



THE CITY OF WHITTIER

Gateway to Western Prince William Sound

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

**WHITTIER CITY COUNCIL
REGULAR MEETING
TUESDAY, JANUARY 19, 2021
AT 7:00 PM
COUNCIL CHAMBERS
3rd FL. PUBLIC SAFETY BUILDING**

Page #

AGENDA

- 1. CALL TO ORDER**
- 2. OPENING CEREMONY**
- 3. ROLL CALL**
 - A. Council Members Present
 - B. Administration Present
- 4. APPROVAL OF MINUTES**
 - A. December 08, 2020- Special Meeting
 - B. December 15, 2020- Regular Meeting
- 5. APPROVAL OF REGULAR MEETING AGENDA**
- 6. MAYOR'S REPORT**
 - A. Mayor Report – Dave Dickason
 - B. Vice Mayor Report – Peter Denmark
- 7. MANAGER'S REPORT**
 - A. City Manager and Director Reports
- 8. COMMISSION/COMMITTEE REPORTS**
 - A. Planning Commission
 - B. Port & Harbor Commission
 - C. Parks & Recreation Committee
 - D. Whittier Community School
 - E. Prince William Sound Aquaculture Corp.
 - F. Regional Citizen's Advisory Council
- 9. CITIZEN'S COMMENTS ON AGENDA ITEMS NOT SCHEDULED FOR PUBLIC HEARING**
- 10. APPROVAL OF THE CONSENT AGENDA**
- 11. PUBLIC HEARINGS (NON-ORDINANCE)**
- 12. PRESENTATIONS**
 - A. COVID-19 Vaccinations Information – Paul Mueller

13. ORDINANCE

(1st Reading)

A. Ordinance #01-2021- An Ordinance of the City Council of The City of Whittier, Alaska, Amending Whittier Municipal Code Harbor Title 12.04 Section 12.04.030, 12.04.060, 12.04.120, 12.04.160, 12.04.170, to update outdated language in The Port and Harbor Title as discussed with The Port and Harbor Commission.

14. RESOLUTIONS

A. Resolution #01-2021- A Resolution of the City Council of the City of Whittier, Alaska, Establishing a New Internal Service Fund for The Purpose of paying employee compensated absence Liabilities, and appropriating funds.

B. Resolution #02-2021- A Resolution of the City Council of the City of Whittier, Alaska, Establishing the City's 2021 Local Priorities.

C. Resolution #03-2021- A Resolution of the City Council of the City of Whittier, Alaska, Establishing the City's 2021 Federal Legislative Priorities.

D. Resolution #04-2021- A Resolution of the City Council of the City of Whittier, Alaska, Establishing the City's 2021 State Legislative Priorities.

15. UNFINISHED BUSINESS

16. NEW BUSINESS

17. COUNCIL DISCUSSION

18. CITIZEN'S DISCUSSION

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

20. ADJOURNMENT



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**WHITTIER CITY COUNCIL
SPECIAL MEETING
TUESDAY, DECEMBER 8, 2020
6:00 PM
COUNCIL CHAMBERS
PUBLIC SAFETY BUILDING**

MINUTES

1. CALL TO ORDER

Mayor Dave Dickason called the meeting to order at 6:00 p.m.

2. OPENING CEREMONY

Mayor Dave Dickason led the Pledge of Allegiance.

3. ROLL CALL

A. Council members present and establishing a quorum: Peter Denmark, David Pinquoch, Tom Wagner, Victor Shen, Dan Blair, and Dave Dickason

B. Administration Present:

Jim Hunt, City Manager
Annie Reeves, Assistant City Manager
Naelene Matsumiya, City Clerk
Kris Ericinger, Finance Director
Scot Korbe, Public Works Director
Andre Achee, Police Chief
Dave Borg, Harbormaster

Others present: Ted Spencer, Charlene Arneson, Lindsey Erk, and Pat Reeves (Via Microsoft Teams)

4. APPROVAL OF THE EMERGENCY SPECIAL MEETING AGENDA

MOTION: Dan Blair made a motion to approve the Special Meeting Agenda

SECOND: Tom Wagner

DISCUSSION: None

VOTE: Motion passed unanimously

5. ORDINANCES

Introduction

A. Ord. #05-2020 – An ordinance of the City Council of the City of Whittier, Alaska, Approving the 2021 Budgeted Revenues, Expenditures, Expenses and Interfund Transfers, and

Appropriating Funds

Kris gave a presentation on the budget, made comparisons to 2020's budget. Council asked about sales tax and other taxes and what has been and will be forecasted. Kris answered several more questions from the Council.

MOTION: Dan Blair made a motion to schedule a public hearing for Ordinance #05-2020 at the next regular meeting.

SECOND: Victor Shen

DISCUSSION: None

VOTE: Motion passed, 4-2

6. RESOLUTIONS

A. Resolution #31-2020 – A Resolution of the City Council of the City of Whittier, Alaska, Adopting Budget Policies to Guide the City Toward Improved Financial Stability

Council discussed the resolution with Kris, made recommendations to the language.

MOTION: Peter Denmark made a motion to adopt Res. #31-2020

SECOND: Tom Wagner

DISCUSSION: None

VOTE: Motion passed unanimously

B. Res. 32-2020 – A Resolution of the City Council of the City of Whittier, Alaska, Authorizing a Cost-of-Living Increase of 1.39% Effective January 10, 2021 and Amending the Pay Scale Accordingly

Council discussed the resolution at length with administration. Kris and Andre addressed concerns from the Council

MOTION: Victor Shen made a motion to adopt Res. #32-2020

SECOND: Tom Wagner

DISCUSSION: None

VOTE: Motion failed, 3-3

7. COUNCIL DISCUSSION

Council discussed the following:

City Manager Review

Marsten Land Transfer

8. CITIZEN'S DISCUSSION

None

9. ADJOURNMENT

All were in favor of adjourning the meeting at 8:26 p.m.

ATTEST:

Naelene Matsumiya
City Clerk

Dave Dickason
Mayor



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**WHITTIER CITY COUNCIL
REGULAR MEETING
TUESDAY DECEMBER 15, 2020
7:00 PM
COUNCIL CHAMBERS
PUBLIC SAFETY BUILDING**

MINUTES

1. CALL TO ORDER

Mayor Dave Dickason called the meeting to order at 7:07 p.m.

2. OPENING CEREMONY

Mayor Dave Dickason led the Pledge of Allegiance.

3. ROLL CALL

A. Council members present and establishing a quorum: David Pinquoch, Victor Shen, Tom Wagner Dan Blair, Monty Irvin, Peter Denmark, and Dave Dickason.

B. Administration Present:

Jim Hunt, City Manager
Annie Reeves, Asstaant City Manager
Naelene Matsumiya, City Clerk
Kris Erchinger, Finance Director
Scott Korbe, Public Works Director
Andre Achee, Police Chief
Dave Borg, Harbormaster

Others Present: Sean Baski, Eric Swedberg, Travis Holmes, Pat Reeves, Alice Rademacher, Matthew Stone, Time Wieland, Cathy McCord, Lisa Kruse, Lindsey Erk, Nick Olzenak, Christine Wieland, Kelly bender, Mike Bender, Andrea Korbe, Todd Perez, and Jenessa Lorenz

4. APPROVAL OF MINUTES

November 17, 2020 Regular Meeting Minutes
November 23, 2020 Special Meeting Minutes

MOTION: Dan Blair made a motion to approve the minutes.

SECOND: Monty Irvin

DISCUSSION: None

VOTE: Motion passed unanimously

5. APPROVAL OF THE REGULAR MEETING AGENDA

MOTION: Victor Shen made a motion to approve the Regular Meeting Agenda as is.

SECOND: Dan Blair

DISCUSSION: Add Presentation Item: Seward 75-90 Highway Project Update and move presentation item to 5a.

VOTE: Motion passed unanimously.

6. MAYOR'S REPORT

A. Mayor Report

Nothing new to report.

B. Vice Mayor Report

Nothing new to report.

7. MANAGER'S REPORT

A. City Manager and Director Reports- Jim Hunt

Jim and directors reported on the following:

Whittier wells project

Harbor office reopening

8. COMMISSION/COMMITTEE REPORTS

A. Planning Commission

Nothing new to report

B. Port & Harbor Commission

Nothing new to report

C. Parks & Recreation Committee

Victor Shen advertised that the Committee is still looking for volunteers to advocate trails.

D. Whittier Community School

Tim Wieland thanked parents in their efforts to support online learning and Victor Shen as well for offering lessons virtually for the shop class. He reported that the Thanksgiving meal deliveries will be postponed until further notice and that in-school sessions are expected to resume after Christmas break, depending on circumstances.

E. Prince William Sound Aquaculture Corp.

Nothing new to report

F. Regional Citizen's Advisory Council

Mike Bender reported that the advisory Council is in the process of prioritizing their budget.

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

10. APPROVAL OF CONSENT CALENDAR

- A. Liquor License Renewal, Sportsman's Inn – 1074
- B. Liquor License Renewal, Inn at Whittier – 4924

MOTION: Monty Irvin made a motion to approve the items in the consent calendar

SECOND: Dan Blair

DISCUSSION: None

VOTE: Motion passed, 6-1, Victor Shen recused, declared a conflict of interest

11. PUBLIC HEARINGS (NON-ORDINANCE)

None

12. PRESENTATIONS

Sean Baski and other members of the DOT gave a brief update on the Seward 75-90 Highway Project. Answered questions. Council thanked Sean and his team for the information.

13. ORDINANCES

(2nd Reading)

A. Ord. #05-2020 – An Ordinance of the City Council of the City of Whittier, Alaska, Approving the 2021 Budgeted Revenues, Expenditures/Expenses and Interfund Transfer, and Appropriating Funds

MOTION: Dan Blair made a motion to open the public hearing for public testimony at 7:34 pm

SECOND: Monty Irvin

DISCUSSION: None

VOTE: Motion passed unanimously

Kelly Bender, Todd Perez, and Nick Olzenak gave public testimony speaking in favor of the proposed 2021 budget.

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

SECOND: Monty Irvin

DISCUSSION: None

VOTE: Motion passed unanimously

Council expressed some concerns in areas such as the Public Safety Department and the Harbor. They discussed future projects and its impact on the budget. Kris addressed the concerns and Council offered minor amendments. Council discussion ensued. Council thanked Kris for her work in the budget.

MOTION: Dan Blair made a motion to close the public hearing at 8:21pm

SECOND: Peter Denmark

DISCUSSION: None

VOTE: Motion passed unanimously

MOTION: Victor Shen made a motion to adopt Ordinance #05-2020 with the amendments

SECOND: Victor Shen

DISCUSSION: None

VOTE: Motion passed, 5-2

14. RESOLUTIONS

A. Res. #33-2020 – A Resolution of The City Council of The City of Whittier, Alaska, Adopting an Alternative Allocation Method for the FY2021 Shared Fisheries Business Tax Program and Certifying that this Allocation Method fairly Represents the Distribution of Significant Effects of Fisheries Business Activity in Fisheries Management Area 15 – Prince William Sound

MOTION: David Pinquoch made a motion to adopt Res. #33-2020

SECOND: Monty Irvin

DISCUSSION: None

VOTE: Motion passed unanimously

15. UNFINISHED BUSINESS

16. NEW BUSINESS

17. COUNCIL DISCUSSION

Council Discussed the following:

Priorities

Harbor Fee Schedule

18. CITIZEN'S DISCUSSION

Kelly Bender advertised that on January 14, a presentation for the Barry Arm Landslide will be held to share information to the public. The event will be held from 1-4pm

Andre informed that there was a switch-over for fire apparatus in the Fire/EMS department

Nick Olzenak commended the Public Works Department for plowing the streets of Whittier.

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

None

20. ADJOURNMENT

Council adjourned the meeting at 8:42pm

ATTEST:

Naelene Matsumiya
City Clerk

Dave Dickason
Mayor

Memo

Date: January 19, 2021
To: Whittier City Council and Administration
From: Dave Dickason
Subject: Mayor's Report – December/January

Meetings Attended:

- Port and Harbor Meeting January 7th
- Barry Arm Landslide Learning Session January 14th

Upcoming Schedule:

- Feb. 3rd, 6:00 PM: Planning & Zoning
- Feb. 4th, 6:00 PM: Ports & Harbor
- Feb. 16th, 7:00 PM: Regular Council Mtg.

Follow-up:

CARES ACT Fund Status
Budget Review
Future Land-use Development Plan
Public Safety: Improvement of Dispatch Services

Open Goals:

SHORT TERM

- ARRC Land Transfer presentation to Legislature
- Policies and Procedures / Code Update
- Lease Standardization & Enforcement: Some enforcement currently taking place.

MID TERM

- DOD Tank-Farm Land Transfer of 58 Acres
- Community Park Construction Funding (PWSED helping to seek grant funding)
- Determine Funding for Final Harbor Construction Phase

LONG TERM

- Shotgun Cove Road Extension
- Head of Bay Development
- Buckner Building: Environmental Remediation.

January 2021 City Manager Report
Regular Council Meeting

Regularly attended State COVID conference calls

Reviewed Leg Presentation on Railroad

Communicated with city attorney

Regular contact with state lobbyist

Regular contact with federal lobbyists

Having been working nearly daily with Paul Mueller regarding COVID and vaccines. Public Safety and Critical Workforce personnel have begun receiving the vaccine

2nd Floor of Public Safety Building near clinic set up for “patients” to receive vaccinations

New ambulance ordered

There may be opportunities for water/wastewater in new Omnibus Bill that was just passed. Exploring

Recognized Dyanna Pratt for ten years of service to the City of Whittier

Alaska Municipal League conference calls

NOAA Public Meeting regarding the possible Landslide on the 14th January will be “attended” / listened to by Senator Murkowski’s State Director Leila Kimbrell

Update from Fed lobbyists: Senator Murkowski’s staff has said that NOAA HQ has resolved the USFS permit issues on sensor deployment, so the decision is a go but they are going to wait until spring to place the sensors.

Also picked up elsewhere in the Omnibus, the below report language for NOAA’s tsunami program. An additional \$500 K was added to its budget for FY 2021 so Dave Snider will have some additional funds to work with. This is separate from the \$4M plus up for USGS and report directions for their involvement with Barry Arm.

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“Tsunami Preparedness in Alaska - NOAA is directed to work with other relevant Federal agencies, the State of Alaska, local governments, and area stakeholders to actively monitor Barry Glacier in Prince William Sound, Alaska, and tailor, as needed, its early warning tsunami systems to be prepared for a possible landslide-induced tsunami in the area. This effort should include, if appropriate, the deployment of sensors in strategic locations and the development of inundation models to inform emergency planning efforts.”

Although the following ongoing projects by/for Administration were presented to Council in writing a short time back, the projects are listed on mounted boards in the 2nd floor meeting room:

| WATER / WASTEWATER | | |
|---|--|---|
| SHORT | MEDIUM | LONG TERM |
| <ol style="list-style-type: none">1. APPLY FOR / MAINTAIN 301H WATER (ALONG RELEASING TREATED WATER INTO SALT CRACK) EPA INVOLVED, COORDINATE WITH CRW2. COMPLETE RAISING UP STORMS 4 & 5 TO MINIMIZE FLOODING HAZARD3. COMPLETE FLOW CAPACITY / MODERNIZATION REVIEW FOR NEW WELL PLACEMENTS (INCLUDES ASSESSING CAPACITY)4. SEEK FUNDING FOR NEW WELL CONSTRUCTION (NEW SOURCES) | <ol style="list-style-type: none">1. PERMITTING / DESIGN OF TWO NEW WELL PLACEMENTS INCLUDING MODERNIZED CONTROL MANIFOLD BUILDING (BUILDING TO INCLUDE EMERGENCY TOWER) | <ol style="list-style-type: none">1. CONSTRUCTION OF TWO NEW WELLS PLUS CONTROL STATION |

PUBLIC SAFETY

SHORT

1. SET UP ESSENTIAL EQUIPMENT IN PARKER ROOM
2. TRAIN STAFF ON NEW / REINFORCE KEY ACTIVATION (OFFICERS, BOB SCOTT, ANNE JANE)
3. INCREASE POLICE STAFFING
4. INVENTORY PS EQUIPMENT (POLICE/FIRE/EMS)
5. CLEAN/ORGANIZE EVIDENCE ROOM
6. LOOK FOR PR/COMMUNITY OUTREACH OPPORTUNITIES
7. ENFORCE WINTER PRECAUTIONS/VEHICLE REMOVAL FOR PLowing - COMM. OFFICERS/COMMUNITARIANS
8. MOVE/SELL/DISPOSE OF WORKOUT EQUIPMENT
9. OSHA!
10. MONTHLY COM. TO INCLUDE COM.

MEDIUM

1. ENSURE FLEET IS COMPLETELY OPERATIONAL
2. STAFF RADIO TRAINING
3. FIELD OFFICER TRAINING FOR HARPER
4. METHODS OF TEACHING CLASS FOR HERPES
5. GUN RANGE: TAKE WHITTIER OFF SHOOTING SITES.
(BETTER SIGNAGE)
(COMMUNICATION) PLAN
6. COLLABORATE WITH HARPER ON PARKING ENFORCEMENT TURN

LONG-TERM

1. UPDATE/MODERNIZE RADIO EQUIPMENT (CAN UPDATE/REPAIR CURRENT EQUIPMENT)
2. SEEK FUNDING FOR NEW RADIO EQUIPMENT
3. DEVELOP FIRE LINE SUPERVISOR JOB DESCRIPTION
4. HIRE FIRST LINE SUPERVISOR

FIRE/EMS

FIRE

SHORT

1. FIT TEST FOR ALL VOLUNTEERS
2. SWITCH PUMP DEVICES TO 200 PSI
3. ENGINEERING/PLUMBING TRAINING FOR ALL FIREFIGHTERS
4. INSPECT/FIX ENGINE 2
5. HOSE TESTING
6. HYDRANT TESTING

MEDIUM

1. FF2 CLASS 2/1/2021
2. METHODS OF TEACHING CLASSES FOR VOLUNTEERS

LONG-TERM

1. DEVELOP IN-HOUSE FIRE INSTRUCTOR
2. GET EVERY LEVEL TO HAVE AT LEAST 1 LEVEL IN TRAINING/CAPACITY
3. GET VOLUNTEER FIRE CHIEF

EMS

SHORT

1. NEW AMBULANCE PURCHASE
2. COMPLETE EMT TRAINING FOR CURRENT STUDENTS
3. EMT BASIC CLASS
4. INCREASE AMBULANCE AVAILABILITY COLLECTING/REVENUE
5. COMPLETE DOT INSPECTION VISIT

MEDIUM

1. BLS/ALS CLASS FOR PUBLIC
2. ASSESS CONTRACT RELATIONSHIPS FOR UPDATES/CONCURRENCES
3. UPDATE/BUY VOLUNTEER UNIFORMS

LONG-TERM

1. HAVE IN-HOUSE EMS INSTRUCTOR
2. GET EVERY LEVEL TO HAVE AT LEAST 1 LEVEL IN TRAINING/CAPACITY
3. GET EMTs TO TRAINING AT PROPERANCE ETC.

FIRE/EMS GENERAL

1. FIRE/EMS VOLUNTEER GROWTH (AND SOME NEW PLANNING)
2. DEVELOP/IMPLEMENT INTERIM PROCEDURES AND FINANCIAL ACCOUNTABILITY LOGS
3. DEVELOP BETTER DEPARTMENT COMMUNICATIONS

| ADMIN | | |
|---|---|--|
| SHORT | MEDIUM | LONG-TERM |
| 1. LEASES: REPAIR CHART REPAIRED SINCE TRAIL (2011) 2. EMPLOYEE TRAINING (2011) - CHANCE PROMOTION - CHOC CHALLENGES - INTERDISCIPLINARY 3. ACT PHONE LINES (2011) - KRIS - EMS - AMMUNITION 4. SAFETY TRAINING (FOR APRIL) (2011) - WHATS REQUIRED - SCHEDULE 5. JOB DESCRIPTIONS (2011) - UPDATED? SAME FORMAT? 6. BUDGET (KRIS) 7. PRIORITY RESOLUTIONS FOR END-OF-YEAR (LIVE) - CAND? 8. MONTHLY COUNCIL REPORTS (ALC) | 1. LEASES: PAY OUT TERMS FOR COMPLIANCE DOCUMENT (2011) 2. LAND USE PERMITS (2011) - CHOC - CAROL PROFFER TRAINING - PLUS LCA 3. HAZARD INSURANCE - FIND MORE AFFORDABLE OPTIONS (2011) 4. GET FOR NEW APPROVAL COUNCIL 5. VEHICLE REPLACEMENT PLAN (2011/2012) 6. SURPLUS EQUIPMENT SALE | 1. LEASES - UPDATE W/ CFI LANDSCAPE - GET EVERYONE ON SAME INCREASE SCHEDULE 2. REID SALES TAX CODE 3. HEAD OF EMU DEVELOPMENT PROJECT 4. ACQUISITION OF AGRIC LANDS (?) 5. CITY MASTER PLAN 6. PROPERTY TAX FORECLOSURES |

| HARBOR | | |
|--|--|---|
| SHORT | MEDIUM | LONG-TERM |
| 1. SAFETY TRAINING/ COMMUNICATION FOR STAFF 2. CLEANING/PURGING/DECLUTTERING OFFICE SPACES 3. SECURING HARBOR BUILDING (DOORS/LOCKS/ROOF/STRUCTURE) 4. COLLABORATE W/ PUBLIC SAFETY FOR PROPERTY EMERGENCY PLAN 5. INCREASE HARBOR COLLECTORS 6. BETTER SIGNAGE (ENTRANCES) | 1. FEE REVIEW TO COUNCIL 2. IDENTIFY SEASONAL STAFF FOR 2011 3. GET 'G' AND 'H' WATER LINES OPERATIONAL 4. GET 2011 HARBOR HANDBOOK & CODES CHANGES PAGES 5. LEASES - WHO ARE WEAT? - BOOKING/ LINES? - LEASE RATES? 6. ESTABLISH CAMP/PUMP OUT/ WASH DOWNS AREAS AROUND RIVER BUILDING 7. HARBOR SAFETY CAMERAS 8. HARBOR BEAUTIFICATION - WEEDING/MAINTENANCE 9. CLOSING AREA PLAN | 1. BECOME PROFICIENT AT LEASE ENFORCEMENT - WHAT ARE THE EXISTING OBLIGATIONS? - DRAFT LETTERS FOR NOTICE - ENFORCEMENT MECHANISMS? 2. TRASH: REVIEW AND ADJUSTMENT OF LANDFILLER FEES 3. SEED FUNDING/DEVELOP COMPREHENSIVE HARBOR DISTRICT MASTER PLAN (FROM HHS TO SALTYS) 4. COMPREHENSIVE SAFETY PLAN - CAN EMU LANDS BE USED AS MORE OF SAFETY MEASURES - PLAN DEVELOPMENT? |

FINANCE MONTHLY REPORT

December Forward Finance Report – with November PRELIMINARY financials

This report reflects an abbreviated look at finance-related *activities* through the end of December. Financial Report information is provided in the packet through the end of November. All interfund transfers budgeted for 2020 have been entered and posted.

Financial Highlights

General Fund revenue is at 83% of budget through November 30 (92% through the year) with overall *actual* revenues of \$2,397,000, versus *budgeted* revenues of \$2,871,289. This excludes transfers-in from other City Funds. Overall, through November, revenues are under budget by (\$474,289). Transfers-In to the General Fund total \$480,261. Total revenues plus transfers-in equal \$2,877,261 and combined, are at 87% of the annual target.

General Fund revenues have experienced a significant negative impact from the COVID-19 epidemic, with combined revenues from sales tax, fish tax and PTBT coming in at only \$400,434 versus a combined budget of \$1,070,000. On the positive side, a one-time \$98,600 payment made by Whittier Manor reflects their final lease payment prior to assuming ownership of the property, and the sale of condo units in the BTI resulted in surplus sales revenue of \$164,400. Neither of these positive transactions were anticipated within the budget.

General Fund expenditures are at 66% of budget through November 30 (92% through the year), with overall *actual* expenditures of \$2,028,123 versus *budgeted* expenditures of \$3,066,726. This excludes transfers-out to other City Funds. Overall, expenditures are under budget by (\$1,038,603). Transfers-Out from the General Fund total \$372,249. Total expenditures plus transfers-out equal \$2,400,472 and combined, are at 70% of the annual budget.

Through November, the General Fund balance is up by \$476,789.

Given the positive status of our reserves, the administration requests Council indicate whether they support bringing forth a resolution to transfer 100% of the surplus sales revenue in 2020, plus the one-time Whittier Manor lease payment (combined, these total \$263,000) for the purposes of infrastructure projects and/or capital needs.

2021 AUDIT

The tentative dates for the 2021 audit have been set for the week beginning May 17, 2021.

COVID-19 FUNDING STATUS

The City has submitted requests to FEMA for reimbursement of \$122,736.44 in direct COVID-related expenditures through 12/31/2020. FEMA is undergoing a review to determine whether the direct costs are allowable under COVID program rules. We have followed up with documentation to support the purchase of PPE for the ambulance such as face shields, eye wash, oxygen masks, sanitation equipment and consumables, and contracted services such as legal assistance, cleaning, etc. The FEMA program will cover up to 75% of the eligible costs.

The City has submitted requests to the State of Alaska for reimbursement of the full \$902,929 in State Alaska CARES Act funding, including the amount spent on support for local residents and businesses. While the recently passed federal stimulus bill authorized an extension of time in which expenditures can be incurred, most government entities have fully spent their authorized funds in anticipation of the previous deadline for expending funds, of December 30.

GRANTS

Staff continues to spend a significant amount of time complying with granting agency requirements and compliance issues. Work continues on the November 2018 earthquake event with nearly all Project Worksheets (with the exception of PW570 – Well Pump Houses and PW579 – Water System) having been finalized, and now awaiting repair-work bids that fall within available funding. Total State funding authorized to-date for the remaining approved Projects is \$1.12 million. This includes PW571 (Harbor Parking Lot and Road Triangle) with an approved cost of \$139,982; PW572 (Dock Settlement) with an approved cost of \$363,023; PW573 (Sewage Treatment and Tidal Lagoon) with an approved cost of \$92,173; PW574 (Storm Drain Basins and Utility Repairs) with an approved cost of \$246,569; PW575 (Pavilion Repairs) with an approved cost of \$36,900; PW576 (Breakwater Settlement) with an approved cost of \$118,133; PW577 (Kenai Street) with an approved cost of \$69,167; and PW578 (Lift Station 4/5) with an approved cost of \$54,271. The City received bids for the repair work and the bids came in significantly higher than available funding. Therefore, the City will work to value engineer the projects to determine whether costs can be reduced and/or whether and when the project can be re-bid.

The City continues working with CRW Engineering and subcontractors on the Shotgun Cove Road project. The next phase of grant applications is being accepted in the coming months, and staff will be working to review and respond to grant application opportunities to continue this project.

BUDGET

The 2021 Budget was approved by the City Council at its meeting in November. The budget document should be available for distribution within the next few weeks.

INTERNAL REVENUE SERVICE

We are still awaiting a response from the IRS as to a years-old outstanding matter related to the non-filing of Forms W2 and W3 from 2015 and will inform Council when the issue has had some movement.

NEW BUDGET POLICY DASHBOARD TOOL

We have established a new tool based on Council's passage of Budget Policies on 12/8/2020. This tool can be modified over time to meet Council's preferences and is intended to be a simple means for the Council and the public to see how well we are meeting our goals as set out in the budget policies. Red and the Minus Sign "-" means that we have work to do; Yellow and the Equals Sign "=" means that we are making progress; Green and the Plus Sign "+" means that we are meeting our policy goal.

BUDGET POLICY DASHBOARD:

The purpose of this Dashboard is to assist the Council and Administration in determining how well the City is achieving its budget policy goals. Budget Policies were first adopted by the City Council on 12/8/2020. The Dashboard is a new tool that will be modified over time, to meet the Council's needs.

1 FUND BALANCE POLICY (9-12 months)

Goal is that Unassigned Fund Balance will be equal to between 9 and 12 months of General Fund Expenditures and Transfers-Out:

+

UNASSIGNED RESERVES TARGET:

| | | |
|--------------|----|-----------|
| Lower-Band: | \$ | 2,077,583 |
| Higher-Band: | \$ | 2,770,111 |

Based on:

| | | |
|----------------------------|----|-----------|
| 2021 Budgeted Expenditures | \$ | 2,721,770 |
| 2021 Budgeted T/F-Out | \$ | 48,341 |
| | \$ | 2,770,111 |

Current Unassigned Reserves (thru 11/30/2020) and Projected thru 12/31/2020:

| | | |
|-------------------------------|----|-------------|
| 2019 Audited Unassigned F/B | \$ | 2,584,404 |
| + 2020 Revenue + T/F-In | \$ | 2,877,261 |
| - 2020 Expenditures + T/F-Out | \$ | (2,400,472) |
| + Projected Remaining Rev | \$ | 63,000 |
| - Projected Remaining Exp | \$ | (169,010) |
| | \$ | 2,955,183 |

2 One-Time Revenue Policy

Goal is that one-time revenues (grant admin fees, sales of fixed assets, legal settlements) should be transferred to Capital Replacement Fund and not used to fund operating budget.

-

Note: After year-end, Administration will recommend transfer of any qualifying revenue to Capital Replacement Fund so long as Unassigned Fund Balance is within policy band.

Surplus Sales revenue in 2020 = \$164,400. One-time \$98,600 from Whittier Manor for final lease payment. Combined total of \$263,000 could be transferred to infrastructure/capital equipment Fund.

3 Revenue Stabilization Account Policy

Goal is that Revenue Stabilization account will maintain 10% of revenues or \$255,507 (based on 2021 Budgeted revenue).

-

Note: After year-end, Administration may recommend initial transfer into this account if Unassigned Fund Balance is within policy band.

4 Accrued Leave Funding Policy

Goal is that an Internal Service Fund will be created to accumulate cash to pay for accrued but unused portion of annual leave for General Fund employees, solely for use for payment of accumulated leave.

Note: Administration will bring forward a Resolution in January 2020 to support establishing and retroactively funding this Fund.

5 Capital Replacement Fund Policy

Goal is to designate 50% of prior year annual surplus into the Capital Replacement Fund to finance major capital maintenance and repairs (defined as items > \$20K) in any year where Unassigned Fund Balance is within the band of established policy levels, but where the transfer will not reduce the unassigned F/B down to below 9 months' reserves.

Note: Following annual audit, administration will analyze both Unassigned Fund Balance levels and end-of-year surplus, if any, to determine whether to forward a resolution of request.

6 Sales of General Fixed Assets

Goal is that revenue from sales of General Fixed Assets will be added to the Capital Replacement Fund.

Note: Administration will propose adding revenue from future sales of F/A to Capital Replacement Fund. See Comments in #2 above.

7 Recurring Funding Source for Capital

Goal is to identify recurring specific funding sources to fund Capital needs.

Note: Administration will work with Council to discuss and target specific sources of revenue to fund Capital. One suggestion may be State Community Assistance. Another is found in Budget Policy #5 (50% prior-year surplus).

8 Motor Pool Appropriation Control

Goal is that motor pool reserves be used solely to pay for replacement of existing vehicles and/or heavy equipment.

9 Enterprise Fund Rate Reviews

Harbor, Delong Dock and Water/Sewer rates should be reviewed annually to determine if they are adequate to cover annual operating and capital costs plus the annual cost of depreciation. Tariffs should be adjusted to rise based on CPI annually.

Note: Water/Sewer Tariff was updated to include annual CPI increase.

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10 Enterprise Fund Depreciation (MRRF) Funds

Establish a MRRF Fund for each of our enterprise funds.

Note: Fund 73 is essentially a Harbor MRRF Fund. Fund 50 (W/S) has approximately \$1M in a dedicated investment account. Administration will request Council decision on whether to create a new W/S MRRF Fund and transfer those monies into the new Fund, or whether to create a new Fund and fund it in the future.

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11 Depreciation Funding Policy

Goal is to seek to fund a minimum of 100% of annual depreciation in order to have funds available to replace infrastructure in the future rather than passing along fully depleted assets to the next generation, making for intergenerational inequity.

Note: Administration will work first with Harbor Commission, then through Council, to develop a long-term plan for addressing lack of funding for depreciation.

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12 Tax Cap Policy

Goal is to periodically review (annually) the City's tax cap on sales of items in excess of the cap to ensure that the cap does not erode the City's funding availability over time.

Note: Administration will request input on this issue from Council in Q1 2021.

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Harbormaster's Report

Admin

On the final push for 2021 moorage/annual/waitlist agreements, approximately 75% complete. Last day to turn in renewals, January 15th

Admin staff updating all files pertaining to transient vessel registration forms. This will allow us to better track transient numbers.

Continue to pursue past due payments for the 2020 season, approximately \$18584.03 remains outstanding.

Admin staff will be attending online training being provided by the Alaska Association of Harbormasters and Port Administrators (AAHPA) in mid-January. This will be online and an hour a day for a week.

Harbor Finance gathering information relevant to the DeLong Dock user data for grant opportunities.

Field Operations

Huge thanks to Annie Reeves, Assistance City Manager for conducting safety and security harbor walk during the first week of December!

Many thanks for the support from Public Works, specifically Kyle for conducting snow removal operations during the first week of December!

Kylo has been trained in the use of the city skid steer.

Snow removal and vessel security continue to be the main focus.

Sponsored by: Hunt
Public Hearing Date:
Enactment Date:

**CITY OF WHITTIER, ALASKA
EMERGENCY ORDINANCE 2021-01**

**AN EMERGENCY ORDINANCE RENEWING AND EXTENDING THE CITY
MANAGER'S PROCLAMATION OF A LOCAL EMERGENCY**

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

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

WHEREAS, various organizations, agencies, and local governments throughout the State of Alaska and within the City of Whittier are cancelling or restricting public gatherings, temporarily closing schools and childcare facilities as well as restricting non-essential travel in efforts to contain the virus as the number of COVID-19 cases continues to rise; and

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

WHEREAS, in order to protect public health, welfare, and safety, the City needs flexibility in its meeting and notice protocols as well as in its procurement process for collecting and purchasing emergency supplies; and

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

WHEREAS, Council recognizes the public health emergency created by the COVID-19 outbreak and the imminent harm it continues to pose to the City of Whittier and all members of the Whittier community; and

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

WHEREAS, the City Manager has authority to implement temporary rules and procedures regarding City government organization and operations during an emergency under WMC 2.64.140; and

WHEREAS, the City Manager needs authority to modify and amend meeting, procurement, and other procedures immediately and not after introduction and a public hearing required for non-emergency ordinances to properly respond to the COVID-19 emergency and protect the community from this outbreak,

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

Section 1. The Whittier City Council hereby renews and extends the City Manager's authority to temporarily waive or modify provisions pertaining to scheduling, publication, notice, cancellation, teleconferencing, video conferencing, and other related meeting procedures for all City commission, committee, and Council meetings so long as: 1) the City Manager's actions comply with State law and the grant of authority vested in the City Manager under WMC 2.64 and 2) the City Manager posts notice of all modifications or waivers and the reasons for such modifications or waivers on the City's website no more than 10 business days after implementation. Council may repeal any modification or waiver made by the City Manager under this Ordinance by resolution.

Section 2. The City Council hereby renews and extends its ratification of the proclamation of emergency and, to the extent there is or has been any lapse in Council's declaration of emergency, Council hereby proclaims the existence of a continued and uninterrupted state of local emergency following the City's initial emergency declaration and continuing through the effective dates of this Ordinance.

Section 3. This ordinance is an emergency ordinance, is not permanent in nature, and shall not be codified.

Section 4. This ordinance shall take effect on the day it is enacted and shall expire sixty (60) days after its passage in accordance with WMC 2.08.310.

ENACTED BY THE CITY COUNCIL OF THE CITY OF WHITTIER, ALASKA this 19 day of January, 2021.

THE CITY OF WHITTIER, ALASKA

Dave Dickason, Mayor

AYES:

NOES:

ABSENT:

ABSTAIN:

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

ATTEST:

Naelene Matsumiya
City Clerk

(City Seal)

**CITY OF WHITTIER, ALASKA
ORDINANCE #01-2021**

AN ORDINANCE OF THE CITY COUNCIL OF WHITTIER, ALASKA, AMENDING WHITTIER MUNICIPAL CODE HARBOR TITLE 12.04 SECTIONS 12.04.030, 12.04.060, 12.04.120, 12.04.160, 12.04.170, TO UPDATE OUTDATED LANGUAGE IN THE PORT AND HARBOR TITLE AS DISCUSSED WITH THE PORT AND HARBOR COMMISSION.

WHEREAS, the City of Whittier is the municipal government for Whittier, Alaska; and

WHEREAS, the Port & Harbor Commission has advisory capacity to suggest updates as needed to the harbor code and policies and procedures; and

WHEREAS, the Port and Harbor Commission has met and discussed the changes with the Harbormaster and Assistant City Manager; and

WHEREAS, the Port & Harbor Commission has determined that the needs of the City and Harbor would be better served by having following code provisions updated and implemented; and

WHEREAS, the Whittier City Council has determined that the following amendments in the Harbor title of the Whittier Municipal Code be updated

THE WHITTIER CITY COUNCIL HEREBY ORDAINS;

Section 1: Classification. This ordinance is general and permanent in nature and shall become a part of the Whittier Municipal Code.

Section 2: Amendment of Chapter 12.04.030 Whittier Municipal Code Chapter 12.04.030 is hereby amended to read as follows HARBOR TITLE 12.04 NEEDED CODE CHANGES:

1. 12.04.030 Jurisdiction

- **Current:** The small boat harbor facilities are under the ownership of the State of Alaska Department of Transportation and by the management agreement shall be under the jurisdiction of the Council of the City, who shall have the authority to classify areas of the harbor, set fees for the use of facilities, make rules and regulations for the governance of the harbor, and appoint a Harbormaster to implement this chapter. [Ord. 34, 1986].
- **Change:** The small boat harbor facilities are under the ownership of the ~~State of Alaska Department of Transportation~~ **City of Whittier** and ~~by the management agreement shall be under the jurisdiction of the Council of the City,~~ who shall have the authority to classify areas of the harbor, set fees for the use of facilities, make rules and regulations for the governance of the harbor, and appoint a Harbormaster to implement this chapter.

2. 12.04.060 Implied Agreement

- **Current:** The moorage or use or presence of any boat within the small boat harbor shall constitute an agreement by the owner, operator, master or

managing agent to conform to the provisions of these regulations and any rule, code or order made pursuant thereto. [Ord. 34, 1986].

- **Change:** The moorage, ~~or use~~, or presence of any boat within the small boat harbor shall constitute an agreement by the owner, operator, master, or managing agent to conform to **State and Federal laws**, and the provisions of these regulations and/or any rule, code, or order made pursuant thereto.

3. 12.04.120 Harbor privilege agreement.

- **Current:** A. The harbor privilege agreement shall be signed by the waiting list applicant who must own or retain ownership of at least 51 percent of the vessel to be moored and agree to the terms and provisions thereof. The following terms and provisions shall be made part of the harbor privilege agreement:
- **Change:** The harbor privilege agreement shall be signed by the waiting list applicant who ~~must own or retain ownership of at least 51 percent of the vessel to be moored and agree~~s to the terms and provisions thereof. The following terms and provisions shall be made part of the harbor privilege agreement:

4. 12.04.160 Prohibited Acts.

- **Current:** It is **unlawful** for any person in the boat harbor facilities to:
 - i. A. Operate or to be in the actual control of any boat when under the influence of intoxicating liquor, illicit narcotics, or other dangerous drugs.
 - ii. B. Operate or cause to be operated any boat within the boat harbor facilities that exceeds the posted speed limit or causes a wake or wave action which will damage or endanger, or be likely to endanger, any other boats or any boat harbor facilities, including but not limited to floats, finger floats, other boats or occupants thereof.
 - iii. C. Operate or cause any boat to be operated recklessly or otherwise engage in a course of conduct within the boat harbor facility that is dangerous or a nuisance to persons or property.
 - iv. D. Throw or otherwise cause to be deposited any gasoline, oil, sewage, trash, garbage, or debris of any type into the waters or into the entrance to the boat harbor facilities, nor upon the grounds thereof.
 - v. E. Create or maintain any nuisance within the boat harbor facilities or to become a nuisance thereon.
 - vi. F. Allow dogs or any animals to run at large on any the boat harbor facilities. Dogs must be on a leash and accompanied by the owner who will be responsible for cleaning any offal left by the animal.
 - vii. G. Allow children under the age of 12 years within the float or beach areas of the harbor facilities unless they are accompanied by the parent or other responsible adult.
 - viii. H. Erect, place, post or maintain any advertising matter, other than legal notices, upon any part of the boat harbor facilities without the approval thereof first being obtained from the Harbormaster. All unauthorized advertising and signs shall be removed by the Harbormaster.

- ix. I. Disregard, deface, remove, tamper with, or damage any sign or notice posted by the Harbormaster relating to the use of harbor facilities.
- x. J. Fail to register with the Harbormaster any vessel prior to occupying any of the boat harbor facilities.
- xi. K. Pump bilge containing petroleum products or chemicals or brine tank into boat harbor waters.
- xii. L. Deposit, place or leave any cargo, merchandise, supplies, articles or things upon any float, ramp, decline, walk or other public place within the facility excepting at such places as may be designated as loading areas by the harbor.
- xiii. M. Dump any offal or refuse, including but not limited to, waste materials from canneries, fish processors and other land-based or water-based facilities within the harbor or in such close proximity as to cause overflow or drift of such material into the harbor facilities or the entrance thereto.
- xiv. N. Store any explosives, gasoline or any other flammable substance in drums, cans, or any other type of containers within the boundaries of the boat harbor facilities.
- xv. O. Set any net or fish-taking device within the harbor facility unless it is attended at all times and shall not interfere with the movement of vessels within the harbor.
- xvi. P. Swim, water-ski, or use any unorthodox type of boat, raft, or other device within the harbor.
- xvii. Q. Loiter around the premises of the harbor facility without lawful reason or justification.
- xviii. R. Refuse to comply with any lawful order of the Harbormaster.
- xix. S. Failure to provide designated agent to provide boat care if owner cannot respond to an emergency call within one hour of notification.
- xx. T. In mooring any boat or vessel within the port facilities, the master of the boat or vessel or any person having charge thereof, to leave or permit any fire aboard the vessel or leave unattended fire which creates an unjustifiable risk of harm to person or to property. Heating devices for long-term use such as furnaces, thermostatic controlled heaters, and heat lamps are excluded from this prohibition. Cooking stoves used also as heating units are classified as an unjustifiable risk. An unjustifiable risk is a risk of such nature and degree that a failure to avoid it constitutes a deviation from the standard of care that a reasonable person would observe in the situation.

5. **Change:** 12.04.160 Prohibited Acts **and Penalties.**

- i. A. Operate or to be in the actual control of any boat when under the influence of intoxicating liquor, illicit narcotics, or other dangerous drugs. **A person who violates this provision is subject to a civil penalty of \$500.**
- ii. B. Operate or cause to be operated any boat within the boat harbor facilities that exceeds the posted speed limit or causes a wake or wave action which will damage or endanger, or be likely to endanger, any other boats or any boat harbor facilities, including but not limited to

- floats, finger floats, other boats or occupants thereof. **A person who violates this provision is subject to a civil penalty of \$200.**
- iii. C. Operate or cause any boat to be operated recklessly or otherwise engage in a course of conduct within the boat harbor facility that is dangerous or a nuisance to persons or property. **A person who violates this provision is subject to a civil penalty of \$500.**
 - iv. D. Throw or otherwise cause to be deposited any gasoline, oil, sewage, trash, garbage, or debris of any type into the waters or into the entrance to the boat harbor facilities, nor upon the grounds thereof. **A person who violates this provision is subject to a civil penalty of \$500.**
 - v. E. Create or maintain any nuisance within the boat harbor facilities or to become a nuisance thereon. **A person who violates this provision is subject to a civil penalty of \$500.**
 - vi. F. Allow dogs or any animals to run at large on any the boat harbor facilities. Dogs must be on a leash and accompanied by the owner who will be responsible for cleaning any offal left by the animal. **A person who violates this provision is subject to a civil penalty of \$100.**
 - vii. G. Allow children under the age of 12 years within the float or beach areas of the harbor facilities unless they are accompanied by the parent or other responsible adult.
 - viii. H. Erect, place, post or maintain any advertising matter, other than legal notices, upon any part of the boat harbor facilities without the approval thereof first being obtained from the Harbormaster. All unauthorized advertising and signs shall be removed by the Harbormaster.
 - ix. I. Disregard, deface, remove, tamper with or damage any sign or notice posted by the Harbormaster relating to the use of harbor facilities. **A person who violates this provision is subject to a civil penalty of \$250.**
 - x. J. Fail to register with the Harbormaster any vessel prior to occupying any of the boat harbor facilities **within four (4) hours during normal Harbor business hours. The registration period shall not exceed 24 hours. A person who violates this provision is subject to a civil penalty of \$100.**
 - xi. K. Pump bilge containing petroleum products or chemicals or brine tank into boat harbor waters. **A person who violates this provision is subject to a civil penalty of \$500.**
 - xii. L. Deposit, place or leave any cargo, merchandise, supplies, articles or things upon any float, ramp, decline, walk or other public place within the facility excepting at such places as may be designated as loading areas by the harbor. **A person who violates this provision is subject to a civil penalty of \$50.**
 - xiii. M. Dump any offal or refuse, including but not limited to, waste materials from canneries, fish processors and other land-based or water-based facilities within the harbor or in such close proximity as to cause overflow or drift of such material into the harbor facilities or the entrance thereto. **A person who violates this provision is subject to a civil penalty of \$500.**

- xiv. N. Store any explosives, gasoline or any other flammable substance in drums, cans, or any other type of containers within the boundaries of the boat harbor facilities. **A person who violates this provision is subject to a civil penalty of \$500.**
- xv. O. Set any net or fish-taking device within the harbor facility unless it is attended at all times and shall not interfere with the movement of vessels within the harbor. **A person who violates this provision is subject to a civil penalty of \$250.**
- xvi. P. Swim, water-ski, or use any unorthodox type of boat, raft, or other device within the harbor. **A person who violates this provision is subject to a civil penalty of \$250.**
- xvii. Q. Loiter around the premises of the harbor facility without lawful reason or justification.
- xviii. R. Refuse to comply with any lawful order of the Harbormaster. **A person who violates this provision is subject to a civil penalty of \$500.**
- xix. S. Failure to provide designated agent to provide boat care if owner cannot respond to an emergency call within one hour of notification. **A person who violates this provision is subject to a civil penalty of \$250.**
- xx. T. In mooring any boat or vessel within the port facilities, the master of the boat or vessel or any person having charge thereof, to leave or permit any fire aboard the vessel or leave unattended fire which creates an unjustifiable risk of harm to person or to property. Heating devices for long-term use such as furnaces, thermostatic controlled heaters, and heat lamps are excluded from this prohibition. Cooking stoves used also as heating units are classified as an unjustifiable risk. An unjustifiable risk is a risk of such nature and degree that a failure to avoid it constitutes a deviation from the standard of care that a reasonable person would observe in the situation. **A person who violates this provision is subject to a civil penalty of \$500.**

6. 12.04.170 Acts Prohibited Without Harbormaster Approval

- **Current:** The following acts are prohibited without the prior approval of the Harbormaster:
 - i. A-H (these are okay as is)
 - ii. I. Failure to register within four hours after entering the harbor. [Ord. 34, 1986].
- **Change:** The following acts are prohibited without the prior approval of the Harbormaster:
 - i. ~~I. Failure to register within four hours after entering the harbor.~~ [Ord. 34, 1986].
 - **ANNIE NOTE:** "I" in this section is the same as "J" in 12.04.160 except added the "four hours" language to "J" to keep the intent the same.

7. 12.04.210 Disposition of Impounded Boats and Property

- **Current: A. Vessels may be impounded if:**
 - i. (1) The vessel is within the harbor, including its dry storage areas, and is a derelict or a nuisance as defined in this title.
 - ii. (2) The fees for the vessel (on which the City has a lien) are 60 days delinquent.
 - iii. (3) The vessel is located in the harbor, including its dry storage areas, and is in violation of this title, or a State or Federal law; or
 - iv. (4) The owner, operator, master, or managing agent is not aboard the vessel and the vessel is not properly identified by a name and/or number.
- **Change: A. Vessels may be impounded if:**
 - i. (1) The vessel is within the harbor, including its dry storage areas, and is a derelict or a nuisance as defined in this title.
 - ii. (2) The fees for the vessel (~~on which the City has a lien~~) are 60 days delinquent.
 - iii. (3) The vessel is located in the harbor, including its dry storage areas, and is in violation of this title, or a State or Federal law; or
 - iv. (4) The owner, operator, master, or managing agent is not aboard the vessel and the vessel is not properly identified by a name and/or number.
- **Current: B. Notice to Owner**
 - i. (2) Distribution. The notice of intent to impound shall be at least 21 days before impoundment.
- **Change: (2) Distribution.** The notice of intent to impound shall be at least **10** days before impoundment.
- **Current: C. Hearing**
 - i. (1) Demand for Hearing. The owner, master, or managing agent or any other person in lawful possession of a vessel proposed for impoundment has the right to a pre-impoundment administrative hearing to determine whether there is cause to impound the vessel. Any such person desiring a hearing shall file a written demand with the City Clerk within 10 days after the mailing and posting of the notice of intent to impound.
- **Change: C. Hearing**
 - i. (1) Demand for Hearing. The owner, master, or managing agent or any other person in lawful possession of a vessel proposed for impoundment has the right to a pre-impoundment administrative hearing to determine whether there is cause to impound the vessel. Any such person desiring a hearing shall file a written demand with the City Clerk within **10 business** days after the mailing and posting of the notice of intent to impound.

8. 12.04.230 Violation - Penalty.

- **Current: A.** A person who violates the provisions of this chapter is subject to a civil penalty as set out below for each violation:
 - i. (1) WMC 12.04.140, ~~for~~ for violation - \$25.

- ii. (2) WMC 12.04.160(A), fee for violation - \$50.00
 - iii. (3) WMC 12.04.160(B), fee for violation - \$50.00
 - iv. (4) WMC 12.04.160(C), fee for violation - \$150
 - v. (5) WMC 12.04.160(D), fee for violation - \$150
 - vi. (6) WMC 12.04.160(F), fee for violation - \$25
 - vii. (7) WMC 12.04.160(I), fee for violation - \$25
 - viii. (8) WMC 12.04.160(J), fee for violation - \$25
 - ix. (9) WMC 12.04.160(K), fee for violation - \$150
 - x. (10) WMC 12.04.160(L), fee for violation - \$25
 - xi. (11) WMC 12.04.160(M), fee for violation - \$25
 - xii. (12) WMC 12.04.160(N), fee for violation - \$150
 - xiii. (13) WMC 12.04.160(O), fee for violation - \$25
 - xiv. (14) WMC 12.04.160(P), fee for violation - \$150
 - xv. (15) WMC 12.04.160(R), fee for violation - \$150
 - xvi. (16) WMC 12.04.160(S), fee for violation - \$25
 - xvii. (17) WMC 12.04.160(T), fee for violation - \$150
 - xviii. (18) WMC 12.04.210(A), fee for violation \$75
- **Change:** A. A person who violates the provisions of this chapter is subject to a civil penalty as set out below for each violation:
 - i. ~~(1) WMC 12.04.140, fee for violation - \$25.~~
 - ii. ~~(2) WMC 12.04.160(A), fee for violation - \$50.00~~
 - iii. ~~(3) WMC 12.04.160(B), fee for violation - \$50.00~~
 - iv. ~~(4) WMC 12.04.160(C), fee for violation - \$150~~
 - v. ~~(5) WMC 12.04.160(D), fee for violation - \$150~~
 - vi. ~~(6) WMC 12.04.160(F), fee for violation - \$25~~
 - vii. ~~(7) WMC 12.04.160(I), fee for violation - \$25~~
 - viii. ~~(8) WMC 12.04.160(J), fee for violation - \$25~~
 - ix. ~~(9) WMC 12.04.160(K), fee for violation - \$150~~
 - x. ~~(10) WMC 12.04.160(L), fee for violation - \$25~~
 - xi. ~~(11) WMC 12.04.160(M), fee for violation - \$25~~
 - xii. ~~(12) WMC 12.04.160(N), fee for violation - \$150~~
 - xiii. ~~(13) WMC 12.04.160(O), fee for violation - \$25~~
 - xiv. ~~(14) WMC 12.04.160(P), fee for violation - \$150~~
 - xv. ~~(15) WMC 12.04.160(R), fee for violation - \$150~~
 - xvi. ~~(16) WMC 12.04.160(S), fee for violation - \$25~~
 - xvii. ~~(17) WMC 12.04.160(T), fee for violation - \$150~~
 - xviii. ~~(18) WMC 12.04.210(A), fee for violation \$75~~

Section 3: Effective Date. This ordinance is effective immediately upon adoption.

Introduction date: January 19, 2021

Public Hearing:

ATTEST:

Naelene Matsumiya
City Clerk

Dave Dickason
Mayor

Ayes:
Nays:
Absent:
Abstain:

**CITY OF WHITTIER, ALASKA
RESOLUTION # 01-2021**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WHITTIER,
ALASKA, ESTABLISHING A NEW INTERNAL SERVICE FUND FOR
THE PURPOSE OF PAYING EMPLOYEE COMPENSATED ABSENCE
LIABILITIES, AND APPROPRIATING FUNDS**

WHEREAS, the City Council established Budget Policies when it passed Resolution #31-2020 on December 15, 2020, with the goal of proactively taking steps to strengthen the financial health of the City; and

WHEREAS, Budget Policy Goal #4 is the “Accrued Annual Leave Budget Policy” which recommends creation of an internal service fund to accumulate cash to pay for the accrued but unused portion of annual leave for General Fund employees, where Fund assets are used solely to pay accumulated annual leave; and

WHEREAS, the mandated 2003 implementation of GASB Statement No. 34 resulted in liabilities for the current portion of employee compensated absences (unpaid accrued annual leave) no longer appearing in the financial statements of the General Fund; and

WHEREAS, the impact of these accounting rule changes is that the cash to pay for employee annual leave is no longer set aside to pay liabilities as they are incurred but instead, when an employee terminates employment or cashes out annual leave there is an unanticipated (unbudgeted) increase in General Fund expenditures; and

WHEREAS, this Resolution intends instead, to set aside the cash to pay for General Fund employee annual leave as the benefits are earned; cash will be transferred from the General Fund to the Compensated Absences Fund annually, based on the annual increase or decrease in the value of the annual leave liability; and

WHEREAS, this action will reduce cash in the General Fund but will more accurately reflect the true value of the Fund Balance of the General Fund and when an employee terminates employment or cashes-out annual leave, the financial impact will not adversely affect the General Fund.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Whittier, Alaska that the city manager is authorized to establish a new Compensated Absences Internal Service Fund to accumulate cash to pay employee compensated absences, and to transfer the value of the annual leave liability each year-end between the General Fund and the Compensated Absences Fund, with this resolution being retroactive to December 31, 2020.

PASSED AND APPROVED by a duly constituted quorum of the Whittier City Council this 19th day of January, 2021.

ATTEST:

Naelene Matsumiya
City Clerk

Dave Dickason
Mayor

Ayes:

Nays:

Absent:

Abstain:

**CITY OF WHITTIER, ALASKA
RESOLUTION #02-2021**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WHITTIER, ALASKA,
ESTABLISHING THE CITY'S 2021 LOCAL PRIORITIES**

WHEREAS, in 2020, the Whittier City Council discussed the City's FFY 2021 local priorities;
and

WHEREAS, it is the intent of the City Council to provide the President, Alaska Congressional Delegation, and appropriate federal officials adequate information to represent the desires of the City concerning legislative requests including necessary funding requirements.

NOW, THEREFORE BE IT RESOLVED, by the City Council of Whittier, Alaska that the following Capital Budget priorities are identified as the City of Whittier's local priorities for FFY 2021:

1. Master Lease and Legislature Presentation
2. Economic Development Opportunities
3. Whittier Harbor Improvements

BE IT FURTHER RESOLVED, that the listed local priorities are identified as the City of Whittier's priorities for FY 2021:

BE IT FURTHER RESOLVED that the City Manager is hereby instructed to advise the President, Alaska Congressional Delegation, and appropriate federal officials of the City's legislative priorities and take all appropriate steps to provide background information and testimony in representing the City's best interests.

PASSED AND APPROVED by a duly constituted quorum of the Whittier City Council on this 19th day of January 2021

Introduced by: Jim Hunt

Introduction date: January 19, 2021

**Dave Dickason
Mayor**

ATTEST:

**Naelene Matsumiya
City Clerk**

Ayes:

Nays:

Absent:

Abstain:

**CITY OF WHITTIER, ALASKA
RESOLUTION #03-2021**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WHITTIER, ALASKA,
ESTABLISHING THE CITY'S 2021 FEDERAL LEGISLATIVE PRIORITIES**

WHEREAS, in 2020, the Whittier City Council discussed the City's FFY 2021 federal legislative priorities; and

WHEREAS, it is the intent of the City Council to provide the President, Alaska Congressional Delegation, and appropriate federal officials adequate information to represent the desires of the City concerning legislative requests including necessary funding requirements.

NOW, THEREFORE BE IT RESOLVED, by the City Council of Whittier, Alaska that the following Capital Budget priorities are identified as the City of Whittier's federal legislative priorities for FFY 2021:

1. Shotgun Cove Road
2. MARAD DeLong Dock Replacement Project
3. DoD Land Transfer
4. Head of Passage Canal Project
5. Buckner Building Environmental Remediation
6. Whittier Creek Levee

BE IT FURTHER RESOLVED, that the listed federal legislative priorities are identified as the City of Whittier's priorities for FY 2021:

BE IT FURTHER RESOLVED that the City Manager is hereby instructed to advise the President, Alaska Congressional Delegation, and appropriate federal officials of the City's legislative priorities and take all appropriate steps to provide background information and testimony in representing the City's best interests.

PASSED AND APPROVED by a duly constituted quorum of the Whittier City Council on this 19th day of January 2021

Introduced by: Jim Hunt

Introduction date: January 19, 2021

Dave Dickason
Mayor

ATTEST:

Naelene Matsumiya
City Clerk

Ayes:

Nays:

Absent:

Abstain:

**CITY OF WHITTIER, ALASKA
RESOLUTION #04-2021**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WHITTIER, ALASKA,
ESTABLISHING THE CITY'S 2021 STATE LEGISLATIVE PRIORITIES**

WHEREAS, in 2020, the Whittier City Council discussed the City's FFY 2021 state legislative priorities; and

WHEREAS, it is the intent of the City Council to provide the President, Alaska Congressional Delegation, and appropriate federal officials adequate information to represent the desires of the City concerning legislative requests including necessary funding requirements.

NOW, THEREFORE BE IT RESOLVED, by the City Council of Whittier, Alaska that the following Capital Budget priorities are identified as the City of Whittier state legislative priorities for FFY 2021:

1. Maser Lease and Legislative Presentation
2. Shotgun Cove Road
3. Head of Passage Canal Project
4. Whittier Harbor Improvements
5. Whittier Creek Levee

BE IT FURTHER RESOLVED, that the listed state legislative priorities are identified as the City of Whittier's priorities for FY 2021:

BE IT FURTHER RESOLVED that the City Manager is hereby instructed to advise the President, Alaska Congressional Delegation, and appropriate federal officials of the City's legislative priorities and take all appropriate steps to provide background information and testimony in representing the City's best interests.

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ATTEST:

Naelene Matsumiya
City Clerk

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Abstain: