Commission
 - C. Parks & Recreation Committee
 - D. Whittier Community School
 - E. Prince William Sound Aquaculture Corp.
 - F. Regional Citizen's Advisory Council
- 9. CITIZEN'S COMMENTS ON AGENDA ITEMS NOT SCHEDULED FOR PUBLIC HEARING**
- 10. APPROVAL OF THE CONSENT AGENDA**

None
- 11. PUBLIC HEARINGS (NON-ORDINANCE)**
- 12. PRESENTATIONS**

None

13. ORDINANCE

(Emergency Ordinance)

20

- A. Emergency Ordinance 2020-03- An Emergency Ordinance Renewing the Proclamation of local Emergency and City Council's Ratification of the Proclamation and its Acknowledgement of The State-Declared Emergency resulting from outbreak of Covid-19 in Alaska.

30

14. RESOLUTIONS

- A. Resolution #17-2020- A Resolution of The City Council of The City of Whittier, Alaska, Recognizing The City of Whittier has been advised by the Usace District Office that the total costs of the general navigation feature (GNF) may increase from what was estimated in the Integrated Feasibility Report (IFR).

15. EXECUTIVE SESSION

None

16. UNFINISHED BUSINESS

None

17. NEW BUSINESS

- A. Discussion Topic: Renting out City owned BTI units (1507, 1509, 1511)

18. COUNCIL DISCUSSION

19. CITIZEN'S DISCUSSION

20. COUNCIL AND ADMINISTRATION'S RESPONSE TO CITIZEN'S COMMENTS

21. ADJOURNMENT



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WHITTIER CITY COUNCIL

REGULAR MEETING

TUESDAY APRIL 21, 2020

7:00 PM

COUNCIL CHAMBERS

PUBLIC SAFETY BUILDING

MINUTES

1. CALL TO ORDER

Mayor Dave Dickason called the meeting to order at 7:00 p.m.

2. OPENING CEREMONY

Mayor Dave Dickason led the Pledge of Allegiance.

3. ROLL CALL

A. Council members present and establishing a quorum: Peter Denmark, David Pinguoch, Victor Shen, Debra Hicks, Tom Wagner, Monty Irvin, and Dave Dickason.

B. Administration Present:

Jim Hunt, City Manager

Naelene Matsumiya, City Clerk

Kristin Erchinger, Finance Director

Andre Achee, Police Chief

Dave Borg, Harbormaster

Holly Wells, City Attorney

Others Present:

4. APPROVAL OF MINUTES

March 17, 2020 Regular Meeting Minutes

March 25, 2020 Emergency Special Meeting

MOTION: Victor Shen made a motion to approve the minutes as they are.

SECOND: Debra Hicks

DISCUSSION: None

VOTE: Motion passed unanimously

5. APPROVAL OF THE REGULAR MEETING AGENDA

MOTION: Debra Hicks made a motion to approve the Regular Meeting Agenda as is.

SECOND: Peter Denmark

DISCUSSION: None

VOTE: Motion passed unanimously.

6. MAYOR'S REPORT

A. Mayor Report

Dave Dickason reflected on his report and stated most meetings are tentative as of right now. Announced the cancellation of the Prince William Sound Stewardship Foundation Symposium. He thanked Peter Denmark in his efforts in the planning of the event. Dave mentioned a budget review once things settle down.

B. Vice Mayor Report

Peter Denmark spoke briefly on the Symposium and the cancellation. Followed up with a COVID-19 anecdote and questions about transient workers and where they will quarantine. He commented on the COVID-19 testing and concluded by thanking Paul Mueller with Eastern Alutian Tribes and the Clinic staff

7. MANAGER'S REPORT

A. City Manager and Director Reports- Jim Hunt

Jim reported on the COVID-19 testing administered by the clinic and stated that start date is tomorrow and will continue all through April and May for residents and essential workers. Jim Spoke briefly about the response from the Army Corps of Engineers and answered questions from the Council. Kris Erchinger and Andre Achee also shared further information on their reports. Answered questions from the Council.

8. COMMISSION/COMMITTEE REPORTS

A. Planning Commission

Nothing New to report

B. Port & Harbor Commission

Dave Dickason gave a report on behalf of Greg Clifford on the Port and Harbor Commission. Reported on the Shrimp Opener and the sinking of the Bellavita (sp?)

C. Parks & Recreation Committee

Dave reported on the postponing of the Committee meeting due to the virus.

D. Whittier Community School

Dave Gave the Whittier Community School report on behalf of Tim Wieland. Reported that the school campus will remain closed for the remainder of the school year and that education for students continues virtually. He concluded by thanking the teachers and staff for their work.

E. Prince William Sound Aquaculture Corp.

Nothing new to report

F. Regional Citizen's Advisory Council

Mike Bender spoke about Hilcorp.

9. CITIZENS COMMENTS ON AGENDA ITEMS NOT SCHEDULED FOR PUBLIC HEARING

10. APPROVAL OF CONSENT CALENDAR

A. Appointment of RCAC Whittier Representative, Mike Bender.

MOTION: Victor Shen made a motion to appoint Mike Bender to the RCAC as Whittier's Representative and approve the Consent Agenda

SECOND: Debra Hicks

DISCUSSION: None

VOTE: Motion passed unanimously

11. PUBLIC HEARINGS (NON-ORDINANCE)

None

12. PRESENTATIONS

None

13. ORDINANCES

(Emergency Ordinance)

A. Emergency Ordinance #02-2020 – An Emergency Ordinance Ratifying the City Manager's Revisions to the Emergency COVID-19 Rules in Emergency Order 2020-02 and Renewing the City's Declaration of a Local and State-Wide Emergency Arising from the Outbreak of COVID-19

Holly Wells spoke about the Ordinance at length and commented on the mandate, mutual aid agreements, BnB's essential workers, and the revisions to the Emergency Order.

MOTION: Victor Shen made a motion to open the public hearing for public testimony at 7:23 pm

SECOND: Debra Hicks

DISCUSSION: None

VOTE: Motion passed unanimously

Seeing no member of the public present for testimony

MOTION: Victor Shen made a motion to close the Public Testimony part of the Public Hearing and open it up for Council Discussion

SECOND: Debra Hicks

DISCUSSION: None

VOTE: Motion passed unanimously

Council asked questions regarding seasonal workers and quarantine site. Holly responded. Council discussion ensued.

