



City and Borough of Wrangell
2020-02-11 Borough Assembly Meeting with Public Hearing
AGENDA

Tuesday, February 11, 2020
6:00 PM

Location: Borough Assembly Chambers
City Hall

WORK SESSION - 6:00 p.m.

[a.](#) Work Session: Borough Goals

1. CALL TO ORDER

- a. PLEDGE OF ALLEGIANCE led by Assembly Member David Powell
- b. CEREMONIAL MATTERS
- c. PUBLIC APPEARANCES
 - i. Dan Neumeister - Wrangell Medical Center Update
 - ii. Wrangell Public School - District Update by Dr. Debbe Lancaster, Superintendent

2. ROLL CALL

3. PERSONS TO BE HEARD

4. AMENDMENTS TO THE AGENDA

5. CONFLICT OF INTEREST

6. CONSENT AGENDA

- [a.](#) Consent Agenda - MOTION ONLY
- [b.](#) Assembly Minutes from Regular January 28, 2020
- [c.](#) CORRESPONDENCE - SE Senior Services Report

7. BOROUGH MANAGER'S REPORT

- [a.](#) Travel Report - January 2020
- [b.](#) Report on Disposition of Grant Acquired Assets

8. BOROUGH CLERK'S REPORT

- [a.](#) Borough Clerk's Report

9. MAYOR AND ASSEMBLY BUSINESS

10. MAYOR AND ASSEMBLY APPOINTMENTS

- [a.](#) Appointment of an Assembly Member and a Community Member to the Investment Committee

11. PUBLIC HEARING

- a. **ORDINANCE No 974** OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA AMENDING THE WRANGELL MUNICIPAL CODE, CREATING CHAPTER 3.15 "INVESTMENT COMMITTEE" *(second reading)*

12. UNFINISHED BUSINESS

- a. **RESOLUTION No 02-20-1511** OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA AUTHORIZING ROCK USAGE AND AN EASEMENT AGREEMENT WITH ROYCE AND SHERRI COWAN TO CONSTRUCT A DRIVEWAY ACCESS ACROSS A PORTION OF BOROUGH PROPERTY, TRACT A, ASLS 94-135 AND SECTION 27, TOWNSHIP 62, RANGE 84 WEST, COPPER RIVER MERIDIAN, TO THEIR REMOTE PROPERTY IN WRANGELL ISLAND EAST SUBDIVISION

13. NEW BUSINESS

- a. **ORDINANCE No 975** OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, REPEALING SECTION 14.11.005, FEE SCHEDULE, IN ITS ENTIRETY AND ESTABLISHING A NEW PROCESS FOR FEES IN CHAPTER 14.11 HARBOR AND PORT FACILITIES OF THE WRANGELL MUNICIPAL CODE
- b. Approval of Contract Award to Heller High Water, LLC in the amount of \$66,301.07 for the City Dock Summer Float Procurement Project
- c. **Discussion Item:** Borough Hiring Practices and Policies

14. ATTORNEY'S FILE – Available for Assembly review in the Borough Clerk's office

15. EXECUTIVE SESSION

- a. Executive Session: Discuss Fraud Action against the City & Borough of Wrangell the detailed knowledge of which could impact the recovery of funds

16. ADJOURNMENT

CITY & BOROUGH OF WRANGELL, ALASKA BOROUGH ASSEMBLY AGENDA STATEMENT

<u>AGENDA ITEM TITLE:</u>	<u>DATE:</u>	February 11, 2020
	<u>Agenda Section</u>	13

Work Session: Borough Goals

SUBMITTED BY:

Lisa Von Bargaen, Borough Manager

FISCAL NOTE:

Expenditure Required: \$XXX Total

FY 20: \$	FY 21: \$	FY22: \$
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Amount Budgeted:

	FY20 \$XXX	
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Account Number(s):

	XXXXXX XXX XXXX	
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Account Name(s):

	Enter Text Here	
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Unencumbered Balance(s) (prior to expenditure):

	\$XXX	
--	-------	--

Reviews/Approvals/Recommendations

<input type="checkbox"/>	Commission, Board or Committee
Name(s)	
Name(s)	
<input type="checkbox"/>	Attorney
<input type="checkbox"/>	Insurance

ATTACHMENTS: 1. None

RECOMMENDATION MOTION:

None. Work Session only.

SUMMARY STATEMENT:

The Assembly and Administration need to have a conversation about goal priorities. This is very important to ensure the staff is moving the community and organization in the desired direction; and desired tasks are being accomplished in expected and reasonable timeframes. The Assembly

was previously asked to consider what items you consider to be the priority. Administration has listed a small handful of items (certainly not a complete list) for consideration.

- Land Development/Disposal
 - Institute Property
 - Byford Property
 - Zarembo Clean-Up (Collaborative Effort with USFS)
- Labor Relations
 - Successful agreement of a new Collective Bargaining Agreement with the IBEW
- Economic Development
 - Marketing Plan for Opportunity Zone Designation
- Inter-Government Relations
 - Continue to explore and strengthen partnership opportunities between Wrangell Cooperative Association and the City & Borough of Wrangell
- Infrastructure
 - Strategic Plan for Infrastructure Major Maintenance & Capital Replacement
 - Public Safety Building
 - Power House
 - Water System Infrastructure (Flume to Faucet)
 - Solid Waste Baler
 - Shovel-Ready Projects Plan
- Emergency Response/Disaster Preparedness
 - Hazard Mitigation Plan Completion (Revision)
 - Review of Response Plans
 - ICS Training/Drills Borough-Wide
- Safety
 - Audit of Borough-wide Safety Training Needs for Staff
 - ALICE Training/Threat Assessment/Drills for Borough Staff
- Social Fabric Efforts (Specifics to be Determined)
 - First Meeting Schedule 2/27/2020

This list could be expanded exponentially, but this is a reasonable start. Administration looks forward to this discussion with the Assembly.

CITY & BOROUGH OF WRANGELL, ALASKA
Consent Agenda MOTION
<i>Move to approve the Consent Agenda as submitted.</i>
<u>SUBMITTED BY:</u> Kim Lane, Borough Clerk

INFORMATION:

Consent agenda. Items listed on the consent agenda or marked with an asterisk (*) are considered routine and will be passed in one motion; provided, upon the request of any member, the manager, or the clerk, an item on the consent agenda shall be removed from the consent agenda and placed under New Business for assembly action.

Minutes of Regular Assembly Meeting

Held on January 28, 2020

Mayor Stephen Prysunka called the Regular Assembly meeting to order at 7:00 p.m., January 28, 2020, in the Borough Assembly Chambers. The pledge was led by Mayor Steve Prysunka and the roll was called.

PRESENT: POWELL, PRYSUNKA, GILBERT, LARRABEE, DECKER (BY PHONE)

ABSENT: DELONG, MORRISON

Borough Manager Von Barga and Borough Clerk Lane were also in attendance.

CEREMONIAL MATTERS – None.

PERSONS TO BE HEARD – None.

AMENDMENTS TO THE AGENDA – None.

CONFLICT OF INTEREST – None.

CONSENT AGENDA

- a. Assembly Minutes from Regular January 14, 2020
- b. CORRESPONDENCE: School Board Action from Regular December 16, 2019
- c. CORRESPONDENCE: School Board Minutes from Regular November 21, 2019

M/S: Gilbert/Larrabee to approve the Consent Agenda, as presented. Motion approved unanimously by polled vote.

BOROUGH MANAGER'S REPORT

Von Barga provided updates on the following:

- AMI RFP Metering report
- Zirembo Island Cleanup
- Governor Dunleavy coming to Wrangell February 4th
- Utility consumption; still receiving concerns
- Von Barga traveling to Ketchikan on January 31st, just for the evening
- Work Session for Borough Goals for February 11th Regular meeting
- Significant issues with the Public Safety Building
- Letter regarding the November Electric Bill's was received from a resident in the Community, asking to consider reimbursing those who appear to have been overcharged.

After some discussion from the Assembly on the electric issue, Prysunka asked that there be an item on the next agenda to consider reimbursement or if after investigating, have an item on the next agenda to discuss it.

BOROUGH CLERK'S FILE

Clerk Lane's report was provided.

MAYOR AND ASSEMBLY BUSINESS

Powell reported that he attended the National Rifle Association Foundation event and was able to secure a \$55,000 grant to start work on the Shooting Range.

Prysunka reported that he did a legislative fly-in to Juneau last week for the Alaska Municipal League; meet with other community Mayors; met with Legislators on the issue of the Alaska Marine Highway Ferry issue; testified to the Alaska Senate House Finance Committee; asking that they fund \$5 million to assist the Alaska Marine Highway System; hoping that if they look at this from a disaster response side, they might see it differently.

Prysunka also reported that he met with Senator Stedman's office and Representative Ortiz; expressed deep concern with the possibility of the Department of Fish & Game office closing; working on the Office of Child Services side as well.

Prysunka thanked the volunteer fire department members who showed up in the middle of the night when the sprinkler system at the Public Service Building went off.

MAYOR AND ASSEMBLY APPOINTMENTS

Prysunka postponed the appointment of an Assembly Member to the Investment Committee until the next assembly meeting.

PUBLIC HEARING

11a ORDINANCE NO. 973 OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING SECTION 14.03.040, REGULAR MEETINGS, OF THE WRANGELL MUNICIPAL CODE *(second reading)*

Mayor Prysunka declared the Public Hearing open for Ordinance No. 973.

Prysunka declared the Public Hearing closed on this item and entertained a motion.

M/S: Powell/Gilbert to approve Ordinance No. 973. Motion approved unanimously by polled vote.

UNFINISHED BUSINESS – None.

NEW BUSINESS

13a ORDINANCE No 974 OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA AMENDING THE WRANGELL MUNICIPAL CODE, CREATING CHAPTER 3.15 "INVESTMENT COMMITTEE"

M/S: Gilbert/Powell to approve first reading of Ordinance No. 974, with a Second Reading and Public Hearing scheduled for February 11, 2020. Motion approved unanimously by polled vote.

13b RESOLUTION No 01-20-1509 OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA AMENDING THE FY 2020 BUDGET IN THE GENERAL FUND TRANSFERRING \$7,700 FROM GENERAL FUND RESERVES TO FIRE DEPARTMENT NON-CAPITAL EQUIPMENT AND AUTHORIZING ITS EXPENDITURE FOR DISPATCH RADIO CONSOLE

M/S: Powell/Gilbert to approve Resolution No. 01-20-1509.

Dorianne Sprehe, Wrangell Fire Department, outlined the need for the purchase of the dispatch radio console; cannot upgrade the current system any longer; need to replace.

Motion approved unanimously by polled vote.

13c RESOLUTION No 01-20-1510 OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, SUPPORTING THE REUSE DEVELOPMENT PLAN FOR LOT 17, BLOCK 5A, WRANGELL TOWNSITE, USS 1119 (FORMER WILCOX AUTOMOTIVE SITE)

M/S: Gilbert/Powell to approve Resolution No. 01-20-1510.

In response to Powell on if we had this property changed to parking lot use, would we be held to only use this property for that purpose in the future, Von Bargaen stated that she didn't believe so since there was nothing being recorded to the property that stated this however, if we find out that it isn't the case and that we would be restricted, we will back off and not move forward.

Motion approved unanimously by polled vote.

13d Approval to Dispose of City Surplus Property in Conformance with Wrangell Municipal Code Section 5.10.060 and to Authorize the Borough Manager to Dispose of any Surplus Property Not Purchased during the Sale

M/S: Powell/Gilbert to approve of the disposition of surplus property in conformance with Wrangell Municipal Code Section 5.10.060 and to authorize the Borough Manager to dispose of any City Property not purchased during the Sale. Motion approved unanimously by polled vote.

13e Approval of 2020 Federal Legislative Priorities

M/S: Gilbert/Powell to approve the 2020 Federal Legislative Priorities. Motion approved unanimously by polled vote.

13f Approval of 2020 State Legislative Priorities

M/S: Gilbert/Larrabee to approve the 2020 State Legislative Priorities. Motion approved unanimously by polled vote.

13g Approval of FY 2021/FY 2022 Budget Calendar

M/S: Gilbert/Larrabee to approve the FY 2021/FY 2022 Budget Calendar. Motion approved with Larrabee, Gilbert, Decker and Prysunka voting yes; Powell voted no.

13h Approval to hold a Work Session, followed by a Special Assembly meeting on Monday, February 10, 2020

M/S: Gilbert/Powell to approve holding a Work Session, followed by a Special Assembly meeting on Monday, February 10, 2020. Motion approved unanimously by polled vote.

ATTORNEY'S FILE

14 Available for Assembly review in the Borough Clerk's office.

EXECUTIVE SESSION – None.

Regular Assembly meeting adjourned at 7:55 p.m.

Stephen Prysunka, Mayor

ATTEST: _____
Kim Lane, MMC, Borough Clerk



Southeast Senior Services

A Division of Catholic Community Service, Inc.



Helping elders in Southeast Alaska stay healthy, safe and independent

January 31, 2020

Ms. Lisa Von Bargaen, City and Borough Manager
City and Borough of Wrangell
P O Box 531
Wrangell, AK 99929

RECEIVED
FEB 05 2020
WRANGELL CITY

Dear Ms. Von Bargaen:

We want to thank the City and Borough of Wrangell for its generous support of our Wrangell Senior Center. We are pleased to report the following services provided by our Wrangell Senior Center staff in the second quarter of Fiscal Year 2020:

- * 37 senior citizens received 959 home-delivered meals.
- * 61 senior citizens received 859 congregate meals.
- * 47 senior citizens received 1,055 rides.

Please contact me at (907)463-6154 or Marianne.mills@ccsjuneau.org if you would like additional information.

Sincerely,

Marianne Mills
Program Director

MM/acb

[illegible][illegible]

February 5, 2020

To: Mayor and Assembly members

From: Joyce Mason, Finance Director

Re: Disposition of Homeland Security Grant Assets

Assets purchased with grant funds from federal or state agencies cannot be randomly disposed of or sold as surplus items without the authorization of the federal or state agency.

The process to remove the assets from the inventory is to notify the agency in writing. I have attached the Homeland Security disposition form.

The agency will then determine if the asset can be disposed of or sold and notify the Borough in writing.

Questions the agency will ask are:

- Are the assets broken or damaged therefore unusable?
- Are the assets obsolete?
- Is the intended use no longer valid?

If the asset is sold, the agency has the right to request the funds be returned to the agency. The agency may also ask the asset to be returned to the agency. The decisions to return the asset are based on the materiality of shipping or if the asset can be used elsewhere (other cities or boroughs).

Homeland Security grants are pass through federal funds the state agency manages so procurement, asset management, and recordkeeping must follow federal guidelines. The state agency requests each year an updated inventory list of all assets purchased with the federal funds. They also do random visits to check the inventory and the recordkeeping. They were in Southeast Alaska, including Wrangell, last year.

Date: _____

Jurisdiction: _____

Grant Number: _____

Program Manager: _____

EQUIPMENT DISPOSITION FORM	
Reason for request of equipment disposition:	
ITEM DESCRIPTION MODEL NUMBER SERIAL NUMBER VENDOR INFORMATION UNIT COST INVOICE DATE FEDERALLY FUNDED PORTION % EQUIPMENT LOCATION/ADDRESS :	
ADDITIONAL INFORMATION:	

Thank you for your submission. We will review the information for approval of disposition, check if there are other jurisdictions that may be able to use the equipment, and send you a response on how to proceed. This process may take 30-60 days. You may contact us at mva.grants@alaska.gov if you have any questions.

Approval: _____

CITY & BOROUGH OF WRANGELL, ALASKA

CLERK'S FILE

SUBMITTED BY:

Kim Lane, Borough Clerk

Upcoming Meeting/Informational dates:

- 2-13** Planning & Zoning Commission mtg – 6pm in the Assembly Chambers
- 2-25** Regular Assembly meeting



Alaska Municipal League Winter Legislative Conference Juneau (Feb 18-20, 2020)

Mayor Prysunka and Manager Von Bargaen will be attending.



??

Conflicts of Interest

Trust your instincts.....

If you think you may have “substantial financial interest” **or** any other potential conflict of interest in a matter, make timely and full disclosure of the facts and circumstances and do not participate in, or take any official action on, the matter until a determination is made.

If you are not sure if you have a conflict of interest, **DISCLOSE, DISCLOSE, DISCLOSE!!** Don't take the chance, let the Mayor/Body decide.

**CITY & BOROUGH OF WRANGELL, ALASKA
BOROUGH ASSEMBLY AGENDA STATEMENT**

<u>AGENDA ITEM TITLE:</u>	<u>DATE:</u>	February 11, 2020
	<u>Agenda Section</u>	10

Appointment of an Assembly Member and a Community Member to the Investment Committee

SUBMITTED BY:

Kim Lane, Borough Clerk
Lisa Von Barga, Borough Manager

FISCAL NOTE:

Expenditure Required: \$XXX Total

FY 20: \$	FY 21: \$	FY22: \$
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Amount Budgeted:

	FY20 \$XXX
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Account Number(s):

	XXXXX XXX XXXX
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Account Name(s):

	Enter Text Here
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Unencumbered Balance(s) (prior to expenditure):

	\$XXX
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Reviews/Approvals/Recommendations

<input type="checkbox"/>	Commission, Board or Committee
Name(s)	
Name(s)	
<input type="checkbox"/>	Attorney
<input type="checkbox"/>	Insurance

ATTACHMENTS: 1. Letter(s) of Interest

RECOMMENDATION ACTION:

Mayor appointment of a second Assembly member to the Investment Committee.

Mayor appointment of a Community Member to the Investment Committee.

Letters of Interest Received from:

- Debbe Lancaster
- Jim DeBord

SUMMARY STATEMENT:

The Assembly recently passed an ordinance changing the way investments are made by the Borough. This includes creation of a standing Investment Committee. Ordinance No 974 is on the agenda for second reading and public hearing at this meeting to formalize the Investment Committee. The membership will be:

Two Assembly Members

Borough Manager

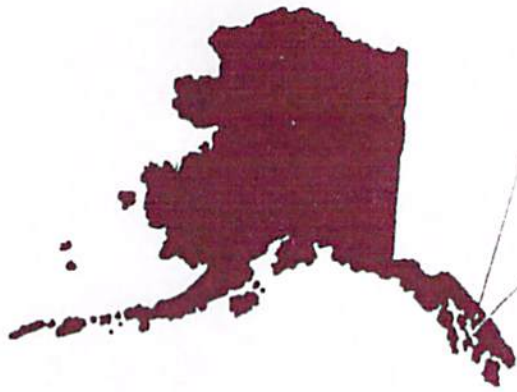
Finance Director

Member of the Public

Last year the Assembly appointed two members to the Committee when it was considered “special” and not a standing committee. They were Assembly members Morrison and DeBord. As Mr. DeBord is no longer on the Assembly, a new member must be appointed to serve with Assembly member Morrison.

When the ordinance is passed adding a member of the public, an invitation to submit applications will be advertised, and candidates will be brought to the Mayor and Assembly for consideration.

At this time the Mayor needs to appoint a second Assembly member and a member of the public (community member).



**WRANGELL
PUBLIC SCHOOLS**

District Office
PO Box 2319
Wrangell, AK 99929
Telephone (907) 874-2347
Fax (907) 874-3137

January 29, 2020

Re: Investment Committee

To Whom It May Concern:

I would like to submit a letter of interest to be considered to sit on the Investment Committee. Because I have to recommend how to best invest the school district funds, it might be beneficial to collaborate with committee members during the planning, implementation, and evaluation processes. I could bring information from other districts around Alaska as well.

I thank you for your consideration.

Sincerely,

A handwritten signature in blue ink that reads "Debbie Lancaster". The signature is fluid and cursive, with the first name "Debbie" and last name "Lancaster" clearly legible.

Debbe Lancaster
Superintendent – Wrangell Public Schools

Dear Mayor Prysunka and Borough Assembly Members:

I would like to express interest in being appointed to the Investment Committee. During the first assembly meeting I attended, I listened to our previous investment broker attempt to convince the assembly that their subpar return of less than 6 percent, if I remember correctly, before paying their expenses, was somehow a great return. The problem is that in that same period of time, the S&P 500, a passively managed index fund, had returned nearly 50%. I was caught off guard, that we had paid these people to invest our money and actually lose a significant proportion compared to the passive S&P 500 fund.

Thankfully, the City pursued a new investment company, Alaska Permanent Capital Management, which during their interview admitted that over 90% of the time, professional active investors couldn't beat the passive investment market, with this figure increasing when accounting for fees charged by the brokerage to closer to 95%.

With Wrangell's limited capacity to increase taxes to cover deficits, it's more imperative now than ever, to maximize our returns on what assets we already have in place, and capture every dollar of revenue possible.

Thank you for your consideration.

Jim DeBord

CITY & BOROUGH OF WRANGELL, ALASKA
BOROUGH ASSEMBLY Public Hearing AGENDA STATEMENT

<u>AGENDA ITEM TITLE:</u>	<u>DATE:</u>	February 11, 2020
	<u>Agenda Section</u>	11

ORDINANCE No 974 OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA
 AMENDING THE WRANGELL MUNICIPAL CODE, CREATING CHAPTER 3.15 "INVESTMENT
 COMMITTEE" *(second reading)*

<u>SUBMITTED BY:</u>
Lisa Von Bargaen, Borough Manager

<u>Reviews/Approvals/Recommendations</u>	
<input type="checkbox"/>	Commission, Board or Committee
Name(s)	
Name(s)	
<input checked="" type="checkbox"/>	Attorney
<input type="checkbox"/>	Insurance

<u>FISCAL NOTE:</u>		
Expenditure Required: \$N/A		
FY 19: \$	FY 20: \$	FY21: \$
Amount Budgeted:		
FY20 N/A		
Account Number(s):		
N/A		
Account Name(s):		
N/A		
Unencumbered Balance(s) (prior to expenditure):		
\$ N/A		

ATTACHMENTS: 1. Ord 974.

MAYOR PROCEDURE: Declare the Public Hearing open. The Mayor shall ask if there is any administrative report on the Public Hearing Item. Persons who signed up to talk on this item shall be called to the podium.

Once all persons have been heard, declare the Public Hearing closed and entertain a motion.

RECOMMENDED MOTION AFTER PUBLIC HEARING IS CLOSED:

Move to approve Ordinance No. 974.

SUMMARY STATEMENT:

The Assembly recently passed ordinances changing the way investments are made by the Borough. This includes creation of a standing Investment Committee. Ordinance No 974 is on the agenda for second reading and adoption at this meeting to formalize the Investment Committee in code. The membership will be:

- Two Assembly Members
- Borough Manager
- Finance Director
- Member of the Public

Last year the Assembly appointed two members to the Committee when it was considered “special” and not a standing committee. They were Assembly members Morrison and DeBord. The Mayor will be appointing a second Assembly member at this meeting to join Assembly member Morrison on the Committee.

The Clerk advertised for interested parties to submit letters of interest to sit on the Committee. There is an agenda item for the Mayor to appoint one additional Assembly Member and one member of the public.

CITY AND BOROUGH OF WRANGELL, ALASKA

ORDINANCE NO. 974

AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING THE WRANGELL MUNICIPAL CODE, CREATING CHAPTER 3.15 “INVESTMENT COMMITTEE”

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

[The changes to existing code are shown as follows: the words that are underlined are to be added.]

SEC. 1. Classification. This ordinance is of a permanent nature and shall become a part of the Wrangell Municipal Code.

SEC. 2. Purpose. The purpose of this ordinance is to establish the Investment Committee as a permanent, regular committee of the City and Borough of Wrangell, Alaska and establish confirmation procedures for its appointed membership.

SEC. 3. Enactment. The Assembly for the City and Borough of Wrangell, Alaska hereby enacts Chapter 3.15 Investment Committee and new Sections 3.15.010 and 3.15.020 of the Wrangell Municipal Code, as follows:

3.15 Investment Committee

Sections

3.15.010 Investment Committee – Established

3.15.020 Annual Appointment and Consent

3.15.010 Investment Committee – Established

A. The Investment Committee shall be permanently established as a regular committee of the City and Borough of Wrangell, Alaska.

B. Purpose. The Investment Committee exists in a purely advisory capacity to locate, investigate and, when suitable, recommend to the Assembly prudent investments that the City and Borough of Wrangell may make in compliance with the provisions of WMC 05.020 and 05.20, and other applicable local, state and federal laws. No recommendation of the Investment Committee shall be construed as binding on the Assembly. However, the Borough may rely on research and due diligence carried out by the Investment Committee.

C. Composition. The Investment Committee shall be composed of the Borough Manager, the Finance Director, two Assembly members and one community member appointed by the Mayor.

D. Term. The Borough Manager, and the Finance Director shall serve by virtue of their employment for so long as they remain employed by the City and Borough of Wrangell in one of these capacities. The appointed Assembly and community members shall serve at the pleasure of the Mayor subject to consent of the Assembly.

E. Meetings. The Investment Committee shall meet at least quarterly, or at the call of the Borough Manager.

3.15.020 Annual Appointment and Consent

A. Appointment. The Mayor shall appoint new and continuing appointed members of the Investment Committee at the first regular Assembly meeting following certification of the regular election, at the start of the new term, pursuant to WMC 2.12.010 and WMC 3.04.030.

B. Confirmation. Each member not serving by virtue of their employment with the Borough pursuant to WMC 3.15.010, whether continuing or newly appointed, shall be subject to consent by the Borough Assembly.

C. Service. Newly Appointed members shall serve immediately.

E. Replacement. Replacement appointments for any appointment not confirmed shall be put forward by the Mayor at the next regular Assembly meeting.

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

PASSED IN FIRST READING: January 28, 2020.

PASSED IN SECOND READING: February 11, 2020.

CITY AND BOROUGH OF WRANGELL

Stephen Prysunka, Mayor

ATTEST: _____
Aleisha Mollen, Deputy Borough Clerk

Yes: _____

No: _____

Absent: _____

Abstaining: _____

CITY & BOROUGH OF WRANGELL, ALASKA BOROUGH ASSEMBLY AGENDA STATEMENT

<u>AGENDA ITEM TITLE:</u>	<u>DATE:</u>	February 11, 2020
	<u>Agenda Section</u>	12

RESOLUTION No 02-20-1511 OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA AUTHORIZING ROCK USAGE AND AN EASEMENT AGREEMENT WITH ROYCE AND SHERRI COWAN TO CONSTRUCT A DRIVEWAY ACCESS ACROSS A PORTION OF BOROUGH PROPERTY, TRACT A, ASLS 94-135 AND SECTION 27, TOWNSHIP 62, RANGE 84 WEST, COPPER RIVER MERIDIAN, TO THEIR REMOTE PROPERTY IN WRANGELL ISLAND EAST SUBDIVISION

<u>SUBMITTED BY:</u>
Carol Rushmore, Economic Development Director

<u>Reviews/Approvals/Recommendations</u>	
<input checked="" type="checkbox"/>	Planning & Zoning
Name(s)	
Name(s)	
<input type="checkbox"/>	Attorney
<input type="checkbox"/>	Insurance

<u>FISCAL NOTE:</u>		
Expenditure Required: N/A		
FY 19: \$	FY 20:	FY21: \$
Amount Budgeted:		
	FY19 \$0	
Account Number(s):		
	N/A	
Account Name(s):		
	N/A	
Unencumbered Balance(s) (prior to expenditure):		
	\$XXX	

ATTACHMENTS: 1) Resolution No 02-20-1511; 2) Easement Agreement; 3) Recommendation from the Planning and Zoning Commission; 4) Staff Recommendation to P&Z Commission; 5) Letter from Cowan's requesting to construct a driveway; 6) Letter sent to Wrangell Island East residents; 7) Maps

RECOMMENDATION MOTION:
Move to approve Resolution No. 02-20-1511.

SUMMARY STATEMENT:

Royce and Sherri Cowan are requesting to construct a one (1) mile long 10 foot wide rock driveway in the Wrangell East Subdivision area to access their remote parcels on the shoreline in Block 2.

They are willing to obtain all permits, survey and construct and maintain the driveway at no expense to the Borough. They are requesting to obtain and utilize rock from the former State rock pit located adjacent to the intersection of the beginning of the driveway with the Spur Road. They are also requesting that the driveway be gated to allow access by personal vehicles only, although pedestrians could access and utilize the driveway. This request is in part to prevent illegal dumping along the route.

The Planning and Zoning Commission had several meetings to discuss their request. At their regular meeting of September 12, 2019, the Commission recommended approval of the request with conditions (see attached memo). The only part of the request that did not specifically have a recommendation was whether to allow the Cowan's to utilize the rock from the rock pit free of charge. The Commission, however, did not oppose use of the pit.

The Commission's discussions focused on several elements of the request: 1) how would this driveway construction impact or affect future Borough development of the area; 2) public access vs. private access; 3) modification to the lifestyle of other nearby residents; and 4) permitting.

The Commission determined that allowing a driveway access could generate additional developments in the area. The Borough has little information regarding topography other than what can be found through existing local, state and federal GIS systems. According to Mr. Cowan, he has walked the area extensively to determine the best route for a driveway and indicated that the proposed access would be constructed within a level area, with the ground starting a steep slope farther inland. The Commission's concern was whether this would eliminate developable areas because of a pre-existing access, but ultimately decided that if it could in the near term generate more develop opportunities it is a better use than doing nothing. While not specifically in their recommendation, it was discussed that whatever document was used to approve the access could specify that the driveway access could be moved by the Borough in the future if need determines relocation.

The Commission requested that a letter be sent to all nearby property owners to determine if there were any objections. The Cowan's heard from one landowner that they were in support of potential access to their properties as well. Staff heard from a prospective landowner seeking to create some sort of access to a lot and was supportive as well once he was told of the potential driveway.

The Commission determined that there should be public access if they were constructing a driveway across public lands. They ultimately agreed with a gate to prevent vehicular access because of the ongoing dumping issues occurring on the Spur Road. Any shared access would need to be determined by the approval instrument. The Borough has completed a driveway easement with one other resident on the back channel, further north of the project. The difference between that request and this request is that the formerly approved access was within a platted but not built Right-of-way. Staff, upon a site visit to the quarry, did discover at least two additional unpermitted short driveways constructed from the existing Spur Road across Borough lands to access private beachfront properties.

The Commission felt that the road at this time, if gated and vehicular use minimized, would not affect remote lifestyles of the other residents. Should other landowners wish to utilize the driveway,

agreements with the Borough to share use and construct additional access down to other properties would need to be considered. The Commission also brought up the question that if access is now provided, will this change the property tax deferential provided to remote areas of the Borough.

The applicants and Commission agreed that any permitting and required surveying would be the responsibility of the applicant. The Commission and Staff felt an asbuilt of the driveway would be critical for future development by the Borough of surrounding lands.

The property is zoned Remote Residential Mixed-Use Wrangell Island East (RMU-E). The Borough's portion of the Spur Road begins at the end of pavement near the Paddle Craft Trail. The Borough provides little maintenance if any for the roadway and has always claimed that it is an unmaintained road during the winter months. The proposed driveway access begins approximately 1 mile past the end of pavement near the pit that was acquired during the borough land entitlement selection process. The USFS trailhead for the North Country trail begins another .5 miles past the rock pit. The Borough received a Federal Lands Access Program grant (FLAP) to improve the road surface to the trail head from the end of pavement to provide better access to the trail. Staff are working on an RFP for road work hopefully to be completed next spring, if there is enough grant funding available.

There were two previous requests after Borough formation by contractors to utilize rock from the rock pit for specific projects, but the City denied sole use of the pit at those times. The Cowan's are requesting use of the rock pit for a driveway access that in the future could belong to or be utilized by the Borough should the Borough develop additional surrounding land areas. The applicants had Loren Enright of Ketchikan Ready Mix walk the proposed route and review the existing pit area to provide an estimate of approximately 11,000 yards of rock necessary to construct the driveway access. One of the maps attached indicate where they propose to remove the rock from the pit area.

The Assembly requested this item be brought back for approval with a copy of the proposed Easement Agreement and a Resolution. The Attorney drafted the attached Easement agreement to which staff incorporated the conditions requested by the Planning & Zoning Commission – most of which are outlined in the above narrative.

Administration added a condition to the agreement that the Borough and the Cowans would mutually agree to conditions of use by additional adjacent land owners who wish to use the driveway/road constructed by the Cowans. Details will be addressed in a supplemental document because it is likely each new easement use request will be unique.

As the driveway/road being constructed by the Cowans, at their expense, is likely to be used by additional adjacent property owners, it seems reasonable to consider granting the Cowans use of rock from the City's pit. The question is, at what cost. Is it reasonable to charge fair market value for something that will most likely be used by everyone with adjacent property? The Cowans estimate needing 11,000 cubic yards. The State of Alaska, Department of Natural Resources (DNR) provides for sales of material from their approved sites across the state. This volume of material would require what is called a negotiated sale. It would allow the applicant authorization to blast. Rock in our region (that has to be blasted) sells for between \$1.50 and \$2.00 per cubic yard. Given the State's

fee schedule, one can estimate the value of the rock being requested by the Cowans at \$16,500-\$22,000.

Although it is not yet complete, the Borough intends to use the State's paperwork as an example by which to enter into a separate agreement for material use with the Cowans. At this time Administration is requesting concurrence from the Assembly to allow the Cowans to use the rock from the pit, understanding we will need to negotiate a purchase price and bring that back to the Assembly for approval.

WRANGELL RECORDING DISTRICT

After Recording, Return To:

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

DRIVEWAY EASEMENT

The GRANTOR, the City and Borough of Wrangell, a municipal corporation formed under the laws of the State of Alaska, P.O. Box 531, Wrangell, Alaska 99929, for good and valuable consideration, receipt of which is hereby acknowledged, does hereby grant to Royce and Sherri Cowan, a married couple, and GRANTEES, of P.O. Box 1184, Wrangell, Alaska 99929, and GRANTEES' heirs, successors and assigns, forever, an appurtenant easement for driveway purposes upon, over and across the following-described land owned by GRANTOR within the Wrangell Recording District, First Judicial District, State of Alaska.

Tract A, A.S.L.S. 94-135 and Section 27, Township 62, Range 84 West, Copper River Meridian

LOCATION OF THE EASEMENT. The land constituting the easement extends within the above-described land and will need to be defined by a survey upon completion.

PROPERTY BENEFITTED BY THE EASEMENT. The easement shall be appurtenant to and for the benefit of the following-described real property.^[CR1]

Lots 14 and 15, Block 2, ASLS 83-8 Wrangell Island East Subdivision.

GRANTEES' RIGHT TO USE. The GRANTEES shall have the right to use the easement for construction, operation, maintenance and repair of a driveway for vehicular and pedestrian access to the real property benefitted by the easement, for the purpose of ingress and egress.

GRANTOR'S RIGHT TO USE. The GRANTOR shall have the right to use the easement for purposes that will not interfere with the GRANTEES' full use and enjoyment of GRANTEES' rights granted by this Easement.

OWNERSHIP IMPROVEMENTS. All improvements made by the GRANTEES shall remain the property of the grantor, removable at GRANTOR'S option. GRANTOR has good title to [CR2] the GRANTOR's land described above and covenant the GRANTEES shall have quiet and peaceable enjoyment for the easement across GRANTOR's land.

THE PARTIES HEREBY AGREE FURTHER AS FOLLOWS:[CR3]

1. The GRANTEES agree to maintain and repair the Easement area in good condition and keep it in clear and unobstructed condition. The GRANTEES acknowledge and agreed that the GRANTOR shall have no liability with respect to the Easement area, or responsibility or obligation to maintain the Easement area.

2. This Easement may not be modified, amended or terminated without the prior written consent of the GRANTOR.

3. Prior to construction by the GRANTEES within the Easement area, the GRANTEES will flag and mark the area. GRANTEES shall coordinate with GRANTOR and receive written permission to proceed prior to any construction.

4. GRANTEES shall be solely responsible for obtaining any and all required local, state or federal permits prior to construction within the Easement area. Proof of permitting shall be

presented to the GRANTOR prior to construction.

5. Upon completion of construction within the Easement area by the GRANTEES, the GRANTEES shall be solely responsible for survey and as-built drawings of all improvements including, but not limited to, the road profile, location of culverts or bridges. Said drawings shall be submitted to the GRANTOR within 120 days of completion of construction.

6. GRANTEES shall be allowed to gate the access to the Easement area at GRANTEE'S sole expense. Said gate may restrict vehicular traffic, but must permit foot traffic.

7. GRANTOR reserves the right to allow access through the Easement area to additional adjacent land owners. Said access shall be mutually agreed upon between the GRANTOR AND THE GRANTEES, prior to permission being granted by GRANTOR, and will be formalized in a companion document to this AGREEMENT.

8. The covenants set forth herein shall run with the land to serve for the personal and non-commercial use of the GRANTEES and be binding and inure to the benefit of the parties hereto and their respective heirs, legal representatives, successors, and assigns.

ENTIRE AGREEMENT. It is understood and agreed that this agreement as written covers all the agreements and stipulations between the parties and that no statements or representations, oral or written, have been made modifying, adding to, or changing the terms of this Easement.

DATED this _____

Attest:

CITY AND BOROUGH OF WRANGELL

Kim Lane
Borough Clerk

Lisa Von Barga
Borough Manager

STATE OF ALASKA)
) ss.
FIRST JUDICIAL DISTRICT)

THIS IS TO CERTIFY that on the ____ day of _____, 2020, before me, the undersigned, a Notary Public in and for the State of Alaska, duly commissioned and sworn, personally appeared Lisa Von Barga, Borough Manager of the City and Borough of Wrangell and Kim Lane, Borough Clerk of the City and Borough Clerk, known to me to be the Borough Manager and the Borough Clerk, respectively, of the City and Borough of Wrangell, the entity who executed the within and foregoing instrument; who on oath, state that they were duly authorized to execute said instrument; who acknowledged to me that they signed and sealed the same freely and voluntarily on behalf of said entity for the uses and purposes therein mentioned.

GIVEN UNDER MY HAND and official seal the day and year last above written.

Notary Public for the State of Alaska
My commission expires: _____

CITY AND BOROUGH OF WRANGELL, ALASKA

RESOLUTION NO. 02-20-1511

A RESOLUTION OF THE ASSEMBLY OF THE CITY & BOROUGH OF WRANGELL, ALASKA AUTHORIZING ROCK USAGE AND AN EASEMENT AGREEMENT WITH ROYCE AND SHERRI COWAN TO CONSTRUCT A DRIVEWAY ACCESS ACROSS A PORTION OF BOROUGH PROPERTY, TRACT A, ASLA 94-135 AND SECTION 27, TOWNSHIP 62 SOUTH, RANGE 84 WEST, COPPER RIVER MERIDIAN, TO THEIR REMOTE PROPERTY IN WRANGELL ISLAND EAST SUBDIVISION

WHEREAS, Royce and Sherri Cowan own two remote parcels in the Wrangell Island East Subdivision and are seeking to construct a public driveway access across Borough lands to access these remote properties; and

WHEREAS, the Wrangell Borough Assembly seeks an agreement with the Cowans to construct and maintain the proposed one mile driveway access off of the Spur Road Extension; and

WHEREAS, the Wrangell Borough Assembly agrees to allow the Cowans to construct the public access driveway using rock from a rock pit adjacent to the proposed intersection of the driveway with the Spur Road Extension, the price of which will be negotiated in a separate agreement requiring Assembly approval; and

WHEREAS, the Wrangell Borough Assembly believes that the initial access may help to open up additional Borough lands and provide access to other privately owned remote parcels.

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

SECTION 1: The Assembly of the City and Borough of Wrangell approves an Easement Agreement with Royce and Sherri Cowan for the survey, construction and maintenance of a one mile driveway across a portion of Tract A, ASLS 94-135 and Section 27, Township 62 South, Range 84 East, Copper River Meridian to access their remote residential properties; and

SECTION 2: The Assembly agrees to the use of rock by the Cowans from the Borough-owned pit adjacent to the proposed intersection of the driveway with the Spur Road Extension, the price of which will be negotiated in a separate agreement requiring Assembly approval.

PASSED AND APPROVED BY THE ASSEMBLY OF THE CITY AND BOROUGH
OF WRANGELL, ALASKA this 11th DAY OF FEBRUARY, 2020.

CITY & BOROUGH OF WRANGELL, ALASKA

Steve Prysunka, Mayor

ATTEST:

Kim Lane, Borough Clerk

MEMORANDUM

**TO: KIM LANE, BOROUGH CLERK
HONORABLE MAYOR AND MEMBERS OF THE ASSEMBLY
CITY AND BOROUGH OF WRANGELL**

**FROM: ALEISHA MOLLEN
PLANNING AND ZONING SECRETARY**

**SUBJECT: RECOMMENDATION REGARDING A REQUEST TO CONSTRUCT A
PRIVATE DRIVEWAY ON UNSUBDIVIDED BOROUGH LANDS
UTILIZING AN UNUSED ROCK PIT ON BOROUGH OWNED LAND.**

DATE: September 13, 2019

The Planning and Zoning Commission, at their regular meeting of September 12, 2019, approved the request to recommend to the Assembly to permit Royce and Sherri Cowan to construct a road access to their remote parcels in Wrangell Island East with the following conditions:

- 1) Gated access is permitted to minimize road traffic and illegal dumping but public foot traffic is allowed;
- 2) Road will be flagged, marked and coordinated and approved with Borough staff before and during road construction;
- 3) All state and federal permits for construction will be the responsibility of applicant
- 4) Road as built will be surveyed upon completion and provided to Borough staff with road profile, location of culverts, bridges etc.
- 5) All maintenance will be the responsibility of the applicant or per the agreement developed between the Borough and applicant
- 6) Rock pit issues will be determined upon more information
- 7) Vehicular use by other landowners will need to be addressed in the Borough driveway agreement

The motion passed unanimously by polled vote.

City and Borough of Wrangell

Agenda Item F1

Date: August 29, 2019

To: Planning and Zoning Commission

From: Carol Rushmore, Economic Development Director

Re: Request by Royce and Sherri Cowan to construct a private driveway to remote property in Wrangell Island East and use of an unused rock pit on Borough owned land

Staff recommends approval of the request to construct a gated roadway with development requirements. Staff does not have enough information regarding the rock pit and rock necessary to make a recommendation on that component.

Recommended motion: Move to recommend to the Assembly to permit the Cowan's to construct a road access to their remote parcels in Wrangell Island East with the following:

- 1) Gated access is permitted to minimize road traffic and illegal dumping but public foot traffic is allowed;
- 2) Road will be flagged, marked and coordinated and approved with Borough staff before and during road construction;
- 3) All state and federal permits for construction will be responsibility of applicant
- 4) Road asbuilt will be surveyed upon completion and provided to Borough staff with road profile, location of culverts, bridges etc.
- 5) All maintenance will be the responsibility of the applicant or per the agreement developed between the Borough and applicant
- 6) Rock pit issues will be determined upon more information
- 7) Vehicular use by other landowners will need to be addressed in the Borough driveway agreement

Update 8-29-19:

The Cowan's heard from one landowner near their property in Wrangell Island East regarding their letter. They indicated they were interested in access. Staff spoke with an individual that was considering purchasing Mental Health Trust lots just down from the Cowans and he was specifically asking about the possibility of constructing a road down from the existing road to the lots. Staff let him know of the proposal request by the Cowans.

Staff has requested an estimate of the volume of rock that may be required to construct the driveway and an analysis of the pit if there is adequate volume available. That estimate should be available for the meeting.

Bullet points of interest:

- USFS topo maps seem to be relatively accurate

- 10 foot wide rocked driveway for vehicular traffic
- Applicants requesting gated driveway to prohibit additional vehicular access and potential dumping. Foot traffic is fine.
- PZ discussed private vs public and felt that the driveway would likely need to have a public access component. Foot traffic was satisfactory.
- Survey of the road would be done upon completion
- Will be responsible for COE permit
- Cowan's have sent a letter to the landowners on the back channel for feedback. I need to follow up with a letter from the Borough.
- Do not yet know an estimate of the volume of rock necessary.
- Discussion regarding potential property taxation change due to access

Update 7-11-2019:

The applicants have sent letters to landowners regarding the road. Staff needs to follow up and do the same. The applicants have had previous experience with the Corps of Engineers so are familiar with the permitting process. Applicants are requesting that the drive would be gated to prohibit vehicular traffic until such time that the Borough would develop in this area. Walking traffic would still be allowable. This will also minimize remote dumping on this road. The estimated volume of rock has not been determined. Staff has not been able to sit down with the Borough Manager or Public Works Director for further discussions.

In reviewing the area for this permit application and another city project, staff have discovered additional driveways to access water front property in Wrangell Island East. These are 2 short spurs off the existing road way, but staff will be pursuing necessary permits.

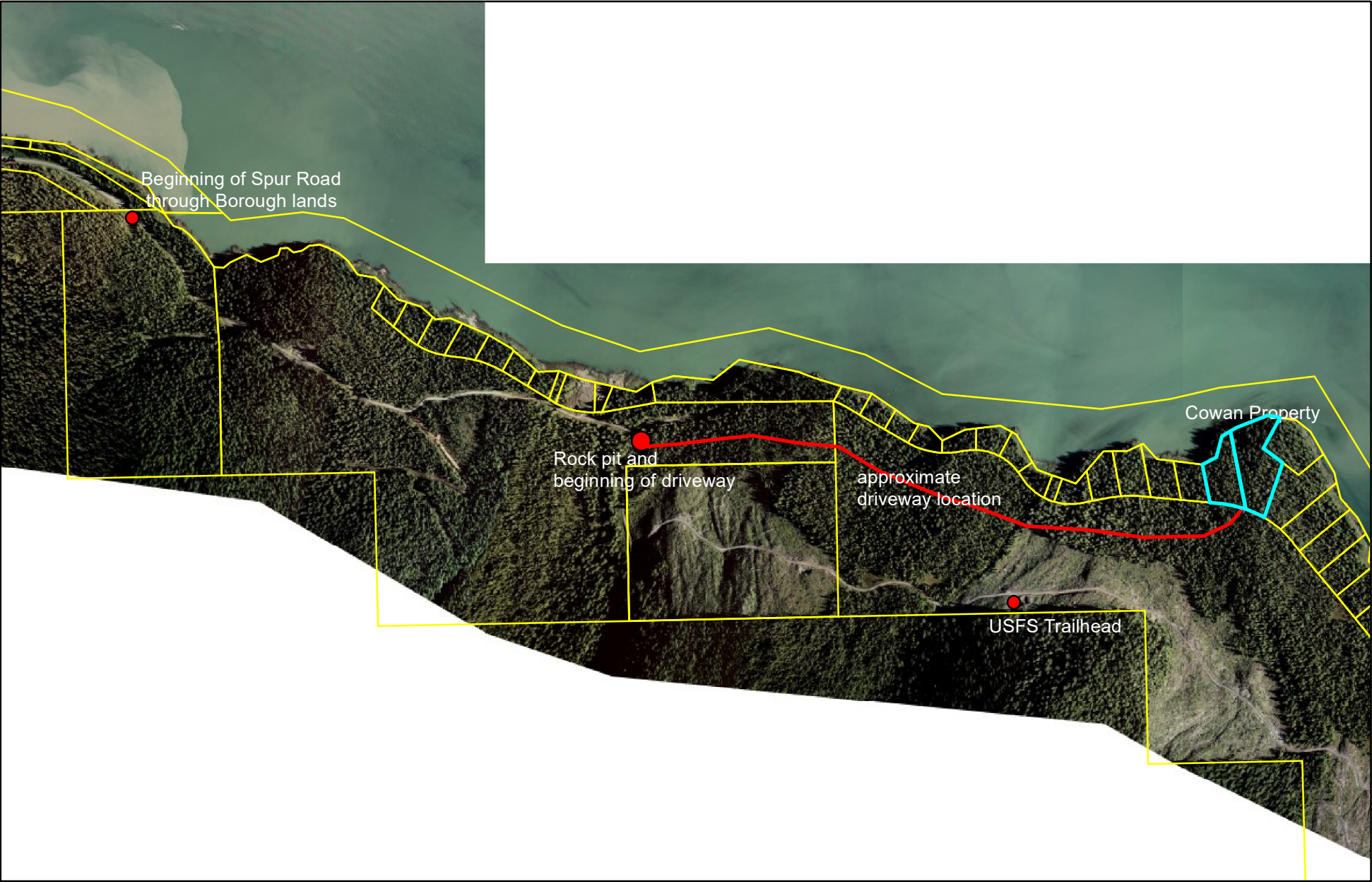
From June 2019 meeting discussion:

The request by the Cowans for a private driveway through unsubdivided borough lands in Wrangell Island East is before the Commission for discussion, identification of issues of concern, and recommendation. There are several issues for consideration:

- 1) Location of the road. There has been no surveying of the Borough property for access to these remote parcels, looking at topography, drainage and additional lots for sale. Staff does not know if this is the best location for a road or for long term development, other than review and comments by the applicants as to why they chose the specific route for ease of access
- 2) Sole use of the rock pit. The City has had several requests by contractors over the years to utilize the existing pit for rock. Because of location and potential use by the City and likely need for bidding on the use of the pit, the City denied previous requests.

- 3) Survey: Applicant has already agreed to surveying the road location for future planning needs
- 4) Easement/Driveway permit: City does not have an established formal process for requests such as this. A Driveway agreement has been used, as has a driveway permit. Ultimate decision regarding the action will be made by the Borough Assembly

CITY AND BOROUGH OF WRANGELL, ALASKA



Public Map



1 inch = 1,166.666667 feet
Date: 10/14/2019

**DISCLAIMER: THESE MAPS ARE FOR PLANNING PURPOSES ONLY.
PROPERTY LINES ARE APPROXIMATE. AERIAL 2002.**

June 25, 2019

Royce and Sherri Cowan
PO Box 1184
Wrangell, AK 99929
907-874-3659

Subject: Request for Driveway on the Eastern Passage

This letter is from Royce and Sherri Cowan. We own the two lots on the Eastern Passage (Back Channel), Lot 14 Block 2 and Lot 15 Block 2. We have requested a driveway permit from the City and Borough of Wrangell to build a driveway from the rock pit by Dick Ballard's to our property, well above and away from the other property owners lines.

We are sending this letter letting you know what we are trying to do. Any questions you can contact us at the phone number or address above.

Thank you for your time,

Royce and Sherri Cowan

CITY AND BOROUGH OF WRANGELL, ALASKA



1 inch = 700 feet



DISCLAIMER: THESE MAPS ARE FOR PLANNING PURPOSES ONLY.
PROPERTY LINES ARE APPROXIMATE. UPDATED MARCH 2013.
AERIAL PHOTO 2002.



11,732 yards for driveway

Wrangell Public Map



11,732 yards for driveway

Wrangell Public Map



CITY & BOROUGH OF WRANGELL, ALASKA BOROUGH ASSEMBLY AGENDA STATEMENT

<u>AGENDA ITEM TITLE:</u>	<u>DATE:</u>	February 11, 2020
	<u>Agenda Section</u>	13

ORDINANCE No 975 OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, REPEALING SECTION 14.11.005, FEE SCHEDULE, IN ITS ENTIRETY AND ESTABLISHING A NEW PROCESS FOR FEES IN CHAPTER 14.11 HARBOR AND PORT FACILITIES OF THE WRANGELL MUNICIPAL CODE

<u>SUBMITTED BY:</u>
Greg Meissner, Harbormaster Kim Lane, Borough Clerk

<u>Reviews/Approvals/Recommendations</u>	
<input checked="" type="checkbox"/>	Port Commission
Name(s)	
Name(s)	
<input type="checkbox"/>	Attorney
<input type="checkbox"/>	Insurance

<u>FISCAL NOTE:</u>		
Expenditure Required: \$XXX Total		
FY 20: \$	FY 21: \$	FY22: \$
Amount Budgeted:		
	FY20 \$XXX	
Account Number(s):		
	XXXXX XXX XXXX	
Account Name(s):		
	Enter Text Here	
Unencumbered Balance(s) (prior to expenditure):		
	\$XXX	

<u>ATTACHMENTS:</u> 1. Proposed Ord 975 2. Current WMC Section 14.11.005.

RECOMMENDATION MOTION:

Move to approve first reading of Ordinance No. 975 and move to a second reading with a Public Hearing to be held on February 25, 2020.

SUMMARY STATEMENT:

The Harbor Department has a large fee section. Recently the Commission and Staff have been looking to make changes to the rates in that section. We are in the process of adding new fees and

changing existing rates and those will need to come to the Assembly for approval. One issue is that we visit different parts of the rates depending on what issue we are dealing with and this results in too many changes to the code and repeat meetings with the Assembly.

By removing the actual fee table from the WMC, the Assembly will have the ability to amend the fee schedule from time to time, by Resolution. This will save money in codification fees, but the process is not reduced at all. The fee resolution will have a public hearing and action before the Port Commission, and a public hearing and action by the Assembly. This provides multiple opportunities for the public to participate in the process.

This is the same action that was taken by the Assembly for the Parks and Recreation, and Public Works Departments. If this ordinance is approved, it will come back to the Assembly for a public hearing and adoption at the February 24th meeting.

The Resolution to approve the fee schedule will be included in the February 24th meeting packet.

CITY AND BOROUGH OF WRANGELL, ALASKA
ORDINANCE NO. 975

AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND
BOROUGH OF WRANGELL, ALASKA, REPEALING
SECTION 14.11.005, FEE SCHEDULE, IN ITS ENTIRETY AND
ESTABLISHING A NEW PROCESS FOR FEES IN CHAPTER
14.11 HARBOR AND PORT FACILITIES, AND AMENDING
SECTION 14.11.020, PUBLIC HEARING, OF THE WRANGELL
MUNICIPAL CODE

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

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

SEC. 1. Action. The purpose of this ordinance is to amend Section 14.11.010 of the Wrangell Municipal Code to authorize the Assembly to establish fees by resolution for the Harbor and Port Facilities.

SEC. 2. Repeal & Reenactment. Section 14.11.005 of the Wrangell Municipal Code is hereby repealed in its entirety and reenacted as follows:

14.11.005 Fee schedule.

The assembly shall, by resolution, establish fees for the Harbor and Port Facilities. A public hearing of the assembly shall be required on the resolution that establishes such fees.

SEC. 3. Amendment. Section 14.11.020 Public hearing, of the Wrangell Municipal Code is amended to read as follows:

14.11.020 Public hearing.

A. The port commission, subject to approval by the borough assembly, shall fix the rates, charges and classifications to be charged for the use of any and all harbor, port, terminal or transportation facilities constructed on property under its jurisdiction, including charges assessed against vessels, their owners, agents or operators for use of facilities and services within areas of the commission's jurisdiction; charges for berthage while loading or discharging passengers or cargo; charges for

administrative expense in serving users; charges for freight-handling operations; moorage, wharfage, handling, loading, unloading, services provided; and wharf demurrage rates.

B. Such rates, charges and classifications shall be just and reasonable and shall be established and modified at a public hearing conducted by the port commission. Notice specifying the time and place of hearing shall be at given by at least one publication in a newspaper of general circulation in the borough at least ~~[15]~~10 days prior to the hearing.

C. At the hearing, all persons affected by or interested in the matters to be heard may be present and may be represented by counsel. At the conclusion of the hearing, the parties interested may make such arguments before the port commission either in person or by an attorney regarding the matter at issue, and thereafter the port commission shall proceed to prepare a schedule of rates to be submitted to the borough assembly at its next regular meeting.

D. The borough assembly may adopt the port commission's proposed schedule of rates by ~~[ordinance]~~resolution with a public hearing being held before adoption at the same meeting, but the date upon which the rates fixed or regulated go into effect may not be less than 10 days after its passage and approval.

SEC. 4. Severability. If any provision of this ordinance, or any application thereof to any person or circumstances is held invalid, the remainder of this ordinance and the application to all other persons or circumstances shall not be affected thereby.

SEC. 5. Classification. This ordinance is of a permanent nature and shall be codified in the Wrangell Municipal Code.

SEC. 5. Effective Date. This ordinance shall be effective upon adoption.

PASSED IN FIRST READING: _____, 2020

PASSED IN SECOND READING: _____, 2020

Stephen Prysunka, Mayor

ATTEST: _____

Kim Lane, Borough Clerk

CITY & BOROUGH OF WRANGELL, ALASKA BOROUGH ASSEMBLY AGENDA STATEMENT

<u>AGENDA ITEM TITLE:</u>	<u>DATE:</u>	February 11, 2020
	<u>Agenda Section</u>	13

Approval of Contract Award to Heller High Water, LLC in the amount of \$66,301.07 for the City Dock Summer Float Procurement Project

<u>SUBMITTED BY:</u>
Amber Al-Haddad, Capital Facilities Director

<u>Reviews/Approvals/Recommendations</u>	
<input type="checkbox"/>	Commission, Board or Committee
Name(s)	
Name(s)	
<input type="checkbox"/>	Attorney
<input type="checkbox"/>	Insurance

<u>FISCAL NOTE:</u>		
Expenditure Required: \$66,301.07		
FY 19:	FY 20: \$66,301.07	FY21:
Amount Budgeted:		
	FY20 \$85,000	
Account Number(s):		
	28300-000-0000-00-28001	
Account Name(s):		
	City Dock Summer Float CIP Fund	
Unencumbered Balance(s) (prior to expenditure):		
	\$85,000	

ATTACHMENTS: 1. Bid Opening Checklist and Tabulation Summary for City Dock Summer Float Procurement Project

RECOMMENDATION MOTION:

Move to Approve Contract Award to Heller High Water, LLC Inc. in the amount of \$66,301.07 for the City Dock Summer Float Procurement Project.

SUMMARY STATEMENT:

Due to the industry's growth over the last several years the Port staff has identified the need for additional mooring capacity at City Dock. On days when two cruise ships are in town, the process of lightering (transferring) the passengers between an off-shore anchored ship, to the dock, is time consuming and a loss of positive passenger experience in Wrangell.

The Harbor Department currently has three summer floats that are configured for the north side of City Dock approach dock, and there is one configured for the south side of the approach dock. The subject new summer float has been designed to be added to the existing float for the south side, and it is designed as a 10' (w) x 130' (l) mixed steel and timber floating dock.

Under the FY2020 Budget, the Harbor Department scheduled the procurement of one City Dock Summer Float with funding from the Commercial Passenger Vessel Excise Tax Fund. The procurement was estimated at \$55,000. Additional project costs were estimated at \$30,000 for the lumber and hardware package, which the Harbor Department plans to procure and install on the steel float once it arrives in Wrangell. A total of \$85,000 was budgeted for the project. That budget number was arrived at inflation-adjusting previous project costs for similar work. Even though the float procurement came in about \$11,000 more than estimated, the Harbor Master is confident the project can be completed within the original budget of \$85,000. All work is anticipated to be complete in time for the new float to be placed in the water for use by the beginning of the summer season.

The City & Borough of Wrangell issued an Invitation to Bid for the purchase of the City Dock Summer Float. On January 21st, the CBW received four bids in response to the Invitation to Bid. The apparent lowest, responsive and responsible bid was received from Heller High Water, LLC in the amount of \$66,301.07. Staff recommend awarding the procurement contract to Heller High Water, LLC.

*The City and Borough of Wrangell's procedures for submitting documentation for the purpose of award, involves the withholding of detailed information from each Bidder until an award has been made. The reason for this procedure is that in case all bids are rejected or the project is rebid, the details of each Bidder's bid should remain confidential between potential competitive bidders.

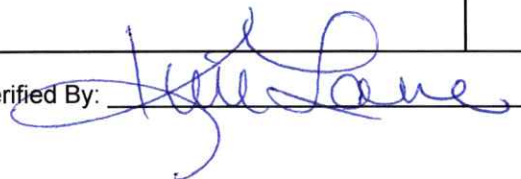

There were four bids (as follows) with Heller High Water being the lowest:

Heller High Water:	\$ 66,301.07
Tamico	\$ 75,000.00
Island Contractors	\$134,700.00
Seaborne Corporation	\$101,318.00

City Dock Summer Float Procurement
 Bid Opening Checklist and Tabulation Summary
 Bid Opening Date: January 24, 2020 @ 2:00 p.m. - Assembly Chambers

Preliminary

Bidder's Name	Signed Bid Proposal	Addenda	Bid	Bid Modification	Total Bid with Modification	Total Based on 5% Local Bidder Preference (if applicable)
		#1				
Heller High Water, LLC	x	x	\$ 66,301.07		\$ 66,301.07	
Tamico	x	x	\$ 75,000.00		\$ 75,000.00	
Island Contractors Inc.	x	x	\$ 200,000.00	\$ (65,300.00)	\$ 134,700.00	
Seaborne Corporation	x	x	\$ 101,318.00		\$ 101,318.00	
					\$ -	

Verified By:  Witnessed By: 

Preliminary

**CITY & BOROUGH OF WRANGELL, ALASKA
BOROUGH ASSEMBLY AGENDA STATEMENT**

<u>AGENDA ITEM TITLE:</u>	<u>DATE:</u>	February 11, 2020
	<u>Agenda Section</u>	13

Discussion Item: Borough Hiring Practices and Policies

SUBMITTED BY:

Lisa Von Bargaen, Borough Manager

FISCAL NOTE:

Expenditure Required: \$XXX Total

FY 20: \$	FY 21: \$	FY22: \$
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Amount Budgeted:

	FY20 \$XXX
--	------------

Account Number(s):

	XXXXX XXX XXXX
--	----------------

Account Name(s):

	Enter Text Here
--	-----------------

Unencumbered Balance(s) (prior to expenditure):

	\$XXX
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Reviews/Approvals/Recommendations

<input type="checkbox"/>	Commission, Board or Committee
Name(s)	
Name(s)	
<input type="checkbox"/>	Attorney
<input type="checkbox"/>	Insurance

ATTACHMENTS: See list below.

RECOMMENDATION MOTION:

No Action, just discussion.

SUMMARY STATEMENT:

Based on recent occurrences related to hiring, the Mayor requested a special work session to discuss the Borough's process and potential improvements. Staff was unable to accommodate a work session due to scheduling conflicts so it has been included on this agenda as a discussion item. This

will be an opportunity for the Assembly to express any concerns and ideas in an open discussion format with the Administration. Aleisha Mollen, Accounting Generalist, who performs HR functions for the Borough has put together some documentation for review by the Assembly. It includes:

1. A New Hiring Process Checklist
2. Borough Application for Employment (including new language requiring pre-employment criminal background check and drug screening)
3. A New Job Requisition Form (to be completed by Department Directors upon the vacancy of a position)
4. A New Job Offer Approval Form (to be completed and approved by the Borough Manager prior to the offer of any employment)

Staff anticipates the discussion to be free-flowing, but there will need to be some clear direction by the Assembly on some matters, like the tolerance for hiring persons with a criminal past; at what point the criminal background check is done (pre/post offer); should the Borough conduct pre-employment drug screening on all employees, etc.

Hiring Process Checklist

- ___ Hiring Manager notifies Human Resources of vacant position
- ___ Hiring Manager works with Human Resources to confirm budget for vacant position
- ___ Requisition form is completed by hiring manager and given to Human Resources
- ___ Human Resources and hiring manager discuss job description, needs of the department, preferred job skills, sourcing budget/locations, etc.
 - ___ If changed, Assembly approves updated job description
- ___ Borough Manager signs off on Job Requisition Form
- ___ Job posted and candidates sourced by Human Resources
- ___ Human Resources ensures applicants have completed applications, background check authorization forms and voluntary EEO Forms
- ___ Top candidates phone screened
- ___ Most qualified candidates selected and presented to hiring manager
- ___ In-person interviews with hiring manager and panel arranged and conducted
- ___ Human Resources and hiring manager discuss candidates and top candidate is selected for job, discuss and agree on job offer specifics for candidate
- ___ Human Resources collects all paperwork related to interview process (applications, interview notes, etc.) for recordkeeping purposes
- ___ Top candidate's background check started
- ___ Top candidate's reference and education (if required for position) checks completed
- ___ Candidate completes drug screening
- ___ Candidate verbally offered and has accepted conditional job offer
- ___ Candidate formally offered and has accepted conditional job offer in writing
- ___ Human Resources and hiring manager review the candidates and selection with the Borough Manager for approval to hire. Borough Manager signs off on Job Offer Approval Form
- ___ Human Resources sends "thank you but not chosen" letters to candidates not selected
- ___ Onboarding schedule set up for new hire
- ___ Personnel Transaction Form completed by Human Resources and hiring manager
- ___ Human Resources ensures onboarding paperwork is completed including I-9, benefits enrollment, federal and state tax forms, etc., on employee's hire date



CITY AND BOROUGH OF WRANGELL

P.O. BOX 531 Wrangell, AK 99929

Phone (907) 874-2381 Fax (907) 874-3952

Email amollen@wrangell.com

Employment Application

The City & Borough of Wrangell is an Equal Opportunity Employer and Provider.

A Pre-Employment Drug Screen and Criminal Background Check is Required.

Applicant Name		Date	
Street Address		Mailing, if different	
Home phone		Mobile phone	
Email			
Position desired			
Are you currently employed?	Yes No	May we contact your current employer?	Yes No
Have you worked for the City & Borough of Wrangell?	Yes No	When?	
How did you find out about this position?	Borough Website	Friend	Newspaper/Radio
Other (please specify) _____			

Please provide the names of three professional references, whom you have known for at least one year

Name	Phone	Relationship	Years acquainted

Educational Background (select all that apply)

	School name & location	Major/degree/certification	Year
High school			
Trade school			
College			
College			
Masters			
Doctorate			
Other			

Licensure, registration, certification, other special training	Number	Year	Expired/expires

Are you prevented from becoming lawfully employed in this country because of visa or immigration status? Yes No

Are you related to any Borough Assembly Member, the Mayor, or Borough Manager?
(Relationship to a Borough Assembly Member, the Mayor, or the Borough Manager will not prevent employment with the City & Borough of Wrangell.)

Yes No

If yes, provide name of and relationship to this person

Are you related to anyone currently working with the City and Borough of Wrangell?

Yes No

If yes, provide name of and relationship to this person

Note The following question does not in itself disqualify applicants from employment, but must be answered truthfully.

Have you ever been convicted, plead guilty or no contest, or had a suspended imposition of sentence to a crime?

Yes No If yes, was the crime a felony? Yes No

Please describe what experience and skills you have obtained that qualify you for the desired position

(Note If provided in detail in an enclosed letter of interest, you may leave this section blank)

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Employment History

(Note If this is provided in complete detail in an enclosed résumé or C.V., you may leave this section blank)

Instructions - Begin with your current or most recent job. Include military service (indicate rank) and bona fide volunteer work. List each promotion or transfer as a separate job, even if with the same employer. All information in this section must be completed unless provided in complete detail on an enclosed résumé or C.V. Prior employers and supervisors may be contacted regarding your work experience. Please submit at least ten years of employment experience. If more space is needed, attach additional pages.

Employer		Supervisor name, title	
Your position title		Start and end dates	
Describe duties			
Ending pay		Reason for leaving	

Employer		Supervisor name, title	
Your position title		Start and end dates	
Describe duties			
Ending pay		Reason for leaving	

Employer		Supervisor name, title	
Your position title		Start and end dates	
Describe duties			
Ending pay		Reason for leaving	

Employer		Supervisor name, title	
Your position title		Start and end dates	
Describe duties			

Ending pay		Reason for leaving	

Employer		Supervisor name, title	
Your position title		Start and end dates	
Describe duties			
Ending pay		Reason for leaving	

Employer		Supervisor name, title	
Your position title		Start and end dates	
Describe duties			
Ending pay		Reason for leaving	

Employer		Supervisor name, title	
Your position title		Start and end dates	
Describe duties			
Ending pay		Reason for leaving	

I certify that all the information submitted by me on this application and any attachments is true and complete to the best of my knowledge, and that I have not knowingly withheld any facts or circumstances. I understand that if any false information, omissions, or misrepresentations are discovered at any time, my application may be rejected and may be grounds for removal from eligibility, or discharge from employment. I understand that all job offers will be contingent upon a background check and successful completion of a pre-employment drug screening. I authorize the City and Borough of Wrangell to contact my references and any other persons/sources to respond to questions pertaining to the information on this application.

Signature: _____ Date: _____

**City and Borough of Wrangell
Equal Employment Opportunity
Self Identification Survey**

Last Name	First Name	Middle Name
Position Applied For		Veteran Status
		<input type="checkbox"/> Yes, I am a veteran <input type="checkbox"/> No, I am not a veteran

To All Applicants

The information requested on this page is voluntary and is necessary for the City and Borough of Wrangell to comply with the regulations of the Equal Employment Commission and the Alaska State Commission for Human Rights. This information will not be seen by the hiring board for any jobs that you are applying for or by any employee of the City & Borough of Wrangell, other than the HR Department. It will be kept confidential and be available only to Federal and State personnel legally charged with administering Civil Rights Laws and Regulations. However, statistical information compiled from records on age, sex and race shall be made available to the public.

RACE, ETHNICITY AND GENDER INFORMATION

Alaskan Native	<input type="checkbox"/>
American Indian	<input type="checkbox"/>
Asian or Pacific Islander	<input type="checkbox"/>
African American	<input type="checkbox"/>
Hispanic	<input type="checkbox"/>
Caucasian	<input type="checkbox"/>
Two or more Races	<input type="checkbox"/>
I do not wish to identify	<input type="checkbox"/>

Gender: ☐ Female ☐ Male ☐ Other ☐ I do not wish to identify

Definitions of Racial/Ethnic Groups

The racial/ethnic groups for Federal and State reporting purposes are defined as follows:

Alaskan Native~ A person having origins in any of the original peoples of Alaska and who maintains cultural identification through tribal affiliation or community recognition. Alaskan Native may include, for example, any person of Yup'ik, Inupiat, Aleut, Athabascan, Tlingit, Haida or Tsimshian origin.

American Indian~ A person having origins in any of the original peoples of North America (not including Alaska) and who maintains cultural identification through tribal affiliation or community recognition.

Asian or Pacific Islander~ A person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian Subcontinent or the Pacific Islands. This area includes, for example, China, Japan, Korea, the Philippine Islands and Samoa.

African American~ A person having origins in any of the black racial groups of Africa (not of Hispanic origin).

Hispanic~ A person of Mexican, Puerto Rican, Cuban, Central or South American or other Spanish culture or origin, regardless of race.

Caucasian~ A person having origins on any of the original people of Europe, North Africa or the Middle East (not of Hispanic origin).

Two or more races~ A person whose parents or ancestors are from two or more ethnic backgrounds described in this section.

Job Requisition Form

Date _____

Position Title _____

Department _____

Hiring Manager _____

____ Full-time ____ Part-time Numbers of Hours Weekly: _____

____ Exempt ____ Nonexempt

Preferred Start Date: _____

Reason for Recruitment

(New or updated job descriptions must be attached for all positions.)

____ Replacement Position

Name of person being replaced _____

Have the duties of this position changed? ____ Yes ____ No

(If yes, provide details in position information section.)

Pay grade _____

____ Budgeted New Position *(job description attached)*

Budgeted pay grade _____

____ Nonbudgeted New Position *(job description attached)*

Recommended pay grade _____

Position Information/Justification *(Indicate what changes were made to job description or provide justification for new position.)*

Special advertising/recruitment request: _____

Approvals:

Department Head _____ Date _____

Borough Manager _____ Date _____

Human Resources _____ Date _____

Please return to Human Resources once completed

Job Offer Approval Form

Candidate's Name: _____ Requisition #: _____

Job Title: _____ Job Grade: _____ FLSA Classification: _____

Hiring Manager: _____ Dept.: _____

Proposed Compensation Package (enter "N/A" if not applicable)

Base Wage: \$ _____ per _____ Annualized Base Wage: \$ _____

Stipend: \$ _____ Relocation Package: \$ _____

Other _____

Pre-Loaded Vacation Allowance: _____

City-provided cell phone: ☐ Yes ☐ No

Background check cleared: ☐ Yes ☐ No _____

Drug screening completed: ☐ Yes ☐ No _____

Approval Signatures:

Hiring Manager: _____ Date: _____

Borough Manager: _____ Date: _____

Human Resources: _____ Date: _____

Date Verbally Offered: _____ Accepted: ☐ Yes ☐ No

Date Offer Letter Signed: _____

Agreed-Upon Date of Hire: _____

Notes: _____

Human Resources: _____ Date: _____

**CITY & BOROUGH OF WRANGELL, ALASKA
BOROUGH ASSEMBLY AGENDA STATEMENT**

AGENDA ITEM TITLE:

DATE:

February 11, 2020

Agenda NO.

15a

Executive Session: Discuss Fraud Action against the City & Borough of Wrangell the Detailed Knowledge of Which Could Impact Recovery of Funds

SUBMITTED BY:

Lisa Von Bargaen, Borough Manager

FISCAL NOTE:

Expenditure Required: \$XXX Total

FY 19: \$

FY 20: \$

FY21: \$

Amount Budgeted:

FY19 \$XXX

Account Number(s):

XXXXXX XXX XXXX

Account Name(s):

Enter Text Here

Unencumbered Balance(s) (prior to expenditure):

\$XXX

Reviews/Approvals/Recommendations

☐

Commission, Board or Committee

Name(s)

Name(s)

☒

Attorney

☐

Insurance

ATTACHMENTS: 1. None.

RECOMMENDATION MOTION

I move, pursuant to AS 44.62.310(c)(3), that we recess and move into executive session inviting the Borough Manager and Finance Director to discuss matters related to fraud action against the Borough the detailed knowledge of which could impact recovery of funds.

SUMMARY STATEMENT: