

CITY OF CRAIG
COUNCIL AGENDA
JUNE 16, 2011
COUNCIL CHAMBERS 7:00 P.M.

ROLL CALL

Mayor Millie Schoonover, Greg Head, Joni Kuntz, Jim See, Marge Young, Don Pierce and Mike Douville

CONSENT AGENDA

Items listed below will be enacted by one motion. If separate discussion is desired on an item, that item may be removed and placed on the regular meeting agenda

- City council minutes of May 5th, May 24th and June 2, 2011
- Introduction and first reading of Ordinance No. 633, Providing for the adoption of the F/Y 2011 Supplemental Operating Budget

APPEAL OF SUSPENSION OF CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY-VEHICLE FOR HIRE

- Appeal by Jeff Music, Island Ride Taxi

HEARING FROM THE PUBLIC

- Prince of Wales Operation Outreach-Jean Bennett
- Investment Portfolio-Alaska Permanent Capital Management-Evan Rose
- Public Hearing-2011 Craig Utility Improvements

READING OF CORRESPONDENCE

- The Craig Aquatic Center report for May, 2011
- Report from Steve Tanner, Public Works Director-2011 Clean-up Week
- Report from Vicki Hamilton, 2011 City Auction

CONSIDERATION OF RESOLUTIONS AND ORDINANCES

- Resolution No. 11-10, City of Craig Health Reimbursement Arrangement

UNFINISHED BUSINESS

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NEW BUSINESS

- School Budget discussion
- Comparison of Insurance Bids, AMLJIA and APEI
- Change Order, South Cove Improvement Project
- Grant Agreement with U.S. Forest Service-North Fork Lake Dam

ADJOURNMENT

ROLL CALL

Mayor Millie Schoonover called the meeting to order and the roll was taken. Present were Greg Head, Joni Kuntz, Jim See, Marge Young, Don Pierce and Mike Douville.

Staff present: Jon Bolling, City Administrator; Ramona Wise, Aquatic Manager; Daniel Nelson, Harbormaster; Amy Marshall, Librarian; Victoria Merritt, Parks and Recreation Director; Steve Tanner, Public Works Director; and Joyce Mason, Treasurer.

Audience present: Jeff Bush of Alaska Public Entity Insurance, Sheila Beardsley and her students from the Career Technology group, Sam Sergie, Oliver Price, Jay Balcom, Michael and Erica Newcomb, Paul Frederickson.

BOARD OF EQUALIZATION

Jon Bolling reported the city council would not be required to convene as Board of Equalization since Bill Ferguson of Horan & Co. was able to settle all the 2011 property assessment appeals.

CONSENT AGENDA

The consent agenda did not contain any items for approval.

HEARING FROM THE PUBLIC

Jeff Bush, Executive Director of the Alaska Public Entity Insurance was here to speak to the mayor and council. The City of Craig has its insurance with the Alaska Public Entity Insurance. Here with Mr. Bush was the Deputy Director, Laurel Erickson. Mr. Bush stated the Alaska Public Entity Insurance is a joint insurance arrangement, which is allowed by Alaska Law. It is actually an insurance pool. Alaska law allows insurance pools for municipalities and school districts. There are two pools in Alaska, Alaska Public Entity Insurance and the AML/JIA pool. The Alaska Public Entity Ins. is a non-profit corporation. They only collect what they need to run their program, which is their claims costs, or re-insurance cost for big claims because they cannot handle multi-million dollar claims by themselves, their cost for staff and administration and payments to brokers that sell their product. Mr. Bush stated that their company provides coverage for property insurance, general liability, auto, workers' compensation, quake and flood, and miscellaneous others. The highest expense their company has is claims.

Shelia Beardsley and her Career Technology group were here to share their experiences of the Tech Schools they visited in Alaska. The six students each gave a report on their experiences they had while on the trip. They visited Merrill Aviation Airfield, Palmer Industrial Fair, Seward AVTEC School, UAA two-year program for Welding, Culinary Arts, Diesel Automotive, Sheet Metal, and UAS for Diesel, Auto, Construction and welding. The group also visited the dry dock while in Ketchikan.

REPORTS FROM CITY OFFICIALS

MAYOR-Millie Schoonover reported she has been out of town since April 26th.

ADMINISTRATOR- Jon Bolling reported he provided a staff report for council and emailed it out. The next city council meeting is scheduled for May 19th. Jon asked if council would move the meeting to another day. The council agreed with May 24th as the next meeting date.

AQUATIC MANAGER-Ramona Wise reported that in May the Pool Staff provided 47 sets of swim lessons. The Pool Staff is shutting the pool down on May 30th for maintenance. They will open the pool again on June 13th. This summer they are offering private swim lessons.

HARBORMASTER-Daniel Nelson reported the harbor department hired Eric Huestis as the Assistant Harbormaster. Daniel stated Clifton Enterprises will be working in South Cove between June 18th-July 15th, replacing piling. The harbor department is notifying boat owners so they can move their boats out of South Cove. Clifton Enterprises will be replacing five piling, repairing the grid, replacing one grid cap, and additional piling on fingers 2 and 3. The harbor department purchased six dock carts. The harbor department has made arrangements with the Craig Elementary School where each class will paint the carts before they are put in to service at North and South Cove.

PUBLIC WORKS-Steve Tanner reported ordering a new high service pump for the water treatment plant. Steve reported Les Nelson is on vacation for two weeks. David Nelson is filling in for him. Steve reported the city is losing about 100 gallons of water per minute between the water treatment plant and the water tank.

A water meter was installed at South Cove to monitor the water usage there.

Craig Community Association is starting the paving on Port Saint Nicholas Road.

Southeast Road Builders are making progress on Beach Road. They are installing the curb and gutter on the road.

Clean-up week is going well. Household Hazardous Waste collection is still scheduled for Saturday, May 7th.

TREASURER-Joyce Mason reported there is a Budget Meeting scheduled for Monday, May 9th at 3:15 p.m.

PARKS AND RECREATION-Victoria Merritt reported the Spring Bazaar was held on April 30th. The proceeds from the Bazaar were shared with the Project Graduation group. Victoria reported the gym floor has been refinished and is looking beautiful. Daniel and Johanna Nelson are opening the Craig Youth and Recreation Center for youth on Saturday nights. Victoria will be in charge of the school based QST Summer Camp this year.

LIBRARIAN-Amy Marshall reported there were 1358 visits to the library in April. The library will be hosting Toddler Time throughout the summer. To promote summer reading, the library has purchased 259 new books and DVDs. Amy attended the Alaska Native Libraries, Archives and Museum Summit in Anchorage last month. Craig Library was invited to apply for the Native American Enhancement Grant next year.

EMS-Chaundell Piburn, EMS Coordinator, reported the EMT training went well. They have six new responders. Fire Chief, Paul Coffey and EMS Coordinator, Chaundell Piburn have agreed to join the fire department and the EMS responders into one group with two divisions. They had their first meeting as one group when Dr. Copus was here. The EMS had a staged mass casualty training session at the Klawock Airport on Saturday, April 30th. Chaundell reported the EMS/Fire Department is responsible for the Aid Station at the Ball Park for the annual P.O.W. Marathon this month. They will be serving food and are looking for any volunteers to help out.

READING OF CORRESPONDENCE

There were no comments.

CONSIDERATION OF RESOLUTIONS AND ORDINANCES

Resolution No. 11-06, Requesting FY12 Payment in Lieu of Taxes funding, was presented.

PIERCE/KUNTZ: moved to approve Resolution No. 11-06. MOTION CARRIED UNANIMOUSLY BY ROLL CALL VOTE

UNFINISHED BUSINESS

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NEW BUSINESS

- 2011 Community Economic Development Strategy (CEDS) Committee Report-

PIERCE/DOUVILLE: moved to adopt the 2011 CEDS Committee Annual Report, as amended. MOTION CARRIED UNANIMOUSLY

ADJOURNMENT

HEAD/KUNTZ: moved to adjourn. MOTION CARRIED

The meeting adjourned at 8:00 p.m.

APPROVED _____

MAYOR A. MILLIE SCHOONOVER

ATTEST _____
VICKI HAMILTON, CITY CLERK

ROLL CALL

Mayor Millie Schoonover called the meeting to order and the roll was taken. Present were Joni Kuntz, Jim See, Don Pierce and Mike Douville. Absent excused were Greg Head and Marge Young.

Staff present: Jon Bolling, City Administrator; Brian Templin, City Planner; Sergeant RJ Ely, Chaundell Piburn, EMS Coordinator; Joyce Mason, Treasurer.

Audience present: Paul Dawson, Bill Russell

CONSENT AGENDA

The consent agenda was presented, it contained the city council minutes of April 21, 2011 and first reading of Ordinance 632, City of Craig FY1212 Operating Budget.

PIERCE/KUNTZ: moved to approve the consent agenda. MOTION CARRIED

HEARING FROM THE PUBLIC

Paul Dawson extended a personal heartfelt thank you to the council for the Prince of Wales Veteran's Memorial so that any veteran on the Island can be honored. Paul stated there will be a dedication of the Veteran's Memorial Park on Monday May 30th, Memorial Day, at the cemetery. There will also be a picnic at the ballpark.

READING OF CORRESPONDENCE

There were no comments.

CONSIDERATION OF RESOLUTIONS AND ORDINANCES

Resolution No. 11-07, Revision of Rate Structure for Various Emergency Medical Services (EMS) was presented.

PIERCE/KUNTZ: moved to adopt Resolution No. 11-07. MOTION CARRIED UNANIMOUSLY

Resolution No. 11-08, Adopting Revision of Harbor Rates Structure, was presented.

DOUVILLE/PIERCE: moved to adopt Resolution No. 11-08.

Discussion: After some discussion, Mike Douville asked that this resolution be brought back at the next city council meeting. There were no objections.

UNFINISHED BUSINESS

- **Alaska DOT&PF Road Maintenance Agreement-Port St. Nicholas Road**-Jon addressed the issue the city had with D.O.T.'s Maintenance Agreement for the Port Saint Nicholas Road. Jon stated that on page three of the agreement, the council did not agree with item #5. Jon stated the second paragraph of item #5 has been removed. The document is now ready for approval by the city council.

PIERCE/KUNTZ: moved to approve the draft Port St. Nicholas Road Maintenance Agreement between the City of Craig and Alaska Department of Transportation and Public Facilities. MOTION CARRIED UNANIMOUSLY

NEW BUSINESS

- **Renewal of Lease of City Owned Property to Alaska Power and Telephone, Lot 6, JT Brown Subdivision**-Brian Templin explained this is a lease for the generator at J.T. Brown Subdivision. A.P.&T. leases land from the city at the industrial park. The original lease has expired. This renewal lease is for a ten-year period.

PIERCE/DOUVILLE: moved to approve a 10-year renewal of the lease of Lot 6, JT Brown Subdivision to AP&T at a rate of \$5,550.00 per year and authorize the Craig city administrator to execute an updated lease agreement. MOTION CARRIED

ADJOURNMENT

DOUVILLE/PIERCE: moved to adjourn. MOTION CARRIED

The meeting adjourned at 7:18 p.m.

APPROVED _____

MAYOR A. MILLIE SCHOONOVER

ATTEST _____
VICKI HAMILTON, CITY CLERK

ROLL CALL

Mayor Millie Schoonover called the meeting to order and the roll was taken. Present were Greg Head, Jim See, Don Pierce and Mike Douville. Absent excused was Joni Kuntz and Marge Young.

Staff present: Jon Bolling, City Administrator; Ramona Wise, Aquatic Manager; Vicki Hamilton, City Clerk; Brian Templin, City Planner; Daniel Nelson, Harbormaster; Amy Marshall, Librarian; RJ Ely, Police Sergeant; Victoria Merritt, Parks and Recreation Director; Steve Tanner, Public Works Director; and Joyce Mason, Treasurer.

Audience present: Fred Ensign, Marrianna Ensign and Trinity Scheidecker

CONSENT AGENDA

There was no consent agenda to consider.

Mayor Schoonover asked council, if there were no objections, she would like to address the item under Unfinished Business, Final Terms of Sales Agreement-Land Trade with Fred Ensign at this time. There were no objections from the council.

UNFINISHED BUSINESS-Jim See asked Jon what the city plans to do with Mr. Ensign's commercial lot if the city can't acquire the lot next to it for possibly having a new fire hall constructed on both lots. Jon said the city could sell the lot.

PIERCE/HEAD: moved to approve the terms of the sale/trade of city owned lots 9 and 10A, Crab Cove Heights Subdivision to Mr. Fred Ensign in exchange for his interest in Lot 6, Park Place Subdivision and payment of \$7,660 with the proceeds of the sale will be placed in the Craig Land Development Fund. MOTION CARRIED UNANIMOUSLY BY VOICE VOTE

HEARING FROM THE PUBLIC

- Final reading and public hearing on Ordinance No. 632, Providing for the adoption of FY 2012 Operating Budget. There were no comments.

REPORTS FROM CITY OFFICIALS

MAYOR-Mayor Schoonover reported she and Jon are traveling on Sunday, June 12th to Washington D.C. to meet with our delegates.

ADMINISTRATOR-Jon Bolling reported he and Steve Tanner interviewed two candidates for the Public Works Director position. The candidates are from Washington and New Mexico. Jon will make a decision on what his next step will be in regards to the public works position.

ADMINISTRATOR REPORT CONTINUED-

Jon provided a colored map of southeast Alaska for the council to review. The map shows proposed redistricting for southeast. There was discussion on the redistricting process.

There was discussion on the meter boxes at the city dock. Continued discussion was about Seafood Producers Co-op having their own meter box installed by Alaska Power and Telephone on the City Dock since they will be tied up to the city dock buying fish there this summer.

Jim See stated he has been going through the city's investment portfolio and he isn't happy with the interest the city is making with the amount of investments the city has with the company.

Jon said he would contact the company and have them send a representative to explain about the city's investments at the next city council meeting.

TREASURER-Joyce Mason reported providing the council with a comparison of the city's insurance bids. This is information for the council. If council wants to take action, Joyce will have it put on the agenda.

Joyce reported giving the council the school's budget. Superintendent, Jim Thomas and Karen Head of the Craig Schools will be here at the next city council meeting on June 16, 2011. Joyce hired Sheri Purser to fill in part time to attend to the accounts payable work while Tina Habib is absent.

Jim See stated that in the last comparison the city did with the city's insurance company, Alaska Public Entity Insurance, this company did not pay for the cost of litigation, where Alaska Municipal League does pay for litigation. That could end up being a huge expense.

AQUATIC MANAGER-Ramona Wise reported the pool is shut down now. They are busy painting, cleaning, and doing small repairs. The pool is scheduled to re-open on June 13th.

CITY CLERK-Vicki Hamilton reported it is good to be back. Vicki has a lot of catching up to do on the minutes and property tax notices. Vicki thanked staff for filling in for her when she was gone. The next meeting is scheduled for June 16th.

CITY PLANNER-Brian reported on the Career Technical Advisory Meeting that was held in Klawock on May 23rd. The main issue discussed was the site selection for the technical education center. They are looking for a site on Boundary Road. The next meeting is scheduled for June 20th.

Brian mentioned that the state's Alaska Coastal Management Plan Program will sunset June 30, 2011 and will go away completely. We will be waiting to see what direction the state legislature takes on this program.

Mike Douville commented in regards to Brian's news about the Coastal Zone Management Program closing down on June 30, 2011. Mike wanted to know what happens when this program goes away. Brian said in some respects it might become easier from a permitting standpoint. A lot of the State standard's go away that the agencies depended on. Brain said for projects, people are used to sending the application to one place and having the State deal within the State agencies to figure out what kind of permits are needed and how to go about them.

CITY PLANNER CONT.-One of the other things this program did was allowed us to see projects that were being proposed in the area so we could comment on them or have some input in how they were shaped.

Brian commented one of the biggest effects that the program going away has is that the State of Alaska and local communities are able to input into federal projects or projects on federal lands through Coastal Zone Management. When this program goes away, the State doesn't have any right to regulate those activities anymore. Brian mentioned the offshore drilling projects up north. He said anything off of three miles from shore the state loses standing to set standards, since this is federal waters.

Mike Douville asked the status of the permit for the outfall for Silver Bay Seafoods Cold Storage. Jon said a permit was not issued. The cold storage will be operating under what the State calls A compliance Order by Consent. This is the State giving authorization for the outfall while the State works on a general permit for all the shore-based processing facilities, statewide.

HARBORMASTER-Daniel Nelson reported the activity at the boat launch is picking up. The harbor crew is busy issuing launch permits.

False Island cleanup is going well. People are moving their containers and doing cleanup.

The power pedestal has been installed at North Cove Harbor for the Silverado.

Daniel stated Sergeant Ely helped the Harbor Department with instructions on how to look up A-K numbers so when skiffs or boats come in to the harbors, the department can get the names of the owners and charge them the appropriate moorage fees.

Daniel reported the pile driver should be in Craig soon to do work at South Cove. They should arrive here on June 10th. Boats in South Cove should be moving out in preparation for the pile driving work there.

Daniel reported Seafood Producers Cooperative (SPC) is due in Craig on June 25th. The power and water provided at City Dock for SPC will be metered.

As it is every summer, there is a problem with parking at the North Cove/South Cove parking lot. There was discussion amongst the council on how to address the parking issue. To alleviate some of the congestion at the harbor, the city has leased Pat Gardner's property to provide additional parking space.

POLICE CHIEF-Sergeant Ely provided a written report for the council. Mike Douville expressed his appreciation to Sergeant Ely for providing updates on Mark Habib's condition.

PUBLIC WORKS-Steve Tanner reported finding 60-80 gallons per minute leaks out on Port Saint Nicholas Road. Another leak was spotted by the high school. This was 30 gallons per minute leak. Both leaks have been fixed.

Steve reported S.E. Road Builders is almost done with their work on Beach Rd. and Seventh Street. The work they have to do is touching up on the edges of the pavement and doing driveway approaches.

The Garden Club has volunteered to plant flowers in the "triangle" at Sixth and Beach Rd.

Steve reported the city rented a broom from S.E. Road Builders to get the city's streets swept. Steve will provide a report for next council meeting on how things went with Clean-up Week.

LIBRARY-Amy Marshall reported the library had 1,478 patrons during the month of May. Amy reported two computers at the library are on their last legs.

LIBRARY CONT.-There was 2,353 items in circulation. Kids Programs brought in 355 kids in attendance for the month. The Summer Reading Programs will be for kids, teens, and an adult reading program.

Amy received word that the money was released for the I.M.L.S. (Institute of Museum and Library Services) Grant. Craig Community Association should be receiving the money soon. The grant is for \$7,000, which will go to support library programming, summer programming, and also to purchase two computers.

Amy reported that libraries that are found in compliance with the Department of Commerce threshold for bandwidth and for speed could get the hardware part of the grant now. If the city wants it, it includes video conferencing equipment, two computers, and all the routers, upgraded server pieces that go along with it. They will come down and install it. It also includes the furniture for the equipment. The Craig Library will be first in the State of Alaska to get it.

EMS-Chaundell Piburn reported their first Fire/EMS Aid Station for the annual marathon, was a success. Chaundell is setting up an ETT class this summer for new members of EMS. She is also scheduling CPR Classes one day a month, every month.

READING OF CORRESPONDENCE

There were no comments.

CONSIDERATION OF RESOLUTIONS AND ORDINANCES

Ordinance No. 632, Providing for the Adoption of the FY 2012 Operating Budget, was presented.

PIERCE/DOUVILLE: moved to approve Ordinance No. 632. MOTION CARRIED BY UNANIMOUS ROLL CALL VOTE

Resolution No. 11-08, Revision of Harbor Rates Structure, was presented.

HEAD/DOUVILLE: moved to approve Resolution No. 11-08.

Discussion: Mike Douville had issues with some of the harbor rates. This resolution was deferred until the next city council meeting, June 16th.

NEW BUSINESS

ADJOURNMENT

HEAD/DOUVILLE: moved to adjourn. MOTION CARRIED

The meeting adjourned at 8:15 p.m.

APPROVED _____

MAYOR A. MILLIE SCHOONOVER

ATTEST
VICKI HAMILTON, CITY CLERK

City of Craig Memorandum

June 9, 2011

To: City Council

From: Joyce Mason, Treasurer

Re: Ordinance 633, Supplemental Budget

Attached is the ordinance to adopt the supplemental budget for our current fiscal year, 2011. The supplemental budget authorizes the staff to use additional funds for expenditures. According to AS 29.35.100 a supplemental budget is prepared to authorize payments of appropriations not previously approved in the original budget.

The General Fund's revenue increase was \$10,000 liquor tax, \$200,000 sales tax, \$34,000 fish tax and other small adjustments. The police fines were reduced from \$17,000 to \$5,000. With this large increase we were able to replace the hot tub and do some needed maintenance. As we all know electric rates and fuel costs were higher than we had budgeted. The water department salaries are larger than original budgeted due to the public works employees earning hours for water treatment certification. The water treatment chemicals and freight increased 30% because of larger water consumption.

Enclosed is also a worksheet that details the comparison of the original budget and the supplemental budget for your information.

If you have any questions please contact me.

CITY OF CRAIG

ORDINANCE NO. 633

PROVIDING FOR THE ADOPTION OF THE FISCAL YEAR 2011 SUPPLEMENTAL
OPERATING BUDGET

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CRAIG:

Section 1. Classification. This ordinance is a non-code ordinance and is not of a general and permanent nature and shall not become a part of the code of the City of Craig, Alaska.

Section 2. Effective Date. This ordinance shall become effective immediately upon adoption.

Section 3. Authorization and Appropriation. The appropriations identified in "Attachment A" hereto are adopted and authorized for the period of July 1, 2010 through June 30, 2011 and are the budget for that period. The Administrator may modify line item expenditures within an authorized appropriation to another line item in any amount which would not annually exceed ten (10) percent or \$10,000, whichever is more.

Section 4. Unexpended Balances. All unexpended balances lapse as of June 30, 2011.

APPROVED this _____ day of July, 2011.

MAYOR MILLIE SCHOONOVER

ATTEST: VICKI HAMILTON, CITY CLERK

Attachment A

City of Craig
Supplemental Budget
Fiscal Year 2011

	Original Budget	Supplemental Budget	Net Change
Revenue	\$2,872,060	\$3,110,000	\$237,940
Administration			
Salaries & Benefits	458,877	478,000	19,123
Insurance	9,000	9,000	0
Utilities	14,510	16,200	1,690
Contract Services	115,385	114,450	(935)
Materials & Supplies	7,000	12,000	5,000
Repairs & Maint	1,200	1,300	100
Travel	5,000	12,500	7,500
Other	30,320	30,900	580
	<u>641,292</u>	<u>674,350</u>	<u>33,058</u>
Aquatic Center			
Salaries & Benefits	238,349	253,073	14,724
Insurance	11,000	11,000	0
Utilities	104,256	116,000	11,744
Contract Services	4,500	6,000	1,500
Materials & Supplies	14,400	25,400	11,000
Repairs & Maint	4,000	16,000	12,000
Travel	1,500	1,000	(500)
Debt Service	159,350	159,350	0
Other	1,250	25,250	24,000
Total	<u>538,605</u>	<u>613,073</u>	<u>74,468</u>
Council			
Salaries & Benefits	77,779	65,223	(12,556)
Insurance	550	550	0
Utilities			0
Contract Services	2,400	2,700	300
Materials & Supplies	550	550	0
Repairs & Maint			0
Travel	7,000	7,000	0
Other	250	250	0
	<u>88,529</u>	<u>76,273</u>	<u>(12,256)</u>
EMS			
Salaries & Benefits	45,304	35,446	(9,858)
Insurance	5,000	5,000	0
Utilities	1,900	1,900	0
Contract Services	0	5,400	5,400
Materials & Supplies	1,100	7,749	6,649
Repairs & Maint	0	2,000	2,000
Travel	2,700	200	(2,500)
Other	2,500	2,500	0
	<u>58,504</u>	<u>60,195</u>	<u>1,691</u>

Attachment A

City of Craig
Supplemental Budget
Fiscal Year 2011

	Original Budget	Supplemental Budget	Net Change
Fire			
Salaries & Benefits	7,984	5,264	(2,720)
Insurance	2,800	2,800	0
Utilities	1,450	3,700	2,250
Contract Services	9,000	9,000	0
Materials & Supplies	3,500	5,950	2,450
Repairs & Maint	1,000	5,000	4,000
Travel	0	0	0
Other	0	6,000	6,000
	<u>25,734</u>	<u>37,714</u>	<u>11,980</u>
Library			
Salaries & Benefits	54,604	49,168	(5,436)
Insurance	1,500	1,500	0
Utilities	6,200	6,800	600
Contract Services	2,900	2,900	0
Materials & Supplies	9,100	9,100	0
Repairs & Maint	0	0	0
Travel	0	0	0
Other	1,235	1,235	0
	<u>75,539</u>	<u>70,703</u>	<u>(4,836)</u>
Parks & Facilities			
Salaries & Benefits	150,085	166,703	16,618
Insurance	7,000	7,000	0
Utilities	7,000	15,100	8,100
Contract Services	7,200	8,100	900
Materials & Supplies	5,800	5,800	0
Repairs & Maint	1,000	3,500	2,500
Travel	0	0	0
Other	12,800	5,000	(7,800)
	<u>190,885</u>	<u>211,203</u>	<u>20,318</u>
Planning			
Salaries & Benefits	70,999	72,153	1,154
Insurance	500	500	0
Utilities			0
Contract Services		2,000	2,000
Materials & Supplies	550	4,050	3,500
Repairs & Maint	0	0	0
Travel	1,500	0	(1,500)
Other	700	1,700	1,000
	<u>74,249</u>	<u>80,403</u>	<u>6,154</u>

Attachment A

City of Craig
Supplemental Budget
Fiscal Year 2011

	Original Budget	Supplemental Budget	Net Change
Police			
Salaries & Benefits	805,267	755,694	(49,573)
Insurance	22,000	22,000	0
Utilities	31,900	31,900	0
Contract Services	700	2,100	1,400
Materials & Supplies	25,830	24,300	(1,530)
Repairs & Maint	4,000	12,000	8,000
Travel	2,000	2,000	0
Other	2,000	6,000	4,000
	<u>893,697</u>	<u>855,994</u>	<u>(37,703)</u>
Public Works			
Salaries & Benefits	222,716	159,500	(63,216)
Insurance	8,000	8,000	0
Utilities	29,800	29,800	0
Contract Services	500	500	0
Materials & Supplies	8,000	8,000	0
Repairs & Maint	6,000	6,000	0
Travel	1,000	500	(500)
Other	225	2,825	2,600
	<u>276,241</u>	<u>215,125</u>	<u>(61,116)</u>
Recreation			
Salaries & Benefits	60,819	65,000	4,181
Insurance	3,100	3,100	0
Utilities	22,500	22,500	0
Contract Services	3,500	3,500	0
Materials & Supplies	1,000	1,000	0
Repairs & Maint	0	0	0
Travel	0	0	0
Other	0	0	0
Total	<u>90,919</u>	<u>95,100</u>	<u>4,181</u>
Total General Fund			
	2,954,194	2,990,133	35,939
Net Assets			
	(82,134)	119,867	202,001
Transfer to Enterprise			
	11,795	(115,240)	(127,035)
Transfer from Endowment Fund			
	135,000	100,000	
Transfer to School Support			
	(100,000)	(100,000)	
Transfer to Reserve			
		(4,627)	
Revenue over Expenditures			
	<u>(\$35,339)</u>	<u>\$0</u>	<u>\$35,339</u>

Attachment A

City of Craig
Supplemental Budget
Fiscal Year 2010

Enterprise Fund	Original	Supplemental	Net
Clinic	Budget	Budget	Change
Revenue		11,000	11,000
Salaries & Benefits		14,344	14,344
Insurance		0	0
Utilities		612	612
Contract Services		0	0
Materials & Supplies		681	681
Repairs & Maint		248	248
Travel		0	0
Other		640	640
Total	0	16,525	16,525
Net Change in Assets	0	(5,525)	(5,525)
 Garbage			
Revenue	338,000	340,000	2,000
Salaries & Benefits	89,383	78,978	(10,405)
Insurance	4,500	4,500	0
Utilities	4,000	4,500	500
Contract Services	230,000	235,000	5,000
Materials & Supplies	2,200	1,950	(250)
Repairs & Maint	6,017	6,100	83
Travel	0	0	0
Other	1,900	6,400	4,500
Total	338,000	337,428	(572)
Net Change in Assets	0	2,572	2,572
 Harbor			
Revenue	233,050	238,000	4,950
Salaries & Benefits	182,808	167,028	(15,780)
Insurance	23,300	23,300	0
Utilities	37,200	28,250	(8,950)
Contract Services	1,000	4,000	3,000
Materials & Supplies	3,200	8,000	4,800
Repairs & Maint	4,500	7,800	3,300
Travel	0	0	0
Other	3,300	4,250	950
Total	255,308	242,628	(12,680)
Net Change in Assets	(22,258)	(4,628)	17,630

Attachment A

City of Craig
Supplemental Budget
Fiscal Year 2010


Enterprise Fund	Original Budget	Supplemental Budget	Net Change
JTB Industrial Park			
Revenue	335,682	339,882	4,200
Salaries & Benefits	43,079	57,522	14,443
Insurance	22,600	22,600	0
Utilities	7,000	30,000	23,000
Contract Services	0	0	0
Materials & Supplies	1,000	1,000	0
Repairs & Maint	1,000	1,000	0
Travel	0	0	0
Other	226,950	269,863	42,913
Total	<u>301,629</u>	<u>381,985</u>	<u>80,356</u>
Net Change in Assets	34,053	(42,103)	(76,156)
Sewer			
Revenue	261,000	261,000	0
Salaries & Benefits	138,069	135,311	(2,758)
Insurance	8,000	8,000	0
Utilities	30,900	36,900	6,000
Contract Services	3,600	3,600	0
Materials & Supplies	4,000	7,900	3,900
Repairs & Maint	10,562	13,500	2,938
Travel	0	0	0
Debt Service	61,721	61,900	179
Other	4,148	4,798	650
Total	<u>261,000</u>	<u>271,909</u>	<u>10,909</u>
Net Change in Assets	0	(10,909)	(10,909)
Ward Cannery			
Revenue	17,300	2,225	(15,075)
Salaries & Benefits			
Insurance	500	500	0
Utilities	1,800	1,800	0
Contract Services	2,000	0	(2,000)
Materials & Supplies			0
Repairs & Maint		150	150
Travel			0
Other	133,000	135,220	2,220
Total	<u>137,300</u>	<u>137,670</u>	<u>370</u>
Net Change in Assets	(120,000)	(135,445)	(15,445)

Attachment A

City of Craig
Supplemental Budget
Fiscal Year 2010

Enterprise Fund	Original Budget	Supplemental Budget	Net Change
Water			
Revenue	251,500	241,500	(10,000)
Salaries & Benefits	143,506	165,000	21,494
Insurance	11,000	11,000	0
Utilities	48,600	49,600	1,000
Contract Services	7,000	7,000	0
Materials & Supplies	28,037	40,500	12,463
Repairs & Maint	1,000	6,000	5,000
Travel	0	0	0
Debt Service	9,132	9,132	0
Other	3,225	7,470	4,245
Total	251,500	295,702	44,202
Net Change in Assets	0	(54,202)	(54,202)
Total Revenue	1,436,532	1,433,607	(2,925)
Total Expenses	1,544,737	1,683,847	139,110
Net Change in Assets	(108,205)	(250,240)	(142,035)
Endowment Fund Cannery Debt	120,000	135,000	15,000
General Fund Transfer	11,795	(115,240)	(127,035)

**CITY OF CRAIG
MEMORANDUM**

To: Craig City Council
From: Jon Bolling, City Administrator 
Date: June 9, 2011
RE: Appeal of Suspension of Certificate of Public Convenience and Necessity-Island Ride Taxi

Attached you will find a letter to Mr. Jeff Music, owner and operator of Island Ride Taxi. The letter notifies him that his city-issued certificate of public convenience and necessity to operate a taxi is suspended for two weeks due to illegal activities occurring in his taxi cabs. The activities are summarized in the attached letter.

Also attached is a copy of the section of the Craig Municipal Code that governs the city's taxi certificate. As noted in the attached letter, Section 5.20.070.A.3 provides for the revocation or suspension of a certificate if the certificate holder violates the law or behaves in a manner that reflects unfavorably on his ability to operate public transportation. In my view the problems that Island Ride has had recently with law enforcement and the courts meet the standard for certificate revocation or suspension.

Mr. Music is entitled to an appeal before the city council of the certificate suspension. He told me today that he plans to attend the council's June 16 meeting to pursue the appeal.

As to the appeal process, the city council should provide Mr. Music the opportunity to be heard of the suspension decision. The council should also hear from staff. Afterward the council could take no action, uphold the suspension, or modify the suspension. Under the first two options the suspension would take place beginning June 17 and run through June 30. Under the third option the council may overturn the suspension decision, or modify the decision by reducing or expanding the suspension dates, may revoke the certificate entirely, or take another action in response to the appeal. Sergeant RJ Ely from the Craig Police Department will attend the council meeting to answer any questions that the council might have as to the specifics of the violations described in the attached letter.

To the best of my knowledge an appeal of a suspension of a certificate of public convenience and necessity to operate a taxi services has never come before the council. In the absence of an established appeal process, the council should follow the simple steps in the paragraph immediately above and make a decision as to the appeal.

Recommendation

That the city council hear Mr. Music's appeal. If the council is satisfied that the actions referenced in the attached letter to Mr. Music occurred then it should uphold the two-week administrative suspension of the certificate.



June 6, 2011

Mr. Jeff Music
Island Ride Taxi Company
PO Box 38
Craig, AK 99921

RE: Suspension of Certificate of Public Convenience and Necessity – Vehicle for Hire

Mr. Music:

This letter serves as notification that pursuant to Section 5.20.070 of the Craig Municipal Code (CMC), I am considering a suspension of your certificate to operate Island Ride Taxicabs in Craig between the dates of Friday, June 17 through Thursday, June 30.

Section 5.20 of the CMC regulates vehicles for hire in Craig. The section governs the operation of taxicab companies. The Island Ride taxicab company holds a certificate of public convenience and necessity to operate the taxicab company in Craig and is subject to CMC 5.20. The purpose of the CMC Section 5.20 is to ensure safe and reliable public transportation services. Before they may engage in transporting the public, cabs must be inspected for safety by both a mechanic and the Craig Police Department; demonstrate that the company maintains insurance coverage to protect passengers and other motorists in the event of an accident; demonstrate financial responsibility in the payment of fees and sales taxes; and ensuring the overall provision of the public vehicle for hire service to the community.

Section 5.20.070.A.3 of the CMC provides for the revocation or suspension of a certificate to operate a vehicle for hire in Craig if the holder of the certificate violates “any ordinance of the city or the laws of the United States or the state, the violations of which reflect unfavorably on the fitness of the holder to offer public transportation”. Section 5.20.070.B of the CMC provides “Prior to suspension or revocation, the holder shall be given notice of the proposed action to be taken, and shall have an opportunity to be heard, with right of appeal to the council.”

On at least two occasions in 2010 you and two of your company’s employees, while operating an Island Ride taxicab in Craig, engaged in conversations with confidential informants about illegal purchases of marijuana. After at least one of these conversations, an illegal sale of marijuana was ultimately made to the confidential informant, although the sale did not take place in an Island Ride taxi. Even so, the conversations between you, two of your employees, and the confidential informants included details as to how much of the drug to purchase and when the purchase could be made.

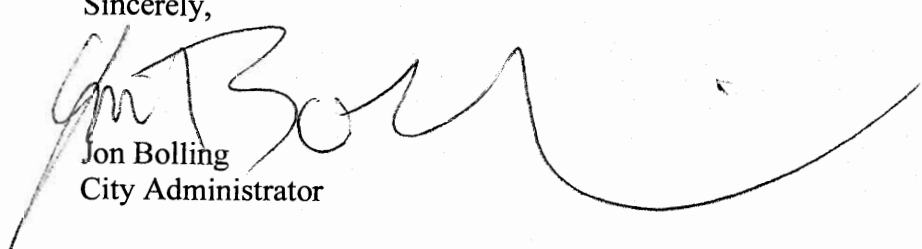
In addition, one of your drivers, Mr. William Joseph, Jr., was charged recently with driving under the influence of marijuana while operating an Island Ride taxi. He was subsequently convicted of the charge.

The City of Craig does not issue certificates of public convenience and necessity to facilitate illegal activity in taxicabs. The apparent actions of you and your employees as summarized above is especially worrisome when the illegal activity, which for illegal sales of controlled substances are often characterized by frequent and short motor vehicle stops, can be explained away as normal taxicab activity. Nor should the city stand by while taxicab drivers are caught and convicted of improperly operating taxicabs, particularly in a manner that can threaten the safety of the public, as with a DUI offense. The behavior of you and your employees constitute a pattern of disregard for the laws of the State of Alaska and the ordinances of the City of Craig. Given the purpose of CMC Section 5.20, and given the actions noted above by you and two of your employees, it is apparent to me that your vehicle for hire business engages in behavior that reflects unfavorably on your fitness to offer public transportation.

The CMC empowers the City Administrator to take one of three options in response to the illegal activities associated with Island Ride Taxi Service: take no action; suspend your certificate of public convenience and necessity; or revoke the certificate. I intend to issue a suspension of the certificate for two weeks. A suspension gives you notice that the city will not tolerate using a taxicab service as a front for planning, negotiating, or otherwise engage in an activity, the goal of which is selling drugs. In addition, the City of Craig will not tolerate Island Ride Taxicab to permit its drivers to operate taxicabs while intoxicated. If the behavior detailed above continues after the suspension, or if Island Ride demonstrates new forms of misbehavior, I am more likely to revoke the certificate.

As noted above, Section 5.20.070.B of the CMC provides you the right to be heard before the suspension takes effect. To that end, you may call me at 907-826-3275, or stop by city hall before 5:00 p.m. Thursday, June 9 to be heard on this matter. I will listen to your presentation and review any materials you provide to me, and I will advise you of my decision at the conclusion of your presentation, or within three days. If you are dissatisfied with my final decision on the matter after you have been heard, you have the right to appeal to the city council. You may present your appeal to the Craig City Council on Thursday, June 16 at 7:00 p.m. in the Craig city council chambers at Craig city hall.

Sincerely,



Jon Bolling
City Administrator

Chapter 5.20**VEHICLES FOR HIRE**

Sections:

- 5.20.010 Definitions.
- 5.20.020 Certificate of public convenience and necessity required.
- 5.20.030 Application for certificate.
- 5.20.040 Issuance of certificate.
- 5.20.050 Indemnity bond or liability insurance required.
- 5.20.060 License fees.
- 5.20.070 Suspension and revocation of certificates.
- 5.20.080 Vehicle-for-hire driver's license.
- 5.20.090 Display of license.
- 5.20.100 Equipment and maintenance.
- 5.20.110 Parking.
- 5.20.120 Fares.
- 5.20.130 Receipts.
- 5.20.140 Refusal of passenger to pay legal fare.
- 5.20.150 Solicitation, acceptance and discharge of passengers.
- 5.20.160 Prohibition of other vehicles.
- 5.20.170 Vehicle-for-hire service.
- 5.20.180 Manifests.
- 5.20.190 Advertising.
- 5.20.200 Police to enforce chapter.
- 5.20.210 Violation – Penalties.

5.20.010 Definitions.

The following words and phrases when used in this chapter have the meanings as set out herein:

“Certificate” means a certificate of public convenience and necessity issued by the city council authorizing the holder thereof to conduct a vehicle-for-hire business in the city.

“Cruising” means the driving of a vehicle for hire on the streets, alleys or public places of the city in search of or soliciting prospective passengers for hire.

“Driver’s license” means a valid Alaska driver’s license insurable by a company policy.

“Holder” means a person to whom a certificate of public convenience and necessity has been issued.

“Manifest” means a daily record prepared by a vehicle-for-hire certificate holder of all trips made by the holder showing time and place of origin,

destination, number of passengers, and the amount of fare of each trip.

“Open stand” means a public place alongside the curb of a street or elsewhere in the city, which has been designated by the city administrator as reserved exclusively for the use of vehicles for hire.

“Person” includes an individual, a corporation, or other legal entity, a partnership, and any unincorporated association.

“Place of origin” means specific address, including city or municipality, where the fare originates.

“Round trip” means if a person begins a trip in one city and goes into another city and the trip is not interrupted by more than a 30-minute period, then it shall be considered a round trip and the city of origin will have the right to all taxes due. If however, the trip is broken by more than 30 minutes, each city would be entitled to its fair share of the tax due as required and each city would be considered the place of origin.

“Vehicle for hire” means a motor vehicle regularly engaged in the business of carrying passengers for hire and not operated over a fixed route. [Ord. 346 § 4, 1992.]

5.20.020 Certificate of public convenience and necessity required.

No person shall operate or permit a vehicle for hire owned or controlled by the person to be operated as a vehicle for hire upon the streets of the city without having first obtained a certificate of public convenience and necessity from the city council. [Ord. 346 § 4, 1992.]

5.20.030 Application for certificate.

An application for a certificate shall be filed with the city clerk upon forms provided by the city, and the application shall be verified under oath and shall furnish the following information:

- A. The name and address of the applicant;
- B. The financial status of the applicant, including amounts of all unpaid judgments against the applicant and the nature of the transactions or acts giving rise to the judgments;
- C. The experience of the applicant in the transportation of passengers;

D. Any facts which the applicant believes tend to prove that public convenience and necessity require the granting of a certificate;

E. The number of vehicles to be operated or controlled by the applicant and the location of proposed depots and terminals;

F. The hours during which the applicant shall keep the place of business open for the purpose of receiving calls and dispatching vehicles for hire;

G. The distinctive color scheme, including the color scheme of any lettering or numbers, the applicant intends to apply to the exterior of each vehicle;

H. The location and address of the off-street parking lots within the corporate limits of the city set aside and available for applicant's vehicles when such vehicles are not in service;

I. Such further information as the city administrator may require. [Ord. 346 § 4, 1992.]

5.20.040 Issuance of certificate.

A. If the council finds that further vehicle-for-hire service in the city is required by the public convenience and necessity, and that the applicant is fit, willing and able to perform such public transportation and to conform to the provisions of this chapter and the rules promulgated by the city administrator and the council, then the city administrator shall issue a certificate stating the name and address of the applicant, the number of vehicles authorized under the certificate, and the date of issuance; otherwise, the application shall be denied.

B. In making the above findings, the council shall take into consideration the number of vehicles for hire already in operation, whether existing transportation is adequate to meet the public need, the probable effect of increased service on local traffic conditions, and the character, experience and responsibility of the applicant. [Ord. 346 § 4, 1992.]

5.20.050 Indemnity bond or liability insurance required.

A. No certificate of public convenience and necessity shall be issued or continued in operation unless there is in full force and effect an indemnity bond for each vehicle authorized in the amount of \$100,000 for bodily injury to any one person, and, subject to the limit for one person, in the amount of

\$300,000 for injuries to more than one person which are sustained in the same accident, and \$50,000 for property damage resulting from any one accident. The bond or bonds shall inure to the benefit of any person who shall be injured or who shall sustain damage to property proximately caused by the negligence of a holder, holder's servants or agents. The bond or bonds shall be filed in the office of the city clerk, and shall have as surety thereon a surety from a company authorized to do business in the state.

B. The city administrator may, in the city administrator's discretion, allow the holder to file, in lieu of bond or bonds, a liability insurance policy issued by an insurance company authorized to do business in the state. The policy shall conform to the provisions of this section relating to the bonds. The policy shall contain a provision for notification of cancellation 30 days prior to such cancellation. Notice of cancellation shall be immediately filed with the city clerk. [Ord. 588 § 4, 2007; Ord. 346 § 4, 1992.]

5.20.060 License fees.

No certificate shall be issued or continued in operation unless the holder thereof has paid an annual license fee of \$10.00 for the right to engage in the vehicle-for-hire business and \$20.00 each year for each vehicle operated under a certificate of public convenience and necessity. The license fees shall be for the calendar year, and shall be in addition to any other license fees or charge established by proper authority and applicable to the holder or the vehicle under the holder's operation and control. [Ord. 346 § 4, 1992.]

5.20.070 Suspension and revocation of certificates.

A. A certificate issued under the provisions of this chapter may be revoked or suspended by the city administrator if the holder thereof has:

1. Violated any of the provisions of this chapter;
2. Discontinued operations for more than 15 days;
3. Violated any ordinances of the city or the laws of the United States or the state, the violations of which reflect unfavorably on the fitness of the holder to offer public transportation; or

4. Failed to pay city sales tax quarterly as required.

B. Prior to suspension or revocation, the holder shall be given notice of the proposed action to be taken, and shall have an opportunity to be heard, with right of appeal to the council. [Ord. 346 § 4, 1992.]

5.20.080 Vehicle-for-hire driver's license.

No person shall operate a vehicle for hire upon the streets of the city, and no person who owns or controls a vehicle for hire shall permit it to be so driven, and no vehicle for hire licensed by the city shall be so driven at any time for hire, unless the driver of the vehicle for hire shall have first obtained an Alaska driver's license and has been accepted as a driver by the taxi owner's insurance company. [Ord. 346 § 4, 1992.]

5.20.090 Display of license.

Every driver licensed under this chapter shall post his or her driver's license in such a place as to be in full view of all passengers while the driver is operating a vehicle for hire, or shall carry the same on his or her person and shall show the same to all persons upon demand. [Ord. 346 § 4, 1992.]

5.20.100 Equipment and maintenance.

A. The owner of a vehicle for hire shall be fully and solely responsible for ensuring that said vehicle shall be routinely and regularly repaired, maintained and inspected as may be required by federal or state law or regulation governing such vehicle, and shall further ensure that evidence of such compliance is properly displayed in or on such vehicle as may be so required by law or regulation or, if not so required, shall ensure that such evidence of compliance is available to be shown to all persons upon demand.

B. Prior to the use and operation of any vehicle under the provisions of this section, the chief of police of the city, or the chief's designee, shall conduct a physical examination of the vehicle to determine whether the same is properly equipped, appropriately painted and lettered, and otherwise clean, presentable and suitable for public patronage and occupancy, according to the provisions of this chapter.

C. Every vehicle operation under this section shall be inspected, as set forth in subsection (A) of this section, at least once each calendar year. Any

vehicle which does not pass inspection will immediately be suspended from service until the defect has been corrected.

D. Any vehicle operating under this section which is involved in a reportable accident as provided by state law shall be inspected as provided in subsection (A) of this section before continuing in or returning to service. [Ord. 346 § 4, 1992.]

5.20.110 Parking.

A. The city administrator is authorized and empowered by the council of the city to establish open vehicle-for-hire stand locations within the city.

B. Open stands shall be used by the different companies; provided, that no two vehicles for hire from the same company shall be in the same stand at any one time. The driver shall pull into the open stand from the rear and shall advance forward as the vehicles for hire ahead pull off. Drivers shall stay within five feet of their vehicles for hire; they shall not solicit passengers, or engage in loud or boisterous talk while at an open stand. Nothing in this section shall be construed as preventing a passenger from boarding the vehicle for hire of his or her choice that is parked at an open stand. [Ord. 346 § 4, 1992.]

5.20.120 Fares.

A. Vehicle-for-hire fares and charges shall be determined by measurement of distance and all rates shall be posted within or on the outside of the vehicle for hire in a manner that is readily legible to the public.

B. Charter services shall be by an hourly rate, which rate shall be posted within or on the outside of the vehicle for hire in a manner that is readily legible to the public, or by prior written agreement.

C. It is unlawful to charge, demand, request, collect or receive, or attempt to charge, collect or receive, any rate or compensation for the use of a vehicle for hire other than the rate, charge or compensation specified in this section. [Ord. 346 § 4, 1992.]

5.20.130 Receipts.

The driver of any vehicle for hire shall, upon demand by the passenger, render to such passenger a receipt for the amount charged, either by a mechanically printed receipt or by a specially prepared receipt on which shall be the name of the

owner, license number or vehicle-for-hire number, amount of meter reading or charges, and date of transaction. [Ord. 346 § 4, 1992.]

5.20.140 Refusal of passenger to pay legal fare.

It is unlawful for any person to refuse to pay the legal fare of any of the vehicles mentioned in this chapter after having hired the same; and it is unlawful for any person to hire any vehicle herein defined with intent to defraud the person from whom it is hired of the value of such service. [Ord. 346 § 4, 1992.]

5.20.150 Solicitation, acceptance and discharge of passengers.

A. **Driver's Duty to Remain with Vehicle.** No driver shall solicit passengers for a vehicle for hire except while standing immediately adjacent to the curb side thereof. The driver of any vehicle for hire shall remain in the driver's compartment or immediately adjacent to his or her vehicle at all times when such vehicle is upon the public street; except, that when necessary, a driver may be absent from his vehicle for hire for not more than 30 consecutive minutes, except in an emergency; and provided further, that nothing herein contained shall be held to prohibit any driver from alighting to the street or sidewalk for the purpose of assisting passengers into or out of such vehicle.

B. **Prohibited Solicitation.** No driver shall solicit patronage in a loud or annoying tone of voice or by sign, or in any manner annoy any person, or obstruct the movement of any persons, or follow any person for the purpose of soliciting patronage.

C. **Receipt and Discharge of Passengers on Sidewalk Only.** Drivers of vehicles for hire, except in emergency, shall not receive or discharge passengers in the roadway, but shall pull up to the right-hand sidewalk as nearly as possible or, in the absence of a sidewalk, to the extreme right-hand side of the road, and there receive or discharge passengers, except upon one-way streets, where passengers may be discharged at either the right-hand or left-hand sidewalk, or side of the roadway in the absence of a sidewalk; provided, that this section shall not prohibit a vehicle for hire from making a brief stop on the roadway side of a vehicle stopped or parked, not to exceed three minutes, if such stop

is necessary in the expeditious loading or unloading of passengers of such vehicle for hire; and further provided, that except in residential areas, no person shall make said stop in such a manner or under such conditions as to leave available less than 10 feet of the roadway, street or highway for the free movement of vehicular traffic in either direction; provided, that when the vehicle for hire is making the brief stop, the driver thereof shall remain in the driver seat of the vehicle for hire immediately behind the steering wheel except to assist a passenger in or out of the vehicle for hire, if necessary; and provided further, that this section shall not be construed to permit a vehicle or vehicle for hire to stop, stand or park on the roadway side of a vehicle stopped or parked at the edge or curb of a highway, road or street, when said vehicle or vehicle for hire is precluded from doing so under state law.

D. **Cruising.** No driver of a vehicle for hire shall cruise in search of passengers.

E. **Restriction on Number of Passengers.** No driver shall permit more persons to be carried in a vehicle for hire as passengers than the rated seating capacity of such vehicle. A child under three years of age shall not be counted as a passenger.

F. **Refusal to Carry Orderly Passengers Prohibited.** No driver shall refuse or neglect to convey any orderly person or persons, upon request, unless previously engaged or unable or forbidden by the provisions of this chapter to do so, unless there is good reason therefor. [Ord. 346 § 4, 1992.]

5.20.160 Prohibition of other vehicles.

Private or other vehicles for hire shall not at any time occupy the spaces upon the streets that have been established as open stands. [Ord. 346 § 4, 1992.]

5.20.170 Vehicle-for-hire service.

All persons engaged in the vehicle-for-hire business in the city operating under the provisions of this chapter shall render an overall service to the public desiring to use vehicles for hire. Holders of certificates of public convenience and necessity shall maintain a place of business which may be mobile, and shall keep the same open for the purpose of receiving calls and dispatching vehicles for hire during not less than those hours which are specified in the approved certificate of public con-

venience and necessity. They shall answer all calls received by them for services inside the corporate limits as soon as they can do so, and if the services cannot be rendered within a reasonable time, they shall then notify the prospective passengers how long it will be before the said call can be answered and give the reason therefor. Any holder who shall refuse to accept a call anywhere in the corporate limits at any time when such holder has available vehicles for hire, or who shall fail or refuse to give overall service, except as provided in CMC 5.20.150(F), shall be deemed a violator of this chapter, and the certificate granted to the holder shall be revoked at the discretion of the city administrator. [Ord. 346 § 4, 1992.]

5.20.180 Manifests.

A. Every holder shall maintain a daily manifest upon which is recorded all trips made each day, showing time and place of origin, destination of each trip, and amount of fare. The forms for each manifest shall be of a character approved by the city administrator.

B. Every holder of a certificate of public convenience and necessity shall retain and preserve all manifests in a safe place for at least the calendar year next preceding the current calendar year, and said manifests shall be available to the police department or the city clerk for inspection and copying. [Ord. 346 § 4, 1992.]

5.20.190 Advertising.

Subject to the rules and regulations of the city administrator, it is lawful for any person owning or operating a vehicle for hire to permit advertising matter to be affixed to or installed in or on the vehicles for hire. [Ord. 346 § 4, 1992.]

5.20.200 Police to enforce chapter.

A. The police department of the city is hereby given the authority and is instructed to watch and observe the conduct of holders and drivers operating under this chapter. Upon discovering a violation of the provisions of this chapter, the police department shall report the same to the chief of police, who will order or take appropriate action.

B. Any revocation, suspension or denial of any license or permit by the chief of police or the city administrator shall be subject to appeal to the city council.

C. The police may stop the vehicle for hire at any time to inspect the manifest or to ensure compliance with any section of this chapter. [Ord. 346 § 4, 1992.]

5.20.210 Violation – Penalties.

Any person violating any of the provisions of this chapter is guilty of a violation or infraction and upon conviction thereof shall be subject to the penalties as set forth in Table 5.20.210, entitled “Penalties for Violations.” Each violation listed in Table 5.20.210 is amenable to disposition by the violator’s payment of the fine, without court appearance.

Table 5.20.210 – Penalties for Violations

First offense in a calendar year	\$50.00
Second offense in a calendar year	\$100.00
Third and subsequent offenses in a calendar year	\$300.00

[Ord. 346 § 4, 1992.]

CITY OF CRAIG MEMORANDUM

To: Craig Mayor and City Council
From: Brian Templin, City Planner
Date: June 8, 2011
RE: Public Hearing – 2011 Craig Utility Improvements

As the council is probably aware the city was awarded an EPA grant for \$240,000 to conduct some utility improvements in town. We have been working through the normal permitting process for the funds and had originally identified potentially using them as part of the dam raising at the city's water source at North Fork Lake.

Due to issues with the federal budget we were informed that there was a strong potential that the grant would be rescinded if we did not get an approved project and obligate the funds as quickly as possible. The dam project requires a long National Environmental Policy Act (NEPA) review. Staff identified a number of utility upgrade projects that were upgrades or replacements of existing facilities and would require a much shorter NEPA review. The projects are:

1. Replacement of ductile iron waterline along Craig-Klawock Highway between Tanner Crab Court and JT Brown Drive. There was a major leak in the adjacent section last year that caused the city to institute water conservation measures while the main tank was refilled. The new replacement would be a 1,000' section of line adjacent to the leak that may also be in danger of failing.
2. Upgrades to secondary water storage tank. As a result of the major leak and water conservation measures last year it was found that the 300,000 gallon tank on Spruce Street was not used regularly enough to circulate the water and that the elevation of the tank did not provide enough pressure to residences in the upper elevations of East Craig. Upgrades would include pressure pumps and computer controls that would balance regular water usage between the city's two storage tanks.
3. Lift Station Replacement. The city has been in the process of replacing aging lift stations around town. The lift stations at Front Street, Easy Street and Cold Storage Road are at the point where maintenance is becoming an issue.

The EPA funding (and required match) will not be enough to fund all of these projects by itself but NEPA approval will allow us to use the EPA funds as part of any or all of the projects listed above. As part of the process to get the NEPA approved as quickly as possible the project scoping document needs a public hearing. The attached scoping document has been posted at the Post Office, City Hall and First Bank.

No action or discussion is required by the council. The purpose of having this item on the agenda was to allow for and document any public comments to fulfill NEPA requirements.



PUBLIC NOTICE

2011 Craig Utility Improvements Scoping – Public Comment

The City of Craig intends to take public comment, if any on the attached Project Scoping Document for:

- 1. Replacement of 1,000' of Ductile Iron water line along the Craig-Klawock Highway.**
- 2. Upgrades to the Spruce Street Water Storage Tank.**
- 3. Replacement of lift stations at Front Street, Easy Street and Cold Storage Road.**

Comments can be submitted in person during the Public Hearing portion of the June 16, 2011 Council Meeting, scheduled for 7:00 pm, June 16, 2011 at Craig City Hall.

Written comments can be submitted to the Craig City Planner at City Hall no later than June 22, 2011.

For more information contact the Craig City Planner at 907-826-3275

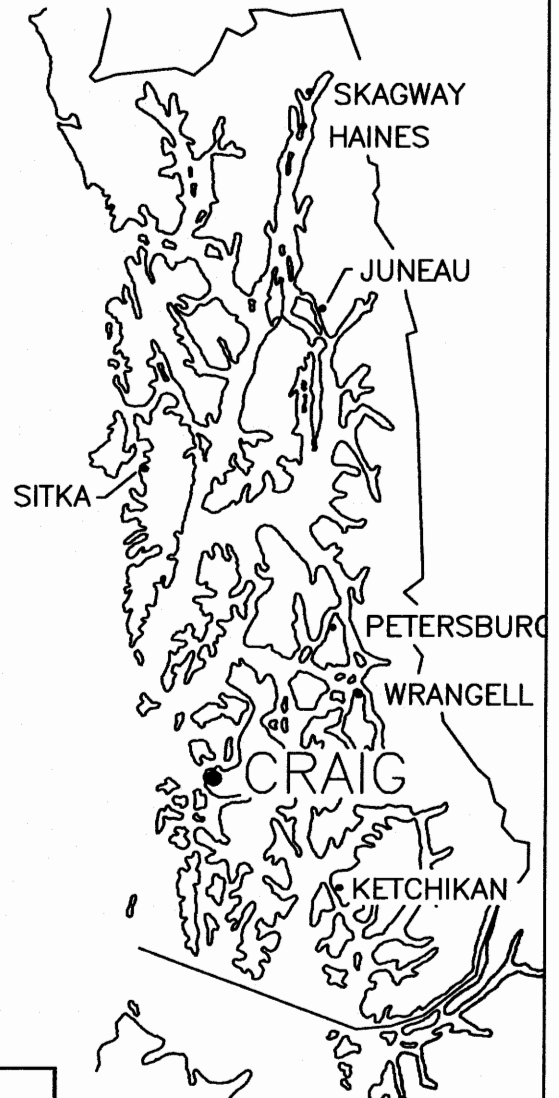
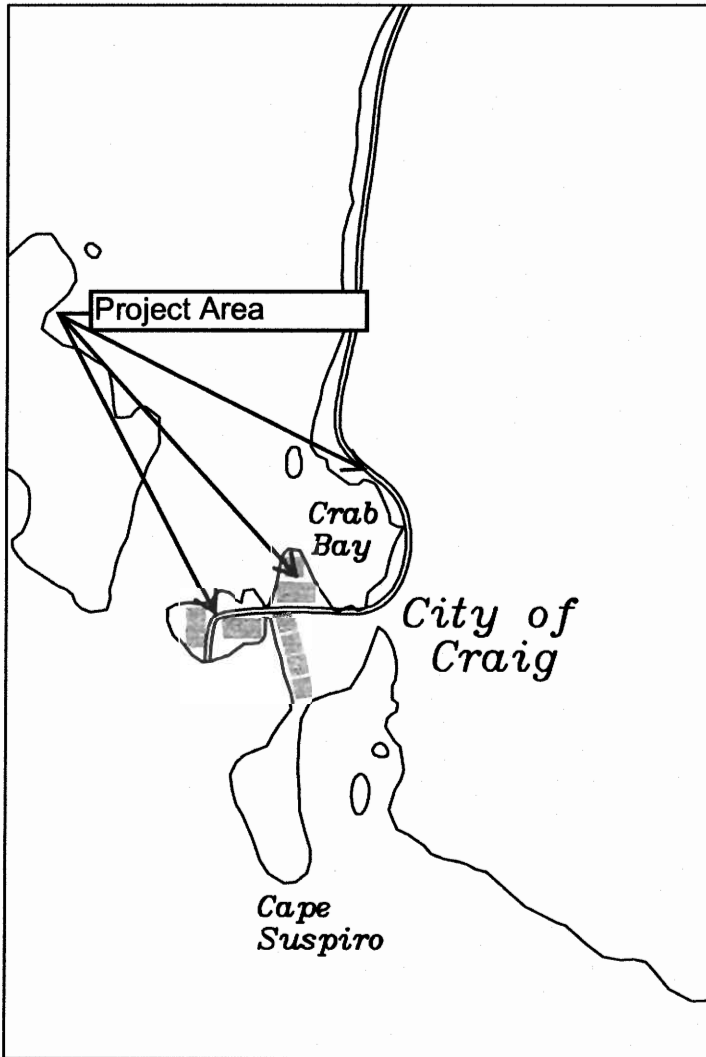
2011 Craig Utility Improvements – Project Scope of Work

The City of Craig operates municipal water and wastewater systems to service the residents of Craig. The city is proposing the following project scope of work to perform maintenance and upgrade of the water distribution and wastewater collection systems:

1. **Tanner Crab Court to JT Brown Drive Waterline Replacement.** The city proposes to replace approximately 1000' of existing 10" ductile iron (DI) water main along the Craig-Klawock Highway between the intersections of Tanner Crab Court and JT Brown Drive with 10" welded high density polyethylene (HDPE) water main. This mainline serves the Craig High School and JT Brown Industrial Park (including Silver Bay Seafoods). The existing DI water line is approximately 20 years old and has begun fail prematurely in spots. Failures in this area are hard to detect due to the depth of the line heavy season usage by the properties served and have a major impact on available potable water. A line failure along this section in 2010 resulted in the loss of nearly 90% of the 800,000 gallons of water stored in the primary storage tank. This loss occurred within a 12 hour period between routine system checks. Project includes excavation of existing line and replacing DI water line with HDPE water line. All line replacement will be within the existing waterline footprint. Old waterline will be completely removed as part of the project.
2. **Secondary Water Storage Tank Upgrades.** The city currently operates a primary 800,000 gallon storage tank and a secondary 300,000 gallon storage tank. Both tanks store treated water pumped from the Craig Water Treatment Plant and use gravity to distribute water in town. The secondary tank does not have adequate elevation to service all households in town. The city proposes to add a pump system to add pressure to the secondary tank distribution and add Supervisory Control and Data Acquisition (SCADA) to the secondary storage tank to allow routine, coordinated use with adequate pressure to service all Craig.
3. **Lift Station Replacements.** The city has been replacing aging hydronic sewage lift stations in Craig. Three lift stations are nearing the end of their useful life. The city proposes to replace the Front Street, Easy Street and Cold Storage Road lift stations with new hydronic lift stations compatible with the upgraded system. New lift stations will be placed in the same location as existing stations.



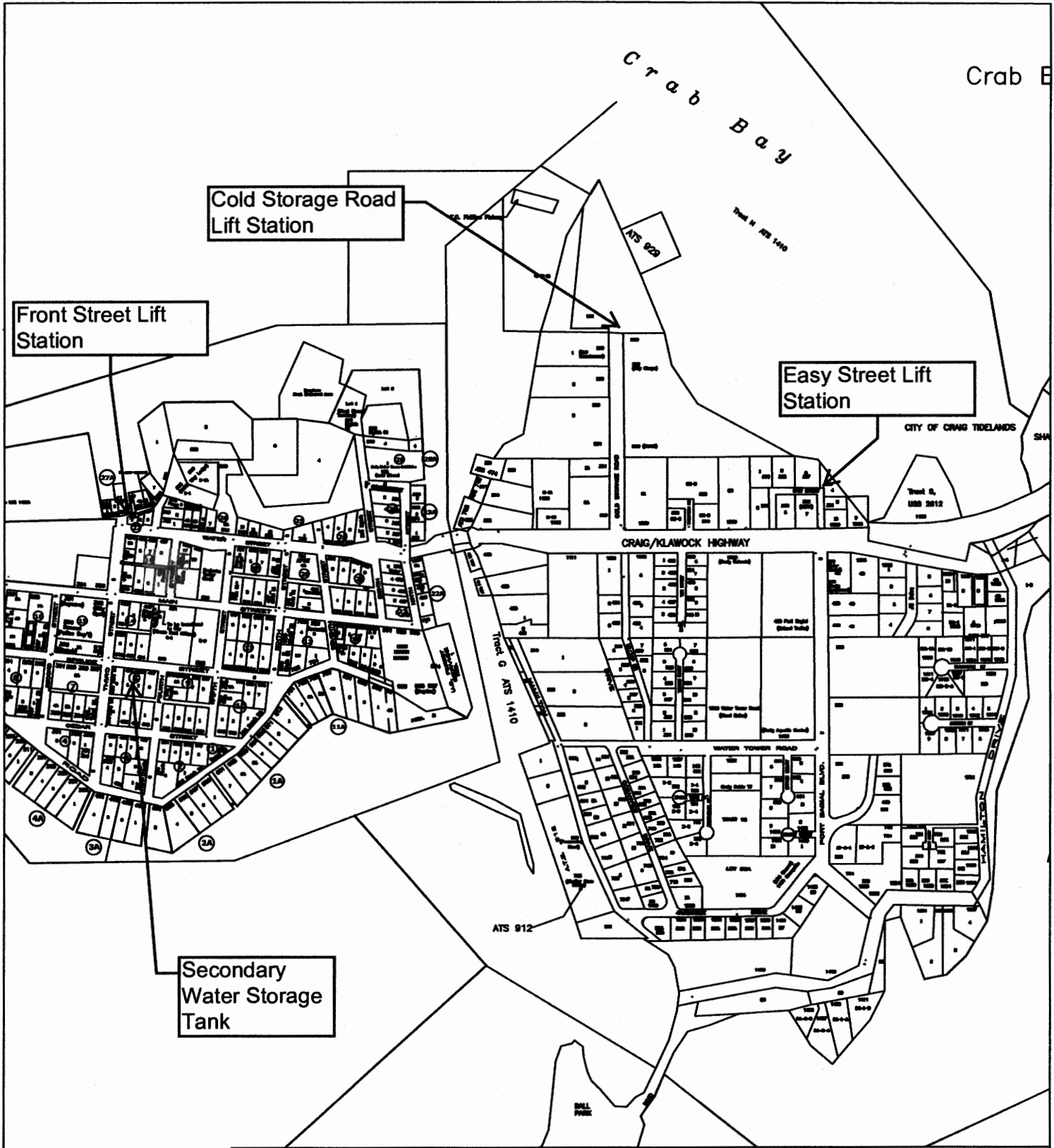
LOCATION MAP



SOUTHEAST ALASKA

2011 Craig Utility Improvements
NEPA Scoping Document

City of Craig, Alaska Location and Vicinity Maps



2011 Craig Utility Improvements
Environmental Impact Document - East and West Craig Utilities

City of Craig
 PO Box 725
 Craig, AK 99921

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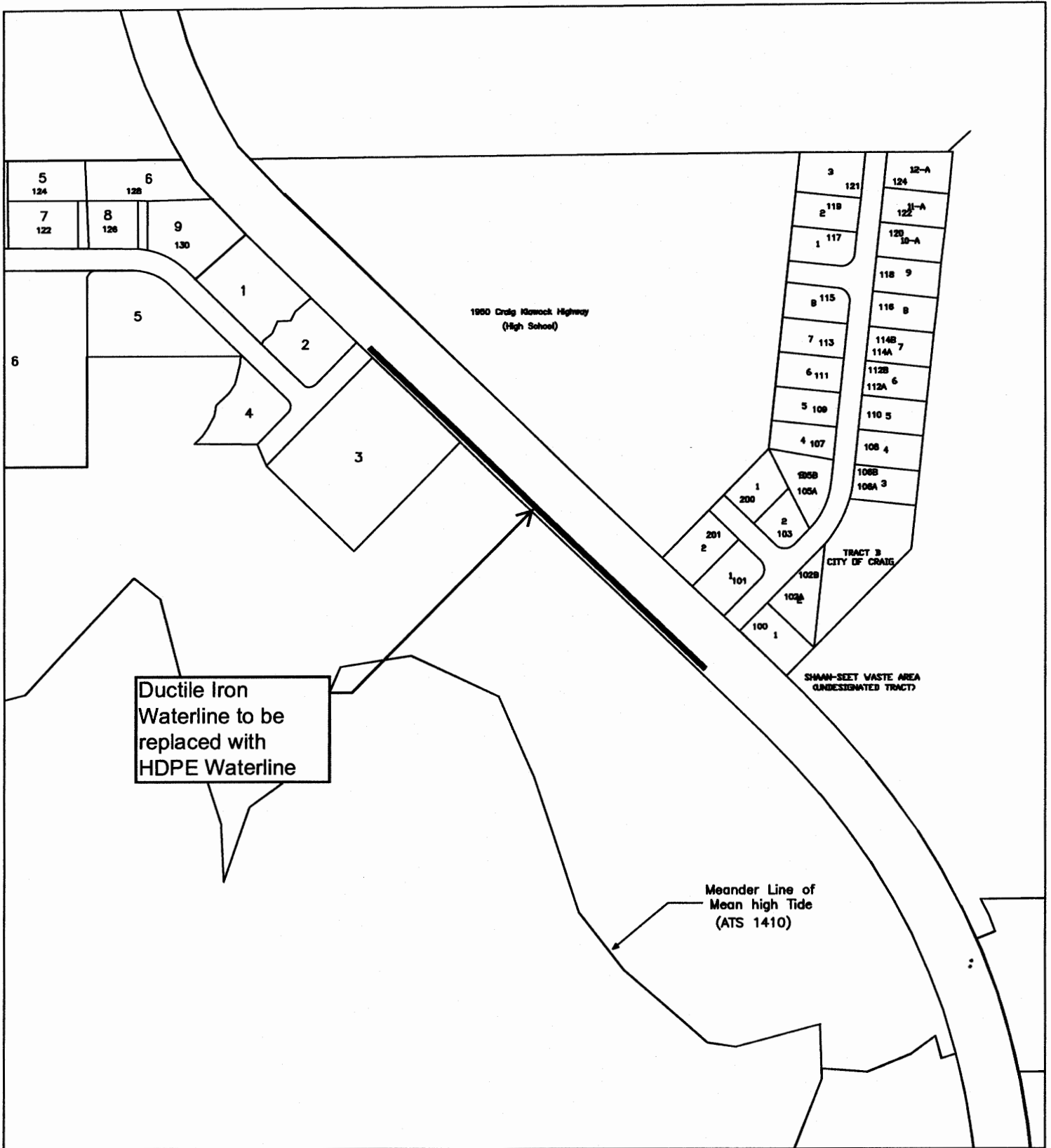
DWG NO.
 EID 2011-001

REV

SCALE

1" = 600'

SHEET 1 of 2



Ductile Iron
Waterline to be
replaced with
HDPE Waterline

1900 Craig Klawock Highway
(High School)

SHAM-SEET WASTE AREA
(UNDESIGNATED TRACT)

TRACT 3
CITY OF CRAIG

Meander Line of
Mean high Tide
(ATS 1410)



Craig Street Improvements

Environmental Impact Document - Craig-Klawock Highway Waterline

City of Craig
PO Box 725
Craig, AK 99921

DRAWN BY
BLT

DWG NO.
EID 2011-001

REV

SCALE

1" = 300'

SHEET 2 of 2

CITY OF CRAIG MEMORANDUM

To: Craig Mayor and City Council
From: Brian Templin, City Planner
Date: June 8, 2011
RE: Public Hearing – 2011 Craig Utility Improvements

As the council is probably aware the city was awarded an EPA grant for \$240,000 to conduct some utility improvements in town. We have been working through the normal permitting process for the funds and had originally identified potentially using them as part of the dam raising at the city's water source at North Fork Lake.

Due to issues with the federal budget we were informed that there was a strong potential that the grant would be rescinded if we did not get an approved project and obligate the funds as quickly as possible. The dam project requires a long National Environmental Policy Act (NEPA) review. Staff identified a number of utility upgrade projects that were upgrades or replacements of existing facilities and would require a much shorter NEPA review. The projects are:

1. Replacement of ductile iron waterline along Craig-Klawock Highway between Tanner Crab Court and JT Brown Drive. There was a major leak in the adjacent section last year that caused the city to institute water conservation measures while the main tank was refilled. The new replacement would be a 1,000' section of line adjacent to the leak that may also be in danger of failing.
2. Upgrades to secondary water storage tank. As a result of the major leak and water conservation measures last year it was found that the 300,000 gallon tank on Spruce Street was not used regularly enough to circulate the water and that the elevation of the tank did not provide enough pressure to residences in the upper elevations of East Craig. Upgrades would include pressure pumps and computer controls that would balance regular water usage between the city's two storage tanks.
3. Lift Station Replacement. The city has been in the process of replacing aging lift stations around town. The lift stations at Front Street, Easy Street and Cold Storage Road are at the point where maintenance is becoming an issue.

The EPA funding (and required match) will not be enough to fund all of these projects by itself but NEPA approval will allow us to use the EPA funds as part of any or all of the projects listed above. As part of the process to get the NEPA approved as quickly as possible the project scoping document needs a public hearing. The attached scoping document has been posted at the Post Office, City Hall and First Bank.

No action or discussion is required by the council. The purpose of having this item on the agenda was to allow for and document any public comments to fulfill NEPA requirements.



PUBLIC NOTICE

2011 Craig Utility Improvements Scoping – Public Comment

The City of Craig intends to take public comment, if any on the attached Project Scoping Document for:

- 1. Replacement of 1,000' of Ductile Iron water line along the Craig-Klawock Highway.**
- 2. Upgrades to the Spruce Street Water Storage Tank.**
- 3. Replacement of lift stations at Front Street, Easy Street and Cold Storage Road.**

Comments can be submitted in person during the Public Hearing portion of the June 16, 2011 Council Meeting, scheduled for 7:00 pm, June 16, 2011 at Craig City Hall.

Written comments can be submitted to the Craig City Planner at City Hall no later than June 22, 2011.

For more information contact the Craig City Planner at 907-826-3275

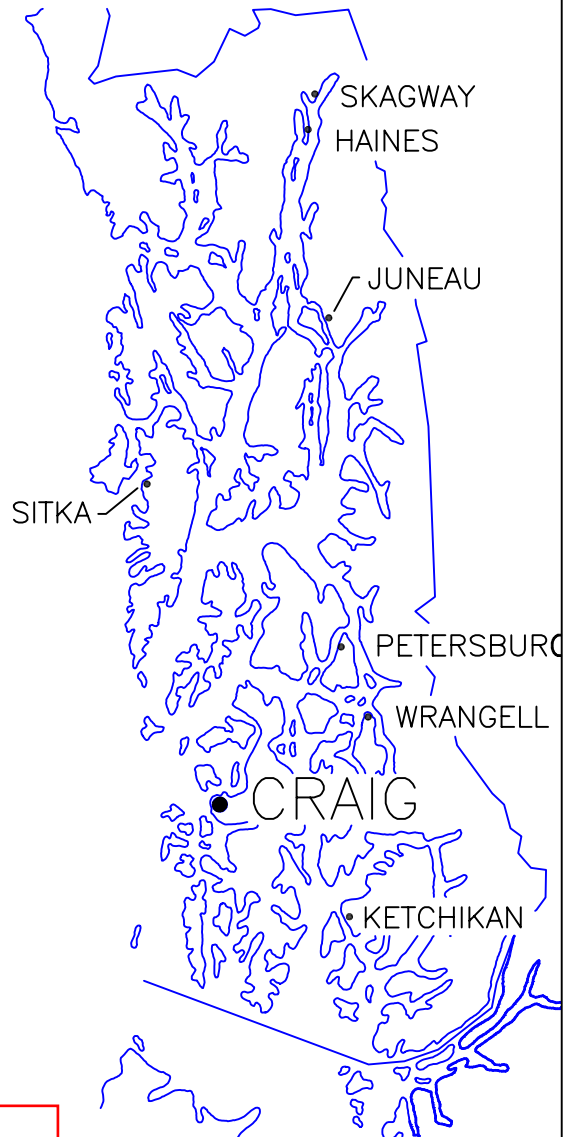
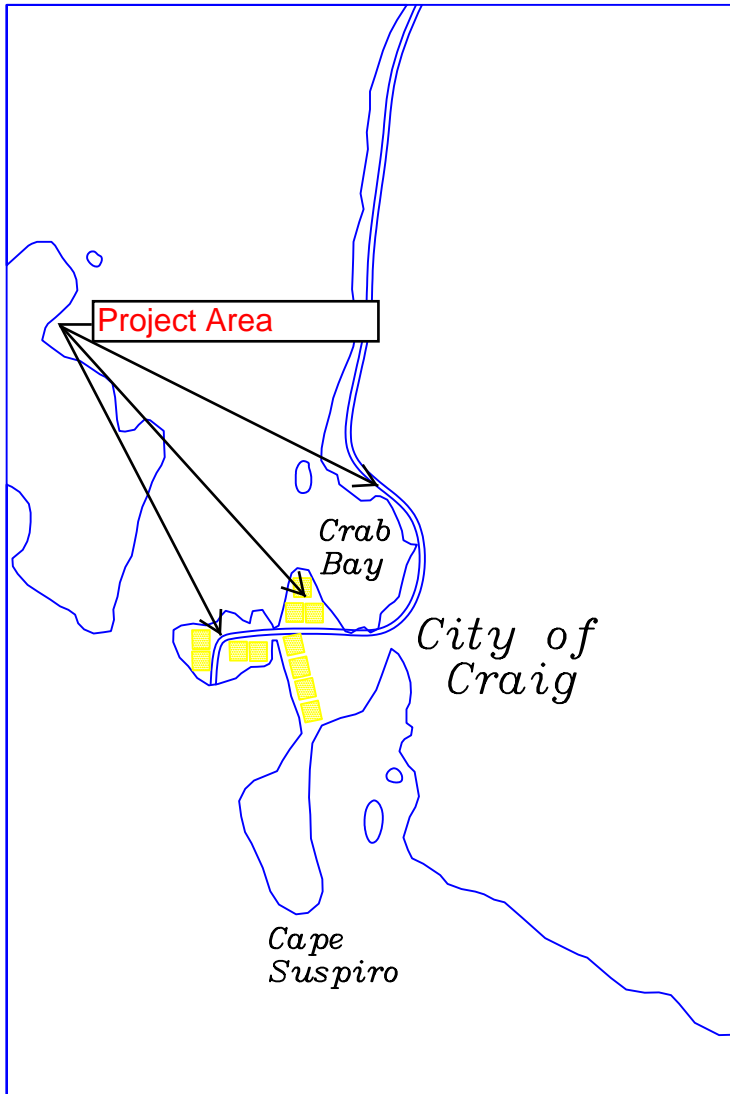
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LOCATION MAP



SOUTHEAST ALASKA

2011 Craig Utility Improvements
NEPA Scoping Document

City of Craig, Alaska Location and Vicinity Maps

Crab Bay

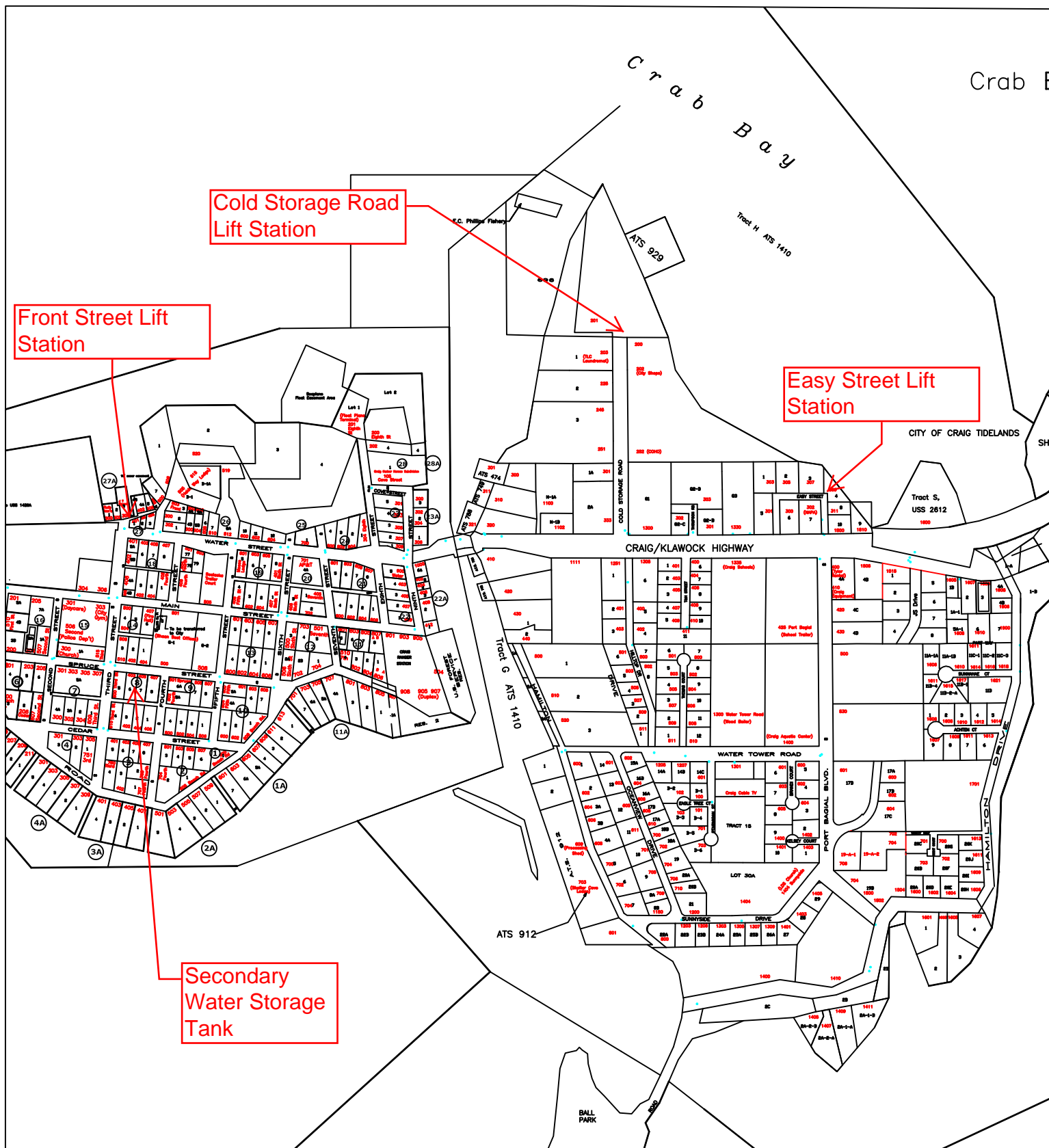
Crab Bay

Cold Storage Road Lift Station

Front Street Lift Station

Easy Street Lift Station

Secondary Water Storage Tank



2011 Craig Utility Improvements

Environmental Impact Document - East and West Craig Utilities

City of Craig
 PO Box 725
 Craig, AK 99921

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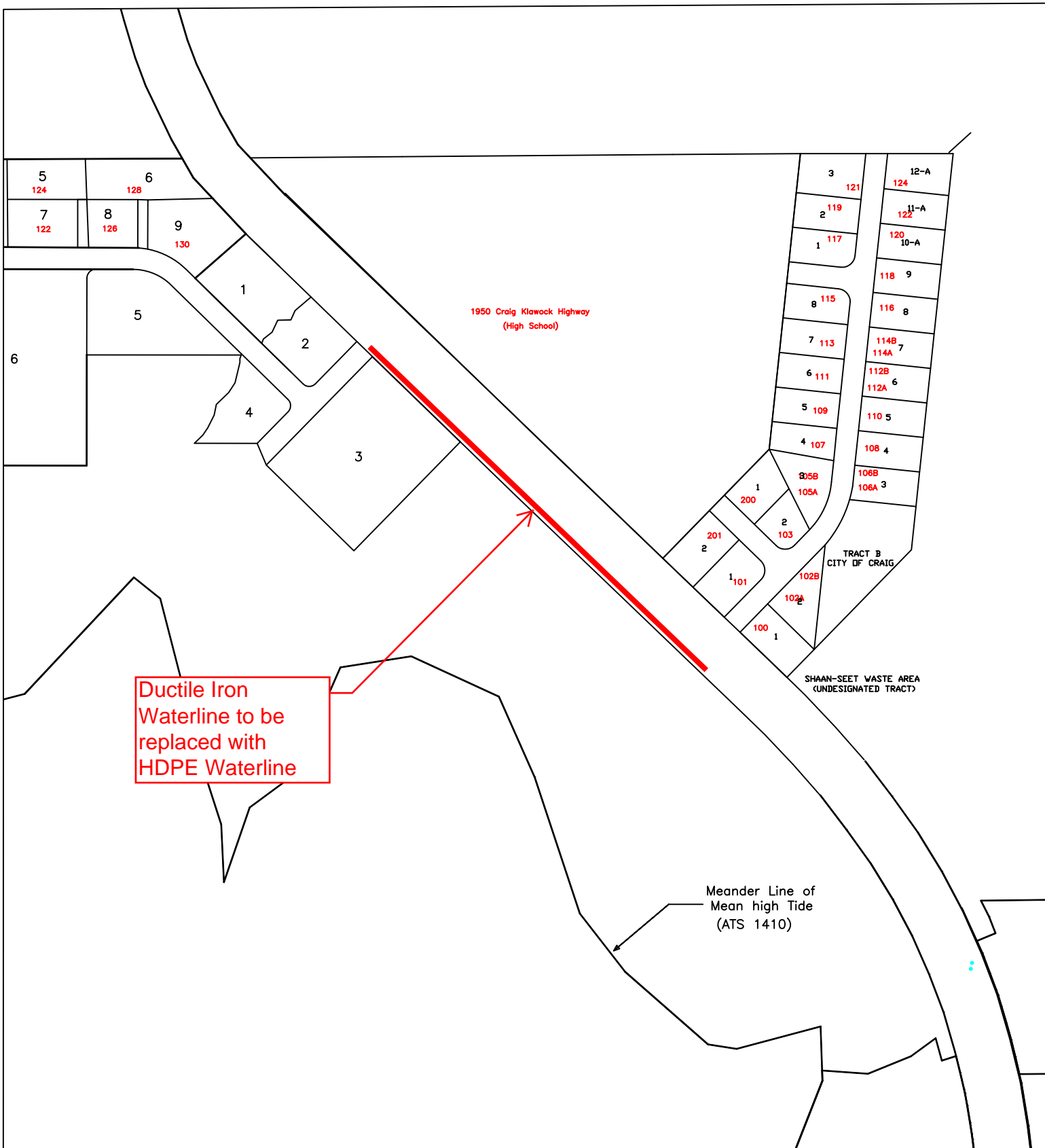
DWG NO.
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REV

SCALE

1" = 600'

SHEET 1 of 2



Ductile Iron
Waterline to be
replaced with
HDPE Waterline



City of Craig
PO Box 725
Craig, AK 99921

Craig Street Improvements

Environmental Impact Document - Craig-Klawock Highway Waterline

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BLT

DWG NO.

EID 2011-001

REV

SCALE

1" = 300'

SHEET 2 of 2

MEMORANDUM

To: Mayor Schoonover, Jon Bolling and Craig City Council
From: Steve Tanner, Public Works Director
Date: 6/10/2011
Subject: 2011 Spring Clean-up Summary

The Klawock Landfill was open most of the week from May 2nd – 6th, 2011 for the City of Craig to deposit waste as needed and thanks to Klawock Public Works Director, Mike Peratrovich we were able to schedule disposal of debris beyond the usual week long event!

Due to a smaller crew than on previous events it took a little longer than usual but all in all the event was successful with delivery of the last load of debris on the 17th of May.

Craig residents were offered free curbside pickup on a first come - first serve basis. 86 different customers benefitted from this service and the gate was left open from 7:00am to 4:00pm of clean up week in order to allow an unknown number of residents to haul burnable items to the burn pit on Port Saint Nicholas Road as needed.

Hours	Description
91	Staff
50	GMC 7 Yd. Dump Trk
91	Ford 7 Yd. Dump Trk
3	Loader
40	Backhoe

Various school classes and CCA sponsored programs helped clean up trash along the state highway and local streets which was then hauled to the landfill by Public Works personnel. Shaub Ellison Tire & Fuel accepted tires without rims at no charge, (\$5.00 if mounted), and NAPA took batteries at no charge.

Unit	# Loads	Amount	Type
7 Yd Dump Truck	25	Approx 175 yards	Metal (includes 3 refrigerators) to landfill
	22	154 yards	Wood to burn pile
Garbage Truck	2	24 yards	Misc. to Dump

MEMORANDUM, CONT.

We hauled 25 loads of scrap metal, 3 Refrigerators were disposed of and Approximately 2 Misc. waste loads in the garbage truck, to the landfill during cleanup week, with 22 dump truck loads going to the burn pile.

Unfortunately there was no scrap metal barge during the event so we had to pass the disposal cost for metal and misc garbage on to the customers who had those items picked up.

Fortunately the cost per customer was only \$8.19 based on a total dump fee of \$516.10 divided between 63 total customers!

The Household Hazardous Waste event was held on May 7th at the City of Klawock Landfill.

I recommend the City of Craig continue to work closely with POW Schools, CCA, the City of Klawock, and caring businesses such as Shaub-Ellison Tire & Fuel, NAPA Auto Parts, along with everyone else involved in this annual event on Prince of Wales Island. The results are obvious and we have achieved more clean up and disposal of debris than would ever be possible without it, making Prince of Wales Island a much cleaner place for all as a result of such efforts!

I especially want to commend the Public Works Crew for completing cleanup week in such a timely and professional manner despite very tight weekly scheduling. The City of Craig is fortunate to have such dedicated and proficient employees!

Everyone involved in this year's clean-up effort should be congratulated for a job well done. The time involved and effort put forth by everyone was well spent!

Steve Tanner
Public Works Director

**City of Craig
Inter-department Memorandum**

Date: June 10, 2011
To: Mayor and City Council
From: Vicki Hamilton, City Clerk *VH*
Re: 2011 Annual City Auction

The Annual Craig City Auction was held on Friday, June 3, 2011 at 2:00 p.m. at the Public Works Shop. It was well attended. Otis Gibbons was the auctioneer and did a great job. Two city vehicles were in the auction with both vehicles being sold. After all was said and done, the city took in \$678.00.

CITY OF CRAIG
MEMORANDUM

To: City Council
From: Joyce Mason, Treasurer
Date: June 8, 2011
Re: Health Reimbursement Agreement

Each year the city provides a benefit for the employees to reduce his or her medical expenses. The city reimburses the employee for the health insurance deductible over \$250. This year the deductible for Blue Cross Blue Shield insurance is \$1500 per individual so the city will reimburse the employee \$1250. Families pay a maximum of \$4500 and will be reimbursed \$3750.

For this plan to be federal tax deductible the city must contract with a firm to manage the reimbursement to the employees. Each year a resolution is needed to give the staff authority to contract with such firm. The city has in the past and wishes to continue contracting with Northwest Marketing Resources, Olympia, WA.

Recommendation: Vote to pass resolution 11-10 to implement the Health Reimbursement agreement for the fiscal year 2012.

CITY OF CRAIG
RESOLUTION NO. 11-10

CITY OF CRAIG HEALTH REIMBURSEMENT ARRANGEMENT

WHEREAS, on this date, the Craig city council did meet to discuss the implementation of the City of Craig Health Reimbursement Arrangement, to be effective July 1, 2011. Let it be known that the following resolutions were duly adopted by the Craig city council and that such resolutions have not been modified or rescinded as of the date hereof:

WHEREAS, the form of Health Reimbursement Arrangement, as authorized under Section 105 of the Internal Revenue Code, presented to this meeting is hereby adopted and approved and that the proper officers of the Employer are hereby authorized and directed to execute and deliver to the Plan Administrator one or more copies of the Plan.

WHEREAS, the Plan Year shall be for a 12-month period, beginning on July 1, 2011.

WHEREAS, the Employer shall contribute to the Plan amounts sufficient to meet its obligation under the Health Reimbursement Plan, in accordance with the terms of the Plan Document and shall notify the Plan Administrator to which periods said contributions shall be applied.

WHEREAS, the proper officers of the Employer shall act as soon as possible to notify employees of the adoption of the Health Reimbursement Arrangement by delivering to each employee a copy of the Summary Plan Description presented to this meeting, which form is hereby approved.

NOW THEREFORE BE IT RESOLVED, the undersigned certifies that attached hereto are true copies of the Plan Document for City of Craig Health Reimbursement Arrangement approved and adopted in the foregoing resolutions.

The undersigned further certifies and attests that the above resolutions were made with the consent of the Craig city council.

APPROVED _____

MAYOR, A. MILLIE SCHOONOVER

ATTEST _____
VICKI HAMILTON, CITY CLERK

CITY OF CRAIG

MEMORANDUM

To: Mayor and City Council
From: Joyce Mason, Treasurer
Date: June 8, 2011
Re: Yearly City Insurance Coverage

At the May 24, 2011 city council meeting I distributed a comparison of the two insurance pools that bid on the city general liability, auto, property, and workers compensation insurance coverage for the next fiscal year. Since the meeting I have received a revised quote from Kevin Smith, AMLJIA. He changed the deductible for the general liability from \$25,000 to \$10,000 to match APEI's quoted deductible. He also offered a 5% discount if the council signs a three year commitment. APEI also has the same discount. APEI has provided a quote for Flood and Earthquake coverage which we have not had in the past. AMLJIA's quote includes this same coverage. I compared the two companies' additional services and they are very similar. Both companies have human resources representatives. Kate Young, AMLJIA, attends my Alaska government finance meetings and Mike Lary came with Jeff Bush to our May 5 council meeting so I am acquainted with both of them. I am sure Kate or Mike will provide excellent service. Mike also has the risk management certification as does Grady Fisher of AMLJIA. Grady has stopped in to visit twice while he was on the island. Both companies offer risk control training either internet based classes or onsite training. I have included the comparison Jeff Bush presented in May, and Kevin Smith endorsed, of the two companies. There are some things such as litigation that AMLJIA provides better coverage and some things such as property coverage during marine transit (our fire truck this spring) that APEI covers that AMLJIA does not cover. So the quotes actually get down to the dollar amounts. I recommend the council accept APEI's quote for this year as the dividend will only be paid if we renew with them. I suggest we go through the process again next year when the dividend is not a factor.

Recommendation: Move to accept Alaska Public Entity Insurance quote of \$125,576 for general liability, auto, property, and workers compensation for the fiscal year 2012.

City of Craig
Property, Liability, & Workers Comp Insurance
May, 2011

	Alaska Public Entity Insurance	Alaska Municipal League Joint Insurance
General Liability Deductible	\$ 14,397 10,000	\$ 32,331 10,000
Crime & Fidelity & Police Liability Deductible	Included in General Liability -	18,899 10,000
Workers' Compensation	58,761	46,270
Auto Liability Deductible	20,058 500	20,210 500
Property Earthquake & Flood	43,772 5,465 25,000	25,357 included 5,000
Mobile Equipment Deductible	1,275 5,000	2,375 5,000
Total	143,728	145,442
One Year Dividend	(18,152)	-
Total	125,576	145,442
3 yrs. commitment	(5,527)	(7,272)
Total	<u>\$ 120,049</u>	<u>\$ 138,170</u>

Alaska Public Entity Insurance

Premium Summary

Policy Year: July 1, 2011 - July 1, 2012

Revision #1

CARRIERS: **Joint Insurance Arrangement**
 Alaska Public Entity Insurance

Excess Insurers
 Pending Confirmation

INSURED: **City of Craig** **Acct ID #** **240**

Part I	Aggregate Limit per Occurrence	Total Declared Property Value	Coverage	Deductible	Gross Premium	Gross Prem w/ Optional 3-yr agreement
Property and Mobile Equipment						
Property	\$100,000,000		125 % of Declared Value		\$43,772	\$42,740
Building		\$22,115,163		\$25,000		
Contents/EDP		\$1,601,779		\$10,000		
Docks/Piers/Harbors		\$4,203,813		\$25,000		
Fine Arts		\$0		\$500		
Boiler & Machinery	\$50,000,000			\$10,000		
Earthquake	\$50,000,000		Annual Aggregate	\$25,000	\$5,465	5,465
Flood	\$50,000,000		Annual Aggregate	\$25,000	Included with EQ	
Mobile Equipment	Included with property limit	\$402,886		\$5,000	\$1,275	\$1,211
Part II	Limit of Insurance	Reported Payroll or Vehicle Count	Coverage Limit Applies	Deductible	Gross Premium	Gross Prem w/ Optional 3-yr agreement
Liability and Automobile						
General Liability	\$15,250,000	\$1,676,097	Per Occurrence	None	\$14,397	\$13,907
Sewer Backup			Per Occurrence	\$10,000		
E&O (includes Public Officials, EMS, EPLI)			Per Occ/Annual Aggregate	\$10,000		
Law Enforcement Liability			Per Occ/Annual Aggregate	\$10,000		
Automobile						
Liability (incl covg for non-owned autos)	\$15,250,000	32 Vehicles	Per Occurrence	None	\$20,058	\$19,055
Physical Damage		7 Vehicles	Actual Cash Value	\$500	Included	Included
Part III	Limit of Insurance			Deductible	Gross Premium	Gross Prem w/ Optional 3-yr agreement
Crime & Fidelity						
Employee Dishonesty / Faithful Performance	\$100,000			None	Included	Included
Forgery or alteration	\$100,000			None		
Money, Securities, Counterfeit Paper	\$25,000			\$500		
Computer Fraud	\$100,000			None		
Part IV	Limit of Insurance	Reported Payroll		Deductible	Gross Premium	Gross Prem w/ Optional 3-yr agreement
Workers' Compensation						
Workers' Compensation (incl Federal Act, if any)	Statutory	\$1,684,847		None	\$58,761	\$55,823
Employers Liability	\$1,000,000					
Total Premium 2011-2012					\$143,728	\$138,201
Member Dividend to be Credited upon Renewal					\$18,152	\$18,152
Amount Owed for Coverage (includes, if applicable, Broker Commission Calculated on Total Premium)					\$125,576	\$120,049

Alaska Municipal League Joint Insurance Association, Inc.

Member's Notice of Deposit Contribution

807 G Street, Suite 356
Anchorage, Alaska 99501
Monday, June 06, 2011

Policy Term 2012

PHONE - (907) 258-2625
FAX - (907) 279-3615
TOLL FREE IN ALASKA - (800) 337-3682

Craig			Broker:	<input style="width: 150px; height: 20px;" type="text"/>
Joyce Mason	Finance		Brokerage Firm:	<input style="width: 150px; height: 20px;" type="text"/>
500 Third St			Broker Phone Number:	<input style="width: 100px; height: 20px;" type="text"/>
Craig	AK	99921-	Broker Fax Number:	<input style="width: 100px; height: 20px;" type="text"/>
Phone Number:	Fax Number:	Policy #:	Joined AML/JIA:	<input style="width: 100px; height: 20px;" type="text"/>
(907) 826-3275	(907) 826-3278	29		

Coverage Type and Exposure: CORE Package

ANNUAL CONTRIBUTION

1. GENERAL LIABILITY

General Liability Limits:	\$15,000,000	\$32,331
General Liability Deductible:	\$10,000	
Reported Payroll:	\$1,720,624	
Average Daily Membership (School only)	0	
General Liability Broker Fees	\$0	

2. PUBLIC OFFICIALS LIABILITY / School Leaders E and O

Included in General Liability

3. WORKERS' COMPENSATION

Reported Payroll:	\$1,720,624	\$46,270
Workers' Comp Broker Fees:	\$0	

4. AUTO LIABILITY

Auto Liability Limits:	\$15,000,000	\$10,720
Auto Liability Deductible:	\$5,000	
Auto Liability Broker Fees:	\$0	
Total Number of Vehicles:	32	
Scheduled Values:	\$602,692	
Comp. and Collision Premium:		\$9,490
Comp. and Collision Broker Fees	\$0	

5. PROPERTY

Deductibles and Rates are listed on your Property Detail Report

Total Values:	\$27,770,755	\$25,357
Total Mobile Equipment Values:	\$466,966	\$2,375
Mobile Equipment Broker Fees:	\$0	
Property Broker Fees:	\$0	

Earthquake and Flood Coverage: (See Property Detail Report for coverage and limits.)

6. POLICE PROFESSIONAL LIABILITY

PPL Limits:	\$15,000,000	\$18,899
PPL Deductible:	\$10,000	
PPL Broker Fees:	\$0	
Reported Police Payroll	\$296,219	

LCIP Discount: \$0

Crime Coverage: \$0

TOTAL CONTRIBUTION \$145,442

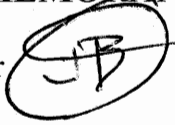
**5% Off for 3 year agreement:
\$138,169**

Line of Coverage	Area of Difference	AMLJIA	APEI
Liability	Deductible Coverage limit, general	Offers varying deductibles, from \$0 - \$100K \$3 million, \$5 million, \$10,250,000, or \$15,250,000	\$0 for all members, except Ketchikan \$10,250,000 School districts; \$15,250,000 municipalities
	Coverage limit, auto liability, bodily injury	\$3 million, \$5 million, \$10,250,000, or \$15,250,000	\$10,250,000 School districts; \$15,250,000 municipalities
	Vicarious liability for intentional acts	Excluded, except for sexual activity	Covered, at least for member (the individual who committed the intentional act may not be covered, but the member is covered for its vicarious exposure)
	Airport operations; docks & harbors;	Premises liability is included by endorsement. Excludes coverage for any claim "arising out of the ownership of, operation of, or activities of, any airports, airport terminals, wharves, ports, marinas, small boat harbors.	Covers claims arising from accidents that occur in areas of airport terminal, parking lot, etc. open to the public; covers all other items listed
	Exclusion: Punitive damages	Excludes coverage for punitive damages	Covered (only would apply to employees, since public entities are immune)
	Non-Owned Autos	Excludes coverage for physical damage to an employee's vehicle, even if employee is using vehicle for work	Employee's vehicle covered if being used for work
	UM/UIM liability coverage	Bodily injury to \$1 million	Bodily injury to \$250K
	Watercraft operations	Covers vessels under 27 feet	Covers vessels under 26 feet
EPL	EEOC or Human Rights Commission admin hearings Litigation	50% co-pay of legal fees and costs, up to \$10K annual aggregate per member paid by AMLJIA; No coverage for damage awards Full coverage	50% co-pay of legal fees and costs with no annual aggregate maximum; covered for damage awards, including back pay 50% co-pay of legal fees and costs
Police Professional Liability		Separate coverage	Included under general liability policy
	Injuries to family members	Covered for Auto Liability only	Covered
	Coverage limit	\$5 - 15.25 million; \$15.25 annual aggregate limit per member	\$15.25 million per occurrence; no aggregate

Student Accident	Coverage Limit	\$25K	\$1 million
	Deductible/Coinsurance	\$50 per occurrence; 80%	None (full coverage)
	Ambulance/medevac limit	\$1,500	\$25K
	Coverage for football	Yes	No
Workers' Comp.	Employer's liability per occurrence limit	\$2.5 million	\$10.25 million (school districts); \$15.25 million (municipalities)
Property Quake & Flood	Quake deductible	Greater of 2% of value or \$100K per occurrence per "unit of insurance" (each building, contents each a separate unit with additional deductible)	Same as member's regular property deductible (\$5k-\$100K); one deductible applicable per occurrence, regardless of number of buildings involved
	Flood deductible	\$100k - \$250K, depending on Flood Zone	Same as member's regular property deductible (\$5k-\$100K)
	Flood: Program Aggregate	\$250 million for all flood zones except Zone A. \$175 million for Zone A.	\$50 million
Property General	Vacant buildings	Several coverage limitations (no coverage for vandalism, theft, sprinkler leakage, glass, and 15% reduction in any claim payment) apply after building is vacant 90 days unless approved upon in writing by the Association.	No coverage limitations – treated just like any other buildings
	Course of Construction	Projects up to \$25 million	Projects up to \$5 million
	Property being shipped by marine transit	Excluded (Exception: Mobile Equipment is covered while being transported on any regular ferry)	Covered, so long as it's between US and/or Canada
	Recovery limit per building	Full replacement cost, no co-insurance penalties.	125% of stated value
	Appraisal values	Buildings must be valued at replacement cost; AMLJIA will do periodic appraisals. Members may accept the appraised value or request an agreed amount endorsement.	Values always as stated by member
	Boats	Covers vessels under 27 feet	Covers vessels under 26 feet
	Terrorism	Covered for property	Not covered
	Significant sublimits		

	Business Interruption Money & Securities Unscheduled fine arts	Up to \$100 million if scheduled; if not \$500,000 \$2.5 million \$2.5 million	\$5 million Excluded \$5 million (Note: APEI is negotiating with excess carriers to raise several sublimits at the next renewal.)
Property Mobile Equipment	Deductible	\$5K-100K	\$5K-10K
Property Auto	Auto – emergency vehicles	Loss payable to full stated value	Loss payable to lesser of stated value or ACV (Note: this is being changed to provide coverage to stated value)
	Auto – non-emergency vehicles	Actual Cash Value	Maximum recovery: stated value up to \$500K
	Auto comp & collision deductibles	\$500-1000	\$500
Property Boiler & Mach	Boiler & Machinery deductibles	\$10K – 50K, depending on size or horsepower of machine	\$10K
Property Crime	Deductibles	Varies; \$0-50K Standard Deductible \$1,000	\$0-500
	Sublimits	Up to \$500K Standard Limit \$100K	\$25K-100K

**CITY OF CRAIG
MEMORANDUM**

To: Craig City Council
From: Jon Bolling, City Administrator 
Date: June 7, 2011
RE: Change Order, South Cove Harbor Improvement Project

Attached you will find a proposed change order for the South Cove Harbor Improvement project.

The change order is needed due to requirements issued by the second of the two grants that are paying for the cost of the South Cove Harbor project. The second grant agreement calls for implementation of specific Davis-Bacon contract language. That language is missing from the solicitation the city issued to secure bids for the project. The attached change order corrects the problem by implementing public contract wage and reporting requirements consistent with the requirements of the second South Cove Harbor grant.

I met with the contractor to negotiate the cost differential between the costs upon which he developed his bid and the costs he will incur under State public contracting requirements. The result is a net increase in the contract amount of \$3,482. The grants for the South Cove project have sufficient funds to make up the difference.

Recommendation

Adopt Change Order No. 1 of the South Cove Harbor Improvement Project.

Recommended motion: I move to adopt Order No. 1 of the South Cove Harbor Improvement Project.

CITY OF CRAIG
CHANGE ORDER NO. 1

Craig South Cove Improvement Project

DATE: June 6, 2011

CONTRACTOR/ADDRESS: Clifton Enterprises 310 Mills Street Sitka, AK 99835

OWNER: City of Craig

PROJECT: Craig South Cove Improvement Project


Description of Change: See Attached

Original Contract Amount	<u> \$83,200 </u>
Previous Change Order Amount	<u> \$ 0 </u>
Amount This Change Order	<u> \$ 3,482 </u>
Revised Total Contract Amount	<u> \$86,682 </u>
Original Completion Date	<u> June 30, 2011 </u>
Previous Change Order Time Changes	<u> None </u>
This Change Order Time Changes	<u> None </u>
Completion Date With This C. O.	<u> June 30, 2011 </u>

ACCEPTED BY:

Clifton Enterprises

Contractor



Signature

owner

Title

APPROVED BY:

City of Craig

Owner

Signature

Title

The scope and cost of the work added, deleted or modified by this change order is defined in the correspondence relating to the following listed change items. Payment as

CHANGE ORDER NO. 1

Craig South Cove Improvement Project

Contractor: Clifton Enterprises

Owner: City of Craig

provided for in this Change Order and the time extension set forth herein, if any, are full and complete compensation to the Contractor for the change(s) to the work, deleted work, modified work, direct or indirect impact on the Contractor's schedule, and for any equitable adjustment or time extension to which the Contractor may be entitled, pursuant to the contract or any other basis whatsoever.

Davis-Bacon Wage Requirement

The original bid solicitation did not require labor pricing based on Davis-Bacon wage scale. The project is subject to public contracting wage rates. The difference between bid wage and benefits rates and Davis-Bacon rates totals approximately \$20 per hour, per employee, over the one week course of the project. The contractor will have three employees at work on the project (\$20/hr x 120 man hours).

Total This Item **\$2,400.00**

Administration Fee due to State of Alaska Department of Labor

The Alaska Department of Labor charges a fee to administer public contracts. Notice of the public contracting requirement was not included in the bid documents.

Total This Item **\$ 832.00**

Payroll Administration Cost

Contractor's payroll administration costs he would have incorporated into his bid had the Davis-Bacon Wage requirement been included in the bidding documents.

Total This Item **\$ 250.00**

TOTAL THIS CHANGE ORDER **\$ 3,482.00**

**CITY OF CRAIG
MEMORANDUM**

To: Craig City Council
From: Jon Bolling, City Administrator
Date: June 8, 2011
RE: Grant Agreement with US Forest Service – North Fork Lake Dam

Attached is a draft grant agreement between the City of Craig and the US Forest Service.

The agreement enables the City of Craig to use \$275,000 in Title II funds from the Secure Rural Schools and Community Self-Determination Act (better known as the National Forest Receipts program) for the design, permitting, and construction for the North Fork Lake Dam raising project. The Prince of Wales Resource Advisory Committee, of which I am a member, is charged with recommending to the Tongass Forest Supervisor projects that merit Title II funding. This project secured the RAC's and Forest Supervisor's approval a few months ago, and the attached grant agreement, once approved, allows the city to spend Title II funds on the dam project.

Once the grant agreement is executed, city staff will begin the design and permitting process. It is my goal to complete the permitting and design process and go to bid this winter for construction work to raise the dam as high as practicable.

At this point I do not know if the \$275,000 award is sufficient to complete the project. Staff will know more once the design is complete, and ultimately, when bids are opened for the construction phase of the work.

Recommendation

Authorize staff to enter into the grant agreement with the US Forest Service.

Recommended motion: I move to authorize staff to sign Grant Agreement No. 10-DG-11100500-301 with the US Forest Service for improvements to North Fork Lake Dam.

**FEDERAL FINANCIAL ASSISTANCE
AWARD OF DOMESTIC GRANT 10-DG-11100500-301
Between The
CITY OF CRAIG
And The
USDA, FOREST SERVICE
TONGASS NATIONAL FOREST**

Project Title: North Fork Lake Watershed Improvement Project

Upon execution of this document, an award to The City of Craig, hereinafter referred to as "Recipient," in the amount of \$275,000, is made under Secure Rural Schools and Community Self-Determination Act of 2000, Public Law 106-393, 16 U.S.C. 500, as reauthorized and amended by the Emergency Economic Stabilization Act of 2008, Energy Improvement and Extension Act of 2008, and Tax Extenders and Alternative Minimum Tax relief Act of 2008, Section 601(a) in division C of Pub. L. 110. Recipient accepts this award for the purpose described in the application narrative. Your application for Federal financial assistance, dated June 6, 2011, and the attached U.S. Forest Service provisions, 'U.S. Forest Service Award Provisions,' are incorporated into this letter and made a part of this award.

This is an award of Federal financial assistance and is subject to OMB Circular A-102, as implemented by regulations 7 CFR 3016, 7 CFR 225, and OMB Circular A-133 as implemented by USDA regulation 7 CFR 3052. All Federal and Recipient matching/cost-share contributions are subject to all relevant OMB Circulars and Code of Federal Regulations.

The OMB Circulars are available on the internet at http://www.whitehouse.gov/omb/grants_default/. Electronic copies of the CFRs can be obtained at the following internet site: <http://www.gpoaccess.gov/cfr/index.html>. If you are unable to retrieve these regulations electronically, please contact your Grants and Agreements Office at (503) 808-2350.

Effective October 1, 2010, recipients are required to report information on subaward and executive total compensation, as required by the Federal Funding Accountability and Transparency Act of 2006 (Pub. L. 109-282), as amended by section 6202 of Public Law 110-252, hereinafter referred to as "the Transparency Act." See the award terms in Attachment B: 2 CFR Part 170.

The following administrative provisions apply to this award:

- A. **LEGAL AUTHORITY.** Recipient shall have the legal authority to enter into this award, and the institutional, managerial, and financial capability to ensure proper planning, management, and completion of the project, which includes funds sufficient to pay the nonfederal share of project costs, when applicable.



- B. PRINCIPAL CONTACTS. Individuals listed below are authorized to act in their respective areas for matters related to this award.

Principal Cooperator Contacts:

Cooperator Program Contact	Cooperator Administrative Contact
Jon Bolling City of Craig P.O. Box 725 Craig, AK 99921 Telephone: (907) 826-3275 Email: jbolling@aptalaska.net	Jon Bolling City of Craig P.O. Box 725 Craig, AK 99921 Telephone: (907) 826-3275 Email: jbolling@aptalaska.net

Principal U.S. Forest Service Contacts:

U.S. Forest Service Program Manager Contact	U.S. Forest Service Administrative Contact
Tom Cady FWWS Program Manager Tongass National Forest P.O. Box 500 Craig, AK 99921 Telephone: (817) 826-1608 Email: tcady@fs.fed.us	Von Erkert Grants & Agreements Specialist State and Private Forestry P.O. Box 3623 Portland, OR 97208 Telephone: (503) 808-2350 Email: verkert@fs.fed.us

- C. AVAILABILITY OF FUNDS. U.S. Forest Service funds in the amount of **\$275,000** are currently available for performance of this award through **September 30, 2012**. The U.S. Forest Service's obligation for performance of this award beyond this date is contingent upon the availability of appropriated funds from which payment can be made. No legal liability on the part of the U.S. Forest Service for any payment may arise for performance under this award beyond September 30, 2011 until funds are made available to the U.S. Forest Service for performance and until the Recipient receive(s) notice of availability to be confirmed in a written modification by the U.S. Forest Service.
- D. ADVANCE AND REIMBURSABLE PAYMENTS – FINANCIAL ASSISTANCE. See provision "M" in the attachment, 'U.S. Forest Service Award Provisions.'
- E. PROGRAMMATIC CHANGES. Recipient shall obtain prior approval for any change to the scope of objectives of the approved project, key personnel, or transfer of substantive programmatic work to another party.
- F. MODIFICATIONS. Modifications within the scope of this award shall be made by mutual consent of the parties, by the issuance of a written modification signed and dated by all properly authorized, signatory officials, prior to any changes being

performed. Requests for modification should be made, in writing, at least 30 days prior to implementation of the requested change. The U.S. Forest Service is not obligated to fund any changes not properly approved in advance.

- G. COMMENCEMENT/EXPIRATION DATE. This award is executed as of the date of the last signature and is effective through September 30, 2011 at which time it will expire, unless extended by an executed modification, signed and dated by all properly authorized, signatory officials.
- H. AUTHORIZED REPRESENTATIVES. By signature below, each party certifies that the individuals listed in this document as representatives of the individual parties are authorized to act in their respective areas for matters related to this award. In witness whereof, the parties hereto have executed this award as of the last date written below.

JON BOLLING, City Administrator
City of Craig

Date

FORREST COLE, Forest Supervisor
U.S. Forest Service, Tongass National Forest

Date

The authority and format of this award have been reviewed and approved for signature.

VON ERKERT
U.S. Forest Service
Grants & Agreements Specialist

Date

ATTACHMENT A: U.S. FOREST SERVICE AWARD PROVISIONS

- A. COLLABORATIVE ARRANGEMENTS. Where permitted by terms of the award, the Recipient may enter into collaborative arrangements with other organizations to jointly carry out activities with grant funds.
- B. NON-LIABILITY. The U.S. Forest Service does not assume liability for any third party claims for damages arising out of this award.
- C. NOTICES. Any notice given by the U.S. Forest Service or the Recipient will be sufficient only if in writing and delivered in person, mailed, or transmitted electronically by e-mail or fax, as follows:

To the U.S. Forest Service Program Manager, at the address specified in the grant.

To the Recipient, at the Recipient's address shown in the grant or such other address designated within the grant.

Notices will be effective when delivered in accordance with this provision, or on the effective date of the notice, whichever is later.

- D. SUBRECIPIENT NOTIFICATION Recipient shall notify subrecipients under this award that they are subject to the terms and conditions herein, except with respect to the recipient's OMB Uniform Administrative Requirements and Cost Principles. In the case of subrecipient Uniform Administrative Requirements and Cost Principles, subrecipients must be notified that they are subject to the following:

SUBRECIPIENT TYPE	APPLICABLE ADMINISTRATIVE REQUIREMENTS AND COST PRINCIPLES	
	Administrative Requirements	Cost Principles
Non-profits	2 CFR 215	2 CFR 230
Local and Tribal governments (when recipient is a State)	State & Federal laws, regulations	2 CFR 225
Local and Tribal governments (when recipient is a non-State)	A-102	2 CFR 225
State agencies	State & Federal laws, regulations	2 CFR 225
Universities	2 CFR 215	2 CFR 220
Profit-makers	2 CFR 215	48 CFR 31.2

- E. USE OF U.S. FOREST SERVICE INSIGNIA. In order for the Recipient to use the U.S. Forest Service insignia on any published media, such as a webpage, printed publication, or audiovisual production, permission must be granted from the U.S. Forest Service's Office of Communications. A written request must be submitted and approval granted in writing by the Office of Communications (Washington Office) prior to use of the insignia.
- F. METRIC SYSTEM OF MEASUREMENT. Wherever measurements are required or authorized, they shall be made, computed, and recorded in metric system units of measurement, unless otherwise authorized by the U.S. Forest Service Program Manager in writing when it has found that such usage is impractical or is likely to cause U.S. firms to experience significant inefficiencies or the loss of markets. Where the metric system is not the predominant standard for a particular application, measurements may be expressed in both the metric and the traditional equivalent units, provided the metric units are listed first.
- G. MEMBERS OF U.S. CONGRESS. Pursuant to 41 U.S.C. 22, no United States member of, or United States delegate to, Congress shall be admitted to any share or part of this award, or benefits that may arise therefrom, either directly or indirectly.
- H. TRAFFICKING IN PERSONS.
1. Provisions applicable to a Recipient that is a private entity.
 - a. You as the Recipient, your employees, subrecipients under this award, and subrecipients' employees may not—
 - (1) Engage in severe forms of trafficking in persons during the period of time that the award is in effect;
 - (2) Procure a commercial sex act during the period of time that the award is in effect; or
 - (3) Use forced labor in the performance of the award or subawards under the award.
 - b. We as the Federal awarding agency may unilaterally terminate this award, without penalty, if you or a subrecipient that is a private entity —
 - (1) Is determined to have violated a prohibition in paragraph a.1 of this award term; or
 - (2) Has an employee who is determined by the agency official authorized to terminate the award to have violated a prohibition in paragraph a.1 of this award term through conduct that is either—

- i. Associated with performance under this award; or
 - ii. Imputed to you or the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 CFR part 180, “OMB Guidelines to Agencies on Government wide Debarment and Suspension (Nonprocurement),” as implemented by our agency at 2 CFR 417.
2. Provision applicable to a Recipient other than a private entity. We as the Federal awarding agency may unilaterally terminate this award, without penalty, if a subrecipient that is a private entity—
 - a. Is determined to have violated an applicable prohibition in paragraph a.1 of this award term; or
 - b. Has an employee who is determined by the agency official authorized to terminate the award to have violated an applicable prohibition in paragraph a.1 of this award term through conduct that is either—
 - (1) Associated with performance under this award; or
 - (2) Imputed to the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 CFR part 180, “OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement),” as implemented by our agency at 2 CFR 417.
3. Provisions applicable to any recipient.
 - a. You must inform us immediately of any information you receive from any source alleging a violation of a prohibition in paragraph a.1 of this award term.
 - b. Our right to terminate unilaterally that is described in paragraph a.2 or b of this section:
 - (1) Implements section 106(g) of the Trafficking Victims Protection Act of 2000 (TVPA), as amended (22 U.S.C. 7104(g)), and
 - (2) Is in addition to all other remedies for noncompliance that are available to us under this award.
 - c. You must include the requirements of paragraph a.1 of this award term in any subaward you make to a private entity.
4. Definitions. For purposes of this award term:

- a. “Employee” means either:
 - (1) An individual employed by you or a subrecipient who is engaged in the performance of the project or program under this award; or
 - (2) Another person engaged in the performance of the project or program under this award and not compensated by you including, but not limited to, a volunteer or individual whose services are contributed by a third party as an in-kind contribution toward cost sharing or matching requirements.
- b. “Forced labor” means labor obtained by any of the following methods: the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.
- c. “Private entity”:
 - (1) Means any entity other than a State, local government, Indian tribe, or foreign public entity, as those terms are defined in 2 CFR 175.25.
 - (2) Includes:
 - i. A nonprofit organization, including any nonprofit institution of higher education, hospital, or tribal organization other than one included in the definition of Indian tribe at 2 CFR 175.25(b).
 - ii. A for-profit organization.
- d. “Severe forms of trafficking in persons,” “commercial sex act,” and “coercion” have the meanings given at section 103 of the TVPA, as amended (22 U.S.C. 7102).

I. DRUG-FREE WORKPLACE.

- 1. Recipient agree(s) that it will publish a drug-free workplace statement and provide a copy to each employee who will be engaged in the performance of any project/program that receives federal funding. The statement must
 - a. Tell the employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in its workplace;
 - b. Specify the actions the Recipient will take against employees for violating that prohibition; and
 - c. Let each employee know that, as a condition of employment under any instrument, he or she

- (1) Must abide by the terms of the statement, and
 - (2) Must notify you in writing if he or she is convicted for a violation of a criminal drug statute occurring in the workplace, and must do so no more than five calendar days after the conviction.
 2. Recipient agree(s) that it will establish an ongoing drug-free awareness program to inform employees about
 - a. The dangers of drug abuse in the workplace;
 - b. Your policy of maintaining a drug-free workplace;
 - c. Any available drug counseling, rehabilitation and employee assistance programs; and
 - d. The penalties that you may impose upon them for drug abuse violations occurring in the workplace.
 3. Without the U.S. Forest Service's expressed written approval, the policy statement and program must be in place as soon as possible, no later than the 30 days after the effective date of this award, or the completion date of this award, whichever occurs first.
 4. Recipient agree(s) to immediately notify the U.S. Forest Service if an employee is convicted of a drug violation in the workplace. The notification must be in writing, identify the employee's position title, the award number of each award on which the employee worked. The notification must be sent to the U.S. Forest Service within ten calendar days after the Recipient learn(s) of the conviction.
 5. Within 30 calendar days of learning about an employee's conviction, the Recipient must either
 - a. Take appropriate personnel action against the employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973 (29 USC 794), as amended, or
 - b. Require the employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for these purposes by a Federal, State or local health, law enforcement, or other appropriate agency.
- J. ELIGIBLE WORKERS. Recipient shall ensure that all employees complete the I-9 form to certify that they are eligible for lawful employment under the Immigration and Nationality Act (8 USC 1324a). Recipient shall comply with regulations regarding

certification and retention of the completed forms. These requirements also apply to any contract or supplemental instruments awarded under this award.

- K. FINANCIAL STATUS REPORTING. A Federal Financial Report, form SF-425 (and Federal Financial Report Attachment SF-425A, if required for reporting multiple grants), must be submitted annually. The final SF-425 (and SF-425A, if applicable) must be submitted either with the final payment request or no later than 90 days from the expiration date of the award. These forms may be found at www.whitehouse.gov/omb/grants_forms.
- L. REPORT OF FEDERAL CASH TRANSACTIONS. Using SF-425, Federal Financial Report, the Recipient shall submit a report of federal cash transaction within 15 calendar days following the end of each quarter, unless otherwise agreed upon in writing. A final financial status report is required within 90 days from the expiration date of this award.
- M. ADVANCE AND REIMBURSABLE PAYMENTS – FINANCIAL ASSISTANCE. Advance and reimbursable payments are approved under this award. Only costs for those project activities approved in (1) the initial award, or (2) modifications thereto, are allowable. Requests for payment shall be submitted on Standard Form (SF) 270, and shall be submitted no more than monthly. In order to approve a Request for Advance Payment or Reimbursement, the U.S. Forest Service shall review such requests to ensure advances or payments for reimbursement are in compliance and otherwise consistent with OMB, USDA, and U.S. Forest Service regulations. Advance payments shall not exceed the minimum amount needed or no more than is needed for a 30-day period, whichever is less. If the Recipient receive(s) an advance payment and subsequently requests an advance or reimbursement payment, then the request must clearly demonstrate that the previously advanced funds have been fully expended before the U.S. Forest Service can approve the request for payment. Any funds advanced, but not spent, upon expiration of this award shall be returned to the U.S. Forest Service.

The invoice must be sent by one of three methods (email is preferred):

EMAIL: asc_ga@fs.fed.us

FAX: 877-687-4894

POSTAL: Albuquerque Service Center
Payments – Grants & Agreements
101B Sun Ave NE
Albuquerque, NM 87109

Send a copy to: Tom Cady
FWWS Program Manager

Tongass National Forest
P.O. Box 500
Craig, AK 99921
Telephone: (817) 826-1608
Email: tcady@fs.fed.us

- N. AWARD CLOSEOUT. Recipient shall close out the grant within 90 days after expiration or notice of termination.

Any unobligated balance of cash advanced to the Recipient shall be immediately refunded to the U.S. Forest Service, including any interest earned in accordance with 7 CFR 3016.21, 7 CFR 3019.22, or other relevant law or regulation.

Within a maximum of 90 days following the date of expiration or termination of this grant, all financial performance and related reports required by the terms of the award shall be submitted to the U.S. Forest Service by the Recipient.

If this award is closed out without audit, the U.S. Forest Service reserves the right to disallow and recover an appropriate amount after fully considering any recommended disallowances resulting from an audit which may be conducted later.

- O. PROGRAM PERFORMANCE REPORTS. Recipient shall monitor the performance of the grant activities to ensure that performance goals are being achieved.

Performance reports shall contain information on the following:

- A comparison of actual accomplishments to the goals established for the period. Where the output of the project can be readily expressed in numbers, a computation of the cost per unit of output may be required if that information is useful.
- Reason(s) for delay if established goals were not met.
- Additional pertinent information including, when appropriate, analysis and explanation of cost overruns or high unit costs.

Recipient shall submit annual performance reports. These reports are due 90 days after the reporting period. The final performance report shall be submitted either with the Recipient's final payment request, or separately, but not later than 90 days from the expiration date of the grant.

- P. NOTIFICATION. Recipient shall immediately notify the U.S. Forest Service of developments that have a significant impact on the activities supported under this grant. Also, notification shall be given in case of problems, delays or adverse conditions that materially impair the ability to meet the objectives of the award. This notification shall include a statement of the action taken or contemplated, and any assistance needed to resolve the situation.

- Q. CHANGES IN KEY POSITIONS AND PERSONNEL. Any revision to key positions and personnel identified in the application for this award require prior, written approval from the U.S. Forest Service. All technical positions are considered Key Personnel by the U.S. Forest Service. Failure on the part of the Recipient to obtain prior, written approval when required may result in the disallowance of costs.
- R. FREEDOM OF INFORMATION ACT (FOIA). Public access to grant or agreement records shall not be limited, except when such records must be kept confidential and would have been exempted from disclosure pursuant to "Freedom of Information" regulations (5 U.S.C. 552).
- S. TEXT MESSAGING WHILE DRIVING. In accordance with Executive Order (EO) 13513, "Federal Leadership on Reducing Text Messaging While Driving," any and all text messaging by Federal employees is banned: a) while driving a Government owned vehicle (GOV) or driving a privately owned vehicle (POV) while on official Government business; or b) using any electronic equipment supplied by the Government when driving any vehicle at any time. All recipients and subrecipients are encouraged to adopt and enforce policies that ban text messaging when driving company owned, leased or rented vehicles, POVs or GOVs when driving while on official Government business or when performing any work for or on behalf of the Government.
- T. PUBLIC NOTICES. It is the U.S. Forest Service's policy to inform the public as fully as possible of its programs and activities. Recipient is/are encouraged to give public notice of the receipt of this award and, from time to time, to announce progress and accomplishments. Press releases or other public notices should include a statement substantially as follows:
- "Secure Rural Schools and Community Self-Determination (Title II) Program of the U.S. Forest Service, Department of Agriculture, North Fork Lake Watershed Improvement Project."
- Recipient may call on the U.S. Forest Service's Office of Communication for advice regarding public notices. Recipient is/are requested to provide copies of notices or announcements to the U.S. Forest Service Program Manager and to the U.S. Forest Service's Office of Communications as far in advance of release as possible.
- U. FUNDING EQUIPMENT. Federal funding under this award is not available for reimbursement of the Recipient's purchase of equipment. Equipment is defined as having a fair market value of \$5,000 or more per unit and a useful life of over one year. Supplies are those items that are not equipment.
- V. USE OF GOVERNMENT OWNED VEHICLE. U.S. Forest Service vehicles may be used for official U.S. Forest Service business only in accordance with FSH 7109.19, ch.

60, the requirements established by the region in which performance of this award takes place, and the terms of this award.

- W. U.S. FOREST SERVICE ACKNOWLEDGED IN PUBLICATIONS, AUDIOVISUALS, AND ELECTRONIC MEDIA. Recipient shall acknowledge U.S. Forest Service support in any publications, audiovisuals, and electronic media developed as a result of this award.
- X. NONDISCRIMINATION STATEMENT – PRINTED, ELECTRONIC, OR AUDIOVISUAL MATERIAL. Recipient shall include the following statement, in full, in any printed, audiovisual material, or electronic media for public distribution developed or printed with any Federal funding.

In accordance with Federal law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age, or disability. (Not all prohibited bases apply to all programs.)

**To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 1400 Independence Avenue, SW, Washington, DC 20250-9410 or call (202) 720-5964 (voice and TDD).
USDA is an equal opportunity provider and employer.**

If the material is too small to permit the full statement to be included, the material must, at minimum, include the following statement, in print size no smaller than the text:

“This institution is an equal opportunity provider.”

- Y. TERMINATION BY MUTUAL AGREEMENT. This award may be terminated, in whole or part, as follows:

- When the U.S. Forest Service and the Recipient agree upon the termination conditions, including the effective date and, in the case of partial termination, the portion to be terminated.
- By 30 days written notification by the Recipient to the U.S. Forest Service setting forth the reasons for termination, effective date, and in the case of partial termination, the portion to be terminated.

If, in the case of a partial termination, the U.S. Forest Service determines that the remaining portion of the award will not accomplish the purposes for which the award was made, the U.S. Forest Service may terminate the award in its entirety.

Upon termination of an award, the Recipient shall not incur any new obligations for the terminated portion of the award after the effective date, and shall cancel as many outstanding obligations as possible. The U.S. Forest Service shall allow full credit to

the Recipient for the United States Federal share of the non-cancelable obligations properly incurred by the Recipient up to the effective date of the termination. Excess funds shall be refunded within 60 days after the effective date of termination.

Z. DISPUTES.

1. Any dispute under this award shall be decided by the Program Manager. The Program Manager shall furnish the Recipient a written copy of the decision.
2. Decisions of the Program Manager shall be final unless, within 30 days of receipt of the decision of the Program Manager, the Recipient appeal(s) the decision to the U.S. Forest Service's Director, Acquisition Management (AQM). Any appeal made under this provision shall be in writing and addressed to the Director, AQM, USDA, Forest Service, Washington, DC 20024. A copy of the appeal shall be concurrently furnished to the Program Manager.
3. In order to facilitate review on the record by the Director, AQM, the Recipient shall be given an opportunity to submit written evidence in support of its appeal. No hearing will be provided.

AA. DEBARMENT AND SUSPENSION. Recipient shall immediately inform the U.S. Forest Service if they or any of their principals are presently excluded, debarred, or suspended from entering into covered transactions with the federal government according to the terms of 2 CFR Part 180. Additionally, should the Recipient or any of their principals receive a transmittal letter or other official federal notice of debarment or suspension, then they shall notify the U.S. Forest Service without undue delay. This applies whether the exclusion, debarment, or suspension is voluntary or involuntary.

BB. CENTRAL CONTRACTOR REGISTRATION AND UNIVERSAL IDENTIFIER REQUIREMENTS.

1. *Requirement for Central Contractor Registration (CCR)*

Unless you are exempted from this requirement under 2 CFR 25.110, you as the recipient must maintain the currency of your information in the CCR until you submit the final financial report required under this award or receive the final payment, whichever is later. This requires that you review and update the information at least annually after the initial registration, and more frequently if required by changes in your information or another award term.

2. *Requirement for Data Universal Numbering System (DUNS) Numbers*

If you are authorized to make subawards under this award, you:

- a. Must notify potential subrecipients that no entity (*see* definition in paragraph C of this award term) may receive a subaward from you unless the entity has provided its DUNS number to you.
- b. May not make a subaward to an entity unless the entity has provided its DUNS number to you.

3. *Definitions*

For purposes of this award term:

- a. *Central Contractor Registration (CCR)* means the Federal repository into which an entity must provide information required for the conduct of business as a recipient. Additional information about registration procedures may be found at the CCR Internet site (currently at <http://www.ccr.gov>).
- b. *Data Universal Numbering System (DUNS) number* means the nine-digit number established and assigned by Dun and Bradstreet, Inc. (D&B) to uniquely identify business entities. A DUNS number may be obtained from D&B by telephone (currently 866-705-5711) or the Internet (currently at <http://fedgov.dnb.com/webform>).
- c. *Entity*, as it is used in this award term, means all of the following, as defined at 2 CFR part 25, subpart C:
 - i. A Governmental organization, which is a State, local government, or Indian Tribe;
 - ii. A foreign public entity;
 - iii. A domestic or foreign nonprofit organization;
 - iv. A domestic or foreign for-profit organization; and
 - v. A Federal agency, but only as a subrecipient under an award or subaward to a non-Federal entity.

4. *Subaward*:

- a. This term means a legal agreement to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible subrecipient.
- b. The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, *see* Sec. II.210 of the attachment to OMB Circular A-133, “Audits of States, Local Governments, and Non-Profit Organizations”).
- c. A subaward may be provided through any legal agreement, including an agreement that you consider a contract.

5. *Subrecipient* means an entity that:

- a. Receives a subaward from you under this award; and
- b. Is accountable to you for the use of the Federal funds provided by the subaward.

[END OF PROVISION]

ATTACHMENT B: 2 CFR PART 170

Appendix A to Part 170—Award Term

I. Reporting Subawards and Executive Compensation.

a. *Reporting of first-tier subawards.*

1. *Applicability.* Unless you are exempt as provided in paragraph d. of this award term, you must report each action that obligates \$25,000 or more in Federal funds that does not include Recovery funds (as defined in section 1512(a)(2) of the American Recovery and Reinvestment Act of 2009, Pub. L. 111–5) for a subaward to an entity (see definitions in paragraph e. of this award term).
2. *Where and when to report.*
 - i. You must report each obligating action described in paragraph a.1. of this award term to <http://www.fsrs.gov>.
 - ii. For subaward information, report no later than the end of the month following the month in which the obligation was made. (For example, if the obligation was made on November 7, 2010, the obligation must be reported by no later than December 31, 2010.)
3. *What to report.* You must report the information about each obligating action that the submission instructions posted at <http://www.fsrs.gov> specify.

b. *Reporting Total Compensation of Recipient Executives.*

1. *Applicability and what to report.* You must report total compensation for each of your five most highly compensated executives for the preceding completed fiscal year, if—
 - i. the total Federal funding authorized to date under this award is \$25,000 or more;
 - ii. in the preceding fiscal year, you received—
 - (A) 80 percent or more of your annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and
 - (B) \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and
 - iii. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/execomp.htm>.)
2. *Where and when to report.* You must report executive total compensation described in paragraph b.1. of this award term:
 - i. As part of your registration profile at <http://www.ccr.gov>.
 - ii. By the end of the month following the month in which this award is made, and annually thereafter.

c. *Reporting of Total Compensation of Subrecipient Executives.*

1. *Applicability and what to report.* Unless you are exempt as provided in paragraph d. of this award term, for each first-tier subrecipient under this award, you shall report the names and total compensation of each of the subrecipient's five most highly compensated executives for the subrecipient's preceding completed fiscal year, if—

- i. in the subrecipient's preceding fiscal year, the subrecipient received—
 - (A) 80 percent or more of its annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and
 - (B) \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts), and Federal financial assistance subject to the Transparency Act (and subawards); and
- ii. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/execomp.htm>.)

2. *Where and when to report.* You must report subrecipient executive total compensation described in paragraph c.1. of this award term:

- i. To the recipient.
- ii. By the end of the month following the month during which you make the subaward. For example, if a subaward is obligated on any date during the month of October of a given year (*i.e.*, between October 1 and 31), you must report any required compensation information of the subrecipient by November 30 of that year.

d. *Exemptions* If, in the previous tax year, you had gross income, from all sources, under \$300,000, you are exempt from the requirements to report:

1. Subawards, and
2. The total compensation of the five most highly compensated executives of any subrecipient.

e. *Definitions.* For purposes of this award term:

1. *Entity* means all of the following, as defined in 2 CFR part 25:

- i. A Governmental organization, which is a State, local government, or Indian tribe;
- ii. A foreign public entity;
- iii. A domestic or foreign nonprofit organization;
- iv. A domestic or foreign for-profit organization;
- v. A Federal agency, but only as a subrecipient under an award or subaward to a non-Federal entity.

2. *Executive* means officers, managing partners, or any other employees in management positions.

3. *Subaward:*

- i. This term means a legal agreement to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible subrecipient.
 - ii. The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, see Sec. II .210 of the attachment to OMB Circular A-133, “Audits of States, Local Governments, and Non-Profit Organizations”).
 - iii. A subaward may be provided through any legal agreement, including an agreement that you or a subrecipient considers a contract.
4. *Subrecipient* means an entity that:
- i. Receives a subaward from you (the recipient) under this award; and
 - ii. Is accountable to you for the use of the Federal funds provided by the subaward.
5. *Total compensation* means the cash and noncash dollar value earned by the executive during the recipient’s or subrecipient’s preceding fiscal year and includes the following (for more information see 17 CFR 229.402(c)(2)):
- i. *Salary and bonus.*
 - ii. *Awards of stock, stock options, and stock appreciation rights.* Use the dollar amount recognized for financial statement reporting purposes with respect to the fiscal year in accordance with the Statement of Financial Accounting Standards No. 123 (Revised 2004) (FAS 123R), Shared Based Payments.
 - iii. *Earnings for services under non-equity incentive plans.* This does not include group life, health, hospitalization or medical reimbursement plans that do not discriminate in favor of executives, and are available generally to all salaried employees.
 - iv. *Change in pension value.* This is the change in present value of defined benefit and actuarial pension plans.
 - v. *Above-market earnings on deferred compensation which is not tax-qualified.* vi. Other compensation, if the aggregate value of all such other compensation (e.g. severance, termination payments, value of life insurance paid on behalf of the employee, perquisites or property) for the executive exceeds \$10,000.

END OF ATTACHMENT B: 2 CFR PART 170

BUDGET INFORMATION - Non-Construction Programs

SECTION A - BUDGET SUMMARY						
Grant Program Function or Activity (a)	Catalog of Federal Domestic Assistance Number (b)	Estimated Unobligated Funds		New or Revised Budget		Total (g)
		Federal (c)	Non-Federal (d)	Federal (e)	Non-Federal (f)	
1. Secure Rural Schools	10.665	\$	\$	\$ 275,000.00	\$	\$ 275,000.00
2. Applicant					10,000.00	10,000.00
3.						0.00
4.						0.00
5. Totals		\$ 0.00	\$ 0.00	\$ 275,000.00	\$ 10,000.00	\$ 285,000.00
SECTION B - BUDGET CATEGORIES						
6. Object Class Categories	GRANT PROGRAM, FUNCTION OR ACTIVITY					
	(1) Secure Rural Schools	(2) Applicant	(3)			Total (5)
a. Personnel	\$	\$	\$	\$	\$	0.00
b. Fringe Benefits						0.00
c. Travel						0.00
d. Equipment						0.00
e. Supplies						0.00
f. Contractual	75,000.00	10,000.00				85,000.00
g. Construction	190,000.00					190,000.00
h. Other	10,000.00					10,000.00
i. Total Direct Charges (sum of 6a-6h)	275,000.00	10,000.00		0.00		285,000.00
j. Indirect Charges						0.00
k. TOTALS (sum of 6i and 6j)	\$ 275,000.00	\$ 10,000.00	\$	0.00	\$ 0.00	\$ 285,000.00
7. Program Income	\$	\$	\$	\$	\$	0.00

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SECTION C - NON-FEDERAL RESOURCES					
(a) Grant Program	(b) Applicant	(c) State	(d) Other Sources	(e) TOTALS	
8. North Fork Lake Watershed Enhancement	\$ 10,000.00	\$	\$	\$	10,000.00
9.					0.00
10.					0.00
11.					0.00
12. TOTAL (sum of lines 8-11)	\$ 10,000.00	\$ 0.00	\$ 0.00	\$ 0.00	10,000.00
SECTION D - FORECASTED CASH NEEDS					
	Total for 1st Year	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
	\$	\$	\$	\$	\$
13. Federal	275,000.00	50,000.00	25,000.00	100,000.00	100,000.00
14. Non-Federal	10,000.00	5,000.00	5,000.00		
15. TOTAL (sum of lines 13 and 14)	\$ 285,000.00	\$ 55,000.00	\$ 30,000.00	\$ 100,000.00	\$ 100,000.00
SECTION E - BUDGET ESTIMATES OF FEDERAL FUNDS NEEDED FOR BALANCE OF THE PROJECT					
(a) Grant Program	FUTURE FUNDING PERIODS (Years)				
	(b) First	(c) Second	(d) Third	(e) Fourth	
16. North Fork Lake Watershed Enhancement	\$ 0.00	\$	\$	\$	
17.					
18.					
19.					
20. TOTAL (sum of lines 16-19)	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	0.00
SECTION F - OTHER BUDGET INFORMATION					
21. Direct Charges:					
22. Indirect Charges:					
23. Remarks:					

Expanded Project Budget					
Cost Category Description	Federal Agency (FS)	Applicant	Partner 1	Partner 2	Total
A) Personnel (position*rate*time)					-
					-
					-
Subtotal	-			-	-
B) Fringe Benefits - % Personnel					-
					-
					-
Subtotal	-			-	-
C) Travel #people*#trips*perdiem/mileage					-
					-
					-
Subtotal	-			-	-
D) Equipment[1]>\$5000 (inventory list)					-
					-
					-
Subtotal	-			-	-
E) Supplies type*qty*cost					-
					-
					-
Subtotal	-			-	-
F) Contractual eg. cost/acres					-
Design and Permitting	75,000.00	10,000.00			85,000.00
North Fork Lake dam retrofit	190,000.00				190,000.00
Subtotal	265,000.00	10,000.00			275,000.00
G) Construction detail					
Subtotal					
H) Other (specify) detail					
NEPA Analysis	10,000.00				
Subtotal	10,000.00				10,000.00
Total Direct Costs					
I) Indirect Charges - include federally approved cost agreement					
Project Total	275,000.00	10,000.00			285,000.00
J) Program Income (using Deductive Alternative)					

[1] Equipment is single unit values of \$5,000 or greater with a useful life of more than 1 year. Please itemize equipment/costs.

[2] Program income is the gross revenue generated by a grant or cooperative agreement supported activity during the life of the grant. Program income can be earned from fees charged for conference or workshop attendance, from rental fees earned from renting out real property or equipment acquired with grant or cooperative agreement funds, or from the sale of commodities or items developed under the grant or cooperative agreement. The use of Program Income during the project period may require prior approval by the granting agency.