



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

**Tuesday, October 10, 2017  
7:00 p.m.**

**Location: Assembly Chambers, City Hall**

**1. CALL TO ORDER**

- a. PLEDGE OF ALLEGIANCE led by Assembly Member David Powell
- b. INVOCATION to be given by Nettie Covalt of the Presbyterian Church
- c. CEREMONIAL MATTERS – *Community Presentations, Proclamations, Certificates of Service, Guest Introduction*
  - i. Presentation of a Plaque from Southeast Conference – Wrangell “Community of the Year Award”
  - ii. Dan Neumeister, Chief Operating Officer, SEARHC – Update

***Take a 5-10 minute break to eat cake, in celebration of our Community of the Year Award!***

**2. ROLL CALL**

**3. AMENDMENTS TO THE AGENDA**

**4. CONFLICT OF INTEREST**

**5. CONSENT AGENDA**

- a. Item (\*) 6a, 7a through 7f

**6. APPROVAL OF MINUTES**

- a. Borough Assembly Minutes: Regular Assembly meeting held September 26, 2017

**7. COMMUNICATIONS**

- a. POA-1999-377, Burnett Inlet - Application to the US Army Corps from Bret Hiatt
- b. NRC – Weekly Project Status Update Report (Wrg. Solid Waste Monofill)
- c. School Board Minutes: Regular – August 21, 2017; Special – September 11, 2017
- d. State of Alaska DCCED – FY18 Community Assistance Supplemental Payment
- e. State of Alaska ADEC – Soil Disposal Alternatives for the Wrangell Junkyard Cleanup
- f. Federal Lobbyist Status Report

**8. BOROUGH MANAGER’S REPORT**

- Water Treatment System Update (report)
- Evergreen (lot next to Ferry Terminal sold – issue)
- Nuisance Burning
- Scrap Steel Recycling Update
- Goals (To be distributed to the Assembly at the meeting for future review)

- Public Safety Building Update

**9. BOROUGH CLERK'S FILE**

- Upcoming Changes to Section 3.05 of the WMC

**10. MAYOR/ASSEMBLY REPORTS AND APPOINTMENTS**

- a. Reports by Assembly Members
- b. City Board and Committee Annual Appointments
- c. Prior Vacant City Boards and Committee Appointments
- d. Appoint Vice-Mayor

**11. PERSONS TO BE HEARD**

**12. UNFINISHED BUSINESS**

- a. Approval of Community Development Block Grant Application Project Selection

**13. NEW BUSINESS**

- a. Approval of Revised Funding Source for Amendment #2 to Professional Services Agreement with PND Engineers for Shoemaker Bay Harbor Additional 90% Engineering Design in the Amount of \$51,227
- b. Approval of Amendment #3 to Professional Services Agreement with PND Engineers for Shoemaker Bay Harbor 100% Engineering Design in the Amount of \$122,331
- c. **RESOLUTION No. 10-17-1381:** A RESOLUTION OF THE BOROUGH ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING THE FY 2018 BUDGET BY TRANSFERRING \$9,215 FROM PORTS AND HARBORS RESERVES TO THE PORTS AND HARBOR CAPITAL IMPROVEMENTS EXPENDITURES FOR THE CITY DOCK ELECTRICAL PROJECT
- d. Approval of Change Order #2 to BW Enterprises, LLC for Changed Conditions for the Waterfront Armor Rock – City Dock Project in the Amount of \$50,412.50
- e. **RESOLUTION No. 10-17-1382:** A RESOLUTION OF THE BOROUGH ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING THE FY 2018 BUDGET BY REDUCING PORTS AND HARBORS RESERVES, ENDING BY \$81,692.50 AND INCREASING THE PORTS AND HARBORS CAPITAL IMPROVEMENT EXPENDITURES, ACCOUNT NO. 74010-401-7900, BY \$81,692.50 FOR THE PURPOSE OF PROVIDING FUNDING FOR THE WATERFRONT ARMOR ROCK – CITY DOCK PROJECT
- f. Approval of the Application from the Totem Bar & Liquor Package Store to the Alaska Alcoholic Beverage Control Board, Requesting Approval of a Change in the Floor Plan, Contingent on State Fire Marshal and Wrangell Building Permit Approvals
- g. Approval of the FY18 Wrangell Regional and Community Jail Contract, Amendment #4

- h. Approval of Consent to Assignment of Lease for Financing Purposes for the Facility Lease Agreement for Lot 1, Wrangell Marine Service Center with Don Sorric (*postponed from the Sept. 12<sup>th</sup> Regular Assembly meeting*)
- i. Approval of the Modified Assembly Meeting Calendar for November 2017
- j. Approval of the Letter to Governor Walker regarding Transboundary Waters
- k. Approval of Professional Services Agreement with Shannon & Wilson for Task 1 Dam Tap Alternatives in the Amount of \$25,585
- l. Approval of Professional Services Agreement with CRW Engineering Group, LLC for Final Evaluation of Water Treatment Plant Improvements in the Amount of \$15,750

**14. ATTORNEY'S FILE – None**

**15. EXECUTIVE SESSION - None**

**16. ADJOURNMENT**

# Agenda Items 1 - 6

## CITY & BOROUGH OF WRANGELL

### BOROUGH ASSEMBLY

#### AGENDA ITEM

October 10, 2017

#### **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 led by Assembly Member David Powell
- b. INVOCATION to be given by Nettie Covalt of the Presbyterian Church
- c. CEREMONIAL MATTERS – *Community Presentations, Proclamations, Certificates of Service, Guest Introduction*
  - i. Presentation by Brian Lynch regarding Agenda Item 13a, B.C. Transboundary Mining Issue
  - ii. Presentation of a Plaque from Southeast Conference – “Community of the Year Award”

***Take a 5-10 minute break to eat cake, in celebration of our Community of the Year Award!***

#### **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 7f***

### **ITEM NO. 6    APPROVAL OF MINUTES:**

**INFORMATION:**

**\*6a Borough Assembly Minutes: Regular meeting of September 26, 2017**



1c-ii

## Southeast Conference Presents the 2017 Southeast Alaska Business and Community of the Year Awards

FOR IMMEDIATE RELEASE SEPTEMBER 28, 2017

Contact: Robert Venables, [Robert@seconference.org](mailto:Robert@seconference.org)(link sends e-mail), 907.586.4360

**A POWER COMPANY, A SMALL TOWN AND A CAREER PUBLIC SERVANT: SOUTHEAST CONFERENCE PRESENTS THE 2017 SOUTHEAST ALASKA BUSINESS, COMMUNITY AND INDIVIDUAL OF THE YEAR AWARDS**



### **Southeast Alaska Community of the Year 2017 Winner: Wrangell**

When the Alaska Pulp Company sawmill closed in 1994, it devastated Wrangell's local economy. At the time, timber industry jobs comprised 20 percent of the local workforce, and nearly a third of all direct wages. Community leaders refocused their energy on developing and supporting their maritime resources, specifically the local seafood and marine services industries. This included converting the old downtown mill site into a marine services center and boat yard, building a new boat harbor (Wrangell's third) and upgrading the local seafood processing infrastructure, as well as further investments in

boatbuilding and repair facilities. Wrangell also turned its attention to the tourist industry and cultural maritime economy, refurbishing its cruise ship dock, constructing a convention and visitors center, restoring the Chief Shakes Tribal House and completing a major downtown revitalization project.

Through nearly 25 years of concentrated efforts and an unwavering focus on long-term goals—not to mention systematically obtaining and strategically using funding—the community of Wrangell turned the tide of potential economic devastation. Today, the maritime sector now accounts for half of its private economy and Wrangell rates as one of Southeast Alaska’s fastest growing communities.

“Wrangell Economic Development Director Carol Rushmore deserves much of the credit for this award, along with so many other residents and local leaders who worked to find opportunities and create a locally-driven consensus-based process,” said Wrangell Assembly Member Julie Decker, who accepted the award on the community’s behalf.

“Wrangell is proud to be recognized by its peers in the region as Community of the Year. What an honor,” added Lisa Von Barga, Wrangell’s City and Borough Manager.

“It’s inspiring to see how Wrangell came together after economic calamity and worked to transform itself into a model of diversification, not only providing for itself, but also shining as a model for other communities to follow,” said Robert Venables, explaining the reasoning behind Wrangell’s award.

(Appearing in Wrangell photo from left to right: Julie Decker, City and Borough of Wrangell Assembly Member; Chelsea Goucher Southeast Conference President; Meilani Schijvens, Director, Rain Coast Data)

## **Minutes of Regular Assembly Meeting Held on September 26, 2017**

Mayor David L. Jack called the Regular Assembly meeting to order at 7:00 p.m., September 26, 2017, in the Borough Assembly Chambers. Assembly Members Rooney, Powell, and Gilbert were present. Assembly Members Prysunka, Mitchell and Decker were absent. Borough Manager Von Bargen and Clerk Kim Lane were also in attendance.

The Pledge of Allegiance was led by Assembly Member Patty Gilbert.

The Invocation was given by Don McConachie.

There was a presentation by Brian Lynch, AK Transboundary Watersheds Conservation Associate, regarding the boundary waters treaty in the Southeast Alaska/Northwest British Columbia Transboundary region.

### **AMENDMENTS TO THE AGENDA - None**

### **CONFLICT OF INTEREST – None**

### **CONSENT AGENDA**

***M/S: Rooney/Gilbert, to approve Consent Agenda Items marked with an (\*) asterisk; Items 6a and 7a. Motion approved unanimously by polled vote.***

### **APPROVAL OF MINUTES**

The Minutes of the Public Hearing and Regular Assembly meetings held September 12, 2017 were approved as presented.

### **COMMUNICATIONS**

- a. Critical Access Hospital Year in Review – Provided by Wrangell Medical Center

### **BOROUGH MANAGER'S REPORT**

In addition to Manager Von Bargen's report, she reported on the following items:

- Attendance to Southeast Conference
- Joint Work session with WMC on the hospital replacement project (Nov. 6, 2017)
- Meeting with Director Williams, Dept. of Corrections – Jail Contract options
- 
- Relocation of the treated soil (Byford) – Email response to the letter from John Halverson, ADEC; working on getting the answers to our questions.
- USFS Record of Decision (rejection) – invitation to meet with Earl Stewart, Forest Supervisor
- Significant issues with the Public Safety Building

### **BOROUGH CLERK'S FILE**

Clerk Lane's report was provided.

### **MAYOR/ASSEMBLY REPORTS AND APPOINTMENTS**

**10a** Reports by Assembly Members



Rooney reported on the Wrangell Medical Center Board meeting

- Ongoing annual audit - working on a couple of issues with credit balances to bring them down
- Cash on hand seems to be averaging out over the last twelve months
- Request for the purchase or lease to own an Endoscopy machine *on the agenda this evening*– lease payments only require two procedures a month; will help our community.
- Five-Star Long-Term care facility for the 2<sup>nd</sup> year in a row.

**10d Planning & Zoning Board Appointment – October 2019**

As there were no letters of interest received for this appointment, Jack directed Clerk Lane to continue advertising.

**PERSONS TO BE HEARD**

***Frederick Olsen, Jr., Tribal President & SE Alaska Indigenous Transboundary Commission, Kasaan***, spoke about the importance of supporting Resolution No. 09-17-1378; reported on the “lake of poison” – Red Kris Mine.

***Michael Brewster, Evergreen Trailer Ct.***, voiced his concern on the burning of materials by residents on Evergreen Ave.; causes a lot of smoke that he believes to be hazard.

At the request of Mayor Jack, Mr. Brewster will come and speak to Manager Von Barga to discuss options.

**UNFINISHED BUSINESS - None**

**NEW BUSINESS**

**13a PROPOSED RESOLUTION No. 09-17-1378:** A RESOLUTION OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, SUPPORTING ENFORCEMENT OF THE BOUNDARY WATERS TREATY IN THE SOUTHEAST ALASKA/NORTHWEST BRITISH COLUMBIA TRANSBOUNDARY REGION

***M/S: Gilbert/Powell, moved to adopt Resolution No. 09-17-1378, which focuses on Federal engagement as the important step in enforcement of the Boundary Waters Treaty. Motion approved unanimously by polled vote.***

**13b PROPOSED RESOLUTION No. 09-17-1379:** A RESOLUTION OF THE BOROUGH ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, SUPPORTING THE UNITED STATES SENATE BILL 1323, YOUNG FISHERMEN’S DEVELOPMENT ACT

***M/S: Rooney/Gilbert, moved to adopt Resolution No. 09-17-1379, supporting the United States Senate Bill 1323, Young Fishermen’s Development Act. Motion approved unanimously by polled vote.***

**13c Approval of a Professional Services Agreement with Shannon & Wilson, Inc. for a Groundwater Desktop study**

***M/S: Gilbert/Rooney, moved to approve a Professional Services Agreement with Shannon & Wilson for Groundwater Desktop Study in the amount of \$8,055, funded from Water Department's Capital Improvement Expenditures.***

At the request of Mayor Jack, Manager Von Barga explained that the study would be looking at possible groundwater options on Wrangell Island since often times; groundwater has the potential to be cleaner than standard surface water. Von Barga also stated that the study would taking a look at the paper based geological information to see if there is a possibility for Wrangell to consider groundwater to be a substance based source of water.

***Motion approved unanimously by polled vote.***

**13d** PROPOSED RESOLUTION No. 09-17-1380: A RESOLUTION OF THE BOROUGH ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING THE FY 2018 CITY BUDGET BY TRANSFERRING \$8,055 FROM THE WATER DEPARTMENT'S WATER RESERVES, TO THE WATER DEPARTMENT'S CAPITAL IMPROVEMENT EXPENDITURES, FOR A GROUNDWATER DESKTOP STUDY

***M/S: Gilbert/Rooney, moved to adopt Resolution 09-17-1380, amending the FY 2018 City Budget by reducing the Water Department's Water Reserves, Ending by \$8,055, and increasing the Water Department's Capital Improvement Expenditures, Account Number 72000-302-7900, by \$8,055 for the purpose of providing funding for the Shannon & Wilson, Inc. for a Groundwater Desktop Study.***

Von Barga stated that this budget amendment would pay for the Groundwater Desktop Study that the Assembly approved under Agenda Item 13c

***Motion approved unanimously by polled vote.***

**13e** Request for Land by the Wrangell Medical Center for Residential Construction

***M/S: Gilbert/Powell, moved to approve a portion of Lot 1, Block 35 for the proposed Wrangell Medical Center 4-plex housing development on the southern portion of the requested site, with a subdivision to occur as part of the site planning process. Additional recommendations include:***

- 1) More than the required 4 parking places for the facility should be required (minimum is 1 per unit).***
- 2) Site plan alternatives showing preferred and optional access options, actual facility layout, building specifics, and yard areas should come back to the Planning Commission for review during their planning process.***
- 3) Subdivision of Lot 1 should be completed prior to the beginning of any construction, or earlier if required by funding source.***

Kris Reed, Wrangell Medical Center, confirmed that the land would have to be acquired for the grant to be considered for the construction of the units.

***Motion approved unanimously by polled vote.***

**13f** Approval for the Wrangell Medical Center to Purchase or Lease to Own an Endoscopy machine

***M/S: Powell/Gilbert, moved to approve the Wrangell Medical Center's Purchase or Lease to Own an Endoscopy Machine. Motion approved unanimously by polled vote.***

**13g** Discussion Item: Nuisance Abatement (WMC Section 9.08)

At the request of Gilbert, Von Bargaen stated that she would report back to the Assembly on nuisance burning.

Rooney stated that we have the ordinances that are not enforced; a number of "junk yards" around town; it's in the code, no reason that we cannot enforce the code.

It was the consensus of the Assembly to have the City work on cleaning up the public properties first and then work on the private sector.

Gilbert asked Von Bargaen to check into having the barge come back through Wrangell to help in the cleanup. In response, Von Bargaen stated that Amber Al-Haddad, Public Works Director had been working with Channel Construction on when they might be able to come back to Wrangell.

It was the consensus of the Assembly that when the enforcement of nuisance abatement occurs, that there be extensive noticing to the public. Von Bargaen agreed.

Powell stated that after this grace period to the public, there should be no grace period; the code should be enforced.

**ATTORNEY'S FILE** – Available for the Borough Assembly to view in the Clerk's office.

**EXECUTIVE SESSION** – None

Regular Assembly Meeting adjourned at 8:09 p.m.

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David L. Jack, Mayor

ATTEST: \_\_\_\_\_  
Kim Lane, MMC, Borough Clerk

# Agenda Item 7

## CITY & BOROUGH OF WRANGELL

### BOROUGH ASSEMBLY AGENDA ITEM October 10, 2017

#### **COMMUNICATIONS:**

*INFORMATION: Matters listed under the consent agenda are considered to be routine and will be enacted by one motion and one vote. If the Mayor or an Assembly Member requests discussion on an item, that item will be removed from the consent agenda and will be considered under Unfinished Business*

**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. POA-1999-377, Burnett Inlet - Application to the US Army Corps from Bret Hiatt
- b. NRC – Weekly Project Status Update Report (Wrg. Solid Waste Monofill)
- c. School Board Minutes: Regular – August 21, 2017; Special – September 11, 2017
- d. State of Alaska DCCED – FY18 Community Assistance Supplemental Payment
- e. State of Alaska ADEC – Soil Disposal Alternatives for the Wrangell Junkyard Cleanup
- f. Federal Lobbyist Status Report



DEPARTMENT OF THE ARMY  
ALASKA DISTRICT, U.S. ARMY CORPS OF ENGINEERS  
REGULATORY DIVISION  
P.O. BOX 6898  
JBER, AK 99506-0898  
SEP 29 2017

7a

Regulatory Division  
POA-1999-377

Southern Southeast Regional Aquaculture Association  
Attention: Mr. Bret Hiatt  
14 Borch Street  
Ketchikan, Alaska 99901

Dear Mr. Hiatt:

Enclosed is the signed Letter of Permission, file number POA-1999-377, Burnett Inlet, authorizing construction of a 150-foot long and 36-inch diameter floating HDPE breakwater, placement of seven 44- by 44-foot (including walkways) salmon net pens, and the installation of three 70-foot long by 12 3/4-inch diameter galvanized steel pilings within Burnett Inlet.. The project site is located within Section 30, T. 66 S., R. 84 E., Copper River Meridian; USGS Quad Map Cape Flattery; Latitude 56.1127° N., Longitude 132.4693° W.; Wrangell-Petersburg Census Area; 25 mile flight from Wrangell due southeast on Etolin Island, Alaska. Also enclosed is a Notice of Authorization which should be posted in a prominent location near the authorized work.

If changes to the plans or location of the work are necessary for any reason, plans must be submitted to us immediately. Federal law requires approval of any changes before construction begins. Nothing in this letter excuses you from compliance with other Federal, State, or local statutes, ordinances, or regulations.

Additionally, we have enclosed a Notification of Administrative Appeals Options and Process and Request for Appeal form regarding this Department of the Army Letter of Permission (see section labeled "Initial Proffered Permit").

Please contact me via email at [Emily.N.Vullo@usace.army.mil](mailto:Emily.N.Vullo@usace.army.mil), by mail at the address above, by phone at (907) 753-2704, or toll free from within Alaska at (800) 478-2712, if you have questions. For more information about the Regulatory Program, please visit our website at [www.poa.usace.army.mil/Missions/Regulatory](http://www.poa.usace.army.mil/Missions/Regulatory).

Sincerely,

Emily Vullo  
Regulatory Specialist

Enclosures





DEPARTMENT OF THE ARMY  
ALASKA DISTRICT, U.S. ARMY CORPS OF ENGINEERS  
REGULATORY DIVISION  
P.O. BOX 6898  
JBER, AK 99506-0898

Regulatory Division  
POA-1999-377

DEPARTMENT OF THE ARMY  
LETTER OF PERMISSION

Authorization is hereby granted to Southern Southeast Regional Aquaculture Association, to:

Construct a 150-foot long and 36-inch diameter floating HDPE breakwater, placement of seven salmon rearing net pens (6 of the 7 net pens are currently temporarily moored at the site using the existing four net pen array moorage system), and the installation of three 70-foot long and 12 ¾-inch diameter galvanized steel pilings for the permanent moorage of the six existing and one proposed net pens within Burnett Inlet. The breakwater will be secured using two stainless steel rock bolts and four 3,500-pound concrete anchor blocks (6-foot by 2-foot by 2-foot) in tandem. The purpose of the breakwater is to protect the site and act as a wave attenuator. The net pens are metal framed 44- by 44-foot (including walkways) and hang down in the water column 20-feet. The net pens would rear chum salmon and only be deployed for 90 days each year starting in late January to early February. The nets would be pulled out in April. The proposed net pens are necessary for the continued production of salmon to accommodate Alaska Department of Fish and Game's approved production at Burnett Hatchery. The pilings are necessary to stabilize the net pens in inclement weather. The pilings will be vibrated to refusal then socketed into bedrock. The work is proposed to commence in the fall or early winter of 2017 and will take three days to complete.

The work will be performed in accordance with the enclosed plans, sheets 1-5, dated August 8, 2017, which are incorporated in and made a part of this Letter of Permission.

This action is based upon the recommendation of the Chief of Engineers and under the provisions of Section 10 of the 1899 Rivers and Harbors Act (30 Stat 1151; 33 U.S.C. 403).

This authorization is subject to the following special conditions and the enclosed general conditions and further information (see enclosure entitled: GENERAL CONDITIONS/INFORMATION).



Special Conditions:

1. Self-Certification: Within 60 days of completion of the work authorized by this permit, the Permittee shall complete the attached "Self-Certification Statement of Compliance" form (Enclosed) and submit it to the Corps of Engineers (Corps). In the event that the completed work deviates in any manner from the authorized work, the Permittee shall describe the deviations between the work authorized by this permit and the work as constructed on the "Self-Certification Statement of Compliance" form. The description of any deviations on the "Self-Certification Statement of Compliance" form does not constitute approval of any deviations by the Corps.
2. Your use of the permitted activity must not interfere with the public's right to free navigation on all navigable waters of the U.S.
3. You must install and maintain, at your expense, any safety lights and signals prescribed by the U.S. Coast Guard (USCG), through regulations or otherwise, on your authorized facilities. The USCG may be reached at the following address and telephone number: Commander (oan), 17th Coast Guard District, Post Office Box 25517, Juneau, Alaska 99802, (907) 463-2272.
4. The permittee understands and agrees that, if future operations by the U.S. require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the U.S. No claim shall be made against the U.S. on account of any such removal or alteration.
5. No grounding of floating structures shall occur at any tidal stage.
6. Piles shall be driven during low tide stages in intertidal and shallow subtidal areas. Low tidal stage is defined as a six hour period beginning three hours before low tide and ending three hours past low tide.

7. At least two weeks prior to commencement of any in-water work, the permittee shall publish in the U.S. Coast Guard Local Notice to Mariners, a written notification which includes: the anticipated dates of the in-water work; a description of the area in which work will be occurring; a diagram or chart of the work area; the name, type and number of vessels and equipment that will be working; the hours of operation; the location of equipment during non-work hours; name, VHF/FM channel, and phone number to contact with questions; and any other pertinent data. The permittee shall also publish any changes to the in-water work schedule in the U.S. Coast Guard Local Notice to Mariners.

Nothing in this authorization shall be construed as excusing you from compliance with other Federal, State, or local statutes, ordinances, or regulations which may affect the proposed work.

BY AUTHORITY OF THE SECRETARY OF THE ARMY:

29 September 2017  
DATE

Emily Vullo  
Emily Vullo  
Regulatory Specialist  
FOR: District Engineer  
U.S. Army, Corps of Engineers



## GENERAL CONDITIONS/INFORMATION

1. The time limit for completing the work authorized ends five years from the date of this authorization. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit you must immediately notify this office of what you have found. We will initiate the Federal and State coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
4. If you sell the property associated with this permit, you must contact the Alaska District Corps of Engineers to validate the transfer of this authorization.
5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit.
6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

### Further Information:

1. Limits of this authorization.
  - a. This permit does not obviate the need to obtain other Federal, State, or local authorizations required by law.
  - b. This permit does not grant any property rights or exclusive privileges.
  - c. This permit does not authorize any injury to the property or rights of others.
  - d. This permit does not authorize interference with any existing or proposed Federal project.



2. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:

a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.

b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.

c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.

d. Design or construction deficiencies associated with the permitted work.

e. Damage claims associated with any future modification, suspension, or revocation of this permit.

3. Reliance on Applicant's Data. The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

4. Reevaluation of Permit Decision. This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

a. You fail to comply with the terms and conditions of this permit.

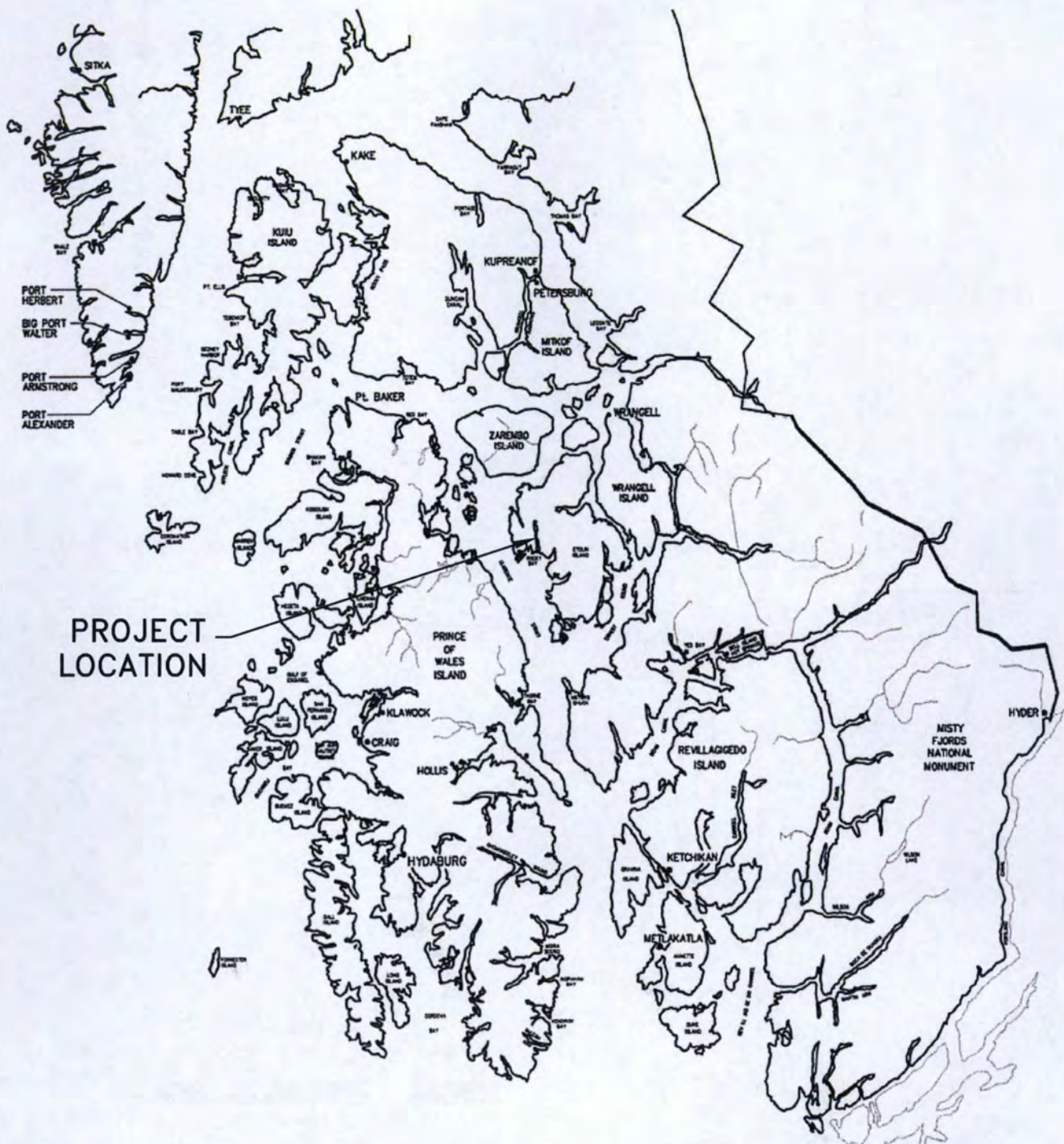
b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (See 3 above).

c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may, in certain situations, (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

5. Extensions. General Condition #1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.





File No: POA-1999-377

Burnett Inlet Hatchery

Vertical Datum: MLLW (Dewey Anch.)

Adjacent Property Owners:  
U.S. Forest Service



R&M ENGINEERING-KETCHIKAN, INC.  
355 Carlanna Lake Road  
Ketchikan, AK 99901  
Phone: (907) 225-7917  
Fax: (907) 225-3441  
rmketch@ptialaska.net

DRAWN BY:  
JPT

JOB NO.  
142351

In: Burnett Inlet, Etolin Island  
Southeast Alaska

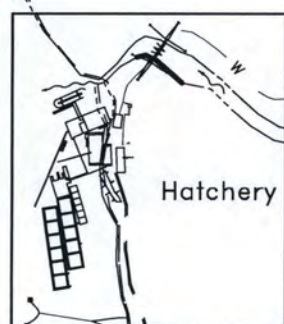
Application by: Southern Southeast  
Aquaculture Association

Sheet 1 of 5 AUG 8, 2017





Lat.= 56°06'53" N.  
Long.= 131°28'16" W.



