



City of Valdez

212 Chenega Ave.
Valdez, AK 99686

Meeting Agenda

City Council

Wednesday, May 6, 2026

7:00 PM

Council Chambers

Regular Meeting (Note Date Change Due to Municipal Election)

REGULAR AGENDA - 7:00 PM

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

IV. APPROVAL OF MINUTES

1. [Approval of Minutes for Regular Council Meeting of April 7, 2026](#)

V. PUBLIC BUSINESS FROM THE FLOOR

VI. CONSENT AGENDA

1. [Approval To Go Into Executive Session Re: Discussion of Implications for City Revenues and Litigation Strategy Regarding Trans Alaska Pipeline System Ad Valorem Tax Issues:](#)

VII. NEW BUSINESS

1. [Approval Captain Joe's Gas 2026 Beautification Grant Project in the Amount of \\$12,500](#)
2. [Approval of Valdez Brewing 2026 Beautification Matching Grant Project in the Amount of \\$12,050.](#)
3. [Certification of Election Results for the May 5, 2026, Regular Municipal Election](#)

VIII. ORDINANCES

1. [#26-03 - Amending Chapter 3.24 of the Valdez Municipal Code Titled Public Accommodation Tax. First Reading. Public Hearing.](#)
2. [#26-04 - Repealing and Reenacting Title 16 of the Valdez Municipal Code Titled Subdivisions. First Reading. Public Hearing.](#)

3. [#26-05 - Amending Chapter 2.52 of the Valdez Municipal Code Titled Planning and Zoning Commission. First Reading. Public Hearing.](#)

IX. RESOLUTIONS

1. [#26-28 - Establishing the 2026 Rate of Real Property Tax and Designating the Number of Mills for Each Dollar of Real Property to be Levied for Municipal and School Purposes](#)
2. [#26-29 - Naming Rates and Fees for Use of Facilities in the Valdez Harbors and Repealing Resolution 24-51 Formerly Naming Such Rates and Fees](#)
3. [#26-30 - Amending the 2026 City Budget by Transferring \\$23,000 from the Budget Variance Reserve to the Fire/EMS Department for Professional Fees and Services Budget](#)

X. REPORTS

1. [Monthly Treasury Report - March 2026](#)

XI. CITY MANAGER / CITY CLERK / CITY ATTORNEY / MAYOR REPORTS

1. City Manager Report

1. [City Manager Written Report](#)

2. City Clerk Report

3. City Attorney Report

4. City Mayor Report

XII. COUNCIL BUSINESS FROM THE FLOOR

XIII. EXECUTIVE SESSION

XIV. RETURN FROM EXECUTIVE SESSION

XV. ADJOURNMENT

XVI. APPENDIX

1. [May 2026 City Council Calendar](#)



City of Valdez

212 Chenega Ave.
Valdez, AK 99686

Legislation Text

File #: 26-0179, **Version:** 1

ITEM TITLE:

Approval of Minutes for Regular Council Meeting of April 7, 2026

SUBMITTED BY: Elise Sorum-Birk, Deputy City Clerk

FISCAL NOTES:

Expenditure Required: n/a

Unencumbered Balance: n/a

Funding Source: n/a

RECOMMENDATION:

Review and approve minutes.

SUMMARY STATEMENT:

The minutes from the Regular Meeting held on April 7, 2026 are attached for review and approval.

City of Valdez

212 Chenega Ave.
Valdez, AK 99686



DRAFT MEETING MINUTES

Tuesday, April 7, 2026

7:00 PM

Regular Meeting

Council Chambers

City Council

REGULAR AGENDA - 7:00 PM

I. CALL TO ORDER

Mayor Pro Tempore Love called the meeting to order at 7:01 p.m.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

Present: 6 - Council Member Austin Love
Council Member Jimmy Devens
Council Member Olivia Foster
Council Member Joseph Lally
Council Member Joy Witte
Council Member Lester Greene

Excused: 1 - Mayor Dennis Fleming
Also Present: City Clerk Sheri Pierce
City Manager Nathan Duval
City Attorney Jake Staser
Records Manager Katie Carr

IV. APPROVAL OF MINUTES

1. Approval of Minutes for Regular Council Meeting of March 17, 2026

The minutes were approved by consent.

V. PUBLIC APPEARANCES

1. Valdez Snowmachine Club Event Update - Ken Lares

VI. PUBLIC BUSINESS FROM THE FLOOR

Valdez Resident Dave Tousignant encouraged City Council to consider an increase to the senior citizen property tax exemption.

VII. CITY BOARDS & COMMISSIONS: REPORTS & REFERRALS

1. Recommendation to City Manager and City Council for Adoption of a City of Valdez Public Art Policy

City Manager Duval gave a brief introduction to the policy development process that had occurred.

Beautification Commission Chair Kathy Nielsen provided background on the need for the policy and desire for it to guide decision making around future public art projects. She spoke about the need for defined roles, maintenance and responsible use of public funds.

Council Member Witte asked about future expenditures required by the policy and how appropriate lifespan and maintenance needs for art would be determined.

Council Members Foster and Love thanked the commission and volunteer committee for their work.

2. Valdez Tourism Task Force Report and Recommendations to City Council

Tourism Task Force Chair Colleen Stephens thanked council members and staff for recognizing the need for the group. Stephens spoke about the purview and process of the task force. She highlighted the group's focus on the future of tourism marketing in Valdez and positive changes that could happen moving forward.

The following recommendations included in the report were highlighted:

- A desire to maintain visitor services for the coming summer including distribution of the guide and a continued use of the existing visitors' center building.
- A focus on the importance of digital assets and communications.
- A need to maintain and improve relationships between and among businesses, both locally and statewide.
- A vision for a transparent and accountable future organization that could responsibly use public funds to market Valdez as a destination.
- A desire that financial oversight be provided by the city and organizational guidance and vision be provided by local businesses.
- A need for fairness and clear parameters in a membership structure for a future organization.
- A desire for the task force to continue engaging in recommendations for governing documents of a future organization.

Council Member Witte recognized the work involved in the task force. She asked for and received clarification on financial estimates and the recommendation for using temporary city employees in 2026.

Council Members thanked the task force for their report and voiced support for the group's continued work.

VIII. CONSENT AGENDA

- 1. Proclamation: The Month of the Military Child and Purple Up Day**
- 2. Proclamation: Sexual Assault Awareness Month**
- 3. Proclamation: Child Abuse Prevention Month**

- 4. **Appointment to Regional Citizens' Advisory Council Board of Directors – Applicant: Dorothy Moore**
- 5. **Appointment to the Beautification Commission, Applicant: Magdalena McCay**
- 6. **Approval of Liquor License Renewals: A Rouge’s Garden (License #16039); Valdez Brewing LLC (License #15248)**
- 7. **Approval To Go Into Executive Session Re: Discussion of Implications for City Revenues and Litigation Strategy Regarding Trans Alaska Pipeline System Ad Valorem Tax Issues.**

MOTION: Council Member Lally moved, seconded by Council Member Witte, to approve all items on the consent agenda.

VOTE ON MOTION:

Yays: 6 - Love, Devens, Foster, Lally, Witte and Greene
Absent: 1 - Fleming
Motion carried.

IX. NEW BUSINESS

- 1. **Acceptance of Late File Application for 2025 Senior Citizen’s Property Tax Exemption – Edward Pinsky**

MOTION: Council Member Lally moved, seconded by Council Member Greene, to accept the late file senior citizen’s property tax exemption application for Edward Pinsky.

VOTE ON MOTION:

Yays: 6 - Love, Devens, Foster, Lally, Witte and Greene
Absent: 1 - Fleming
Motion carried.

- 2. **Approval of a Ten-Foot-Wide Private Water Line Easement on the City of Valdez Owned Property Known as Parcel B, Northern Lights Subdivision to Valdez Holdings, LLC.**

MOTION: Council Member Witte moved, seconded by Council Member Lally, to approve a ten-foot-wide private water line easement on the City of Valdez owned property known as Parcel B, Northern Lights Subdivision to Valdez Holdings, LLC.

Council Member Foster inquired about if the snow load on the snow lot would cause issues for the water line. City Manager Duval noted that the water line was intended to be seasonal.

VOTE ON MOTION:

Yays: 6 - Love, Devens, Foster, Lally, Witte and Greene

Absent: 1 - Fleming

Motion carried.

3. Approval of Contract with RSR Contracting LLC for Lawn Care and Ground Maintenance Services

MOTION: Council Member Lally moved, seconded by Council Member Foster, to approve a contract with RSR Contracting LLC for lawn care and ground maintenance services in the annual amount of \$174,180.

VOTE ON MOTION:

Yays: 6 - Love, Devens, Foster, Lally, Witte and Greene

Absent: 1 - Fleming

Motion carried.

4. Discussion Item: Agreement with Valdez Convention and Visitors Bureau for the Purchase of Digital Assets

City Manager Duval referenced the dissolution of the Valdez Convention and Visitors' Bureau and presented a proposal to obtain the organization's digital assets in exchange for the city providing payment of outstanding debts.

Council discussion included:

- Whether all outstanding debts had been identified.
- Challenges with uncertainty about outstanding debts.
- Value of assets to be acquired.
- Concerns about possible copyright issues with digital images.
- Benefits of assets not being recreated by a future organization.
- Support by the task force for acquiring the website.
- Future process for reaching an agreement with the board of the Valdez Convention and Visitors Bureau.

X. ORDINANCES

1. #26-02 - Amending Title 2 by Creating Chapter 2.96 Titled Firefighter Collective Bargaining. First Reading. Public Hearing.

MOTION: Council Member Lally moved, seconded by Council Member Greene, to introduce Ordinance 26-02 in first hearing for public hearing.

Firefighter Bryan Vincent thanked the council for bringing forward the ordinance, spoke to the process of developing the ordinance and expressed support for amending the city code to allow for unionization of the fire department.

Council Member Greene spoke to the presentation on the issue earlier in the year, noted the unanimous vote of the department and voiced support for the ordinance.

Council Members Devens and Love also voiced support.

VOTE ON MOTION:

Yays: 6 - Love, Devens, Foster, Lally, Witte and Greene
Absent: 1 - Fleming
Motion carried.

XI. RESOLUTIONS

1. #26-19 - Amending the 2026 City Budget by Appropriating an Additional \$250,000 to the Economic Development Department for Tourism Expenditures to be Transferred from Council Contingency Reserve

MOTION: Council Member Witte moved, seconded by Council Member Greene, to approve Resolution 26-19.

VOTE ON MOTION:

Yays: 6 - Love, Devens, Foster, Lally, Witte and Greene
Absent: 1 - Fleming
Motion carried.

2. #26-20 - Extending the Sunset of the Valdez Tourism Task Force and Assigning Additional Scope of Work

MOTION: Council Member Lally moved, seconded by Council Member Witte, to approve Resolution 26-20.

Council Member Lally spoke in support of the extension and noted there was more work to do.

Council Member Devens viewed the extension as an appropriate step.

VOTE ON MOTION:

Yays: 6 - Love, Devens, Foster, Lally, Witte and Greene
Absent: 1 - Fleming
Motion carried.

3. #26-21 - Authorizing a Lease with Colville, Inc. for an Approximately 1.9-acre Portion of Parcel A ATS 564 (1940 Mineral Creek Loop Road)

MOTION: Council Member Greene moved, seconded by Council Member Lally, to approve Resolution 26-21.

VOTE ON MOTION:

Yays: 6 - Love, Devens, Foster, Lally, Witte and Greene
Absent: 1 - Fleming
Motion carried.

4. #26-22 - Amending the 2026 Budget by Appropriating \$2.8M of Excess Funds Carried Forward from 2025 to the Projects Planning Reserve in the Amount of \$2.8M and Re-Allocating \$7,504.25 from Previously Appropriated and Approved Capital and Major Maintenance Projects

MOTION: Council Member Greene moved, seconded by Council Member Lally, to approve Resolution 26-22.

Council Member Foster commended the progress on the various projects.

Mayor Pro Tempore Love asked City Manager Duval to provide an overview of the projects list. City Manager Duval shared that funds from completed projects were being reallocated to ongoing or upcoming projects and explained project priorities.

Love asked for and received additional clarification on why the legal and emergency management budgets had not been fully expended in the prior year.

VOTE ON MOTION:
Yays: 6 - Love, Devens, Foster, Lally, Witte and Greene
Absent: 1 - Fleming
Motion carried.

5. #26-23 - Amending the 2026 City Budget by Accepting an Additional \$155,197.19 in New Ambulance Service Revenue

MOTION: Council Member Greene moved, seconded by Council Member Lally, to approve Resolution 26-23.

Mayor Pro Tempore Love commented on the benefits of additional ambulance revenue.

City Manager Duval explained that the additional revenues were related to Medicaid reimbursement.

VOTE ON MOTION:
Yays: 6 - Love, Devens, Foster, Lally, Witte and Greene
Absent: 1 - Fleming
Motion carried.

XII. REPORTS

1. Quarterly Financial Summary Reports, December 31, 2025

Mayor Pro Tempore Love asked about recreation revenue decreases and the Robe Lake Habitat Restoration project. City Manager Duval noted that the U.S. Army Corp of Engineers has placed the Robe Lake project on hold.

Love asked additional questions about the health insurance fund and possible increases in 2026. Finance Director Jordan Nelson noted that it was too early in the year to know what to expect but that there were ways for staff to monitor activity throughout the year.

2. Monthly Treasury Report, January 2026

3. Monthly Treasury Report, February 2026

XIII. CITY MANAGER / CITY CLERK / CITY ATTORNEY / MAYOR REPORTS

1. City Manager Report

In addition to the written report City Manager Duval:

- Congratulated the Gilson Middle School Science Olympiad team and Valdez High School students who participated in Skills USA.
- Gave a recap of the Apples and Donuts volleyball game.
- Spoke about the upcoming Council Strategic Planning Session and desire to have a discussion on directors' reports.
- Noted the recent Head Start open house.

2. City Clerk Report

City Clerk Sheri Pierce shared information on Absentee Voting for the Municipal Election and talked about the upcoming 6th grade class visit and mock meeting with the Mayor. She also touched base about Council email usage and access.

3. City Attorney Report

City Attorney Staser shared updates on the following legal matters:

- BP/Hilcorp sale transaction confidentiality matter.
- Seeking of attorneys' fees in the Redistricting case as a prevailing constitutional claimant.
- Outcomes of administrative review and status of appeals related to the Valdez Marine Terminal Contingency Plan.
- Pending Alaska Supreme Court review escaped property appeals.

4. City Mayor Report

Mayor Pro Tempore Love shared about his recent visit to the remodeled school district offices at the elementary school.

XIV. COUNCIL BUSINESS FROM THE FLOOR

Council Member Foster asked City Clerk Pierce about the senior citizen tax exemption issue brought up under public business from the floor and if an increase was possible.

City Clerk Pierce noted that other communities had increased this exemption and that she was researching the process. Mayor Pro Tempore Love requested that she bring back a report on the process.

Council Member Devens expressed openness to exploring an increase to the senior citizens' exemption if it was allowable under state law and reminded the public of Valdez's upcoming 125th anniversary of incorporation.

Council Member Greene thanked the Snowmachine Club for their presentation and reminded everyone about the Advocates for Victims of Violence Snow Town Ice Classic fundraiser.

Council Member Lally thanked museum board members for the work session and the fire department for their patience with the collective bargaining issue. He encouraged everyone to vote in the upcoming municipal election.

XV. EXECUTIVE SESSION

XVI. RETURN FROM EXECUTIVE SESSION

XVII. ADJOURNMENT



Legislation Text

File #: 26-0182, **Version:** 1

ITEM TITLE:

Approval To Go Into Executive Session Re: Discussion of Implications for City Revenues and Litigation Strategy Regarding Trans Alaska Pipeline System Ad Valorem Tax Issues:

SUBMITTED BY: Jake Staser, City Attorney

FISCAL NOTES:

Expenditure Required: na
Unencumbered Balance: na
Funding Source: na

RECOMMENDATION:

[Click here to enter text.](#)

SUMMARY STATEMENT:

Alaska Statute AS 44.62.310 provides an exception to the Alaska Open Meetings law (AS 44.62.310) which allows the City Council to meet in executive session for the purpose of discussion related to:

1. Matters which involve litigation and where matters of which the immediate knowledge would clearly have an adverse effect upon the finances of the City.
2. Matters which by law, municipal charter, or ordinance are required to be confidential.

Any formal action related to the discussion requiring a motion and vote of the governing body must be done in open session.



Legislation Text

File #: 26-0176, **Version:** 1

ITEM TITLE:

Approval Captain Joe's Gas 2026 Beautification Grant Project in the Amount of \$12,500

SUBMITTED BY: Elise Sorum-Birk, Deputy City Clerk

FISCAL NOTES:

Expenditure Required: \$12,500

Unencumbered Balance: [Click here to enter text.](#)

Funding Source: Beautification Reserve, 350-5550-55000

RECOMMENDATION:

Approve Captain Joe's Gas 2026 Beautification Grant Project in the Amount of \$12,500.

SUMMARY STATEMENT:

The City Clerk's Office received 2 Beautification Matching Grant Applications ahead of the April rolling deadline.

This business applied for and was approved for funding for a similar project in 2025 but was unable to complete work due to delays in permitting by the city.

Captain Joe's Gas application materials were reviewed by staff and met all requirements for funding. This is a Tier 2 application due to prior receipt of award.

The Beautification Commission reviewed the application at their April 20, 2026 meeting and recommends approval.

The application is attached for review.

Gas Inc, dba Capt'n Joe's Gas

[\(907\) 835-2343](tel:(907)835-2343)

captainjoes@gasincak.com

[131 E Pioneer Dr, 3129 Valdez, AK, 99686](https://www.google.com/maps/place/131+E+Pioneer+Dr,+3129+Valdez,+AK,+99686)



City of Valdez Beautification Commission

Subject: 2026 Beautification Grant for Siding Replacement - Enhancing Community Aesthetics

Dear Beautification Commission,

We are writing to you today to request funding for the replacement of the existing siding on our business, Capt'n Joe's Gas, located at 131 E Pioneer Dr. We believe this project will significantly enhance the aesthetic appeal of our property and contribute positively to the overall visual landscape of our community.

Our current siding is faded and a bit dated. This not only detracts from the professional image we strive to project but also negatively impacts the surrounding neighborhood. We are located in a prominent area for tourism and understand the importance of maintaining a visually pleasing environment.

Replacing the siding with durable aluminum siding will provide several key benefits:

- **Improved Aesthetics:** The new siding will modernize the building's appearance, creating a more welcoming and attractive facade. This will enhance the curb appeal of our business and contribute to a more vibrant streetscape.
- **Increased Property Value:** A well-maintained exterior can positively influence the perceived value of surrounding properties, benefiting the entire community.
- **Community Pride:** By investing in the aesthetic improvement of our business, we demonstrate our commitment to the community and contribute to a sense of local pride.

- **Increased business traffic:** A more appealing storefront can bring more customers to our business, which will in turn bring more economic activity to the surrounding area.
- **Long-term Durability:** The new materials will offer improved weather resistance and longevity, reducing the need for frequent repairs and maintenance.

We have obtained a quote from Prism Design and Construction, a reputable contractor and have carefully selected materials that align with the architectural character of our neighborhood. We are committed to completing this project in a timely and professional manner.

We believe that this project aligns with the Beautification Commission's mission to build community, a sense of place and civic pride. By investing in the aesthetic enhancement of our business, we are investing in the overall well-being of our community.

We have included detailed project plans, cost estimates, and photographs of the current condition of our building in the accompanying application. We are confident that this project will provide a significant return on investment for our community.

Thank you for your time and consideration. We look forward to the opportunity to discuss our application further.

Sincerely,

Christine and Thomas Auble

Carrie and Gary Schliesing

Owners
Gas Inc.



Valdez Beautification Matching Grant Program 2026 Application

1. PROJECT LOCATION

Address to be improved: 131 E Pioneer Dr

Assessor Parcel ID Number(s): Gas Inc dba Capt'n Joe's Gas

Name of Business or Organization: _____

Is this property (check one): Tier One Tier Two

2. APPLICANT INFORMATION

Name: Gas Inc

Address: 131 E Pioneer Dr

Mailing Address: PO Box 3129, Valdez AK 99686

Email Address: captainjoes@gasincak.com Phone: 907-835-2343

Do you: Own Rent (month to month) Lease

If leased, date of lease expiration: _____

Name of Property Owner(s): Thomas Auble and Gary Schliesing

Property Owner Email Address: captainjoes@gasincak.com

Property Owner Phone: 907-835-2343

3. DESCRIPTION OF PROPOSED IMPROVEMENTS

Please attach the following to this application for consideration:

- Detailed written description of proposed work.
- Sketches or drawings of proposed improvements, including samples/photographs of paint colors or materials to be used (do not need to be professionally drawn, but are required for application consideration).
- Color “before” photographs of the area or areas to be improved (submitted electronically if possible).
- Bids for contracted work.
- Budget breakdown – including itemized list of costs associated with the project.
- A letter/narrative addressed to the Beautification Commission detailing how the proposed work adds to the aesthetics of your property and our community.

Applications missing any of the above items will not be considered.

4. ESTIMATED TIMELINE FOR PROJECT COMPLETION:

Fall 2026

5. ESTIMATED COSTS

TOTAL ESTIMATED PROJECT COST: \$ 85,000.00

TOTAL MATCHING GRANT REQUESTED: \$ 12,500.00

Depending on available funding for the grant program, awarded matching grants may be less than the full amount requested in this project application. Could and would you proceed with this project if you are awarded less than the full matching grant amount requested?

Circle one: YES NO

Please explain. _____

By signing below, I confirm I have read and understand the requirements and process for the 2026 Beautification Matching Grant Program. The information submitted in this application is true and complete to the best of my knowledge.

Property Owner Signature: Gary Schliessing Date: 03/13/2026

Applicant Signature: Gary Schliessing Date: 03/13/2026

Gas Inc, dba Capt'n Joe's Gas

 (907) 835-2343

 captainjoes@gasincak.com

 [131 E Pioneer Dr, 3129 Valdez, AK, 99686](#)



We are still in the process of finalizing the color scheme and design, however, here are three distinct color palette options for our new siding project, each designed to bring a fresh and modern look to the building. We would absolutely submit the final design plans to the city for approval, before work began.

Option 1: Natural Warmth with Contemporary Edge

- Siding: A rich, **wood-colored** siding evokes a sense of natural warmth and classic appeal, providing a welcoming and grounded feel.
- Trim: **Dark grey** trim adds a sharp, contemporary edge, creating a defined contrast that highlights the building's architectural lines.
- Accents: **Cream/taupe** accents offer a soft, neutral counterpoint, providing subtle visual interest without overwhelming the overall design. This palette offers a balance of traditional and modern styles.



Option 2: Modern Coastal

- Upper Portion: **Dark grey** on the upper portion of the building creates a strong, anchoring effect, giving the structure a sense of solidity.
- Middle Portion: **Steel blue** for the middle section introduces a sophisticated, modern coastal vibe. This color is calming and adds a touch of visual depth.
- Trim: **Dark blue** trim provides a cohesive and refined finish. This monochromatic blue scheme is both stylish and timeless.



Option 3: Rustic Charm with Vibrant Accents

- Siding: Similar to option 1, a **wood-colored** siding brings a feeling of rustic charm and organic beauty.
- Trim: **Dark grey** trim again provides a clean, modern frame.
- Accents: Bold **orange** accents inject energy and playfulness, creating a focal point and adding a unique, contemporary twist. This palette is adventurous and eye-catching.



Gas Inc, dba Capt'n Joe's Gas

 [\(907\) 835-2343](tel:(907)835-2343)

 captainjoes@gasincak.com

 [131 E Pioneer Dr, 3129 Valdez, AK, 99686](#)



Project: Siding Replacement and Aesthetic Enhancement

This project involves the complete removal of the existing siding on the building and the installation of new, textured aluminum metal siding, along with associated trim work and signage adjustments. The project is detailed in the following phases:

Phase 1: Mobilization and Site Preparation

- **Mobilization of Manpower and Equipment:**
 - The contractor will mobilize a qualified crew of siding installers and laborers to the site.
 - Necessary equipment, including but not limited to scaffolding, ladders, power tools (saws, drills, fastening tools), hand tools, and waste disposal containers, will be transported to the location.
 - Safety equipment, such as personal protective equipment (PPE) for all workers (helmets, eye protection, hearing protection, gloves, and fall protection if necessary), will be utilized.
 - A designated staging area for materials and equipment will be established on-site, minimizing disruption to business operations and customer access.

Phase 2: Removal of Existing Materials

- **Removal of Existing Building Signage:**
 - Any existing building signage will be carefully removed from the building façade.

- The signage will be removed in a manner that minimizes damage to the existing signage and the underlying wall structure.
- All fasteners, brackets, and other mounting hardware will be removed.
- Removed signage will be stored safely and securely on-site.
- **Removal and Disposal of Existing Siding:**
 - The existing siding material will be carefully removed from the building, starting from the top and working downwards.
 - Fasteners (nails, screws, etc.) will be removed using appropriate tools.
 - Care will be taken to avoid damage to the underlying building framing and sheathing.
 - All removed siding material and debris will be promptly and properly disposed of in accordance with local regulations and environmental standards.
 - Regular site cleanup will be conducted to maintain a safe and organized work environment.

Phase 3: Building Preparation and New Siding Installation

- **Prep the Building Framing for New Siding:**
 - Following the removal of the existing siding, the exposed building framing will be inspected for any damage, including rot, water damage, or structural issues.
 - Any necessary repairs to the framing or sheathing will be performed to ensure a solid and sound base for the new siding. This may include replacing damaged wood, reinforcing structural elements, or applying a water-resistant barrier.
- **Install New Textured Aluminum Metal Siding:**
 - The new textured aluminum metal siding will be installed according to the manufacturer's instructions and industry best practices.
 - The siding will be measured, cut, and fastened to the building framing using appropriate fasteners.

- Proper overlapping of siding panels will be ensured to prevent water penetration.
- Expansion and contraction joints will be incorporated as necessary to accommodate thermal movement of the metal siding.
- All siding will be installed plumb, level, and true, providing a professional and aesthetically pleasing appearance.

Phase 4: Finishing Touches and Signage Re-installation

- **Install Trim Around Soffits, Doors, Windows, and Service Entrances:**
 - New trim will be installed around all soffits, doors, windows, and service entrances.
 - The trim will be made of aluminum and will be color-matched to the new siding.
 - The trim will be installed to provide a clean, finished appearance and to seal against water intrusion.
 - Caulk will be applied as needed to create a weathertight seal between the trim, siding, and adjacent building elements.
- **Replace Building Signage:**
 - The previously removed building signage will be re-installed.
 - Signage will be securely mounted to the new siding, ensuring that the installation does not compromise the integrity of the siding.

Phase 5: Final Inspection and Cleanup

- A final inspection will be conducted to ensure that all work has been completed in accordance with the specifications.
- The entire work area will be thoroughly cleaned, and all debris, waste materials, and excess materials will be removed from the site.



Prism Design & Construction, LLC
PO box 870162
Wasilla, AK
99687, US
9073571430

Prepared By:
Mike Lachelt
(907) 354-7808
mike.l@prismalaska.com

Project: **Captain Joes Siding**

Scope of Work

- Mobilize man power and equipment
- Remove existing building signage
- Remove and dispose of existing siding
- Prep framing
- Install new Aluminum Textured Metal Siding
- Replace building signs
- Install trim around soffits, doors, and windows
- Demobilize

General Requirements / Mobilization

Total Cost

\$10,121.16

Remove and Replace Existing Building Signage

Total Cost

\$3,499.20

Demo Existing Siding

Total Cost

\$15,532.80

Textured Aluminum Siding Material

Total Cost

\$29,095.20



Install Labor

Total Cost

\$22,572.00

Excluded (-)

- 1. Abatement of hazardous substances found during demolition of existing siding
- 2. Disposal of any hazardous materials
- 3. Repair of any existing damage discovered during demolition outside of necessary prep work
- 4. Moving / adding any new building signage
- 5. Any work outside of the scope outlined above

Notes

Summary

Subtotal	\$80,820.36
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\$80,820.36

Accepted By

Date

.....

.....



City of Valdez Beautification Commission

Dear Beautification Commission,

I am writing to re-submit our grant funding application for 2026. This proposal is identical to our 2025 submission, as project commencement was deferred due to pending zoning approvals.

We remain committed to completing this project and look forward to the opportunity to enhance our local community.

Sincerely,

Gary Schliesing

President, Gas Inc. dba Capt'n Joe's Gas



**WILSON
BROTHERS**
DISTRIBUTING CO. INC.
FOOD & BEVERAGE DISTRIBUTOR

**I
C
E**



14' 6"

Over 24 hours
CARTIN JOE'S
• Gas/Oil • Propane
• Snacks • Drinks
• Gifts • Ice Cream
• Laundry • Car Wash

NOW HIRING!!
JOIN TEAM



Over 24 hours
• Gas/Oil • Propane
• Snacks • Drinks
• Gifts • Ice Cream
• Laundry • Car Wash

ICE
ENTIRE





Diesel 4.20 ⁹/₁₀

Open 24 Hours
Gas Oil - Propane
Snacks - Drinks
Coffee - Ice Cream
Laundry - Car Wash

NOW HIRING!
JOIN TEAM

ICE

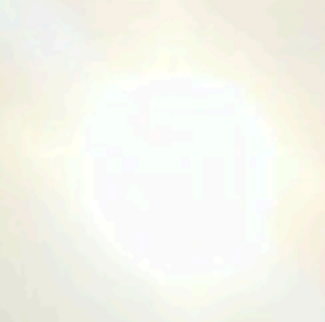


Open 24 Hours
Car Wash
Waxing & Detailing
EXIT

NOW HIRING
JOIN A TEAM

14 G

14 G





Legislation Text

File #: 26-0177, **Version:** 1

ITEM TITLE:

Approval of Valdez Brewing 2026 Beautification Matching Grant Project in the Amount of \$12,050.

