



**City and Borough of Wrangell
Borough Assembly Meeting
AGENDA**

March 11, 2014 – 7:00 p.m.

Location: Assembly Chambers, City Hall

1. CALL TO ORDER

- a. PLEDGE OF ALLEGIANCE led by Assembly Member Wilma Stokes
- b. INVOCATION to be given by
- c. CEREMONIAL MATTERS – *Community Presentations, Proclamations, Certificates of Service, Guest Introductions*
 - i. Presentation – Green Dot Campaign to be given by Julie Falle, Strategic Prevention Framework State Incentive Grant Coordinator *Slogan: We all can't do everything but everybody can do something to prevent violence.*
 - ii. Certificate of Service – Charleen Williams, Parks & Recreation Board

2. ROLL CALL

3. AMENDMENTS TO THE AGENDA

4. CONFLICT OF INTEREST

5. CONSENT AGENDA

- a. Items (*) 6a

6. APPROVAL OF MINUTES

- *a. Minutes of the Public Hearing and Regular Assembly meetings held on February 25, 2014

7. COMMUNICATIONS

8. BOROUGH MANAGER'S REPORT

9. BOROUGH CLERK'S FILE

10. MAYOR/ASSEMBLY REPORTS AND APPOINTMENTS

- a. Reports by Assembly Members
- b. Appointment to fill the vacancy on the Cemetery Committee
One vacancy (unexpired term until October 2015)

11. PERSONS TO BE HEARD

12. UNFINISHED BUSINESS

- a. PROPOSED ORDINANCE No. 875: AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING SECTION 3, ADMINISTRATION AND PERSONNEL, OF THE WRANGELL MUNICIPAL CODE BY REPEALING CHAPTER 3.50, CEMETERY ADVISORY COMMITTEE, IN ITS ENTIRETY (*second reading*)
- b. PROPOSED ORDINANCE No. 876: AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING SECTIONS 5.08.005 AND 5.08.050 OF THE WRANGELL MUNICIPAL CODE RELATING TO SALES TAX TO ESTABLISH A DEFINITION OF "SINGLE-PURCHASE SALE" AND AMEND THE EXEMPTION FOR A SINGLE PURCHASE OF GOODS OR SERVICES (*second reading*)

13. NEW BUSINESS

- a. PROPOSED RESOLUTION NO. 03-14-1292: A RESOLUTION OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, RECOMMENDING THAT THE OPERATIONS AND MANAGEMENT OF THE TYEE HYDROELECTRIC PROJECT BE TRANSFERRED FROM THOMAS BAY POWER AUTHORITY TO SOUTHEAST ALASKA POWER AUTHORITY AND COMMITTING TO WORK COOPERATIVELY WITH THE PETERSBURG BOROUGH AND SEAPA TO FORMULATE A COMPREHENSIVE CONVERSION PLAN TO MEET THIS GOAL; AND REPEALING RESOLUTION NO. 12-13-1290
- b. Approval to award the bid received from Pacific Alaska Lumber Company, LLC for the City Dock Fender Replacement Materials project

14. ATTORNEY'S FILE

15. EXECUTIVE SESSION

16. ADJOURNMENT

Agenda Items 1 - 6

CITY & BOROUGH OF WRANGELL

BOROUGH ASSEMBLY

AGENDA ITEM

March 11, 2014

ITEM NO. 1 CALL TO ORDER:

INFORMATION: *The Mayor, by code, is required to call the meeting to order at 7:00 p.m. in the Borough Assembly Chambers. Special meetings or continued meetings may be called for at differing times but at the same location. Notice of such will be required by the Borough Clerk. The Mayor will call the meeting to order according to such special or continued meeting notice. At all meetings of the assembly, four assembly members or three members and the mayor shall constitute a quorum for the transaction of business, but a smaller number less than a quorum may adjourn a meeting to a later date.*

RECOMMENDED ACTION:

The Mayor, as presiding officer, is to call the meeting of the Borough Assembly to order, with the following actions to follow:

- a. Pledge of Allegiance to be given by Assembly Member Pamela McCloskey
- b. Invocation to be given
- c. Ceremonial Matters – *Community Presentations, Proclamations, Certificates of Service, Guest Introductions*
 - i. Presentation – Green Dot Campaign to be given by Julie Falle, Strategic Prevention Framework State Incentive Grant Coordinator
Slogan: We all can't do everything but everybody can do something to prevent violence.
 - ii. Certificate of Service – Charleen Williams, Parks & Recreation Board

ITEM NO. 2 ROLL CALL – BOROUGH CLERK:

INFORMATION: *The Borough Clerk shall conduct a roll call of each elected and duly qualified Assembly Member. Such call shall result in an entry of those present or absent from the meeting. The roll call is primarily utilized in determining if sufficient member(s) are present to conduct a meeting. The Borough Clerk may randomly change the conduct of the roll to be fair to the members of the governing body unless the council determined an adopted procedure for roll call which is different than currently in use.*

RECOMMENDED ACTION:

Borough Clerk to conduct a roll call by voice vote. Each member to signify by saying here, present (or equal) to give evidence of attendance.

ITEM NO. 3 AMENDMENTS TO THE AGENDA:

INFORMATION: *The assembly may amend the agenda at the beginning of its meeting. The outline of the agenda shall be as from time to time prescribed and amended by resolution of the assembly. (WMC 3.04.100)*

RECOMMENDED ACTION:

The Mayor should request of the members if there are any amendments to the posted agenda. ***THE MAYOR MAY RULE ON ANY REQUEST OR THE ASSEMBLY MEMBERS MAY VOTE ON EACH AMENDMENT.***

ITEM NO. 4 CONFLICT OF INTEREST:

INFORMATION: *The purpose of this agenda item is to set reasonable standards of conduct for elected and appointed public officials and for city employees, so that the public may be assured that its trust in such persons is well placed and that the officials and employees themselves are aware of the high standards of conduct demanded of persons in like office and position.*

An elected city official may not participate in any official action in which he/she or a member of his/her household has a substantial financial interest.

ITEM NO. 5 CONSENT AGENDA:

INFORMATION: *Items listed on the Consent Agenda or marked with an asterisk (*) are considered part of the Consent Agenda and will be passed in one motion unless the item has been removed by an Assembly Member or the Mayor and placed on the regular agenda under Unfinished Business.*

RECOMMENDED ACTION:

Move to approve those Agenda items listed under the Consent Agenda and those marked with an asterisk (*) Items:

****6a***

ITEM NO. 6 APPROVAL OF MINUTES:

INFORMATION:

6a *Minutes of the Public Hearing and Regular Assembly meetings held February 25, 2014*

CERTIFICATE OF SERVICE

The City & Borough of Wrangell, Alaska
Presents this Certificate of Service to:

Charleen Williams

for her service and dedication on the Parks & Recreation Board
from:

October 2013 – February 2014

David L. Jack, Mayor

ATTEST: Kim Lane, CMC, Borough Clerk

Dated this 11th day of March, 2014



**Minutes of Public Hearing
Held February 25, 2014**

Mayor David L. Jack called the Public Hearing to order at 6:30 p.m., February 25, 2014, in the Borough Assembly Chambers. Assembly Members Stough and Decker were present. Assembly Member McCloskey arrived at 6:42 p.m. Assembly Members Wiederspohn, Stokes, and Blake were absent. Borough Manager Jeff Jabusch and Borough Clerk Kim Lane were also in attendance.

Public Hearing Items

- a. PROPOSED ORDINANCE No. 874: AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING TITLE 2, ELECTIONS, OF THE WRANGELL MUNICIPAL CODE TO CLARIFY SECTION 2.04.050 ON WHO IS DECLARED ELECTED TO OFFICE AND SECTION 2.20.060 ON THE BALLOT FORM FOR OFFICES AND CANDIDATES *(second reading)*

WRITTEN TESTIMONY

There was no written testimony.

ORAL TESTIMONY

There was no oral testimony.

Public Hearing recessed at: 6:32 p.m.

Public Hearing reconvened at: 6:50 p.m.

WRITTEN TESTIMONY

There was no written testimony.

ORAL TESTIMONY

There was no oral testimony.

Public Hearing adjourned at: 6:51 p.m.

David L. Jack, Mayor

ATTEST: _____
Kim Lane, CMC, Borough Clerk

**Minutes of Regular Assembly Meeting
Held on February 25, 2014**

Mayor David L. Jack called the Regular Assembly meeting to order at 7:00 p.m., February 25, 2014, in the Borough Assembly Chambers. Assembly Members Stough, Decker, Wiederspohn, and McCloskey were present. Assembly Members Stokes and Blake were absent. Borough Manager Jeff Jabusch and Borough Clerk Kim Lane were also in attendance.

Pledge of Allegiance was led by Assembly Member Julie Decker.

Invocation was given by Donald McConachie.

CEREMONIAL MATTERS – *Community Presentations, Proclamations, Certificates of Service, Guest Introductions*

A presentation was given by Steve Helgeson on the 2013 Path to Prosperity award that he had received. His presentation focused on the community benefits for his business.

AMENDMENTS TO THE AGENDA

There were no Amendments to the Agenda.