MOTION: Victor Shen made a motion to adopt Emergency Ordinance #02-2020 and close the public hearing at 7:33pm

SECOND: Debra Hicks

DISCUSSION: None

VOTE: Motion passed unanimously

14. RESOLUTIONS

A. Res. #10-2020 – A Resolution of The City Council of The City of Whittier, Alaska, authorizing funding in an amount not to exceed \$170,000.00 for the purpose design and specifications for a new public park and amenities, and appropriating funds.

MOTION: Debra Hicks made a motion to adopt Res. #10-2020

SECOND: Victor Shen

DISCUSSION: Jim spoke to the Resolution. Various Council members expressed concerns and shared the idea that it is not the right time. Council discussed further.

VOTE: Motion passed 4-3

B. Res. #15-2020 – A Resolution of The City Council of The City of Whittier, Alaska, authorizing the purchase of MSA SCBA air packs from Arctic Fire & Safety in the amount of \$45,237.50

MOTION: Victor Shen made a motion to adopt Res. #15-2020

SECOND: Debra Hicks

DISCUSSION: Council discussed the resolution with Andre Achee at length as there were language corrections that were made.

VOTE: No vote was taken. Original motion to adopt was amended.

MOTION: Victor Shen made a motion to adopt Res. #15-2020 with amendments in the manner stated by the Chief of Police in the laydown that was presented.

SECOND: Debra Hicks

DISCUSSION: None

VOTE: Motion passed unanimously

15. EXECUTIVE SESSION

None

16. UNFINISHED BUSINESS

A. Harbor Phase 3 Construction

Item was not discussed

17. NEW BUSINESS

None

18. COUNCIL DISCUSSION

Council Discussed the following:

Spreadsheet for usage of cruise ship funds

COVID-19

Lease Transfer

Local radio station

Shotgun Cove road construction

Dining services

19. CITIZEN'S DISCUSSION

None

20. COUNCIL AND ADMINISTRATION'S RESPONSE TO CITIZEN'S COMMENTS

None

21. ADJOURNMENT

Council adjourned the meeting at 8:48pm

ATTEST:

Naelene Matsumiya
City Clerk

Dave Dickason
Mayor



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**WHITTIER CITY COUNCIL
EMERGENCY SPECIAL MEETING
WEDNESDAY, MAY 5, 2020
6:00 PM
COUNCIL CHAMBERS
PUBLIC SAFETY BUILDING**

MINUTES

1. CALL TO ORDER

Mayor Dave Dickason called the meeting to order at 6:02 p.m.

2. OPENING CEREMONY

Mayor Dave Dickason led the Pledge of Allegiance.

3. ROLL CALL

A. Council members present and establishing a quorum: Peter Denmark, Debra Hicks, Tom Wagner, Victor Shen, and Dave Dickason

B. Administration Present:

Jim Hunt, City Manager
Naelene Matsumiya, City Clerk,
Kris Erchinger, Finance Director
Andre Achee, Interim Chief of Police
Dave Borg, Harbormaster
Holly Wells, City Attorney

Others present: Mike Bender, Dave Goldstein, and Greg Clifford

4. APPROVAL OF THE EMERGENCY SPECIAL MEETING AGENDA

MOTION: Tom Wagner made a motion to approve the Emergency Special Meeting Agenda

SECOND: Debra Hicks

DISCUSSION: None

VOTE: Motion passed unanimously

5. ORDINANCES

(Emergency Ordinance)

A. Emergency Ord. #02-2020 – An Emergency Ordinance Ratifying the City Manager’s Repeal and Reenactment of the City Emergency COVID-19 Rules, Adopting the City’s COVID-19 Recovery Plan and the community Outbreak Rules That Will Be Effective Only During a Local Orange Alert Under that Plan.

Holly Wells explained at length the Recovery Plan and what pertains to a Code Orange Alert in the

City.

MOTION: Debra Hicks made a motion to open the public hearing for Public Testimony at 6:10 pm

SECOND: Tom Wagner

DISCUSSION: None

VOTE: Motion passed unanimously

Dave Goldstein came forward and testified "Neutral" for the Ordinance and recommended collaborations with RCAC and recognized the City's efforts in the COVID-19 climate.

No other public testimony.

MOTION: Debra Hicks made a motion to close the public testimony part of the public hearing and open it up for Council Discussion.

SECOND: Tom Wagner

DISCUSSION: None

VOTE: Motion passed unanimously

Council asked about what will begin to open and what revisions were made. Jim, Holly and Dave Borg took turns answering questions from the Dias.

MOTION: Tom Wagner made a motion to adopt Emergency Ordinance #02-2020 and close the Public Hearing at 6:32 pm

SECOND: Debra Hicks

DISCUSSION: None

VOTE: Motion passed, 4-1

6. RESOLUTIONS

A. Resolution #16-2020- A Resolution of The City Council Of The City Of Whittier, Alaska Authorizing the City to Participate The Cost of Installing Four Pilings At the Delong Dock in the Amount of \$35,000, and appropriating funds.

MOTION: Victor Shen made a motion to adopt Res. #16-2020

SECOND: Tom Wagner

DISCUSSION: Jim explained where the pilings will be installed and Whittier Seafood's involvement with the council.

VOTE: Motion passed unanimously

7. COUNCIL DISCUSSION

None

8. CITIZEN'S DISCUSSION

Greg Clifford announced that he and his family will be leaving Whittier and invited everyone to the upcoming Port and Harbor meeting.

9. COUNCIL AND ADMINISTRATION'S RESPONSE TO CITIZEN'S COMMENTS

None

10. ADJOURNMENT

All were in favor of adjourning the meeting at 6:02 p.m.

ATTEST:

Naelene Matsumiya
City Clerk

Dave Dickason
Mayor

Date: May 19, 2020
To: Whittier City Council and Administration
From: Dave Dickason
Subject: Mayor's Report – April/May 2020

Meetings Attended:

- Parks & Rec Meeting May 19th
- PWSSF Symposium May 18th
- Ports and Harbor Meeting May 7th

Upcoming Schedule:

- P&Z Meeting: Wednesday, June 3rd - 6:00 PM (Tentative) Need updated zoning map
- Port & Harbor Meeting: Thursday, June 4th - 6:00 PM (Tentative)
- Parks & Rec Meeting: Tuesday, June 16th - 6:00 PM
- Next Regular Meeting: Tuesday, June 16th – 7:00 PM

Recently Accomplished Goals:

- Response to COVID-19

Follow-up:

- Budget Review Schedule
- Harbor Infrastructure Grant Application
- Determine Future Status of Remaining City-owned Condominiums
- City Beautification Plan for 2020: Harbor boardwalk, Derelict boats, Boneyard

Open Goals:

Short Term:

- Community Park Construction Funding
- Determine Funding for Final Harbor Construction Phase
- Policies and Procedures / Code Update

Mid Term:

- DOD Tank-Farm Land Transfer of 55 Acres: Need to coordinate with breakwater construction project.
- Lease Standardization & Enforcement: Some enforcement currently taking place.
- Future Land-use Development Plan: Start with Planning & Zoning

Long Term:

- Shotgun Cove Road Extension: Next construction phase in 2021.
- Head of Bay Development: COE signed off on project and they are now pursuing funding for the engineered design.
- Buckner Building: Environmental Remediation.