Hatchery

Sheet 3

24" Waterline

12" Waterline

Dam

Float marks  
pipes in lake.

Etolin Island

Manager's  
Residence

Burnett Inlet

Burnett Lake

SCALE 1"=500'

THIS DRAWING MAY BE REDUCED, VERIFY SCALE BEFORE USING

0 250 500 1000 1250 Feet

0 100 200 400 Meters

File No: POA-1999-377  
Burnett Inlet Hatchery

Vertical Datum: MLLW (Dewey  
Anch.)  
Adjacent Property Owners:  
U.S. Forest Service



R&M ENGINEERING-KETCHIKAN, INC. Phone: (907) 225-7917  
355 Carlanna Lake Road Fax: (907) 225-3441  
Ketchikan, AK 99901 rmketch@ptialaska.net

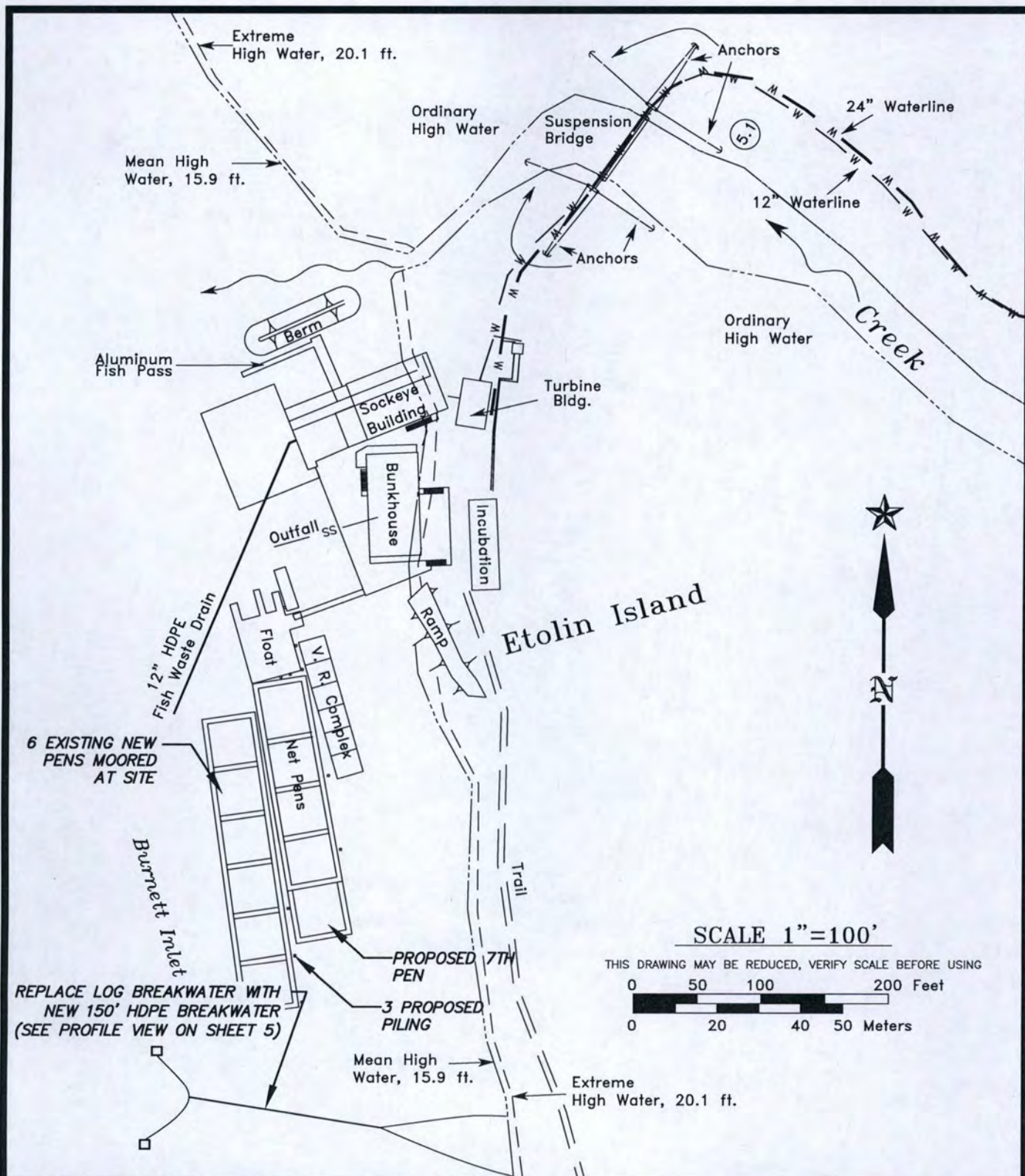
DRAWN BY:  
JPT

JOB NO.  
142351

In: Burnett Inlet, Etolin Island  
Southeast Alaska

Application by: Southern Southeast  
Aquaculture Association

Sheet 2 of 5 AUG 8, 2017



File No: POA-1999-377

Burnett Inlet Hatchery

Vertical Datum: MLLW (Dewey Anch.)

Adjacent Property Owners:  
U.S. Forest Service



R&M ENGINEERING-KETCHIKAN, INC. Phone: (907) 225-7917  
355 Carlanna Lake Road Fax: (907) 225-3441  
Ketchikan, AK 99901 mketch@ptialaska.net

DRAWN BY:

JPT

JOB NO.

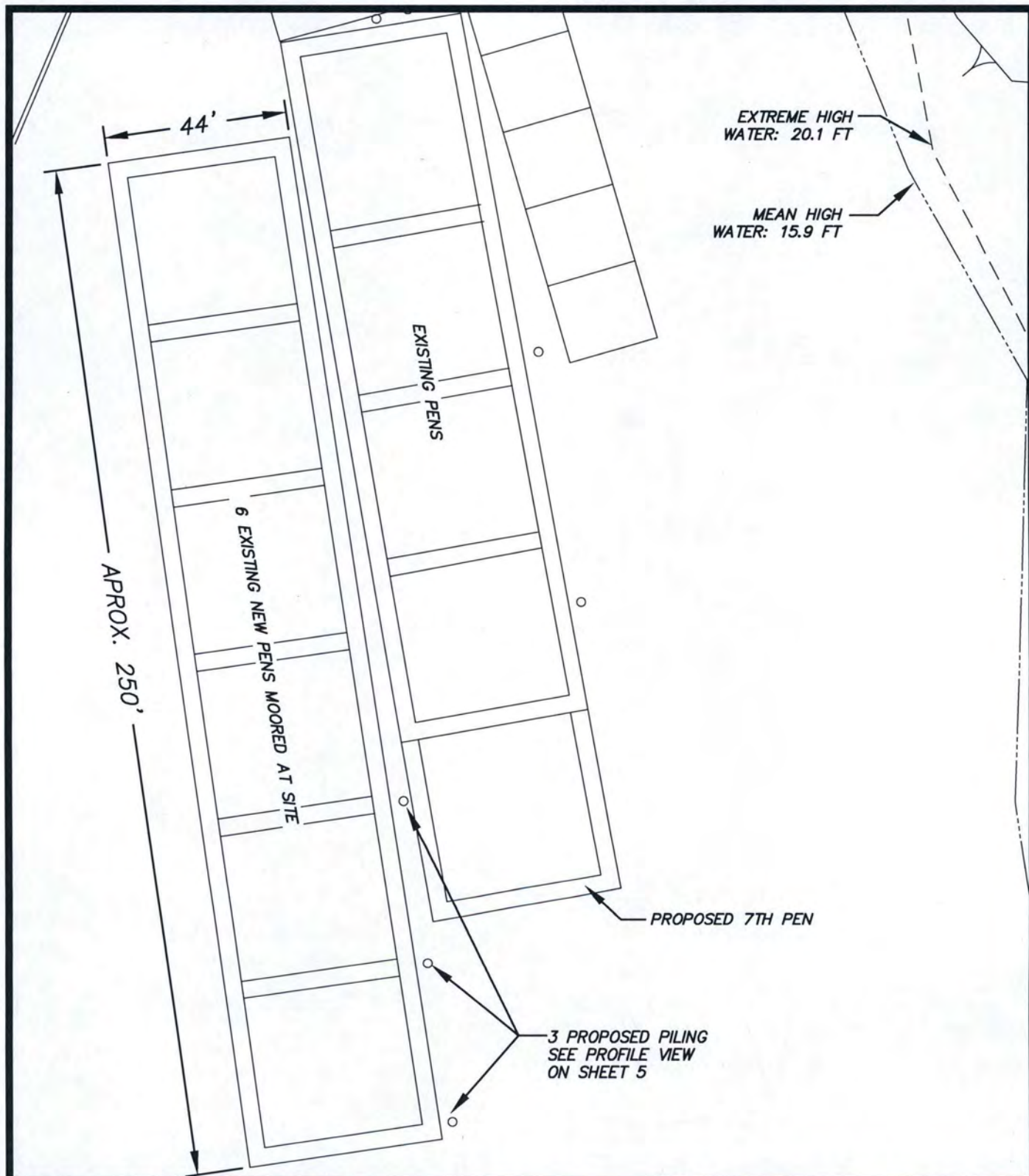
142351

In: Burnett Inlet, Etolin Island  
Southeast Alaska

Application by: Southern Southeast  
Aquaculture Association

Sheet 3 of 5 AUG 8, 2017





File No: POA-1999-377

Burnett Inlet Hatchery

Vertical Datum: MLLW (Dewey Anch.)

Adjacent Property Owners:  
U.S. Forest Service



R&M ENGINEERING-KETCHIKAN, INC. Phone: (907) 225-7917  
355 Carlanna Lake Road Fax: (907) 225-3441  
Ketchikan, AK 99901 rmketch@ptialaska.net

DRAWN BY:

JPT

JOB NO.

142351

In: Burnett Inlet, Etolin Island  
Southeast Alaska

Application by: Southern Southeast  
Aquaculture Association

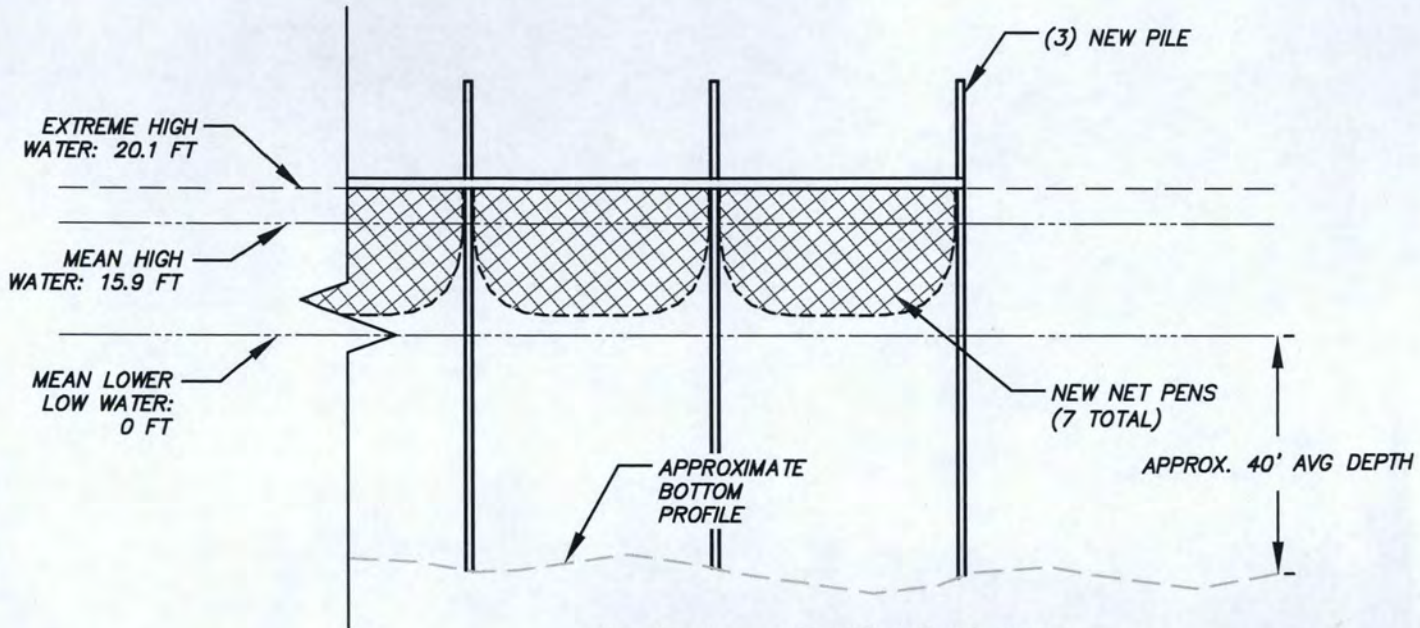
Sheet 4 of 5 AUG. 8, 2017



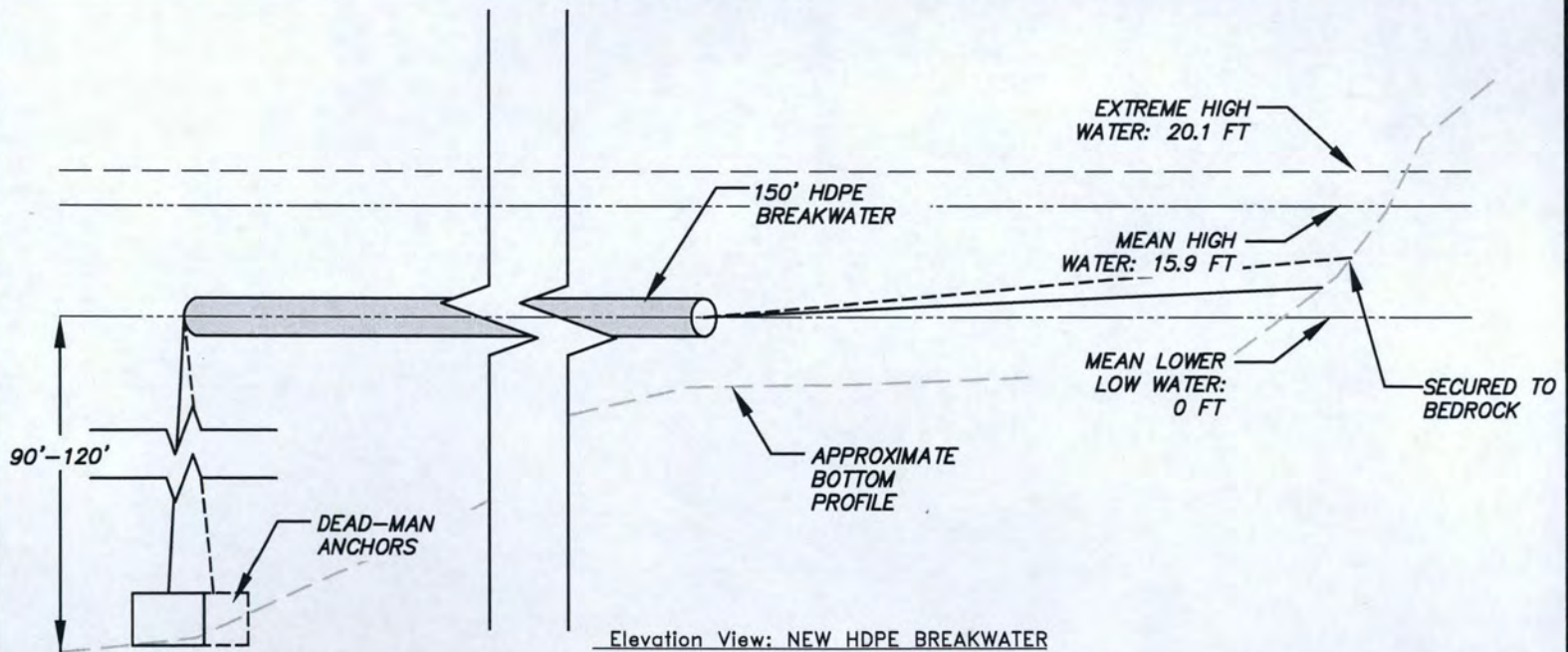
Burnett Inlet Hatchery  
Vertical Datum: MLLW (Dewey Anch.)  
Adjacent Property Owners:  
U.S. Forest Service

**RAM**  
RAM ENGINEERING-KETCHIKAN, INC.  
355 Cariana Lake Road  
Ketchikan, AK 99901  
Phone: (907) 225-7917  
Fax: (907) 225-3441  
mketchi@ptalaska.net  
DRAWN BY: JPT  
JOB NO. 142351

In: Burnett Inlet, Etolin Island  
Southeast Alaska  
Application by: Southern Southeast  
Aquaculture Association  
Sheet 5 of 5 AUG. 8, 2017



Elevation View: NEW PILE FOR NET PENS



Elevation View: NEW HDPE BREAKWATER



## NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL

Applicant: Southern Southeast Regional Aquaculture Association		File Number: POA-1999-377	Date: 10/01/2017
Attached is:			See Section below
X	INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)	A	
	PROFFERED PERMIT (Standard Permit or Letter of permission)	B	
	PERMIT DENIAL	C	
	APPROVED JURISDICTIONAL DETERMINATION	D	
	PRELIMINARY JURISDICTIONAL DETERMINATION	E	

**SECTION I -** The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at

[http://www.usace.army.mil/CECW/Pages/reg\\_materials.aspx](http://www.usace.army.mil/CECW/Pages/reg_materials.aspx) or Corps regulations at 33 CFR Part 331.

**A: INITIAL PROFFERED PERMIT:** You may accept or object to the permit.

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **OBJECT:** If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

**B: PROFFERED PERMIT:** You may accept or appeal the permit

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **APPEAL:** If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

**C: PERMIT DENIAL:** You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

**D: APPROVED JURISDICTIONAL DETERMINATION:** You may accept or appeal the approved JD or provide new information.

- **ACCEPT:** You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- **APPEAL:** If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

**E: PRELIMINARY JURISDICTIONAL DETERMINATION:** You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.



**SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT**

**REASONS FOR APPEAL OR OBJECTIONS:** (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

**ADDITIONAL INFORMATION:** The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

**POINT OF CONTACT FOR QUESTIONS OR INFORMATION:**

If you have questions regarding this decision and/or the appeal process you may contact:

Emily Vullo, Regulatory Specialist  
Alaska District Corps of Engineers  
CEPOA-RD- S  
P.O. Box 6898  
JBER, AK 99506-0898  
(907) 753-2704

If you only have questions regarding the appeal process you may also contact:

Regulatory Program Manager  
U.S. Army Corps of Engineers, Pacific Ocean Division  
CEPOD-PDC, Bldg 525  
Fort Shafter, HI 96858-5440

**RIGHT OF ENTRY:** Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation, and will have the opportunity to participate in all site investigations.

\_\_\_\_\_  
Signature of appellant or agent.

Date:

Telephone number:

**SELF-CERTIFICATION STATEMENT OF COMPLIANCE**

**Permit Number: POA-1999-377**

Permittee's Name & Address (please print or type): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Telephone Number: \_\_\_\_\_

Location of the Work: \_\_\_\_\_

\_\_\_\_\_

Date Work Started: \_\_\_\_\_ Date Work Completed: \_\_\_\_\_

**PROPERTY IS INACCESSIBLE WITHOUT PRIOR NOTIFICATION: YES \_\_\_\_\_ NO \_\_\_\_\_**  
**TO SCHEDULE AN INSPECTION PLEASE CONTACT \_\_\_\_\_**  
**AT \_\_\_\_\_**

Description of the Work (e.g. bank stabilization, residential or commercial filling, docks, dredging, etc.): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Acreage or Square Feet of Impacts to Waters of the United States: \_\_\_\_\_

Describe Mitigation completed (if applicable): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Describe any Deviations from Permit (attach drawing(s) depicting the deviations):

\_\_\_\_\_

\_\_\_\_\_

I certify that all work and mitigation (if applicable) was done in accordance with the limitations and conditions as described in the permit. Any deviations as described above are depicted on the attached drawing(s).

\_\_\_\_\_  
Signature of Permittee

\_\_\_\_\_  
Full Name of Permittee (printed or typed)

\_\_\_\_\_  
Date





September 25, 2017

Sally Schlichting

Environmental Program Manager I

Alaska Department of Environmental Conservation

410 Willoughby Ave, Suite 303

PO Box 111800

Juneau, AK 99811-1800

**RE: Weekly Project Status Update Report, Wrangell Solid Waste Monofill**

Ms. Schlichting,

**NRC Alaska** and **NORTECH** are pleased to provide the following Project Status update for the Wrangell Solid Waste Monofill Construction Project. As we have discussed, our goal is to provide a status update on a weekly basis, with photos, maps and notes as appropriate so that all interested parties may remain apprised on progress in the field on a regular basis. We are currently performing work as detailed in the Inactive Rock Pit Development Plan, prepared by Ahtna, dated November 18, 2017 and the Wrangell Junkyard Repository Basis of Design, prepared by Ahtna, dated June 9, 2017, and the Storm Water Pollution Prevention Plan (SWPPP) for the project as detailed under Alaska Pollutant Discharge Elimination System (APDES) permit # AKR10FQ51. This Project Status Update covers project activities as performed between September 15, 2017 and September 21, 2017.

**Project Activities:**

Activities are focused on the construction of the Base Drain at the monofill site, the preparation of the Chimney Drain, and road maintenance.

**Project activities accomplished:**

- BW Enterprises has performed road maintenance by adding 17 loads of D1 and grading the road surface
- The 2' Base Drain 6" rock layer has been completed, a skim coat of D1 has been added to the top of the Base drain as required
- 152 truckloads of 6" rock have been hauled to the pit to stockpile for the Chimney Drain construction, along with 57 loads of D1
- The Chimney Drain has been constructed as far as possible

EXCELLENCE IN ENVIRONMENTAL & EMERGENCY SOLUTIONS



- BW Enterprises has begun stockpiling rock in anticipation of the spring 2018 construction
- **NORTECH** performed weekly SWPPP inspection

**Anticipated Project activities for the next week:**

- Stockpile 6" rock for next years' anticipated activities
- **NORTECH** will collect baseline samples from Pat's Creek and monitoring well
- BW Enterprises will begin to demobilize equipment for seasonal shutdown, anticipated to be October 1, 2017

We trust this information is adequate to meet your needs. If you have any questions, please feel free to contact NRC Alaska or **NORTECH** at your convenience.

Sincerely,

**NORTECH**

A handwritten signature in black ink, appearing to read "Jason Ginter".

Jason Ginter, PMP

Principal, Juneau Technical Manager

**NRC Alaska**

A handwritten signature in blue ink, appearing to read "Dan Strucher".

Dan Strucher

Operations Manager

EXCELLENCE IN ENVIRONMENTAL & EMERGENCY SOLUTIONS



**Photo 1:** Monofill Site, using conveyor to place rock for Chimney Drain



**Photo 2:** Placing skim layer of D1 over Base Drain, September 21, 2017

7c

**PROCEEDINGS****MINUTES****WRANGELL SCHOOL BOARD  
REGULAR MEETING****August 21, 2017 6:30 PM  
Evergreen Elementary School Room 101**

School Board President Susan Eagle called the regular meeting of the Wrangell Public School Board to order at 6:32 P.M. on August 21, 2017.

**CALL TO ORDER**

A quorum was determined with the following school board members present: Georgianna Buhler, Susan Eagle, Robert Rang and Aleisha Mollen. Tammy Groshong was absent, excused. Also present was Superintendent Patrick Mayer and Recording Secretary Kimberly Powell.

**DETERMINE QUORUM**

The Pledge of Allegiance was recited, led by Aleisha Mollen.

**PLEDGE OF ALLEGIANCE**

There were no guests to be heard.

**GUESTS TO BE HEARD**

The agenda was approved as presented by unanimous consent.

**APPROVAL OF AGENDA**

There was no correspondence to review.

**REVIEWED  
CORRESPONDENCE**

Motion to approve the items on the consent agenda by Aleisha Mollen; seconded by Georgianna Buhler. Poll vote: Aleisha Mollen: Yes; Robert Rang: Yes; Georgianna Buhler: Yes; Susan Eagle: Yes. Motion approved.

**APPROVED THE ITEMS  
ON THE CONSENT  
AGENDA**

- Approved the minutes of the June 19, 2017 Regular School Board Meeting and the July 13, 2017 Special School Board Meeting as presented
- Accepted the donation in the amount of \$350.00 from Not So Famous Pizza to be used for the Music Department
- Issued Odile Meister a contract addendum in the amount of \$509.04 for zero hour classes taught while substituting for Tasha Morse
- Issued Tasha Morse a contract addendum in the amount of \$3,128.78 for time she worked during zero hour during the 2016-2017 school year
- Offered Patricia Gilbert a contract addendum in the amount of \$3,600.00 to serve as the Project Director of the Elementary and Secondary Counseling Grant during the 2017-2018 school year

Information & Reports were accepted by unanimous consent.

**ACCEPTED INFORMATION &  
REPORTS**

The School Board deferred action on the AASB Call for Resolutions until the September School Board Meeting.

**DEFERRED ACTION ON  
THE AASB CALL FOR  
RESOLUTIONS**

School Board President Susan Eagle appointed Jessica Whitaker to the Elementary Parent Advisory Committee.

**APPOINTED JESSICA  
WHITAKER TO THE  
ADVISORY COMMITTEE**

Motion to approve the Career Technical Education grant application in the amount of \$15,000.00 by Aleisha Mollen; seconded by Georgianna Buhler. Poll vote: Robert Rang: Yes; Georgianna Buhler: Yes; Aleisha Mollen: Yes; Susan Eagle: Yes. Motion approved.

**APPROVED THE CAREER  
TECHNICAL GRANT  
APPLICATION**

Motion to approve the Consolidated grant application in the amount of \$214,626.00 by Georgianna Buhler; seconded by Robert Rang. Poll vote: Georgianna Buhler: Yes; Robert Rang: Yes; Aleisha Mollen: Yes; Susan Eagle: Yes. Motion approved.

**APPROVED THE  
CONSOLIDATED GRANT  
APPLICATION**

Motion to accept the Indian Education Formula Grant Award in the amount of \$56,731.00 by Aleisha Mollen; seconded by Robert Rang. Poll vote: Georgianna Buhler: Yes; Aleisha Mollen: Yes; Robert Rang: Yes; Susan Eagle: Yes. Motion approved.

**ACCEPTED THE INDIAN  
EDUCATION FORMULA  
GRANT AWARD**

Motion to accept the Migrant Literacy Grant Award in the amount of \$3,000.00 by Georgianna Buhler; seconded by Robert Rang. Poll vote: Aleisha Mollen: Yes; Robert Rang: Yes; Georgianna Buhler: Yes; Susan Eagle: Yes. Motion approved.

**ACCEPTED THE MIGRANT  
EDUCATION LITERACY  
GRANT AWARD**

Motion to approve the Small Rural School Achievement Program grant application as presented by Robert Rang, seconded by Aleisha Mollen. Poll vote: Robert Rang: Yes; Georgianna Buhler: Yes; Aleisha Mollen: Yes; Susan Eagle: Yes. Motion approved.

**APPROVED THE SMALL  
RURAL SCHOOL  
ACHIEVEMENT  
PROGRAM GRANT  
APPLICATION**



Motion to approve the Special Education grant application in the amount of \$86,542.00.00 by Georgianna Buhler; seconded by Aleisha Mollen. Poll vote: Georgianna Buhler: Yes; Robert Rang: Yes; Aleisha Mollen: Yes; Susan Eagle: Yes. Motion approved.

**APPROVED THE SPECIAL  
EDUCATION GRANT  
APPLICATION**

Motion to accept the first reading of Board Policy #4111/4211/4311 (Recruitment and Selection) as presented by Aleisha Mollen, seconded by Robert Rang.

**TABLED A MOTION TO  
ACCEPT THE FIRST  
READING OF BOARD  
POLICY #4111/4211/4311  
UNTIL THE OCTOBER  
SCHOOL BOARD  
MEETING**

Motion to table Board Policy to the October Board Meeting by Aleisha Mollen, seconded by Georgianna Buhler. Poll vote: Aleisha Mollen: Yes; Robert Rang: Yes; Georgianna Buhler: Yes; Susan Eagle: Yes. Motion approved.

Motion to accept the second reading of Board Policy #3312, Contracts and #4030, Nondiscrimination in Employment for inclusion in the policy manual by Aleisha Mollen; seconded by Robert Rang. Poll vote: Aleisha Mollen: Yes; Robert Rang: Yes; Georgianna Buhler: Yes; Susan Eagle: Yes. Motion approved.

**ACCEPTED THE SECOND  
READING OF BOARD  
POLICIES #3312 AND  
#4030**

Motion to approve the contract with Duck Point Teaching and Learning Consulting to provide Special Education Director Services, during the 2017-2018 school year as presented by Georgianna Buhler; seconded by Robert Rang. Poll vote: Robert Rang: Yes; Georgianna Buhler: Yes; Aleisha Mollen: Yes; Susan Eagle: Yes. Motion approved.

**APPROVED THE  
CONTRACT WITH DUCK  
POINT TEACHING AND  
LEARNING CONSULTING**

Reviewed the upcoming dates and meeting announcements.

**REVIEWED DATES & MTG  
ANNOUNCEMENTS**

School Board Member Georgianna Buhler said that summer went fast. Ms. Mollen agreed and said that she is excited for the school year.

**PRESIDENT'S REMARKS AND  
COMMENTS FROM BOARD  
MEMBERS**

Board Member Rang welcomed Elementary Principal Gail Taylor; he told the other board members that she did a really nice presentation on the arts for the Chamber of Commerce. President Eagle also welcomed Mrs. Taylor.

Motion to recess into Executive Session to discuss matters, the immediate knowledge of which would clearly have an adverse effect upon the finances of the district, more specifically, Negotiations with Wrangell Teachers' Association by Aleisha Mollen; seconded by Robert Rang. Poll vote: Georgianna Buhler: Yes; Robert Rang: Yes; Aleisha Mollen: Yes; Susan Eagle: Yes. Motion approved.

**RECESSED INTO  
EXECUTIVE SESSION AT  
7:16 PM**

School Board President Susan Eagle invited Superintendent Mayer into the Executive Session.

Reconvened into Regular Session at 7:39 PM

**RECONVENED INTO REGULAR  
SESSION**

School Board President appointed Georgianna Buhler, Robert Rang, Aleisha Mollen, Patrick Mayer and Susan Eagle to the Negotiations Committee.

**APPOINTED MEMBERS TO THE  
SCHOOL BOARD  
NEGOTIATIONS COMMITTEE**

Motion to recess into Executive Session to discuss a subject that may tend to prejudice the reputation and character of any person, provided the person may request a public discussion, more specifically the superintendent's formative evaluation by Aleisha Mollen; seconded by Robert Rang. Poll vote: Aleisha Mollen: Yes; Georgianna Buhler: Yes; Robert Rang: Yes; Susan Eagle: Yes. Motion approved.

**RECESSED INTO  
EXECUTIVE SESSION AT  
7:41 PM**

School Board President Susan Eagle invited Superintendent Mayer into the Executive Session.

Reconvened into Regular Session at 9:07 PM

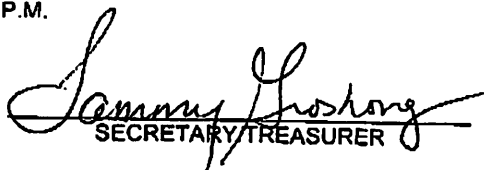
**RECONVENED INTO REGULAR  
SESSION**

The School Board returned from Executive Session and made the following statement, "We have performed the Superintendent's formative evaluation and reviewed and updated his goals from the previous evaluation. The School Board supports the Superintendent in his endeavors on behalf of the Wrangell Public School District."

**MADE STATEMENT IN SUPPORT  
OF SUPERINTENDENT PATRICK  
MAYER**

Meeting Adjourned at 9:08 P.M.

**ADJOURNED AT 9:08 P.M.**

  
SECRETARY/TREASURER

**PROCEEDINGS**

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**MINUTES**  
**WRANGELL SCHOOL BOARD**  
**SPECIAL MEETING**  
September 11, 2017; 6:30 PM  
Evergreen Elementary School Room 101-Intermediate

President Susan Eagle called the Special meeting of the Wrangell Public School Board to order at 6:30 PM on Thursday, September 11, 2017.

**CALL TO ORDER**

A quorum was determined with the following school board members present: Susan Eagle, Tammy Groshong and Aleisha Mollen. Georgianna Buhler and Robert Rang were absent, excused. Also present was Superintendent Patrick Mayer and Recording Secretary Pam Roope.

**DETERMINE QUORUM**

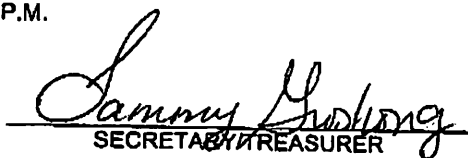
Motion to recess into executive session to discuss matters, the immediate knowledge of which would clearly have an adverse effect upon the finances of the district, more specifically, Negotiations with Wrangell Teachers' Association by Aleisha Mollen; seconded by Tammy Groshong. Poll vote: Aleisha Mollen: Yes; Tammy Groshong: Yes; Susan Eagle: Yes. Motion approved. President Eagle invited Patrick Mayer into the executive session.

**RECESSED INTO  
EXECUTIVE SESSION AT  
6:31 PM.**

Reconvened into Regular Session at 7:46 P.M. with no further action taken.

**RECONVENED INTO REGULAR  
SESSION AT 7:46 PM.  
ADJOURNED AT 7:46 P.M.**

Meeting Adjourned at 7:46 P.M.

  
SECRETARY/TREASURER





THE STATE  
of **ALASKA**  
GOVERNOR BILL WALKER

7d

Department of Commerce, Community,  
and Economic Development

DIVISION OF COMMUNITY AND REGIONAL AFFAIRS

P.O. Box 110809  
Juneau, AK 99811-0809  
Main: 907.465.5647  
Programs fax: 907.465.5867

September 13, 2017

Lee Burgess, Finance Director  
City and Borough of Wrangell  
P.O. Box 531  
Wrangell, AK 99929

RECEIVED  
SEP 20 2017  
WRANGELL CITY HALL

RE: FY18 Community Assistance Program Supplemental Payment

Dear Mr. Burgess:

The Alaska legislature included an additional \$8M appropriation to the Community Assistance fund in SB 23, the FY18 capital budget bill. This appropriation brought the total amount of funding available for distribution to eligible municipalities, reserves, and communities to \$38,098,116.

Entities that submitted all required reports for eligibility and were issued an initial payment prior to SB 23 being signed will be issued a supplemental payment. There are no additional requirements for receiving the supplemental payment.

Entities that have not yet submitted the required reports for eligibility will be issued one payment; totaling their initial calculated payment and the supplemental amount, once all reports are submitted.

City and Borough of Wrangell will receive its FY 18 Community Assistance Program (CAP) payment as follows:

Original calculated payment: \$409,223

Supplemental payment: \$26,674

Total FY18 CAP payment: \$435,897

If there are any questions concerning the Community Assistance Program payments, please contact me at (907)465-5647 or [jeanine.mason@alaska.gov](mailto:jeanine.mason@alaska.gov).

Best regards,

*Jean Mason*

Jean Mason  
Grant Administrator II

MR. ROBERT CLARK  
JAN 10 1961



THE STATE  
of **ALASKA**  
GOVERNOR BILL WALKER

7e

## Department of Environmental Conservation

DIVISION OF SPILL PREVENTION AND RESPONSE  
Contaminated Sites Program

555 Cordova Street  
Anchorage, Alaska 99501  
Main: 907.269.7545  
Fax: 907.269.7687  
[www.dec.alaska.gov](http://www.dec.alaska.gov)

File: 1529.38.006

September 27, 2017

Lisa Von Bargaen  
Borough Manager  
City and Borough of Wrangell  
PO Box 531  
Wrangell, AK 99929

RE: Soil Disposal Options for the Wrangell Junkyard Cleanup, Hazard ID# 3295

Dear Ms. Von Bargaen:

Thank you for your letter on September 8, 2017, requesting information about The Alaska Department of Environmental Conservation's (ADEC) process and necessary steps for completing the project should an alternative, such as offsite disposal or a different location for the monofill, become available.

I have provided responses to each of your five questions as follows:

1. If an alternative on-island disposal location is identified by the community, what is the formal process required to request that ADEC review the site for viability, and is funding available through ADEC to conduct the site testing necessary to determine viability?

As you are likely aware, during 2016, ADEC, the City and Borough of Wrangell, and the Department of Natural Resources (DNR), gave considerable attention to evaluating all the potential sites available in the Wrangell area that were either on City or State land.

It is ADEC's understanding that there are no other viable sites on either City or State land beyond those that were evaluated. United States Forest Service (USFS) land would not be an option, and no privately held land is likely to materialize. Other state land managed by the Division of Forestry will be strictly for forest related uses. State land was chosen in large part because the DNR had a share in the liability for contamination at the junkyard property where it had encroached onto state land. Therefore, the contribution of state land for the monofill allowed the agency to provide an in-kind contribution for the cost of the cleanup of that part of the contamination.

The State is willing to take a look at other sites only if they have a strong potential to be suitable and would agree to cover the costs to consider their viability as far as a. and b., below. If a viable alternative site were to materialize in the borough, several issues would need to be addressed:



- a. The site would need adequate space to contain the volume of soil.
  - b. The site would need to meet the criteria under the Solid Waste Program for constructing a monofill. These include:
    - A new landfill must be at least 500 feet from a drinking water well. (A similar setback should be considered in an area in which surface water is the drinking water source.)
    - The base of the landfill must be at least 10 feet above the highest measured level of the uppermost aquifer, unless the landfill is built two or more feet above the natural ground surface.
    - The landfill cannot be located on a slope with more than a 10% grade.
    - The landfill cannot be located in a wetland unless there is no practicable alternative.
  - c. If on State land, a DNR Development Plan would need to be completed and potentially a public notice would be issued. This process took about three months for the current location. Subsequent steps listed below cannot be completed until DNR has provided its concurrence for the site. If the alternative parcel is under other ownership, other permits or requirements may need to be fulfilled depending on the terms of the landowner.
  - d. For any location, a hydrologic and leaching evaluation would need to be completed. This would take about three months including procurement time, but depends on the time of year, weather and site accessibility.
  - e. For any location, a new engineering design would need to be developed. The design for the current site was completed by the Environmental Protection Agency (EPA) contractors as a contribution to the project by the agency. This service would not be available to us a second time. We anticipate it would be more expensive for ADEC to contract and obtain a new engineering design document than it was for EPA. Design time for this project took approximately five months following completion of the hydrologic and leaching study. Additional time would be required for the procurement process.
  - f. For a parcel of undisturbed land, additional costs and time include constructing road access, clearing, and excavation to prepare the site.
  - g. For a parcel located further from the junkyard site than the current monofill location, there will be additional costs for fuel and haul time.
  - h. Adequate funding would need to be available to complete the study, design, construction and disposal.
2. If an alternative site is found to be viable, is funding available through ADEC for design and engineering of a monofill solution at the new site?

Due to the amount of funding committed to this current location, ADEC would not be able to consider an alternative location without significant additional funding from some other source. At the time of this writing, costs incurred for siting the monofill at the current location include:



DNR Development Plan, Hydrologic and Leaching Evaluation:	\$ 112,000
Engineering Design	\$ 100,000
Mobilization, Permitting, and Site Preparation July-October 1:	\$ 920,000
State oversight costs:	\$ 63,000
Total:	\$ 1,195,000

3. What is the deadline by which an alternative location would need to be identified in order for all necessary work to be done so the contaminated soil could be transported in 2018?

Unfortunately, even if a site were settled on by the end of September 2017 and sufficient funding for this new option was secured, there would not be adequate time to do the necessary scientific and engineering work, followed by site preparation, to complete transport of all the treated material during the calendar year of 2018.

4. If additional funding is sought for off-island disposal, what is the deadline by which those funds need to be secured?

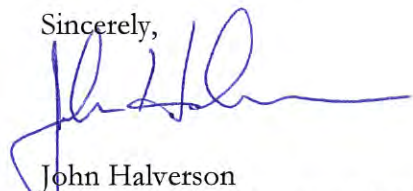
In order to complete shipment of all the material in 2018, a firm funding commitment would be needed at least two months prior to April 1, 2018 in order to complete the necessary procurement modifications with contractors, for contractors to coordinate, procure, and ship containers to the site, and to secure a loading and staging area in Wrangell that has adequate space for storing the containers and barge access. The local shipping yard lacks this capacity.

5. The estimated cost for off-island disposal is \$12 million. The current on-island disposal cost is \$5.7 million. If additional funding is obtained, but is not enough to fully bridge the \$6.3 million gap, would the State be willing to release additional funds?

The State has allocated 5.7 million for the project as currently scoped. Please understand that upon the conclusion of work this fall, the remaining balance for this project will be significantly less than \$5.7 million by April 1, 2018, and due to project delays this past summer, supplemental funding may be necessary to carry the project through to completion in 2018. Whatever funding remains for this project would be eligible for the effort to ship the material off-island, but the community would need to secure the balance of what is required, which will be in excess of \$6.3 million and more likely around \$8 million.

We look forward to continuing to work with the City and the community to complete this project in a timely manner that is both protective of human health and the environment and compliant with applicable requirements. Feel free to contact me at 269-7545, or Sally Schlichting at 465-5076, any time if you have questions or want to discuss the project.

Sincerely,



John Halverson  
Environmental Program Manager  
ADEC Contaminated Sites Program

cc: Sally Schlichting, DEC SPAR/CS (via email)

To: The Honorable Dave Jack  
The Wrangell Borough Assembly  
Lisa Von Bargaen, Borough Manager

From: Brad Gilman & Sebastian O’Kelly

Re: Washington Update

Date: October 5, 2017

**1. Federal Budget & Appropriations:** The House has now passed all its FY 2018 appropriations bills as a 12 bill omnibus package in a largely party-line vote earlier this month. The Senate has not passed any appropriations bills. Due to its significant increase in defense spending, the funding amounts in the House package violate the budget caps set in law under the Budget Control Act. This would trigger the automatic spending cuts called the “Sequester”. As a result, the House package is unlikely to become law until there is bi-partisan agreement on spending numbers for defense and non-defense funding. The Administration and Congressional Republicans are pushing for substantial increases in defense spending while Congressional Democrats are arguing that increases in defense spending must be dollar-for-dollar matched with increases in non-defense programs. The Federal government is currently operating on a short-term Continuing Resolution (“CR”) until December 8 that level-funds Federal agencies and programs over that timeframe. The CR also included a short-term extension of the Federal debt limit, a deal struck between the Trump Administration and the Congressional Democratic leadership. We are likely to see an Omnibus Appropriations Bill at year-end that funds the Federal government for the remainder of FY 2018.

**2. Status of Federal Priorities:** The following is a quick update on a number of Wrangell’s federal priorities—

- **Capital Projects:** While there have been informal talks between Administration DOT officials and Congressional staff, formation of the infrastructure package has slowed due to debates in the summer over healthcare reform and now tax reform. Infrastructure is an issue that will likely be pushed into next year.
- **Pink Salmon Disaster Assistance:** The FY 2018 House Commerce-Justice-Science Appropriations Bill provides \$20 million for fisheries disasters declared by the Secretary of Commerce. This amount encompasses the 2016 pink salmon disaster along with 8 other declared disasters around the Nation. The Senate bill includes no funding. During the Senate Appropriations markup, Senator Murkowski proposed an amendment along with Senators Merkley (D-OR) and Feinstein (D-CA) to provide \$150 million to fund all the declared fishery disasters, but withdrew the amendment when Subcommittee Chairman Richard Shelby (R-AL) promised to find a way to fund the disasters later in the legislative process.

- **PILT:** PILT was extended in the short-term CR but will need to be included in a final FY 2018 Omnibus for communities to receive funding next year. For FY 2018, the House Appropriations Committee level funds the program. The Senate Appropriations Committee has yet to consider the Interior Appropriations Bill.
- **Secure Rural Schools (SRS):** Rep. Young has now signed as a cosponsor to the House bill (HR 2340) to extend SRS for another two years (as noted previously both Alaska Senators are cosponsors of the Senate bill). Both the House and Senate bills have been gaining cosponsors over the last month on a bi-partisan basis. We do not know yet the legislative path for passage of the extension. There is speculation it could be included in the tax reform package or as part of group of tax credit extenders that would be used an offset to pay for the program's costs (this was the approach used when the program was last funded). An Omnibus Appropriations Bill may also be a possibility but its inclusion there would only cover one year of payments.
- **Shoemaker Harbor:** Both the House and Senate Energy & Water Appropriations Bills continue funding for the Corps' Section 107 Small Navigation Projects Program for FY 2018, overriding the Trump Administration's budget request to zero out the program. The program is level-funded in the short-term CR but the Corps will not move forward on any new project starts until an Omnibus Appropriations Bill is passed.
- **Tongass Forest Management:** The Forest Service has issued its draft Record Of Decision for the Wrangell Island Timber Sale, selecting Alternative 2 from its EIS. Alternative 2 calls for 56 million board feet of harvest along with construction of 17 miles of road.
- **Essential Air Service (EAS):** Funding has been included for EAS in both the House and Senate Transportation-Housing-Urban Development Appropriations Bills for FY 2018 and was extended as part of the short-term CR.
- **New Hospital:** The Trump Administration is recommending terminating funding for FY 2018 for USDA's Rural Development Administration's Community Facilities Grant and Loan Program. The program was fully funded in FY 2017 and continues under the short-term CR. It was the funding source for the earlier hospital project. For FY 2018, the Senate Appropriations Committee is recommending level funding while the House Appropriations Committee is proposing a 17 percent cut.

**3. Tax Reform:** The Trump Administration has released along with the House and Senate Republican leadership and Chairmen of the tax-writing Committees its blueprint for tax reform. This will be the next big issue debated this fall. The blueprint includes some, but not all, the details that will need to be fleshed out in a tax reform effort. This effort is an ambitious undertaking. The last time Congress passed a major overhaul of the tax code was in 1986.

There are potential ramifications for state and local governments. While the blueprint does not specify it, a major point of discussion will be the elimination or reduction of the deduction of state and local taxes given its potential to raise revenue to pay for tax reductions

elsewhere in the package. If enacted, elimination of this deductions will hit taxpayers hardest in high-population, high tax states and there will be strong pushback from Members of Congress from those states. Less commented on, but also expected to be considered will be elimination of the deductibility of municipal bond investments. If enacted this elimination would raise the borrowing costs for local governments when issuing revenue and infrastructure bonds. NACO is lobbying strongly against its inclusion in the final tax reform bill.

The blueprint includes recommendations to reduce individual and corporate tax rates; raising or retention of some deductions while eliminating others (while also being silent on many of the deductions that Congress will consider); and changes designed to improve U.S. competitiveness and domestic investment. Its key highlights are as follows.

- **Individual tax rates:** The current seven tax brackets would be consolidated into three – 12 percent, 25 percent, and 35 percent. The blueprint does not indicate what income levels the rates should be set at. It does state that an additional top rate may be applied to the highest income earners “to ensure that the reformed tax code is at least as progressive as the existing tax code.” It proposes eliminating the threshold on estate taxes as well as the Alternative Minimum Tax.
- **Corporate taxes rates:** The corporate tax rate would be reduced from 35 percent to 20 percent. A 25 percent rate would be established for so-called “pass through” small businesses that are sole proprietorships, partnerships or S corporations. A territorial tax system will be developed to discourage U.S. multi-national corporations from shifting operations and profits overseas. However, the document does not specify what rate stranded overseas profits of U.S. multi-nationals (which are estimated to be between \$2 billion and \$4 billion) will be taxed at. There had been discussion previously over a one-time 10 percent rate but there are disputes as to whether companies would be able to use the repatriated earnings for payments to shareholders or be required to invest in domestic operations and jobs.
- **Individual deductions, exemptions and credits:** The proposal seeks to double the standard deduction for married couples and families; retain deductibility for mortgage interest and charitable contributions; expand the child tax credit while repealing personal exemptions for dependents; and maintain work, education and retirement benefits.
- **Corporate deductions, exemptions and credits:** Investments in capital equipment and depreciable assets can be written off immediately instead of over 5 years; corporate net interest expenses will only be partially deductible; the Section 199 domestic production deduction are proposed to be eliminated; and credits for investments in R & D and low-income housing are recommended for retention.

As noted earlier, the document is silent on a number of important issues. One outstanding issue is how much of the tax reform efforts will be “paid for” or “offset” in terms of not contributing to expansion of the Federal budget deficit. The House Budget Committee have proposed some cuts in entitlement spending and recommended the use of “dynamic scoring” – an economic modeling method that factors in higher economic growth and resulting Federal revenue



collections due to the stimulus provided by the tax cuts. Traditional economic modeling used by the Congressional Budget Office and Joint Committee on Taxation – the entities typically relied on by House and Senate Committees to score legislation – uses a “dollar for dollar” formula (a dollar estimated to increase spending or reduced in taxes is a dollar added to the deficit unless offset elsewhere in the bill through a tax increase of spending reduction). The Senate Budget Committee seems more hesitant to use dynamic scoring but is more willing to accept a tax reform proposal that is not fully offset and would add to the deficit.

It is unclear at this point whether the tax proposal will attract bi-partisan support as it is shaped into legislation. President Trump has been meeting with a few House and Senate Democrats, some of which are in tough re-elections next year and would like to vote in favor of a tax package provided it does not add appreciably to the deficit or is skewed to the wealthy. The House and Senate Republican leadership plan to include the legislation in “reconciliation” in order to avoid the possibility of a Senate filibuster. Reconciliation was the same process used to try and pass both ACA repeal efforts in the Senate this year.

A copy of the blueprint can be found at the link --

<https://www.speaker.gov/sites/speaker.house.gov/files/Tax%20Framework.pdf>

**4. Healthcare Reform:** An effort by the Administration and Congressional Republican leadership to repeal and replace the Affordable Care Act (ACA) came up short this summer when the bill failed to pass the Senate. All the Democrats opposed the bill, along with three Republicans – Senators McCain (R-AZ), Murkowski (R-AK), and Collins (R-ME). A second ACA repeal and replace effort this month also came up short. Senators Cassidy (R-LA) and Graham (R-SC) introduced a bill that would block grant funding to States by combining Medicaid expansion funding, ACA subsidies, and tax credits while also eliminating the individual and employer mandates. The Medicaid expansion funding that 30 States (including Alaska) have accepted under the ACA would be spread among all 50 States. After Senator Collins (R-ME), Paul (R-KY), and McCain (R-AZ) announced their opposition, Majority Leader McConnell (R-KY) opted not to schedule a vote on the bill. Both Senators Murkowski and Sullivan issued statements on the bill which can be found at these links --  
<https://www.murkowski.senate.gov/press/release/murkowskis-statement-on-senate-healthcare-reform-efforts> ; <https://www.sullivan.senate.gov/newsroom/press-releases/sullivan-statement-on-graham-cassidy-proposal>

The Senate Committee on Health, Education, Labor, and Pensions (HELP) has been holding hearings with a goal of producing bi-partisan legislation that would continue the Federal government’s subsidies under the ACA to health insurers in order to stabilize the health insurance marketplace and keep premiums from increasing any faster than they would otherwise. This is a narrow bill that does not seek to overturn other cornerstones of the ACA. Senator Murkowski is a member of the Committee and has been involved with the effort. Bi-partisan talks on the bill were put on hold while the Cassidy-Graham Bill was being deliberated but have now resumed.

Separately, Senator Bernie Sanders (I-VT) has introduced his “Medicare-For-All” Plan. His proposal is modeled on a Canadian/European-style single payer health insurance program. Republican lawmakers strongly oppose a single-payer system, so the bill will not pass in this

Congress. A number of the bill's 16 Democratic cosponsors are considered possible candidates for President in the 2020 election, so the proposal is likely to see significant attention over the next few years.

**5. Coast Guard Reauthorization Act:** The legislation did not make it to the Senate floor this summer and remains pending. It includes the following —

- A prohibition on the use of a mandatory program for the commercial fishing industry's Alternative Safety Compliance Program. This would leave the Voluntary Safety Initiatives and Good Marine Practices guidelines in place. This provision is in response to the Coast Guard Commandant's comments that a mandatory program was still under consideration.
- A permanent extension of the moratorium on EPA's NPDES incidental discharge permit requirements for all commercial fishing vessels regardless of size (including floating processors and tenders), and all commercial workboats under 79 ft. The current moratorium is set to expire on December 19, 2017.
- Federal pre-emption of state management of ballast water discharges in favor of a uniform national rule administered by the Coast Guard.
- Reduction in a number of regulatory burdens imposed on the commercial fishing industry.
- Requirement that the Coast Guard position its assets and cutters in a manner which fully implements the agency's Arctic Strategy.
- Requirement for increased air surveillance in monitoring illegal, unreported, and unregulated fishing (primarily fishing activities along the edge of the U.S. 200 mile limit).
- Provides additional procurement flexibility for the Coast Guard to utilize Alaska's shipyards for maintaining Coast Guard assets stationed in Alaska.

## **6. Fisheries Issues**

- **Magnuson-Stevens Act (MSA) Reauthorization:** Progress on MSA reauthorization continues, with the Senate Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard, chaired by Senator Sullivan, holding three hearings (one in Alaska), with its House subcommittee counterpart having a hearing on September 26<sup>th</sup>. Senator Sullivan's staff is drafting a MSA reauthorization bill that is expected to be introduced later this fall. There are a number of House bills amending MSA, with Rep. Young the sponsor of HR 200 – "Strengthening Fishing Communities and Increasing Flexibility in Fisheries Management Act" – modeled closely on his bill which passed the House in the last Congress. Major issues to be considered and debated include: rebuilding flexibility for overfished species under certain conditions; greater use of electronic monitoring,

logbooks and other new technologies that can improve fisheries science and management; improved data collection in marine recreational fisheries; increased focus on predator/prey dynamics, forage species, and essential fish habitat protection; allowance for exemption from or adjustment of annual catch limits based on economic, species biology or ecosystem circumstances; clarifying when fish populations are low due to overfishing versus non-fishing factors such as changes in environmental conditions (“depleted”); delegating Federal management of red snapper to the Gulf of Mexico States; greater emphasis on cooperative research and data collection with the States and commercial and recreational fishing industries; greater consideration of subsistence fishing in the management process; and increased transparency of the operations of the Regional Fishery Management Councils. We anticipate that bills will move through their respective House and Senate Committees by the end of this year, with the possibility of full House consideration, but full Senate debate won’t likely occur until next year.

- **Young Fishermen’s Development Act:** Rep. Young and Senator Sullivan have introduced bills (HR 2079 & S. 1323) to authorize \$2 million in annual grants through NOAA’s Sea Grant Program to provide training support to facilitate the entry of young fishermen into commercial fishing. To qualify a fisherman has to be under the age of 35 and have less than 10 years working on a commercial fishing vessel. Eligible recipients to conduct the training include regional collaborations or partnerships consisting of Federal, State and Tribal agencies; fishing co-ops and associations; ANCs; NGOs, or universities. In the awarding of grants, priority consideration is given to applications led by nongovernmental fishing community-based organizations and school-based fisheries educational organizations. Training activities include: navigation; boat and engine care; sustainable fishing practices; use of innovative conservation gear and technology; and understanding of Federal and State fishing regulations. Senator Murkowski is a cosponsor of the Senate bill.
- **NMFS Chief:** Chris Oliver is the new Administrator of the National Marine Fisheries Service. Mr. Oliver was the former executive director of the North Pacific Fishery Management Council.
- **Marine Monuments:** Earlier this year, the President issued Executive Order 13792 instructing the Secretary of the Interior to evaluate all national terrestrial and marine monuments larger than 100,000 acres in size and make recommendations on whether to modify boundaries, change rules relating to activities within the boundaries, or eliminate a monument altogether. A leak of a Department memo indicates that the Secretary is planning to modify the boundaries of 10 national monuments, including the controversial Bears Ears National Monument in Utah as well as the Papahānaumokuākea National Marine Monument in the Hawaiian Islands. Changes being considered to the Hawaii monument include allowances for fishing. The President will now make a final decision.

## 7. **Miscellaneous**

- **Timber Reform Legislation:** The House Natural Resources Committee has advanced timber reform legislation (HR 2936 – Resilient Forests Act of 2017) that would exclude Federal timber management decisions connected to salvage logging, fire hazard reduction, diseased tree harvest, limited acreage, and public safety and infrastructure protection from having to go through the EA/EIS study process under the National Environmental Policy Act. These exemptions are extended to Forest Service, BLM and Tribal lands. Decisions that still qualify for EA/EIS study would only be evaluated for two alternatives (preferred and no action). The bill also sets up a pilot program to create a binding arbitration process on timber management disputes in an effort to reduce litigation going through the courts. Rep. Young voted for the bill in Committee.
- **Polar Icebreakers:** Senator Sullivan was successful in adding a provision to the National Defense Authorization Act authorizing the procurement of up to six polar icebreakers. This includes both medium and heavy icebreakers.
- **Unrecognized Southeast Alaska Native Villages:** Senator Murkowski has introduced a bill (S. 1481) to make a number of changes to ANSCA as well as facilitate several land transfers. Section 10 includes her proposal to establish ANSCA Urban Corporations for the Native Villages of Haines, Ketchikan, Petersburg, Tenakee, and Wrangell. Federal land compensation for each village is set at 23,000 acres with a withdrawal preference for land with economic, cultural or subsistence value. Village Natives are eligible to receive 100 shares of common stock in their respective Urban Corporation if they were members of the Regional Corporation for Southeast Alaska prior to 1973. Senator Sullivan is a cosponsor. Section 10 has also been introduced as stand-alone measure (S. 1491). Rep. Young introduced the House version of the bill in the beginning of the year (HR 229).
- **Marine Debris Bill:** Senator Sullivan and Rep. Young have co-authored the Save Our Seas Act, legislation to reauthorize NOAA's marine debris cleanup program through 2022. The bill also encourages the State Department to engage with other countries on research into biodegradable plastics, pollution prevention, and debris mitigation. Because of the nature of Pacific Ocean currents, coastal Alaska is the repository of significant amounts of ocean debris generated by Asian nations. The Senate bill has passed, while the House bill has not yet moved through Committee.
- **Alaska Native Settlement Trusts Tax Legislation:** Rep Young has introduced legislation (HR 3524 -- The Settlement Trust Improvement Act of 2017) to clarify the circumstances when settlement trust payments can be excluded from gross income of an Alaska Native Corporation.



# **MEMORANDUM**

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

**FROM: LISA VON BARGEN  
BOROUGH MANAGER**

**SUBJECT: MANAGER'S REPORT**

**DATE: October 6, 2017**

## **INFORMATION:**

### **Goal Setting Work Session:**

A draft of the Goals, including deliverables with milestones and dates will be distributed to the Assembly at the October 10<sup>th</sup> meeting. This will provide the Assembly with time to review the document and provide feedback so a final version can be brought back for Assembly action at the second meeting in October.

### **Southeast Conference:**

Wrangell was presented with the "Community of the Year" Award at Southeast Conference in Haines last month. Assembly Member Julie Decker accepted the award on behalf of the community. The award will be officially presented to the Assembly at Tuesday's meeting; followed by a short celebration recess to have cake. A copy of the press release from Southeast Conference is included in the agenda packet.

### **Healthcare Continuum:**

The joint work session with the Assembly and the Hospital Board is scheduled for November 6<sup>th</sup> at 5:30pm in the Assembly Chambers. BDO will be giving a presentation regarding the financial feasibility of a new hospital facility. Prior to the close of the work session a subsequent joint work session should be scheduled to begin the discussion about a third-party operating partnership for the Hospital (existing facility and/or new facility) and how the process will unfold. The Borough has a grant through the State of Alaska for design and construction of a new hospital. The original amount of the grant was \$1.8 Million. Just over \$1 Million remains unexpended and unencumbered. Robert Rang and I met on October 5<sup>th</sup> to develop a project update for the State, as required by the grant. The grant was initially set to expire June 30, 2017. A one-year extension was approved through June 3, 2018. The estimated timeline for project completion (if Wrangell moves forward with a new facility) reported to the State is December 2020. The remaining grant funds can be used for design and engineering of the new facility if the project continues.

### **Wrangell Island Project Draft Record of Decision:**

As the Assembly is aware, the USFS recently issued the Draft Record of Decision on the Wrangell Island Project proposed timber sale. The Borough submitted a letter of objection to the terms of the sale. On Wednesday, Carol Rushmore and I met telephonically with Forest Supervisor, Earl Stewart, regarding the objection. Mr. Stewart has offered an alternative solution to the terms outlined in the Draft ROD. He has asked if this option would be amenable to the Borough and if we would withdraw our objection. This decision needs to be made by the Assembly. The alternate solution will be presented to the Assembly for action at the second meeting in October.

### **USFS M/V Chugach:**

The Borough has been working with the USFS to develop a permanent interpretive exhibit of the M/V Chugach – the last remaining USFS Ranger Boat in the country. Forest Service staff provided the Borough with a draft Participating Agreement and Financial Plan for design of the cradle for the vessel

and the exhibit. An update will be provided to the Assembly once staff has had time to evaluate the documents. It is possible action by the Assembly will be required at an upcoming meeting.

#### **Wrangell Junkyard Cleanup:**

In September the Assembly approved a letter to ADEC asking for process and timeline clarification regarding alternative disposal sites and supplemental funding. A response was received from ADEC approximately a week ago. The response essentially says two things: 1) there is not enough time or money to evaluate an alternative on-island disposal site; and 2) more than \$8 Million in additional funding is required to facilitate off-island disposal. Administration is requesting a work session with the Assembly to determine if efforts should be expended to 1) find an alternative on-island disposal site; 2) seek additional (most likely federal funds) for off-island disposal; or 3) request other options from the State. I am scheduled to meet with WCA on Tuesday prior to the Assembly meeting regarding this and other matters.

#### **Proposed ANSEP Boarding School:**

In mid-September Barbara Blake, Senior Advisor to the Lt. Governor, met with members of the Assembly and Borough/School Administration to discuss the concept of the proposed ANSEP boarding school. She followed up with us this week asking for written material that could be used to present to the Lt. Governor to obtain a potential letter of support from him. Assembly Member Decker, Patrick Mayer and I worked to provide this information to her. We are waiting to see what the Lt. Governor decides. Tlingit/Haida Central Council submitted a resolution of support for the proposed concept for consideration at AFN. Patrick Mayer, and others from ANSEP will be attending AFN to be resources about the project. At the Assembly goal setting work session there were concerns about this proposed concept. Following AFN I am proposing to have a work session with the Assembly and local stakeholders to talk about the next phases of this concept.

#### **Nuisance Abatement:**

The Assembly gave clear direction at the goal setting work session, and the last assembly meeting that Nuisance Abatement is a priority. The determination was that Administration would come back with a plan that included a grace period to allow people time to prepare for more thorough enforcement, along with how new enforcement efforts will be communicated to the public, and an attempt to marry things up with scrap steel recycling. **GREAT NEWS!** Amber has been in communication with Channel Construction who has committed to bringing a barge to town for metal recycling in November. After discussing this opportunity with the Solid Waste Crew, the Borough will be offering free metal drop off (small charge for un-prepped vehicles) from October 10<sup>th</sup> to November 10<sup>th</sup> in order to collect as much metal as possible prior to Channel's visit. There will be a media blitz that begins next week. I will be reaching out to the radio station to do an interview and the newspaper for an article about upcoming enforcement in the spring, and this clean-up opportunity over the next month. At this time Administration is recommending full enforcement activities begin in May of next year. A more thorough outline of this program will be included in the goals document.

#### **Nuisance Burning:**

At the last Assembly meeting a member of the public requested the information how to report and have nuisance burning stopped. Section 15.18.052 of the Code prohibits the burning of certain materials. This action is defined as a nuisance. Section 9.08.110 clearly outlines nuisances are to be reported to the police department and are to be abated within 24 hours. The proper protocol is to call the police department in this instance. Fines are also an option for those who do not follow nuisance abatement protocols once they are requested.

#### **Federal Lobbyist Tasks:**

The Borough's federal lobbyist has provided an update on a vast array of topics. The report is included in the agenda under correspondence for review by the Assembly. One of the items addressed includes the Young Fishermen's Development Act. As a reminder, the Assembly passed a resolution of support for

this federal legislation. Kim distributed copies of that resolution to the federal delegation and federal lobbyist. Another issue upon which we must remain vigilant is the push by the Trump Administration to eliminate USDA Rural Development funding. This is the federal funding source which would provide the loan for construction of the new hospital, if that project moves forward.

**Community Jail Contract:**

Amendment #4 to the Community Jail Contract, including the new tasks delegated by the Department of Corrections is before the Assembly at this meeting.

**Community Development Block Grant:**

The second public hearing and action by the Assembly is on this agenda for consideration by the Assembly. Staff is recommending the project submittal be the Fire Department portion of the Public Safety Building.

**Water System:**

There is an item on the Assembly agenda to approve a professional services agreement with Shannon & Wilson for the first phase of the diversion pipe from the upper reservoir. There is also an item on the agenda for the Assembly to approve with CRW to conduct the final solution evaluation of the water treatment system. It will provide a recommendation to go with the new plant or the revitalization components of the existing system. A comprehensive outline of the water plant solution is outline in the goals document that will be distributed at the meeting. This includes milestones and dates.

**Public Works Department Report:**

Please see the attached report from Amber outlining several project and operational updates.

# **Public Works' Departments and Capital Projects Update**

## **October 5, 2017**

### **Public Safety Building – Assessment of Building Assessment**

Jensen Yorba Lotts (JYL) performed a building envelope inspection at the Public Safety Building in September. Staff have received JYL's full report, considered the recommendations and costs and are working to identify funding for the necessary work. The two funding sources identified as possibilities to date are: 1) a revision of a variety of budgeted FY18 CIP funds; and 2) application to the Alaska CDBG grant program.

While the CDBG grant program excludes work to Public Safety Buildings, portions specifically related to Fire Departments are eligible for funding. To replace the Public Safety Building's siding and windows completely is estimated at \$550,000, with approximately \$295,000 of that amount specifically related to the portion of the building that houses the Fire Department. We have the 25% matching funds in our FY18 CIP budget for this siding project, as required by the grant program.

As part of Wrangell's October 10th public hearing regarding application for funding to the CDBG grant program, an outline of Wrangell's priority projects will be listed, including the Fire Department's siding and window replacement, for the purpose of accepting alternative proposals for funding consideration and seeking citizen comments on proposed projects. It will be staff's recommendation that the Fire Department's Siding and Window Replacement be the priority project for which to seek funding from the CDBG program.

The final project scope for the Public Safety Building's Siding and Window Replacement is dependent on the CBW's ability to secure additional funding since the life and safety and most critical siding replacement needs exceed the amount of funding currently in place for this facility through the FY18 CIP budgeted funds. Since the funding planning sequence will drive the progress of this much needed work, staff will be able to better identify the project scope and associated costs once we: 1) identify and confirm that the Fire Department's Siding and Window Replacement project is the community's priority project for the CDBG funding program; and 2) realize a successful application to the CDBG. There are some intermediate measures that could be taken between these two potential source funding milestones, which we will follow through with further planning, after the October 10th public hearing.

### **Solid Waste Transfer Station**

- *Scrap Metal Recycling Opportunity with Waste Management*

The Southeast Alaska Solid Waste Authority (SEASWA), of which Wrangell is a member, has been working with their selected scrap metal recycler, Waste Management (WM), to develop a master agreement through which WM would collect, transport and dispose of scrap metal waste from the Solid Waste Transfer Station. Under this agreement, WM would collect and recycle the scrap metal based on market feasibility and the volume



accumulated within the region. Royalty payments would be based on the actual weight collected; however, WM would not be required to collect the metal if a loss was predicted based on market values.

The metal recycling market, after many years of decline, has seen a resurgence in prices; however, because Wrangell recently disposed of the Borough-collected metals, WM has determined that the volume of metal between the SEASWA communities is not large enough to make a trip to SEAK feasible at this time.

Staff have reached out to WM to discuss the details of the Agreement and the manner in which Wrangell and WM would cooperate; however, WM has not been available for discussion for some time.

Wrangell wishes to establish a cooperative long-term metal recycling agreement, and while we appreciate the hard work of the SEASWA group toward establishing a Cooperative agreement with WM for all communities, we are also pursuing other options for our scrap metal collection in Wrangell as well.

- *Scrap Metal Recycling Opportunity with Channel Construction*

Channel Construction has indicated that they will be returning to Wrangell, sometime in November, to collect the remainder of the metal from other entities. They again have agreed to collect and haul what metals Wrangell has accumulated since they were last here in June 2017 upon their return.

With Channel Construction's agreement to haul the metals at no cost to the Borough, staff plans to develop a free scrap metal disposal for the community, to run for approximately one month's time, or until further notice.

With the recent mandate by the Assembly to begin strict enforcement of Wrangell's nuisance and junk vehicle laws, it is staff's hope that those citizens who need to dispose of such items will take advantage of this free scrap metal disposal.

- *Solid Waste Disposal*

Republic Services, Wrangell's contractor for haul and disposal of solid waste, has informed us that a transition to 40' hard top containers will be a requirement of all of their SEAK solid waste clients, due to this operational change requested by Alaska Marine Lines. This change would require that all solid waste be baled prior to placement in the shipping containers.

Republic and AML understand that that small communities such as Wrangell would have a difficult time making a sudden transition since there would be significant capital costs associated with implementation of a baler into our solid waste operations. They have agreed to allow us to make this transition over the course of the next three to five years, so we have some time to work on this issue.

Republic has expressed their commitment to helping Wrangell through this transition period. If we cannot secure grants and/or loans, they may have the ability to fund our equipment costs thru a low interest loan or integrate the equipment costs into our disposal rate. Either of these options would add significant cost to our disposal rate and will require time to identify and then educate the community about these future changes.

Staff will begin looking at options available to assist us financially with this matter, as well exploring other disposal options available to us.

### **Shoemaker Bay Harbor Float Design**

PND's existing contract only required them to take the design to a 90% completion level, as the thought was that the final 10% might be predicated on the funding agency's grant program's requirements. At the request of the CBW, PND Engineers has prepared a fee proposal to complete the project to a 100% design level, which is bid-ready and includes assistance through the competitive bid process. Staff has prepared a recommendation to the Assembly to move the design project to 100% level design.

### **Groundwater Study**

Following approval by the assembly, a Professional Service Agreement was executed with Shannon & Wilson for a Groundwater Desktop Study. Shannon & Wilson expects to have their draft report complete by mid-October.

The groundwater study will provide a general understanding of whether a viable groundwater source exists to supplement Wrangell's drinking water surface water supply. This is a desktop study whereby the consultant will analyze and provide an overview of the geological data in Wrangell. The consultant will develop their assessment based on relevant, publicly-available records, including geological maps, topo maps, DNR historical well logs, USGS studies, any available airborne geophysical surveys, and discussions with hydrogeologist professionals in the groundwater field. No physical on-site investigations are scheduled to be performed under the desktop study.

### **Reservoir Bypass Connection**

Following discussion with Shannon & Wilson regarding the dam breaching evaluation and design completion for the Reservoir Bypass Connection project, it is the intent to negotiate a professional services agreement for the design and bid-ready construction documents for this project with Shannon & Wilson.

In the Borough's interest, this work is best achieved by splitting the work into two tasks. Task 1 Dam Tap Alternatives Analysis consists of a study of existing conditions and new trenchless technologies, compared with the Shannon & Wilson's 2003 tap analysis, which is necessary to further develop design scope and costs.

Task 1, Dam Tap Analysis will address all tapping assessments, including work by Shannon & Wilson's lead engineers and their civil and trenchless engineering subcontractors. From the

Task 1 work, Shannon & Wilson will generate a design study report that will outline their recommendation for the best design and construction approach and prepare a Task 2 cost estimate to carry the project through final engineering design for construction. Task 2, Engineering/Design, will require future Assembly approval.

### **Evergreen Avenue Reconstruction (CBW-owned, DOT-managed project)**

Staff has discussed with both DOT and the new owners of the Evergreen Avenue property adjacent to the ferry terminal, any effects of the new property ownership on the roadway reconstruction project. All project-related easements and acquisitions were complete and paid for by DOT while the property was under previous ownership. There are no anticipated issues with the change in property ownership as related to the Evergreen Avenue Reconstruction project.

DOT reports continued work toward finalizing the last two property acquisitions and easements toward completion of the Right of Way (ROW) phase. This ROW work continues to be the driving phase for project delay. Design is complete and a copy of the latest design documents can be reviewed at City Hall. Once the ROW work is complete and certified by the various divisions as required by Federal Highways, DOT will request authorization of the funds to move forward with construction. DOT routinely allows a minimum of three weeks for the bidding phase.

# Agenda Item 9

## CITY & BOROUGH OF WRANGELL

### BOROUGH ASSEMBLY AGENDA ITEM

#### CLERK'S REPORT October 10, 2017

##### Mark Your Calendar:

- 10-12 Planning & Zoning Commission Mtg. scheduled for 7pm in the Assembly Chambers
- 10-18 Hospital Board Mtg. scheduled for 5:30pm in the Nolan Center Classroom
- 10-18 Economic Development Committee Mtg. scheduled for 6:30pm in the Assembly Chambers
- 10-24 Regular Assembly Mtg. scheduled for 7pm in the Assembly Chambers

SEAPA Board meeting to be held in Petersburg on November 8th & 9th

#### **Regular Borough Election of October 3, 2017**



I would like to extend a big  to the **Election Workers** for their time and dedication. and to the following City Departments:

*The Employees of Public Works*

*The Nolan Civic Center Staff*

The preparations for the Election went very well. As of September 3rd, Wrangell had **1,721** Registered Voters. That voter count was up 35 from last year.

The total number of ballots cast for the October 3rd Regular Election was **269**. The voter turnout was **16%**. Last years election had a 27% voter turnout.

Kim Lane, Borough Clerk



### AML (ACoM, NEO & Conference)

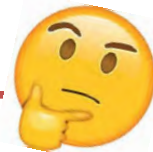
Alaska Municipal League Conference schedule is as follows:

Pre-Conference ( NEO-Newly Elected Officials Training) - Nov. 13 & 14, 2017 (none attending)  
Regular Conference - Nov. 15 - 18, 2017 (Prysunka, Rooney, Jack attending)  
ACoM (Alaska Conference of Mayors) - Nov. 15, 2016 (Jack attending)

Mayor Jack will be attending ACoM and the Regular AML Conference (Nov. 15 - 18, 2017), Assembly Members Prysunka and Rooney will be attending the Regular AML Conference (Nov. 15 - 18, 2017).

Annual Ethics, Open Meetings Act (OMA), and Parliamentary Procedure Training....

I am working on this and will be scheduling this training in the near future.



How about a little test?.....

A Parks & Recreation board meeting has to be moved. The Chair texts the board members to let them know, and puts a note on the door of the fire hall saying the meeting is in the Assembly chambers.

Proper notice, True or False?

**False.** The notice is improper because notice requirements call for notice that has the **date, time** and **place** of the meeting.

## MEMORANDUM

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

**FROM: KIM LANE, BOROUGH CLERK**

**SUBJECT: Report on an upcoming proposed ordinance to address sections of Chapter  
3.05 of the Wrangell Municipal Code – Rules of Procedure**

**DATE: October 10, 2017**

### **Background**

The Clerk and Manager are recommending some revisions to the order and manner in which the Assembly agenda and meetings are managed. The first recommendation is that Public Hearings become a part of the regular meeting agenda. That way if there is little or no public comment, the hearing can be closed and the Assembly can commence with the rest of the Agenda business. Second, Persons to be Heard is currently used to allow members of the public to comment on both items not on the agenda and items on the agenda. The code specifically states this portion of the agenda is for the public to comment on subjects not on the agenda. If members of the public are not allowed to speak regarding an item on the agenda when it is brought to the floor by the assembly then comments are being made out of context of the Assembly's discussion of the matter and there is no opportunity for discourse with the public. The recommended change is twofold: 1) Persons to be Heard will be limited to comments about items not on the agenda; and 2) the Assembly will take public comment during each agenda item. It may seem as if this will lengthen meetings, but appropriate meeting management will keep this type of public interaction appropriate in both time and scope.

There are several other changes outlined in the section-by-section summary below:

**3.05.020 (C). Persons to be heard:** People can sign up under this item and speak right after Roll Call on agenda items that are not listed on the Agenda. Having this item closer to the top of the Agenda makes more sense.

**3.05.020 (D). Amendments to the agenda:** The suggestion is to remove this item altogether. Once the Agenda has been "set", there should be no amendments. If an assembly member has an item of urgent matter, let's get it on the Agenda before it's published. If items are added, it doesn't give the public an opportunity to see what is being added.

**3.05.020 (I). Mayor and assembly business:** This section of the Agenda will allow assembly members to introduce items that are not on the agenda, to be brought back at the next meeting by majority consent of the assembly. Minimal discussion can be held on the item as well.

**3.05.020 (H). Persons to be heard:** As you can see, this item is being moved up on the Agenda.

**3.05.020 (J). Public hearing and public participation on agenda items:** This is probably the biggest change to this section. By adding this, Public Hearing items will actually be addressed within the Regular Assembly Agenda! Yes, that means no more separate PH meeting before the Regular meeting! After the close of the Public Hearing, the Assembly will consider the item.

**3.05.020 (K & L). Unfinished and New Business:** The only change here is that after each item receives a motion/second, the Assembly will have the opportunity to debate and then, if someone signed up under the Public Sign-up Sheet for that item, the Mayor can call on them to provide their comments.

The Mayor can also ask the public (after each item), if anyone in the public had anything to add.

**3.05.030 (B & C). Assembly Agenda (deadlines):** The date in which items can be added to the Agenda will change from Thursday to Tuesday.

**3.05.030 (D). Guidelines for Proclamations:** At the request of the Assembly, I have added this section.

**3.05.030 ~~(D)~~. Agenda not required for Special Meetings:** This section has been deleted. An agenda should always be provided.

**3.05.030 (E). Amendment of agenda:** As stated above (3.05.020(D)), the proposal is to remove this section.

**3.05.040 (B). Public hearings and public participation on agenda items:** This section is for clarification on signing up to be heard.

# Agenda Items 10 a - d

## CITY & BOROUGH OF WRANGELL

### BOROUGH ASSEMBLY AGENDA ITEM October 10, 2017

#### 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

##### Letters for City Boards & Committee Appointments received from:

- |                          |                                       |
|--------------------------|---------------------------------------|
| • <b>Don McConachie</b>  | Planning & Zoning Commission          |
| •                        | Planning & Zoning Commission          |
| • <b>Cindy Martin</b>    | Parks & Recreation Board              |
| •                        | Parks & Recreation Board              |
| • <b>Julie Decker</b>    | Economic Development Committee        |
| • <b>Kim Covalt</b>      | Economic Development Committee        |
| • <b>Corree Delabrue</b> | Wrangell Convention & Visitors Bureau |
| •                        | Wrangell Convention & Visitors Bureau |

#### Recommended Action:

**Mayor:** If there are no objections to the above appointments to the City Boards and Committees, I will declare them appointed for terms ending October, 2020.

If there are seats that are left vacant (no letters received), direct the Borough Clerk to advertise for the vacancies along with the prior vacant seats.

*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 \_\_\_\_\_.*



➤ **Item 10c**    **Prior Vacant City Boards and Committee Appointments**

*There were no letters of interest received for these vacancy.*

- Planning & Zoning Commission (unexp. until 10-2019)
- Planning & Zoning Commission (unexp. until 10-2018)

*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 \_\_\_\_\_.*

➤ **Item 10d**    **Nomination of Vice-Mayor**

**RECOMMENDED ACTION**

Move to nominate: \_\_\_\_\_ for Vice-Mayor.

(There needs to be a second to the motion)

# **Agenda Item 12a**

## **CITY & BOROUGH OF WRANGELL**

### **BOROUGH ASSEMBLY AGENDA ITEM October 10, 2017**

#### **INFORMATION:**

Approval of Community Development Block Grant Application  
Project Selection

#### **Attachments:**

1. Memo from Carol Rushmore, Economic Development Director
2. List of Potential Projects for Consideration
3. Eligible Criteria
4. Jenson Yorba Lott Building Assessment

#### **RECOMMENDED ACTION:**

Move to approve the Public Safety and Fire Department Building Rehabilitation (PSB rehab), specifically all areas affecting the Fire Department facilities. Total building rehabilitation project cost is \$549,633, estimated cost associated with the Fire Department is \$294,273. Estimated minimum match required is \$137,408 (25% of total project costs).

## **MEMORANDUM**

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

**FROM: MS. CAROL RUSHMORE  
ECONOMIC DEVELOPMENT DIRECTOR**

**SUBJECT: COMMUNITY DEVELOPMENT BLOCK GRANTS (CDBG)**

**DATE: OCTOBER 5, 2017**

### **BACKGROUND:**

Every fall, the State of Alaska accepts project proposals for funding through their Community Development Block Grant program. This is a highly competitive statewide program with approximately \$2.4 million federal funds available to award. Eligibility is based on the community's income level – the community must be a low moderate income (LMI) community according to the State's income levels per number in household. Based on the survey conducted last spring, Wrangell is actually 52.8% LMI, thus making Wrangell eligible to apply for CDBG funding. Submitted project proposals must meet the eligibility criteria for the three project categories: Community Development, Planning, or Special Economic Development.

A required public hearing was held at 6:30pm on September 12, 2017 to receive public comment and ideas for projects to be submitted for funding. On October 10, a follow-up hearing will be held to receive public comment on a staff recommended project submittal and all other project ideas submitted. A final decision by Assembly as to which project should be the subject of an funding application will follow during the regular meeting.

Each project is required to provide some matching funds, with the minimum match amount being 25% of total project costs. Staff will provide potential match funding sources to the Assembly for each project proposed at the follow up hearing and agenda.

Staff has developed a list of eligible potential projects, including 1) Fire Truck replacement; 2) Water Treatment Facility construction or design; 3) Shoemaker Bay Harbor construction; 4) mill property acquisition; 5) pool roof replacement; and 6) the recommended project, rehabilitation of the Public Safety Building, specifically those areas affecting the Fire Department facilities. The public hearing is an opportunity for the community to comment on the recommended project as well as offer additional project ideas and needs that might be eligible for funding via the CDBG grant. The website for Wrangell's CDBG information is: <http://www.wrangell.com/economicdevelopment/community-development-block-grant-cdbg>

### **ATTACHMENTS:**

1. Description of Eligible Project Categories
2. Description and recommendation of proposed projects.

## MEMORANDUM

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

**FROM: MS. CAROL RUSHMORE  
ECONOMIC DEVELOPMENT DIRECTOR**

**SUBJECT: COMMUNITY DEVELOPMENT BLOCK GRANTS (CDBG)**

**DATE: OCTOBER 5, 2017**

### POTENTIAL PROJECTS FOR CONSIDERATION:

The public hearing for October 10, 2017 is to provide an additional opportunity for the community to comment on potential projects eligible for CDBG funding and specifically on the recommended project. The Public Safety Building Rehabilitation project was added by staff to the list of potential projects shortly after the September 12 hearing, after crews discovered additional structural and construction issues while repairing a leak. Solicitations of the public via radio, facebook, website and the public hearing have not generated any additional project ideas to date.

- 1. RECOMMENDED PROJECT: Public Safety and Fire Department Building Rehabilitation (PSB rehab), specifically all areas affecting the Fire Department facilities. Total building rehabilitation project cost is \$549,633, estimated cost associated with the Fire Department is \$294,273. Estimated minimum match required is \$137,408 (25% of total project costs).** External walls and windows of the PSB have needed replacing since a building assessment 13 years ago. Only a small portion (south wall of the building) of the identified work has been completed to date. Recently, after work crews found carpenter ants, mold, and wood rot as a result of addressing a visual leak, a structure building envelope assessment was completed by Jenson Yorba Lott in September 2017. Their summary is available in a separate report, but they found extensive dry rot, structural failures, leakages, sealants broken, and assembly roof components nonfunctioning. While the CDBG program cannot provide funding for court buildings or public safety buildings, they can fund Fire Department facilities and equipment. The cost estimate (which is still being fine tuned) for the PSB rehab the Borough has received was broken down to identify those items specific to the Fire Department facility for the CDBG grant application.

Staff is recommending this project because 1) the need is immediate and critical for continued occupation; 2) if successful in the CDBG award, it reduces General Fund contribution which has the least ability for dollar replacement; 3) the amount requested is a reasonable amount considering only \$2.4 million available for statewide projects; 4) match funding is available for the project; and 5) the City's share of the total project cost and required match actually shows more local contribution. A resolution will be required of the



Assembly to authorize the application submittal, and at that time Staff will provide the best estimated cost components for the full building rehab and specific to the Fire Department.

- 2. Fire Truck Replacement: Estimated cost for a relatively new used pumper truck is \$315,000 to \$450,000.** Wrangell's Firefighting fleet is reaching its useful lifespan and the department is working on vehicle replacements. The emergency safety response priority is for a new pumper. Wrangell's municipal water service terminates at 6 mile Zimovia Highway, leaving an additional 8 miles of structures dependent on a 33 year old pumper truck of the Wrangell Volunteer Fire Department. The current pumper truck, housed at 5.5 mile Zimovia Highway is beginning to show signs of repairs and equipment malfunction, only allows 500GPM, and no longer qualifies under ISO as a pumper. It can only be considered and used as a support vehicle. It is imperative that we have functioning firefighting equipment, not only for the safety of the residents and businesses along Zimovia Highway without municipal water service, but also to protect the safety of the volunteer fire fighters responding to emergencies. The proposed new engine pumper will be a 4 wheel drive, 1000 gallon tank and 60 gallon AFFF holding tank, a 1500GPM pump and CAFS capabilities. In conversations with CDBG officials, there is no actual restriction on whether the acquired vehicle is a "new" used vehicle or a brand new vehicle. For either, justification as to the condition, the type of vehicle and its components must be clearly delineated within the application.
- 3. Water Treatment Facility Construction: Estimated cost \$9,051,000.** The rehabilitation of the Water Treatment Plant is the top priority of the community. The City and Borough of Wrangell (CBW) is pursuing the design and construction of a new water treatment plant and redesign of the existing roughing filter to increase water treatment capacity, improve the quality of drinking water and improve our production capacity to meet the community's growing water demand, as potable water is essential to the health and safety of Wrangell's residents, businesses and visitors and continued economic growth. While either the engineering design of the plant, or construction of the plant (not both) is eligible, because of the time line of the CDBG grant application submittal (due by December 1) and since a final decision on the water treatment plant rehabilitation has not been made, we could not provide a detailed enough description for the CDBG application.
- 4. Shoemaker Bay Harbor Construction: Estimated cost \$11,453,472.** The proposed Shoemaker Bay Harbor Replacement project will replace the existing but aging and failing infrastructure at Shoemaker Bay Harbor in Wrangell, Alaska with a modern facility to meet the current and projected needs of the community and region, specifically the commercial fishing fleet. Shoemaker Bay Harbor was designed and constructed by the State of Alaska Department of Transportation and Public Facilities (ADOT) in 1977. In 2003, the State of Alaska transferred ownership of the facility to the CBW. While Shoemaker Bay Harbor is critical infrastructure supporting the economic stability and growth of the community, a financing plan is in place and funds available. The CBW received \$5million from the State's Harbor Replacement Fund toward the reconstruction. The remainder of the funds will come from the Harbor Reserve Funds, the Harbor Deferred Maintenance funds, and through the sale of revenue bonds.

- 5. Mill Property Acquisition: Estimated cost - still in negotiations.** One of the borough's top priorities is to improve and expand the marine service center. The boat yard has proven to be a bright spot in the community's economic foundation. A property assessment and feasibility study of the former mill site was completed in June 2016. The recommendation of the analysis was that for the long term redevelopment perspective, it made sense for Wrangell to purchase the property. The purchase and redevelopment is not without challenges and additional costs – extending utility infrastructure and redeveloping water access being two priority capital needs. While this is a future project with potential economic returns to the community, the CBW is still in negotiations and the actual details are not known for a CDBG application at this time.
- 6. Pool Roof Replacement and facility improvements: Estimated \$1,700,000.** An assessment of the pool facility was completed in 2014 identifying key facility improvements and replacements for the facility. Initial cost estimates to replace the flat rubber membrane (EDPM) roofs, upgrade the mechanical system, replace siding, lighting, and repair facility components was just under \$2 million. (Sloped roof above the pool natatorium itself is not leaking). Some of the work identified in the assessment is being addressed as funding becomes available. While the improvements need to take place, they are not as critical as the Public Safety Building rehabilitation issues. With the recent discovery of even more rotting and structural issues at the PSB and the new cost estimate to repair this building, it is Staff's recommendation to redirect the money in the FY2018 budget for the pool roof to the PSB rehabilitation.

## F. ELIGIBLE PROJECT CATEGORIES & ACTIVITIES

The State of Alaska CDBG Program may be used to fund projects in three categories: **Community Development, Planning, and Special Economic Development**. The following summary, identifying the common types of eligible activities in each category, is for general reference only. A complete list of eligible and ineligible activities can be found in Title I of the Housing and Community Development Act of 1974, as amended.

Each applicant is expected to consult with CDBG Program staff about project eligibility and structure prior to submission of an application. It is important that applications be submitted under the appropriate category.

### Community Development

Under Section 105(a)(2),(4),(5),(14)&(15), CDBG grant funds may be used for:

#### Public Facilities

- |                                   |                                   |
|-----------------------------------|-----------------------------------|
| ✓ Health Clinics                  | ✓ Acquisition                     |
| ✓ Daycare Centers                 | ✓ Construction                    |
| ✓ Homeless Shelters               | ✓ Reconstruction                  |
| ✓ Water & Sewer Systems           | ✓ Installation                    |
| ✓ Solid Waste Disposal Facilities | ✓ Improvements                    |
| ✓ Flood & Drainage Facilities     | ✓ Electrical Distribution Lines   |
| ✓ Docks & Harbors                 | ✓ Fuel & Gas Distribution Systems |

#### Transportation Improvements

- |                       |                    |
|-----------------------|--------------------|
| ✓ Local Service Roads | ✓ Barge Facilities |
| ✓ Boardwalks          | ✓ Airports         |

#### Access to Public Facilities & Structures

- |   |  |
|---|--|
| ✓ Removal of architectural barriers in conjunction with current renovations | ✓ Improve access for handicapped & elderly persons |
|---|--|

#### Real Property

- |                    |              |
|--------------------|--------------|
| ✓ Acquisition      | ✓ Clearance  |
| ✓ Building Removal | ✓ Demolition |
| ✓ Improvements     |              |

#### Fire Protection Facilities & Equipment

- |                |                  |
|----------------|------------------|
| ✓ Acquisition  | ✓ Rehabilitation |
| ✓ Design       | ✓ Purchase       |
| ✓ Construction |                  |

**Note:** Community Development activities do not include the purchase of any personal property or any equipment unless it is attached to a facility or building and considered an “integral structural feature.” Fire protection equipment is the only exception.



## Planning

Under Section 105(a)(12), CDBG grant funds may be used for:

- ✓ Data Collection
- ✓ Analysis
- ✓ Plan Preparation
- ✓ Marketing Studies
- ✓ Feasibility Studies
- ✓ Community Economic Development Plans
- ✓ Community Land Use Plans
- ✓ Capital Improvement Plans
- ✓ Plan Updates

**Note:** Planning activities do not include engineering, architectural, and design costs related to a specific project activity. These activities may be eligible under the Community Development category.

## Special Economic Development

*“Special Economic Development,” as used in the CDBG Program, must meet the criteria below. See “Unique Requirements of Special Economic Development Projects” on page 9 for more information about the specific requirements for projects under this funding category.*

Under Section 105(a)(14) CDBG grant funds may be used for:

- |  |                  |
|--|------------------|
| ✓ Commercial or Industrial Improvements  | Includes:        |
| ✓ Carried out by Grantee or Non-Profit Recipient   | ✓ Acquisition    |
| ✓ Involving Commercial or Industrial Buildings, Structures, and Other Real Property Equipment & Improvements | ✓ Construction   |
|  | ✓ Reconstruction |
|  | ✓ Rehabilitation |
|  | ✓ Installation   |

Under Section 105(a)(17), CDBG funds may be used for:

- |   |  |
|---|--|
| ✓ Assistance (through eligible applicant) to an identified private, for-profit entity or entities | The project must:  |
|   | ✓ Create and maintain jobs for low or moderate income persons  |
|   | ✓ Assist businesses that provide goods or services needed by and affordable to low and moderate income residents |

**Special Economic Development Projects must fit under one of those two categories.**

If your project is not for the purpose of acquisition, construction, reconstruction, rehabilitation, or installation of commercial or industrial buildings, structures, and other real property equipment and improvements, OR it is not for the purpose of providing assistance to an identified private for-profit entity **IT IS NOT** appropriate to submit it under the Special Economic Development category.

**Note:** The examples provided under each of the three funding categories are for general information only and are not intended to be all-inclusive. Each community is encouraged to consult with CDBG Program staff about project eligibility and structure.

### ***Unique Requirements of Special Economic Development Projects***

The State of Alaska primarily targets Community Development and Planning projects, but it will also consider Special Economic Development projects. Projects considered under this category assist commercial, industrial, or other businesses and organizations that provide an overall economic benefit to low and moderate income communities. Special Economic Development projects have unique requirements which are outlined below. We highly recommend you contact our office if you plan to apply under this category.

If you are applying under this category, you must document in your application that your project provides a public benefit using the following criteria:

1. Creates or retains at least **one full-time equivalent permanent job per no more than \$50,000 of CDBG funding used**; or
2. Provides goods or services to residents of an area in which the number of low- and moderate-income persons served equals **no more than \$1,000 of CDBG funds used per resident**.

If your project serves to both create jobs and provide goods and services, it only has to meet one of the criteria listed above.

Under **no circumstances** will CDBG funds be used to fund projects that include any of the following activities:

1. General promotion of the community as a whole (as opposed to the promotion of specific areas and programs)
2. Assistance to professional sports teams
3. Assistance to privately-owned recreational facilities serving predominantly higher-income clientele, where the benefit to members clearly outweighs employment or other benefits to low- and moderate-income persons
4. Acquisition of land for which the specific proposed use has not been identified
5. Assistance to a for-profit business while that business or any other business owned by the same individual or entity has unresolved findings or noncompliance related to previous CDBG funding

Applicants under this category should conduct a **financial evaluation** of their project using the below suggested criteria:

1. Are project costs reasonable?
2. Are all sources of project financing committed?
3. To the extent practicable, are CDBG funds not being substituted for non-federal financial support?
4. Is the project financially feasible?
5. To the extent practicable, will the owner's equity investment not be unreasonably high?
6. To the extent practicable, will the CDBG funds be disbursed in proportion to other funds?

*Above are only some of the requirements of Special Economic Development applications. Please **contact our office** if you plan to apply under this category.*

## G. INELIGIBLE PROJECT ACTIVITIES

The following activities are not eligible for CDBG funding:

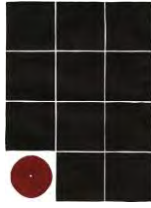
- ☒ **Equipment:** The purchase or repair of motor vehicles, equipment (including computer equipment), personal property, or furnishings not permanently attached to a building, except when such vehicles or equipment are utilized for fire protection.
- ☒ **Government Buildings:** Government buildings such as courthouses, city halls, borough administrative buildings, city offices and other buildings used for the general conduct of government, except for the removal of architectural barriers.
- ☒ **Regular Government Operations:** The ongoing responsibilities of general local government.
- ☒ **Maintenance and Operation:** Operation and maintenance expenses of public or community facilities.
- ☒ **Political Activities:** Use of facilities or equipment for political purposes or to engage in other partisan political activities.

*The above listing of ineligible activities is not intended to be considered all-inclusive. Please contact CDBG Program staff if you have any question about project eligibility or the correct funding category.*

## H. SPECIAL REQUIREMENTS & FUNDING LIMITATIONS

The following special requirements and funding limitations apply to all CDBG applications. Actions necessary to address these special requirements are detailed in the Appendices or the application packet instructions as appropriate.

- ✓ **Minimum Benefit:** Each CDBG grant activity proposed must meet the National Objective of benefiting populations or targeting areas which consist of at least 51% low and moderate income persons, as defined by census data and DCCED. See Appendix B1 - B3 for detailed instructions and forms for use in determining if your project meets this requirement. **Your project cannot be considered for funding if this requirement is not satisfied. You must submit Appendix B1 with your application. If you are applying under the Special Economic Development category, you must also submit Appendix B2.**
- ✓ **Public Benefit Standards:** Each CDBG assisted economic development activity proposed under the Special Economic Development category and some activities proposed under the Community Development section, must ensure that a minimum level of public benefit is obtained from expenditure of CDBG funds. These public benefit standards are on page 9 of this Handbook.
- ✓ **Single-Purpose Projects:** CDBG funds will address **single-purpose projects** only. If more than one activity is proposed, each must directly relate to and address the single need identified.



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*Serving Alaska Since 1935*

Date: **September 22, 2017**  
To: **Amber Al-Haddad**  
  
From: **Tony Yorba**  
RE: **Wrangell Public Safety Space Envelope**  
CC:

**Summary:** Significant rot, fungi and carpenter ants was discovered in the exterior west facing wall of the Wrangell Public Safety Building. The condition renders the court clerk's office unusable. At the request of Wrangell Borough staff, Tony Yorba and Dan Fabrello conducted an investigation of the exterior wall assemblies, and to a lesser extend the roof assemblies, of the entire building in order to determine if other similar conditions exist in the building, what the prognosis is, likely corrective work and cost s for such work. The building had been previously documented in a report by JYL accomplished in 2004. Later, the south elevation cladding was replaced primarily due to failure of the integral gutter system. It was understood that the exterior wall assembly was at the end of its useful life, so wall cladding replacement for the north, west and east walls was included in a set of documents accomplished by JYL dated June 2017. That work has not yet proceeded. In addition, replacement for the membrane roof portions of the building was included in a set of drawings also dated June 2017. That work has not yet proceeded. Yorba and Fabrello conducted the on site evaluation of the exterior space assembly, using the previous documentation as a guide. The following is a summary of their findings:

1. The North wall is capped by a concealed gutter assembly identical to that replaced on the south wall in 2008. The assembly, which creates an overhang that projects out approximately 24 inches, is structurally failing, with noticeable deformation. The temporary steel straps installed as a measure to resist the deformation are failing. The condition is a life safety threat and should be corrected as soon as possible.
2. There appears to be extensive dry rot in the plywood sheathing of the walls below the gutters on the north side.
3. Virtually all the siding on the building is dry rotted and well beyond its useful life.



4. The parapets at the perimeter of the membrane roofs leak water into the wall assembly below. This includes the angled wall areas between the large sloped roof areas facing the street, and the court clerks offices at the rear of the building. It can be assumed that extensive rot has occurred in these areas. We did not observe critical structural damage, but the plywood sheathing is virtually destroyed in these areas and the dimensional lumber will follow suit.
5. The south elevation work was not done in compliance with the 2008 construction drawings, specifically, the PVC membrane used to seal the old gutter system was not welded to the new metal flashing. It does not appear to have been adhered at all to the flashing. As a result, the membrane has oxidized and peeled up and curled around itself, leaving the plywood sheathing exposed. The gutters were not connected to the building with mechanical fasteners and sleeves as shown on the drawings, but rather with metal strips and rivets. Most of these have failed. The gutter sections were riveted together with no provisions for sleeves or sealant pockets. The gutters leak at every joint.
6. Sealant between window frames and siding has cracked and is no longer an effective seal. There is no secondary flashing under the siding other than the 15 lb building paper, so there is little to resist water intrusion. There is visible failure in mullion trims between the mulled window units.
7. The metal roof assembly is largely intact, although paint is eroding and rust is present in many flashings where the coating fissured during fabrication.
8. The membrane roof assembly appears to be largely intact, except for the failure at the parapets.

The following are our recommendations:

1. Remove the failing North wall concealed gutter assembly, or replace it with a structurally competent replacement. This is a life safety issue and should be addressed as soon as possible.
2. Reconfigure the parapet wraps at membrane roof area. This includes removing the metal parapet coping, wrapping the existing wood parapet with roofing membrane, and then re-installing the metal coping. This will eliminate the active leaks sourced from the parapets. This should be done immediately.
3. At the south wall, remove defective materials and replace them with materials as originally shown in the 2008 drawings. This should be done as soon as possible to prevent water intrusion from again damaging the south side offices.
4. Remove and replace exterior wall cladding down to bare studs and window assemblies under the membrane roof area. In particular, the west wall area must be addressed in order to remove the immediate life-safety threat posed by mold. Windows should be replaced at the same time so that a complete, modern water shedding configuration can be accomplished. The windows must be removed to adequately replace the dry rotted materials, and since they are at the end of their useful life they should not be re-installed.

5. Remove all wood siding, which can be assumed to be significantly dry rotted virtually everywhere. The wood siding could be replaced with wood siding, but we recommend a metal siding similar to that replaced at the south elevation. Replacement siding should be installed in a rain screen wall assembly configuration to better protect the building from wind driven rain. Plywood substrate and gypsum sheathing should be replaced where rot is present.

#### Background:

The Wrangell Public Safety Building was built in two phases, the second phase completed from drawings prepared by Ackley Jensen Architects (Now Jensen Yorba Lott, Inc). It is a complex building due to the very challenging mix of occupancies. It requires significant fire rated assemblies, and complex mechanical systems, sound attenuation and security measures to successfully combine the public safety functions as well as provide public access to important community service functions. Walls consist of 6 inch wood studs with 1/2" plywood shear panels and 1/2" gypsum sheathing required to accomplish the code required 1 hour rated wall assembly. The exterior gypsum sheathing was covered with 15 lb felt underlayment (commonly called 'tarpaper') and 1x8 T&G cedar siding in both vertical and horizontal orientations. Sloped roofs are 24 gage metal "Klip Rib" roofing with concealed fasteners installed over 15 lb felt and secured to 3/4" plywood roof sheathing. Roof structure varies from pre-manufactured wood trusses, glued laminated beams and dimensional lumber joists. Low slope roofs are the original Inverted Roof Membrane Assemblies (IRMA) consisting of EPDM rubber membrane loose laid over the plywood roof deck with loose laid rigid insulation held in place with concrete ballast boards and pavers. The scope of this report is limited to an evaluation of the exterior space envelope, consisting of roof, walls, windows and door openings.

#### Methodology:

Investigators used a hydraulic man lift to access the walls on the south, east, north and most of the west elevations. The southwest end of the building is blocked to motorized traffic so our investigation there was limited to access via a 20 ft extension ladder. We directly observed the wall assembly primarily by using a hole saw, cutting 1.5" holes through the wall assembly and examining the condition of the representative cores of each layer of materials. We cut cores in virtually every area of siding. We also removed sections of T&G siding in some locations, but the condition of the siding was so poor that it was difficult to remove the siding without it shredding apart. For roof observations, we removed the metal parapet caps to allow us to look directly into the wall assembly. We limited observation of other roof areas to what could be directly observed- no cutting of roof assemblies was attempted. Windows and Doors were investigated by direct observation, with cores cut and siding removed next to windows that appeared especially problematic. We used a moisture detector to identify moist areas prior to making cuts. We also tested most core samples to observe relative moisture content at each.

#### Observations:

## General Observations:

1. The wood siding throughout the building is dry rotted, in some places the rot is complete through the entire board.
2. The membrane at the parapet did not completely wrap the top of the parapet wall. As a result water leaked through the parapet flashing at each seam in the metal, where it entered the wall assembly. Extensive rot has occurred in walls below the parapets.
3. The attached drawings are noted to indicate specific observations made at each test location.

South wall: free water is visible dripping from the gutter assembly and in certain places from the vent space. PVC membrane used to seal the old gutter system was not welded to the new metal flashing. It does not appear to have been adhered at all to the flashing. As a result, the membrane has oxidized and peeled up and curled around itself, leaving the plywood sheathing exposed. The gutters were not connected to the building with mechanical fasteners and sleeves as shown on the drawings, but rather with metal strips and rivets. Most of these have failed. The gutter sections were riveted together with no provisions for sleeves or sealant pockets. The gutters leak at every joint, and water can be observed leaking under the eave flashing.

East Wall: East walls below the sloped roof sections exhibited relatively little rot beyond the siding itself. However, walls below the low slope membrane roofs were extensively dry rotted with the rot observed completely through the plywood siding, and soft damp gypsum sheathing observed. We observed the rake overhangs and did not see rot present in them, other than the rot visible in the cedar siding.

North Wall: free water was observed running down the wall and soffits. It appears to be primarily from leaks in the gutter joints, but may be sourced from failures in other flashings as well. We also observed the structural failure of the concealed gutter assembly. Cores confirmed that the water has penetrated the wall assembly, with rot assumed to be present in most plywood areas.

West Wall: West walls below the sloped roof sections exhibited relatively little rot beyond the siding itself. We observed the rake overhangs and did not see rot present in them, other than the rot visible in the cedar siding. However, walls below the low slope membrane roofs were extensively dry rotted with the rot observed completely through the plywood siding, and soft damp gypsum sheathing observed. We observed free water dripping out of the siding near the overflow scupper in this area. This appears to be sourced from the leaking parapet and not from the membrane roof.

Metal roofs: the "Klip Rib" roof is in fair condition. It is popping out of place at the edge of the north gutter due to the failure there, and some seams were popping on the south side. Finish is eroding and will require maintenance to prevent extensive rusting within 5 years. We inspected the attic space over the apparatus bay and the police spaces and found no signs of leaks/

Membrane roofs: Parapets were not sealed completely in the original construction and are the source of much of the water damage in the building. We confirmed this by coring into walls below where leaks were observed in the parapet coping. In most area, extensive dry rot was observed. However, we cut into drywall ceilings in two areas and found no dry rot or wet materials. This suggests that the water damage is limited to the walls themselves and that no roof structure damage has occurred.

Doors: No significant deterioration was observed in any doors or frames and they can be assumed to be in good condition

Windows: Windows in generally protected areas (i.e.: under overhangs) can be generally assumed to be in fair to good condition and it may be possible to re-use them. However, all windows in areas lacking overhangs must be replaced.

#### Recommendations:

The following are the repair recommendations from the team:

1. Remove the failing North wall concealed gutter assembly, or replace it with a structurally competent replacement. This is a life safety issue and should be addressed as soon as possible.
2. Reconfigure the parapet wraps at membrane roof area. This includes removing the metal parapet coping, wrapping the existing wood parapet with roofing membrane, and then re-installing the metal coping. This will eliminate the active leaks sourced from the parapets. This should be done immediately.
3. At the south wall, remove defective materials and replace them with materials as originally shown in the 2008 drawings. This should be done as soon as possible to prevent water intrusion from again damaging the south side offices.
4. Remove and replace exterior wall cladding down to bare studs and window assemblies under the membrane roof area. In particular, the west wall area must be addressed in order to remove the immediate life-safety threat posed by mold. Windows should be replaced at the same time so that a complete, modern water shedding configuration can be accomplished. The windows must be removed to adequately replace the dry rotted materials, and since they are at the end of their useful life they should not be re-installed.
5. Remove all wood siding, which can be assumed to be significantly dry rotted virtually everywhere. The wood siding could be replaced with wood siding, but we recommend a metal siding similar to that replaced at the south elevation. Replacement siding should be installed in a rain screen wall assembly configuration to better protect the building from wind driven rain. Plywood substrate and gypsum sheathing should be replaced where rot is present.

We understand that funds are limited. We have identified the following areas of work that could be addressed as separate projects. However, a piecemeal approach should be considered carefully as leaks may still occur if a defective piece remains next to an area



that was repaired. They should be considered on a case by case basis. The following are individual projects with a budget assigned to each one. They are numbered in order of priority, considering both ease of repair, relative cost and life safety concerns

1. South Elevation Gutter Repair: \$5,000
2. Parapet Repair \$1,000
3. North Gutter Replacement: \$80,000
4. West Wall Siding/Window \$70,000
5. East Wall Siding/Windows \$70,000
6. North Wall siding repair \$50,000
7. All other Siding/Windows \$350,000

Document1

# **Agenda Item 13a**

## **CITY & BOROUGH OF WRANGELL**

### **BOROUGH ASSEMBLY AGENDA ITEM October 10, 2017**

#### **INFORMATION:**

Approval of Revised Funding Source for Amendment #2 to Professional Services Agreement with PND Engineers for Shoemaker Bay Harbor Additional 90% Engineering Design in the Amount of \$51,227

#### **Attachments:**

1. Memo from PW Director Al-Haddad
2. PND Engineering, Inc.'s Additional 90% Tasks Engineering Services Fee Proposal for Shoemaker Bay Harbor Replacement Design dated June 5, 2017

#### **RECOMMENDED ACTION:**

Approval of Revised Funding Source for Amendment #2 to Professional Services Agreement with PND Engineers for the Shoemaker Bay Harbor Additional 90% Engineering Design in the Amount of \$51,227.

## **MEMORANDUM**

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

**FROM: AMBER AL-HADDAD  
PUBLIC WORKS DIRECTOR**

**SUBJECT: APPROVAL OF REVISED SOURCE FUNDING FOR AMENDMENT #2  
PROFESSIONAL SERVICES AGREEMENT TO PND ENGINEERS FOR  
THE SHOEMAKER BAY HARBOR REPLACEMENT'S ADDITIONAL  
90% ENGINEERING SERVICES**

**DATE:** October 3, 2017

### **BACKGROUND:**

The City and Borough of Wrangell is under contract with PND Engineers to perform the engineering design work of the Shoemaker Bay Harbor Replacement Design project for which project costs are funded by a grant from the State of Alaska DCCED.

In June 2017, staff recommended that the Assembly approve a contract amendment to PND Engineers for the Shoemaker Bay Harbor Replacement Design, in a T&M, not-to-exceed, amount of \$51,227. This amendment was related to design modifications for a single gangway configuration and associated additive alternates' development, as well as the design for additional 3'x20' finger floats.

Staff identified funding for these additional design services to come from the Shoemaker Bay Harbor Replacement Design project's DCCED grant, which was received from the State of Alaska in the amount of \$600,000. Funds from this grant were previously fully expended; therefore, the funding source for the \$51,227 contract amendment should have been requested to be approved from the Harbor Department's FY18 Capital Expenditures account for Shoemaker Harbor. The current balance of this account is \$1,200,000, and following approval of this expenditure, the balance will be reduced to \$1,148,773.

This item is being brought to the Assembly for re-approval because of the previously identified funding source. The funding source was included in the motion approving the amendment and so a new funding source must be brought back to the Assembly for retro-active approval, despite the work already being complete. New processes have been put in place for tracking contracts and grant expenditures such that this type of oversight should not be able to happen again in the future.

### **FISCAL NOTE**

Expenditure Required:	\$51,227
To Account Number:	74010-000-7900
Amount Budgeted:	\$1,200,000

### **RECOMMENDATION:**



Approval of Revised Funding Source for Amendment #2 to Professional Services Agreement with PND Engineers for the Shoemaker Bay Harbor Additional 90% Engineering Design in the Amount of \$51,227.

**SUPPORTING DOCUMENTATION:**

1. PND Engineering, Inc.'s Additional 90% Tasks Engineering Services Fee Proposal for Shoemaker Bay Harbor Replacement Design dated June 5, 2017.

Scope of Services Description	Senior Engr VII	Senior Engr VI	Senior Engineer II	Senior Engineer I	Staff Engineer V	CAD Designer VI	Tech V	Line Item Costs	Task Subtotal Costs
	\$180.00	\$165.00	\$130.00	\$120.00	\$115.00	\$115.00	\$115.00		
Task 5.1: Additional 90% Engineering Tasks Associated with Implementing Single Approach and Gangway									
5.1.1 Project Management: Coordination w/ CBW and PND Staff.	4	4						\$1,380	\$36,410
5.1.2 Uplands Civil Work: Scoping and coordination w/ CBW and MEG; demolition plan for existing civil, electrical, etc. features in uplands; revise upland site plan/base map, grading and drainage, and routing of utilities; revise construction costs; additional specification development.	2	2	50			16	2	\$9,260	
5.1.3 Cast-in-Place Concrete Abutment: Layout and configuration coordination w/ CBW and MEG; armor rock and slope protection design and layout; structural and stability calculations; design drawings for abutment, perimeter safety railing and signage, revise construction costs; specification development.	2	2	24	4		24	4	\$7,510	
5.1.4 120-ft Long Covered Gangway: Coordination w/ MEG for support and configuration of additional electrical cables; structural calculations; revise design drawings for gangway and abutment connection, revise construction costs; revise specifications.		2	16	2		24	2	\$5,640	
5.1.5 Gangway Landing Float: Coordination w/ MEG for layout, configuration and routing of additional electrical cables; revise floatation calculations for increased gangway deadload; revise design drawings for larger float and additional cable capacity/routing; revise construction costs.		2	16			16		\$4,250	
5.1.6 Headwalk Float: Coordination w/ MEG for configuration/routing of additional electrical cables; revise floatation calculations; revise design drawings for additional cable capacity/routing and additional electrical pedestal support installation; revise mooring pile layout; revise float module layout to coordinate w/ additional fingers; revise construction costs.		2	24			16		\$5,290	
5.1.7 Finger Float Additive Alternate: Coordination w/ CBW for layout of additional finger floats; revise design drawings; revise construction cost estimate for additive alternate; revise specifications for additive alternate.		2	4			4	2	\$1,540	
5.1.8 Existing Dock Demolition Additive Alternate: Develop and revise design drawings; revise construction cost estimate for additive alternate; revise specifications for additive alternate.		2	4			4	2	\$1,540	
Total Estimated Man-hours	8	18	138	6		104	12		
Estimated Third Party Expenses									
1. MEG	Electrical Engineering per MEG proposal attached.							\$12,695	\$14,817
2. Travel for site visit Recon of Uplands at Abutment location	(1) RT airfare, lodging (1 night),per diem (1 day), vehicle rental (1 day)							\$750	
3. Misc.	Reproduction and consumables							\$25	
4. Administrative markup on expenses	10% on 3rd party expenses							\$1,347	
Total Estimated Fee (T&M)									\$51,227

# **Agenda Item 13b**

## **CITY & BOROUGH OF WRANGELL**

### **BOROUGH ASSEMBLY AGENDA ITEM October 10, 2017**

#### **INFORMATION:**

Approval of Amendment #3 to Professional Services Agreement with PND Engineers for Shoemaker Bay Harbor 100% Engineering Design

#### **Attachments:**

1. Memo from PW Director Al-Haddad
2. PND Engineer's 100% Bid-Ready Design Fee Proposal for Shoemaker Bay Harbor Replacement dated June 5, 2017

#### **RECOMMENDED ACTION:**

Move to approve Amendment #3 to the Professional Services Agreement with PND Engineers for Shoemaker Bay Harbor for 100% Engineering Design, in the Amount of \$122,331.

## **MEMORANDUM**

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

**FROM: AMBER AL-HADDAD  
PUBLIC WORKS DIRECTOR**

**SUBJECT: APPROVAL OF AMENDMENT #3 TO PROFESSIONAL SERVICES  
AGREEMENT WITH PND ENGINEERS FOR SHOEMAKER BAY  
HARBOR REPLACEMENT 100% ENGINEERING DESIGN**

**DATE: October 3, 2017**

### **BACKGROUND:**

The City and Borough of Wrangell is under contract with PND Engineers to perform the engineering design work of the Shoemaker Bay Harbor Replacement Design project for which project costs are funded by a grant from the State of Alaska DCCED.

PND's existing contract only required a 90% level engineering design, as the thought was that the final 10% might be predicated on the funding agency's grant program's requirements. At the request of the CBW, PND Engineers has prepared a fee proposal to complete the project to a 100% design level, which is bid-ready, and includes assistance through the competitive bid process. PND anticipates completion of the 100% design level documents by January 1, 2018.

PND has developed a fee proposal, which is attached hereto and is inclusive of all work related to performing additional design services identified above. The proposal is based on T&M, shall not exceed the amount of \$122,331.00 and would be funded through the Harbor Department's FY18 Capital Expenditures account for Shoemaker Harbor. The balance of this account, assuming the item previous to this one from the October 10, 2017 Assembly Agenda was approved, is \$1,148,773. Following approval of this current expenditure request, the balance of that account will be reduced to \$1,026,442.

### **FISCAL NOTE**

Expenditure Required:	\$122,331
To Account Number:	74010-000-7900
Amount Budgeted:	\$1,148,773

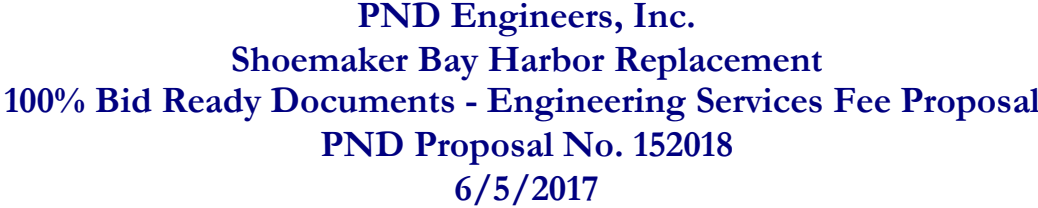
### **RECOMMENDATION:**

Approval of Amendment #3 to Professional Services Agreement with PND Engineers for Shoemaker Bay Harbor for 100% Engineering Design, in the Amount of \$122,331.

### **SUPPORTING DOCUMENTATION:**

1. PND Engineer's 100% Bid-Ready Design Fee Proposal for Shoemaker Bay Harbor Replacement dated June 5, 2017.





Senior Engr VII	Senior Engr VI	Senior Engineer II	Senior Engineer I	Staff Engineer V	CAD Designer VI	Tech V	Line Item Costs	Task Subtotal Costs
\$180.00	\$165.00	\$130.00	\$120.00	\$115.00	\$115.00	\$115.00		

## Scope of Services Description

Task 6: 100% Bid Ready Documents									
6.1 Project Management: Coordination and correspondence w/ CBW; design team coordination meetings; budget controls, invoicing, and contract management.	16	24				4	8	\$8,220	\$101,840
6.2 Dredge/Disposal: Coordination w/ CBW; revise drawings; revise construction costs; update specifications; permit modifications.	4	2			24	4	2	\$4,500	
6.3 Uplands Civil Work: Finalize demolition plan for existing civil, electrical, etc. features in uplands; upland site plan/base map, grading and drainage, and utilities; update construction costs; finalize specifications; permit modification coordination and submittal.	4	4	24	16		40	4	\$11,480	
6.4 Cast-in-Place Concrete Abutment: Finalize armor rock and slope protection, abutment and perimeter safety railing, update construction costs; finalize specifications.	2	4	24	16		40	4	\$11,120	
6.5 120-ft Long Covered Gangway: finalize design drawings for gangway, abutment connection, guide assembly, update construction costs; finalize specifications.		4	24	16		40	4	\$10,760	
6.6 Gangway Landing Float: Finalize float design, cable routing/supports; update construction costs.		4	24	16		40	2	\$10,530	
6.7 Headwalk Float: Finalize float design, cable routing/supports, and mooring pile layout to accommodate finger float additive alternate; update construction costs.		4	24			40	2	\$8,610	
6.8 Finger Float Additive Alternate: Finalize design drawings, update construction cost estimate, and specifications for additive alternate.		4	8	4		8	2	\$3,330	
6.9 Existing Dock Demolition Additive Alternate: Finalize drawings, update construction cost estimate and finalize specifications for additive alternate.		4	8	4		8	4	\$3,560	
6.10 Address all final review comments/input from CBW - civil and structural.	2	8	8	4		8	4	\$4,580	
6.11 Conduct internal QA Design Audit - plans, specifications, calculations, cost estimate, schedule bid documents, independent final reviews.	8	30	24			8	4	\$10,890	
6.12 Prepare final bid ready documents.	2	8	8			4	8	\$4,100	
6.13 Bid Assistance - Conduct Pre-Bid Conference in Wrangell; address bidder questions and prepare addenda responses	12	24	24				8	\$10,160	
Total Estimated Man-hours	50	124	200	76	24	244	56		
Estimated Third Party Expenses									
1. MEG	Electrical Engineering per MEG proposal attached. (to be Revised)							\$16,955	\$20,471
2. Travel for PreBid Conference	(3) RT airfare @ \$425 + perdiem \$80							\$1,355	
3. Misc.	Reproduction and consumables							\$300	
4. Administrative markup on expenses	10% on 3rd party expenses							\$1,861	
Total Estimated Fee (T&M)									\$122,311

# **Agenda Item 13c**

## **CITY & BOROUGH OF WRANGELL**

### **BOROUGH ASSEMBLY AGENDA ITEM October 10, 2017**

#### **INFORMATION:**

**RESOLUTION NO. 10-17-1381**, AMENDING THE FY 2018 BUDGET BY TRANSFERING \$9,215 FROM PORTS AND HARBORS RESERVES TO THE PORTS AND HARBORS CAPITAL IMPROVEMENT EXPENDITURES, ACCOUNT NO. 74020-000-7900, BY \$9,215 FOR THE CITY DOCK ELECTRICAL PROJECT

#### **Attachments:**

- 1. Proposed Resolution No. 10-17-1381**
2. Memo from PW Director Al-Haddad

#### **RECOMMENDED ACTION:**

Move to adopt Resolution No. 10-17-1381.

CITY AND BOROUGH OF WRANGELL, ALASKA

RESOLUTION No. #10-17-1381

A RESOLUTION OF THE BOROUGH ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING THE FY 2018 BUDGET BY TRANSFERRING \$9,215 FROM PORTS AND HARBORS RESERVES TO THE PORTS AND HARBOR CAPITAL IMPROVEMENTS EXPENDITURES FOR THE CITY DOCK ELECTRICAL PROJECT

WHEREAS, the Borough maintains reserve accounts to fund planning and construction for the development and implementation of Assembly priorities; and

WHEREAS, the Borough adopts and operates a budget for the fiscal year and the Code requires that the Borough Assembly approve any budget amendments over those amounts adopted; and

WHEREAS, when approving the design contract with Morris Engineering and the construction contract to Bunes Electric, the CBW acknowledged that a shortfall in full project funding would be realized; however, the unknown amount of funding needed was not included in the FY18 Ports and Harbors Capital Improvements budget; and

WHEREAS, staff recommends the following budget amendment to allow for project shortfall funding, in the amount of \$9,215, to be transferred from the Ports and Harbors Reserves account to the Ports and Harbors Capital Improvements account; and

NOW, THEREFORE, BE IT RESOLVED BY THE WRANGELL ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, that the FY 2018 Budget is amended by reducing Ports and Harbors Department Reserves, Reserve Balance at June 30, by \$9,215, and increasing the Ports and Harbors Capital Improvements Expenditures account, 74020-000-7900, by \$9,215 for the purpose of providing project shortfall funding for the City Dock Electrical project.

PASSED AND APPROVED BY THE WRANGELL ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, this 10<sup>th</sup> day of October, 2017.

CITY AND BOROUGH OF WRANGELL, ALASKA

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Dave L. Jack, Mayor

ATTEST:

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Kim Lane, MMC, Borough Clerk

## **MEMORANDUM**

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

**FROM:** AMBER AL-HADDAD, PUBLIC WORKS DIRECTOR

**SUBJECT:** RESOLUTION NO. 10-17-1381 AMENDING THE FY 2018 BUDGET BY  
TRANSFERING \$9,215 FROM PORTS AND HARBORS RESERVES TO THE  
PORTS AND HARBORS CAPITAL IMPROVEMENT EXPENDITURES,  
ACCOUNT NO. 74020-000-7900, BY \$9,215 FOR THE CITY DOCK  
ELECTRICAL PROJECT

**DATE:** October 2, 2017

### **BACKGROUND**

This resolution transfers money from the Ports and Harbors Reserves, Reserve Balance at June 30 to the Ports and Harbors Capital Improvements Expenditures, Account Number 74020-000-7900, in the amount of \$9,215, to cover project shortfall funding for the City Dock Electrical project.

The current balance of the account Ports and Harbors Reserves, Reserve Balance at June 30 is \$518,764 and following approval of this expenditure, the balance will be reduced to \$509,549.

### **RECOMMENDATION**

Approve Resolution No. 10-17-1381 amending the FY 2018 budget by reducing Ports and Harbors Department Reserves, Reserve Balance at June 30, by \$9,215, and increasing the Ports and Harbors Capital Improvements Expenditures, Account Number 74020-000-7900, by \$9,215.

### **ATTACHMENTS**

1. Resolution No. 10-17-1381

# **Agenda Item 13d**

## **CITY & BOROUGH OF WRANGELL**

### **BOROUGH ASSEMBLY AGENDA ITEM October 10, 2017**

#### **INFORMATION:**

**APPROVAL OF CHANGE ORDER #2 TO BW ENTERPRISES  
WATERFRONT ARMOR ROCK – CITY DOCK**

#### **Attachments:**

1. Memo from PW Director Al-Haddad
2. Change Order #2 to BW Enterprises

#### **RECOMMENDED ACTION:**

Move to approve Change Order #2 to BW Enterprises, LLC for Changed Conditions for the Waterfront Armor Rock – City Dock Project in the Amount of \$50,412.50.



## **MEMORANDUM**

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

**FROM:** AMBER AL-HADDAD, PUBLIC WORKS DIRECTOR

**SUBJECT:** APPROVAL OF CHANGE ORDER #2 TO BW ENTERPRISES  
WATERFRONT ARMOR ROCK – CITY DOCK

**DATE:** October 2, 2017

### **BACKGROUND**

The City and Borough of Wrangell is under contract with BW Enterprises, LLC to provide construction services for the Waterfront Armor Rock – City Dock project.

Due to changed conditions, the Contractor made adjustments for the following:

- |  |                    |
|--|--------------------|
| 1. Adjust quantities of 12” and 24” armor rock, pay items 02205.1 and 02205.2, based on contracted unit pricing..... | \$26,700.00        |
| 2. Replace 18” culvert.....  | <u>\$23,712.50</u> |
| Total Change Order #2 Amount   | \$50,412.50        |

Staff have tracked the above-mentioned contract modifications through the attached Change Order #2 document. The total value of these modifications results in an added cost to the contract in the amount of \$50,412.50. The work is currently complete and the project was accepted.

This expenditure requires transferring funds, which is a budget adjustment. The resolution to transfer the money to cover this expenditure follows on the agenda.

This change order is being brought to the Assembly for approval after the fact. As a rule, change orders of this magnitude should be approved prior to authorization of the work. In this instance changes had to be authorized in the field while the contractor was mobilized. Part of the delay in getting this item to the Assembly was the timing of which the invoice was received from the contractor.

### **FISCAL NOTE**

Expenditure Required:	\$50,412.50
To Account Number:	74010-401-7900
Amount Budgeted:	\$0 – Being Transferred from Ports and Harbors Reserves, by Resolution

### **RECOMMENDATION**

Approve Change Order #2 to BW Enterprises, LLC for Changed Conditions for the Waterfront Armor Rock – City Dock Project in the Amount of \$50,412.50.

**ATTACHMENTS**

1. Change Order #2 to BW Enterprises, LLC

# CHANGE ORDER

OWNER ☐  
CONSTRUCTION MANAGER ☐  
ARCHITECT ☐  
CONTRACTOR ☒  
FIELD ☐  
OTHER ☐

PROJECT:

**Waterfront Armor Rock - City Dock**  
City and Borough of Wrangell, Alaska  
P.O. Box 531, Wrangell, Alaska 99929

CHANGE ORDER NO: 2

INITIATION DATE: 10/02/17

TO CONTRACTOR:

**BW Enterprises**  
PO Box 2121, Wrangell, Alaska 99929

THE CONTRACT IS CHANGED AS FOLLOWS:

Adjusted quantities for 12" armor rock and 24" armor rock based on unit pricing \$26,700.00

Replacement of a storm drain culvert which was found to be plugged from the source catch basin to near the outfall. \$23,712.50

TOTAL CHANGE TO CONTRACT THIS CHANGE ORDER: \$50,412.50

**Not valid until signed by the Owner, Construction Manager, Architect, and Contractor.**

The original Contract Sum was:	\$	31,280.00
Net change by previously authorized Change Orders:	\$	-
The contract Sum prior to the Change Order was:	\$	31,280.00
The contract Sum will be <input checked="" type="checkbox"/> (increased) <input type="checkbox"/> (-decreased) <input type="checkbox"/> (unchanged) by this Change Order:	\$	50,412.50
The new Contract Sum including this Change Order will be:	\$	81,692.50
The Contract Time will be <input type="checkbox"/> (increased) <input type="checkbox"/> (-decreased) <input checked="" type="checkbox"/> (unchanged) by:		

CONTRACTOR

**BW Enterprises, LLC**  
P.O. Box 2121, Wrangell, Alaska 99929

OWNER

**City and Borough of Wrangell**  
P.O. Box 531, Wrangell, AK 99929

BY \_\_\_\_\_ DATE \_\_\_\_\_

BY \_\_\_\_\_ DATE \_\_\_\_\_

# **Agenda Item 13e**

## **CITY & BOROUGH OF WRANGELL**

### **BOROUGH ASSEMBLY AGENDA ITEM October 10, 2017**

#### **INFORMATION:**

**RESOLUTION NO. 10-17-1382**, AMENDING THE FY 2018 BUDGET BY TRANSFERRING \$81,692.50 FROM PORTS AND HARBORS RESERVES TO THE PORTS AND HARBORS CAPITAL IMPROVEMENT EXPENDITURES, ACCOUNT NO. 74020-000-7900, FOR THE PURPOSE OF PROVIDING FUNDING FOR THE WATERFRONT ARMOR ROCK – CITY DOCK PROJECT

#### **Attachments:**

- 1. Proposed Resolution No. 10-17-1382**
- 2. Memo from PW Director Al-Haddad**

#### **RECOMMENDED ACTION:**

Move to adopt Resolution No. 10-17-1382.

CITY AND BOROUGH OF WRANGELL, ALASKA  
RESOLUTION #10-17-1382

A RESOLUTION OF THE BOROUGH ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING THE FY 2018 BUDGET BY TRANSFERRING \$81,692.50 FROM PORTS AND HARBORS RESERVES TO THE PORTS AND HARBOR CAPITAL IMPROVEMENTS FOR THE WATERFRONT ARMOR ROCK – CITY DOCK PROJECT.

WHEREAS, the Borough maintains reserve accounts to fund planning and construction for the development and implementation of Assembly priorities; and

WHEREAS, the Borough adopts and operates a budget for the fiscal year and the Code requires that the Borough Assembly approve any budget amendments over those amounts adopted; and

WHEREAS, when developing the FY18 budget, it was anticipated that the Waterfront Armor Rock – City Dock project would be complete. The project was not closed out until September 2017, and the contract with the Contractor, as authorized by the Assembly on February 28, 2017, has a remaining open amount of \$31,280.00; and

WHEREAS, a Change Order, in an amount of \$50,412.50, has been prepared for unexpected work under the project, which exceeds the approved contract price. Funds for the Change Order were not included in the FY18 Ports and Harbors Capital Improvements budget; and

WHEREAS, staff recommends the following budget amendment to provide for funding both the authorized contract carry-over and the Change Order, a \$81,692.50 transfer from the Ports and Harbors Reserves account to the Ports and Harbors Capital Improvements account; and

NOW, THEREFORE, BE IT RESOLVED BY THE WRANGELL ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, that the FY 2018 Budget is amended by reducing Ports and Harbors Department Reserves, Reserve Balance at June 30, by \$81,692.50, and increasing the Ports and Harbors Capital Improvements account, 74010-401-7900, by \$81,692.50 for the purpose of providing funding for the Waterfront Armor Rock – City Dock project.

PASSED AND APPROVED BY THE WRANGELL ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, this \_\_\_\_\_ day of October, 2017.

CITY AND BOROUGH OF WRANGELL, ALASKA

\_\_\_\_\_  
Dave L. Jack, Mayor

ATTEST:

\_\_\_\_\_  
Kim Lane, MMC, Borough Clerk



## **MEMORANDUM**

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

**FROM:** AMBER AL-HADDAD, PUBLIC WORKS DIRECTOR

**SUBJECT:** RESOLUTION NO. 10-17-1382 AMENDING THE FY 2018 BUDGET BY TRANSFERRING \$81,692.50 FROM PORTS AND HARBORS RESERVES TO THE PORTS AND HARBORS CAPITAL IMPROVEMENT EXPENDITURES, ACCOUNT NO. 74020-000-7900, FOR THE PURPOSE OF PROVIDING FUNDING FOR THE WATERFRONT ARMOR ROCK – CITY DOCK PROJECT

**DATE:** October 2, 2017

### **BACKGROUND**

This resolution transfers money from the Ports and Harbors Reserves, Reserve Balance at June 30 to the Ports and Harbors Capital Improvements Expenditures, Account Number 74020-000-7900, in the amount of \$81,692.50, to cover funding for both the authorized contract carry-over and the Change Order #2 with BW Enterprises for the Waterfront Armor Rock – City Dock project.

The balance of the Ports and Harbors Reserve account, provided Resolution 10-17-1381, an October 10, 2017 previous Assembly agenda item was approved, is \$509,549. Following approval of this current expenditure request, the balance of that account will be reduced to \$427,856.50.

This resolution authorizes a transfer of \$81,692.50 because the annual budget was closed out with an open balance on the contract with BW Enterprises in the amount of \$31,280 which was not included in the current year's budget. This transfer also includes the change order to the contract addressed in the previous agenda item in the amount of \$5,412.50.

### **RECOMMENDATION**

Approve Resolution No. 10-17-1382 amending the FY 2018 Budget by reducing Ports and Harbors Department Reserves, Reserve Balance at June 30, by \$81,692.50, and increasing the Ports and Harbors Capital Improvements Expenditures, Account Number 74020-000-7900, by \$81,692.50.

### **ATTACHMENTS**

1. Resolution No. 10-17-1382

# **Agenda Item 13f**

## **CITY & BOROUGH OF WRANGELL**

### **BOROUGH ASSEMBLY AGENDA ITEM October 10, 2017**

#### **INFORMATION:**

Approval of an Application from the Totem Bar & Liquor Package Store to the Alaska Alcoholic Beverage Control Board, requesting approval of a change in the floor plan

#### **Attachments:**

1. Memo from Clerk Lane
2. Application from the Totem Bar & Liquor Store

#### **RECOMMENDED ACTION:**

Move to approve of an application from the Totem Bar & Liquor Package Store, with the condition of the approval is dependent on the issuance of both the Fire Marshal's approval to construct and a Wrangell Building Permit, to the Alaska Alcoholic Beverage Control Board, requesting approval of a change in the floor plan.

## **MEMORANDUM**

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

**FROM: KIM LANE, BOROUGH CLERK**

**SUBJECT: APPROVAL OF AN APPLICATION FROM THE TOTEM BAR &  
LIQUOR PACKAGE STORE TO THE ALASKA ALCOHOLIC  
BEVERAGE CONTROL BOARD, REQUESTING APPROVAL OF A  
CHANGE IN THE FLOOR PLAN**

**DATE: October 10, 2017**

Pursuant to AAC 304.185, a liquor store licensee is required to seek approval by the Alaska Alcoholic Beverage Control Board (AMCO) if they are looking to alter their floor plan, or reduce or expand the area of the establishment.

Part of the approval process is to have the local government review and sign off on the application.

I spoke with PW Director, Al-Haddad, and she confirmed with me that the licensee is required to obtain approval from the Fire Marshal, followed by a issuance of a building permit from the City for the proposed work. She confirmed with me that the licensee has applied for the Building Permit, which would be issued following receipt of an approval from the Fire Marshal.

Therefore, we are asking that the application be approved, contingent on the licensee's receipt of both the Fire Marshal approval to construct and a CBW's building permit.

### **RECOMMENDATION:**

Move to approve of an application from the Totem Bar & Liquor Package Store, with the condition of the approval dependent on the issuance of both the Fire Marshal's approval to construct and a Wrangell Building Permit, to the Alaska Alcoholic Beverage Control Board, requesting approval of a change in the floor plan.

### **ATTACHMENTS:**

1. Memo from Clerk Lane
2. Application submitted by Aaron Powell, owner of the Totem Bar & Liquor Store



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

Alaska Alcoholic Beverage Control Board

## Form AB-14: Licensed Premises Diagram Change

### What is this form?

This licensed premises diagram change form is required for all liquor licensees seeking to alter the functional floor plan or reduce or expand the area of the establishment's existing licensed premises, under 3 AAC 304.185.

Your diagram must include dimensions and must show all entrances and boundaries of the premises, walls, bars, fixtures, and areas of storage, service, and consumption. If your proposed premises is located within a building or building complex that contains multiple businesses and/or tenants, please provide an additional page that clearly shows the location of your proposed premises within the building or building complex, along with the addresses and/or suite numbers of the other businesses and/or tenants within the building or building complex.

The second page of this form is **not required**. Blueprints, CAD drawings, or other clearly drawn and marked diagrams may be submitted in lieu of the second page of this form, as long as it meets the requirements listed on this form. The first and third pages must still be completed, attached to, and submitted with any supplemental diagrams. An AMCO employee may require you to complete the second page of this form if additional documentation for your premises diagram is needed.

This form must be completed and submitted to AMCO's main office prior to altering the existing floor plan. The licensed premises may not be altered unless and until the AMCO Director has given written approval on this form. Please note that licensees seeking to change licensed premises diagrams for multiple licenses must submit a separate completed copy of this form for each license.

Yes No

I have attached blueprints, CAD drawings, or other supporting documents in addition to, or in lieu of, the second page of this form.

☒ ☐

### Section 1 – Establishment Information

Enter information for the licensed establishment.

Licensee:	Totem Bar & Liquor Store	License Number:	1160
License Type:	Package Store		
Doing Business As:	Totem Bar & Liquor Store		
Premises Address:	116 Fron St		
City:	Wrangell	State:	AK
		ZIP:	99929





Alcohol and Marijuana Control Office  
550 W 7<sup>th</sup> Avenue, Suite 1600  
Anchorage, AK 99501

[alcohol.licensing@alaska.gov](mailto:alcohol.licensing@alaska.gov)

<https://www.commerce.alaska.gov/web/amco>


Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board

**Form AB-14: Licensed Premises Diagram Change**

**Section 3 – Declarations and Approvals**

As a liquor licensee, I declare under penalty of unsworn falsification that I have examined this form, including all attachments, and to the best of my knowledge and belief find the provided information to be true, correct, and complete.



Signature of licensee

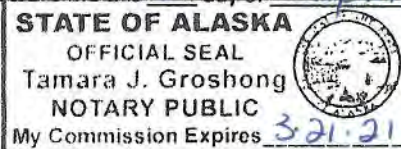
Aaron Powell

Printed name of licensee

  
Notary Public in and for the State of Alaska.

My commission expires: 3.21.21

Subscribed and sworn to before me this 5<sup>th</sup> day of September, 2017.



**Local Government Review** (to be completed by an appropriate local government official):

Yes No

The proposed changes shown on this form conform to all local restrictions and laws.

<input type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------

\_\_\_\_\_  
Signature of local government official

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed name of local government official

\_\_\_\_\_  
Title

**AMCO Review:**

Approved Disapproved

<input type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------

\_\_\_\_\_  
Signature of AMCO Enforcement Supervisor

\_\_\_\_\_  
Signature of Director

\_\_\_\_\_  
Printed name of AMCO Enforcement Supervisor

\_\_\_\_\_  
Printed name of Director

\_\_\_\_\_  
Date

**AMCO Comments:**

--





STATE OF ALASKA  
ALCOHOL BEVERAGE CONTROL BOARD  
Licensed Premises Diagram

INSTRUCTIONS: Draw a detailed floor plan of your present or proposed licensed premises on the graph below;  
show all entrances and exits, and all fixtures such as tables, booths, games, counters, bars, coolers, stages, etc.

DBA: Totem Bar and Liquor Store

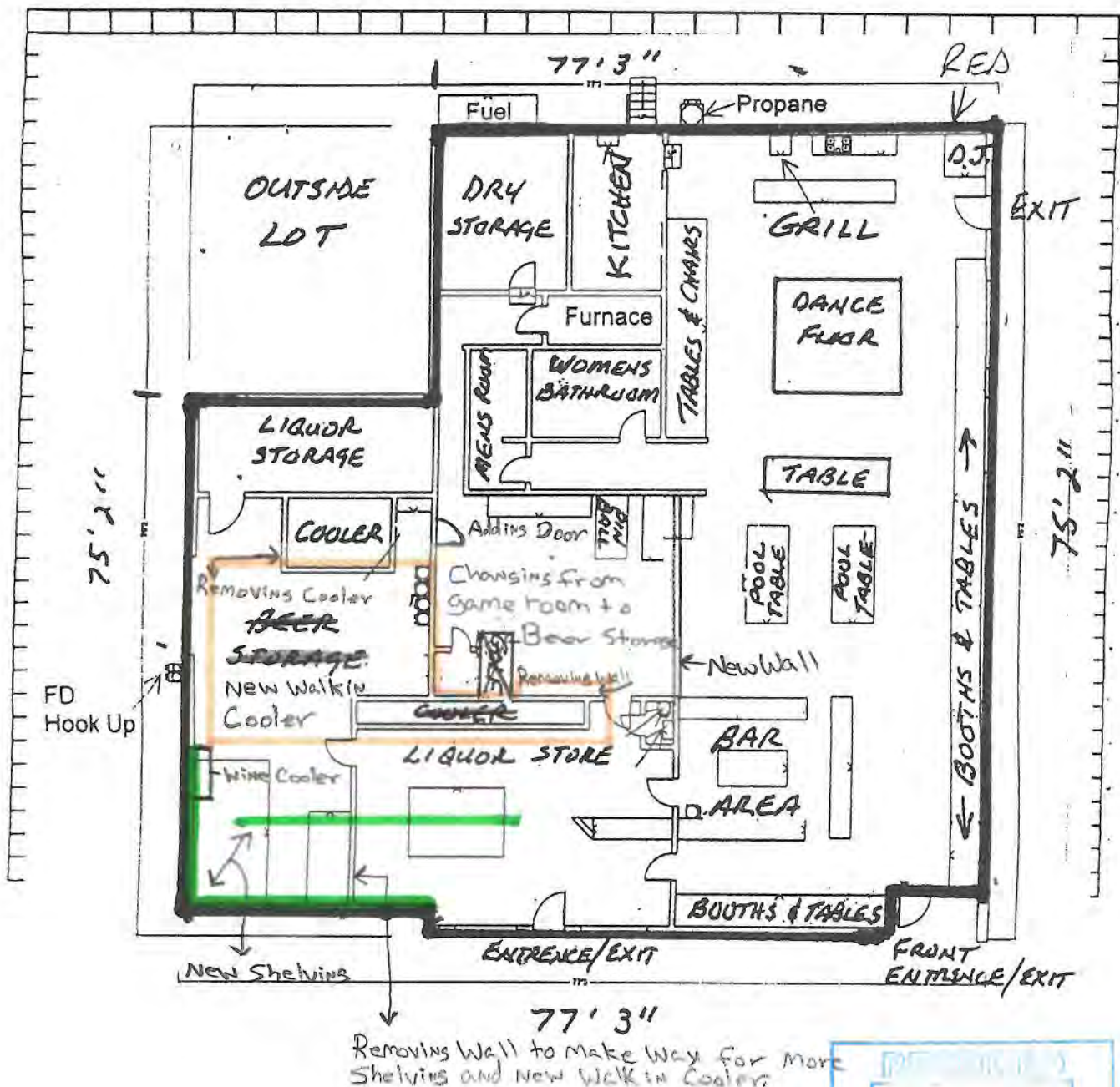
PREMISES LOCATION: 116 Front St Wrangell Ak 99929

Indicate scale by x after appropriate statement or show length and width of premises. 1 SQ. = 4 FT.

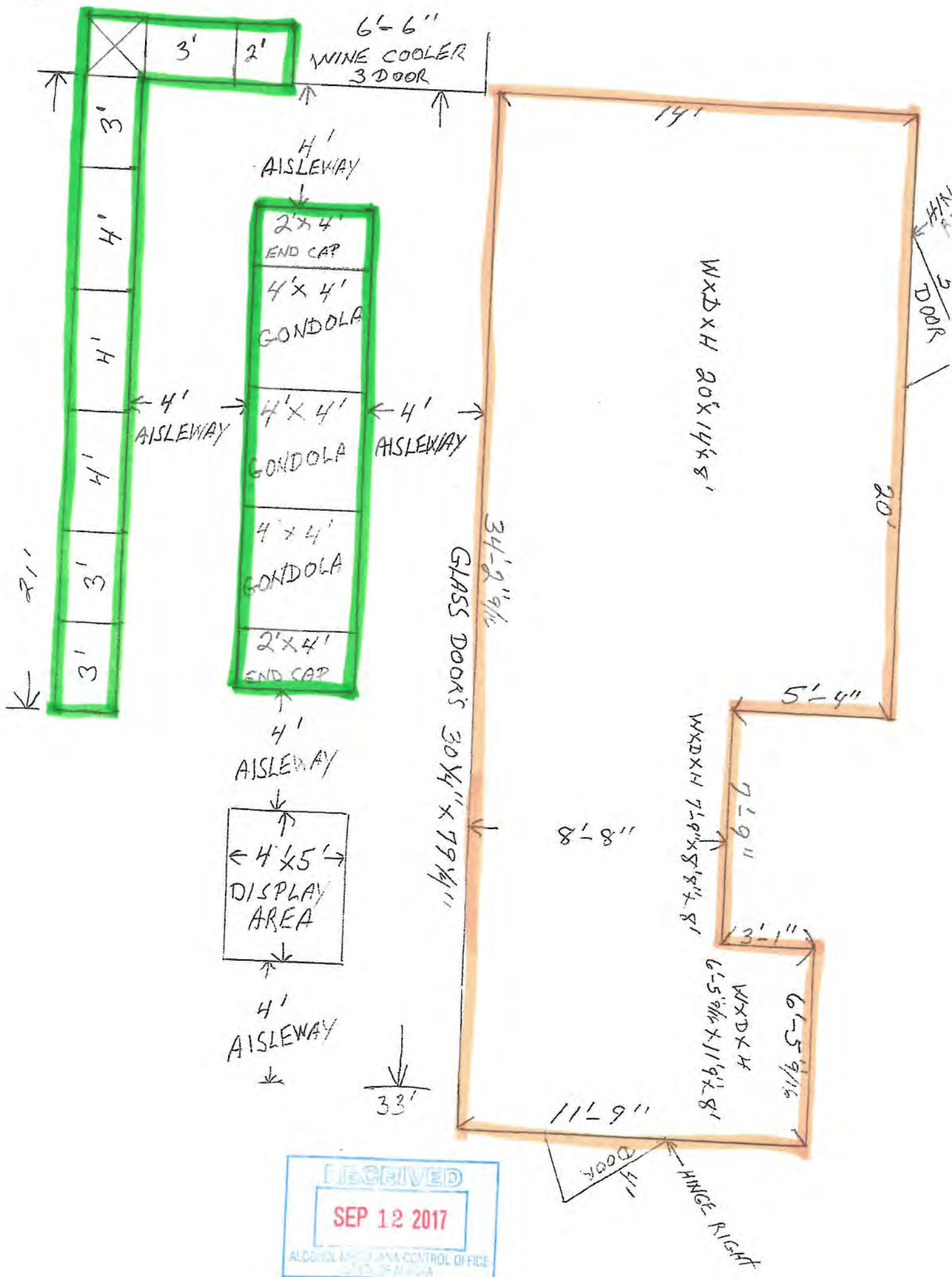
SCALE A: 1 SQ. = 1 FT. SCALE B: X 1 SQ. = 2 FT.

Length and width of premises in feet: 77'3" X 75'2"

Outline the area to be designated for sale, service, storage, and consumption of alcoholic beverages in red.  
**DO NOT USE BLUE INK OR PENCIL ON THIS DIAGRAM.**



SEP 12 2017



RECEIVED  
 SEP 12 2017  
 ALCOHOL AND LIQUOR CONTROL OFFICE  
 STATE OF ALABAMA

# **Agenda Item 13g**

## **CITY & BOROUGH OF WRANGELL**

### **BOROUGH ASSEMBLY AGENDA ITEM September 26, 2017**

#### **INFORMATION:**

APPROVAL OF FY18 WRANGELL REGIONAL AND COMMUNITY  
JAIL CONTRACT, AMENDMENT #4

#### **Attachments:**

1. Memo from Manager Von Bargaen
2. Amendment

#### **RECOMMENDED ACTION:**

Move to approve FY18 Wrangell Regional and Community Jail Contract, Amendment #4.



# MEMORANDUM

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

**FROM: LISA VON BARGEN  
BOROUGH MANAGER**

**MOTION: APPROVAL OF FY18 WRANGELL REGIONAL AND COMMUNITY  
JAIL CONTRACT, AMENDMENT #4**

**DATE: October 6, 2017**

## **BACKGROUND:**

In August the Borough was contacted by the Department of Corrections offering to increase the amount of the existing Community Jail Contract in the amount of \$31,134 if the Wrangell Police Department agrees to take on additional pre-trial activities from the State. The original base contract amount is \$325,274. These additional duties include:

Assessment & Database Collection \$3,503

Complete training and comply with DOC policies for the following program services:

Complete inmate bookings by utilizing the ACOMS software system. Complete and submit the Alaska pretrial risk assessment tool (AK-2S), located in the ACOMS software application and submit release recommendations for the courts. Meet all risk assessment and recommendation timeline requirements by scheduled initial appearances. Participate in remedial training and quality evaluation as needed.

Document all contacts and pretrial actions with defendants in the ACOMS software application to ensure proper and complete records are maintained. Notify and file pretrial status and/or violation reports and paperwork through the court as needed.

Community Pre-Trial Electronic Monitoring \$8,173

Complete training and comply with DOC policies for the following program services:

Defendants may be required to have electronic monitoring (EM). Some Electronic monitoring requires that defendants are fitted with the proper device at the time of release; some may require activation of a telephone software application. Related data with regard to the defendant and the EM restrictions should be loaded into the web based database utilized for EM and also noted in the ACOMS software application. Most defendants on EM will be moderate or high risk defendants, but low risk defendants may also be placed on EM with court orders. EM also requires monitoring of the system and response to EM alarms and alerts. This can be accomplished in a variety of ways, such as EM monitoring by DOC staff, monitoring by community jail staff, or monitoring by local dispatchers, who will then contact local providers, Police Departments (PDs), for response to alerts and alarms. Defendants placed on EM may require occasional action such as notification to the court for those in violation of release conditions. Coordination for arrests may also be required for defendants who are in violation. Community and Regional Jails will not charge pretrial defendants a fee for EM services.

Documentation of all contacts and pretrial actions with defendants must be entered in the ACOMS software application to ensure proper and complete records are maintained. It may be necessary to file reports and paperwork through the court in the event of violations.

Community Pre-Trial Monitoring/Pre-Trial Supervision \$11,675

Complete training and comply with DOC policies for the following program services:

Defendants placed on Pretrial monitoring may require occasional action such as phone contact for reminders about upcoming court appearances, or home visits for defendants to ensure compliance with release conditions. Notification to the court or potential coordination for arrests may also be required for defendants who are in violation.

Provide Pretrial supervision for low, moderate and high risk pretrial defendants who are released from jail. Pretrial supervision involves occasional office visits (when necessary), random home visits, and phone contact with defendants as well as reminders about upcoming court appearances. Defendants placed on Pretrial supervision may require occasional action such as drug and alcohol testing as well as notification to the court for those in violation of release conditions. Coordination with Pretrial for arrests may also be required for defendants who are in violation.

Documentation of all contacts and pretrial actions with defendants must be entered in the ACOMS software application to ensure proper and complete records are maintained. It may be necessary to file reports and paperwork through the court in the event of violations.

## **Diversion Programs**

**\$7,783**

Coordinate diversion programs with prosecutors, treatment providers, law enforcement, and other interested parties. Diversion programs will be tailored to each community and what can be offered and supported. Programs will be clearly defined with related performance measurements. Develop and implement programs to divert appropriate defendants to services while still achieving public safety outcomes. Funding allocation for diversion programs will be distributed upon program authorization by the Pretrial Services Director.

Documentation of all contacts and pretrial actions with defendants must be entered in the ACOMS software application to ensure proper and complete records are maintained. It may be necessary to file reports and paperwork through the court in the event of violations.

As one can imagine the Chief and I had many questions. These included subjects like:

- Who will provide training?
- Will it be done onsite, or will the Borough incur costs for travel related to training?
- What if defendants don't respond to pre-trial monitoring?
- What if we attempt to provide these services and determine it is beyond the Borough's capacity?
- Who is responsible for developing the diversion programs?

Assembly Member Decker and the Borough Manager met with the Commissioner of Corrections and the Director of Pre-Trial Services at Southeast Conference in September. They sufficiently answered the questions with, really, a breath of fresh air. The Department of Corrections will provide on-site training prior to the start of providing services. Support from the Department will remain in place. Defendants will still be held accountable for their actions despite limiting factors associated with SB 91. This is designed to be a partnership between the Borough and the Department. If work is beyond our capacity the contract can be amended to remove one or more of the tasks in the future. If the Borough is providing a service successfully and more resources are needed to continue, the Department will consider this and may be able to increase the amount of the contract. Finally, the Department is hiring a Diversion Coordinator who will help local municipalities develop and manage local diversion programs where appropriate.

## **RECOMMENDATION:**

**Approve FY18 Wrangell Regional and Community Jail Contract, Amendment #4.**

## **ATTACHMENTS:**

1. Amendment #4



# STATE OF ALASKA

## AMENDMENT TO PROFESSIONAL SERVICES CONTRACT

1. Agency Contract Number <b>2041014</b>
2. DGS Solicitation Number (if used)
3. Optional Renewal? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Years remaining <b>0 YEARS</b>
4. Financial Coding 201014600 - 1600000002 - 3020 - 5024
5. Agency Assigned Encumbrance Number
6. Amendment No. <b>Four (4)</b>

This agreement is between the State of Alaska,				
7. Department of <b>Corrections</b>		hereafter the State, and		
8. Contractor <b>City of Wrangell, Police Department</b>		hereafter the Contractor		
Mailing Address <b>P.O. Box 531</b>	Street or P.O. Box <b>431 Zimovia Hwy</b>	City <b>Wrangell</b>	State <b>AK</b>	ZIP Code <b>99829</b>
9. Original period of performance FROM: <b>July 1, 2013</b> TO: <b>June 30, 2014</b>		10. Amended period of performance FROM: <b>July 1, 2017</b> TO: <b>June 30, 2018</b>		
11. Previous amount of contract to date: <b>\$1,819,966.00</b>	12. Amount of this amendment: <b>\$ 356,408.00</b>	13. This amended contract shall not exceed a total of <b>\$ 2,176,374.00</b>		
14. In accordance with the provisions of the above referenced contract, the parties to that contract agree that the services to be performed by the contractor under the contract are amended as follows: All other terms and conditions of the contract remain in effect. (Use reverse for continuation of amended provisions if necessary.)  The purpose of this contract amendment is to increase the period of performance from July 1, 2017 to June 30, 2018 and encumber the funds necessary for the annual base amount for these services. This amendment also recognizes the addition of section 9 for Pretrial Program Services that will be effective November 1, 2017 through June 30, 2018 and associated additional funding added to the contract (See attachments, 2 pages). Total number of pages in this amendment is 4. All other terms and condition remains unchanged.  In full consideration of the contractor's performance under and including this amendment, the State shall pay the contractor a new total not to exceed <b>\$2,176,374.00</b>  The period of performance under this contract is increased by <u>12 Months through June 30, 2018</u>  IN WITNESS WHEREOF the parties hereto have executed this amendment.  <b>NOTICE!</b> This amendment has no effect until signed by the head of the contracting agency, procurement officer or designee.				

15. <b>CONTRACTOR</b>		17. <b>CERTIFICATION:</b> I certify that the facts herein and on supporting documents are correct, that this voucher constitutes a legal charge against funds and appropriations cited, that sufficient funds are encumbered to pay this obligation, or that there is a sufficient balance in the appropriation cited to cover this obligation. I am aware that to knowingly make or allow false entries or alterations on a public record, or knowingly make or allow false entries or alterations on a public record, or knowingly destroy, mutilate, suppress, conceal, remove or otherwise impair the verity, legibility or availability of a public record constitutes tampering with public records punishable under AS 11.56.815 - .820. Other disciplinary action may be taken up to and including dismissal.	
Name of Firm <b>City of Wrangell</b>			
Signature of Authorized Representative	Date		
Typed or Printed Name of Authorized Representative <b>Lisa Von Bargaen</b>			
Title <b>City Manager (907-874-2381, Fax 907-874-2173)</b>			
16. <b>CONTRACTING AGENCY</b>		Signature of Head Contracting Agency or Designee	Date
Department/Division <b>Corrections , Division of Institutions</b>		Typed or Printed Name of Authorizing Official <b>John Schauwecker</b>	
Signature of Project Director	Date	Title <b>Procurement Manager CPPB. C. P.M.</b>	
Typed or Printed Name of Project Director <b>Bruce Busby</b>			
Title <b>Director of Institutions</b>			

14. Continuation of amended provisions.

## Summary of Changes:

### Amendment #1

Increase the period of performance from July 1, 2014 through June 30, 2015.

### Amendment #2

Increase the period of performance from July 1, 2015 through June 30, 2016.

### Amendment #3

Increase the period of performance from July 1, 2016 through June 30, 2017.

### Amendment #4

Increase the period of performance from July 1, 2017 through June 30, 2018.

## AMENDMENT TO PROFESSIONAL SERVICE CONTRACT FOR ENTRY DEFINITIONS

1. Agency assigned contract number for tracking, reference, and billing.
2. Department of Administration (DOA) number assigned by the Division of General Services (DGS) (if formal solicitation is conducted).
3. Optional renewal? Yes or no. Years remaining not including this renewal.
4. Financial coding assigned by the agency for billing purposes.
5. Encumbrance number assigned to this contract by the agency.
6. Amendment number. How many to date for this contract including this one?
7. Department.
8. Contractor's name and address.
9. Original period of performance, including previous amendments.
10. Amended period of performance of this document.
11. Total date **not** including this amendment.
12. Amount of this amendment.
13. **New** total not to exceed including this amendment.
14. This section must contain all material changes from the contract such as the new total not to exceed amount and the new period of performance. If no change is being made, write "same." This section also requests the number of years, months and days this contract is either increased or decreased by.
16. Contractor's name, signature, and address.
17. Your division project director's name and signature.

## 9. Pretrial Program Services

The Alaska Department of Corrections (DOC) is adding additional program services through a bilateral amendment beginning November 1, 2017. The description of the additional program services and amount of money the DOC will pay for these services is provided below.

The State will provide additional funds beyond your FY18 Annual Base Amount for each of the four program service areas that you can provide Pretrial Services. Documentation of all contacts and pretrial actions with defendants must be entered in the ACOMS software application to ensure proper and complete records are maintained if technologically feasible. The State will determine your total allocation based on a percentage of the current jail contract allocation. Please see the specific program service areas and the amount identified in each description below.

Upon the delivery of program services, we may utilize available data and performance outcomes from each of the program areas to determine future funding.

### 1. Assessment & Database Collection:

Complete training and comply with DOC policies for the following program services:

Complete inmate bookings by utilizing the ACOMS software system. Complete and submit the Alaska pretrial risk assessment tool (AK-2S), located in the ACOMS software application and submit release recommendations for the courts. Meet all risk assessment and recommendation timeline requirements by scheduled initial appearances. Participate in remedial training and quality evaluation as needed.

Document all contacts and pretrial actions with defendants in the ACOMS software application to ensure proper and complete records are maintained. Notify and file pretrial status and/or violation reports and paperwork through the court as needed.

Total Additional Amount for 8 months, November 1, 2017 through June 30, 2018: **\$3,503.00**

### 2. Community Pretrial Electronic Monitoring:

Complete training and comply with DOC policies for the following program services:

Defendants may be required to have electronic monitoring (EM). Electronic monitoring requires that defendants are fitted with the proper device at the time of release. Related data with regard to the defendant and the EM restrictions should be loaded into the web based database utilized for EM and also noted in the ACOMS software application. Most defendants on EM will be moderate or high risk defendants, but low risk defendants may also be placed on EM with court orders. EM also requires monitoring of the system and response to EM alarms and alerts. This can be accomplished in a variety of ways, such as EM monitoring by DOC staff, monitoring by community jail staff, or monitoring by local dispatchers, who will then contact local providers, Police Departments (PDs), for response to alerts and alarms. Defendants placed on EM may require occasional action such as notification to the court for those in violation of release conditions. Coordination for arrests may also be required for defendants who are in violation. Community and Regional Jails will not charge pretrial defendants a fee for EM services.

Documentation of all contacts and pretrial actions with defendants must be entered in the ACOMS software application to ensure proper and complete records are maintained. It may be necessary to file reports and paperwork through the court in the event of violations.

Total Additional Amount for 8 months, November 1, 2017 through June 30, 2018: **\$8,173.00**

### **3. Community Pretrial Monitoring and Pretrial Supervision:**

Complete training and comply with DOC policies for the following program services:

Defendants placed on Pretrial monitoring may require occasional action such as phone contact for reminders about upcoming court appearances, or home visits for defendants to ensure compliance with release conditions. Notification to the court or potential coordination for arrests may also be required for defendants who are in violation.

Provide Pretrial supervision for low, moderate and high risk pretrial defendants who are released from jail. Pretrial supervision involves occasional office visits (when necessary), random home visits, and phone contact with defendants as well as reminders about upcoming court appearances. Defendants placed on Pretrial supervision may require occasional action such as drug and alcohol testing as well as notification to the court for those in violation of release conditions. Coordination with Pretrial for arrests may also be required for defendants who are in violation.

Documentation of all contacts and pretrial actions with defendants must be entered in the ACOMS software application to ensure proper and complete records are maintained. It may be necessary to file reports and paperwork through the court in the event of violations.

Total Additional Amount for 8 months, November 1, 2017 through June 30, 2018: **\$11,675.00**

### **4. Diversion Programs:**

Complete training and comply with DOC policies for the following program services:

Coordinate diversion programs with prosecutors, treatment providers, law enforcement, and other interested parties. Diversion programs will be tailored to each community and what can be offered and supported. Programs will be clearly defined with related performance measurements. Develop and implement programs to divert appropriate defendants to services while still achieving public safety outcomes. Funding allocation for diversion programs will be distributed upon program authorization by the Pretrial Services Director.

Documentation of all contacts and pretrial actions with defendants must be entered in the ACOMS software application to ensure proper and complete records are maintained. It may be necessary to file reports and paperwork through the court in the event of violations.

Total Additional Amount for 8 months, November 1, 2017 through June 30, 2018: **\$7,783.00**

DOC will provide all necessary access to software applications, training, drug and alcohol kits, and electronic monitoring equipment.

Contact information for questions with program services for Pretrial Services:

Geri Miller-Fox  
Division of Pretrial Director  
550 W 7th Ave, Ste 1800  
Anchorage, AK 99501  
Office Phone: (907) 269-7405  
Mobile Phone: (907) 891-2211  
Email: [geri.fox@alaska.gov](mailto:geri.fox@alaska.gov)

# Agenda Item 13h

## CITY & BOROUGH OF WRANGELL

### BOROUGH ASSEMBLY AGENDA ITEM October 10, 2017

#### INFORMATION:

Approval of Consent to Assignment of Lease for Financing Purposes for the Marine Service Center, Yard Lot 1, leased by Don Sorric

#### Attachments:

1. Memo from Borough Manager Von Bargaen
2. **Consent to Assignment of Lease (First Bank) (*forthcoming*)**
3. Existing Lease and the *proposed* modification no. 3

#### INFORMATION:

The Consent to Assignment of Lease agreement is still being reviewed by the First Bank legal team and has not yet been received.

Therefore, Staff is requesting that this item be postponed until the next Regular Assembly meeting on October 24<sup>th</sup>.

#### **REVISED RECOMMENDED ACTION:**

Move to postpone this item until the October 24<sup>th</sup>, 2017 Regular Assembly Meeting.



## **MEMORANDUM**

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

**FROM: LISA VON BARGEN  
BOROUGH MANAGER**

**MOTION: APPROVAL OF CONSENT TO ASSIGNMENT OF LEASE FOR  
FINANCING PURPOSES FOR THE FACILITY LEASE AGREEMENT  
FOR LOT 1, WRANGELL MARINE SERVICE CENTER WITH DON  
SORRIC.**

**DATE: September 6, 2017**

### **BACKGROUND:**

The Borough has a Facility Lease Agreement with Don Sorric for Lot 1, Wrangell Marine Service Center. His current five-year lease runs through July 31, 2019. Mr. Sorric is making significant improvements to the lease area, specifically pouring concrete pads. It is necessary for Mr. Sorric to obtain a bank loan to finance these improvements. The bank is only willing to lend Mr. Sorric money through the term of his existing lease – ending two years from now. The size of the loan makes it nearly impossible for Mr. Sorric to absorb what the monthly loan payments would be if only able to be amortized over two years. The bank is also concerned about the short time frame. Therefore, the bank is requesting a three-year term extension to July 3, 2022.

The request for the lease term extension was addressed under the previous agenda item.

In addition to a lease extension, as a condition of the loan, the bank is requesting what is called an Assignment of Lease. This is a very standard process for lessees who are financing improvements on leased property. The assignment allows for the bank to automatically assume the lease if the lessee defaults on the loan. The bank is able to protect the loan investment in this way. The Assignment requires a separate action which is the next item on the agenda.

**RECOMMENDATION: Approve Consent to Assignment of Lease for Financing Purposes  
for Facility Lease Agreement for Lot 1, Wrangell Marine Service Center with Don Sorric.**

### **ATTACHMENTS:**

1. Consent to Assignment Document

**WRANGELL MARINE SERVICE CENTER (WMSC)  
FACILITY LEASE AGREEMENT**

This Lease is entered into on the 1st day of August, 2009, by and between the City and Borough of Wrangell (hereinafter "Lessor"), a municipal corporation, and Don Sorric (hereinafter "Lessee"), a business person, doing business in the State of Alaska, for purpose of leasing borough-owned land in Wrangell. The parties hereby agree to the following conditions:

**1. DURATION**

This Lease shall be in effect for a five year term, more specifically, from the date above until the 31st day of July, 2014.

**2. LEASED PROPERTY**

The property subject to this Lease is described as: Yard Lot 1, 8,000 square feet

**3. PERMISSIBLE USES**

A. Lessee shall utilize the property only for the purpose of conducting a boat building and/or boat repair business. Assessory uses of the property are allowed if pre-approved in advance in writing by the Borough Assembly and/or Port Commission.

B. Lessee agrees to abide by all federal, State, and local laws in the operation and maintenance of the permitted commercial activity.

C. The Lessor does not warrant that the property is suitable for the purposes sought. Lessee assumes all risks associated with the location of the leased premises.

**4. CONDITIONS OF LEASING**

A. Lease payments shall be in the amount of \$ 640.00, payable in advance on the 1st day of each month.

B. Lessee shall comply with all rules and yard Best Management Practices as set forth by the Harbor Department or Port Commission.

C. Lessee must sign and agree to fully comply with the WRANGELL MARINE SERVICE CENTER (WMSC) FACILITY USE AGREEMENT.

**5. RENEWAL**

A. The Lease may be renewed at the option of the Lessor upon written request by the Lessee within at least sixty (60) days of the expiration of the current term, provided that the Lessee is current in the payment of all fees, and that the Lessee has been compliant with all yard rules and all provisions of this agreement as determined by the Port Commission.

B. The terms and conditions of this Lease for each renewal term shall be identical with the original term except for the lease payment.

**6. OPERATION AND MAINTENANCE**

A. Lessee shall at all times provide sufficient personnel to operate and maintain the leased premises. Lessee shall keep and maintain the leased premises in good, clean, safe, and sanitary condition.

B. Items stored on the leased premises must be directly related to the commercial business operating on the property.

C. Lessee shall be responsible for any and all special assessments for public improvements which may be made against the leased premises during the term of this Lease or any option to renew by the Lessee.

D. Lessee shall pay all property taxes owed on the leased premises in accordance with the Wrangell Municipal Code. Lessee shall also collect and remit sales tax in accordance with Wrangell Municipal Code.

E. Lessee shall promptly repair, rebuild, or restore the leased premises, facilities or surrounding property damaged or destroyed by any event whatsoever, with the exception of events caused by the act, error, or omissions of borough employees, contractors or representatives, or by inherent condition of normal wear and tear.

F. Lessor may, at all reasonable times and without prior notice, enter upon and inspect the leased premises. If the Lessor demonstrates that the Lessee has failed to perform maintenance or repair work required under the Lease, and if the Lessee, after prior notice of the deficiencies, fails to correct the deficiency or to begin corrective action within a reasonable time, the Lessor may enter any part of the Leased premises and perform the necessary work. The Lessee shall reimburse the Lessor for all reasonable expenses incurred by this work.

## **7. INDEMNITY AND INSURANCE**

A. Lessee shall defend, indemnify, and hold harmless the Lessor from any and all claims or actions for injuries or damages sustained by any person or property arising, or in connection with, or incident to the operation of the leased premises.

B. Lessee shall provide adequate liability property and personal injury damage insurance as described below. The insurance shall not contain any exclusions for pollution, environmental impairment, or nuisance. The Lessor shall be listed as an additional insured on this policy. Proof of such insurance shall be provided to the Lessor as a condition of entering into the Lease. Lessee must notify the Lessor thirty (30) days in advance of any cancellation or alteration of such insurance. Failure to maintain insurance as specifically described in this section shall constitute default by Lessee.

C. Lessee shall keep the leased premises insured at Lessee's expense against fire and other risks covered by a standard fire insurance policy with an endorsement for extended coverage. Lessee covenants that it shall maintain at all times and pay the premiums on such policy or policies of casualty insurance to the building and leased premises designated the Lessor as loss payee, said policy to be in such amount and contain such terms as shall be from time to time determined sufficient by the Lessor. Lessee shall furnish the Lessor with a copy of said policy and all amendments or modifications thereto.

### **D. INSURANCE REQUIREMENTS**

**The Lessee shall not commence with use of the City and Borough's facility/land until the Lessee has obtained the insurance required under this contract. All coverage shall be with insurance carriers licensed and admitted to do business in the State of Alaska. All coverage shall be with carriers acceptable to the City and Borough of Wrangell. The required lines and limits of insurance are as follows:**

1. **General Liability Insurance:** The User shall procure and maintain during the life of this agreement, General Liability Insurance on an "occurrence basis" with limits of liability not less than \$ 1,000,000 per occurrence and/or aggregate combined single limit, personal injury, bodily injury and property damage.
2. **Motor Vehicle Liability Insurance:** The user shall procure and maintain during the life of this agreement, Motor Vehicle Liability Insurance, including applicable no fault coverages, with limits of liability of not less than \$1,000,000 per occurrence combined single limit. If the vehicle is a boom truck or is a boom truck combination, the policy must contain **LOAD/UNLOAD** coverage.

3. **Workers Compensation Insurance:** If the facility user has employees, they shall procure and maintain during the life of this agreement, Workers Compensation Insurance, including Employers' Liability Coverage, in accordance with all applicable statutes of the State of Alaska.
4. **Additional Insured:** General liability insurance and vehicle liability insurance, as described above, shall include an endorsement stating the following shall be an Additional Insured:

The City and Borough of Wrangell, its elected and appointed officials, all employees and volunteers, all boards, commissions and/or authorities and board members, including employees and volunteers thereof.

This coverage shall be primary to the Additional Insured's, and not contributing with any other insurance or similar protection available to the Additional Insured's, whether the other available coverage be primary, contributing or excess.

5. **Cancellation Notice:** General liability insurance and vehicle liability insurance, as described above, shall include an endorsement stating the following: "Sixty" (60) days advance written notice of cancellation, non-renewal, reduction and/or material change shall be sent to: Greg Meissner, Harbormaster, City and Borough of Wrangell, PO Box 531, Wrangell, AK 99929
  6. **Proof of Insurance Coverage:** Prior to commencement of any maintenance or repair activities at the WMSC, the user shall provide the city with certificates of insurance and/or policies, acceptable to the City and Borough of Wrangell, for each of the insurance policies described above.
8. **ENVIRONMENTAL INDEMNITY**

A. Lessee acknowledges and agrees that environmental contamination may exist on or adjacent to the leased premises. Lessor has not made, and Lessee has not relied on, any representations as to the presence, absence, nature, or extent of any such environmental contamination by Lessor. Lessee hereby expressly assumes the risk that any such environmental contamination may cause loss of or damage to Lessee's real and personal property and improvements and may render the leased premises unfit for Lessee's purposes.