CONFLICT OF INTEREST

There were no Conflicts of Interest declared.

CONSENT AGENDA

M/S: McCloskey /Wiederspohn, to approve Consent Agenda Items marked with an (*) asterisk; 6a, 7a, 7b, 7c, 7d, & 7e. Motion approved unanimously by polled vote.

APPROVAL OF MINUTES

The Minutes of the Public Hearing and Regular Assembly meetings held February 11, 2014 were approved as presented.

COMMUNICATIONS

- *a. Notice of Permit Application (POA-2014-29) submitted by Todd White to the Dept. of the Army Corps of Engineers and the Preliminary Determination form submitted by U.S. Dept. of the Army Corps of Engineers to Todd White
- *b. 2014 Alaska Gaming Permit Application renewal from Alaska Native Sisterhood
- *c. Travel Summary for the month of January, 2014
- *d. Expenditure report from Southeast Senior Services covering the second quarter period from Oct. 1, 2013 through Dec. 31, 2013
- *e. Board Action from the Regular School Board meeting held February 17, 2014

BOROUGH MANAGER'S REPORT

Borough Manager Jabusch summarized the points in his Manager's Report.

BOROUGH CLERK'S FILE

Borough Clerk Lane's report was provided.

MAYOR/ASSEMBLY REPORTS AND APPOINTMENTS

10a Reports by Assembly Members

Assembly Member Decker reported that she and Mayor Jack had met with Senator Stedman while attending the AML Winter Legislative meetings in Juneau.

- Senator Stedman is actively involved in the Governors education bill;
- He is really interested in finishing up with the Marine Service Center project.

Decker attended the United Fisherman of Alaska Board of Directors meeting and met with people from the Homer Marine Trades Association; they have quite a large boat yard in Homer; have developed a large workforce and demand for that sort of work; they have created their own association to deal primarily with the workforce; interesting how it related back to Wrangell and what we are trying to do.

Mayor Jack reported on his meeting with Senator Stedman and Representative Wilson.

- New projects were probably not going to be funded;
- Ongoing projects had a chance of funding.

PERSONS TO BE HEARD

There were no Persons to be heard.

UNFINISHED BUSINESS

12a PROPOSED ORDINANCE No. 874: AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING TITLE 2, ELECTIONS, OF THE WRANGELL MUNICIPAL CODE TO CLARIFY SECTION 2.04.050 ON WHO IS DECLARED ELECTED TO OFFICE AND SECTION 2.20.060 ON THE BALLOT FORM FOR OFFICES AND CANDIDATES (*second reading*)

M/S: McCloskey/Stough, to approve Ordinance No. 874.

Assembly Member Decker stated that this change was a good thing. She commented on the proposed layout; suggested combining the seats that were up for re-election with the unexpired term seats and have the top high votes go to the re-elected seats and have the next highest vote go to the unexpired term seat.

Clerk Lane said that she had worked closely with an attorney in Attorney Blasco's office on this; there were a couple of municipalities that formatted their ballot the way that Assembly Member Decker was suggesting; if the Assembly wanted to change the proposed layout, to be consistent, the Port, School Board, and Hospital Board would also need to be changed; she suggested that there be another Public Hearing since it would be a considerable change to the proposed ordinance.

Assembly Member Stough stated that he preferred the suggested layout that Lane had brought forward. He further stated that it used to be that the seat would go to the highest vote getter and then it changed. He said that he would like to see it changed to the proposed layout.

Motion approved unanimously by polled vote.

12b Approval to provide the TBPA Commission with a letter that commits to the future

There was no action taken on this item.

NEW BUSINESS

13a PROPOSED ORDINANCE No. 875: AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING SECTION 3, ADMINISTRATION AND PERSONNEL, OF THE WRANGELL MUNICIPAL CODE BY REPEALING CHAPTER 3.50, CEMETERY ADVISORY COMMITTEE, IN ITS ENTIRETY (first reading) *(first reading)*

M/S: Stough/Wiederspohn, to approve first reading and move to a second with a public hearing to be held on March 11, 2014.

Assembly Member Stough explained that there was lack of interest in serving on the board.

Mayor Jack stated that anytime in the future if there was a need for a Cemetery Committee, there could be a Special Cemetery Committee formed to serve a particular purpose for a particular term.

Motion approved unanimously by polled vote.

13b PROPOSED ORDINANCE No. 876: AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING SECTIONS 5.08.005 AND 5.08.050 OF THE WRANGELL MUNICIPAL CODE RELATING TO SALES TAX TO ESTABLISH A DEFINITION OF "SINGLE-PURCHASE SALE" AND AMEND THE EXEMPTION FOR A SINGLE PURCHASE OF GOODS OR SERVICES *(first reading)*

M/S: Decker/McCloskey, to approve first reading and move to a second with a public hearing to be held on March 11, 2014.

Assembly Member Decker voiced concern on raising the sales tax cap from 1,200 to 1,500.

Manager Jabusch stated that the initial intent was not to raise the cap; however, while researching other communities, he had discovered that caps ranged from 1,500 to 5,000. He further stated that this was probably due in part to inflation.

Motion approved unanimously by polled vote.

13c Approval of Bid Received from Petro Marine Services to furnish petroleum products for the City & Borough of Wrangell, Wrangell Public Schools, and the Wrangell Medical Center

M/S: McCloskey/Stough, to approve Petro Marine Services as the fuel provider for the City & Borough of Wrangell, Wrangell Public School, and the Wrangell Medical Center for the

period of February 1, 2014 through January 31, 2016, based on their management fee of \$0.354 per gallon. Motion approved unanimously by polled vote.

13d Approval of a fourth amendment to the Wrangell Marine Service Center Facility Lease Agreement for Tyler Thompson

M/S: McCloskey/Wiederspohn, to approve amendment number 4 of the Wrangell Marine Service Center Facility Lease Agreement, and to increase the monthly lease amount from \$188.00 to \$288.00, as per the original lease agreement. Motion approved unanimously by polled vote.

13e Approval of a letter to SEAPA, requesting that they consider the transfer of the Operations and Management of the Tyee Hydroelectric Project from the Thomas Bay Power Authority (TBPA) to the Southeast Alaska Power Authority (SEAPA)

M/S: Decker/McCloskey, to approve the letter from Manager Jeff Jabusch to SEAPA that requests that they consider transfer of the Operations and Management of the Tyee Hydroelectric Project from the Thomas Bay Power Authority (TBPA) to the Southeast Alaska Power Authority (SEAPA)

Assembly Member Stough stated that the ordinances formed Thomas Bay; Thomas Bay had control over all of the contracts; authority was given by both communities to Thomas Bay; we are not following the proper procedures; we are overstepping our ordinances; the rules need to be followed; we would be eliminating contracts that are not held by the Borough. He said that he did not object to this letter; the letter would clarify some of the issues; if SEAPA chose to, they could send a letter to Thomas Bay as per their Rules and Procedures to give a one-year notice to Thomas Bay to terminate the contract. He stated that that would be the proper way to do things.

Assembly Member Stough stated that there was no communications with Thomas Bay; there needs to be a smooth transition.

Assembly Member Decker stated that in prior assembly discussions, it was determined that the Thomas Bay Power Commission would be put in inactive status in case there was such a need for the commission in the future. She said that she assumed that SEAPA would be communicating what was going on with Thomas Bay.

Manager Jabusch stated that if the date was extended for another year, he did not know where the funding would come from; Petersburg would not fund for a long period of time.

In response to Mayor Jack, Clerk Lane stated that in order to do away with the Thomas Bay Power Commission, WMC Section 3.40, it would have to be done by Ordinance since it was created by Ordinance.

Decker asked if the Thomas Bay employees would fully cooperate through the transition.

Stough answered that he thought that they have all along.

Manager Jabusch stated that there were a couple of things that they had refused to provide.

Assembly Member McCloskey pointed out a discrepancy in Resolution No. 12-13-1290, paragraph four; she stated that it should read “....Wrangell and believes that TBPC should go into an inactive state.....”

Assembly Member Decker stated that was the intent.

Motion approved unanimously by polled vote.

ATTORNEY’S FILE

There was no Attorney’s File.

EXECUTIVE SESSION

There was no Executive Session.

ADJOURNMENT: 8:20 p.m.

ATTEST: _____
Kim Lane, CMC, Borough Clerk

David L. Jack, Mayor

Agenda Item 7

CITY & BOROUGH OF WRANGELL

BOROUGH ASSEMBLY AGENDA ITEM March 11, 2014

COMMUNICATIONS:

INFORMATION: The Assembly may receive items for Communications, reasons only which do not require separate action. This is an avenue to keep the Assembly informed, for the public to enter items on the record, if necessary. The Assembly also receives agenda communications directly by their constituents, Borough Manager, other agencies' Officers and Department Directors.

A MAIL BOX IS ALSO AVAILABLE IN THE BOROUGH CLERK'S OFFICE FOR EACH MEMBER OF THE ASSEMBLY AND SHOULD BE CHECKED ON A ROUTINE SCHEDULE.

All items appearing under Communications on the Agenda have been approved under the Consent Agenda unless removed by an Assembly Member or the Mayor and placed on the regular agenda under Unfinished Business.