MAY 2020 Manager Report

Finishing up 2020 De Long Dock permits

The seven days a week work schedule continues concerning Pandemic issues

Ongoing communication with Whittier community and queries from outside of Whittier

Opened restrooms in town

Preparing to issue RFP for MARAD Marine Infrastructure application

Have been in communication with Senator Sullivan's office and his regional staffer regarding U.S. Treasury rules for CARES ACT funds

Ongoing communication with State and Federal lobbyists

Eastern Peninsula Highway Safety Area Board meeting

PWS Economic Development meeting

Coordinating efforts with Tommy Sheridan of PWS Aquaculture

Working with attorneys on harbor-related concerns and opportunities and moving boats from asphalt for the summer

I am receiving calls and emails from locals and visitors regarding junk, derelict vessels, old nets/skates, stored material including newly added vending machines, unlicensed junk vehicles, and more in town. I am going to need direction from council to move forward if council desires to address this growing problem.

The City was issued a notice of award for the CARES ACT COVID-19 grant. We are working with the Governor and D.C. Delegation to amend/clarify uses of monies.

Staff working on their FEMA ICS (Incident Command System) training and certification

Working on Federal grant money opportunities via Alaska US Economic Development Administration representative

COVID-19

Reviewed, drafted, edited several documents throughout the last month.

Annie completed FEMA ICS 100, 200, 700, and 800 training online.

Worked closely with Holly Wells, City Attorney, to ensure legality of City policies and positions.

Responded to several business owners and concerned citizens.

Worked on finalizing mutual aid agreements.

Drafted a COVID-19 Mitigation Plan that follows State guidance for reopening businesses safely. Submitted to the State for approval.

Discussions with Directors on staffing and procedures.

Tuned in to Governor Dunleavy daily updates.

Tracking Federal and State guidelines and mandates to determine if/when/how the City might move forward – and communicating those opportunities to the CM.

Updated and disseminated land use permits for execution prior to summer season (Delong Dock processors, Arctic Ice).

Continuing work OSHA requirements

Continued work on Emergency Operating Plan -reviewing and editing

Worked with directors to continue addressing safety opportunities.

Worked with Will Earnhart, City Attorney, to address delinquent accounts at the Harbor.

Reviewed and updated job announcement for EMT III position. Worked with Dyanna on best places to advertise the position.

Reviewed tunnel contract for public safety summer services.

Worked with Holly and Jay Baumer, Sport Fisheries Management Biologist with Alaska Fish and Game, to address code provisions in conflict with State law.

Finance Director

This report reflects finance-related activities through the end of April. Financial Report information is provided in the packet through the end of March. All interfund transfers budgeted for 2020 have been entered and posted.

AUDIT PREPARATION

Most of the finance effort has been directed at preparation for the annual audit. Altman Rogers will be auditing the City from May 18 through 21 and has made the decision to conduct a virtual audit, due to travel and other restrictions related to COVID19. Staff have been providing the auditors with payroll, payables, harbor, cash receipts, property tax and other related test samples. All draft financial statements and detailed general ledger transactions will be forwarded to the auditors by May 18.

FERROVIAL CONTRACT

Finance and Public Safety met with the Ferrovial team to discuss reductions in service related to the loss of cruise ships for the coming tourism season. The parties agreed to a reduced schedule so that the City will not be required to hire an additional seasonal employee. This will result in less personnel costs for the City, offset by lower contract funding. We expect to bring forward a budget amendment in June, when we examine mid-cycle budget adjustments on a wider scale.

PERSONNEL

Staff have worked together to cross-train on accounts payable, utility billing, payroll and accounts receivable. Cross-training will allow multiple staff to assist with various functions and provide opportunities for segregation of duties, which is a key component of a robust system of internal controls. In addition, detailed procedures are being created for each of the major finance-related functions, to ensure that job functions are not dependent on certain individuals with unique knowledge. This allows for better job coverage during times of employee absence and for tasks to be conducted when some individuals may be required to work from home, as was recently the case due to COVID19 social distancing requirements. Staff have been keeping up on the normal work flow as well as completing online training courses related to emergency preparedness and other job-specific tasks, while preparing for audit.

We are still awaiting a response from the Internal Revenue Service regarding the finance director's request for abatement of penalties assessed against the City for failure to file W2 and W3 Forms with the Social Security Administration in 2015.

LEASES AND MISCELLANEOUS

The finance director completed an audit of annual lease billings for Passage Canal Development, resulting in necessary adjustments related to past CPI adjustments that were not correctly computed. Those issues are expected to be resolved by the end of June. An audit of the Whittier Marina Condo Association lease is underway and it appears that there is a discrepancy between what has been paid by the lessee at 3% of the gross revenues, versus the requirement to make a minimum annual lease payment per the lease agreement. Following attorney review, staff will send a letter of notice to the lease owner. The first quarter lease sharing payment was made to the Alaska Railroad Corporation, and we expect to make quarterly payments going forward, in accordance with past practice. After the summer season, staff expects to work on a plan to be brought forward to the City Council, requesting that all City leases be standardized as to lease adjustment terms. Currently, some leases increase based on annual changes in the consumer price index; others change every five years based on market value appraisals; others change every three years based on market value appraisals. For each lease, the date on which appraisals take place varies not only by year, but by months within a year. Some leases have an established value that is not based on market value but is a past value that is adjusted annually based on CPI. These disparate means of adjusting leases has resulted in some leases not being timely adjusted, and some appraisals not being timely completed. We are likely to recommend a standard cycle for all City leases, such that every five years all leases

are reappraised, the new valuations take place for all leases at the same time, and in between lease cycles, lease rates are adjusted by the CPI each year. This is consistent with industry practice.

Other work this period includes: 1) an update of the annual insurance exposure questionnaire (property, general liability, mobile equipment, vehicles, workers compensation, marine and excess marine coverage, etc.); 2) updating UBS, Xpress Bill Pay, Paymentech, AMLIP, FNBA Corporate Resolutions and other applicable banking and investment services documentation; 3) processed sales tax payment from the Harbor to the General Fund; 4) filed request for reimbursement for self-contained breathing apparatus from 2018 Assistance to Firefighters Grant.