B. Lessee shall use, store, handle, and deal with all Environmental Substances (as defined below) in compliance with all Environmental Laws (as defined below). Lessee shall take prompt and responsible action to correct any noncompliance reported by Lessee or alleged by DEC or EPA with any requirements of any Environmental Law or any contamination or pollution caused by a release (as defined below) of an Environmental Substance. Lessee shall obtain all necessary permits, licenses, and other authorizations issued pursuant to Environmental Laws required for Lessee to own or operate the leased premises. Operation of the leased premises shall be in compliance with any terms and/or conditions of such permits, license, and other authorizations. "Environmental Laws" means all federal, State, or local laws, statutes, ordinance, codes, rules, regulations, orders, decrees, and directives imposing liability or standards of conduct for or relating to the protection of health, safety, or the environment. "Environmental Substances" include without limitation any substance, material, waste, pollutants, contaminant or chemical, regardless of how it is referred to or defined, that is regulated in, or pursuant to, any Environmental Laws. "Release" includes an actual or potential

discharge, deposit, spill, leak, pumping, pouring, emission, emptying, injection, escape, leaching, seepage, or disposal which is or may be in breach of any Environmental Law, regardless of cause. "Lessee" includes Lessee, any subsidiaries of the Lessee, any partnership or joint ventures involving the Lessee, Lessee's agents, representatives, employees, invitees, or contractors or any agents, representatives, employees, invitees, or contractors of Lessee's subsidiaries, partnerships, or joint ventures.

C. Lessee acknowledges and agrees that the creation, use, handling, storage, release, and disposal of waste, garbage, pollutants, and toxic or hazardous substances, and the investigation, remediation, and clean-up of environmental contamination, are governed by a wide variety of Environmental Laws. Lessee shall comply with all Environmental Laws and exercise the highest degree of care in the use, handling, and storage of hazardous substances and Environmental Substances and shall take all practicable measures to minimize the quantity and toxicity of hazardous substances and Environmental Substances used, handled, or stored on the leased premises.

D. Lessee shall defend, indemnify, and hold harmless Lessor from and against all claims, including nuisance described in 9 of this Lease liabilities, suits, obligations, fines, judgments and penalties (and any other expenses, including attorneys' fees and other costs of litigation, raised, sought, or imposed by third parties in connection with Lessee's violation of any Environmental Laws or in connection with Lessee's creation, use, handling, storage, release, or disposal of any waste, garbage, pollutants, or toxic or hazardous substances (regardless of whether such creation, use, handling, storage, release, or disposal violated an Environmental Law) on the leased premises or in connection with Lessee's use of the leased premises or by any persons or entity associated with the Lessee as outlined in paragraph 8.B above.

E. Nothing in this Lease alters any obligation Lessor or Lessee may have to investigate, remediate, or clean up any environmental contamination that may exist on the leased premises.

F. Lessee shall defend, indemnify and hold harmless the Lessee for any contamination on the leased premises or any violation of any local, State, or federal Environmental Law occurring after the baseline study required under paragraph 4.D of this Lease.

## **9. WASTE AND NUISANCE PROHIBITED**

During the term of this Lease, Lessee shall comply with all federal, State, and local laws affecting the leased premises, the breach of which might result in any penalty on Lessor or forfeiture of Lessor's title to the leased premises. Lessee shall not commit, or suffer to be committed, any waste on the leased premises, or any nuisance. Lessee shall not operate the leased premises in any manner which might constitute a nuisance.

## **10. ABANDONMENT OF LEASED PREMISES**

Lessee shall not vacate or abandon the leased premises at any time during the term of this Lease. If Lessee shall abandon, vacate, or surrender the leased premises, or be dispossessed by process of law or otherwise, any personal property belonging to Lessee and left on the leased premises shall be deemed to be abandoned, and at the option of the Lessor, the personal property shall become the property of the Lessor, except such property as may be encumbered to the Lessor. Lessee agrees to defend, indemnify, and hold harmless the Lessor for any harm, damage, or injury to person or property, alleged to arise out of the actions of the Lessee in vacating or abandoning the leased premises, and as to any harm, damage, or injury to



person or property arising out of the condition of the property at the time of vacating or abandoning the leased premises.

**11. LIENS**

Except with respect to activities for which Lessor is responsible, Lessee shall pay all claims for work done on and for services rendered or material furnished to the leased premises, and shall keep the leased premises free from any liens. If Lessee fails to pay such claims or to discharge any lien, the Lessor may do so and collect the cost as additional rent. Any amount so added shall bear interest at the highest legal rate as allowed by law from the date of payment by the Lessor. Any amount paid by the Lessor on behalf of the Lessee shall be payable on demand. Such action by the Lessor shall not constitute a waiver of any right or remedy which the Lessor may have on account of Lessee's default.

**12. LESSOR'S RIGHTS UNDER THIS LEASE**

A. The Lessor may sue periodically to recover damages during the period corresponding to the remainder of the Lease term, and no action for damages shall bar a later action for damages subsequently accruing.

B. If Lessee fails to perform any obligation under this Lease, the Lessor shall have the option to do so after twenty (20) days written notice to Lessee. All of the Lessor's expenditures to correct the default shall be reimbursed by Lessee on demand with interest at the highest legal rate of interest allowed by law from the date of payment by the Lessor. Such action by the Lessor shall not waive any other remedies available to the Lessor because of the default.

C. All remedies in this Lease shall be in addition to and shall not exclude any other remedy available to the Lessor under any applicable law.

**13. GOVERNING LAW**

Any dispute arising under this Lease shall be governed by Alaska law. Any claim based upon this Lease or any agreement pertaining to this Lease shall be filed in the First Judicial District, State of Alaska.

**14. DEFAULT**

If the Lessor determines that the provisions of the Lease are not being met and attempts to resolve the dispute in a reasonable manner are unsuccessful, written notice shall be given to the Lessee stating the nature of the deficiency and the necessary corrective action. Lessee shall either take immediate corrective action or respond to the Lessor within ten (10) calendar days stating the reason for the noncompliance and a schedule for compliance. If the Lessor determines that this response is unacceptable, the Lessor shall give Lessee written notice of default and the Lease is terminated. Lessee shall have a reasonable amount of time to remove all personal property. If the personal property is not removed within the time stated in the notice of default, the Lessor may take possession of the property.

**15. TERMINATION**

Each party shall have the right to terminate this Lease upon providing written notice of the intent to terminate sixty (60) days prior to the date of termination.

**16. NOTICE**

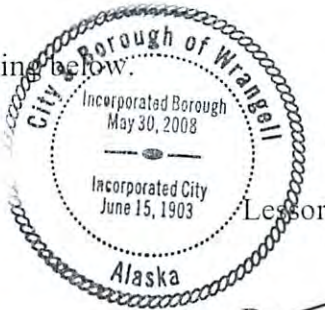
All notices and requests concerning this lease shall be in writing and addressed as follows:  
Lessee:

Lessor: City and Borough of Wrangell  
P.O. Box 531  
Wrangell, AK 99929

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by the their duly

authorized representative(s) signing below.

Date: 9/25, 2009  
Alaska



City and Borough of Wrangell,

Attest:

Christie L. Jamieson  
Christie L. Jamieson  
City and Borough Clerk

By Timothy D. Rooney  
~~Robert S. Pruncella~~ ~~Jeff Jabusch~~, Acting  
City and Borough Manager  
Timothy D. Rooney

*Timothy D. Rooney*  
The foregoing instrument was acknowledged before me this 25<sup>th</sup> day of September, 2009, by ~~Robert S. Pruncella~~ and Christie L. Jamieson, City and Borough Manager and City and Borough Clerk, respectively, of the City and Borough of Wrangell, Alaska, an Alaska home rule municipal corporation, on behalf of the corporation.



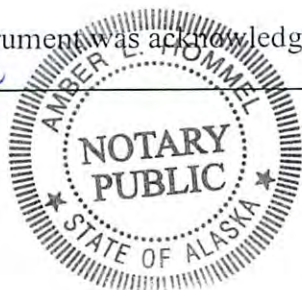
Carol Bean  
Notary Public for Alaska  
Commission expires: 3/23/2010

Date: August 14, 2009

Lessee

By Don Sorric  
Name  
Business Person  
Title

The foregoing instrument was acknowledged before me this 14<sup>th</sup> day of Aug., 2009, by Don Sorric



Amber L. Nomme  
Notary Public for Alaska  
Commission expires: 10.14.2012

**Amendment to the Wrangell Marine Service Center (WMSC)**  
**Facility Lease Agreement**

This **third** modification to extend the Facility Lease Agreement is made and entered into as of September \_\_\_\_\_, 2017 by and among:

Don Sorric, dba Superior Marine, P.O. Box 2296 Wrangell, Alaska 99929, and the City and Borough of Wrangell, Alaska, P.O. Box 531, Wrangell, Alaska 99929.

Now therefore, both parties agree as follows:

- A. Don Sorric entered into an original WMSC Facility Lease Agreement dated August 1, 2009 with the City and Borough of Wrangell as follows: Yard Lot 1—originally 80 x 100= 8000 square feet;
- B. The Borough Assembly granted a modification on February 23, 2010, to boat yard lease as follows:

Yard Lot 1 – from 80 x 100 = 8,000 square feet (\$640.00 per month) to 101 x 143 = 14,443 square feet (\$1,155.44 per month);
- C. This amendment is reflected in the original agreement as follows:

**DURATION**

This lease shall be in effect for a five year term, more specifically, from the date above until the 31<sup>st</sup> day of July, 2019.

- D. **This amendment changes Section 1, Duration, of the original agreement and second extension as follows:**

**DURATION**

**This lease shall be in effect for an additional three years, more specifically, from the date above until the 31<sup>st</sup> day of July, 2022.**

\_\_\_\_\_  
Don Sorric, Lessee

\_\_\_\_\_  
Date

\_\_\_\_\_  
Greg Meissner, Harbormaster  
City and Borough of Wrangell

\_\_\_\_\_  
Date

# **Agenda Item 13i**

## **CITY & BOROUGH OF WRANGELL**

### **BOROUGH ASSEMBLY AGENDA ITEM October 10, 2017**

#### **INFORMATION:**

Approval of the modified Assembly meeting calendar for November 2017

#### **Attachments:**

1. Memo from Clerk Lane
2. November calendar - *proposed*

#### **RECOMMENDED ACTION:**

Move to approve the modified Assembly meeting calendar for November 2017.

## MEMORANDUM

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

**FROM: KIM LANE, BOROUGH CLERK**

**SUBJECT: APPROVAL OF THE MODIFIED ASSEMBLY MEETING CALENDAR  
FOR NOVEMBER 2017**

**DATE: October 10, 2017**

### **BACKGROUND:**

For the past 7 years, the Borough Assembly has only had one meeting in November. Either the first or the second meeting in November was canceled due to the number of Assembly members that would be out of town on Thanksgiving week or due to conflicts with AML's annual meetings.

This year the AML Conference schedule and those attending are as follow:

*Alaska Conference of Mayors (ACoM)* will be held on November 14<sup>th</sup> – **Mayor Jack**

*Alaska Municipal League (AML)* will be held from November 15<sup>th</sup> – 17<sup>th</sup> – **Mayor Jack, Assembly Member Prysunka, Assembly Member Rooney, and Manager Von Barga**

*Alaska Municipal Management Association (AMMA)* conference will be held on November 13<sup>th</sup> and 14<sup>th</sup> – **Manager Von Barga**

*Alaska Association of Municipal Clerks (AAMC)* conference will be held from November 11<sup>th</sup> – 14<sup>th</sup> – **Clerk Lane**

These conferences will directly affect the November 14<sup>th</sup> scheduled Assembly meeting. Also, since Thanksgiving is on November 23<sup>rd</sup> this year, there is not enough time to compile an Assembly packet.

Administration is recommending the one November meeting be held on the 7<sup>th</sup>, so as not to interfere with AML or the Thanksgiving holiday week. If the modified calendar is approved by the Assembly, the proper noticing will be done, beginning on October 11<sup>th</sup> and will continue until November 28<sup>th</sup>.

### **RECOMMENDATION:**

Move to approve the modified Assembly meeting calendar for November 2017.

### **ATTACHMENTS:**

1. Proposed November Calendar



# November 2017

November 2017						
◀ Oct 2017					Dec 2017 ▶	
Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1	2	3	4
5	6	7 Rescheduled Assembly Meeting from November 14 <sup>th</sup>	8	9	10 Kim gone (AAMC)	11
12 Lisa gone (AMMA & AML)	13 Mayor Jack gone (ACoM & AML)	14 Canceled - Regularly Scheduled Assembly Meeting  Assembly Member Prysunka gone (AML) Assembly Member Rooney gone (AML)	15 Kim back	16	17	18 Mayor Jack back Prysunka back Rooney back
19	20	21	22	23 Thanksgiving Day	24 City Hall Closed	25
26	27 Lisa back - PM	28 Canceled - Regularly Scheduled Assembly Meeting	29	30		

# **Agenda Item 13j**

## **CITY & BOROUGH OF WRANGELL**

### **BOROUGH ASSEMBLY AGENDA ITEM October 10, 2017**

#### **INFORMATION:**

Approval of the Letter to Governor Walker regarding  
Transboundary Waters

#### **Attachments:**

1. Not Ready

#### **RECOMMENDED ACTION:**

Not ready.

# **Agenda Item 13k**

## **CITY & BOROUGH OF WRANGELL**

### **BOROUGH ASSEMBLY AGENDA ITEM October 10, 2017**

#### **INFORMATION:**

APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT WITH SHANNON & WILSON FOR THE RESERVOIR BYPASS CONNECTION DESIGN, TASK 1, TAP ANALYSIS ALTERNATIVES IN THE AMOUNT OF \$25,585

#### **Attachments:**

1. Memo from Amber Al-Haddad
2. Shannon & Wilson's fee proposal for the Upper Dam Bypass Alternatives Analysis dated September 24, 2017.

#### **RECOMMENDED ACTION:**

Move to approve a Professional Service Agreement with Shannon & Wilson for the Task 1 Dam Tap Alternatives Analysis in the amount of \$25,585.

## **MEMORANDUM**

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

**FROM: AMBER AL-HADDAD  
PUBLIC WORKS DIRECTOR**

**SUBJECT: APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT WITH  
SHANNON & WILSON FOR THE RESERVOIR BYPASS CONNECTION  
DESIGN, TASK 1, TAP ANALYSIS ALTERNATIVES IN THE AMOUNT  
OF \$25,585**

**DATE: October 3, 2017**

### **BACKGROUND**

Following discussion with Shannon & Wilson regarding the dam breaching evaluation and design completion for the Reservoir Bypass Connection project, it is the intent to negotiate a professional services agreement for the design and bid-ready construction documents for this project with Shannon & Wilson.

In the Borough's interest, this work is best achieved by splitting the work into two tasks. Task 1 Dam Tap Alternatives Analysis consists of a study of existing conditions and new trenchless technologies, compared with the Shannon & Wilson's 2003 tap analysis, which is necessary to further develop design scope and costs.

Task 1, Dam Tap Analysis will address all tapping assessments, including work by Shannon & Wilson's lead engineers and their civil and trenchless engineering subcontractors. From the Task 1 work, Shannon & Wilson will generate a design study report that will outline their recommendation for the best design and construction approach and prepare a Task 2 cost estimate to carry the project through final engineering design for construction. Task 2, Engineering/Design, will require future Assembly approval.

Shannon & Wilson has developed a cost proposal for Task 1, Dam Tap Alternatives Analysis, which is attached here. The proposal was prepared on a Time & Material basis and shall not exceed the amount of \$25,585. Funding for Task 1 Dam Tap Alternatives Analysis is scheduled to be paid with funds from the State of Alaska grant for this design and construction project.

### **RECOMMENDATION**

Move to approve a Professional Service Agreement with Shannon & Wilson for the Task 1 Dam Tap Alternatives Analysis in the amount of \$25,585.

### **FISCAL NOTE**

Expenditure Required:	\$25,585
To Account Number:	72300-000-5590
Amount Budgeted:	\$609,866.12

### **SUPPORTING DOCUMENTATION**

1. Shannon & Wilson's fee proposal for the Upper Dam Bypass Alternatives Analysis dated September 24, 2017.

September 24, 2017

City and Borough of Wrangell  
PO Box 531  
Wrangell, Alaska 99929

Ms. Amber Al-Haddad, Director of Public Works

**RE: PROPOSAL FOR UPPER DAM BYPASS ALTERNATIVES ANALYSIS,  
WRANGELL, ALASKA;**

We are pleased to submit herein our proposed scope and fee for conducting an alternatives analysis for the City of Wrangell. Prior work at the site has been conducted to design and construct a bypass waterline from the Upper Wrangell Dam to utility works below the Lower Wrangell Dam. We understand that the water line was partially constructed, but was halted prior to constructing the dam tap at the Upper Dam. In 2003, Shannon & Wilson conducted an alternatives analysis to assist the City of Wrangell in selecting the most efficient way to design and construct the Upper Dam tap. Since that time, no work has been conducted on the project. We understand that the City is interested in completing the project, but that you would like to re-evaluate the Upper Dam tap alternatives to account for potential improvements to construction and trenchless technologies since our original alternatives analysis. The purpose of this study is to evaluate alternatives for the Upper Dam tap so that a preferred approach can be selected and carried through design.

**SCOPE OF SERVICES**

In order to conduct our alternatives analysis, we will collect and review the available information from the project site. This information will include the project design that was completed in the late 1990s, our 2003 alternatives analysis, and any other systems information that you may have from the site and planned improvements. We assume that if a site topographic survey exists for the project area that you will provide those drawings, in CAD format if available. Additionally, we understand that CCTV video was collected from the existing water lines through the Upper Dam. If that video is available, we assume that you will provide it to us for review. We assume that a site visit will not be needed for our analysis.



Ms. Amber Al-Haddad  
City of Wrangell  
September 24, 2017  
Page 2 of 2

**SHANNON & WILSON, INC.**

We have included CRW Engineers and Steph Engineering to provide civil and trenchless support for our evaluation, respectively. We will review the available information and present a draft report that includes the results of our review, advantages and disadvantages of each alternative, and approximate, planning-level design and construction costs of each alternative. We anticipate the need to conduct two teleconference meetings with you during this project. One after we have reviewed the available information to discuss the project and collect your thoughts and learn of any limiting factors that we may need to consider. Our second meeting will be conducted after submittal of our draft report to discuss results and get your feedback on our analysis. After receiving your comments, we will prepare a final report for submittal.

### **SCHEDULE**

We anticipate that it will take approximately four weeks to prepare our draft report. We anticipate that our final report will be available approximately one week after receipt of your comments and our final teleconference meeting.

### **ESTIMATED COST AND FEE BASIS**

We are prepared to undertake the work on a time and materials basis as outlined on the attached summary cost estimate. We will not exceed the maximum quoted value in our estimate without your prior approval. To clarify the nature of our work, we have also enclosed for your use *Important Information about your Geotechnical/Environmental Proposal*. The terms of our service are Shannon & Wilson's Standard Terms and Conditions. If you have any questions or comments or wish to revise the scope of our services, please contact the undersigned at (907) 433-3219. We look forward to the opportunity to continue to work with you on this project.

Sincerely,

**SHANNON & WILSON, INC.**

Kyle Brennan, P.E.  
Vice President

Encl: Cost Summary  
Important Information About Your Geotechnical/Environmental Proposal  
Standard General Terms and Conditions

**SUMMARY COST ESTIMATE****WRANGELL GROUNDWATER STUDY****COST****1. Alternatives Analysis****\$25,585**

Principal	4	hr. @	\$215	per hr.	=	\$860
Associate	12	hrs. @	\$160	per hr.	=	\$1,920
Senior Engineer III	20	hrs. @	\$140	per hr.	=	\$2,800
Clerical	2	hrs. @	\$55	per hr.	=	\$110
CRW (Civil Support)	1	@	\$10,120	each	=	\$10,120
Stephl (Trenchless Support)	1	@	\$9,775	each	=	\$9,775

**TOTAL: \$25,585**

# **Agenda Item 13l**

## **CITY & BOROUGH OF WRANGELL**

### **BOROUGH ASSEMBLY AGENDA ITEM October 10, 2017**

#### **INFORMATION:**

APPROVAL OF A PROFESSIONAL SERVICE AGREEMENT WITH CRW ENGINEERING GROUP FOR FINAL EVALUATION OF WATER TREATMENT PLANT IMPROVEMENTS IN THE AMOUNT OF \$15,750

#### **Attachments:**

1. Memo from Amber Al-Haddad
2. CRW Engineering Group's October 4, 2017 proposal to provide final evaluation and recommendation for Water Treatment Facility Improvements.

#### **RECOMMENDED ACTION:**

Move to approve a Professional Service Agreement to CRW Engineering Group for Final Evaluation of Water Treatment Plant Improvements, in the Amount of \$15,750.

## **MEMORANDUM**

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

**FROM: AMBER AL-HADDAD, PUBLIC WORKS DIRECTOR**

**SUBJECT: APPROVAL OF A PROFESSIONAL SERVICE AGREEMENT WITH  
CRW ENGINEERING GROUP FOR FINAL EVALUATION OF WATER  
TREATMENT PLANT IMPROVEMENTS IN THE AMOUNT OF \$15,750**

**DATE: October 6, 2017**

### **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. With that report's final development, the CBW sought USDA funding for improvements to the Water Treatment Plant, based on the PER's selected alternative, the Dissolved Air Flotation (DAF) treatment system.

Based the loan/grant funding package that USDA has offered the CBW, specific to the proposed DAF project, pursuit of this project would add significant cost to Wrangell's rate payer. That said, it is likely that any work that is pursued may impact the cost of water to the consumer, and staff is dedicated to identifying the best improvements option with the lowest financial impact.

A tremendous amount of work has been performed by both CRW engineers and CBW staff toward determining the best way forward for improvements to the water plant. It is in the Borough's best interest to analyze the two improvements alternatives, Alternative 1, Improvements to the Existing Slow Sand Facility, and Alternative 4, New Dissolved Air Flotation Facility.

Under this new engineering task, CRW will follow through with the work that CBW staff have been working on regarding improvements to our existing facility and flush out the viability of these new improvement options. Finally, CRW will evaluate the two options, considering the funding availability for this project to date, and make a final recommendation to the CBW.

The cost for PER/ER was awarded to CRW in a lump sum amount of \$64,098. To date they have completed the ER and the PER and only need to make minor edits and submit the final Report in hard copy. With the remaining balance on CRW's PER/ER contract at \$22,428.46, we will utilize this prior-approved PSA funding balance to cover this new \$15,750 cost for CRW to perform this final evaluation and recommendation for the improvements to the Water Treatment Plant, considering both Alternative 1 and Alternative 4, identified by the PER.

**RECOMMENDATION:**

Approve a Professional Service Agreement to CRW Engineering Group for Final Evaluation of Water Treatment Plant Improvements, in the Amount of \$15,750.

**ATTACHMENTS:**

1. CRW Engineering Group's October 4, 2017 proposal to provide final evaluation and recommendation for Water Treatment Facility Improvements.





CRW Engineering Group, LLC

**Memorandum**

**from:** Jon Hermon, P.E.

**to:** Ms. Amber Al-Haddad,  
CBW DPW Director

**Date:** October 4, 2017

A handwritten signature in black ink, appearing to be "Jon Hermon", is located to the right of the memorandum header.

**RE: City and Borough of Wrangell (CBW) Water Treatment Improvements Facility  
Improvements Final Evaluation and Recommendation: Fee Proposal**

Dear Ms. Al-Haddad:

In response to CBW's attached 10-2-17 Request for Proposal (RFP), we are pleased to submit this fee proposal to provide a final evaluation of the two water treatment improvement alternatives being considered by CBW:

- Improvements Made to Existing Facility (PER Alternative 1)
- Dissolved Air Flotation Facility (PER Alternative 4)

The purpose of this evaluation is to provide a concise review of these two alternatives in light of current funding developments and previous design efforts relating to the existing roughing filters, as outlined in the RFP. Included with this proposal is a spreadsheet showing the estimated breakdown of hours and fees for CRW Engineering Group, LLC (CRW). Also find attached schedules of our Year 2017 standard rates.

CRW proposes the following scope of work, deliverables and schedule for this project:

**A. SCOPE OF WORK**

**1. Task A – Final Evaluation and Recommendation**

Scope of work will primarily include the following:

- ◆ In coordination with Roberts Filters, evaluate two additional options for improving roughing filter performance, as part of Alternate 1:
  - Air scour prior to down-flow backwashing of roughing filter media.
  - Simultaneous air scour in association with up-flow backwashing of roughing filter media.
- ◆ Assist CBW in the evaluation of slow sand filter media testing to review the value of replacing the existing media as part of Alternate 1.
- ◆ Evaluate Alternative 4 for potential reductions in project scope and for phasing schemes that would facilitate CBW's pursuit of design and construction funding.

- ◆ Provide preliminary capital cost estimates for Alternates 1 and 4 updated by the aforementioned options.
- ◆ Summarize the evaluation in a technical memorandum and provide a recommendation for CBW on which updated alternate to pursue.
- ◆ Meet with CBW via teleconference to discuss the draft memorandums and any revisions needed for the final memorandum.

#### **B. DELIVERABLES**

Draft and final versions of a technical memorandum. The final version will be based on review comments provided by CBW.

#### **C. SCHEDULE**

Provide a draft technical memorandum by November 1, 2017. Assuming a one week review period for CBW, the teleconference would occur by November 8. Final memorandum would be submitted no later than November 15, 2017.

#### **D. FEE AND TERMS**

Our fee and other assumptions that form the basis of our proposal are indicated on the attached spreadsheet. We propose to perform these services for a lump sum fee of **\$15,750**. All work would be performed in accordance with a professional services contract between CRW and the City and Borough of Wrangell.

*END*

Attachments: Fee spreadsheet (1 pages, 11x17); standard 2017 rate schedule for CRW, Request for Proposal (3 pages).

City & Borough of Wrangell Facility Improvements Final Evaluation & Recommendation Civil Engineering Services - Fee Estimate Oct 2017	Footnotes	Principal	Project Manager	Senior Engineer	Project Engineer	Staff Engineer	Technician IV	Clerical Staff	Total CRW Labor	Subnotes	Subconsultant Expenses	Misc. CRW Expenses	Task Totals
TASK	1	\$190	\$175	\$175	\$155	\$135	\$125	\$75			Cost x 1.10	Cost x 1.10	
<b>A. Final Evaluation and Recommendation</b>													
1 Project Management			4					2	\$850			\$220	\$1,070
2 Roughing Filter Air Scouring Options Evaluation			4		8		8		\$2,940				\$2,940
3 Coordination with Roberts Filters			2		4				\$970				\$970
4 Slow Sand Filter Replacement Media Evaluation			2		4				\$970				\$970
5 DAF Scope and Phasing Evaluation			4		8		4		\$2,440				\$2,440
6 Cost Estimates			2		4	8			\$2,050				\$2,050
7 Draft Report			2		16				\$2,830				\$2,830
8 Teleconference with CBW			2		4				\$970				\$970
9 Final Report			2		4	4			\$1,510				\$1,510
<b>Subtotal Task A:</b>		0	24	0	52	12	12	2	\$15,530		\$0	\$220	\$15,750
<b>Total Hours:</b>		0	24	0	52	12	12	2	n/a		n/a	n/a	
<b>Total Costs:</b>		\$0	\$4,200	\$0	\$8,060	\$1,620	\$1,500	\$150	\$15,530		\$0	\$220	\$15,750

<b>TOTAL Fee Amount:</b>	<b>\$15,750</b>
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Footnotes:

1 Year 2017 standard rates are assumed for CRW labor.



**CRW ENGINEERING GROUP, LLC**  
**Fee Schedule – 2017**

**EMPLOYEE CATEGORY**

Senior Principal .....	\$190.00
Principal .....	\$180.00
Senior Engineer/Land Surveyor .....	\$175.00
Project Engineer/Land Surveyor .....	\$155.00
Registered Staff Engineer/Land Surveyor .....	\$135.00
Staff Engineer/Land Surveyor II (EIT/LSIT) .....	\$115.00
Staff Engineer/Land Surveyor I .....	\$105.00
Technician V .....	\$135.00
Technician IV .....	\$125.00
Technician III .....	\$115.00
Technician II .....	\$100.00
Technician I .....	\$ 80.00
Clerical/Administrative Support .....	\$ 75.00

**SUPPLIES AND SERVICES**

Direct Expenses and Supplies .....	Invoice + 10%
Subconsultants .....	Invoice + 10%
Meals (Per Diem) .....	\$60.00/day
In-house Expenses	
Xerox (8-1/2 x 11) .....	\$0.10/copy
Xerox (11 x 17) .....	\$0.20/copy
Color Copies (8-1/2 x 11) .....	\$1.00/copy
Mileage (Federal Rate) .....	\$0.54/mile
Bond Plots .....	\$1.00/square foot
Mylar Plots .....	\$2.00/square foot

# **Agenda Item 14**

## **CITY & BOROUGH OF WRANGELL**

**BOROUGH ASSEMBLY  
AGENDA ITEM  
October 10, 2017**

INFORMATION:

ATTORNEY'S FILE – None

# **Agenda Item 15a**

## **CITY & BOROUGH OF WRANGELL**

**BOROUGH ASSEMBLY  
AGENDA ITEM  
October 10, 2017**

**Executive Session – None**