



# Petersburg Borough

12 South Nordic Drive  
Petersburg, AK 99833

## Meeting Agenda Borough Assembly Regular Meeting

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Monday, November 01, 2021

12:00 PM

Assembly Chambers

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You are invited to a Zoom webinar.  
When: Nov 1, 2021 12:00 PM Alaska  
Topic: November 1, 2021 Assembly Meeting

Please click the link below to join the webinar:

<https://petersburgak.gov.zoom.us/j/83630461408?pwd=c0VXQUxmMTdSL29EWFZOZUdLa25oZz09>  
Passcode: 882470

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 720 707 2699 or +1 253 215 8782 or +1 346 248 7799 or +1 646 558 8656 or  
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Passcode: 882470

1. **Call To Order/Roll Call**
2. **Voluntary Pledge of Allegiance**
3. **Approval of Minutes**
4. **Amendment and Approval of Meeting Agenda**
5. **Public Hearings**
6. **Bid Awards**
7. **Persons to be Heard Related to Agenda**  
*Persons wishing to share their views on any item on today's agenda may do so at this time.*
8. **Persons to be Heard Unrelated to Agenda**  
*Persons with views on subjects not on today's agenda may share those views at this time.*
9. **Boards, Commission and Committee Reports**
10. **Consent Agenda**

## 11. Report of Other Officers

### A. Petersburg Medical Center Update

PMC CEO Hofstetter will provide a report.

### B. PMPL Rate Study Presentation

John Heberling PE, with D. Hittle and Associates will present the PMPL Rate Study to the Assembly.

## 12. Mayor's Report

### A. November 1, 2021 Mayor's Report

## 13. Manager's Report

### A. November 1, 2021 Manager's Report

## 14. Unfinished Business

### A. Ordinance #2021-15: An Ordinance Updating Chapter 9.04 of the Municipal Code, Entitled "Disease Control", to Update Language and Reflect Borough Incorporation - Third and Final Reading

The purpose of Ordinance #2021-15 is to 1) move the chapter into borough code; 2) amend or remove antiquated language; 3) delete duties that have historically not been performed by the local health officer; 4) delete the health officer's power to compel vaccinations, currently provided for in section 9.04.040; 5) add language to ensure that actions of the health officer under 9.04.020 (A) and (B) are taken only under the direction of either the borough manager or the borough assembly; 6) include a new section 9.04.040 that outlines the required substance of health officer directives, to ensure that directives are factually based, designed to be as least restrictive as possible, and are in the best interests of public health; and 7) provide a fine in the event of violation of a directive (new section 9.04.050).

In its second reading Ordinance #2021-15 was amended as follows: Amendment 1: Add the word "any" in section 9.04.020 so it now reads, "Screening of any person coming into the borough..." Add the word "any" to subsection A to read, "any persons entering the borough." Amendment 2: Section 9.04.030: Replace the words "make such" with the word "provide" to now read, "The health officer shall provide reports to the borough assembly." Amendment 3: Section 9.04.040. Add the sentence, "The health officer shall ensure that due process is provided to any person who is the subject of a health directive which orders the involuntary quarantine of that person, including reasonable notice of the directive, delivery of the evidence supporting the directive, and an opportunity to be heard in objection to the directive."

Ordinance #2021-15 was unanimously approved as amended in its second reading.

**B. Ordinance #2021-17: An Ordinance Updating Various Provisions of Chapter 14.12 of the Municipal Code, Entitled "Sanitation" - Third and Final Reading**

Ordinance #2021-17, if adopted, will 1) add provisions to address concerns regarding bears accessing refuse containers located in residential neighborhoods, including establishment of a fine for noncompliance; 2) change collection of recyclables from once per week to once every two weeks; 3) add a section to address the disposal of vehicles; and 4) update collection and on-site disposal rates. Ordinance #2021-17 was unanimously approved in its second reading.

**15. New Business**

**A. Resolution 2021-13 A Resolution of the Petersburg Borough in Support of Redistricting Map Designated "Senate Minority Proposed Southeast"**

Assembly Member Meucci requested that a resolution be prepared in support of the "Senate Minority Proposed Southeast" map.

**B. Blind Slough Hydro Equipment Procurement Contract**

Utility Director Hagerman recommends that the Assembly approve the issuance of a Notice to Proceed to Gilkes Hydro for the Blind Slough Hydro Equipment Procurement contract, and further accepts an \$89,795.08 increase based on a contractually agreed metals market adjustment to the contract. The total contract value for supply of specified project equipment would be adjusted to \$2,092,191.08 and the equipment manufacture and supply would commence immediately.

**16. Communications**

**A. Correspondence Received Since October 15, 2021**

**17. Assembly Discussion Items**

**A. Assembly Member Comments**

**B. Recognitions**

**18. Executive Session**

The Assembly will adjourn to Executive Session to receive advice and information provided by the Borough Attorney concerning the remedies available to the Borough in regard to a sales tax delinquency.

**19. Adjourn**

**Mayor's Report  
For  
November 1, 2021, Assembly Meeting**

**Seeking Letters of Interest:** The Petersburg Borough is accepting letters of interest from citizens who wish to serve the community as Board Member to the Southeast Alaska Power Agency (SEAPA) for calendar year 2022. The Borough Assembly will appoint one voting member and one alternate to the SEAPA board.

Letters of interest should be submitted to Mayor Jensen or Clerk Thompson at the Borough offices located at 12 S. Nordic Drive; by sending to PO Box 329, Petersburg, AK 99833; or by emailing to [dthompson@petersburgak.gov](mailto:dthompson@petersburgak.gov).



**Borough Manager's Report  
Assembly Meeting 1 November 2021**

- ❖ A big thank you again to Ty Cummins and Mattingly Electric for their work at Assisted Living on the deck. It is so wonderful to have local tradesmen that can produce such quality work. Also, thank you to Sally Dwyer who ram-rodged the project and to all the donors who made it possible.
- ❖ The ramp to Outlook Park shelter will be repaired soon. Please have patience during the repair and stay clear of the area during this time.
- ❖ Parks and Recreation needs more lifeguards! They are hosting another Lifeguard Training Course for Nov. 19<sup>th</sup>-21<sup>st</sup>. Please contact Scott Burt as soon as possible to get registered for the online training to be completed before classes start. He can be reached at [sburt@petersburgak.gov](mailto:sburt@petersburgak.gov) or by calling 907-772-5446 for more information.
- ❖ REMINDER: Parks and Recreation is working on placing a light at the Ice Skate Pond. Please contact the Parks and Recreation Advisory Board or Stephanie Payne with comments or input. Contact information can be found on the Borough website.
- ❖ Water staff working on pre-winter maintenance on all air release valves on the Cabin Creek water line.
- ❖ Thanks to Public Works for completing hydrant flushing and winterization ahead of any freezing weather.
- ❖ Ira II Street Sewer project is ongoing. Rock N Road is finishing up with the mainline installation this week and will drop back and finish off service connections next week before cleaning up the site and shaping up the road by November 12<sup>th</sup>.
- ❖ Power and Light Staff is working with the Vakkersted contractor and inspector to ready the building for permanent power and meter installations.
- ❖ Crystal Lake spilled for approximately 3-4 days after heavy rains recently, so staff turned off the pump-back system to help reduce water levels. Upon the lake level dropping below the spillway, staff scheduled a trip to the site to clean out any silt that may have been carried into the sump. Pump-back is on and working as intended. Lake level is within 9" of spill currently.
- ❖ PMPL is still waiting to hear from ADOT regarding the street lighting quote that was sent for Papke's Landing Road.
- ❖ Interviews for the next Mechanic/Operator are being held this week.

- ❖ McMillen Jacobs and Gilkes Hydro are working through the calculations of price adjustments to the Blind Slough Hydro equipment procurement contract. It is anticipated that there will be no currency-based adjustments to contract price, but that copper and magnetic steel pricing increases will translate into a minor increase to the contract. The Assembly will likely need to approve the adjustment amount in order to move forward with a Notice to Proceed on the hydro equipment manufacture and procurement.
- ❖ Karl is working with Jody to complete the PMPL project bond sale application for the Alaska Bond Bank.
- ❖ 1-year-old ambulance gurney (Stryker Power Pro XT) is out of service due to a cracked frame. Sandy has been working with Stryker for repair/replacement as it is under warranty. Using a backup until resolved.
- ❖ We are continuing to accept volunteer applications for Fire/EMS and Search and Rescue. Emergency Trauma Technician course schedule to start on Nov 7<sup>th</sup>, with the BLS prerequisite course on Nov 3<sup>rd</sup>. Contact the PVFD if interested.
- ❖ Thanks to PMC for providing a flu shot clinic for PVFD Volunteers, and to Matt Garrits for keeping the Station 1 grounds looking good through the summer/fall.
- ❖ Significant maintenance issues with the roll-up doors on the Apparatus Bay. Sandy has requested a professional door person to come to Petersburg.
- ❖ Visitation continues at Assisted Living. Call 772-2445 with any questions. Masks are required to be worn in Borough buildings. Please do not visit if any symptoms of being ill, and if you've traveled, consider a covid test prior to visiting.
- ❖ Direct TV seems to be working well and residents are happy.
- ❖ PMC Doctors continue to see residents for routine appointments at Assisted Living, and PMC is offering Elderly Housing and Assisted Living residents flu shots at the Manor.
- ❖ The State Background check program is working on getting back to a limited capacity. Hopefully we will be able to enter applications electronically and maintain applicants online again. A big thank you to the police department in being very flexible with helping Shelyn get fingerprints for potential employees.
- ❖ Assisted Living will be handing out candy on Saturday the 30<sup>th</sup> from 6-8 pm in the lobby.
- ❖ State Licensing inspection is completed. Licensed for two more years.
- ❖ The Streets crew replaced 26 deck planks on the Rasmus Enge Bridge on 10/25 and 10/26. The deck was last replaced in 2014 and we intend to do a full deck replacement in 2022.
- ❖ Papke's Snow Removal RFP is being advertised, with proposals due November 4<sup>th</sup>.
- ❖ Motor Pool Shop repair project ongoing – the drywall finisher is onsite at present. Still anticipating that we will be moved into the new building for the winter season. We are already noticing that the rehabbed facility holds heat better than before. The new insulated garage doors and upgraded building insulation are definitely making a difference and should result in reduced heating costs.
- ❖ Garbage bears are still active – we have had several reports of bear activity in the last week.