PROPERTY TAX

Staff sent delinquent property tax notices to property owners and will be working with the attorneys on a process to encourage final payment before pursuing foreclosure on properties for non-payment.

ANALYSIS OF PRELIMINARY MARCH FINANCIALS

March financials are considered preliminary until all transactions have been posted for the month. The transaction activity for the Harbor has been recorded for the month. The City does not receive much in the way of Intergovernmental Revenues or Tax revenues in the early part of the year.

General Fund Revenue

The preliminary General Fund revenues (excluding transfers-in) are at 10.6% of budget through March, where 25% of the fiscal year has expired, with actual revenues of \$298,439 versus an annual budget of \$2,825,575. Including transfers-in, the revenue budget is at 26.1% through March. An adjustment to lease revenues (to reduce revenues) is in order, to properly split the revenue between the General Fund and the Harbor. Further, it is important to recognize that transfers-in from other funds have been fully recorded early in the year, including from the CPV Fund (\$290,280) and from the Water/Wastewater Fund (\$154,008). The transfer-in from the CPV Fund is for various items approved in the 2020 budget (public safety services, loader, response vehicles, parks and recreation) and the transfer-in from the Water/Wastewater Fund represents the loan approved in the 2020 budget, for one-half the cost of purchasing a loader. The loader will be available to use for the Water/Wastewater Fund but is being paid for from the General Fund over seven equal annual payments. The Transfer-In is lower than authorized in the budget by \$45,991 based on the actual cost of the loader coming in under budget by approximately \$91,000. Surplus sales revenue came in at \$122,100 versus a budget of \$0, representing the sale of City-owned BTI condo units.

It is too soon to tell the impact that COVID19 will have on the City's finances. It is very likely that we can expect reductions in some General Fund revenues including sales tax (budgeted at \$600,000) and business transportation tax (budgeted at \$375,000). As a short-term relief measure, the City has announced that it will not be charging penalties or late fees for businesses or individuals who are late on the first and second quarter payments for leases, business transportation tax, sales tax or utility bills. The payments will become due at the end of June to allow businesses cash-flow relief. The administration will consider whether to extent those relief measures, in the coming weeks.

General Fund Expenditures

Preliminary March financials show General Fund expenditures of \$367,209 (excluding transfers-out) or 12.4% of the overall budget of \$2,976,569. This number is under-estimated due to the entire year's inter-department support recorded in January (it is recorded as a reduction to administration expense). An adjustment will be made to the financials, spreading this support out over 1/12th of the year each month. Had that adjustment been reflected already, expenditures through March would be \$516,084 or 17.4% of the annual budget, with 25% of the year elapsed. Departments have been asked to reduce spending where possible, to address the uncertainties associated with COVID19, on the year ahead.

Water and Wastewater Enterprise Fund

Preliminary water and wastewater revenues are at 9.5% of the budget, or \$40,725 versus a budget of \$428,426 at the end of March. This figure excludes transfers-in to the Fund. Transfers-in have been recorded from the General Fund (\$23,340.94) representing the first of seven payments related to the loan for purchase of a loader and from the CPV Fund (\$54,000) for the water well capacity study. Some larger customers terminate water service in the winter, so lower winter revenues are to be expected. Excluding Transfers-Out of \$196,508.50 (to the General Fund as a loan to purchase a new loader), expenses in the Water and Wastewater Fund are at 16.1% of budget, with actual expenses of \$66,945 versus annual budget of \$417,817 through March.

Harbor Enterprise Fund

Harbor revenues (excluding Transfers-In from other funds) are \$683,721, or 47.2% of the annual budget of \$1,449,400. This reflects the fact that 2020 annual moorage fees are recorded in the beginning of the year for the entire year. The negative Waiting List Fees of <\$1,300> for the year represents refunds to individuals who have made the decision to be removed from the waiting list. A transfer-in from the CPV Fund in the amount of \$157,275 has been recorded, representing the annual harbor debt service payment on the new floats. On the expense side (excluding transfers-out), the budget is at 8.2% or \$186,126 actual expenses versus a budget of \$2,271,654 through March. The bulk of the costs reflect the transfer-out of \$156,000 to the General Fund for administrative costs; however, an adjustment has not yet been made to spread that cost out equally over each month. Harbor's costs early in the year tend to be related to personnel and utilities, but also reflect emergency response and repair costs of approximately \$20,000 related to the failed transformer in January. Those costs are expected to be recouped from insurance proceeds once all costs have been incurred and reported.

Delong Dock Enterprise Fund

The financial activity related to the Delong Dock was removed from the Harbor Enterprise Fund at the end of 2019. Through March, the Fund has generated Wharfage fees totaling \$299,318 and expenses of \$3,088. Staff recently underwent upgrades to the electrical system on the dock to properly account for electrical consumption for customers using the dock so that they can be billed for usage. This was not properly accounted for in the prior year due to the absence of a harbormaster. Staff will also be separately tracking their time related to the Delong Dock on their timesheets, to more accurately reflect the personnel effort related to the Dock.

Motor Pool Enterprise Fund

The Motor Pool Enterprise Fund was created via passage of Resolution #39-2019. The purpose of this Fund is to forward-fund replacement of vehicles and heavy equipment. Through March the Fund reports transfers-in of \$368,017 for the purchase of the public works loader and two police cruisers, plus revenues of \$15,000 representing the second years' payment into the Fund for future replacement of public safety vehicles. The Council authorized purchase of the loader but due to COVID19, the transaction has been delayed.

Harbormaster

Issued impound paperwork to owner of Arctic Moon, Impound will be effective 29 May 2020
Staff continue to work alternating work schedules irt COVID -19
Repaired WiFi Point to Point for MacKay Pay Kiosk at the launch ramp
Standalone computer is now up and running and hosting Quickbooks and Marine Management programs
Continue to monitor COVID-19 mandates
Delong Dock permits have been delivered to processors
Delong Dock power metering is in place
Attended Port and Harbor meeting

Harbor:

All fire extinguishers are up to code

Water restored to all harbor floats (including both sides of G)

Restrooms have been open, main harbor building and head of the bay remain closed

New motor/steering/controls installed in harbor skiff

Procured new trailer for harbor skiff

Fish pen (new) has been delivered and anchored. Staff will install fish netting

Fry to be delivered on 19 May

Hire plan for seasonal harbor staff

Proceeding with replacing city dock ladders

Washdown station is operational

Lighting damaged by fire has been restored on Delong Dock

Working on a plan to open campground at the head of the bay in accordance with Mandate 17

Public Safety Director

Personnel:

April 2020 had some personnel changes. Specifically, with the Fire/EMS Department. Chris Lau, Fire/EMS Coordinator, tendered his two-week resignation notice for the position.

I was able to find an EMT III to fill the EMS (ALS) portion of this position, without any breaks in coverage for April 2020. Additionally, we advertised the EMS/Fire Coordinator position and EMT positions.

We hired a full time temporary EMT III and a part time EMT I for the summer season. With the lack of cruise ships this summer, and the difficulty in finding and hiring ALS qualified EMS personnel, the decision was made to modify the EMS schedule for the summer season.

Instead of maintaining 24/7 coverage EMS/ALS coverage, we are maintaining status quo on our EMS coverage. We are continually recruiting for our vacant positions.

Whittier Police Department hired a full-time temporary position to assist with patrol coverages in Whittier and Girdwood. Tom Harris, former Whittier Police Dept., was hired as a full-time temp officer in the beginning of April 2020. He is currently supplementing our patrol staff.

Whittier Police Department currently staffing is 4 full time permanent police officers, 1 full time temporary officer, 1 full time police officer on medical leave, 1 temporary on-call police officer. We have been able to maintain good patrol coverage and response to Whittier and Girdwood areas of responsibility.

TUNNEL SERVICE CONTRACT:

May 1st, 2020 the Whittier Police Department started there annual Whittier Tunnel Security contract. With the advent of Covid-19 pandemic and lack of cruise ships this season we negotiated the following changes to the previous contract.

- A five percent increase on the hourly rate
- Daily patrol time reduced to 3 hours per day
- \$2000 one-time equipment reimbursement

EQUIPMENT:

Whittier Volunteer Fire Department received both fire apparatus approved by the City Council for purchase. We are finishing off on the outfitting of these vehicles with the remainder for the council approved funds. AFG SCBA's have been ordered. Council approved the purchase of 7 SCBAs from Arctic Fire and Safety in Fairbanks, Alaska.

Police Vehicles which were ordered in January 2020 was received this month. Two (2) Chevrolet 1500 half ton, crew cab pickups were delivered to Anchorage. Currently the vehicles are at Alaska Safety to be outfitted and prepared for patrol.

ADMINISTRATIVE:

The State of Alaska has instituted a statewide fire ban. Whittier will comply with this ban. Officers have been informed on this notice.

We are preparing to surplus several vehicles, including fire apparatuses and police vehicles. This will clear up some of the old fleet we currently have in inventory.

We are also working on an equipment audit. Currently audit is for our radio equipment, which should be completed by May 15th, 2020.

Fire Chief Brian Hicks has done a great job with finding and securing the two "new to Whittier" fire apparatuses. He has brought up a good point regarding volunteerism. The Whittier Volunteer Fire and EMS are short staffed and with be losing more volunteers this season. I am soliciting any input that you, the council or the community may have regarding the recruitment of Fire and EMS volunteers.

The City of Whittier currently have several vacant condos on the 15th floor of the BTI. I would like to request that we go into discussion with City Council on the possibility of utilizing one or two of these units as potential incentives for our Police and/or Fire/EMS personnel usage if they reside in Whittier. This would potentially give the City of Whittier additional resources by having first responders living in the community they work while reducing the current liability of maintaining vacant condos.

If you have any questions regarding this monthly report, please feel free to contact me.



THE CITY OF WHITTIER

Gateway to Western Prince William Sound

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**PORT & HARBOR COMMISSION
REGULAR MEETING
THURSDAY, MARCH 5, 2020
Council Chambers, Public Safety Building
6:00 p.m.**

MINUTES

1. CALL TO ORDER

Chair Greg Clifford called the meeting to order at 6:00 P.M

2. OPENING CEREMONY PLEDGE OF ALLEGIANCE

Greg Clifford

3. ROLL CALL

Greg Clifford, Ed Hedges, Dave Goldstein, and Arnie Arneson

MOTION: Ed Hedges made a motion to excuse Brad VonWichman, Mark Mitchell and Steven Bender from tonight's meeting.

SECOND: Dave Goldstein

DISCUSSION: None

VOTE: Motion passed unanimously

ADMINISTRATION PRESENT

Annie Reeves, Assistant City Manager

Naelene Matsumiya, City Clerk

Amy Pantaleon, Office Assistant

PUBLIC PRESENT

Dave Dickason

4. APPROVAL OF REGULAR MEETING AGENDA

MOTION: Dave Goldstein made a motion to approve the regular meeting agenda as is

SECOND: Arnie Arneson

DISCUSSION: None

VOTE: Motion passed unanimously

5. APPROVAL OF MINUTES

MOTION: Ed Hedges made a motion to approve the February 7, 2020 Regular Meeting Minutes with the amendment of correcting the spelling of Ed Hedges' name.

SECOND: Dave Goldstein

DISCUSSION: None

VOTE: Motion passed unanimously

6. HARBORMASTER AND CHAIRPERSON REPORT

Greg Clifford reported on the appointment of the Chair and Vice chair at the next meeting and that the Harbormaster is scheduled to be in Whittier by the end of March.

7. UNFINISHED BUSINESS

A. Delong Dock Discussion

The Commission discussed the item briefly. Mentioned the following: Seafood company assignment, new dock, harbor infrastructure, future harbor projects.

B. Harbor Phase 3

Greg stated that he looks forward to discussing the item with the incoming Harbormaster.

C. Fee Schedule

Greg stated that updating the fee schedule was one of the Commission's goals. Asked to keep the item on the agenda.

D. Head of the Bay Project

Dave Dickason stated that the City is looking for engineering funds for the project. Commission stated their concerns. Greg stated conversation about the item could be discussed with the Harbormaster.

8. NEW BUSINESS

A. Waitlist

Commission reviewed the Waitlist and discussed at length. Greg stated that questions be addressed to Kris Erchinger, the City's finance Director.

B. Preferential Moorage

Item will be discussed with Harbormaster.

C. Yearly Transient Moorage

Commission asked for more information and an update at the next meeting. Greg wanted to address that the items are in the radar of the Commission. Discussion ensued.

9. MISCELLANEOUS BUSINESS

None

10. COMMISSION COMMENTS

Commission discussed the following: Boat that sank. Worksession.

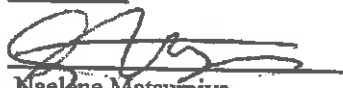
11. CITIZENS COMMENTS

None

12. ADJOURNMENT:

Meeting was adjourned at 6:32 pm.

ATTEST:


Naelene Matsumiya
City Clerk


~~Greg Clifford~~ Steven Bender
Commission Chairperson

Sponsored by: Hunt
Public Hearing Date:
Enactment Date:

**CITY OF WHITTER, ALASKA
EMERGENCY ORDINANCE 2020-03**

**AN EMERGENCY ORDINANCE RENEWING THE PROCLAMATION OF LOCAL
EMERGENCY AND CITY COUNCIL'S RATIFICATION OF THAT PROCLAMATION
AND ITS ACKNOWLEDGEMENT OF THE STATE-DECLARED EMERGENCY
RESULTING FROM THE OUTBREAK OF COVID-19 IN ALASKA**

WHEREAS, the United States Center for Disease Control and Prevention (CDC) has identified COVID-19 as a significant public risk; and

WHEREAS, on March 11, 2020, Governor Dunleavy issued a declaration of public health disaster emergency in response to the anticipated outbreak of COVID-19 within Alaska's communities; and

WHEREAS, on March 11, 2020, The World Health Organization designated the COVID-19 outbreak a pandemic; and

WHEREAS, various organizations, agencies, and local governments throughout the State of Alaska and within the City continue to cancel or restrict public gatherings, Alaska's schools remain closed, and travel remains restricted in efforts to contain the virus; and

WHEREAS, the recommendations of global, federal, state, and local organizations and government entities are changing almost daily in response to new information regarding COVID-19, which requires the City to be able to act swiftly to comply with these recommendations in its operations; and

WHEREAS, on March 23, 2020, the City Manager declared a local emergency as a result of COVID-19 and acknowledged the State of Alaska's declaration of state-wide emergency issued on March 11, 2020; and

WHEREAS, Council recognized the public health emergency created by the COVID-19 outbreak and the imminent harm it poses to the City and members of the Whittier community in its adoption of Emergency Ordinance 2020-01; and

WHEREAS, Council also acknowledges that the declared state of emergency continues to exist and the City continues to need aid and assistance from both the federal and state government in responding to and rebuilding after the COVID-19 emergency,

NOW, THEREFORE, THE CITY OF WHITTIER CITY COUNCIL ORDAINS:

Section 1. The Whittier City Council hereby renews the City Manager's proclamation of emergency and acknowledges the continued statewide emergency arising from COVID-19.

Section 2. This ordinance is an emergency ordinance, is not permanent in nature, and shall not be codified.

Section 3. This ordinance shall take effect on the day it is enacted and shall expire sixty (60) days after its passage in accordance with WMC 2.08.310.

ENACTED BY THE CITY COUNCIL OF THE CITY OF WHITTIER, ALASKA this ____ day of May, 2020.

THE CITY OF WHITTIER, ALASKA

Dave Dickason, Mayor

AYES:

NOES:

ABSENT:

ABSTAIN:

(An Emergency Order requires approval of all present members or $\frac{3}{4}$ of total membership, whichever is less – WMC 2.08.310)

ATTEST:

Naelene Matsumiya
City Clerk

(City Seal)

**CITY OF WHITTIER, ALASKA CITY MANAGER PROCLAMATION OF EMERGENCY AND
EMERGENCY ORDER 2020-01**

As City Manager of the City of Whittier, Alaska, I hereby declare a local emergency and acknowledge the declaration of State-wide emergency issued by Governor Dunleavy on March 11, 2020. The United States Center for Disease Control and Prevention (CDC) has identified COVID-19 as a significant public risk. On March 11, 2020, Governor Dunleavy issued a declaration of public health disaster emergency in response to the anticipated outbreak of COVID-19 within Alaska's communities. On that same day, The World Health Organization designated the COVID-19 outbreak a pandemic.

The City of Whittier government has been carefully monitoring the procession of COVID-19 in the State of Alaska and globally, accumulating information to ensure that any reaction by the City was carefully tailored to the unique needs and vulnerabilities of our community. While the City has been working with the community to comply with State of Alaska recommendations and mandates regarding COVID-19, we must now come together to take steps to protect our community that may exceed these recommendations. To this end, the City is now implementing temporary rules and procedures to help protect this community from the COVID-19 outbreak. These rules and procedures are attached and incorporated into this Declaration of Emergency and Emergency Order 2020-01. In addition to these rules, the City is working diligently to collaborate with Whittier's private and public employers and service providers to ensure that all entities are taking every step possible to ensure the safety of our community during this public health crisis.

This declaration also issues a "call to arms" to all Whittier community members. We know that some of the rules and procedures we are implementing will cause hardship for our community but we must do everything we can to protect the health of Whittier's most vulnerable residents and these rules and procedures provide maximum protection to all our community members in the least restrictive way possible. As information changes rapidly regarding the virus, we will be re-examining our emergency rules and procedures and updating them as needed. During this time of uncertainty, please do not hesitate to reach out to City staff via email or telephone if you have questions regarding the rules and procedures or best practices and how they affect you individually or your business. If you need help with anything, please call the City so we can work with you to get the services and assistance you need. We are in this together and will come through this together!

This Emergency Declaration and Order also serves as a request to our federal and state governments for aid in Whittier's efforts to combat the virus and it's future efforts to mitigate any harm that befalls the community as a result of the virus.

03-23-2020

March 23, 2020



Jim Hunt

Whittier City Manager

EMERGENCY ORDER #2020-02

CITY OF WHITTIER TEMPORARY OPERATION RULES AND PROCURES REGARDING THE COVID-19 PUBLIC HEALTH EMERGENCY

City Manager Jim Hunt, in his capacity as the Director of Civil Defense and Disaster, hereby institutes the following revisions to the City of Whittier's Temporary Emergency Rules and Procedures in response to the COVID-19 Public Health Emergency. These rules and procedures shall be effective until May 25, 2020 and are necessary to protect the public health, welfare, and safety within the boundaries of the City. These rules and procedures may be identified as the "Emergency COVID-19 Rules" for ease of reference. These rules shall be posted on the City website and the City Clerk shall provide City Council members notice of these rules and any modifications to them within five days of their adoption. City Council may repeal these rules in whole or in part via resolution. These rules may be extended by Emergency Order for 30-day periods if the City Manager determines that the COVID-19 public health emergency continues to exist and extension of the rules is necessary to protect public health, safety, and welfare.

Rule 1. Electronic City Council Meetings. Any regular or special meetings of the City Council should be conducted via electronic means, including audio or video conference, unless the Mayor determines that a meeting must be conducted at City Hall and that doing so does not pose a risk to the public health, safety, and welfare. The City Clerk shall post telephone number(s) to call into telephonic or video conference meetings on the City website and on the written agenda for all regularly scheduled and special meetings. Council shall ensure that reasonable accommodations are made to afford the public a right to be heard telephonically. Telephonic participation by the public is not ideal but is reasonable when weighed against the substantial risk to public health, welfare, and safety posed by group gatherings during the COVID-19 outbreak. In the event the Mayor determines an in-person meeting is necessary and does not pose a risk to public health, welfare, and safety, no more than five members of the public shall enter the same space to make comments at one time. The public may also submit written public comments for all telephonic or video conference Council meetings. The public written comments shall be read into the record during the public comment period at all Council meetings held electronically, except Council work sessions. If written public comments exceed three minutes, the first three minutes of the written comment shall be read during the meeting. Written comments must include the name of the contributor in order to be read publicly during telephonic or video conference meetings. Current time limits placed on public comments and testimony shall apply to telephonic and written public comments submitted under this rule.

Rule 2. Council Meeting Notice and packet materials. The City Clerk shall provide the public and media notice that is reasonable under the circumstances for all emergency, special, and regular meetings held by Council. All special meetings and agenda items

shall be posted on the City website no less than six hours before the meeting. Failure to post the meeting materials shall not invalidate the actions taken by Council during an emergency meeting if Council states the reason for the failure to post adequate notice or provide materials and clearly finds that the notice and material access provided during the meeting was sufficient and reasonable in light of the emergency circumstances underlying the meeting.

Rule 3. Meetings of Boards and Commissions. The City Manager may cancel meetings of any board or commission if he finds that cancellation is necessary to protect public health, safety, and welfare. Any such cancellation shall automatically extend such deadlines for required actions by such board or commission as is specified in the cancellation notice. All board and commission meetings may be held electronically in the same manner proscribed for Council meetings in Rule 1.

Rule 4. Suspension of all Non-essential meetings and agenda items. All non-essential government meetings shall be postponed until no earlier than May 1, 2020. Non-essential action items shall also be postponed until no earlier than May 1, 2020 unless doing so would pose substantial financial harm on the City or another party. Any person objecting to the postponement of an action item may notify the City Manager in writing regarding his or her objection. The City Manager shall review any written objections received and shall determine if the objection warrants consideration of an action item by Council or the appropriate commission or board before May 1, 2020. The City Manager shall notify the Mayor of all written objections received and his determination. Upon receipt of a written objection, the Mayor may override the City Manager's decision to postpone an action item.

Rule 5. Licensed or Permitted Activities. The City Manager may suspend licenses or permits for special events or any other licenses or permits issued by the City which in the judgment of the City Manager could impact the public health or well-being of residents or visitors to the community.

Rule 6. Purchases. The City Manager may authorize any purchase for which funds are available reasonably related to the emergency. Such purchases may be made without following each formal requirement of WMC 3.32 entitled "Purchasing and Contract Procedures."

Rule 7. Personnel Policies. The City Manager may adjust any personnel policies related to leave time, other benefits or terms and conditions of employment as are reasonably related to providing sufficient staffing during the term of the emergency while protecting City employees and the community from COVID-19.

Rule 8. City Facilities. The City Manager may close City facilities or limit hours of operation as is reasonably required to protect the health of the public and employees of the City.

Rule 9. Public Access to City Facilities. City offices are closed to the public until April 30 May 15, 2020 except as specified in this rule. Public Safety dispatch remains available to the public for service. The Harbormaster office and the Police Department dispatch window remain open to the public for service. City services and departments remain accessible to the public via telephone and email. Individuals may request appointments for in-person meetings with City staff, which will be accommodated if doing so will not jeopardize the health or safety of the community of Whittier or its members.

Rule 10. Private Facilities. All businesses are required to follow the State of Alaska recommendations and mandates regarding COVID-19. In addition, the following rules impacting private facilities and businesses are adopted:

1. Any private employer with more than ten employees working within the City's boundaries shall enter into a mutual aid agreement with the City implementing a health risk assessment protocol for employees working in the City. This does not apply to employees who are at no time physically present in Whittier. The City and employers subject to this rule shall identify the protocols and plans adopted by the employer to protect their employees and the greater Whittier community from the spread of COVID-19. The City and employers subject to this rule shall identify the protocols and plans adopted by the employer to protect their employees and the greater Whittier community from the spread of COVID-19.

2. The City Manager retains authority to further limit private business operations of businesses within Whittier if necessary to protect the health, welfare, and safety of community members. The City Manager may only order full closure of all businesses within the City with Council approval and at least 48 hours' notice to Whittier businesses subject to such closure.

3. In addition to any State-wide restrictions on the operation of businesses within the City, all businesses open to the public shall limit the individuals within its establishment to no more than five individuals at any time, including employees. This rule applies to grocery stores but does not apply to employers where essential operations of the business will be substantially disrupted as a result of the limitation. Employers seeking an exception to this rule due to substantial disruption shall seek an exception from this rule from the City Manager. A written request for exception must state the reasons for the exception. Any employer excepted from this rule shall enter into a mutual aid agreement with the City to ensure protective measures are taken to prevent the spread of COVID-19 within the City.

Rule 11. Tunnel Access. Tunnel access will be limited to travel required by federal or state law or via agreement with the State of Alaska and federal government, their departments, public corporations, agencies, and/or representatives and the following individuals:

A. Residents of the City of Whittier

B. Caregivers for residents of the City of Whittier

C. Individuals entering Whittier to participate in commercial or sport fishing or hunting. These individuals must travel directly from the tunnel to the vessel or location on or at which the activities will occur. These travelers will not be able to access any buildings located within the City.

D. Essential workers required to travel to Whittier to complete essential job functions. Essential workers shall include all essential business and critical infrastructure positions identified in the State of Alaska Essential Business and Critical Infrastructure Workforce Order identified as Attachment A to State of Alaska Health Mandate 12, as amended by the State.

E. Cruise ship or charter vessel passengers. These individuals must travel directly from the tunnel to the vessel or mode of transportation at which the activities will occur. These travelers will not be able to access any buildings located within the City except as otherwise permitted under State law.

Rule 12. Amounts Due and Owing. The City Manager, upon the recommendation of the Finance Director, is hereby authorized to extend deadlines for payment related to any amounts due and owing to the City. The City shall not turn off any City managed utilities due to nonpayment during the declared state of emergency.

Rule 13. Business Protective Measures and Protocols. All businesses open to more than five (5) customers at one time at a physical site within the City shall post a "COVID-19 Protective Measures and Policies" on-site detailing the measures taken by that business to protect employees and customers from COVID-19 exposure. Businesses subject to this requirement shall file a copy of their COVID-19 Protective Measures and Policies with the City's Emergency Operations Team at areeves@whittieralaska.gov no more than five (5) working days after the effective date of these rules. COVID-19 Protective Measures and Policies must include:

1. A statement confirming that the business qualifies as an essential service or critical infrastructure business in The Alaska Essential Service and Critical Infrastructure Order, and any amendments to that document adopted by the State of Alaska.
2. Provisions for restricting the number of individuals present on-site at any given time;
3. Identification of healthcare and sanitization measures taken to minimize the exposure of customers and employees to COVID-19;
4. Description of a means for individuals in quarantine to obtain essential personal goods from the local business and a telephone number or website where these individuals can place an order for such goods. Businesses may prohibit entry of quarantined individuals from their premises and offer delivery or establish a pick-

up location for orders of essential personal goods sold by the business, but may not ban individuals from obtaining such goods solely because the individual is subject to quarantine; and

5. A telephone number or email address of the individual owner, manager or his or her designee so that persons may report violations of the business's protective measures and policies.

An example "COVID-19 Protective Measures and Policies" is available on the City website.

Rule 14. Medical Quarantine. Individuals under a healthcare quarantine order or an individual testing positive for COVID-19 must:

1. Stay in his or her place of residence or lodging for the specified period of time in the quarantine order or for a minimum of 14 days from the date of a positive COVID-19 test if no quarantine order has been issued; and
2. Notify a healthcare provider that the individual is under medical quarantine or has tested positive for COVID-19 before making any physical contact with that healthcare provider or entering the provider's premises.

An individual subject to this rule may NOT leave his or her residence to attend work, obtain supplies, engage in physical exercise or any activity except to obtain essential healthcare in compliance with this rule and a medical or quarantine order issued by the State of Alaska or a qualified medical professional.

An individual subject to quarantine under this rule shall have a right to appeal any enforcement of quarantine under this rule by the City by filing a notice of appeal with the City Clerk at cityclerk@whittieralaska.gov. A telephonic administrative hearing shall be held within one business day of the filing of the written notice of appeal. Individuals filing a notice of appeal must enter quarantine as ordered immediately regardless of a pending appeal. The sole purpose of the appeal hearing is to determine if the individual is in the state of the disease where quarantine is necessary.

During the telephonic administrative hearing, the hearing officer will consider the quarantine order on its face, testimony by the quarantined individual or his or her representative, and testimony by the issuer of the quarantine order. The hearing officer may only uphold the issuance of the order if he or she determines that: 1) The length of the quarantine does not exceed the period of incubation and communicability for COVID-19 as determined by the Director of the CDC and confirmed by the State of Alaska and that 2) the individual is in fact the individual that tested positive for COVID-19 or was issued a medical quarantine order due to COVID-19 symptoms. There is a rebuttable presumption that the individual is not subject to quarantine under this rule if the individual produces evidence of a negative COVID-19 test administered after the date of the ordered

quarantine. No quarantine order shall be enforced if the State of Alaska objects to such enforcement. The hearing officer shall issue a written decision with findings 48 hours after the hearing.

Rule 15. Commercial Operations COVID-19 Document Submission. All businesses or individuals engaged in the sale of goods or services in this City or conducting commercial operations within the City shall file with the City:

1. Any protocol or plan regarding COVID-19 submitted to the State of Alaska, the United States Coast Guard or any other agency, branch or department of the federal government;
2. Any memorandum of understanding or agreement regarding COVID-19 executed by and between the business or individual and the State of Alaska or the federal government; and
3. Any enforcement orders or notices of violation involving COVID-19 filed against the individual or business by a government or military entity, including the Department of Health and Human Services and the United States Coast Guard.

Submissions required under this rule must be received by the City no more than five (5) working days after the effective date of these rules or within 72 hours after the business or individual reasonably foresees that he, she or it will operate or engage in the sale of goods or services within the City while these rules are in effect. Submissions under this rule should be emailed to the City's Emergency Operations Management team at areeves@whittieralaska.gov. A business or individual may be exempt from submitting a document under this rule if the government entity issuing or executing the document provides the City with a written statement identifying the document as confidential and confirming that the City cannot require production of the document.

Duration. These rules are adopted and immediately effective by Emergency Order April 25, 2020. These rules may be extended by Emergency Order for 30-day periods if the City Manager determines that the COVID-19 public health emergency continues to exist and extension of the rules is necessary to protect public health, safety, and welfare. Council may repeal any or all of these rules by resolution. No rule shall remain in effect for longer than is necessary to protect the public health, safety, and welfare from the emergency public health crisis caused by COVID-19.

April 23, 2020



Jim Hunt

City Manager/Director of Director of Civil
Defense and Disaster

RESOLUTION #17-2020

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WHITTIER, ALASKA, RECOGNIZING THE CITY OF WHITTIER HAS BEEN ADVISED BY THE USACE DISTRICT OFFICE THAT THE TOTAL COSTS OF THE GENERAL NAVIGATION FEATURE (GNF) MAY INCREASE FROM WHAT WAS ESTIMATED IN THE INTEGRATED FEASIBILITY REPORT (IFR).

WHEREAS, the USACE has advised the City of Whittier of a potential increase in project costs due to soil contamination levels being higher than first estimated in the IFR; and

WHEREAS, the increase in the project cost would be a result of treatment and remediation costs; and

WHEREAS, after being advised of this potential increase in the NFS cost share, the City of Whittier understands the risk and agrees with USACE to move forward to secure funding for the PED and Construction phases of the projected; and

WHEREAS, if total costs for the GNF increase due to soil contamination, then the City of Whittier's cost share could potentially increase from the estimate presented in the IFR of \$1.86 million to approximately \$4.87 million; and

WHEREAS, The City of Whittier reserves the right to stop the project if contamination levels found exceed the City's ability to fund mitigation.

NOW, THEREFORE BE IT RESOLVED THAT THE WHITTIER CITY COUNCIL APPROVES MOVING FORWARD WITH THE GNF WITH THE UNDERSTANDING THAT THE CITY CAN STOP THE PROJECT IF CONTAMINATION LEVELS EXCEED THE CITY'S ABILITY TO FUND MITIGATION.

PASSED AND APPROVED by a duly constituted quorum of the Whittier City Council on this 19th day of May 2020.

Introduced by: Jim Hunt
Introduction Date: May 19, 2020

ATTEST:

Naelene Matsumiya
CITY CLERK

Dave Dickison
MAYOR

Ayes:
Nays:
Absent:
Abstain: