



**City and Borough of Wrangell
Borough Assembly Meeting Agenda
Revised 12-9-16 to remove Plat Approval for Torgramsen-Austin**

December 13, 2016

7:00 p.m.

Location: Assembly Chambers, City Hall

1. CALL TO ORDER

- a. PLEDGE OF ALLEGIANCE led by Assembly Member Patty Gilbert
- b. INVOCATION to be given by Don McConachie
- c. CEREMONIAL MATTERS – *Community Presentations, Proclamations, Certificates of Service, Guest Introductions*

2. ROLL CALL

3. AMENDMENTS TO THE AGENDA

4. CONFLICT OF INTEREST

5. CONSENT AGENDA

- a. Items (*) 6a and 7a through 7e

6. APPROVAL OF MINUTES

- a. Minutes of the Regular Assembly meeting held November 29, 2016; Minutes of the Special Assembly meeting held December 2, 2016

7. COMMUNICATIONS

- *a. Gaming Permit renewal for Wrangell Fire Fighters Association
- *b. Gaming Permit renewal for the Friends of the Library
- *c. Gaming Permit renewal for the American Legion Post 6 Auxiliary
- *d. School Board Action from the November 21, 2016 Regular Mtg.
- *e. Liquor License Renewal Application from City Market (package store)

8. BOROUGH MANAGER'S REPORT

9. BOROUGH CLERK'S FILE

10. MAYOR/ASSEMBLY REPORTS AND APPOINTMENTS

- a. Reports by Assembly Members
- b. Appointments to fill annual vacancies and other various Boards and Committees vacancies

11. PERSONS TO BE HEARD

12. UNFINISHED BUSINESS

- a. **PROPOSED ORDINANCE No. 928:** AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING CHAPTER 11.76, JUNK VEHICLES, OF THE WRANGELL MUNICIPAL CODE, RELATING TO THE PROCEDURES FOR THE DISPOSITION AND DISPOSAL OF JUNK VEHICLES *(second reading)*
- b. **PROPOSED ORDINANCE No. 929:** AN ORDINANCE of the City and Borough of Wrangell, Alaska, authorizing the issuance of a sewer revenue bond in the principal

amount of \$91,000 to finance a portion of the cost of acquiring, constructing and installing certain additions and betterments to and extensions of the Borough's sewer system; fixing the date, form, terms, maturities and covenants of the bond; reserving the right of the Borough to issue future revenue bonds with a lien on revenues on a parity with the bond upon compliance with certain conditions; and providing for the sale of the bond to the United States Department of Agriculture, Rural Development
(second reading)

13. NEW BUSINESS

- a. **PROPOSED RESOLUTION No. 12-16-1355:** A RESOLUTION OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, PROVIDING FOR THE AMENDMENT OF THE JOB DESCRIPTION FOR THE WASTEWATER TREATMENT OPERATOR LEAD
- b. **PROPOSED RESOLUTION No. 12-16-1356:** A RESOLUTION OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, PROVIDING FOR THE AMENDMENT OF THE JOB DESCRIPTION FOR THE WATER TREATMENT OPERATOR LEAD
- c. **PROPOSED RESOLUTION No. 12-16-1357:** A RESOLUTION OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, PROVIDING FOR THE AMENDMENT OF THE JOB DESCRIPTION FOR THE WATER/WASTEWATER TREATMENT OPERATOR
- d. **PROPOSED RESOLUTION No. 12-16-1358:** A RESOLUTION OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA PROVIDING FOR A CHANGE IN THE PAY PLAN OF THE CITY'S PERSONNEL SYSTEM AND PROVIDING FOR AN EFFECTIVE DATE
- e. Approval to sell the Belt Freezer and Land to Trident Seafoods (*Public Hearing Item*)
- f. Approval of a second amendment to the Professional Services Agreement between the City and Ray Matiashowski for Lobby services
- g. Approval to send a letter to the UA Board of Regents and President James Johnsen in support of the UAS School of Education
- h. Approval to select the Memorial Cemetery as the site for an expansion for cemetery services
- i. Approval of CRW Engineer's Fee proposal for an Amendment to the Preliminary Engineering Report for the Water Treatment Plan Improvements Project

14. ATTORNEY'S FILE

15. EXECUTIVE SESSION

16. ADJOURNMENT

Agenda Items 1 - 6

CITY & BOROUGH OF WRANGELL

BOROUGH ASSEMBLY

AGENDA ITEM

December 13, 2016

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 Patty Gilbert
- b. Invocation to be given by Don McConachie
- c. CEREMONIAL MATTERS – *Community Presentations, Proclamations, Certificates of Service, Guest Introductions*

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 (*) Item:

****6a and 7a through 7e***

ITEM NO. 6 APPROVAL OF MINUTES:

INFORMATION:

- 6a Minutes of the Regular Assembly meeting held November 29, 2016; Minutes of the Special Assembly meeting held December 2, 2016

Minutes of Regular Assembly Meeting
Held on November 29, 2016 (rescheduled from the November 22, 2016 Regular meeting)

Mayor David L. Jack called the Regular Assembly meeting to order at 7:00 p.m., November 29, 2016, in the Borough Assembly Chambers. Assembly Members Mitchell, Decker, Gilbert, Powell, and Rooney were present. Borough Manager Jeff Jabusch and Borough Clerk Kim Lane were also in attendance.

The Pledge of Allegiance was led by Assembly Member Mark Mitchell.

The Invocation was given by Kris Reed of the Baha'i Faith.

AMENDMENTS TO THE AGENDA

Assembly member Decker requested that an item be added under new business to discuss the possibility of signing onto a letter for the Tongass Transition Plan Amendment. There were no objections from the Assembly.

Manager Jabusch requested that an item be added to the agenda under new business to consider scheduling a Special Meeting to consider an Ordinance that had been previously adopted but required modifications for the USDA Closing Documents for the Sewer Pump Stations and to move Agenda Item 13d (City Dock Lighting project approval) from this evening and also add it to the Special meeting.

CONFLICT OF INTEREST – None

CONSENT AGENDA

M/S: Mitchell/Decker, to approve Consent Agenda Items marked with an () asterisk; Items 6a, 7a through 7g. Motion approved unanimously by polled vote.*

APPROVAL OF MINUTES

The Minutes of the Public Hearing & Regular Assembly meetings held November 8, 2016, were approved as presented.

COMMUNICATIONS

- *a. Catholic Community Services, Inc Quarterly Expenditure rept. for 7-1 thru 9-30-2016
- *b. Harbor Matching Letter & adopted Res. No. 11-16-1353 sent to delegates
- *c. Regular School Board minutes from 9-19-16
- *d. Wrangell Medical Center Board minutes from 9-21-16
- *e. Correspondence from State re: Earthquake Simulator Tour
- *f. Gaming Permit renewal application from the Benevolent & Protective Order of Elks Lodge #1595
- *g. Line of Credit update for the Wrangell Medical Center

BOROUGH MANAGER'S REPORT

Manager Jabusch's report was provided.

BOROUGH CLERK'S FILE

Clerk Lane's report was provided.

MAYOR/ASSEMBLY REPORTS AND APPOINTMENTS

10a Reports by Assembly Members

Assembly Member Rooney and Mayor Jack reported on their trip to Anchorage for the AML Conference.

10b City Boards and Committees Appointments

Mayor Jack appointed Bob Lippert to fill the vacancy on the Parks & Recreation Board with the term ending October 2019. As there were vacancies on other various boards and committees, Mayor Jack directed the Borough Clerk to advertise. There were no objections from the Assembly.

10c Wrangell Medical Center Board Appointment

Mayor Jack appointed Barbara Conine to fill the vacancy on the Wrangell Medical Center Board with the term ending October 2019.

PERSONS TO BE HEARD - None

UNFINISHED BUSINESS – None

NEW BUSINESS

13a PROPOSED ORDINANCE No. 928: AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING CHAPTER 11.76, JUNK VEHICLES, OF THE WRANGELL MUNICIPAL CODE, RELATING TO THE PROCEDURES FOR THE DISPOSITION AND DISPOSAL OF JUNK VEHICLES *(first reading)*

M/S: Rooney/Mitchell, to approve first reading of Ordinance No. 928 and move to a second reading with a Public Hearing to be held on December 13, 2016.

Assembly Member Gilbert expressed that the State Statutes says that the ownership of vehicle left on a person's property without consent will revert to the current owner; also states that if a vehicle is on private property, there is no presumption that it's a junk vehicle; need to address private property.

Assembly Member Mitchell stated that what we may think is junk, may be a future project for someone; may be easier to go and talk to the land owner instead of penalizing someone for what the city perceives as junk.

Assembly Members Gilbert and Rooney were in support of a community clean-up where possibly a barge could be brought in to clean up junk and scrap from properties around the community.

Clerk Lane stated that if the Assembly wanted to not approve the Ordinance and have another workshop to discuss what they would want to add to this Ordinance, they could do

that. She also stated that she was confident in the Ordinance before the Assembly and that this Ordinance addressed Junk Vehicles only; other code sections could be looked at for other concerns if need be.

Assembly Member Powell questioned if there was a provision in the Zoning section of the Code that addressed the zoning issues with junk compiling on a piece of private property that was zoned residential.

Mayor Jack questioned if the City had a provision in our code that addressed junk on property that created a nuisance.

Clerk Lane looked up and found that the City did have a provision that addressed this under WMC 9.08.080:

9.08.080 Accumulations of rubbish and materials prohibited.

No owner, lessee, agent, tenant, or occupant shall allow or permit any junk vehicles, junk, debris, or indiscriminate storage of machinery, equipment parts, lumber, or other material, or any accumulation of garbage, manure, offal, rubbish, stagnant water, or any filthy liquid or substance, or anything that is or may become putrid or offensive to be or remain upon his yard, lot or premises, or upon any yard, lot or premises controlled by him.

Lane also stated that this violation was in the fine schedule as a \$100 fine for each offense; it's a matter of who will enforce it though.

Rooney stated that we need to move forward on this Ordinance and if we wanted to do something with nuisances in the future we could do it with a separate Ordinance. Clerk Lane agreed.

Motion approved unanimously by polled vote.

13b PROPOSED RESOLUTION No. 11-16-1354: A RESOLUTION OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, SUPPORTING THE PORT COMMISSION'S EFFORTS TO PLAN AND BUILD THE MARINER'S MEMORIAL AT HERITAGE HARBOR

M/S: Gilbert/Decker, to adopt Resolution No. 11-16-1354 that creates a Special Mariner's Memorial Committee. Motion approved unanimously by polled vote.

13c Appointment to fill the vacancy on the Borough Assembly

M/S: Decker/Powell, to appoint Steve Prysunka to fill the unexpired term as an Assembly Member on the Borough Assembly until October 2017.

Assembly Member Decker stated that the Assembly had two good candidates in front of them for consideration; the Assembly had a discussion of Nepotism at their last meeting; there is a grey area here; weighing the public's interest; position that Steve's daughter had applied for is an entry level low-end position; Steve has proven himself to be very thorough; brings a good perspective to the Assembly.

At the request of Mayor Jack, Mr. Prysunka explained why he had resigned and the steps that he took along the way.

Manager Jabusch stated that the position that Mr. Prysunka's daughter had applied for was not highly sought after.

Mayor Jack stated that Christie Jamieson had also turned in a letter of interest; believes that they both have given a lot to the community; Mr. Prysunka has been sitting on the Assembly and has confidential knowledge about current issues.

Motion approved unanimously by polled vote.

Mr. Prysunka took his Oath of Office and took his seat at the dais.

13d Approval of the Bid received for the Wrangell City Dock Lighting project - ***Removed***

13e Approval of the Wrangell Courtroom Lease with the Alaska Court System

M/S: Gilbert/Rooney, to approve Move to approve lease with the Alaska Court System to be effective January 1, 2017 through December 31, 2022 with options to extend the lease through (5) one year options. Motion approved unanimously by polled vote.

Items 13f and 13g were added under Amendments to the Agenda

13f Discussion regarding signing on to a letter of support for the Tongass Transition Plan Amendment

Assembly Member Decker explained that even though Manager Jabusch had been given a very short deadline to sign on to the letter of support, Mr. Clark had stated that there was still time to do so. Decker requested that this item be added to the Special Assembly meeting agenda for Friday, if that item was approved.

There was no objection from the Assembly.

13g Approval to schedule a Special Assembly meeting for Friday, December 2, 2016 at noon

M/S: Rooney/Powell, to approve holding a Special Assembly meeting on Friday, December 2, 2016, at noon, with the following items to be considered at that meeting:

- 1. USDA Ordinance for the Pump Stations**
- 2. Approval of the bid for the City Dock Lighting project**
- 3. Action on the Tongass Transition Plan Amendment letter**

Assembly Member Prysunka asked if we would have a response back from the Borough Attorney on the issue of local preference by then.

Manager Jabusch stated that we would.

Motion approved unanimously by polled vote.

ATTORNEY'S FILE – Summary Report was provided to the Assembly.

EXECUTIVE SESSION

15a Executive Session: Options regarding the Corrective Statutory Warranty Deed for Lot A, dated May 25, 2012, according to Plat 2010-6 between the City and Alaska Island Community Services (AICS)

M/S: Powell/Decker, to move, pursuant to AS 44.62.310 (c), (1), that we recess into executive session with the Borough Manager and the Borough Attorney to discuss matters, the immediate knowledge of which would clearly have an adverse effect upon the finances of the Borough, specifically the City's options regarding the Corrective Statutory Warranty Deed for Lot A, dated May 25, 2012, according to Plat 2010-6 between the City and Alaska Island Community Services (AICS).

Assembly Member Prysunka stated that he had a conflict of interest on this item; he hadn't been appointed to the Assembly at the beginning of the meeting so he wasn't able to state a conflict then. Prysunka stated that since his wife is employed with AICS and has a conflict, he didn't feel comfortable in being involved in any discussion regarding AICS.

Mayor Jack agreed and there were no objections from the Assembly.

Motion approved unanimously by polled vote.

Regular Assembly Meeting recessed at 7:47 p.m.

Regular Assembly Meeting reconvened back into regular session at 8:26 p.m.

Mayor Jack stated that the Borough Manager had been given direction by the Borough Assembly to write a letter.

Regular Assembly Meeting adjourned at 8:26 p.m.

David L. Jack, Mayor

ATTEST: _____
Kim Lane, MMC, Borough Clerk

**Minutes of Special Assembly Meeting
Held December 2, 2016**

Mayor David Jack called the Special Assembly meeting to order at 12:00 p.m., December 2, 2016, in the Borough Assembly Chambers. Assembly Members Decker, Mitchell, Rooney, Gilbert, Prysunka (arrived at 12:05 p.m.), and Powell were present. Borough Manager Jeff Jabusch and Borough Clerk Kim Lane were also in attendance.

CONFLICT OF INTEREST – None

PERSONS TO BE HEARD – None

Mayor Jack stated that items 5b and 5c would be removed from the Agenda so that the Borough Attorney could have time to review all of the documents provide us with an opinion. Jack stated that this topic will be placed on a Special Meeting's Agenda for next week, Thursday, December 8, 2016 at noon. There were no objections from the Assembly.

ITEMS OF BUSINESS

5a PROPOSED ORDINANCE No. 929: AN ORDINANCE of the City and Borough of Wrangell, Alaska, authorizing the issuance of a sewer revenue bond in the principal amount of \$91,000 to finance a portion of the cost of acquiring, constructing and installing certain additions and betterments to and extensions of the Borough's sewer system; fixing the date, form, terms, maturities and covenants of the bond; reserving the right of the Borough to issue future revenue bonds with a lien on revenues on a parity with the bond upon compliance with certain conditions; and providing for the sale of the bond to the United States Department of Agriculture, Rural Development (*first reading*)

M/S: Gilbert/Rooney, to approve first reading and move to a second with a public hearing to be held on December 13, 2016. Motion approved unanimously by polled vote.

5b Consideration of Local Bidder Preference provision (WMC 5.10.040 (D)) - **Removed**

5c Approval of the Bid received for the Wrangell City Dock Lighting project (removed from the November 29, 2016 Regular Assembly meeting Agenda) - **Removed**

5d Approval to sign onto a letter in support of the Tongass Transition Plan Amendment

M/S: Mitchell/Rooney, to approve signing onto a letter in support of the Tongass Transition Plan Amendment.

Manager Jabusch stated that the City had heard from Beth Pendleton, Regional Forester for the Alaska Region and she had stated that they had reviewed all of the letters of protest and that the Forest Service would still be moving forward.

Assembly Member Rooney stated that it would still be good to have our objection on the record.

Assembly Member Gilbert asked if this would go through Congress or was it solely with the Forest Service. Manager Jabusch replied that it was with the Forest Service, not Congress.

Assembly Member Decker stated that this effects more than just timber; effects renewable energy and mining among other things.

Assembly Member Prysunka stated that because we have a new President coming into office, we should allow him to take over and make the decisions on this, if he chose to.

Motion approved unanimously by polled vote.

Special meeting adjourned at 12:08 p.m.

David L. Jack, Mayor

ATTEST: _____
Kim Lane, Borough Clerk

Agenda Item 7

CITY & BOROUGH OF WRANGELL

BOROUGH ASSEMBLY AGENDA ITEM December 13, 2016

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.

- *a. Gaming Permit renewal for Wrangell Fire Fighters Association
- *b. Gaming Permit renewal for the Friends of the Library
- *c. Gaming Permit renewal for the American Legion Post 6 Auxiliary
- *d. School Board Action from the November 21, 2016 Regular Mtg.
- *e. Liquor License Renewal Application from City Market (package store)

Form **826****Gaming Permittee Application**For Year Ending: 2017**Organization Information**☐ Check this box if amending your gaming permit application.

Federal Employer Id XX-XXX7205	If renewing, enter gaming permit # 325	Phone Number 907-874-3223	Website address	
Organization Name WRANGELL FIRE FIGHTERS ASSOCIATION		Email address WRGFD@WRANGELL.COM		
Mailing Address PO BOX 794	City WRANGELL	State AK	Zip Code 99929-0000	
Entity Type Corporation		Organization Type Police or fire department		
Does the organization have 25 or more members, as defined in your articles of incorporation or bylaws, who are Alaska residents? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No				

Legal Questions These questions must be answered.

☐ Yes ☒ No Does any employee with a managerial or supervisory capacity, or any person who is responsible for gaming activities, have a prohibited conflict of interest as defined by 15 AAC 160.954?

☐ Yes ☒ No Has any employee with a managerial or supervisory capacity, or any person who is responsible for gaming activities, ever been convicted of a felony, extortion, or a violation of a law or ordinance of this state, or another jurisdiction, that is a crime involving theft or dishonesty, or a violation of gambling laws?

We declare, under penalty of unsworn falsification, that we have examined this application, including any attachments, and that, to the best of our knowledge and belief, it is true and complete. We understand that any false statement made on the application or any attachments is punishable by law. By our signatures below, we agree to allow the Department of Revenue to review any criminal history we may have, in accordance with 15 AAC 160.934.

Confirmation Number 2-086-567-936	Date November 14, 2016
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Permit Fee The permit fee is based on the 2017 estimated gross receipts. Check the appropriate box.

<input type="checkbox"/> New applicant	\$20	<input type="checkbox"/> \$0 - \$20,000	\$20
<input checked="" type="checkbox"/> \$20,001 - \$100,000	\$50	<input type="checkbox"/> \$100,001 or more	\$100

Members in Charge of Games

Members in charge of Games must be natural persons and active members of the organization or employees of the municipality and designated by the organization. Members in Charge of Games may not be licensed as an operator, be a registered pull-tab vendor or an employee of a vendor for this organization.

Alternate First Name TIM	M.I.	Alternate Last Name BUNESS	Social Security Number	Daytime Phone (907)874-3122
City WRANGELL	State AK	Zip Code 99929-0000	Email Address wrgfd@aptalaska.net	Cell Phone

Gaming Permittee Application

Gaming Permit # 325	Organization Name WRANGELL FIRE FIGHTERS ASSOCIATION			
Primary First Name DORIANNE	M.I.	Primary Last Name BLATCHLEY	Social Security Number : - - - - -	Daytime Phone (907)874-3223
City WRANGELL	State AK	Zip Code 99929-0794	Email Address wrgfd@wrangell.com	Cell Phone

Facility-Based Games (self-directed)

Facility Name	Physical Address	City	State	Zip Code
Facility Type	Game Type			

Manager of Gaming

Required only for self-directed pull-tabs and bingo.

Manager First Name	MI	Manager Last Name	Social Security Number XXX-XX-XX-	
Home Mailing Address		City	State AK	Zip Code -----
Email Address	Cell Phone		Daytime Phone	

Area-Based Games

Area Wrangell	Game Type Raffle or Lottery
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Dedication of Net Proceeds (Required)

Describe in detail how the organization will use net proceeds from gaming activities.

All proceeds will be used to assist the Wrangell Search and Rescue, the Wrangell Ambulance and the Wrangell Fire department with training and supplies. Proceeds will also be used to assist the Wrangell Booster Club, the Salvation Army and the Wrangell Little League.



Alaska Department of Revenue - Tax Division

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My Accounts
Payment

Status : Completed Completed : 28-Nov-2016 17:38:51
 Logon : [REDACTED] Submitted : 23-Nov-2016 10:44:56
 Federal Employer Id : **-***4234
 Name : THE FRIENDS OF THE IRENE INGLE F
 Permit : 2874
 Period : 31-Dec-2017

Payment Type Permit Payment

Amount intended to pay a license or application fee

THE FRIENDS OF THE IRENE INGLE PUBLIC LIBRARY

Permit 2874

Payment Date 23-Nov-2016

PAY TO THE
ORDER OF

State of Alaska

20.00

FIRST BANK

MEMO: Tax period end December 31, 2017

Bank Account Type

Routing Number

Account Number

Checking

125200044

****0930

* - To increase font size adjust your browser zoom settings

Warning: As a security feature, this application will time out after 20 minutes of inactivity. Your information will NOT be saved after this time out.

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Form **826****Gaming Permittee Application**For Year Ending: 2017**Organization Information**☐ Check this box if amending your gaming permit application.

Federal Employer Id XX-XXX3741	If renewing, enter gaming permit # 383	Phone Number 907-874-3871	Website address	
Organization Name AMERICAN LEGION AUXILIARY # 6		Email address ZONAGREGG@YAHOO.COM		
Mailing Address PO BOX 546		City WRANGELL	State AK	Zip Code 99929-0546
Entity Type Non-Profit 501c		Organization Type Veterans		
Does the organization have 25 or more members, as defined in your articles of incorporation or bylaws, who are Alaska residents? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No				

Legal Questions These questions must be answered.

<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Does any employee with a managerial or supervisory capacity, or any person who is responsible for gaming activities, have a prohibited conflict of interest as defined by 15 AAC 160.954?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Has any employee with a managerial or supervisory capacity, or any person who is responsible for gaming activities, ever been convicted of a felony, extortion, or a violation of a law or ordinance of this state, or another jurisdiction, that is a crime involving theft or dishonesty, or a violation of gambling laws?
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We declare, under penalty of unsworn falsification, that we have examined this application, including any attachments, and that, to the best of our knowledge and belief, it is true and complete. We understand that any false statement made on the application or any attachments is punishable by law. By our signatures below, we agree to allow the Department of Revenue to review any criminal history we may have, in accordance with 15 AAC 160.934.

Confirmation Number 0-967-065-600	Date November 17, 2016
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Permit Fee The permit fee is based on the 2017 estimated gross receipts. Check the appropriate box.

<input type="checkbox"/> New applicant	\$20	<input type="checkbox"/> \$0 - \$20,000	\$20
<input checked="" type="checkbox"/> \$20,001 - \$100,000	\$50	<input type="checkbox"/> \$100,001 or more	\$100

Members in Charge of Games

Members in charge of Games must be natural persons and active members of the organization or employees of the municipality and designated by the organization. Members in Charge of Games may not be licensed as an operator, be a registered pull-tab vendor or an employee of a vendor for this organization.

Primary First Name ZONA	M.I. L	Primary Last Name GREGG	Social Security Number	Daytime Phone (907)874-3646
City WRANGELL	State AK	Zip Code 99929-0003	Email Address ZONAGREGG@YAHOO.COM	Cell Phone

Form **826****Gaming Permittee Application**

Gaming Permit # 383	Organization Name AMERICAN LEGION AUXILIARY # 6			
Alternate First Name DEBORAH	M.I. L	Alternate Last Name GLASS	Social Security Number	Daytime Phone (907)874-2755
City WRANGELL	State AK	Zip Code 99929-0527	Email Address m-n-m@aptalaska.net	Cell Phone

Facility-Based Games (self-directed)

Facility Name AMERICAN LEGION HALL	Physical Address 435 ALASKA AVE	City Wrangell	State AK	Zip Code 99929-0000
Facility Type Leased	Game Type Bingo			
Facility Name AMERICAN LEGION HALL	Physical Address 435 ALASKA AVE	City Wrangell	State AK	Zip Code 99929-0000
Facility Type Leased	Game Type Pull-Tabs			

Manager of Gaming

Required only for self-directed pull-tabs and bingo.

Manager First Name ZONA	MI L	Manager Last Name GREGG	Social Security Number	
Home Mailing Address PO BOX 3		City WRANGELL	State AK	Zip Code 99929-0003
Email Address ZONAGREGG@YAHOO.COM		Cell Phone	Daytime Phone 9078743646	

Area-Based Games

Area Wrangell	Game Type Raffle or Lottery
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Dedication of Net Proceeds (Required)

Describe in detail how the organization will use net proceeds from gaming activities.

To further its exempt purposes, including but not limited to: child welfare, rehabilitations, civic hospital nursery, scholarships, girls state, aux emergency fund, american legion auxiliary programs.

BOARD ACTION**WRANGELL PUBLIC SCHOOL BOARD
REGULAR MEETING
NOVEMBER 21, 2016****FOR DETAILS, CONTACT:**

PATRICK MAYER.

SUPERINTENDENT

DIRECT PHONE: 907-874-2347

- Recessed into a Public Hearing to take comment on the 2015-2016 Report Card to the Public
- Reconvened into Regular Session
- Approved the Agenda as presented
- Accepted the Minutes of the October 17, 2016 Regular School Board Meeting
- Accepted the Upward Bound Grant Sub-Award, as presented
- Accepted the donation from SEAPA in the amount of \$500.00 for student activities
- Accepted the grant from Wells Fargo in the amount of \$500.00 for music equipment
- Offered William Schwan a contract addendum in the amount of \$5,760.00 for Upward Bound Grant Coordinator
- Offered Theresa Allen an extracurricular contract for MS Girls Assistant Basketball Coach
- Reviewed the Resignation of Laurie Stargel as information
- Accepted the FY'17 Budget Revisions as presented
- Approved the Family Life/Sex Education Curriculum and Resources and Teaching Staff/Guest Speakers as presented in the Work Session
- Accepted the First Reading of Board Policy:
 - #0410, Nondiscrimination
 - #4112.4, Physical Examinations
 - #4131, Certificated Personnel Staff Development
 - #4222, Teacher Aides/Paraprofessionals
 - #6142.1, Family Life/Sex Education
 - #6156, Class Examinations/Challenging Courses by Examinations
 - #7320, Meetings of the Board
- Reviewed School Board Policy:
 - #0510, School District Report Card
 - #0520, School Accountability/School Improvement
- Accepted the Second Reading of Board Policy #7020, Board Standards
- Adjourned



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

**Department of Commerce, Community,
and Economic Development**

ALCOHOLIC BEVERAGE CONTROL BOARD
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

November 1, 2016

7e (8 pages)

City Market Inc.
PO Box 140
Wrangell, AK 99929

Dear Licensee:

Enclosed is your liquor license renewal application for the 2017/2018 calendar years. The complete renewal application, corresponding fees, and any additional information requested on the application must be received at the Alcohol and Marijuana Control Office (AMCO) or postmarked no later than January 3, 2017. Any corporations or limited liability organizations that submit a renewal application must be in good standing with the Alaska Division of Corporations in order for the renewal application to be considered complete.

A personal or bank check, money order, or credit card (Visa, MasterCard, or Discover only) are all acceptable forms of payment for a renewal application. If you choose to pay by credit card, please write in your name and a valid contact phone number on the line below for the AMCO employee to call once the application is received.

Name: Barbara Gallant Phone: 9078743333
I understand that an AMCO employee will be calling me at the above number for payment information. If the call is unanswered, I must contact AMCO by close of business (4:30pm AST) the following business day and remit payment information in order to avoid having my application returned as incomplete.

AN APPLICATION THAT IS INCOMPLETE FOR ANY REASON, INCLUDING USE OF OUT-DATED FORMS OR OMISSION OF REQUIRED DOCUMENTS OR FEES, WILL BE RETURNED TO THE APPLICANT, PER 3 AAC 304.105(e).

Applications postmarked, emailed, or brought into the AMCO office after close of business at 4:30pm on January 3, 2017 will be assessed a \$500.00 late fee in addition to the regular renewal fees per AS 04.11.270(b)(3). Any incomplete applications or liquor license applications and required fees not postmarked or received in the ABC Board office by February 28, 2016 will be expired per AS 04.11.540.

This renewal season, we will be mailing out temporary licenses to all applicants that will allow you to operate while your application is in delegation and awaiting approval from the Alcoholic Beverage Control (ABC) Board. If a protest or objection is received for your application, under AS 04.11.480 or AS 04.11.470 respectively, or if AMCO staff identifies an issue, your application will be considered individually by the ABC Board, and a public hearing will be held, if required by statute. Upon ABC Board approval, your 2017/2018 liquor license will be mailed to you at the mailing address on file.

Please scan and email complete applications and documents to amco.admin@alaska.gov, or mail all complete application documents to the address above. Applications **will not be accepted** via fax machine due to State equipment shortages.

Sincerely,

Sarah Daulton Oates
Program Coordinator



ABC LICENSE MANAGEMENT

Add/Update Owner or Enterprise

Licenses

< >

ID: 484

Name: City Market Inc.

Address: PO Box 140

City: Wrangell

State: AK

ZIP: 99929

Email: cmarket@gci.net

237

City Market

423 Front Street

Save

Cancel

Interested Parties

Add Interested Party

ID	Name	%	Aff	Pres	VP	Sec	Treas	Off	Mbr	Mgr		
2727	Rolland B Curtis	100.00									Edit	Delete
2728	Chester A Powell	0.00									Edit	Delete
2729	Shirley B Wimberley	0.00									Edit	Delete
Total Percentage												



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

Department of Commerce, Community,
and Economic Development

ALCOHOL & MARIJUANA CONTROL OFFICE
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

November 1, 2016

City & Borough of Wrangell
Attn: Kim Lane, MMC
VIA Email: clerk@wrangell.com

Re: Notice of 2017/2018 Liquor License Renewal Application

License Type:	Package Store	License Number:	237
Licensee:	City Market, Inc.		
Doing Business As:	City Market		

We have received a completed renewal application for the above listed license (see attached application documents) within your jurisdiction. This is the notice required under AS 04.11.480.

A local governing body may protest the approval of an application(s) pursuant to AS 04.11.480 by furnishing the director **and** the applicant with a clear and concise written statement of reasons for the protest within 60 days of receipt of this notice, and by allowing the applicant a reasonable opportunity to defend the application before a meeting of the local governing body, as required by 3 AAC 304.145(d). If a protest is filed, the board will deny the application unless the board finds that the protest is arbitrary, capricious, and unreasonable.

To protest the application referenced above, please submit your written protest within 60 days, and show proof of service upon the applicant and proof that the applicant has had a reasonable opportunity to defend the application before a meeting of the local governing body.

Sincerely,

A handwritten signature in blue ink, appearing to read "C. Franklin".

Cynthia Franklin, Director
amco.localgovernmentonly@alaska.gov

Alcohol and Marijuana Control Office
 550 W 7th Avenue, Suite 1600
 Anchorage, AK 99501
alcohol.licensing@alaska.gov
<https://www.commerce.alaska.gov/web/amco>
 Phone: 907.269.0350



Alaska Alcoholic Beverage Control Board Renewal License Application Form AB-17b: Package Store

What is this form?

This renewal license application form is required for all individuals or entities seeking to apply for renewal of an existing package store license that will expire on December 31, 2016. All fields of this form must be complete and correct, or the application will be returned to you in the manner in which it was received, per AS 04.11.270 and 3 AAC 304.105. The Community Council field only needs to be verified/completed by licensees whose establishments are located within the Municipality of Anchorage or outside of city limits within the Matanuska-Susitna Borough.

This form must be completed correctly and submitted to the Alcohol & Marijuana Control Office (AMCO)'s main office, along with all other required documents and fees, before any renewal license application will be considered complete.

Section 1 – Establishment and Contact Information

Enter information for the business seeking to have its license renewed.

Licensee:	City Market Inc.	License #:	237
License Type:	Package Store	Statute:	AS 04.11.150
Doing Business As:	City Market		
Premises Address:	423 Front Street		
Local Governing Body:	City & Borough of Wrangell		
Community Council:	None		

Mailing Address:	Box 140		
City:	Wrangell	State:	AK
		ZIP:	99929

Enter information for the licensee who will be designated as the primary point of contact regarding this application and the license.

Designated Licensee:	Rolland B. Curtis		
Contact Phone:	9078743333	Business Phone:	9078743333
Contact Email:	cmarketaccounts@gci.net		

Seasonal License? Yes ☐ No ☒

If "Yes", write your six-month operating period:





Alaska Alcoholic Beverage Control Board
Renewal License Application
Form AB-17b: Package Store

Alcohol and Marijuana Control Office
550 W 7th Avenue, Suite 1600
Anchorage, AK 99501
alcohol.licensing@alaska.gov
<https://www.commerce.alaska.gov/web/amco>
Phone: 907.269.0350

Section 2 – Sole Proprietor Ownership Information

This section must be completed by any sole proprietor who is applying for a license. Entities should skip to Section 3.
If more space is needed, please attach a separate sheet with the required information.
The following information must be completed for each licensee and each affiliate (spouse).

This individual is an: ☐ applicant ☐ affiliate

Name:					
Address:					
City:		State:		ZIP:	
Email:					
Contact Phone:					

This individual is an: ☐ applicant ☐ affiliate

Name:					
Address:					
City:		State:		ZIP:	
Email:					
Contact Phone:					

Section 3 – Entity Ownership Information

This subsection must be completed by any licensee that is a corporation or LLC. Corporations and LLCs are required to be in good standing with the Alaska Division of Corporations (DOC). Partnerships may skip to Page 3. Sole proprietors should skip to Section 4.

Alaska DOC Entity #:	2702
----------------------	------

Alaska Division of Corporations:

Is your entity in good standing with the Alaska Division of Corporations?



Yes No

☒ ☐



Alaska Alcoholic Beverage Control Board

Renewal License Application

Form AB-17b: Package Store

This subsection must be completed by any entity, including a corporation, limited liability company (LLC), partnership, or limited partnership, that is applying for renewal. If more space is needed, please attach additional completed copies of this page.

- If the applicant is a corporation, the following information must be completed for each stockholder who owns 10% or more of the stock in the corporation, and for each president, vice-president, secretary, and managing officer.
- If the applicant is a limited liability organization, the following information must be completed for each member with an ownership interest of 10% or more, and for each manager.
- If the applicant is a partnership, including a limited partnership, the following information must be completed for each partner with an interest of 10% or more, and for each general partner.

Entity Official:	Rolland B. Curtis				
Title(s):	President	Phone:	9078743333	% Owned:	100
Address:	Box 140				
City:	Wrangell	State:	AK	ZIP:	99929

Entity Official:	Chester A. Powell				
Title(s):	Vice President	Phone:	9078743333	% Owned:	0
Address:	Box 140				
City:	Wrangell	State:	AK	ZIP:	99929

Entity Official:	Shirley B. Wimberley				
Title(s):	Sec/Treas.	Phone:	9078743333	% Owned:	0
Address:	Box 140				
City:	Wrangell	State:	AK	ZIP:	99929

Entity Official:					
Title(s):		Phone:		% Owned:	
Address:					
City:		State:		ZIP:	

Entity Official:					
Title(s):		Phone:		% Owned:	
Address:					
City:		State:		ZIP:	





Alaska Alcoholic Beverage Control Board
Renewal License Application
Form AB-17b: Package Store

Alcohol and Marijuana Control Office
550 W 7th Avenue, Suite 1600
Anchorage, AK 99501
alcohol.licensing@alaska.gov
<https://www.commerce.alaska.gov/web/amco>
Phone: 907.269.0350

Section 4 – Authorization

Communication with AMCO staff:

Yes No

Does any person other than a licensee named in this application have authority to discuss this license with AMCO staff?

☒ ☐

If "Yes", disclose the name of the individual and the reason for this authorization:

Barbara Gallant - Office Manager - has credit card info

Section 5 – License Operation

Written Orders:

Yes No

Did you sell alcoholic beverages in response to a written order in calendar years 2015 or 2016?

☒ ☐

Check the box that best describes your liquor license operations in calendar years 2015 and 2016:

The license was regularly operated continuously throughout each year, for 8 or more hours each day.

☒

The license was regularly operated during a specific season each year, for 8 or more hours each day.

☐

The license was only operated to meet the minimum requirement of 30 days each year, 8 hours each day.
If this box is checked, an AMCO employee will contact you after reviewing your application.

☐

The license was not operated at all or was not operated for at least the minimum requirement of 30 days each year, 8 hours each day, during one or both of the calendar years.
If this box is checked, an AMCO employee will contact you after reviewing your application.

☐

Section 6 – Convictions

Applicant convictions in calendar years 2015 and 2016:

Yes No

Has any person named in this application been convicted of a violation of Title 04, of 3 AAC 304, or a local ordinance adopted under AS 04.21.010 in the calendar years 2015 or 2016?

☐ ☒

If "Yes", list all convictions:





Alaska Alcoholic Beverage Control Board Renewal License Application Form AB-17b: Package Store

Alcohol and Marijuana Control Office
550 W 7th Avenue, Suite 1600
Anchorage, AK 99501
alcohol.licensing@alaska.gov
<https://www.commerce.alaska.gov/web/amco>
Phone: 907.269.0350

Section 7 – Certifications

Read each line below, and then sign your initials in the box to the right of each statement:

Initials

I certify that all current licensees (as defined in AS 04.11.260) and affiliates have been listed on this application, and if the licensee is an organized entity, that all current entity officials and stakeholders are listed with the Alaska Division of Corporations.

ABC

I certify on behalf of myself or of the organized entity that I understand that providing a false statement on this form or any other form provided by AMCO is grounds for rejection or denial of this application or revocation of any license issued.

ABC

I certify that in accordance with AS 04.11.450, no one other than the licensee(s) has a direct or indirect financial interest in the licensed business.

ABC

I certify that I have not altered the functional floor plan or reduced or expanded the area of the licensed premises, and I have not changed the business name or the ownership (including officers or stakeholders) from what is currently on file with the Alcoholic Beverage Control Board.

ABC

I certify that I have not violated any restrictions pertaining to this particular license type, and that this license has not been operated in violation of a condition or restriction imposed by the Alcoholic Beverage Control Board.

ABC

As an applicant for a liquor license renewal, I declare under penalty of perjury that I have read and am familiar with AS 04 and 3 AAC 304, and that this application, including all accompanying schedules and statements, is true, correct, and complete. I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application and understand that failure to do so by any deadline given to me by AMCO staff will result in this application being returned to me as incomplete.

Rolland B. Curtis
Signature of licensee

Rolland B. Curtis
Printed name of licensee



Amber L. Hommel
Signature of Notary Public

Notary Public in and for the State of Alaska

My commission expires: Oct. 14, 2020

Subscribed and sworn to before me this 7th day of November, 2016.

License Fee:	\$ 1500.00	Filing Fee:	\$ 200.00	TOTAL:	\$ 1700.00
Late Fee of \$500.00 – if received or postmarked after 01/03/2017:					
Miscellaneous Fees:					
GRAND TOTAL (if different than TOTAL):					



The Borough Manager's
Report will be provided
either on or before the
Assembly Meeting.

Agenda Item 9

CITY & BOROUGH OF WRANGELL

BOROUGH ASSEMBLY AGENDA ITEM

CLERK'S REPORT December 13, 2016

Mark Your Calendar:

- 12/21 WMC Board Meeting @5:30 pm in the Nolan Center Classroom
- 12/23 City Hall Closing at 3:00 p.m.
- 12/26 City Hall Closed - Christmas Day Observed
- 12/27 thru 12/30 City Hall Closed to the general public - annual records and maintenance
- 1/2 City Hall Closed - New Year's Day Observed
- 1/4 Parks & Rec Board Meeting @7pm in the Assembly Chambers
- 1/5 Port Commission Meeting @7pm in the Assembly Chambers
- 1/10 Regular Assembly Meeting @7pm in the Assembly Chambers

- 12/14 SEAPA Board Mtg. to be held in Ketchikan, with times TBD

Did you know....

What purpose does Postponing something indefinitely have? That's right! The purpose is to kill the motion.

So if there is a motion on the floor and it is being debated and the members start to see that the motion is not something that they would like to actually take action on, a member can make a motion to "postpone this item indefinitely". It must have a second and *is* debatable. Of course, it must be voted on.

Kim Lane, Borough Clerk

Agenda Items 10 a - b

CITY & BOROUGH OF WRANGELL

BOROUGH ASSEMBLY AGENDA ITEM December 13, 2016

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** City Boards and Committee Appointments

Vacancies:

- One vacancy Planning & Zoning Commission (Oct 2019)
- Two vacancies Economic Development Committee (Oct 2019)

Recommended Action:

Appointments to be filled by the Mayor with the consent of the assembly for the various seats with.

Recommended Action if not approved with the consent of the Assembly:

Motion: Move to appoint _____ to fill the vacancy on the _____ for the term up until October _____.

Agenda Item 12a

CITY & BOROUGH OF WRANGELL

BOROUGH ASSEMBLY AGENDA ITEM December 13, 2016

INFORMATION:

PROPOSED ORDINANCE No. 928: AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING CHAPTER 11.76, JUNK VEHICLES, OF THE WRANGELL MUNICIPAL CODE, RELATING TO THE PROCEDURES FOR THE DISPOSITION AND DISPOSAL OF JUNK VEHICLES (*second reading*)

Attachments:

1. Memo from Clerk Lane
2. **Proposed Ordinance No. 928**

RECOMMENDED ACTION:

Move to adopt Ordinance No. 928.

MEMORANDUM

TO: Honorable Mayor & Borough Assembly

FROM: Kim Lane, MMC
Borough Clerk

SUBJECT: Junk or Abandoned Vehicles Ordinance

DATE: November 29, 2016

After the September 26th Workshop on scrap metal removal options in Wrangell, I requested some information from our attorney on how our Wrangell Municipal Code is written with regards to Junk Vehicles. This memo shows the two questions that I had asked the attorney and includes the responses. They are quite long. Here is the summary from the attorney with regards to the changes to Ordinance No. 928.

I have tried to make sure that all of the requirements of AS 28.11.100 are met and used the terminology from that section (and sections cross-referenced in that section) where appropriate. I also made other edits and changes throughout to further refine the draft. I decided to go with the 2 weeks of publication both places for when the owner or lienholder cannot be ascertained, as that's the amount of time in both the Sitka and Kodiak codes, and KGB says "at least once" for publication. We could easily add that in that circumstance, the notice will also be posted at the Borough offices – and you can simply do that as well. I don't know what the Wrangell police include on the notice that is affixed to the vehicle – whatever they do on that, I think they can just continue doing. Here it is like a bright neon pink notice attached to the mirror arm.

Below are the two questions with the attorney's answers.

1. If there is an abandoned vehicle on public (City) land, what is the notice period before the City can impound it and finally destroy or auction it off?

Answer: I think state law governs on this question. It is unlawful to abandon a vehicle on public property without the consent of the owner. A vehicle left parked on public property for more than 30 days without consent of the owner is presumed by law to be abandoned. At that point the municipality may remove or have the vehicle removed to a place of storage. Then the required notice provisions start: 30 day notice to the owner of record and lienholders of record stating grounds for removal and location of impoundment; if the vehicle is not registered or owner or lienholder cannot be ascertained, notice by publication per rules of court for service of process by publication. The notice must inform the owner/lienholder of their right to a hearing conducted by the municipality. After this, the vehicle may be disposed of by scrap processing or by public auction 20 days after notice of auction is published in the newspaper.

Adding these up, 30 + 30 + 20 if disposal by sale by auction = 80 days total

2. If there is a “junk” vehicle on private property, does our code violate their rights?

Answer: Under AS 28.11.020(b), a junk vehicle that has been left on private property in excess of 24 hours and without the consent of the owner or person in charge of the property, may be treated as abandoned and removed, which then starts the notice requirements, etc. I think the main difference between this and the code is that the code makes no reference to consent of the owner. I think this is where it gets difficult for the state and municipalities – people will keep essentially junk vehicles on their own property claim they are not “junk vehicles” as defined in AS 28.11.020, and therefore leave them alone.

I do not think your code violates their rights and certainly would not say – WMC 11.76.020 says that a person may not place or allow a junk vehicle to remain in public view for more than 10 days, and the manager can extend that time to 30 days for repairs. All the person has to do is move the vehicle out of public view or cover it up with a tarp or repair it. However, if WMC 11.76 is going to go through revision anyway, you may want to consider this issue and address any concerns.

Attorney comments regarding our current Wrangell Municipal Code:

WMC 11.76.020 appears to allow more than the minimum in state law for a vehicle to sit before it is deemed unlawful. Also the manager may allow up to an additional 30 days if he reasonable believes repairs can be made and the owner is willing to do so.

WMC 11.76.030A requires written notice before impound, which may help get the problem corrected and avoid need for impound. I think that is fine and more than is required under state law. The language on who notice goes to, how, and timeframes might need some changes to track the state statute on notice, AS 28.11.040.

WMC 11.76.030B says that after the 10 or 30 day period in the notice goes by, the junk vehicle may be impounded and sold at public auction per the notice provisions of WMC 11.76.040 (published in newspaper) or destroyed without further notice. I do not think this post-impound notice provision meets the requirements of the state law for what must be in the ordinance on notice under AS 28.11.100 and .040. Compare WMC with Sitka ordinance at section 9.12.020 on notice, enforcement by removal, and notice of right to a hearing.

It looks like WMC 11.76.040 was, at least in part, modeled after AS 28.11.070, but assumes that the “notice requirements of this chapter [11.76]” comply with AS 28.11.100 and .040. I think the notice requirements in the code need revision to fully do that.

WMC 11.76.060 Opportunity for hearing – this is generally okay as far as it goes but it seems to assume that the person has been given notice of their right to a hearing. I don’t see anywhere in this section or any of the notice sections where there is specific provision that the owner/lienholder is given notice of their right to a hearing as required under AS 28.11.100. Compare Sitka section 9.12.020B.

You should note that AS 28.11.080, Disposal facilities, provides in (b): “A municipality that adopts an ordinance under AS 28.11.100 shall designate appropriate areas within its jurisdiction for the disposal of abandoned vehicles.” Does Wrangell have a place where people can take junk vehicles for disposal?

In summary, I think that the current WMC 11.76 probably does not fully meet the requirements set out in AS 28.11.100 for a junk/abandoned vehicle

abatement ordinance. I think WMC 11.76 would benefit from staff/committee review and revision to ensure that it meets the state requirements for such an ordinance. I think notice provisions could be simplified and clarified by more closely tracking state law as well as perhaps using some of the language from the Sitka code or other AK municipalities.

You may also want to revise the definition of junked vehicle, I think so long as the ordinance is generally consistent with state law in AS 28.11, and specifically contains the provisions required in an abatement ordinance as set out in AS 28.11.100, it will be in compliance with state law.

CITY AND BOROUGH OF WRANGELL, ALASKA

ORDINANCE NO. 928

AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING CHAPTER 11.76, JUNK VEHICLES, OF THE WRANGELL MUNICIPAL CODE, RELATING TO THE PROCEDURES FOR THE DISPOSITION AND DISPOSAL OF JUNK VEHICLES

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 Chapter 11.76, Junk Vehicles, of the Wrangell Municipal Code, relating to the procedures for disposition and disposal of junk vehicles.

SEC. 2. Amendment of Section. Section 11.76.010 of the Wrangell Municipal Code is amended to read:

11.76.010. Definition.

“Junk vehicle” means a motor vehicle that **[is:**

A. Stripped, wrecked or otherwise inoperable due to mechanical failure, and

B. Has not been repaired because of mechanical difficulties or because the cost of repairs required to make it operable exceeds the fair market value of the vehicles.]

A. is not currently registered under AS 28.10, except for a vehicle not currently registered under AS 28.10 and used exclusively for competitive racing;

B. is stripped, wrecked, or otherwise inoperable due to mechanical failure;

C. has not been repaired because of mechanical difficulties or because the cost of repairs required to make it operable exceeds the fair market value of the vehicle; or

D. is in a condition that exhibits more than one of the following elements:

1. broken glass;

2. missing wheels or tires;
3. missing body panels or parts; or
4. missing drive train parts.

SEC. 3. Amendment of Section. Section 11.76.020 of the Wrangell Municipal Code is amended to read:

11.76.020 Junk vehicles unlawful.

- A. It is unlawful for the **[registered]** owner of record or other person with legal right to possession of a junk vehicle to place or allow such vehicle to remain in public view on any property, public or private, within the borough for more than 10 days, the same being declared a public nuisance. It is also unlawful for the owner, tenant or other person in possession or control of any property to cause or allow a junk vehicle to be placed or remain in public view on such property for more than 10 days.
- B. Notwithstanding the provisions of subsection (A) of this section, if the borough manager has reasonable grounds to believe that repairs can be made to render a junk vehicle operable, that the **[registered]** owner of record or other person entitled to possession of the vehicle is willing to undertake or have performed such repairs, that the vehicle does not pose any health or safety hazard, and that there is no reasonable means for removing the vehicle from public view while repairs are being performed, the borough manager may authorize a period of no more than 30 days for the performance of such repairs. In no case, however, may this section be construed as authorizing the operation of a junkyard or other salvage or repair business where other requirements of the law have not been met.
- C. Any person violating any provision of this chapter is guilty of an infraction and shall be punished by the fine established in the WMC 1.20.050 fine schedule if the offense is listed in that fine schedule or by a fine of up to \$500.00 if the offense is not listed in the WMC 1.20.050 fine schedule.

SEC. 4. Repeal and Reenactment of Section. Section 11.76.030 of the Wrangell Municipal Code is repealed and reenacted to read:

[11.76.030 Disposition of junk vehicles.

- A. **Upon observation of what appears to be a junk vehicle, the Wrangell police department shall give written notice by personal service or certified mail to:**

- 1. Any or all offenders described in WMC 11.76.020(A); and**
- 2. Any or all lienholders of record, as well as notice affixed to the vehicle. Notice affixed to the vehicle shall suffice for subsequent action if none of the offenders described in WMC 11.76.020(A) can be located and served within the 10-day period. This notice shall contain:**
 - a. The street address and other information sufficient to identify the location of the vehicle;**
 - b. A statement that the vehicle constitutes a public nuisance and a copy or summary of the relevant code sections;**
 - c. A statement that if the vehicle is not removed from public view within 10 days from issuance of the notice, the borough may impound and sell or destroy the vehicle at the offender's expense; and**
 - d. A statement that if the offender can show ability and willingness to make the repairs necessary to convert the junk vehicle into an operable vehicle, application may be made at any time before the 10 days have expired for a 30-day waiver to make the necessary repairs.**
- B. Upon expiration of the 10-day, or 30-day period where relevant, the borough manager may impound a junk vehicle and sell it at public auction pursuant to the notice provisions of WMC 11.76.040 or may have the vehicle privately sold, crushed or otherwise destroyed without further notice. If a vehicle is destroyed, the borough manager will notify the Alaska Department of Public Safety.]**

11.76.30 Disposition of junk vehicles.

- A. Upon observation of what appears to be a junk vehicle, the Wrangell police department shall give written notice by personal delivery or by registered or certified mail, return receipt requested, to the owner of record and any and all offenders described in WMC 11.76.020(A) and any and all lienholders of record. In addition, the police department shall affix a notice to the vehicle.**
- B. The written notice required to be personally delivered or mailed shall contain the following:**

1. The street address and other information sufficient to identify the location of the vehicle;
2. A statement as to the condition of the vehicle identifying defects which render it a junked vehicle;
3. A statement that the vehicle constitutes a public nuisance, and a copy or summary of relevant code sections;
4. A statement that if the vehicle is not removed from public view within 10 days from receipt of the written notice, the borough may impound and sell or destroy the vehicle at the offender's expense;
5. A statement that if the offender can show ability and willingness to make the repairs necessary to convert the junk vehicle to an operable vehicle, application may be made to the borough manager at any time before the 10 days from receipt of the notice have expired for a 30-day waiver to make the necessary repairs; and
6. A statement that the owner of record or lienholder of record and persons known to be lawfully entitled to possession of the vehicle have a right to request an administrative hearing to contest the validity of the borough's action to be held in accordance with WMC 11.76.060 provided a request for a hearing is made in writing, signed by the requestor, and received by the borough manager before the expiration of 10 days after receipt of the notice.

C. If the name and address of the owner of record or a lienholder of record cannot be ascertained, the written notice shall be given by publication in the local newspaper, to be published once a week for two consecutive weeks.

D. Written notice by mail is complete upon the return of the receipt or upon return of the notice as undeliverable, refused, or unclaimed. Proof of giving the notice by personal delivery or by mail may be made by the affidavit of the person giving notice naming the person to whom notice was given and specifying the time, place, and manner of giving the notice.

SEC. 5. Repeal and Reenactment of Section. Section 11.76.040 of the Wrangell Municipal Code is repealed and reenacted to read:

[11.76.040 Disposal of junk vehicles.

Upon satisfaction of the notice requirements of this chapter, a vehicle may be disposed of by public auction 20 days after notice of the auction is published in a newspaper of general circulation in the borough. A notice shall describe the vehicle and specify the place, date and time at which it will be sold. A copy of the notice of auction will be sent to the State of Alaska, Department of Public Safety.]

11.76.040 Disposal of junk vehicles.

- A. Upon expiration of 10 days after receipt of the written notice by mail or personal delivery, or upon completion of notice by publication, or upon expiration of the 30-day period for repairs if granted, the borough manager may impound a junk vehicle and take steps as provided in this section to sell it at public auction, or have the vehicle destroyed.
- B. Upon impoundment of a junk vehicle, the borough manager shall, within 30 days, give written notice to the owner of record and to lienholders of record, stating the grounds for removal and the location of the place of impoundment of the vehicle. The notice shall include a statement that the owner of record or lienholder of record and persons known to be lawfully entitled to possession of the vehicle have a right to request an administrative hearing to contest the validity of the borough's action to be held in accordance with WMC 11.76.060 provided a request for a hearing is made in writing, signed by the requestor, and received by the borough manager before the expiration of 10 days after receipt of the notice.
- C. The written notice shall be given by personal delivery to the person to be notified or by registered or certified mail, return receipt requested, addressed to the person to be notified. If the name and address of the owner of record or a lienholder of record cannot be ascertained, notice shall be given by publication in the local newspaper, to be published once a week for two consecutive weeks.
- D. Written notice by mail is complete upon the return of the receipt or upon return of the notice as undeliverable, refused, or unclaimed. Proof of giving the notice by personal delivery or by mail may be made by the affidavit of the person giving notice naming the person to whom notice was given and specifying the time, place, and manner of giving the notice.
- E. Upon satisfaction of the notice requirements of this section, an impounded junk vehicle may be disposed of as follows:

1. By removal to a scrap processing center, by crushing, or by being otherwise destroyed, without further notice; or
2. By public auction to be held at least 20 days after notice of the auction is published in the local newspaper. The notice of auction must describe the vehicle and specify the place, date, and time at which it will be sold. A copy of the notice of auction will be sent to the Alaska Department of Public Safety.

SEC. 6. Amendment of Section. Section 11.76.050 of the Wrangell Municipal Code is amended to read:

11.76.050 Recovery of costs.

The costs of impounding, storing, notice, selling, and destroying of a junk vehicle may be charged or assessed by the borough against the vehicle, the **[registered]** owner of record of the vehicle, any person who has acquired legal title to the vehicle from or through the **[registered]** owner of record, and any person who has violated WMC 11.76.020(A).

SEC. 7. Repeal and Reenactment of Section. Section 11.76.060 of the Wrangell Municipal Code is repealed and reenacted to read:

[11.76.060 Opportunity for hearing.

A person subject to liability under this chapter including any person described in WMC 11.76.020(A) and an owner or any lienholder of a junk vehicle or vehicle appearing to be a junk vehicle, before or after impoundment, shall be entitled to an administrative hearing prior to sale or destruction provided such is demanded in a signed writing delivered to the borough manager in a timely fashion at least 48 hours before the sale or destruction. Hearings shall be informal and technical rules of evidence do not apply. A person who requests a hearing may retain an attorney if he desires. The borough manager may appoint a hearing officer. Proceedings of the hearing shall be recorded. The borough manager/hearing officer shall state on the record the reasons for the decision and indicate the evidence relied on.]

11.76.060 Opportunity for hearing.

The owner of record or lienholder of record of the vehicle and persons known to be lawfully entitled to possession of the vehicle have a right to request an administrative hearing to

contest the validity of the borough's action with regard to the vehicle under WMC Chapter 11.76, before or after impoundment, provided the request for a hearing is made by such person in writing received by the borough manager within the time period for making such request as set out in the written notice of the action at issue. Hearings shall be informal and technical rules of evidence do not apply. The borough manager may appoint a hearing officer. Proceedings of the hearing shall be recorded. The borough manager or hearing officer, as applicable, shall state on the record the reasons for the decision and indicate the evidence relied on.

SEC. 8. Classification. This ordinance is of a permanent nature and shall be codified in the Wrangell Municipal Code.

SEC. 9. 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. 10. Effective Date. This ordinance shall be effective upon adoption.

PASSED IN FIRST READING: November 29, 2016

PASSED IN SECOND READING: _____, 2016

David L. Jack, Mayor

ATTEST:

Kim Lane, Borough Clerk

Agenda Item 12b

CITY & BOROUGH OF WRANGELL

BOROUGH ASSEMBLY AGENDA ITEM December 13, 2016

INFORMATION:

PROPOSED ORDINANCE No. 929: AN ORDINANCE of the City and Borough of Wrangell, Alaska, authorizing the issuance of a sewer revenue bond in the principal amount of \$91,000 to finance a portion of the cost of acquiring, constructing and installing certain additions and betterments to and extensions of the Borough's sewer system; fixing the date, form, terms, maturities and covenants of the bond; reserving the right of the Borough to issue future revenue bonds with a lien on revenues on a parity with the bond upon compliance with certain conditions; and providing for the sale of the bond to the United States Department of Agriculture, Rural Development (*second reading*)

Attachments:

1. Memo from Manager Jabusch
2. **Proposed Ordinance No. 929**

RECOMMENDED ACTION:

Move to adopt Ordinance No. 929.

MEMORANDUM

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

FROM: JEFF JABUSCH BOROUGH MANAGER

SUBJECT: USDA Loan Ordinance No. 929

DATE: December 2, 2016

This Ordinance will repeal the Ordinance that was previously adopted on September 27, 2016 to comply with some minor changes the USDA requires. Upon submittal of the close out documents, USDA notified us that there were some minor changes required within the Ordinance. Below is the information on why the Ordinance is necessary.

The ordinance attached is required to accept the loan offered by USDA for the final steps needed for the recently completed sewer pump station upgrades. Back almost a year ago the assembly passed a resolution to authorize the loan and move forward with the application with USDA for the loan to help us pay for the unfunded portion of the project. USDA required a portion of the funding to come from this loan (\$91,000) with the balance from them in the form of a grant. An ordinance is required by USDA to complete this portion of the process.

Once this portion is completed, the borough manager can sign the final paperwork and bond and we can then get our money.

CITY AND BOROUGH OF WRANGELL, ALASKA

SEWER REVENUE BOND, 2016

\$91,000

ORDINANCE NO. 929

AN ORDINANCE of the City and Borough of Wrangell, Alaska, authorizing the issuance of a sewer revenue bond in the principal amount of \$91,000 to finance a portion of the cost of acquiring, constructing and installing certain additions and betterments to and extensions of the Borough's sewer system; fixing the date, form, terms, maturities and covenants of the bond; reserving the right of the Borough to issue future revenue bonds with a lien on revenues on a parity with the bond upon compliance with certain conditions; and providing for the sale of the bond to the United States Department of Agriculture, Rural Development.

Passed _____, 2016

Prepared by:

STRADLING YOCCA CARLSON & RAUTH, P.C.
Seattle, Washington

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CITY AND BOROUGH OF WRANGELL, ALASKA

ORDINANCE NO. 929

AN ORDINANCE of the City and Borough of Wrangell, Alaska, authorizing the issuance of a sewer revenue bond in the principal amount of \$91,000 to finance a portion of the cost of acquiring, constructing and installing certain additions and betterments to and extensions of the Borough's sewer system; fixing the date, form, terms, maturities and covenants of the bond; reserving the right of the Borough to issue future revenue bonds with a lien on revenues on a parity with the bond upon compliance with certain conditions; and providing for the sale of the bond to the United States Department of Agriculture, Rural Development.

WHEREAS, the City and Borough of Wrangell, Alaska (the "Borough"), a municipal corporation and home rule borough of the State of Alaska, owns, operates and maintains a sewage collection and treatment system (the "System"), as authorized by Section 8-1 of the Borough Charter; and

WHEREAS, the Borough has determined that it is in the best interest of the Borough and its residents to construct and equip upgrades to some of the pumping stations in the System (as described more fully herein, the "Project"); and

WHEREAS, the Borough has received state and federal grants for most of the cost of the Project; and

WHEREAS, by a letter of conditions dated August 31, 2015 (the "Letter of Conditions"), the United States of America, acting through the United States Department of Agriculture, Rural Development ("USDA"), has offered to lend the Borough \$91,000 for a portion of the cost of the Project; and

WHEREAS, by resolution of the Borough Assembly, adopted on October 13, 2015 (the "Loan Resolution"), the Borough accepted the terms of the USDA loan; and

WHEREAS, in accordance with the Letter of Conditions and the Loan Resolution, the Borough now wishes to authorize the issuance of a sewer revenue bond of the Borough in the principal amount of \$91,000 (the "Bond") to evidence and secure payment of the USDA loan; and

WHEREAS, the former City of Wrangell (the "City"), by Ordinance No. 636, passed by the City Council on July 8, 1997, issued to USDA the City's Sewer Revenue Bond, 1997, in the initial principal amount of \$250,000 (the "1997 Bond"), approximately \$188,120.68 of which remains outstanding; and

WHEREAS, the incorporation of the Borough as a unified home rule borough was approved by the Local Boundary Commission and by the Borough's voters and became effective on May 30, 2008; and

WHEREAS, as a result of the incorporation of the Borough, the City was dissolved and the Borough succeeded to all rights, powers, duties, assets and liabilities of the City, including the System and the 1997 Bond; and

WHEREAS, as required by the Letter of Conditions, the Bond will be issued with a first lien position on revenue of the System, so USDA as holder of the 1997 Bond is deemed to have waived the parity conditions set forth in Ordinance No. 636 and consented to the issuance of the Bond on a parity of lien with the 1997 Bond, as provided herein;

NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, as follows:

Section 1. Definitions. As used in this ordinance the following terms have the following meanings:

“Assembly” means the Borough Assembly as the general legislative authority of the Borough as the same shall be duly and regularly constituted from time to time.

“Assessments” means the assessments (including interest and penalties) levied in any utility local improvement district of the Borough created for the acquisition or construction of additions and betterments to, or extensions of the System, if the assessments are pledged to the Bond Fund.

“Average Annual Debt Service” on any of the Parity Bonds means the amount determined by dividing (a) the sum of all interest and principal to be paid on such bonds from the date of determination to the last maturity date of the bonds, by (b) the number of calendar years from and including the calendar year in which the determination is made to the last calendar year in which the bonds will be outstanding.

“Bond” means the \$91,000 par value sewer revenue bond of the Borough authorized to be issued by this ordinance.

“Bond Fund” means the “City and Borough of Wrangell Sewer Revenue Bond Redemption Fund” renamed and continued by Section 5 of this ordinance to pay and secure the payment of all Parity Bonds.

“Borough” means the City and Borough of Wrangell, a municipal corporation and home rule borough duly organized and existing under and by virtue of the laws of the State of Alaska and the Borough’s Charter.

“Borough Clerk” means the Borough Clerk, or the successor to the duties of that office.

“Costs of Maintenance and Operation” means all necessary operating expenses, current maintenance expenses, expenses of reasonable upkeep and repairs, and insurance and administrative expenses, but excludes depreciation, payments for debt service or into reserve accounts and costs of capital additions to or replacements of the System, taxes levied by the Borough or payments in lieu of such taxes.

“Finance Director” means the Finance Director of the Borough or the successor to the duties of that office.

“Future Parity Bonds” means any and all sewer revenue bonds of the Borough issued after the date of the issuance of the Bond and having a lien on the money in the Sewer Fund for the payment of the principal thereof and interest thereon equal to the lien upon the money in such fund for the payment of the principal of and interest on the Bond.

“Gross Revenue” means all of the earnings, revenue and money, except Assessments, received by the Borough from or on account of the operation of the System including proceeds from the sale, lease or other disposition of any of the properties or facilities of the System, and the income from investments of money in the Revenue Fund and any bond fund or from any other investment thereof except the income from investments irrevocably pledged to the payment of revenue bonds pursuant to a plan of retirement or refunding. Gross Revenue shall not include grants or bond proceeds, but shall include federal or state reimbursements of operating expenses to the extent that such expenses are included as Costs of Maintenance and Operation.

“Letter of Conditions” means the letter from USDA to the Borough dated August 31, 2015, establishing conditions for the USDA loan, together with any amendments or supplements to that letter.

“Loan Resolution” means the resolution adopted by the Assembly on October 13, 2015, in the form set forth in RUS Bulletin 1780-27, accepting the USDA loan and prescribing certain terms to be included in this ordinance.

“Net Revenue” means Gross Revenue less the Costs of Maintenance and Operation.

“Parity Bonds” means the 1997 Bond, the Bond, and any Future Parity Bonds.

“Principal and Interest Account” means the special account of that name heretofore created in the Bond Fund and continued pursuant to Section 5 for the purpose of paying the principal of and interest on all Parity Bonds.

“Professional Utility Consultant” means the independent person(s) or firm(s) selected by the Borough having a favorable reputation for skill and experience with sewer systems of comparable size and character to the System in such areas as are relevant to the purposes for which they are retained.

“Project” means constructing and equipping upgrades to pumping stations in the System.

“Reserve Account” means the special account of that name heretofore created in the Bond Fund and continued pursuant to Section 5B for the purpose of securing the payment of all Parity Bonds.

“Sewer Fund” means the heretofore established Sewer Fund of the Borough.

“Short-Lived Asset Reserve Fund” means the fund of that name established pursuant to Section 6 of this ordinance.

“System” means the existing sewage collection and treatment system of the Borough and such improvements or additions as may be made to such system for as long as any Parity Bonds are outstanding and may include the water supply and distribution system of the Borough and the storm drainage system of the Borough if either is or both are ever combined with the sewer system.

“Term Bonds” means any Future Parity Bonds identified as Term Bonds in the ordinance authorizing the issuance thereof, the payment of the principal of which is provided for by a mandatory schedule of deposits of money equal (in the aggregate) to the full principal amount of such Term Bonds, into the Bond Fund, and by a mandatory redemption schedule corresponding (as to time and amounts) to such mandatory schedule of deposits.

“USDA” means the United States, acting by and through the Department of Agriculture, Rural Development.

“1997 Bond” means the City of Wrangell, Alaska, Sewer Revenue Bond, 1997, issued pursuant to Ordinance No. 636 passed by the Wrangell City Council on July 8, 1997, and now an obligation of the Borough.

Section 2. Authorization of Bond. To provide financing for a portion of the cost of the Project, the Borough shall issue and sell its sewer revenue bond in the aggregate principal amount of \$91,000 (the “Bond”). The Bond shall be designated “City and Borough of Wrangell, Alaska, Sewer Revenue Bond, 2016,” shall be dated as of the date of its delivery to USDA as the initial purchaser, shall be numbered R-1, shall be in the denomination of \$91,000, shall be fully registered, shall bear interest from the date of its issuance on the unpaid principal balance thereof at a per annum interest rate to be established by USDA, as provided in Section 16 of this ordinance (so long as that rate does not exceed 4.0% per annum), shall be amortized over a 40-year period with approximately equal semiannual installments of principal and interest payable on the dates acceptable to USDA and set forth in the Bond, until all principal installments of the Bond have been paid or such payment has been duly provided for; provided, however, that the final payment of all principal of and interest on the Bond shall nevertheless be due at final maturity of the Bond approximately 40 years after the date of the Bond, and provided, further, however, that so long as the Bond is held by USDA, the Borough may not defease all or any portion of the Bond.

Payments will be applied first to interest and then to principal, and interest shall accrue on the basis of a 365-day year.

Both principal of and interest on the Bond are payable in lawful money of the United States of America to the owner or owners thereof at the address appearing on the registration books of the Borough maintained by the Finance Director; provided, however, that as long as USDA is the owner and holder of the Bond, the Borough will make payments by any electronic pre-authorized debit system or other transfer system that may be required by USDA from time to time.

