



# **Whittier City Council**

## **Regular Meeting Packet**

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**September 19, 2023**



# CITY OF WHITTIER

*Gateway to Western Prince William Sound  
PO Box 608 | Whittier, Alaska 99693 | 907.472.2327*

**September 19, 2023**

**Regular Meeting**

**7:00 p.m.**

**Council Chamber**

**Dave Dickason**

*Mayor*

Term Expires 2025

**Peter Denmark**

*Vice Mayor*

Term Expires 2023

**Victor Shen**

*Council Member*

Term Expires 2024

**Tom Wagner**

*Council Member*

Term Expires 2025

**Daniel Blair**

*Council Member*

Term Expires 2025

**David Pinguoch**

*Council Member*

Term Expires 2023

**Arlen Arneson**

*Council Member*

Term Expires 2023

**Jackie C. Wilde**

*Acting City Manager*

**Shelby Carlson**

*City Clerk*

**Holly Wells**

*City Attorney*

## **1. CALL TO ORDER**

## **2. OPENING CEREMONY**

## **3. ROLL CALL**

**4. CITIZEN COMMENTS ON ANY SUBJECT EXCEPT THOSE ITEMS SCHEDULED FOR PUBLIC HEARING** *Those who have signed in will be given the first opportunity to speak. Time is limited to two (2) minutes per speaker and thirty (30) minutes total time for this agenda item.*

**5. APPROVAL OF AGENDA AND CONSENT AGENDA** *Approval of Consent Agenda passes all routine items indicated by asterisk (\*). Consent Agenda items are not considered separately unless a council member so requests. In the event of such a request, the item is returned to the Regular Agenda*

**6. CONFLICT OF INTEREST** *Immediately after the Council approves the agenda at a regular or special meeting, each Council member shall declare any financial interest in a matter appearing on the agenda. Any Council member or member of the public present at the meeting may question whether another Council member has a financial interest in a matter appearing on the agenda.*

## **7. PRESENTATIONS AND REPORTS**

### **A. Presentations**

#### **1. Years of Service Awards**

a. Cam Bender- 25 years

b. Jerry Herrod- 5 years

c. Andre Achee-5 years

### **B. Mayor's Report**

### **C. Vice Mayor's Report**

### **D. Parks and Recreation Committee Report (minutes attached)**

### **E. City Attorney Report**

### **F. City Manager Report – This report includes, among other things, the Finance Director Report and the Water/Wastewater Manager Report.....Page 4**

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## 8. PUBLIC HEARINGS

1. **ORDINANCE 2023-003** An Ordinance Repealing Article III of WMC Chapter 3.36 Entitled, “Lease of City Lands” and Enacting Chapter 3.38 Entitled, “Lease of City Lands” to Require a Lease Allocation Plan that Applies to Leases and Subleases with the City and Codifying Leasing and Subleasing Procedures Imposed by the City..... **Page 14**
2. **ORDINANCE 2023-004** An Ordinance of The City Council of Whittier Repealing WMC 2.08.350 “Improper Use or Disclosure of Information” And Amending WMC 2.10.130 “Prohibited Acts” To Incorporate the Prohibitions of WMC 2.08.350 And Add Prohibitions Against Disseminating False Information or Using Title or Position to Unduly Influence Others into The Whittier Code of Ethics and Amending WMC Sections 2.10.020, 2.10.048, And 2.10.070 For Clarity..... **Page 37**
3. **ORDINANCE 2023-005** An Ordinance of The City Council of The City of Whittier, Alaska, Amending WMC Title 2, Administration And Personnel, to Enact Whittier Municipal Code Chapter 2.56 Establishing The Ad Hoc “City Lands Advisory Committee,” Its Authority, And Its Composition.....**Page 41**

## 9. NEW BUSINESS

### A. RESOLUTIONS

- \* 1.**RESOLUTION 2023-032** Authorizing the Acting City Manager to Surplus City Personal Property Valued at Less Than \$25,000.....**Page 44**
- \* 2.**RESOLUTION 2023-033** Appointing the City Election Officials and Canvass Board for The October 3, 2023, Regular City Election .....**Page 50**
- 3.**RESOLUTION 2023-034** Approving the Acting City Manager to Solicit Proposals from Recruitment Agencies for The Hiring of a City Manager..... **Page 52**
- 4.**RESOLUTION 2023-035** Approving A 3-Year Average of A 4.0% Increase to Specific Fees Updating the Harbor Section of the Whittier Fee Schedule and Instituting an Automatic CPI Increase. .... **Page 54**
5. **RESOLUTION 2023-036-** Appropriating \$89,605 associated with the geographic information system (GIS) and survey services. .... **Page 61**

### B. OTHER NEW BUSINESS ITEMS

1. 2024 Budget Calendar..... **Page 74**
2. City Attorney Review
3. Discussion of Public Safety Director Title- *(requested by council member Blair)*
- \*4. Approval of the August 15, 2023, Regular Meeting Minutes..... **Page 75**
- \*5. Approval of the August 24, 2023 Special Meeting Minutes..... **Page 83**

## 10. INFORMATIONAL ITEMS AND REPORTS *(No Action Required)*

- A. July 2023 City Financial Reports- *Please see City Council packet which contains monthly Financial Statements*.....**Page 86**
- B. Federal Lobbyist Report- September 12, 2023 .....**Page 112**
- C. State of Alaska Lobbyist Report –and August 5, 2023.....**Page 118**
- D. A-Float Replacement RFP Notice.....**Page 125**
- E. Meet the Candidates Night Flyer.....**Page 126**

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**11. COUNCIL COMMENTS**

**12. CITIZEN DISCUSSION** *Those signed in will be given the first opportunity to speak on any subject over which the Council has control. Time is limited to five (5) minutes per speaker.*

**13. COUNCIL AND ADMINISTRATION RESPONSE TO CITIZEN COMMENTS**

**14. ADJOURNMENT**

To: Whittier City Council  
From: Acting City Manager Jackie C. Wilde  
Re: City Manager Report for September 2023 Council Meeting

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## **Introduction**

The purpose of this report is to provide the Whittier City Council and the public a brief summary of the City of Whittier (“City”) projects Administration worked on and advanced during August and September 2023, and to provide City Council and the public a brief introduction to the projects the City anticipates tackling in the near future.

## **Summary of Projects**

The following is a summary of the projects to which I, and City Staff, dedicated significant portions of time this month:

- Lease Project
- Head of the Bay Utilities
- Buckner Building Security
- GIS Project

## **Council Lobbying and Legal Reform Priorities**

I, along with the staff, worked diligently on several projects identified by City Council as priorities, including:

- Code Revisions
- State and Federal Lobbyist reports are included in this meeting packet under informational items.

## **Additional Projects**

The following is a brief itemization of other projects completed this month:

- **PWS Housing Survey**-Prince William Sound Economic Development District is currently working with the Minnesota Housing Partnership and the McKinley Research Group (MRG). The PWSEDD received an award of technical assistance from the Minnesota Housing Partnership (MHP) to assist us with developing strategies for increasing and improving housing stock in PWS communities. To guide this work, MRG is helping with a housing needs survey that has been distributed to residents in Cordova, Chenega and Tatitlek (Valdez was surveyed two years ago, those data are recent enough to be of use so not repeating the survey there). For Whittier, because the resident population is so concentrated, they thought it might be more efficient to hold a community meeting to do this step. They are currently deciding on dates that might work.
- **Ferry Focus Group**- the 2024 AMHS Long-Range Plan, which is of significant importance to our community. This plan sets the course for the operation and management of the Alaska Marine Highway System (AMHS) fleet and terminal infrastructure for the next two decades.
  - An invitation to visit the LRP project page for more information on project progress and schedule. <https://dot.alaska.gov/amhs/operations/> .
  - Encouragement for community members to get involved in the project.
  - The goal of building an efficient, resilient, and connective service for all AMHS served communities.
  - This long-range plan aligns with our city's interests and will undoubtedly impact our residents and businesses that rely on the AMHS for transportation and commerce. I



encourage council members and community stakeholders to engage with the project by visiting the LRP project page and participating in the planning process.

- **Barry Arm update:** the Barry Arm interagency communications team updated the Barry Arm Landslide information page today with the following: The interagency science team reports no changes to the landslide that warrant a change in status since the information statement on November 10, 2022. The potential landslide and tsunami threat remain present and unchanged. The interagency science team conducted field operations in Barry Arm from July 10 – 13, 2023. Objectives included maintenance and upgrades to existing seismic, infrasound, and water level monitoring sites. If you have questions, please contact Dave Snider at [david.snider@noaa.gov](mailto:david.snider@noaa.gov). Additional marine safety information may be found through the United States Coast Guard Marine Safety Information from District 17 USCG D17 Local Notice to Mariners (updated weekly).

### **City Clerk Monthly Report**

I highly encourage each Council Member to register for the November 29<sup>th</sup> Newly Elected Officials web training at <https://amlannual.org/registration/>. Even though it's titled "Newly Elected", a refresher on the Open Meetings Act, Ethics and Conflict of Interest, and other fairly dry topics will help our Council function smoothly.

Last month, I assisted with Title 12 updates, the creation of the Council Policy and Procedures Manual, drafting an Invitation to Bid for bicycle racks, updating the City website, following up on IT projects, and preparing for elections.

Current projects include the continuation of record retention, continuous website improvements, preparing for budget season, and assisting with code updates.

### **Finance Monthly Report**

This report reflects an abbreviated look at finance-related activities through the end of August, 2023, plus preliminary 2023 financial results through July 31, 2023. The financial results include the budgeted interfund transfers approved in the 2023 Operating Budget, plus all supplemental 2023 appropriations passed by the City Council after approval of the 2023 budget.

### **AUDIT:**

Staff have finalized the GASB87 Accounting for Leases project that has consumed the better part of three months' effort to organize and compile the required data. GASB 87 is a new lease standard issued by the Governmental Accounting Standards Board with the goal of more accurately portraying long-term lease obligations and benefits and increasing the usefulness of governmental financial statements. The Statement requires us to examine each lease over its expected life and record leases receivable for those leases where the City serves as the Lessor, and lease liabilities for those leases where the City serves as Lessee. We further divide leases based on the Fund in which the lease resides; in the City's case, Harbor Loop and Harbor View leases are generally recorded in the Harbor Enterprise Fund, while Harbor Triangle, Tidelands and other leases of City land are generally recorded in the City's General Fund. The result of this effort is as follows:

- 1) Leases receivable will be reported in the General Fund in an amount totaling \$6,672,393; a portion of Lease Revenues will be reduced in the General Fund (<\$112,760>) and recorded instead, as Interest Revenue. These entries reflect the lease activity related to the General Fund as Lessor.

- 2) The lease activity related to the General Fund as Lessee – including capital assets, principal, interest, lease liabilities, capital outlay and other related accounts -- are not required to be recorded on the face of the General Fund financial statements but will be reflected in a Long-term Debt footnote.
- 3) The lease activity that is recorded in the Harbor Enterprise Fund related to the City as Lessor, will record \$2.74 million in lease receivable, lease revenue of \$50,744, deferred inflow of resources of \$2.72 million, and a reduction in interest revenue of <\$71,190>.
- 4) The lease activity recorded in the Harbor Enterprise Fund related to the City as Lessee, will record \$1.1 million as capital assets right-of-use, a corresponding lease liability of \$1.1 million, and interest expense of \$33,071.

## **PROPERTY APPRAISALS AND TAX ASSESSMENTS:**

The City Council authorized a contract with Appraisal Company of Alaska for Tax Year 2024, to perform property tax assessments. The finance department is working with the appraisal company and our new municipal assessment record system software company (Alaska CAMA Company), to import historical tax assessment data into the tax assessment system, including photos, sketches, property description information, assessed valuation information, possessory interest data and other relevant data. This will allow a smooth transition of data from the assessor directly into the City's accounting system, reducing staff effort and the potential for data errors related to tax billing. It will also enable the City to access historical tax assessment data for each property in Whittier and enable the sharing of parcel data with the City's pending GIS mapping project. Over time, this will allow the City to develop an online parcel map that integrates all relevant parcel data into layers on a map (i.e. utility locations, tax data, easement and plat information, lease data).

Staff received direction from the City Council to release a request for proposals to conduct fair market value property appraisals. An RFP for that effort is expected to be released by the end of September

## **2024 BUDGET**

The finance department has distributed budget templates to department heads to begin preparing their budget requests for 2024. Staff will endeavor to extend the 5-Year Capital Improvement Plan into a 10-Year CIP to allow for a longer-term view of the City's capital and infrastructure needs. A proposed 2024 Budget Calendar has been distributed to department heads and members of the City Council, to identify any anticipated budget conflicts. Please direct any comments to the Finance Director and City Clerk. Council members with specific requests for the 2024 Budget are invited to discuss their requests with the city manager.

## **PROPOSED CHANGES TO TAX CODE**

The City Council met in two work sessions to discuss the PTBT Tax (June 26) and the Sales Tax (June 27) draft Ordinances. Staff distributed draft Ordinances to potentially affected parties at the Council's request. The PTBT Tax Ordinance's rate changes are not proposed to take effect until 2025. We continue to invite feedback from the public. We are awaiting research and input from the City attorney, which is delayed based on Council's approval of Resolution 2023-27 on August 15 which moved these Ordinances down on the legal priority list for City Code revisions. Although the draft Sales Tax and PTBT Tax Ordinances have been before Council in public work sessions and

direction was given by Council to proceed pending legal input, this project cannot move forward without further attorney review.

Staff prepared an Ordinance that would have asked the public to vote on whether to amend the City's sales tax from a seasonal tax to a year-round tax. This Ordinance was not placed on the agenda in time to make it on the October ballot. If the Council wishes to consider a year-round sales tax, the issue will need to be brought forward in 2024 in time to be placed on the October 2024 ballot or at any earlier Special Election.

## **PROJECTS AND GRANTS:**

### **Water Well Field Replacement**

Staff is awaiting a response from EPA regarding the City's application for the EPA grant in the amount of \$1,230,000 for Well Field Upgrades. We have submitted a waiver request from the Build America Buy America program for this project, given that the project cost estimates, and design work was initiated well before the statutory effective date of BABA (May 14, 2022). We have submitted a second waiver of the cost-share requirements under the grant. We are prepared to go out to bid on the project as soon as we receive the go-ahead from the EPA.

### **Buckner Building – Brownfields Grant**

The Assistant City Manager is working to develop the required scope of work to move forward on the EPA Brownfields multipurpose grant (\$800,000) which will be used to conduct Phase I and Phase II environmental site assessments, develop cleanup plans, conduct cleanup activities, and support community engagement activities. The priority target areas include the Buckner Building and fuel storage areas.

### **State Municipal Harbor Matching Grant**

The Harbormaster successfully submitted a FY2025 State Municipal Harbor Matching Grant Program application on August 3 for next year's funding cycle. We are requesting \$4.5 million in State funding to match the City's \$4.5 million contribution toward this project. The project is crucial to allow for the replacement of nearly 1/3 of the Small Boat Harbor, including the replacement of all deteriorated pilings and the disposal of float debris related to this and previous harbor renovation projects. We are still awaiting final information as to the DOT's FY2024 Harbor Matching Grant Program, as the State has not yet posted final information for the current year's program on their website. Council will recall that the City was successful in its grant application, but the program was not fully funded, with funding falling short by approximately \$92,000.

### **Transportation and Pedestrian Safety Action Plan**

We continue to await word on our July 8 application seeking up to \$100,000 to support development of a Transportation and Pedestrian Safety Action Plan. The Plan must be community-wide and prioritize safety improvements. The plan will help identify pinch-points where conflicts exist between pedestrians and traffic, and prioritize methods to reduce conflicts, improve pedestrian safety, and reduce opportunities for traffic-related accidents and injuries. This grant is separate and distinct from the Transportation Study effort being conducted in cooperation with the State of Alaska DOT.

### **Shotgun Cove Road**



The Public Works Director and Finance Director participated in a debrief regarding our previous unsuccessful Shotgun Cove Road grant application through the Nationally Significant Federal Lands and Tribal Projects (NSFLTP) program. The City will apply for this funding again in the upcoming grant cycle, with a due date of November 6.

### **Lift Station No. 5**

The City received notice from ADEC in early August that we were successful in our request to borrow up to \$820,000 to replace the City's lift stations. Staff are prepared to go out to RFP immediately, upon receipt of the Approval to Construct from ADEC. This project must be bid immediately to take advantage of the construction window. However, given the SRF program requirement to solicit proposals for no less than 30 days, we fear that any further delay in receipt of the Approval to Construct may not offer the opportunity to address the project prior to the onset of winter weather. Nonetheless, we are moving forward as quickly as we can, awaiting final approval from the State of Alaska DEC.

### **Delong Dock**

Staff made the decision not to apply for funding for the Delong Dock based on the magnitude of matching funds (\$14 million) required for the project, and the lack of sufficient funding available at this time. We will continue to seek opportunities to fund this important infrastructure project.

## **FINANCIAL ANALYSIS THROUGH JULY:**

### **General Fund (Fund 01) Financial Analysis**

Through July, 55% of the calendar year has expired. Total General Fund revenues (excluding transfers-in) are at 45% of budget and including transfers-in, right on target at 53%. All 2023 Budgeted Transfers-in have been recorded. The bulk of tax revenues are not reported/paid by businesses this early in the year. Federal grant revenues and related expenditures of \$28,333 are due to a direct payment by NOAA to the FSC vendor for purchase of tsunami warning system equipment. The revenue for the Girdwood Police Contract represents seven months' of billings. The Tunnel contract began in May and is an approximately 4.5 month contract; we have recorded 64% of budgeted revenues through July. Surplus sales revenues in the amount of \$34,795 will be reclassified to the Motor Pool or Public Works Equipment Funds as required by City Council in Resolution 2023-014, resulting in a reduction in revenues to the General Fund.

Expenditures are at 56.5% of budget through July. All Budgeted Transfers-out have been recorded. In the Police department, a budgeted transfer of \$20,000 was made to the Motor Pool and grant expenditures of \$28,333 were recorded related to the tsunami warning system equipment (paid for with federal funds).

Workers' Comp expenses have yet to be recorded through July, for all departments. Payments for the initial six months of the year will be retroactively recorded in July. Administration costs are at 62.6% with legal fees at 125%, over budget by \$15,221, due largely to additional City Code revision work, Head of Bay project legal assistance, lease assistance, and other related legal matters. Travel and training costs are at 445% of the budget, at \$44,516 versus a budget of \$10,000. Supplies costs exceed budget at 85% through.

July. City Council department costs are at 65.9%, with fireworks at 100% and travel and training at 101% (\$6,058 actual versus \$6,000 budget). Public Safety (Police) is slightly under budget at 51.9%,

but workers compensation expense has yet to be recorded. Fire and EMS Department costs are under budget at 19.4% and 29.2% respectively, due primarily to the delay in filling the Fire/EMS Chief and Fire/EMS Captain positions. Some costs were not originally budgeted in the Fire/EMS department but will be incurred due to the need for a workspace for these two new positions. The majority of the costs recorded in the internet account (\$3,328) will be reclassified to the equipment purchases account, as it reflects the purchase of computer equipment for the department. Public Works is under budget at 39%. While operating costs tend to increase in the summer, the department has spent little in the way of road repairs and outside contractor costs. Property and Facility costs are at 81% of budget primarily due to higher-than-expected heating fuel and safety supplies costs, with safety costs higher due to the purchase of AED heart devices for the Public Safety Building. Building repairs include boiler pump repairs and fire extinguisher servicing. Parks and Recreation costs are at 26%, with summer trail maintenance costs slated to be incurred mid-summer. A transfer-out of \$248,160 reflects the City's matching funds for Shotgun Cove Road; the City is seeking grant funds to assist with the City's matching requirement.

### **Water/Wastewater Enterprise Fund (Fund 50) Financial Analysis**

Water and Wastewater Enterprise Fund revenues and transfers-in are at 68.2% of budget through July and expenses and transfers-out are at 31.9% (57% if we exclude depreciation), with all budgeted transfers having been recorded. It is common for revenues to be higher in the summer months. Expenses are higher due to transfers to other funds being recorded early in the year.

### **Harbor Fund (Fund 51) Financial Analysis**

The financial activity for July has yet to be recorded for the Harbor. This delay has to do with the finance director preparing this CMR report two weeks earlier than usual due to anticipated time off. However, this information will be posted to the Harbor and reported to the City Council when available, mid-September.

### **Delong Dock Fund (Fund 53) Financial Analysis**

Financial activity for Delong dock has yet to be recorded through July for the reason stated above. This information will be provided to the City Council in mid-September.

### **Harbormaster Monthly Report**

Administration:

- Harbormaster is advertising a request for proposal/design build to replace A float with a big opening first week of October.
- Developing 2024 harbor, Delong Dock budget and fee schedule.
- Harbormaster has a request to ADOT regarding the 2024 Harbor Municipal Grant funding. To date there hasn't been any decisions made on the awarding of the grant monies.
- Harbormaster attended an online meeting concerning TBMP best management practice development.
- Title 12 update is still under review with legal. Harbor Commission expects an update/review during the October meeting.
- Plans to initiate a harbor usage survey in the coming weeks.
- Deputy Harbormaster Loan will be attending the Pacific Coast Congress of Port Directors and Harbormasters conference in Valdez and give a presentation on Whittier and the history of the harbor 18-21 Sept.

- Harbormaster and Deputy Harbormaster to attend the Alaska Association of Harbormasters and Port Administrators (AAHPA) conference last week of September in Ketchikan.
- Commercial fishing operations are wrapping up on the Delong Dock.

#### Operations

- Locates are completed for east sidewalk project. Anticipate early September start. Staff will start to demo the old boardwalk in the coming weeks. CIP Project
- Staff have been working hard on cleaning up harbor properties and we anticipate a metal gondola mid-month September via the railroad.
- Bears are a major problem this season. Alaska Waste is having a difficult time with lid replacement. Staff are making rounds in the evening to ensure dumpsters are secured and lid locks are in place.
- Harbor building door replacement project is moving forward. Four contractors were contacted and only one responded. Doors have been ordered and expect to be installed Mid-November. CIP Project.
- Have a request for an estimate to repair Smitty's cove launch ramp. This would address filling the large gaps in the launch ramp surface. While not a long-term fix it would address the major safety concerns that have been plaguing the ramp for many years. CIP Project.
- Staff will start to winterize the harbor in the coming weeks. Anticipate securing the water to the harbor in mid-October.

### **Public Safety/Police Monthly Report**

#### General:

Whittier Public Safety has initiated a week Tsunami Warning test every Friday at 5:00 pm. To date no issues have been reported.

Last week did a site visit in Sitka, Alaska. Visited our contract dispatch facility at the Sitka Police Department and Sitka Fire Department. Including discussion on Sitka's tsunami warning system and radio communications. Informative visit with both police and fire departments.

Working on a presentation for council for improved communications enhancements for the Whittier Police and Fire / EMS Departments.

Invited to attend the ALICE training drill at the Girdwood School last week on 9/7/2023. Met with the Principal of the school, Anchorage School District Security staff and Anchorage Police Department School Resource Officer assigned to Girdwood.

#### Personnel:

This month, Officer Jerry Herrod will be celebrating his 5 year anniversary with the City of Whittier Police Department this month.

· I attended a national Terrorism (Threat) /Fusion Liaison Officer's Basic Course during this reporting period in Anchorage. This training was sponsored by Alaska Criminal Intelligence Center, Alaska HIDTA and National Fusion Center Association. This was a very informative course and allowed me to network with other law enforcement agencies and resources available to Whittier in Alaska and the lower 48.

### **Public Information:**

During this reporting period we have continued to have issues with black bears in Whittier. We have received several reports of bears breaking into vehicles and a camper; including the usual bear activities at the local dumpsters through Whittier. Police Officers have been using various techniques on bear hazing to deter them from publicly frequented areas.

We like to remind and urge people to keep their dumpster areas clear of debris and food items that may attract bears and lock the dumpsters when not in use. Additionally, if your vehicles are parked in high track bear areas, please refrain from leaving food items in vehicles and keep your campground clean.

· Residents requesting police, fire, or EMS services for non-emergencies, please call our local non-emergency number in Whittier (907) 472-2340 and in Girdwood (907) 783-3223. If you need an emergency response, please call 9-1-1.

### **Fire Monthly Report**

The city of Whittier Fire Department has been working on the following items in the last couple of weeks.

- The City of Whittier Fire Department has run 28 from 07-22-2023 to 09/06/2023.
- We have completed a flyer to search for new local volunteers from the local community.
- Previously out of service 4-wheeler has been returned from the shop and has been returned to service.
- A shop ticket for the second 4-wheeler has been placed for repairs to the city shop.
- A shop ticket for the currently out-of-service engine two has also been sent to the city shop for troubleshooting and repair decisions.
- Two out of the three seasonal employees have been cleared for full duty or “stand-alone status”.
- Working on completion of the 2024 fiscal year budget for Fire & EMS.
- Met with the state of Alaska Division of Homeland Security and Emergency Management to discuss and develop brochures & flyers to educate community members about emergency pre-plans and potential hazards in Whittier.
- Asset accountability software (PSTrax) has been approved and will be implemented in the next few weeks.
- Medical equipment & medications have been purchased to return the secondary ambulance to a ready state.
- Creating and developing a city safety meeting
- Working on the CSOS form allows the fire chief to sign on behalf of the medical director. For narcotics ordering.
- Will be receiving the following donated items, nozzles, a positive pressure fan, hose lines, and possibly seven to twelve handheld radios.

### **Future Plans:**

- Open house at the fire station will take place in the last week of September.
- Looking to get a fully ready and capable rescue truck from Homer.
- Preparing for a wildland firefighting course which will take place sometime next spring.
- Reinstalling SCBA bottle refilling station to service that has been sitting for the last several years.
- Working on a mutual-aid agreement with the municipality of Anchorage between the City of Whittier Fire Department and Girdwood Fire Department.

- Create an Medical Director RFP.
- Looking at creating a community wildfire protection plan (CWPP).

## **Public Works Monthly Report**

During the past month the Publics Works & W/WW Department has been focused on the following:

### **Equipment:**

- 720 Grader – Repair items discovered in post winter inspection.
- WPD – Oil Service
- WPD – Brake Service

### **Sanitary Sewer**

- Lift Stations #5 – RFP is posted, and bids will be received 10-2-2023
- Submitted EPA monthly discharge report.
- FDA – Inspection –onsite 8/18/23 to inspect the water system and record keeping for the Delong Dock. The inspection went well, and no immediate findings found.

### **Water**

- Water Well Improvement Project – CDS Grant \$1.23 Million
- Waiting for BABA and 20% Match variance
- Project is waiting for EPA final approval. When that is received the project will advertise for bid.
- Annual valve inspection will take place as time allows.

### **Construction Projects**

- Sewer Lift Station #5
- Scope – Design and Permit by June 2023
- Replace Lift Station
- Replace 30-year-old controls and new weather tight panel box
- Demo existing enclosure
- Install new overhead electrical connection.
- Install new ATS.
- Prewire for dedicated generator.
- Finalized the SRF Loan / Grant program submitted in March 2023
- Schedule — Bid Fall 2023 – Construction Spring / Summer 2023.
- SCR (Second Salmon Run to Emerald) -Shovel Ready
- Funding – We did not get the Tribal Land Access Grant \$43 million
- Well Field Upgrades – Shovel Ready &Funded from Federal appropriations \$1.23 MILLION
- Notified 4/20/23 that the project is funded and working through the 2023 EPA Final Implementation Guidance. The Finance Director, CRW and I are going through the process to receive the money and ensure that the bidding documents meet the requirements. Schedule-Bid fall 2023 and Construction spring/summer 2023
- Repair of Buckner security maintenance fencing, cameras vegetation removal

### **Whittier Core Upgrades**

- Scope – Design and create the following:
- Storm System replacement and upgrades
- Ensure water and sewer is extended for future needs.
- Pavement replacement
- Sidewalks ADA standard
- ROW / Easements Validation

- Address current operating and maintenance issues.



Sponsored by: Pinquoch, Dickason  
Introduction/Postponed: June 20, 2023  
Introduction/ 1<sup>st</sup> Public Hearing/ Postponed: July 18, 2023  
2<sup>nd</sup> Public Hearing/ Postponed: August 15, 2023  
3<sup>rd</sup> Public Hearing/Enactment: September 19, 2023

**CITY OF WHITTIER, ALASKA  
ORDINANCE 2023-003**

**AN ORDINANCE OF THE CITY COUNCIL OF WHITTIER, ALASKA  
REPEALING ARTICLE III OF WMC CHAPTER 3.36 ENTITLED “LEASE OF  
CITY LANDS” AND ENACTING CHAPTER 3.38 ENTITLED “LEASE OF  
CITY LANDS” TO REQUIRE A LEASE ALLOCATION PLAN THAT APPLIES  
TO LEASES AND SUBLEASES WITH THE CITY AND CODIFYING LEASING  
AND SUBLEASING PROCEDURES IMPOSED BY THE CITY**

**WHEREAS**, it is in the best interests of the Whittier community, including the City of Whittier (“City”) and its residents to maximize the value of its real property and ensure the best and highest use for such property when it is leased; and

**WHEREAS**, the City seeks to adopt leasing policies that are fair and non-discriminatory; and

**WHEREAS**, the City is dedicated to collaborating with and supporting both its private residents and the businesses that provide much needed employment and services in the City; and

**WHEREAS**, transparent and efficient lease policies that ensure all businesses have equal opportunities to thrive in the City are essential to the City’s collaboration and support with its business community members.

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

**Section 1.** Whittier Municipal Code Chapter 3.36 Article III entitled “Lease of City Lands” is repealed and the following Chapter 3.38 of the same title is enacted:

**[ADDED LANGUAGE BOLD AND UNDERLINED; DELETED LANGUAGE STRICKEN THROUGH]**

**CHAPTER 3.38 LEASE OF CITY LANDS**

**3.38.310 Purpose.**

**3.38.320 Definitions.**

**3.38.330 Land allocation plan – Property available for lease.**

**3.38.340 Standardized leases.**

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47 3.38.350 Council approval of leases.

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49 3.38.370 Requests for proposals – Competitive bidding process.

50 3.38.380 Criteria for evaluating and approving proposals and competing lease  
51 applications.

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56 3.38.440 Development and use.

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59 3.38.470 Improvements.

60 3.38.480 Lease renewal or approval-competitive bidding exemption.

61 3.38.500 Sublease.

62 3.38.530 Insurance.

63 3.38.540 Exception – Leasing to government entities.

64 3.38.550 Assessments – Capital improvement projects.

65 3.38.560 Connection to utilities.

66  
67 3.38.310 Purpose.

68 The purpose of this article is to ensure that the lease of City-owned property  
69 maximizes the value of City assets and that the City awards leases that provide the highest  
70 and best use of City-owned property while providing leaseholders and potential leaseholders  
71 with clear and consistent lease procedures, limitations, and terms.

72  
73 3.38.320 Definitions.

74 For the purpose of this chapter, the following words and phrases are defined as set  
75 forth in this section:

76  
77 “Applicant” means a person applying to lease or acquire an interest in City-owned  
78 real property and includes bidders and proposers.

79  
80 “Appraisal” means a valuation or estimation of value of property by an Alaska  
81 certified general real estate appraiser or an otherwise qualified appraiser selected by the  
82 City Manager.

83  
84 “Assignment” means a transfer of a leasehold interest or rights to a leasehold interest,  
85 in its entirety, in City-owned real property.

86  
87 “City Manager” means the City of Whittier Manager or their designee.

88  
89 “Comparable markets” include the communities of Seward, Homer, Cooper Landing,  
90 Soldotna, Kenai, and other coast Alaska communities as reasonably determined by the City.

91  
92 “Fair market rent” means the rental income that a public or private property would  
93 most likely command in the open market, indicated by the current rents paid for comparable  
94 space as of the date of the appraisal in comparable markets, and no less than ten percent of  
95 the “fair market value” of the property.

96  
97 “Irregularities” means deviations from the request for proposal that are not  
98 substantive in nature and/or typographical or scrivener errors that do not impact the  
99 integrity or responsiveness of the proposal.

100  
101 “Long-term lease” means a written agreement granting exclusive possession or use of  
102 City-owned real property for more than one year.

103  
104 “Multi-parcel appraisal method” means an appraisal method that appraises the value  
105 of more than one parcel at a time based upon common characteristics of the appraised  
106 parcels.

107  
108 “Short-term lease” means a written agreement granting exclusive possession or use  
109 of City-owned real property for one year or less.

110  
111 “Sublease” means a leasing by a tenant or lessee of part or all of a leased premises to  
112 another entity or entities with the original lessee retaining the rights and interest under the  
113 original lease.

114  
115 “Surveyor” means a registered professional land surveyor.

116  
117 **3.38.330 Land allocation plan – Property available for lease.**

118 a. Unless dedicated or reserved to another purpose, all real property including tide,  
119 submerged or shore lands to which the City has a right, title and interest as owner or lessee,  
120 or to which the City may become entitled, may be leased as provided in this chapter. In the  
121 case of any conflict between this chapter and any local, State or federal law governing the  
122 leasing of City lands, this chapter shall prevail to the greatest extent permitted by law.

123  
124 b. The City shall maintain a list of all City-owned properties authorized for lease by  
125 Council. This list shall be adopted annually and contain the information required under this  
126 chapter. The list may be called the “Whittier Land Allocation Plan” and will be made  
127 available to the public at the City Clerk’s office.

128  
129 c. Council shall adopt a land allocation plan that identifies:

130  
131 1. City-owned property available for lease;

132  
133 2. The property description, lease rate, preferred length of the lease term for  
134 each available parcel; and

135  
136 3. Any requirements, preferences or restrictions regarding use and/or  
137 development.  
138

139 d. Council may identify property in the land allocation plan that is subject to  
140 competitive bidding. Property subject to competitive bidding in the land allocation plan need  
141 only identify the property description in the land allocation plan but all other terms required  
142 in subsection (c) of this section shall be identified in the request for proposal for such  
143 properties.  
144

145 e. Prior to the adoption of the Land Allocation Plan, Council shall hold a work session.  
146 Planning Commission members and City staff may provide recommendations to Council  
147 during the work session regarding City-owned property available for lease and the terms of  
148 such leases.  
149

150 f. The City shall provide public notice of the adoption of the Land Allocation Plan  
151 and the City-owned real property available for lease identified in the Land Allocation Plan  
152 no more than 60 days after its adoption.  
153

154 g. All uses and activities on City-owned real property available for lease are subject  
155 to all applicable local, State, and federal laws and regulations.  
156

157 h. Council may restrict specific City-owned properties to certain uses or classes of use  
158 that serve the City's best interest.  
159

160 3.38.340 Standardized leases.

161 a. The City Manager shall develop the following:  
162

163 1. A standardized ground lease that contains provisions generally applicable  
164 to the lease of City-owned property

165 2. A standardized sublease that contains provisions generally applicable to the  
166 sublease of third-party property, including property owned by the Alaska Railroad  
167 Corporation or any other public property owner; and

168 3. A standardized building lease that contains provisions generally applicable  
169 to the lease of space in City-owned buildings.

170 b. The standard lease documents identified in this section shall be reviewed by the  
171 City Attorney and approved by Council.  
172

173 c. Lease terms may deviate from the standardized lease terms when the City Manager  
174 determines such deviations are reasonable and necessary to protect the City's best interests  
175 and Council approves the lease as required in WMC 3.38.350.

176  
177 **3.38.350 Council approval of leases.**

178 **a. All long-term leases for more than five years shall be approved by Council via**  
179 **ordinance. Except as otherwise provided in this section, all long-term leases for five years or**  
180 **less shall be approved by Council via resolution.**

181  
182 **b. The City Manager may execute short-term leases without Council approval when**  
183 **the City Manager determines that a short-term lease is in the best interest of the City and**  
184 **notifies Council in writing of the short-term lease and its essential terms.**

185  
186 **c. Except as otherwise provided in this chapter or in the Land Allocation Plan, short-**  
187 **term leases are not required to go through the competitive bidding process.**

188  
189 **d. A short-term lease that results in the lease of City-owned property to the same**  
190 **lessee or a successor, heir, agent, subsidiary or affiliate of that lessee for over one consecutive**  
191 **year shall be converted to a long-term lease and subject to all provisions applicable to long**  
192 **term leases under this Code.**

193  
194 **3.38.360 Lease applications.**

195 **Except for property subject to competitive bidding under this chapter, persons**  
196 **interested in entering a long-term or short-term lease with the City may submit a lease**  
197 **application to the City Clerk. The City Manager shall consider all applications and**  
198 **determine if an application is complete and meets the criteria identified in the Land**  
199 **Allocation Plan. When the City receives more than one lease application for a parcel that**  
200 **meets the criteria established for that parcel in the Land Allocation Plan, the City Manager**  
201 **shall evaluate the applications using the criteria in WMC 3.38.380 and award the lease most**  
202 **advantageous to the City. If both applicants are equally advantageous to the City, the City**  
203 **Manager shall award the lease to the applicant who submitted a completed application first.**  
204 **Applicants may be charged a fee for processing a lease application.**

205  
206 **3.38.370 Requests for proposals – Competitive bidding process.**

207 **a. The City Manager may issue a request for proposals to lease any property that has**  
208 **been subject to competitive bidding under the Land Allocation Plan at any time after posting**  
209 **the notice required in WMC 3.38.330(f).**

210  
211 **b. A request for proposal advertised by the City must identify the property**  
212 **description of the property available for lease, the time frame for the submission of requests**  
213 **for proposals, any preferred uses or industries, and the overall criteria the City intends to**  
214 **use to score and rank proposals.**

215  
216 **c. The City Manager must obtain approval from Council before requesting proposals**  
217 **to lease property not identified in the Land Allocation Plan as property available for lease.**

218  
219 **3.38.380 Criteria for evaluating and approving proposals and competing lease applications.**

220 a. The criteria for evaluating proposals shall include, but are not limited to, the  
221 following:

222  
223 1. Compatibility with neighboring uses and consistency with applicable land  
224 use regulations including the Whittier Comprehensive Plan;

225  
226 2. The development plan including all phases and timetables;

227  
228 3. The proposed capital investment;

229  
230 4. Experience of the applicant in the proposed business or venture;

231  
232 5. Financial capability or backing of the applicant including credit history,  
233 prior lease history, and assets that will be used to support the proposed development;

234  
235 6. The number of employees anticipated;

236  
237 7. The proposed rental rate;

238  
239 8. Other financial impacts such as tax revenues, stimulation of related or spin-  
240 off economic development, or the value of improvements left behind upon termination  
241 of the lease;

242  
243 9. Other long-term social and economic development; and

244  
245 10. The residency or licensure of the applicant in the City and/or the State of  
246 Alaska, as identified in the City's request for proposal and permitted under State and  
247 federal law.

248  
249 b. Determination of rent shall take into consideration the following factors:

250  
251 1. Appraisal;

252  
253 2. Highest and best use of land;

254  
255 3. Development (existing and planned);

256  
257 4. Economic development objectives;

258  
259 5. The location of the property; and

260  
261 6. Alternative valuation methodologies as negotiated by both parties.

262  
263 3.38.390 Lease application and proposal documents.



264 Upon request by the City Manager or as required in a request for proposal or the  
265 Lease Allocation Plan, an applicant or proposer shall provide, at its sole expense, the  
266 following:

267  
268 a. A property improvement plan with information regarding planned improvements  
269 by lessee, including schedule for commencement and completion of proposed improvements;

270  
271 b. A survey of the property subject to the proposed lease; and/or

272  
273 c. If only a portion of a lot is to be leased, a subdivision plat.

274  
275 **3.38.400 Notice to award.**

276 a. The City Manager shall consider all responses to the City's request for proposals  
277 that are timely and responsive. Untimely submissions shall be returned to the proposer  
278 without review and that proposer shall not be considered.

279  
280 b. The City Manager may, in the City Manager's sole discretion, and upon a  
281 determination that none of the proposals are in the City's best interest, recommend rejection  
282 of all proposals to City Council.

283  
284 c. Upon a determination that a proposal is the most advantageous to the City, the City  
285 Manager shall recommend the proposal to Council for acceptance. If Council approves the  
286 recommendation, the City Manager shall issue a notice to award the lease to the successful  
287 proposer. The City Manager's recommendation shall be presented to Council in a written  
288 memorandum identifying the recommended winning proposer, the property description, the  
289 essential terms of the proposed lease, and the reasons the City Manager recommends the  
290 award.

291  
292 d. If Council adopts the City Manager's recommendation, the City Manager shall  
293 negotiate with the winning applicant and present a final lease to Council for approval. A  
294 notice to award is conditional upon the City Manager's successful negotiation of a final  
295 written lease consistent with the terms upon which the award was based.

296  
297 e. The City Manager may, with Council approval, rescind a notice to award. A notice  
298 to award becomes void on the date the City Manager provides written notice to the proposer  
299 that the award has been rescinded.

300  
301 f. The City Manager may rescind a notice to award at any time prior to the execution  
302 of a lease if the proposer can no longer meet the terms of the proposal.

303  
304 g. If the City Manager rescinds a notice to award, the City Manager may negotiate  
305 with the next most responsive proposer and submit a new recommendation for award to  
306 Council and Council may approve the award of the proposal to that recommended proposer.  
307 If negotiations with the next most responsive bidder are unsuccessful, all bids must be

308 rejected and a new request for proposal may be issued.

309  
310 h. Council may approve other bidding or proposal procedures or exceptions to these  
311 procedures via resolution.

312  
313 **3.38.420 Lease rental rates.**

314 a. Except as otherwise provided in this section, all property shall be leased at no less  
315 than “fair market rent.”

316  
317 b. Payments of a higher than fair market rent resulting from a proposal or lease  
318 application are generally in the public interest and will help establish fair market rent using  
319 current market forces.

320  
321 c. Council may establish a minimum rent or “asking price.” It may set a minimum  
322 rent at an amount equal to or higher than the estimated “fair market rent” if it finds that it  
323 is in public interest to do so. It may set uniform rental rates for a class of similar properties  
324 that remain available for leasing after the conclusion of a competitive lease offering.

325  
326 d. Except as otherwise provided in this chapter, Council may approve a lease of City  
327 land for less than fair market rent only if the motion approving the lease contains a finding  
328 that the lease is for a valuable public purpose or use, and a statement identifying such public  
329 purpose or use.

330  
331 e. The lease shall provide for payment of interest, a late fee for rent past due,  
332 attorneys’ fees and costs arising from enforcing the terms and conditions of the lease to the  
333 maximum extent allowed by law.

334  
335 f. Lease amounts shall be adjusted annually based on the Anchorage Consumer Price  
336 Index.

337  
338 g. No assignment of a lease shall be approved unless the rental rate is at or above “fair  
339 market rent” at the time the assignment is executed.

340  
341 **3.38.430 Lease execution and final approval.**

342 a. After a notice to award a lease is approved by Council or a lease application is  
343 approved by the City Manager, the City Manager is responsible for finalizing and executing  
344 the lease agreement with the successful applicant or proposer. After Council’s approval of  
345 the notice to award but before Council approval under WMC 3.38.350, the City Manager  
346 may negotiate nonessential long-term lease terms and make changes necessary to clarify the  
347 terms of the long-term lease or correct clerical errors.

348  
349 b. The City Manager has authority to negotiate all terms of short-term leases subject  
350 to the provisions of this chapter.

352 c. After a lease is executed by both parties, the City Manager shall draft and the City  
353 Clerk shall record a memorandum of lease. Lessee is responsible for the recording fees.  
354

355 **3.38.440 Development and use.**

356 a. All leases must require the lessee to comply with all applicable local, State, and  
357 federal laws.  
358

359 b. Except as provided otherwise in the lease agreement, an as-built survey performed  
360 by a surveyor shall be provided to the City within six months of completion of development  
361 on the leased property. Each additional structure or significant improvement shall require  
362 an updated as-built survey. All surveys are to be provided by lessees at their expense. If a  
363 lessee fails to comply with this section, the City may complete an as-built survey at the  
364 expense of lessee.  
365

366 c. Except as provided otherwise in the lease agreement, at the time each as-built  
367 survey is submitted, a statement of value including leaseholds and all improvements shall be  
368 provided. The statement of value shall be either a letter of opinion or an appraisal completed  
369 by an appraiser.  
370

371 d. All development requirements and performance standards contained in the lease  
372 shall be strictly enforced and if not complied with or negotiated for modification shall be  
373 cause for the lease to be terminated and the property to immediately revert back to the City.  
374 Failure to enforce the terms of the lease shall not constitute waiver of any such term.  
375

376 e. The City may require a lease of City-owned property to be secured by any means  
377 that meet the City's best interest, including, without limitation, a security deposit, surety  
378 bond or guaranty.  
379

380 **3.38.450 Appraisal.**

381 a. An appraisal of the fair market rent of the property will be required before final  
382 approval of a new lease or the transfer of a lease and within two years prior to the renewal  
383 of a lease.  
384

385 b. The requirement of an appraisal may be waived at the discretion of the City  
386 Manager for short-term leases.  
387

388 c. In lease agreements entered by the City after codification of this section, and except  
389 for rent increases permitted in Section 3.38.420 of this Code, the City may increase rent no  
390 more than once every five years. Any increase in rent under this section must be based upon  
391 a commercial appraisal prepared by a certified real estate appraiser selected by the  
392 City. Before conducting an appraisal of a leasehold interest, the City shall provide the  
393 leaseholderwritten notice of its intent to conduct the appraisal. Upon completion of the  
394 appraisal, the City shall provide the leaseholder with the appraisal report and the amount of  
395 the increase, if any, in rent arising from the appraisal.

d. An increase in Rent under this section becomes effective on January 1<sup>st</sup> and at least 90 days after the City sends written notice of the increase in Rent.

e. Each year, the City will select and retain an appraiser to appraise all leased City-owned property due for appraisals in that year. The City will have sole discretion to select the appraiser. Lessee bears the cost of the appraisal, which shall be paid in full no more than one year after the appraisal is completed.

f. City Council may approve a multi-parcel appraisal method via resolution if Council determines that the parcels included within the appraisal are substantially similar and the use of a multi-parcel appraisal method is more efficient than an individual parcel appraisal method.

#### 3.38.460 Options to renew.

a. Leases may contain no more than two options to renew.

b. A lessee may not exercise an option to renew unless the City Manager determines that the lessee is in full compliance with the terms of the lease at the time of renewal.

c. A lessee whose initial lease and all options have expired shall have no automatic right of further renewal or extensions.

#### 3.38.470 Improvements.

a. Except as otherwise provided in the lease agreement, construction of improvements shall take place only after review and approval of the construction plans by the City Manager and only after all applicable permits have been secured and legal requirements met.

b. Improvements not included in the lease agreement or improvements that are inconsistent with or deviate from those permitted in the lease agreement must be approved by Council via resolution. Council shall only approve such improvements upon recommendation by the City Manager and after review by the Planning Commission and/or the Port and Harbor Commission if such review is required by Council. Inconsistent improvements may be approved if Council finds by resolution that either the proposed changes to the improvements serve the City's best interest or changes are necessary due to relevant changes in industry or the local economy.

c. All improvements constructed upon leased property become the property of the City upon termination of the lease unless otherwise provided in the lease agreement or agreed to by the parties in writing.

d. Lessee shall be responsible for all taxes, including property taxes on the leasehold interest in the real property and improvements and any sales tax on rent payments.

440 **3.38.480 Lease renewal or approval-competitive bidding exemption.**

441 **a. Council, upon written recommendation by the City Manager, may exempt the**  
442 **renewal of a lease from competitive bidding if Council finds such exemption serves the City's**  
443 **best interests.**

444  
445 **b. A lessee seeking to enter into a new lease with the City exempted from competitive**  
446 **bidding under this section must submit a lease application and a written request for a new**  
447 **lease to the City Manager at least 12 months but no more than 18 months prior to the**  
448 **expiration of the existing lease. The City Manager shall notify Council of new lease requests**  
449 **under this section. The City will review the application but is under no obligation to enter**  
450 **into a new lease.**

451  
452 **c. If Council approves a new lease exempted from competitive bidding under this**  
453 **section, it must do so by resolution within six months of the date the lease application is filed**  
454 **with the City. Failure to do so acts as a denial of the new lease application.**

455  
456 **d. Council shall consider the following factors when determining whether to exempt**  
457 **a lease from competitive bidding under this section:**

458  
459 **1. Lessee's past capital investment and binding commitment to future capital**  
460 **investment;**

461  
462 **2. Lessee's financial condition and prior lease history;**

463  
464 **3. The number of persons employed and the prospect for future employment;**

465  
466 **4. Tax revenues and other financial benefits to the City anticipated in the**  
467 **future if the lease is renewed;**

468  
469 **5. Consistency of past use and intended future use with all applicable laws,**  
470 **including land use codes and regulations, the Comprehensive Plan, and overall**  
471 **economic development plan;**

472  
473 **6. Other opportunities for use of the property that may provide greater benefit**  
474 **to the City; and**

475  
476 **7. Other social, policy, and economic considerations as determined by Council.**

477  
478 **3.38.500 Sublease.**

479 **a. City property may not be subleased unless expressly permitted in the lease**  
480 **agreement and approved in writing by Council.**

481  
482 **b. Except as provided otherwise in the lease agreement, all subleases must be in**  
483 **writing, executed by the parties, and approved by City Council prior to lessee entering into**

the sublease or using the premises.

c. All subleases must comply with all applicable federal, State, and local laws.

### 3.38.510 Early termination.

Except as provided otherwise in the lease agreement, Council shall approve the termination of a lease for failure to comply with the lease terms. The City Attorney shall be consulted prior to termination of a long-term lease for failure to comply with lease terms. The City Manager may only terminate a lease for failure to comply with the lease terms after receiving Council approval to do so. The City Manager shall seek approval to terminate under this section in executive session. The name of lessee and description of the leased property shall not be included in any public notices or documents circulated by the City unless and until Council approves termination of the lease under this section. The City Manager shall notify a lessee in writing that Council will be considering termination of the lease and provide the date, time, and place of the meeting at which Council will consider such termination. Lessee may waive the right to confidentiality under this section and request Council hold its discussion of termination in public. This section shall not prevent the City from sending lessee, or other parties with an interest in the lease, notifications and/or correspondence related to the lease or lessee's compliance with its terms.

### 3.38.520 Assignment.

a. Except as otherwise expressly provided in the lease agreement, no lease may be assigned without Council approval via resolution.

b. Except as otherwise provided in subsection (c) of this section or the lease agreement, no lease may be assigned unless the City Manager determines in writing that the lessee is in full compliance with the terms and conditions of the lease.

c. Council may approve assignment of a lease despite outstanding amounts owed by lessee if the City Manager determines that the lessee is in full compliance with the lease terms except for payments owed and the lessee submits a written agreement between assignor and assignee that requires the assignee to pay all amounts owed to the City by lessee within 90 days of the assignment. An assignment shall not be effective and shall constitute default by lessee if full payment is not received within 90 days of the assignment.

c. Except as otherwise provided in the lease agreement, if the lessee is in good standing and eligible to assign the lease, the following procedures apply:

1. The lessee shall file a written request for assignment and a complete new lease application to the City Manager;

2. The City Manager shall review the request and new lease application, determine whether the application is complete, the proposed assignee qualifies for consideration of an assignment under this chapter, and the assignment is in the City's



528 best interests;

529  
530 3. The City Manager shall recommend approval or denial of the assignment to  
531 City Council.

532  
533 4. Council shall approve or deny the request for assignment via resolution.

534  
535 5. If required in the Land Allocation Plan, a lease shall be reviewed by the  
536 Port and Harbor Commission prior to submission to Council for approval. Except as  
537 otherwise provided in the lease agreement or the Land Allocation Plan, assignment  
538 of all other long-term leases shall be reviewed by the Planning Commission prior to  
539 Council approval.

540  
541 d. Council may approve assignment of a lease to a bank or other financial institution  
542 if it determines the assignment is in the best interest of the City and the City Manager  
543 recommends approval.

544  
545 e. Where a lessee intends to assign the lease as part of a sale of the business located on  
546 the leased lot, the person who intends to purchase the business may apply to extend the lease  
547 term to allow the continuation of the business and to secure financing for the purchase of  
548 that business. Any significant changes in the terms of the existing lease, including changes to  
549 use of the property or improvements on it, must be approved by City Council by resolution  
550 as an amendment to the lease.

551  
552 3.38.530 Insurance.

553 a. All lessees shall keep in force for the full term of the lease public liability insurance  
554 in the amount of not less than \$1,000,000 coverage per occurrence for bodily injury,  
555 including death, and property damage. The City shall be named as an additional insured.

556  
557 b. Lessees who intend to conduct activities that could potentially have significant risk  
558 of environmental contamination shall also obtain not less than \$2,000,000 in environmental  
559 impact insurance and/or environmental clean-up policy, or the equivalent subject to review  
560 and approval by the City Manager. The City shall be named as an additional insured. The  
561 City will determine on a case-by-case basis whether a lease of City property will involve a  
562 significant risk of environmental contamination due to the use of the property, the presence  
563 of hazardous materials or the location of the property.

564  
565 c. Certificates of insurance showing the required insurance is in effect and identifying  
566 the City as an additional insured shall be provided to the City at the time a lease becomes  
567 effective and annually thereafter, and upon every change in insurance provider or insurance  
568 coverage.

569  
570 d. All insurance policies must be in effect for the duration of the lease term, or longer  
571 if stated in the lease, and the City must be notified of any changes to policies.

572  
573 e. Insurance requirements that exceed those required in this section may be imposed  
574 in the terms of a lease agreement.  
575

576 **3.38.540 Exception – Leasing to government entities.**

577 a. Except as otherwise prohibited by law, leases to federal or State government entities  
578 or political subdivisions or agencies of the State of Alaska or the United States may be  
579 exempted from this chapter upon a finding by Council that it is in the City’s best interest to  
580 do so.  
581

582 b. The City may lease real property to the United States, the State of Alaska, a political  
583 subdivision of the State, or an agency of any of these entities, for less than fair market rent  
584 if Council determines it is in the City’s best interest to do so.  
585

586 **3.38.550 Assessments – Capital improvement projects.**

587 a. Except as otherwise required by law, Lessees of the City property shall pay all real  
588 property special assessments levied and assessed against the property to the full extent of  
589 installments billed during the lease term.  
590

591 b. In the event the City completes a capital improvement project which directly  
592 benefits the leasehold property and no local improvement district is formed to pay the cost  
593 of that project, the City may, in its sole discretion, impose, and the lessee shall pay as  
594 additional rent, the leasehold property’s proportionate share of the cost of the project. The  
595 amount of additional rent imposed annually by the City under this subsection shall not  
596 exceed the amount which would have been payable annually by the lessee if a local  
597 improvement district had been formed which provided for installment payments on a  
598 schedule and bearing interest at rates typical of other local improvement districts of the City  
599 for that type of capital improvement.  
600

601 **3.38.560 Connection to utilities.**

602 a. The City may require Lessees of City real property to connect to City utilities and  
603 bear all costs of connections. Connections to newly installed City utilities shall be made as  
604 soon as possible after completion.  
605

606 b. Lessees shall be responsible for all utilities, including water, wastewater, sewer,  
607 electricity, and garbage collection and disposal on the leased premises and shall timely pay  
608 any increase in fees for utilities.  
609

610 c. Except as otherwise expressly provided in the lease agreement, failure to comply  
611 with this chapter poses a harm to the public health and safety and shall constitute a default  
612 under any lease with the City.  
613

614 **3.38.570 Processing and filing fees.**

a. Fees for lease applications, lease agreements, lease amendments, subleases, assignments, and other related fees shall be established by Council by resolution. Failure to pay fees owed may result in the rejection of a lease application or denial of lease renewal, assignment or sublease.

b. Lessees shall be required to pay all attorney's fees, appraisal and survey fees, and all other costs associated with the execution, recording, and negotiations of their lease.

**Section 2. Classification.** This Ordinance is a permanent code ordinance.

**Section 3. Severability.** If any provision of this ordinance or any application thereof to any person or circumstances is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

**Section 4. Effective Date.** This ordinance shall become effective upon adoption.

**PASSED AND APPROVED** by a duly constituted quorum of the Whittier City Council on this 19<sup>th</sup> day of September, 2023.

\_\_\_\_\_  
**Dave Dickason**  
Mayor

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

ATTEST:

\_\_\_\_\_  
**Shelby Carlson**  
City Clerk

(City Seal)

# Council Agenda Statement

**Meeting Date:** August 15, 2023  
**To:** City Council  
**Through:** Jackie C. Wilde, Acting City Manager  
**From:** Lease Ordinance Working Group



**Agenda Item:** **ORDINANCE 2023-003** An Ordinance Repealing Article III of WMC Chapter 3.36 Entitled, “Lease of City Lands” and Enacting Chapter 3.38 Entitled, “Lease of City Lands” to Require a Lease Allocation Plan that Applies to Leases and Subleases with the City and Codifying Leasing and Subleasing Procedures Imposed by the City

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## **BACKGROUND, JUSTIFICATION, & INTENT:**

Administration, under the Council’s direction, is and has been undertaking a major effort to update City leases. The process begins with this proposed update to the Municipal Code Lease Provisions and the creation of a standard lease template. Next, Administration and the Council will develop two products: a Land Allocation Plan to identify lands available for lease and a Standard Lease Process that lays out the steps required to initiate new leases, request a lease assignment or extension, request a short-term lease, request easements and variances, etc. Concurrently, Administration is developing a Lease Matrix, describing the status of each lease and identifying lease compliance issues, as well as leases that may be candidates for revision to improve consistency.

The Council appointed a committee to review the Lease Provisions of the municipal code. This effort resulted in a complete rewrite of the affected lease provisions because the previous Code was sparse and offered little in the way of guidance to support a transparent and consistent lease process.

This Lease Code includes the following key provisions:

1) **Standardize rent provisions.** Currently, some City leases require appraisals, some require only CPI increases, and some have lease rates that never increase. Lack of consistency prevents timely property reappraisals, leading to a failure to increase lease rates. New lease provisions would require rent to be set at no less than 10.5% of fair market value, lease amounts adjusted annually based on the Anchorage CPI, and the City provide 90 days’ notice prior to a change in rent.

2) **Appraisals.** Currently, leases are renewed on different dates and years and are not coordinated, leading to appraisals not being timely performed. New lease provisions require appraisals no less than every five years and that the resulting rate changes take effect on January 1 each year. This will significantly simplify and standardize the appraisal process. Appraisal and other costs are to be borne by the Lessee rather than passed on to taxpayers, which is the current practice. The City may approve a multi-parcel appraisal method if it is expected to achieve efficiency and/or cost savings.

3) **Renewal options.** Leases may contain no more than two options to extend, and lessees must be in full compliance with the terms of their lease in order for a lease to be renewed. The Council may exempt the renewal of a lease from competitive bidding, but the City is under no obligation

to renew the lease. Currently, leaseholders may renew at their sole option, so long as they are complying with the provisions of their lease. Under the new lease provisions, Council can consider the following factors when deciding whether to exempt a lease from competitive bidding: past capital investment and binding commitment to future capital investment, lessee's financial condition and prior lease history, the number of persons employed, tax revenues and other benefits to the community, consistency of past use and intended future use with all rules and regulations, other opportunities for the property that may provide greater benefits, and other social, policy, and economic considerations determined by Council.

4) **Subleases.** City property may not be subleased unless expressly permitted in the lease and approved by Council, and subleases must be approved by the Council prior to a Lessee entering into the sublease or the sublessee using the premises. Currently, Lessees are able to enter into subleases without Council approval. This can lead to lessees using the sublease provisions to transfer substantially all of their lease obligations to a sublessee, circumventing the assignment process, and to potentially sublease as a means of making money off of a City lease without the obligation to operate a business.

5) **Assignments.** Leases may not be assigned without Council approval via resolution. New lease provisions provide a process by which a Lessee must seek assignment, including a written request for assignment and a completely new lease application. The Planning and Zoning Commission must review all long-term leases prior to Council approval, and if required in the Land Allocation Plan, the Port and Harbor Advisory Commission may review leases prior to submission to Council for approval.

6) **Insurance.** The new lease provisions establish insurance requirements with regard to public liability insurance, certificates of insurance, and for some leases, environmental contamination insurance.

7) **Connection to Utilities.** The City may require Lessees to connect to City utilities and bear the cost.

8) **Lease Costs.** Lessees are required to pay all attorney's fees, appraisal and survey fees, and other costs associated with leases.

**CONSISTENCY CHECKLIST:**

	Yes	No	N/A
1. Comprehensive Plan: <i>Goal 5.1.2.3, Make leases uniform to ensure ease in enforcement and business understanding</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Whittier Code: <i>Article III of Chapter 3.36</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Other	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**FISCAL NOTE:** These lease provision changes are expected to result in higher revenues to the City resulting from a more consistent re-appraisal process and more timely implementation of rate increases. Lease costs would be passed along to Lessees rather than absorbed by the taxpayer, which should save the City from having to pay appraisal costs, equivalent of the costs of appraisals legal fees (more than \$20,000 per year), and other surveying, recording and administrative fees where cost savings depend on the number of lease actions in a particular year.

**ATTORNEY REVIEW:** ☒ Yes ☐ No ☐ Not Applicable

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**RECOMMENDATION:** Administration recommends adoption of Ordinance 2023-003.

## **WHITTIER LEASE PROCEDURES**

### ***Understanding the Proposed Changes to Whittier's Lease policies***

Council's new ordinance regarding City lease policies strives to codify the City's existing leasing and subleasing procedures, and to require the development of a Lease Allocation Plan to ensure that the City's properties are utilized in a manner that maximizes value, while ensuring that its contracts remain fair and non-discriminatory to businesses and private residents. See Proposed WMC 3.38.310. This document provides responses to frequently asked questions regarding the new ordinance.

#### **QUESTION #1**

How does the new ordinance differ from existing law?

#### **ANSWER TO QUESTION #1**

Whittier's current lease provisions were predominately adopted in 2006. The emphasis appears to be on limiting Council involvement in the overarching lease policies and priorities and deferring to City Administration in the negotiation of individual lease terms and conditions.

Under WMC Chapter 3.36, leases are generally and most substantively governed by the following parameters:

1. All City-owned property or property in which the City holds an interest in property is subject to lease. See WMC 3.36.310.
2. City Council approves the lease of real property by resolution. MC 3.36.320(A)
3. No lease shall be for a term of more than 20 years unless Council determines from the lease purpose or the nature of the improvements that a longer term "would benefit the City." WMC 3.36.320(A).
4. Any renewal period must be included in the term of the lease in computing the 20-year period. WMC 3.36.320(A).
5. The City Manager may issue a "use permit" with notification to Council or may "license" City land for up to 180 days and these permits and licenses may or may not be for consideration. WMC 3.36.320(B).
6. Requires adjustment of "rentals" every five years unless the lease provides for longer, which cannot exceed every 10 years. WMC 3.36.330.
7. Leases must provide for assignment or sublease "only upon approval in writing by the city." WMC 3.36.340.



8. The extension or renewal of a lease must be treated as a new lease except that a renewal or extension of an existing lease does not require an appraisal. WMC 3.36.350.

Conversely, proposed WMC Chapter 3.36 was intended to ensure that Council was engaged in identifying City property available for lease and that the Code clearly identified essential terms and conditions that would uniformly apply to all leases. That said, the proposed Chapter also aims to preserve the efficiencies that result from affording the City Administration discretion in negotiating the terms and conditions of leases. Essentially, the working group adopted a balanced approach: Valuing and promoting the needs of the City's commercial residents and stakeholders as well as the individual residents. The purpose of the proposed changes is codified in the proposed Code. PWMC 3.38.310 provides:

The purpose of this article is to ensure that the lease of City-owned property maximizes the value of City assets and that the City awards leases that provide the highest and best use of City-owned property while providing leaseholders and potential leaseholders with clear and consistent lease procedures, limitations, and terms.

To this end, the most substantive changes are as follows:

1. The proposed Code includes definitions that provide clarity and transparency. For example, the definition of "comparable markets" removes any uncertainty regarding what communities will be relevant in assessing rent, which provides future and current leaseholders valuable information regarding City's lease playing field. See PWMC 3.38.320.
2. City Council annually drafts a "Land Allocation Plan" that identifies City property and interests available for lease and the terms, to a certain extent, for the lease of such property. See PWMC 3.38.330. The proposed Code provides for specific notice and work session requirements to ensure that the Land Allocation Plan process and its adoption are clearly communicated with the community.
3. The City Manager and the Administrative team are required to develop a standardized lease and a standardized sublease, both of which are subject to review by the City Attorney and Council approval. PWMC 3.38.340. While the Code provides for deviation from the standardized lease, it requires that any such deviations are found to be in the City's best interest by the City Manager *and* the lease with deviations are approved by Council. PWMC 3.38.340(c).
4. Long term leases for more than five years must be approved by ordinance, not resolution. This ensures that these leases provide for proper hearings and notice.

Long term leases for five years or less must be approved by resolution. PWMC 3.38.350.

5. Short term leases are permitted without Council approval but these leases are identified as such. Permits and licenses are removed from the lease section of the Code as these types of instruments are outside the scope of leasing property. This eliminates the potential to use permitting and licensing procedures to grant what is, as a matter of law, a leasehold interest, with different terms and conditions than those required under the Code.
6. The process for submitting a lease application is identified in the proposed Code as is the criteria for evaluating lease applications and proposals. PWMC 3.38.370.
7. The process for awarding a lease, rescinding an award, and revising these processes for specific lease proposals is expressly identified in PWMC 3.38.400.
8. A clear process for establishing rental rates and ensuring that rental rates are fair market rent are identified in the proposed Code. While rate may fall below fair market rent only if the motion approving the lease contains a finding that the lease is for a valuable public purpose or use and includes a statement identifying the public purpose or use. PWMC 3.38.420.
9. Terms that provide for payment of interest, a late fee for past rent due, and attorney's fees and costs arising from enforcing the terms and conditions of the lease are expressly required. PWMC 3.38.420.
10. Lease adjustments based upon the consumer price index are required, ensuring that inflation does not result in less than fair market rents in the City. PWMC 3.38.420.
11. It prohibits assignments unless the leases are at or above fair market rent at the time of the assignment. PWMC 3.38.420.
12. It requires a memorandum of lease to be recorded by the City Manager. PWMC 3.38.430.
13. The proposed Code includes very express provisions regarding development on leased property, including the requirement that as-built surveys be created by the leaseholder and that any changes to develop are reflect on updated as-built survey(s). PWMC 3.38.440. It also contains a provision requiring strict enforcement of development requirements and performance standards and expressly states that a violation of development requirements shall be cause for termination of the lease and reversion of the property back to the City. PWMC 3.38.440(d).
14. The Code specifically provides for the appraisal process, requiring the appraisal of fair market rent before final approval of a new lease or the transfer of a lease and

within two years before the renewal of a lease. It does, however, permit the City Manager to waive appraisals on short term leases. PPMC 3.38.450.

15. Except as required to reflect an increase in the consumer price index, the proposed changes limit rent increases to once every five years. It also provides for clear notice provisions (90 days-notice before an increase takes effect) to ensure leaseholders are very aware and are able to prepare for the impacts resulting from appraisals. PPMC 3.38.450.
16. It permits Council to approve a multi-parcel appraisal method with substantially similar parcels. This change promotes uniformity and cost-efficiencies for both leaseholder and the City. PPMC 3.38.450(f).
17. Options to renew are limited to two and lessees are prohibited from exercising them unless they are in full compliance with the terms of their lease at the time of renewal. PPMC 3.38.460.
18. The Code provides a specific process for approving improvements that were not anticipated or included in the approved lease, which includes review and recommendations by the City Manager and Council approval. PPMC 3.38.470.
19. While the proposed Code allows for renewal of a lease without competitive bidding, it provides a detailed procedure for requesting exemption from the competitive bidding process and the criteria to be considered by Council in permitting or rejecting such renewal. PPMC 3.38.480.
20. Early termination of a lease and the procedures for it are clearly identified and subject to review by legal counsel as well as consideration by City Council. a procedure for maintaining the confidentiality of the leaseholder subject to early termination is also required. PPMC 3.38.510.
21. The Code provides a very specific and transparent consideration process for lease assignments by Council. PPMC 3.38.520.
22. Specific insurance provisions are required. PPMC 3.38.530.

## **QUESTION #2**

How does Council enact a Land Allocation Plan under the new ordinance?

## **ANSWER TO QUESTION #2**

A Land Allocation Plan ensures that Council develops a plan for the development and lease of the Whittier community and public property within its borders with the insight and direction of the City Manager, the administrative team, as well the businesses and individuals that make-up the Whittier community. To enact a Land Allocation Plan, Council must first hold a work session, at which Planning Commission members and City

staff may provide recommendations to Council. Council will then consider and adopt the resulting Land Allocation Plan by resolution at a public meeting. The Land Allocation Plan must include:

1. All City-owned property available for lease;
2. The property description, lease rate (rent), and preferred length of lease term for each available parcel; and
3. Any requirements, preferences, or restrictions regarding use and/or development for each available parcel.

See Proposed WMC 3.38.440(c). Council may also identify properties in the land allocation plan that are subject to competitive bidding. Proposed WMC 3.38.440(d).

No more than 60 days after adoption of the Whittier Land Allocation Plan, the City must provide public notice of the adoption of the Plan. Proposed WMC 3.38.440(f). A model land allocation plan is attached hereto as Exhibit A.

### **How are leases executed under the new ordinance?**

Except for those properties designated by the Land Allocation Plan as subject to competitive bidding, persons who are interested in entering into a lease for City-owned property may, under the new ordinance, apply to do so by submitting an application to the City Clerk. Proposed WMC 3.38.360. The applications are considered by the City Manager, who must determine whether the application meets the criteria established by the Land Allocation Plan. *Id.*

In the case of multiple applications for a parcel, both of which are compliant with the terms of the land allocation plan, the City Manager will determine which application is most advantageous to the City using the criteria outlined in Proposed WMC 3.38.380. *Id.* If both applications are equally advantageous, the applicant who submitted its application first will be awarded the lease. *Id.*

For properties that are subject to competitive bidding under a land allocation plan, on the other hand, the City Manager must issue a request for proposals that 1) identifies the property description of the property available for lease; 2) the time frame for the submission of responses to the request for proposals; 3) any preferred uses or industries; and 4) the overall criteria the City intends to use to score and rank proposals. Proposed WMC 3.38.370.

The City Manager shall consider all timely and responsive responses to requests for proposals, and may, upon a determination that a proposal is most advantageous to the City, recommend the proposal to Council for acceptance. Proposed WMC 3.38.400(c). The recommendation shall be presented to Council in a written memorandum identifying the recommended winning proposer, the property description, the essential terms of the proposed lease, and the reasons the City Manager

recommends the award. *Id.* If Council adopts the recommendation, the City Manager shall issue a notice to award the lease to the successful proposer. *Id.*

After a notice to award a lease is approved by Council, or a lease application is finalized, the City Manager becomes responsible for finalizing and executing the lease agreement with the successful applicant or proposer. Proposed WMC 3.38.430(a). The City Manager may negotiate all non-essential long-term lease terms, and all terms of short-term leases. Proposed WMC 3.38.430(a)-(b). After a lease is executed by both parties, the City Manager shall draft a memorandum of lease, which the City Clerk will then record at the lessee's expense. Proposed WMC 3.38.430(c).

Sponsored by: Wilde  
Introduction Date: September 14, 2023  
1<sup>st</sup> Public Hearing Date/ Enactment Date: September 19, 2023

CITY OF WHITTIER, ALASKA  
ORDINANCE 2023-004

AN ORDINANCE OF THE CITY COUNCIL OF WHITTIER REPEALING  
WMC 2.08.350 “IMPROPER USE OR DISCLOSURE OF INFORMATION” AND  
AMENDING WMC 2.10.130 “PROHIBITED ACTS” TO INCORPORATE THE  
PROHIBITIONS OF WMC 2.08.350 AND ADD PROHIBITIONS AGAINST  
DISSEMINATING FALSE INFORMATION OR USING TITLE OR POSITION TO  
UNDULY INFLUENCE OTHERS INTO THE WHITTIER CODE OF ETHICS AND  
AMENDING WMC SECTIONS 2.10.020, 2.10.048, AND 2.10.070 FOR CLARITY

WHEREAS, it is in the City of Whittier’s best interest to ensure that all City of Whittier  
 (“City”) officials protect the confidentiality of information and avoid making any false or  
 inaccurate statements regarding City business, including but not limited to contract and personnel  
 matters; and

WHEREAS, numerous municipalities in Alaska have adopted prohibitions against the  
 dissemination of confidential or false information to protect the integrity of the local government  
 and the public’s faith in that government; and

WHEREAS, the City has several Code provisions that prohibit dissemination of  
 confidential information by City officials, but those provisions are located in differing chapters  
 and do not include a prohibition against the dissemination of false information,

NOW, THEREFORE, THE WHITTIER CITY COUNCIL ORDAINS:

**Section 1.** Whittier Municipal Code Section 2.08.350 “Improper use or disclosure of  
 information” is repealed.

**Section 2.** Whittier Municipal Code Section 2.10.020 “Applicability” is amended to read  
 as follows:

**[ADDED LANGUAGE BOLD AND UNDERLINED; DELETED LANGUAGE STRICKEN  
 THROUGH]**

**2.10.020 Applicability.**

This code of ethics shall apply to all elected officials of the city, all employees and appointed  
 officers of the city, and all paid or unpaid members of boards and commissions of the city.  
 **City Council members, the City Manager, and all members of City boards and  
 commissions are collectively referred to as “City officers” in this chapter.**

**Section 3.** Whittier Municipal Code Section 2.10.048 “Conflicts of interest-Other city officers and employees” is amended to read as follows:

#### **2.10.048 Conflicts of interest—Other city officers and employees.**

~~A city officer or~~ **Except as otherwise provided in this chapter, City officers and employees,** other than a council member or a member of a city board or commission, may not participate in an official action in which the officer or employee has a substantial financial interest.

**Section 4.** Whittier Municipal Code Section 2.10.070 “Conflict of interest generally” is amended to read as follows:

### 2.10.070 Conflict of interest generally.

No ~~elected or appointed~~ eCity officer, official or employee shall intentionally engage in any act in conflict with the performance of his/her official duties and shall disqualify himself/herself from participating in any official action in which he/she has a substantial financial interest.

-Intentionally Left Blank-



66           **Section 5.** Whittier Municipal Code Section 2.10.130 “Prohibited acts” is amended to read  
67 as follows:

68           **2.10.130 Prohibited acts.**

69           A. No Ceity officer or employee shall engage in any act in conflict with the performance of  
70 his official duties and shall disqualify himself from participating in any official action in  
71 which he has a substantial financial interest.

72           B. The following prohibited acts are deemed to be in conflict with the performance of an  
73 officer or employee's official duties. No officer or employee shall:

- 74           1. Fail to disclose that he possesses a substantial financial interest in an organization  
75           doing business with the city;
- 76           2. Fail to disclose a substantial financial interest as required under this chapter;
- 77           3. Receive or acquire a substantial financial interest in any sale to or purchase from the  
78           city of any goods or services with knowledge at the time of receiving or acquiring such  
79           interest that the city intends to purchase or sell such goods or services;
- 80           4. Accept any retainer, gift, or favor from any person or organization having dealings  
81           with the city when that retainer, gift or favor constitutes a substantial financial interest  
82           and when the city official or employee has knowledge that such retainer, gift or favor  
83           is given with the intent to obtain special consideration as to any action by such officer  
84           or employee in his official capacity;
- 85           5. Have a substantial financial interest in an organization doing business with the city and  
86           influence or attempt to influence the city's selection of, or conduct of business with,  
87           such organization, corporation, association or enterprise by the city;
- 88           6. ~~Diselose confidential information concerning the property, government, or affairs of~~  
89           ~~the governmental body by which he or she is employed or appointed without proper~~  
90           ~~legal authorization, or use such information to advance the financial or other private~~  
91           ~~interest of himself or others;~~ **Unless authorized or required by law to do so, disclose**  
92           **information that that official knows to be confidential or false concerning City**  
93           **business, including but not limited to confidential information disclosed during an**  
94           **executive session;**
- 95           7. Serve as a member of the city council and have either (a) paid employment with the  
96           city other than payment for such council membership or (b) a substantial or controlling  
97           interest in a corporation, firm, association or enterprise doing business with the city;
- 98           8. Simultaneously be a paid city employee and a candidate for election to the city council  
99           or mayor. before a paid employee may file a petition for election, he or she must first  
100           terminate such employment with the city. This provision is not intended to prohibit  
101           payment by the city of a salary to the mayor.
- 102           9. **Use the implied authority of office or position for the purposes of unduly**  
103           **influencing decisions of others, or promoting a personal interest within the City.**  
104           **Unless duly appointed by council to represent the interests of the full council,**  
105           **council members shall refrain from implying their representation of the whole by**  
106           **the use of their title.**

**Section 6. Classification.** This Ordinance is a permanent code ordinance.

**Section 7. Severability.** If any provision of this ordinance or any application thereof to any person or circumstances is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

**Section 8. Effective Date.** This ordinance shall become effective upon adoption.

**Section 9. Repeal By Referendum.** This ordinance, if adopted, may be repealed by the voters through referendum.

**PASSED AND APPROVED** by a duly constituted quorum of the Whittier City Council  
on this 19<sup>th</sup> day of September, 2023.

**Dave Dickason**  
Mayor

**AYES:**

NOES:

ABSENT:

ABSTAIN:

ATTEST:

**Shelby Carlson**  
City Clerk

(City Seal)

Sponsored by: Dickason and Denmark  
Introduction Date: September 19, 2023  
Enactment Date: September 19, 2023  
Sunset Date: December 31, 2025

**CITY OF WHITTIER, ALASKA  
ORDINANCE 2023-005**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WHITTIER,  
ALASKA, AMENDING WMC TITLE 2, ADMINISTRATION AND  
PERSONNEL, TO ENACT WHITTIER MUNICIPAL CODE CHAPTER 2.56  
ESTABLISHING THE AD HOC “CITY LANDS ADVISORY COMMITTEE,”  
ITS AUTHORITY, AND ITS COMPOSITION.**

**WHEREAS**, the City of Whittier, Alaska (the “City”) has been party to a ground lease and management agreement with the Alaska Railroad Corporation governing approximately 250 acres of land within the boundaries of the City since 1998 (the “Master Lease”); and

**WHEREAS**, certain goals set forth in the Master Lease related to the City’s control and development of lands within the City’s borders have not come to fruition under the Master Lease; and

**WHEREAS**, the terms and conditions of the Master Lease have had a negative impact on the development of lands within Whittier’s borders; and

**WHEREAS**, the Master Lease will expire on November 12, 2033; and

**WHEREAS**, identifying the City’s interest in properties within its borders and developing options and action plans for ownership and management of such property is in the City’s best interests prior to expiration of the Master Lease; and

**WHEREAS**, it is in the City’s best interest to establish a City Lands Advisory Committee to assist the City Council in planning future land ownership and management decisions.

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

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

**Section 2. Enact Chapter 2.56 “City Lands Advisory Committee”.** Chapter 2.56 of the Whittier Municipal Code is hereby enacted to read as follows [**ADDED LANGUAGE IS BOLD AND UNDERLINED**; ~~DELETED LANGUAGE STRICKEN THROUGH~~]:

**CHAPTER 2.56 – CITY LANDS ADVISORY COMMITTEE**

**2.56.010 – Establishment.**

**2.56.020 – Membership.**

**2.56.030 – Authority.**

49           **2.56.010 - ESTABLISHMENT.**  
50

51           **The City Lands Advisory Committee is established. This committee may be**  
52 **referred to as the Committee throughout this chapter. The Committee shall be an**  
53 **advisory-only body.**  
54

55           **2.56.020 – MEMBERSHIP AND ORGANIZATION.**  
56

57           **A. The Committee shall consist of five members. At least four members**  
58 **shall be City residents. One member of the Committee may be an individual with**  
59 **knowledge and experience in property development, management, acquisition, or**  
60 **another area that the Council identifies as useful to the Committee. The Mayor shall**  
61 **appoint all other committee members subject to the confirmation of the appointments**  
62 **by Council. Appointments to the Commission shall be for one-year terms except**  
63 **where an interim appointment is necessary to complete the term of a vacated seat.**  
64

65           **B. The Mayor or another council member serving on the Committee shall**  
66 **serve as its chairperson.**  
67

68           **C. Before January 1<sup>st</sup> of each year, the Mayor shall appoint two council**  
69 **members in addition to the mayor who will serve on the Committee for the upcoming**  
70 **year.**  
71

72           **D. The City Manager shall served the Committee in an advisory capacity**  
73 **and shall be responsible for developing and publishing the agenda for each committee**  
74 **meeting and providing staff support to the Committee. Committee members may add**  
75 **items to the agenda with written consent from the Mayor.**  
76

77           **E. The City Clerk shall serve as the parliamentarian for the Committee.**  
78 **The Clerk shall also attend all committee meetings and record the minutes of such**  
79 **meetings, except for portions of meetings held in executive session.**  
80

81           **F. The Committee may appoint liaisons to the Committee, including but**  
82 **not limited to a liaison from the Alaska Railroad Corporation and/or the Alaska**  
83 **Department of Transportation. Liaisons may provide reports and updates to the**  
84 **Committee and may be given an opportunity to present on committee proposals.**  
85 **Liaisons are not committee members and may not vote on committee actions or attend**  
86 **executive sessions held by the Committee.**  
87  
88  
89

90 **2.56.030 – AUTHORITY.**

91

92 **A. The Committee shall have authority to:**

93

94 **1. Identify the city's interest in properties within its borders and**

95 **recommend options for ownership and management of those properties.**

96

97 **2. Solicit information from city administration to assist in the**

98 **identification and development of the City's interest in properties within**

99 **its borders.**

100

101 **B. The Committee shall meet no less than once quarterly, beginning in**

102 **November 2023.**

103

104 **C. The Committee shall report its progress, meeting minutes, and**

105 **recommendations to Council at the first Council meeting occurring after the**

106 **committee meeting.**

107

108 **Section 3. Effective Date.** This ordinance shall become effective upon adoption.

109

110 **Section 4. Sunset provision.** The provisions of this Ordinance are repealed on December

111 31, 2025, unless extended beyond that date by Ordinance.

112

113 **PASSED AND APPROVED** by a duly constituted quorum of the Whittier City Council

114 on this 19<sup>th</sup> day of September 2023.

115

116

117

118

119

120 \_\_\_\_\_

121 **David Dickason**

122 Mayor

122 AYES:

123 NAYS:

124 ABSENT:

125 ABSTAIN:

126

127

128 ATTEST:

129

130

131 \_\_\_\_\_

132 **Shelby Carlson**

133 City Clerk

(CITY SEAL)

**CITY OF WHITTIER, ALASKA  
RESOLUTION 2023-032**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WHITTIER,  
ALASKA, AUTHORIZING THE ACTING CITY MANAGER TO SURPLUS CITY  
PERSONAL PROPERTY VALUED AT LESS THAN \$25,000**

**WHEREAS**, the 2020 Comprehensive Plan has identified the clean-up of boats, equipment, tires, and junk on City and private land as important to the City's cleanup and beautification efforts (see p. 84); and

**WHEREAS**, the City held a sealed bidding procedure as prescribed in WMC Article IV, §3.32.250 which resulted in the sale of fifteen items, leaving several items of significant value without qualifying bids; and

**WHEREAS**, the Harbor department has identified additional items valued at less than \$25,000 that are surplus to the City's needs and therefore eligible for disposal; and

**WHEREAS**, WMC Article IV, §3.36.410(C) provides that the City Council shall, by resolution, determine the proper method of disposal (e.g. public outcry, public sealed bid, donation) for personal property valued at less than \$25,000 and this resolution is intended to meet that requirement.

**NOW, THEREFORE, THE WHITTIER CITY COUNCIL HEREBY RESOLVES:**

**Section 1.** The Acting City Manager is hereby authorized to dispose of surplus personal property items valued at less than \$25,000 to the best qualified proposal who responds to a request for proposal to acquire the property as per WMC 3.36.410(A)(3).

**Section 2.** Proceeds from the sale of items from the Harbor will be deposited into the Motor Pool Internal Service Fund and be set aside for future Harbor-related Motor Pool purchases.

**Section 3.** Upon conclusion of the sale, items not sold may be disposed of with Acting City Manager approval, in accordance with WMC 3.36.410(A) or WMC 3.36.410(D), including donation to an educational, religious, charitable or nonprofit association or corporation providing service to residents of Whittier, or via disposal in a landfill.

**Section 4.** This resolution shall take effect upon adoption.

**PASSED AND APPROVED** by a duly constituted quorum of the Whittier City Council  
on this 19<sup>th</sup> day of September, 2023.

---

**Dave Dickason**  
Mayor

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

**ATTEST:**

---

**Shelby Carlson**  
City Clerk

(City Seal)



# Council Agenda Statement

**Meeting Date:** September 19, 2023  
**To:** City Council  
**Through:** Jackie C. Wilde, Acting City Manager  
**From:** Dave Borg, Harbormaster



**Agenda Item:** **RESOLUTION 2023-032** Authorizing the Acting City Manager to Surplus City Personal Property Valued at Less Than \$25,000

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## **BACKGROUND, JUSTIFICATION, & INTENT:**

City departments have identified vehicles, heavy equipment and harbor vessels that are surplus to the City's needs and are therefore in need of disposal. Whittier Municipal Code 3.36.410(B) allows for personal property items valued at less than \$25,000 to be disposed of by Resolution. The City intends to solicit the best qualified proposal who responds to a request for proposal to acquire the property as per WMC 3.36.410(A)(3).

The surplus sale process will be advertised locally on social media, and via distribution to interested parties. Complete proposals must be delivered to the City Clerk's office by the deadline, no exceptions. Successful proposals will be required to submit payment in full within 24 hours of the bid opening and equipment must be removed from City property within 15 business days of the sale or the proposal will be forfeited and the next highest shall be considered the successful bidder.

## **CONSISTENCY CHECKLIST:**

	Yes	No	N/A
1. Comprehensive Plan p. 84 encourages the clean-up of boats, equipment, tires, and junk from City property to enhance beautification efforts and reduce blight.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Whittier Code 3.36.410(B) "The city council shall, by resolution, determine which method or methods specified in this section shall be used to dispose of personal property valued at less than \$25,000." (e.g. public outcry to highest bidder; public sealed bid to highest bidder; best qualified response to RFP; educational, religious, charitable or nonprofit association or corporation providing services to residents of Whittier; or other government.)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Other	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**FISCAL NOTE:** Proceeds from items owned by other departments will be placed in the Motor Pool and will be set aside as reserves for use by the applicable department to purchase future vehicles or equipment.

**ATTORNEY REVIEW:** ☐ Yes ☒ No ☐ Not Applicable

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**RECOMMENDATION:** The Administration recommends the Council authorize the disposal by sealed bid of surplus equipment valued at less than \$25,000.



1998 Club Car Carryall-II. Gas powered, not running/mechanical condition unknown, needs battery. As is where is.





**16ft Aluminum hull, had minor electrolysis pitting in the stern portion of the hull which is allowing water intrusion No engine/controls or helm installed/included Trailer is not road worthy without repairs and new tires/wheels and registration**





Honda gas powered vacuum trailer. Ran and operated as designed when replaced last summer.

As is Where is.



**CITY OF WHITTIER, ALASKA  
RESOLUTION 2023-033**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WHITTIER,  
ALASKA, APPOINTING THE CITY ELECTION OFFICIALS AND CANVASS  
BOARD FOR THE OCTOBER 3, 2023, REGULAR CITY ELECTION**

**WHEREAS**, the City of Whittier will hold its regular City election on October 3, 2023; and

**WHEREAS**, the City Clerk is appointed city election official and any properly authorized assistant to the City Clerk shall be an assistant city election official and may perform any functions set out in this chapter as being performed by the City and will be appointed by City Council as per WMC 2.06.120; and

**WHEREAS**, before each election, the council shall appoint three judges in each precinct to constitute the election board for that precinct and may appoint two election clerks for each precinct as per WMC 2.06.120; and

**WHEREAS**, the city election official may appoint up to three additional election clerks at any polling place where additional election clerks are required to conduct an orderly election or to relieve the judges or clerks serving of undue hardship; and

**WHEREAS**, immediately following the closing of the polls in each precinct, the judges shall open the ballot box and count the number of ballots cast. This number shall be checked against the number of signatures in the registration book. All ballots then shall be replaced in the ballot box; and

**WHEREAS**, the ballots shall again be removed from the ballot box, one by one, by the election judges. As each ballot is removed, it shall be opened, and the name of each person voted for read aloud; and

**WHEREAS**, the judges shall write down each office to be filled and the name of each person who is a candidate for such office, and shall keep the number of votes by tallies, as they are read aloud; and

**WHEREAS**, on Tuesday, September 12, 2023, the city election official and two additional election clerks will count early and absentee ballots.

**NOW, THEREFORE, THE WHITTIER CITY COUNCIL HEREBY RESOLVES:**

**Section 1.** The following persons are appointed to serve as election officials for the October 3, 2023 regular city election: Shelby Carlson, Jackie Wilde, Alexandra Matsumiya, Roselle Medez, Dyanna Pratt, Katie Velasco, Jesse Alk, and Jessie Walts

**Section 2.** This resolution shall be effective immediately upon adoption.

**PASSED AND APPROVED** by a duly constituted quorum of the Whittier City Council  
on this 19<sup>th</sup> day of September, 2023.

**Dave Dickason**  
Mayor

AYES:  
 NOES:  
 ABSENT:  
 ABSTAIN:

**ATTEST:**

**Shelby Carlson**  
City Clerk

(City Seal)



**CITY OF WHITTIER, ALASKA  
RESOLUTION 2023-034**

**A RESOLUTION OF THE WHITTIER CITY COUNCIL APPROVING THE  
ACTING CITY MANAGER TO SOLICIT PROPOSALS FROM RECRUITMENT  
AGENCIES FOR THE HIRING OF A CITY MANAGER**

**WHEREAS**, the City of Whittier recognizes the critical role of a City Manager in the effective and efficient operation of the city government; and

**WHEREAS**, at the July 18, 2023 council meeting, the City Council created an Executive Management Committee consisting of the Mayor and Vice Mayor; and

**WHEREAS**, it is essential to initiate the recruitment process for a qualified and capable successor to ensure the continued smooth functioning of our city; and

**WHEREAS**, the City Council is committed to selecting a City Manager through a transparent and competitive process that maximizes the opportunity to identify the most qualified candidate to serve our community.

**NOW, THEREFORE, THE WHITTIER CITY COUNCIL HEREBY RESOLVES:**

**Section 1.** The City Council hereby approves the issuance of a Recruitment Agency Request for Proposals (RFP) for the recruitment of a City Manager.

**Section 2.** The RFP shall include, but not be limited to, the following components:

- a. A detailed description of the qualifications and experience expected of candidates for the position of City Manager, including:
  - i. Minimum educational requirements.
  - ii. Years of relevant experience.
  - iii. Demonstrated leadership and managerial skills.
- b. A timeline for the recruitment process, including key milestones and deadlines.
- c. A statement outlining the criteria that will be used to evaluate and select the successful candidate.
- d. Information regarding the composition of the selection committee, including the participation of City Council members and community representatives.
- e. Procedures for the submission and review of proposals by recruitment agencies.
- f. A budget allocation for the recruitment process.

**Section 3.** The Acting City Manager is directed to take all necessary actions to issue the Recruitment Agency Request for Proposals (RFP) for City Manager recruitment, including advertising, outreach, and coordination with potential recruitment agencies.



**Section 4.** The Executive Management Committee, consisting of the Mayor and Vice Mayor, will work in conjunction with the Acting City Manager to review all proposals received from recruitment agencies.

**Section 5.** The City Council shall review and approve the final selection of a recruitment agency based on the recommendations of the Executive Management Committee and the Acting City Manager.

**Section 6.** The City Council encourages community engagement throughout the recruitment process, including public input and involvement in candidate evaluation.

**Section 7.** This Resolution shall take effect immediately upon adoption.

**PASSED AND APPROVED** by a duly constituted quorum of the Whittier City Council  
on this 19<sup>th</sup> day of September, 2023.

**Dave Dickason**  
Mayor

AYES:

NOES:

ABSENT:

ABSTAIN:

**ATTEST:**

**Shelby Carlson**  
City Clerk

(City Seal)

**CITY OF WHITTIER, ALASKA  
RESOLUTION 2023-035**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WHITTIER, ALASKA, APPROVING A 3-YEAR AVERAGE OF A 4.0% INCREASE TO SPECIFIC FEES UPDATING THE HARBOR SECTION OF THE WHITTIER FEE SCHEDULE AND INSTITUTING AN AUTOMATIC CPI INCREASE.**

**WHEREAS**, the Port and Harbor Advisory Commission had a regular meeting on September 7, 2023; and

**WHEREAS**, the Port and Harbor Advisory Commission approved resolution 2023-006 recommending City Council approve a 3-year average of 4.0% increase to specific fees updating the Harbor section of the Whittier fee schedule and instituting an automatic CPI increase; and

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

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

**WHEREAS**, Whittier Municipal Code 12.04.100(A) requires the Whittier City Council establish and review a schedule of mooring charges and fees.

**NOW, THEREFORE, THE WHITTIER CITY COUNCIL HEREBY RESOLVES:**

**Section 1.** The City Council approves a 3-year average of a 4.0% increase to specific fees updating the Harbor section of the Whittier fee schedule and instituting an automatic cpi increase.

**HARBOR**

SERVICE	DESCRIPTION	Current RATE	4.0% CPI	PER
Preferential Moorage	Jan 1 – Dec 31	\$73.94	\$76.90	ft./year
Annual Transient Moorage (for Qualifying Patrons)	Jan 1 – Dec 31	\$73.94	\$76.90	ft./year
Transient Moorage (Summer Rate)	Daily	\$1.17	\$1.22	ft./day
Transient Moorage (Summer Rate)	Monthly (Apr 1 - Sep 30)	\$16.86	\$17.53	ft./month
Transient Moorage (Winter)	Oct 1 - Mar 31	\$49.57	\$51.55	ft./season
Launch Ramp (Rec/Comm Fishing)	Round Trip	\$25.00		Each *
Launch Ramp (Rec/Comm Fishing)	Annual Launch Permit	\$160.00		Year *
Launch Ramp Commercial Use	Annual Permit	\$500.00		Year *

Launch Ramp Freight Landing Fee	Each Use	\$125.00		Each *
<del>Wharfage</del>	<del>Freight (per ton)</del>	<del>\$14.29</del>	-	<del>Ton</del>
<del>Wharfage</del>	<del>Raw Fish (per ton)</del>	<del>\$19.05</del>	-	<del>Ton</del>
<del>Delong Dock</del> <b>All City Docks</b> Wharfage - Freight	Freight	\$0.03		Pound
<del>Delong Dock</del> <b>All City Docks</b> Wharfage - Raw Fish	Raw Fish	\$0.02		Pound
Hoist	Min. 1 hr	\$43.53		Hour
Grid	Per Foot per Tide	\$2.54	\$2.64	ft./tide

#### STORAGE / MAINTENANCE

Dry Storage -- Winter, Per Ft/Month	Vessel (Oct 1-April 1)	\$4.20	\$4.37	ft./month
Dry Storage -- Winter, Per Day	Vessel (Oct 1-April 1)	\$6.29	\$6.54	Day
Penalty for storage on City property (non-leased land)	\$0.25 per sq ft per month	\$0.25		Month
Boat Maintenance (5 hours) **	Vessel	\$25.00		5 Hour Max

\*\* Boat must remain on trailer - work limited

#### PARKING (daily rates are midnight-midnight) [Kiosk or **PassPort** Pay App]

Single Vehicle Parking (up to 24ft.) No campers	Daily - flat rate per day	\$11.00		Day *
Parking (January through December) Per Car	Annual - Flat rate per year (a)	\$250.00		Year *
Parking - Truck & Trailer (when available)	Daily - flat rate per day	\$22.00		Day *

#### UTILITIES

KWH Whittier Harbor		\$0.19		KWH
KWH DeLong Dock		\$0.34		KWH
Monthly Service Charge - Whittier Harbor	Only if elec. used	\$13.20		Month
Monthly Service Charge - DeLong Dock	Only if elec. used	\$36.50		
Unmetered Electric		\$12.00		Day

#### USED OIL AND WATER COLLECTION FEES

Absorbent Pads	Each	\$2.25		Each
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#### CAMPING (rates are noon-noon) [Kiosk or **PassPort** App]

Tent Site + Vehicle	Primitive w/fire ring	\$11.00		Day *
Tent Site + Vehicle (Week)	Primitive w/fire ring	\$65.00		Week (7 days) *
RV/Trailer/Motorhome	Primitive w/fire ring	\$20.00		Day *
RV/Trailer/Motorhome (Week)	Primitive w/fire ring	\$120.00		Week (7 days) *

#### MISCELLANEOUS

Owner/Agent Assist		\$75.00			Hour
Bilge Pump Out	Min. 1 hour	\$75.00			Hour
Emergency snow removal	Each occurrence	\$250.00			Each
<b>Sewer Pump-Out</b>	-	<b>\$10.00</b>	-	-	<b>Each</b>
Bilge Pump Rental	Min. 1 hour	\$40.00			Hour
Shower		\$5.00			Time*
TOW (boat rate)(plus labor charged per hour)	Min. 1 hour plus labor	\$75.00			Hour
Harbor Wait List		\$50.00			Year *

**Section 2. Automatic Rate Adjustment.** Beginning January 1, 2024, and each January 1 thereafter, the following Harbor rates will be adjusted annually beginning the first billing cycle of each calendar year to reflect an average of the three previous published years' annual increases in the Consumer Price Index, all items, 1982-84=100 for the Urban Consumers, Anchorage, Alaska area ("CPI") as published by the United States Department of Labor, Bureau of Labor Statistics: moorage (including Preferential, Annual, Daily Summer Transient, Monthly Summer Transient, and Winter Transient), grid use, and winter dry storage rates.

**Section 3.** Changes to take effect on January 1, 2024.

**Section 4.** This resolution shall be effective immediately upon adoption.

**PASSED AND APPROVED** by a duly constituted quorum of the Whittier City Council on this 19<sup>th</sup> day of September, 2023.

\_\_\_\_\_  
**Dave Dickason**  
Mayor

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

**ATTEST:**

\_\_\_\_\_  
**Shelby Carlson**  
City Clerk

(City Seal)

# Council Agenda Statement

**Meeting Date:** September 19, 2023  
**To:** City Council  
**Through:** Port and Harbor Commission  
**From:** Harbormaster David Borg  
**Agenda Item:** Resolution 2023-035 Proposed Harbor Fee Schedule Changes



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## **BACKGROUND, JUSTIFICATION, & INTENT:**

Annually, the Harbor Commission is required to put forth a fee proposal to the City Council for adoption prior to the start of the new fiscal year. Attached to this statement is a fee proposal with several options for the commission to consider. The Port and Harbor Advisory Commissions proposal recommends a 4.0% price increase utilizing the three-year Anchorage CPI formula.

This proposal also removes the “Wharfage Freight (per ton)” rate of \$14.29 per ton and the “Wharfage Raw Fish (per ton)” rate of \$19.05 per ton. The current “Delong Dock” rates would apply to “All Docks” for clarity and ease of billing. The fee for freight on all docks would be \$0.03 per pound and raw fish would be \$0.02 per pound on all docks.

“All Docks” are defined as City Dock, Ocean Dock, and Delong Dock.

This proposal also removes the fee for “Sewage Pump Out”. The reason being, it is discouraged by the granting authority to charge for pump out services with the hope that more boaters will utilize the pump out if it’s free.

Additionally, the Administration recommends adopting an automatic CPI rate increase to be applied each year to moorage (including Preferential, Annual, Daily Summer Transient, Monthly Summer Transient, and Winter Transient), grid use, and winter dry storage rates. Beginning January 1, 2024, and each January 1 thereafter, those rates will be adjusted annually beginning the first billing cycle of each calendar year to reflect an average of the three previous published years’ annual increases in the Consumer Price Index. For example, 2024 rates will reflect an increase based on the average CPI for 2020, 2021, and 2022.

## **CONSISTENCY CHECKLIST:**

	Yes	No	N/A
1. Comprehensive Plan	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Whittier Code: 2.54.40 (D)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Other:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**FISCAL NOTE:** Finance recommends examining the wharfage rates of nearby communities to ensure Whittier does not price itself out of the market.

**ATTORNEY REVIEW:** ☐ Yes ☐ No ☒ Not Applicable

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**RECOMMENDATION:** Administration recommends approval of Council Resolution 2023-035.

Sponsored by: Borg

**CITY OF WHITTIER, ALASKA  
PORT AND HARBOR ADVISORY COMMISSION  
RESOLUTION 2023-006**

**A RESOLUTION OF THE PORT AND HARBOR ADVISORY COMMISSION OF THE CITY OF WHITTIER, ALASKA, RECOMMENDING THE WHITTIER CITY COUNCIL APPROVE A 3 YEAR AVERAGE OF A 4.0% INCREASE TO SPECIFIC FEES UPDATING THE HARBOR SECTION OF THE WHITTIER FEE SCHEDULE AND INSTITUTING AN AUTOMATIC CPI INCREASE.**

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

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

**WHEREAS**, Whittier Municipal Code 12.04.100(A) requires the Whittier City Council establish and review a schedule of mooring charges and fees.

**NOW, THEREFORE, THE WHITTIER PORT AND HARBOR ADVISORY COMMISSION HEREBY RECOMMENDS:**

**Section 1.** The City Council of the City of Whittier, Alaska, approves as highlighted in the table below, a 3-year average of a 4.0% increase to specific fees updating the Harbor section of the Whittier fee schedule and instituting an automatic CPI increase

SERVICE	DESCRIPTION	Current RATE	PER
Preferential Moorage	Jan 1 – Dec 31	\$73.94	ft./year
Annual Transient Moorage (for Qualifying Patrons)	Jan 1 – Dec 31	\$73.94	ft./year
Transient Moorage (Summer Rate)	Daily	\$1.17	ft./day
Transient Moorage (Summer Rate)	Monthly (Apr 1 - Sep 30)	\$16.86	ft./month
Transient Moorage (Winter)	Oct 1 - Mar 31	\$49.57	ft./season
Launch Ramp (Rec/Comm Fishing)	Round Trip	\$25.00	Each *
Launch Ramp (Rec/Comm Fishing)	Annual Launch Permit	\$160.00	Year *
Launch Ramp Commercial Use	Annual Permit	\$500.00	Year *
Launch Ramp Freight Landing Fee	Each Use	\$125.00	Each *
Wharfage	Freight (per ton)	\$14.29	Ton
Wharfage	Raw Fish (per ton)	\$19.05	Ton
<del>Delong Dock</del> All City Docks	Freight	\$0.03	Pound

<del>DeLong Dock</del> <b>All City Docks</b>			
Wharfage - Raw Fish	Raw Fish	\$0.02	Pound
Hoist	Min. 1 hr	\$43.53	Hour
Grid	Per Foot per Tide	\$2.54	ft./tide
Dry Storage -- Winter, Per Ft/Month	Vessel (Oct 1-April 1)	\$4.20	ft./month
Dry Storage -- Winter, Per Day	Vessel (Oct 1-April 1)	\$6.29	Day
Penalty for storage on City property (non-leased land)	\$0.25 per sq ft per month	\$0.25	Month
Boat Maintenance (5 hours) **	Vessel	\$25.00	5 Hour Max

Single Vehicle Parking (up to 24ft.) No campers	Daily - flat rate per day	\$11.00	Day *
Parking (January through December) Per Car	Annual - Flat rate per year (a)	\$250.00	Year *
Parking - Truck & Trailer (when available)	Daily - flat rate per day	\$22.00	Day *
KWH Whittier Harbor		\$0.19	KWH
KWH DeLong Dock		\$0.34	KWH
Monthly Service Charge - Whittier Harbor	Only if elec. used	\$13.20	Month
Monthly Service Charge - DeLong Dock	Only if elec. used	\$36.50	
Unmetered Electric		\$12.00	Day
Absorbent Pads	Each	\$2.25	Each
Tent Site + Vehicle	Primitive w/fire ring	\$11.00	Day *
Tent Site + Vehicle (Week)	Primitive w/fire ring	\$65.00	Week (7 days) *
RV/Trailer/Motorhome	Primitive w/fire ring	\$20.00	Day *
RV/Trailer/Motorhome (Week)	Primitive w/fire ring	\$120.00	Week (7 days) *
Owner/Agent Assist		\$75.00	Hour
Bilge Pump Out	Min. 1 hour	\$75.00	Hour
Emergency snow removal	Each occurrence	\$250.00	Each
<del>Sewer Pump Out</del>	-	<del>\$10.00</del>	<del>Each</del>
Bilge Pump Rental	Min. 1 hour	\$40.00	Hour
Shower		\$5.00	Time*
TOW (boat rate)(plus labor charged per hour)	Min. 1 hour plus labor	\$75.00	Hour
Harbor Wait List		\$50.00	Year *

**Section 2. Automatic Rate Adjustment.** Beginning January 1, 2024, and each January 1 thereafter, the following Harbor rates will be adjusted annually beginning the first billing cycle of each calendar year to reflect an average of the three previous published years' annual increases in the Consumer Price Index, all items, 1982-84=100 for the Urban Consumers, Anchorage, Alaska area



35 (“CPI”) as published by the United States Department of Labor, Bureau of Labor Statistics: moorage  
36 (including Preferential, Annual, Daily Summer Transient, Monthly Summer Transient, and Winter  
37 Transient), grid use, and winter dry storage rates.

38  
39 **Section 3.** Changes to take effect on January 1, 2024.

40  
41 **Section 4.** This resolution shall be effective immediately upon adoption.

42  
43  
44 **PASSED AND APPROVED** by a duly constituted quorum of the Whittier Port and  
45 Harbor Advisory Commission on this 7<sup>th</sup> day of September, 2023.

46  
47  
48 Unable to obtain Signature for Council  
49 Meeting

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51 \_\_\_\_\_  
52 **Nick Olzenak**  
53 Chair

54  
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56  
57  
58  
59 AYES: Hill, Yelverton, Goldstein, Carlson, Olzenak

60 NOES: None

61 ABSENT: Morrison

62 ABSTAIN: None

63  
64  
65 **ATTEST:**

66  
67  
68 \_\_\_\_\_  
69 **Jackie C. Wilde**  
70 Acting City Manager/ City Clerk

71 (City Seal)  
72

**CITY OF WHITTIER, ALASKA  
RESOLUTION 2023-036**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WHITTIER,  
ALASKA, APPROPRIATING \$89,605 ASSOCIATED WITH THE GEOGRAPHIC  
INFORMATION SYSTEM (GIS) AND SURVEY SERVICES**

**WHEREAS**, the City Council previously approved a contract for GIS and survey services with CRW Engineering Group Inc. in Resolution 2023-026; and

**WHEREAS**, to facilitate the Lease Appraisal Process as soon as possible, verified square footage is needed for lease properties, the work is being expedited in 2023.

**WHEREAS**, CRW expects to complete the work this year, weather permitting; however, should weather hamper efforts to complete the work by December 31, 2023, any unspent appropriation is hereby authorized to be re-appropriated in 2024; and

**WHEREAS**, the total cost of the project as previously approved by the City Council in Resolution 2023-026 was \$139,605, with \$50,000 appropriated in 2023, and the remaining amount of \$89,605 is now sought to be appropriated from the 2024 budget; and

**WHEREAS**, Council has previously approved this contract. The initial amount of \$50,000 was appropriated in 2023 with the rest originally expected to be included in the 2024 Budget.

**NOW, THEREFORE, THE WHITTIER CITY COUNCIL HEREBY RESOLVES**

**Section 1:** The total cost of the project as previously approved by the City Council in Resolution 2023-026 was \$139,605, with \$50,000 appropriated, and the remaining amount of \$89,605 now appropriated from the General Fund Reserve account number 01-000-3000 to Contracted Services account number 01-400-6565.

**Section 2:** This resolution shall take effect immediately upon adoption.

**PASSED AND APPROVED** by a duly constituted quorum of the Whittier City Council on this 19<sup>th</sup> day of September, 2023.

\_\_\_\_\_  
**Dave Dickason**  
Mayor

AYES:  
NOES:  
ABSENT:  
ABSTAIN:  
ATTEST:

\_\_\_\_\_  
**Shelby Carlson**  
City Clerk

(City Seal)

# Council Agenda Statement

**Meeting Date:** September 19, 2023  
**To:** City Council  
**From:** Jackie Wilde Acting City Manager  
**Agenda Item:** Resolution 2023-036 Appropriating \$89,605 for GIS Services



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## **BACKGROUND, JUSTIFICATION, & INTENT:**

The City Council has previously approved a contract with CRW Engineering Group Inc. for Geographic Information System (GIS) and survey services, as documented in Resolution 2023-026. This resolution seeks to appropriate \$89,605 from the General Fund Reserve account number 01-000-3000 to the Contracted Services account number 01-400-6565 to cover the remaining project cost.

The primary objective of this project is to obtain verified square footage data for lease properties in the city. The urgency arises from the need to facilitate the Lease Appraisal Process promptly in 2023. CRW Engineering Group Inc. anticipates project completion within the year, subject to weather conditions. However, in the event of weather-related delays preventing project fulfillment by December 31, 2023, this resolution authorizes the re-appropriation of any unspent funds in 2024.

The initial budget for this project, as approved by the City Council in Resolution 2023-026, was \$139,605. An allocation of \$50,000 was made in 2023, with the balance of \$89,605 now being sought from the 2024 budget.

## **CONSISTENCY CHECKLIST:**

	Yes	No	N/A
1. Comprehensive Plan	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Whittier Code:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Other:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**FISCAL NOTE:** Council has previously approved this contract. The initial amount of \$50,000 was appropriated in 2023 with the rest originally expected to be included in the 2024 Budget. However, to facilitate the Lease Appraisal Process as soon as possible, verified square footage is needed for lease properties, so work is being expedited in 2023.

**ATTORNEY REVIEW:** ☐ Yes ☐ No ☒ Not Applicable

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**RECOMMENDATION:** Administration recommends approval of Resolution 2023-036.

Sponsored by: Wilde

**CITY OF WHITTIER, ALASKA  
RESOLUTION 2023-026**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WHITTIER, ALASKA, AUTHORIZING THE ACTING CITY MANAGER TO ENTER INTO A CONTRACT WITH CRW ENGINEERING GROUP INC. TO CONDUCT GEOGRAPHIC INFORMATION SYSTEM (GIS) AND SURVEY SERVICES FOR AN AMOUNT NOT TO EXCEED \$139,605**

**WHEREAS**, the City Council, by motion, authorized CRW Engineering Group, Inc. (CRW) of Anchorage, Alaska as the City's engineering firm on June 20, 2017; and

**WHEREAS**, the City Council approved Resolution 2023-003 extending the CRW contract through December 31, 2025; and

**WHEREAS**, the City of Whittier recognizes the need for a comprehensive Geographic Information System (GIS) to effectively manage city interests and assets; and

**WHEREAS**, CRW has presented a proposal to provide GIS and survey services to develop a robust database of land holdings, surveyed data, and other assets to support city interests and use cases; and

**WHEREAS**, CRW has demonstrated its expertise in GIS data management and understands the importance of providing data that is easy to access, utilize, and maintain accuracy; and

**WHEREAS**, CRW has as committed to providing comprehensive training and resources to empower the City of Whittier with the necessary knowledge and skills to increase self-sufficiency in utilizing and maintaining the GIS data well into the future; and

**WHEREAS**, the Acting City Manager recommends that the City Council award this geographic information system (GIS) and survey services contract to CRW Engineers for an amount not to exceed \$139,605.

**NOW, THEREFORE, THE WHITTIER CITY COUNCIL HEREBY RESOLVES:**

**Section 1.** The Acting City Manager is hereby authorized to enter into a contract with CRW Engineering Inc. to conduct geographic information system (GIS) and survey services in the amount of \$139,605 in accordance with WMC 3.32.210(b).

**Section 2.** Funding in the amount of \$50,000 was appropriated in the 2023 budget under the General Contracted MRRF funds; no appropriation needed for 2023. Additional funding will be requested during the 2024 budget cycle.


**Section 3.** This resolution shall be effective immediately upon adoption.

**CITY OF WHITTIER, ALASKA  
RESOLUTION 2023-026**

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**PASSED AND APPROVED** by a duly constituted quorum of the Whittier City Council  
on this 15<sup>th</sup> day of August, 2023.

  
**Dave Dickason**  
Mayor

AYES: Blair, Wagner, Arneson, Pinquoch, Shen, Denmark, Dickason  
NOES: None  
ABSENT: None  
ABSTAIN: None

**ATTEST:**

  
**Shelby Carlson**  
City Clerk



(City Seal)



July 13, 2023

City of Whittier  
P.O. Box 608  
Whittier, Alaska 99693

Attn: Jackie Wilde, Acting City Manager

Re: Whittier GIS System  
Proposed Scope & Fee

Dear Ms. Wilde,

CRW Engineering Group, Inc. (CRW) is pleased to present this proposal to provide a Geographic Information System (GIS) and survey services for the City of Whittier. CRW understands that appropriately managing city interests and assets is a priority for the implementation of the GIS system. Currently, while records of these assets exist, they are limited in scope, disparate in nature, in formats that create barriers to accessibility for city officials or are generally incohesive. The intention of this scope of work, therefore, is to describe a method for development of a robust database of land holdings, surveyed data, and other assets for use in a comprehensive GIS platform to best support city interests and use cases.

As frequent consumers of GIS data for municipalities large and small, CRW understands the importance of data that is easy to access, utilize, and that maintains a high degree of accuracy. Further, we underscore the importance of giving the city the tools and training it needs to increase self-sufficiency and intend to provide the resources, training, and attention necessary to ensure the city can utilize and manage these data well into the future.

## SCOPE OF SERVICES

CRW proposes to provide the following services under this scope of work for the GIS system development:

- **GIS Base Data Assembly**  
CRW will gather existing plats, conveyance documents, records of survey, and other documents from the city and other sources. We will use these as a baseline, along with other publicly available useful data and anything else the city furnishes to construct a preliminary GIS Asset Database including an attribute and feature schema that is custom tailored to track information and details that are most relevant to city interests. CRW will meet with the city throughout this process and present the database schema at multiple stages to ensure the city has opportunity for feedback and shaping the database to best serve city interests.
- **Deployment, Training, and Records and Data Attribution**  
CRW will work with the city to develop a serviceable workflow for completing and managing attribute data within the database to city standards. CRW will work with the city planner and city IT department to deploy an ArcGIS Online configuration that conforms to city uses and needs. This includes training and initial maintenance for deploying web applications for internal city use, and additional training for the city's designated primary maintenance contact on

managing the platform and utilizing ArcGIS Pro effectively. One-on-one training sessions will also be made available to additional users at the city's discretion.

- **Priority Survey and Rectification**

CRW will use the preliminary asset inventory, existing survey records and maps to develop an efficient travel schedule for survey of initial priority areas designated by the city and will establish availability for additional items of survey as they come up. CRW will use surveyed data to adjust, correct, or otherwise georectify individual plots, leases, markers, or other assets in the GIS inventory as they are surveyed, and either provide this service on an ongoing basis or train the city's primary maintenance contact in this editing at city's discretion. This will include a working overview of topological editing concepts and practice and reading and working with survey data in the context of GIS. The areas to be surveyed and the amount of recovered survey markers is to be determined by the city depending on the quantity and accuracy needed or required for their needs.

- **Scoping for additional services**

What's next? CRW wants to continue to help the city invest in this platform and this technology. CRW will work with city representatives on setting a scope for long-term management of the platform, additional survey tasks, development of tools for assistance with community development or public input studies, or any number of other additional items. We want to give the city the toolset to effectively utilize GIS well into the future and to discuss in more detail what that future might look like.

## **DELIVERABLES**

The following deliverables will be provided.

- Preliminary database and attribute schema for city review (1)
- Data Package of documents and data reviewed (2)
- Finalized database and attribute schema (3)
- GIS Data Package of Preliminary Asset Data (4)
- In-Person Implementation and data publishing assistance (5)
- In-Person training for city's designated ArcGIS user/primary maintenance contact (6)
- Survey of priority assets designated by city (7)
- Georectification of asset data based on survey (8)
- Additional (Optional) Training on Topological Editing (9)
- Project Review and Additional Scoping Meeting (10)



## METHODS

- **Task 01: GIS Base Data Assembly**

CRW will locate resources for existing survey control, conveyance documents, land rights records, deeds and other CAD or GIS information. These include but are not limited to: Alaska DNR Land Records, BLM Master Plats, BLM Alaska Land Transfer Program Records, USGS Surveys and Quadrangles, and DCRA Community Maps and Data.

CRW will, in conjunction with any additional data the city provides, utilize these data on the ArcGIS Pro 3.1.2 platform to digitize GIS information representing preliminary city property boundaries, utilities network information, building footprints, and other data as appropriate. This will be completed using a combination of existing survey data, plat georeferencing, and existing aerial imagery. CRW will develop a comprehensive preliminary attribute schema and metadata standards for each database item and ensure that it best fulfills the operational needs of the city, reviewing with and including open feedback received from city representatives in the informational and metadata design components. These attributes will include monumentation information, latitude and longitude, approximate area and lengths, land records documents as available, and other collection details to be determined and approved by city representatives. These data will be stored in CRW's ArcGIS Online account until task 02, where they will be transferred to the city.

- **Task 02: Deployment, Training, and Records and Data Attribution**

CRW will work with a city representative and city IT department to assist in setting up an ArcGIS Online organizational account, transferring ownership of the master database to the city, and build a comprehensive web mapping application for access to the data. As such, CRW will need from the city a commitment of at least one user who will be able to maintain and manage the ArcGIS organizational account. CRW will provide all training necessary to fulfill these duties to said user, and remain on call to assist, troubleshoot, and answer questions for a maintenance period of 1-year following the execution of this contract. The time commitment required for this user, provided all they do are the minimum tasks required to maintain the account, is likely less than an hour a month after the initial training. However, the more the city utilizes, adds to, modifies, or experiments with the database, the more time this user might expect to invest in this technology. CRW will make sure that the city purchases an appropriate number of user licenses for their specific needs, and that the city receives the training and resources necessary to maintain these licenses. The ArcGIS online software licenses are locked to one user per license and are typically priced as follows:

Organization required to purchase at minimum one of the following foundational user types:

**Creator – \$550/yr**

Basic Foundational User Type capable of ArcGIS online administration tasks.  
Adds 500 credits to organizational yearly credit limit.

**GIS Professional Basic – \$765/yr**

Privileges and credits of Creator plus ArcGIS Pro Basic License, which includes powerful tools for mapping, visualization, and data management. Includes 500 credits.

**GIS Professional Standard** – \$3,025/yr (Recommended for city account holder based on identified needs)

Privileges and credits of Creator plus ArcGIS Pro Standard License, which includes additional data management capabilities. Includes 500 credits.

**GIS Professional Advanced** – \$4,150/yr (Recommended as potential future upgrade depending on how city utilizes data)

Privileges and credits of creator plus ArcGIS Pro Advanced license, which includes advanced GIS data analysis, modeling, and high-end cartographic tools. Includes 500 credits.

Organization can add the following dependent user types:

**Viewer** – \$110/yr (Recommended for most users)

Users can securely view your team's maps and applications and use location information to make decisions. No credits included.

**Mobile Worker** – \$385/yr (Recommended for users you expect may use or add to this data in the field)

This user type can use applications for data collection, surveys, and inspections, integrate field-collected data, and share updates with your team in real time. Includes 250 credits.

**Editor** – \$220/yr

Users can add or modify data through desktop platform, and review and edit incoming data. Adds 250 credits to organization yearly credit limit. Includes 250 credits.

For the initial deployment, it is recommended that the city purchases at minimum GIS Professional Standard for \$3,025/yr.

Additional licenses beyond this depends on city's use case, which we can discuss in more detail. For the purposes of our fee estimate, it is assumed the city will purchase 1 Standard License, 3 Viewer Licenses, and 2 Mobile Worker Licenses. This purchase is included in the fee for this scope, but annual licensure fees beyond this scope will be the city's responsibility to maintain. CRW can act as an authorized representative on behalf of the city for purchase and deployment for ArcGIS Pro and ArcGIS Online, but all software and licensure rights will be maintained by the city, and all resources fully turned over to the city at completion this task.

If the city desires that any of these data should not be made available publicly, they will need to add dependent user types to view and interact with their data, and CRW can assist with setting up required permissions and privacy. It is also possible to have some data configured for public use and some just for internal use. Each license level contains all privileges of lower cost license levels.

Credits are the 'currency' used by the ArcGIS online platform for storage and analysis tasks. Most of the tasks you can do in ArcGIS online are free and cost no credits, such as viewing, editing an application, or setting up access controls. The city's primary credit usage will come from data storage, which has a relatively low credit costs that varies slightly based on data type. Credits come from 2 sources, the user types assigned to your account, and purchasing credits at \$120/1000 credits/24 months. CRW for instance, has 25 ArcGIS Online users each with different

needs for field collection, different access to features and maps, different needs for imagery and data storage, whose combined credit usage for the organization is less than 3,000 credits per year, which are covered entirely by our credit allotment from our user types.

It is not anticipated the city will need to purchase additional credits, at least initially, but depending on the size and extent of future GIS data, imagery, or other needs, this could potentially be the case. However, based on our scoping effort and the assumption that the cities GIS data storage needs are going to be relatively small, it is highly unlikely the city will need to purchase more than 1000 extra for \$120/24 months.

Following Deployment, CRW will work with the designated city representative to determine training required/desired for the city's specific use cases for these data. This might include an overview of the ArcGIS Online platform, an overview of ArcGIS Pro, working with data in both platforms, publishing data to ArcGIS Online, developing web applications, editing data attributes or geometry, or other tasks as needed.

It is important to note, that while CRW can survey assets in the field, construct this database, and assist the city with processing tasks, once data is transferred to the cities server, CRW will need publisher access to the cities ArcGIS Online Account to deploy these data. This can be achieved either through creating an organizational partnership in ArcGIS Online, or by providing access to a city ArcGIS Online account with publisher rights. These options, and their Pros and Cons, can be discussed more in detail with the cities designated representative when this is being set up. However, neither of these options will give CRW access or control of the city's Licensing configuration, organizational details, purchases, or support tickets. The city will at all times maintain full administrative control over their data and their ArcGIS Organizational Account.

CRW will, at direction of the city, provide additional training to city staff as desired in one-on-one sessions, or develop pre-recorded training; in-person training is highly recommended. This will also include an opportunity for training for other applications included with your ArcGIS Organizational account such as Survey123, Storymaps, Web AppBuilder, Experience Builder, Field Maps, or others at city discretion. CRW will furnish example use cases for these products as part of initial training for the city's designated primary maintenance contact.

- **Task 03: Priority Survey and Rectification**

Utilizing the preliminary asset inventory, CRW will work with the city to establish a functional travel plan and timeline for survey, and deploy efforts to locate, catalogue, and map precise locational information based on industry leading survey practices. Additional asset information will be collected in field using ArcGIS Field Maps or derived in office from field data and stored as attributes in GIS to fulfill attribute schema where appropriate.

CRW will, at the direction of the city and where appropriate, utilize city resources such as fuel or lodging to save costs where appropriate for travel expenses associated with this effort. The Initial Locations identified for priority survey are shown on the attached "Survey Scope Areas-Task 3" and described as follows:

Priority Location No. 1: Harbor Lease Lots - The Harbor Lease Lot survey location will be generally defined as the area east of Whittier Creek bridge, north of Harbor Road, west of Whittier Ferry Terminal, and south of water's edge to exclude the main breakwater and docks within the harbor.

Priority Location No. 2: Head of Bay (HOB) Development Area – The HOB area survey location will be generally defined as the area west of the Whittier gravel strip airport, north of the Whittier/Portage Tunnel Road, east of tunnel entrance/west line of USS 8726 lot 1 (Tank Farm lot), and south of unnamed creek located north of USS 9008 Lot 1 & through City Lease Lot 20753.

CRW will process raw survey data into GIS feature classes, copy into the master database, georectify precise locational information with the preliminary assts, attach links or references to supplementary public information, and document the procedure such that it can be replicated by city staff in the future.

This step ensures that preliminary assets are tied to survey markers and positional information is precisely recorded. CRW will provide training for this process at city discretion (as it relates to operation of GIS software) or continue to offer this service (georectification of existing asset inventory information with new survey data) on as as-needed basis in a term-service contract. This will include a working overview of topological editing concepts and practice and reading and working with survey data in the context of GIS.

- **Task 04: Scoping for additional services**

CRW will review project status with city representatives and solicit feedback for additional task orders. Some possibilities include identification of additional assets desired for inclusion, developing additional working on-site databases for documents and documentation, creating a plan for acquisition of additional drone imagery or enhanced elevation data, creating tools to assist the city with community planning and designing public input studies, implementation of a task order management system, implementing a long-term GIS maintenance agreement, or identifying other opportunities for utilization of GIS at the city.

## **SCHEDULE**

CRW is prepared to begin immediately and complete the work of this proposal in accordance with the following schedule.

- Complete first deliverable: Within 60 days after Notice To Proceed
- Complete second deliverable: Within 60 days after Notice To Proceed
- Complete third deliverable: Within 90 days after Notice To Proceed
- Complete forth deliverable: Within 120 days after Notice To Proceed
- Complete fifth deliverable: Within 120 days after Notice To Proceed
- Complete sixth deliverable: Within 150 days after Notice To Proceed
- Complete seventh deliverable: Within 90 days after Notice To Proceed
- Complete eight deliverable: Within 30 days after seventh deliverable
- Complete ninth deliverable: Within 30 days after seventh deliverable
- Complete tenth deliverable: Within 180 days after Notice To Proceed

## FEE

CRW proposes to complete these services on a time and expenses basis. The estimated cost for the work is \$139,605, although this is largely dependent on the quantity and scale of survey items for Task 03. An additional scope meeting can be requested to discuss Task 03 in greater detail.

Assumptions made in preparing this proposal are as follows:

- 1) All work will be in accordance with the Engineering Services Agreement between the City of Whittier and CRW Engineering Group, LLC dated June 23, 2017 (Amendment No. 3 dated February 2, 2023).
- 2) City of Whittier will provide adequate description of items to be included for priority survey.
- 3) Survey Effort for Task 3A assumes approximately 120 corners (45 lease parcels) to search for and recover.
- 4) The property corner recovery for all tasks areas will be surveyed to a GIS level of accuracy.
  - a. Monument positions will not be sufficient for use in a platting action.
- 5) The cost to replace any lease or property corners is not included in fee proposal.
- 6) The survey will not include the location of any existing utilities within either priority area.
- 7) See Survey Scope PDF for general location of the HOB and Harbor survey areas.
- 8) Harbor survey does not include locations or As-builts of existing structures within lease lots.
- 9) This fee proposal is a general estimate that can be added to or reduced to meet the city's current needs and budget.
- 10) Field survey to be conducted in snow free conditions.
- 11) Software purchases assumes purchase of 1 Standard License, 3 Viewer Licenses, and 2 Mobile Worker Licenses.

We look forward to continuing to assist the City of Whittier with this project. If you have any questions or comments regarding this proposal, please don't hesitate to contact me.

Sincerely,  
CRW Engineering Group, Inc.



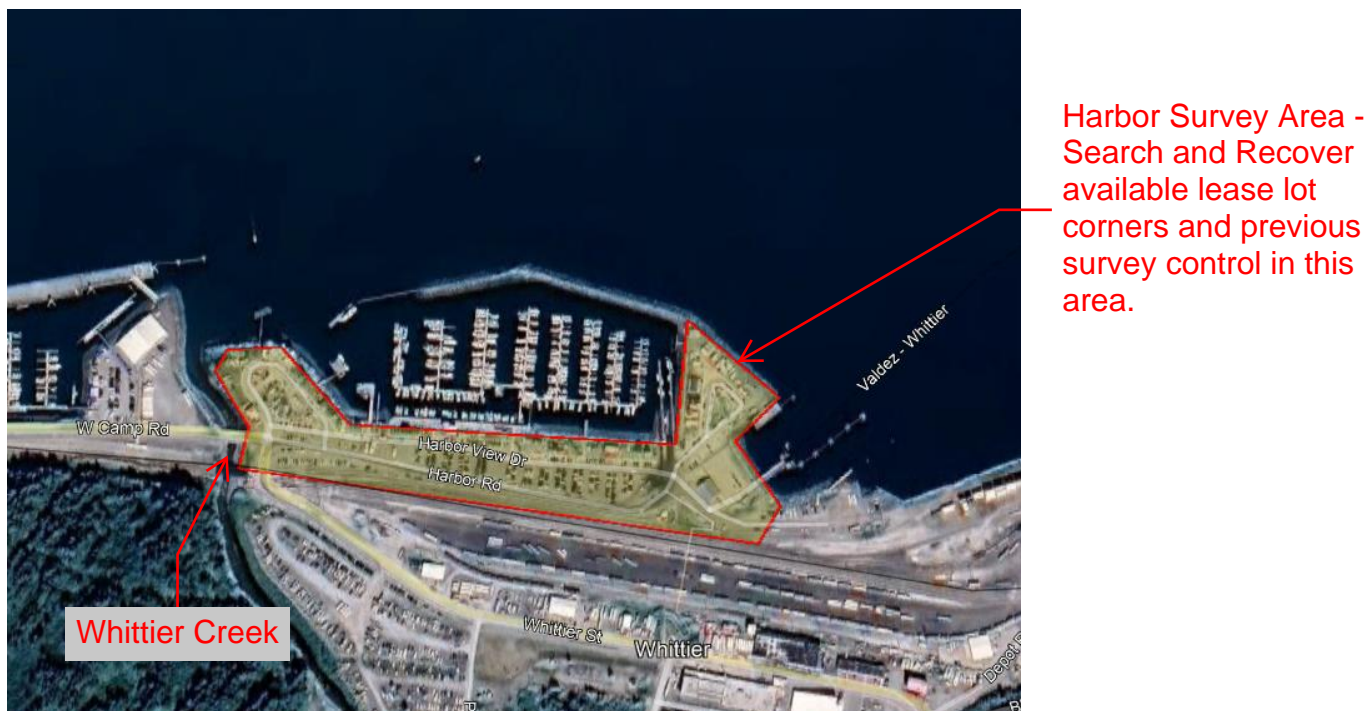
Pete Bellezza, P.E.  
Principal/Civil Engineer  
Phone: (907) 646-5640 / email: [pbellezza@crweng.com](mailto:pbellezza@crweng.com)

Whittier GIS Database Phase 1 Fee Estimate Worksheet										
FEE PROPOSAL	Name, Rate & Projected Hours						Cost \$			
	CRW Engineering Group, Inc.						Total Labor	Misc. Expenses	Total Subtask	Total Cost
	Land Surveyor XXIII	Land Surveyor XIX	Land Surveyor XI	Technician XVIII	Planner VIII	Administrative XIV				
Task & Subtask Description	\$230	\$210	\$170	\$160	\$140	\$145				
<b>Task 1 - GIS Base Data Assembly</b>										
Schema and Database Generation					30		\$4,200		\$4,200	
Preliminary Asset Inventory					80		\$11,200		\$11,200	
Client Review and modifications	2				24		\$3,820		\$3,820	
Public Document Research/Linkage					32		\$4,480		\$4,480	
Process Documentation	2				10		\$1,860		\$1,860	
Project Management	40				12	6	\$11,750		\$11,750	
<b>Total Task 1:</b>	<b>44</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>188</b>	<b>6</b>	<b>\$37,310</b>		<b>\$37,310</b>	<b>\$37,310</b>
<b>Task 2 - Deployment, Training, and Records and Data Attribution</b>										
Software Purchases (1yr) - ArcGIS								\$4,125	\$4,125	
Client Coordination - AGOL Deployment					16		\$2,240		\$2,240	
Client Coordination - Viewer Configuration					24		\$3,360		\$3,360	
Client Coordination - Training					12		\$1,680		\$1,680	
Optional Training - Topological Editing					12		\$1,680		\$1,680	
<b>Total Task 2:</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>64</b>	<b>0</b>	<b>\$8,960</b>	<b>\$4,125</b>	<b>\$13,085</b>	<b>\$13,085</b>
<b>Task 3A - Priority Survey and Rectification - Harbor</b>										
Land Research & Review documents	2	4	10				\$3,000		\$3,000	
Drafting Plat & Adjustments		8	16				\$4,400		\$4,400	
Field Survey - Property Corner Recovery	2	6	80	80			\$28,120	\$6,000	\$34,120	
Data processing and basemapping		10	10				\$3,800		\$3,800	
UAV - Drone Aerial Image		2	20	10			\$5,420	\$200	\$5,620	
Rectification to Survey Control					12		\$1,680		\$1,680	
<b>Total Task 3A:</b>	<b>4</b>	<b>30</b>	<b>136</b>	<b>90</b>	<b>12</b>	<b>0</b>	<b>\$46,420</b>	<b>\$6,200</b>	<b>\$52,620</b>	<b>\$52,620</b>
<b>Task 3B - Priority Survey and Rectification - HOB</b>										
Land Research & Review documents	2	4	10				\$3,000		\$3,000	
Drafting Plat & Adjustments		8	16				\$4,400		\$4,400	
Field Survey - Property Corner Recovery	2	5	50	50			\$18,010	\$3,750	\$21,760	
Data processing and basemapping		3	4				\$1,310		\$1,310	
Rectification to Survey Control					8		\$1,120		\$1,120	
<b>Total Task 3B:</b>	<b>4</b>	<b>20</b>	<b>80</b>	<b>50</b>	<b>8</b>	<b>0</b>	<b>\$27,840</b>	<b>\$3,750</b>	<b>\$31,590</b>	<b>\$31,590</b>
<b>Scoping for Additional Services</b>										
Project Review and Scoping Meeting	4				4		\$1,480		\$1,480	
Compose scope and budget for add svcs.	8				12		\$3,520		\$3,520	
<b>Total Task:</b>	<b>12</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>16</b>	<b>0</b>	<b>\$5,000</b>		<b>\$5,000</b>	<b>\$5,000</b>
<b>TOTAL BASIC SERVICES:</b>	<b>64</b>	<b>50</b>	<b>216</b>	<b>140</b>	<b>288</b>	<b>6</b>	<b>\$125,530</b>	<b>\$14,075</b>	<b>\$139,605</b>	<b>\$139,605</b>

**Notes and Assumptions:**

- 1) All work will be in accordance with the Engineering Services Agreement between the City of Whittier and CRW Engineering Group, LLC dated June 23, 2017 (Amendment No. 3 dated February 2, 2023).
- 2) City of Whittier will provide adequate description of items to be included for priority survey.
- 3) Survey Effort for the Task 3A assumes approximately 120 corners (45 lease parcels) to search for and recover.
- 4) The property corner recovery for all tasks areas will be surveyed to a GIS level of accuracy.
- 4a) Monument positions will not be sufficient for use in a platting action.
- 5) The cost to replace any lease or property corners is not included in fee proposal.
- 6) The survey will not include the location of any existing utilities within either priority area.
- 7) See Survey Scope PDF for general location of the HOB and Harbor survey areas.
- 8) Harbor survey does not include locations or As-builts of existing structures within lease lots.
- 9) This fee proposal is a general estimate that can be added to or reduced to meet the city's current needs and budget.
- 10) Field survey to be conducted in snow free conditions.
- 11) Software purchases assumes purchase of 1 Standard License, 3 Viewer Licenses, and 2 Mobile Worker Licenses







# City of Whittier

## 2024 Budget Calendar

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August 25, 2023	Finance Transmits budget directions and forms to Department Heads
September 7 (Thursday)	Harbor Fee Schedule for Port & Harbor Commission Approval
September 19 (Tuesday)	Harbor Fee Schedule for City Council Approval
September 22 (Friday)	Department Heads Submit Budget Requests to Finance
September 29 (Friday)	Department Heads Submit Capital Improvement Plan Requests and Updates (this year we move from a 5-Year Plan to a 10-Year Plan)
September 25 - 29	Acting City Manager and Finance Director meet with Department Heads to discuss budget requests
October 5 (Thursday)	Harbor and Delong Dock Budget to Port & Harbor Commission for Approval
October 2 – 8	Finance department develops personnel budget, revenue projections and determines estimated costs of insurance, administrative fees, cost allocations, debt service, vehicle leases, etc.
October 11 (Wednesday)	City Council Budget Work Session
October 12 (Thursday)	City Council Budget Work Session
October 17 (Tuesday)	City Council Regular Meeting – <b>Introduction of Budget Ordinance, with Public Hearing</b>
October 18-November 14	Open for any additional Budget Work Sessions
October 24 (Tuesday)	City Council Budget Work Session – Capital Improvement Plan
October 20 (Friday)	Alaska Day – City Holiday
November 21	City Council Regular Meeting – <b>Public Hearing and Adoption of Budget</b>

Please note: Alaska Municipal League Conference will be held in Anchorage December 6 - 8

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## CALL TO ORDER

The August 15, 2023, regular meeting of the Whittier City Council was called to order at 7:03 p.m. by Mayor Dickason.

## OPENING CEREMONY

Mayor Dickason led the pledge of allegiance to the flag.

## ROLL CALL

There were present:

Dave Dickason, presiding, and  
Dan Blair, Peter Denmark, Victor Shen, Tom Wagner,  
Arnie Arneson, and David Pinquoch

Comprising a quorum of the Board.

Also Present:

Jackie C. Wilde, Acting City Manager  
Kris Erchinger, Finance  
Kyle Loan, Deputy Harbormaster  
Scott Korbe, Public Works  
Andre Achee, Public Safety  
Richard Valentine, Fire Chief  
Shelby Carlson, City Clerk  
Holly Wells, City Attorney  
Jessica Spuhler, City Attorney

The Council unanimously voted to excuse Council Member Pinquoch from the May 9, 2023, regular meeting of the Council. *[Clerk's Note: this vote occurred after the agenda item, "Conflict of Interest"]*

## CITIZEN COMMENTS ON ANY SUBJECT EXCEPT THOSE ITEMS SCHEDULED FOR PUBLIC HEARING

**Clayton Phillips** – introduced himself as the new pastor for the Whittier Christian Community Church.

## APPROVAL OF THE REGULAR MEETING AGENDA AND CONSENT AGENDA

**Motion (Blair/Arneson)**

**Approval of Agenda and Consent Agenda**

General discussion given.

### Items approved on Consent Agenda

\*Approval of the July 18, 2023 Regular Meeting Minutes

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\*Approval of the July 25, 2023 Special Meeting Minutes  
\*Non-Objection to Liquor License Renewal – The Outpost Liquor Door

**Motion Passed**

**Unanimous**

**CONFLICT OF INTEREST**

**Denmark** declared he believed he had a potential conflict of interest in item 8A, Ordinance 2023-003. **Wells** stated the ordinance will have an equal impact on all leaseholders and that general impact is not considered a conflict of interest.

The Council unanimously voted that Council Member Denmark did not have a substantial financial interest in the matter.

**PRESENTATIONS AND REPORTS**

**Presentations**

**Proposed Changes to the Lease Ordinance** – **Wells** shared highlights from the proposed changes to the Lease Ordinance and discussed the land allocation plan.

**Mayor Report** — **Dickason** reviewed upcoming meetings and dates surrounding elections.

**Wilde** asked to send a virtual poll to schedule a Special Meeting with an Executive Session to discuss city leases.

**Vice Mayor Report** — None

**City Manager Report** — **Wilde** highlighted several projects the Administration is working on. She shared best practices for reporting emergencies, noting the non-emergency line is posted on the Whittier city website. **Carlson** shared the accepted candidates running for the open City Council seats and reminded citizens to apply for by-mail absentee voting by September 26<sup>th</sup> if they will not be able to vote early or on Election Day. **Erchinger** shared the status of several grant applications and a loan application, and the updates to tax related portions of the code. **Wilde** presented a greeting card to Mr. and Mrs. Arneson for their 66<sup>th</sup> year of marriage.

**PUBLIC HEARINGS**

**ORDINANCE 2023-003** An Ordinance Repealing Article III of WMC Chapter 3.36 Entitled, “Lease of City Lands” and Enacting Chapter 3.38 Entitled, “Lease of City Lands” to Require a Lease Allocation Plan that Applies to Leases and Subleases with the City and Codifying Leasing and Subleasing Procedures Imposed by the City

**Motion (Wagner/Blair)**

**ORDINANCE 2023-003** An Ordinance Repealing Article III of WMC Chapter 3.36 Entitled, “Lease of City Lands” and Enacting Chapter 3.38 Entitled, “Lease of City Lands” to Require a Lease Allocation Plan that Applies to Leases and Subleases with the City and Codifying Leasing and Subleasing Procedures Imposed by the City

**Public Hearing Opened at 7:55pm**  
**Public Hearing Closed at 7:56pm**

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**Motion to Postpone to Date Certain (Denmark/Blair)**

Postpone Ordinance 2023-003 to the September Regular Meeting of the Whittier City Council

General discussion given.

**Motion to Postpone Passed**

**Unanimous**

**NEW BUSINESS**

**RESOLUTIONS**

**RESOLUTION 2023-024** Authorizing the Purchase of Municipal Property Assessment Record System Software, Including Installation and Support for an Initial Cost of \$16,095 and Annual License and Maintenance Costs of \$9,023 Thereafter, and Appropriating Funds

**Motion (Wagner/Shen)**

**RESOLUTION 2023-024** Authorizing the Purchase of Municipal Property Assessment Record System Software, Including Installation and Support for an Initial Cost of \$16,095 and Annual License and Maintenance Costs of \$9,023 Thereafter, and Appropriating Funds

General discussion given.

**Motion Passed**

**Unanimous**

**RESOLUTION 2023-025** Authorizing the City Manager to Extend the Sole Source Professional Services Agreement with Appraisal Company of Alaska, LLC to Provide Personal and Real Property Tax Assessment Services for the 2024 Tax Year in an Amount Not to Exceed \$15,000, and for Related Purposes

**Motion (Blair/Wagner)**

**RESOLUTION 2023-025** Authorizing the City Manager to Extend the Sole Source Professional Services Agreement with Appraisal Company of Alaska, LLC to Provide Personal and Real Property Tax Assessment Services for the 2024 Tax Year in an Amount Not to Exceed \$15,000, and for Related Purposes

General discussion given.

**Motion Passed**

**Unanimous**

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**RESOLUTION 2023-026** Authorizing the Acting City Manager to Enter Into a Contract with CRW Engineering Group Inc. to Conduct Geographic Information System (GIS) and Survey Services for an Amount Not to Exceed \$139,605

**Motion (Blair/Wagner)**

**RESOLUTION 2023-026** Authorizing the Acting City Manager to Enter Into a Contract with CRW Engineering Group Inc. to Conduct Geographic Information System (GIS) and Survey Services for an Amount Not to Exceed \$139,605

General discussion given.

**Motion Passed**

**Unanimous**

**RESOLUTION 2023-027** Prioritizing Revisions to the Whittier Municipal Code

**Motion (Blair/Arneson)**

**RESOLUTION 2023-027** Prioritizing Revisions to the Whittier Municipal Code

**Motion to Amend (Pinquoch/Blair)**

Amend Resolution 2023-027 to move #5, Title 3 – Finance and Revenue to #2

General discussion given. Wells recommended moving Title 3 – Finance and Revenue to #3 and requested Council complete one ordinance prior to presenting the next ordinance to Council.

**Motion to Amend (Blair/Pinquoch)**

Amend the amendment to move Title 3 – Finance and Revenue to #3

**Motion to Amend Passed**

**Unanimous**

**Motion to Amend Passed**

**Unanimous**

General discussion given.

**Motion Passed**

**Unanimous**

**RESOLUTION 2023-028** Supporting the Purchase of Indoor and Outdoor Bike Racks and Pledging Additional Funding for an Amount Not to Exceed \$50,000, and Appropriating Funds

**Motion (Wagner/Dickason)**

**RESOLUTION 2023-028** Supporting the Purchase of Indoor and Outdoor Bike Racks and Pledging Additional Funding for an Amount Not to Exceed \$50,000, and Appropriating Funds

General discussion given.

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**Motion to Amend #1 (Pinquoch/Wagner)** Amend Resolution 2023-028, Section 3, to add, “for outdoor bike racks and from General Fund, account number XX-XXX-XXXX for indoor bike racks” after “from CPV Reserves, account number 20-000-3400”

General discussion given.

**Motion to Amend #1 Passed**

**Unanimous**

**Motion to Amend #2 (Blair/Pinquoch)** Amend Resolution 2023-028 to add on line 42, “make an effort to source outdoor racks locally, matching like-build quality and warranty” after “the procurement process”

General discussion given.

**Motion to Amend #2 Passed**

**Unanimous**

**Motion Passed**

**Unanimous**

**RESOLUTION 2023-029** Recommending the Utilization of Public Works Staff and Equipment for Initiating Phase One of the Whittier Falls City Park Development, Including Clearing for Whittier Falls City Park Parking Lot

**Motion (Wagner/Denmark)**

**RESOLUTION 2023-029** Recommending the Utilization of Public Works Staff and Equipment for Initiating Phase One of the Whittier Falls City Park Development, Including Clearing for Whittier Falls City Park Parking Lot

General discussion given.

**Motion to Amend (Pinquoch/Denmark)** Amend Resolution 2023-029, page 2, line 3, striking “ensuring efficient and timely completion” and replacing with “as Public Works workload allows”

General discussion given.

**Motion to Amend Passed**

**Unanimous**

**Motion Passed**

**Unanimous**

**RESOLUTION 2023-030** Directing the Acting City Manager to Engage in Discussions for a Memorandum of Understanding with the Alaska Department of Transportation & Public Facilities for a Transportation Master Plan



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**Motion (Blair/Shen)**

**RESOLUTION 2023-030** Directing the Acting City Manager to Engage in Discussions for a Memorandum of Understanding with the Alaska Department of Transportation & Public Facilities for a Transportation Master Plan

General discussion given.

**Motion Passed**

**Unanimous**

**OTHER NEW BUSINESS ITEMS**

**Review City Attorney Evaluation Templates**

Council discussed the method to be used to evaluate the City Attorney.

**COUNCIL COMMENTS**

**Dickason** noted the scheduling of the lobbyist trip to Washington, D.C. is a delicate scheduling issue.

**Blair** requested to see the minutes of the April 18, 2023 meeting wherein Council approved rescheduling the May regular meeting to May 9, 2023.

**Pinguoch** requested Council approval to discuss the process used for elections with the City Attorney. **Dickason** noted each Council member is allotted an hour each year with the City Attorney.

**CITIZEN DISCUSSION**

**Mike Bender** shared the National Weather Service Weather Buoy 46081 is on a list to potentially be decommissioned and requested the community voice its concern against decommissioning the buoy. He noted a visitor commented there was no memorial explaining the Exxon Valdez Oil Spill. Bender was astounded there is not a weekly tsunami drill.

**COUNCIL AND ADMINISTRATION RESPONSE TO CITIZEN COMMENTS**

**Denmark** suggested a template letter be provided to express support for preserving the weather buoy.

**Dickason** asked the Administration to draft and share a template letter of support for the weather buoy.

**Achee** shared information about a weekly tsunami drill. He also shared the status of the second tsunami siren. The Council had no objection to setting the tsunami drill for 5:00pm each Friday.

**EXECUTIVE SESSION**

- A.** Discuss and Receive Legal Advice Regarding Agreements Between the City and the Alaska Railroad Corporation – per Whittier Municipal Code 2.08.040(B)(1), matters that, if immediately disclosed, would tend to adversely affect the finances of the city.
- B.** Attorney Advice on City Manager – per Whittier Municipal Code 2.08.040(C), at the request of the city attorney, meet in executive session to discuss legal matters or receive legal advice from an attorney, including, but not limited to, matters of

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pending or anticipated litigation, recommendations regarding proposed city council action having serious legal implications, or other legal matters the disclosure or public discussion of which will or may tend to adversely affect the legal or financial positions of the city. All discussions with the city attorney of legal matters considered pursuant to this section shall be confidential.

**Motion (Blair/Wagner)**

**Motion to enter into executive session** to discuss and receive legal advice regarding agreements between the City and the Alaska Railroad Corporation as per WMC 2.08.040(B)(1) and to discuss attorney advice on City Manager as per WMC 2.08.040(C)

The City Attorneys, Finance Direction, Acting City Manager, and State Lobbyist were asked to stay.

**Motion Passed**

**Unanimous**

The Council went into executive session at 10:05 p.m.  
The Council came out of executive session at 11:05 p.m.

**Motion (Wagner/Pinquoch)**

**Motion to adjourn meeting** to 5:00pm the following day, Wednesday, August 16<sup>th</sup>

The meeting adjourned at 11:06 p.m. until the following day at 5:00 p.m.

**RESUMED REGULAR MEETING**

**CALL TO ORDER**

The August 16, 2023, resumed regular meeting of the Whittier City Council was called to order at 5:03 p.m. by Mayor Dickason.

**ROLL CALL**

There were present:

Dave Dickason, presiding, and  
Peter Denmark, Victor Shen, Tom Wagner,  
Dan Blair (telephonic), Arnie Arneson (telephonic), and David Pinquoch (telephonic)

Comprising a quorum of the Board.

Also Present:

Jackie C. Wilde, Acting City Manager  
Shelby Carlson, City Clerk  
Jes Spuhler, City Attorney (telephonic)

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## **CONTINUATION OF EXECUTIVE SESSION**

Attorney Advice on City Manager – per Whittier Municipal Code 2.08.040(C), at the request of the city attorney, meet in executive session to discuss legal matters or receive legal advice from an attorney, including, but not limited to, matters of pending or anticipated litigation, recommendations regarding proposed city council action having serious legal implications, or other legal matters the disclosure or public discussion of which will or may tend to adversely affect the legal or financial positions of the city. All discussions with the city attorney of legal matters considered pursuant to this section shall be confidential.

**Motion (Blair/Wagner)**

**Motion to resume executive session** to discuss attorney advice on City Manager as per WMC 2.08.040(C)

The City Attorneys were asked to stay.

**Motion Passed**

**Unanimous**

The Council went into executive session at 5:07 p.m.  
The Council came out of executive session at 6:20 p.m.

**Motion (Denmark/Pinquoch)**

**Motion to** terminate the City Manager contract pursuant to employment agreement section 3B

**Motion Passed**

**AYES:** Denmark, Pinquoch, Shen, Blair, Arneson, Dickason  
**NOES:** Wagner

## **ADJOURNMENT**

The meeting adjourned at 6:23 p.m.

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**Shelby Carlson**  
City Clerk

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**Dave Dickason**  
Mayor

(City Seal)

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## CALL TO ORDER

The August 24, 2023, special meeting of the Whittier City Council was called to order at 7:02 p.m. by Mayor Dickason.

## OPENING CEREMONY

Mayor Dickason led the pledge of allegiance to the flag.

## ROLL CALL

There were present:

Dave Dickason, presiding, and  
Dan Blair (telephonic), Peter Denmark, Victor Shen, and Arnie Arneson

Comprising a quorum of the Board. And absent:  
Tom Wagner and David Pinquoch

Also Present:

Jackie C. Wilde, Acting City Manager  
Kris Erchinger, Finance  
David Borg, Harbormaster  
Scott Korbe, Public Works  
Andre Achee, Public Safety  
Shelby Carlson, City Clerk

## CITIZEN COMMENTS ON ANY SUBJECT EXCEPT THOSE ITEMS SCHEDULED FOR PUBLIC HEARING – None

## APPROVAL OF THE SPECIAL MEETING AGENDA

**Motion (Arneson/Shen)**

**Approval of Agenda**

**Motion Passed**

**Unanimous**

## NEW BUSINESS

## RESOLUTIONS

**RESOLUTION 2023-031** A Resolution Authorizing Signatories for All City Bank and Investment Accounts and Rescinding All Previous Resolutions in Conflict Herewith

**Motion (Arneson/Denmark)**

**RESOLUTION 2023-031** A Resolution Authorizing Signatories for All City Bank and Investment Accounts and Rescinding All Previous Resolutions in Conflict Herewith

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General discussion given.

**Motion Passed**

**Unanimous**

## **OTHER NEW BUSINESS ITEMS**

### **City Manager Job Description**

**Wilde** presented two different job descriptions for the position of City Manager for the Council's review. She requested Council direction on pay range, benefits, how often Council wanted to review the applicants, etc. General discussion given. After discussion, it was determined the Executive Management Committee will attend a staff meeting to gather feedback from the Directors.

### **Appointment of a City-Railroad-DOT Special Committee**

**Wilde** explained the goals of the committee and recommended composition of two Council Members, two citizens, Administration, and representatives from Alaska Railroad Corporation and the Alaska Department of Transportation. **Denmark** suggested Administration representation, Council representation, and two citizens-at-large. The council expressed their support of the committee.

## **COUNCIL COMMENTS**

**Dickason** shared a free event on August 31<sup>st</sup> gifting diapers and wipes at the Girdwood Health Clinic.

**Motion (Arneson/Dickason)**

**Motion to rescind** the motion for non-objection to the liquor license renewal for The Outpost Liquor Door

General discussion given. **Denmark** requested the letter to the applicant include an apology from Administration for the error.

**Motion Passed**

**Unanimous**

**Blair** expressed concern that the Army Corps of Engineers permit will expire regarding the Head of the Bay Breakwater. **Korbe** did not believe there were any impending deadlines and committed to ensuring that is the case.

**Motion (Denmark/Blair)**

**Motion to direct Administration** to report to Council on the Head of Passage Canal Breakwater WRDA Bill to include any deadlines, imminent and long-term.

**Motion Passed**

**Unanimous**

**CITIZEN DISCUSSION** – None

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## EXECUTIVE SESSION

- A. Discuss City Leases – per Whittier Municipal Code 2.08.040(B)(1), matters that, if immediately disclosed, would tend to adversely affect the finances of the city.

**Motion (Arneson/Dickason)**

**Motion to enter into executive session** to discuss City Leases as per WMC 2.08.040(B)(1)

The Acting City Manager, Finance Director, Harbormaster, and City Clerk were asked to stay for Executive Session.

**Motion Passed**

**Unanimous**

The Council went into executive session at 8:31 p.m.  
The Council came out of executive session at 10:01 p.m.

**Motion (Dickason/Arneson)**

**Motion to direct** Administration to follow direction provided in Executive Session

**Motion Passed**

**Unanimous**

## ADJOURNMENT

The meeting adjourned at 10:02 p.m.

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**Shelby Carlson**  
City Clerk

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**Dave Dickason**  
Mayor

(City Seal)



CITY OF WHITTIER  
REVENUES WITH COMPARISON TO BUDGET  
FOR THE 7 MONTHS ENDING JULY 31, 2023

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>TAXES</u>					
01-310-4005 FISH TAX	.00	36,744.84	85,000.00	48,255.16	43.2
01-310-4006 MOTOR VEHICLE REGISTRATION	532.68	2,235.60	3,600.00	1,364.40	62.1
01-310-4007 LIQUOR TAX	.00	3,400.00	6,500.00	3,100.00	52.3
01-310-4008 FUEL TRANSFER EXCISE TAX	3,090.93	5,166.95	.00	( 5,166.95)	.0
01-310-4009 ELEC & TELE CO-OP TAX	.00	.00	3,500.00	3,500.00	.0
01-310-4200 SALES TAX	198,515.30	215,008.51	650,000.00	434,991.49	33.1
01-310-4201 PROPERTY TAX - REAL	391,068.80	394,698.06	427,452.00	32,753.94	92.3
01-310-4202 PROPERTY TAX - PERSONAL	( 7,395.17)	( 2,823.94)	350,000.00	352,823.94	( .8)
01-310-4205 BUSINESS TRANSPORTATION TAX	20,124.00	33,251.45	405,000.00	371,748.55	8.2
TOTAL TAXES	605,936.54	687,681.47	1,931,052.00	1,243,370.53	35.6
<u>LICENSES &amp; PERMITS</u>					
01-320-4250 BUSINESS LICENSES	.00	1,750.00	4,000.00	2,250.00	43.8
01-320-4251 USER FEES & PERMITS	.00	20.00	750.00	730.00	2.7
01-320-4312 AMBULANCE FEES	.00	.00	7,500.00	7,500.00	.0
TOTAL LICENSES & PERMITS	.00	1,770.00	12,250.00	10,480.00	14.5
<u>INTERGOVERNMENTAL REVENUE</u>					
01-330-4002 STATE REVENUE SHARING	.00	.00	80,000.00	80,000.00	.0
01-330-4003 STATE PAY-IN-LIEU OF TAXES	.00	.00	60,000.00	60,000.00	.0
01-330-4011 EMS SMALL GRANT	.00	.00	50,000.00	50,000.00	.0
01-330-4012 FEDERAL GRANT FUNDS	.00	28,694.80	55,122.80	26,428.00	52.1
01-330-4025 NAT'L FOREST SERVICE RECEIPTS	.00	28,730.62	28,000.00	( 730.62)	102.6
TOTAL INTERGOVERNMENTAL REVENUE	.00	57,425.42	273,122.80	215,697.38	21.0
<u>LEASES</u>					
01-345-4513 LEASE CREDITS (CONTRA)	.00	.00	( 4,000.00)	( 4,000.00)	.0
01-345-4515 LEASE INCOME - CITY LAND	45,589.58	205,407.43	312,751.00	107,343.57	65.7
01-345-4517 LEASES - ARRC LAND	1,176.49	8,235.43	.00	( 8,235.43)	.0
01-345-4520 LEASE INCOME - CONDOMINIUMS	600.00	4,200.00	12,000.00	7,800.00	35.0
01-345-4525 LAND USE RENT	105.00	735.00	13,008.00	12,273.00	5.7
TOTAL LEASES	47,471.07	218,577.86	333,759.00	115,181.14	65.5
<u>FINES &amp; CITATIONS</u>					
01-350-4261 PSD FINES & CITATIONS	.00	.00	500.00	500.00	.0
01-350-4262 PSD PARKING TICKETS CIVIL	.00	125.00	500.00	375.00	25.0
TOTAL FINES & CITATIONS	.00	125.00	1,000.00	875.00	12.5

CITY OF WHITTIER  
REVENUES WITH COMPARISON TO BUDGET  
FOR THE 7 MONTHS ENDING JULY 31, 2023

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>MISCELLANEOUS</u>					
01-360-4099 MISCELLANEOUS REVENUE	167.85	697.35	2,500.00	1,802.65	27.9
01-360-4204 INTEREST & PENALTIES	1,540.91	2,205.43	.00	( 2,205.43)	.0
01-360-4900 INTEREST ON BANK ACCOUNTS	.00	12,205.46	50,000.00	37,794.54	24.4
01-360-4902 INVESTMENT INTEREST	.00	38,101.47	.00	( 38,101.47)	.0
01-360-4914 TRANSFIELD - TUNNEL CONTRAC	8,002.96	25,750.72	40,000.00	14,249.28	64.4
01-360-4915 GIRDWOOD-POLICE CONTRACT	66,087.00	462,609.00	793,044.00	330,435.00	58.3
TOTAL MISCELLANEOUS	75,798.72	541,569.43	885,544.00	343,974.57	61.2
<u>TRANSFERS &amp; OTHER</u>					
01-390-4855 SURPLUS SALES	34,795.20	34,795.20	.00	( 34,795.20)	.0
01-390-4990 TRANSFER IN FROM CVP FUND	.00	344,421.00	344,421.00	.00	100.0
01-390-4994 TRANSFER IN FROM HARBOR	.00	167,676.00	167,676.00	.00	100.0
01-390-4995 TRANSFER IN FROM WWS	.00	40,590.00	40,590.00	.00	100.0
01-390-4996 TRANSFER IN FROM DELONG DOCK	.00	39,212.00	39,212.00	.00	100.0
TOTAL TRANSFERS & OTHER	34,795.20	626,694.20	591,899.00	( 34,795.20)	105.9
TOTAL FUND REVENUE	764,001.53	2,133,843.38	4,028,626.80	1,894,783.42	53.0

CITY OF WHITTIER  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 7 MONTHS ENDING JULY 31, 2023

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>ADMIN</u>					
01-400-6000 SALARIES & WAGES	30,487.04	220,700.61	368,955.00	148,254.39	59.8
01-400-6030 FICA TAXES	442.08	1,903.76	5,264.00	3,360.24	36.2
01-400-6040 WORKER'S COMP.	.00	.00	1,397.00	1,397.00	.0
01-400-6050 ESC TAXES	212.22	2,647.16	3,630.00	982.84	72.9
01-400-6060 HEALTH & LIFE INSURANCE	5,896.36	47,602.64	72,915.00	25,312.36	65.3
01-400-6070 PERS RETIREMENT	6,392.22	58,700.85	77,689.00	18,988.15	75.6
01-400-6205 ADVERTISING	.00	480.00	2,500.00	2,020.00	19.2
01-400-6220 BANK SERVICES CHARGES	102.60	2,629.17	1,500.00	( 1,129.17)	175.3
01-400-6240 COMMUNITY SUPPORT-DONATIONS	.00	458.44	.00	( 458.44)	.0
01-400-6280 DUES & SUBSCRIPTIONS	.00	5,216.99	5,000.00	( 216.99)	104.3
01-400-6410 INSURANCE - LIABILITY	.00	11,559.18	23,979.00	12,419.82	48.2
01-400-6440 INSURANCE - PROPERTY	.00	199.06	500.00	300.94	39.8
01-400-6540 LICENSES & PERMITS	.00	.00	250.00	250.00	.0
01-400-6541 PENALTIES & FEES	.00	.00	800.00	800.00	.0
01-400-6565 OUTSIDE CONTRACTORS	( 1,755.00)	621.52	20,000.00	19,378.48	3.1
01-400-6570 PHYSICAL EXAMS & BACKGROUND CK	.00	.00	400.00	400.00	.0
01-400-6580 POSTAGE	500.00	2,966.87	2,500.00	( 466.87)	118.7
01-400-6610 PROF. FEES - ACCOUNTING	3,300.00	12,750.00	25,000.00	12,250.00	51.0
01-400-6620 PROF. FEES - APPRAISAL	.00	4,000.00	14,000.00	10,000.00	28.6
01-400-6625 PROF. FEES - FINANCIAL SOFTWARE	1,716.00	15,341.67	27,000.00	11,658.33	56.8
01-400-6635 PROF. FEES - COMPUTER SUPPORT	.00	348.33	8,000.00	7,651.67	4.4
01-400-6636 PROF FEES - WEB SITE SUPPORT	1,387.58	1,771.95	6,000.00	4,228.05	29.5
01-400-6640 PROF. FEES-ENGINEERING	.00	.00	30,000.00	30,000.00	.0
01-400-6645 PROF. FEES - GRANT ADM.	.00	.00	30,000.00	30,000.00	.0
01-400-6650 PROF. FEES - LEGAL	25,698.54	75,221.45	60,000.00	( 15,221.45)	125.4
01-400-6700 PUBLICATIONS & SUBSCRIPTIONS	.00	500.00	1,200.00	700.00	41.7
01-400-6735 EQUIPMENT AND FURNISHINGS	.00	.00	3,000.00	3,000.00	.0
01-400-6770 TRAVEL, TRAINING & DEV.	.00	44,515.93	10,000.00	( 34,515.93)	445.2
01-400-7351 EQUIPMENT MAINT. AGREEMENTS	.00	.00	2,000.00	2,000.00	.0
01-400-7450 REPAIRS-OFFICE EQUIPMENT	.00	.00	1,000.00	1,000.00	.0
01-400-8150 SUPPLIES - CONSUMABLE	304.27	3,550.15	.00	( 3,550.15)	.0
01-400-8550 SUPPLIES - OFFICE	.00	6,766.24	8,000.00	1,233.76	84.6
01-400-8750 SUPPLIES - PRINTING	.00	388.59	2,000.00	1,611.41	19.4
01-400-9000 UTILITIES - INTERNET	1,795.55	13,292.42	16,000.00	2,707.58	83.1
01-400-9070 UTILITIES - TELEPHONE	287.32	4,032.11	11,000.00	6,967.89	36.7
01-400-9520 CAPITAL OUTLAY - EQUIPMENT	.00	.00	12,000.00	12,000.00	.0
01-400-9530 CAPITAL OUTLAY-COMPUTER EQUIP	.00	.00	6,000.00	6,000.00	.0
<b>TOTAL ADMIN</b>	<b>76,766.78</b>	<b>538,165.09</b>	<b>859,479.00</b>	<b>321,313.91</b>	<b>62.6</b>

CITY OF WHITTIER  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 7 MONTHS ENDING JULY 31, 2023

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>COUNCIL</u>					
01-401-6240 CITY COUNCIL-COMMUNITY SUPPORT	458.68	1,616.16	4,000.00	2,383.84	40.4
01-401-6241 WEBSITE - CODE UPDATES	.00	.00	3,500.00	3,500.00	.0
01-401-6280 DUES & SUBSCRIPTIONS	500.00	500.00	1,200.00	700.00	41.7
01-401-6325 FIREWORKS	13,000.00	13,000.00	13,000.00	.00	100.0
01-401-6600 PROF. FEES - AUDIT	.00	22,038.75	42,000.00	19,961.25	52.5
01-401-6650 PROF. FEES - LEGAL	5,343.23	15,386.23	.00	( 15,386.23)	.0
01-401-6710 PUBLIC RELATIONS	.00	.00	2,500.00	2,500.00	.0
01-401-6770 TRAVEL, TRAINING & DEV.	.00	6,058.40	6,000.00	( 58.40)	101.0
01-401-6800 COUNCIL CHAMBER IMPROV	1,406.00	5,584.85	10,000.00	4,415.15	55.9
01-401-8550 SUPPLIES - OFFICE	.00	465.97	1,600.00	1,134.03	29.1
01-401-9070 UTILITIES - TELEPHONE	.00	.00	500.00	500.00	.0
01-401-9500 LOBBYIST FEES	10,000.00	70,000.00	120,000.00	50,000.00	58.3
TOTAL COUNCIL	30,707.91	134,650.36	204,300.00	69,649.64	65.9
<u>ELECTIONS</u>					
01-420-6100 VOLUNTEER SUPPORT	.00	.00	1,200.00	1,200.00	.0
01-420-6205 ADVERTISING	.00	.00	500.00	500.00	.0
01-420-8150 SUPPLIES - CONSUMABLE	.00	.00	600.00	600.00	.0
TOTAL ELECTIONS	.00	.00	2,300.00	2,300.00	.0

CITY OF WHITTIER  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 7 MONTHS ENDING JULY 31, 2023

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>PUBLIC SAFETY</u>					
01-510-6000 SALARIES & WAGES	62,669.82	448,003.97	902,559.00	454,555.03	49.6
01-510-6030 FICA TAXES	988.50	7,198.83	13,619.00	6,420.17	52.9
01-510-6040 WORKER'S COMP.	.00	.00	30,669.00	30,669.00	.0
01-510-6050 ESC TAXES	128.78	8,315.45	8,821.00	505.55	94.3
01-510-6060 HEALTH & LIFE INSURANCE	9,252.20	62,229.01	121,091.00	58,861.99	51.4
01-510-6070 PERS RETIREMENT	11,339.02	83,924.36	156,649.00	72,724.64	53.6
01-510-6091 UNIFORM ALLOWANCE	240.00	1,680.00	2,000.00	320.00	84.0
01-510-6280 DUES & SUBSCRIPTIONS	.00	119.94	300.00	180.06	40.0
01-510-6410 INSURANCE - LIABILITY	.00	15,669.11	32,905.00	17,235.89	47.6
01-510-6420 INSURANCE - AUTO	.00	5,955.39	8,088.00	2,132.61	73.6
01-510-6540 LICENSES & PERMITS	.00	62.00	1,000.00	938.00	6.2
01-510-6565 OUTSIDE CONTRACTORS	13,750.00	61,286.09	75,000.00	13,713.91	81.7
01-510-6570 PHYSICAL EXAMS	.00	.00	1,000.00	1,000.00	.0
01-510-6580 POSTAGE	.00	73.84	300.00	226.16	24.6
01-510-6635 PROF. FEES - COMPUTER SUPPORT	.00	348.33	1,000.00	651.67	34.8
01-510-6700 PUBLICATIONS & SUBSCRIPTIONS	.00	.00	300.00	300.00	.0
01-510-6735 EQUIPMENT PURCHASE	.00	.00	5,000.00	5,000.00	.0
01-510-6770 TRAVEL, TRAINING & DEV.	113.50	2,021.87	5,000.00	2,978.13	40.4
01-510-7100 BUILDING MAINT.	.00	.00	1,000.00	1,000.00	.0
01-510-7350 REPAIRS - EQUIPMENT	851.74	851.74	5,000.00	4,148.26	17.0
01-510-7400 REPAIRS - VEHICLES	.00	1,055.80	5,000.00	3,944.20	21.1
01-510-7750 GAS & OIL - VEHICLES	1,984.37	10,148.13	16,000.00	5,851.87	63.4
01-510-8150 SUPPLIES - CONSUMABLE	1,362.55	4,759.98	9,000.00	4,240.02	52.9
01-510-8950 SUPPLIES - UNIFORMS	.00	.00	4,000.00	4,000.00	.0
01-510-9000 UTILITIES - INTERNET	1,676.40	12,228.44	14,000.00	1,771.56	87.4
01-510-9070 UTILITIES - TELEPHONE	412.83	5,343.74	9,000.00	3,656.26	59.4
01-510-9200 GRANT EXPENDITURES	.00	28,694.80	55,122.80	26,428.00	52.1
01-510-9525 CAPITAL - MOTOR POOL FUNDING	.00	20,000.00	20,000.00	.00	100.0
TOTAL PUBLIC SAFETY	104,769.71	779,970.82	1,503,423.80	723,452.98	51.9

CITY OF WHITTIER  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 7 MONTHS ENDING JULY 31, 2023

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>FIRE</u>					
01-520-6000 SALARIES & WAGES	12,683.58	20,089.97	85,169.00	65,079.03	23.6
01-520-6030 FICA TAXES	184.59	296.14	1,219.00	922.86	24.3
01-520-6040 WORKERS COMP	.00	.00	4,185.00	4,185.00	.0
01-520-6050 ESC TAXES	119.68	188.86	840.00	651.14	22.5
01-520-6060 HEALTH & LIFE INSURANCE	686.70	686.70	17,361.00	16,674.30	4.0
01-520-6070 PERS RETIREMENT	1,711.68	1,711.68	18,737.00	17,025.32	9.1
01-520-6091 UNIFORM ALLOWANCE	46.50	46.50	.00 (	46.50)	.0
01-520-6100 VOLUNTEER SUPPORT	33.00	183.00	8,000.00	7,817.00	2.3
01-520-6410 INSURANCE - LIABILITY	.00	534.97	1,284.00	749.03	41.7
01-520-6420 INSURANCE - AUTO	.00	1,803.86	3,968.00	2,164.14	45.5
01-520-6570 PHYSICAL EXAMS	53.00	198.00	1,000.00	802.00	19.8
01-520-6580 POSTAGE	.00	.00	250.00	250.00	.0
01-520-6735 EQUIPMENT PURCHASE	.00	.00	5,000.00	5,000.00	.0
01-520-6750 TESTING	.00	.00	2,500.00	2,500.00	.0
01-520-6770 TRAVEL, TRAINING & DEV.	.00	90.53	2,000.00	1,909.47	4.5
01-520-7350 REPAIRS - EQUIPMENT	216.49	216.49	2,000.00	1,783.51	10.8
01-520-7400 REPAIRS - VEHICLES	1,490.00	1,490.00	1,000.00 (	490.00)	149.0
01-520-7750 GAS & OIL - VEHICLES	.00	.00	1,000.00	1,000.00	.0
01-520-8550 SUPPLIES - OFFICE	366.59	387.54	500.00	112.46	77.5
01-520-8950 SUPPLIES - UNIFORMS	.00	66.50	5,000.00	4,933.50	1.3
01-520-9000 UTILITIES - INTERNET	3,967.99	4,926.96	.00 (	4,926.96)	.0
01-520-9520 CAPITAL OUTLAY - EQUIPMENT	.00	.00	8,300.00	8,300.00	.0
TOTAL FIRE	21,559.80	32,917.70	169,313.00	136,395.30	19.4



CITY OF WHITTIER  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 7 MONTHS ENDING JULY 31, 2023

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>EMS</u>					
01-530-6000 SALARIES & WAGES	12,760.80	71,821.01	191,599.00	119,777.99	37.5
01-530-6030 FICA TAXES	223.95	1,790.12	3,621.00	1,830.88	49.4
01-530-6040 WORKER'S COMP.	.00	.00	12,624.00	12,624.00	.0
01-530-6050 ESC TAXES	111.57	981.43	1,894.00	912.57	51.8
01-530-6060 HEALTH & LIFE INSURANCE	686.46	9,092.82	34,722.00	25,629.18	26.2
01-530-6070 PERS RETIREMENT	1,461.70	10,037.98	39,049.00	29,011.02	25.7
01-530-6091 UNIFORM ALLOWANCE	33.50	273.50	.00	( 273.50)	.0
01-530-6100 EMS VOLUNTEER SUPPORT	20.00	370.00	6,000.00	5,630.00	6.2
01-530-6205 ADVERTISING	.00	.00	500.00	500.00	.0
01-530-6410 INSURANCE - LIABILITY	.00	2,727.01	11,000.00	8,272.99	24.8
01-530-6420 INSURANCE - AUTO	.00	921.99	5,005.00	4,083.01	18.4
01-530-6540 LICENSES & PERMITS	.00	52.00	200.00	148.00	26.0
01-530-6565 OUTSIDE CONTRACTORS	.00	3,600.00	2,000.00	( 1,600.00)	180.0
01-530-6570 PHYSICAL EXAMS	.00	53.00	400.00	347.00	13.3
01-530-6635 PROF. FEES - COMPUTER SUPPORT	.00	348.33	.00	( 348.33)	.0
01-530-6735 EQUIPMENT PURCHASE	.00	.00	1,000.00	1,000.00	.0
01-530-6750 TESTING	.00	.00	250.00	250.00	.0
01-530-6761 TRAINING - EMS SUPVSG MD	1,000.00	7,000.00	12,000.00	5,000.00	58.3
01-530-6770 TRAVEL, TRAINING & DEV.	75.00	75.00	2,000.00	1,925.00	3.8
01-530-7350 REPAIRS - EQUIPMENT	.00	41.99	1,000.00	958.01	4.2
01-530-7400 REPAIRS - VEHICLES	.00	.00	1,500.00	1,500.00	.0
01-530-7750 GAS & OIL - VEHICLES	511.97	773.38	2,500.00	1,726.62	30.9
01-530-8150 SUPPLIES - CONSUMABLE	.00	762.55	4,000.00	3,237.45	19.1
01-530-8550 SUPPLIES - OFFICE	.00	170.83	1,000.00	829.17	17.1
01-530-8650 SUPPLIES AND DRUGS BILLABLE	.00	653.41	2,500.00	1,846.59	26.1
01-530-8950 SUPPLIES - UNIFORMS	.00	.00	2,500.00	2,500.00	.0
01-530-9000 UTILITIES - INTERNET	717.32	4,441.85	6,500.00	2,058.15	68.3
01-530-9070 UTILITIES - TELEPHONE	.00	302.40	500.00	197.60	60.5
01-530-9520 CAPITAL OUTLAY - EQUIPMENT	.00	.00	52,186.00	52,186.00	.0
TOTAL EMS	17,602.27	116,290.60	398,050.00	281,759.40	29.2

CITY OF WHITTIER  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 7 MONTHS ENDING JULY 31, 2023

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>PUBLIC WORKS</u>					
01-600-6000 SALARIES & WAGES	16,010.90	141,645.82	304,478.00	162,832.18	46.5
01-600-6030 FICA TAXES	232.16	2,125.22	5,968.00	3,842.78	35.6
01-600-6040 WORKER'S COMP.	.00	.00	17,801.00	17,801.00	.0
01-600-6050 ESC TAXES	80.95	1,973.13	3,008.00	1,034.87	65.6
01-600-6060 HEALTH & LIFE INSURANCE	3,187.49	28,700.84	56,423.00	27,722.16	50.9
01-600-6070 PERS RETIREMENT	3,522.38	31,200.40	61,282.00	30,081.60	50.9
01-600-6410 INSURANCE - LIABILITY	.00	6,977.50	14,653.00	7,675.50	47.6
01-600-6420 INSURANCE - AUTO	.00	1,917.93	4,800.00	2,882.07	40.0
01-600-6430 INSURANCE EQUIPMENT	.00	2,164.14	5,906.00	3,741.86	36.6
01-600-6440 INSURANCE - PROPERTY	.00	233.02	583.00	349.98	40.0
01-600-6540 LICENSES & FEES	.00	.00	250.00	250.00	.0
01-600-6565 OUTSIDE CONTRACTORS	.00	.00	8,000.00	8,000.00	.0
01-600-6570 PHYSICAL EXAMS	78.00	342.00	600.00	258.00	57.0
01-600-6635 PROF. FEES - COMPUTER SUPPORT	.00	348.33	2,000.00	1,651.67	17.4
01-600-6740 SMALL TOOLS	.00	2,867.10	3,000.00	132.90	95.6
01-600-6770 TRAVEL, TRAINING & DEV.	.00	678.95	2,000.00	1,321.05	34.0
01-600-7100 REPAIRS	.00	.00	5,000.00	5,000.00	.0
01-600-7210 REPAIRS - ROADS	.00	.00	20,000.00	20,000.00	.0
01-600-7350 REPAIR & MAINTENANCE	178.19	7,373.37	30,000.00	22,626.63	24.6
01-600-7750 GAS & OIL - VEHICLES	77.48	2,578.15	26,000.00	23,421.85	9.9
01-600-8150 SUPPLIES - CONSUMABLE	.00	910.18	500.00	( 410.18)	182.0
01-600-8550 SUPPLIES - OFFICE	.00	1,309.26	500.00	( 809.26)	261.9
01-600-8950 SUPPLIES - UNIFORMS	.00	274.95	750.00	475.05	36.7
01-600-8970 SUPPLIES - SAFETY	.00	1,038.54	2,500.00	1,461.46	41.5
01-600-8995 SUPPLIES & MATERIALS	588.49	3,598.27	12,000.00	8,401.73	30.0
01-600-9000 UTILITIES - INTERNET	466.30	5,612.25	9,500.00	3,887.75	59.1
01-600-9010 UTILITIES - ELECTRICITY	1,082.11	7,711.88	14,000.00	6,288.12	55.1
01-600-9070 UTILITIES - TELEPHONE	56.59	758.04	1,750.00	991.96	43.3
01-600-9095 UTILITIES - WATER/SEWER	.00	.00	2,500.00	2,500.00	.0
01-600-9520 CAPITAL OUTLAY - EQUIPMENT	.00	1,428.32	15,000.00	13,571.68	9.5
01-600-9900 INTERDEPARTMENT SUPPORT	( 3,266.67)	( 22,866.69)	( 39,200.00)	( 16,333.31)	( 58.3)
TOTAL PUBLIC WORKS	22,294.37	230,900.90	591,552.00	360,651.10	39.0

CITY OF WHITTIER  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 7 MONTHS ENDING JULY 31, 2023

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>PROPERTY &amp; FACILITIES</u>					
01-700-6210 B.T.I. CONDO FEES	1,584.39	11,090.73	19,171.00	8,080.27	57.9
01-700-6410 INSURANCE - LIABILITY	.00	1,437.10	3,593.00	2,155.90	40.0
01-700-6440 INSURANCE - PROPERTY	.00	11,968.02	26,319.00	14,350.98	45.5
01-700-6565 PROP & FAC-CONTRACTED SERVICES	740.00	12,411.45	14,000.00	1,588.55	88.7
01-700-7100 REPAIRS - BUILDINGS	.00	6,389.28	5,000.00	( 1,389.28)	127.8
01-700-7350 REPAIRS - EQUIPMENT	.00	711.99	5,000.00	4,288.01	14.2
01-700-8150 SUPPLIES - CONSUMABLE	.00	3,482.99	1,500.00	( 1,982.99)	232.2
01-700-8550 JANITORIAL SUPPLIES	.00	.00	500.00	500.00	.0
01-700-8970 SUPPLIES - SAFETY	.00	4,154.84	500.00	( 3,654.84)	831.0
01-700-9000 UTILITIES - INTERNET SERVICE	.00	1,560.00	.00	( 1,560.00)	.0
01-700-9010 UTILITIES - ELECTRICITY	2,673.19	20,678.60	35,000.00	14,321.40	59.1
01-700-9040 UTILITIES - HEATING FUEL	1,349.52	34,490.69	22,000.00	( 12,490.69)	156.8
01-700-9050 UTILITIES - SOLID WASTE	525.96	923.61	2,000.00	1,076.39	46.2
01-700-9095 UTILITIES - WATER/SEWER	140.43	1,069.57	2,000.00	930.43	53.5
TOTAL PROPERTY & FACILITIES	7,013.49	110,368.87	136,583.00	26,214.13	80.8
<u>PARKS AND RECREATION</u>					
01-800-6000 SALARIES AND WAGES	764.26	2,386.73	11,594.00	9,207.27	20.6
01-800-6030 FICA TAXES	58.47	189.56	887.00	697.44	21.4
01-800-6040 WORKER'S COMP	.00	.00	100.00	100.00	.0
01-800-6050 ESC TAX	11.68	37.89	213.00	175.11	17.8
01-800-6430 INSURANCE EQUIPMENT	.00	8.92	.00	( 8.92)	.0
01-800-6565 OUTSIDE CONTRACTORS	.00	.00	3,000.00	3,000.00	.0
01-800-7340 PROFESSIONAL SERVICES	.00	.00	35,000.00	35,000.00	.0
01-800-7350 REPAIRS EQUIPMENT	.00	.00	3,000.00	3,000.00	.0
01-800-8950 SUPPLIES AND MATERIALS	848.02	3,834.40	16,000.00	12,165.60	24.0
01-800-9520 CAPITAL OUTLAY - EQUIPMENT	.00	12,587.70	5,000.00	( 7,587.70)	251.8
TOTAL PARKS AND RECREATION	1,682.43	19,045.20	74,794.00	55,748.80	25.5
<u>TRANSFERS TO OTHER FUNDS</u>					
01-990-9990 TRANSFER OUT	.00	288,409.00	288,409.00	.00	100.0
01-990-9991 TRANSFER TO F 14 EQUIP REP PW	.00	25,000.00	25,000.00	.00	100.0
01-990-9992 CAPITAL EQUIPMENT SET ASIDE	.00	294,500.00	294,500.00	.00	100.0
TOTAL TRANSFERS TO OTHER FUNDS	.00	607,909.00	607,909.00	.00	100.0
TOTAL FUND EXPENDITURES	282,396.76	2,570,218.54	4,547,703.80	1,977,485.26	56.5
NET REVENUE OVER EXPENDITURES	481,604.77	( 436,375.16)	( 519,077.00)	( 82,701.84)	( 84.1)

CITY OF WHITTIER  
REVENUES WITH COMPARISON TO BUDGET  
FOR THE 7 MONTHS ENDING JULY 31, 2023

CRUISE SHIP TAX

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
	<u>TAXES - REVENUE</u>					
20-310-4008	CRUISE SHIP TAX	.00	664,540.00	990,000.00	325,460.00	67.1
	TOTAL TAXES - REVENUE	.00	664,540.00	990,000.00	325,460.00	67.1
	<u>INVESTMENT EARNINGS</u>					
20-360-4902	INVESTMENT INTEREST	.00	576.93	.00	( 576.93)	.0
	TOTAL INVESTMENT EARNINGS	.00	576.93	.00	( 576.93)	.0
	TOTAL FUND REVENUE	.00	665,116.93	990,000.00	324,883.07	67.2

CITY OF WHITTIER  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 7 MONTHS ENDING JULY 31, 2023

CRUISE SHIP TAX

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>EXPENDITURES</u>						
20-400-6240	MUSEUM SUPPORT - DONATIONS	.00	15,000.00	15,000.00	.00	100.0
20-400-6565	CONTRACTED SERVICES	3,738.91	21,832.76	252,804.00	230,971.24	8.6
20-400-6650	PROF. FEES - LEGAL	5,580.50	6,928.00	.00	( 6,928.00)	.0
20-400-9520	CAPITAL EQUIPMENT	.00	.00	25,000.00	25,000.00	.0
	TOTAL EXPENDITURES	9,319.41	43,760.76	292,804.00	249,043.24	15.0
<u>TRANSFERS OUT</u>						
20-990-9990	TRANSFER TO OTHER FUNDS	.00	540,921.00	540,921.00	.00	100.0
20-990-9992	TRANSFER TO HARBOR FUND #51	.00	156,275.00	156,275.00	.00	100.0
	TOTAL TRANSFERS OUT	.00	697,196.00	697,196.00	.00	100.0
	TOTAL FUND EXPENDITURES	9,319.41	740,956.76	990,000.00	249,043.24	74.8
	NET REVENUE OVER EXPENDITURES	( 9,319.41)	( 75,839.83)	.00	75,839.83	.0

CITY OF WHITTIER  
REVENUES WITH COMPARISON TO BUDGET  
FOR THE 7 MONTHS ENDING JULY 31, 2023

WATER AND WASTEWATER

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
	<u>CHARGES FOR SERVICES</u>					
50-340-4300	WATER SERVICE CHARGES	83,351.88	201,983.84	298,297.00	96,313.16	67.7
50-340-4350	WASTE WATER SERVICE CHARGES	10,264.28	51,367.36	91,000.00	39,632.64	56.5
50-340-4500	ENTERPRISE-PERMIT FEES	.00	.00	100.00	100.00	.0
	TOTAL CHARGES FOR SERVICES	93,616.16	253,351.20	389,397.00	136,045.80	65.1
	<u>MISCELLANEOUS</u>					
50-360-4901	INTEREST ON BANK ACCOUNTS	.00	.00	15,000.00	15,000.00	.0
50-360-4902	INVESTMENT INTEREST	.00	15,728.49	.00	( 15,728.49)	.0
50-360-4910	MISCELLANEOUS INCOME	.00	266.08	1,500.00	1,233.92	17.7
	TOTAL MISCELLANEOUS	.00	15,994.57	16,500.00	505.43	96.9
	<u>PROPERTY &amp; SURPLUS SALES</u>					
50-390-4990	TRANSFERS IN	.00	23,341.00	23,341.00	.00	100.0
	TOTAL PROPERTY & SURPLUS SALES	.00	23,341.00	23,341.00	.00	100.0
	TOTAL FUND REVENUE	93,616.16	292,686.77	429,238.00	136,551.23	68.2



CITY OF WHITTIER  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 7 MONTHS ENDING JULY 31, 2023

WATER AND WASTEWATER

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>WATER &amp; WASTE WATER OPERATING</u>					
50-800-6000 SALARIES & WAGES	9,973.42	80,461.78	147,434.00	66,972.22	54.6
50-800-6030 FICA TAXES	144.61	1,207.72	2,648.00	1,440.28	45.6
50-800-6040 WORKER'S COMP.	.00	.00	4,958.00	4,958.00	.0
50-800-6050 ESC TAXES	45.08	991.92	1,452.00	460.08	68.3
50-800-6060 HEALTH & LIFE INSURANCE	1,477.52	12,271.01	21,267.00	8,995.99	57.7
50-800-6070 PERS RETIREMENT	2,024.55	16,708.04	28,524.00	11,815.96	58.6
50-800-6091 UNIFORM ALLOWANCE	.00	.00	400.00	400.00	.0
50-800-6220 BANK SERVICE CHARGES	.00	.00	6,000.00	6,000.00	.0
50-800-6260 BAD DEBT EXPENSE	.00	.00	1,000.00	1,000.00	.0
50-800-6270 DEPRECIATION	.00	.00	330,898.00	330,898.00	.0
50-800-6280 DUES & SUBSCRIPTIONS	.00	320.00	500.00	180.00	64.0
50-800-6410 INSURANCE - LIABILITY	.00	3,473.51	7,294.00	3,820.49	47.6
50-800-6440 INSURANCE - PROPERTY	.00	2,457.10	6,143.00	3,685.90	40.0
50-800-6540 LICENSES & PERMITS	.00	655.00	1,200.00	545.00	54.6
50-800-6565 OUTSIDE CONTRACTORS	.00 (	123.70)	10,000.00	10,123.70 (	1.2)
50-800-6570 PHYSICAL EXAMS	.00	.00	500.00	500.00	.0
50-800-6580 POSTAGE	.00	.00	1,300.00	1,300.00	.0
50-800-6635 PROF. FEES - COMPUTER SUPPORT	.00	348.33	1,200.00	851.67	29.0
50-800-6740 SMALL TOOLS	.00	.00	2,000.00	2,000.00	.0
50-800-6750 TESTING WATER/SEWER	.00	4,000.00	7,500.00	3,500.00	53.3
50-800-6770 TRAVEL, TRAINING & DEV.	.00	.00	6,000.00	6,000.00	.0
50-800-7100 REPAIRS - BUILDING	.00	.00	5,000.00	5,000.00	.0
50-800-7350 REPAIRS - EQUIPMENT	.00	341.71	5,000.00	4,658.29	6.8
50-800-7650 REPAIRS - SYSTEM	.00	954.47	5,000.00	4,045.53	19.1
50-800-7750 GAS & OIL - VEHICLES	376.26	1,935.08	4,500.00	2,564.92	43.0
50-800-8550 SUPPLIES - OFFICE	.00	.00	500.00	500.00	.0
50-800-8950 UNIFORMS	.00	.00	500.00	500.00	.0
50-800-8970 SUPPLIES - SAFETY	.00	491.07	1,500.00	1,008.93	32.7
50-800-8995 SUPPLIES & MATERIALS	.00	769.06	4,000.00	3,230.94	19.2
50-800-9000 UTILITIES -INTERNET	846.09	5,164.32	6,000.00	835.68	86.1
50-800-9010 UTILITIES - ELECTRICITY	3,739.23	16,642.11	30,000.00	13,357.89	55.5
50-800-9040 UTILITIES - HEATING FUEL	181.28	1,399.84	2,500.00	1,100.16	56.0
50-800-9070 UTILITIES - TELEPHONE	.00	359.16	600.00	240.84	59.9
50-800-9580 CAPITAL OUTLAY - W/WW	.00	.00	15,000.00	15,000.00	.0
50-800-9900 TRANSFER OUT TO GF	.00	40,590.00	40,590.00	.00	100.0
50-800-9901 TRANSFERS OUT - OTHER	.00	51,228.00	51,228.00	.00	100.0
 TOTAL WATER & WASTE WATER OPERATING	 18,808.04	 242,645.53	 760,136.00	 517,490.47	 31.9
  TOTAL FUND EXPENDITURES	  18,808.04	  242,645.53	  760,136.00	  517,490.47	  31.9
   NET REVENUE OVER EXPENDITURES	   74,808.12	   50,041.24	   ( 330,898.00)	   ( 380,939.24)	   15.1

CITY OF WHITTIER  
REVENUES WITH COMPARISON TO BUDGET  
FOR THE 7 MONTHS ENDING JULY 31, 2023

SMALL BOAT HARBOR

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>CHARGES FOR SERVICES</u>					
51-340-4251 USER FEES & PERMITS	.00	4,000.00	.00	( 4,000.00)	.0
51-340-4399 MOORAGE - TRANSIENT WINTER	.00	1,384.07	25,408.00	24,023.93	5.5
51-340-4401 MOORAGE - PREFERENTIAL	( 1,300.88)	478,432.02	534,990.00	56,557.98	89.4
51-340-4402 MOORAGE - TRANSIENT	.00	284,998.27	524,500.00	239,501.73	54.3
51-340-4403 BOAT LIFT FEES	.00	1,719.43	.00	( 1,719.43)	.0
51-340-4404 UTILITY FEES	.00	33,063.93	60,000.00	26,936.07	55.1
51-340-4406 WHARFAGE FEES	.00	669.04	15,735.00	15,065.96	4.3
51-340-4407 VESSEL TOW FEES	.00	.00	1,000.00	1,000.00	.0
51-340-4409 WAITING LIST FEES	.00	17,650.00	16,500.00	( 1,150.00)	107.0
51-340-4410 PUMP OUT FEES	.00	150.00	500.00	350.00	30.0
51-340-4411 LAUNCH FEES	.00	18,125.00	130,000.00	111,875.00	13.9
51-340-4412 SHOWERS	.00	1,190.00	4,500.00	3,310.00	26.4
51-340-4413 GRID	.00	1,079.50	2,630.00	1,550.50	41.1
51-340-4414 VESSEL MAINTENANCE	.00	25.00	2,500.00	2,475.00	1.0
51-340-4415 DRY STORAGE FEES	.00	2,878.24	5,250.00	2,371.76	54.8
51-340-4416 PARKING - ANNUAL	.00	18,000.00	50,000.00	32,000.00	36.0
51-340-4426 PARKING DAILY	.00	9,221.35	105,000.00	95,778.65	8.8
51-340-4445 MISC. SERVICES	.00	4,640.96	5,000.00	359.04	92.8
TOTAL CHARGES FOR SERVICES	( 1,300.88)	877,226.81	1,483,513.00	606,286.19	59.1
<u>LEASES INCOME</u>					
51-345-4512 LEASE - ARRC NET OF RR SHARE	9,200.19	63,037.41	100,000.00	36,962.59	63.0
51-345-4513 LEASE CREDITS (CONTRA)	.00	( 20,195.69)	( 40,000.00)	( 19,804.31)	( 50.5)
51-345-4515 LEASE - GARBAGE REVENUE	1,475.00	4,425.00	40,000.00	35,575.00	11.1
TOTAL LEASES INCOME	10,675.19	47,266.72	100,000.00	52,733.28	47.3
<u>OTHER REVENUE</u>					
51-360-4416 STORAGE IN LIEU OF LEASE	.00	.00	25,000.00	25,000.00	.0
51-360-4417 FUEL FLOAT INCOME	.00	3,504.27	30,000.00	26,495.73	11.7
51-360-4430 CAMPING	.00	2,678.00	23,000.00	20,322.00	11.6
51-360-4900 INTEREST & LATE FEES ON A/R	.00	3,536.42	250.00	( 3,286.42)	1414.6
51-360-4901 INTEREST ON BANK ACCO	.00	.00	15,000.00	15,000.00	.0
51-360-4902 INVESTMENT INTEREST	.00	22,546.81	.00	( 22,546.81)	.0
51-360-4957 AMORTIZATION OF BOND PREMIUM	.00	.00	8,843.00	8,843.00	.0
TOTAL OTHER REVENUE	.00	32,265.50	102,093.00	69,827.50	31.6
<u>TRANSFERS IN AND OTHER</u>					
51-390-4991 TRANSFER FROM CPV FUND	.00	156,275.00	156,275.00	.00	100.0
TOTAL TRANSFERS IN AND OTHER	.00	156,275.00	156,275.00	.00	100.0

CITY OF WHITTIER  
REVENUES WITH COMPARISON TO BUDGET  
FOR THE 7 MONTHS ENDING JULY 31, 2023

SMALL BOAT HARBOR

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
TOTAL FUND REVENUE	9,374.31	1,113,034.03	1,841,881.00	728,846.97	60.4

CITY OF WHITTIER  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 7 MONTHS ENDING JULY 31, 2023

SMALL BOAT HARBOR

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>HARBOR OPERATIONS EXP</u>					
51-800-6000 SALARIES & WAGES	51,100.33	322,573.73	590,267.00	267,693.27	54.7
51-800-6030 FICA TAXES	1,459.11	7,149.24	11,806.00	4,656.76	60.6
51-800-6040 WORKER'S COMP.	.00	.00	10,887.00	10,887.00	.0
51-800-6050 ESC TAXES	514.73	4,211.04	6,471.00	2,259.96	65.1
51-800-6060 HEALTH & LIFE INSURANCE	7,567.31	58,544.50	125,432.00	66,887.50	46.7
51-800-6070 PERS RETIREMENT	7,479.18	61,342.70	118,328.00	56,985.30	51.8
51-800-6205 ADVERTISING	.00	.00	500.00	500.00	.0
51-800-6220 BANK SERVICE CHARGES	.00	32,899.26	42,000.00	9,100.74	78.3
51-800-6260 BAD DEBT EXPENSE	.00	.00	5,000.00	5,000.00	.0
51-800-6265 BOND INTEREST EXPENSE	.00	39,137.50	76,275.00	37,137.50	51.3
51-800-6270 DEPRECIATION	.00	.00	940,000.00	940,000.00	.0
51-800-6280 DUES & SUBSCRIPTIONS	.00	340.00	500.00	160.00	68.0
51-800-6410 INSURANCE - LIABILITY	.00	26,307.30	50,000.00	23,692.70	52.6
51-800-6420 INSURANCE - AUTO	.00	524.92	1,260.00	735.08	41.7
51-800-6430 INSURANCE EQUIPMENT	.00	93.12	811.00	717.88	11.5
51-800-6440 INSURANCE - PROPERTY	.00	23,105.54	46,500.00	23,394.46	49.7
51-800-6540 ENTERPRISE-LICENSES & PERMITS	.00	.00	125.00	125.00	.0
51-800-6565 OUTSIDE CONTRACTORS	9,376.00	19,447.21	45,000.00	25,552.79	43.2
51-800-6570 PHYSICAL EXAMS	53.00	178.00	500.00	322.00	35.6
51-800-6580 POSTAGE	.00	1,295.90	2,500.00	1,204.10	51.8
51-800-6635 PROF. FEES - COMPUTER SUPPORT	.00	2,107.33	6,000.00	3,892.67	35.1
51-800-6636 PROF FEES - WEB SITE	.00	.00	250.00	250.00	.0
51-800-6650 PROF. FEES - LEGAL	.00	.00	2,000.00	2,000.00	.0
51-800-6700 PUBLICATIONS&SUBS.	.00	.00	350.00	350.00	.0
51-800-6730 EQUIPMENT RENTAL	.00	.00	2,000.00	2,000.00	.0
51-800-6740 SMALL TOOLS	.00	.00	3,500.00	3,500.00	.0
51-800-6770 TRAVEL, TRAINING & DEV.	.00	852.67	3,000.00	2,147.33	28.4
51-800-6780 WASTE DISPOSAL - EVOS	.00	.00	500.00	500.00	.0
51-800-7100 REPAIRS - BUILDINGS	.00	494.29	9,000.00	8,505.71	5.5
51-800-7350 REPAIRS - EQUIPMENT	.00	9,892.10	5,000.00	( 4,892.10)	197.8
51-800-7400 REPAIRS - VEHICLES	.00	137.97	1,000.00	862.03	13.8
51-800-7500 PARKING LOT MAINTENANCE	.00	.00	1,000.00	1,000.00	.0
51-800-7610 REPAIRS - UTILITIES	.00	.00	5,000.00	5,000.00	.0
51-800-7750 GAS & OIL - VEHICLES	588.95	3,180.51	5,000.00	1,819.49	63.6
51-800-7800 REPAIRS - FACILITIES	.00	1,945.70	5,000.00	3,054.30	38.9
51-800-7820 REPAIRS - DOCKS	.00	951.78	10,000.00	9,048.22	9.5
51-800-8150 SUPPLIES - CONSUMABLE	659.00	15,967.72	21,500.00	5,532.28	74.3
51-800-8200 SUPPLIES - PARKING	.00	44.00	1,000.00	956.00	4.4
51-800-8400 SUPPLIES - FIRE SUPPRESSION	.00	615.00	1,000.00	385.00	61.5
51-800-8550 SUPPLIES - OFFICE	542.85	2,256.25	7,500.00	5,243.75	30.1
51-800-8950 SUPPLIES - UNIFORMS	.00	.00	3,000.00	3,000.00	.0
51-800-8970 SUPPLIES - SAFETY	.00	3,374.42	5,000.00	1,625.58	67.5
51-800-9000 UTILITIES - INTERNET	2,465.74	12,730.27	35,000.00	22,269.73	36.4
51-800-9010 UTILITIES - ELECTRICITY	3,801.28	48,563.93	85,000.00	36,436.07	57.1
51-800-9040 UTILITIES - HEATING FUEL	218.94	2,421.23	7,000.00	4,578.77	34.6
51-800-9050 UTILITIES - SOLID WASTE	23,182.47	68,249.17	110,000.00	41,750.83	62.0
51-800-9070 UTILITIES - TELEPHONE	114.96	1,417.78	2,400.00	982.22	59.1
51-800-9095 UTILITIES - WATER/WASTEWATER	3,014.64	11,800.28	35,000.00	23,199.72	33.7
51-800-9213 HARBOR EMERGENCY REPAIR	40,958.57	87,537.67	10,000.00	( 77,537.67)	875.4
51-800-9510 SNOW REMOVAL	3,266.67	22,866.69	39,200.00	16,333.31	58.3
51-800-9900 TRANSFER OUT TO GF	.00	167,676.00	167,676.00	.00	100.0
51-800-9901 TRANSFERS OUT - OTHER	.00	30,000.00	30,000.00	.00	100.0

CITY OF WHITTIER  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 7 MONTHS ENDING JULY 31, 2023

SMALL BOAT HARBOR

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
TOTAL HARBOR OPERATIONS EXP	156,363.73	1,092,232.72	2,693,038.00	1,600,805.28	40.6
CAPITAL OUTLAY - FROM RESERVE					
51-900-9575 BOND PRINCIPAL	.00	80,000.00	80,000.00	.00	100.0
TOTAL CAPITAL OUTLAY - FROM RESERVE	.00	80,000.00	80,000.00	.00	100.0
TOTAL FUND EXPENDITURES	156,363.73	1,172,232.72	2,773,038.00	1,600,805.28	42.3
NET REVENUE OVER EXPENDITURES	( 146,989.42)	( 59,198.69)	( 931,157.00)	( 871,958.31)	( 6.4)

CITY OF WHITTIER  
REVENUES WITH COMPARISON TO BUDGET  
FOR THE 7 MONTHS ENDING JULY 31, 2023

DELONG DOCK

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>CHARGES FOR SERVICES</u>					
53-341-4251 USER FEES & PERMITS	.00	4,000.00	6,000.00	2,000.00	66.7
53-341-4402 MOORAGE - TRANSIENT	.00	272.16	5,000.00	4,727.84	5.4
53-341-4404 UTILITY FEES	.00	5,059.00	15,000.00	9,941.00	33.7
53-341-4406 WHARFAGE FEES	.00	41,376.68	366,120.00	324,743.32	11.3
TOTAL CHARGES FOR SERVICES	.00	50,707.84	392,120.00	341,412.16	12.9
<u>SOURCE 360</u>					
53-360-4902 INVESTMENT INTEREST	.00	12,325.25	.00	( 12,325.25)	.0
TOTAL SOURCE 360	.00	12,325.25	.00	( 12,325.25)	.0
TOTAL FUND REVENUE	.00	63,033.09	392,120.00	329,086.91	16.1



CITY OF WHITTIER  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 7 MONTHS ENDING JULY 31, 2023

DELONG DOCK

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>DEPARTMENT 801</u>					
53-801-6000 SALARES & WAGES	9,011.90	31,373.59	51,190.00	19,816.41	61.3
53-801-6030 FICA/MEDICARE	210.45	705.08	909.00	203.92	77.6
53-801-6040 WORKER'S COMP.	.00	.00	989.00	989.00	.0
53-801-6050 ESC TAXES	84.92	316.68	512.00	195.32	61.9
53-801-6060 HEALTH & LIFE INSURANCE	1,501.60	5,100.55	10,850.00	5,749.45	47.0
53-801-6070 PERS RETIREMENT	1,516.21	5,690.60	10,671.00	4,980.40	53.3
53-801-6270 DEPRECIATION	.00	.00	571,269.00	571,269.00	.0
53-801-6410 INSURANCE - LIABILITY	.00	4,848.19	6,331.00	1,482.81	76.6
53-801-6440 INSURANCE - PROPERTY	.00	5,698.05	14,246.00	8,547.95	40.0
53-801-6565 OUTSIDE CONTRACTORS	.00	.00	20,000.00	20,000.00	.0
53-801-6730 EQUIPMENT RENTAL	.00	.00	3,000.00	3,000.00	.0
53-801-6740 SMALL TOOLS	.00	.00	1,000.00	1,000.00	.0
53-801-6780 WASTE DISPOSAL - EVOS	.00	3,838.76	10,000.00	6,161.24	38.4
53-801-7350 REPAIRS - EQUIPMENT	.00	.00	2,500.00	2,500.00	.0
53-801-7750 GAS & OIL - VEHICLES	.00	.00	500.00	500.00	.0
53-801-7820 REPAIRS - DOCKS	.00	13.35	20,000.00	19,986.65	.1
53-801-8150 SUPPLIES - CONSUMABLE	.00	.00	5,000.00	5,000.00	.0
53-801-8400 SUPPLIES - FIRE SUPPRESSION	.00	60.00	1,000.00	940.00	6.0
53-801-8950 SUPPLIES - UNIFORMS	.00	.00	1,000.00	1,000.00	.0
53-801-8970 SUPPLIES - SAFETY	.00	.00	2,500.00	2,500.00	.0
53-801-9010 UTILITIES - ELECTRICITY	3,702.26	7,788.61	20,000.00	12,211.39	38.9
53-801-9050 UTILITIES - SOLID WASTE	.00	.00	2,000.00	2,000.00	.0
53-801-9095 UTILITIES - WATER/WASTEWATER	.00	.00	5,000.00	5,000.00	.0
53-801-9900 TRANSFER OUT TO GF	.00	39,212.00	39,212.00	.00	100.0
TOTAL DEPARTMENT 801	16,027.34	104,645.46	799,679.00	695,033.54	13.1
<u>CAPITAL OUTLAY</u>					
53-900-9504 CAPITAL IMPROVEMENTS	.00	13,734.00	60,000.00	46,266.00	22.9
53-900-9540 CAP EXP EMERGENCY REPAIRS	.00	.00	10,000.00	10,000.00	.0
TOTAL CAPITAL OUTLAY	.00	13,734.00	70,000.00	56,266.00	19.6
TOTAL FUND EXPENDITURES	16,027.34	118,379.46	869,679.00	751,299.54	13.6
NET REVENUE OVER EXPENDITURES	( 16,027.34)	( 55,346.37)	( 477,559.00)	( 422,212.63)	( 11.6)

CITY OF WHITTIER  
REVENUES WITH COMPARISON TO BUDGET  
FOR THE 7 MONTHS ENDING JULY 31, 2023

MOTOR POOL

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
	<u>OTHER REVENUE</u>					
60-360-4910	VEHICLE RENT	.00	20,000.00	20,000.00	.00	100.0
	TOTAL OTHER REVENUE	.00	20,000.00	20,000.00	.00	100.0
	<u>TRANSFERS IN</u>					
60-390-4855	SURPLUS SALES	51,640.00	51,640.00	.00	( 51,640.00)	.0
	TOTAL TRANSFERS IN	51,640.00	51,640.00	.00	( 51,640.00)	.0
	TOTAL FUND REVENUE	51,640.00	71,640.00	20,000.00	( 51,640.00)	358.2

CITY OF WHITTIER  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 7 MONTHS ENDING JULY 31, 2023

MOTOR POOL

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
	<u>CAPITAL OUTLAY</u>					
60-900-9520	CAPITAL OUTLAY - EQUIPMENT	.00	.00	58,000.00	58,000.00	.0
	TOTAL CAPITAL OUTLAY	.00	.00	58,000.00	58,000.00	.0
	TOTAL FUND EXPENDITURES	.00	.00	58,000.00	58,000.00	.0
	NET REVENUE OVER EXPENDITURES	51,640.00	71,640.00	( 38,000.00)	( 109,640.00)	188.5

CITY OF WHITTIER  
REVENUES WITH COMPARISON TO BUDGET  
FOR THE 7 MONTHS ENDING JULY 31, 2023

REVENUE STABILIZATION FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
	<u>TRANSFERS IN</u>					
62-390-4990	TRANSFERS IN	.00	16,908.00	16,908.00	.00	100.0
	TOTAL TRANSFERS IN	.00	16,908.00	16,908.00	.00	100.0
	TOTAL FUND REVENUE	.00	16,908.00	16,908.00	.00	100.0
	NET REVENUE OVER EXPENDITURES	.00	16,908.00	16,908.00	.00	100.0

CITY OF WHITTIER  
REVENUES WITH COMPARISON TO BUDGET  
FOR THE 7 MONTHS ENDING JULY 31, 2023

HARBOR MRRF

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
	<u>TRANSFERS FROM OTHER FUNDS</u>					
73-390-4992	TRANSFER FROM HARBOR FUND	.00	30,000.00	30,000.00	.00	100.0
	TOTAL TRANSFERS FROM OTHER FUNDS	.00	30,000.00	30,000.00	.00	100.0
	TOTAL FUND REVENUE	.00	30,000.00	30,000.00	.00	100.0

CITY OF WHITTIER  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 7 MONTHS ENDING JULY 31, 2023

HARBOR MRRF

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
	<u>NON-GRANT EXPENDITURES</u>					
73-800-7820	REPAIRS - DOCKS	.00	254,850.00	.00	( 254,850.00)	.0
73-800-9205	HARBOR RENOVATION	.00	.00	330,335.00	330,335.00	.0
	TOTAL NON-GRANT EXPENDITURES	.00	254,850.00	330,335.00	75,485.00	77.2
	TOTAL FUND EXPENDITURES	.00	254,850.00	330,335.00	75,485.00	77.2
	NET REVENUE OVER EXPENDITURES	.00	( 224,850.00)	( 300,335.00)	( 75,485.00)	( 74.9)



CITY OF WHITTIER  
REVENUES WITH COMPARISON TO BUDGET  
FOR THE 7 MONTHS ENDING JULY 31, 2023

WATER/WASTEWATER MRRF

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
	<u>TRANSFERS FROM OTHER FUNDS</u>					
75-390-4992	TRANSFERS-IN OTHER	.00	236,228.00	236,228.00	.00	100.0
	TOTAL TRANSFERS FROM OTHER FUNDS	.00	236,228.00	236,228.00	.00	100.0
	TOTAL FUND REVENUE	.00	236,228.00	236,228.00	.00	100.0

CITY OF WHITTIER  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 7 MONTHS ENDING JULY 31, 2023

WATER/WASTEWATER MRRF

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
	<u>NON-GRANT EXPENDITURES</u>					
75-800-9580	CAPITAL OUTLAY - W/WW	6,907.50	53,672.50	440,000.00	386,327.50	12.2
	TOTAL NON-GRANT EXPENDITURES	6,907.50	53,672.50	440,000.00	386,327.50	12.2
	TOTAL FUND EXPENDITURES	6,907.50	53,672.50	440,000.00	386,327.50	12.2
	NET REVENUE OVER EXPENDITURES	( 6,907.50)	182,555.50	( 203,772.00)	( 386,327.50)	89.6

To: The Honorable Dave Dickason  
The Whittier City Council  
Jackie Wilde, Acting City Manager  
Kris Erchinger, Finance Director  
Shelby Carlson, City Clerk

From: Sebastian O’Kelly & Brad Gilman

Re: Washington Report

Date: September 12, 2023

### **FY 2024 Appropriations**

Congress will not enact its appropriations bills by the start of the Oct 1 new fiscal year. It most likely will enact a short-term Continuing Resolution to keep the Federal government operating until late 2023 while the House and Senate negotiate their differences. The Senate Appropriations Committee has marked up all 12 of its appropriations bills, while the House Appropriations Committee has marked up 10 of the 12 bills. Major differences exist between the two bodies on “topline” spending levels which portend for difficult negotiations ahead, so a government shutdown later in the year cannot be ruled out.

On behalf of Whittier, Senator Murkowski submitted funding requests to the Senate Appropriations Committee -- Buckner Building clean up; continued construction of the Shotgun Cover Road; and construction for the West Water Main project. The Senate Interior Appropriations Bill includes \$5,000,000 for Buckner Building cleanup while the Transportation, Housing and & Urban Appropriations Bill has \$3,000,000 for Shotgun Cove Road.

### **EPA Brownfields – Buckner Building**

The EPA announced a \$800,000 award to the City for a multi-purpose grant which can go toward Buchner Building assessment and clean up as well as up to 4 other contaminated sites in the community. Earlier, the Alaska Delegation wrote a letter to the EPA Administrator in support of the City’s application.

### **Prince William Sound Weather Buoy**

Senator Murkowski’s office has inquired with the National Weather Service (NWS) the deployment status of NOAA Data Buoy Station 46081. The NWS has indicated that while there are no immediate plans to decommission the Station at this time, depending on the condition of its FY 2024 budget later in the year, it may seek to decommission a number of Stations including 46081. If it takes that course of action, there will be a requirement for public notice and comment and the opportunity to request that the Delegation engage. We will continue to monitor.

## **New USDA Clean Energy Forgivable Loan Program**

USDA has rolled out its Inflation Reduction Act-funded rural renewable energy programs, with two new initiatives, one aimed at traditional rural energy cooperatives totaling \$9.7 billion and the second aimed at rural renewable energy developers totaling a \$1 billion. The PACE program provides up to 60 percent forgivable loans up to \$100 million with a sliding scale of percentage forgiveness with the highest percentage forgiveness for underserved populations and tribal government. The process is triggered by potential applicants submitting a Letter of Interest by Sept. 29. The LOI has to be submitted then approved by USDA before inviting submission of a loan application. Details are at the link with the USDA POC for AK projects, including technical assistance on submitting an LOI, below.

Rodney Peach  
STOP 1560, Rm 5165  
1400 Independence Ave., SW  
Washington, DC 20250-1560  
[Rodney.Peach@usda.gov](mailto:Rodney.Peach@usda.gov)  
Cell Phone: (509) 309-6923

<https://www.rd.usda.gov/media/file/download/usda-rd-sa-usda-pace-new-era-technical-corrections-06-16-2023.pdf>

<https://www.govinfo.gov/content/pkg/FR-2023-06-16/pdf/2023-12848.pdf>

## **DOT Infrastructure Grant Opportunities**

DOT's Reconnecting Communities Pilot (RCP) and Neighborhood Access and Equity (NAE) programs are being combined into one NOFO called the Reconnecting Communities and Neighborhoods (RCN) Program, with links below. Applications are due Sept. 28. This is a much larger pot of money (\$3.53 billion) than was available last year in the RCP. The NAE is a new program created by the Inflation Reduction Act. DOT is also creating an entity called the Reconnecting Communities Institute that is supposed to provide technical assistance in grant preparation. This third link has some details, but the Institute is not yet up and running.

<https://www.transportation.gov/grants/rcnprogram/rcn-notice-funding-opportunity>

<file:///C:/Users/Sebastian/Downloads/FY23%20RCN%20Final%20NOFO%2007-05-23.pdf>

<https://www.transportation.gov/grants/reconnecting-communities/reconnecting-communities-institute-rci>

This next link is for technical assistance grants to rural communities to prepare BCA's and other analyses associated with applying to DOT grant programs. There is no cost-share and applications are accepted on a rolling basis.

<https://www.federalregister.gov/documents/2023/06/15/2023-12774/rural-and-tribal-assistance-pilot-program>

### **Alaska Native Vietnam Veterans Land Withdrawals**

The BLM has issued a revised notice on the land withdrawal process and eligibility for AK Native Vietnam Vets. Details are at the link.

<https://www.federalregister.gov/documents/2023/08/09/2023-16979/public-land-order-no-7929-partial-revocation-of-public-land-order-nos-5169-5173-5174-5178-5179-5180>

### **Tribal Home Electrification and Appliance Rebates Program**

DOE has published the tribal allocations for public notice and comment from the new tribal home energy appliance rebate program created in the Inflation Reduction Act. The notice is for public comments on the program, so it is not yet at the point for actual distribution of the funds. The allocations are determined by formula, with a minimum allocation of \$150,000 per tribe and larger amounts going to higher population tribes.

### **DOD Innovative Readiness Training Program Applications**

The next round of IRT applications are due Sept 30<sup>th</sup>. The application process uses an online form and is less complicated than many Federal grant programs.

<https://irt.defense.gov/Community/#overview>

### **Fisheries & Oceans**

- **Wild Fish Conservancy Lawsuit and the 2023 King Salmon Troll Fishery** -- A 2020 lawsuit won by the Washington-based Wild Fish Conservancy requires a rewrite of the 2019 BiOp which provides Endangered Species Act coverage to all Southeast Alaska's salmon fisheries. The ruling threatened the opening of the 2023 Southeast Alaska 2023 salmon troll season. In its filing, WFC requested that the court suspend the Incidental Take Statement (ITS) for the Southeast troll fishery rather than wait for the revisions to the BiOp. On December 13, 2022, Judge Michelle Peterson agreed with the plaintiffs and issued a second Report and Recommendation to invalidate the ITS. On June 21<sup>st</sup> the 9<sup>th</sup> Circuit Court of Appeals permitted the 2023 fishery to open on time while the court hears the merits of the case. A decision is expected later this year.
- **Rep. Peltola Online Bycatch Survey** – Rep. Peltola has published on her web site an online survey to gather feedback on ideas to reduce salmon bycatch. Ideas she has listed include -- increasing funding for gear research; lowering caps on allowable bycatch; decarbonizing the fishing fleet; increasing trawl fleet monitoring; mandating 100% catch retention; applying penalty fees or taxes for bycatch; and providing incentives for innovative bycatch reduction techniques with a box to make other suggestions. The link to the survey is here -- <https://peltola.house.gov/forms/form/?ID=4>

- **Alaska Salmon Research Task Force:** NOAA has made the appointments to the 19-member Task Force. The Delegation issued a press release welcoming the appointments and will be monitoring its progress closely. Its responsibilities include -- reviewing and reporting on research about Pacific salmon in Alaska; prioritizing scientific research needs for Pacific salmon in Alaska; identifying applied research needed to better understand salmon migration and declining salmon returns in some regions of Alaska; and supporting collaboration and coordination for Pacific salmon conservation efforts in Alaska. In addition to the Task Force, NOAA has created a Yukon/Kuskokwim working group. NOAA has created a separate web page for the Task Force which includes a list of its members -- <https://www.fisheries.noaa.gov/alaska/ecosystems/alaska-salmon-research-task-force>
- **National Seafood Supply Act:** Senator Sullivan has introduced legislation to expand the eligibility for USDA farm loans to include commercial fishing. It also modifies the country-of-origin labeling requirements to include cooked king and tanner crab, as well as cooked and canned salmon.
- **United States-Russian Federation Seafood Reciprocity Act:** Senators Sullivan and Murkowski (Rep. Peltola is the cosponsor of the House counterpart bill) have introduced a bill that would prohibit the importation of seafood and seafood products from Russia. The bill would also block Russian seafood that has been substantially transformed in another country through reprocessing.
- **Wild USA Seafood Act:** Senators Murkowski and Sullivan have introduced a bill that expands USDA's role in supporting U.S. seafood through establishing use of a "wild American/USA seafood" label.
- **Heart of the Ocean "PRIME" Alaska Marine Sanctuary** – In a July hearing on the NOAA budget and in response to a question from Senator Sullivan, NOAA Administrator Spinrad stated that the agency has "no plans to initiate the designation process." for the HOA proposal.
- **NOAA Organic Act** -- On June 9<sup>th</sup> House Science Committee Chairman Frank Lucas (R-3<sup>rd</sup>-OK) formally introduced the "NOAA Act of 2023" with 14 Republican co-sponsors. The bill removes NOAA from the Department of Commerce and makes it an independent entity like the EPA & NASA. The bill has a heavy weather/space focus and calls for a NAS study to potentially shift all ESA/MMPA responsibilities from NOAA to another agency/department.
- **NOAA EEJ Strategy:** On May 22<sup>nd</sup> NOAA Fisheries released its first-ever national [Equity and Environmental Justice \(EEJ\) Strategy](#). According to the Agency, this strategy reflects a "deep commitment to advancing equity and environmental justice, including equal treatment, opportunities, and environmental benefits for all people and communities, while building on continuing efforts and partnerships with underserved and underrepresented communities. We make that commitment tangible by describing the

path that NOAA Fisheries will take to incorporate equity and environmental justice into the vital services we provide to all communities.”

- **NOAA To Revise National Standard Guidelines for 4, 8 & 9** -- NOAA is considering revising the implementing guidelines for National Standards 4 (allocation), 8 (impacts to communities), or 9 (bycatch, including “practicability” standard), of the Magnuson-Stevens Fishery Conservation and Management Act (MSA). Agency issued a Notice of Proposed Rulemaking (AMPR) on May 15<sup>th</sup> (See 88 FR 30934) to take comments from interested stakeholders to help decide if revisions are necessary. The agency has indicated the goals of this ANPR will be two-fold: 1) To receive public input on the current National Standard 4, 8, and 9 guidelines and areas/issues that may benefit from further consideration and/or revisions, as appropriate; and 2) To ensure the National Standard 4, 8, and 9 guidelines remain relevant given existing and emerging issues facing U.S. fisheries management.
- **Report on Conserved Areas in the U.S. EEZ** -- On June 14<sup>th</sup> the Regional Fishery Management Councils formally released a synthesis of conservation areas in the US EEZ. The report, titled [An Evaluation of Conservation Areas in the U.S. Exclusive Economic Zone](#), identifies 648 conservation areas covering 72% or nearly 3.4 million acres of federal waters. According to the Councils Coordinating Committee, the report was developed with the goal of identifying conservation areas that should be included in the American Conservation and Stewardship Atlas (Atlas) being developed by the Biden Administration as part of the “America the Beautiful initiative”, which aims to conserve at least 30% of U.S. lands and waters by 2030. For more information visit the CCC [Area-Based Management webpage](#).
- **Ocean Innovation Legislation** – Senator Murkowski has introduced legislation whose purpose it to establish Ocean Innovation Clusters to strengthen the coastal communities and the ocean economy of the United States through technological research and development, job training, and cross-sector partnerships.
- **NOAA Climate Governance:** On 9/27/23 NOAA will hold a national webinar on Draft Fisheries Climate Governance Policy Procedural Directive for MSA 304(f); RFMC geographic authority. The agency will accept public comments to 11/17/23.
- **ARCTIC Act:** On 7/18/23 the “*Improving Agriculture, Research, Cultivation, Timber & Indigenous Commodities*” (ARCTIC Act) was introduced by Sen. Murkowski) to expand USDA’s support for domestic seafood; with S.2182 “Wild USA Seafood Act” (by Sens. Sullivan/Murkowski); for wild caught/GMO labels, processor grants/USDA assistance. We understand these pieces of legislation may become amendments to the 2023 FARM bill.
- **AIS Legislation:** On 7/26/23 the Senate Homeland Security Committee passed S.2248, “*Vessel Tracking for Sanctions Enforcement Act of 2023*” (Sen. Hassan, NH-D) requiring CBP/NOAA establish a 4-yr pilot program to identify vessels that disable/manipulate AIS



transponders. AIS is currently required on vessels  $\geq 65$ -ft operating in the US EEZ, including on domestic commercial fishing vessels.

- **National Seafood Strategy:** On 8/9/23 NOAA published the final and 1<sup>st</sup> ever National Seafood Strategy to help the domestic commercial fishing/seafood sector.
- **North Pacific Humpback Stocks:** In August NOAA issued its final 2022 MMPA Stock Assessment Reports (SARs) for North Pacific Humpback whales. The number of stock units increased from 3 stocks to 5, with 4 of the stocks being considered “strategic”. These new stock delineations could precipitate NGO litigation and complicate the management situation in the region.
  - Former Central NP & West NP (AK) and CA/OR/WA (Pacific) become...
  - WNP + HI + Mex/NP (AK); Cent. Ameri/So. Mex (CA/OR/WA); Mainland Mex/CA/OR/WA (Pacific)
- **Ballast Water Management:** In December 2018 passage of P.L. 115-282 required the EPA within 2-yrs to create national ballast water management standards, incl. on commercial fishing vessels. Ballast water is defined broadly as “any liquid, carried in any manner, that may affect stability.” and thus, could include ice, ice-sea water slurry, and recirculating ambient seawater taken on board a commercial fishing vessel. In late July the EPA submitted a Supplemental Rule to OMB for review. The SR will be out for public comment in the fall with a final rule expected by the end of the year.

**City of Whittier**  
**State of Alaska**  
**Interim Update**

*August 27, 2023*

**Administration**

***Governor's Office:***  
**Governor's Press Releases ~**

***Governor Appoints Jason Brune to Alaska Permanent Fund Corporation Board of Trustees***

August 22, 2023 (Anchorage, AK) - Governor Mike Dunleavy today appointed Jason Brune to the public seat on the Alaska Permanent Fund Corporation (APFC) Board of Trustees.

Brune is no stranger to state government or the APFC board. He most recently served as commissioner of the Alaska Department of Environmental Conservation (DEC) and occupied the seat on the APFC board assigned to the DEC commissioner.

He replaces outgoing trustee Steve Rieger. Governor Dunleavy thanks Mr. Rieger for his dedicated public service as a trustee and to the State of Alaska.

Mr. Brune's four year term on the APFC board of trustees takes effect immediately.

***Governor Mike Dunleavy Welcomes Dr. Ben Carson to Alaska***

Monday, August 21, 2023 (Wasilla, AK) – Today Governor Mike Dunleavy welcomed Dr. Ben Carson to Alaska. The Governor and Dr. Carson visited Iditarod Elementary School in Wasilla where the school held an assembly to hear from Dr. Carson about the American Cornerstone Institute's Little Patriot's curriculum.

Dr. Carson is the Founder and Chairman of American Cornerstone Institute and a globally renowned neurosurgeon. After retiring as a surgeon, Dr. Carson was a candidate for President of the United States and later served as the 17th Secretary of the U.S. Department of Housing and Urban Development.

"It was an honor to visit with Dr. Carson. His life is a testament to the American dream. I know that all the students who were able to meet with him are inspired by his story," said Governor Mike Dunleavy. "Dr. Carson's story is an inspiration for all of us!"

"I want to thank Governor Dunleavy for welcoming me to the beautiful state of Alaska," said Dr. Ben Carson, Founder and Chairman of the American Cornerstone Institute. "This state has always been seen as a symbol of freedom and opportunity throughout our great nation and the Governor's focus on thoroughly educating its youth will ensure it remains that way for generations to come."

Agencies Announcements~  
Press Releases/Reports/Public Notices:

**Alaska Energy Security Task Force Subcommittee: Incentives and Subsidies, will hold meetings between August 21 and October 30, 2023. Subcommittee**

Please note the Incentives and Subsidies Subcommittee of the Alaska Energy Security Task Force will hold virtual meetings every Monday, 8:00 am – 9:00 am, between August 21 and October 30, 2023 as follows:

Monday, August 21, 2023, 8:00 am -9:00 am

Monday, August 28, 2023, 8:00 am -9:00 am

Monday, September 4, 2023, 8:00 am -9:00 am

Monday, September 11, 2023, 8:00 am -9:00 am

Monday, September 18, 2023, 8:00 am -9:00 am

Monday, September 25, 2023, 8:00 am -9:00 am

Monday, October 2, 2023, 8:00 am -9:00 am

Monday, October 9, 2023, 8:00 am -9:00 am

Monday, October 16, 2023, 8:00 am -9:00 am

Monday, October 23, 2023, 8:00 am -9:00 am

Monday, October 30, 2023, 8:00 am – 9:00 am

The Agenda for the meeting will be available prior to the meeting by visiting the Alaska Energy Security Task Force Subcommittee web page: Alaska Energy Security Task Force Subcommittee.

<https://aws.state.ak.us/OnlinePublicNotices/Notices/View.aspx?id=212224>

**Special Meeting of the Statewide Broadband Advisory Board**

THE DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT, ALASKA BROADBAND OFFICE, HEREBY ANNOUNCES THE FORTHCOMING TELECONFERENCE/VIDEOCONFERENCE:

STATEWIDE BROADBAND ADVISORY BOARD. August 28, 2023, from 10:00 am - 11:00

am. Teleconference/videoconference to conduct a special meeting to review items and conduct business.

If you're interested in attending, the videoconference details to join via Microsoft Teams are as follows:

[https://teams.microsoft.com/I/meetup-](https://teams.microsoft.com/I/meetup-join/19:meeting_nji1odizzjgtnmu3mi00ztyoltk2zdytmdjlmjqonwq3ndfj@thread.v2/o?context={\)

[join/19:meeting\\_nji1odizzjgtnmu3mi00ztyoltk2zdytmdjlmjqonwq3ndfj@thread.v2/o?context={\"tid\":\"20030bf6-7ad9-42f7-9273-59ea83fca38\", \"oid\":\"6709944e-57b2-48b4-a7b2-10824863adee\"}](https://teams.microsoft.com/I/meetup-join/19:meeting_nji1odizzjgtnmu3mi00ztyoltk2zdytmdjlmjqonwq3ndfj@thread.v2/o?context={\)

Meeting ID: 259 703 619 329, Passcode: WLwGXQ

Call In at 907-202-7104; Phone ID: 187 438 239#

<https://aws.state.ak.us/OnlinePublicNotices/Notices/View.aspx?id=212281>

## **Major News Articles / Political Items of Interest**

### Fishing

#### **Salmon disaster**

Pink prices could fall to 10 cents a pound What began as a bad Alaska salmon season has suddenly gotten a whole lot worse. And no, it isn't about "Otis" or any [...]

OPINION: Alaska's fishery outlook is darker than the state claims

By Nancy Hillstrand

In his July 24 opinion, Commissioner Doug Vincent-Lang of the Alaska Department of Fish and

Game [used marketing slogans](#) to show how great Alaska fisheries fare under Fish and Game

management. Meanwhile, the entire Arctic-Yukon-Kuskokwim, or AYK, region has had severe reductions or closures because of extreme salmon declines [on the edge of collapse](#).

<https://www.adn.com/opinions/2023/08/15/opinion-alaskas-fishery-outlook-is-darker-than-the-state-claims/>

### Health

**Study: Different populations in Alaska have some of nation's highest and lowest death rates by cause**

Alaska Natives in certain rural areas of the state have the nation's highest death rates from suicide and domestic violence and some of the highest rates of accidental deaths, while Asians and Latinos in the state have some of the nation's lowest rates for deaths from a wide variety of conditions like heart disease and respiratory disorders, according to a [new study](https://www.adn.com/alaska-news/2023/08/05/study-different-populations-in-alaska-have-some-of-nations-highest-and-lowest-death-rates-by-cause/). <https://www.adn.com/alaska-news/2023/08/05/study-different-populations-in-alaska-have-some-of-nations-highest-and-lowest-death-rates-by-cause/>

### **EDITORIAL: The danger of ignoring Alaska's mental health needs**

It was a nightmare scenario for Anchorage hikers: A dangerous, clearly unwell man assaulting trail users for days near a popular trailhead. Fortunately, no one was seriously hurt, and the man — 38-year-old Sean Ahmed — was [apprehended by police](https://www.adn.com/opinions/editorials/2023/08/05/editorial-the-danger-of-ignoring-alaskas-mental-health-needs/) and booked before his accosting of hikers grew more violent. But just a day later, owing to miscommunication between state and municipal prosecutors, Ahmed was [back out on the trail](https://www.adn.com/opinions/editorials/2023/08/05/editorial-the-danger-of-ignoring-alaskas-mental-health-needs/) and once again endangering those who came to the area to recreate. <https://www.adn.com/opinions/editorials/2023/08/05/editorial-the-danger-of-ignoring-alaskas-mental-health-needs/>

### **Thousands of Alaskans dropped from Medicaid after pandemic protections end**

The number of Alaskans covered by Medicaid has dropped by more than 14,000 since April, after federal protections in response to the COVID-19 pandemic ended. This number may increase as the state continues the process of determining who is still eligible, which was halted during the national emergency declaration.

<https://www.ktoo.org/2023/08/23/thousands-of-alaskans-dropped-from-medicaid-after-pandemic-protections-end/>

### **Education**

### **Alaska's student absenteeism was worst in nation during the 2021-22 school year**

Alaska students were absent from school at a higher rate than in any other state during the 2021-2022 school year, according to an [analysis out Friday from the Associated Press](https://www.ktoo.org/2023/08/15/alaskas-student-absenteeism-was-worst-in-nation-during-the-2021-22-school-year/). The AP says nearly half of Alaska students missed at least 10% of the school year, which is considered chronic absenteeism.

<https://www.ktoo.org/2023/08/15/alaskas-student-absenteeism-was-worst-in-nation-during-the-2021-22-school-year/>

### **For many home-schoolers, parents are no longer doing the teaching**

Her program is part of a company called Prenda, which last year served about 2,000 students across several states. It connects home-school families with microschool leaders who host students, often in their homes. It's like Airbnb for education, says Prenda's CEO, because its website allows customers - in this case, parents - to enter their criteria, search and make a match.

<https://www.adn.com/nation-world/2023/08/18/for-many-home-schoolers-parents-are-no-longer-doing-the-teaching/#>

### **Business/Economy**

### **Amid a statewide labor shortage, Alaska builders are delaying projects and relying on Outside workers**

The custom homes that Bill Taylor builds in Anchorage can now take a full year to complete, twice as long as they once did, because workers are hard to find amid a labor shortage that's predicted to get worse.

<https://www.adn.com/business-economy/2023/08/08/amid-a-statewide-labor-shortage-alaska-builders-are-delaying-projects-and-pushing-work-outside/>

### **Alaska construction employment statistics show uneven post-pandemic recovery, wage deflation**

The Alaska construction industry lost 3.6% of its jobs in 2020, the first year of the pandemic, compared with the overall state job loss that year of 8%, said the report, published in the August edition of Alaska Economic Trends, the monthly magazine of the Alaska Department of Labor and Workforce Development's research division. By 2022, the industry had regained only about half of the jobs it had lost in the COVID-19 era, according to the article.

<https://www.kinyradio.com/news/news-of-the-north/alaska-construction-employment-statistics-show-uneven-post-pandemic-recovery-wage-deflation/>

### **A year after passage, landmark climate law is creating a 'different world' for Alaska renewables**

A year after the Biden administration's signature climate bill passed, Alaska renewable energy industry observers say the law is beginning to jump-start new development in the state. <https://www.adn.com/business-economy/energy/2023/08/13/a-year-after-passage-landmark-climate-law-is-creating-a-different-world-for-alaska-renewables/>

### **July jobs up 1.0 percent from July 2022**

July's statewide job count was up by 3,600, or 1.0 percent, from July 2022.

Leisure and hospitality added 2,100 jobs over the year, benefitting from a record-setting number of cruise ship visitors. Health care added 600 jobs, followed by oil and gas (400) and professional and business services (400). <https://www.kinyradio.com/news/news-of-the-north/july-jobs-up-1-0-percent-from-july-2022/>

### **Business leaders say Alaska's child care crisis is hurting employers and economy**

Alaska business experts say the ongoing child care crisis is hurting the state's employers and the economy. "This is a problem that is impacting their bottom line," said Kati Capozzi, president of the Alaska Chamber, the state's largest business advocacy group. "It's impacting their ability to recruit and retain. It's impacting the morale and the happiness of the employee." <https://www.ktoo.org/2023/08/25/business-leaders-say-alaskas-child-care-crisis-is-hurting-employers-and-economy/>

### **The final frontier**

Billions for old when new appears cheaper Residents of remote villages in rural Alaska are singing the praises of Starlink – a SpaceX satellite array that beams the internet to anywhere on [...]

### **State Budget/Programs**

### **Governor's budget director is out**

Neil Steininger, the director of the Office of Management and Budget for Gov. Mike Dunleavy, is leaving the Dunleavy Administration. The administration said it cannot

comment on personnel decisions but the decision appears to be the governor's, and insiders chalk it up to a difference in budget philosophy.

<https://mustreadalaska.com/governors-budget-director-is-out/>

### **Governor's budget director departing**

Neil Steininger is departing as director of the state Office of Management and Budget under Gov. Mike Dunleavy, the latest in a series of staffing changes that have generated controversy in recent months, according to a senior state legislator and media reports.

<https://www.juneauempire.com/news/governors-budget-director-departing/>

### **Fixing the ferry's future: The cost of maintaining an aging fleet**

In evaluating the massive investment the leadership at Alaska Marine Highway System is about to request of state lawmakers via its proposed master plan, consider the health and vitality of two of the fleet's mainliners. <https://www.juneauempire.com/news/fixing-the-ferrys-future-the-cost-of-maintaining-an-aging-fleet/>

### **U.S. transportation secretary touts federal investments in port, ferries during Alaska visit**

Thirty-foot tides, glacial silt and iron-eating microbes were top of mind for U.S.

Transportation Secretary Pete Buttigieg after his visit to the Port of Alaska in Anchorage on Tuesday. <https://www.adn.com/alaska-news/anchorage/2023/08/15/us-transportation-secretary-touts-federal-investments-in-port-ferries-during-alaska-visit/>

### **Two-legged stool**

If federal economists are to be believed, a resurgent tourism industry in the state's national parks might make the tourist hordes more valuable than the state's most valuable commercial salmon fishery and possibly the entire commercial fishing business. The new report concludes the parks generated close to \$2 billion in economic traffic in 2022, [near the \\$2 billion at which a private consultancy pegged the value of the Bristol Bay salmon fishery, the most valuable commercial fishery in the state, in 2021.](https://craigmedred.news/2023/08/24/two-legged-stool/)

<https://craigmedred.news/2023/08/24/two-legged-stool/>

Politics/Policy Calls

### **Transportation Sec. Buttigieg to visit Kotzebue, Anchorage, Juneau**

Secretary of Transportation Pete Buttigieg is the latest member of the Biden Administration to make a trip to Alaska this summer. The diplomacy tours...

### **Who's who: House Committee on Infrastructure, Transportation comes to Anchorage**

Members of the U.S. House Committee on Infrastructure and Transportation will be holding meetings with officials in Alaska this week, including in Kodiak and in Anchorage.

<https://mustreadalaska.com/whos-who-house-committee-on-infrastructure-transportation-comes-to-anchorage/>

### **Fearing a financial 'house on fire,' Stedman warns against overdrawing the Permanent Fund to pay dividends**

Sitka Sen. Bert Stedman says that the Legislature will not allow the earnings reserve of the Alaska Permanent Fund to run dry over the next four years, which would mean no annual dividend check for residents. <https://www.kcaw.org/2023/08/17/fearing-a-financial-house-on-fire-stedman-warns-against-overdrawing-the-permanent-fund-to-pay-dividends/>

<https://www.kcaw.org/2023/08/17/fearing-a-financial-house-on-fire-stedman-warns-against-overdrawing-the-permanent-fund-to-pay-dividends/>

### **Tax Hikes Could Hurt Alaska's Already Struggling Energy Sector, Analysts Warn – Inside Sources**

Facing dropping oil production and a bloated budget, Alaska's state government is considering a new 9.4 percent tax on oil and gas companies making over \$4 million annually. However, energy analysts warn the tax hike would hurt the overall economy and undermine the already-struggling energy sector.

<https://prescottenews.com/index.php/2023/08/24/tax-hikes-could-hurt-alaskas-already-struggling-energy-sector-analysts-warn-inside-sources/>

### **Alaska lieutenant governor disqualifies legislative term-limits ballot measure**

Lt. Gov. Nancy Dahlstrom has rejected a proposed legislative term-limits ballot measure, citing a Department of Law legal analysis that found the measure was likely unconstitutional. <https://www.juneauempire.com/news/alaska-lieutenant-governor-disqualifies-legislative-term-limits-ballot-measure/>





## CITY OF WHITTIER HARBOR INVITATION TO BID A-FLOAT REPLACEMENT

**Proposal Information:** The Whittier Harbor (hereinafter referred to as "CITY"), is seeking proposals from qualified professionals interested in the City of Whittier's *A- Float Replacement* project.

Copies of this Invitation to Bid package may be obtained by written request from:

Shelby Carlson, City Clerk City of Whittier  
660 Whittier Street  
PO Box 608  
Whittier, AK 99693  
Phone (907) 472-2327 Ext 3  
[cityclerk@whittieralaska.gov](mailto:cityclerk@whittieralaska.gov)

**Proposal Requirement:** Before an award is made, proposers, or their agents, are strictly prohibited from contact with CITY staff, unless otherwise designated herein, or appointed Board members. If this condition is violated, CITY may render the Proposal non-responsive. All questions regarding the Request for Proposal should be directed to the City Clerk.

**Proposal Submittal:** All proposals must be received prior to 2:30 p.m. on October 4, 2023. Proposals received will be opened and recorded at that time. Postmarks will not be accepted as proof of receipt. Proposers shall mail or hand deliver proposal packages to the City Clerk at the address listed above.

Gateway to Western Prince William Sound  
P.O. Box 608, Whittier, Alaska 99693 | Phone: 907-472-2327 | Fax: 907-472-2404 |  
[www.whittieralaska.gov](http://www.whittieralaska.gov)

The background is a dark teal color. It features several dark blue silhouettes of people standing in a line, facing right. In the top right corner, there are three yellow stars of different sizes. On the left side, there are several horizontal red lines of varying lengths, resembling the stripes of an American flag.

# Meet the Candidates

Wednesday, September 27

6:00pm | Homeowner's Lounge | BTI