SUBMITTED BY: Elise Sorum-Birk, Deputy City Clerk

FISCAL NOTES:

Expenditure Required: \$12,050.00

Unencumbered Balance: ---

Funding Source: Beautification Reserve Fund 350-5550-55000

RECOMMENDATION:

Approve Valdez Brewing 2026 Beautification Matching Grant Project in the amount of \$12,050.

SUMMARY STATEMENT:

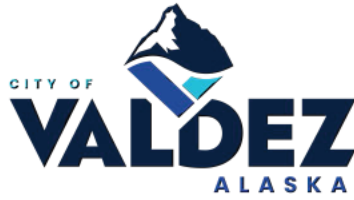
The City Clerk's Office received applications for the 2026 Beautification Matching Grant Program before the April 2026 rolling deadline.

Valdez Brewing applied for and been awarded grants for similar scope of work in prior years but has not been able to complete the project due to the busy summer season. This application includes additional detail on the plan for and timeline of proposed work.

This project falls into the Tier 2 category since this business has previously received grant funding for another project.

The Beautification Commission reviewed this application at their April 20, 2026 meeting and recommends approval.

Application is attached for commission consideration.



Valdez Beautification Matching Grant Program 2026 Application

1. PROJECT LOCATION

Address to be improved: 141 Galena Drive

Assessor Parcel ID Number(s): _____

Name of Business or Organization: Valdez Brewing

Is this property (check one): Tier One Tier Two

2. APPLICANT INFORMATION

Name: Lisa Cronk

Address: [REDACTED]

Mailing Address: [REDACTED]

Email Address: lisa@valdezbrewing.com Phone: [REDACTED]

Do you: Own Rent (month to month) Lease

If leased, date of lease expiration: _____

Name of Property Owner(s): Tim Bouchard

Property Owner Email Address: tim@valdezbrewing.com

Property Owner Phone: [REDACTED]

3. DESCRIPTION OF PROPOSED IMPROVEMENTS

Please attach the following to this application for consideration:

- Detailed written description of proposed work.
- Sketches or drawings of proposed improvements, including samples/photographs of paint colors or materials to be used (do not need to be professionally drawn, but are required for application consideration).
- Color “before” photographs of the area or areas to be improved (submitted electronically if possible).
- Bids for contracted work.
- Budget breakdown – including itemized list of costs associated with the project.
- A letter/narrative addressed to the Beautification Commission detailing how the proposed work adds to the aesthetics of your property and our community.

Applications missing any of the above items will not be considered.

4. ESTIMATED TIMELINE FOR PROJECT COMPLETION:

May-June 2026

5. ESTIMATED COSTS

TOTAL ESTIMATED PROJECT COST: \$ 24100.00

TOTAL MATCHING GRANT REQUESTED: \$ 24100.00

Depending on available funding for the grant program, awarded matching grants may be less than the full amount requested in this project application. Could and would you proceed with this project if you are awarded less than the full matching grant amount requested?

Check one: YES NO

Please explain. Will be updating patio area this summer as scheduled.

By signing below, I confirm I have read and understand the requirements and process for the 2026 Beautification Matching Grant Program. The information submitted in this application is true and complete to the best of my knowledge.

Property Owner Signature: _____ Date: 3/25/2026

Applicant Signature: _____ Date: 3/25/2026

Note application was signed electronically by property owner but was deleted when documents were combined.

March 25, 2026

Beautification Task Force Committee,

First, we would like to thank you for your continued support and hard work to beautify Valdez and its businesses like ours. We have been very fortunate to have received past grants through the Beautification program and know that the community and visitors alike love the curbside appeal of our building.

Our intention for this new grant would be to beautify our outdoor seating area on both sides. We want the outside privacy fence to be appealing and draw attention to our building as well as making the inside patio seating area cozy and inviting. We feel that the plan we have put together will accomplish this goal. With a combination of color, plant life, and natural wood outside, we will attract a greater number of guests to visit our facility.

Again, we thank you for your volunteer time and effort in keeping this program going for our community. You are truly helping make Valdez a more beautiful place to live and visit!

Sincerely,

Lisa Cronk

Valdez Brewing Management

lisa@valdezbrewing.com

Narrative to the Beautification Task Force

Valdez Brewing is requesting beautification grant funds to improve the aesthetics of our curb appeal. We want to create an atmosphere that detracts from the parking lot and surrounding views for our guests, neighbors, and community. In order to achieve this, we are proposing to work on the improvement of our patio area, which is the first thing seen as you pull up to Valdez Brewing.

The new patio area will contain post holes to insert a removable fence that will frame out the patio area. This fence will be in 8 foot sections to close in the patio area but allow patrons to still see the mountain view. From the parking lot side, these panels will be uniform, stained, and have window box railing planters hanging from each section. These will add to the curb appeal and help the patio area stand out and not feel like you are sitting in a parking lot.

Additionally, we want to create a cozy and attractive area inside the patio. To add comfort to the inside patio area, we want to build custom benches with cushions and a gas fire pit where patrons can relax and enjoy each other's company. The benches will be L and T shaped to accommodate groups of up to 8 people comfortably. They will have custom weatherproof cushions that are removable to add a pop of color to the space. The gas fire pit will be custom built to fit the space and operable by propane for easy use.

All of these proposed updates to Valdez Brewing will add significant appeal to our property and the community of Valdez.



2. Sketch of proposed work





VALDEZ
BREWING

OPEN

sample photo



Please be aware that our current lead time is estimated to be 20 to 25 business days.

Lead times are contingent on material availability and are subject to change without notice.

Item	Description	Unit Price	Quantity	Item Total												
	Bench-SX Custom Bench Cushion - Square Corners <table border="1"><tr><td>DIMENSIONS</td><td>72" Wide x 24" Deep x 4" Thick</td></tr><tr><td>STRUCTURE</td><td>Boxed Edge</td></tr><tr><td>FABRIC</td><td>Sunbrella Black (5408-0000)</td></tr><tr><td>TRIMMING</td><td>Double Welt Coal (5489-0000)</td></tr><tr><td>FILLING</td><td>Reticulated Foam With Fiber Batting</td></tr><tr><td>TIES</td><td>2 ties at back</td></tr></table>	DIMENSIONS	72" Wide x 24" Deep x 4" Thick	STRUCTURE	Boxed Edge	FABRIC	Sunbrella Black (5408-0000)	TRIMMING	Double Welt Coal (5489-0000)	FILLING	Reticulated Foam With Fiber Batting	TIES	2 ties at back	\$658.67	4 ×	\$2,634.68
DIMENSIONS	72" Wide x 24" Deep x 4" Thick															
STRUCTURE	Boxed Edge															
FABRIC	Sunbrella Black (5408-0000)															
TRIMMING	Double Welt Coal (5489-0000)															
FILLING	Reticulated Foam With Fiber Batting															
TIES	2 ties at back															

Update 

Have a promo code?

Enter It Here

APPLY

Subtotal \$2,634.68

Shipping \$160.85

Total \$2,795.53

 [Continue Shopping](#)

CHECKOUT 

Cart



Ventura Rectangle Chat Height Gas Fire Table by Real Flame

JFP1931

★★★★☆ (128)

Finish: Gray

Free Delivery

Get it Sat, Apr 4 - Fri, Apr 10 Or choose a date at Checkout

Professional Assembly - \$114.99

3 Year Protection Plan - \$131.12

\$1,031 ~~\$1,886~~

Quantity
1

[Save for Later](#)

[Remove](#)

[See Details](#)

[See Details](#)

Order Summary (1)

This order qualifies for Free Shipping!

Item Subtotal (1) \$1,145.00

Pro Savings -\$114.00

Deliver to 98421 FREE

Estimated Tax \$106.19

Total **\$1,137.19**

[Proceed to Checkout](#)

[Add Gift Card/Promo Code](#)

Shopping Assistance

Have questions before you check out? We're here to help!

Open. Closes at 11:59 PM ET.

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30-Day Returns

Not loving it? We offer returns for most items within 30 days of delivery for a refund or store credit.

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You May Also Need

Package include

- 20" Black self watering planter x 4 sets
- Metal brackets x 4 sets (8pcs)
- Pick the right size for your plants to prevent unpleasant experience and potential wastage on resources
- Plants NOT included



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LaLaGreen Wall Hanging Planter Outdoor (4 Pack, 20 Inch) Wall Mounted Self Watering System Window Boxes with Bracket, Black Rectangular Plant Pot Flower Box Container Indoor Modern Herb Kitchen Decor

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4.2 ★★★★★ (48)



\$169⁹⁹ (\$42.50 / count)

Get \$50 off instantly: Pay \$119.99 \$169.99 upon approval for Amazon Visa. No annual fee.

Size: 20" (50 cm) x 4 Pack

20" (50 cm) x 2 Pack

\$86.99 (\$43.50 / count)

20" (50 cm) x 4 Pack

\$169.99 (\$42.50 / count)

Material	Plastic
Color	Black
Special Feature	Self Watering
Style	Casual
Planter Form	Box

About this item

- 4 PACK SET: 20 inch, black wall planters for indoor plants. Each set come with one outer planter, one inner planter and one water level indicator, please check listing image and video for more details. Pick the right size for your plants to prevent unpleasant experience and potential wastage on resources
- SELF WATERING SYSTEM: This vertical wall planter comes with one of the simplest self-watering system. It offers excellent benefit and convenience for busy individuals and it is suitable for both indoor and outdoor usage (remove the plug at the bottom of the planter for outdoor usage).



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\$169⁹⁹ (\$42.50 / count)

FREE delivery **Saturday, January 17**

Delivering to Valdez 99686 - [Update location](#)

Only 18 left in stock - order soon.

Quantity: 2

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Buy Now

Ships from Amazon

Sold by Shoplala

Returns 30-day refund / replacement

Payment Secure transaction

[See more](#)

Add a gift receipt for easy returns

Add to List



Legislation Text

File #: 26-0180, **Version:** 1

ITEM TITLE:

Certification of Election Results for the May 5, 2026, Regular Municipal Election

SUBMITTED BY: Sheri Pierce, MMC, City Clerk

FISCAL NOTES:

Expenditure Required: NA

Unencumbered Balance: NA

Funding Source: NA

RECOMMENDATION:

[Click here to enter text.](#)

SUMMARY STATEMENT:

The City Clerk will present the election report and results of the May 5, 2026, Regular Municipal Election for certification by the City Council.



Legislation Text

File #: ORD 26-0003, **Version:** 1

ITEM TITLE:

#26-03 - Amending Chapter 3.24 of the Valdez Municipal Code Titled Public Accommodation Tax. First Reading. Public Hearing.

SUBMITTED BY: Elise Sorum-Birk, Deputy City Clerk/ Jake Staser, City Attorney

FISCAL NOTES:

Expenditure Required: n/a
Unencumbered Balance: n/a
Funding Source: n/a

RECOMMENDATION:

Introduce Ordinance 26-03 in first reading for public hearing.

SUMMARY STATEMENT:

Chapter 3.24 of the Valdez Municipal Code was last updated by Ordinance 24-05 which added short-term rentals to the definition of “public accommodation” and required hosting platforms (like AirBNB or VRBO) to remit the tax on behalf of those using these platforms.

Since adoption of that ordinance, Council has more wholistically discussed this chapter of code various times, with specific focus on the need to alter Section 3.24.120 “Distribution of Funds”. Most recently, this chapter was the topic of a December 2025 work session.

City staff have identified a series of recommended administrative changes to correct minor omissions and clarify language generally. Council members expressed a desire to add RV Parks to the definition of “public accommodation” to capture revenue from an additional category of visitors.

At the City Council meeting on April 21, 2026, Council Member Austin Love requested that this ordinance be brought forward for first reading at the next regular meeting and other members consented.

Ordinance 26-03 is attached for review.

CITY OF VALDEZ, ALASKA
ORDINANCE NO. 26-03

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF VALDEZ,
ALASKA, AMENDING CHAPTER 3.24 OF THE VALDEZ MUNICIPAL
CODE TITLED PUBLIC ACCOMMODATION TAX

WHEREAS, city staff has identified administrative changes to the public accommodation tax code needed to correct minor omissions from the prior ordinance, ensure clarity in administration of the tax and align better with Alaska public records law; and

WHEREAS, additionally the City Council has expressed a desire to expand the tax to include RV Parks and Campgrounds as defined in Title 17 of the Valdez Municipal Code to generate additional revenue to support economic development and the local visitor services sector.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA that the following amendments are made to Chapter 3.24 of the Valdez Municipal Code:

Section 1. Chapter 3.24 of the Valdez Municipal Code is hereby amended to read as follows:

Chapter 3.24

PUBLIC ACCOMMODATION TAX

Sections:

- 3.24.010** Definitions.
- 3.24.020** Levied—Responsibility for payment—Collection.
- 3.24.030** Certificate of registration for operators.
- 3.24.032** Certificate of registration for hosting platforms.
- 3.24.040** Receipts—Segregation.
- 3.24.050** Receipts—Transmittal—Due date—Penalty.
- 3.24.060** Returns to be confidential.
- 3.24.070** Records—Maintenance, and inspection **and investigation.**
- ~~**3.24.080** Records—Investigation by city.~~
- 3.24.090** Suits for collection.
- 3.24.100** Prohibited acts.
- 3.24.110** Civil penalties for violations.
- 3.24.120** Distribution of funds.

3.24.010. Definitions.

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

"Guest" means an individual, corporation, partnership or association paying or agreeing to pay monetary consideration for the use of a public accommodation.

"Hosting platform" means a person or entity that provides a means through which an operator may offer a public accommodation for rent, usually through an online platform that provides a means for the guest to pay rent for a public accommodation.

"Operator" means a person who furnishes or offers for rent a public accommodation in the city for monetary consideration, whether acting directly or through an agent or employee.

"Person" means an individual and entities recognized by law.

"Public accommodation" means "hotel, motel, inn or lodge," "rental cabin," ~~or~~ "short-term rental," or "recreational vehicle park or campground" as defined in Title 17 of this code.

"Quarter" means computed by use of the calendar year beginning with January and consisting of a three-month period.

"Rents" means the amount paid as monetary consideration for the use of a public accommodation by a guest.

(prior code § 25-126; Ord. 94-02 § 1 (part); Ord. 24-05 § 1; Ord. 94-06 § 1)

3.24.020. Levied—Responsibility for payment—Collection.

A. The city levies a tax on public accommodation rentals within the city equal to six percent of the rental. The tax shall be applicable to all rentals, unless the rental is specifically exempt from taxation, as follows:

1. Rent paid directly by the United States or state of Alaska insofar as they are immune from taxation;
2. An employee of the public accommodation collecting the tax.

B. Each guest is responsible for the tax imposed by this chapter, and the tax shall be due and payable at the time the rent is paid. If the rent is paid in installments, a proportionate share of the tax shall be paid with each installment. The unpaid tax shall be due when the guest ceases to occupy or use space in the public accommodation.

- C. Every operator renting a public accommodation subject to taxation under this chapter shall collect the taxes imposed by this chapter from the guest at the time of collection of the rental and shall transmit the same quarterly to the city unless taxes imposed by this chapter are collected by a hosting platform. The tax imposed shall be shown on the billing to the guest as a separate and distinct item.
- D. Every hosting platform accepting public accommodation rental payment from a guest on behalf of an operator as defined in this chapter shall collect the taxes imposed by this chapter from the guest at the time of collection of the rental payment and shall remit all public accommodation taxes collected to the city on a quarterly basis.

(Ord. 24-05 § 1; Ord. 94-02 § 1 (part); prior code § 25-127)

3.24.030. Registration for operators.

- A. Operators shall register with the city by providing the approved business registration for the public accommodation and, if required, the short-term rental permit prior to commencing business.
- B. The city finance department shall maintain a record of all registered operators authorized to collect and remit public accommodation taxes.
- C. Operators shall provide the city finance department written notice in the event of a change of business type, change of address or closing of a public accommodation business.
- D. For a registration to be valid the operator must comply with Valdez business registration requirements as well as the provisions of the zoning, building, plumbing, electrical, and fire codes, and other applicable ordinances of the city.

(Ord. 24-05 § 1; Ord. 94-02 § 1 (part); prior code § 28-128)

3.24.035. Registration for hosting platforms.

- A. Every hosting platform accepting payment for public accommodation rentals as defined by this chapter shall register with the city upon a form provided by the city. There is no requirement for a hosting platform to hold a city business registration or have a physical presence within the city.
- B. The city finance department shall maintain a record of registered hosting platforms authorized to collect and remit public accommodation taxes.

(Ord. 24-05 § 1)

3.24.040. Receipts—Segregation.

Title to the taxes collected pursuant to this chapter shall vest to the city upon collection. Such taxes shall be segregated by the operator or hosting platform from the funds of the operator or hosting platform and safeguarded until transmitted to the city as hereinafter provided.

(Ord. 24-05 § 1; Ord. 94-02 § 1 (part); prior code § 25-129)

3.24.050. Receipts—Transmittal—Due date—Penalty.

- A. On or before the last day of the month following each calendar quarter, each operator shall prepare and submit to the city a return for the preceding quarter upon forms furnished by the city setting forth the amount received for:
1. Rentals within the city;
 2. Taxes collected.

In addition, the operator shall submit such other information and supporting papers as may be required by the city.

- B. The operator shall sign the return and transmit it together with the taxes collected to the city on or before the due date. A return shall be filed even if the public accommodation has no rental for the quarter.
- C. Taxes collected by an operator as provided by this chapter shall be due the last day of the month following each calendar quarter. If taxes collected by an operator have not been received by the city on or before the due date, the operator shall incur a penalty equal to ten and one-half percent of the taxes which are due or a minimum of one hundred dollars and shall be charged interest at the rate of ten and one-half percent per annum for each day the tax is delinquent. ~~A one-time-only waiver of penalty will be given for any late filed tax return after April 30, 1994.~~
- D. Where the city has reasonable grounds to believe that taxes due were not collected or taxes collected were not transmitted on or before the due date, or if the operator of a public accommodation has failed to file a return as required by this chapter, the city shall prepare a notice of delinquency and shall deliver such notice to the operator. Payment of delinquent tax under a notice of delinquency shall include penalty and interest which shall be calculated as provided above.
- E. A registered hosting platform shall submit tax returns and remit tax payments in accordance with this section. The tax return shall set forth or include the aggregate amounts of all rents earned by and taxes due from the operators who use the hosting platform to rent or offer to rent public accommodations through the hosting platform. To the extent a hosting platform collects taxes on behalf of an operator, the operator's liability for those taxes shall be deemed satisfied.

(Ord. 24-05 § 1; Ord. 94-02 § 1 (part); prior code § 25-130)

3.24.060. Returns to be confidential.

~~All returns filed with the city pursuant to the provisions of this chapter and all data obtained from such returns are confidential and may not be released for inspection by the public, except upon court order.~~

Except as otherwise provided in this section, all data obtained from returns is confidential and shall be kept from inspection of all persons except officers, agents, and employees of the city and may not be disclosed by the city except in:

A. Connection with efforts by the city to collect the tax or enforce provisions of this chapter;

B. Response to a subpoena issued by a court;

C. When furnishing of information on a reciprocal basis to other agencies or political subdivisions of the state or the United States concerned with the enforcement of tax laws;

D. In compilation of statistics and studies by the city for public distribution, so long as information from individual businesses is not identifiable as to source.

(Ord. 24-05 § 1; Ord. 94-02 § 1 (part); prior code § 25-131)

3.24.070. Records—Maintenance, and inspection and investigation.

A. Regardless of whether a hosting platform is used, every operator of a public accommodation engaged in business within the city shall keep and preserve suitable records of all rentals made and such other books and accounts as may be necessary to determine the amount of tax required to be collected. All books, invoices and other necessary records shall be maintained by the operator for a period of two years and shall be available for examination at reasonable times by the city for the purpose of ascertaining the correctness of a return or for the purpose of determining the amount of tax collected or levied.

B. A registered hosting platform shall keep and preserve suitable records of all rental transactions subject to this chapter and all claimed exemptions from payment, collection, or remittance of the public accommodation taxes under this chapter. To the extent a hosting platform may assign anonymous account numbers to operators using the hosting platform, when inspecting records, the city shall inspect the required records in an anonymized fashion, unless the city has obtained a release of information from the operator or an order to produce identifiable operator information issued through a binding legal process.

C. For the purpose of ascertaining the correctness of a return, or for the purpose of determining the amount of tax collected or which should have been collected, the city manager, or his or her duly authorized agent, may hold investigations and hearings concerning any matters covered by this chapter, and may examine any relevant books, papers, records or memoranda of any operator or hosting platform, and may require the attendance of any operator or hosting platform representative, officer or employee. The city council shall have the power to issue subpoenas to compel attendance or to require production of relevant books, papers, records or memoranda.

(Ord. 24-05 § 1; Ord. 94-02 § 1 (part); prior code § 25-132)

Ordinance No. 26-03 Redline indicates new language/~~strikeout indicates deletion~~

Page 5

3.24.080. Records—Investigation by city.

~~The city may conduct investigations and hearings concerning any matters covered by this chapter, may examine relevant books, papers, records or memoranda of any operator and may require the attendance of the operator, his officers or employees. The city shall have the power to administer oaths to persons testifying, and may issue formal subpoenas to compel attendance or to require production of relevant books, papers, records or memoranda. All subpoenas issued under the terms of this chapter may be served on any person of legal age. The fees paid to witnesses for attendance at the hearings shall be the same as the fees paid to witnesses before the Superior Court, and such fees shall be paid when the witness is excused from further attendance. When a witness is subpoenaed at the insistence of any party to the proceeding, the cost of service of the subpoena and the fee of the witness shall be borne by the party at whose request the witness is summoned. A subpoena shall be served in the same manner as a subpoena issued by a Superior Court. The city or any party to an investigation or hearing before the city may cause the deposition of witnesses residing within or without the state to be taken in a manner prescribed by law for depositions in civil actions in the courts of this state and to that end may compel the attendance of witnesses and production of relevant books, papers, records or memoranda.~~

~~(Ord. 24-05 § 1; Ord. 94-02 § 1 (part); prior code § 25-133)~~

3.24.090. Suits for collection.

Taxes due but not paid or taxes collected but not transmitted may be recovered in an action at law against the guest or the public accommodation operator or hosting platform. Tax returns shall be prima facie proof of taxes collected but not transmitted.

(Ord. 24-05 § 1; Ord. 94-02 § 1 (part); prior code § 25-134)

3.24.100. Prohibited acts.

No person may fail or refuse to pay the tax imposed by this chapter when it is due and payable to an operator authorized to collect the tax.

An operator or hosting platform may not advertise or state to the public or to any guest directly or indirectly that the tax or any part of it will be assumed or absorbed by the operator or hosting platform, or that the tax will not be added to the rental or that it will be refunded. An operator or hosting platform may not absorb or fail to add the tax or any part of it or refund any tax or fail to state the tax separately to the guest.

(Ord. 24-05 § 1; Ord. 94-02 § 1 (part); prior code § 25-135)

3.24.110. Civil penalties for violations.

An operator who rents public accommodations in the city and who thereafter fails to file a tax return as required by this chapter shall incur civil penalty equal to ten percent of the taxes due to the city for each quarter for which a return was not filed as required by this chapter. An operator who, in the course of business, rents public accommodations

upon which a tax is levied hereunder and who fails to collect such a tax shall incur a civil penalty of double the tax which should have been collected. A hosting platform that collects public accommodation taxes on behalf of an operator is subject to the penalties set forth herein. In addition, a violator of this chapter is subject to criminal penalties as set forth in Section 1.08.010.

(Ord. 24-05 § 1; Ord. 94-02 § 1 (part); prior code § 25-136)

3.24.120. Distribution of funds.

~~A. Funds received under this chapter including penalties and interest for each calendar year may be available for use as follows:~~

- ~~1. Up to one hundred percent of the gross funds may be made available for distribution. The cost of administration and collection of the public accommodation tax shall come from the gross funds prior to distribution.~~
- ~~2. Funds available for distribution shall be those public accommodation tax funds received by the city during the prior fiscal year.~~
- ~~3. All public accommodation tax funds, including penalties and interest, received under this chapter will be placed in an utilized for economic development fund purposes and will be distributed at the discretion of the city council.~~
- ~~4. Each applicant for funds shall submit a program description including, but not limited to, the following:
 - ~~a. Program objectives;~~
 - ~~b. Economic development benefit or opportunities;~~
 - ~~c. Annual operating budget; and~~
 - ~~d. Financial statement including revenues, expenditures and reserve account balances.~~~~

~~The submission date will be determined on an annual basis by the city manager.~~

Section 2. The effective date of this ordinance is January 1, 2026. The public accommodation tax on “recreational vehicle park and campground” reservations imposed by this ordinance shall apply only to reservations made on or after the effective date.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF VALDEZ,
ALASKA, this _____ day of _____, 2026.

CITY OF VALDEZ, ALASKA

Dennis Fleming, Mayor

ATTEST:

Sheri L. Pierce, MMC, City Clerk

APPROVED AS TO FORM:

Jake Staser, City Attorney
Brena, Bell, & Walker, P.C.

Adoption:
Yeas:
Noes:
Absent:
Abstaining:



Legislation Text

File #: ORD 26-0004, **Version:** 1

ITEM TITLE:

#26-04 - Repealing and Reenacting Title 16 of the Valdez Municipal Code Titled Subdivisions. First Reading. Public Hearing.

SUBMITTED BY: Kate Huber, Community Development Director

FISCAL NOTES:

Expenditure Required: n/a
Unencumbered Balance: n/a
Funding Source: n/a

RECOMMENDATION:

Introduce Ordinance 26-04 in first reading.

SUMMARY STATEMENT:

Plan Valdez, the 2021 Valdez Comprehensive Plan identified the revision of the Title 17 Zoning Code and the Title 16 Subdivision code as high priority action items. Following adoption of the comp plan, Community Development Department staff completed a full revision of the Title 17 Zoning Code which was adopted by City Council in 2024. In 2025, Community Development staff joined with a consultant team from R&M Consultants in Anchorage to revise Title 16.

The goals identified for the code revision project were as follows:

- Bring Title 16 into conformance with the comprehensive plan and the revised Title 17
- Balance individual property rights with the community vision and goals
- Address unique characteristics of Valdez, including provisions for required snow storage dedications
- Increase ease of code administration and refine procedures
- Incorporate easy to understand language

On May 7, 2025, The Valdez City Council and Planning & Zoning Commission held a joint work session to learn more about the code revision project and provide input to guide the project team.

After completing the first draft of the revised ordinance, a public comment period was held for two weeks, officially ending on February 27, 2026. During the comment period two sets of written comments were received from surveyors who work frequently in Valdez. These comments were

provided to the Planning & Zoning Commission.

Due to the extensive nature of the comments received, the project team opted to revise the draft ordinance. The proposed ordinance includes changes made in response to the comments received. Also attached for review is the existing text of Valdez Municipal Code Title 16. Because of the extensive changes proposed, including reorganization of the title, a separate draft for the revision was necessary.

Significant changes to the title include:

- Added administrative approval process for minor plats, subject to approval by the Community Development Director.
- Clarified the process for transferring required snow storage lots to the City of Valdez.
- Added variance process and criteria for approval.
- Added public way vacations process and requirements.
- Incorporated plain, easy to understand language throughout.
- For ease of reading and interpretation, provides additional definition of terms used throughout the title.
- Rewrite is done in formatting and organization similar to Title 17.
- Increases the public notification period from 10 days to 14 days and updates the notification requirements to explicitly require published, mailed, and posted notice.
- Updated the plat monumentation section to reflect current survey practices.

At their regular meeting on April 22, 2026, the Planning & Zoning Commission held a public hearing to take public comment on the proposed ordinance. No public comments were made during the meeting or received in writing.

The Planning & Zoning Commission held a robust discussion of the draft ordinance prior to voting on their recommendation to City Council to adopt the draft ordinance. During the discussion two errors were noted in the draft that have been corrected. Additionally, the commission voted to recommend two amendments to the ordinance. Please see below for more details on each of the four topics and how staff has handled them for the draft ordinance:

1. Line 598 - two redundant words were deleted.
2. Line 497 - 5 seconds was replaced with 1 second.
3. Line 944 - A maximum slope of six percent was added, in addition to the allowable minimum slope. The Planning & Zoning Commissioners voted to recommend this amendment to the draft. The amendment passed with 6 yays and 1 absent.
4. Lines 824, 1074, 1161 The final recommended change made by the Planning & Zoning Commission relates to the mechanism for dedicating the snow storage areas required for newly established subdivisions with dedicated right-of-way. The proposed ordinance identifies

(in multiple locations) a requirement that all dedicated snow storage must be conveyed to the city via deed after the platting process. This method has been a common practice for the city in recent years but is not an explicit requirement of the existing Title 16.

City staff is recommending this change to add clarity to the process and ensure that snow storage is maintained. It also ensures that the developer will not have to pay property taxes on lands that are required for public snow storage. The Planning & Zoning Commissioners expressed concerns with the addition of this strict requirement and discussed other mechanisms for dedicating snow storage while maintaining private ownership of the land.

The Planning & Zoning Commission voted to recommend that all three references to 'deeded' snow storage be replaced with 'dedicated'. The amendment passed with 4 yays, 2 nays, 1 absent. Because the staff recommendation differs from the amendment recommended by the Planning & Zoning Commission, staff has not made this change to the ordinance.

City Council should consider this recommendation by the commission and provide staff direction and amend the ordinance and if the change is desired.

An ordinance amending Chapter 2.52 of the Valdez Municipal code is also in first reading to adjust language related to the Planning & Zoning Commission's platting authority and allow administrative approval in platting process as outlined in this rewrite.

Later on, Community Development staff will also bring forward a simple revision to Title 12 to add clarification regarding driveway requirements and bring Title 12 in alignment with Titles 16 and 17.

CITY OF VALDEZ, ALASKA

ORDINANCE NO. 26-04

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF VALDEZ,
ALASKA REPEALING AND REENACTING TITLE 16 OF THE VALDEZ
MUNICIPAL CODE TITLED SUBDIVISIONS

WHEREAS, Title 16 of the Valdez Municipal Code is intended to regulate platting actions in accordance with the city comprehensive plan with consideration of conditions and the environment in Valdez; and

WHEREAS, Title 16 of the Valdez Municipal Code was last updated in 1996, and is not in conformity with the 2021 Comprehensive Plan, Plan Valdez; and

WHEREAS, Goal 2.1, Action item D, of the 2021 Comprehensive Plan, Plan Valdez is to “conduct a comprehensive rewrite of Title 16 – Subdivisions to implement Plan Valdez”; and

WHEREAS, this revision aims to develop consistency with Plan Valdez, incorporate easy to understand language, increase ease of code administration and refine procedures, address unique characteristics of Valdez, and balance individual property rights with the community vision and goals; and

WHEREAS, City of Valdez staff has presented a revised draft of Valdez Municipal Code Title 16 following a multi-year process, beginning in January of 2025; and

WHEREAS, a joint work session was held on May 7, 2025, between the City Council and the Planning and Zoning Commission; and

WHEREAS, a draft of the proposed code was provided to surveyors with prior work experience in Valdez, and comments were received from two surveying firms; and

WHEREAS, a public draft of the proposed code was made available to the public on the city website and at City Hall and a public comment period was held from February 13, 2026, through February 27, 2026; and

WHEREAS, a public hearing was held on April 22, 2026, during the regular meeting of the Planning and Zoning Commission; and

WHEREAS, the Planning and Zoning Commission, during their regular meeting on April 22, 2026, voted to recommend adoption of the revised Title 16 with recommendations of changes to the public draft;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA, that Title 16 of the Valdez Municipal Code is hereby retitled “Platting” and reenacted to read as follows:

Section 1: Chapter 16.04 is reenacted as follows:

**Chapter 16.04
GENERAL PROVISIONS**

Sections:

- 16.04.010 Purpose—General standards for plat approval.**
- 16.04.020 Review matrix.**
- 16.04.030 Definitions.**
- 16.04.040 Applicability.**
- 16.04.050 Sale of land prior to compliance with this title prohibited.**
- 16.04.060 Compliance with title required prior to issuance of permits.**
- 16.04.070 Appeals.**
- 16.04.080 Fees.**
- 16.04.090 Notification requirements.**

16.04.010 Purpose—General standards for plat approval.

The purpose of this title is to regulate platting actions in accordance with the city comprehensive plan and with consideration of conditions and the environment in Valdez. These subdivision regulations are designed to provide for orderly development; to lessen street congestion; to promote public safety; to protect the public health and general welfare; to provide high quality of life; to prevent overcrowding; and to stimulate systematic development of transportation and public utilities.

- A. The platting authority may approve a preliminary or final plat only if it finds that the plat:
1. Conforms to the provisions of this title and other applicable city ordinances, to and including Valdez Municipal Code, Title 17 - Zoning;
 2. Promotes the public health, safety and welfare;
 3. Provides for the proper arrangement of streets in relation to existing or proposed recorded and, or surveyed streets, plats and rights-of way;
 4. Provides clear definition for the efficient movement of vehicular and pedestrian traffic;
 5. Assures adequate and properly placed utilities such as water, sanitary sewerage, storm drainage, and other public utilities;
 6. Provides and displays access for safety and public service equipment, to and including emergency vehicles;
 7. Provides and displays the need for adequate and properly placed snow storage;
 8. Facilitates the orderly and efficient layout and use of land;

9. Furthers the goals and policies of the comprehensive plan and other adopted city policies and plans.

B. The platting authority may impose conditions upon the approval of a plat when it finds conditions are necessary to conform to the standards of this title.

16.04.020 Review matrix.

A. General. Review procedures established in this chapter are applicable to any platting action within the city of Valdez.

B. Review Matrix. The review matrix is provided as Table 16.04.020-1. The review matrix identifies each platting action along with the corresponding review authority, decision-making authority and appellant authority.

Table 16.04.020-1 Review Matrix

Permit/Application Type	Reviewing Authority (Recommendation)	Decision-Making Authority	Appellate Authority
Preliminary Plat - Minor	Community Development Staff	Community Development Director	Planning & Zoning Commission
Preliminary Plat – Major	Community Development Staff	Planning & Zoning Commission	City Council
Final Plat – Minor	Community Development Staff	Community Development Director	Planning & Zoning Commission
Final Plat – Major	Community Development Staff	Final plats that conform to an approved preliminary plat may be approved administratively by the Community Development Director pursuant to Section 16.12.030.	Planning & Zoning Commission
Variances	Community Development Department	Planning & Zoning Commission	City Council

Public Way Vacations – 1. Drainage easements 2. Maintenance easements 3. Public utility easements 4. Private easements 5. Relocation of any of the above-described interests	Community Development Staff	Community Development Director	Planning & Zoning Commission
All other public way vacations	Community Development Department and Planning & Zoning Commission	City Council	Superior Court or Court of Competency

16.04.030 Definitions.

For the purposes of this title, any word or term not interpreted or defined by this section shall be used with a meaning of common or standard utilization.

The following words and phrases shall have the meanings respectively ascribed to them by this section unless such construction of the word or term would be inconsistent with the manifest intent of the city council or the context clearly requires otherwise:

“Abut” means to physically touch or border upon; or to share a common property line.

“Adjacent” means two or more lots that share a common lot line (abutting) or where they are separated only by an alley or minor street.

“Applicant” means the owner or agent of the owner of land which is being platted pursuant to this title.

“Buildable area” means the area on a lot that is eligible to place a building or structure that complies with setbacks, easements and other regulations that restrict construction.

“Certificate to Plat” means a certificate prepared by a title company authorized by the laws of the state to write the title, showing the names of all persons having any record title interest in the land to be platted, together with the nature of their respective interests therein.

“City” means the City of Valdez.

“City engineer” means the duly designated city engineer for the city of Valdez or best qualified individual, as determined by the city manager.

“Easement” means a grant by a property owner for the use of a strip or area of land by the general public, a public utility, a corporation or a person for specified purposes.

“Fair Market Value” means the estimated price which the property would bring in an open market and under the then prevailing market conditions in a sale between a willing seller and a willing buyer both conversant with the property and with prevailing general price levels.

“Hazardous areas” means areas which present a threat to life or property from geophysical or geological hazards, including flooding, tsunami or storm surge run-ups, landslides, snowslides, faults, ice hazards, erosion and littoral beach processes.

“Lot” means a parcel or tract of land with a distinct legal description shown as an individual unit on the most recent plat of record.

“Lot—Corner lot” means a lot situated at the junction of, and bordering on, two intersecting rights-of-way.

“Lot—Depth” means the mean horizontal distance between the front and rear lot lines, measured in the general direction of its side lot line.

“Lot—Double frontage or reversed frontage” means a lot with frontage on two or more non-intersecting streets.

“Lot—Flag” means an irregularly shaped lot in which the buildable area typically has no street frontage, but has an arm that provides street access, called the “flagpole.” The width of the flagpole does not meet the minimum lot width standards in the zoning district in which it is located.

“Lot—Front lot line” means the lot line adjacent to a public street. In the case of a corner lot, the front line shall be the shorter of the street lot lines. In the case of a triangular lot located on a curved street, the front lot line shall be the chord line of the curve measured from the points where property intersects the right-of-way.

“Lot—Lot width” means the mean horizontal distance separating side lot lines of an individual lot.

“Lot—Rear lot line” means the lot line opposite and most distant from the front lot line, and in the case of a triangular, irregular or other odd-shaped lot, the line not less than 10 feet in length, within the lot, and at the maximum distance from the front lot line.

“Plat” means the map prepared, as required by this title, for the purpose of recording subdivisions or other divisions of land as provided in this title.

“Platting authority” means the community development director or planning and zoning commission, as defined in this title.

“Private streets” means those streets which are not dedicated or accepted by the city as a public street and may not be available for public use, wherein ownership, maintenance and liability for the street remain with the individual lot owners, and which shall be shown on the final plat by easement or tract.

“Public street” means a permanently designed major, collector, or minor way, open to public use, which affords the primary means of access to abutting property, such as an avenue, place, drive, boulevard, highway and any other similar public thoroughfare.

- A. “Major streets” means a roadway which serves as the primary artery of through traffic movement.
- B. “Collector streets” means a street designed and intended to carry traffic from residential street systems to arterial street systems or state highways.
- C. “Minor streets” are those which are used primarily for access to the abutting properties.

“Right-of-way” means a strip of land acquired by reservation, dedication, prescription or condemnation and intended to be occupied by a road, pedestrian way, railroad, electric transmission lines, oil or gas pipeline, water line, sanitary storm sewer and other similar uses.

“Sketch plat” means a sketch preparatory to the preliminary plat that enables the applicant to save time and expense in reaching general agreement with the platting authority as to the form of the plat and the objectives of these regulations.

“Snow storage” means land dedicated to the city for the storage of snow.

“Street” see definition for public and private streets.

“Subdivision” means the division of a lot, tract, or parcel of land into two or more lots, tracts, parcels or other divisions of land for sale, development or lease.

- A. “Major plat” is the creation of more than two lots.
- B. “Minor plat” is the creation of no more than two lots, or the elimination or modification of a single lot line, provided the plat does not include:
 - 1. Dedication of right-of-way;
 - 2. Vacation of public right-of-way or easement;
 - 3. Public improvements;
 - 4. A request for variance from this title.

“Surveyor” means a land surveyor registered and licensed in the state of Alaska.

“Vacation” means the act of making legally void any right-of-way, easement, public area, or other public interest in land.

“Variance” grants an exception to a standard of this title, but only when the criteria for variance approval within this title are met.

16.04.040 Applicability.

- A. This title applies to all plats which result in the partitioning, dividing, combining or altering of any lot, parcel or tract of land, including acquisitions created by an exercise of the power of eminent domain by an agency of the state or the city, except as provided in subsection B of this section.
- B. No provision of this chapter applies to any lot or lots legally created and filed on record before the effective date of the provision, unless the lot or lots are further platted. Plats given preliminary or final approval by the platting authority under regulations existing prior to this title shall comply only with the regulations existing at the time of that approval.

16.04.050 Sale of land prior to compliance with this title prohibited.

No owner or agent of the owner of land shall transfer, sell, offer to sell, or enter into a contract to sell land before a plat has been prepared, approved and recorded in compliance with this title. Each sale of a lot or parcel in violation of this section shall be a separate offense. The city may enjoin a transfer or sale or agreement to sell and may recover the penalty by appropriate legal action.

16.04.060 Compliance with title required prior to issuance of permits.

No building or occupancy permit shall be issued for a new building on a lot which did not exist as a described and recorded parcel on February 8, 1965, or that was not created by recorded subdivision pursuant to state statute, or by a recorded plat pursuant to provisions of this title.

16.04.070 Appeals.

- A. Where the community development director is the platting authority, any person may file an appeal to the planning and zoning commission within 30 days of that decision.
- B. Where the planning and zoning commission is the platting authority, any person may file an appeal to the city council within 30 days of the vote and decision. An appeal to the city council shall comply with Section 17.12.140.

Section 2: Chapter 16.08 is reenacted as follows:

**Chapter 16.08
PRELIMINARY PLATS**

Sections:

- 16.08.010 Pre-application meeting.**
- 16.08.020 Preliminary plat required.**
- 16.08.030 Form and contents.**
- 16.08.040 Acceptance for review.**
- 16.08.050 Review agencies.**
- 16.08.060 Preliminary plat approval.**
- 16.08.070 Review by city engineer.**
- 16.08.080 Right-of-way acquisition plats.**
- 16.08.010 Pre-application meeting.**

16.08.010 Pre-application meeting.

- A. The applicant shall, before submitting the preliminary plat for review, meet with the community development director for pre-application meeting to ensure that the plat is acceptable for processing.
- B. The applicant may provide the following information at the time of the preliminary consultation:
 - 1. General. Information including data on existing covenants, land characteristics and available community facilities and utilities, and information describing the subdivision proposal such as number of residential lots, typical lot width and depth, business areas, playgrounds, parks and other public areas, tree planting, proposed protective covenants and proposed utilities and street improvements.
 - 2. Location Map. A location map showing the relationship of the proposed subdivision area and its location to existing community facilities which serve or would be influenced by it, and nearby subdivided areas.
 - 3. Proposed Layout. A map showing a simple sketch of the proposed layout of streets, snow storage, lots and other features in relation to existing conditions. The map may be a freehand pencil sketch made directly on a print of the topographic survey.

16.08.020 Preliminary plat required.

Before submitting a final plat for approval and recording, the applicant shall submit a preliminary plat, accompanied by a Certificate to Plat that identifies all interest in the property and a written narrative describing the project, for approval. The form and data required for preliminary plat submittal is designated under this chapter.

16.08.030 Form and contents.

The preliminary plat shall be clearly and legibly drawn. The applicant shall submit one digital copy. The plat shall be formatted to print at 24 inches by 36 inches.

The applicant shall provide a narrative including a description of the surrounding land uses and environmental features and describe how the proposed plat aligns with the goals and policies of the comprehensive plan. The narrative may include a written description of existing covenants, land characteristics and available community facilities and utilities, and information describing the subdivision proposal such as number of lots, typical lot width and depth, business areas, playgrounds, parks and other public areas, landscaping, proposed protective covenants and proposed utilities and street improvements.

The applicant shall consult with the community development director to determine the map scale to be used. All attempts shall be made to draw the map of a subdivision containing six acres or less at a scale of 1-inch equals 50 feet. All other subdivisions shall be drawn at a scale of 1-inch equals 100 feet, unless otherwise approved by the community development director. The preliminary plat shall contain the following information:

- A. The date, scale and north arrow;
- B. The proposed subdivision name: which shall not be the same as the name of any plat previously recorded in the city;
- C. The name and address of the owner(s), the surveyor preparing the plat and the name, address and telephone number of a primary contact person;
- D. The location of the subdivision by township and range, section and meridian;
- E. A small-scale vicinity map at a scale of not less than one-inch to the mile;
- F. Unless waived and made a condition of preliminary approval, the exact length and bearing of the exterior boundaries of the plat;
- G. The location and names of adjacent subdivisions and the owners of adjoining parcels of unsubdivided land;
- H. Zoning on and adjacent to the plat;
- I. Location, widths and names of all existing and platted streets, or other public ways and easements, and utility rights-of-way, parks, cemeteries, watercourses, drainage ditches, permanent buildings, bridges and other pertinent data as determined by the community development director;

- J. If the plat borders a waterbody, the distances and bearing on a meander line established at the mean high-water mark of tidally influenced bodies of water and at the ordinary high-water mark of navigable streams, river, creeks, and lakes;
- K. Areas designated as wetlands by the United States Corps of Engineers or in adopted city plans or studies;
- L. The layout, width and approximate grades of all new streets and rights-of-way, such as highways, easements for sewers, water mains and other public utilities;
- M. The direction and distance to the nearest water and sewer mains;
- N. The approximate dimensions and areas of lots;
- O. If not served by public utilities, the buildable area for each lot;
- P. Where a proposed subdivision will not be served by the City of Valdez sewer system, the preliminary plat shall identify the proposed method of wastewater disposal and demonstrate that each lot contains sufficient area to accommodate an onsite wastewater disposal system and a replacement system in accordance with the requirements of the State of Alaska, Department of Environmental Conservation.
- Q. The approximate radii of all curves and length of the tangent between curves;
- R. The area of property proposed to be dedicated for public use or to be reserved by deed covenant for use of all property owners in the subdivision with the conditions, if any, of the dedication or reservation;
- S. Generally, utilities shall be placed in dedicated rights-of-way. The platting authority shall require the dedication of utility easements when a utility company demonstrates a specific need for them. Utility easements shall be sized as follows, but the platting authority may approve different standards when justified by site conditions or specific utility needs:
 - 1. Utility easements along rear lot lines shall be at least 10 feet wide, or a total of 20 feet wide along adjoining rear lots;
 - 2. Utility easements adjacent to lot lines shall be five feet wide, or a total of 10 feet wide along adjoining side lots;
 - 3. Where a front-yard easement is needed to accommodate a transmission utility, the easement shall be 10 feet wide;
- T. If the subdivision is proposed to be completed in several phases, the sequence of development must be indicated
- U. The community development director may require the following information to be included on the preliminary plat: areas known to be susceptible to geophysical

hazards including but not limited to landslide, mud and earth flow, soil creep, soil liquification, avalanche chutes, run-outs, or wind blast;

- V. The plat shall delineate the boundaries of the Special Flood Hazard Area (SFHA) as identified on the current FEMA Flood Insurance Rate Map (FIRM), including floodways, floodplains, and base flood elevations and shall identify areas subject to flooding hazards not mapped on the FIRM but documented in local studies or otherwise known to the city;
- W. The plat shall identify any portions of the plat that lies within mapped tsunami inundation areas, as identified by the Alaska Division of Geological and Geophysical Surveys (DGGS), adopted city plans, or other authoritative sources;
- X. The plat shall identify any portions of the plat that lies within an area protected by a levee or flood control structure;
- Y. When the proposed plat is located on land that has a difference in elevation of greater than six percent, the following information shall be provided on the preliminary plat:
 - 1. Contours at five-foot vertical intervals.
 - 2. All elevations shown shall include the vertical datum used.
 - 3. Where slope exceeds 12 percent, contour lines may be shown at a suitable interval not to exceed 20 feet.
 - 4. The area for which contour data is to be shown shall extend beyond the boundaries of the actual property being platted a distance which will adequately relate the plat to its surroundings.

16.08.040 Acceptance for review.

The community development director shall accept or reject the preliminary plat application for review within 10 business days of submittal by the applicant. Any rejection must be in writing and state the reasons for rejection under this title. Following acceptance by the community development director for review by the platting authority, the plat shall be forwarded for agency review. The community development director will retain one copy in the official file and make copies available to the public, upon request.

16.08.050 Review agencies.

The community development director may designate review agencies to aid in the examination of preliminary plats. Review agencies should submit comments on the proposed plat in writing no later than 10 days prior to the platting authority's meeting on the preliminary plat or the community development director's decision deadline.

16.08.060 Preliminary plat approval.

- A. Approval by the community development director. For minor plats, the community development director shall, within 30 days of acceptance, approve, approve conditionally or deny the preliminary plat application. The applicant shall be notified in writing in the form of a Notice of Decision, which shall include findings that support the approval or rejection, and any conditions of approval.
- B. Approval by the Planning and Zoning Commission. For major plats, the planning and zoning commission shall hold a public hearing within 60 days of the acceptance by the community development director. The planning and zoning commission shall, within 30 days of the close of the public hearing, approve, approve conditionally or reject the preliminary plat application. The applicant shall be notified in writing in the form of a Notice of Decision, which shall include any conditions of approval or the reasons for rejection.
- C. General.
 - 1. Approval of the plat is the platting authority's preliminary approval to proceed with the preparation of the final plat. If the final plat conforms substantially to the layout, and conditions of approval have been met, final approval can be sought pursuant to Chapter 16.12. Application for final approval must be completed and filed within 18 months of preliminary plat approval. The community development director may grant one extension of up to 18-months to this deadline after a written request and justification is submitted by the applicant.
 - 2. If the platting authority does not approve, denies or returns the plat to the applicant within the time limits of subsections A and B above:
 - a. Where the community development director is the platting authority, the applicant may request the plat be submitted to the planning and zoning commission.
 - b. Where the planning and zoning commission is the platting authority, the applicant may request the plat be submitted to the city council.

16.08.070 Review by city engineer.

Following preliminary approval of the major plat, and prior to submittal of a final plat, the applicant shall, when applicable, furnish to the city engineer for review and approval, the following engineering data pertaining to utilities and improvements required:

- A. Plans and profiles showing existing and established grades for all streets, public rights-of-way and snow storage areas;
- B. Plans and profiles of all storm sewers, culverts and surface water drainage facilities;
- C. Plans and profiles of all sanitary sewers, including one sanitary sewer lateral per lot to run to the lot lines;

- D. Plans and profiles of all water distribution lines including stop boxes and appurtenances including one water lateral per lot to run to the lot line;
- E. All other improvements required under Chapter 16.28 of this title.

16.08.080 Right-of-way acquisition plats.

- A. A plat for a government agency's acquisition of street or trail right-of-way, or for other public purposes is subject to the review and approval procedures of chapters 16.08 and 16.12 and is not subject to any other approval procedure for plats under this title.
- B. Submission Requirements. A government right-of-way acquisition plat submitted under this section shall be reviewed by the community development director as a minor plat and must contain the following information:
 - 1. The plat shall describe the entire ownership involved where the division results in a remainder parcel in excess of 10 acres, not intended for immediate sale or other conveyance. The platting authority may waive the requirement for inclusion of the remainder parcel.

Section 3: Chapter 16.12 is reenacted as follows:

**Chapter 16.12
FINAL PLATS**

Sections:

16.12.010 Submittal.

16.12.020 Form and content.

16.12.030 Procedure when final plat conforms to approved preliminary plat.

16.12.040 Procedure when final plat differs from approved preliminary plat.

16.12.010 Submittal.

- A. To ensure that the final plat is acceptable for processing, applicants are encouraged to submit copies to the community development director for review prior to formal submittal.
- B. One digital copy of the final plat shall be submitted to the community development director within 18 months of approval of the preliminary plat. If approval of the preliminary plat must be obtained from another authority after approval by the platting authority, the final plat shall be submitted within 24 months of approval of the preliminary plat.
- C. A Certificate to Plat showing all parties with a secured interest in the property shall be provided to the community development director.

16.12.020 Form and content.

- A. Form. A reproducible copy of the final plat drawn to scale with nonfading black ink on mylar material approved by the community development director.

The plat shall be at the scale approved by the platting authority at the time of the preliminary plat approval. The plat or plats shall be a sheet size of 24 inches by 36 inches, or 30 inches by 42 inches as determined after consultation with the community development director with a one and a one-half inch binder border (or as required by the State of Alaska Recorder's Office) at the left end of the longer sheet dimension and a one-half inch border along the other three edges. When multiple sheets are required, each must be numbered, be the same size, and show clearly labeled match lines. Match lines shall follow street centerlines or be otherwise located to avoid cutting lots or blocks in two.

- B. Content. The plats shall show all existing and established monuments and courses and distances necessary to restake any portion of the plat. The allowable error of closure shall not exceed the latest accuracy standards for property surveys as established by the National Society of Professional Surveyors (NSPS).

The final plat shall show the following:

1. The boundary of the platted area showing clearly what stakes, monuments, or other evidence were found or established on the ground to determine the boundary of the subdivision;
2. Bearing and distance to all monuments used to locate the subdivision boundary;
3. The basis of bearing and its source;
4. All monuments found shall be indicated. If the monuments were reset by ties, that fact shall be stated;
5. The plat shall show the following:
 - a. Centerlines of all streets:
 - i. Tangents, lengths and bearings;
 - ii. Curve radii of all curves, curve data which may be in tabular form and include central angles, lengths, radii, and arc and chord bearings;
 - iii. Central or deflection angles of all curves;
 - iv. Arc lengths of all curves;
 - b. Total width of each street, walkway, trail or path being dedicated;
 - c. Width of any existing dedication;
 - d. Width of portions of streets each side of the centerline;
 - e. Width of the following rights-of-way:
 - i. Patent reserves;
 - ii. Section line easements;
 - iii. Public utility easements;
 - iv. Any other easements existing or dedicated, by the plat;
 - f. All lot lines should be radial to a curve. If not, they shall be labeled "not radial";
 - g. Dimensions shall be in feet and hundredths of a foot;
 - h. Bearings shall be shown to the nearest one seconds;
6. The width of any existing dedication which provides access to the subdivision;

7. The width, bearing and other data necessary to delineate all easements to which lots are subject.
 - a. Easements shall be denoted by broken lines;
 - b. If an easement is not parallel to and adjoining the lot lines, distances and bearings on the side lines of the lots which are cut by the easements shall be shown so as to indicate clearly the actual length of the lot line from the lot corners to the easement;
8. All lots and blocks shall be numbered in a simple, consecutive, easy to follow manner;
9. Sufficient data shall be shown on lot and block boundaries to determine readily the length and bearing of each line;
10. No ditto marks shall be used;
11. The name of adjoining subdivisions and numbers of adjoining lots as well as adjoining easements and roads;
12. North arrow;
13. Three-inch bar scale;
14. Title block arranged in the lower right-hand corner which shall include the following:
 - a. Date survey was completed;
 - b. Subdivision name;
 - c. Surveyor's name, address, telephone number and license number;
 - d. Draft person's initials;
 - e. Checker's initials;
 - f. Legal description of the subdivision location;
 - g. Name of owner(s) of record;
15. The area of each lot in square footage to the nearest .01 square feet or acres to three decimal places;
16. A vicinity map arranged in upper right-hand corner at a scale no smaller than one-inch equals one mile, showing major street systems, section lines and north arrow;
17. A legend with appropriate symbols indicating pertinent information;

18. If the lots within the subdivision are not served by public sewer, a note shall be included on the plat stating, "Onsite wastewater systems must be designed and permitted in accordance with applicable regulations of the Alaska Department of Environmental Conservation."
19. If the property lies within the Special Flood Hazard Area, a note shall be included on the plat stating, "This plat contains land within the Special Flood Hazard Area. Development within this area is subject to the floodplain management regulations contained in Chapter 15.30."
20. If the property lies within mapped tsunami inundation areas, a note shall be included on the plat stating, "This plat contains land within a mapped tsunami inundation area and may be subject to City regulations intended to reduce tsunami risk."
21. If the property lies within an area protected by a levee or flood control structure, a note shall be included on the plat stating, "This plat contains land protected by a levee or flood control structure. Flooding of this property may occur in the event of levee failure, overtopping, or operational issues."
22. If the plat designates lots for the storage of snow, a note shall be included on the plat stating, "Areas and/or lots are deeded to the City of Valdez for the storage of snow."

C. Certificates and affidavits. The following certificates and affidavits shall be placed on the final plat, or submitted with, as appropriate, when submitted by the subdivider for approval:

1. A notarized certificate from the owners of the subdivision stating ownership, acknowledging all dedications, and describing all easements for the purpose dedicated;
2. A certificate by the registered surveyor, licensed and registered in the state of Alaska, attesting to the accuracy of the survey and the installation and correct location of all monuments required;
3. A tax certificate or receipt from the city stating that all taxes levied against the property at that date have been paid;
4. A guarantee of improvements if required public improvements have not been completed at the date of submittal of the final plat; and
5. A Certificate of Approval from the city to be signed by the Platting Authority and attested by the City Clerk and notarized.
6. Approval certificates from relevant state agencies.

7. A certificate of Acceptance and Dedication by the city accepting for public uses and for public purposes the real property dedicated on the plat including, but not limited to easements, rights-of-way, alleys, roadways, thoroughfares, snow storage lots, and parks.

16.12.030 Procedure when final plat conforms to approved preliminary plat.

- A. A hearing on the final plat shall not be required when the plat conforms to the preliminary plat including any conditions, as approved by the platting authority. The final plat is considered to conform when the community development director determines that all conditions of preliminary approval are met and the final plat does not:
 1. Modify lot dimensions and/or area by more than 10 percent from that approved by the preliminary plat;
 2. Change the total number of lots created.
- B. If determined by the community development director that the final plat conforms to the approved preliminary plat, final plat submittal shall follow all procedures of Chapter 16.12.

16.12.040 Procedure when final plat differs from approved preliminary plat.

When the final plat differs from the preliminary plat, the plat shall be considered a new application for preliminary plat approval.

Section 4: Chapter 16.16 is reenacted as follows:

**Chapter 16.16
VARIANCES**

Sections:

- 16.16.010 Purpose.**
- 16.16.020 Approval criteria.**
- 16.16.030 Review procedure.**
- 16.16.040 Platting authority action.**
- 16.16.050 Form and content.**

16.16.010 Purpose.

The variance procedures are established to allow applicants to seek deviations and modifications from the express requirements of this title to overcome unique site impediments and area conditions. Deviations to the city's platting requirements may be necessary to facilitate development where existing site and area conditions limit an applicant's ability to fully comply with the platting requirements. An approved variance grants the right to develop the lot, or subdivision in a way that is otherwise prohibited by this title.

16.16.020 Approval criteria.

The planning and zoning commission may grant a variance if it finds that the following criteria have been met:

- A. Criterion 1: The granting of the variance will not be detrimental to the public safety, welfare or injurious to adjacent property.
- B. Criterion 2: There are practical difficulties or unique site conditions that make strict application of the provisions of this chapter unnecessary burdensome or inconsistent with good subdivision design.
- C. Criterion 3: The need for the variance is not the result of actions taken by the applicant or property owner.
- D. Criterion 4: The variance will be in consistent with the intent and purpose of this title and the goals and policies of the comprehensive plan.

16.16.030 Review procedure.

The city shall process the application for variance pursuant to the following procedures:

- A. Initial Submittal and Completeness Review. Upon receipt of an application submittal, the department shall review the submittal for completeness. Where the submittal lacks the required information, the department shall cease its review and notify the applicant of deficient information/items. After the applicant addresses the deficient items, the department may restart its review. The department shall provide written comments to the applicant detailing elements of the application that do not comply with regulations and policies.
- B. The community development director shall conduct a review of the application's consistency with the approval criteria. The community development director may circulate the application to other city departments or outside agencies for comment. The community development director shall provide written comments to the applicant detailing elements of the application that are inconsistent with approval criteria.
- C. Application Revisions. As applicable, the applicant may revise its application submittal to address the community development director's comments. If the applicant provides a revised application packet, the community development director shall review the revised application for regulatory and policy compliance.
- D. After determining the application is complete, the community development director shall provide public notice pursuant to Section 16.04.090. The planning and zoning commission shall hold a public hearing within 60 days of the of the determination of completeness by the community development director.
- E. Staff Report. The community development director shall write a staff report that:
 - 1. Summarizes the proposed platting variance in terms of location;
 - 2. Describes the deviations or modifications sought;
 - 3. Provides findings related to the plat variance approval criteria;
 - 4. Provides a recommendation to approve, approve with conditions, or deny the request. The staff report shall include the applicant's complete submittal and any public comments as attachments.

16.16.040 Platting authority action.

The planning and zoning commission shall have the authority to grant variances. The planning and zoning commission may render a decision at the same meeting as the public hearing. The planning and zoning commission shall make its decision on the request for variance within 30 days from the date of the public hearing. In granting or denying any platting variance, the planning and zoning commission shall state its findings and the specific reasons for its action on the request for a variance and shall also record its action in a Notice of Decision.

16.16.050 Form and content.

Applicants for a variance shall provide the following items for the city to initiate review:

- A. Application and Fee(s). Applicants shall provide a complete application and pay fees as set out in Section 16.04.080 at the time of application filing. Additional expenses incurred by the city that are associated with the review may be paid at a later date, but prior to action being taken on the application.
- B. An application for platting variance shall include:
1. Legal description of all property(s) subject to the variance;
 2. A preliminary plat in accordance with Section 16.08.030, Form and contents, prepared by a land surveyor registered in the State of Alaska;
 3. A written explanation of the conditions, facts and reasons why a variance should be granted and how the variance complies with Section 16.16.020, Approval criteria;
 4. Technical studies. The applicant may be required to submit technical studies at the discretion of the community development director to demonstrate compliance with the variance approval criteria. These may include, but are not limited to, traffic studies, drainage studies and visual impact studies.

Section 5: Chapter 16.20 is reenacted as follows:

**Chapter 16.20
PUBLIC WAY VACATIONS**

Sections:

- 16.20.010 Purpose.**
- 16.20.020 Vacation initiation.**
- 16.20.030 Review procedure.**
- 16.20.040 Decision making responsibility.**
- 16.20.050 Platting authority review.**
- 16.20.060 Title to vacated area.**
- 16.20.070 Appeals.**

16.20.010 Purpose.

The vacation procedures are established to provide a definitive procedure for the vacation of a platted public right-of-way, public area, or other public easement dedicated on an approved plat, to provide procedures for the alteration, including removal, of platted utility easements, and to preserve the rights of adjacent property owners, the city and the public at large.

16.20.020 Vacation initiation.

- A. The vacation of a platted right-of-way, public area, or other public easements dedicated on an approved plat may be initiated by:
 - 1. Petition of the city council;
 - 2. Petition of the planning and zoning commission;
 - 3. Petition of a public utility; or
 - 4. Petition of 51% of the owners of all of property abutting the area proposed to be vacated and of property owners for properties served by the right-of-way or area being vacated, as determined by the community development director.
- B. The petition shall be filed with the community development director and shall be accompanied by:
 - 1. A copy of the existing plat showing the proposed alteration, replat or vacation;
 - 2. A filing fee, in the amount set out in Section 16.04.080, and the recording fees;
 - 3. For vacation of a utility easement, proof of written notice to and any response from public utility authorized to use the easement;
 - 4. For vacation of a drainage easement, a written statement of approval from the city engineer;

5. Any statements containing the reasons in support of the vacation.

16.20.030 Review procedure.

The city shall process the application for a vacation pursuant to the following procedures.

- A. Initial Submittal and Completeness Review. Upon receipt of an application submittal, the community development department shall review the submittal for completeness. Where the submittal lacks the required information, the department shall cease its review and notify the applicant of deficient information/items. After the applicant addresses the deficient items, the community development department may restart its review. The department shall provide written comments to the applicant detailing elements of the application that do not comply with regulations and policies.
- B. After determining the application is complete, the department shall provide public notice pursuant to section 16.04.090.
- C. The community development director shall conduct a review of the application's consistency with the approval criteria. The community development director may circulate the application to other city departments and public or private entities for comment.
- D. The capital facilities director shall review the application and present written comments, including recommended conditions of approval, to the community development director.
- E. Staff Report. The community development director shall write a staff report that:
 1. Summarizes the proposed vacation in terms of location;
 2. Provides findings related to the vacation approval criteria in section 16.20.050;
 3. Provides a recommendation to approve, approve with conditions, or deny the request.

The staff report shall include the applicant's complete submittal and any public comments as attachments.

16.20.040 Decision-making responsibility.

- A. The community development director is the platting authority for applications to vacate the following platted interests:
 1. Drainage easements;
 2. Maintenance easements;
 3. Public utility easements;

4. Private easements, but only upon the written concurrence of the beneficiaries;
5. Relocation of any of the above-described interests.

B. The city council is the platting authority for all other applications to vacate a dedicated public area. Prior to the city council's action on a request for vacation, the planning and zoning commission shall hold a public hearing and make a recommendation on the proposed vacation to the city council. C. For easements under the jurisdiction of the state, such as section lines and RS 2477 rights-of-way, the city is advisory and final authority for approval and platting of the vacation rests with the state.

16.20.050 Platting authority review.

The platting authority shall consider the merits of each vacation request. The applicant has the burden to prove otherwise.

- A. The platting authority may recommend the approval of a vacation only if it finds that all the following criteria have been met:
1. Criterion 1: The area proposed to be vacated is not a right-of-way acquired under the former 43 U.S.C. 932 (RS 2477 right-of-way) unless the application is at the request of an approved vacation of an existing RS 2477 right-of-way by the Alaska Department of Transportation and Public Facilities or the Alaska Department of Natural Resources;
 2. Criterion 2: There is not any current or anticipated future public purpose to retain the area proposed to be vacated;
 3. Criterion 3: The proposed vacation will not have a detrimental effect on the adjacent property or on the neighborhood;
 4. Criterion 4: The proposed vacation is in the best interest of the public;
 5. Criterion 5: The proposed vacation involving a section line easement demonstrates it is in the public interest and there is a reasonably comparable or better alternate means of access.
- B. The platting authority shall take action on the vacation application within 60 days after the submittal date. The reasons for the decision on the vacation shall be stated in the case record and recorded on a form approved by the Community Development Director.
- C. Approval Period. The approval of a vacation expires 18 months after the date of approval. The city council may grant one extension of up to 18 months to this deadline after a written request and justification is submitted by the applicant.

16.20.060 Title to vacated area.

- A. The title to the right-of-way, public area or easement shall be in accordance with Alaska Statute 29.40.160.
- B. If the city acquired the right-of-way or other public area vacated by means other than as a platting requirement, the fair market value of the area shall be deposited with the city upon final vacation.

16.20.070 Appeals.

- A. For vacations where the community development director is the platting authority, the decision on the vacation is final and may be appealed to the planning and zoning commission.
- B. For vacations where the city council is the platting authority, the decision on a vacation is final and may be appealed to superior court or a court of competence.

Section 6: Chapter 16.24 is reenacted as follows:

**Chapter 16.24
DESIGN STANDARDS**

Sections:

- 16.24.010 Conformance to standards generally.**
- 16.24.020 Design—Lot layout.**
- 16.24.030 Design—Lot dimensions.**
- 16.24.040 Design—Lot lines.**
- 16.24.050 Design—Lot frontage and access.**
- 16.24.060 Design—Snow storage.**
- 16.24.070 Design—Reserve strips.**
- 16.24.080 Design—Hazardous areas.**
- 16.24.090 Design—Phasing schedule.**
- 16.24.100 Design—Block arrangement.**
- 16.24.110 Streets—General design considerations.**
- 16.24.120 Design—Street grades.**
- 16.24.130 Design—Street alignment.**
- 16.24.140 Design—Street intersections.**
- 16.24.150 Design—Cul-de-sac.**
- 16.24.160 Design—Street names.**
- 16.24.170 Design—Street addresses.**
- 16.24.180 Design—Geometric and profiles.**
- 16.24.190 Design--- Planned Unit Developments (PUDs).**
- 16.24.200 Engineering and design criteria.**

16.24.010 Conformance to standards generally.

A proposed plat design shall conform to the following standards:

- A. All applicable provisions of this title and any other ordinances of the city;
- B. The comprehensive plan;
- C. The official zoning map;
- D. The regulations of the State Department of Environmental Conservation if the plat is not served by a public sewer and provision for service has not been made;
- E. The regulations of the State Department of Transportation and Public Facilities relating to safety of access and the preservation of the public interest and investment if the plat or any lot contained therein abuts on a state highway;

16.24.020 Design—Lot layout.

In areas served by municipal sewer and water the preferred lot layout is two tiers of lots on a cul-de-sac street with snow storage at the street end. Examples of the preferred development layout are available from the community development director.

16.24.030 Design—Lot dimensions.

- A. In addition to the dimensional and intensity standards of Table 17.16.060-1, all lots shall have the minimum dimensions required by this section.
- B. Where lots are created that are larger than the minimum required by the current zoning, the platting authority may require the plat be designed to allow for future re-subdivision of lots into the minimum size required.
- C. Notwithstanding any other provision of this section, the width of the flagpole portion of a flag shaped lot shall be no less than:
 - 1. 30 feet when both public water and sewer systems are to serve a residential lot;
 - 2. 40 feet when both public water and sewer systems are to serve a mixed use, commercial or industrial lot;
 - 3. 20 feet when only a public water or a public sewer system are to serve a lot;
 - 4. 20 feet when the lot is located in a rural area and will not be served by either public water or public sewer systems.
- H. Notwithstanding any other provision of this section, the length of the flagpole portion of a flag shaped lot shall be no more than 200 feet, unless approved by the fire chief.

16.24.040 Design—Lot lines.

To the extent feasible, side lot lines shall be perpendicular to straight streets and radial to curved streets.

16.24.050 Design—Lot frontage and access.

- A. All lots shall have frontage on a street or navigable water and be provided physical and legal access.
- B. The front lot line of a residential lot shall not abut a major street. A waiver may be granted by the platting authority when the applicant demonstrates that access to a lesser street is not practicable or feasible.
- C. The frontage of a lot on a cul-de-sac bulb shall be a minimum of 30 feet. This does not apply to flag lots.
- D. All street rights-of-way shall include a snow storage area that extends 10 feet outward from the back of the curb. Utilities within snow storage area shall be installed to accommodate snow loads and snow removal as determined by the city engineer.

16.24.060 Design—Snow storage.

- A. Snow storage lots shall be conveyed to the city by title immediately after recording of the plat. Snow storage lots shall be identified by plat note. The area of the snow storage lot(s) shall be equal to one square foot for every square foot of dedicated right-of-way. The distance between dedicated snow storage lots shall not be more than 1,000 feet. The location and layout of snow storage lots shall be approved by the public works director.
- B. Snow storage lots shall be cleared and graded to ensure that drainage does not adversely impact adjacent property. The final drainage plan for the snow storage lots shall be approved by the city engineer.

16.24.070 Design—Reserve strips.

Privately owned strips may not be reserved to control access to public rights-of-way.

16.24.080 Design—Hazardous areas.

The design of a subdivision containing or abutting hazardous areas shall conform to this section, in addition to the remainder of this title.

- A. The applicant shall demonstrate to the satisfaction of the platting authority, that the design is specifically adapted to the proposed development and that the design considers other development in the vicinity and does not increase hazards to other areas.
- B. The applicant shall demonstrate to the satisfaction of the platting authority that the design can meet the requirements of Section 15.30.050 when any portion of the plat is within a special flood hazard area.
- C. The platting authority may require the dedication of easements to construct and maintain cut and fill slopes and other control structures, including but not limited to, dikes or riprap.
- D. Subdivision design shall take into consideration known areas susceptible to geophysical hazards including but not limited to erosion, landslide, mud and earth flow, soil creep, soil liquefaction, avalanche chutes, run-outs, or wind blast.
- E. The community development director may require the applicant to submit technical studies to demonstrate compliance with this title with respect to identified hazardous areas.
- F. The platting authority shall require the dedication of stream maintenance and protection easements where a river, stream, creek, important surface watercourse, or drainage course traverses or is adjacent to the subdivision. The easement shall conform substantially to the line of the stream.

- G. The width of the stream maintenance easement shall be that which the platting authority finds necessary to protect the stream and adjacent property from soil erosion, flooding, water pollution and destruction of fish and wildlife habitat. The easement will not be less than 25 feet wide on either side of the stream, measured landward from the ordinary high-water mark.
- H. All structures within a stream maintenance and protection easement, shall be required by plat note to be readily moveable or temporary.

16.24.090 Design—Phasing schedule.

The platting authority may require that a subdivision conform to a phasing schedule based upon the scheduled availability of infrastructure to serve the subdivision. The platting authority, upon a showing of good cause by the applicant, may authorize the applicant to proceed with the installation of improvements required under this title on a portion or part of the subdivision.

16.24.100 Design—Block arrangement.

Blocks shall consist of two tiers of lots, except where lots back onto a major street, natural feature or subdivision boundary.

16.24.110 Streets—General design considerations.

- A. The streets in a subdivision shall be designed and located in relation to existing and planned streets, to topographical conditions and natural terrain features such as streams and existing tree growth, to public convenience and safety, and in their appropriate relation to the proposed uses of the land to be served by these streets. All subdivisions shall have legal and physical access.
 - 1. Major Streets. Major streets shall be properly integrated with the existing and proposed system of major streets and highways.
 - 2. Collector Streets. Collector streets shall be properly related to special traffic generating from facilities such as schools, churches and shopping areas to population densities, and to major streets into which they feed.
 - 3. Minor Streets. Minor streets shall be laid out to conform as much as possible to topography, to discourage use by through traffic, to permit efficient snow removal, drainage and sewer systems and to require the minimum amount of street necessary to provide convenient, safe access to property.
- B. Where a subdivision borders on or contains an existing or proposed major street, the platting authority may require adjacent collector or minor streets be provided.
- C. The rights-of-way of all streets shall be the width specified on the official map or comprehensive plan but shall be within the width specified below.

Street	Right-of-Way (feet)
Major streets	80-100
Collector streets	70-80
Minor streets	50-60

16.24.120 Design—Street grades.

- A. Streets shall be arranged in relation to topography to provide usable lots, safe streets, reasonable gradients and minimum damage to terrain and existing vegetation. The minimum grade of all streets shall be no less than one-half percent. The minimum shall not be permitted for distances greater than 600 feet.
- B. Cul-de-sac turnaround grades shall not exceed five percent.
- C. Major and collector street grades shall not exceed eight percent unless necessitated by exceptional topography and approved by the platting authority. Minor street grades shall not exceed 10 percent. Any street grade exceeding six percent shall be on a straight alignment no more than 100 feet long. The platting authority may allow the grade to be longer where topographic conditions warrant.

16.24.130 Design—Street alignment.

- A. Collector streets shall be aligned to continue existing streets from adjoining areas into the proposed subdivision. Minor streets shall be aligned to discourage through traffic.
- B. Stub streets with temporary turnaround areas shall be extended to the boundaries of the proposed subdivision where appropriate to provide future street connections to adjacent unsubdivided areas.
- C. Grade or median separations of street lanes may be permitted to preserve natural features, provide space for landscaping, or facilitate access in subdivisions containing steep lots.
- D. Street alignment shall consider and minimize potential wind damage and snow removal.

16.24.140 Design—Street intersections.

Streets shall intersect at, or as near as feasible, to a 90-degree angle and not less than a 75-degree angle. The distance between intersection centerlines shall be a minimum of 150 feet. Corner roundings at intersections shall have a minimum radius of 20 feet. Sight distance shall conform with the most recent publication of the American Association of State Highway and Transportation Officials (AASHTO). The platting authority may require pedestrian crosswalks not less than 15 feet wide to provide convenient pedestrian

circulation or access to schools, playgrounds, shopping areas, transportation and other community facilities.

16.24.150 Design—Cul-de-sac.

Where topography and traffic circulation permit, the length of a cul-de-sac shall not exceed 900 feet. The length shall be measured from centerline of intersecting through streets to the radius point of cul-de-sac bulb, or a line running from the radius point perpendicular to the street centerline. The constructed street shall have a turnaround compliant with the adopted provisions in title 8 of this code. A waiver may be granted by the platting authority, upon a recommendation from the fire chief, when the applicant demonstrates an alternate turnaround design provides adequate fire access.

16.24.160 Design—Street names.

New street names shall not duplicate the names of existing streets. Streets that are continuations of other streets already in existence and named shall bear the name of the existing streets in conformance with section 12.06.120.

16.24.170 Design—Street addresses.

The community development director shall assign all official street address numbers. A permanent address shall be assigned only for property that is subject to a plat filed depicting the dedicated right-of-way serving the property in conformance with section 12.06.090.

16.24.180 Design—Geometric and profiles.

In addition to the requirements below, the provisions of chapter 12.04 and section 16.24.200 apply. Detailed requirements for current construction materials and methods are available from the city engineer.

- A. Horizontal Curves. Changes in horizontal alignment of roads shall be made using horizontal circular curves. The radii of horizontal curves shall not be less than:
 - 1. Major streets, 800 feet;
 - 2. Collector streets, 600 feet;
 - 3. Minor streets, 150 feet.
- B. Compound curves and broken-back curves shall not be used unless approved by the platting authority. Reverse curves shall have an intermediate tangent of 100 feet or more unless the curve radii are more than 300 feet.
- C. Cross Slopes. The minimum road cross slope shall not be less than two percent and not greater than six percent .

D. Superelevations shall be installed in accordance with the current publication of AASHTO. The maximum superelevation allowed is six percent.

16.24.190 Design—Planned Unit Developments (PUDs).

A Planned Unit Development (PUD) is intended to provide flexibility to the city's dimensional standards to achieve better project design than otherwise could be accomplished through the direct application of the dimensional standards. PUDs may be created pursuant to the conditional use permit process required by section 17.12.090 and subject to all provisions of chapter 17.84.

16.24.200 Engineering and design criteria.

A. Dedicated streets shall receive street maintenance and snow removal when all the streets are dedicated to public use, meet the engineering and design criteria, and have been accepted by the city. Prior to acceptance of dedication, the platting authority shall consider the following factors:

1. The anticipated population density within the subdivision;
2. The anticipated level of vehicular traffic upon the subdivision streets;
3. The anticipated level of pedestrian traffic upon the subdivision streets;
4. The cost of constructing streets to higher engineering and design criteria as compared to the benefits derived from higher criteria.

The acceptable criteria are set forth in the most current adopted City of Valdez Street Standards. The platting authority may impose additional conditions or requirements as it deems to be in the public interest. It may set different engineering and design criteria for different subdivisions and for different streets within a subdivision and is not limited by any of the requirements of this title.

- B. A subdivision in which the streets do not meet the criteria or requirements set forth by the platting authority will not be accepted.
- C. The criteria and requirements shall be determined by the platting at preliminary plat approval.
- D. The city or any person may appeal to the city council in accordance with section 16.04.070.
- E. The platting authority shall determine criteria and requirements for existing subdivisions which have streets not in conformance with design requirements presently existing under this title. When in the public interest, the platting authority may require additional improvements for streets.

Section 7: Chapter 16.28 is reenacted as follows:

**Chapter 16.28
IMPROVEMENTS**

Sections:

- 16.28.010 Monuments.**
- 16.28.020 Required facilities.**
- 16.28.030 Bond required.**
- 16.28.040 Approval of city engineer.**
- 16.28.050 Development in phases.**
- 16.28.060 Dedication of facilities.**

16.28.010 Monuments.

A. Angle Points. All angle points in the subdivision shall be marked with monuments permanently set as follows:

1. Two primary monuments on or within the subdivision boundary. Where possible, the primary monuments should be on the ends of the same line. Existing monuments that meet primary monument specifications will not require additional primary monuments;
2. All other angle points within the subdivision shall be marked with secondary monuments;
3. If not located within roadways or walkways, flush to the surface or protruding no more than four inches above ground level;
4. If located within walkways, roadways or snow storage areas at least six inches below the surface in a survey box;
5. Primary monuments shall be stamped with the following information:
 - a. Location and identification;
 - b. Year set;
 - c. Surveyor's license number;
 - d. Exact transit point.

B. All other corners shall be monumented with secondary monuments permanently set:

1. Flush to the surface; or
2. Protruding no more than four inches above the surface; and
3. Stamped with the following information:

- a. Location and identification;
- b. Surveyor's license number;
- c. Year set.

C. Monument Material. The following monument material or equal shall be employed in the survey:

1. Primary Monuments. Alloyed iron pipe, zinc coated or aluminum pipe;
 - a. Outside diameter, two-inch or larger;
 - b. Cut in 30-inch lengths;
 - c. One end of the pipe shall be split for several inches and the two halves spread to form flanges or a commercially manufactured foot attached.
2. A brass or aluminum cap, two and one-half inches or larger in diameter shall be securely attached to the other end by mechanical means;
3. If aluminum pipe is used, the monument must contain a magnetic insert as an integral part of its composition;
4. In areas where primary monuments are located on rock outcrops or concrete surfaces, a brass or aluminum tablet two and one-half inch diameter with a one-half inch diameter stem shall be cemented into a drilled hole. The tablet shall be flush with the surrounding surface. The tablet shall include a magnetic insert as an integral part of its composition.

D. Secondary Monuments.

1. Cap one and one-half inch or larger secured by friction fit or mechanical means to five-eighths inch steel rebar or other ferrous metal rod;
2. The rods shall penetrate a minimum of 30 inches below the surface;
3. In areas where secondary monuments are located on rock outcrop or concrete surfaces, the procedure for primary monuments shall be followed.

E. Reference Monuments. Reference monuments may used when the actual corner location cannot be set or if required for other reasons.

1. Minimum requirements are the same as those for secondary monuments.
2. All reference caps will be marked with the following information:
 - a. Distance to monument;

- b. Surveyor's license number;
 - c. Designation of and an arrow pointing to the referenced "corner";
 - d. Date set.
3. Witness corners shall be used when the actual location of the corner cannot be set and shall meet the following:
- a. Witness distance shall be shown on the plat, from the existing monument, as set, to the true corner position.
 - b. Witness corners shall be set on the property line at a distance considered reasonable and practical from the true corner point.
- F. Monument material requirements are minimum standards. Other materials of equal or higher quality approved by the city engineer shall be allowed.
- G. The Community Development Director may approve the use of monuments other than required by this section when warranted by specific field conditions.

16.28.020 Required facilities.

Where applicable, before the final plat may be considered for approval, the applicant shall provide and dedicate the following facilities and improvements in accordance with the City of Valdez Standard Specifications document. The applicant shall provide to the city engineer, as-built drawings of the improvements certified by a licensed engineer in the State of Alaska. Facilities and improvements shall be installed within 24 months.

- A. **Water and Sewer.** Water and sanitary sewer mains, lift stations and laterals to the lot lines where the subdivision is within 200 feet of land served by water and sewer.
- B. **Streets.** All new streets, and additional right-of-way along existing streets, shall conform with Section 16.24.110. No required dedication shall exceed 100 feet of width except for cul-de-sacs and street boulevards for center strip drainage. Where collector and major streets lie within the plat, the applicant shall not be required to provide improvements in excess of those normally required to serve the development itself. The platting authority may waive the requirement for paving where the subdivision is in a rural area.
- C. **Stormwater Mains.** Stormwater mains shall be provided as deemed necessary by the city engineer.
- D. **Surface Drainage.** Curb and gutter or other adequate facilities to provide surface water drainage as deemed necessary by the city engineer.

- E. Erosion Control. All open cuts of ground shall be returned in a satisfactory condition as determined by the city engineer. Seeding shall be provided for any open cut subject to excessive erosion. Barriers shall be placed at intervals and at right angles to the flow of water to prevent erosion.
- F. Snow Storage. Snow storage shall be provided per Section 16.24.060 on property that has been deeded to the city.
- G. Street Signs. Street signs indicating street name, speed limits and other appropriate notification shall be provided as deemed necessary by the city engineer and community development department.
- H. Street Lights. Street lights illuminating intersections and lengths of street shall be provided as deemed necessary by the city engineer.

16.28.030 Bond required.

When facilities and improvements required by this chapter have not been fully installed at the time the plat is submitted for final approval, the applicant shall file with the community development director a bond or other surety or collateral providing for whole or partial releases, to ensure that all required improvements are constructed as specified in the approved plans. The bond or other financial guarantee shall be approved by the city attorney and shall be of an amount determined by the city engineer.

16.28.040 Approval of city engineer.

The adequacy of the facilities and improvements required by this chapter and their proper installation shall be subject to approval of the city engineer.

16.28.050 Development in phases.

Where in the determination of the platting authority that the whole of the area being platted cannot immediately be fully improved with respect to the installation of all required facilities and street improvements, the platting authority may authorize the applicant to proceed with the installation of improvements required under this title on a portion of the platted area. In such event, the requirements of this title shall apply to that portion or part thereof authorized for immediate improvement.

16.28.060 Dedication of facilities.

All facilities and improvements installed prior to the final approval of the plat shall be considered dedicated along with streets and other public areas upon the approval of the final plat. Facilities and improvements completed under bond or other financial guarantee after the approval of the plat shall be considered dedicated upon their approval and acceptance and release of the bond or other guarantee.

Section 8: Chapter 16.32 is reenacted as follows:

**Chapter 16.32
PUBLIC SITES AND OPEN SPACES**

Sections:

- 16.32.010 Purpose.**
- 16.32.020 Reservation of potential sites.**
- 16.32.030 Excessive street dedication.**
- 16.32.040 Determination of feasibility.**
- 16.32.050 Dedication—Streets.**
- 16.32.060 Dedication—Walkways, trails and paths.**
- 16.32.070 Dedication—Utility easements.**
- 16.32.080 Dedication—Snow storage.**

16.32.010 Purpose.

Public sites and opens space provisions are established to ensure adequate open spaces and sites for public uses are properly located and preserved as the community develops and to ensure the costs of public sites needed by new development are equitably apportioned.

16.32.020 Reservation of potential sites.

- A. Design Consideration. The platting authority, after considering the proposed plat's impact on the community and the goals and policies of the comprehensive plan, may require the proposed plat to provide the dedication of public sites and open spaces.
- B. Reservation May Be Required. Where it is determined by the platting authority that a portion of the plat is required for public sites or open spaces, the applicant may be required to reserve an area for a period not to exceed three years. Within three years of the filing of a final plat, the city or any other public or private agency may acquire any parcel designated as reserve tract on the plat, by purchase or as otherwise authorized by law, for the purpose or purposes for which the parcel was reserved. The designation of an area to be reserved shall be supported by a report from the community development director. The report shall contain a statement from the entity proposing to acquire the tract that it intends to acquire the designated area. If a reserve tract is not acquired within the three-year period, it shall be released from the reserve tract designation unless the time for acquisition is extended by the reserve tract's owners or by another provision of law.
- C. How Determined. The reserve land to be provided shall be up to five percent of the net residential lot area created by the plat.
- D. Exemptions. The platting authority may waive the dedication of a public site or open space in rural large lot subdivisions, or where the plat results in the creation of no more than one additional lot or parcel, or for a parcel on which a permanent residential structure has existed for at least one year prior to the date of the division.

E. Redivision. Where a lot or parcel for which a dedication has once been made is further divided, dedications shall be required only for the additional lots or parcels created.

16.32.030 Excessive street dedication.

In the case of major thoroughfares lying within the plat, the applicant may dedicate the width in excess of that required by this title and receive credit towards areas required under this chapter.

16.32.040 Determination of feasibility.

The platting authority shall make the determination of the feasibility of dedication of the public site or open space.

16.32.050 Dedication—Streets.

All street rights-of-way shall be dedicated to the public.

16.32.060 Dedication—Walkways, trails and paths.

The platting authority may require the dedication of pedestrian walkways or nonmotorized trails and paths where it finds they are necessary for convenient circulation or to protect pedestrians and bicycles from motorized vehicle traffic. The platting authority may require the dedication of pedestrian walkways and/or nonmotorized trails and paths to provide public access to any adjacent stream, lake or ocean. The minimum width of a dedication shall be 10 feet.

16.32.070 Dedication—Utility easements.

The platting authority may require the dedication of utility easements when a utility company or the city demonstrates a need.

16.32.080 Dedication—Snow storage.

All land dedicated for snow storage shall be deeded to the city.

Section 9: This ordinance takes effect immediately upon adoption.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF VALDEZ,
ALASKA, this _____ day of _____, 2026.

CITY OF VALDEZ, ALASKA

Dennis Fleming, Mayor

ATTEST:

Sheri L. Pierce, MMC, City Clerk

APPROVED AS TO FORM:

Brena, Bell & Walker, P.C.

First Reading:
Second Reading:
Yeas:
Nays:
Absent:
Abstain:

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**Chapter 16.04
GENERAL PROVISIONS**

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Sections:

- 16.04.010 Purpose—General standards for plat approval.**
- 16.04.020 Review matrix.**
- 16.04.030 Definitions.**
- 16.04.040 Applicability.**
- 16.04.050 Sale of land prior to compliance with this title prohibited.**
- 16.04.060 Compliance with title required prior to issuance of permits.**
- 16.04.070 Appeals.**
- 16.04.080 Fees.**
- 16.04.090 Notification requirements.**
- 16.04.010 Purpose—General standards for plat approval.**

The purpose of this title is to regulate platting actions in accordance with the city comprehensive plan and with consideration of conditions and the environment in Valdez. These subdivision regulations are designed to provide for orderly development; to lessen street congestion; to promote public safety; to protect the public health and general welfare; to provide high quality of life; to prevent overcrowding; and to stimulate systematic development of transportation and public utilities.

- A. The platting authority may approve a preliminary or final plat only if it finds that the plat:
 - 1. Conforms to the provisions of this title and other applicable city ordinances, to and including Valdez Municipal Code, Title 17 - Zoning;
 - 2. Promotes the public health, safety and welfare;
 - 3. Provides for the proper arrangement of streets in relation to existing or proposed recorded and, or surveyed streets, plats and rights-of way.
 - 4. Provides clear definition for the efficient movement of vehicular and pedestrian traffic;

- 104 5. Assures adequate and properly placed utilities such as water, sanitary sewerage, storm
 105 drainage, and other public utilities;
- 106 6. Provides and displays access for safety and public service equipment, to and including
 107 emergency vehicles;
- 108 7. Provides and displays the need for adequate and properly placed snow storage;
- 109 8. Facilitates the orderly and efficient layout and use of land;
- 110 9. Furthers the goals and policies of the comprehensive plan and other adopted city
 111 policies and plans.

112 B. The platting authority may impose conditions upon the approval of a plat when it finds
 113 conditions are necessary to conform to the standards of this title.

114 **16.04.020 Review matrix.**

115 A. General. Review procedures established in this chapter are applicable to any platting action
 116 within the city of Valdez.

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118 B. Review Matrix. The review matrix is provided as Table 16.04.020-1. The review matrix
 119 identifies each platting action along with the corresponding review authority, decision-making
 120 authority and appellant authority.

121 Table 16.04.020-1 Review Matrix

Permit/Application Type	Reviewing Authority (Recommendation)	Decision-Making Authority	Appellate Authority
Preliminary Plat - Minor	Community Development Staff	Community Development Director	Planning & Zoning Commission
Preliminary Plat – Major	Community Development Staff	Planning & Zoning Commission	City Council

Final Plat – Minor	Community Development Staff	Community Development Director	Planning & Zoning Commission
Final Plat – Major	Community Development Staff	Final plats that conform to an approved preliminary plat may be approved administratively by the Community Development Director pursuant to Section 16.12.030.	Planning & Zoning Commission
Variances	Community Development Department	Planning & Zoning Commission	City Council
Public Way Vacations – <ol style="list-style-type: none"> 1. Drainage easements 2. Maintenance easements 3. Public utility easements 4. Private easements 5. Relocation of any of the above-described interests 	Community Development Staff	Community Development Director	Planning & Zoning Commission
All other public way vacations	Community Development Department and Planning & Zoning Commission	City Council	Superior Court or Court of Competency

122 **16.04.030 Definitions.**

123 For the purposes of this title, any word or term not interpreted or defined by this section shall
124 be used with a meaning of common or standard utilization.

125 A. The following words and phrases shall have the meanings respectively ascribed to them by
126 this section unless such construction of the word or term would be inconsistent with the
127 manifest intent of the city council or the context clearly requires otherwise:

128 “Abut” means to physically touch or border upon; or to share a common property line.

129 “Adjacent” means two or more lots that share a common lot line (abutting) or where they are
130 separated only by an alley or minor street.

131 “Applicant” means the owner or agent of the owner of land which is being platted pursuant to
132 this title.

133 “Buildable area” means the area on a lot that is eligible to place a building or structure that
134 complies with setbacks, easements and other regulations that restrict construction.

135 “Certificate to Plat” means a certificate prepared by a title company authorized by the laws of
136 the state to write the title, showing the names of all persons having any record title interest in
137 the land to be platted, together with the nature of their respective interests therein.

138 “City” means the City of Valdez.

139 “City engineer” means the duly designated city engineer for the city of Valdez or best qualified
140 individual, as determined by the city manager.

141 “Easement” means a grant by a property owner for the use of a strip or area of land by the
142 general public, a public utility, a corporation or a person for specified purposes.

143 “Fair Market Value” means the estimated price which the property would bring in an open
144 market and under the then prevailing market conditions in a sale between a willing seller and a
145 willing buyer both conversant with the property and with prevailing general price levels.

146 “Hazardous areas” means areas which present a threat to life or property from geophysical or
147 geological hazards, including flooding, tsunami or storm surge run-ups, landslides, snowslides,
148 faults, ice hazards, erosion and littoral beach processes.

149 “Lot” means a parcel or tract of land with a distinct legal description shown as an individual unit
150 on the most recent plat of record.

151 “Lot—Corner lot” means a lot situated at the junction of, and bordering on, two intersecting
152 rights-of-way.

153 “Lot—Depth” means the mean horizontal distance between the front and rear lot lines,
154 measured in the general direction of its side lot line.

155 “Lot—Double frontage or reversed frontage” means a lot with frontage on two or more non-
156 intersecting streets.

157 “Lot—Flag” means an irregularly shaped lot in which the buildable area typically has no street
158 frontage, but has an arm that provides street access, called the “flagpole.” The width of the
159 flagpole does not meet the minimum lot width standards in the zoning district in which it is
160 located.

161 “Lot—Front lot line” means the lot line adjacent to a public street. In the case of a corner lot,
162 the front line shall be the shorter of the street lot lines. In the case of a triangular lot located on
163 a curved street, the front lot line shall be the chord line of the curve measured from the points
164 where property intersects the right-of-way.

165 “Lot—Lot width” means the mean horizontal distance separating side lot lines of an individual
166 lot.

167 “Lot—Rear lot line” means the lot line opposite and most distant from the front lot line, and in
168 the case of a triangular, irregular or other odd-shaped lot, the line not less than 10 feet in
169 length, within the lot, and at the maximum distance from the front lot line.

170 “Plat” means the map prepared, as required by this title, for the purpose of recording
171 subdivisions or other divisions of land as provided in this title.

172 “Platting authority” means the community development director or planning and zoning
173 commission, as defined in this title.

174 “Private streets” means those streets which are not dedicated or accepted by the city as a
175 public street and may not be available for public use, wherein ownership, maintenance and
176 liability for the street remain with the individual lot owners, and which shall be shown on the
177 final plat by easement or tract.

178 “Public street” means a permanently designed major, collector, or minor way, open to public
179 use, which affords the primary means of access to abutting property, such as an avenue, place,
180 drive, boulevard, highway and any other similar public thoroughfare.

181 1. “Major streets” means a roadway which serves as the primary artery of through traffic
182 movement.

183 2. “Collector streets” means a street designed and intended to carry traffic from residential
184 street systems to arterial street systems or state highways.

185 3. “Minor streets” are those which are used primarily for access to the abutting properties.

186 “Right-of-way” means a strip of land acquired by reservation, dedication, prescription or
187 condemnation and intended to be occupied by a road, pedestrian way, railroad, electric
188 transmission lines, oil or gas pipeline, water line, sanitary storm sewer and other similar uses.

189 “Sketch plat” means a sketch preparatory to the preliminary plat that enables the applicant to
190 save time and expense in reaching general agreement with the platting authority as to the form
191 of the plat and the objectives of these regulations.

192 “Snow storage” means land dedicated to the city for the storage of snow.

193 “Street” see definition for public and private streets.

194 “Subdivision” means the division of a lot, tract, or parcel of land into two or more lots, tracts,
195 parcels or other divisions of land for sale, development or lease.

196 1. “Major plat” is the creation of more than two lots.

197 2. “Minor plat” is the creation of no more than two lots, or the elimination/modification of
198 a single lot line, provided the plat does not include:

199 a. Dedication of right-of-way;

200 b. Vacation of public right-of-way or easement;

201 c. Public improvements;

202 d. A request for variance from this title.

203 “Surveyor” means a land surveyor registered and licensed in the state of Alaska.

204 “Vacation” means the act of making legally void any right-of-way, easement, public area, or
205 other public interest in land.

206 “Variance” grants an exception to a standard of this title, but only when the criteria for variance
207 approval within this title are met.

208 **16.04.040 Applicability.**

209 A. This title applies to, except as provided in subsection B of this section, all plats which result
210 in the partitioning, dividing, combining or altering of any lot, parcel or tract of land, including
211 acquisitions created by an exercise of the power of eminent domain by an agency of the state
212 or the city.

213 B. No provision of this chapter applies to any lot or lots legally created and filed on record
214 before the effective date of the provision, unless the lot or lots are further platted. Plats given
215 preliminary or final approval by the platting authority under regulations existing prior to this
216 title shall comply only with the regulations existing at the time of that approval.

217 **16.04.050 Sale of land prior to compliance with this title prohibited.**

218 No owner or agent of the owner of land shall transfer, sell, offer to sell, or enter into a contract
219 to sell land before a plat has been prepared, approved and recorded in compliance with this
220 title. Each sale of a lot or parcel in violation of this section shall be a separate offense. The city
221 may enjoin a transfer or sale or agreement to sell and may recover the penalty by appropriate
222 legal action.

223 **16.04.060 Compliance with title required prior to issuance of permits.**

224 No building or occupancy permit shall be issued for a new building on a lot which did not exist
225 as a described and recorded parcel on February 8, 1965, or that was not created by recorded
226 subdivision pursuant to state statute, or by a recorded plat pursuant to provisions of this title.

227 **16.04.070 Appeals.**

228 A. Where the community development director is the platting authority, any person may file an
229 appeal to the planning and zoning commission within 30 days of that decision.

230 B. Where the planning and zoning commission is the platting authority, any person may file an
231 appeal to the city council within 30 days of the vote and decision. An appeal to the city council
232 shall comply with Section 17.12.140.

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234 **16.04.080 Fees.**

235 The city council may adopt by resolution a fee schedule for all actions, reviews and approvals
236 under this title that shall be paid by the applicant for the specific requests/applications.

237 **16.04.090 Notification requirements.**

238 A. Notification. Notices required by this title shall include the date, time and location of the
239 hearing, as well as the description of the action requested and the property for which the
240 action has been requested. The names of the property owners and the parties filing the
241 application shall also be included. The following notices shall be given:

242 1. Published Notices. The notice shall be published on the City of Valdez website in a
243 designated section with reasonable navigation links thereto. At least 14 days before the
244 public hearing or community development director decision, the city clerk shall provide
245 notice to local media outlets to the extent deemed reasonable by the city clerk and post on
246 the city website a notice of hearing.

247 2. Mail Notices. For major plats, notice shall be sent by mail at least 14 days prior to the
248 public hearing to each owner of property within a distance of 300 feet of the exterior
249 boundary of the lot or parcel of land described in the application for the requested action.

250 3. Site Postings. For all plats, the community development department staff shall post the
251 property with a document holder containing public notice flyers on a public roadway that
252 abuts the property at least 14 days before the scheduled hearing. The flyers shall list the
253 date, time and location of the hearing and summarize the application request. The following
254 exemptions shall apply to site posting standards:

255 a. Non-Roadway Accessible Land. Site posting is not required where the parcel(s)
256 subject of the application does not abut a public roadway (e.g., land only accessible
257 by water or access easements).

258 B. Consideration of Testimony. The platting authority shall consider testimony or written
259 communication from any interested person.

260 C. Notice of Decision. Notice of decision shall be sent within 10 days following a decision of
261 the platting authority to interested parties who have provided verbal testimony or written
262 comment on any request for preliminary plat approval.

**Chapter 16.08
PRELIMINARY PLATS**

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Sections:

16.08.010 Pre-application meeting.

16.08.020 Preliminary plat required.

16.08.030 Form and contents.

16.08.040 Acceptance for review.

16.08.050 Review agencies.

16.08.060 Preliminary plat approval.

16.08.070 Review by city engineer.

16.08.080 Right-of-way acquisition plats.

16.08.010 Pre-application meeting.

A. The applicant shall, before submitting the preliminary plat for review, meet with the community development director for pre-application meeting to ensure that the plat is acceptable for processing.

B. The applicant may provide the following information at the time of the preliminary consultation:

1. General. Information including data on existing covenants, land characteristics and available community facilities and utilities, and information describing the subdivision proposal such as number of residential lots, typical lot width and depth, business areas, playgrounds, parks and other public areas, tree planting, proposed protective covenants and proposed utilities and street improvements.

2. Location Map. A location map showing the relationship of the proposed subdivision area and its location to existing community facilities which serve or would be influenced by it, and nearby subdivided areas.

3. Proposed Layout. A map showing a simple sketch of the proposed layout of streets, snow storage, lots and other features in relation to existing conditions. The map may be a freehand pencil sketch made directly on a print of the topographic survey.

291 **16.08.020 Preliminary plat required.**

292 Before submitting a final plat for approval and recording, the applicant shall submit a
293 preliminary plat, accompanied by a Certificate to Plat that identifies all interest in the property
294 and a written narrative describing the project, for approval. The form and data required for
295 preliminary plat submittal is designated under this chapter.

296 **16.08.030 Form and contents.**

297 The preliminary plat shall be clearly and legibly drawn. The applicant shall submit one digital
298 copy. The plat shall be formatted to print at 24 inches by 36 inches.

299 The applicant shall provide a narrative including a description of the surrounding land uses and
300 environmental features and describe how the proposed plat aligns with the goals and policies
301 of the comprehensive plan. The narrative may include a written description of existing
302 covenants, land characteristics and available community facilities and utilities, and information
303 describing the subdivision proposal such as number of lots, typical lot width and depth,
304 business areas, playgrounds, parks and other public areas, landscaping, proposed protective
305 covenants and proposed utilities and street improvements.

306 The applicant shall consult with the community development director to determine the map
307 scale to be used. All attempts shall be made to draw the map of a subdivision containing six
308 acres or less at a scale of 1-inch equals 50 feet. All other subdivisions shall be drawn at a scale
309 of 1-inch equals 100 feet, unless otherwise approved by the community development director.

310 The preliminary plat shall contain the following information:

311 A. The date, scale and north arrow;

312 B. The proposed subdivision name: which shall not be the same as the name of any plat
313 previously recorded in the city;

314 C. The name and address of the owner(s), the surveyor preparing the plat and the name,
315 address and telephone number of a primary contact person;

316 D. The location of the subdivision by township and range, section and meridian;

317 E. A small-scale vicinity map at a scale of not less than one-inch to the mile;

318 F. Unless waived and made a condition of preliminary approval, the exact length and bearing
319 of the exterior boundaries of the plat;

- 320 G. The location and names of adjacent subdivisions and the owners of adjoining parcels of
321 unsubdivided land;
- 322 H. Zoning on and adjacent to the plat;
- 323 I. Location, widths and names of all existing and platted streets, or other public ways and
324 easements, and utility rights-of-way, parks, cemeteries, watercourses, drainage ditches,
325 permanent buildings, bridges and other pertinent data as determined by the community
326 development director;
- 327 ;
- 328 J. If the plat borders a waterbody, the distances and bearing on a meander line established at
329 the mean high-water mark of tidally influenced bodies of water and at the ordinary high-water
330 mark of navigable streams, river, creeks, and lakes;
- 331 K. Areas designated as wetlands by the United States Corps of Engineers or in adopted city
332 plans or studies;
- 333 L. The layout, width and approximate grades of all new streets and rights-of-way, such as
334 highways, easements for sewers, water mains and other public utilities;
- 335 M. The direction and distance to the nearest water and sewer mains;
- 336 N. The approximate dimensions and areas of lots;
- 337 O. If not served by public utilities, the buildable area for each lot;
- 338 P. Where a proposed subdivision will not be served by the City of Valdez sewer system, the
339 preliminary plat shall identify the proposed method of wastewater disposal and demonstrate
340 that each lot contains sufficient area to accommodate an onsite wastewater disposal system
341 and a replacement system in accordance with the requirements of the State of Alaska,
342 Department of Environmental Conservation.
- 343 Q. The approximate radii of all curves and length of the tangent between curves;
- 344 R. The area of property proposed to be dedicated for public use or to be reserved by deed
345 covenant for use of all property owners in the subdivision with the conditions, if any, of the
346 dedication or reservation;

347 S. Generally, utilities shall be placed in dedicated rights-of-way. The platting authority shall
348 require the dedication of utility easements when a utility company demonstrates a specific
349 need for them. Utility easements shall be sized as follows, but the platting authority may
350 approve different standards when justified by site conditions or specific utility needs:

351 1. Utility easements along rear lot lines shall be at least 10 feet wide, or a total of 20 feet
352 wide along adjoining rear lots;

353 2. Utility easements adjacent to lot lines shall be five feet wide, or a total of 10 feet wide
354 along adjoining side lots;

355 3. Where a front-yard easement is needed to accommodate a transmission utility, the
356 easement shall be 10 feet wide.

357 T. If the subdivision is proposed to be completed in several phases, the sequence of
358 development must be indicated;

359 U. The community development director may require the following information to be
360 included on the preliminary plat: areas known to be susceptible to geophysical hazards
361 including but not limited to landslide, mud and earth flow, soil creep, soil liquefaction,
362 avalanche chutes, run-outs, or wind blast;

363 V. The plat shall delineate the boundaries of the Special Flood Hazard Area (SFHA) as identified
364 on the current FEMA Flood Insurance Rate Map (FIRM), including floodways, floodplains, and
365 base flood elevations and shall identify areas subject to flooding hazards not mapped on the
366 FIRM but documented in local studies or otherwise known to the city;

367 W. The plat shall identify any portions of the plat that lies within mapped tsunami inundation
368 areas, as identified by the Alaska Division of Geological & Geophysical Surveys (DGGS), adopted
369 city plans, or other authoritative sources;

370 X. The plat shall identify any portions of the plat that lies within an area protected by a levee or
371 flood control structure;

372 Y. When the proposed plat is located on land that has a difference in elevation of greater than
373 six percent, the following information shall be provided on the preliminary plat:

374 1. Contours at five-foot vertical intervals.

- 375 2. All elevations shown shall include the vertical datum used.
- 376 3. Where slope exceeds 12%, contour lines may be shown at a suitable interval not to
377 exceed 20 feet.
- 378 4. The area for which contour data is to be shown shall extend beyond the boundaries of
379 the actual property being platted a distance which will adequately relate the plat to its
380 surroundings.

381 **16.08.040 Acceptance for review.**

382 The community development director shall accept or reject the preliminary plat application for
383 review within 10 business days of submittal by the applicant. Any rejection must be in writing
384 and state the reasons for rejection under this title. Following acceptance by the community
385 development director for review by the platting authority, the plat shall be forwarded for
386 agency review. The community development director will retain one copy in the official file and
387 make copies available to the public, upon request.

388 **16.08.050 Review agencies.**

389 The community development director may designate review agencies to aid in the examination
390 of preliminary plats. Review agencies should submit comments on the proposed plat in writing
391 no later than 10 days prior to the platting authority's meeting on the preliminary plat or the
392 community development director's decision deadline.

393 **16.08.060 Preliminary plat approval.**

394 A. Approval by the community development director. For minor plats, the community
395 development director shall, within 30 days of acceptance, approve, approve conditionally or
396 deny the preliminary plat application. The applicant shall be notified in writing in the form of a
397 Notice of Decision, which shall include findings that support the approval or rejection, and any
398 conditions of approval.

399 B. Approval by the Planning and Zoning Commission. For major plats, the planning and zoning
400 commission shall hold a public hearing within 60 days of the acceptance by the community
401 development director. The planning and zoning commission shall, within 30 days of the close of
402 the public hearing, approve, approve conditionally or reject the preliminary plat application.
403 The applicant shall be notified in writing in the form of a Notice of Decision, which shall include
404 any conditions of approval or the reasons for rejection.

405 C. General.

406 1. Approval of the plat is the platting authority’s preliminary approval to proceed with the
407 preparation of the final plat. If the final plat conforms substantially to the layout, and
408 conditions of approval have been met, final approval can be sought pursuant to
409 Chapter 16.12. Application for final approval must be completed and filed within 18 months
410 of preliminary plat approval. The community development director may grant one extension
411 of up to 18-months to this deadline after a written request and justification is submitted by
412 the applicant.

413 2. If the platting authority does not approve, denies or returns the plat to the applicant
414 within the time limits of subsections A and B above:

415 a. Where the community development director is the platting authority, the applicant
416 may request the plat be submitted to the planning and zoning commission.

417 b. Where the planning and zoning commission is the platting authority, the applicant
418 may request the plat be submitted to the city council.

419 **16.08.070 Review by city engineer.**

420 Following preliminary approval of the major plat; and prior to submittal of a final plat, the
421 applicant shall, when applicable, furnish to the city engineer for review and approval, the
422 following engineering data pertaining to utilities and improvements required:

423 A. Plans and profiles showing existing and established grades for all streets, public rights-of-
424 way and snow storage areas;

425 B. Plans and profiles of all storm sewers, culverts and surface water drainage facilities;

426 C. Plans and profiles of all sanitary sewers, including one sanitary sewer lateral per lot to run
427 to the lot lines;

428 D. Plans and profiles of all water distribution lines including stop boxes and appurtenances
429 including one water lateral per lot to run to the lot line;

430 E. All other improvements required under Chapter 16.28 of this title.

431 **16.08.080 Right-of-way acquisition plats.**

432 A. A plat for a government agency’s acquisition of street or trail right-of-way, or for other
433 public purposes is subject to the review and approval procedures of chapters 16.08 and 16.12
434 and is not subject to any other approval procedure for plats under this title.

435 B. Submission Requirements. A government right-of-way acquisition plat submitted under this
436 section shall be reviewed by the community development director as a minor plat and must
437 contain the following information:

438 1. The plat shall describe the entire ownership involved where the division results in a
439 remainder parcel in excess of 10 acres, not intended for immediate sale or other conveyance.
440 The platting authority may waive the requirement for inclusion of the remainder parcel.

441 **Chapter 16.12**
442 **FINAL PLATS**

443 Sections:

444 **16.12.010 Submittal.**

445 **16.12.020 Form and content.**

446 **16.12.030 Procedure when final plat conforms to approved preliminary plat.**

447 **16.12.040 Procedure when final plat differs from approved preliminary plat.**

448 **16.12.010 Submittal.**

449 A. To ensure that the final plat is acceptable for processing, applicants are encouraged to
450 submit copies to the community development director for review prior to formal submittal.

451 B. One digital copy of the final plat shall be submitted to the community development director
452 within 18 months of approval of the preliminary plat. If approval of the preliminary plat must be
453 obtained from another authority after approval by the platting authority, the final plat shall be
454 submitted within 24 months of approval of the preliminary plat.

455 C. A Certificate to Plat showing all parties with a secured interest in the property shall be
456 provided to the community development director.

457 **16.12.020 Form and content.**

458 A. Form. A reproducible copy of the final plat drawn to scale with nonfading black ink on
459 mylar material approved by the community development director.

460 The plat shall be at the scale approved by the platting authority at the time of the preliminary
461 plat approval. The plat or plats shall be a sheet size of 24 inches by 36 inches, or 30 inches by 42
462 inches as determined after consultation with the community development director with a one
463 and a one-half inch binder border (or as required by the State of Alaska Recorder's Office) at
464 the left end of the longer sheet dimension and a one-half inch border along the other three
465 edges. When multiple sheets are required, each must be numbered, be the same size, and
466 show clearly labeled match lines. Match lines shall follow street centerlines or be otherwise
467 located to avoid cutting lots or blocks in two.

468 B. Content. The plats shall show all existing and established monuments and courses and
469 distances necessary to restake any portion of the plat. The allowable error of closure shall not

470 exceed the latest accuracy standards for property surveys as established by the National Society
471 of Professional Surveyors (NSPS).

472 The final plat shall show the following:

- 473 1. The boundary of the platted area showing clearly what stakes, monuments, or other
474 evidence were found or established on the ground to determine the boundary of the
475 subdivision;
- 476 2. Bearing and distance to all monuments used to locate the subdivision boundary;
- 477 3. The basis of bearing and its source shall be shown;
- 478 4. All monuments found shall be indicated. If the monuments were reset by ties, that fact
479 shall be stated;
- 480 5. The plat shall show the following:
 - 481 a. Centerlines of all streets:
 - 482 i. Tangents, lengths and bearings;
 - 483 ii. Curve radii of all curves, curve data which may be in tabular form and include
484 central angles, lengths, radii, and arc and chord bearings;
 - 485 iii. Central or deflection angles of all curves;
 - 486 iv. Arc lengths of all curves;
 - 487 b. Total width of each street, walkway, trail or path being dedicated;
 - 488 c. Width of any existing dedication;
 - 489 d. Width of portions of streets each side of the centerline;
 - 490 e. Width of the following rights-of-way:
 - 491 i. Patent reserves;
 - 492 ii. Section line easements;
 - 493 iii. Public utility easements;

- 494 iv. Any other easements existing or dedicated, by the plat;
- 495 f. All lot lines should be radial to a curve. If not, they shall be labeled “not radial”;
- 496 g. Dimensions shall be in feet and hundredths of a foot;
- 497 h. Bearings shall be shown to the nearest one seconds;
- 498 6. The width of any existing dedication which provides access to the subdivision;
- 499 7. The width, bearing and other data necessary to delineate all easements to which lots are
500 subject.
- 501 a. Easements shall be denoted by broken lines;
- 502 b. If an easement is not parallel to and adjoining the lot lines, distances and bearings
503 on the side lines of the lots which are cut by the easements shall be shown so as to
504 indicate clearly the actual length of the lot line from the lot corners to the easement;
- 505 8. All lots and blocks shall be numbered in a simple, consecutive, easy to follow manner;
- 506 9. Sufficient data shall be shown on lot and block boundaries to determine readily the
507 length and bearing of each line;
- 508 10. No ditto marks shall be used;
- 509 11. The name of adjoining subdivisions and numbers of adjoining lots as well as adjoining
510 easements and roads;
- 511 12. North arrow;
- 512 13. Three-inch bar scale;
- 513 14. Title block arranged in the lower right-hand corner which shall include the following:
- 514 a. Date survey was completed;
- 515 b. Subdivision name;
- 516 c. Surveyor’s name, address, telephone number and license number;
- 517 d. Draft person’s initials;

- 518 e. Checker's initials;
- 519 f. Legal description of the subdivision location;
- 520 g. Name of owner(s) of record;
- 521 15. The area of each lot in square footage to the nearest .01 square feet or acres to three
522 decimal places;
- 523 16. A vicinity map arranged in upper right-hand corner at a scale no smaller than one-inch
524 equals one mile, showing major street systems, section lines and north arrow;
- 525 17. A legend with appropriate symbols indicating pertinent information;
- 526 18. If the lots within the subdivision are not served by public sewer, a note shall be included
527 on the plat stating, "Onsite wastewater systems must be designed and permitted in
528 accordance with applicable regulations of the Alaska Department of Environmental
529 Conservation."
- 530 19. If the property lies within the Special Flood Hazard Area, a note shall be included on the
531 plat stating, "This plat contains land within the Special Flood Hazard Area. Development
532 within this area is subject to the floodplain management regulations contained in Chapter
533 15.30."
- 534 20. If the property lies within mapped tsunami inundation areas, a note shall be included on
535 the plat stating, "This plat contains land within a mapped tsunami inundation area and may
536 be subject to City regulations intended to reduce tsunami risk."
- 537 21. If the property lies within an area protected by a levee or flood control structure, a note
538 shall be included on the plat stating, "This plat contains land protected by a levee or flood
539 control structure. Flooding of this property may occur in the event of levee failure,
540 overtopping, or operational issues."
- 541 22. If the plat designates lots for the storage of snow, a note shall be included on the plat
542 stating, "Areas and/or lots are deeded to the City of Valdez for the storage of snow."
- 543 C. Certificates and affidavits. The following certificates and affidavits shall be placed on the
544 final plat, or submitted with, as appropriate, when submitted by the subdivider for approval:

545 1. A notarized certificate from the owners of the subdivision stating ownership,
546 acknowledging all dedications, and describing all easements for the purpose dedicated;

547 2. A certificate by the registered surveyor, licensed and registered in the state of Alaska,
548 attesting to the accuracy of the survey and the installation and correct location of all
549 monuments required;

550 3. A tax certificate or receipt from the city stating that all taxes levied against the
551 property at that date have been paid;

552 4. A guarantee of improvements if required public improvements have not been
553 completed at the date of submittal of the final plat; and

554 5. A Certificate of Approval from the city to be signed by the Platting Authority and
555 attested by the City Clerk and notarized.

556 6. Approval certificates from relevant state agencies.

557 7. A certificate of Acceptance and Dedication by the city accepting for public uses and for
558 public purposes the real property dedicated on the plat including, but not limited to easements,
559 rights-of-way, alleys, roadways, thoroughfares, snow storage lots, and parks.

560 **16.12.030 Procedure when final plat conforms to approved preliminary plat.**

561 A. A hearing on the final plat shall not be required when the plat conforms to the preliminary
562 plat including any conditions, as approved by the platting authority. The final plat is considered
563 to conform when the community development director determines that all conditions of
564 preliminary approval are met and the final plat does not:

565 1. Modify lot dimensions and/or area by more than 10% from that approved by the
566 preliminary plat;

567 2. Change the total number of lots created.

568 B. If determined by the community development director that the final plat conforms to the
569 approved preliminary plat, final plat submittal shall follow all procedures of Chapter 16.12.

570 **16.12.040 Procedure when final plat differs from approved preliminary plat.**

571 When the final plat differs from the preliminary plat, the plat shall be considered a new
572 application for preliminary plat approval.

573 **Chapter 16.16**
574 **VARIANCES**

575 Sections:

576 **16.16.010 Purpose.**

577 **16.16.020 Approval criteria.**

578 **16.16.030 Review procedure.**

579 **16.16.040 Platting authority action.**

580 **16.16.050 Form and content.**

581 **16.16.010 Purpose.**

582 The variance procedures are established to allow applicants to seek deviations and
583 modifications from the express requirements of this title to overcome unique site impediments
584 and area conditions. Deviations to the city's platting requirements may be necessary to
585 facilitate development where existing site and area conditions limit an applicant's ability to fully
586 comply with the platting requirements. An approved variance grants the right to develop the
587 lot, or subdivision in a way that is otherwise prohibited by this title.

588 **16.16.020 Approval criteria.**

589 The planning and zoning commission may grant a variance if it finds that the following criteria
590 have been met:

591 A. Criterion 1: The granting of the variance will not be detrimental to the public safety, welfare
592 or injurious to adjacent property.

593 B. Criterion 2: There are practical difficulties or unique site conditions that make strict
594 application of the provisions of this chapter unnecessary burdensome or inconsistent with good
595 subdivision design.

596 C. Criterion 3: The need for the variance is not the result of actions taken by the applicant or
597 property owner.

598 D. Criterion 4: The variance will be in consistent with the intent and purpose of this title and
599 the goals and policies of the comprehensive plan.

600 **16.16.030 Review procedure.**

601 The city shall process the application for variance pursuant to the following procedures:

602 A. Initial Submittal and Completeness Review. Upon receipt of an application submittal, the
603 department shall review the submittal for completeness. Where the submittal lacks the
604 required information, the department shall cease its review and notify the applicant of deficient
605 information/items. After the applicant addresses the deficient items, the department may
606 restart its review. The department shall provide written comments to the applicant detailing
607 elements of the application that do not comply with regulations and policies.

608 B. The community development director shall conduct a review of the application's consistency
609 with the approval criteria. The community development director may circulate the application
610 to other city departments or outside agencies for comment. The community development
611 director shall provide written comments to the applicant detailing elements of the application
612 that are inconsistent with approval criteria.

613 C. Application Revisions. As applicable, the applicant may revise its application submittal to
614 address the community development director's comments. If the applicant provides a revised
615 application packet, the community development director shall review the revised application for
616 regulatory and policy compliance.

617 D. After determining the application is complete, the community development director shall
618 provide public notice pursuant to Section 16.04.090. The planning and zoning commission shall
619 hold a public hearing within 60 days of the of the determination of completeness by the
620 community development director.

621 E. Staff Report. The community development director shall write a staff report that:

- 622 1. Summarizes the proposed platting variance in terms of location;
 - 623 2. Describes the deviations or modifications sought;
 - 624 3. Provides findings related to the plat variance approval criteria;
 - 625 4. Provides a recommendation to approve, approve with conditions, or deny the request.
- 626 The staff report shall include the applicant's complete submittal and any public comments as
627 attachments.

628 **16.16.040 Platting authority action.**

629 The planning and zoning commission shall have the authority to grant variances. The planning
630 and zoning commission may render a decision at the same meeting as the public hearing. The
631 planning_and zoning commission shall make its decision on the request for variance within 30
632 days from the date_of the public hearing. In granting or denying any platting variance, the

633 planning and zoning commission shall state its findings and the specific reasons for its action on
634 the request for a variance and shall also record its action in a Notice of Decision.

635 | **16.16.050 Form and content.**

636 Applicants for a variance shall provide the following items for the city to initiate review:

637 A. Application and Fee(s). Applicants shall provide a complete application and pay fees as set
638 out in Section 16.04.080 at the time of application filing. Additional expenses incurred by the
639 city that are associated with the review may be paid at a later date, but prior to action being
640 taken on the application.

641 B. An application for platting variance shall include:

642 1. Legal description of all property(s) subject to the variance;

643 2. A preliminary plat in accordance with Section 16.08.030, Form and contents, prepared
644 by a land surveyor registered in the State of Alaska;

645 3. A written explanation of the conditions, facts and reasons why a variance should be
646 granted and how the variance complies with Section 16.16.020, Approval criteria;

647 4. Technical studies. The applicant may be required to submit technical studies at the
648 discretion of the community development director to demonstrate compliance with the
649 variance approval criteria. These may include, but are not limited to, traffic studies, drainage
650 studies and visual impact studies.

**Chapter 16.20
PUBLIC WAY VACATIONS**

651
652

653 Sections:

654 **16.20.010 Purpose.**

655 **16.20.020 Vacation initiation.**

656 **16.20.030 Review procedure.**

657 **16.20.040 Decision making responsibility.**

658 **16.20.050 Platting authority review.**

659 **16.20.060 Title to vacated area.**

660 **16.20.070 Appeals.**

661 **16.20.010 Purpose.**

662 The vacation procedures are established to provide a definitive procedure for the vacation of a
663 platted public right-of-way, public area, or other public easement dedicated on an approved
664 plat, to provide procedures for the alteration, including removal, of platted utility easements,
665 and to preserve the rights of adjacent property owners, the city and the public at large.

666 **16.20.020 Vacation initiation.**

667 A. The vacation of a platted right-of-way, public area, or other public easements dedicated on
668 an approved plat may be initiated by:

669 1. Petition of the city council;

670 2. Petition of the planning and zoning commission;

671 3. Petition of a public utility; or

672 4. Petition of 51% of the owners of all of property abutting the area proposed to be
673 vacated and of property owners for properties served by the right-of-way or area being
674 vacated, as determined by the Community Development Director

675 B. The petition shall be filed with the community development director and shall be
676 accompanied by:

677 1. A copy of the existing plat showing the proposed alteration, replat or vacation;

- 678 2. A filing fee, in the amount set out in Section 16.04.080, and the recording fees;
- 679 3. For vacation of a utility easement, proof of written notice to and any response from
680 public utility authorized to use the easement;
- 681 4. For vacation of a drainage easement, a written statement of approval from the city
682 engineer;
- 683 5. Any statements containing the reasons in support of the vacation.

684 | **16.20.030 Review procedure.**

685 The city shall process the application for a vacation pursuant to the following procedures.

686 A. Initial Submittal and Completeness Review. Upon receipt of an application submittal, the
687 community development department shall review the submittal for completeness. Where the
688 submittal lacks the required information, the department shall cease its review and notify the
689 applicant of deficient information/items. After the applicant addresses the deficient items, the
690 community development department may restart its review. The department shall provide
691 written comments to the applicant detailing elements of the application that do not comply
692 with regulations and policies.

693 B. After determining the application is complete, the department shall provide public notice
694 pursuant to Section 16.04.090.

695 C. The community development director shall conduct a review of the application's consistency
696 with the approval criteria. The community development director may circulate the application
697 to other city departments and public or private entities for comment.

698 D. The capital facilities director shall review the application and present written comments,
699 including recommended conditions of approval, to the community development director.

700 E. Staff Report. The community development director shall write a staff report that:

- 701 1. Summarizes the proposed vacation in terms of location;
- 702 2. Provides findings related to the vacation approval criteria in Section 16.20.050;
- 703 3. Provides a recommendation to approve, approve with conditions, or deny the request.

704 The staff report shall include the applicant’s complete submittal and any public comments as
705 attachments.

706 **16.20.040 Decision-making responsibility.**

707 A. The community development director is the platting authority for applications to vacate the
708 following platted interests:

- 709 1. Drainage easements;
- 710 2. Maintenance easements;
- 711 3. Public utility easements;
- 712 4. Private easements, but only upon the written concurrence of the beneficiaries;
- 713 5. Relocation of any of the above-described interests.

714 B. The city council is the platting authority for all other applications to vacate a dedicated public
715 area. Prior to the city council’s action on a request for vacation, the planning and zoning
716 commission shall hold a public hearing and make a recommendation on the proposed vacation
717 to the city council. C. For easements under the jurisdiction of the state, such as section lines
718 and RS 2477 rights-of-way, the city is advisory and final authority for approval and platting of
719 the vacation rests with the state.

720 **16.20.050 Platting authority review.**

721 The platting authority shall consider the merits of each vacation request. The applicant has the
722 burden to prove otherwise.

723 A. The platting authority may recommend the approval of a vacation only if it finds that all the
724 following criteria have been met:

- 725 1. Criterion 1: The area proposed to be vacated is not a right-of-way acquired under
726 the former 43 U.S.C. 932 (RS 2477 right-of-way) unless the application is at the
727 request of an approved vacation of an existing RS 2477 right-of-way by the Alaska
728 Department of Transportation and Public Facilities or the Alaska Department of
729 Natural Resources;
- 730 2. Criterion 2: There is not any current or anticipated future public purpose to retain
731 the area proposed to be vacated;

- 732 3. Criterion 3: The proposed vacation will not have a detrimental effect on the adjacent
733 property or on the neighborhood;
- 734 4. Criterion 4: The proposed vacation is in the best interest of the public;
- 735 5. Criterion 5: The proposed vacation involving a section line easement demonstrates it
736 is in the public interest and there is a reasonably comparable or better alternate
737 means of access.

738 B. The platting authority shall take action on the vacation application within 60 days after the
739 submittal date. The reasons for the decision on the vacation shall be stated in the case record
740 and recorded on a form approved by the Community Development Director.

741 C. Approval Period. The approval of a vacation expires 18 months after the date of approval.
742 The city council may grant one extension of up to 18 months to this deadline after a written
743 request and justification is submitted by the applicant.

744 **16.20.060 Title to vacated area.**

745 A. The title to the right-of-way, public area or easement shall be in accordance with Alaska
746 Statute 29.40.160.

747 B. If the city acquired the right-of-way or other public area vacated by means other than as a
748 platting requirement, the fair market value of the area shall be deposited with the city upon
749 final vacation.

750 **16.20.070 Appeals.**

751 A. For vacations where the community development director is the platting authority, the
752 decision on the vacation is final and may be appealed to the planning and zoning commission.

753 B. For vacations where the city council is the platting authority, the decision on a vacation is
754 final and may be appealed to superior court or a court of competency.

755 Chapter 16.24
756 DESIGN STANDARDS

757 Sections:

- 758 **16.24.010** Conformance to standards generally.
- 759 **16.24.020** Design—Lot layout.
- 760 **16.24.030** Design—Lot dimensions.
- 761 **16.24.040** Design—Lot lines.
- 762 **16.24.050** Design—Lot frontage and access.
- 763 **16.24.060** Design—Snow storage.
- 764 **16.24.070** Design—Reserve strips.
- 765 **16.24.080** Design—Hazardous areas.
- 766 **16.24.090** Design—Phasing schedule.
- 767 **16.24.100** Design—Block arrangement.
- 768 **16.24.110** Streets—General design considerations.
- 769 **16.24.120** Design—Street grades.
- 770 **16.24.130** Design—Street alignment.
- 771 **16.24.140** Design—Street intersections.
- 772 **16.24.150** Design—Cul-de-sac.
- 773 **16.24.160** Design—Street names.
- 774 **16.24.170** Design—Street addresses.
- 775 **16.24.180** Design—Geometric and profiles.
- 776 **16.24.190** Design--- Planned Unit Developments (PUDs).
- 777 **16.24.200** Engineering and design criteria.

778

779 **16.24.010 Conformance to standards generally.**

780 A proposed plat design shall conform to the following standards:

- 781 A. All applicable provisions of this title and any other ordinances of the city;
- 782 B. The comprehensive plan;
- 783 C. The official zoning map;
- 784 D. The regulations of the State Department of Environmental Conservation if the plat is not
785 served by a public sewer and provision for service has not been made;
- 786 E. The regulations of the State Department of Transportation and Public Facilities relating to
787 safety of access and the preservation of the public interest and investment if the plat or any lot
788 contained therein abuts on a state highway;

789 **16.24.020 Design—Lot layout.**

790 In areas served by municipal sewer and water the preferred lot layout is two tiers of lots on a
791 cul-de-sac street with snow storage at the street end. Examples of the preferred development
792 layout are available from the community development director.

793 **16.24.030 Design—Lot dimensions.**

- 794 A. In addition to the dimensional and intensity standards of Table 17.16.060-1, all lots shall
795 have the minimum dimensions required by this section.
- 796 B. Where lots are created that are larger than the minimum required by the current zoning,
797 the platting authority may require the plat be designed to allow for future re-subdivision of lots
798 into the minimum size required.
- 799 C. Notwithstanding any other provision of this section, the width of the flagpole portion of a
800 flag shaped lot shall be no less than:
 - 801 1. 30 feet when both public water and sewer systems are to serve a residential lot;
 - 802 2. 40 feet when both public water and sewer systems are to serve a mixed use,
803 commercial or industrial lot;
 - 804 3. 20 feet when only a public water or a public sewer system are to serve a lot;

805 4. 20 feet when the lot is located in a rural area and will not be served by either public
806 water or public sewer systems.

807 H. Notwithstanding any other provision of this section, the length of the flagpole portion of a
808 flag shaped lot shall be no more than 200 feet, unless approved by the fire chief.

809 **16.24.040 Design—Lot lines.**

810 To the extent feasible, side lot lines shall be perpendicular to straight streets and radial to
811 curved streets.

812 **16.24.050 Design—Lot frontage and access.**

813 A. All lots shall have frontage on a street or navigable water and be provided physical and
814 legal access.

815 B. The front lot line of a residential lot shall not abut a major street. A waiver may be granted
816 by the platting authority when the applicant demonstrates that access to a lesser street is not
817 practicable or feasible.

818 D. The frontage of a lot on a cul-de-sac bulb shall be a minimum of 30 feet. This does not
819 apply to flag lots.

820 E. All street rights-of-way shall include a snow storage area that extends 10 feet outward from
821 the back of the curb. Utilities within snow storage area shall be installed to accommodate snow
822 loads and snow removal as determined by the city engineer.

823 **16.24.060 Design—Snow storage.**

824 A. Snow storage lots shall be conveyed to the city by title immediately after recording of the
825 plat. Snow storage lots shall be identified by plat note. The area of the snow storage lot(s) shall
826 be equal to one square foot for every square foot of dedicated right-of-way. The distance
827 between dedicated snow storage lots shall not be more than 1,000 feet. The location and
828 layout of snow storage lots shall be approved by the public works director.

829 B. Snow storage lots shall be cleared and graded to ensure that drainage does not adversely
830 impact adjacent property. The final drainage plan for the snow storage lots shall be approved
831 by the city engineer.

832 **16.24.070 Design—Reserve strips.**

833 Privately owned strips may not be reserved to control access to public rights-of-way.

834 **16.24.080 Design—Hazardous areas.**

835 The design of a subdivision containing or abutting hazardous areas shall conform to this section,
836 in addition to the remainder of this title.

837 A. The applicant shall demonstrate to the satisfaction of the platting authority, that the design
838 is specifically adapted to the proposed development and that the design considers other
839 development in the vicinity and does not increase hazards to other areas.

840 B. The applicant shall demonstrate to the satisfaction of the platting authority that the design
841 can meet the requirements of Section 15.30.050 when any portion of the plat is within a special
842 flood hazard area.

843 C. The platting authority may require the dedication of easements to construct and maintain
844 cut and fill slopes and other control structures, including but not limited to, dikes or riprap.

845 D. Subdivision design shall take into consideration known areas susceptible to geophysical
846 hazards including but not limited to erosion, landslide, mud and earth flow, soil creep, soil
847 liquefaction, avalanche chutes, run-outs, or wind blast.

848 E. The community development director may require the applicant to submit technical studies
849 to demonstrate compliance with this title with respect to identified hazardous areas.

850 F. The platting authority shall require the dedication of stream maintenance and protection
851 easements where a river, stream, creek, important surface watercourse, or drainage course
852 traverses or is adjacent to the subdivision. The easement shall conform substantially to the line
853 of the stream.

854 G. The width of the stream maintenance easement shall be that which the platting authority
855 finds necessary to protect the stream and adjacent property from soil erosion, flooding, water
856 pollution and destruction of fish and wildlife habitat. The easement will not be less than 25 feet
857 wide on either side of the stream, measured landward from the ordinary high-water mark.

858 H. All structures within a stream maintenance and protection easement, shall be required by
859 plat note to be readily moveable or temporary.

860 **16.24.090 Design—Phasing schedule.**

861 The platting authority may require that a subdivision conform to a phasing schedule based
862 upon the scheduled availability of infrastructure to serve the subdivision. The platting authority,
863 upon a showing of good cause by the applicant, may authorize the applicant to proceed with

864 the installation of improvements required under this title on a portion or part of the
865 subdivision.

866 **16.24.100 Design—Block arrangement.**

867 Blocks shall consist of two tiers of lots, except where lots back onto a major street, natural
868 feature or subdivision boundary.

869 **16.24.110 Streets—General design considerations.**

870 A. The streets in a subdivision shall be designed and located in relation to existing and
871 planned streets, to topographical conditions and natural terrain features such as streams and
872 existing tree growth, to public convenience and safety, and in their appropriate relation to the
873 proposed uses of the land to be served by these streets. All subdivisions shall have legal and
874 physical access.

875 1. Major Streets. Major streets shall be properly integrated with the existing and proposed
876 system of major streets and highways.

877 2. Collector Streets. Collector streets shall be properly related to special traffic generating
878 from facilities such as schools, churches and shopping areas to population densities, and to
879 major streets into which they feed.

880 3. Minor Streets. Minor streets shall be laid out to conform as much as possible to
881 topography, to discourage use by through traffic, to permit efficient snow removal,
882 drainage and sewer systems and to require the minimum amount of street necessary to
883 provide convenient, safe access to property.

884 B. Where a subdivision borders on or contains an existing or proposed major street, the
885 platting authority may require adjacent collector or minor streets be provided.

886 C. The rights-of-way of all streets shall be the width specified on the official map or
887 comprehensive plan but shall be within the width specified below.

Street	Right-of-Way (feet)
Major streets	80-100
Collector streets	70-80

Street	Right-of-Way (feet)
Minor streets	50-60

888 **16.24.120 Design—Street grades.**

889 A. Streets shall be arranged in relation to topography to provide usable lots, safe streets,
 890 reasonable gradients and minimum damage to terrain and existing vegetation. The minimum
 891 grade of all streets shall be no less than one-half percent. The minimum shall not be permitted
 892 for distances greater than 600 feet.

893 B. Cul-de-sac turnaround grades shall not exceed five percent.

894 C. Major and collector street grades shall not exceed eight percent unless necessitated by
 895 exceptional topography and approved by the platting authority. Minor street grades shall not
 896 exceed 10%. Any street grade exceeding six percent shall be on a straight alignment no more
 897 than 100 feet long. The platting authority may allow the grade to be longer where topographic
 898 conditions warrant.

899 **16.24.130 Design—Street alignment.**

900 A. Collector streets shall be aligned to continue existing streets from adjoining areas into the
 901 proposed subdivision. Minor streets shall be aligned to discourage through traffic.

902 B. Stub streets with temporary turnaround areas shall be extended to the boundaries of the
 903 proposed subdivision where appropriate to provide future street connections to adjacent
 904 unsubdivided areas.

905 C. Grade or median separations of street lanes may be permitted to preserve natural features,
 906 provide space for landscaping, or facilitate access in subdivisions containing steep lots.

907 D. Street alignment shall consider and minimize potential wind damage and snow removal.

908 **16.24.140 Design—Street intersections.**

909 Streets shall intersect at, or as near as feasible, to a 90-degree angle and not less than a 75-
 910 degree angle. The distance between intersection centerlines shall be a minimum of 150 feet.
 911 Corner roundings at intersections shall have a minimum radius of 20 feet. Sight distance shall
 912 conform with the most recent publication of the American Association of State Highway and
 913 Transportation Officials (AASHTO). The platting authority may require pedestrian crosswalks

914 not less than 15 feet wide to provide convenient pedestrian circulation or access to schools,
915 playgrounds, shopping areas, transportation and other community facilities.

916 **16.24.150 Design—Cul-de-sac.**

917 Where topography and traffic circulation permit, the length of a cul-de-sac shall not exceed 900
918 feet. The length shall be measured from centerline of intersecting through streets to the radius
919 point of cul-de-sac bulb, or a line running from the radius point perpendicular to the street
920 centerline. The constructed street shall have a turnaround compliant with the adopted fire
921 code in VMC Title 8. A waiver may be granted by the platting authority, upon a
922 recommendation from the Fire Chief, when the applicant demonstrates an alternate
923 turnaround design provides adequate fire access.

924 **16.24.160 Design—Street names.**

925 New street names shall not duplicate the names of existing streets. Streets that are
926 continuations of other streets already in existence and named shall bear the name of the
927 existing streets in conformance with Section 12.06.120.

928 **16.24.170 Design—Street addresses.**

929 The community development director shall assign all official street address numbers. A
930 permanent address shall be assigned only for property that is subject to a plat filed depicting
931 the dedicated right-of-way serving the property in conformance with Section 12.06.090.

932 **16.24.180 Design—Geometric and profiles.**

933 In addition to the requirements below, the provisions of Chapter 12.04 and Section
934 16.24.200 apply. Detailed requirements for current construction materials and methods are
935 available from the city engineer.

936 A. Horizontal Curves. Changes in horizontal alignment of roads shall be made using horizontal
937 circular curves. The radii of horizontal curves shall not be less than:

- 938 1. Major streets, 800 feet;
- 939 2. Collector streets, 600 feet;
- 940 3. Minor streets, 150 feet.

941 B. Compound curves and broken-back curves shall not be used unless approved by the
942 platting authority. Reverse curves shall have an intermediate tangent of 100 feet or more
943 unless the curve radii are more than 300 feet.

944 C. Cross Slopes. The minimum road cross slope shall not be less than two percent and not
945 greater than six percent .

946 D. Superelevations shall be installed in accordance with the current publication of AASHTO.
947 The maximum superelevation allowed is six percent.

948 **16.24.190 Design—Planned Unit Developments (PUDs).**

949 A Planned Unit Development (PUD) is intended to provide flexibility to the city’s dimensional
950 standards to achieve better project design than otherwise could be accomplished through the
951 direct application of the dimensional standards. PUDs may be created pursuant to the
952 conditional use permit process required by Section 17.12.090 and is subject to all provisions of
953 Chapter 17.84.

954 **16.24.200 Engineering and design criteria.**

955 A. Dedicated streets shall receive street maintenance and snow removal when all the streets
956 are dedicated to public use, meet the engineering and design criteria, and have been accepted
957 by the city. Prior to acceptance of dedication, the platting authority shall consider the following
958 factors:

- 959 1. The anticipated population density within the subdivision;
- 960 2. The anticipated level of vehicular traffic upon the subdivision streets;
- 961 3. The anticipated level of pedestrian traffic upon the subdivision streets;
- 962 4. The cost of constructing streets to higher engineering and design criteria as compared to
963 the benefits derived from higher criteria.

964 The acceptable criteria are set forth in the most current adopted City of Valdez Street
965 Standards. The platting authority may impose additional conditions or requirements as it deems
966 to be in the public interest. It may set different engineering and design criteria for different
967 subdivisions and for different streets within a subdivision and is not limited by any of the
968 requirements of this title.

969 B. A subdivision in which the streets do not meet the criteria or requirements set forth by the
970 platting authority will not be accepted.

971 C. The criteria and requirements shall be determined by the platting at preliminary plat
972 approval.

973 D. The city or any person may appeal to the city council in accordance with Section 16.04.070.

974 E. The platting authority shall determine criteria and requirements for existing subdivisions
975 which have streets not in conformance with design requirements presently existing under this
976 title. When in the public interest, the platting authority may require additional improvements
977 for streets.

978 **Chapter 16.28**
979 **IMPROVEMENTS**

980 Sections:

981 **16.28.010 Monuments.**

982 **16.28.020 Required facilities.**

983 **16.28.030 Bond required.**

984 **16.28.040 Approval of city engineer.**

985 **16.28.050 Development in phases.**

986 **16.28.060 Dedication of facilities.**

987 **16.28.010 Monuments.**

988 A. Angle Points. All angle points in the subdivision shall be marked with monuments
989 permanently set as follows:

990 1. Two primary monuments on or within the subdivision boundary. Where possible,
991 the primary monuments should be on the ends of the same line. Existing monuments
992 that meet primary monument specifications will not require additional primary
993 monuments.

994 2. All other angle points within the subdivision shall be marked with secondary
995 monuments.

996 3. If not located within roadways or walkways, flush to the surface or protruding no
997 more than four inches above ground level;

998 4. If located within walkways, roadways or snow storage areas at least six inches below
999 the surface in a survey box;

1000 5. Primary monuments shall be stamped with the following information:

1001 a. Location and identification;

1002 b. Year set;

1003 c. Surveyor's license number;

- 1004 d. Exact transit point;
- 1005 B. All other corners shall be monumented with secondary monuments permanently set:
- 1006 1. Flush to the surface; or
- 1007 2. Protruding no more than four inches above the surface; and
- 1008 3. Stamped with the following information:
- 1009 a. Location and identification;
- 1010 b. Surveyor's license number;
- 1011 c. Year set.
- 1012 C. Monument Material. The following monument material or equal shall be employed in the
- 1013 survey:
- 1014 1. Primary Monuments. Alloyed iron pipe, zinc coated or aluminum pipe.
- 1015 a. Outside diameter, two-inch or larger;
- 1016 b. Cut in 30-inch lengths;
- 1017 c. One end of the pipe shall be split for several inches and the two halves
- 1018 spread to form flanges or a commercially manufactured foot attached.
- 1019 2. A brass or aluminum cap, two and one-half inches or larger in diameter shall be
- 1020 securely attached to the other end by mechanical means.
- 1021 3. If aluminum pipe is used, the monument must contain a magnetic insert as an
- 1022 integral part of its composition.
- 1023 4. In areas where primary monuments are located on rock outcrops or concrete
- 1024 surfaces, a brass or aluminum tablet two and one-half inch diameter with a one-half
- 1025 inch diameter stem shall be cemented into a drilled hole. The tablet shall be flush with
- 1026 the surrounding surface. The tablet shall include a magnetic insert as an integral part of
- 1027 its composition.
- 1028 D. Secondary Monuments.

- 1029 1. Cap one and one-half inch or larger secured by friction fit or mechanical means to
1030 five-eighths inch steel rebar or other ferrous metal rod.
- 1031 2. The rods shall penetrate a minimum of 30 inches below the surface.
- 1032 4. In areas where secondary monuments are located on rock outcrop or concrete
1033 surfaces, the procedure for primary monuments shall be followed.
- 1034 E. Reference Monuments. Reference monuments may used when the actual corner location
1035 cannot be set or if required for other reasons.
- 1036 1. Minimum requirements are the same as those for secondary monuments.
- 1037 2. All reference caps will be marked with the following information:
- 1038 a. Distance to monument;
- 1039 b. Surveyor's license number;
- 1040 c. Designation of and an arrow pointing to the referenced "corner";
- 1041 d. Date set.
- 1042 3. Witness corners shall be used when the actual location of the corner cannot be set
1043 and shall meet the following:
- 1044 a. Witness distance shall be shown on the plat, from the existing monument, as
1045 set, to the true corner position.
- 1046 b. Witness corners shall be set on the property line at a distance considered
1047 reasonable and practical from the true corner point.
- 1048 F. Monument material requirements are minimum standards. Other materials of equal or
1049 higher quality approved by the city engineer shall be allowed.
- 1050 G. The Community Development Director may approve the use of monuments other than
1051 required by this section when warranted by specific field conditions.
- 1052 **16.28.020 Required facilities.**
- 1053 Where applicable, before the final plat may be considered for approval, the applicant shall
1054 provide and dedicate the following facilities and improvements in accordance with the City of

1055 Valdez Standard Specifications document. The applicant shall provide to the city engineer, as-
1056 built drawings of the improvements certified by a licensed engineer in the State of Alaska.
1057 Facilities and improvements shall be installed within 24 months.

1058 A. Water and Sewer. Water and sanitary sewer mains, lift stations and laterals to the lot lines
1059 where the subdivision is within 200 feet of land served by water and sewer.

1060 B. Streets. All new streets, and additional right-of-way along existing streets, shall conform
1061 with Section 16.24.110. No required dedication shall exceed 100 feet of width except for cul-de-
1062 sacs and street boulevards for center strip drainage. Where collector and major streets lie
1063 within the plat, the applicant shall not be required to provide improvements in excess of those
1064 normally required to serve the development itself. The platting authority may waive the
1065 requirement for paving where the subdivision is in a rural area.

1066 C. Stormwater Mains. Stormwater mains shall be provided as deemed necessary by the city
1067 engineer.

1068 D. Surface Drainage. Curb and gutter or other adequate facilities to provide surface water
1069 drainage as deemed necessary by the city engineer.

1070 E. Erosion Control. All open cuts of ground shall be returned in a satisfactory condition as
1071 determined by the city engineer. Seeding shall be provided for any open cut subject to
1072 excessive erosion. Barriers shall be placed at intervals and at right angles to the flow of water to
1073 prevent erosion.

1074 F. Snow Storage. Snow storage shall be provided per Section 16.24.060 on property that has
1075 been deeded to the city.

1076 G. Street Signs. Street signs indicating street name, speed limits and other appropriate
1077 notification shall be provided as deemed necessary by the city engineer and community
1078 development department.

1079 H. Street Lights. Street lights illuminating intersections and lengths of street shall be provided
1080 as deemed necessary by the city engineer.

1081 **16.28.030 Bond required.**

1082 When facilities and improvements required by this chapter have not been fully installed at the
1083 time the plat is submitted for final approval, the applicant shall file with the community
1084 development director a bond or other surety or collateral providing for whole or partial

1085 releases, to ensure that all required improvements are constructed as specified in the approved
1086 plans. The bond or other financial guarantee shall be approved by the city attorney and shall be
1087 of an amount determined by the city engineer.

1088 **16.28.040 Approval of city engineer.**

1089 The adequacy of the facilities and improvements required by this chapter and their proper
1090 installation shall be subject to approval of the city engineer.

1091 **16.28.050 Development in phases.**

1092 Where in the determination of the platting authority that the whole of the area being platted
1093 cannot immediately be fully improved with respect to the installation of all required facilities
1094 and street improvements, the platting authority may authorize the applicant to proceed with
1095 the installation of improvements required under this title on a portion of the platted area. In
1096 such event, the requirements of this title shall apply to that portion or part thereof authorized
1097 for immediate improvement.

1098 **16.28.060 Dedication of facilities.**

1099 All facilities and improvements installed prior to the final approval of the plat shall be
1100 considered dedicated along with streets and other public areas upon the approval of the final
1101 plat. Facilities and improvements completed under bond or other financial guarantee after the
1102 approval of the plat shall be considered dedicated upon their approval and acceptance and
1103 release of the bond or other guarantee.

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Chapter 16.32
PUBLIC SITES AND OPEN SPACES

Sections:

- 16.32.010 Purpose.**
- 16.32.020 Reservation of potential sites.**
- 16.32.030 Excessive street dedication.**
- 16.32.040 Determination of feasibility.**
- 16.32.050 Dedication—Streets.**
- 16.32.060 Dedication—Walkways, trails and paths.**
- 16.32.070 Dedication—Utility easements.**
- 16.32.080 Dedication—Snow storage.**

16.32.010 Purpose.

Public sites and opens space provisions are established to ensure adequate open spaces and sites for public uses are properly located and preserved as the community develops and to ensure the costs of public sites needed by new development are equitably apportioned.

16.32.020 Reservation of potential sites.

A. Design Consideration. The platting authority, after considering the proposed plat’s impact on the community and the goals and policies of the comprehensive plan, may require the proposed plat to provide the dedication of public sites and open spaces.

B. Reservation May Be Required. Where it is determined by the platting authority that a portion of the plat is required for public sites or open spaces, the applicant may be required to reserve an area for a period not to exceed three years. Within three years of the filing of a final plat, the city or any other public or private agency may acquire any parcel designated as reserve tract on the plat, by purchase or as otherwise authorized by law, for the purpose or purposes for which the parcel was reserved. The designation of an area to be reserved shall be supported by a report from the community development director. The report shall contain a statement from the entity proposing to acquire the tract that it intends to acquire the designated area. If a reserve tract is not acquired within the three-year period, it shall be released from the reserve tract designation unless the time for acquisition is extended by the reserve tract’s owners or by another provision of law.

1134 C. How Determined. The reserve land to be provided shall be up to five percent of the net
1135 residential lot area created by the plat.

1136 D. Exemptions. The platting authority may waive the dedication of a public site or open space
1137 in rural large lot subdivisions, or where the plat results in the creation of no more than one
1138 additional lot or parcel, or for a parcel on which a permanent residential structure has existed
1139 for at least one year prior to the date of the division.

1140 E. Redivision. Where a lot or parcel for which a dedication has once been made is further
1141 divided, dedications shall be required only for the additional lots or parcels created.

1142 **16.32.030 Excessive street dedication.**

1143 In the case of major thoroughfares lying within the plat, the applicant may dedicate the width
1144 in excess of that required by this title and receive credit towards areas required under this
1145 chapter.

1146 **16.32.040 Determination of feasibility.**

1147 The platting authority shall make the determination of the feasibility of dedication of the public
1148 site or open space.

1149 **16.32.050 Dedication—Streets.**

1150 All street rights-of-way shall be dedicated to the public.

1151 **16.32.060 Dedication—Walkways, trails and paths.**

1152 The platting authority may require the dedication of pedestrian walkways or nonmotorized
1153 trails and paths where it finds they are necessary for convenient circulation or to protect
1154 pedestrians and bicycles from motorized vehicle traffic. The platting authority may require the
1155 dedication of pedestrian walkways and/or nonmotorized trails and paths to provide public
1156 access to any adjacent stream, lake or ocean. The minimum width of a dedication shall be 10
1157 feet.

1158 **16.32.070 Dedication—Utility easements.**

1159 The platting authority may require the dedication of utility easements when a utility company
1160 or the city demonstrates a need.

1161 **16.32.080 Dedication—Snow storage.**

1162 All land dedicated for snow storage shall be deeded to the city.



Legislation Text

File #: ORD 26-0005, **Version:** 1

ITEM TITLE:

#26-05 - Amending Chapter 2.52 of the Valdez Municipal Code Titled Planning and Zoning Commission. First Reading. Public Hearing.

SUBMITTED BY: Elise Sorum-Birk, Deputy Clerk/ Jake Staser, City Attorney

FISCAL NOTES:

Expenditure Required: n/a
Unencumbered Balance: n/a
Funding Source: n/a

RECOMMENDATION:

Introduce Ordinance 26-05 on first reading.

SUMMARY STATEMENT:

This ordinance adjusts language in code related to the Planning and Zoning Commission's platting authority to allow for proposed changes to Title 16 and administrative approval of some plats.

Additionally, language of this chapter has been updated to remove outdated terminology and conform to other sections of code.

CITY OF VALDEZ, ALASKA
ORDINANCE NO. 26-05

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA,
AMENDING CHAPTER 2.52 OF THE VALDEZ MUNICIPAL CODE TITLED
PLANNING AND ZONING COMMISSION

WHEREAS, the Planning and Zoning Commission is established in city charter and Chapter 2.52 of the Valdez Municipal Code; and

WHEREAS, if adopted Ordinance 26-04, repealing and reenacting Title 16 of the Valdez Municipal Code will allow certain plating actions to be approved administratively; and

WHEREAS, this ordinance also provides an opportunity to address outdated language and conform language with other sections of code.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA that the following amendments are made to Title 2 of the Valdez Municipal Code:

Section 1. Chapter 2.52 of the Valdez Municipal Code is hereby amended to read as follows:

Chapter 2.52
PLANNING AND ZONING COMMISSION

Sections:

- 2.52.010 Establishment — Composition — Appointment of members.
~~2.52.020 Terms of office of members — Filling of Vacancies.~~
2.52.030²⁰ Powers and duties.
2.52.040³⁰ Quorum and voting.
2.52.050⁴⁰ Decisions.

2.60.010 Establishment—Composition—Appointment of members.

~~A. There shall be a~~ **The** city planning and zoning commission, ~~which shall consist~~^s of seven members ~~who shall be appointed by the mayor, with the approval of the city council. The city council shall serve as ex officio members of the commission.~~

B. Vacancies shall be filled in the same manner as the commissioners are appointed.

C. The commission shall elect its chair from among the appointive members.

(Prior code § 2-14)

~~2.60.020 Terms of office of members—Filling of vacancies.~~

~~The term of office of the appointive members of the planning and zoning commission shall be three years. Any vacancy during the unexpired term of an appointive member shall be filled by the city council for the remainder of the term.~~

~~(Prior code § 2-15; amended by Prop. 1, 10-2-2001)~~

2.52.030~~20~~ Powers and duties.

The planning and zoning commission shall:

- A. Have the authority to prepare and submit to the city council for its approval a master plan for the physical development of the city, including the general location, character and extent of streets, bridges, parks, waterways and other public ways, grounds and spaces, together with the general location of the public buildings and other public property, public utilities, ~~and the extent and location of any public housing or slum clearance projects.~~ The commission shall recommend such modifications of such to this plan from time to time, ~~as it deems~~ deemed to be in the city's interest;
- B. Prepare and recommend to the city council a comprehensive zoning ordinance and map, or propose amendments or revisions thereof, with such provisions as the commission shall deem necessary or desirable for the promotion of health, safety, ~~morals and~~ general welfare of the inhabitants of the city;
- C. ~~Act as the platting board and~~ Exercise platting authority in accordance with title 16 of this code and other functions with respect to land subdivisions, planning and zoning as may be prescribed elsewhere in this code or any other ordinance of the city, not inconsistent with the provisions of the city charter; and
- D. Cause minutes of each meeting to be recorded and ~~forwarded to the city council through the city manager~~ filed with the city clerk.

(Prior code § 2-16)

2.52.040 Quorum and voting.

A quorum of the planning and zoning commission for the conduct of any meeting or public hearing shall be a majority of the commission. No actions shall be taken by the commission except by concurrence of at least four members.

(Prior code § 2-17)

2.52.050 Decisions.

Any and all final decisions of the planning and zoning commission may be overruled or reversed by the city council, but only upon a vote of five council members in favor of such overruling or reversal.

(Prior code § 2-18)

Section 2. This ordinance becomes effective immediately.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF VALDEZ,
ALASKA, this _____ day of _____, 2026.

CITY OF VALDEZ, ALASKA

Dennis Fleming, Mayor

ATTEST:

Sheri L. Pierce, MMC, City Clerk

APPROVED AS TO FORM:

Jake Stasser, City Attorney
Brena, Bell, & Clarkson, P.C

First Reading:
Second Reading:
Adoption:
Ayes:
Noes:
Absent:
Abstain:



Legislation Text

File #: RES 26-0028, **Version:** 1

ITEM TITLE:

#26-28 - Establishing the 2026 Rate of Real Property Tax and Designating the Number of Mills for Each Dollar of Real Property to be Levied for Municipal and School Purposes

SUBMITTED BY: Jordan Nelson, Finance Director

FISCAL NOTES:

Expenditure Required: n/a
Unencumbered Balance: n/a
Funding Source: n/a

RECOMMENDATION:

Approve Resolution 26-28.

SUMMARY STATEMENT:

The 2026 Property Tax resolution assumes a levy of 20 (twenty) mills, which is consistent with the most recent Council level discussions.

Assessed Values, mill rates, and tax levies are summarized below:

Oil & Gas Property: \$2,971,037,510

Other Real Property: \$395,339,937

Total: \$3,366,377,447

Mill Rate: 20.00

Revenue: \$67,327,549

Staff's estimate of the ad valorem revenue limit ("tax cap") in 2026 is \$58.9M.

This yields "over-cap" revenues of \$8.4M, that may only be kept by the City of Valdez to pay principal and interest on bonds.

2026 scheduled debt payments, excluding defeased debt, is \$6.5M.

- An additional pre-payment to principal on GO22 totaling \$1.9M **is required** pursuant to AS 29.45.100 if the mill rate is set at 20 mills.
 - The pre-payment figure is subject to change as the Oil & Gas Property Value has been appealed to the State Assessment Review Board (SARB)
 - Staff may bring a Budget Resolution prior to the end of the fiscal year for any additional appropriations to debt service.

Summary of Attachments (by date received):

February 26, 2026 - Preliminary Assessment Letter to Mayor and Roll

March 31, 2026 - Informal Conference Decision (ICD) correspondence

April 20, 2026 - Notices of State Assessment Review Board (SARB) Appeal, Hearing, and Prehearing Conference.

April 28, 2026 - Certified 2026 Real Property Tax Roll

CITY OF VALDEZ, ALASKA

RESOLUTION NO. 26-28

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA, ESTABLISHING THE 2026 RATE OF REAL AND PERSONAL PROPERTY TAX AND DESIGNATING THE NUMBER OF MILLS FOR EACH DOLLAR OF REAL PROPERTY TO BE LEVIED FOR MUNICIPAL AND SCHOOL PURPOSES

WHEREAS, the city's contract assessor has established the city's assessment roll for real property, net of exemptions, at \$395,339,937; and

WHEREAS, on March 31, 2026, the State Petroleum Property Assessor relayed the State of Alaska Department of Revenue informal conference decision ("ICD") Assessment of Alaska Statute 43.56 Properties at \$2,971,037,510; and

WHEREAS, the City's assessment roll for real property including Alaska Statute 43.56 Properties totals \$3,366,377,447; and

WHEREAS, the establishment of the rate of tax levied on all assessed property is required upon completion and fixing of the assessment roll; and

WHEREAS, any supplemental roll issued related to the 2026 Tax Year will be subject to the levy set forth in this resolution; and

WHEREAS, the real property tax rate for school and municipal purposes shall be separately made and fixed.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA, that all real property and personal property not expressly exempt shall be subject to the following tax levy:

	MUNICIPAL	SCHOOL	TOTAL
Real and Personal Property	16.52	3.48	20.00

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA, this 6th day of May, 2026.

CITY OF VALDEZ, ALASKA

Dennis Fleming, Mayor

ATTEST:

Sheri L. Pierce, MMC, City Clerk



THE STATE
of ALASKA

GOVERNOR MIKE DUNLEAVY

Department of Revenue

TAX DIVISION

Robert B. Atwood Building
550 West Seventh Avenue, Suite 500
Anchorage, Alaska 99501-3555
Main: 907.269.6620
Fax: 907.269.1001

tax.alaska.gov

February 26, 2026

Letter ID: L1725319168

CITY OF VALDEZ
ATTN: DENNIS FLEMING, MAYOR
PO BOX 307
VALDEZ AK 99686-0307

Dear Mayor Dennis Fleming:

I have sent to your Finance Director a copy of the 2026 AS 43.56 Preliminary Assessment Roll for oil and gas property located within the City of Valdez.

The total assessed value is: **\$2,971,037,510**

Pursuant to AS 43.56.110, a municipality or owner of taxable property receiving a preliminary assessment notice may object to an assessment by filing with the Tax Division a written appeal in accordance with 15 AAC 56.020. Pursuant to 15 AAC 56.069(c), an appeal of preliminary assessed value must be received and date-stamped by the Tax Division no later than twenty (20) calendar days from the date on the preliminary assessment notice. Appeals received after the 20th calendar day will not be accepted even if postmarked before the 20th day.

Pursuant to 15 AAC 56.020, following an appeal the Department may adjust the assessment and the assessment roll. An adjustment shall be made within thirty (30) days from the date on the notice of preliminary assessment.

Pursuant to AS 43.56.120, after a ruling by the Department on an appeal made under AS 43.56.110, a municipality or owner of taxable property may further appeal to the State Assessment Review Board (SARB) in accordance with 15 AAC 56.030. As provided by 15 AAC 56.069(c), an appeal to the SARB must be received and date-stamped by the Tax Division no later than fifty (50) calendar days from the date on the notice of preliminary assessment. Appeals received after the 50th calendar day will not be accepted even if postmarked before the 50th day.

Pursuant to AS 43.56.130, hearings before the SARB are held in accordance with 15 AAC 56.030 and 15 AAC 56.040 and will convene approximately eighty (80) days after the date on the notice of preliminary assessment.

Pursuant to AS 43.56.135, the assessed values will be certified by June 1, 2026.

Appeals must be filed with the Tax Division's Anchorage office at the above address, ATTN: State Petroleum Property Assessor.

Sincerely,

James H. Greeley, Jr.
State Petroleum Property Assessor

Cc: Jordan Nelson, Finance Director

Enclosed: 2026 Preliminary Assessment Roll - City of Valdez

State of Alaska
2026 Preliminary Assessment Roll
City of Valdez - 006

Name and Address of Owner	Property ID	Description of Property	Assessed Value
<hr/>			
ALASKA VENTURES LLC 16201 E MAIN ST CUT OFF, LA 70345 ATTN: LUKE NEWMAN FEIN: 81-1650735 PTA-10056868-003	006-003-6005	VESSELS	\$378,488,760
<hr/>			
ALYESKA PIPELINE SERVICE COMPANY PO BOX 196660 # MS 504 ANCHORAGE, AK 99519 ATTN: TERRY FAIR FEIN: 92-0039154 PTA-10019488-012	006-003-0020	TERMINAL (EXCLUDING TANKAGE)	\$2,158,101,390
	006-003-0023	MATERIALS AND SUPPLIES	\$17,924,270
	006-003-0027	TERM TANKAGE AND RELATED PROPERTY	\$178,546,170
	006-003-0028	MATERIALS AND SUPPLIES	\$1,818,690
	006-003-0069	PIPELINE PROPERTY (21.4 MILES)	\$142,891,670
	006-003-6009	EQUIPMENT	\$73,797,290
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ASRC ENERGY SERVICES EQUIPMENT LLC 3900 C ST STE 701 ANCHORAGE, AK 99503 ATTN: MEGAN NEZATICKY FEIN: 81-4455456 PTA-10048673-003	006-003-6056	SERVICE COMPANY EQUIPMENT	\$544,050
<hr/>			

**State of Alaska
2026 Preliminary Assessment Roll
City of Valdez - 006**

Name and Address of Owner	Property ID	Description of Property	Assessed Value
CCI INDUSTRIAL SERVICE, LLC 5020 FAIRBANKS ST ANCHORAGE, AK 99503 ATTN: ASHLEY WAMSLEY FEIN: 27-2328428 PTA-10016239-003	006-003-6007	SERVICE COMPANY EQUIPMENT	\$1,612,260
PRICE GREGORY INTERNATIONAL, INC. 24275 KATY FWY STE 500 KATY, TX 77494 ATTN: DETRONIA CHATMON FEIN: 73-1103884 PTA-10033150-008	006-003-6008	SERVICE COMPANY EQUIPMENT	\$9,400
PRINCE WILLIAM SOUND OIL SPILL RESP PO BOX 196660 # MS 504 ANCHORAGE, AK 99519 ATTN: TERRY FAIR FEIN: 92-0136242 PTA-10015203-008	006-003-6012	SAWMILL CREEK BARGE	\$26,000
	006-003-6013	14 MINI BARGES	\$195,420
	006-003-6043	CHINEGA BAY STAR SKIMMER	\$596,290
	006-003-6044	TATITLEK STAR SKIMMER	\$596,290
	006-003-6045	FORT LISCUM SKIMMER	\$1,998,940
	006-003-6049	VALDEZ STAR SKIMMER	\$2,723,460
	006-003-6050	10 MINI BARGES	\$139,580
	006-003-6051	ALLISON CREEK BARGE	\$11,027,580
Total:			\$2,971,037,510



THE STATE
of **ALASKA**

GOVERNOR MIKE DUNLEAVY

Department of Revenue

TAX DIVISION

Robert B. Atwood Building
550 West Seventh Avenue, Suite 500
Anchorage, Alaska 99501-3555
Main: 907.269.6620
Fax: 907.269.1001

tax.alaska.gov

March 31, 2026

Letter ID: L2038908928

CITY OF VALDEZ
ATTN: DENNIS FLEMING, MAYOR
PO BOX 307
VALDEZ AK 99686-0307

Dear Mayor Dennis Fleming:

I have sent to your Finance Director a summary of appeal outcomes resulting from objections to the 2026 preliminary assessed value of oil and gas property located in the City of Valdez. Any adjustments made to preliminary assessed values reflect the Department's Informal Conference Decisions.

The total adjustment to the preliminary assessed value is: \$0

Pursuant to AS 43.56.120, after a ruling by the Department on an appeal made under AS 43.56.110, a municipality or owner of taxable property may further appeal to the State Assessment Review Board (SARB) in accordance with 15 AAC 56.030. As provided by 15 AAC 56.069(c), an appeal to the SARB must be received and date-stamped by the Tax Division no later than fifty (50) calendar days from the date on the notice of preliminary assessment. Appeals received after the 50th calendar day will not be accepted even if postmarked before the 50th day.

Pursuant to AS 43.56.130, hearings before the SARB are held in accordance with 15 AAC 56.030 and 15 AAC 56.040 and will convene approximately eighty (80) days after the date on the notice of preliminary assessment.

Pursuant to AS 43.56.135, the assessed values will be certified by June 1, 2026.

Appeals must be filed with the Tax Division's Anchorage office at the above address, ATTN: State Petroleum Property Assessor.

Sincerely,

A handwritten signature in blue ink, appearing to read "James H. Greeley, Jr.", written over a faint map of Alaska.

James H. Greeley, Jr.
State Petroleum Property Assessor

Cc: Jordan Nelson, Finance Director



ALASKA DEPARTMENT OF REVENUE
DECISION NO. 26-56-02

On February 26, 2026, the State of Alaska, Department of Revenue (“Department”) issued a Notice of Preliminary Assessment under AS 43.56 for property owned by Alaska Ventures LLC (“AKV”). AKV and the City of Valdez (“Valdez”), collectively referred to as “Parties,” timely filed appeals pursuant to 15 AAC 56.020(a). The Parties were notified of each appeal pursuant to 15 AAC 56.020(b). This informal conference decision (“ICD”) constitutes the consolidated decision of the Department on the Parties’ appeals pursuant to 15 AAC 56.020(c).¹

IDENTITY OF THE APPEALING PARTIES

Alaska Ventures LLC
16021 E. Main Street
Cut Off, LA 70345-3804
ATTN: Luke Newman

City of Valdez
P.O. Box 307
Valdez, Alaska 99686
ATTN: Jordan Nelson

MUNICIPALITIES IN WHICH THE PROPERTY WAS LOCATED

City of Valdez

¹ The issues raised by the Parties in their appeals are all related and pertain to the same matter that spans several decades. The historical appeals were consolidated by the superior court and heard at trial in 2024. The consolidated decision of the superior court is now on appeal to the Alaska Supreme Court. The State Assessment Review Board has also held past hearings on this matter in a consolidated process and is expected to do so again if a hearing is held this year. The Department is conforming to the consolidated protocol set by precedent of higher authority in the procedural history of this matter by issuing a single ICD addressing all appeal claims of the Parties.

PROPERTY AT ISSUE

AKV:

<u>Property ID</u>	<u>Description</u> ²	<u>Assessed Value</u>
006-003-6005	Vessels	\$ 378,488,760

Valdez:

Valdez appealed the entire AS 43.56 preliminary assessment roll for its jurisdiction.³

ISSUES RAISED

AKV claims the majority of its property is not taxable under AS 43.56. AKV asserts that the value of its taxable property is \$20,264,820.

Valdez’s primary claims are that property is missing from the assessment and that the property which was assessed is potentially valued too low. Regarding Valdez’s opinion of full and true value, it states in its appeal that “...Valdez does not have sufficient information to adequately form an opinion on the full and true value of the taxable property included or omitted in the 2026 Assessment.” All the Parties conclude that the assessment of property is either unequal, excessive, or improper.

BACKGROUND

The Trans Alaska Pipeline System (“TAPS”) is an 800-mile pipeline system that runs from Alaska’s North Slope to tidewater in Valdez. Valdez is where the Valdez Marine Terminal (“VMT”) is located. Oil transported from the North Slope is stored in tanks at the VMT and loaded onto tankers for shipment. Property is taxable if it is used or committed for use for an oil spill response, prevention, or recovery plan necessary to the pipeline transportation of unrefined oil or to the operation or maintenance of the VMT or other facility used in the pipeline transportation of unrefined oil.⁴ In its 2013 decision on this matter, the superior court stated:

Oil that has been transported through the pipeline is stored at the Terminal and then loaded onto tankers to be shipped to refineries outside of Alaska. There are separate oil spill response plans required for the operation of the

² Ten tugs (Ross Chouest, Erlington, Latouche, Bainbridge, Ingot, Commander, Courageous, Contender, Champion, Challenger) and five barges (OSRB-1, OSRB-2, OSRB-3, OSRB-4, Barge 500-2), are included in the “Vessels” assessment.

³ 2026 City of Valdez AS 43.56 preliminary assessment roll, attached to ICD.

⁴ 15 AAC 56.075(b)(1).

Terminal and the tankers. The plans require that certain marine vessels be on call to respond in the event of an oil spill.⁵

In 2025, the superior court stated:

Without TAPS, there would be no need for tankers to service the Terminal, and no need for the Oil Spill Property under the direct or contractual control of the pipeline operator, Alyeska, to assist with tankers. As Judge Morse held, the Tanker C-Plan does not denote nontaxability and the regulation should not be read to assume that the Tanker C-Plan is a nontaxable purpose.

This Court holds that, as a matter of law, DOR's updated interpretation of taxability under AS 43.56.210(5) and 15 AAC 56.075 properly implemented the 2013 remand order of the Superior Court to "evaluate the commitment of the response equipment for all spills" and "evaluate the relationship of the Terminal and Tanker C-Plans" to ensure all property committed to taxable purposes is identified.⁶

As part of meeting the requirements of the terminal and tanker oil spill response plans ("c-plans"), Alyeska, as agent for the TAPS owners, contracts with AKV, which owns the vessel property under appeal. The vessel property is comprised of tugs and barges. The property is used in oil spill prevention, response, and recovery or in the operation and maintenance of the VMT or TAPS and is taxable pursuant to AS 43.56 and 15 AAC 56.075.

RELEVANT STATUTES AND REGULATIONS

Oil and gas property is taxed under **AS 43.56.010(a)**, which provides:

An annual tax of 20 mills is levied each tax year beginning January 1, 1974, on the full and true value of taxable property taxable under this chapter.

Under **AS 43.56.210(5)** "taxable property"

(A) means real and tangible personal property used or committed by contract or other agreement for use within this state primarily in the exploration for, production of, or pipeline transportation of gas or unrefined oil (except for property used solely for the retail distribution or liquefaction of natural gas), or in the operation or maintenance of facilities

⁵ *City of Valdez v. State Dept. of Revenue*, Nos. 3VA-00-00022 CI, 3VA-10-00084 CI, 3AN-11-07874 CI, 2013 WL 11324004, at *1 (Alaska Super. Nov. 18, 2013).

⁶ *City of Valdez v. Prince Pilliam Sound Oil Spill Response Corporation*, No. 3AN-22-06115CI, Findings of Fact and Conclusions of Law at 44-46 (Alaska Super. Aug. 7, 2025).

uses in the exploration for, production of, or pipeline transportation of gas or unrefined oil; “taxable property” includes

- (i) machinery, appliances, supplies, and equipment;
- (ii) drilling rigs, wells, (whether producing or not), gathering lines and transmission lines, pumping stations, compressor stations, power plants, topping plants, and processing units;
- (iii) roads, tank farms, tanker terminals, docks and other port facilities, and air strips;
- (iv) aircraft and motor vehicles owned by a person whose principal business in the state is the exploration for, production of, or pipeline transportation of gas or unrefined oil and whose operation of the aircraft or motor vehicle directly relates to the conduct of that business;
- (v) maintenance equipment and facilities, and maintenance camps and other related facilities; and
- (vi) communications facilities owned by a person whose principal business in the state is the exploration for, production of, or pipeline transportation of gas or unrefined oil and whose operation of the communication facilities directly relates to the conduct of that business[.]

15 AAC 56.075 provides:

- (a) For purposes of AS 43.56 and this chapter, property is
 - (1) “used primarily” for a purpose described in AS 43.56.210(5)(A) if that property is actually used for one or more of those purposes more than 50 percent of the property’s total operational time during the preceding tax year; and
 - (2) subject to (b) of this section, “committed by contract or other agreement for use primarily” for a purpose described in AS 43.56.210(5)(A) if that property is committed by contract, specification, or other expressed intention of the property owner to one or more of those purposes, regardless of whether the property was actually used in the preceding tax year.
- (b) Property that is used for or committed by contract or other agreement to a state approved oil spill response, prevention, or recovery plan is only taxable under AS 43.56 if the department determines that

- (1) the property is used or committed for use for an oil spill response, prevention, or recovery plan necessary to the pipeline transportation of gas or unrefined oil or to the operation or maintenance of a marine terminal or other facility used in the pipeline transportation of gas or unrefined oil; and
- (2) the property is not used or committed for use primarily for a purpose other than a plan described in (1) of this subsection.

SUPERIOR COURT DECISION (3AN-22-06115CI, August 7, 2025)

The superior court issued Findings of Fact and Conclusions of Law on this matter on August 7, 2025 and issued Final Judgment on December 5, 2025. The Court addressed the same property at issue and upheld the Department’s determination that the property is necessary for the pipeline transportation and the operation of the VMT and is therefore taxable.⁷ With the five escort tugs specifically, the Court found: (1) the tugs fall under the statutory definition of taxable property, (2) the tugs do not fall under a statutory exemption to taxability, (3) the legislative history and purpose of the taxability statutes supports the determination that the tugs are taxable, (4) the tugs fall under the Department’s regulatory definition of taxable property, and (5) the tugs are not exempt under 15 AAC 56.075(a)(1).⁸ The Court found that AKV and the other taxpayers and Valdez failed to meet their burden to show that the assessments are unequal, improper, excessive, or based on a fundamentally wrong principle of valuation.⁹ The Court rejected Valdez’s arguments that the Department failed to tax additional taxable property that was necessary for the pipeline transportation and the operation of the VMT. Following what the superior court described as “extensive discovery practice,” Valdez failed to demonstrate that any additional property not already accounted for by the Department is taxable, Valdez failed to show that the Department erred in its valuation, and Valdez failed to present evidence of value at trial.¹⁰

In conducting the 2026 assessment, the Department investigated the facts and circumstances and was not notified by AKV of any operational or other use changes of the vessels, either generally or as required by the tanker or terminal c-plans, relative to the previous year. Accordingly, the vessels’ primary use remained the same for Tax Year 2026. Therefore, under the same or similar facts and circumstances for Tax Year 2026, all AKV tugs and barges are assessed consistently with the superior court’s final determination on the taxability of the vessels.

⁷ *Id.* at 30.

⁸ *Id.* at 30-50.