**PETERSBURG BOROUGH  
ORDINANCE #2021-15**

**AN ORDINANCE UPDATING CHAPTER 9.04 OF THE MUNICIPAL CODE, ENTITLED  
“DISEASE CONTROL”, TO UPDATE LANGUAGE AND REFLECT BOROUGH  
INCORPORATION**

**WHEREAS**, on January 3, 2013 the Election Division for the State of Alaska certified the election results of the December 18, 2012 incorporation election for the Petersburg Borough, and

**WHEREAS**, the certified election confirmed the incorporation of the Petersburg Borough and dissolved the City of Petersburg, and

**WHEREAS**, Petersburg Borough Charter, Section 19.06 requires all ordinances, resolutions, regulations, orders and rules in effect for the former City of Petersburg to continue in full force and effect within the Petersburg Borough, Service Area 1, until expressly reaffirmed, revised or repealed by the assembly, and

**WHEREAS**, Chapter 9.04 of the ordinances of the former City of Petersburg was originally adopted in 1973, and requires substantial update in order to move it into the current municipal code.

**THEREFORE, THE PETERSBURG BOROUGH ORDAINS**, Chapter 9.04, as set out below, is hereby adopted as a borough ordinance.

**Section 1. Classification:** This ordinance is of a general and permanent nature and shall be codified in the Petersburg Municipal Code.

**Section 2. Purpose:** The purpose of this ordinance is to update the language of the chapter.

**Section 3. Substantive Provisions:** Chapter 9.04 of the former Petersburg City Code, as amended herein, is hereby adopted as a Borough ordinance and shall read as follows:

Chapter 9.04 - DISEASE CONTROL

9.04.010 - General powers and duties of health officer.

It shall be the duty of the health officer to enforce all ordinances containing provisions for the protection of public health, ~~to make inspections of foodstuffs and of the premises used for storing or selling of provisions as may be provided by ordinance; and shall and to perform~~ such other duties and functions as may be ~~directed~~required by ~~the borough manager or assembly statute or ordinance.~~ The chief of police is designated as a duly authorized agent of the ~~borough~~city health officer ~~for enforcement purposes.~~



9.04.020 - Screening ~~and detention of~~ any persons coming into the borough~~immigrants for disease;~~ temporary quarantine of exposed persons.

A. The health officer may, whenever the officer deems it necessary and under the direction of the borough manager or assembly, ~~require the examination, examine or cause to be examined~~ by some competent physician, of any ~~all~~ persons entering the borough~~city~~ from any town, city, borough~~district~~, location, state or other place where the officer has reason to believe there are any cases of cholera, yellow fever, smallpox, or other contagious or infectious diseases. For the purpose of making such examination, the health officer shall have authority to enter any ship, vessel~~steamboat~~ or other water craft, or any vehicle; and said health officer may direct and enforce the quarantine~~cleansing and purifying~~ of any such ship, vessel~~steamboat~~ or other water craft, or any vehicle.

B. By and under the direction of the borough manager or assembly, the health officer may:

(i) The health officer may establish and provide, ~~by and with the consent of the city council,~~ a suitable place for the temporary quarantine~~detention~~ of persons who have been exposed to the infection of cholera, yellow fever, smallpox or other infectious or contagious diseases, ~~and the health officer shall have the power to order and~~ compel said person or persons to remain in such place of quarantine~~detention~~ for such time as may be necessary, and determine the conditions and duration of such quarantine; and, ~~and to forbid and prevent any and all communications with such person or persons. The health officer shall have the power to~~

(ii) forbid or prevent any and all persons from living in or otherwise entering~~being in or about~~ any~~such~~ house or premises in which~~where~~ any person is or has been sick with smallpox, cholera, yellow fever or any other infectious or contagious disease, and prevent any and all persons already in such house or premises from leaving such house or premises without first having obtained permission to do so from the health officer.

9.04.030 - Reporting by health officer.

The health officer shall ~~make such~~ provide reports to the borough assembly~~city council~~ as may be required. ~~The~~ officer shall also make recommendations to the assembly for rulings, ~~orders or ordinances~~ respecting the public health whenever ~~he is~~ requested to do so, or whenever the officer deems it necessary or advisable.

9.04.040 - Directives of the health officer.

Any directive of the health officer issued under the authority of this chapter shall state:

1. the facts upon which the directive is based;
2. the specific actions being directed or prohibitions imposed by the health officer;



3. the belief that it is in the best interest of public safety and health, and the protection of property, that the directive be issued, including any temporary limitation of the exercise of certain rights; and

4. that the conditions of the directive are designed to provide the least necessary restrictions.

Any directive issued hereunder shall supersede any inconsistent or conflicting borough ordinance or regulation.

The health officer shall ensure that due process is provided to any person who is the subject of a health directive which orders the involuntary quarantine of that person, including reasonable notice of the directive, delivery of the evidence supporting the directive, and an opportunity to be heard in objection to the directive.

#### 9.04.050 - Compliance with health officer directives; Violations.

A. No person shall fail or refuse to comply with any directive of the health officer issued under the authority of this chapter, or the lawful orders of duly authorized law enforcement officers or personnel acting under such directive.

B. Violation of this section shall be a strict liability violation, subject to a fine as provided in the fine schedule set forth in Section 1.16.030 of the Borough Code; if the offense is not listed in the fine schedule, the person must appear in court, and shall be punished by imposition of a fine in accordance with Section 1.16.010.

#### ~~9.04.040 – Power to compel vaccination.~~

~~The health officer may enforce compulsory vaccination on persons or passengers coming from infected places or parts, and when he deems it necessary for the promotion and protection of health of the city, may also enforce compulsory vaccination of the inhabitants.~~

#### ~~9.04.050 – Investigation and removal of afflicted persons.~~

~~The health officer shall make it his duty to investigate all cases where it is alleged that cases of communicable, infectious or contagious diseases are said to exist. Whenever he may deem it necessary, he may remove or order the removal from the premises occupied of any person having such communicable, infectious or contagious disease. The expense of said removal shall be paid by the city.~~

#### ~~9.04.060 – Power to quarantine.~~

~~The health officer shall have charge of the enforcement of quarantine rules. Whenever a case of smallpox, cholera, yellow fever, diphtheria or scarlet fever, or other contagious, infectious or communicable disease, is found to exist, the health officer shall have the power and authority to place any premises within which a contagious or epidemic~~

~~disease occurs under quarantine. He shall cause suitable notice setting forth the facts to be posted in appropriate places and shall determine the time when the quarantine ends.~~

~~9.04.070 – Conditions of quarantine.~~

~~No person or persons except a physician, clergyman, undertaker or those having written permits from the health officer shall enter or depart from any house where smallpox, yellow fever, cholera, diphtheria, or scarlet fever exists or while the corpse of any person who has died of such disease remains within the house, nor within ten days thereafter, or until the building and its contents shall have been disinfected or otherwise disposed of to the satisfaction of the health officer.~~

~~9.04.080 – Disinfection of premises.~~

~~The health officer shall have power, during the prevalence of an epidemic, to fumigate and disinfect any premises which, in his judgment, require disinfection.~~

**Section 4. Fine Amounts:** The following fine amount is adopted for a violation under Section 9.04.050, and shall be administratively incorporated into Section 1.16.030 of the Borough Code:

Section Number	Description of Violation	Fine Amount
9.04.050A	Failure or refusal to comply with health officer directive, or the lawful order of law enforcement personnel	\$500.00

**Section 5. Severability:** If any provision of this ordinance or any application to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected.

**Section 6. Effective Date:** This Ordinance shall become effective immediately upon final passage.

**Passed and approved by the Petersburg Borough Assembly, Petersburg, Alaska this \_\_\_\_ day of \_\_\_\_\_, 2021.**

\_\_\_\_\_  
**Mark Jensen, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Debra K. Thompson, Borough Clerk**

Adopted:  
Noticed:  
Effective:

**PETERSBURG BOROUGH**

**ORDINANCE #2021-17**

**AN ORDINANCE UPDATING VARIOUS PROVISIONS OF CHAPTER 14.12 OF THE MUNICIPAL CODE, ENTITLED "SANITATION"**

**Whereas**, additional provisions are needed in Chapter 14.12 to address concerns regarding bears accessing refuse containers located in residential neighborhoods (including establishment of a fine for noncompliance); and

**Whereas**, the recycling rate definition and goals, as currently found in Chapter 14.12, have not been implemented or utilized to date, and should be deleted now, to be reassessed and re-implemented in the future at the will of the community and the Assembly; and

**Whereas**, in order to retire one collection truck from active service, and avoid the cost of obtaining a new truck, the collection interval for recyclables will need to be changed to once every two weeks (from the current interval of once per week); and

**Whereas**, changes to Irregular (non-scheduled) collection service are required, to account for the Borough's new roll off containers and to update rates; and

**Whereas**, a section to address the disposal of vehicles is needed, to both encourage disposal at the landfill and to prevent abuse of the current Borough vehicle disposal policy; and

**Whereas**, the collection and on-site disposal rates for the Borough sanitation services have not been updated since 2018, and increases are needed to keep up with increased costs and expenses to the Borough.

**Therefore, the Petersburg Borough Ordains**, Chapter 14.12 of the Petersburg Municipal Code, entitled Sanitation, is hereby amended as follows:

**Section 1. Classification:** This ordinance is of a general and permanent nature and shall be codified in the Petersburg Municipal Code.

**Section 2. Purpose:** The purpose of this ordinance is to update the language of Chapter 14.12.

**Section 3. Substantive Provisions:** The following provisions of Chapter 14.12 of the Petersburg Borough Municipal Code are hereby amended as set out below (the proposed new language is in red (except for additions to the table found in Section 14.12.150, which are in purple), the tables containing the new proposed rates in Sections 14.12.140 and .150 are highlighted in blue, and the language proposed for deletion is struck through:

Section 14.12.010, *Definitions*;

Section 14.12.040, *Regulations governing refuse collectors*;

Section 14.12.080, *Duty to have, use and maintain containers*;

Section 14.12.090, *Notices*;

Section 14.12.140, *Rates for refuse collection*;

Section 14.12.150, *On-site refuse disposal rates*;

Section 14.12.190, *Service discontinued at property owner's request*;

Section 14.12.195, *Community recycling goals*; and

## Section 14.12.210, *Penalties for violations.*

### 14.12.010 Definitions.

The following words, terms and phrases when used in this title and in the administrative procedures associated with this title, shall have the meanings ascribed to them except where the context clearly indicates a different meaning:

"Baler waste" means any materials that are not accepted by the utility as wood waste, metal waste, household hazardous waste or recyclables, and will be baled as municipal solid waste. This is referred to as the refuse stream.

"Commingled" means a mixture of recyclable materials that meets the acceptable standards as defined by the sanitation department and the recycling program. Also referred to as "single stream recycling".

"Container" means a container supplied or approved by the borough.

"Household hazardous waste" means non-industrial, residential grade chemical wastes which require specialized disposal to meet environmental law. These materials shall not be disposed of through the borough's wastewater treatment system or by inclusion in the refuse stream. Examples include, but are not limited to: paint, herbicides, pesticides, poisons, boat and vehicle batteries, acids, wood stain, varnish, lacquer, corrosive cleaners, lubricants, hydraulic fluid, brake fluid, transmission fluid and solvents.

"Landfill salvage program" means a program and permit system that allows residential customers to enter the landfill for the purposes of salvaging usable materials. The program is subject to the written landfill salvage program, that may be amended from time to time by the public works director.

"Metal waste" means any material that is predominantly metallic in nature and has limited non-metallic attachments or trim. Examples include, but are not limited to: metal roofing and siding, metal pipe, small engines and equipment, outboard motors, appliances, scrap metals, bicycles, etc. This applies to ferrous and non-ferrous metals.

"Reasonable effort" means taking one of the following measures to secure refuse: (1) storing a container refuse inside an enclosed building until the morning on the day of refuse collection, or (2) if indoor storage is not readily available and the refuse container is located outdoors, securing the lid of the container at all times with a line, rubber bungee cord, ratchet strap, heavy rope, or other method capable of holding the lid firmly and fully closed should the elements cause the container to be knocked over on its side by weather or animals, and then removing the rope or strap no earlier than the morning on the day of refuse collection to allow for collection by the refuse collector. A simple weight atop the container is not sufficient. ~~The container shall be secured or stored in such a manner until the day of refuse pick-up.~~ Whenever a refuse container is located outside, the lid of the container must at all times be fully closed, with no refuse exposed.

"Recyclable materials or recyclables" means the materials which are targeted and accepted by the borough for inclusion in the recyclable stream.

~~"Recycling rate" means the percentage (by weight) of recyclable materials that are removed from the community refuse stream in any 12-month period.~~

"Refuse" means garbage, rubbish or any other trash including but not limited to accumulations of animal, fruit or vegetable matter created by the use and preparation of meat, fish, fowl, fruits or vegetables, fish waste and offal, crockery, bottles or other containers, cans, plastic, metal vessels; trimmings from lawns, trees and gardens; pasteboard boxes, berry boxes, rags, paper, straw, sawdust, packing material, shavings, ashes and similar materials. Refuse does not include recyclable materials.

"Used oil" means engine oil which has been used for a purpose prior to containment and delivery to the utility. Residential used oil is accepted at all times by the utility. Commercial deliveries of used oil shall be accepted based upon available space and operational capacity of the utility.

"Vector" refers to animals or insects that can potentially spread disease through contact with solid wastes and thereby pose a danger to public health.



"Voucher" refers to a purchased permit which allows for discounted disposal rates for borough residents as defined by the refuse voucher program.

"Wood waste" means all wooden based waste such as lumber, logs, clean stumps, branches, brush, plywood and other woody waste that can be burned without creation of black smoke.

#### **14.12.040 Regulations governing refuse collectors.**

Any person authorized by the borough, through its borough assembly, to collect and dispose of refuse or to collect and deliver recyclables for the borough, shall be governed by the following regulations:

- A. Provide a conveyance adapted to the purpose that no litter of any kind, or contents of such conveyance, shall be permitted to spill or escape onto the streets or highways over which refuse is being hauled;
- B. Collect and remove all accumulated refuse or recyclables at frequent intervals so as to prevent the premises becoming encumbered and to prevent the development of fire or health hazards, or unsightly and objectionable conditions existing at any time or place in the borough; provided, that collections of refuse be made at least once each week from each residence, store, shop or other establishment and that collections of recyclables be made at least once every two weeks. Collections of refuse for more than once per week shall be arranged where conditions require more frequent service;
- C. Deliver all refuse or recyclables to a disposal or transfer site designated by the borough for such purpose, and to no other place;
- D. Keep the baling facility and work areas in a sanitary and orderly condition as circumstances permit, using every reasonable means to contain refuse and recyclables and to prevent the baling facility/work areas from becoming a refuge or breeding place for vectors, or becoming detrimental to the public health and safety.

#### **14.12.080 Duty to have, use and maintain containers.**

- A. Within Borough Service Area 1, it shall be the duty of every person in possession, charge or control of any residence to keep and utilize approved refuse storage containers for refuse collection and disposal by the borough. Applicability of this provision to future borough service areas shall be determined during the establishment of each service area. Commercial or industrial structures where refuse is created or accumulated shall keep approved refuse storage containers for refuse collection and shall either provide for delivery to the borough solid waste baling facility, or enroll in the Borough's collection service.
- B. The borough will provide approved refuse containers to customers within Service Area 1, for voluntary customers outside of Service Area 1 and for future service areas as determined during service area development, and when provided they shall be used. Refuse storage containers shall be of an approved type as designated by the borough and shall be strong, watertight, not easily corrodible, rodent-proof, and insect-proof. Containers shall have an overlapping cover or a cover permanently attached to the container. ~~A reasonable effort shall be made by each customer to stow or secure refuse containers in such a manner that refuse will not be accessible to animals.~~ Containers which cannot be mechanically emptied shall not be allowed. Customers failing to utilize an approved container ~~adhere to this section~~ shall be subject to a fee of \$10.005.00 per pickup ~~of a non-approved container~~, in addition to their monthly service charge and any applicable extra refuse charge imposed under subsection 14.12.140 G. of this chapter.

A reasonable effort (as defined in Section 14.12.010) shall be made by each customer to stow or secure refuse prior to collection in such a manner that refuse will not be accessible to animals. Customers who fail to make the required reasonable effort to secure refuse shall be guilty of a violation of this Chapter, and subject to a fine as provided for in Section 14.12.210.

- C. The borough will provide recyclable containers for all customers who elect to recycle and when provided they shall be used. Recyclable containers shall be capable of protecting the materials from weather by means of an overlapping lid or ability to be sealed from the elements. The containers shall function so as to minimize odors and vector attraction. Consumer food and beverage containers deposited into recyclable containers shall be rinsed prior to placement in the container to prevent vector attraction and provide a product acceptable to recycling markets.
- D. The customer shall keep each refuse or recyclable storage container clean inside and out so that no odor nuisance shall exist. Covers shall not be removed except when necessary to place refuse in the storage container or take refuse from the container. Containers shall not be overloaded to the extent covers cannot be ~~securely replaced~~ fully closed ~~or the~~ in order to keep deposited materials ~~would be~~ from being exposed to animals and the weather. Garbage shall not be compacted within the container to the extent that inversion of the container will not allow the refuse to fall out by process of gravity. If the refuse container is so tightly packed that garbage will not fall out of the container when inverted by the collection truck, causing some or all of the garbage to be retained inside the container and resulting in a call-back, the customer may be subject to a return call fee as described in Section 14.12.140, *Rates for Refuse Collection*.
- E. A level pad of crushed rock, concrete or wood plank shall be provided by the customer for siting of wheeled dumpsters. The pad shall be constructed to drain water to keep the dumpster from freezing to the pad and of a sufficiently smooth surface so the dumpster can be easily rolled. The pad shall be located to provide ease of access by the collection equipment and shall be built at a correct height so that trucks can secure and empty containers.
- F. On the customer's designated collection day/s, refuse and recyclable storage containers shall be placed so the collector can have direct access to the containers by no later than the start of that day's sanitation work shift (understood to be 8:00 a.m. unless a different time is specified and publicly noticed by the Sanitation Dept). Access to containers must remain thereafter until collected by collector ~~borough~~ personnel. It shall be required that refuse and recyclable containers be placed within eight feet of the driven road surface on ~~any~~ public property or right of way approved by the collector, that is safely accessible on a year-round basis by the collection vehicle. Containers shall not have obstructions between the container and the collection truck and must be placed with a minimum of three feet clear space around the container.

#### **14.12.090 Notices.**

- A. Notices from the borough regarding a customer's account will normally be given in writing and either mailed or delivered to the ~~property owner's~~ customer's last known address. Notices for changes in collection schedules due to public holidays or other operational considerations shall be made boroughwide by issuance of public service announcements that are delivered to local media and posted to the borough website. Where conditions warrant and in emergencies, the borough may notify either by telephone or messenger.
- B. Notices from a customer to the borough may be given by the customer or authorized representative, orally or in writing, at the finance or public works offices of the borough, or to an agent of the borough authorized to receive notices.

#### **14.12.140 Rates for refuse collection.**

- A. Except as otherwise provided in this chapter, each residential unit within Service Area 1 shall maintain and be charged for at least the minimum level of service. Single-family residential and duplex units requiring more than the minimum level shall be charged accordingly.
- B. Commercial and industrial users including hotels, motels, bed and breakfast units and apartment buildings with three or more units shall be charged for the level of service requested.