The Bond is payable solely from the Gross Revenue and is not a general obligation of the Borough.

The Bond shall be registered as to both principal and interest as long as any of the installments of the Bond remain unpaid, and the Borough will maintain in the office of the Finance Director books for the registration and transfer of the Bond. No transfer of the Bond so registered will be valid unless made on those registration books upon the written request of the registered owner or its duly authorized agent.

Section 3. Prepayment. The Borough hereby reserves the right to prepay some or all of the Bond at any time, with any such prepayment applied first to interest accrued to the date of receipt

of the prepayment and second to principal. No advance notice of intended prepayment or redemption is required.

Section 4. Priority of Payments from Sewer Fund. There has heretofore been established in the office of the Finance Director a special fund of the Borough designated as the “City and Borough of Wrangell Sewer Fund” (the “Sewer Fund”). All of the Gross Revenue must be deposited in the Sewer Fund as collected. The Sewer Fund must be held separate and apart from all other funds and accounts of the Borough, and the Gross Revenue deposited in the Sewer Fund will be used only for the following purposes and in the following order of priority:

First, to pay the Costs of Maintenance and Operation;

Second, to pay the interest on any Parity Bonds;

Third, to pay the principal of any Parity Bonds;

Fourth, to make all payments required to be made into the Reserve Account created to secure the payment of Parity Bonds;

Fifth, to make all payments required to be made into any revenue bond redemption fund or revenue warrant redemption fund and debt service account or reserve account created to pay and secure the payment of the principal of and interest on any revenue bonds or revenue warrants of the Borough having a lien upon the Gross Revenue junior and inferior to the lien thereon for the payment of the principal of and interest on the Parity Bonds; and

Sixth, to make all payments required to be made into the Short-Lived Asset Reserve Fund; and

Seventh, to retire by redemption or purchase in the open market any outstanding revenue bonds or revenue warrants of the Borough, to make necessary additions, betterments, improvements and repairs to or extensions and replacements of the System of the Borough, or for any other lawful Borough purposes.

Section 5. Bond Fund. To pay and secure payment of all Parity Bonds, Ordinance No. 636 authorized the creation of a special fund designated as the “City of Wrangell 1997 Sewer Revenue Bond Redemption Fund.” That fund is hereby renamed and continued as the “City and Borough of Wrangell Sewer Revenue Bond Redemption Fund” (the “Bond Fund”), which fund contains the Principal and Interest Account and the Reserve Account established by Ordinance No. 636 and is to be drawn upon for the sole purpose of paying the principal of and interest on all Parity Bonds.

A. Principal and Interest Account. As long as the Bond remains outstanding, the Borough hereby irrevocably obligates and binds itself to set aside and pay from the Sewer Fund into the Principal and Interest Account, in addition to amounts required to be paid therein on account of any other issue of Parity Bonds, those amounts necessary, after taking into consideration such other funds as are on hand in the Principal and Interest Account and available for the payment of principal and interest on the Bond, to pay the interest or principal and interest next coming due on the Bond. These payments from the Sewer Fund shall be made on or before the day on which the regular

semiannual payment of principal of and interest on the Bond is due and payable in an amount equal to such regular payment.

The Borough covenants and agrees that if it issues any Future Parity Bonds that are Term Bonds, it will provide in each ordinance authorizing the issuance of the same for annual payments to be made from the Sewer Fund into the Principal and Interest Account sufficient, together with Gross Revenue collected and deposited and such other money as is on hand and available therefor in such account, to amortize the principal of Future Parity Bonds that are Term Bonds on or before the maturity date thereof.

B. Reserve Account. The Borough covenants and agrees that it will pay into the Reserve Account out of the Gross Revenue (or, at the option of the Borough, out of any other funds on hand legally available for such purposes) annual payments sufficient with other money in the Reserve Account to have on deposit therein by ten years from the date of delivery of the Bond, a total amount of not less than the Average Annual Debt Service on the Bond, to be paid at the rate of not less than 1/10 of such amount per year.

The Borough further covenants and agrees that if it issues any Future Parity Bonds it will provide in each ordinance authorizing the issuance of such Future Parity Bonds that, within ten years of the date of issuance of such Future Parity Bonds, the Borough will have set aside and paid into the Reserve Account an amount that will at least equal the Average Annual Debt Service on such Future Parity Bonds. This amount shall be accumulated by one or more deposits commencing not later than six months after the date of issuance of such Future Parity Bonds and continuing no less often than semiannually until such amount has been accumulated.

The Borough further covenants and agrees that when the required deposits have been made into the Reserve Account, it will at all times maintain therein an amount at least equal to the Average Annual Debt Service on all outstanding Parity Bonds. Whenever there is a sufficient amount in the Bond Fund, including the Reserve Account and the Principal and Interest Account, to pay the principal of premium if any, and interest on all outstanding Parity Bonds, the money in the Reserve Account may be used to pay such principal, premium, if any, and interest. Money in the Reserve Account may also be withdrawn to redeem and retire, and to pay the premium, if any, and interest due to such date of redemption, on any outstanding Parity Bonds, as long as the money left remaining on deposit in the Reserve Account are equal to the average annual debt service on the remaining outstanding Parity Bonds.

If there is a deficiency in the Principal and Interest Account to meet maturing installments of either interest on or principal of and interest on Parity Bonds, the deficiency shall be made up from the Reserve Account by the withdrawal of money therefrom. Any deficiency created in the Reserve Account by reason of any such withdrawal shall then be made up out of Gross Revenue after making necessary provision for the payments required to be made under paragraph "First" through "Third" of Section 4 of this ordinance.

All money in the Reserve Account may be kept in cash or invested as permitted under Alaska law. Interest earned on or any profits made from the sale of any such investments shall be deposited in and become a part of the Principal and Interest Account.

Section 6. Short-Lived Asset Reserve Fund. A special fund designated the "Wrangell Sewer System Short-Lived Asset Reserve Fund" (the "Short-Lived Asset Reserve Fund") is hereby

authorized to be established in the office of the Finance Director. Money in the Short-Lived Asset Reserve Fund may be used from time to time to replace short-lived assets of the System. So long as the Bond remains outstanding, subject to the priorities established in Section 5 of this ordinance, the Borough must deposit \$45,963 annually (or such other amounts as may be required by USDA) into the Short-Lived Asset Reserve Fund.

Section 7. Pledge of Sewer Revenue. The amounts pledged to be paid into the Bond Fund and the accounts therein out of the Sewer Fund are hereby declared to be a lien and charge upon Gross Revenue and the money in the Sewer Fund junior, subordinate and inferior to the Costs of Maintenance and Operation, equal in rank to the lien and charge that may later be made thereon to pay and secure the payment of the 1997 Bond and any Future Parity Bonds, and superior to all other charges of any kind or nature.

Section 8. Sufficiency of Revenues. The corporate authorities of the Borough hereby declare that in fixing the amounts to be paid into the Bond Fund as aforesaid they have exercised due regard to the reasonable and necessary costs of maintenance and operation of the System and the charges necessary to pay and secure the payment of the principal of and interest on the Bond and have not obligated the Borough to set aside and pay into the Bond Fund a greater amount of the Gross Revenue than in their judgment will be available over and above such reasonable and necessary costs of maintenance and operation and the amounts necessary to pay the principal of and interest on the Bond.

Section 9. General Covenants. So long as the Bond remains unpaid, the Borough hereby covenants and agrees with the owner of the Bond from time to time, as follows:

A. Maintenance and Operations. The Borough will at all times maintain and keep the System in good repair, working order and condition, will at all times operate the System and the business in connection therewith in an efficient manner and at a reasonable cost, and will comply with all applicable laws of the State of Alaska.

B. Rates. The Borough will impose and collect such rates and charges for service rendered by the System (i) that Gross Revenue paid into the Sewer Fund will be sufficient at all times to provide for the payment of the Costs of Maintenance and Operation and payments of principal of and interest on the Bond and any Parity Bonds; (ii) that all service rendered by the System shall be subject to the full rates prescribed by the rules and regulations of the Borough; and (iii) that no free service from the System will be permitted.

C. Books and Records. The Borough will maintain complete books and records relating to the operation of the System and its financial affairs, and will cause such books and records to be audited annually at the end of each fiscal year and an audit prepared in accordance with State law. At all reasonable times USDA shall have the right to inspect the System and the records, accounts and data of the Borough relating thereto.

D. Insurance. The Borough will carry fire and extended coverage insurance in an amount at least equal to the depreciated replacement value for all above-ground structures of the System, including equipment and machinery. The Borough will also carry adequate public liability insurance, workers' compensation insurance and other kinds of insurance as under good practice are ordinarily carried on such properties by utilities engaged in the operation of a sewer utility. The

premiums paid for all such insurance may be regarded and paid as a Cost of Maintenance and Operation.

E. Assessments. The Borough shall promptly collect all Assessments levied in any utility local improvement district now or hereafter created to secure the payment of the principal of and interest on any Parity Bonds and shall pay the same into the Bond Fund without allocation of such Assessments to any particular series of Parity Bonds. It is hereby provided further, however, that nothing in this ordinance or in this subsection shall be construed to prohibit the Borough from issuing revenue bonds having a lien on Gross Revenue junior to the lien on such revenue for the payment of the principal of and interest on Parity Bonds and pledging as security for the payments of such junior lien bonds assessments levied in any utility local improvement district that may have been created to pay part or all the cost of improvements to the System for which such junior lien revenue bonds were specifically issued.

F. Disposition of Facilities. The Borough will not mortgage, sell, lease, or in any manner encumber or dispose of all the property of the System, unless provision is made for payment into the Bond Fund of a sum sufficient to pay the principal of and interest on all outstanding Parity Bonds, and that it will not mortgage, sell, lease, or in any manner encumber or dispose of any part of the System that is used, useful and material to the operation of the System unless provision is made for replacement thereof or for payment into the Bond Fund of an amount that bears the same ratio to the amount of the outstanding Parity Bonds as the revenue available for debt service for those Parity Bonds for the 12 months preceding such sale, lease, encumbrance or disposed of, bears to the revenue available for debt service for those Parity Bonds from the entire System for the same period. Any such money so paid into the Bond Fund shall be used to retire outstanding Parity Bonds at the earliest possible date.

Notwithstanding any other provision of this Subsection F, the Borough may sell or otherwise dispose of any of the works, plant, properties and facilities of the System or any real or personal property comprising a part of the same with a value less than 4% of the net utility plant of the System or which shall have become unserviceable, inadequate, obsolete or unfit to be used in the operation of the System, or no longer necessary, material to or useful in such operation, without making any deposit into the Bond Fund.

G. Fidelity Bond. The Borough will maintain an officer's fidelity bond for its Finance Director for as long as USDA is the registered owner of the Bond. A certified copy of such bond will be delivered to USDA.

Section 10. Tax Covenants; Special Designation.

A. General. The Borough hereby covenants that it will not make any use of the proceeds of sale of the Bond or any other funds of the Borough that may be deemed to be proceeds of the Bond pursuant to Section 148 of the Code that will cause the Bond to be an "arbitrage bond" within the meaning of said section and said regulations.

The Borough further covenants that it will not take any action or permit any action to be taken that would cause the Bond to constitute a "private activity bond" under Section 141 of the Code.

B. Special Designation. The Borough hereby designates the Bond as a “qualified tax-exempt obligation” within the meaning of Section 265(b)(3) of the Code. The Borough does not anticipate issuing more than \$10,000,000 of qualified tax-exempt obligations during 2016.

Section 11. Future Parity Bonds. The Borough hereby further covenants and agrees with the owner from time to time of the Bond for as long as any portion of the same remains outstanding, as follows:

A. That it will not hereafter issue any sewer revenue bonds or other obligations of the Borough that will have a lien and charge upon Gross Revenue superior to the lien and charge thereon of the Bond. The Borough may issue Future Parity Bonds for:

First, the purpose of acquiring, constructing and installing additions, betterments and improvements to and extensions of, acquiring necessary equipment for, or making necessary replacements of or repairs to the System, or

Second, the purpose of refunding by payment, redemption, exchange or purchase at or prior to their maturity any outstanding Parity Bond,

upon compliance with the following conditions:

1. So long as USDA holds the 1997 Bond and the Bond, USDA consents to the issuance of such Future Parity Bonds. With such consent, the certificate described in paragraph 6 below is not required, and the Borough will comply with the rest of the conditions set forth in this Section 11.A to the extent required by USDA.

2. At the time of the issuance of such Future Parity Bonds there is no deficiency in the Principal and Interest Account or the Reserve Account.

3. Each ordinance authorizing the issuance of such Future Parity Bonds must require that principal and interest on the Future Parity Bonds be payable out of the Bond Fund and further provide (i) for payments into the Bond Fund to satisfy the sinking fund requirement set forth in Section 5.A hereof with respect to any such Future Parity Bonds that are Term Bonds and (ii) for payments into the Reserve Account to satisfy the requirements of Section 5.B hereof.

4. Each ordinance authorizing the issuance of such Future Parity Bonds must require that any and all Assessments will be paid directly into the Bond Fund.

5. Each ordinance authorizing the issuance of refunding Future Parity Bonds must require that all uncollected Assessments that may have been levied to secure the payment of the principal of and interest on the bonds being refunded be paid directly into the Bond Fund.

6. At the time of the issuance of such Future Parity Bonds, the Borough shall have on file in the office of the Borough Clerk a certificate of a Professional Utility Consultant showing: that the Net Revenue determined and adjusted as hereafter provided for each calendar year after the issuance of such Future Parity Bonds (the “Adjusted Net Revenue”) will equal at least 1.10 times the Annual Debt Service (after deducting Assessments, allocated to the years in which they would be received if the unpaid balance of each assessment roll were paid in the remaining number of installments with interest on the declining balance at the times and at the rate provided in the

ordinance confirming the assessment roll) for each such calendar for all Parity Bonds plus the Future Parity Bonds proposed to be issued.

The Adjusted Net Revenue shall be the Net Revenue for a period of any 12 consecutive months out of the 24 months immediately preceding the date of delivery of such proposed Future Parity Bonds as adjusted by such Professional Utility Consultant to take into consideration changes in Net Revenue estimated to occur under the following conditions for each year after such delivery for so long as any Parity Bonds, including the Future Parity Bonds proposed to be issued, shall be outstanding:

(i) the additional Net Revenue that would have been received if any change in rates and charges adopted by ordinance of the Borough prior to the date of such certificate and subsequent to the beginning of such 12-month period, had been in force during the full 12-month period;

(ii) the additional Net Revenue that would have been received if any facility of the System that became fully operational after the beginning of such 12-month period had been so operating for the entire period;

(iii) the additional Net Revenue estimated by such Professional Utility Consultant to be received from potential customers of the System with existing homes or other buildings that will be required to connect to any additions, betterments and improvements to and extensions of any facilities of the System that are (a) under construction at the time of such certificate or (b) will be constructed from the proceeds of the Future Parity Bonds to be issued;

(iv) the additional Net Revenue that would have been received if those customers added to the System subsequent to the beginning of such 12-month period had been customers for the entire period;

(v) the additional Net Revenue estimated to be received from any potential customers of the System who paid any required connection charge subsequent to the beginning of such 12-month period;

(vi) the additional Net Revenue estimated to be received from any potential customers of the System who received building permits subsequent to the beginning of such 12-month period and are anticipated to connect to the System;

(vii) The additional Net Revenue estimated to be received from any person, firm, association, private or municipal corporation under any executed service contract, which net revenue is not included in any of the sources of Net Revenue heretofore described in this subsection A(5); and,

(viii) The estimated change in Net Revenue as a result of any actual or reasonably anticipated changes in the Costs of Maintenance and Operation after such 12-month period.

Such Professional Utility Consultant may rely upon, and his or her certificate shall have attached thereto, financial statements of the System certified by the Finance Director showing income and expenses for the period upon which the same is based.

The certificate of such Professional Utility Consultant shall be conclusive and the only evidence required to show compliance with the provisions and requirements of this subsection A(5).

B. Notwithstanding the foregoing requirement, if Future Parity Bonds are to be issued for the purpose of refunding at or prior to their maturity any part or all of the then outstanding Parity Bonds and the issuance of such refunding Future Parity Bonds will result in a debt service savings and does not require an increase of more than \$5,000 in any fiscal or calendar year for principal of and interest on such refunding Future Parity Bonds over and above the amount required in such year for the principal of and interest on the bonds being refunded thereby, the certificate described in subsection A.6 of this section is not required.

C. Nothing herein contained shall prevent the Borough from issuing any revenue bonds, warrants or other obligations that create a lien and charge upon Gross Revenue and money in the Sewer Fund junior or inferior to the payments required by this ordinance to be made into the Bond Fund and the Reserve Account; provided, however, that in accordance with the Loan Resolution, so long as the Bond is held by USDA, the prior written consent of USDA must be obtained before the Borough issues any such junior lien revenue bond, warrant, or other obligation of the Sewer Fund.

Section 12. Transfer. The Bond may be transferred by the registered owner thereof, provided that such transfer relates to the entire unpaid principal amount of the Bond, and any such transfer shall be noted on the bond registration books of the Borough.

Section 13. Lost or Destroyed Bond. If the Bond is lost, stolen or destroyed, the Borough may execute and deliver a new bond of like date, number and tenor to the registered owner thereof in the manner provided by law and upon the owner's paying the expenses and charges of the Borough in connection therewith.

Section 14. Form of Bond. The Bond shall be in substantially the following form:

UNITED STATES OF AMERICA

NO. R-1

\$91,000

STATE OF ALASKA

CITY AND BOROUGH OF WRANGELL
SEWER REVENUE BOND, 2016

The City and Borough of Wrangell, Alaska, a municipal corporation and home rule borough of the State of Alaska (the "Borough"), acknowledges itself indebted and for value received promises to pay, but solely from the Bond Fund (hereinafter identified), to the United States of America, acting by and through the Department of Agriculture, Record Development (the "Payee"), the principal sum of

NINETY-ONE THOUSAND AND NO/100 DOLLARS (\$91,000)

and to pay interest, from the date hereof, on the balance of said principal from time to time remaining unpaid at the rate of ____% per annum payable in semiannual amortized installments of principal and interest, equal to _____ and No/100 Dollars (\$_____), payable on _____, and semiannually thereafter, until all of such installments have been paid or such payment has been duly

provided for, provided that the final payment of principal of and interest on this bond shall nevertheless be due on _____, 2056.

As long as the Payee is the registered owner of this bond, the Borough will make payments of principal and interest by any electronic pre-authorized debit system or other transfer system that may be required by the Payee from time to time. Upon final payment of the principal of and interest on this bond, it shall be submitted to the Borough for cancellation and surrender.

Both principal of and interest on this bond are payable solely out of the special fund of the Borough known as the "City and Borough of Wrangell Sewer Revenue Bond Redemption Fund" (the "Bond Fund"). As described below, the Net Revenue of the System is pledged to payment of this bond.

In addition to the installments of principal required to be paid by the Borough as hereinabove set forth, the Borough, at its option, shall have the right to prepay this bond as provided in the Bond Ordinance. No advance notice need be given of any prepayment hereunder.

This bond is issued pursuant to Ordinance No. _____ (the "Bond Ordinance") for the purpose of financing the completion of certain additions and improvements to the Borough's sewer system (the "System"). Capitalized terms used in this bond and not otherwise defined herein have the meanings given those terms in the Bond Ordinance.

The Borough does hereby pledge and bind itself to set aside from the Gross Revenue and to pay into the Bond Fund the various amounts required by the Bond Ordinance to be paid into and maintained in said Fund, on the dates and at the times provided by the Bond Ordinance. Said amounts so pledged to be paid into the Bond Fund are hereby declared to be a lien and charge upon such Gross Revenue junior, subordinate and inferior to the Costs of Maintenance and Operation of the System, equal in rank to the lien thereon of the 1997 Bond and any Future Parity Bonds, and superior to all other charges of any kind or nature. In the Bond Ordinance, the Borough has reserved the right to issue Future Parity Bonds on terms and conditions as set forth therein, which conditions include Payee's consent, as set forth therein.

Reference is made to the Bond Ordinance for a more complete description of the covenants with and the rights of the owner of this bond. The Borough hereby covenants and agrees with the owner of this bond that it will keep and perform all the covenants of this bond and of the Bond Ordinance to be by it kept and performed.

This bond may be assigned, and upon such assignment the assignor shall promptly notify the Borough Finance Director by registered mail.

It is hereby certified and declared that this bond is issued pursuant to and in strict compliance with the Constitution and laws of the State of Alaska and the Charter and ordinances of the Borough, and that all acts, conditions and things required to be done precedent to and in the issuance of this bond have happened, been done and performed.

IN WITNESS WHEREOF, the City and Borough of Wrangell, Alaska, has caused this bond to be signed on behalf of the Borough with the manual or facsimile signature of the Mayor, to be attested by the manual signature of the Borough Clerk, and the seal of the Borough to be impressed hereon, as of this _____ day of _____, 2016.

CITY AND BOROUGH OF WRANGELL,
ALASKA

_____/s/_____
Mayor

[SEAL]

ATTEST:

_____/s/_____
Borough Clerk

REGISTRATION CERTIFICATE

This bond is registered in the name of the owner on the books of the Borough in the office of the Borough Finance Director as to both principal and interest as noted in the registration blank below. No transfer hereof shall be valid unless made by the registered owner or his/her duly authorized agent in writing, and similarly noted hereon and on the bond registration books of the Borough.

Date of Registration	Name and Address of Registered Owner	Signature of Registrar
_____, 20__	United States Department of Agriculture, Rural Development Palmer, AK	
_____	_____	_____
_____	_____	_____

The Bond shall have endorsed thereon the following form of assignment:

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned registered owner thereof hereby sells, assigns and transfers the within bond unto _____.

DATED _____

In the presence of

NOTICE: Signature(s) must be
guaranteed pursuant to law.

(Repeat this form of assignment)

Section 15. Execution of the Bond. The Bond will be executed on behalf of the Borough with the manual or facsimile signatures of the Mayor and the Borough Clerk, and will have the seal of the Borough impressed or imprinted thereon.

If any officer of the Borough who has signed, attested, authenticated, registered or sealed the Bond ceases to hold that office before the Bond so signed, attested, authenticated, registered or sealed has been actually issued and delivered, the Bond will be valid nevertheless and may be issued by the Borough with the same effect as though the person who had signed, attested, authenticated, registered or sealed that Bond had not ceased to hold that office. The Bond may also be signed, attested, authenticated, registered or sealed on behalf of the Borough by a person who, at the actual date of execution of the Bond is a proper officer of the Borough although at the original date of the Bond that person did not hold that office.

Only a Bond that bears a Registration Certificate in the form set forth in Section 14, manually executed by the Bond Registrar, will be valid or obligatory for any purpose or entitled to the benefits of this ordinance. The executed Registration Certificate will be conclusive evidence that the Bond so authenticated has been duly executed, authenticated and delivered hereunder and is entitled to the benefits of this ordinance.

Section 16. Sale of Bond. The Bond shall be sold to USDA at a price of par on the terms and conditions set forth in the Letter of Conditions and in this ordinance. The Borough Manager is authorized to accept the applicable interest rate provided by USDA, so long as that interest rate does not exceed 4.0%, and that interest rate and the applicable principal and interest payment dates acceptable to USDA shall be set forth in the Bond.

Section 17. Application of Bond Proceeds. The proceeds of the sale of the Bond shall be accounted for in the Sewer Fund and used to pay costs of the Project and costs of issuance of the Bond.

Section 18. Repealer. Ordinance No. 924, passed by the Assembly on September 27, 2016, is repealed in its entirety.

Section 19. Severability. If any covenant or agreement provided in this ordinance to be performed on the part of the Borough is declared by any court of competent jurisdiction to be contrary to law, then that covenant or agreement will be null and void and deemed separable from the remaining covenants and agreements in this ordinance and shall in no way affect the validity of the other provisions of this ordinance or of the Bond.

Section 20. General Authorization. The Mayor, Borough Manager, Borough Clerk, Finance Director and all other appropriate officers of the Borough are each hereby authorized and directed to take such steps, to do such other acts and things, and to execute such letters, certificates, agreements, papers, financing statements, assignments or instruments as in their judgment may be necessary, appropriate or desirable in order to carry out the terms and provisions of and complete the transactions contemplated by, this ordinance.

Section 21. Prior Acts. All acts taken pursuant to the authority of this ordinance but prior to its effective date are hereby ratified and confirmed.

Section 22. Effective Date. This ordinance is effective upon passage, in accordance with Section 2-10 of the Borough Charter.

PASSED by the Borough Assembly of the City and Borough of Wrangell, Alaska, at a regular meeting thereof held this ____ day of _____, 2016.

CITY AND BOROUGH OF WRANGELL,
ALASKA

Mayor

ATTEST:

Borough Clerk

CERTIFICATE

I, the undersigned, Borough Clerk of the City and Borough of Wrangell, Alaska (the "Borough"), and keeper of the records of the Borough Assembly (the "Assembly"), DO HEREBY CERTIFY:

1. That the attached Ordinance No. _____ (the "Ordinance") is a true and correct copy of an ordinance of the Borough as passed at a regular meeting of the Assembly held on _____, 2016, and duly recorded in my office.

2. That said meeting was duly convened and held in all respects in accordance with law, and to the extent required by law, due and proper notice of such meeting was given; that a legal quorum was present throughout the meeting and a legally sufficient number of members of the Council voted in the proper manner for the passage of the Ordinance; that all other requirements and proceedings incident to the proper passage of the Ordinance have been duly fulfilled, carried out and otherwise observed, and that I am authorized to execute this certificate.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Borough this _____ day of _____, 2016.

Kim Lane, Borough Clerk

[Borough Seal]

Agenda Item 13a

CITY & BOROUGH OF WRANGELL

BOROUGH ASSEMBLY AGENDA ITEM December 13, 2016

INFORMATION:

PROPOSED RESOLUTION No. 12-16-1355: A RESOLUTION OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, PROVIDING FOR THE AMENDMENT OF THE JOB DESCRIPTION FOR THE WASTEWATER TREATMENT OPERATOR LEAD

Attachments:

1. Memo from Manager Jabusch
2. **Proposed Resolution No. 12-16-1355**
3. Proposed Job Description

RECOMMENDED ACTION:

Move to adopt Resolution No. 12-16-1355 that updates the Job Description for the Wastewater Treatment Operator Lead.

MEMORANDUM

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

**FROM: JEFF JABUSCH
BOROUGH MANAGER**

**SUBJECT: PROPOSED RESOLUTIONS CONCERNING CHANGING JOB
DESCRIPTIONS FOR WASTEWATER LEADMAN AND WATER
LEADMAN AND RELATED PAYPLAN CHANGE**

DATE: DECEMBER 5TH, 2016

Background:

Last year when we began the Sewer Pump Project, as well as through the water plant pilot plant study and the 2016 water crisis, it became apparent that both the Wastewater Treatment Operator Lead and the Water Treatment Operator Lead positions required re-evaluation based on the level of work currently performed by the two incumbents in these positions.

Amber Al-Haddad, our Public Works Director, approached me and explained that both of these positions currently report to the Public Works Foreman and then any communications go on to the Public Works Director. It is evident; however, that the qualifications and job duties of the two positions, necessary to these divisions within Public Works, are similar to those typically required for a supervisory lead position, which would report directly to the Public Works Director.

When these positions were last classified, the primary duties and responsibilities involved operating the treatment facilities, maintaining adjustments and repairs of equipment. All of the duties that were originally assigned are still being performed by these positions, however based on the departmental organization, staffing levels, and the demands of each division, both of these positions have evolved and are currently being performed with a higher level of complexity and degree of involvement, and the independence of action has increased.

Because of this discussion and the direction we want to go with these positions, the increase in responsibilities and related pay increase was budgeted in the current year's budget. During this last year with some of the union negotiations and related legal actions, we may have been reluctant to bring this forward earlier, but it needs to be done so that the important water issues moving forward gives these positions more responsibility and direct access to the Public Works Director.

Based on the logical assumption of higher level duties and in comparison to the pay grade for a supervisory level position, the re-grading of the incumbents are warranted at this time. It is recommended that the new job descriptions of both Lead positions be reclassified in the City and Borough of Wrangell's Union Pay Plan at the Grade 23.

Due to the changes of the Water Lead and Wastewater Lead positions, the Wastewater/Water Treatment Operator position will also change in order to maintain similar job related language

which was added to the new Lead positions, and the Operator position will now report to the Lead positions at each treatment plant. The Operator position remains at its current pay grade.

Both the Public Works Director and the Borough Manager support the job description changes and related pay grade increase for the new duties of the Lead positions.

Each of the new job descriptions also required concurrence from the IBEW Union before proceeding to the Borough Assembly for approval. The three job descriptions submitted herein for Assembly approval have been developed in coordination with the incumbents and their IBEW Union representative.

Currently there are no other in-house staff that are qualified and/or have the experience and/or certifications to hold the positions of the incumbents.

Recommended Motion:

Move to approve Resolution Number _____ which adopts a new job description for the position of Wastewater Treatment Operator Lead / Water Treatment Operator Lead.

CITY AND BOROUGH OF WRANGELL, ALASKA

RESOLUTION NO. 12-16-1355

A RESOLUTION OF THE ASSEMBLY OF THE CITY
AND BOROUGH OF WRANGELL, ALASKA,
PROVIDING FOR THE AMENDMENT OF THE JOB
DESCRIPTION FOR THE WASTEWATER
TREATMENT OPERATOR LEAD

WHEREAS, the amendment of this position description allows the City and Borough of Wrangell's Administration Department the ability to appropriately update the duties and responsibilities of the Wastewater Treatment Operator Lead position; and

WHEREAS, the pay scale for the Wastewater Treatment Operator Lead position is currently a grade 20 on the Payscale; and

WHEREAS, the new job description will move the Wastewater Treatment Operator Lead position to a grade 23 on the Payscale; and

WHEREAS, the new Payscale range for the Wastewater Treatment Operator Lead will be between \$23.29 per hour to \$33.22 per hour; and

WHEREAS, it is the desire of the City and Borough of Wrangell to bring all job descriptions in compliance with current standards.

NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA,

Section 1. The attached Exhibit "A" is the job description which describes the duties, responsibilities and qualifications for the Wastewater Treatment Operator Lead position.

Section 2. The new job description for the Wastewater Treatment Operator Lead position will be effective as of July 1, 2016.

ADOPTED: _____, 2016

David L. Jack, Mayor

ATTEST: _____
Kim Lane, Borough Clerk

City & Borough of Wrangell

Position Description

Position: Wastewater Treatment <u>Operator</u> Lead man	Position Number:
Department/Site: Public Works	FLSA: Non-Exempt
Evaluated by: Public Works Foreman <u>Director of Public Works & Capital Projects</u>	Salary Grade: <u>2023</u>

Summary

The Wastewater Treatment Operator Lead is responsible for the day-to-day operation of the City's wastewater treatment plant, lagoons, lift stations, pump stations and related equipment for wastewater treatment process and storm water management, either personally or through subordinate staff.

Works daily with Water Treatment Operator Lead and Operator on both wastewater and water repair and maintenance of the water treatment plant systems, the water supply reservoirs and related equipment as needed.

Occasionally works with Public Works Department on sewer or water repair. May be required to assist Public Works crew in special projects and winter road maintenance. Works independently and cooperatively with others. Works closely with and under the supervision of the Public Works Director. Primarily responsible for the operation, maintenance and repair of the City's Wastewater Treatment Plant, Lagoons, lift stations, and pump stations. Responsible for required local, state and federal wastewater quality testing and reporting.

Works daily with Water Leadman and operator on both water and Wastewater repair and maintenance. Occasionally works with Public Works Department on sewer or water repair. May be required to assist Public Works crew in special projects and winter road maintenance. Works independently or cooperatively with others under the daily direction and supervision of the Public Works Foreman.

Distinguishing Career Features

The Wastewater Treatment Leadman is the one of the most experienced steps in the City and Borough of Wrangell's water wastewater career ladder. The Wastewater Treatment Leadman is more experienced than the Water/Wastewater Treatment Operator and the Water/Wastewater Treatment Apprentice.

The Wastewater Treatment Operator Lead is the top step on the multi-stage Water/Wastewater Treatment Operator career path. The Wastewater Treatment Operator Lead is usually more experienced than the Water/Wastewater Treatment Operator and the Water/Wastewater Treatment Apprentice and provides leadership, mentorship and training to other operational staff, and serves in a lead capacity for operations.

The Wastewater Department Lead works directly on projects and closely supervises employees, primarily in the wastewater department, but occasionally in the water department as needed. Responsibilities include planning and implementing work, appraising performance, addressing complaints and resolving problems.

Essential Duties and Responsibilities

- Personally operates, repairs and maintains the City's Wastewater Treatment Plant, lagoons, lift stations, and pump stations. -Perform daily checks of the wastewater treatment process and periodic checks of pump stations.
- Ensures that required wastewater permits are kept current.
- Works cooperatively with various government agencies involved in the regulation of wastewater permits and operations.
- Coordinates and assists in work needed to be done to ensure efficient operations of wastewater infrastructure including wastewater treatment plant and sewer lift and pump stations. Occasionally assists crews in sewer, water and road maintenance, repair and minor alterations.
- Follows established guidelines in operation of sewer grinder pumps, lift stations, compressors, and wastewater treatment plant.
- Monitors wastewater treatment plant operations for compliance with codes, specifications, workmanship, maintenance and safe work practices.
- Participates in all job related training and required safety training and ensures that all staff are performing work in a safe manner; promotes continuous improvement of workplace safety and environmental practices.
- Coordinates work and personally assists subordinates to ensure proper operation of the wastewater plant to maintain compliance with all pertinent federal, state, and local regulations.
- Inspects work in progress and for completion for compliance with codes, specifications, workmanship and safe work practices.
- Assists Public Works with operation, maintenance, testing and reporting of municipal water distribution and wastewater collection systems.
- Assesses equipment and supply needs for water and wastewater department operation and projects.
- Obtains pricing and recommends purchases of supplies to the Director of Public Works.
- Responsible for and directs the training of wastewater/water apprentices and operators.
- Oversees the training, continuing education, and maintenance of required licensing and certifications of supervised employees.
- Required to assist water personnel in the maintenance and repair of the water treatment plant and related equipment and the water supply reservoirs relevant to the operation of the water collection system.
- Assists the Public Works Director in setting adequate budget levels for the Sewer Department.
- Responsible for the daily operation, maintenance, testing, and reporting of the wastewater treatment facilities and as needed.
- Responsible for the proper and safe use and maintenance of all assigned city equipment.
- Adjusts the control equipment and operations of the wastewater treatment plant to meet changing flow conditions for peak efficiencies of operation. Ensures that water quality standards are being met to the highest extent possible considering possible limitations of the treatment plant.
- ~~▪ Coordinates and assists in work needed to be done to ensure efficient operations of wastewater and water infrastructure including Wastewater Treatment Plant and sewer lift and pump stations. Occasionally assists crews in sewer, water and road maintenance, repair and minor alterations.~~
- ~~▪ Follows established guidelines in operation of sewer grinder pumps, lift stations, compressors, and wastewater treatment plant.~~
- ~~▪ Monitors wastewater treatment plant operations for compliance with codes, specifications, workmanship, maintenance and safe work practices.~~
- Required to prepare and maintain records of wastewater treatment plant operations and maintenance, including inspection sheets, logs, and flow charts; prepares daily reports of analysis and test results for laboratory and regulatory agencies; enters data to computer.

- Tends influent pumps, blowers, feed pumps, dry and wet chemical feeders, aerators, diffusers, wet wells, and other equipment used to decontaminate wastewater; reads and records effluent flow and temperatures.
- Inspects, maintains and cleans aeration and sedimentation basins, filters, weirs, vaults, and mechanical screens.
- Collects samples of influent and treated water and completes chemical laboratory tests and analysis in the process of treatment of water/wastewater.
- Determines and performs sludge wasting from aeration basin.
- ~~Performs laboratory tests and chemical analysis of influent and treated water as required. Records temperature, flow rate, pH, oxygen demand, fecal coliform, and other data as required.~~
- ~~Required to maintain logs, reports and records of wastewater treatment plant operations and maintenance and adjust control equipment for proper wastewater plant operation.~~
- Responsible for the operation of the water treatment plant when the Water Treatment Operator Leadman is not available, or as needed for water systems training purposes.
- May discuss with customers problems with wastewater systems and pump stations.
- Evaluates and revises wastewater department methods and procedures to maximize safety and operational efficiency.
- ~~May supervise and~~ Supervises and trains lower-level employees.
- Works aggressively and proactively to prevent exposure of employees and the public to wastewater and its pollutants.
- ~~Participates in all job-related training and required safety training; promotes continuous improvement of workplace safety and environmental practices.~~
- This position is subject to call-out or call-back at any time due to staff shortages or emergencies in order to facilitate and sustain plant operations. Must be willing to work odd hours as required by the work environment.
- This position requires the employee to enter confined spaces as part of the job duties. Employees that participate or have duties in the Confined Space Program will receive training to ensure that each individual has the understanding, knowledge and skills necessary to safely perform all permit-required confined space operations.
- This position requires the employee to wear a variety of respirators as part of the job duties. Therefore, the employee must be able to pass a medical evaluation and a quantitative fit test on an annual basis.
- Performs other job-related duties and responsibilities as required and assigned by the Public Works Director.

Qualifications

▪ Knowledge and Skills

- To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.
- Must have knowledge and operating experience of all aspects of the wastewater treatment plant, characteristics of wastewater, and proper maintenance procedure to be in compliance with local, state and federal laws regulating wastewater treatment plant operations.
- ~~Must have knowledge and operating experience in chemistry as related to plant operation, water production, and wastewater treatment processes.~~
- Must have knowledge and operating experience of basic lab equipment. Must have knowledge and be able to monitor Supervisory Control And Data Acquisition (SCADA) systems in order to ensure proper plant operation.
- Must have basic computer skills, including use of Microsoft's Word, Excel and

Outlook programs.

- Must have knowledge of all pertinent state and federal rules governing the treatment of wastewater, including Alaska Clean Water Act and National Pollution Discharge Elimination System.
- OSHA regulations as they apply to water treatment personnel and OSHA guidelines related to large water treatment facilities.
- Must have good reasoning abilities and skills relating to problem solving.
- Will be required to participate in other job related training and safety training as it is offered. Examples are flagging training, CPR/First Aid, confined spaces training, etc.
- Must have sufficient knowledge of water treatment plant operations and maintenance to operate the water treatment plant when the Water Treatment Lead is not available.

▪ **Abilities**

- Ability to read and interpret documents such as ~~as~~ project specifications and drawings, safety rules, operating and maintenance instructions, and procedure manuals.
- Ability to speak effectively with customers, contractors, design professionals, outside agencies, and other employees of the organization.
- ~~Ability to work with mathematical concepts such as probability and statistical inference, and fundamental knowledge of plain and solid geometry and trigonometry.~~ Ability to perform math and to apply concepts such as fractions, percentages, ratios, and proportions to practical situations.
- Ability to apply commonsense understanding to carry out detailed but uninvolved written or oral instructions. Ability to deal with problems involving concrete variables in standardized situations.
- Ability to use common hand tools to operate equipment and perform maintenance tasks.
- Ability to adapt to situations that frequently are not anticipated or planned for.

▪ **Physical Abilities**

- Frequently required to stand, walk, use hands to finger, handle, or feel objects, tools, or controls, climb or balance, talk or hear, sit, stoop, kneel, crouch or crawl.
- ~~Must frequently lift and/or move up to 100 pounds and occasionally lift and/or move more than 100 pounds. Must frequently lift and/or move up to 50 pounds and occasionally lift or move more than 100 pounds of equipment, drums, and chemicals for distances of 20 feet or more with the assistance of a hand cart or power equipment.~~
- Requires near and far visual acuity to drive, read and write, read detailed drawings and perform repair work.
- Sufficient auditory ability to carry on conversations in person and over the phone.

▪ **Education and Experience**

- ~~Must have a high school diploma or general education degree (GED).~~
- Any combination of training, education and experience which demonstrates an ability to perform the duties of the position. The typical qualifying entrance background are courses in wastewater treatment and sewer works practice and a minimum of four years of increasingly responsible experience in the operations and maintenance of a Class I wastewater treatment facility.
- Must have an understanding of the workings of wastewater collection systems and their components, to include pump station installation and operation and all facets of wastewater sampling for ADEC and EPA requirements.
- Must have an understanding of water distribution systems to include meters and PRVs maintenance and repairs and basic trouble shooting of said systems.
- Must have sufficient skills necessary to operate related equipment effectively, safely,

and responsibly.

- Requires a minimum high school diploma or general education degree (GED), and possess the ability to clearly read, write, and speak English. One year of college or technical level classes related to wastewater technology is preferred.

▪ **Licenses and Certificates**

- Must have an Alaska Department of Environmental Conservation Level I certification in wastewater treatment and must maintain a Level I through employment.
- Must have an Alaska Department of Environmental Conservation Level II certification in water treatment within one year of employment and must maintain through employment.
- Must have and maintain State of Alaska DEC level I certification for water distribution and wastewater collection and must maintain through employment.
- Must be responsible for acquiring ADEC-required Continuing Education Units (CEUs) to maintain certifications.
- The cost for required certification renewals and their associated CEUs shall be paid by the Employer. Must have a Class B Commercial Driver's License (CDL).
- Must have an Alaska Department of Environmental Conservation Level I certification in water treatment.
- Must obtain an Alaska Department of Environmental Conservation Level II wastewater treatment certification within 2 years of employment.

▪ **Working Conditions**

Work is performed indoors and outdoors where some safety considerations exist from observing physical labor and equipment operation. Will frequently work in outside weather conditions and will regularly be exposed to extreme cold. Will frequently work near moving mechanical parts and is frequently exposed to wet and/or humid conditions. Occasionally exposed to fumes or airborne particles, toxic or caustic chemicals, extreme heat, and risk of electrical shock. The noise level in the work environment is usually moderated.

This job/class description, describes the general nature of the work performed, representative duties as well as the typical qualifications needed for acceptable performance. It is not intended to be a complete list of all responsibilities, duties, work steps, and skills required of the job.

Signatures inserted on this job description confirm that it has been reviewed by the employee and his/her direct supervisor and that a clear understanding of the expectations of this position exists.

Employee Signature Date

Supervisor or Department Head Date

Agenda Item 13b

CITY & BOROUGH OF WRANGELL

BOROUGH ASSEMBLY AGENDA ITEM December 13, 2016

INFORMATION:

PROPOSED RESOLUTION No. 12-16-1356: A RESOLUTION OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, PROVIDING FOR THE AMENDMENT OF THE JOB DESCRIPTION FOR THE WATER TREATMENT OPERATOR LEAD

Attachments:

1. Memo from Manager Jabusch
2. **Proposed Resolution No. 12-16-1356**
3. Proposed Job Description

RECOMMENDED ACTION:

Move to adopt Resolution No. 12-16-1356 that provides for a new job description for the Water Treatment Operator Lead.

MEMORANDUM

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

**FROM: JEFF JABUSCH
BOROUGH MANAGER**

**SUBJECT: PROPOSED RESOLUTIONS CONCERNING CHANGING JOB
DESCRIPTIONS FOR WASTEWATER LEADMAN AND WATER
LEADMAN AND RELATED PAYPLAN CHANGE**

DATE: DECEMBER 5TH, 2016

Background:

Last year when we began the Sewer Pump Project, as well as through the water plant pilot plant study and the 2016 water crisis, it became apparent that both the Wastewater Treatment Operator Lead and the Water Treatment Operator Lead positions required re-evaluation based on the level of work currently performed by the two incumbents in these positions.

Amber Al-Haddad, our Public Works Director, approached me and explained that both of these positions currently report to the Public Works Foreman and then any communications go on to the Public Works Director. It is evident; however, that the qualifications and job duties of the two positions, necessary to these divisions within Public Works, are similar to those typically required for a supervisory lead position, which would report directly to the Public Works Director.

When these positions were last classified, the primary duties and responsibilities involved operating the treatment facilities, maintaining adjustments and repairs of equipment. All of the duties that were originally assigned are still being performed by these positions, however based on the departmental organization, staffing levels, and the demands of each division, both of these positions have evolved and are currently being performed with a higher level of complexity and degree of involvement, and the independence of action has increased.

Because of this discussion and the direction we want to go with these positions, the increase in responsibilities and related pay increase was budgeted in the current year's budget. During this last year with some of the union negotiations and related legal actions, we may have been reluctant to bring this forward earlier, but it needs to be done so that the important water issues moving forward gives these positions more responsibility and direct access to the Public Works Director.

Based on the logical assumption of higher level duties and in comparison to the pay grade for a supervisory level position, the re-grading of the incumbents are warranted at this time. It is recommended that the new job descriptions of both Lead positions be reclassified in the City and Borough of Wrangell's Union Pay Plan at the Grade 23.

Due to the changes of the Water Lead and Wastewater Lead positions, the Wastewater/Water Treatment Operator position will also change in order to maintain similar job related language

which was added to the new Lead positions, and the Operator position will now report to the Lead positions at each treatment plant. The Operator position remains at its current pay grade.

Both the Public Works Director and the Borough Manager support the job description changes and related pay grade increase for the new duties of the Lead positions.

Each of the new job descriptions also required concurrence from the IBEW Union before proceeding to the Borough Assembly for approval. The three job descriptions submitted herein for Assembly approval have been developed in coordination with the incumbents and their IBEW Union representative.

Currently there are no other in-house staff that are qualified and/or have the experience and/or certifications to hold the positions of the incumbents.

Recommended Motion:

Move to approve Resolution Number _____ which adopts a new job description for the position of Wastewater Treatment Operator Lead / Water Treatment Operator Lead.

CITY AND BOROUGH OF WRANGELL, ALASKA

RESOLUTION NO. 12-16-1356

A RESOLUTION OF THE ASSEMBLY OF THE CITY
AND BOROUGH OF WRANGELL, ALASKA,
PROVIDING FOR THE AMENDMENT OF THE JOB
DESCRIPTION FOR THE WATER TREATMENT
OPERATOR LEAD

WHEREAS, the amendment of this position description allows the City and Borough of Wrangell's Administration Department the ability to appropriately update the duties and responsibilities of the Water Treatment Operator Lead position; and

WHEREAS, the pay scale for the Water Treatment Operator Lead position is currently a grade 20 on the Payscale; and

WHEREAS, the new job description will move the Water Treatment Operator Lead position to a grade 23 on the Payscale; and

WHEREAS, the new payscale range for the Water Treatment Operator Lead position will be between \$23.29 per hour to \$33.22 per hour; and

WHEREAS, it is the desire of the City and Borough of Wrangell to bring all job descriptions in compliance with current standards.

NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA,

Section 1. The attached Exhibit "A" is the job description which describes the duties, responsibilities and qualifications for the Water Treatment Operator Lead position.

Section 2. The new job description for the Water Treatment Operator Lead position becomes effective July 1, 2016.

ADOPTED: _____, 2016

David L. Jack, Mayor

ATTEST: _____
Kim Lane, Borough Clerk

City & Borough of Wrangell

Position Description

Position: Water Treatment <u>Operator Leadman</u>	Position Number:
Department/Site: Public Works	FLSA: Non-exempt
Evaluated by: <u>Public Works Foreman Director of Public Works & Capital Projects</u>	Salary Grade: <u>2023</u>

Summary

The Water Treatment Operator Lead is responsible for the day-to-day operation of the City's surface water treatment plant, the water supply reservoirs and related equipment, either personally or through subordinate staff.

Responsibilities include performing process control sample collection, sample analysis, and modifying chemical and physical parameters in order to adjust the treatment process. A Water Treatment Operator Lead collects samples of influent and effluent at various stages of processing to ensure high quality drinking water.

Works daily with Wastewater Treatment Operator Lead/Lead II and Operator on both water and wastewater repair and maintenance of collection system pump stations, pumps and related equipment as needed.

Occasionally works with Public Works Department on sewer or water repair. May be required to assist Public Works crew in special projects and winter road maintenance. Primarily responsible for the operation, maintenance and repair of the City's water treatment plant reservoirs and pump stations. Responsible for required local, state and federal water quality testing and reporting.

Works daily with Wastewater Leadman and operator on both water and wastewater repair and maintenance. Occasionally works with Public Works Department on sewer or water repair. May be required to assist Public Works crew in special projects and winter road maintenance. Works independently or cooperatively with others under the daily direction and supervision of the Public Works Foreman. Works independently and cooperatively with others. Works closely with and under the supervision of the Public Works Director and/or the Public Works Forman.

Distinguishing Career Features

-The Water Treatment Operator Lead is the third step on the multi-stage Water/Wastewater Treatment Operator career path. The Water Treatment Operator Lead is usually more experienced than the Water/Wastewater Treatment Operator and the Water/Wastewater Treatment Apprentice and provides leadership, mentorship and training to other operational staff, and serves in a lead capacity for operations.

The Water Treatment Operator Lead works directly on projects and closely supervises employees, primarily in the water department, but occasionally in the wastewater department as needed. Responsibilities include planning and implementing work, appraising performance, addressing complaints and resolving problems.

The Water Treatment Leadman is the one of the most experienced steps in the City and Borough of Wrangell's water wastewater career ladder. The Water Treatment Leadman is more experienced than the Water/Wastewater Treatment Operator and the Water/Wastewater

Essential Duties and Responsibilities

- ~~Personally o~~ Operates and maintains the City's Water Treatment Plant, reservoirs and storage tanks.
- Ensures that required water treatment permits are kept current.
- Coordinates work and personally assists subordinates to ensure proper operation of the water plant to maintain compliance with all pertinent federal, state, and local regulations.
- Works cooperatively with various government agencies involved in the regulation of drinking water permits and operations. Inspects work in progress and for completion for compliance with codes, specifications, workmanship and safe work practices.
- Assists Public Works with operation, maintenance, testing and reporting of municipal water distribution and wastewater collection systems.
- Assesses equipment and supply needs for water and wastewater department operation and projects.
- Obtains pricing and recommends purchases of supplies to the Director of Public Works.
- Responsible for and directs the training of water/wastewater apprentices and operators.
- Oversees the training, continuing education, and maintenance of required licensing and certifications of supervised employees.
- Assists wastewater personnel in the maintenance and repair of lift stations and pumps relevant to the operation of the wastewater collection system.
- Occasionally assists crews in sewer, water and road maintenance, repair and minor alterations.
- Assists the Public Works Director in setting adequate budget levels for the Water Department.
- Coordinates and assists in work needed to be done to ensure efficient operation of ~~wastewater and~~ water infrastructure including water treatment plant operation, water storage tank maintenance, and reservoir and dam maintenance.
- Follows established guidelines in operation of high pressure pumps, chemical generation and injection systems, slow sand filters, and roughing filters. Inspects city reservoirs and water tanks.
- Monitors water treatment plant operation for compliance with codes, specifications, workmanship maintenance and safe work practices.
- Participates in all job related training and required safety training and ensures that all staff are performing work in a safe manner; promotes continuous improvement of workplace safety and environmental practices.
- Responsible for the daily operation, maintenance, testing and reporting of the water treatment facilities.
- Responsible for the proper and safe use and maintenance of all assigned city equipment.
- Adjusts the operation of the water treatment plant to meet changing flow conditions for peak efficiencies of operation. Ensures that water quality standards are being met to the highest extent possible, considering possible limitations of the treatment plant.
- Performs laboratory tests and chemical analysis of influent and treated water as required. Records temperature, turbidity, color, flow rate, pH, chlorine residual, and other data as required by regulations or to verify the proper operation of the water treatment plant.
- Required to maintain logs, reports, and records of water treatment plant operations and maintenance.
- Maintains and adjusts control equipment for water plant production. Checks and adjusts flow of chlorine into water system.
- Responsible for the operation of the wastewater treatment plant when the Wastewater Treatment Operator ~~Leadman~~ is not available, or as needed for wastewater systems training purposes.

- May discuss with customers problems with water quality, excessive consumption or special problems with treated water.
- Evaluates and revises ~~waste~~water department methods and procedures to maximize safety and operational efficiency.
- ~~Participates in all job related training and required safety training; promotes continuous improvement of workplace safety and environmental practices.~~
- ~~May supervise and train lower level employees.~~ Supervises and trains lower-level employees.
- This position is subject to call-out or call-back at any time due to staff shortages or emergencies in order to facilitate and sustain plant operations. Must be willing to work odd hours as required by the work environment.
- This position requires the employee to enter confined spaces as part of the job duties. Employees that participate or have duties in the Confined Space Program will receive training to ensure that each individual has the understanding, knowledge and skills necessary to safely perform all permit-required confined space operations.
- This position requires the employee to wear a variety of respirators as part of the job duties. Therefore, the employee must be able to pass a medical evaluation and a quantitative fit test on an annual basis.
- Performs other job-related ~~related~~ work duties and responsibilities as required and assigned by the Public Works Director.-

Qualifications

▪ Knowledge and Skills

- To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed below are representative of the knowledge, skill, and /or ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.
- Must have knowledge and operating experience in plant operations, chemistry related to plant operation, water production and water/wastewater treatment processes.
- Must have knowledge and operating experience of basic lab equipment such as turbidimeters, p/h meters, colorimeters, pumps, and other small equipment.
- Must have knowledge and operating experience of all aspects of the water treatment plant, characteristics of water, proper maintenance procedure in accordance with local, state and federal laws regulating water treatment plant operations, —including Safe Drinking Water Act, Enhanced Surface Water Treatment Rule and Disinfectant/Disinfection By-Products Rule.
- The requirements listed below are representative of the knowledge, skill, and /or ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.
- OHSA regulations as they apply to water treatment personnel and OSHA guidelines related to large water treatment facilities.
- Must have knowledge and be able to monitor Supervisory Control And Data Acquisition (SCADA) systems in order to ensure proper plant operation.
- Must have basic computer skills, including use of Microsoft's Word, Excel and Outlook programs.
- Must have knowledge of all pertinent state and federal rules governing the treatment of water.
- Will be required to participate in other job related training and safety training as it is offered. Examples are flagging training, CPR/First Aid, confined spaces training, etc.

- Must have sufficient knowledge of wastewater treatment plant operations and maintenance to operate the wastewater treatment plant when the Wastewater Treatment Operator Leadman is not available.

▪ **Abilities**

- Ability to read and interpret documents such as project specifications and drawings, safety rules, operating and maintenance instructions, and procedure manuals.
- Ability to speak effectively with customers, contractors, design professionals, outside agencies and other employees of the organization.
- Ability to perform basic math up to basic geometry and algebra. work with mathematical concepts such as probability and statistical inference, and fundamentals of plane and solid geometry and trigonometry. Ability to apply concepts such as fractions, percentages, ratios, and proportions to practical situations.
- Ability to apply commonsense understanding to carry out detailed but uninvolved written or oral instructions. Ability to deal with problems involving a few concrete variables in standardized situations.
- Ability to use common hand tools to operate equipment and perform maintenance tasks.
- Ability to adapt to situations that frequently are not anticipated or planned for.

▪ **Physical Abilities**

- Frequently required to stand, walk, use hands to finger, handle, or feel objects, tools, or controls, climb or balance, talk or hear, sit, stoop, kneel, crouch or crawl.
- Must frequently lift and/or move up to 40050 pounds and occasionally lift and/or move more than 100 pounds– of equipment, drums, and chemicals for distances of 20 feet or more with the assistance of a hand cart or power equipment.
- Sufficient auditory ability to carry on conversations in person and over the phone.
- Requires near and far visual acuity to drive, read and write, read detailed drawings and perform repair work.

▪ **Education and Experience**

- ~~Requires high school diploma or general education degree (GED).~~
- Any combination of training, education and experience which demonstrates an ability to perform the duties of the position. The typical qualifying entrance background are courses in water treatment and water works practice and four years of progressively responsible experience in the operations and maintenance of a Class II water treatment facility.
- Must have an understanding of the workings of water distribution systems and their components, to include meter installation and operation and all facets of water sampling for ADEC and EPA requirements.
- Must have an understanding of wastewater collections systems to include pump maintenance and repairs and basic trouble shooting of said systems.
- Must have sufficient skills necessary to operate related equipment effectively, safely, and responsibly.
- Requires a minimum high school diploma or general education degree (GED), and possess the ability to clearly read, write, and speak English. One year of college or

technical level classes related to water technology is preferred.

▪ **Licenses and Certificates**

- ~~Must have a class B Commercial Driver's License (CDL).~~
- ~~Must have an Alaska Department of Environmental Conservation Level I certification in wastewater treatment.~~
- ~~Must be able to obtain a Level II water treatment certification within 2 years of employment.~~
- ~~Level I certification on water distribution and wastewater collection preferred.~~
- Must have an Alaska Department of Environmental Conservation Level II certification in water treatment and must maintain a Level II through employment.
- Must have an Alaska Department of Environmental Conservation Level I certification in wastewater treatment within one year of employment and must maintain through employment.
- Must have State of Alaska DEC level I certifications for water distribution and for wastewater collection and must maintain both through employment.
- Must be responsible for acquiring ADEC-required Continuing Education Units (CEUs) to maintain certifications.
- The cost for required certification renewals and their associated CEUs shall be paid by the Employer.
-

▪ **Working Conditions**

Work is performed indoors and outdoors where some safety considerations exist from observing physical labor and equipment operation. Will frequently work in outside weather conditions and will regularly be exposed to extreme cold. Will frequently work near moving mechanical parts and is frequently exposed to wet and/or humid conditions. Occasionally exposed to fumes or airborne particles, toxic or caustic chemicals, extreme heat, and risk of electrical shock. The noise level in the work environment is usually moderated.

This job/class description, describes the general nature of the work performed, representative duties as well as the typical qualifications needed for acceptable performance. It is not intended to be a complete list of all responsibilities, duties, work steps, and skills required of the job.

Signatures inserted on this job description confirm that it has been reviewed by the employee and his/her direct supervisor and that a clear understanding of the expectations of this position exists.

Employee Signature Date

Supervisor or Department Head Date

Agenda Item 13c

CITY & BOROUGH OF WRANGELL

BOROUGH ASSEMBLY AGENDA ITEM December 13, 2016

INFORMATION:

PROPOSED RESOLUTION No. 12-16-1357: A RESOLUTION OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, PROVIDING FOR THE AMENDMENT OF THE JOB DESCRIPTION FOR THE WATER/WASTEWATER TREATMENT OPERATOR

Attachments:

1. Memo from Manager Jabusch
2. **Proposed Resolution No. 12-16-1357**
3. Proposed Job Description

RECOMMENDED ACTION:

Move to adopt Resolution No. 12-16-1357 that provides an amendment to the job description for the Water/Wastewater Treatment Operator.

MEMORANDUM

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

**FROM: JEFF JABUSCH
BOROUGH MANAGER**

**SUBJECT: PROPOSED RESOLUTIONS CONCERNING CHANGING JOB
DESCRIPTIONS FOR WASTEWATER LEADMAN AND WATER
LEADMAN AND RELATED PAYPLAN CHANGE**

DATE: DECEMBER 5TH, 2016

Background:

Last year when we began the Sewer Pump Project, as well as through the water plant pilot plant study and the 2016 water crisis, it became apparent that both the Wastewater Treatment Operator Lead and the Water Treatment Operator Lead positions required re-evaluation based on the level of work currently performed by the two incumbents in these positions.

Amber Al-Haddad, our Public Works Director, approached me and explained that both of these positions currently report to the Public Works Foreman and then any communications go on to the Public Works Director. It is evident; however, that the qualifications and job duties of the two positions, necessary to these divisions within Public Works, are similar to those typically required for a supervisory lead position, which would report directly to the Public Works Director.

When these positions were last classified, the primary duties and responsibilities involved operating the treatment facilities, maintaining adjustments and repairs of equipment. All of the duties that were originally assigned are still being performed by these positions, however based on the departmental organization, staffing levels, and the demands of each division, both of these positions have evolved and are currently being performed with a higher level of complexity and degree of involvement, and the independence of action has increased.

Because of this discussion and the direction we want to go with these positions, the increase in responsibilities and related pay increase was budgeted in the current year's budget. During this last year with some of the union negotiations and related legal actions, we may have been reluctant to bring this forward earlier, but it needs to be done so that the important water issues moving forward gives these positions more responsibility and direct access to the Public Works Director.

Based on the logical assumption of higher level duties and in comparison to the pay grade for a supervisory level position, the re-grading of the incumbents are warranted at this time. It is recommended that the new job descriptions of both Lead positions be reclassified in the City and Borough of Wrangell's Union Pay Plan at the Grade 23.

Due to the changes of the Water Lead and Wastewater Lead positions, the Wastewater/Water Treatment Operator position will also change in order to maintain similar job related language

which was added to the new Lead positions, and the Operator position will now report to the Lead positions at each treatment plant. The Operator position remains at its current pay grade.

Both the Public Works Director and the Borough Manager support the job description changes and related pay grade increase for the new duties of the Lead positions.

Each of the new job descriptions also required concurrence from the IBEW Union before proceeding to the Borough Assembly for approval. The three job descriptions submitted herein for Assembly approval have been developed in coordination with the incumbents and their IBEW Union representative.

Currently there are no other in-house staff that are qualified and/or have the experience and/or certifications to hold the positions of the incumbents.

Recommended Motion:

Move to approve Resolution Number _____ which adopts a new job description for the position of Wastewater Treatment Operator Lead / Water Treatment Operator Lead.

CITY AND BOROUGH OF WRANGELL, ALASKA

RESOLUTION NO. 12-16-1357

A RESOLUTION OF THE ASSEMBLY OF THE CITY
AND BOROUGH OF WRANGELL, ALASKA,
PROVIDING FOR THE AMENDMENT OF THE JOB
DESCRIPTION FOR THE WATER/WASTEWATER
TREATMENT OPERATOR

WHEREAS, the amendment of this position description allows the City and Borough of Wrangell's Administration Department the ability to appropriately update the duties and responsibilities of the Water/Wastewater Treatment Operator position; and

WHEREAS, the pay scale for the Water/Wastewater Treatment Operator position is a grade 19 with the pay range from \$19.71 to \$28.10 and based on the proposed changes to the job description, this will not change; and

WHEREAS, it is the desire of the City and Borough of Wrangell to bring all job descriptions in compliance with current standards.

NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE CITY
AND BOROUGH OF WRANGELL, ALASKA,

Section 1. The attached Exhibit "A" is the job description which describes the duties, responsibilities and qualifications for the Water/Wastewater Treatment Operator position.

Section 2. The new job description for the Water/Wastewater Treatment Operator position will be effective as of December 13, 2016.

ADOPTED: December 13, 2016

David L. Jack, Mayor

ATTEST: _____
Kim Lane, Borough Clerk

City & Borough of Wrangell

Position Description

Position: Water/Wastewater Treatment Operator	Position Number:
Department/Site: Public Works	FLSA: Non-exempt
Evaluated by: Water Treatment Operator Lead and Wastewater Treatment Operator Lead Director of Public Works	Salary Grade: 19

Summary

[Water/Wastewater Treatment Operator is responsible for the operation, maintenance and repair of the Borough's water treatment plant and wastewater treatment plant, reservoirs, lagoons, lift stations, pump stations and related equipment. Primarily responsible for the operation, maintenance and repair of the City's water treatment and wastewater treatment plant, reservoirs, lagoons, lift stations, and pump stations.](#)

Distinguishing Career Features

Reports to Wastewater [Treatment Operator Leadman](#) and Water [Treatment Operator Leadman](#) on both water and wastewater repair and maintenance. Occasionally works with Public Works department on sewer or water repair. May be required to assist Public Works crew in special projects and winter road maintenance. [Works independently and cooperatively with others. Works closely with and under the supervision of the Water Treatment Lead and the Wastewater Treatment Lead.](#)

[The Water Treatment Operator is the second step on the multi-stage Water/Wastewater Treatment Operator career path. The Water Treatment Operator is more experienced than the Water/Wastewater Treatment Operator Apprentice.](#)

Essential Duties and Responsibilities

- Personally operates, repairs, and maintains the City's water treatment plant, pressure reducing valves, tanks, reservoirs, and dams. [Performs work needed to be done to ensure efficient operation of water infrastructure including water treatment plant operation, water storage tank maintenance, and reservoir and dam maintenance. Performs daily operation, maintenance, testing and reporting of the water treatment facilities. Required to maintain logs, reports, and records of water treatment plant operations and maintenance.](#)
- [Performs laboratory tests and chemical analysis of influent and treated water as required. Records temperature, turbidity, color, flow rate, pH, chlorine residual, and other data as required by regulations or to verify the proper operation of the water treatment plant. Adjusts the operation of the water treatment plant to meet changing flow conditions for peak efficiencies of operation. Maintains and adjusts control equipment for water plant production. Checks and adjusts flow of chlorine into water system.](#)
- Personally operates, repairs, and maintains the City's wastewater treatment plant, lagoons, lift stations and pump stations. [Perform daily checks of the wastewater treatment process and periodic checks of pump stations. Performs work needed to be done to ensure efficient operations of wastewater infrastructure including wastewater treatment plant operation and sewer lift and pump station maintenance.](#)
- [Tends influent pumps, blowers, feed pumps, dry and wet chemical feeders, aerators, diffusers, wet wells, and other equipment used to decontaminate wastewater; reads and records effluent flow and temperatures. Inspects, maintains and cleans aeration and](#)

sedimentation basins, filters, weirs, vaults, and mechanical screens. Collects samples of influent and treated water and completes chemical laboratory tests and analysis in the process of treatment of water/wastewater. Determines and performs sludge wasting from aeration basin.

- Follows established guidelines in operation of high pressure pumps, chemical generation and injection systems, slow sand filters, and roughing filters. Inspects city reservoirs and water tanks.
- Occasionally assists crews in sewer, water and road maintenance, repair and minor alterations.
- Responsible for the proper and safe use and maintenance of all assigned City equipment.
- Performs proper operation of the water and wastewater plants to ensure that the water quality standards are being met for compliance with all pertinent federal, state, and local regulations.
- Assesses equipment and supply needs for water and wastewater department operation and projects. Obtains pricing and recommends purchases of supplies.
- Adjust the operation of the wastewater and water treatment plants to meet changing flow conditions for peak efficiencies of operation. Ensure that the water quality standards are being met.
- Performs laboratory tests and chemical analyses of drinking water and wastewater as required. Records temperature, turbidity, color, flow rate, pH, oxygen demand, fecal coliform, chlorine residual, and other data as required by regulations or to verify the proper operation of the water or wastewater treatment plants.
- Required to maintain logs, reports and records of water and wastewater treatment plant operations and maintenance and to adjust control equipment for water plant production. Checks and adjusts flow of chlorine into water system.
- May discuss with customers problems with water quality, excessive consumption or special problems with treated water.
- This position is subject to call-out or call-back at any time due to staff shortages or emergencies in order to facilitate and sustain plant operations. Must be willing to work odd hours as required by the work environment.
- This position requires the employee to enter confined spaces as part of the job duties. Employees that participate or have duties in the Confined Space Program will receive training to ensure that each individual has the understanding, knowledge and skills necessary to safely perform all permit-required confined space operations.
- This position requires the employee to wear a variety of respirators as part of the job duties. Therefore, the employee must be able to pass a medical evaluation and a quantitative fit test on an annual basis.
- Participates in all job related training and required safety training; promotes continuous improvement of workplace safety and environmental practices.
- Performs other job-related work as required and assigned.

Qualifications

▪ Knowledge and Skills

- To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.
- Must have knowledge and operating experience in plant operations, chemistry related to plant operation, water production and water/wastewater treatment processes.
- Must have knowledge and operating experience of basic lab equipment such as turbidimeters, p/h meters, colorimeters, pumps, and other small equipment.

- Must have knowledge and operating experience of all aspects of the water treatment plant, characteristics of water, proper maintenance procedure in accordance with local, state and federal laws regulating water treatment plant operations, including Safe Drinking Water Act, Enhanced Surface Water Treatment Rule and Disinfectant/Disinfection By-Products Rule.
- Must have knowledge and be able to monitor Supervisory Control And Data Acquisition (SCADA) systems in order to ensure proper plant operation.
- Must have basic computer skills, including use of Microsoft's Word, Excel and Outlook programs.
- Must have knowledge of all pertinent state and federal rules governing the treatment of water.
- Will be required to participate in job related training and safety training as it is offered. Examples are flagging training, CPR/First Aid, confined spaces training, etc.
-

▪ **Abilities**

- Ability to read and interpret documents such as project specifications and drawings, safety rules, operating and maintenance instructions, and procedure manuals.
- Ability to speak effectively with customers, contractors, design professionals, outside agencies -and other employees of the organization.
- Ability to ~~work-perform basic math up to geometry and algebra. with mathematical concepts such as probability and statistical inference, and fundamentals of plane and solid geometry and trigonometry.~~ Ability to apply concepts such as fractions, percentages, ratios, and proportions to practical situations.
- Ability to use common hand tools to operate equipment and perform maintenance tasks.
- ~~Ability to speak effectively with customers and other employees of the organization.~~
- Ability to apply commonsense understanding to carry out detailed but uninvolved written or oral instructions. Ability to deal with problems involving a few concrete variables in standardized situations.

▪ **Physical Abilities**

- Frequently required to stand, walk, use hands to finger, handle, or fell objects, tools, or controls, climb or balance, talk or hear, sit, stoop, kneel, crouch or crawl.
- Must frequently lift and/or move up to ~~5400~~ pounds and occasionally lift and/or move more than 100 pounds- of equipment, drums, and chemicals for distances of 20 feet or more with the assistance of a hand cart or power equipment.
- Requires near and far visual acuity to drive, read and write, read detailed drawings and perform repair work.
- Sufficient auditory ability to carry on conversations in person and over the phone.

▪ **Education and Experience**

- Any combination of training, education and experience which demonstrates an ability to perform the duties of the position. The typical qualifying entrance background are courses in water treatment and water works practice and at least one year of experience in the operations and maintenance of a Class II water treatment facility and a Class I wastewater treatment facility.
- Must have an understanding of the workings of water distribution systems and their components, to include meter installation and operation and all facets of water sampling for ADEC and EPA requirements.
- Must have an understanding of wastewater collections systems to include pump maintenance and repairs and basic trouble shooting of said systems.
- Must have sufficient skills necessary to operate related equipment effectively, safely.

and responsibly.

- Requires a minimum High school diploma or general education degree (GED), - and possess the ability to clearly read, write, and speak English. One year of college or technical level classes related to water technology is preferred.

▪ **Licenses and Certificates**

- ~~▪ Must have an Alaska, class B, Commercial Driver's License (CDL) or be able to obtain one within six months.~~

~~▪ _____~~

▪ _____

Must have an Alaska Department of Environmental Conservation Level I certification in both water and wastewater treatment - and must maintain through employment.

Must be responsible for acquiring ADEC-required Continuing Education Units (CEUs) to maintain certifications. The cost for required certification renewals and their associated CEUs shall be paid by the Employer.

▪ **Working Conditions**

Work is performed indoors and outdoors where some safety considerations exist from observing physical labor and equipment operation. Will frequently work in outside weather conditions and will regularly be exposed to extreme cold. Will frequently work near moving mechanical part and is frequently exposed to wet and/or humid conditions. Occasionally exposed to fumes or airborne particles, toxic or caustic chemicals, extreme heat, and risk of electrical shock. The noise level in the work environment is usually moderated.

This job/class description, describes the general nature of the work performed, representative duties as well as the typical qualifications needed for acceptable performance. It is not intended to be a complete list of all responsibilities, duties, work steps, and skills required of the job.

Signatures inserted on this job description confirm that it has been reviewed by the employee and his/her direct supervisor and that a clear understanding of the expectations of this position exists.

Employee Signature

Date

Supervisor or Department Head

Date

Agenda Item 13d

CITY & BOROUGH OF WRANGELL

BOROUGH ASSEMBLY AGENDA ITEM December 13, 2016

INFORMATION:

PROPOSED RESOLUTION No. 12-16-1358: A RESOLUTION OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA PROVIDING FOR A CHANGE IN THE PAY PLAN OF THE CITY'S PERSONNEL SYSTEM AND PROVIDING FOR AN EFFECTIVE DATE

Attachments:

1. Memo from Manager Jabusch
2. **Proposed Resolution No. 12-16-1358**
3. Proposed Pay Plan

RECOMMENDED ACTION:

Move to adopt Resolution No. 12-16-1358 that updates the City's Union Pay Plan.

MEMORANDUM

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

**FROM: JEFF JABUSCH
BOROUGH MANAGER**

**SUBJECT: PROPOSED RESOLUTIONS CONCERNING CHANGING JOB
DESCRIPTIONS FOR WASTEWATER LEADMAN AND WATER
LEADMAN AND RELATED PAYPLAN CHANGE**

DATE: DECEMBER 5TH, 2016

Background:

Last year when we began the Sewer Pump Project, as well as through the water plant pilot plant study and the 2016 water crisis, it became apparent that both the Wastewater Treatment Operator Lead and the Water Treatment Operator Lead positions required re-evaluation based on the level of work currently performed by the two incumbents in these positions.

Amber Al-Haddad, our Public Works Director, approached me and explained that both of these positions currently report to the Public Works Foreman and then any communications go on to the Public Works Director. It is evident; however, that the qualifications and job duties of the two positions, necessary to these divisions within Public Works, are similar to those typically required for a supervisory lead position, which would report directly to the Public Works Director.

When these positions were last classified, the primary duties and responsibilities involved operating the treatment facilities, maintaining adjustments and repairs of equipment. All of the duties that were originally assigned are still being performed by these positions, however based on the departmental organization, staffing levels, and the demands of each division, both of these positions have evolved and are currently being performed with a higher level of complexity and degree of involvement, and the independence of action has increased.

Because of this discussion and the direction we want to go with these positions, the increase in responsibilities and related pay increase was budgeted in the current year's budget. During this last year with some of the union negotiations and related legal actions, we may have been reluctant to bring this forward earlier, but it needs to be done so that the important water issues moving forward gives these positions more responsibility and direct access to the Public Works Director.

Based on the logical assumption of higher level duties and in comparison to the pay grade for a supervisory level position, the re-grading of the incumbents are warranted at this time. It is recommended that the new job descriptions of both Lead positions be reclassified in the City and Borough of Wrangell's Union Pay Plan at the Grade 23.

Due to the changes of the Water Lead and Wastewater Lead positions, the Wastewater/Water Treatment Operator position will also change in order to maintain similar job related language

which was added to the new Lead positions, and the Operator position will now report to the Lead positions at each treatment plant. The Operator position remains at its current pay grade.

Both the Public Works Director and the Borough Manager support the job description changes and related pay grade increase for the new duties of the Lead positions.

Each of the new job descriptions also required concurrence from the IBEW Union before proceeding to the Borough Assembly for approval. The three job descriptions submitted herein for Assembly approval have been developed in coordination with the incumbents and their IBEW Union representative.

Currently there are no other in-house staff that are qualified and/or have the experience and/or certifications to hold the positions of the incumbents.

Recommended Motion:

Move to approve Resolution Number _____ which adopts a new job description for the position of Wastewater Treatment Operator Lead / Water Treatment Operator Lead.

CITY AND BOROUGH OF WRANGELL, ALASKA

RESOLUTION NO. 12-16-1358

A RESOLUTION OF THE ASSEMBLY OF THE CITY AND
BOROUGH OF WRANGELL, ALASKA PROVIDING FOR A
CHANGE IN THE PAY PLAN OF THE CITY'S PERSONNEL
SYSTEM AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City and Borough of Wrangell, Alaska is revising all of our job descriptions for the purpose of bringing them into compliance with various legal requirements; and

WHEREAS, the City evaluated certain job descriptions and revised the Water Treatment Operator Lead and the Wastewater Treatment Operator Lead to allow for more responsibility; and

WHEREAS, the City determined that the revised Water Treatment Operator Lead and the Wastewater Treatment Operator Lead needed to be moved up on the Pay Scale; and

WHEREAS, these changes affect the job titles and the rate of pay employees are paid.

NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, that:

Section 1: The Pay Plan will change for the following union employees:

1. Water Treatment Operator Lead (was: Water Treatment Leadman)
2. Wastewater Treatment Operator Lead (was: Wastewater Treatment Leadman)

Section 2: Effective Date. The Pay Plan reflecting these changes will become effective on July 1, 2016.

Section 3: The attachment Exhibit "A" is the union Pay Plan, which repeals the previous Pay Plan adopted on August 23, 2011 for union employees (Resolution 08-11-1231).

ADOPTED: _____, 2016

David Jack, Mayor

ATTEST: _____
Kim Lane, Borough Clerk

			CITY & BOROUGH OF WRANGELL										Exhibit "A"		Resolution #		<u>01-13-1264</u>			
			Effective February 1, 2013																	
			Union Payplan																	
Grade/Step			<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>8</u>	<u>9</u>	<u>10</u>	<u>11</u>	<u>12</u>	<u>13</u>	<u>14</u>	<u>15</u>	<u>16</u>		
19	Mechanic	Water/Wastewater Treatment Operator	\$ 19.71	\$ 20.29	\$ 20.89	\$ 21.53	\$ 22.17	\$ 22.85	\$ 23.53	\$ 24.00	\$ 24.49	\$ 24.97	\$ 25.46	\$ 25.96	\$ 26.49	\$ 27.01	\$ 27.54	\$ 28.10		
	Maintenance Specialist II/Heavy Equip Operator	Facility Maintenance Specialist	\$ 3,416	\$ 3,517	\$ 3,621	\$ 3,732	\$ 3,843	\$ 3,961	\$ 4,079	\$ 4,160	\$ 4,245	\$ 4,328	\$ 4,413	\$ 4,500	\$ 4,592	\$ 4,682	\$ 4,774	\$ 4,871		
	Marine Service Ctr & Harbor Team Leader	Civic Center Manager	\$ 40,997	\$ 42,203	\$ 43,451	\$ 44,782	\$ 46,114	\$ 47,528	\$ 48,942	\$ 49,920	\$ 50,939	\$ 51,938	\$ 52,957	\$ 53,997	\$ 55,099	\$ 56,181	\$ 57,283	\$ 58,448		
20	Water Treatment Leadman	Maintenance Specialist III/Heavy Equip Operator	\$ 20.66	\$ 21.29	\$ 21.92	\$ 22.57	\$ 23.27	\$ 23.96	\$ 24.69	\$ 25.18	\$ 25.68	\$ 26.21	\$ 26.73	\$ 27.26	\$ 27.81	\$ 28.37	\$ 28.93	\$ 29.51		
	Wastewater Treatment Leadman	Diesel Electric Mechanic	\$ 3,581	\$ 3,690	\$ 3,800	\$ 3,912	\$ 4,034	\$ 4,153	\$ 4,280	\$ 4,365	\$ 4,451	\$ 4,543	\$ 4,633	\$ 4,725	\$ 4,820	\$ 4,918	\$ 5,015	\$ 5,115		
	Mechanic Leadman		\$ 42,973	\$ 44,283	\$ 45,594	\$ 46,946	\$ 48,402	\$ 49,837	\$ 51,355	\$ 52,374	\$ 53,414	\$ 54,517	\$ 55,598	\$ 56,701	\$ 57,845	\$ 59,010	\$ 60,174	\$ 61,381		
21	Police Officer Probationary		\$ 21.50	\$ 22.14	\$ 22.82	\$ 23.50	\$ 24.20	\$ 24.94	\$ 25.68	\$ 26.21	\$ 26.73	\$ 27.26	\$ 27.81	\$ 28.37	\$ 28.93	\$ 29.51	\$ 30.10	\$ 30.69		
			\$ 3,727	\$ 3,838	\$ 3,956	\$ 4,073	\$ 4,195	\$ 4,323	\$ 4,451	\$ 4,543	\$ 4,633	\$ 4,725	\$ 4,820	\$ 4,918	\$ 5,015	\$ 5,115	\$ 5,217	\$ 5,320		
			\$ 44,720	\$ 46,051	\$ 47,466	\$ 48,880	\$ 50,336	\$ 51,875	\$ 53,414	\$ 54,517	\$ 55,598	\$ 56,701	\$ 57,845	\$ 59,010	\$ 60,174	\$ 61,381	\$ 62,608	\$ 63,835		
22			\$ 22.36	\$ 23.04	\$ 23.72	\$ 24.43	\$ 25.16	\$ 25.91	\$ 26.70	\$ 27.24	\$ 27.79	\$ 28.35	\$ 28.91	\$ 29.49	\$ 30.08	\$ 30.67	\$ 31.30	\$ 31.92		
			\$ 3,876	\$ 3,994	\$ 4,112	\$ 4,235	\$ 4,361	\$ 4,491	\$ 4,628	\$ 4,722	\$ 4,817	\$ 4,914	\$ 5,011	\$ 5,112	\$ 5,214	\$ 5,316	\$ 5,425	\$ 5,533		
			\$ 46,509	\$ 47,923	\$ 49,338	\$ 50,814	\$ 52,333	\$ 53,893	\$ 55,536	\$ 56,659	\$ 57,803	\$ 58,968	\$ 60,133	\$ 61,339	\$ 62,566	\$ 63,794	\$ 65,104	\$ 66,394		
23	Public Works Foreman	Water Treatment Operator Lead	\$ 23.29	\$ 23.98	\$ 24.71	\$ 25.44	\$ 26.21	\$ 26.99	\$ 27.79	\$ 28.36	\$ 28.92	\$ 29.50	\$ 30.09	\$ 30.68	\$ 31.31	\$ 31.93	\$ 32.56	\$ 33.22		
	Police Officer	Wastewater Treatment Operator Lead	\$ 4,037	\$ 4,157	\$ 4,283	\$ 4,410	\$ 4,543	\$ 4,678	\$ 4,819	\$ 4,916	\$ 5,013	\$ 5,113	\$ 5,216	\$ 5,318	\$ 5,427	\$ 5,535	\$ 5,644	\$ 5,758		
	Projects Manager		\$ 48,443	\$ 49,878	\$ 51,397	\$ 52,915	\$ 54,517	\$ 56,139	\$ 57,824	\$ 58,989	\$ 60,154	\$ 61,360	\$ 62,587	\$ 63,814	\$ 65,125	\$ 66,414	\$ 67,725	\$ 69,098		
24	Library Director	Fire Chief	\$ 24.25	\$ 24.99	\$ 25.73	\$ 26.51	\$ 27.30	\$ 28.13	\$ 28.96	\$ 29.55	\$ 30.13	\$ 30.73	\$ 31.36	\$ 31.98	\$ 32.61	\$ 33.27	\$ 33.93	\$ 34.62		
	Park and Recreation Director		\$ 4,203	\$ 4,332	\$ 4,460	\$ 4,595	\$ 4,732	\$ 4,876	\$ 5,020	\$ 5,122	\$ 5,223	\$ 5,327	\$ 5,436	\$ 5,543	\$ 5,652	\$ 5,767	\$ 5,881	\$ 6,001		
	Museum Director/Curator		\$ 50,440	\$ 51,979	\$ 53,518	\$ 55,141	\$ 56,784	\$ 58,510	\$ 60,237	\$ 61,464	\$ 62,670	\$ 63,918	\$ 65,229	\$ 66,518	\$ 67,829	\$ 69,202	\$ 70,574	\$ 72,010		

Agenda Item 13e

CITY & BOROUGH OF WRANGELL

BOROUGH ASSEMBLY AGENDA ITEM December 13, 2016

INFORMATION:

Approval to sell the Belt Freezer and Land to Trident Seafoods (Public Hearing Item)

Attachments:

1. Memo from Manager Jabusch
2. Memo (approval) from the Port Commission
3. Memo (approval) from the Planning & Zoning commission

RECOMMENDED ACTION:

Move to approve the sale of the Belt Freezer, including the lot that it is on to Trident Seafoods for the appraised price of \$950,000 for economic development purposes, as allowed in WMC 16.12.012.

MEMORANDUM

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

FROM: JEFF JABUSCH, BOROUGH MANAGER

**SUBJECT: SALE OF THE BOROUGH'S BELT FREEZER AND RELATED LAND
TO TRIDENT SEAFOODS**

History and Background:

The Belt Freezer building was built in the mid-2000's with the assistance of a state grant and with some city funds. The purpose of the grant and the building was to help enhance the seafood industry. Once it was built, the facility was leased first to Wrangell Fisheries and now to Trident Seafoods. Over the last few years the facility has been used less and less for its original purpose because Trident has more efficient ways to freeze product within their own plant.

In June of 2016, Trident Seafoods presented an offer to the borough to purchase the facility at the appraisal price of \$950,000. We had a review of the independent appraisal by our own assessor and we also had the opportunity to ask the appraiser questions about the appraisal. Staff feels satisfied that we have done our due diligence and that the appraisal price is the fair market price. The Assembly authorized the borough manager to proceed with the process to sell the property to Trident Seafoods.

The Borough receives about \$15,000 per year on the current lease. The continued purpose of the facility if sold would be to enhance the Seafood industry as per the original grant. The granting agency does not have any objections about this proposed sale. The funds, if sold, would likely go to other economic development projects, although that would be for a later discussion by the assembly. In order to sell the property to Trident Seafoods without a public bid process, we are required to adhere to Wrangell Municipal Code 16.12.012. This is titled "Disposition of real property for economic purposes". Per this section, the sale directly to Trident is allowed if the value of the land is less than \$1,000,000.

Section D of this section requires that the request be sent to the Planning and Zoning Commission, the Port Commission and the Economic Development Committee for their comments and recommendations that will then be forwarded on to the Borough Assembly for the final determination. The Borough Assembly is required to have a public hearing where all comments and public testimony is heard. Following the hearing, the assembly will decide if the sale of this property to Trident Seafoods is in the best interest of the borough. The Borough Assembly will consider the items in 1612.012 (B) below and the various comments from the boards and the public to make this decision.

16.12.012 Disposition of real property for economic development purposes.

A. In the exercise of the borough's economic development powers, the assembly may determine, in its sole discretion, that it is in the best interest of the borough to dispose of borough-owned real property, including tidelands, or any interest therein, which interest has a value of \$1,000,000 or less (as determined by the borough assessor or a qualified appraiser), without requests for proposals or sealed bid procedures and at less than fair market value.

B. In determining the best interests of the borough under this section, the assembly may consider any relevant factors, which may include:

- 1. The desirability of the economic development project;*
- 2. The actual or potential economic benefits to the borough, its economy and other businesses within the borough;*
- 3. The contribution of the proponent to the economic development project in terms of money, labor, innovation, expertise, experience and otherwise;*
- 4. The business needs of the proponent of the project in terms of integration into existing facilities and operations, stability in business planning, business commitments, and marketing;*
- 5. Actual or potential local employment due to the economic development project;*
- 6. Actual and potential enhancement of tax and other revenues to the borough related to the project; and*
- 7. Existing and reasonably foreseeable land use patterns and ownership.*

C. Prior to disposal under subsection (A) of this section, the assembly shall hold a public hearing. The borough clerk shall publish notice of the public hearing in a newspaper of general circulation in the borough at least 14 days prior to the hearing. The notice shall include the date, time and place of the hearing, and general or legal description of the real property or interest, and the proposed disposition and its purpose.

D. Following the hearing, and with comments/recommendations from the port commission, the planning and zoning commission, and the economic development committee, the assembly may authorize disposition of the real property or interest therein by resolution.

E. Where the acquisition of the real property or any interest therein or the construction of a permanent improvement has been approved by the voters at an election, the disposition of such property, interest or improvement under this section by sale, trade or lease for a term exceeding five years shall be made only by authority of an ordinance ratified by a majority of the qualified voters of the borough who vote upon the question. For purposes of this subsection, the term of any such lease shall include the terms of all options to extend or renew the lease. The requirements of this subsection do not apply where the voter approval involved was in the form of authorizing the issuance of bonds to finance the acquisition of the real property or any interest therein or the construction of a permanent improvement.

Per the Wrangell Municipal Code 16.12.012, the following boards have considered the question of whether or not the borough should sell the belt freezer to Trident Seafoods for the appraised value of \$950,000 without public bid for economic purposes:

Port Commission:

The Port Commission had no objects to selling the belt freezer building and land with it to Trident Seafoods. A copy of their action is attached.

Planning and Zoning Commission: Planning & Zoning had no objections to selling the belt freezer and land to Trident Seafoods. A copy of their action is attached.

Economic Development Committee:

Due to lack of a quorum, the EDC has not met, but the Ecomonic Director, Carol Rushmore, has provide a write up representing the EDC which is attached.

Recommended Action:

Move to approve the sale of the Belt Freezer, including the lot that it is on to Trident Seafoods for the appraised price of \$950,000 for economic development purposes as allowed in 16.12.012.

Wrangell Port Commission

Memo

To: City and Borough of Wrangell Assembly

From: Sherri Cowan, Recording Secretary

Date: 11-09-16

Re: Sale of the Borough's Belt Freezer Building to Trident Seafoods

The Port Meeting held November 09, 2016, made this Motion.

Martin makes the motion to recommend the sale of the Borough's Belt Freezer Building to Trident Seafoods.

Motion 2nd-Morrison

Amended Motion- Martin makes the motion to recommend the sale of the Borough's Belt Freezer Building and real properties to Trident Seafoods.

Motion 2nd-Morrison

Amended Motion-Poll Vote-Unanimous Approved and Passed

Main Motion-Poll Vote-Unanimous Approved and Passed

City and Borough of Wrangell, Alaska

Date: December 8, 2016

To: Borough Assembly

From: Carol Rushmore, Economic Development Director

Cc: Planning and Zoning Commission

Re: Request from Trident Corporation to purchase the belt freezer property and building

The Planning and Zoning Commission, at their regular meeting of December 8, 2016 unanimously recommended to sell the belt freezer facility and land to Trident Seafoods Corporation.

Agenda Item 13 f

CITY & BOROUGH OF WRANGELL

BOROUGH ASSEMBLY AGENDA ITEM December 13, 2016

INFORMATION:

Approval of a second amendment to the Professional Services Agreement between the City and Ray Matiashowski for lobby services

Attachments:

1. Memo from Manager Jabusch
2. Proposed 2nd Amendment to the Contract
3. Original Professional Services Contract (2014)

RECOMMENDED ACTION:

Move to approve a second amendment (1 year extension) to the Professional Services Contract for Lobbying Services with Ray Matiashowski & Associates, not to exceed \$36,000, with funds to come from the General Fund Reserve and for the extended period to expire on October 31, 2017, as allowed on the Professional Services Contract dated November 25, 2014.

MEMORANDUM

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

**FROM: JEFF JABUSCH
BOROUGH MANAGER**

**SUBJECT: RAY MATIASHOWSKI PROFESSIONAL SERVICES AGREEMENT
RENEWAL FOR LOBBYING SERVICES**

DATE: DECEMBER 5TH, 2016

Background:

Last year the borough put out an RFP for Lobbying Services and Ray Matiashowski was selected. During the last year all of our staff has been more than satisfied with the work and representation Ray has given us in Juneau with the legislature and the State of Alaska. I have not heard of any negative comments and he is constantly checking in with myself and staff members to be sure we are up to date on issues that may need our attention. From what I can gather, he has a good reputation with both our legislative representatives, other legislators outside our district and State of Alaska staff.

This year we have several important issues that are pending that will need constant monitoring. The largest one may be the funding of the harbor matching grant program. Currently he has been working with Representative Ortiz and the Governor's office to be sure the five million budgeted last year is again budgeted for this program. If it is included in the Governor's budget, it has a better chance of surviving the legislature. If it isn't included it has almost no chance. The second issue is the Evergreen Road project. I have had several phone conversations with both Senator Stedman's office and Ray to be sure the Project doesn't get delayed another year. We keep checking in with DOT/PF so Ray's efforts on this project are also important. I am sure there are going to be a host of other issues this year as legislators try and bridge the deficit gap. This means our interests will need to be supported in Juneau more than ever.

I would encourage the assembly to renew Mr. Matiashowski's contract for another year. The contract is included in the current year's budget which goes into next June and we plan to include it in next year's budget during the budget process.

Recommended Action:

Move to approve a one year contract extension for Lobbying Services to Ray Matiashowski in the amount of \$36,000.

Second Amendment to the Professional Services Contract

THIS SECOND AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT is entered into between the City and Borough of Wrangell (CBW), PO Box 531, Wrangell, AK 99929, and Ray Matiashowski & Associates (RM&A), PO Box 24034, Douglas, AK 99824, on this ____ day of December, 2016.

Recitals

- A. CBW has a need of professional lobbying services, and
- B. RM&A offers expertise and knowledge in socio-political and government matters in the State of Alaska, and
- C. CBW desires to make a continued use of RM&A's services in these areas and engage RM&A to render these services, and
- D. RM&A desires to perform these services based on the terms and conditions hereinafter set forth:

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

1. Term of Contract . The term of this Professional Services Contract shall commence the 1st day of November, 2016 and end on the 31st day of October, 2017. This is the second of three allowable extensions to the contract.

All other terms and conditions for this agreement are contained in the attached prior Professional Services Contract.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by their duly authorized representatives signing below.

OWNER:

City and Borough of Wrangell

By: _____

Jeff Jabusch
Borough Manager

ATTEST:

Kim Lane, MMC, Borough Clerk

CONTRACTOR:

RAY MATIASHOWSKI & ASSOCIATES

By: _____
Ray Matiashowski

Attachment: PSA, dated November 25, 2014

PROFESSIONAL SERVICES CONTRACT

THIS PROFESSIONAL SERVICES AGREEMENT is entered into between the City and Borough of Wrangell (CBW), PO Box 531, Wrangell, AK 99929, and Ray Matiashowski & Associates (RM&A), PO Box 240345, Douglas, AK 99824, on this 25th day of November, 2014.

Recitals

- A. CBW has a need of professional lobbying services, and
- B. RM&A offers expertise and knowledge in socio-political and government matters in the State of Alaska, and
- C. CBW desires to make a continued use of RM&A's services in these areas and engage RM&A to render these services, and
- D. RM&A desires to perform these services based on the terms and conditions hereinafter set forth:

Therefore, in consideration of the mutual terms and conditions set forth below, the parties agree as follows:

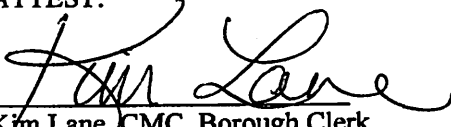
1. Term of Contract: CBW employs RM&A for State of Alaska consultative, legislative and administrative lobbying activities for the term of one year beginning on November 1st of 2014 through October 31th of 2015. The CBW may extend the contract by mutual consent of both parties for up to three one year terms.
2. Compensation: CBW shall pay RM&A \$36,000 for its services as follows: \$3,000 each month for the term of this agreement. Payment shall be made to RM&A upon presentation of an appropriate invoice. Included in each monthly invoice shall be billings for any travel and other incidental costs which are in addition to the base monthly amount: local transportation, photocopying, long distance telephone charges, overnight mail and postage. Any travel outside the Juneau metropolitan area, including meals, lodging and plane fare, shall be billed to CBW. Such travel shall not be taken unless authorized by CBW.
3. Deliverables:
 - A. Meet with CBW staff and assembly once a year in the fall to talk about the upcoming legislative session, the CBW's capital list and other issues that relate to the legislature and the borough's goals.
 - B. Provide e-mail or verbal communication to the Borough Manager or other appropriate staff during the legislative session to update and notify of pending items of interest to CBW.
 - C. Communicate and advise when it would be appropriate for the Mayor, Manager or other staff members to come to Juneau to talk to our representative or senator and to provide testimony when necessary.
 - D. If a conflict arises about the lobbying effort with another client that would not be in the best interest of CBW, RM&A is required to notify the Borough Manager immediately to discuss the issue and come up with a solution.
 - E. Provide the CBW with suggestions on how we can improve our lobbying effort so we are more effective.
 - F. At the end of the session provide the CBW with a written summary report of various bills that may affect the CBW. This report is due by July 1, 2014.
4. Termination: This agreement shall remain in full force and effect for the term herein specified unless terminated or annulled by either party upon thirty days' notice in writing.

5. No assignability: This agreement is purely and solely with RM&A. RM&A shall have no right to assign, transfer, pledge or otherwise affect the agreement, nor any interest thereunder, nor any of the monies due or to become due by reason of the terms therein.
6. Waivers, Modification, or Alterations: Any waiver or modification of any of the provisions of this agreement or the terminations thereof, shall be in writing and signed by both parties.
7. Venue: This agreement shall be governed by the laws of the State of Alaska.
8. Independent Contractor: Neither this agreement, nor anything contained herein, shall be construed to extend to RM&A the right to act as agent for CBW or to grant to RM&A any power of attorney, whether actual, or apparent, or implied. RM&A shall remain throughout the performance of this agreement as an independent contractor.

CBW employs RM&A for State of Alaska consultative, legislative and administrative lobbying activities and to advise management on all matters as defined by mutual agreement to render such services pertinent thereto in accordance with such instructions as may from time to time be given by CBW. RM&A shall report and be responsible to the CBW. RM&A shall devote its best effort and such time as shall be necessary and consistent with the provisions of this agreement. CBW hereby contracts and employs RM&A beginning November 1, 2014 and ending October 31, 2015 unless extended or shortened by mutual consent.

WHEREFORE the parties have entered into this agreement the date and year first above written.

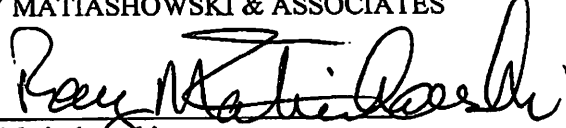
ATTEST:


Kim Lane, CMC, Borough Clerk

OWNER:
City and Borough of Wrangell

By: 
Jeff Jabusch
Borough Manager

CONTRACTOR:
RAY MATIASHOWSKI & ASSOCIATES

By: 
Ray Matiashowski

Agenda Item 13g

CITY & BOROUGH OF WRANGELL

BOROUGH ASSEMBLY AGENDA ITEM December 13, 2016

INFORMATION:

Approval to send a letter to the UA Board of Regents and President James Johnsen in support of the UAS School of Education (Added at the request of Mayor Jack)

Attachments:

1. Information from SE Conference

RECOMMENDED ACTION:

Move to approve sending a letter to the UA Board of Regents and to President Johnsen in support of the UAS School of Education.



November 29, 2016

Jyotsna Heckman, Chair
Board of Regents
University of Alaska
P.O. Box 74434
Fairbanks, AK 99707

RE: Consolidation of the School of Education

Dear Ms. Heckman;

One of the shining stars for Southeast Alaska is the three University of Alaska Southeast campuses. The direct economic contribution each campus provides for the region is very important. Total budget of about \$55 million with payroll of \$36 million across its' three campuses is in itself an important piece of our economy, not to mention all the other financial influences UAS provides. The loss of these dollars would have a grave effect on Southeast Alaska. Currently UAS Education students pay about \$2.8M annually for tuition and fees. Changing the lead university to UAF could mean the loss of these dollars here in SE Alaska.

One of the challenges our region faces is recruiting qualified teachers that are willing to live the lifestyle of a small community. UAS gives the people of Southeast the opportunity to live and learn at home. If we can educate our own we will have home grown teachers that understand and appreciate the lifestyle. That gives our young people the incentive to succeed.

Southeast Conference is a regional development organization whose mission is to build a strong economy and healthy communities while maintaining a quality environment. This mission requires us to support and encourage a home grown workforce. We are always looking for ways to give our communities opportunities to work and play right here in Southeast Alaska. UAS has the longest sustained program for educating Alaska Native teachers and administrators—PITAAS (Preparing Indigenous Teachers and Administrators for Alaska's Schools). Over the past five years, UAS graduated 159 Alaska Native educators versus 62 at UAF and 32 at UAA. In the same time period, UAS educated 27 newly certified Alaska Native teachers versus 17 at UAF. Juneau School District reports that 48% of new teacher hires recently came from UAS. This is up significantly in recent years. Overall, 48% of all certified staff historically have come from elsewhere; recent hires show a strong uptick in UAS hires.

The focus of your strategic pathways is to reduce unnecessary redundancy to more cost effectively meet the state's higher education needs by focusing each university on its unique strengths. It is our opinion that one of the unique strength of UAS is the teacher

education program. The UAS Education program produced 80% more graduates annually than UAF in the past six years—198 on average versus 108 at UAF. The overall cost for educating a UAS student (full time equivalent) is two-thirds of that at UAF—about \$22,000 at UAS vs over \$33,000 at UAF. UAS is efficient in producing quality teachers. It produced 15 graduates for every full time faculty member versus 8 graduates/faculty at UAA and 5 at UAF. If the goal is to provide a great program for teacher education your better choice is UAS.

We at Southeast Conference ask you to strongly consider keeping UAS as the lead university for Teacher Education.

Sincerely

A handwritten signature in cursive script that reads "Shelly Wright".

Shelly Wright
Executive Director



612 W. Willoughby Ave., Suite B
P.O. Box 21989, Juneau, AK 99802
Phone (907) 586-4360
www.seconference.org
Email info@seconference.org

SOUTHEAST ALASKA REGIONAL DEVELOPMENT ORGANIZATION

November 29, 2016

Jyotsna Heckman, Chair
Board of Regents
University of Alaska
P.O. Box 74434
Fairbanks, AK 99707

RE: Consolidation of the School of Education

Dear Ms. Heckman;

One of the shining stars for Southeast Alaska is the three University of Alaska Southeast campuses. The direct economic contribution each campus provides for the region is very important. Total budget of about \$55 million with payroll of \$36 million across its' three campuses is in itself an important piece of our economy, not to mention all the other financial influences UAS provides. The loss of these dollars would have a grave effect on Southeast Alaska. Currently UAS Education students pay about \$2.8M annually for tuition and fees. Changing the lead university to UAF could mean the loss of these dollars here in SE Alaska.

One of the challenges our region faces is recruiting qualified teachers that are willing to live the lifestyle of a small community. UAS gives the people of Southeast the opportunity to live and learn at home. If we can educate our own we will have home grown teachers that understand and appreciate the lifestyle. That gives our young people the incentive to succeed.

Southeast Conference is a regional development organization whose mission is to build a strong economy and healthy communities while maintaining a quality environment. This mission requires us to support and encourage a home grown workforce. We are always looking for ways to give our communities opportunities to work and play right here in Southeast Alaska. UAS has the longest sustained program for educating Alaska Native teachers and administrators—PITAAS (Preparing Indigenous Teachers and Administrators for Alaska's Schools). Over the past five years, UAS graduated 159 Alaska Native educators versus 62 at UAF and 32 at UAA. In the same time period, UAS educated 27 newly certified Alaska Native teachers versus 17 at UAF. Juneau School District reports that 48% of new teacher hires recently came from UAS. This is up significantly in recent years. Overall, 48% of all certified staff historically have come from elsewhere; recent hires show a strong uptick in UAS hires.

The focus of your strategic pathways is to reduce unnecessary redundancy to more cost effectively meet the state's higher education needs by focusing each university on its unique strengths. It is our opinion that one of the unique strength of UAS is the teacher

education program. The UAS Education program produced 80% more graduates annually than UAF in the past six years—198 on average versus 108 at UAF. The overall cost for educating a UAS student (full time equivalent) is two-thirds of that at UAF—about \$22,000 at UAS vs over \$33,000 at UAF. UAS is efficient in producing quality teachers. It produced 15 graduates for every full time faculty member versus 8 graduates/faculty at UAA and 5 at UAF. If the goal is to provide a great program for teacher education your better choice is UAS.

We at Southeast Conference ask you to strongly consider keeping UAS as the lead university for Teacher Education.

Sincerely

A handwritten signature in cursive script that reads "Shelly Wright".

Shelly Wright
Executive Director

Agenda Item 13h

CITY & BOROUGH OF WRANGELL

BOROUGH ASSEMBLY AGENDA ITEM December 13, 2016

INFORMATION:

Approval to select the Memorial Cemetery as the site for an expansion for cemetery services

Attachments:

1. Memo from Manager Jabusch
2. Map (aerial) of the area

RECOMMENDED ACTION:

Move to approve the expansion of the Memorial Cemetery as the new site for the needed cemetery expansion and for staff to begin the process of developing a cost for this new site, to be brought back to the assembly for consideration.

MEMORANDUM

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

**FROM: JEFF JABUSCH
BOROUGH MANAGER**

**SUBJECT: SELECTION OF MEMORIAL CEMETERY AS THE SITE FOR AN
EXPANSION FOR CEMETERY SERVICES**

DATE: DECEMBER 5TH, 2016

Background:

Staff has looked at the various sites previously brought to the assembly and although none of the sites looked at are not without their challenges, the expansion of the Memorial Cemetery (old cemetery) seems to make the most sense for a lot of reasons. The expansion would include the community garden area. At one time most of this area was the beach. Later it was filled with a variety of stumps and other materials before being capped with dirt and gravel material. We believe the majority of this will need to be removed and then new material be brought in. We will need to have the area surveyed which will include plots, roadways, some parking, etc. There is already some parking available, it is close to town, it is without trees and other overburden and it is thought that some of the material can be dug up and then be reused if it is suitable. It's likely the cheapest of the other sites looked at. It is my understanding that after the dirt work is completed, it will need to sit for some time giving it time to compact prior to using it for graves. To date, there are only 18 sites available in the Sunset Gardens Cemetery. We have not sold any plots in the Memorial Garden's Cemetery since there are many unmarked graves there. Given this information, it is important this process moves along.

We don't have a price tag, but if the assembly agrees with our selection we plan to proceed with some estimates and then come back to the assembly to begin this in a phased approach.

The other sites considered were the following areas:

1. Down the Spur Road on the right side just past the road that goes back to the volunteer park. This is mostly muskeg and would be just as costly or more so and would be adjacent to recreational sites. Probably not the best match.
2. Expansion of the new cemetery. This goes up the hill and the challenges would be removing all the trees, materials and overburden and then having to put material back. Unsure of potential rock issues. Likely to also be more costly.
3. The area across from Shoemaker Bay Harbor. There is a road there that accesses the dog pound. The cemetery site would be adjacent to the road. Would again have to remove the trees, clear the overburden and replace with dirt. We would also have to develop parking here. The other thought was that it is a fair distance from town and that probably is not that desirable if there are other choices.

Recommended Action:

Move to approve expansion of the Memorial Cemetery as the new site for the needed cemetery expansion and for staff to begin the process of developing a cost for this new site to be brought back to the assembly for consideration.

CITY OF WRANGELL, ALASKA

13h-2



1 inch = 123.903509 feet
Date: 8/18/2016

Public Map

DISCLAIMER: THESE MAPS ARE FOR PLANNING PURPOSES ONLY.
PROPERTY LINES ARE APPROXIMATE.



Agenda Item 13i

CITY & BOROUGH OF WRANGELL

BOROUGH ASSEMBLY AGENDA ITEM December 13, 2016

INFORMATION:

Approval of CRW Engineer's Fee proposal for an Amendment to the Preliminary Engineering Report for the Water Treatment Plant Improvements Project

Attachments:

1. Memo from Amber Al-Haddad
2. Fee Proposal from CRW Engineering

RECOMMENDED ACTION:

Move to approve a contract amendment to CRW Engineering Group for development of an Environmental Review, as part of the Preliminary Engineering Report, for the Water Treatment Plant Improvement project in an amount not to exceed \$20,708. Project costs will be paid from Water Fund Revenues.

MEMORANDUM

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

FROM: AMBER AL-HADDAD, PUBLIC WORKS DIRECTOR

**SUBJECT: APPROVAL OF CRW ENGINEER'S FEE PROPOSAL FOR AN
AMENDMENT TO THE PRELIMINARY ENGINEERING REPORT FOR
WATER TREATMENT PLANT IMPROVEMENTS PROJECT.**

DATE: December 8, 2016

BACKGROUND:

The City and Borough of Wrangell is under contract with CRW Engineers to provide for the development of a Preliminary Engineering Report for a Water Treatment Plant Improvement project. As part of the USDA/RD program's requirements for the Preliminary Engineering Report (PER), an Environmental Review (ER) is also required; however, at the beginning of the PER project, we did not know what level of ER would be required until after project development began and regulatory agencies had an opportunity to review the proposed project and its impacts to the environment. Therefore, the ER was not made a part of CRW's contract at that time.

The proposed project has now been reviewed by the State Historical Preservation Office, the U.S. Army Corps of Engineers, the USDA/RD program staff and other consulting parties. Based on these agencies' reviews, USDA/RD has determined that we will be required to perform an Environmental Assessment, instead of a Categorical Exclusion; therefore, additional environmental services are required. Based on the US Army Corps of Engineer's review, however, a wetland delineation will not be required as they have determined that the area of potential affect does not contain wetlands.

CRW initially prepared a cost estimate for additional environmental services, including a wetland delineation, in the event the design analysis led to the need for further environmental analysis work and wetland delineation. That cost estimate was estimated as a T&M, not to exceed price of \$39,993. Based on the current requirement for the EA, including the elimination of the wetland delineation, CRW has reduced their T&M, not to exceed, proposal to \$20,708.

To finalize the required Preliminary Report and Environmental Review, making us eligible for application to the USDA/RD program for Water Treatment Plant Improvements project funding, this EA is required.

Since grant funds for the Water Treatment Pilot Study project are fully expended, all costs associated with the preparation of the Environmental Assessment (EA) would be covered by Water Fund Revenues.

RECOMMENDATION:

Staff recommends the Assembly approve a contract amendment to CRW Engineering Group for development of an Environmental Review, as part of the Preliminary Engineering Report, for the Water Treatment Plant Improvement project in an amount not to exceed \$20,708. Project costs will be paid from Water Fund Revenues.

ATTACHMENTS:

1. CRW Engineers' 11-22-16 revised fee proposal for a revised Environmental Review scope of work.

City & Borough of Wrangell
Water Treatment Improvements PER and ER
Fee Estimate
Sept 2016

	Footnotes	Principal	Project Manager	Senior Engineer	Project Engineer	Staff Engineer	Technician III	Clerical Staff	Total CRW Labor	Subnotes	Subconsultant Expenses	Misc. CRW Expenses	Task Totals
TASK	1	\$190	\$175	\$175	\$155	\$135	\$115	\$75			Cost x 1.10	Cost x 1.10	
D. ADDITIONAL SERVICES (ADDER- T&M, NTE)	5												
1 Project Management and Coordination		1	2		8		4	2	\$690				\$690
2 Environmental Report			6						\$2,750	b	\$17,268		\$20,018
Subtotal Task C:		1	8	0	8	0	4	2	n/a		n/a	n/a	
Total Costs:		\$190	\$1,400	\$0	\$1,240	\$0	\$460	\$150	\$3,440		\$17,268	\$0	\$20,708

Additional Services T&M, NTE Fee Amount: \$20,708

Footnotes:

- 1 Year 2016 standard rates are assumed for CRW labor.
- 2 Teleconference held between CBW in Wrangell and CRW's team in Anchorage.
- 3 Alternatives considered for PER will be limited to the five covered in the CBW Desktop Assessment Report plus a do-nothing alternative.
- 4 Categorical Exclusion level of effort per USDA-RD Instruction 1970.54.
- 5 Environmantal Report level of effort per USDA RUS Bulletin 1794A-602.

Subnotes:

- a See Attachment 1, Solstice Alaska Consulting fee proposal for **categorical exclusion** effort.
- b See Attachment 2, Solstice Alaska Consulting fee proposal for **environmental report** effort. The amount reflected here is only the additional cost above the amount estimated in Attachment 1.

Jon Hermon

From: Robin Reich <robin@solsticeak.com>
Sent: Thursday, November 17, 2016 4:36 PM
To: Jon Hermon
Subject: Wrangell EA Cost
Attachments: WrangelWaterEABudget11172016.pdf

Jon-

Here is an updated budget for doing an EA. I've made some changes to the original budget, including:
The actual cost of the CRC's (cultural resources) work is in the cost (we invoiced this amount last month)

- I've deleted the wetlands work and newspaper advertisement costs
- I'm moved most of the time to me. Because of the expedited timeframe, I need to fit this into my schedule, instead of Olivia's.
- I reduced the total cost of the EA by about \$2,000.

Please note that Solstice's current contract doesn't include permitting (\$3,800). This cost assessment does. If you want to compare costs. The current contract for a CE-ER is \$7,300. The EA (proposed here) costs \$11,858 (about \$4,600 more).

Below is a summary of our request:

New EA and Permitting Budget	\$ 15,698.00
Previous LOA Amount	\$ 7,300.00
Requested Amendment Amount	\$ 8,398.00
Previously Invoiced (Oct)	\$ 3,770.25
Assuming Amendment, New LOA amount remaining	\$ 11,927.75



New Requested Fee for
Solstice Alaska

Let me know if you have more needs.

Robin Reich, President
Environmental Planner

Solstice Alaska Consulting, Inc.
2607 Fairbanks St. #B
Anchorage, AK 99503
907.929.5960
Cell: 907.903.0597



www.solsticeak.com

Solstice Alaska Consulting, Inc.				PROJECT TITLE: WRG WTP Improvements							
				TASK DESCRIPTION: EA and Permitting							
METHOD OF PAYMENT: T&E				PREPARED BY: Reich							
SUB-TASK DESCRIPTION	LABOR HOURS			SUBCONSULTANTS			INDIRECT COSTS			Indirect Subtotal	Task Total
	R. Reich	O. Cohn	Labor Subtotal	CRC	Wetlands		News Ad				
Task 1. Environmental Report											
1. Purpose and Need											
1.1 Project Description	8	0	\$ 960							\$ -	\$ 960
1.2 Purpose and Need	8	0	\$ 960							\$ -	\$ 960
2.0 Alternatives	12	0	\$ 1,440							\$ -	\$ 1,440
3.0 Affect Env/Env Consequences	50	0	\$ 6,000	\$513						\$ 513	\$ 6,513
4.0 Summary of Mitigation	6	0	\$ 720							\$ -	\$ 720
5.0 Correspondance and Coordination	3	0	\$ 360							\$ -	\$ 360
6.0 Exhibits	1	8	\$ 760							\$ -	\$ 760
7.0 Lists of Preparers	1	0	\$ 120							\$ -	\$ 120
Task 2. Permit Acquisition	12	30	\$ 3,840								\$ 3,840
TOTAL LABOR HOURS	101	38	139								\$ 15,673
LABOR RATES (\$/HR)	\$120.00	\$80.00						5% markup on subs and indirect			\$ 26
LABOR COSTS (\$)	\$12,120	\$3,040	\$15,160								\$ 15,698

Assumptions:

The following points are assumed for this project. If the assumptions change, Solstice may require a change in scope and budget to complete the project.

- No NEPA compliance would be required for a material site, or any other activities not directly related to the project.
- No wetlands or cultural resources fieldwork.
- Public meetings or other public involvement activities are not included in this scope.
- A routine environmental documentation processes is assumed. Addressing substantial controversy and/or detailed agency negotiations, including formal National Historic Preservation Act consultation or Endangered Species, would be done as additional services.
- Engineering support or design-related issues/questions encountered through the process will be addressed by CRW.
- CRW will provide drawings as required for the ER This may include, but is not limited to, a vicinity map, plan view of the entire project, and typical cross sections.
- The project will be authorized under a Nationwide Army Corps of Engineers permit; no Individual Permit application will be required.

New Requested Fee Amount for
Solstice AK

Agenda Item 14

CITY & BOROUGH OF WRANGELL

**BOROUGH ASSEMBLY
AGENDA ITEM
December 13, 2016**

INFORMATION:

ATTORNEY'S FILE – None

Agenda Item 15

CITY & BOROUGH OF WRANGELL

**BOROUGH ASSEMBLY
AGENDA ITEM
December 13, 2016**

Executive Session – None.