

THE CITY OF WHITTIER

Gateway to Western Prince William Sound

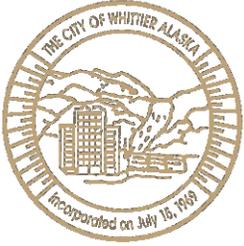
P.O. Box 608 • Whittier, Alaska 99693 • (907) 472-2327 • Fax (907) 472-2404

**WHITTIER CITY COUNCIL
WILL HOLD
A REGULAR MEETING
TUESDAY, MAY 16, 2017
AT 7:00 PM
COUNCIL CHAMBERS
P-12 BUILDING**

AGENDA

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| 2. OPENING CEREMONY | |
| 3. ROLL CALL | |
| A. Council Members Present | |
| B. Administration Present | |
| 4. APPROVAL OF MINUTES | |
| A. April 18, 2017 Regular Meeting Minutes | |
| 5. APPROVAL OF REGULAR MEETING AGENDA | |
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**WHITTIER CITY COUNCIL
REGULAR MEETING
TUESDAY, APRIL 18, 2017
7:00 PM
COUNCIL CHAMBERS
P-12 BUILDING**

MINUTES

1. CALL TO ORDER

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

2. OPENING CEREMONY

Mayor Daniel Blair led the Pledge of Allegiance.

3. ROLL CALL

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

B. Council Members Absent: Debra Hicks

C. Administration Present:

Mark Lynch, City Manager
Jennifer Rogers, City Clerk
Scott Korbe, Public Works Director
David Schofield, Director of Public Safety

Kyle Sinclair, Harbormaster
John Li, Finance Officer
Terry Morrison, Public Safety Bldg. Manager
Katie Davies, City Attorney

Others Present:

Charlene Arneson
Gordon Burton
Greg Clifford
Melody Clifford
Lindsey Erk
Don Stevens
Derick Ames

4. APPROVAL OF MINUTES

March 21, 2017 Regular Meeting Minutes and April 11, 2017 Special Meeting Minutes

MOTION: Dave Pinquoch made a motion to approve the meeting minutes of March 21, 2017 and April 11, 2017 as is.

SECOND: Dave Dickason

DISCUSSION: None

VOTE: Motion passed unanimously

5. APPROVAL OF REGULAR MEETING AGENDA

MOTION: David Pinguoch made a motion to approve the regular meeting agenda with an amendment to move business Items #12 to before Item #5A.

SECOND: Dave Dickason

DISCUSSION: None

VOTE: Motion passed unanimously

6. PRESENTATIONS

A. Gordon Burton with the Department of Transportation, gave a brief verbal presentation on why he believes it is important to proceed with the harbor project at the head of the bay. He provided statistics regarding the capacity of the tunnel staging area.

Building a harbor will attract more boat traffic. It would provide jobs, it would provide a good opportunity for businesses, and it'll give people more opportunities to visit the Prince William Sound.

Gordon Burton answered questions regarding the capacity limits for the traffic numbers.

Don Stevens asked Gordon if it would be possible to have annual passes available for purchase. Gordon replied that that decision would have to be made by someone other than himself.

Peter Denmark praised city staff who shuttled people back and forth from the head of the bay the previous weekend.

7. MAYOR'S REPORT

A. Mayor's Report by Mayor Daniel Blair

Mayor Blair reported that he attended the Prince William Sound Economic Development District meeting and the Greater Whittier Chamber of Commerce meeting in Anchorage. He also stated that he met with the company that will be opening the commercial seafood processing company in Whittier; they'll take over the Great Pacific building. He also attended the local Easter Sunday Service.

He signed the bond series "A" earlier in the day. It will be used to complete the funding for Phase II of the harbor project.

Dave Pinguoch inquired about the rate of the bond. Mark replied that the interest rate changes from year to year, but he was told that the average will be around the 4.1 or 4.2 range. He added that he didn't have the amortization schedule for the final interest rates.

B. Vice Mayor Report by Vice Mayor Dave Pinguoch

None

8. MANAGER'S REPORT

A. City Manager's Report- Mark Lynch

See written manager's report in original council packet.

Mark Lynch reported that he had just returned from his three week vacation. He conducted about two to six hours of city business each day while he was gone which involved a lot of communication regarding the harbor bond.

Mark then went over his written report.

● **Financial Report**

See written report in original council packet.

B. City Attorney's Report

City Attorney, Katie Davies was present and stated that she would be willing to answer any questions. Peter Denmark asked Katie if there were any progress regarding the development of a lease with the Whittier Manor. Katie asked Mark for assistance in answering this question. Mark replied that he gave the lease to Whittier Manor about three or four months ago and he has yet to hear from them.

C. School District Report

Melody Clifford went over her written report.

Mark Lynch asked the council for clarification on whether or not they want him to provide a shuttle service or if they want the hauling of passengers to be left to private businesses. He added that there will be a couple of busy weekends, so he wanted direction on how to handle the situation. Dave Pinquoch replied that there is a private business that will use golf carts to transport people. Mark stated that in order for that business to transport people from the head of the bay, they would have to use the bike/walking path because they can't operate on the highway. Mark added that their drivers need to be trained to give large leeway to people on bicycles or on foot to avoid accidents.

Harbormaster, Kyle Sinclair, added that this business didn't operate the previous weekend because they were waiting to obtain insurance. Victor asked Mark who has ownership of the bike path. Mark replied that he was not sure. Dave Schofield added that he was approached by the business owner last year for the operations of the golf cart, but his business plan was supposed to be a round trip from the parking lot to the launch ramp; at no time did he represent that he would go to the head of the bay and back.

The business path would be Barnette's lot, Whittier Street, crossing into the harbor and then to the harbor. The carts should remain on city roads and off of the highway.

D. Director's Reports

1. Harbormaster's Report

See written report in original council packet.

Derick Ames from Bellingham Marine Industries, gave an update on the harbor project. There was a brief delay when the travel lift went down; so they're about seven business days behind schedule. They'll make it up to the best of their ability by working six days a week. Due to the work of the harbormaster and Scott Korbe, the travel lift is once again operational. All of the fingers from the "C" float are staged in the parking lot for the city to move to the head of the bay. "C" dock is disconnected from the mooring piling and is pushed up against the finger piling. The new dock will be assembled within the next few days.

2. **Public Safety Report- Dave Schofield**

See written report in original council packet.

David Schofield reported that we'll participate in our first nationwide Drug Takeback Day on April 29th. Anyone can drop off prescription drugs and over-the-counter drugs from 10:00 am to 2:00 pm. A box will be placed outside of the clinic. With the exception of inhalers and syringes, anything will be accepted. This is an anonymous program so there will not be an inventory of what is collected. The box will be sealed and taken to town for disposal. Law enforcement will partner with the clinic and the Girdwood clinic for this program.

Dave Dickason asked David Schofield for an update on policing Girdwood. David Schofield replied that things are going well. There has been a decline in calls. He's unsure if it's because they've passed the "testing period", or if it's the time of the year. The Turnagain Arm policing district passed. According to

Dave's understanding, there is a \$50,000 tax annually to send police out from Anchorage as needed. Not for patrols, but for calls and service. Crow Creek is in that district, so Dave is unsure as to how that area will be serviced. Since the contract with Girdwood was signed, Girdwood has expanded their area, but we have not expanded our area. It was written in the contract that we accepted Girdwood with the existing boundaries of the time, so we'll have to renegotiate the new boundaries in the future.

3. Public Works Report- Scott Korbe

See written report in original council packet.

4. Public Safety Building Report

See written report in original council packet.

Terry Morrison stated that the Phase II contract has been easy to administer. There were some concerns with the schedule initially, but those concerns have subsided. The framing on the first floor is complete as well as the design of the second floor. Concrete for the second floor will begin on Thursday.

Dan Blair asked Terry for clarification on the number of people that can be in the building; he asked if it is still at 100. Terry replied that the capacity has been raised. He didn't have an exact number to provide the council at the moment. He met with the fire marshal and the calculations have been based off of the mechanical drawings; the number will be substantially greater than 100.

There was a lengthy discussion regarding the location of the unisex restrooms on the third floor and the wall in the council chambers room. Terry stated that the design for the third floor should be settled soon because that's the only piece that's outstanding right now.

9. COMMISSION/COMMITTEE REPORTS

A. Planning Commission

Planning Commission Chairman, Charlene Arneson, announced that they'll have a big meeting tomorrow night. They have two hearings on the agenda; one is for a variance for Joe Shen and the other is for approval of lots for the Marston property at the head of the bay. Charlene added that with the exception of variances, conditional uses, plat changes, Scott Korbe takes care of almost everything else.

B. Port & Harbor Commission

March 2, 2017 Regular Meeting Minutes were included in the packets.

Port & Harbor Commission member, Greg Clifford, reported that they met earlier in the month, but will not have approved meeting minutes to present to the council until after their next meeting date which is in October.

C. Parks & Recreation Committee

Dave Dickason stated that the Parks & Rec. members are attempting to acquire some lumber for Horsetail Falls Trail for repair work. They also discussed adding a disc golf to the current park. The new addition would be inexpensive and wouldn't interfere with the well houses.

Victor Shen added that June 3rd is National Trails Day and they're hoping to put together an event for that day.

D. Prince William Sound Aquaculture Corp.

Don Stevens reported that he attended a meeting on March 3rd and the next one will be held on October 6th. The general manager will retire effective on June 1st and an interim manager has been appointed. They are in the process of hiring a new manager.

He stated that the fish at Port Towers has not worked out well; the returns have been relatively low so they'll drop that. The same amount of fish at Saint Juan will now become pinks. More chums will be released at Esther because they had a greater return; the chums were released remotely. The corporation has a state loan for \$2 million dollars.

E. Regional Citizen's Advisory Council

No report.

10. CITIZENS COMMENTS ON AGENDA ITEMS NOT SCHEDULED FOR PUBLIC HEARING
None

11. PRESENTATIONS

Moved to Item #5 on the agenda.

12. CONSENT CALENDAR

A. Approval of Liquor License for Swiftwater Seafood Cafe

MOTION: David Pinquoch made a motion to approve the consent agenda which includes the liquor license renewal for Swiftwater Seafood.

SECOND: Dave Dickason

DISCUSSION: None

VOTE: Motion passed unanimously

13. ORDINANCES (Non-Ordinance)

A. Introduction (1st reading)

1. #02-2017 – An Ordinance Amending WMC Chapter 2.10 authorizing a Hearing Officer to Preside in Hearings Regarding Violations of Chapter 2.10 entitled, “Code of Ethics” of the Whittier Municipal Code, Repealing the Board of Ethics, and Updating the Administrative Hearing Process to Create a More Simple Appeal Process.

MOTION: David Pinquoch made a motion to introduce Ordinance #02-2017 and set the public hearing date for May 16, 2017.

SECOND: David Dickason

DISCUSSION: David Pinquoch that there were too many words crossed out on the last page of the draft ordinance, section 2.10.170. He suggested amending the ordinance to include the wording, “to the Mayor and council”.

Dave then asked, “The hearing office does not enact penalties, they deliver to the council and the council has to approve or disapprove what they recommend, correct?” Katie Davies answered that the council will be the body that decides the penalty.

VOTE: Motion passed unanimously

B. Public Hearing (2nd reading)

None

14. RESOLUTIONS

1. Resolution # 09-2017- A resolution supporting funding designated for the design of the Whittier City Park and Creation of a Development Schedule.

MOTION: David Pinguoch made a motion to adopt #09-2017

SECOND: David Dickason

DISCUSSION: David Pinguoch asked for clarification of the resolution since resolutions passed with the wording *development* usually has a monetary figure attached to it. David Dickason replied that it would depend on whether or not they obtained an engineer. The purpose of this resolution is mainly to get the ball rolling so that it will be known if a contracted engineer will be used to assist with the design of the park.

Dave asked, "Does this open us up to an open checkbook for getting this done?" Victor replied that he spoke to an engineer and was given an estimate of \$20,000 to \$30,000 to survey the area. However, he thought a survey of the area had already been done. Mark replied that the area has not been surveyed, and he also received a \$6,000 quote.

Mark would like to send out an RFP in the near future to employ a city engineer that would be used for all projects.

Victor added that they'd like to create a development schedule to show what they want to accomplish over the years.

VOTE: Motion passed unanimously

15. EXECUTIVE SESSION

None

16. UNFINISHED BUSINESS

A. Shotgun Cove Road Project

Not discussed during this meeting.

B. ARRC/COW Land Swap

Mayor Daniel Blair reported that the management agreement with the railroad regarding the DeLong Dock is still in process. The army and railroad need to complete their business before it is presented to the City for negotiation.

Mark Lynch added that the Army Corp of Engineers and the Railroad were given clear instruction that the deed needs to be transferred soon. The City and Railroad do not have any more objections at this point; the deed should have been transferred a month ago. Once it is transferred, a management agreement will need to be in place within six months.

Peter Denmark asked if records are compiled, documenting the bad faith issues and fruitless negotiations. Dan Blair replied that they have been documented.

C. Improve Salmon Sport Fishing in Northwest PWS

Nothing new to report.

D. Public Safety Complex- Phase 2

There was a lengthy discussion about the location of the unisex restrooms, walls of the council chamber room and audio/visuals for the third floor. Victor Shen asked if it would be better to use the school gymnasium for special events instead of using the third floor. Mark Lynch replied that a lot of money was spent when this layout was decided on eight months ago. Dave Pinguoch added that there will be functions where the school will not be able to accommodate the meetings.

Terry Morrison announced that final plans for the third floor needs to be decided soon.

David Pinguoch suggested that department heads create a list of office furniture and equipment, with estimated costs, that they'd like to replace in the new Public Safety Building.

E. Paddle Craft Launch

Nothing new to report.

F. Head of Passage Canal Project

Nothing new to report.

17. NEW BUSINESS

None

18. COUNCIL DISCUSSION

David Pinguoch asked the council to entertain the idea of putting a cap on taxes to create a more kind and friendly city. He stated that other municipalities have done the same and suggested following in their steps. He added that placing a cap on taxes would eliminate valuing a boat. There was further discussion about this topic.

Dave Pinguoch then discussed the head of the bay design. He stated, "We'll lose \$400,000 a year if we try to make the harbor self-sufficient. It doesn't include any buildings at the head of the bay, launch ramps, land to purchase, parking lots, or harbormaster; it's just for the floats that we'll lose \$400,000 each year on today's money."

He added, "The design we're on right now is just the turning basin with a launch ramp. Without paying for the launch ramp, without any land, roads any parking lots, we'll lose \$50,000 a year; that's the number I came up with. Twelve years ago when this concept came around, it was based on we would own that land and we still don't own that land, so I think we need to look heavily at what is this really going to cost us? We got the turning basin for \$8 million dollars. We're spending \$8 million dollars of the public's money up there and we really don't have an end game for the head of the bay. We don't own the land; it's contaminated, we don't know the cost of building the ramps; all that stuff adds up. We don't know if it's going to draw away from the existing harbor and if it does, there's that expense. All that stuff needs to be laid out before we spend more money."

Dave then read out loud a couple of emails and text messages he received this week regarding Whittier projects. Dave Dickason added that this is another example of why we need an assistant manager; we need plans written out on paper.

Mark Lynch added that he feels that the Army Corps of Engineers is close on wrapping up the design phase. "If we instruct them to stop, they'll stop and never come back."

Dave Pinguoch asked who would pay for the project if it doesn't work out. Mayor Blair replied that the boat owners will not pay for it. There was some discussion regarding taking steps towards making the harbor self-sufficient.

Mayor Dan Blair suggested that a flow chart be created to show how the Phase II and Phase III will be financed. Peter Denmark requested to have something in writing that depicts, "What are we doing, where we are at and where are we going." Dan Blair announced that he signed the bond today which stated that we'll pay \$159,000 a year which is based on a twenty year note. Peter stated, "We need to see this on paper. I like it whereas we're developing the harbor, we've already done one phase two years ago, we're doing a phase now and there's a phase for us in the future. I'd like to see it spread out; what we've done,

what we're in the middle of and what we can potentially anticipate for the third phase." He went on to say that he'd like to know where the money is coming from to fund these phases.

Dan explained that half of the \$159,000 would be paid from CVP funds and the other half from the harbor. Peter Denmark reminded the council that he has yet to receive the information he asked for during the February meeting. He asked, "How do we present an action item to the city manager and have it done? Because as far as I'm concerned, if you look at the February minutes, I asked for this bit of homework in conjunction with an accounting spread of the P-12 building, which we got at the last meeting. How is any of us supposed to understand this? We don't have it straight. Whatever the process is, please, let's decide. You want to commit CVP funds for ten years? What does that amount to? A third of the CVP funds for any given year, assuming the cruise ships are still with us in ten years."

Mark added, "You've committed them for twenty; that's already done. That was done by resolutions that were passed several months ago." Peter replied, "All I'm hoping is to get a synopsis of what we've done to let us know what we need to do and where we're going. And we still have a Phase III and maybe a Phase IV to think about. I have people ask me what's going on and I can't answer them. Where I want to go with this...if it's not the city manager's job to put that together and give him whatever information he has, I don't know whose it is, but I have another item I want to bring it up and I want to designate it as an action item. How do I get it there?"

Dave Pinquoch suggested that for Phase III, we should allow Kyle to get answers from the other loans before jumping to a worst case scenario.

Mark stated, "There's no repayment because that has not been decided. I have put together the same exact information that was presented for the Public Safety Building and there was never a discussion about how we're going to repay the potential million dollar loan. It wasn't in the material I presented because at the time council hadn't discussed how they wanted to go about that. I'll present it as soon I know what council wants to do. I can do the number crunching and give you that, but it's not my job to decide how the finances of the city are going to be spent and repaid."

Peter said, "Without a synopsis of the information we have, it's hard to even know what questions to ask." Dave Dickason asked, "What are the options we have to look at and then we can make a decision." Mark replied, "I don't know how better to put it at this point, and for the next phase, the Phase III of the harbor that David and I were looking at today and I talked to Dan about, those numbers are totally estimates at this point because we don't know the interest rates yet. The interest rate difference between the loans that Kyle is working on and the bonds are almost \$100,000 just in difference in interest rates. We can do all kinds of scenarios, but that's why I think David is saying, let's wait until we see what kind of interest rate, to get a better idea of what we're actually going to be talking on that. In Phase II the numbers are \$2 million dollars roughly in bonds a half a million in state grant money which is free, it's free money, and the payments are \$159,000 a year."

There was another lengthy discussion regarding the funding of Phase III and Phase IV.

Once again, Peter Denmark asked, "How do we present an action item to get a result? This conversation that you just had and the open ended questions that still exists...it's time for a review of our current vestment, investment in future plans for the harbor. We have a Port & Harbor Commission that meets a couple of times a year. We won't hear from them until Christmas; it's up to us to do this. My problem is I don't get it. I don't understand where we're at. Where the revenue sources are and how this is going to get paid for through the multiple loans and accruals that we have going here. I would like to see that plotted out. This was relatively done on the Public Safety building at our last meeting. I am in the dark where we're at in the harbor. I am simply asking for a comparable exercise as was presented to us for the Public Safety Building as regard to the harbor."

Mark replied, "Which is what exactly what I showed you guys today, but you didn't think it was going to be this you wanted a payment plan of some type. And that is not what I gave on the Safety Building." Peter stated, "It wasn't a payment plan, but it showed what the funding sources were."

Mark replied, "It'll be really easy because it'll say, bond \$2 million dollars, state grant \$500,000. \$2.5 project, \$2.5 million. Balance, zero; that's the plan." Peter stated, "There's the plan and then some component of that plan will be the repayment. How are we going to pay back the bond? How are we going to pay back the loan? It's a budgeting issue that is going to lose track of if we don't have a singularly focused document. Maybe I'm the only one who doesn't get it, but, that would be very helpful to me."

Mayor Blair stated that the funding sources for the harbor are the CVP tax, the harbor fees and funding from the State.

Mayor Dan Blair then mentioned that Whittier has only one radio station and they've been having difficulties with UUI in terms of service. The public radio system is also having funding issues. He asked fellow council members to consider making a donation of \$500 to keep the radio station going until August. The radio station has been providing their service at no cost for years, and he wanted the City to assist with the bill. Fiber optics will be installed by the end of August and they'll be able to provide it at no cost at that time.

MOTION: Monty Irvin made a motion to direct the city manager to make a donation in the amount of \$500 to radio station 88.3.

SECOND: David Pinguoch

DISCUSSION: None

VOTE: Motion passed unanimously

Peter Denmark spoke of concerns involving the compliance of the SERVS contractor. There are some difficulties with the current FVA in regards to responding within one hour of a call-out. Dave Pinguoch clarified that there are two components to the SERVS response contractor.

Mayor Blair gave a brief history on why the City of Whittier discontinued the SERVS contract three years ago. The contract is now going to expire and it will not go out for RFP; it will be awarded to the same contractor.

Dave Pinguoch stated that the attorney should review this to determine if we need to take action.

Peter Denmark added that the contract can be renewed twice at the discretion of Alyeska Pipeline for one year stints. If a problem is perceived, now would be the time to take some action, whether to approach Alyeska directly through RCAC or by an attorney.

Victor Shen stated that he'd like to see a summary of fund balances within the financial report at every meeting.

Don Stevens asked for the time and spacing for Phase II and Phase III. Mark Lynch replied that we have to wait until the end of this phase before we can apply for the next phase. We can apply for another grant in September and should know by next spring.

Don also asked about the status of the DeLong Dock. Mayor Blair replied that the dock is still owned by the federal government. Mayor Blair gave a brief update on the issues the City is faced with the DeLong Dock management with the railroad.

Lastly, Don Stevens disclosed that the 2017 year will more than likely be the same as the 2016 season for the cruise ship passengers. Princess has added another ship which would add five thousand people a

month. Mark replied that the according to the State, we had the best year ever, but we saw a decrease. He asked if the passenger count was down. Don replied that they changed ships in Whittier and went with two smaller ships. They will have the same configuration this year. There will be two Wednesday ships and two Saturday ships in 2018.

19. CITIZEN'S DISCUSSION

Charlene Arneson announced that Bob Crumley and the school board would like to invite everyone to a barbeque on May 4th in conjunction with the Make Whittier Prettier clean-up day. Bob will be retiring at the end of the year so Charlene encouraged the community to come out and say goodbye to him.

Charlene then shared that Aaron Cooper with the Forest Services, stated that they are interested in engaging with Whittier on a special occasion such as Kittiwake Day. They would like to start promoting some type of a 'Day' in Whittier.

She commended the Parks & Recreation Committee for doing a great job. She also suggested a possibility of hosting a Mount Marathon this summer.

She then stated that she is and has been in favor of developing the head of the bay to allow growth to the City.

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

Mark Lynch read out loud a letter he received from Perry Solomson of Sound Paddler regarding a letter distributed by Kelly Bender on behalf of the Chamber of Commerce. The letter was sent out by Kelly Bender who opposes business development at the head of the bay; she sent the letter without support of the chamber members.

Speaking as a citizen, not a council member, Peter Denmark reported that Copper River and others unload fish at the city dock which blocks his business. Fish totes are stacked and semis are parked on the sidewalk in front of his building. He asked that the fish can be unloaded at the ocean dock since it is designated as a fish unloading area.

Mayor Blair replied that he believes RC Collins works with Copper River Seafood. Mark Lynch directed Kyle to make sure that Peter's business is not obstructed.

David Pinquoch stated, "The letter from the Chambers. Dan and I attended the Chamber meeting and there was backlash from this letter. It was done by consensus, not by resolution. At the meeting she agreed to withdraw it and redo it. At this point, it doesn't exist or it's just from Kelly, it's not an official Greater Chamber letter. That's what she agreed to do at the meeting."

Referring to a comment that Monty made in a previous meeting in which he said boat owners weren't responsible for the head of the bay. Dave clarified that the council allocated \$250,000 from the harbor enterprise fund and was used for the design last November. Mayor Blair replied, "If you look at the net of what we have contributed during that same timeframe, I think we put like \$2 million dollars towards it, so if you sum those together then we're still \$1.75 million to the good."

David replied, "I'm not disagreeing, but the money came out of the harbor fund and we were told that it wouldn't be used for that and it was used for the head of the bay. And the statement was made that the boat owners would not be responsible for it."

In response, Mayor Blair stated, "That wasn't the boat owner's money. If we put in \$2 million dollars of CVP funds, we're definitely supporting the harbor. We want to work towards a solution. We may not all agree on the head of the bay but we all agree that the harbor is crucial infrastructure."

21. ADJOURNMENT

All were in favor of adjourning the meeting at 10:20 p.m.

ATTEST:

Jennifer Rogers
City Clerk

Daniel Blair
Mayor



THE CITY OF WHITTIER

Gateway to Western Prince William Sound

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

To: Mayor and Council
From: Mark Lynch, City Manager
Subject: Manager's report
Date: May 10, 2017 (for 5/16/17 Council meeting)

ARRC/DeLong Dock: The City continues to work on a draft management agreement for the DeLong Dock. The RR reported that they signed the deed and returned it to the Corps for final approval on April 21. On May 9, 2017 the Corps confirmed they had the deed and that their legal department had said it was "legally sufficient." We are waiting for a recorded copy of the deed to be sent to us by the Corps showing the RR has legal ownership. We have proposed dates for a meeting with ARRC but have not got an official date established as of this writing. Also, we have an inspection of the DeLong Dock pilings scheduled for later this month, but the Harbormaster has not yet been successful in contacting the ARRC Dock manager to get the necessary access.

Personnel: We are conducting in-person interviews and meet & greets with candidates on May 11 and May 18. I hope to have an offer made and accepted soon, with someone in place by mid-June.

Harbor Docks and Fingers: The crew from BMI has been working on the next float replacement phase. The work has progressed well and we anticipate the docks will be complete before Memorial Day weekend. Electrical and plumbing may take a while longer. Once complete I can submit another grant request to the State for the final work.

Harbor Loan: The paperwork was submitted to see if we qualify for two loans through the state clean water fund. We are still waiting to hear from the agency.

Harbor Bonds: The funds are in our account and are being used to pay for the harbor renovation project.

IRT (Innovative Readiness Training): The IRT folks were in Whittier on May 9th for a preliminary inspection for the work to be performed. They will do structural analysis on the Buckner and P12, as well as working on some planning projects that have yet to be defined. They currently anticipate being here the last two weeks of August.

Tank farm Property: I am currently waiting on scope of work and cost estimates from the Corps concerning what the City's financial obligation may be towards purchasing the property.

Public Safety Building: Progress can be monitored by going to the Whittier Alaska homepage and scrolling down to the link for the Public Safety Building. Phase II plans are complete and I circulated a “best we can do” floor plan to meet state requirements and allow the City the best use of the space.

PS Building Water/Sewer Loan: All pre-application materials have been approved. We are now in the formal application process. We are waiting for the loan people to do their financial review and we need a sign-off by the Alaska State Historic Preservation office. We are still waiting for the loan agency to finish the next steps.

Prince William Sound Economic Development District was very near financial and organizational collapse in March and April. The Board took action to terminate the Executive Director and put an interim Director in place. This allowed the release of \$35,000 in funds from EDA that were being held due to organizational non-compliance. We will be performing a search for a new Director, as well as getting the organization in compliance with EDA requirements over the next few months.

Memo

Whittier Community School

To: Whittier City Council
From: Melody Clifford
CC: Mark Lynch
Date: 5/9/2017
Re: Whittier Community School Report to Council

May

- Graduation/End-of-Year-Party Potluck- May 17th 6:00pm
- Underwater subs flying in harbor- May 18th- afternoon
- Last day of school May 24th

Ongoing events

- Kids gym M/W/F (K-12th 3:30-4:30)- *Last day May 19th*
- Kids sports T/Th (K-3rd 3:30-4:30) (4-12th 4:30-5:30) *Last day May 18th*
- Open gym Mondays and Wednesdays (16 and up 6-8pm) *Last day May 24th*
- Open weight room Thursdays (16 and up 6-8pm) *Last day May 18th*

Upcoming Community Events

- Graduation/End-of-Year-Party- May 17th
- Viewing underwater subs- May 18th

August

- First day of school August 23rd

CITY OF WHITTIER
REVENUES WITH COMPARISON TO BUDGET
FOR THE 4 MONTHS ENDING APRIL 30, 2017

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>TAXES</u>					
01-310-4005 FISH TAX	.00	.00	30,000.00	30,000.00	.0
01-310-4006 MOTOR VEHICLE REGISTRATION	.00	.00	4,000.00	4,000.00	.0
01-310-4007 LIQUOR TAX	.00	.00	5,000.00	5,000.00	.0
01-310-4009 ELEC & TELE CO-OP TAX	.00	.00	3,200.00	3,200.00	.0
01-310-4200 SALES TAX	.00	1,293.85	550,000.00	548,706.15	.2
01-310-4201 PROPERTY TAX - REAL	.00	1,913.26	380,000.00	378,086.74	.5
01-310-4202 PROPERTY TAX - PERSONAL	.00	2,047.85	280,000.00	277,952.15	.7
01-310-4205 BUSINESS TRANSPORTATION TAX	.00	3,085.34	300,000.00	296,914.66	1.0
TOTAL TAXES	.00	8,340.30	1,552,200.00	1,543,859.70	.5
<u>LICENSES & PERMITS</u>					
01-320-4250 BUSINESS LICENSES	.00	2,725.00	3,500.00	775.00	77.9
01-320-4251 USER FEES & PERMITS	.00	350.00	250.00	(100.00)	140.0
01-320-4312 AMBULANCE FEES	.00	9,534.02	40,000.00	30,465.98	23.8
TOTAL LICENSES & PERMITS	.00	12,609.02	43,750.00	31,140.98	28.8
<u>INTERGOVERNMENTAL REVENUE</u>					
01-330-4002 STATE REVENUE SHARING	.00	.00	78,469.00	78,469.00	.0
01-330-4003 STATE PAY-IN-LIEU OF TAXES	.00	.00	46,000.00	46,000.00	.0
01-330-4011 EMS SMALL GRANT	.00	.00	2,500.00	2,500.00	.0
01-330-4025 NAT'L FOREST SERVICE RECEIPTS	.00	.00	30,000.00	30,000.00	.0
TOTAL INTERGOVERNMENTAL REVENUE	.00	.00	156,969.00	156,969.00	.0
<u>LEASES</u>					
01-345-4512 LEASE INCOME - ARRC AGREEMENT	1,120.00	3,360.00	.00	(3,360.00)	.0
01-345-4515 LEASE INCOME - CITY LAND	9,451.75	30,635.25	125,000.00	94,364.75	24.5
01-345-4525 LAND USE RENT	100.00	300.00	.00	(300.00)	.0
TOTAL LEASES	10,671.75	34,295.25	125,000.00	90,704.75	27.4
<u>FINES & CITATIONS</u>					
01-350-4261 PSD FINES & CITATIONS	.00	72.00	4,000.00	3,928.00	1.8
01-350-4262 PSD PARKING TICKETS CIVIL	.00	50.00	.00	(50.00)	.0
TOTAL FINES & CITATIONS	.00	122.00	4,000.00	3,878.00	3.1

CITY OF WHITTIER
 REVENUES WITH COMPARISON TO BUDGET
 FOR THE 4 MONTHS ENDING APRIL 30, 2017

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>MISCELLANEOUS</u>					
01-360-4099 MISCELLANEOUS REVENUE	1.00	851.00	5,000.00	4,149.00	17.0
01-360-4204 INTEREST & PENALTIES	.00	352.84	3,000.00	2,647.16	11.8
01-360-4271 DONATIONS - EMS/FIRE/POL	.00	.00	2,500.00	2,500.00	.0
01-360-4900 INTEREST ON BANK ACCOUNTS	.00	.00	15,000.00	15,000.00	.0
01-360-4902 INTEREST ON ESCROW ACCOUNTS	.00	.00	1,200.00	1,200.00	.0
01-360-4914 TRANSFIELD - TUNNEL CONTRAC	.00	.00	60,000.00	60,000.00	.0
01-360-4915 GIRDWOOD-POLICE CONTRACT	51,500.00	396,738.35	618,000.00	221,261.65	64.2
TOTAL MISCELLANEOUS	51,501.00	397,942.19	704,700.00	306,757.81	56.5
TOTAL FUND REVENUE	62,172.75	453,308.76	2,586,619.00	2,133,310.24	17.5

CITY OF WHITTIER
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 4 MONTHS ENDING APRIL 30, 2017

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>ADMIN</u>					
01-400-6000 SALARIES & WAGES	14,960.90	58,164.67	244,968.00	186,803.33	23.7
01-400-6030 FICA TAXES	216.94	879.52	3,552.00	2,672.48	24.8
01-400-6040 WORKER'S COMP.	.00	.00	1,360.00	1,360.00	.0
01-400-6050 ESC TAXES	282.78	1,098.98	3,497.00	2,398.02	31.4
01-400-6060 HEALTH & LIFE INSURANCE	3,687.05	9,896.72	40,260.00	30,363.28	24.6
01-400-6070 PERS RETIREMENT	3,291.44	14,823.33	53,893.00	39,069.67	27.5
01-400-6205 ADVERTISING	.00	.00	2,500.00	2,500.00	.0
01-400-6210 B.T.I. CONDO FEES	928.25	4,188.00	11,319.00	7,131.00	37.0
01-400-6212 CONDO MAINTENANCE	.00	.00	3,000.00	3,000.00	.0
01-400-6220 BANK SERVICES CHARGES	.00	.00	10,000.00	10,000.00	.0
01-400-6240 COMMUNITY SUPPORT-DONATIONS	.00	.00	500.00	500.00	.0
01-400-6280 DUES & SUBSCRIPTIONS	500.00	825.00	1,800.00	975.00	45.8
01-400-6410 INSURANCE - LIABILITY	.00	(185.00)	2,299.00	2,484.00	(8.1)
01-400-6440 INSURANCE - PROPERTY	.00	427.10	163.00	(264.10)	262.0
01-400-6540 LICENSES & PERMITS	.00	.00	150.00	150.00	.0
01-400-6541 PENALTIES & FEES	.00	441.90	350.00	(91.90)	126.3
01-400-6565 OUTSIDE CONTRACTORS	550.00	1,074.05	15,000.00	13,925.95	7.2
01-400-6570 PHYSICAL EXAMS & BACKGROUND CK	.00	96.00	250.00	154.00	38.4
01-400-6580 POSTAGE	.00	115.56	5,000.00	4,884.44	2.3
01-400-6600 PROF. FEES - AUDIT	820.00	820.00	39,000.00	38,180.00	2.1
01-400-6610 PROF. FEES - ACCOUNTING	900.00	3,600.00	12,000.00	8,400.00	30.0
01-400-6620 PROF. FEES - APPRAISAL	.00	.00	15,000.00	15,000.00	.0
01-400-6625 PROF. FEES - FINANCIAL SOFTWARE	3,725.00	14,900.00	45,000.00	30,100.00	33.1
01-400-6635 PROF. FEES - COMPUTER SUPPORT	.00	.00	15,000.00	15,000.00	.0
01-400-6636 PROF FEES - WEB SITE SUPPORT	.00	400.00	3,000.00	2,600.00	13.3
01-400-6645 PROF. FEES - GRANT ADM.	.00	.00	30,000.00	30,000.00	.0
01-400-6650 PROF. FEES - LEGAL	5,102.88	18,247.00	150,000.00	131,753.00	12.2
01-400-6675 COMPREHENSIVE PLAN	.00	.00	20,000.00	20,000.00	.0
01-400-6770 TRAVEL, TRAINING & DEV.	.00	725.81	23,000.00	22,274.19	3.2
01-400-7351 EQUIPMENT MAINT. AGREEMENTS	630.57	1,362.59	8,600.00	7,237.41	15.8
01-400-7450 REPAIRS-OFFICE EQUIPMENT	.00	332.20	500.00	167.80	66.4
01-400-8550 SUPPLIES - OFFICE	.00	705.11	7,500.00	6,794.89	9.4
01-400-8750 SUPPLIES - PRINTING	.00	145.00	1,000.00	855.00	14.5
01-400-9000 UTILITIES - INTERNET	680.30	2,583.21	10,000.00	7,416.79	25.8
01-400-9070 UTILITIES - TELEPHONE	84.36	1,471.82	7,000.00	5,528.18	21.0
01-400-9100 MISCELLANEOUS EXPENSES	.00	265.94	2,000.00	1,734.06	13.3
01-400-9300 PROJECT DEVELOPMENT	2,304.00	18,950.30	35,000.00	16,049.70	54.1
01-400-9900 INTERDEPARTMENT SUPPORT	.00	.00	(164,528.00)	(164,528.00)	.0
TOTAL ADMIN	38,664.47	156,354.81	658,933.00	502,578.19	23.7

CITY OF WHITTIER
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 4 MONTHS ENDING APRIL 30, 2017

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>COUNCIL</u>					
01-401-6240 CITY COUNCIL-COMMUNITY SUPPORT	.00	.00	3,000.00	3,000.00	.0
01-401-6280 DUES & SUBSCRIPTIONS	.00	.00	150.00	150.00	.0
01-401-6325 FIREWORKS	.00	.00	12,500.00	12,500.00	.0
01-401-6710 PUBLIC RELATIONS	.00	.00	250.00	250.00	.0
01-401-6770 TRAVEL, TRAINING & DEV.	199.10	2,072.58	10,000.00	7,927.42	20.7
01-401-6800 COUNCIL CHAMBER IMPROV	.00	.00	40,000.00	40,000.00	.0
01-401-8550 SUPPLIES - OFFICE	.00	15.98	100.00	84.02	16.0
01-401-9070 UTILITIES - TELEPHONE	.00	.00	400.00	400.00	.0
01-401-9500 LOBBYIST FEES	5,500.00	41,750.00	108,000.00	66,250.00	38.7
TOTAL COUNCIL	5,699.10	43,838.56	174,400.00	130,561.44	25.1
<u>COMMISSION</u>					
01-402-6000 SALARIES & WAGES	.00	519.10	.00 (	519.10)	.0
01-402-6030 FICA TAXES	.00	7.14	.00 (	7.14)	.0
01-402-6050 ESC TAXES	.00	9.43	.00 (	9.43)	.0
01-402-6060 HEALTH & LIFE INSURANCE	.00	13.96	.00 (	13.96)	.0
01-402-6070 PERS RETIREMENT	.00	114.53	.00 (	114.53)	.0
TOTAL COMMISSION	.00	664.16	.00 (	664.16)	.0
<u>ELECTIONS</u>					
01-420-6100 VOLUNTEER SUPPORT	.00	.00	1,200.00	1,200.00	.0
01-420-6205 ADVERTISING	.00	.00	600.00	600.00	.0
TOTAL ELECTIONS	.00	.00	1,800.00	1,800.00	.0

CITY OF WHITTIER
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 4 MONTHS ENDING APRIL 30, 2017

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>PUBLIC SAFETY</u>					
01-510-6000 SALARIES & WAGES	33,563.19	125,055.11	589,790.00	464,734.89	21.2
01-510-6030 FICA TAXES	580.62	2,524.62	9,816.00	7,291.38	25.7
01-510-6040 WORKER'S COMP.	.00	.00	29,978.00	29,978.00	.0
01-510-6050 ESC TAXES	634.34	2,378.53	12,037.00	9,658.47	19.8
01-510-6060 HEALTH & LIFE INSURANCE	9,049.31	19,319.42	137,340.00	118,020.58	14.1
01-510-6070 PERS RETIREMENT	7,061.45	23,266.35	130,126.00	106,859.65	17.9
01-510-6091 UNIFORM ALLOWANCE	200.00	531.00	4,600.00	4,069.00	11.5
01-510-6100 VOLUNTEER SUPPORT	.00	.00	1,500.00	1,500.00	.0
01-510-6205 ADVERTISING	.00	.00	250.00	250.00	.0
01-510-6210 B.T.I. CONDO FEES	165.65	3,212.60	2,500.00	(712.60)	128.5
01-510-6280 DUES & SUBSCRIPTIONS	.00	.00	200.00	200.00	.0
01-510-6410 INSURANCE - LIABILITY	.00	.00	8,000.00	8,000.00	.0
01-510-6420 INSURANCE - AUTO	.00	.00	15,000.00	15,000.00	.0
01-510-6440 INSURANCE - PROPERTY	.00	747.43	1,637.00	889.57	45.7
01-510-6490 POLICE-INSURANCE CLAIMS-DEDUCT	.00	.00	15,000.00	15,000.00	.0
01-510-6540 LICENSES & PERMITS	.00	10.00	200.00	190.00	5.0
01-510-6565 OUTSIDE CONTRACTORS	.00	.00	1,500.00	1,500.00	.0
01-510-6570 PHYSICAL EXAMS	.00	48.00	3,400.00	3,352.00	1.4
01-510-6580 POSTAGE	.00	.49	400.00	399.51	.1
01-510-6700 PUBLICATIONS & SUBSCRIPTIONS	.00	.00	2,000.00	2,000.00	.0
01-510-6735 EQUIPMENT PURCHASE	873.78	5,791.14	14,000.00	8,208.86	41.4
01-510-6761 TRAINING - EMS SUPVSG MD	.00	2,000.00	12,000.00	10,000.00	16.7
01-510-6770 TRAVEL, TRAINING & DEV.	1,000.00	2,157.91	16,000.00	13,842.09	13.5
01-510-7100 BUILDING MAINT.	.00	481.92	1,500.00	1,018.08	32.1
01-510-7150 REPAIRS - COMMUNICATION EQUIPM	743.10	743.10	3,600.00	2,856.90	20.6
01-510-7200 REPAIRS-COMPUTER SYSTEM	.00	160.63	1,000.00	839.37	16.1
01-510-7350 REPAIRS - EQUIPMENT	1,448.04	1,474.03	5,000.00	3,525.97	29.5
01-510-7400 REPAIRS - VEHICLES	2,578.22	9,389.73	30,000.00	20,610.27	31.3
01-510-7750 GAS & OIL - VEHICLES	.00	5,444.12	32,000.00	26,555.88	17.0
01-510-8020 SUPPLIES - AMMUNITION	.00	.00	2,500.00	2,500.00	.0
01-510-8100 SUPPLIES - COMPUTERS	.00	.00	1,500.00	1,500.00	.0
01-510-8150 SUPPLIES - CONSUMABLE	.00	2,856.50	5,000.00	2,143.50	57.1
01-510-8200 SUPPLIES - COPIER	.00	.00	1,200.00	1,200.00	.0
01-510-8550 SUPPLIES - OFFICE	.00	292.66	4,000.00	3,707.34	7.3
01-510-8650 SUPPLIES & DRUGS BILLABLE	.00	4.92	4,800.00	4,795.08	.1
01-510-8950 SUPPLIES - UNIFORMS	1,116.80	1,776.83	12,000.00	10,223.17	14.8
01-510-9000 UTILITIES - INTERNET	933.39	17,301.38	21,000.00	3,698.62	82.4
01-510-9010 UTILITIES - ELECTRICITY	285.80	1,126.09	3,200.00	2,073.91	35.2
01-510-9040 UTILITIES - HEATING FUELS	485.83	3,691.71	6,400.00	2,708.29	57.7
01-510-9070 UTILITIES - TELEPHONE	95.95	2,183.37	18,000.00	15,816.63	12.1
01-510-9200 GRANT EXPENDITURES	.00	.00	2,000.00	2,000.00	.0
01-510-9520 CAPITAL OUTLAY - EQUIPMENT	.00	8,645.00	78,833.00	70,188.00	11.0
TOTAL PUBLIC SAFETY	60,815.47	242,614.59	1,240,807.00	998,192.41	19.6

CITY OF WHITTIER
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 4 MONTHS ENDING APRIL 30, 2017

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>EMS</u>					
01-530-7750 GAS & OIL - VEHICLES	.00	489.39	.00 (	489.39)	.0
01-530-9000 UTILITIES - INTERNET	77.97	77.97	.00 (	77.97)	.0
01-530-9070 UTILITIES - TELEPHONE	.00	172.29	.00 (	172.29)	.0
TOTAL EMS	77.97	739.65	.00 (	739.65)	.0
<u>CLINIC</u>					
01-535-6210 B.T.I. CONDO FEE	909.07	3,636.28	11,683.00	8,046.72	31.1
01-535-6211 RENTAL UNIT	.00	.00	1,000.00	1,000.00	.0
01-535-6440 INSURANCE - PROPERTY	.00	320.32	99.00 (	221.32)	323.6
01-535-9100 MISCELLANEOUS EXP	.00	.00	9,000.00	9,000.00	.0
TOTAL CLINIC	909.07	3,956.60	21,782.00	17,825.40	18.2

CITY OF WHITTIER
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 4 MONTHS ENDING APRIL 30, 2017

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>PUBLIC WORKS</u>					
01-600-6000 SALARIES & WAGES	15,022.92	56,096.90	256,665.00	200,568.10	21.9
01-600-6030 FICA TAXES	217.84	813.34	3,739.00	2,925.66	21.8
01-600-6040 WORKER'S COMP.	.00	.00	10,887.00	10,887.00	.0
01-600-6050 ESC TAXES	283.94	1,060.24	5,036.00	3,975.76	21.1
01-600-6060 HEALTH & LIFE INSURANCE	3,846.88	10,880.24	38,430.00	27,549.76	28.3
01-600-6070 PERS RETIREMENT	3,305.10	12,341.29	45,886.00	33,544.71	26.9
01-600-6410 INSURANCE - LIABILITY	.00	.00	2,408.00	2,408.00	.0
01-600-6420 INSURANCE - AUTO	.00	.00	2,839.00	2,839.00	.0
01-600-6430 INSURANCE EQUIPMENT	.00	.00	3,334.00	3,334.00	.0
01-600-6440 INSURANCE - PROPERTY	.00	640.65	1,690.00	1,049.35	37.9
01-600-6490 INSURANCE CLAIMS-DEDUCTIBLES	.00	.00	5,000.00	5,000.00	.0
01-600-6540 LICENSES & FEES	.00	.00	250.00	250.00	.0
01-600-6565 OUTSIDE CONTRACTORS	.00	.00	10,000.00	10,000.00	.0
01-600-6570 PHYSICAL EXAMS	.00	.00	500.00	500.00	.0
01-600-6580 POSTAGE	.00	12.92	.00	(12.92)	.0
01-600-6740 SMALL TOOLS	.00	70.17	1,500.00	1,429.83	4.7
01-600-6770 TRAVEL, TRAINING & DEV.	.00	.00	2,000.00	2,000.00	.0
01-600-7100 REPAIRS - BUILDINGS	.00	758.65	5,000.00	4,241.35	15.2
01-600-7210 REPAIRS - ROADS	.00	.00	15,000.00	15,000.00	.0
01-600-7350 REPAIRS - EQUIPMENT	(93.74)	1,814.68	30,000.00	28,185.32	6.1
01-600-7750 GAS & OIL - VEHICLES	.00	6,181.45	30,000.00	23,818.55	20.6
01-600-8550 SUPPLIES - OFFICE	.00	.00	500.00	500.00	.0
01-600-8950 SUPPLIES - UNIFORMS	.00	.00	1,220.00	1,220.00	.0
01-600-8970 SUPPLIES - SAFETY	.00	.00	2,000.00	2,000.00	.0
01-600-8995 SUPPLIES & MATERIALS	.00	.00	15,000.00	15,000.00	.0
01-600-9000 UTILITIES - INTERNET	368.35	1,226.97	5,938.00	4,711.03	20.7
01-600-9010 UTILITIES - ELECTRICITY	2,288.59	9,176.11	31,500.00	22,323.89	29.1
01-600-9040 UTILITIES - HEATING FUEL	2,186.23	14,515.98	35,000.00	20,484.02	41.5
01-600-9070 UTILITIES - TELEPHONE	.00	424.87	2,500.00	2,075.13	17.0
01-600-9095 UTILITIES - WATER/SEWER	.00	.00	8,000.00	8,000.00	.0
TOTAL PUBLIC WORKS	27,426.11	116,014.46	571,822.00	455,807.54	20.3
<u>PROPERTY & FACILITIES</u>					
01-700-6210 B.T.I. CONDO FEES	472.44	2,282.19	5,669.00	3,386.81	40.3
01-700-6215 CONDO MAINTENANCE	.00	.00	1,000.00	1,000.00	.0
01-700-7100 REPAIRS - BUILDINGS	.00	.00	5,000.00	5,000.00	.0
01-700-9000 UTILITIES - INTERNET SERVICE	122.00	488.00	2,000.00	1,512.00	24.4
TOTAL PROPERTY & FACILITIES	594.44	2,770.19	13,669.00	10,898.81	20.3
<u>GF ADMN CAPITAL OUTLAY</u>					
01-910-9530 CAPITOL OUTLAY - COMP	.00	.00	1,000.00	1,000.00	.0
TOTAL GF ADMN CAPITAL OUTLAY	.00	.00	1,000.00	1,000.00	.0

CITY OF WHITTIER
 EXPENDITURES WITH COMPARISON TO BUDGET
 FOR THE 4 MONTHS ENDING APRIL 30, 2017

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>TRANSFERS TO OTHER FUNDS</u>					
01-990-9991 TRANSFER TO F 14 EQUIP REP PW	.00	.00	50,000.00	50,000.00	.0
TOTAL TRANSFERS TO OTHER FUNDS	.00	.00	50,000.00	50,000.00	.0
TOTAL FUND EXPENDITURES	134,186.63	566,953.02	2,734,213.00	2,167,259.98	20.7
NET REVENUE OVER EXPENDITURES	(72,013.88)	(113,644.26)	(147,594.00)	(33,949.74)	(77.0)

CITY OF WHITTIER
 REVENUES WITH COMPARISON TO BUDGET
 FOR THE 4 MONTHS ENDING APRIL 30, 2017

CRUISE SHIP TAX

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>TAXES - REVENUE</u>						
20-310-4008	CRUISE SHIP TAX	.00	620,340.00	.00	(620,340.00)	.0
	TOTAL TAXES - REVENUE	.00	620,340.00	.00	(620,340.00)	.0
	TOTAL FUND REVENUE	.00	620,340.00	.00	(620,340.00)	.0
	NET REVENUE OVER EXPENDITURES	.00	620,340.00	.00	(620,340.00)	.0

CITY OF WHITTIER
 REVENUES WITH COMPARISON TO BUDGET
 FOR THE 4 MONTHS ENDING APRIL 30, 2017

RAILROAD STATION IMPROVEMENT

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>GRANT REVENUE</u>						
22-330-4000	GRANT REVENUES 10-DC-032	.00	.00	261,571.00	261,571.00	.0
	TOTAL GRANT REVENUE	.00	.00	261,571.00	261,571.00	.0
	TOTAL FUND REVENUE	.00	.00	261,571.00	261,571.00	.0

CITY OF WHITTIER
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 4 MONTHS ENDING APRIL 30, 2017

RAILROAD STATION IMPROVEMENT

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>GRANT EXPENDITURES</u>					
22-900-9200 GRANT EXPENDITURES 10-DC-032	80.36	1,580.36	261,571.00	259,990.64	.6
TOTAL GRANT EXPENDITURES	80.36	1,580.36	261,571.00	259,990.64	.6
TOTAL FUND EXPENDITURES	80.36	1,580.36	261,571.00	259,990.64	.6
NET REVENUE OVER EXPENDITURES	(80.36)	(1,580.36)	.00	1,580.36	.0

CITY OF WHITTIER
 REVENUES WITH COMPARISON TO BUDGET
 FOR THE 4 MONTHS ENDING APRIL 30, 2017

COMMUNITY DEVELOPMENT

		<u>PERIOD ACTUAL</u>	<u>YTD ACTUAL</u>	<u>BUDGET</u>	<u>UNEXPENDED</u>	<u>PCNT</u>
<u>GRANT REVENUES</u>						
24-330-4000	GRANT REVENUES 09-RR-022	.00	.00	24,165.00	24,165.00	.0
TOTAL GRANT REVENUES		.00	.00	24,165.00	24,165.00	.0
TOTAL FUND REVENUE		.00	.00	24,165.00	24,165.00	.0

CITY OF WHITTIER
 EXPENDITURES WITH COMPARISON TO BUDGET
 FOR THE 4 MONTHS ENDING APRIL 30, 2017

COMMUNITY DEVELOPMENT

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>GRANT EXPENDITURES</u>					
24-900-9200 GRANT EXPENDITURES 09-RR-022	.00	.00	24,166.00	24,166.00	.0
TOTAL GRANT EXPENDITURES	.00	.00	24,166.00	24,166.00	.0
TOTAL FUND EXPENDITURES	.00	.00	24,166.00	24,166.00	.0
NET REVENUE OVER EXPENDITURES	.00	.00	(1.00)	(1.00)	.0

CITY OF WHITTIER
 EXPENDITURES WITH COMPARISON TO BUDGET
 FOR THE 4 MONTHS ENDING APRIL 30, 2017

PUBLIC WORKS/SAFETY COMPLEX

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>CAPITAL EXPENDITURES</u>					
29-600-9200 CAPITAL EXPENDITURES-PUBLIC WO	14,417.75	738,604.07	3,256,948.00	2,518,343.93	22.7
TOTAL CAPITAL EXPENDITURES	14,417.75	738,604.07	3,256,948.00	2,518,343.93	22.7
TOTAL FUND EXPENDITURES	14,417.75	738,604.07	3,256,948.00	2,518,343.93	22.7
NET REVENUE OVER EXPENDITURES	(14,417.75)	(738,604.07)	(3,256,948.00)	(2,518,343.93)	(22.7)

CITY OF WHITTIER
 REVENUES WITH COMPARISON TO BUDGET
 FOR THE 4 MONTHS ENDING APRIL 30, 2017

SHOTGUN COVE

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>STATE GRANT REVENUE</u>					
30-320-4064 GRANT REVENUE DCCED	.00	.00	504,794.00	504,794.00	.0
30-320-4070 GRANT REV PHS V 15-DC-160	.00	.00	1,940,600.00	1,940,600.00	.0
TOTAL STATE GRANT REVENUE	.00	.00	2,445,394.00	2,445,394.00	.0
TOTAL FUND REVENUE	.00	.00	2,445,394.00	2,445,394.00	.0

CITY OF WHITTIER
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 4 MONTHS ENDING APRIL 30, 2017

SHOTGUN COVE

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>STATE GRANT EXPENDITURES</u>					
30-820-6640 PROFESSIONAL FEES	.00	.00	1,951,875.00	1,951,875.00	.0
30-820-9204 GRANT EXP PHS IV 13-DC-508	.00	.00	504,794.00	504,794.00	.0
30-820-9542 GRANT EXP PHS V 15-DC-160	.00	.00	1,940,600.00	1,940,600.00	.0
TOTAL STATE GRANT EXPENDITURES	.00	.00	4,397,269.00	4,397,269.00	.0
TOTAL FUND EXPENDITURES	.00	.00	4,397,269.00	4,397,269.00	.0
NET REVENUE OVER EXPENDITURES	.00	.00	(1,951,875.00)	(1,951,875.00)	.0

CITY OF WHITTIER
REVENUES WITH COMPARISON TO BUDGET
FOR THE 4 MONTHS ENDING APRIL 30, 2017

WATER AND WASTEWATER

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>CHARGES FOR SERVICES</u>					
50-340-4300	WATER SERVICE CHARGES	.00	18,160.10	190,000.00	171,839.90 9.6
50-340-4350	WASTE WATER SERVICE CHARGES	.00	15,100.31	85,000.00	69,899.69 17.8
50-340-4500	ENTERPRISE-PERMIT FEES	.00	.00	100.00	100.00 .0
	TOTAL CHARGES FOR SERVICES	.00	33,260.41	275,100.00	241,839.59 12.1
<u>MISCELLANEOUS</u>					
50-360-4901	INTEREST ON BANK ACCOUNTS	.00	.00	4,000.00	4,000.00 .0
	TOTAL MISCELLANEOUS	.00	.00	4,000.00	4,000.00 .0
	TOTAL FUND REVENUE	.00	33,260.41	279,100.00	245,839.59 11.9

CITY OF WHITTIER
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 4 MONTHS ENDING APRIL 30, 2017

WATER AND WASTEWATER

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>WATER & WASTE WATER OPERATING</u>					
50-800-6000 SALARIES & WAGES	6,361.75	27,711.17	98,659.00	70,947.83	28.1
50-800-6030 FICA TAXES	92.26	401.56	1,437.00	1,035.44	27.9
50-800-6040 WORKER'S COMP.	.00	.00	2,756.00	2,756.00	.0
50-800-6050 ESC TAXES	120.22	523.78	1,955.00	1,431.22	26.8
50-800-6060 HEALTH & LIFE INSURANCE	1,504.17	4,202.70	15,750.00	11,547.30	26.7
50-800-6070 PERS RETIREMENT	1,399.58	6,089.67	21,705.00	15,615.33	28.1
50-800-6410 INSURANCE - LIABILITY	.00	.00	926.00	926.00	.0
50-800-6420 INSURANCE - AUTO	.00	.00	2,047.00	2,047.00	.0
50-800-6430 INSURANCE - EQUIP	.00	.00	202.00	202.00	.0
50-800-6440 INSURANCE - PROPERTY	.00	.00	2,673.00	2,673.00	.0
50-800-6490 INSURANCE - CLAIMS DEDUCTIBLE	.00	.00	5,000.00	5,000.00	.0
50-800-6540 LICENSES & PERMITS	.00	805.00	1,400.00	595.00	57.5
50-800-6565 OUTSIDE CONTRACTORS	.00	.00	10,000.00	10,000.00	.0
50-800-6570 PHYSICAL EXAMS	.00	.00	500.00	500.00	.0
50-800-6580 POSTAGE	.00	.00	250.00	250.00	.0
50-800-6740 SMALL TOOLS	.00	.00	2,500.00	2,500.00	.0
50-800-6750 TESTING WATER/SEWER	840.00	1,590.00	5,000.00	3,410.00	31.8
50-800-6770 TRAVEL, TRAINING & DEV.	.00	.00	5,000.00	5,000.00	.0
50-800-7100 REPAIRS - BUILDING	.00	.00	5,000.00	5,000.00	.0
50-800-7350 REPAIRS - EQUIPMENT	.00	.00	8,000.00	8,000.00	.0
50-800-7650 REPAIRS - SYSTEM	.00	.00	5,000.00	5,000.00	.0
50-800-7750 GAS & OIL - VEHICLES	.00	322.24	3,500.00	3,177.76	9.2
50-800-8550 SUPPLIES - OFFICE	.00	170.50	500.00	329.50	34.1
50-800-8950 UNIFORMS	.00	.00	380.00	380.00	.0
50-800-8970 SUPPLIES - SAFETY	.00	.00	2,500.00	2,500.00	.0
50-800-8995 SUPPLIES & MATERIALS	3.20	8.15	4,000.00	3,991.85	.2
50-800-9010 UTILITIES - ELECTRICITY	762.66	2,935.42	32,250.00	29,314.58	9.1
50-800-9040 UTILITIES - HEATING FUEL	1,138.18	5,791.70	11,000.00	5,208.30	52.7
50-800-9070 UTILITIES - TELEPHONE	.00	102.25	487.00	384.75	21.0
50-800-9900 INTERDEPARTMENT SUPPORT	.00	.00	27,910.00	27,910.00	.0
TOTAL WATER & WASTE WATER OPERATING	12,222.02	50,654.14	278,287.00	227,632.86	18.2
TOTAL FUND EXPENDITURES	12,222.02	50,654.14	278,287.00	227,632.86	18.2
NET REVENUE OVER EXPENDITURES	(12,222.02)	(17,393.73)	813.00	18,206.73	(2139.

CITY OF WHITTIER
REVENUES WITH COMPARISON TO BUDGET
FOR THE 4 MONTHS ENDING APRIL, 2017

SMALL BOAT HARBOR

	<u>PERIOD ACTUAL</u>	<u>YTD ACTUAL</u>	<u>BUDGET</u>	<u>UNEXPENDED</u>	<u>PCNT</u>	
<u>CHARGES FOR SERVICES</u>						
51-340-4251	USER FEES & PERMITS	0.00	0.00	75	75.00	0.0
51-340-4398	MOORAGE - TRANSIENT DAILY	0.00	7,769.30	0	(7,769.30)	0.0
51-340-4399	MOORAGE - TRANSIENT WINTER	0.00	4,702.60	0	(4,702.60)	0.0
51-340-4401	MOORAGE - PREFERENTIAL	0.00	529,049.33	550,000.00	20,950.67	96.2
	Actual YTD PREFERENTIAL (Payments)		270,913.56			
51-340-4402	MOORAGE - TRANSIENT	0.00	130,015.97	350,000.00	219,984.03	37.1
	Actual YTD TRANSIENT (Payments)		54,425.77			0.0
51-340-4403	BOAT LIFT FEES	0.00	539	10,000.00	9,461.00	5.4
51-340-4404	UTILITY FEES	(20.00)	19874.42	60,000.00	40,125.58	33.1
51-340-4406	WHARFAGE FEES	0.00	4514.09	10,000.00	5,485.91	45.1
51-340-4407	VESSEL TOW FEES	0.00	5130	500	-4,630.00	1,026.0
51-340-4408	USED OIL COLLECTION F	0.00	5.6	1,200.00	1,194.40	0.5
51-340-4409	WAITING LIST FEES	0.00	-1000	17,000.00	18,000.00	(5.9)
51-340-4410	PUMP OUT FEES	0.00	150	1,000.00	850.00	15.0
51-340-4411	LAUNCH FEES	0.00	10	115,000.00	114,990.00	0.0
51-340-4412	SHOWERS	0.00	8	2,500.00	2,492.00	0.3
51-340-4413	GRID	0.00	88	1,000.00	912.00	8.8
51-340-4414	VESSEL MAINTENANCE	0.00	0	500	500.00	0.0
51-340-4415	DRY STORAGE FEES	0.00	3654.99	3,000.00	-654.99	121.8
51-340-4416	PARKING - ANNUAL	0.00	3000	60,000.00	57,000.00	5.0
51-340-4426	PARKING DAILY	0.00	279	75,000.00	74,721.00	0.4
51-340-4445	MISC. SERVICES	0.00	2,200.00	1,000.00	-1,200.00	220.0
	TOTAL CHARGES FOR SERVICES	(20.00)	709,990.30	1,257,775.00	547,784.70	56.4
<u>LEASES INCOME</u>						
51-345-4512	LEASE - ARRC NET OF RR SHARE	9,219.35	27,658.05	66,000.00	38,341.95	41.9
51-345-4515	LEASE - GARBAGE REVENUE	0.00	0	2,400.00	2,400.00	0.0
	TOTAL LEASES INCOME	9,219.35	27,658.05	68,400.00	40,741.95	40.4
<u>OTHER REVENUE</u>						
51-360-4417	FUEL FLOAT INCOME	0.00	1,102.07	20,000.00	18,897.93	5.5
51-360-4430	CAMPING	0.00	0.00	11,000.00	11,000.00	0.0
51-360-4900	INTEREST & LATE FEES ON A/R	0.00	0.00	4,000.00	4,000.00	0.0
51-360-4901	INTEREST ON BANK ACCO	0.00	0.00	5,000.00	5,000.00	0.0
51-360-4910	MISCELLANEOUS INCOME	0.00	300.00	0	-300.00	0.0
	TOTAL OTHER REVENUE	0.00	1,402.07	40,000.00	38,597.93	3.5
	TOTAL FUND REVENUE	9,199.35	739,050.42	1,366,175.00	627,124.58	54.1

CITY OF WHITTIER
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 4 MONTHS ENDING APRIL 30, 2017

SMALL BOAT HARBOR

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>HARBOR OPERATIONS EXP</u>					
51-800-6000 SALARIES & WAGES	35,951.02	112,636.26	444,339.00	331,702.74	25.4
51-800-6030 FICA TAXES	1,166.41	3,021.36	11,299.00	8,277.64	26.7
51-800-6040 WORKER'S COMP.	.00	.00	11,968.00	11,968.00	.0
51-800-6050 ESC TAXES	679.46	2,155.71	9,577.00	7,421.29	22.5
51-800-6060 HEALTH & LIFE INSURANCE	5,427.46	15,376.83	71,760.00	56,383.17	21.4
51-800-6070 PERS RETIREMENT	4,716.52	18,865.78	80,542.00	61,676.22	23.4
51-800-6205 ADVERTISING	.00	.00	1,500.00	1,500.00	.0
51-800-6215 COLLECTION EXPENSE	.00	.00	5,000.00	5,000.00	.0
51-800-6220 BANK SERVICE CHARGES	.00	.00	22,000.00	22,000.00	.0
51-800-6260 BAD DEBT EXPENSE	.00	.00	10,000.00	10,000.00	.0
51-800-6280 DUES & SUBSCRIPTIONS	.00	75.00	500.00	425.00	15.0
51-800-6410 INSURANCE - LIABILITY	.00	.00	4,169.00	4,169.00	.0
51-800-6420 INSURANCE - AUTO	.00	.00	846.00	846.00	.0
51-800-6430 INSURANCE EQUIPMENT	.00	.00	332.00	332.00	.0
51-800-6440 INSURANCE - PROPERTY	.00	.00	19,031.00	19,031.00	.0
51-800-6490 INSURANCE CLAIMS-DEDU	.00	.00	5,000.00	5,000.00	.0
51-800-6540 ENTERPRISE-LICENSES & PERMITS	.00	91.07	250.00	158.93	36.4
51-800-6565 OUTSIDE CONTRACTORS	2,194.56	2,757.71	25,000.00	22,242.29	11.0
51-800-6570 PHYSICAL EXAMS	.00	48.00	500.00	452.00	9.6
51-800-6580 POSTAGE	.00	133.83	2,500.00	2,366.17	5.4
51-800-6635 PROF. FEES - COMPUTER SUPPORT	404.95	1,564.85	5,000.00	3,435.15	31.3
51-800-6636 PROF FEES - WEB SITE	.00	.00	2,500.00	2,500.00	.0
51-800-6650 PROF. FEES - LEGAL	623.50	10,623.50	10,000.00	(623.50)	106.2
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	264.64	1,003.02	3,000.00	1,996.98	33.4
51-800-6770 TRAVEL, TRAINING & DEV.	46.75	3,110.95	4,000.00	889.05	77.8
51-800-6780 WASTE DISPOSAL - EVOS	.00	199.99	3,000.00	2,800.01	6.7
51-800-7100 REPAIRS - BUILDINGS	.00	1,290.72	2,500.00	1,209.28	51.6
51-800-7350 REPAIRS - EQUIPMENT	2,866.73	2,881.73	12,000.00	9,118.27	24.0
51-800-7400 REPAIRS - VEHICLES	.00	.00	2,000.00	2,000.00	.0
51-800-7500 PARKING LOT MAINTENANCE	768.00	768.00	1,500.00	732.00	51.2
51-800-7610 REPAIRS - UTILITIES	228.43	228.43	6,000.00	5,771.57	3.8
51-800-7620 REPAIRS - FLOATS	.00	126.07	.00	(126.07)	.0
51-800-7750 GAS & OIL - VEHICLES	1,266.78	1,779.04	4,000.00	2,220.96	44.5
51-800-7820 REPAIRS - DOCKS	.00	.00	7,000.00	7,000.00	.0
51-800-8150 SUPPLIES - CONSUMABLE	2,067.84	3,604.62	8,000.00	4,395.38	45.1
51-800-8151 SUPPLIES - CONSUMABLE - SERV	79.53	79.53	.00	(79.53)	.0
51-800-8200 SUPPLIES - PARKING	1,330.51	1,330.51	3,000.00	1,669.49	44.4
51-800-8400 SUPPLIES - FIRE SUPPRESSION	.00	472.00	2,500.00	2,028.00	18.9
51-800-8550 SUPPLIES - OFFICE	210.33	3,519.62	6,000.00	2,480.38	58.7
51-800-8750 SUPPLIES - PRINTING	.00	70.00	1,500.00	1,430.00	4.7
51-800-8800 SUPPLIES - RESALE ITEMS	.00	.00	500.00	500.00	.0
51-800-8950 SUPPLIES - UNIFORMS	.00	.00	2,000.00	2,000.00	.0
51-800-8970 SUPPLIES - SAFETY	.00	1,557.49	2,000.00	442.51	77.9
51-800-9000 UTILITIES - INTERNET	425.73	1,524.49	7,000.00	5,475.51	21.8
51-800-9010 UTILITIES - ELECTRICITY	5,497.86	29,060.46	60,000.00	30,939.54	48.4
51-800-9040 UTILITIES - HEATING FUEL	455.91	1,909.76	4,500.00	2,590.24	42.4
51-800-9050 UTILITIES - SOLID WASTE	.00	8,248.98	90,000.00	81,751.02	9.2
51-800-9070 UTILITIES - TELEPHONE	50.98	505.18	6,000.00	5,494.82	8.4
51-800-9095 UTILITIES - WATER/WASTEWATER	.00	.00	25,000.00	25,000.00	.0
51-800-9510 SNOW REMOVAL	.00	.00	35,000.00	35,000.00	.0

CITY OF WHITTIER
 EXPENDITURES WITH COMPARISON TO BUDGET
 FOR THE 4 MONTHS ENDING APRIL 30, 2017

SMALL BOAT HARBOR

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
51-800-9900 INTERDEPARTMENT SUPPORT	.00	.00	136,618.00	136,618.00	.0
TOTAL HARBOR OPERATIONS EXP	66,723.90	230,620.49	1,180,581.00	949,960.51	19.5
<u>CAPITAL OUTLAY - FROM RESERVE</u>					
51-900-9520 CAPITAL OUTLAY - EQUIPMENT	.00	.00	10,000.00	10,000.00	.0
51-900-9530 CAPITOL OUTLAY - COMP	.00	.00	5,000.00	5,000.00	.0
51-900-9550 CAP EXP - FLOAT DOCK REPAIR	.00	.00	150,000.00	150,000.00	.0
TOTAL CAPITAL OUTLAY - FROM RESERVE	.00	.00	165,000.00	165,000.00	.0
TOTAL FUND EXPENDITURES	66,723.90	230,620.49	1,345,581.00	1,114,960.51	17.1
NET REVENUE OVER EXPENDITURES	(57,524.55)	508,429.93	20,594.00	(487,835.93)	2468.8

CITY OF WHITTIER
 REVENUES WITH COMPARISON TO BUDGET
 FOR THE 4 MONTHS ENDING APRIL 30, 2017

HARBOR RENOVATION C.I.P.

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>SOURCE 301</u>					
73-301-4000 GRANT REVENUES	.00	.00	500,000.00	500,000.00	.0
TOTAL SOURCE 301	.00	.00	500,000.00	500,000.00	.0
TOTAL FUND REVENUE	.00	.00	500,000.00	500,000.00	.0

CITY OF WHITTIER
 EXPENDITURES WITH COMPARISON TO BUDGET
 FOR THE 4 MONTHS ENDING APRIL 30, 2017

HARBOR RENOVATION C.I.P.

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>WHITTIER SBH RE PHASE II</u>					
73-901-9205 HARBOR RENOVATION	808,969.00	1,053,919.00	.00	(1,053,919.00)	.0
TOTAL WHITTIER SBH RE PHASE II	808,969.00	1,053,919.00	.00	(1,053,919.00)	.0
TOTAL FUND EXPENDITURES	808,969.00	1,053,919.00	.00	(1,053,919.00)	.0
NET REVENUE OVER EXPENDITURES	(808,969.00)	(1,053,919.00)	500,000.00	1,553,919.00	(210.8)

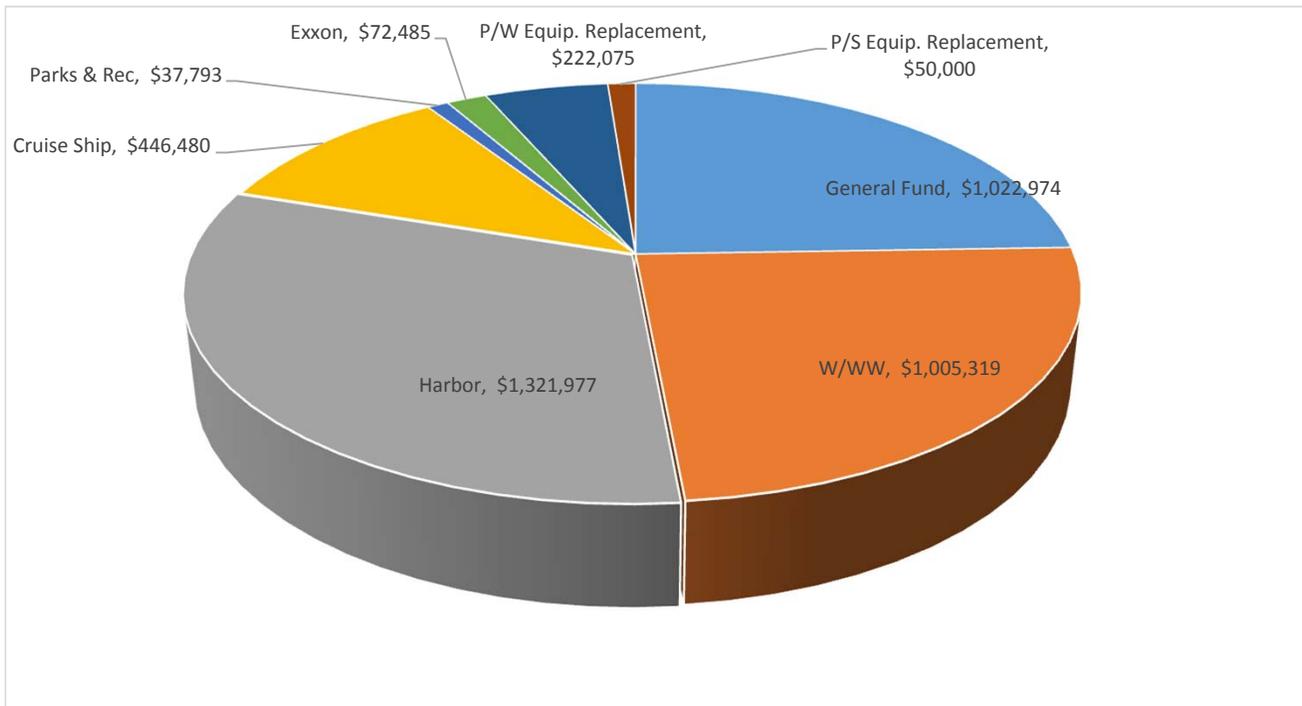
Current Balances

05/12/17

	<u>FNBA</u>	<u>UBS</u>	<u>Minimum</u>	<u>Committed</u>	<u>Funds Available</u>
	<u>Checking</u>	<u>Investment</u>	<u>Fund Balance</u>		
General Fund	\$ 4,158,155	\$ 121,819	\$ 2,000,000	\$ 1,257,000 ¹	\$ 1,022,974
W/WW	\$ 299,233	\$ 906,086	\$ 200,000	\$ -	\$ 1,005,319
Harbor	\$ 1,065,815	\$ 906,162	\$ 650,000	\$ -	\$ 1,321,977
Cruise Ship	\$ 1,171,165	\$ 473,315		\$ 1,198,000 ²	\$ 446,480
Parks & Rec		\$ 43,998		\$ 6,205 ³	\$ 37,793
Exxon		\$ 172,485		\$ 100,000 ⁴	\$ 72,485
P/W Equip. Replacement	\$ 100,000	\$ 122,075			\$ 222,075
P/S Equip. Replacement	\$ 50,000				\$ 50,000

Notes:

1. \$1,157,000 to PS Building, \$50,000 to PW Equip. Replacement, \$50,000 to PS Equip. Replacement
2. \$1,000,000 to PS Building, \$158,000 to PS Operations, \$10,000 to Museum, \$30,000 to Surveillance Cameras, Does NOT include Harbor Project.
3. \$6,205 approved and spent in 2015 but not yet transferred
4. \$100,000 to PS Building





CITY OF WHITTIER HARBOR

P.O. Box 639 Whittier, Alaska 99693
907-472-2327, ext 6; Fax 907-472-2472
E-Mail: harbormaster@whittieralaska.gov

March 14, 2017

From: Harbormaster
To: City Manager

Subj: Monthly Harbor Report

Administration:

- We are continuing to pursue past due accounts.
- Working with ARRC (Paul Farnsworth/Shane Maloney) on access to Delong Dock to perform inspection.
- Working with PSWAC and ADF&G for housing and feeding of Salmon Frey.

Harbor:

- Travel lift is fully operational and being utilized to assist in relocating vessels. Parts on order to maintain continuous operation.
- Harbor Technicians have begun the process of relocating vessels from B to the new C dock and have begun decommissioning B and X docks.
- Repairs to concrete on G float.
- Continuation of stripping on parking lot
- Painting and maintenance on Harbor Restrooms

Meetings attended:

- Whittier Boat owners association

Copy to:
File

Whittier Public Safety Facility - Construction Report

Monthly Report: May 11, 2017

Prepared by: Terry Morrison

To: City Council

- 2nd and 3rd floor concrete is complete
- Council casework design started
- Interior framing is 100% on the 1st floor, 50% on the 2nd Floor
- Sheetrock on 1st floor at public works and stairwell started.
- Scheduled completion is July 31, 2017 with some risk of delay - pending procurement.
- Applying for Tier 2 Rasmuson Foundation grant to cover clinic TI.

Thanks,

Terry Morrison
Alaska Project Services

**CITY OF WHITTIER
ORDINANCE #02-2017**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WHITTIER, ALASKA,
AMENDING CHAPTER 2.10 AUTHORIZING A HEARING OFFICER TO PRESIDE IN
HEARINGS REGARDING VIOLATIONS OF CHAPTER 2.10 ENTITLED “CODE OF
ETHICS” OF THE WHITTIER MUNICIPAL CODE, REPEALING THE BOARD OF
ETHICS, AND UPDATING THE ADMINISTRATIVE HEARING PROCESS TO
CREATE A MORE SIMPLE APPEAL PROCESS**

NOW, THEREFORE, The Whittier City Council ordains:

Section 1. Chapter 2.10, entitled “Code of ethics”, is hereby amended to read as follows:

2.10.010 Short title.

This chapter shall be known as the “Code of Ethics.”

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.

2.10.030 Construction.

This Code of Ethics shall be liberally construed in favor of protecting the public’s interest in full disclosure of conflicts of interest and promoting ethical standards of conduct for City employees and officials.

2.10.040 Council voting.

- A. All members of the Council shall vote, unless **a council member**~~someone~~ has a direct or indirect **financial** interest in the motion. **Council members shall disclose a financial interest in a motion before the Council votes on that motion.**~~This shall be stated before the issue is voted upon.~~

- B. **After a council member discloses a financial interest,** ~~t~~The Council **shall** determine by roll call vote if **the council member’s** ~~said person’s~~ vote is a conflict of interest. If **another council member or** ~~someone~~ from the audience questions or challenges a member’s vote, Council shall act upon this with a roll call vote excluding the questioned member from that vote.

2.10.050 Declaration of intent by officers.

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

~~A p~~Persons on any Council, a board, commission or committee shall declare **any services or goods he or she provides the City or any potential applications he or she intends to submit to the City to provide services or goods to the City in the future. For purposes of this section, “goods and services” means goods or services provided in exchange for financial gain.** ~~their intent upon application for any positions to bid on or provide any service, which involves monetary or substantial personal gain with the City.~~

2.10.060 Records of payment to be public record.

All records of payment received from the City shall be a matter of public record.

2.10.070 Conflict of interest generally.

No **elected or appointed** City 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.

2.10.080 Filing of statements by nonsalaried officers.

Every nonsalaried **elected or appointed City officer or official** of any City board, commission or committee shall, upon assuming his **or her** duties, file with the ~~Board of Ethics~~ **City Clerk** a **written** statement in writing disclosing any direct or indirect interest in any firm, corporation, association or enterprise which by reason of such membership on a City board, committee, or commission, benefits him **or her** in a manner different from that available to the public generally. **Every official or officer subject to this section shall supplement his or her written disclosure statement within ten days of acquiring or becoming aware of any interest subject to disclosure under this section.** ~~and shall thereafter upon acquiring or becoming aware of any such interest file a similar statement with the Board of Ethics.~~

~~2.10.090 Board of Ethics — Created — Membership.~~

~~There is created a Board of Ethics consisting of three members who shall be the Mayor, or the Council member duly appointed as the designee of the Mayor, and two lay members of the public appointed by the Council, and two lay members of the public appointed by the Council to serve as alternate members. If the conduct of any of the members of the Board of Ethics is questioned the Council shall appoint a substitute member for the purpose of that investigation only.~~

~~2.10.095 Appointment.~~

~~By February 1st of each year the City Council shall appoint two public citizens to the Board of Ethics and two public citizens to serve as alternate members to the Board of Ethics. The term of office of the public citizens shall be one year.~~

~~2.10.100 Board of Ethics — Powers and duties.~~

~~The powers and duties of the Board of Ethics shall be as follows:~~

- ~~A. To establish administrative rules and procedures for the conduct of its business, to conduct preliminary investigations, to make reports to the Council, and to conduct such further hearings as provided for in WMC 2.10.110;~~

~~B. To make expenditures in accordance with the annual budget adopted by the Council and to utilize the services of such staff as may be made available to said board;~~

~~C. To consider questions as to ethical conduct, conflicts of interest, and the application of ethical standards set forth in this code, and upon the written request of any City officer or employee, or without such request if in the public interest, issue its advisory opinion in writing as to any such question;~~

~~D. To make recommendations to the Council for amendments to this code and for such other legislation affecting the subject matter of this code as said board may deem necessary or desirable;~~

~~E. To provide a continuing program of education, assistance, and information to City officers and employees with regard to ethical conduct.~~

~~All officers, employees, departments and agencies of the City shall make available to the Board of Ethics all books, papers, documents, information, and assistance requested by said board and pertinent or material to any inquiry or investigation being conducted by said board in the performance of its duties under this code.~~

~~2.10.110 Board of Ethics—Conduct of hearings.~~

~~Whenever a preliminary investigation has been made by the Board of Ethics in response to a written complaint, instructions from the Council, or on its own initiative, and a report of such investigation has been rendered to the Council, then the Council may authorize the Board of Ethics to conduct a formal hearing on the matter. In this event the Board of Ethics shall have the power to administer oaths and affirmations, examine witnesses, and compel attendance of persons, and production of documents, papers, books, accounts, letters, and records by subpoena. Any person summoned to appear before such board and give evidence shall have the right to be represented by counsel. Any person against whom a complaint or violation of ethical standards has been made or whose conduct is the subject of investigations by the board may demand and shall be entitled to a hearing, which is open to the public.~~

2.10.111 complaint and response.

A. Any person may file a complaint with the Clerk alleging that a public official has violated this chapter. The complaint must:

- 1. Be a written statement of the charge setting out in ordinary and precise language the acts or omissions with which the respondent is charged;**
- 2. Specify the subsection(s) of WMC 2.10 that the respondent is alleged to have violated; and**
- 3. Contain a notarized statement of verification providing that the information, statements, and allegations contained in the complaint are true to the best of the person filing the complaint's knowledge and belief.**

- B. A complaint alleging a violation must be filed within two years from the date the complainant(s) knew or should have known of the action alleged to be a violation, and no later than five years after the alleged violation occurred.
- C. The clerk shall serve the respondent, who is the officer or official against whom the complaint is filed no more than two business days after accepting a complaint as sufficient under section 2.10.115 of this chapter.
- D. The respondent shall have thirty days to respond to the complaint. The response must:
 - 1. Expressly deny or admit to the specific allegations in the complaint; and
 - 2. Contain a notarized statement of verification providing that the information, statements, and allegations contained in the response are true to the best of the the person filing the response's knowledge and belief

2.10.113 Confidentiality.

- A. Complaints filed under WMC 2.10 are confidential and may not be disclosed to any person except the city clerk.
- B. It is not a violation of this section for a person to contact or retain an attorney or to cooperate in a criminal investigation if one is proceeding.
- C. All proceedings and records shall remain confidential unless the respondent requests a public hearing or until the hearing officer files with the council its findings of fact and conclusions of law concerning the complaint.

2.10.114 Initial screening

- A. Upon receipt of a complaint regarding a public official, the City Clerk shall screen the complaint and determine if the complaint:
 - 1. States with particularity a violation of this chapter; and
 - 2. The alleged violation occurred within the time period required under this chapter.
- B. If the complaint meets the requirements of subsection A, the City Clerk shall notify both the public official and the person filing the complaint that the complaint has been accepted and serve a copy of the complaint on the public official.
- C. The notice shall also specify that a response by the public official must be filed within 30 calendar days from the date of the Clerk's written notice. If the deadline falls on a weekend or full-day City holiday, then the notice shall be due on the next business day. The notice shall also inform the

public official of the right to submit affidavits or other written evidence in support of the public official's response. Misrepresentation of a material fact in a response is a violation of this chapter. Failure to timely respond shall be considered an admission of the allegations in the complaint, and the Clerk shall notify the complainant and respondent the allegations of the complaint are deemed admitted.

- D. The respondent may appeal to the hearing officer any deemed admission of the allegations of the complaint, for good cause, by filing an appeal with the Clerk within 15 days after the date of notice of the deemed admission. The appeal must state all facts and legal grounds for failure to respond timely.

- E. If the City Clerk determines that the complaint is insufficient under this section, the Clerk shall make a written determination indicating the basis for this determination and shall distribute the determination to the public official and the complainant. The Clerk's determination is final. The complainant may appeal any dismissal by the Clerk to the superior court in accordance with the Alaska Rules of Appellate Procedure.

- F. If the City Clerk is the subject of the complaint, the complaint should be filed with the City Manager who shall perform the responsibilities of the Clerk for under this chapter.

2.10.115 Hearing officer.

- A. If the City Clerk determines the complaint is sufficient, the Clerk shall send the complaint to the hearing officer selected by the city attorney. The hearing officer shall be a private attorney or an individual trained as an administrative hearing officer. The hearing officer shall not be an employee of the City of Whittier..

- B. The Clerk will furnish to the hearing officer the complaint and response, if any, or any appeal.

- C. The hearing officer shall schedule a hearing within ninety days after the date of the clerk's notice of sufficiency. The hearing officer may extend this deadline for good cause.

2.10.118 Hearing notice.

- A. The Clerk shall serve on the complainant and the respondent a notice of hearing setting out the time and place of hearing and the schedule for any preliminary matters. This notice shall include a statement of the right to provide written evidence and oral testimony. The complainant and the respondent shall also be informed of the right to be represented at the hearing.

- B. The hearing officer shall determine if the complainant has proven by the preponderance of the evidence that the allegations in the complaint are true.
- C. If the respondent has failed to answer the allegations of the complaint or has admitted the allegations, the hearing officer shall prepare findings of fact and conclusions of law based on the written record.

2.10.120 Advisory opinions.

Any official or employee may request an opinion from the ~~board~~-city attorney relating to any situation involving such official or employee, which may give rise to the possibility of conflict of interest under this code. Such requests shall be in writing, shall set forth the pertinent facts and shall be signed by the official or employee making the request, and shall, if requested by the officer or employee, be held in confidence and no disclosure thereof shall be made except as provided herein.

2.10.121 Service by mail and filing.

- A. All motions or requests shall be served upon the opposing party. If service by mail is used, three days will be added for response time from the date of mailing. The party must certify the date mailed on the document. If the deadline falls on a weekend or holiday, the deadline shall fall on the next city business day.
- B. All documents shall be filed with the Clerk.

2.10.122 Hearing.

- A. All hearings shall be before the hearing officer who shall preside.
- B. The hearing officer may administer oaths, hold hearings, and take testimony. The hearing officer may, on their own or in response to a motion by a party to the hearing, request the presence of witnesses and the production of records, books, and papers at the hearing.
- C. The complainant and the respondent may each present opening statements setting out the matters they intend to prove. The complainant shall proceed first with his or her evidence and the respondent shall follow, setting forth his or her evidence. The complainant and the respondent may make closing arguments.
- D. The Alaska Rules of Evidence do not apply to the admission of evidence in a hearing, but the hearing officer's findings of fact must be based on reliable and relevant evidence.
- E. At the conclusion of the presentation of evidence and closing arguments, the hearing officer shall consider the allegations, the evidence supporting them, and the respondent's evidence.

2.10.123 Findings of fact and conclusions of law.

- A. The hearing officer shall enter findings of fact and conclusions of law no later than 30 days after the conclusion of the hearing. The hearing officer shall notify the parties and their attorneys if an extension is required to permit the preparation of findings of fact and conclusions of law.
- B. If the hearing officer finds that no violation has occurred, the complaint shall be dismissed. The Clerk shall serve the notice of dismissal on the complainant, the respondent, and attorneys. The notice of dismissal remains confidential.
- C. If the hearing officer finds that a violation of this chapter has been committed, the hearing officer shall prepare and submit its findings of fact and conclusions of law to the City Council.
- D. The findings of fact and conclusions of law are final and conclusive.
- E. If the hearing officer determines that no violation has occurred, or otherwise dismisses the complaint for substantive reasons, the hearing officer may award full or partial attorney fees to a public official who reasonably incurred those costs defending the complaint. This award may be made against the City only to the extent that the City Council has appropriated funds for that purpose.

2.10.124 Appeal of findings of fact and conclusions of law and penalty.

- A. If the hearing officer imposes a penalty with its decision, appeal of the findings of fact and conclusions of law and the penalty may be taken to the superior court in accordance with the Alaska Rules of Appellate Procedure.
- B. Notice of an appeal must be filed with the superior court within 30 days of the imposition of the penalty.

2.10.130 Prohibited acts.

- A. No City officer or employee shall engage in any act in conflict with the performance of his official duties and shall disqualify himself from participating in any official action in which he has a substantial financial interest.
- B. The following prohibited acts are deemed to be in conflict with the performance of an officer or employee's official duties. No officer or employee shall:
 1. Fail to disclose that he possesses, directly or indirectly, a substantial or controlling interest in any corporation, firm, association or enterprise doing business with the City;
 2. Have a financial or other private interest in any legislation or other matter coming before the Council, and if a Councilman, fail to disclose such interest on the records of the Council or disqualify himself from voting on such matter by stating the nature and extent of such interest, or if an officer or employee, participate in discussion with or give an official opinion to the

Council as to any such matter and fail to disclose such interest on the records of the Council;

3. Receive or acquire any financial interest in any sale to or purchase from the City of any service or property with knowledge at the time of receiving or acquiring such interest that the City intends to purchase or sell such property or service;
4. Accept any retainer, gift, or favor from any person, firm, corporation, association or enterprise having dealings with the City with the knowledge that such retainer, gift or favor is given with the intent to obtain special consideration as to any action by such officer or employee in his official capacity; provided, however, that any such officer or employee who is a candidate for public office may accept otherwise lawful campaign contributions and services in connection with any such campaign;
5. Have a financial interest, whether personally or through immediate family or close relatives, in a firm, corporation, association or enterprise doing business with the City and influence or attempt to influence the selection of, or conduct of business with such firm, corporation, association or enterprise by the City;
6. Engage in or accept private employment or render service for private industry or other governmental entities which is incompatible with the proper discharge of official duties or impairs his independence of judgment or action in the performance of such official duties;
7. Appear on behalf of a private interest before any City agency, board or commission or represent a private interest in any action or proceeding against the interest of the City in any litigation to which the City is a party; provided, that this subsection shall not apply to:
 - a. Persons receiving no compensation from the City,
 - b. Any member of the Council appearing before governmental agencies on behalf of or as a representative of constituents in the course of his official duties or performing public or civic obligations without additional compensation therefor, or
 - c. Any officer or employee appearing on his own behalf or representing himself as to any matter in which he has a proprietary interest; provided such proprietary interest is fully disclosed and the officer or employee does not act or attempt to act in any official capacity with respect to such matter;
8. Use, request, or permit the use of City-owned vehicles, equipment, materials or property for personal use or profit unless such use is available to the public generally; provided, that this subsection shall not apply to the use of City-owned vehicles, equipment, materials or property provided to

such officer or employee in accordance with municipal policy for the conduct of official City business;

9. As to any matter or proceeding coming before a City agency, board or commission of which he is a member, fail to disqualify himself from acting therein when such matter or proceeding involves any person who is or has been a client of his or his firm or partnership within the 12-month period immediately preceding the date of such action;
10. Disclose confidential information concerning the property, government, or affairs of the governmental body by which he is employed without proper legal authorization, or use such information to advance the financial or other private interest of himself or others;
11. Serve as a member of the City Council and have either (a) paid employment with the City other than payment for such Council membership or (b) a substantial or controlling interest in a corporation, firm, association or enterprise doing business with the City.
12. Simultaneously be a paid City employee and a candidate for election to the City Council or Mayor. Before a paid employee may file a petition for election, he or she must first terminate such employment with the City. This provision is not intended to prohibit payment by the City of a salary to the Mayor.
13. Be employed or serve in violation of WMC 2.24.132 or 2.32.705.

2.10.140 Failure to provide information.

It is unlawful for any person duly summoned to attend as a witness before the ~~Board of Ethics~~ **hearing officer** to fail or refuse, without lawful excuse, to attend pursuant to such summons, or to willfully refuse to be sworn or to affirm or to answer any material or proper question, or to produce, upon reasonable notice, any material or proper documents, papers, books, accounts, letters or records in his possession or under his control, or having been duly sworn to tell the truth, to knowingly give false testimony as to any material matter.

2.10.150 Cancellation of contracts.

Any contract between the City and another party shall be voidable or rescindable at the option of the Council at any time within a period of one year from the date of execution of such contract, if any officer or employee of the City has any interest in such contract and does not disclose such interest.

2.10.160 Violations by appointed officers – Penalty.

If the ~~Board of Ethics~~ shall **hearing officer** determines that any appointed City officer or employee has violated the ethical standards set forth in this code, ~~said board~~ **the hearing officer** shall deliver a copy of its written decision to the Mayor and Council and such City officer or employee who has violated the ethical standards together with the ~~board's~~ **hearing officer's** recommendation for disciplinary action. In addition to any other penalty herein or otherwise provided by law, violation of such ethical standards by a nonelected

officer or employee shall be cause for suspension, discharge, or removal from office, or such other disciplinary action as the Council may determine.

2.10.170 Violations by elected officials and paid or unpaid members of boards and commissions – Penalty.

If the ~~Board of Ethics shall~~ hearing officer determines that an elected official or paid or unpaid member of a board or commission has violated the ethical standards as set forth in this code, ~~said board~~ he or she shall deliver a copy of its written recommendations to the Council which may take such action as it is empowered to do by law, including but not limited to removal from office and censure action.

2.10.180 Violation – Reprimand and/or dismissal.

Any person in violation of this code shall be subject to censure, reprimand, and/or immediate dismissal from office, in addition to any other applicable penalty under law.

Section 3. Classification. This Ordinance is a permanent code ordinance.

Section 4. Effective Date. This ordinance shall take effect immediately upon adoption.

ENACTED this ___ day of _____ 2017.

Daniel Blair
Mayor

ATTEST:

Jennifer Rogers
City Clerk

Ayes:
Nays:
Absent:
Abstain:

**CITY OF WHITTIER, ALASKA
RESOLUTION #10-2017**

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF WHITTIER, ALASKA, AUTHORIZING THE CITY MANAGER TO SELL EXCESS CITY PERSONAL PROPERTY DURING 2017.

WHEREAS, the City of Whittier is near completion of a new public safety building; and

WHEREAS, the City needs to begin moving items from the existing P12 building as soon as possible; and

WHEREAS, various departments of the City have surplus equipment and supplies that are no longer needed for City operations; and

WHEREAS, WMC 3.36.410(B) requires a resolution authorizing the sale of items valued at less than \$25,000 per item to be sold; and

WHEREAS, the City Manager proposes to dispose of the surplus by means of internet auctions during the remainder of 2017.

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

The City Council of the City of Whittier, Alaska hereby authorizes the City Manager to dispose of items valued at less than \$25,000 per item by means of public internet auction during 2017.

PASSED AND APPROVED by a duly constituted quorum of the Whittier City Council on this 16th day of May, 2017.

ATTEST:

Jennifer Rogers
City Clerk

Daniel Blair
Mayor

Ayes:
Nays:
Absent:
Abstain:

City of Whittier
Tax-Exempt Obligations
Tax Compliance Guidelines

Adopted: May 16, 2017

I. Purpose

The City of Whittier (the “Issuer”) adopts these Guidelines (the “Guidelines”) to ensure that interest on issues of tax-exempt obligations issued by the Issuer (the “Bonds”), remains excludable from gross income under Section 103 of the Internal Revenue Code of 1986 (the “Code”). The Guidelines are intended to formally memorialize certain procedures of the Issuer in connection with the issuance of Bonds.

In order to ensure continued compliance with requirements of the Code and the applicable regulations (the “Applicable Federal Tax Law”) associated with each issue of Bonds, the Issuer will consult with counsel nationally recognized in the area of municipal finance (“Bond Counsel”), in advance, regarding any proposed actions that would result in a deviation from the expectations of the Issuer or a potential violation of the covenants of the Issuer set forth in the closing certifications relating to any issue of Bonds.

II. Ongoing Relationship with Outside Advisors

The Issuer maintains an ongoing relationship with Bond Counsel and other advisors to serve as a resource for education and advice regarding the Bonds’ compliance with Applicable Federal Tax Law.

III. Persons Responsible for Tax Compliance

The City Manager of the Issuer (the “Designated Tax Compliance Officer”) is the primary person to consult with Bond Counsel and other advisors on a continual basis for the entire term of the Bonds.

In general, the Designated Tax Compliance Officer has the primary responsibility to ensure compliance with the Applicable Federal Tax Law relating to all Bonds. As described in these Guidelines, such compliance relates to the expenditure and investment of proceeds of Bonds (“Bond Proceeds”), the use or sale of the assets financed or refinanced with Bond Proceeds (the “Bond-financed Assets”), and record-keeping and filing requirements. The Designated Tax Compliance Officer or designee shall review the tax document signed by the Issuer that outlines the Applicable Federal Tax Law affecting an issue of the Bonds (each, a “Tax Certificate”). The Tax Certificate is included as part of the closing documents for an issue of the Bonds.

IV. Expenditures of Bond Proceeds

A. Expenditure of Bond Proceeds - In General.

Upon the issuance of any issue of new money Bonds, the Issuer must reasonably expect to spend at least 85% of all Bond Proceeds that are expected to be used to finance capital improvements (excluding proceeds in a reserve fund or for any non-project purpose)

within 3 years of issuance. Other limitations or adjustments may be set out in the Tax Certificate relating to such issue of new money Bonds. On the issue date of each issue of Bonds, the Issuer represented that it reasonably expected (1) that it would incur, within six months after issuance of the Bonds, binding obligations to unrelated parties involving an expenditure of not less than 5% of such amount of Bond Proceeds and (2) that completion of the capital improvements and allocations of Bond Proceeds to costs would proceed with due diligence. If the Issuer does not actually satisfy either of these expectations, the Designated Tax Compliance Officer shall document, in writing, the reasons for such failure. See Section VII of these Guidelines for rebate and rebate exceptions.

B. Assignment of Responsibility and Establishment of Calendar

On the date of issuance of any Bonds, the Designated Tax Compliance Officer or designee will identify for that Bond issue:

- The funds and/or accounts into which Bond Proceeds are deposited;
- The types of expenditures expected to be made with the Bond Proceeds deposited into those funds and/or accounts and any expenditures prohibited from being made from such funds and/or accounts; and
- The dates by which Bond Proceeds described in Section IV. A. of these Guidelines will become subject to arbitrage yield limitations if they have not been expended (“Expenditure Deadlines”) and all interim dates by which funds and/or accounts must be checked to ensure compliance with the applicable Expenditure Deadlines.

C. Expenditure Failures

If the Designated Tax Compliance Officer discovers that an Expenditure Deadline has not been met, said person will consult with Bond Counsel to determine the appropriate course of action with respect to such unspent Bond Proceeds. Special action may need to be taken with such unspent Bond Proceeds, including yield restriction, or redemption of Bonds.

D. Final Allocation

Requests for expenditures will be summarized in a final allocation of Bond Proceeds (“Final Allocation”) in a manner consistent with allocations made to determine compliance with arbitrage yield restriction and rebate requirements (See Section VII of these Guidelines). The Final Allocation will memorialize the assets or portion thereof financed with Bond Proceeds and the assets or portion thereof financed with other funds.

The Final Allocation must occur not later than 18 months after the date of the expenditure or, if the expenditures relate to a facility, 18 months after the date the facility to which the expenditure relates is completed and actually operating at substantially the level for which it was designed but in all events not later than 60 days after the end of the fifth year after issuance of the Bonds (or 60 days after none of the Bonds are outstanding, if earlier).

The Designated Tax Compliance Officer or designee will be responsible for ensuring that such Final Allocation is made for each issue of Bonds.

F. Records of Expenditures

The Designated Tax Compliance Officer or designee is responsible for maintaining records related to the expenditure of Bond Proceeds including records:

- Identifying on the Issuer’s general asset ledgers all of the assets or portions of assets financed with Bond Proceeds;
- Relating to requisitions for Bond Proceeds, construction contracts, purchase orders, invoices, and payment records;
- Relating to costs reimbursed with Bond Proceeds;
- Relating to any action taken as a result of a failure to meet the Expenditure Deadlines; and
- Documenting the Final Allocation and all supporting documentation.

Such records will be retained until six years after the final maturity of the issue of Bonds (or the later final maturity of any Bonds issued to refund the Bonds), and may be in the form of documents or electronic copies of documents, appropriately indexed to specific Bond issues and compliance functions.

V. Project Use Requirements

All of the property financed by each issue of Bonds must be owned by the Issuer. At least 95% of the “net proceeds” of the Bonds must be used in a manner which is related to the governmental purpose(s) of the Issuer. For this purpose, “net proceeds” means the sale proceeds of the Bonds less amounts deposited in a reasonably required reserve fund, plus investment earnings on sale proceeds during the project period. Importantly, costs of issuance paid with proceeds of the Bonds (as further described below) are included as part of the 5% permissible “bad money” portion of an issue of the Bonds. Costs of issuance includes underwriter’s discount, rating agency fees, bond counsel fees, Issuer counsel, trustees fees and similar costs incurred in connection with the issuance of the Bonds. Under applicable tax law, costs of issuance of an issue of the Bonds may be financed with up to 2% of the proceeds of the Bonds. Accordingly, after the payment of costs of issuance with proceeds of the Bonds, the remaining permissible bad money portion of an issue of the Bonds is often no more than 3%.

VI. Investment of Proceeds

A. In General

On the date of issue of any Bond the Designated Tax Compliance Officer or designee will identify for that issue:

- All of the funds and/or accounts into which Bond Proceeds are deposited and the applicable yields at or below which such funds and/or accounts must be invested; and
- Any funds and/or accounts that are not directly funded with Bond Proceeds which must be invested at or below the yield on the obligations.

The Designated Tax Compliance Officer or designee will ensure that the investment of Bond Proceeds is in compliance with the applicable yield restrictions contained in the Treasury Regulations.

The Designated Tax Compliance Officer or designee will obtain regular, periodic (monthly) statements regarding the investments and transactions involving Bond Proceeds.

The Designated Tax Compliance Officer or designee will keep all records with respect to investments, including:

- United States Treasury Securities-State and Local Government Series (“SLGS”) subscription information;
- The solicitation and all responses received from the bidding of any investments other than SLGS; and
- Records of investment activity sufficient to permit calculation of arbitrage rebate or demonstration that no rebate is due.

VII. Arbitrage Yield and Rebate

A. In General

The Designated Tax Compliance Officer or designee will be responsible for the calculation of rebate on a prompt basis. In order to assist in such calculation, the Designated Tax Compliance Officer may engage the services of an arbitrage rebate service provider. In the event that an arbitrage rebate service provider is engaged, statements regarding investments and transactions involving Bond Proceeds and other requested documents and information should be timely provided to the arbitrage rebate service provider.

The Designated Tax Compliance Officer will assure compliance with required rebate payments, if any, or, if a rebate service provided is engaged, monitor the arbitrage rebate service provider to assure compliance with required rebate payments, if any. Any arbitrage rebate payments need to be paid no later than the fifth year after issuance and each 5-year period thereafter through the term of an issue of the Bonds. A final rebate payment must be made within 60 days of the final maturity or redemption date of the issue. The Tax Certificate relating to such issue or tax covenants in other documents may set forth how frequently rebate calculations must be performed.

During the construction period of a capital project, the investment and expenditure of Bond Proceeds are to be monitored and, if applicable, the arbitrage rebate service provider consulted, to determine whether the Issuer is meeting any spending exception. Available

spending exceptions are in periods of 6 months, 18 months and 2 years (for Bond issues that predominately finance construction), with the 18-month and 2-year exception subject to 6-month interim benchmarks. See the Tax Certificate for more details regarding the spending exceptions.

In the event that a rebate payment is due, the Designated Tax Compliance Officer or his or her designee will ensure that such rebate payment is accompanied by a Form 8038-T.

The Designated Tax Compliance Officer or designee will retain copies of all arbitrage reports, related return filings with the Internal Revenue Service, and copies of cancelled checks with respect to any rebate payments and information statements. Such records will be retained until three years after the final maturity of the issue of Bonds (or the later final maturity of any Bonds issued to refund the Bonds),, and may be in the form of documents or electronic copies of documents, appropriately indexed to specific Bond issues and compliance functions.

DATED this 16th day of May 2017.

CITY OF WHITTIER

Mark Lynch, City Manager



THE CITY OF WHITTIER

Gateway to Western Prince William Sound

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

To: Mayor and Council
From: Mark Lynch, City Manager
Subject: Tank Farm Property
Date: May 12, 2017

In January 2011, a federal bill was passed directing transfer of the Tank Farm property (62 acres) to the City of Whittier. In addition to paying “fair market value” for the property, language in this legislation required the City to pay for “survey costs, costs related to environmental documentation, and any other administrative costs related to the conveyance.” The Corps has provided an estimate of \$112,000 for these costs, and they are asking the City to commit this amount towards the purchase process at this time.

Recommended action if approval is desired:

Motion to authorize the City Manager to expend up to \$112,000 from the City’s General Fund to pay for survey, administrative and environmental documentation costs associated with purchase of the Tank Farm property.

(1) CONFORMING AMENDMENT.—Section 2925(a) of title 10, United States Code, is amended by striking “energy performance plan” each place it appears and inserting “energy performance master plan”.

(2) CLERICAL AMENDMENTS.—The table of sections at the beginning of subchapter I of chapter 173 of such title is amended—

(A) by striking the item relating to section 2911 and inserting the following new item:

“2911. Energy performance goals and master plan for the Department of Defense.”;
and

(B) by striking the item relating to section 2915 and inserting the following new item:

“2915. Facilities: use of renewable forms of energy and energy efficient products.”.

Subtitle E—Land Conveyances

SEC. 2841. LAND CONVEYANCE, DEFENSE FUEL SUPPORT POINT (DFSP) WHITTIER, ALASKA.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Army or the Secretary of the Air Force may convey to the City of Whittier, Alaska (in this section referred to as the “City”), all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, consisting of approximately 62 acres, located at the Defense Fuel Support Point (DFSP) Whittier, Alaska, that the Secretary making the conveyance considers appropriate in the public interest.

Payments.

(b) CONSIDERATION.—As consideration for the conveyance under subsection (a), the City shall pay to the Secretary conveying the property an amount that is not less than the fair market value of the property conveyed, as determined by the Secretary. The Secretary’s determination shall be final. In lieu of all or a portion of cash payment of consideration, the Secretary may accept in-kind consideration, including environmental remediation for the property conveyed.

(c) PAYMENT OF COSTS OF CONVEYANCE.—

(1) PAYMENT REQUIRED.—The Secretary conveying property under subsection (a) shall require the City to reimburse the Secretary to cover costs (except costs for environmental remediation of the property) to be incurred by the Secretary, or to reimburse the Secretary for costs incurred by the Secretary, to carry out the conveyance under subsection (a), including survey costs, costs related to environmental documentation, and any other administrative costs related to the conveyance. If amounts are collected in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the City of Whittier.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received as reimbursement under paragraph (1) shall be credited to the fund or account that was used to cover those costs incurred by the Secretary in carrying out the conveyance. Amounts so credited shall be merged with amounts in such fund or account and shall be available for the same purposes, and

subject to the same conditions and limitations, as amounts in such fund or account.

(d) COMPLIANCE WITH ENVIRONMENTAL LAWS.—Nothing in this section shall be construed to affect or limit the application of, or any obligation to comply with, any environmental law, including the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.) and the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.).

(e) TREATMENT OF CASH CONSIDERATION RECEIVED.—Any cash payment received by the United States as consideration for the conveyance under subsection (a) shall be deposited in the special account in the Treasury established under subsection (b) of section 572 of title 40, United States Code, and shall be available in accordance with paragraph (5)(B) of such subsection.

(f) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the parcel of real property to be conveyed under this section shall be determined by a survey satisfactory to the Secretary of the Interior.

(g) ADDITIONAL TERMS AND CONDITIONS.—The Secretary making the conveyance under subsection (a) may require such additional terms and conditions in connection with the conveyance as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2842. LAND CONVEYANCE, FORT KNOX, KENTUCKY.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Army may convey, without consideration, to the Department of Veterans Affairs of the Commonwealth of Kentucky (in this section referred to as the “Department”) all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, consisting of approximately 194 acres at Fort Knox, Kentucky, for the purpose of permitting the Department to establish and operate a State veterans home and future expansion of the adjacent State veterans cemetery for veterans and eligible family members of the Armed Forces.

(b) REVERSIONARY INTEREST.—If the Secretary determines at any time that the real property conveyed under subsection (a) is not being used in accordance with the purpose of the conveyance specified in such subsection, all right, title, and interest in and to the property shall revert, at the option of the Secretary, to the United States, and the United States shall have the right of immediate entry onto the property. Any determination of the Secretary under this subsection shall be made on the record after an opportunity for a hearing.

(c) PAYMENT OR COSTS OF CONVEYANCE.—

(1) IN GENERAL.—The Secretary shall require the Department to cover costs to be incurred by the Secretary, or to reimburse the Secretary for costs incurred by the Secretary, to carry out the conveyance under subsection (a), including costs related to environmental documentation and other administrative costs. This paragraph does not apply to costs associated with the environmental remediation of the property to be conveyed.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received as reimbursements under paragraph (1) shall be credited to the fund or account that was used to cover the costs incurred by the Secretary in carrying out the conveyance. Amounts



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To: Mayor and Council

From: Mark Lynch, City Manager

Subject: Fish Processor need for temporary housing of employees

Date: May 12, 2017

The new fish processor in Whittier is requesting that the City issue them a Land Use Permit on City property to set up temporary employee housing for up to 180 days, pending their negotiations to purchase property for housing. The City Manager is authorized to issue such a permit under WMC 3.36.320(B). However, since this is a unique request that has not been dealt with in the past, I wanted Council input before moving forward.

Recommended action if approval is desired:

Motion to approve a request for a Land Use Permit from Whittier Seafood to use City land for the purpose of setting up temporary employee housing for up to 180 days.