C. The monthly rates for refuse collection by the borough or its designated or authorized agent shall be:

7/01/13—2% Increase

Pick-ups Per Week	32-gal Recycling Incentive Rate	32-gal	64-gal	96-gal	288-gal	384-gal	480-gal	540-gal
1	\$27.63	\$33.16	\$49.08	\$57.58	\$166.84	\$221.47	\$276.10	\$310.25
2			\$75.79	\$112.21	\$330.73	\$440.00	\$549.26	\$617.55
3				\$166.84	\$494.63	\$658.52	\$822.42	\$924.85
4					\$658.52	\$877.05	\$1,095.57	\$1,232.15
5							\$1,368.73	\$1,539.45
6								\$1,880.90
7								\$2,154.05

7/01/14—2% Increase

Pick-ups Per Week	32-gal Recycling Incentive Rate	32-gal	64-gal	96-gal	288-gal	384-gal	480-gal	540-gal
1	\$28.19	\$33.83	\$50.06	\$58.73	\$170.18	\$225.90	\$281.62	\$316.45
2			\$77.31	\$114.45	\$337.35	\$448.80	\$560.24	\$629.90
4				\$170.18	\$504.52	\$671.69	\$838.86	\$943.35
5							\$1,396.10	\$1,570.24
6								\$1,918.52
7								\$2,197.14

7/01/15—2% Increase

Pick-ups Per Week	32-gal Recycling Incentive Rate	32-gal	64-gal	96-gal	288-gal	384-gal	480-gal	540-gal
1	\$28.75	\$34.50	\$51.06	\$59.90	\$173.58	\$230.42	\$287.26	\$322.78
2			\$78.86	\$116.74	\$344.09	\$457.77	\$571.45	\$642.50
3				\$173.58	\$514.61	\$685.13	\$855.64	\$962.22
4					\$685.13	\$912.48	\$1,139.83	\$1,281.92

5								\$1,424.03	\$1,601.64
6									\$1,956.89
7									\$2,241.08

7/01/16—2% Increase

Pick-ups Per Week	32 gal Recycling Incentive Rate	32 gal	64 gal	96 gal	288 gal	384 gal	480 gal	540 gal
1	\$29.32	\$35.18	\$52.08	\$61.10	\$177.05	\$235.03	\$293.00	\$329.24
2			\$80.43	\$119.08	\$350.98	\$466.93	\$582.88	\$655.35
3				\$177.05	\$524.90	\$698.83	\$872.75	\$981.46
4					\$698.83	\$930.73	\$1,162.63	\$1,307.56
5							\$1,452.51	\$1,633.68
6								\$1,996.02
7								\$2,285.90

7/01/17—2% Increase

Pick-ups Per Week	32 gal Recycling Incentive Rate	32 gal	64 gal	96 gal	288 gal	384 gal	480 gal	540 gal
1	\$29.91	\$35.89	\$53.12	\$62.32	\$180.59	\$239.73	\$298.86	\$335.82
2			\$82.04	\$121.46	\$358.00	\$476.27	\$594.53	\$668.46
3				\$180.59	\$535.40	\$712.80	\$890.21	\$1,001.09
4					\$712.80	\$949.34	\$1,185.88	\$1,333.71
5							\$1,481.56	\$1,666.35
6								\$2,035.94
7								\$2,331.62

7/01/18—2% Increase

Pick-ups Per Week	32 gal Recycling Incentive Rate	32 gal	64 gal	96 gal	288 gal	384 gal	480 gal	540 gal

1	\$30.51	\$36.61	\$54.18	\$63.57	\$184.20	\$244.52	\$304.84	\$342.54
2			\$83.68	\$123.89	\$365.16	\$485.79	\$606.43	\$681.83
3				\$184.20	\$546.11	\$727.06	\$908.01	\$1,021.11
4					\$727.06	\$968.33	\$1,209.60	\$1,360.39
5							\$1,511.19	\$1,699.68
6								\$2,076.66
7								\$2,378.25

07/01/2022—3% Increase

Pick-ups Per Week	32 gal Recycling Incentive Rate	32 gal	64 gal	96 gal	288 gal	384 gal	480 gal	540 gal
1	\$31.43	\$37.71	\$55.82	\$65.48	\$189.73	\$251.86	\$313.99	\$352.82
2			\$86.19	\$127.61	\$376.11	\$500.36	\$624.62	\$702.28
3				\$189.73	\$562.49	\$748.87	\$935.25	\$1,051.74
4					\$748.87	\$997.38	\$1,245.89	\$1,401.20
5							\$1,556.53	\$1,750.67
6								\$2,138.96
7								\$2,449.60

07/01/23—3% Increase

Pick-ups Per Week	32 gal Recycling Incentive Rate	32 gal	64 gal	96 gal	288 gal	384 gal	480 gal	540 gal
1	\$32.37	\$38.84	\$57.49	\$67.44	\$195.42	\$259.41	\$323.40	\$363.40
2			\$88.78	\$131.43	\$387.40	\$515.37	\$643.36	\$723.35
3				\$195.42	\$579.37	\$771.34	\$963.31	\$1,083.30
4					\$771.34	\$1,027.30	\$1,283.26	\$1,443.24
5							\$1,603.22	\$1,803.19
6								\$2,203.13
7								\$2,523.09

7/01/24—3% Increase

Pick-ups Per Week	32 gal Recycling Incentive Rate	32 gal	64 gal	96 gal	288 gal	384 gal	480 gal	540 gal
1	\$33.34	\$40.00	\$59.21	\$69.46	\$201.28	\$267.19	\$333.11	\$374.30
2			\$91.44	\$135.38	\$399.02	\$530.84	\$662.66	\$745.05
3				\$201.28	\$596.75	\$794.48	\$992.21	\$1,115.79



4					\$794.48	\$1,058.12	\$1,321.76	\$1,486.53
5							\$1,651.32	\$1,857.29
6								\$2,269.22
7								\$2,598.78

7/01/25—3% Increase

Pick-ups Per Week	32 gal Recycling Incentive Rate	32 gal	64 gal	96 gal	288 gal	384 gal	480 gal	540 gal
1	\$34.34	\$41.20	\$60.99	\$71.55	\$207.32	\$275.21	\$343.10	\$385.53
2			\$94.18	\$139.44	\$410.99	\$546.76	\$682.54	\$767.41
3				\$207.32	\$614.65	\$818.31	\$1,021.97	\$1,149.27
4					\$818.31	\$1,089.86	\$1,361.42	\$1,531.13
5							\$1,700.86	\$1,913.00
6								\$2,337.30
7								\$2,676.74

7/01/26—3% Increase

Pick-ups Per Week	32 gal Recycling Incentive Rate	32 gal	64 gal	96 gal	288 gal	384 gal	480 gal	540 gal
1	\$35.37	\$42.44	\$62.82	\$73.70	\$213.54	\$283.47	\$353.39	\$397.10
2			\$97.01	\$143.62	\$423.32	\$563.16	\$703.02	\$790.43
3				\$213.54	\$633.09	\$842.86	\$1,052.63	\$1,183.75
4					\$842.86	\$1,122.56	\$1,402.26	\$1,577.06
5							\$1,751.88	\$1,970.39
6								\$2,407.42
7								\$2,757.04

- D. Pack-out service. Pack-out service shall be provided for an additional monthly charge of \$10.00 for each 32-gallon equivalent within the customer's service level. No pack-out service shall be provided for containers located more than 50 feet from the street. No pack-out service shall be provided for service levels greater than 96 gallons.
- E. Return call pick-ups. Customer containers and dumpsters must be readily available for pick-up as determined by the borough. Return call pick-ups deemed not to be an oversight or responsibility of the refuse collection personnel will be charged \$15.00 per return call in addition to the regular monthly bill.
- F. Minimum charge. The minimum refuse collection charge shall be the rate for 32 gallons for once per week pick-up.
- G. Extra refuse. If a customer places an extra carton, box, bag, bale or container out for pick-up by the refuse collection personnel beyond the level of service billed to the customer, that customer shall be charged an extra refuse fee equal to an additional one quarter of the minimum monthly refuse collection charge for each 32-gallon equivalent, or portion thereof, that is over and above the customer's service level.

- H. Multi-unit commercial and/or residential premises. The landlord/owner may be billed for the service provided to multi-unit commercial and/or residential premises with three or more units where the refuse containers communally serve the units.
- I. Vacation rate. In the event the residence will be vacant for a time period of one month or more, the customer may request a vacation rate of five dollars per month which will discontinue collection pickups during the vacancy of the residence. The customer will provide the utility with a specific date of return at which time regular service and billing will resume. The vacation rate is available for full billing periods only. It shall not be prorated for partial billing periods.
- J. If customers set out refuse beyond their billed level of service more than twice per month, the utility will notify the customer and upgrade the service to the appropriate level.
- K. Irregular service charges. When requests are made by customers for irregular collection service ~~for less than a month's time or for special events~~, the fee for such service shall consist of a refuse charge plus a pick-up fee, as follows:

(i) For plastic or metal containers (other than roll off containers), the refuse charge shall be as set out in Section 14.12.140 ~~will be prorated from the collection schedule~~ for the size of container requested. In no case shall the ~~prorated~~ charge be less than one week's billing. An additional \$55.00 fee will be applied for each pick-up of the requested container if it is between 288 and 540 gallons, inclusive, ~~or above~~ in size.

(ii) For roll off containers, the pick-up fee will be \$85.00, and the refuse charge will be billed at the published per lb. rate for baler waste as listed in Section 14.12.150.

Metal dumpsters and roll off containers may be picked up by the collector and returned to the Sanitation Dept at the Borough's discretion if a customer does not have refuse collected from the container for a period of 30 consecutive days or more. A pickup fee and refuse charge (if refuse is present in the container at the time of pickup), in the amounts set out in paragraph (i) or (ii) above, will apply and be charged to the customer's account.

A container deposit may be required for ~~this~~ irregular services as described in this section. L.

Recycling incentive rate. Beginning with the implementation of a residential commingled curbside recycling program, the service fee for 32-gallon refuse collection shall be increased by 20 percent over codified rates and programmed increases contained in section 14.12.140 C. This increase shall be waived for all customers who enroll in the borough's commingled curbside recycling program. By enrollment in the curbside recycling program, the customer agrees to actively recycle and follow the rules of the program as established by the sanitation utility.

- M. Disposal of vehicles. Vehicles will be accepted for disposal at the landfill under the provisions of this section, and subject to the schedule of fees listed in Section 14.12.150, *On-site refuse disposal rates*.

It is the intent of this section to provide an affordable means for residents of the Borough to dispose of used vehicles while also keeping costs reasonable for the Sanitation Dept. It is not the intent of this section to provide processing of used vehicles prior to final disposal. Accordingly, vehicles brought to the landfill for disposal must be processed by the customer prior to disposal, by removal of all fluids, tires/wheels, and any trash contained within the vehicle, unless otherwise permitted by the Department. The Sanitation Department reserves the right to refuse drop off of any vehicle that has not been processed by the customer. If a vehicle is dropped off that has not been fully processed, charges may be either applied to the customer's account, or billed directly to the customer if the customer does not have an account, for labor and equipment time incurred by the Sanitation Dept to process the vehicle for disposal. Abuse of the vehicle disposal policy may lead to suspension of the customer's landfill privileges at the discretion of the Public Works Director.

The Sanitation Dept shall maintain a comprehensive policy for vehicle disposal and shall update this policy periodically as needed. All persons wishing to dispose of a vehicle will be provided a copy of the vehicle disposal policy and will be required to acknowledge receipt of the policy.

**14.12.150 On-site refuse disposal rates.**A. *Standard fees.*

Description	7/1/13	7/1/14	7/1/15	7/1/16	7/1/17
Baler waste (per lb)	\$.160	\$.165	\$1.65	\$.165	\$.165
Metal waste (per lb)	.065	.065	.065	.065	.065
Wood waste (per lb)	.065	.065	.065	.065	.065
Refrigeration——unit w/Freon (per each)	40.00	40.00	40.00	40.00	40.00
Passenger or light truck tires (per each)	4.25	4.50	4.50	4.50	4.50
Heavy equipment tires (per each)	50.00	50.00	50.00	50.00	50.00
White Goods (per lb)	.065	.065	.065	.065	.065
Household——hazardous waste (per lb)	.160	.165	.165	.165	.165
Antifreeze (per gallon)	3.50	3.50	3.50	3.50	3.50
Auto/Marine Battery (per each)	5.50	5.50	5.50	5.50	5.50
Used Oil (per gallon)	0.00	0.00	0.00	0.00	0.00
Paint (per gallon)	1.00	1.00	1.00	1.00	1.00
Commercial Noncompacted (yard)	16.00	16.00	16.00	16.00	16.00
Junk Vehicles (per each)	75.00	75.00	75.00	75.00	75.00
Voucher Vehicles (per each)	37.50	37.50	37.50	37.50	37.50
Vouchers (per each)	40.00	45.00	45.00	45.00	45.00
Salvage permits (per day)	10.00	10.00	10.00	10.00	10.00
Wood waste——charity (per lb)	0.00	0.00	0.00	0.00	0.00
Baler waste——charity (per lb)	0.00	0.00	0.00	0.00	0.00
Metal waste——charity (per lb)	0.00	0.00	0.00	0.00	0.00
Wood waste——borough (per lb)	0.00	0.00	0.00	0.00	0.00

Metal waste – borough (per lb)		0.00	0.00	0.00	0.00	0.00
Description	7/1/18	7/1/22	7/1/23	7/1/24	7/1/25	7/1/26
Baler waste (per lb)	\$.165	\$.190	\$.190	\$.190	\$.190	\$.190
Metal waste (per lb)	.065	.075	.075	.075	.075	.075
Wood waste (per lb)	.065	.075	.075	.075	.075	.075
Refrigeration unit w/Freon (per each)	40.00	40.00	40.00	40.00	40.00	40.00
Passenger or light truck tires (per each)	4.50	4.50	4.50	4.50	4.50	4.50
Heavy equipment tires (per each)	50.00	50.00	50.00	50.00	50.00	50.00
White Goods (per lb)	.065	.075	.075	.075	.075	.075
Household hazardous waste (misc - per lb)	.165	.190	.190	.190	.190	.190
Antifreeze (per gallon)	3.50	3.50	3.50	3.50	3.50	3.50
Gasoline*(see note below table)	N/A	3.50	3.50	3.50	3.50	3.50
Auto/Marine Battery (per each)	5.50	5.50	5.50	5.50	5.50	5.50
Used Oil (per gallon)	0.00	0.00	0.00	0.00	0.00	0.00
Paint (per gallon)	1.00	1.00	1.00	1.00	1.00	1.00
Aerosols (per each)		<del>1.00</del>	<del>1.00</del>	<del>1.00</del>	<del>1.00</del>	<del>1.00</del>
Commercial Noncompacted (yard)	16.00	19.00	19.00	19.00	19.00	19.00
Junk Boats and Vehicles - metal (per each)	75.00	75.00	75.00	75.00	75.00	75.00
Junk Boats and Vehicles – fiberglass/wood (per ton)	N/A	135.00	135.00	135.00	135.00	135.00
Travel Trailers and Mobile Homes (per ton)	N/A	135.00	135.00	135.00	135.00	135.00
Voucher Vehicles (metal only, per each)	37.50	37.50	37.50	37.50	37.50	37.50
Vouchers (per each)	45.00	50.00	50.00	50.00	50.00	50.00
Salvage permits (per day)	10.00	10.00	10.00	10.00	10.00	10.00
Wood waste - charity non-profit (per lb)	0.00	0.00	0.00	0.00	0.00	0.00
Baler waste - charity non-profit (per lb)	0.00	0.00	0.00	0.00	0.00	0.00
Metal waste - charity non-profit (per lb)	0.00	0.00	0.00	0.00	0.00	0.00
Baler waste – borough (per lb)	0.00	0.00	0.00	0.00	0.00	0.00
Wood waste - borough (per lb)	0.00	0.00	0.00	0.00	0.00	0.00
Metal waste - borough (per lb)	0.00	0.00	0.00	0.00	0.00	0.00

\*Residential customers may dispose of up to 5 gallons of gasoline at no charge. Any amount of gasoline over 5 gallons will be charged at \$3.50 per gallon. Commercial customers will be charged \$3.50 per gallon for all disposal of gasoline.

- B. *Adjustment or waiver of standard fees.* The public works director may adjust or waive standard refuse fees in the event a customer experiencing financial hardship is disposing of a structure and/or its contents that were ruined due to an accidental fire or natural disaster. This provision shall not apply to the intentional burning and disposal of any structure. This provision shall not apply if insurance payments have been received by the customer for the purpose of reimbursing the customer for their loss and disposal of the debris.
- C. Refuse rates and fees shall be reviewed annually by the sanitation utility and finance department and a recommendation made to the borough manager for the increase or decrease of rates needed for the sound financial management of the refuse utility. The borough manager shall review the findings and present the recommendation to the borough assembly.

#### **14.12.190 Service discontinued at ~~property owner's~~ customer's request.**

- A. *Notice.* Each customer about to vacate any premises supplied with municipal refuse collection service shall give the borough at least one-day written notice specifying the day service is to be discontinued. If one-day written notice is not given, the customer will be responsible for all scheduled pick-up charges accrued by the premises until the borough receives notice.
- B. *Final billing.* At the time service is disconnected due to unit vacancy and after notice is given by the customer, a bill will be issued for the proportionate share of the monthly rate. The final bill is payable immediately.

#### **~~14.12.195 Community recycling goals.~~**

~~It shall be the goal of the borough sanitation department to implement recycling programs and systems that will achieve the following community wide, recycling rates by the respective deadlines:~~

- ~~A. By January 1, 2017 the community will achieve a recycling rate of 30%.~~
- ~~B. By January 1, 2019 the community will achieve a recycling rate of 40%.~~
- ~~C. By January 1, 2021 the community will achieve a recycling rate of 50%.~~
- ~~D. The sanitation department shall promote recycling through public education, programmatic revisions as necessary, capital equipment planning and funding, and operational enhancements as required to achieve the published goals.~~

#### **14.12.210 Penalties for violations.**

- A. A person who violates a provision of this chapter, other than nonpayment of an ~~past due and delinquent~~ accounts, or who fails to comply with any mandatory requirement of this chapter, shall be guilty of a violation, and shall be punished by imposition of the ~~subject to a~~ fine established in the fine schedule set forth ~~as provided~~ in chapter 1.16.030 of the borough code if the offense is listed in that fine schedule; if the offense is not listed in the fine schedule, the person must appear in court, and shall be punished by imposition of a fine in accordance with Section 1.16.010 of the borough code.
- B. A person who violates a provision of this chapter by making any unlawful disposal is also liable for all costs and expenses incurred by the borough in the clean up and remedy of that disposal, in addition to



administrative costs and attorney fees incurred by the borough as a result of the violation. If the unlawful disposal occurs on private property, the provisions of section 9.12.130 shall apply.

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**Section 4. Fine Amounts:** The following fine amounts are adopted for violation of Section 14.12.080B, and shall be administratively incorporated into Section 1.16.030 of the Borough Code:

<u>Section Number</u>	<u>Description of Violation</u>	<u>Fine Amount</u>
14.12.080B	Failure to utilize reasonable efforts to secure refuse (1st offense)	\$ 50.00
14.12.080B	Failure to utilize reasonable efforts to secure refuse (2nd offense)	\$150.00
14.12.080B	Failure to utilize reasonable efforts to secure refuse (3rd and subsequent offenses)	\$300.00

**Section 5. Severability:** If any provision of this ordinance or any application to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected.

**Section 6. Effective Date:** This Ordinance shall become effective immediately upon final passage.

Passed and approved by the Petersburg Borough Assembly, Petersburg, Alaska this \_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Mark Jensen, Mayor

ATTEST:

\_\_\_\_\_  
Debra K. Thompson, Clerk

Adopted:  
Noticed:  
Effective:

**PETERSBURG BOROUGH  
RESOLUTION #2021-13**

**A RESOLUTION OF THE PETERSBURG BOROUGH IN SUPPORT OF  
REDISTRICTING MAP DESIGNATED “SENATE MINORITY PROPOSED  
SOUTHEAST”**

**WHEREAS,** the Alaska Constitution calls for the legislature to be comprised of twenty senate members and forty house members from districts drawn based on the decennial census, conforming to the "one person – one vote" standard; and

**WHEREAS,** the 2020 census is now complete and the legislative districts will be drawn by the Alaska Redistricting Board; and

**WHEREAS,** the Alaska Constitution imposes a number of requirements on redistricting plans for both the house and senate seats; and

**WHEREAS,** one of those requirements is that Districts should contain a relatively integrated socioeconomic area; and

**WHEREAS,** the socio-economic interests of the Petersburg Borough include small vessel fishing, tourism, health care and education as substantial components of the local economy; and

**WHEREAS,** Petersburg shares a number of these socio-economic interests with Wrangell, Sitka and a number of smaller communities on Prince of Wales Island; and

**WHEREAS,** the much larger cities of Juneau and Ketchikan are not communities with common socio-economic interests with the Petersburg Borough.

**THEREFORE, BE IT RESOLVED** by the Assembly of the Petersburg Borough, as follows: Of the six proposed Redistricting Maps put forth by the Alaska Redistricting Board, the Petersburg Assembly supports the Map titled “Senate Minority Proposed Southeast”.

**PASSED AND APPROVED BY** the Petersburg Borough Assembly on this 1st day of November 2021.

\_\_\_\_\_  
**Jeigh Stanton Gregor, Vice Mayor**

**ATTEST:**

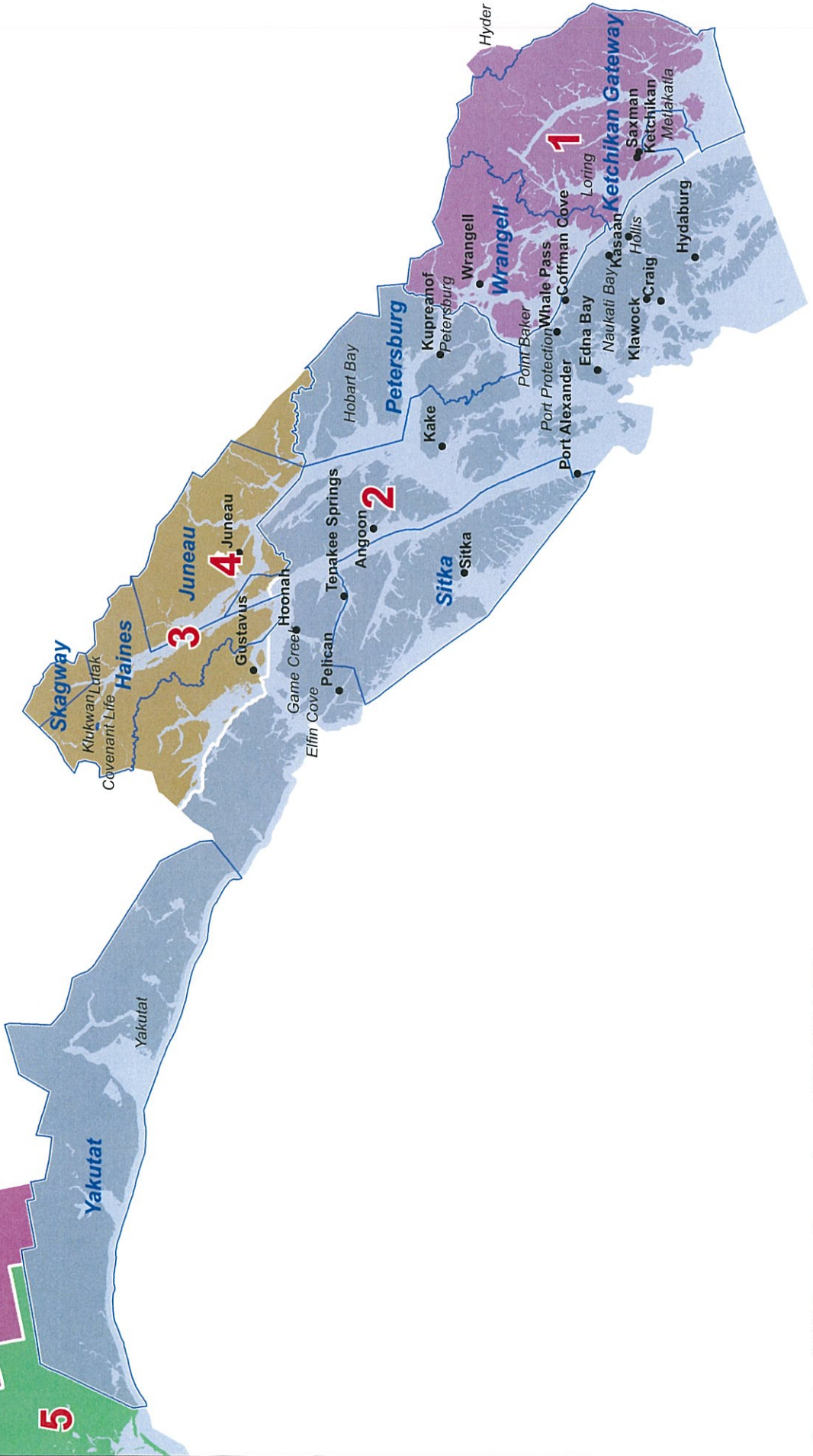
\_\_\_\_\_  
**Debra Thompson, Borough Clerk**

# Board Proposed v.4 Southeast

Proposed Redistricting Plan Adopted by the Alaska Redistricting Board 9/20/2021



McCarthy **36**



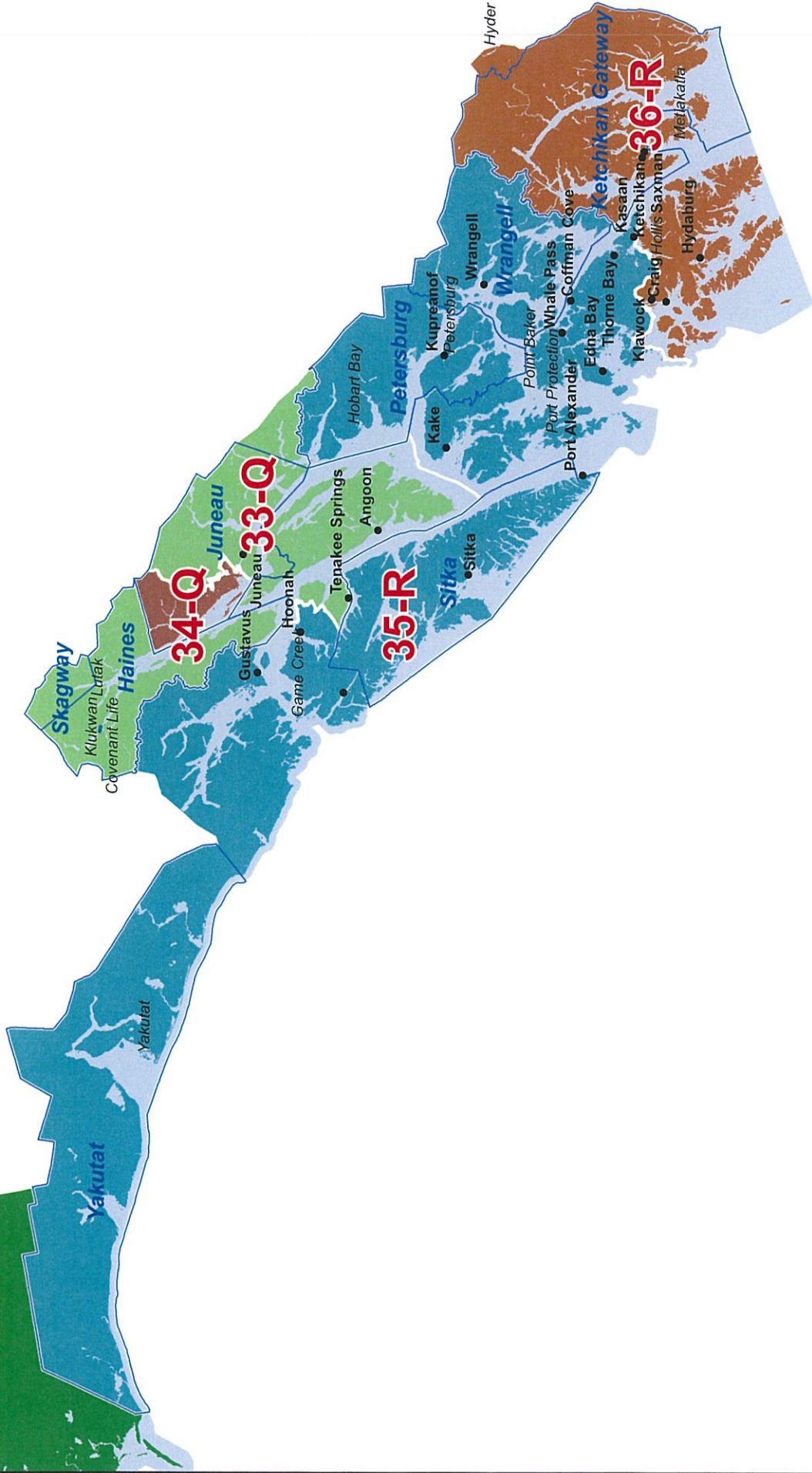
Based on 2020 Census Geography and 2020 PL94-171 Data  
Map Gallery link: [www.akredistrict.org/maps](http://www.akredistrict.org/maps)

# Senate Minority Proposed Southeast

Proposed Redistricting Plan Adopted by the Alaska Redistricting Board 9/20/2021



**6-C**



Based on 2020 Census Geography and 2020 PL94-171 Data  
Map Gallery link: [www.akredistrict.org/maps](http://www.akredistrict.org/maps)



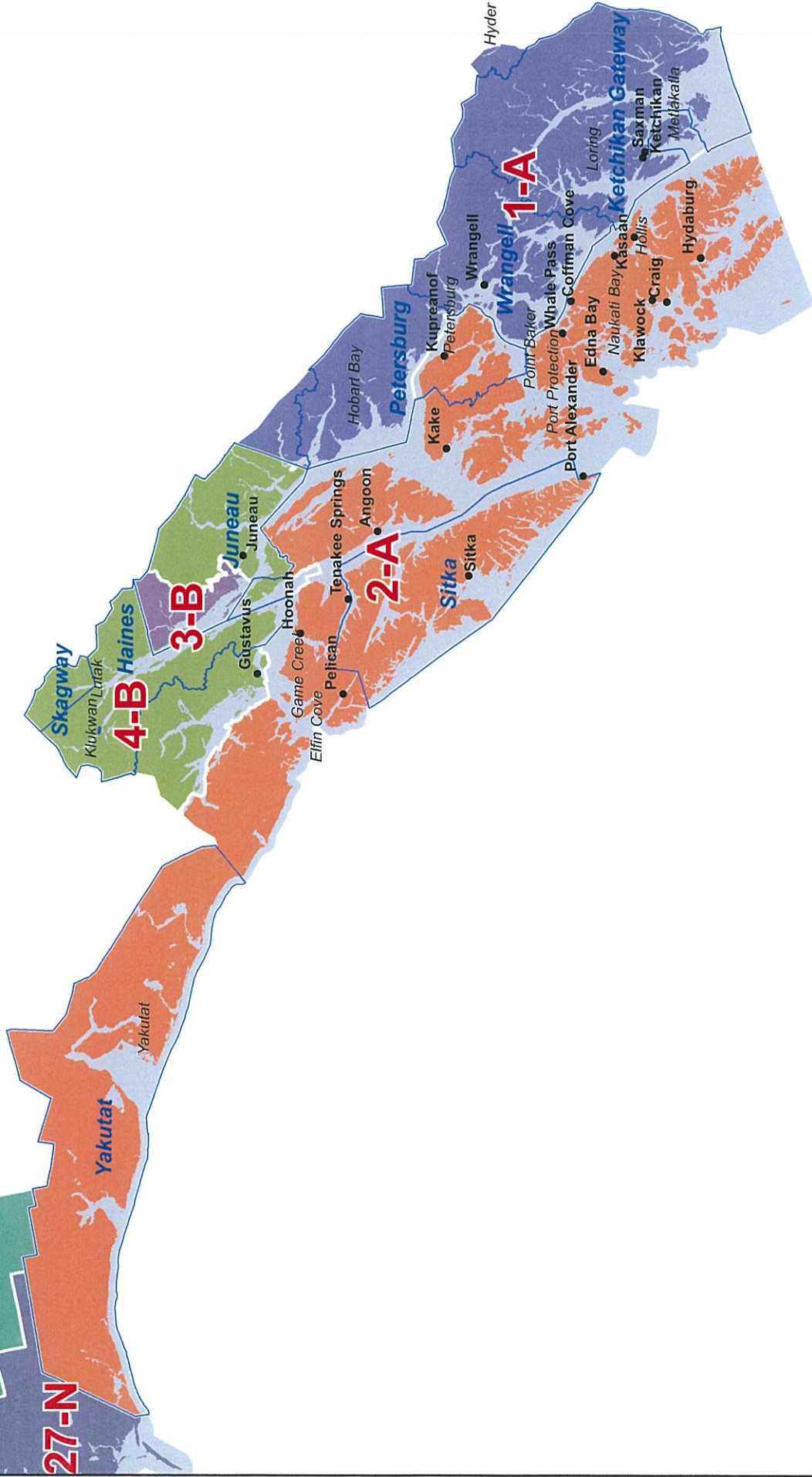
# Doyon Coalition Proposed Southeast

Proposed Redistricting Plan Adopted by the Alaska Redistricting Board 9/20/2021



36-R

27-N

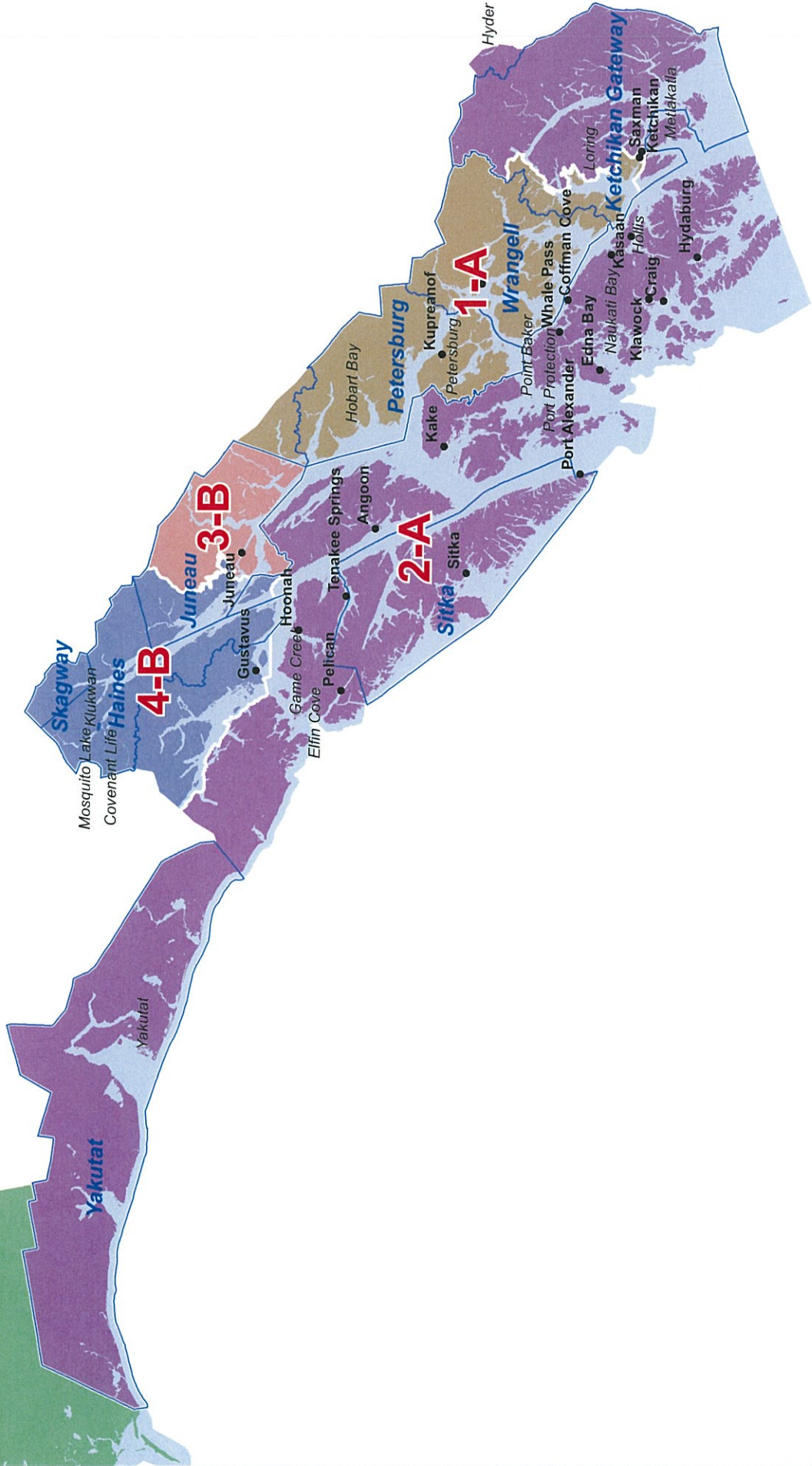


# AFFER Proposed Southeast

Proposed Redistricting Plan Adopted by the Alaska Redistricting Board 9/20/2021



5-C



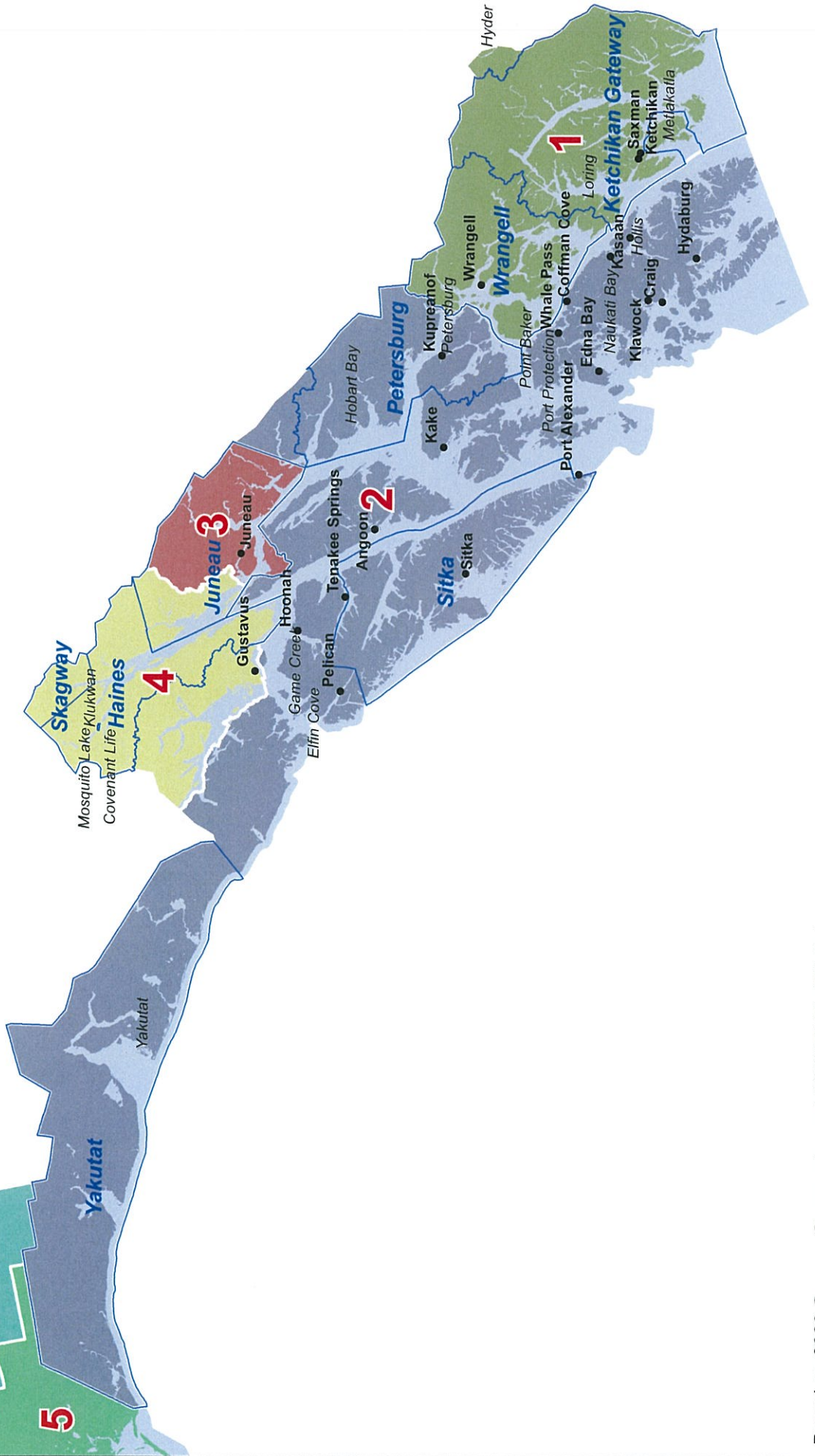




# Board Proposed v.3 Southeast

Proposed Redistricting Plan Adopted by the Alaska Redistricting Board 9/20/2021

McCarthy **36**



Based on 2020 Census Geography and 2020 PL94-171 Data  
Map Gallery link: [www.akredistrict.org/maps](http://www.akredistrict.org/maps)

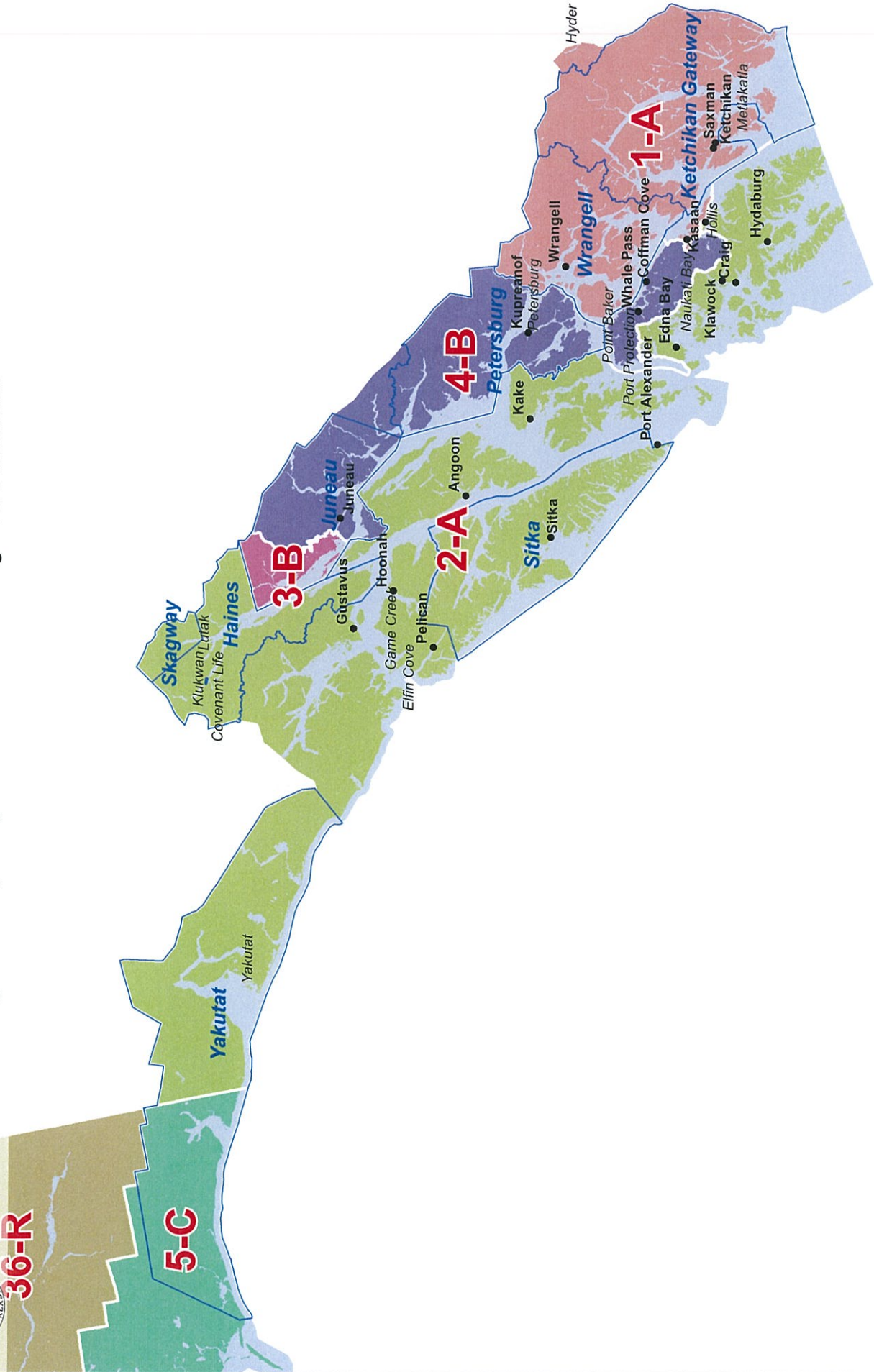




# AFFR Proposed Southeast

Proposed Redistricting Plan Adopted by the Alaska Redistricting Board 9/20/2021

**36-R**



Based on 2020 Census Geography and 2020 PL94-171 Data  
Map Gallery link: [www.akredistrict.org/maps](http://www.akredistrict.org/maps)

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**MEMORANDUM**

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**TO:** MAYOR JENSEN AND PETERSBURG BOROUGH ASSEMBLY

**FROM:** KARL HAGERMAN, UTILITY DIRECTOR 

**SUBJECT:** NOTICE TO PROCEED RECOMMENDATION – BLIND SLOUGH HYDRO EQUIPMENT PROCUREMENT

**DATE:** 10/27/2021

**CC:** STEVE GIESBRECHT, BOROUGH MANAGER  
DEBBIE THOMPSON, BOROUGH CLERK  
PROJECT FILE

Upon the outcome of the recent election and the approval of bonding for the Blind Slough Hydro project, I contacted our Engineer, McMillen Jacobs, and Vendor, Gilkes Hydro, to move toward issuing a Notice to Proceed (NTP) for the project's equipment procurement contract.

As background information, the Assembly approved the award of the equipment to Gilkes Hydro in February 2021 with the following understandings:

- Gilkes agreed to defer the start of any work on the project until adequate project funding is secured by PMPL and a Notice to Proceed is issued. (Funding was dependent upon receiving Assembly and voter approval of indebtedness to fund the equipment and construction.)
- Gilkes will hold current proposal pricing until a Notice to Proceed is given, with two exceptions noted.
  - As Gilkes is a British company which bid the project under a currency conversion rate in August 2020 and neither party has control over exchange rates between the two countries, a currency conversion allowance was agreed to. If the exchange rate remains within a 10% band (5% above or below) of initial rate on the proposal date, the pricing as presented will be honored. If the exchange rate increases 5-10% above the proposal date value, the contract price will be increased. If the costs rise above a 10% increase, the parties will meet to discuss cancelation or potential project cost savings to reduce the increase to an acceptable amount. If the exchange rate decreases by 5% or more, Gilkes will pass savings along to the Borough.
  - Valuable metals (copper and magnetic steel) market pricing for the generator portion of the proposal will be monitored and an increase of 10% or more in the proportional metals cost to the generator bid item, on the NTP date, will trigger a discussion and potential cancelation of the project. A metals pricing increase up to 10% of the cost of the generator bid item will be accepted by the Borough.

At the present time, calculations have been completed which evaluate the changes in currency markets and metals markets. The Vendor and Engineer agree that no currency adjustment is warranted, based on the agreed language in the contract award. However, copper and magnetic

steel prices did vary to the point that adjustments are warranted. Further, since the adjustment appears to be an increase of over 20% to the generator price, the contract states that the Borough will re-evaluate the award and decide on whether to move forward with the project or not. The breakdown of the increases to the metals component of the project and the impacts to the overall value of the contract are presented below:

Awarded Contract Price:	\$2,002,396.00
Currency Adjustment:	\$ 0
Metals Adjustment:	
Initial baseline value of generator unit:	\$430,035.00
Adjustment due to metals markets increase:	<b>\$ 89,795.08 (+20.9%)</b>
Final price of generator unit:	\$519,030.08
Final Contract Price after all adjustments:	\$2,092,191.08 (+4.5%)

As noted, the metals adjustment represents an overall increase in the cost of the contract of 4.5%. The contract agreements and calculations for the adjustments is attached for the Assembly’s review.

At this time, PMPL is still supportive of moving forward with this project. The fact that there were no increases as a result of currency exchange rate fluctuation is an important factor in keeping the final contract price at a reasonable level and it is still dramatically less than the other proposals for this equipment. The next lowest price for the equipment was offered at \$2.6 million and we are still well below that amount, even with the metals market adjustment.

**Therefore, it is the recommendation of PMPL that the Petersburg Borough Assembly approve the issuance of a Notice to Proceed for the Blind Slough Hydroelectric Equipment Procurement contract to Gilbert Gilkes and Gordon, Ltd. for an adjusted contract price of \$2,092,191.08.** The increase of \$89,795.08 will be reflected in a Change Order to the contract price.

The application to the bond bank is in process and will hopefully be issued soon. After the bond bank receives the application, they will review it and determine if any additional information is needed prior to including the Petersburg bonds in the next bond sale offering.

Please let me know if there are any questions.

## EP Contract Price Adjustment 10.25.21

### Adjustment formula:

$$Price_{base} \times [1 + (.35 \times k_{copper}) + (0.3 \times k_{magsteel})] = \text{Adjusted Price}$$

Where:

$$Price_{base} = \text{Proposal Unit Price of Bid Item 3}^4$$

$$k_{copper} = \begin{cases} \frac{Cu_c}{Cu_b} - 1 & \text{if } Cu_c > Cu_b \text{ at twenty (20) calendar days prior to the date of issuance of NTP} \\ 1 & \text{if } Cu_b \geq Cu_c \text{ at twenty (20) calendar days prior to the date of issuance of NTP} \end{cases}$$

with:

$$Cu_b = \$6519.50$$

$$Cu_c = \text{Price of copper}^5 \text{ as of twenty (20) calendar days prior to the date of issuance of NTP}$$

$k_{magsteel}$

$$= \begin{cases} \frac{MS_c}{MS_b} - 1 & \text{if } MS_c > MS_b \text{ at twenty (20) calendar days prior to the date of issuance of NTP} \\ 1 & \text{if } MS_b \geq MS_c \text{ at twenty (20) calendar days prior to the date of issuance of NTP} \end{cases}$$

with:

$$MS_b = \$136.9$$

$$MS_c = \text{Price of magnetic steel}^6 \text{ as of twenty (20) calendar days prior to the date of issuance of NTP}$$

The Unit Price of Bid Item 3 in Seller's Proposal Form shall, following adjustment, be equal to the Adjusted Price. If the Adjusted Price exceeds the Proposal Unit Price by ten percent (10%) or more, the Buyer will reevaluate the project; if it chooses to proceed, the Unit Price will be increased using the Adjustment Formula.<sup>7</sup> The adjustment made hereunder shall be documented via Change Order.

<sup>4</sup> Proposal Unit Price of Bid Item 3 = \$430,035.00.

<sup>5</sup> Based on London Metals Exchange avg 3-months buyer Official and Official Settlement Price per ton.

<sup>6</sup> Based on 3 month average of MEPS International Ltd. World Carbon Steel Price Index for Cold Rolled Coil, per ton.

<sup>7</sup> Nothing herein is intended to nor shall negate Buyer's rights of cancellation under Article 11.01.A of the General Conditions

Cub=	9250	Feb-21
Cuc=	9704	3-month copper closing prices LME10/22/21
Msb=	996	3-month average Feb-2021 Cold Roller Coil
Msc=	1632	3-month average Sep-2021 Cold Roller Coil
kcopper=	0.0491	
kmagsteel=	0.6388	
Pricebase=	\$430,035.00	
Adjusted Price=	\$519,830.08	
Increase=	\$ 89,795.08	

**Becky Regula**

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**From:** Anne Lee <littledipperdogspa@hotmail.com>  
**Sent:** Tuesday, October 19, 2021 3:34 PM  
**To:** Assembly  
**Subject:** River Protections

We support the resolution for a permanent ban on tailing dams and for a temporary pause in permitting, exploration, development and expansion of Canadian mines along the AK-BC Transboundary Salmon Rivers until the US-Canada Boundary Waters Treaty and the UN Declaration of Indigenous Peoples are upheld and our international agreement on watershed protections is implemented.

Thank you,

Anne Lee  
Polly Lee

Sent from my Samsung Galaxy smartphone.

**Becky Regula**

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**From:** bonnie westlund <bonniwestlund17@gmail.com>  
**Sent:** Wednesday, October 20, 2021 10:53 AM  
**To:** Assembly  
**Subject:** I am Ptsbg resident and long time commercial troller. I am supporting the councils resolution to pause the BC mining and permanent ban on tailings dam which is a damage to our fish resource