*There was no communication received.

**TO: THE HONORABLE MAYOR AND ASSEMBLY
CITY AND BOROUGH OF WRANGELL**

**FROM: JEFF JABUSCH
BOROUGH MANAGER**

RE: BOROUGH MANAGER'S REPORT

DATED: MARCH 6, 2014

Meeting with Governor Parnell

Mayor Jack and I met with Governor Parnell and his chief of staff on his stopover in Wrangell. We were able to go over some of our projects and why they were important. He also talked to us about the plan he has put in for the PERS unfunded liability which the city already endorses. However, the house is talking about not including this in the budget. I have contacted Representative Wilson and made it clear what our preference is. The house was also looking at taking a large amount of money from the Revenue Sharing Program. Revenue Sharing is extremely important to the city in balancing the budget and I have expressed the importance of Revenue Sharing to her as well. Both of these are things the governor endorses so hopefully the house will not take this action.

One last message from the governor was that it is going to be important that communities participate financially in state funded projects. This sounds logical, but can be very difficult to do when all of the money we raise just gets us by. In the past we had the Economic Recovery Money to use for this purpose (37 million initially). The Economic Recovery money is gone other than a few hundred thousand dollars. We have done a lot of improvements with that money and did use it to leverage state and federal grants and by doing that we have pretty much kept us out of debt. In the future, we may have to enter into some debt on selective projects, especially those that will provide economic opportunities.

CASSIAR STREET PROJECT IS OUT TO BID

For those that live on Cassiar Street, this is a long time coming. We did have a setback when the Churchill's decided not to sign the easement that we had counted on for the turnaround needed at the end of the street. Luckily, we had purchased the adjacent property and we quickly redesigned, using our property for the turn around. Had we not purchase this piece of property and been able to rapidly make this change, this project would have been delayed again and may not have been completed this season. One of the key elements of this project is to provide a turnaround at the end of the street. Currently larger vehicles either have to back up the street or back out because there is not enough room to turn around. The change to using our property was not the preferred option as there is much more rock and therefore more expensive. When the project is completed, we will likely take a look at selling the remaining portion of the lot being used for the turn around.

Engineering Proposals opened on the Sewer Pump Stations

Staffs opened the engineering proposals for design of the Sewer Pump Stations and are in the process of evaluating those proposals. We will likely bring this to the assembly on the 25th of March.

Weber Street Paving

S&S General Contractors was awarded the bid for this Wrangell Cooperative Association funded and administered project. The pre-construction meeting was held on Friday the 21st. The construction on this project will likely start on or around April 1st. The Borough will replace the water line in upper Weber in March. There has been some conversation with the Weber Street contractor about them doing the water line work concurrently with the road construction project to prevent conflicts between the water and storm water utilities.

Marine Service Center Concrete Ph2

Staff is working to have the next phase of the marine service center bid in June for an award around July 1, 2014 as this is the earliest funding will be available. Any funding delays would likely push the project into the 2015 construction season. We have a grant that is worded more directly for the purchase of the new 300 ton travel lift. There will be money left over on this grant and we have asked Representative Wilson to adapt the grant language so it can also be used for paving. We are confident this will not be a problem because it is all related to the same overall project. Any additional money we get for paving will likely not be able to be used until 2015.

City Dock Improvements Bid Opening

We opened the bids on the City Dock Materials and the bids come in under the projections. Once the assembly approves the bid, we will get these materials ordered and get another bid out to actually do the work of installing the materials. These materials are mostly piling and will be used to replace the fender system on the face of the city cruise ship dock. Now that we know the amount of money this cost, we are confident that additional work can be done on the dock. One of these items includes replacing the lighting to match the downtown street lights.

Budget

We are running late this year because of staff shortages. We hope to get packets out to our department heads by March 8th with a return date of March 25th. We plan to get a draft to the assembly by last part of April. By that time we will know what the legislature has done and most of the time we have an idea of what group health insurance is going to do. The federal items seemed to be OK for next year. Our lobbyist has indicated that the Rural Secure Schools Program will be on a declining trend and phase out over the next 20 years. At the current levels, we actually get more than we use annually so we could withstand some cuts. In addition, we have put this excess in a reserve for schools with the current amount being about 3.7 million. The annual amount used from this program is about \$850,000. If the State Revenue Sharing stays the same as the current year and group insurance doesn't increase dramatically, I believe we will be OK.

We will have a workshop with the assembly sometime in early to mid May and shortly after we will have a public hearing to allow public comments. Unless there is vital information that is

unknown, we plan to bring the budget to the assembly to set the mill rate and pass the budget on May 27th.

Downtown Improvements

Carol Rushmore and members of the Economic Development Committee are working on designing some banners that will go on the light poles downtown. The designs will be Alaskan and Wrangell themes. The funding for this project is coming from the State through the head tax money they collect from tour boats. We hope to have these designed, ordered and in place by the time the tourist season is upon us.

Wrangell Institute Property

The Prospectus for the Wrangell Institute Property is now out and being advertised. The Prospectus allows people to make a proposal for the development of this land for any purpose. The city will have the option of accepting one of the plans or reject them all if we don't feel it is in the best interest of the community. The advertisement will be out for about 6 months.

Evergreen Road

It is our understanding that the State DOT/PF is working on the design and plans to have the bid out in the fall. This means the construction will begin in the spring of 2015. This actually works out better for the city as it gives us a little more time to build up funding in the sales tax street fund. We have to contribute 9.03% of the project or between \$500,000 and \$600,000.

Nolan Center

Spring is on the way and with it a busy time for the Center. We has a successful Christmas season with the Christmas tree lane and Dove tree, as you know these are both free use for the benefit to Hospice and enjoyed by many In the community.

This July will be the 10th anniversary of our opening and we are planning to "Have a Party". Details are still being worked out but we are looking at doing a community reception. More details on that as we progress.

We are hoping to have the green area seeded and some plantings in before July. We will be posting the "No Animals" signs shortly. We are in awe of the amount of people that bring their dogs on a leash to use the centers gardens as a relief area. This causes damage to our plantings and makes it unpleasant for those of us that work in them. We need to do some thinning in the gardens this year as some areas are getting too crowded with the mature plants.

Upcoming big events, start off with the Salty Dog rally in June, this is a joint effort with the CVB, Center and Chamber. This should see yachters from various places in the U.S. traveling to Wrangell for three days of fun and activities.

The Southeast Conference is the next big event and we are in the planning stages. More updates on that will be coming.

The season will finish with The Annual Board of Fisheries meeting next January. This will fill our town and every bed for 9 days in the dead of winter!! What a boost for our local economy.

April and May are booked all but two weekends with functions. We have many during the week events happening here and of course the cruise ships. We are looking forward to a busy year!

Agenda Item 9

CITY & BOROUGH OF WRANGELL

BOROUGH ASSEMBLY AGENDA ITEM

BOROUGH CLERKS REPORT March 11, 2014

Mark Your Calendar:

- 3/13 Code Review Committee Mtg. to be held @ 4 pm in the Assy. Chambers
- 3/13 Planning & Zoning Commission Mtg. to be held @ 7 pm in the Assy. Chambers
- 3/19 Hospital Board Mtg. @ 5:30 pm at the Nolan Center
- 3/20 Wrangell CVB Mtg. scheduled @ 6:30 pm at City Hall
- 3/25 Regular Borough Assembly Mtg. to be held @ 7 pm in the Assy. Chambers
- 3/31 Seward's Day observed - City Hall Closed

- TBD TBP Commission Mtg.
- 4/24 SEAPA Board Mtg. to be held in Ketchikan from 9 am to 5 pm

2014 Southeast Conference Mid-Session Summit March 12-14, 2014 in Juneau

Assembly Member Decker will be traveling to Juneau from March 11-14, 2014 to attend the 2014 SE Conference Mid-Session Summit.

The following Public Correspondence was received from:

~There was no public correspondence received.

Agenda Items 10 a & b

CITY & BOROUGH OF WRANGELL

BOROUGH ASSEMBLY AGENDA ITEM March 11, 2014

MAYOR/ASSEMBLY REPORTS AND APPOINTMENTS:

INFORMATION: This agenda item is reserved for the Mayor and Assembly Member's special reports. Such information items as municipal league activities, reports from committees on which members sit, conference attendance, etc., are examples of items included here.

➤ **Item 10a** **Reports by Assembly Members**

➤ **Item 10b** **Appointment to fill the vacancy on the P&R Board**
One vacancy (*unexpired term until October 2015*)

There was one letter of interest received for the Parks & Recreation vacancy from:

- *Michael Brown (attached)*

Appointment to be made by the Mayor, with the consensus of the
Borough Assembly.

If there is not a consensus from the Assembly..... :

Move to appoint _____ to fill the vacancy
on the Parks & Recreation Board for the unexpired term ending October
2015.

Letter of Interest

February 8, 2014

From: Michael Brown

P.O. Box 315, Wrangell, AK 99929

(907) 470 - 0055

Michael.Brown@akics.org

To: Mayor David L. Jack

P.O. Box 531, Wrangell, AK 99929

RE: Vacancy on the Parks and Recreation Board

Dear Mayor Jack:

I am submitting a Letter of Interest to fill the vacant position on the Parks and Recreation Department Board. I have a significant interest in becoming a member of this Board for several reasons. First, I am personally committed to making healthy lifestyle choices, and to that end I make regular use of the many recreational facilities and activities that the Parks and Recreation Department offers and maintains. Second, I believe that there are many recreational opportunities available to residents of Wrangell which are underutilized, and I would like to be involved in expanding usage of these opportunities. Third, I believe there are many avenues for growth and expansion of the Parks and Recreation Department's activities, and I would like to help shape those efforts. Fourth, I firmly believe that most illness is the result of chronic poor lifestyle choices. People who eat well, learn to manage their stress, and exercise frequently are less likely to visit the doctor or suffer from depression than those who do not make healthy choices. People who make exercise a regular part of their weekly routine, who are actively engaged with others in recreational activities, and who interact with the natural environment will be healthy, and this will produce a strong and productive community. Since the Parks and Recreation Department focuses on providing access to these opportunities, it is an important community-building asset.

I believe I am qualified for this position for the following reasons:

I believe the Parks and Recreation Department provides a critical function in the community.

I hold two Masters degrees - Master of Clinical Social Work; Master of Community Affairs (ABT)

I am currently employed with AICS, where I wear many hats that require me to interact well with people, who often conflict. I am currently the Grants Manager, and in this position I oversee the various grants, working and frequently meeting with Project Directors, and writing State and Federal reports.

I am also the Project Director for the Federal Integrated Wellness Grant, which seeks to integrate behavioral health, primary care, and wellness activities. As a result of this grant I have initiated a weekly Yoga class, which I facilitate for free, and I have laid the groundwork for a "Healthy Cooking Class," which is a collaborative effort in cooperation with the Parks and Recreation Department. My work with this grant has also connected me with the Healthy Wrangell Coalition, the Wrangell Medical Center and the AICS Medical clinic, allowing me to tap into a network of health professionals and health oriented community members.

I am also involved in writing grants, and I am currently working on one involving healthy lifestyle choices as they relate to people with metabolic syndrome, a clustering of high blood pressure, high BMI, high cholesterol, and type II diabetes. Work on this project has put me in contact with the wellness, exercise, and stress reduction literature. It has also highlighted the need for community activities and resources – like those provided by the Parks and Recreation Department – to encourage people to engage in a healthy lifestyle.

I am also the evaluator on a state/federal grant focused on under-aged drinking, which has afforded me the opportunity to work on many community level interventions.

I am also a clinical social worker, giving me the skills for working effectively with people under stress, as well as with people with differing points of view. This training has given me many problem solving tools, enabling me to keep my focus on the desired outcome, while strategizing ways over or around blocks.

I am an effective communicator and writer. I enjoy working on a project with people to accomplish a goal.

I have many years of volunteer experience working for various non-profits down south. I have no problem working for free to make a community stronger or to help provide it a necessary service.

I have significant past experience operating a business. I clearly understand the importance of budgets and money management.

I am an active member of the Friends of the Library and the Healthy Wrangell Coalition.

Thus, for all these reasons, I feel my appointment to its Board would be an asset to the Parks and Recreation Department. I appreciate your time to read this letter and to consider me for this appointment.

Warm regards,
Michael Brown

Agenda Item 12a

CITY & BOROUGH OF WRANGELL

BOROUGH ASSEMBLY AGENDA ITEM March 11, 2014

INFORMATION:

PROPOSED ORDINANCE No. 875: AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING SECTION 3, ADMINISTRATION AND PERSONNEL, OF THE WRANGELL MUNICIPAL CODE BY REPEALING CHAPTER 3.50, CEMETERY ADVISORY COMMITTEE, IN ITS ENTIRETY *(second reading)*

Attachments:

1. Memorandum from Clerk Lane, dated February 12, 2014
2. Proposed Ordinance No. 875
3. WMC Section 3.50 – Cemetery Advisory Committee

RECOMMENDED ACTION:

Move to approve Ordinance No. 875.

MEMORANDUM

**TO: HONORABLE MAYOR AND MEMBERS OF THE ASSEMBLY
CITY AND BOROUGH OF WRANGELL**

**FROM: KIM LANE, CMC
BOROUGH CLERK**

SUBJECT: CEMETERY ADVISORY COMMITTEE

DATE: February 12, 2014

BACKGROUND:

The Cemetery Committee is made up of four members of the general public. Currently, there are only two members on the committee.

The code section on the Cemetery Advisory Committee states that the committee shall hold regular meetings at least once each calendar quarter. There has not been a Cemetery Advisory Committee meeting in almost two years. Therefore, at this time, the Committee is in an "inactive" status.

It is my understanding that the Cemetery Committee was tasked with researching for a proposed new cemetery site. I have been told that they had identified some potential new sites and that the City would need to do some in-house investigating and make a determination in the future.

In the future, if there was a task that required a Cemetery Committee, there could be the option of forming a Special Cemetery Committee that could be tasked with a specific task for a specific period of time. After which, the Special Cemetery Committee could be dissolved.

There are a few options:

1. Repeal sections 3.50.010 and 3.50.020 of the WMC by ordinance, and if a cemetery advisory committee is desired in the future, the Assembly can establish it by resolution.
2. Leave the ordinance in the WMC, and do nothing. That would leave things "as is", with an inactive committee. If the committee is needed in the future, the Mayor can appoint members with the consensus of the Assembly.
3. Leave the ordinance in the WMC and take action to put the committee in inactive status and disband the current membership. This would take a motion like: "I move that the Assembly approve the Cemetery Advisory Committee being placed in inactive status, that the current members of the committee are released, and that in the event that the Assembly decides to reactivate the committee in the future, new members will be appointed".

Recommended Action:

I would recommend that the Cemetery Committee section of the WMC be repealed in its entirety.

CITY AND BOROUGH OF WRANGELL, ALASKA

ORDINANCE NO. 875

AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING SECTION 3, ADMINISTRATION AND PERSONNEL, OF THE WRANGELL MUNICIPAL CODE BY REPEALING CHAPTER 3.50, CEMETERY ADVISORY COMMITTEE, IN ITS ENTIRETY

BE IT ORDAINED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA:

[The changes to the existing code are shown as follows: the words that are bolded and in brackets are to be deleted.]

SEC. 1. Action. The purpose of this ordinance is to repeal Chapter 3.50, Cemetery Advisory Committee, of the Wrangell Municipal Code in its entirety.

SEC. 2. Repeal. Chapter 3.50 of the Wrangell Municipal Code is repealed in its entirety as follows:

**[Chapter 3.50
CEMETERY ADVISORY COMMITTEE**

Sections:

3.50.010 Established – Membership – Organization.

3.50.020 Powers and duties.

3.50.010 Established – Membership – Organization.

A. There shall be a cemetery advisory committee which shall consist of four members, qualified and selected as set forth below:

1. The present membership of the board is hereby confirmed. Future members shall be appointed by the mayor with the approval of the assembly. A member may be removed by the mayor with the approval of the assembly for the good of the service.

2. All members of the committee shall be residents of the borough and serve without compensation.

3. The term of a member shall be for three years or until a successor is appointed.

B. The committee shall hold regular meetings at least once each calendar quarter at such times as its chair may determine. The chair shall give each member at least 48 hours' prior written or oral notice of the date, time and place of each meeting.

C. The committee shall give reasonable public notice of its meetings, its meetings shall be open to the public, and reasonable opportunity shall be provided for the public to be heard at each meeting.

D. Three members of the committee shall constitute a quorum for the transaction of business. Actions of the committee are taken by the vote of a majority of the members duly present at a meeting of the committee duly held at which a quorum is present. The committee shall keep minutes of its proceedings and records of its official actions.

E. Any member who misses more than two regular meetings in a consecutive 12-month period without being excused by the committee shall automatically forfeit membership on the committee.

F. The committee shall annually elect from among its members a chair, vice chair and secretary-treasurer.

G. Committee members shall conduct their activities in such a way that no conflict of interest arises between their other interests and the policies, interests and operation of the municipal cemeteries.

H. The committee may establish its own rules, regulations and policies consistent with this chapter and subject to the approval of the assembly.

3.50.020 Powers and duties.

The powers and duties of the committee shall be as follows:

A. Receive, consider and evaluate public opinions and make recommendations regarding the staffing, equipping, care, maintenance, and managing of the municipal cemeteries;

B. Advise the borough manager and borough assembly on planning and implementation of programs dealing with the use and development of the municipal cemeteries;

C. Review and make recommendations to the assembly regarding the budget of the

municipal cemeteries; and

D. Perform such other activities as the assembly may from time to time designate.]

SEC. 3. Classification. This ordinance is of a permanent nature and shall be codified in the Wrangell Municipal Code.

SEC. 4. Effective Date. This ordinance shall be effective upon adoption.

PASSED IN FIRST READING: February 25, 2014.

PASSED IN SECOND READING: , 2014.

David L. Jack, Mayor

ATTEST:

Kim Lane, CMC, Borough Clerk

Chapter 3.50 CEMETERY ADVISORY COMMITTEE

Sections:

3.50.010 Established – Membership – Organization.

3.50.020 Powers and duties.

3.50.010 Established – Membership – Organization.

A. There shall be a cemetery advisory committee which shall consist of four members, qualified and selected as set forth below:

1. The present membership of the board is hereby confirmed. Future members shall be appointed by the mayor with the approval of the assembly. A member may be removed by the mayor with the approval of the assembly for the good of the service.

2. All members of the committee shall be residents of the borough and serve without compensation.

3. The term of a member shall be for three years or until a successor is appointed.

B. The committee shall hold regular meetings at least once each calendar quarter at such times as its chair may determine. The chair shall give each member at least 48 hours' prior written or oral notice of the date, time and place of each meeting.

C. The committee shall give reasonable public notice of its meetings, its meetings shall be open to the public, and reasonable opportunity shall be provided for the public to be heard at each meeting.

D. Three members of the committee shall constitute a quorum for the transaction of business. Actions of the committee are taken by the vote of a majority of the members duly present at a meeting of the committee duly held at which a quorum is present. The committee shall keep minutes of its proceedings and records of its official actions.

E. Any member who misses more than two regular meetings in a consecutive 12-month period without being excused by the committee shall automatically forfeit membership on the committee.

F. The committee shall annually elect from among its members a chair, vice chair and secretary-treasurer.

G. Committee members shall conduct their activities in such a way that no conflict of interest arises between their other interests and the policies, interests and operation of the municipal cemeteries.

H. The committee may establish its own rules, regulations and policies consistent with this chapter and subject to the approval of the assembly. [Ord. 849 § 2, 2011; Ord. 794 § 1, 2007; Ord. 767 § 1, 2005.]

3.50.020 Powers and duties.

The powers and duties of the committee shall be as follows:

- A. Receive, consider and evaluate public opinions and make recommendations regarding the staffing, equipping, care, maintenance, and managing of the municipal cemeteries;
- B. Advise the borough manager and borough assembly on planning and implementation of programs dealing with the use and development of the municipal cemeteries;
- C. Review and make recommendations to the assembly regarding the budget of the municipal cemeteries; and
- D. Perform such other activities as the assembly may from time to time designate. [Ord. 767 § 1, 2005.]

Agenda Item 12b

CITY & BOROUGH OF WRANGELL

BOROUGH ASSEMBLY AGENDA ITEM March 11, 2014

INFORMATION:

PROPOSED ORDINANCE No. 876: AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING SECTIONS 5.08.005 AND 5.08.050 OF THE WRANGELL MUNICIPAL CODE RELATING TO SALES TAX TO ESTABLISH A DEFINITION OF "SINGLE-PURCHASE SALE" AND AMEND THE EXEMPTION FOR A SINGLE PURCHASE OF GOODS OR SERVICES
(second reading)

Attachments:

1. Memorandum from Manager Jabusch, dated February 20, 2014
2. Proposed Ordinance No. 876

RECOMMENDED ACTION:

Move to approve Ordinance NO. 876.

MEMORANDUM

**TO: HONORABLE MAYOR AND MEMBERS OF THE ASSEMBLY
CITY AND BOROUGH OF WRANGELL**

**FROM: JEFF JABUSCH
BOROUGH MANAGER**

**SUBJECT: ORDINANCE TO CHANGE SALES TAX CODE TO INCREASE THE CAP AND
TO CHANGE THE WAY THE SALES TAX CAP IS CALCULATED**

DATE: FEBRUARY 19, 2014

We discovered in December that the sales tax code had been interpreted incorrectly for as far back as 2003 when it comes to the cap. When this error was discovered we notified businesses and told them that we had to follow the code as it is written until it was changed.

The current code requires a 7% sales tax on a unit basis. As an example: If fuel is sold by the gallon, the sales tax is on each gallon sold, not the total. If a person bought \$10,000 worth of fuel, they would pay \$700 of tax. The interpretation was always that a single sale was capped at \$1200 and in that case the same \$10,000 sale if purchased at one time would include sales tax of \$84.

This issue has gone to the code committee and the recommendation after reviewing other Southeast communities is that we should change our code. The change would be to cap a sale based on the total individual sale, not on a unit basis which is how it has been interpreted and how it was prior to the change in 2003. In addition, the code committee recommended that the cap be increased from \$1,200 to \$1,500. Currently Haines is \$5,000, Sitka is \$1,500 and Petersburg is \$1,200 but considering \$1,500.

Recommended Motion:

Move to approve Ordinance No. 876 in its first reading and to move it to a second reading with a public hearing to be held on March 11, 2014 at 6:30.

CITY AND BOROUGH OF WRANGELL, ALASKA

ORDINANCE NO. 876

AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING SECTIONS 5.08.005 AND 5.08.050 OF THE WRANGELL MUNICIPAL CODE RELATING TO SALES TAX TO ESTABLISH A DEFINITION OF “SINGLE-PURCHASE SALE” AND AMEND THE EXEMPTION FOR A SINGLE-PURCHASE SALE OF GOODS OR SERVICES

BE IT ORDAINED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA:

[The changes to the existing code are shown as follows: the words that are underlined are to be added and the words that are bolded and in brackets are to be deleted.]

SEC. 1. Action. The purpose of this ordinance is to amend Section 5.08.005(J) and Section 5.08.050(M) of the Sales Tax Code to establish a definition of “single-purchase sale” and to amend the exemption for a single-purchase sale of goods or services.

SEC. 2. Amendment. Section 5.08.005(J) of the Wrangell Municipal Code is amended to read:

5.08.005 Definitions.

For purposes of this chapter, the following words and phrases have the meanings hereinafter respectively ascribed to them:

...

J. “Single-purchase sale” means a sale by a single purchase or invoice, which may consist of one or more items but which are purchased at the same time and there is a single invoice representing that sale. A single-purchase sale includes a sale of items by contract, bid, quote or other lump sum amount only if the sale is based on and computed as a single bid, quote, sum, or package price rather than as an accumulated sum or aggregation for prices of separate identifiable items, separable prices, or items purchased at different times.

[“Single-unit sale” means the sale of a separate, single item or service which is customarily sold, advertised, contracted for sale or sold in the normal course of business as a separate and single item or unit or by a single unit of measurement (i.e., per gallon, ton, hour, day, week, month, foot, sack, yard,

pound, piece, group, each, box, set, package, or other common unit of measurement). A single-unit sale shall include a sale by contract, quote, bid, or other lump-sum amount only if the sale is based on and computed as a single bid, quote, sum, or package price rather than as an accumulation, sum, or aggregation of prices of separate identifiable or separable unit prices as defined above. For purposes of harbor fees and port dockage, each foot or other measurement of length will count as a single unit. Sales of package travel and adventure services sold to a single pre-existing group where the sales price is invoiced to a single person or company is a single unit sale to such group. Sales of a travel and adventure service to individuals is a single unit sale to the individual notwithstanding the fact that the service provider receives a single payment through an arrangement with a travel agent, cruise ship business, broker or other representative.]

...

SEC. 3. Amendment. Section 5.08.050(M) of the Wrangell Municipal Code is amended to read:

5.08.050 Exemptions from tax.

The following transactions are exempt from the tax levied under this chapter:

...

M. That part of a sale of goods over \$1,500 when all items in a single-purchase sale are added together, and that part of a sale of services over \$1,500 for a single job or task. Invoices for sales of services shall be computed monthly or less for tax purposes; [All sales of any single unit of which the price exceeds \$1,200, and all services, including contract prices for any single job of which the price exceeds \$1,200 shall be taxable only to the limit of \$1,200;]

...

SEC. 4. Classification. This ordinance is of a permanent nature and shall be codified in the Wrangell Municipal Code.

SEC. 5. Severability. If any portion of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

SEC. 6. Effective Date. This ordinance shall be effective upon adoption.

PASSED IN FIRST READING: February 25, 2014.

PASSED IN SECOND READING: _____, 2014.

David L. Jack, Mayor

ATTEST:

Kim Lane, CMC, Borough Clerk

Agenda Item 13a

CITY & BOROUGH OF WRANGELL

BOROUGH ASSEMBLY AGENDA ITEM March 11, 2014

INFORMATION:

PROPOSED RESOLUTION NO. 03-14-1292: A RESOLUTION OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, RECOMMENDING THAT THE OPERATIONS AND MANAGEMENT OF THE TYEE HYDROELECTRIC PROJECT BE TRANSFERRED FROM THOMAS BAY POWER AUTHORITY TO SOUTHEAST ALASKA POWER AUTHORITY AND COMMITTING TO WORK COOPERATIVELY WITH THE PETERSBURG BOROUGH AND SEAPA TO FORMULATE A COMPREHENSIVE CONVERSION PLAN TO MEET THIS GOAL; AND REPEALING RESOLUTION NO. 12-13-1290

Attachments:

1. Memorandum from Clerk Lane, dated February 28, 2014
2. Resolution No. 03-14-1292
3. Previously adopted Resolution No. 12-13-1290

RECOMMENDED ACTION:

Move to adopt Resolution No. 03-14-1292 that repeals previously adopted Resolution No. 12-13-1290.

MEMORANDUM

TO: HONORABLE MAYOR AND MEMBERS OF THE ASSEMBLY
CITY AND BOROUGH OF WRANGELL

FROM: KIM LANE, CMC
BOROUGH CLERK

SUBJECT: RESOLUTION No. 03-14-1292

DATE: February 28, 2014

BACKGROUND:

The Wrangell Borough Assembly, at their regular meeting adopted Resolution No. 12-13-1290 on December 10, 2013. At the Regular Borough Assembly meeting held on February 25, 2014, an Assemblymember pointed out an error in paragraph four of that Resolution.

This resolution would repeal Resolution No. 12-13-1290 in order to correct that error along with minor improvements and changes. There are no changes to the actual purpose of the resolution.

The proposed amendment to the resolution is to in paragraph four, change “..... contributions that TBPA has made over the years, the bond it has helped create between Petersburg and Wrangell and believes that TBPA should go into an inactive state.....” to: “.....contributions that TBPA and the TBPC has made over the years, the bond it has helped create between Petersburg and Wrangell and believes that TBPCA should go into an inactive state...”.

Recommended Action:

Move to adopt Resolution No. 03-14-1292 that repeals the previously adopted Resolution No. 12-13-1290.

CITY AND BOROUGH OF WRANGELL, ALASKA

RESOLUTION NO. 03-14-1292

A RESOLUTION OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, RECOMMENDING THAT THE OPERATIONS AND MANAGEMENT OF THE TYEE HYDROELECTRIC PROJECT BE TRANSFERRED FROM THOMAS BAY POWER AUTHORITY TO SOUTHEAST ALASKA POWER AUTHORITY AND COMMITTING TO WORK COOPERATIVELY WITH THE PETERSBURG BOROUGH AND SEAPA TO FORMULATE A COMPREHENSIVE CONVERSION PLAN TO MEET THIS GOAL; AND REPEALING RESOLUTION NO. 12-13-1290

WHEREAS, Thomas Bay Power Authority (TBPA) is under contract with Southeast Alaska Power Authority (SEAPA) to operate and maintain the Tyee Hydroelectric Project; and

WHEREAS, TBPA was created by the cities of Wrangell and Petersburg to operate and maintain the Tyee Hydroelectric Project, and

WHEREAS, SEAPA is the owner and holds the Federal Energy Regulatory Commission (FERC) permit for the Tyee Hydroelectric Project, and

WHEREAS, Wrangell recognizes the many contributions that TBPA and the Thomas Bay Power Commission (TBPC) have made over the years and the bond they have helped create between Petersburg and Wrangell, and believes that TBPC should go into an inactive state rather than be eliminated so it may be reactivated in the future if the need arises; and

WHEREAS, SEAPA has proposed to operate the Tyee Hydroelectric Project for the communities of Wrangell and Petersburg; and

WHEREAS, the Petersburg Borough Assembly has passed a resolution that states that it wants to accept the offer made by SEAPA's CEO dated August 19, 2013, and that Petersburg is willing to work with SEAPA and others to make the offer, or a similar negotiated offer, a permanent agreement, and encouraged Wrangell to also accept the SEAPA offer; and

WHEREAS, both Wrangell and Petersburg believe there are economic and operation advantages for SEAPA to operate the Tyee Hydroelectric Project; and

WHEREAS, Wrangell believes that in this transfer of operations, it is important that the employees of TBPA that will be absorbed into the SEAPA system are given assurances that they will be "kept whole" during the transfer and that the positions will be kept in Wrangell for a period of two years; and

WHEREAS, Wrangell currently is paying for 100% of the non-net billable costs of TBPA since July 1, 2013 and believes that these costs need to be equally shared by the other parties to the conversion plan from July 1, 2013 up to the time that the conversion is completed; and

WHEREAS, without TBPA, it is important that Wrangell, Petersburg, and SEAPA make every effort to continue to improve open and transparent communications with each other on both the Tyee Hydroelectric Project and the SEAPA system as a whole, and the Wrangell Assembly believes that both a longer retention of SEAPA's Digital Audio Recording of meetings and having an assembly member on the SEAPA board will help both SEAPA community members and Wrangell achieve progress in the area of better communications and transparency; and

WHEREAS, Wrangell believes that it is important that from time to time the communities of Ketchikan, Petersburg, and Wrangell revisit the existing Memorandum of Understanding Regarding the Future Individual Sale of the Southeast Alaska Power Agency Hydroelectric Projects (MOU) entered into in December 2008, including updates that may be needed, and the underlying reasons why it was part of the original divestiture, and urges Ketchikan and Petersburg to participate in this process; and

WHEREAS, SEAPA's offer to run the Tyee Hydroelectric Project includes absorbing all costs related to the Public Employees Retirement System (PERS) unfunded liability, transferring all employees to SEAPA and integrating them into the various benefit packages that SEAPA would provide; and

WHEREAS, Wrangell recognizes that the ARECA Insurance Rebate of approximately \$259,798 is an asset of TBPA and that it would be reasonable to apply this amount to the unfunded liability debt incurred by TBPA's employees while working for TBPA and Wrangell would encourage Petersburg to take a similar stance; and

WHEREAS, Wrangell understands that the conversion of various payroll, accounting and other records to SEAPA may take some time and Wrangell is committed to making that process as smooth as possible and is willing to assist in any way that it can to lessen the impact this transition has on the employees of TBPA.

WHEREAS, the Wrangell Borough Assembly adopted Resolution No. 12-13-1290 on December 10, 2013 on this subject; and

WHEREAS, the Assembly has further reviewed Resolution No. 12-13-1290 and has determined that it should be repealed and replaced by this Resolution No. 03-14-1292 which makes certain improvements and changes to the prior resolution.

NOW THEREFORE BE IT RESOLVED, THE CITY AND BOROUGH OF WRANGELL BOROUGH ASSEMBLY directs the Borough Manager to enter into negotiations with SEAPA and the Petersburg Borough to develop a conversion plan to transfer the operations and maintenance of the Tyee Hydroelectric Project to SEAPA and to bring back the plan to the respective boards for approval.

RESOLVED FURTHER, THE CITY AND BOROUGH OF WRANGELL BOROUGH ASSEMBLY would like the following features included as part of the conversion plan:

1. That the conversion plan be completed and presented to the respective boards as soon as possible.
2. The current TBPA employees are "kept whole" as it relates to wages and benefits through the conversion process.
3. That the current employee contracts with both IBEW and the TBPA manager are "kept whole" during the conversion process or if some changes have to be made every effort will be made to minimize any negative impacts on the employees.
4. That the City and Borough of Wrangell will work cooperatively with SEAPA with regard to all matters related to payroll and other accounting records to help reduce any impact on both the TBPA employees and SEAPA.
5. That SEAPA will be responsible for all of the TBPA PERS unfunded liability and that to help lessen that impact, Wrangell and Petersburg agree to contribute the ARECA Insurance Rebate of approximately \$259,798, or the amount of the unfunded liability, whichever is less.
6. That there is a date set in the future that would require the City and Borough of Wrangell, the City of Ketchikan, and the Petersburg Borough to review the Power Sales Agreement and the organization of SEAPA to determine whether it is in all of our best interests to

continue as is or if there are changes that could be made for the mutual benefit of all the communities.

7. That the non-net billable costs that Wrangell has paid since July 1, 2013 to the date of the final conversion are shared by the other parties to the conversion plan agreement.

FINALLY RESOLVED, THE CITY AND BOROUGH OF WRANGELL ASSEMBLY would like the following items adopted in order to promote open communications between Wrangell, SEAPA, Petersburg Borough, and the City of Ketchikan:

1. Direct the Borough Manager to send a letter to the SEAPA Board requesting that the Board retain the Digital Audio recordings of its meetings for a period of two years.
2. That the City and Borough of Wrangell would make as policy that the SEAPA board appointment from Wrangell each year would first be chosen, if a candidate is available, from the Borough Assembly prior to any other candidates being considered.
3. That Wrangell send a letter to both the City of Ketchikan and the Petersburg Borough urging them to participate in revising the existing MOU to meet current conditions and to adopt a date in the future that the three communities would participate in reviewing and revising the MOU.

REPEAL. Resolution No. 12-13-1290 adopted by the City and Borough of Wrangell Assembly on December 10, 2013 is hereby repealed and replaced by this Resolution No. 03-14-1292.

ADOPTED: _____, 2014

David L. Jack, Mayor

ATTEST: _____
Kim Lane, CMC, Borough Clerk

CITY OF WRANGELL, ALASKA

RESOLUTION NO. 12-13-1290

A RESOLUTION OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, RECOMMENDING THAT THE OPERATIONS AND MANAGEMENT OF THE TYEE HYDROELECTRIC PROJECT BE TRANSFERRED FROM THOMAS BAY POWER AUTHORITY (TBPA) TO SOUTHEAST ALASKA POWER AUTHORITY (SEAPA) AND TO WORK COOPERATIVELY WITH THE PETERSBURG BOROUGH AND SEAPA TO FORMULATE A COMPREHENSE CONVERSION PLAN TO MEET THIS GOAL

WHEREAS, Thomas Bay Power Authority is under contract with SEAPA to operate and maintain the Tyee Hydroelectric Facility; and

WHEREAS, TBPA was created by the Cities of Wrangell and Petersburg to operate and maintain the Tyee Hydro project Facility; and

WHEREAS, SEAPA is the owner and holds the Federal Energy Regulatory Commission (FERC) permit for the Tyee Hydroelectric project; and

WHEREAS, Wrangell recognizes the many contributions that TBPA has made over the years, the bond it has helped create between Petersburg and Wrangell and believes that TBPA should go into an inactive state rather than eliminate it so it may reactivate it in the future if the need arises ; and

WHEREAS, SEAPA has proposed to operate the Tyee facility for the communities of Wrangell and Petersburg; and

WHEREAS, Petersburg has passed a resolution that states that they want to accept the offer made by SEAPA's CEO dated August 19, 2013 and that they are willing to work with SEAPA and others to make the offer, or a similar negotiated offer, a permanent agreement and encouraged Wrangell to also accept the SEAPA offer; and

WHEREAS, Both Wrangell and Petersburg believe there are economic and operation advantages for SEAPA to operate the Tyee facility; and

WHEREAS, Wrangell believes that in this transfer of operations, it is important that the employees of TBPA that will be absorbed into the SEAPA system are given assurances that they will "kept whole" during the transfer and that the positions will be kept in Wrangell for a period of two years; and

WHEREAS, Wrangell currently is paying for 100% of the non-net billable costs of TBPA since July 1st, 2013 and believes that these costs need to be equally shared from July 1, 2013 up to the time that the conversion is completed; and

WHEREAS, Without TBPA, it is important that Wrangell, Petersburg, and SEAPA make every effort to continue to improve open and transparent communications with each other on both the Tyee Project and the SEAPA system as a whole and believes both a longer retention of SEAPA's Digital Audio Recording of meetings and having an assembly member on the SEAPA board will help both SEAPA community members and Wrangell achieve progress in area of better communications and transparency; and

WHEREAS, Wrangell believes that it is important that from time to time that the three communities: Ketchikan, Petersburg, and Wrangell revisit the existing MOU, including updates that may be needed, and the underlying reasons why it was part of the original divestiture and urges Ketchikan and Petersburg to participate in this process; and

WHEREAS, SEAPA's offer to run the Tyee Hydroelectric Project included absorbing all costs related to the Public Employees Retirement System (PERS) unfunded liability, transferring all employees to SEAPA and integrating them into the various benefit packages that SEAPA would provide; and

WHEREAS, Wrangell recognizes that the ARECA Insurance Rebate of approximately \$259,798 is an asset of TBPA and that it is not unreasonable to apply this amount to the unfunded liability debt incurred by its employees while working for TBPA and would encourage Petersburg to take a similar stance; and

WHEREAS, Wrangell understands that the conversion of various payroll, accounting and other records to SEAPA may take some time and Wrangell is committed to making that process as smooth as possible and is willing to assist in any way that we can to less the impact this transition has on the employees of TBPA.

NOW THEREFORE BE IT RESOLVED, THE CITY AND BOROUGH OF WRANGELL BOROUGH ASSEMBLY directs the Borough Manager to enter into negotiations with SEAPA and the Petersburg Borough to develop a conversion plan to transfer the operations and maintenance of the Tyee Hydroelectric Facility to SEAPA and to bring back the plan to the respective boards for approval.

RESOLVED FURTHER, THE CITY AND BOROUGH OF WRANGELL BOROUGH ASSEMBLY would like the following features included as part of the conversion plan:

1. That the conversion plan be completed and presented to the respective boards by January 31, 2014.
2. The current TBPA employees are "kept whole" as it relates to wages and benefits through the conversion process.
3. That the current employee contracts with both IBEW and the TBPA manager are "kept whole" during the conversion process or if some changes have to be made every effort will be made to minimize any negative impacts to the employees.
4. That the City and Borough of Wrangell will work cooperative with SEAPA with all matters related to payroll and other accounting records to help reduce any impact on both the TBPA employees and SEAPA.
5. That SEAPA will be responsible for all of the TBPA PERS unfunded liability and that to help lessen that impact, Wrangell and Petersburg agree to contribute the ARECA Insurance Rebate of approximately \$259,798 or the amount of the unfunded liability, whichever is less.
6. That there is a date set in the future that would require the City and Borough of Wrangell, the City and Borough of Ketchikan and the Petersburg Borough to review the Power Sales Agreement and the organization of SEAPA to see if it is in all of our best interest to continue as is or if there are changes that could be made for the mutual benefit of all communities.
7. That the non-net billable costs that Wrangell has paid since July 1, 2013 to the date of the final conversion are shared by the other parties to this agreement.

FINALLY RESOLVED, THE CITY AND BOROUGH OF WRANGELL ASSEMBLY would like the following items adopted in order to promote open communications between Wrangell, SEAPA, Petersburg Borough, and the City and Borough of Ketchikan:


1. Direct the Borough Manager to send a letter to the SEAPA Board requesting them to retain the Digital Audio recordings of their meetings for a period of two years.
2. That the City and Borough of Wrangell would make as policy that the SEAPA board appointment from Wrangell each year would first be chosen, if a candidate is available, from the borough assembly prior to any other candidates being considered.
3. That Wrangell send a letter to both the City and Borough of Ketchikan and the Petersburg

Borough urging them to participate in revising the existing MOU to meet current conditions and to adopt a date in the future that the three communities would participate in reviewing this revised MOU.

ADOPTED: December 10, 2013



David L. Jack, Mayor

ATTEST: 

Kim Lane, Borough Clerk



Agenda Item 13b

CITY & BOROUGH OF WRANGELL

BOROUGH ASSEMBLY AGENDA ITEM March 11, 2014

INFORMATION:

Approval to award the bid received from Pacific Alaska Lumber Company, LLC for the City Dock Fender Replacement Materials project

Attachments:

1. Memorandum from Carl Johnson, Public Works Director dated March 5, 2014
2. Materials Itemized Bid Tab
3. Bid received from Pacific Alaska Lumber Co. for City Dock Fender Replacement Materials project
4. Advertisement for bid

RECOMMENDED ACTION:

Move to approve the bid for the purchase of materials for Wrangell City Dock Fender Pile Replacement project from Pacific Alaska Lumber Company for the bid price of \$188,056.75 to be purchased with City Dock Rehabilitation Grant funds.

MEMORANDUM

**TO: HONORABLE MAYOR AND MEMBERS OF THE ASSEMBLY
CITY AND BOROUGH OF WRANGELL**

**FROM: CARL JOHNSON
PUBLIC WORKS DIRECTOR**

SUBJECT: Wrangell City Dock Fender Pile Replacement, Materials Procurement

DATE: March 4, 2014

BACKGROUND:

On March 4th, five bids were opened for the materials to replace the fender pile system on City Dock. These materials included 85, 80 foot timber pilings and treated blocking as well as chains, bolts, and other galvanized attachment hardware. All materials are to be delivered in Wrangell prior to May 1, 2014.

All bids were very close in price and slightly below estimates. The low bidder was Pacific Alaska Lumber Company of Lakewood Washington at \$188,056.75.

Within the next few weeks staff will begin bidding the installation of these materials. The intent is to award the construction contract by May 1st when the materials arrive.

Both the material costs and construction costs will be paid from grant funds received for City Dock rehabilitation.

Further work to be performed under this grant on City Dock this summer will include a new polyethylene coated, galvanized steel camo logs for ships to lay against, a new mooring line guide rail along the face of the dock and all new electrical and lighting.

RECOMMENDATION:

Staff recommends the Borough Assembly approve purchase of materials for Wrangell City Dock Fender Pile Replacement project from Pacific Alaska Lumber Company for the bid price of \$188,056.75 to be purchased with City Dock Rehabilitation Grant funds.

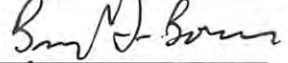
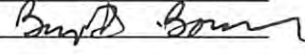
ATTACHMENTS:

1. Materials itemized bid tabs
2. Bid received for City Dock Fender Replacement Materials project
3. Advertisement for bid

Itemized Bid Tabulation

Attachment 13b - 2

| Bid Item No. | Description | Quantity | Unit | Pacific Alaska Lumber Co. | | Spenard Building Supply | | Uresco Construction Materials, Inc. | | Matthews Lumber | | Pacific Rlm Building | |
|--------------|----------------|----------|------|---------------------------|--------------|-------------------------|--------------|-------------------------------------|--------------|-----------------|--------------|----------------------|--------------|
| | | | | Unit Price | Total | Unit Price | Total | Unit Price | Total | Unit Price | Total | Unit Price | Total |
| 1 | Piling | 85 | EA | \$1,894.08 | \$160,996.80 | \$1,838.29 | \$156,254.32 | \$2,030.00 | \$172,550.00 | \$1,989.00 | \$168,725.00 | \$1,826.00 | \$155,210.00 |
| 2 | Chock Blocks | 45 | EA | \$215.27 | \$9,687.15 | \$420.87 | \$18,939.23 | \$197.00 | \$8,865.00 | \$185.00 | \$8,325.00 | \$191.40 | \$8,613.00 |
| 3 | Economy Bolts | 440 | EA | \$16.08 | \$7,075.20 | \$11.17 | \$4,914.89 | \$7.40 | \$3,256.00 | \$6.40 | \$2,816.00 | \$6.58 | \$2,895.20 |
| 4 | Nuts | 440 | EA | \$0.74 | \$326.60 | \$0.48 | \$210.64 | \$0.75 | \$330.00 | \$0.60 | \$264.00 | \$0.60 | \$264.00 |
| 5 | Washers | 440 | EA | \$0.55 | \$242.00 | \$0.33 | \$143.48 | \$0.70 | \$308.00 | \$0.60 | \$264.00 | \$0.60 | \$264.00 |
| 6 | Chain | 360 | LF | \$9.91 | \$3,567.60 | \$7.88 | \$2,836.96 | \$4.65 | \$1,674.00 | \$4.00 | \$1,440.00 | \$3.45 | \$1,242.00 |
| 7 | Cold shut link | 270 | EA | \$6.01 | \$1,622.70 | \$4.89 | \$1,320.65 | \$4.70 | \$1,269.00 | \$9.00 | \$2,430.00 | \$4.87 | \$1,314.90 |
| 8 | Shackles | 270 | EA | \$7.24 | \$1,954.80 | \$5.92 | \$1,599.46 | \$4.80 | \$1,296.00 | \$4.00 | \$1,080.00 | \$2.78 | \$750.60 |
| 9 | Eye bolts | 90 | EA | \$28.11 | \$2,529.90 | \$23.37 | \$2,103.26 | \$21.00 | \$1,890.00 | \$52.00 | \$4,680.00 | \$9.91 | \$891.90 |
| 10 | Flat washer | 100 | EA | \$0.55 | \$55.00 | \$0.33 | \$32.61 | \$0.70 | \$70.00 | \$0.60 | \$60.00 | \$0.60 | \$60.00 |
| | | | | | | | | | | | | *freight: | \$24,945.73 |
| | Total Bid | | | | \$188,056.75 | | \$188,355.50 | | \$191,508.00 | | \$190,084.00 | | \$196,451.33 |

| ADDENDUM NO | DATE OF RECEIPT OF ADDENDUM | SIGNED ACKNOWLEDGMENT |
|----------------|--------------------------------|---|
| 1 | Jan 23, 2014 |  |
| 2 | Feb 19, 2014 |  |

(Note: Failure to acknowledge receipt of any addenda may be considered an irregularity in the proposal and grounds for rejection of the bid.)

BIDDER: PACIFIC ALASKA LUMBER COMPANY, LLC

By: BYRAN BOROVEC, VICE PRESIDENT
(Title)

Telephone 253-414-0200

Business Address 9810 40TH AVE SW STE C LAKEWOOD, WA 98499

Place of Residence WASHINGTON STATE, USA

Date FEB 21, 20 14.

NOTE: If Bidder is a corporation, the legal name of the corporation shall be set forth above together with the signatures of the officer or officers authorized to sign contracts on behalf of the corporation; if Bidder is a co-partnership, the true name of the firm shall be set forth above together with the signature of the partner or partners authorized to sign contracts in behalf of the co-partnership, and if Bidder is an individual, the appropriate signature shall be placed above.

Bid Schedule A

| Item | Item Description | Units | Quantity | Unit Cost | Total Bid Price |
|------|--|-------|----------|------------|-----------------|
| 1 | Piling – Class A Doug fir, 20lb p/cf, creosote 80-FT | EA | 85 | \$1,894.08 | \$160,996.80 |
| 2 | Chock Blocks, treated, 12x12x10, 60 ACZA | EA | 45 | \$ 215.27 | \$ 9,687.15 |
| 3 | Economy Bolts, 1"x 12" | EA | 440 | \$ 16.08 | \$ 7,075.20 |
| 4 | Nuts, 1" coarse thread | EA | 440 | \$.74 | \$ 326.60 |
| 5 | Washers 1" | EA | 440 | \$.55 | \$ 242.00 |
| 6 | Chain 5/8", Grade 30 | LF | 360 | \$ 9.91 | \$ 3,567.60 |
| 7 | Cold Shut Link, 5/8" | EA | 270 | \$ 6.01 | \$ 1,622.70 |
| 8 | Shackles 5/8" | EA | 270 | \$ 7.24 | \$ 1,954.80 |
| 9 | Eye Bolts 1"x12", 4" min thread | EA | 90 | \$ 28.11 | \$ 2,529.90 |
| 10 | Flat Washer 1" | EA | 100 | \$.55 | \$ 55.00 |

- All hardware shall be hot dipped galvanized to meet ASTM A123, ASTM A153 standards.

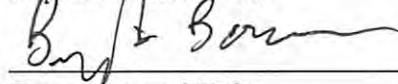
TOTAL AMOUNT BID SCHEDULE A \$ 188,056.75

TOTAL AMOUNT BID (A) IN WORDS

\$ ONE HUNDRED EIGHTY EIGHT THOUSAND FIFTY SIX DOLLARS AND SEVENTY FIVE CENTS

2/21/2014

Representative Date



Signature and Title

BRYAN BOROVEC, VICE PRESIDENT

PACIFIC ALASKA LUMBER COMPANY, LLC

Kim Lane

From: Patti Smith <patti@pacaklumber.com>
Sent: Saturday, February 22, 2014 9:29 AM
To: 'Kim Lane'
Cc: Bryan Borovec; patti@pacaklumber.com
Subject: RE: Addendum No. 3 for the City Dock Fender Replacement Materials

Kim, in order to guarantee timely delivery to your location, our bid was mailed Friday 2/21 (USPS Priority). Please consider this e-mail as our acknowledgement of receipt of Addendum #3.

Patti Smith
Office Manager
Pacific Alaska Lumber Company, LLC



9810 40th Ave SW Ste C
Lakewood, WA 98499
PH(253) 414-0200
FAX(253) 444-3561
patti@pacaklumber.com

CITY CLERK
FEB 24 2014
RECEIVED

From: Kim Lane [<mailto:clerk@wrangell.com>]
Sent: Friday, February 21, 2014 4:18 PM
To: patti@pacaklumber.com; bryanb@pacaklumber.com; gpickard@sbsalaska.com; delineb@pacrimbuilding.com; jkrlovic@uresco.com; harley@jcsi.alaska.com
Subject: Addendum No. 3 for the City Dock Fender Replacement Materials
Importance: High

Good afternoon Plan Holders:

Please see attached: Addendum No. 3 for the City Dock Fender Pile Replacement Materials – Bid.

Kim

Kim Lane, CMC
Borough Clerk
City & Borough of Wrangell
P.O. Box 531
Wrangell, AK 99929
Ph: 907-874-2381
Fax: 907-874-2304
clerk@wrangell.com
www.wrangell.com

"Effective listening is a professional achievement – achieved only through hard work"

Tom Peters

City and Borough of Wrangell, Alaska
NOTICE INVITING BIDS
WRANGELL CITY DOCK FENDER PILE REPLACEMENT
(WOOD FENDER PILE SYSTEM AND APPROACH DOCK RAILING MATERIALS)

Notice is hereby given that the City and Borough of Wrangell, Alaska will receive sealed bids for the construction of the Wrangell City Dock Fender Pile Replacement (Wood fender pile system and approach dock railing materials).

The City & Borough of Wrangell is seeking a materials supplier to provide Steel Fender Pile System and Approach Dock Railing Materials.

Sealed bids will be received by the City and Borough of Wrangell, Post Office Box 531, Wrangell, Alaska 99929, or located at the Borough Clerk's Office, 205 Brueger Street, Wrangell, Alaska 99929, until 2:00 PM prevailing time on February 27, 2014.

The Bid Documents may be downloaded on the City and Borough of Wrangell website (www.wrangell.com) under the Bids and RFP's section. Downloading Bid Documents from the City and Borough of Wrangell's website requires registration with the Borough Clerk in order to be placed on the Plan Holders List and to ensure receipt of subsequent Addenda. Failure to register may adversely affect your proposal. It is the Offeror's responsibility to insure that they have received all Addenda affecting this Solicitation. To be registered, contact the Borough Clerk at 907-874-2381 or at clerk@wrangell.com

The Bids will be publicly opened and read at 2:00 PM on February 27, 2014 in the City and Borough of Wrangell's Council Chambers at City Hall Wrangell, Alaska.

The OWNER reserves the right to reject any or all Bids, to waive any informality in a Bid, or to make award to the lowest responsive and responsible Bidder, as it best serves the interests of the OWNER.

OWNER: The City and Borough of Wrangell
Jeff Jabusch, Borough Manager

Agenda Item 14

CITY & BOROUGH OF WRANGELL

**BOROUGH ASSEMBLY
AGENDA ITEM
March 11, 2014**

INFORMATION:

ATTORNEY'S FILE – Summary provided to the Borough Assembly

Agenda Item 15

CITY & BOROUGH OF WRANGELL

BOROUGH ASSEMBLY AGENDA ITEM March 11, 2014

INFORMATION:

EXECUTIVE SESSION - None