⁹ *Id.* at 84-85.

¹⁰ *Id.* at 84.

ASSESSMENT

The Department's assessment is in accordance with mass appraisal standards and conducted uniformly with how all other similarly situated property in Alaska is assessed. In doing so, the Department relied on an application of the cost approach. Like many other assessing jurisdictions in Alaska and around the country in assessing personal property, the Department relied on a standard composite percent good schedule. Applying a composite percent good factor from the schedule to the property's historical installed cost based on the classification and age of the property accounts for inflation and depreciation and generates the assessed value.

APPEAL POINTS

AKV's appeal contains scattershot style objections that are devoid of substance, support, and legal analysis and fail to substantively address the issues as required by 15 AAC 56.020(a).¹¹ It is impossible for the Department to respond substantively to these deficient objections. The Valdez appeal shares the same failure as it is void of any support or substance regarding escaped property claims or valuation issues. Valdez explicitly states in its appeal, "it is impossible for Valdez to form its own opinion of the true value of the property assessed...." The Department disagrees with Valdez regarding this statement. Valdez also appears to express a desire to continue the Tax Year 2026 assessment process outside of the statutory time frame, stating in its appeal, "...Valdez will pursue the best information available from DOR and the taxpayers to ensure the 2026 Assessment reflects the full and true value of all property taxable under AS 43.56 within its jurisdiction."

DISCUSSION ON APPEAL POINTS

The Parties' appeals are, for the most part, recycled narratives from past tax years regarding this matter. The Department and the Superior Court have already addressed the points raised in the Parties' appeals through ICDs issued in 2022 covering Tax Years 1997 – 2022 and the Final Judgement issued in superior court case 3-AN-22-06115 CI. There was no new substantive information provided in the narrative of the appeals and no new information provided with the appeals relative to past tax year appeals by the same Parties on the same issues.

Due to the lack of form and substance of the appeals, it is essentially impossible for the Department to respond and implausible that an issue could be distinguished from past years requiring new or different analysis or conclusions by the Department. Under the same or similar facts and circumstances, the Department will not revisit a court decision that is just one-year old and is currently on appeal to the Alaska Supreme Court.

¹¹ Pursuant to 15 AAC 56.020(a), objections to the assessment are required to include: 1) a description of the property, 2) all objections, 3) the grounds for each objection, 4) a summary of the facts relating to each objection, 5) the appraisal principles that support each objection, and 6) the basis for the appealing party's opinion of value.

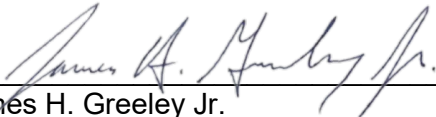
DECISION

The appeals do not meet the requirements of 15 AAC 56.020(a) in objecting to an assessment. For this reason and the reasons discussed above, the appeals are denied.

APPEAL NOTICE

The foregoing decision is a decision of the Department under 15 AAC 56.020(c). The decision may be appealed to the State Assessment Review Board within 50 days of the effective date of the original Notice of Assessment by filing a written appeal pursuant to 15 AAC 56.030. Appeals to the State Assessment Review Board must be date stamped received by 4:00pm on or before the expiration of the 50-day period at the following address:

DATED this 31st day of March 2026,

By: 
James H. Greeley Jr.
State Petroleum Property Assessor



ALASKA DEPARTMENT OF REVENUE
DECISION NO. 26-56-03

On February 26, 2026, the State of Alaska, Department of Revenue ("Department") issued a Notice of Assessment under AS 43.56 regarding property owned by Harvest Alaska, LLC, ConocoPhillips Transportation Alaska, Inc., and ExxonMobil Pipeline Company (collectively "TAPS Owners").

Alyeska Pipeline Service Company (APSC), as agent for the Owners, is the taxpayer of record on file with the Department and timely filed an appeal under the provisions of 15 AAC 56.020(a). The City of Valdez, Fairbanks North Star Borough, and North Slope Borough (collectively "Municipalities") also timely filed an appeal under the provisions of 15 AAC 56.020(a). This decision constitutes the consolidated decision of the Department on both appeals pursuant to 15 AAC 56.020(c).

PROPERTY AT ISSUE

The Trans Alaska Pipeline System, including pipeline property, pump stations, the marine terminal, and materials and supplies (collectively referred to as "TAPS").¹

ISSUE RAISED

The Department's preliminary assessed value of TAPS for 2026 was \$10,318,214,790.

The TAPS Owners claim that the Department's 2026 assessment exceeds the full and true value of TAPS and asserts the value for TAPS property is \$2,800,000,000. The Municipalities claim that the Department's 2026 assessed value of TAPS does not reflect the full and true value of TAPS and assert the value is at least \$20,083,000,000.

Both the TAPS Owners and the Municipalities assert that the Department's value is incorrect on a number of grounds. The primary basis of the TAPS Owners' opinion of value is an appraisal dated January 16, 2026, which was provided to the Department in January of 2026. The Municipalities included seven exhibits with their appeal, which also included an appraisal to support their opinion of value, dated March 17, 2026.

¹ On pages 3 & 4 of the TAPS Owners' appeal, property ID's associated with non-TAPS property, in the form of personal property also owned by Alyeska Pipeline Service Company, were included with the list of TAPS Property IDs. The stated purpose of the appeal is to appeal the TAPS property, and the Department can find no other substantive reference or discussion related to Alyeska Pipeline Service Company's personal property in the appeal. Any purported appeal by the TAPS Owners and APSC of the personal property assessed under Property ID's 012-000-9500, 011-000-9000, 006-003-6009, 003-002-3017, 002-000-2287, and 001-000-8506 is denied as it would not meet the appeal requirements in 15 AAC 56.020(a). The personal property is not under appeal. (*In the Matter of Geokinetics USA, INC.*, ORDER OF DISMISSAL OF APPEAL OF VALUATION OF ASSESSED PROPERTY, State Assessment Review Board, OAH No. 15-0453-TAX, May 5, 2015, *aff'd* Final Judgement, *Geokinetics, Inc. v. State of Alaska, et al*, 3AN-15-07516CI (Alaska Sup. Ct. March 3, 2017))

STATUTES AND REGULATORY STANDARDS

AS 43.56.010 (a) provides:

An annual tax of 20 mills is levied each tax year beginning January 1, 1974, on the full and true value of taxable property taxable under this chapter.

AS 43.56.060 (e) provides:

The full and true value of taxable property used or committed by contract or other agreement for the pipeline transportation of gas or unrefined oil or in the operation or maintenance of facilities for the pipeline transportation of gas or unrefined oil is:

- (1) on the construction commencement date and until January 1 following the date the pipeline begins to transport gas or unrefined oil, the actual cost incurred or accrued with respect to the property as of the date of the assessment;
- (2) determined on each January 1 thereafter with due regard to the economic value of the property based on the estimated life of proven reserves of gas or unrefined oil then technically, economically and legally deliverable into the transportation facility; however, if the proven reserves of gas or unrefined oil then technically, economically and legally deliverable indicate an economic life materially shorter than the estimated physical life of the transportation facility, the full and true value is the actual cost reduced by an annual allowance for depreciation on a straight line basis over an economic life based on the elapsed life from the commencement of full operation to the date of assessment plus the estimated remaining life of the proven reserves of gas and unrefined oil then technically, economically and legally deliverable into the transportation facility as of the date of the assessment;

15 AAC 56.110(c) provides:

Except as provided in (d) of this section, the full and true value of pipeline property in operation is its economic value based upon the estimated life of proven reserves of the gas or oil then technically, economically and legally deliverable into the transportation facility. Economic value is determined by the use of standard appraisal methods such as replacement cost less depreciation, capitalization of estimated future net income, analysis of sales, or other acceptable methods. The valuation may include any item contributing to value including capitalized interest.

1. TAPS 2026 Assessed Value

RCN

Most of the law and information relied upon by the Alaska courts for the TAPS replacement cost new (“RCN”) in the 2009 tax year is still valid today. The 2009 tax year is the most recent of the 2006 – 2009 tax years fully litigated before the Alaska Superior Court, culminating in the 2014 and 2015 Alaska Supreme Court Opinions

upholding the RCN.² The law hasn't changed in 2026. Where facts and circumstances are the same or similar in 2026 relative to 2009, the same RCN data is relied on in 2026. A normal step in standardized mass appraisal processes is cost indexing. This adjusts the 2009 RCN to current 2026 cost levels. This seventeen-year cost indexing application is average compared to many of the Department's indexed RCN estimates for other AS 43.56 oil and gas properties, which also include other pipelines, and can index up to thirty years.

The 2009 TAPS RCN that emerged from the 2011 Superior Court trial de novo was the product of input from the Department, the TAPS Owners, the Municipalities, and the Court itself. In 2013, the Department discovered an additional \$1 billion error related to the vertical support member portion of the RCN. All the interested parties and the State Assessment Review Board ("SARB") agree that the error exists. There is no dispute regarding the existence of the error. The error is an incontrovertible fact and circumstance in 2026 and must be corrected as has been done in previous tax years and upheld by the SARB.³

The Department made the appropriate adjustments to the 2009 Alaska Court RCN for 2026. The final TAPS 2026 RCN is \$28.645 billion.

Depreciation

Under AS 43.56.060(e) the depreciation basis for pipeline property is proven reserves.⁴ Proven reserves-based depreciation is calculated by measuring proven reserves depletion. Proven reserves depletion is a form of external obsolescence, and as such, accounts for all depreciation. This is consistent with appraisal standards, especially when the value objective is use value.

To measure proven reserves depletion and therefore proven reserves-based depreciation, the Department relies on the Scaled Production Methodology. This standard appraisal method uses production as a proxy for proven reserves. Production is the preferred data point because it is highly correlated with proven reserve amounts, is an empirical fact, and as such is a variable that leads to accurate results. Production data is also readily publicly available, so fully transparent. Because production by definition has occurred, and is therefore an empirical fact, it is by definition technically, economically, and legally deliverable into the transportation facility.⁵ Compare this to proven reserves estimation, which is subjective, more art than science, prone to inaccuracy, and, when developed by industry, often claimed as confidential. The subjectivity and opaqueness associated with proven reserves estimation leads to disputes, appeals, litigation, and volatility in the assessment process, which are reasons why this method is not a preferred data point in calculating proven reserves-based depreciation.

The Scaled Production Methodology measures proven reserves-based depreciation by looking at the relationship, in quotient form, of peak production from the reservoirs the pipeline, in this case TAPS, serves relative to current production. Peak production is the historical calendar year peak production and is in the denominator of the quotient. Current production is the previous calendar year production and is in the numerator of the quotient. An exponent, often referred to as a "scaling factor," is applied to the quotient to account for the non-linearity between project costs and project sizes, and the influence of the non-linearity on depreciation. This ensures the proper amount of depreciation is calculated. Calculating depreciation in pipeline

² See Amended Decision Upon Reconsideration Following Trial de Novo for Tax Year 2006, *BP Pipelines, et al v. State, et al*, Case No. 3AN-06-08446 CI (Alaska Sup. Ct. Oct. 26, 2010); Decision Following Trial de Novo for Tax Years 2007-2009, *BP Pipelines, et al. v. State, et. al*, 3AN-06-08446 CI (Alaska Sup. Ct. Dec. 30, 2011); *BP Pipelines (Alaska) Inc. v. State, Dep't of Revenue*, 325 P.3d 478 (Alaska 2014); *State, Dep't of Revenue v. BP Pipelines (Alaska) Inc.*, 354 P.3d 1053 (Alaska 2015).

³ *In the Matter of: The Trans-Alaska Pipeline System*, 2015 WL 5813228, at *13.

⁴ AS 43.56.060(e)(2) – "...determined on each January 1 thereafter with due regard to the economic value of the property based on the estimated life of the proven reserves of gas or unrefined oil then technically, economically, and legally deliverable into the transportation facility;"

⁵ *Id.*

property assessments using the Scaled Production Methodology has been upheld by the State Assessment Review Board (“SARB”), where the SARB has found the Scaled Production Methodology to be a “standard appraisal method” compliant with 15 AAC 56.110.⁶ The Superior Court has also upheld the Department’s and SARB’s use of the Scaled Production Methodology for purposes of determining proven reserves based depreciation for pipeline property, stating, “The Department’s use of the scaled production methodology is a reliable way to adjust a property’s value based on the non-linear relationship between a property’s cost and production rates.”⁷ (This case is currently on appeal to the Alaska Supreme Court.)

When the Scaled Production Methodology is applied in TAPS assessment, the proven-reserves based depreciation calculation is: $[(462,847 / 2,032,928) ^ .69]$.⁸ This equates to 36.02% Good (equivalent to 63.98% depreciated) . Applied to TAPS RCN, 36.02% GOOD equates to an assessed value of TAPS in the amount of \$10.318 billion.

Assessment Generally

All interested parties to the 2026 TAPS assessment have influenced the outcome by virtue of their participation in the Alaska courts’ litigation for the 2006 through 2009 tax years, which culminated in the 2014 and 2015 Alaska Supreme Court opinions. As a result, all the interested parties are also in possession of the detailed underlying information that supports the TAPS 2026 assessment. All the interested parties have also been provided with the Department’s assessment work papers. The Department further explained aspects of the assessment as it specifically pertains to the Fairbanks North Star Borough (“FNSB”) to FNSB attorney Jill Dolan in a March 13, 2026, phone call. Suggestions in the Municipalities’ appeal that they were not provided with an understanding of the FNSB TAPS assessment this year relative to last year are not accurate.

Because the law hasn’t changed and most of the facts and circumstances in 2026 are not substantially different than those already litigated through the Alaska courts, the Department discerns no reasonable justification supporting abandonment of the Superior Court’s, and thus the Alaska Supreme Court’s findings and conclusions as to relevant aspects of TAPS assessment. This includes:⁹

- AS 43.56.060(e)(2) does not require pipeline property to be assessed at its “fair market value”
- The superior court did not err by applying a use value standard
- The use value assessment standard does not improperly tax non-TAPS property
- The superior court was not required to treat tariff regulations as a form of external obsolescence
- The superior court did not err by rejecting the capitalized rent-loss (income shortfall) method of external obsolescence
- The superior court did not err in reducing the assessed value of the pipeline to account for excess capacity

⁶ *In the Matter of: ConocoPhillips Alaska, Inc. (Alpine Oil Pipeline)*, 2021 WL 7831028, at *3.

⁷ Second Amended Findings of Fact and Conclusions of Law Re: Trial de Novo of Department of Revenue Furie Operating Alaska Property Tax Assessment Years 2021 and 2022 at ¶ 141, *Furie Operating Alaska, LLC v. State, et. al*, 3AN-21-06462CI (Alaska Sup. Ct. May 22, 2024).

⁸ There is no difference in outcome whether annual production or annual daily average production is used in the calculation. Annual daily average is easier to work with and used by the Department.

⁹ See Amended Decision Upon Reconsideration Following Trial de Novo for Tax Year 2006, *BP Pipelines, et al v. State, et al*, Case No. 3AN-06-08446 CI (Alaska Sup. Ct. Oct. 26, 2010); Decision Following Trial de Novo for Tax Years 2007-2009, *BP Pipelines, et al. v. State, et. al*, 3AN-06-08446 CI (Alaska Sup. Ct. Dec. 30, 2011); *BP Pipelines (Alaska) Inc. v. State, Dep’t of Revenue*, 325 P.3d 478 (Alaska 2014); *State, Dep’t of Revenue v. BP Pipelines (Alaska) Inc.*, 354 P.3d 1053 (Alaska 2015).

- Sufficient evidence exists to support the superior court’s decision that excess capacity is a form of external obsolescence
- The superior court did not count external obsolescence from excess capacity twice
- The matter of external obsolescence was fully litigated
- TAPS exists in a limited market
- TAPS is a special purpose property
- AS 43.56 full and true value standard requires a use value valuation premise for pipelines
- Justification for sole reliance on the cost approach
- Units of production is a reasonable method of calculating proven reserves-based depreciation that is consistent with legislative intent

As with any well run assessment program, the Department has updated the Alaska court’s TAPS assessment to reflect the current 2026 facts and circumstances, such as current cost levels, current proven reserve amounts and associated production levels, and to reflect current practices, such as use of the Scaled Production Methodology, a form of units of production, to calculate proven reserves-based depreciation. The Department, in keeping with the Alaska court decisions, supports its 2026 TAPS RCNLD assessed value.

2. Points on Appeal

Municipalities

- 1) The Department incorrectly determined TAPS RCN; and
- 2) The Department incorrectly determined TAPS proven reserves-based depreciation; and
- 3) Therefore, the Department’s 2026 preliminary assessed value of TAPS is too low.

TAPS Owners

The TAPS Owners March 18, 2026, appeal contains scattershot style objections that are devoid of substance, support, and legal analysis and fail to substantively address the issues as required by 15 AAC 56.020(a). One bullet point asserting the objection does not suffice. It is impossible for the Department to respond substantively to these deficient objections.

From the information the TAPS Owners provided the Department in November of 2025, an RCN report and an appraisal report, the TAPS owners positions appear to be identical but opposite of the Municipalities.

- 1) The Department incorrectly determined TAPS RCN; and
- 2) The Department incorrectly determined TAPS proven reserves-based depreciation; and
- 3) Therefore, the Departments 2026 preliminary assessed value of TAPS is too high.

Neither the TAPS Owners nor the Municipalities have demonstrated that the Department’s 2026 TAPS assessment is incorrect, improper, or unreasonable. Instead, the appeals simply express a preference for different assessment methods, outside of the Department’s standard mass appraisal practices, and in the case

of the TAPS Owners' appraisal, outside of what the law under AS 43.56 and appraisal standards allow. The Municipalities also failed to provide their TAPS appraisal to the Department with time to consider it during the assessment process, which is improper.¹⁰

The Department has broad discretion to choose among valuation methodologies to assess the full and true value of AS 43.56 oil and gas property.¹¹ Appealing parties bear the burden of proving that the Department erred in its assessment.¹² Appealing parties must show the assessed value is "unequal, excessive, or [an] improper valuation" or that the valuation was "not determined in accordance with the standards set out" in AS 43.56.¹³ Appealing parties must also rebut the presumption that the Department's assessments are correct.¹⁴ And must also meet this burden by a preponderance of the evidence.¹⁵ It is not enough for appealing parties to "argue that the valuation was inadequate or demand a justification from the taxing authority."¹⁶ The assessment of TAPS property is a uniform application of the law and generally accepted appraisal principles, which have been previously affirmed by the Alaska courts.¹⁷ The appealing parties have not met their burden.

3. Decision

Based on the foregoing analysis the Department's 2026 TAPS assessment of \$10,318,214,790 is upheld.

¹⁰ *In the Matter of: The Trans-Alaska Pipeline System*, 2015 WL 5813228 at *7-8.

¹¹ *Kelley v. Municipality of Anchorage*, 442 P.3d 725, 728 (Alaska 2019) (remarking on the consistency of the Court's holdings that taxing authorities have broad discretion in deciding among recognized valuation methods); *N. Star Alaska Hous. Corp. v. Fairbanks N. Star Borough Bd. of Equalization*, 778 P.2d 1140, 1143-44 (Alaska 1989) ("If there is a reasonable basis for the taxing method used by an agency, that method will be allowed so long as there [is] no fraud or clear adoption of a fundamentally wrong principle of valuation." (quoting *Hoblit v. Greater Anchorage Area Borough*, 473 P.2d 630, 632 (Alaska 1970) (internal quotation marks omitted))); see also *Twentieth Century Investment Co. v. City of Juneau*, 359 P.2d 783, 788 (Alaska 1961) (holding assessor may choose one recognized method of valuation over another); *BP Pipelines I* at 12, ¶ 22 (DOR should be given deference in choosing assessment method)).

¹² AS 43.56.130(d) ("The appellant bears the burden of proof at the hearing."); 15 AAC 56.040(g).

¹³ AS 43.56.130(f); 15 AAC 56.042(g).

¹⁴ 15 AAC 56.040(g) ("The assessed value of the property in the notice of assessment, including any adjustments determined in the informal conference, is presumed to be correct."). In previous decisions, the SARB has described this presumption and the appellants' burdens under AS 43.56 as deference to the assessor's opinion of value. See, e.g., *In the Matter of the Trans-Alaska Pipeline System*, 2013 WL 4519513 at *9-10.

¹⁵ Amended Decision Upon Reconsideration Following Trial de Novo for Tax Year 2006 at ¶ 20, *BP Pipelines, et al v. State, et al*, Case No. 3AN-06-08446 CI (Alaska Sup. Ct. Oct. 26, 2010).

¹⁶ *Cool Homes, Inc. v. Fairbanks N. Star Borough*, 860 P.2d 1248, 1263 (Alaska 1993).

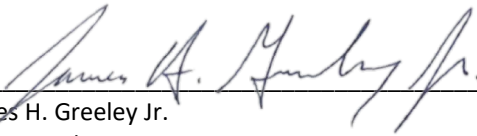
¹⁷ See Amended Decision Upon Reconsideration Following Trial de Novo for Tax Year 2006, *BP Pipelines, et al v. State, et al*, Case No. 3AN-06-08446 CI (Alaska Sup. Ct. Oct. 26, 2010); Decision Following Trial de Novo for Tax Years 2007-2009, *BP Pipelines, et al v. State, et. al*, 3AN-06-08446 CI (Alaska Sup. Ct. Dec. 30, 2011); *BP Pipelines (Alaska) Inc. v. State, Dep't of Revenue*, 325 P.3d 478 (Alaska 2014); *State, Dep't of Revenue v. BP Pipelines (Alaska) Inc.*, 354 P.3d 1053 (Alaska 2015).

APPEAL NOTICE

The foregoing decision is a decision of the Department under 15 AAC 56.020(c). The decision may be appealed to the State Assessment Review Board within 50 days of the effective date of the original Notice of Assessment by filing a written appeal pursuant to 15 AAC 56.030. Appeals to the State Assessment Review Board must be date stamped received by 4:00pm on or before the expiration of the 50-day period at the following address:

Department of Revenue, Tax Division
550 West Seventh Avenue, Suite 500
Anchorage, Alaska 99501
ATTN: Property Tax Section

DATED this 31st day of March 2026,

By: 
James H. Greeley Jr.
State Petroleum Property Assessor

BEFORE THE STATE ASSESSMENT REVIEW BOARD
 STATE OF ALASKA

In the Matter of:)	
)	Appeal of Revenue Decision
CITY OF VALDEZ)	No. 26-56-02
)	
Oil & Gas Property Tax (AS 43.56))	OAH No. 26-0327-TAX
<u>2026 Assessment Year</u>)	

NOTICE OF APPEAL, HEARING, AND PREHEARING CONFERENCE

The State Assessment Review Board has received an appeal of Revenue Decision No. 26-56-02 (“ICD”) filed by the City of Valdez. The ICD identifies the assessed property as consisting of various vessels owned by Alaska Ventures, LLC and located in the City of Valdez. Valdez lists additional assessed property in its appeal that was not included in the ICD, consisting of various skimmers, barges, and service equipment located in the City of Valdez and owned by Alyeska Pipeline Service Company, ASRC Energy Services Equipment LLC, CCI Industrial Service, LLC, Price Gregory International Inc., and Prince Willima Sound Oil Spill Response Corp. It is not evident from the ICD and the appeal — the only documentation before SARB at this time — that these additional assessed properties are properly before SARB since they were not the subject of the ICD, and SARB hears appeals from ICDs.¹ Because of the short timelines required of these proceedings, and out of an abundance of caution, SARB will send this notice to the additional property owners listed by Valdez.

In recent years, parties to some SARB appeals have stipulated for the Board to issue a decision without a hearing when an appeal involves the same issues and evidence as a prior assessment year’s appeal. In those instances, the Board based its decision on its prior review of the evidence. The Board has a new member who did not participate in prior hearings and thus is unable to rely on previously presented evidence. Accordingly, the Board will not issue decisions this year without a hearing.

The hearing for all appeals from ICD 26-56-02 will be held on **May 11, 2026 at 12:30 p.m.** at the University of Alaska Anchorage Professional Studies Building, 2533 Providence Drive, Anchorage.

A Prehearing Conference will be held by videoconference on **April 23, 2026 between 9:00 and 11:00 a.m.** Prehearing Conferences for multiple appeals are scheduled for this date and

¹ 15 AAC 56.030(a).

time. The parties will be contacted with details for attending these conferences. The Parties will also receive a proposed prehearing order in advance of the prehearing conference.

I have directed OAH to mail a copy of this notice to the taxpayer owners of the property and City of Valdez. Notice and a copy of the appeal are also being emailed to these entities, counsel, and the Departments of Law and Revenue. A hard copy of the appeal can also be mailed out upon request. Courtesy copies of this notice and the appeal are being mailed to the additional property owners Valdez listed in its appeal. The parties may contact the Office of Administrative Hearings at 907-269-8170 or doa.oah@alaska.gov with questions about procedures.

DATED: April 20, 2026



William Westover, Chair
State Assessment Review Board

I certify that on April 20, 2026, this document was served on the following by mail and email, as specified below. Email and courtesy service included a copy of the appeal:

Email and Mail Service

Alaska Ventures LLC
Attn: Luke Newman
16021 E. Main Street
Cut Off, LA 70345-3804
luke.newman@chouest.com

City of Valdez
Attn: Jordan Nelson, Finance Director
P.O. Box 307
Valdez, AK 99686-0307
jnelson@valdezak.gov

City of Valdez
Attn: Dennis Fleming, Mayor
P.O. Box 307
Valdez AK 99686-0307
sscheidt@valdezak.gov

Email Service Only

F. Steven Mahoney
Janella Kamai
Manley & Brautigam
1127 W. 7th Ave
Anchorage AK 99501
smahoney@mbb.law; jkamai@mbb.law

William D. Temko
Munger, Tolles & Olson LLP
350 South Grand Avenue
50th Floor
Los Angeles, CA 90071-3426
william.temko@mto.com

Robin Brena
Jon Wakeland
Kelly Moghadam
Jake Staser
Brena, Bell & Walker, P.C.
810 N Street, Ste 100
Anchorage, AK 99501
rbrena@brenalaw.com; jwakeland@brenalaw.com; kmoghadam@brenalaw.com; jstaser@brenalaw.com

Department of Law
1031 W. 4th Ave., Ste. 200
Anchorage AK 99501
Dept. of Law Central Email

James H. Greeley, Jr.
Petroleum Property Tax Assessor
550 W. 7th Ave., Ste. 500
Anchorage AK 99501
james.greeley@alaska.gov

Courtesy Copies to:

ASRC Energy Service Equipment LLC
Attn: Megan Metcalf
3900 C Street, Ste. 701
Anchorage, AK 99503

CCI Industrial Service, LLC
Attn: Ashley Wamsley
5020 Fairbanks St.
Anchorage, AK 99503

Price Gregory International Inc.
Attn: Detronia Chatmon
24275 Katy Fwy, Ste. 500
Katy, TX 77494-72969

Alyeska Pipeline Service Company
Prince William Sound Oil Spill Response Corporation
Attn: Teresa Fair
P.O. Box 196660, MS 504
Anchorage, AK 99519-6660

By: *Halsey Canfield*
Office of Administrative Hearings

BEFORE THE STATE ASSESSMENT REVIEW BOARD
STATE OF ALASKA

In the Matter of:)
ALASKA VENTURES, LLC) Appeal of Revenue Decision
Oil & Gas Property Tax (AS 43.56)) No. 26-56-02
2026 Assessment Year) OAH No. 26-0328-TAX

NOTICE OF APPEAL, HEARING, AND PREHEARING CONFERENCE

The State Assessment Review Board has received an appeal of Revenue Decision No. 26-56-02 filed by Alaska Ventures, LLC as the owner of the assessed property, which consists of various vessels. The assessed property is located in the City of Valdez.

In recent years, parties to some SARB appeals have stipulated for the Board to issue a decision without a hearing when an appeal involves the same issues and evidence as a prior assessment year's appeal. In those instances, the Board based its decision on its prior review of the evidence. The Board has a new member who did not participate in prior hearings and thus is unable to rely on previously presented evidence. Accordingly, the Board will not issue decisions this year without a hearing.

The hearing for all appeals from ICD 26-56-02 will be held on **May 11, 2026 at 12:30 p.m.** at the University of Alaska Anchorage Professional Studies Building, 2533 Providence Drive, Anchorage.

A Prehearing Conference will be held by videoconference on **April 23, 2026 between 9:00 and 11:00 a.m.** Prehearing Conferences for multiple appeals are scheduled for this date and time. The parties will be contacted with details for attending these conferences. The Parties will also receive a proposed prehearing order in advance of the prehearing conference.

I have directed OAH to mail a copy of this notice to the taxpayer owners of the property and City of Valdez. Notice and a copy of the appeal are also being emailed to these entities, counsel, and the Departments of Law and Revenue. A hard copy of the appeal can also be mailed out upon request. The parties may contact the Office of Administrative Hearings at 907-269-8170 or doa.oah@alaska.gov with questions about procedures.

DATED: April 20, 2026



William Westover, Chair
State Assessment Review Board

I certify that on April 20, 2026, this document was served on the following by mail and email, as specified below. Email service included a copy of the appeal:

Email and Mail Service

Alaska Ventures LLC
Attn: Luke Newman
16021 E. Main Street
Cut Off, LA 70345-3804
luke.newman@chouest.com

City of Valdez
Attn: Jordan Nelson, Finance Director
P.O. Box 307
Valdez, AK 99686-0307
jnelson@valdezak.gov

City of Valdez
Attn: Dennis Fleming, Mayor
P.O. Box 307
Valdez AK 99686-0307
sscheidt@valdezak.gov

Email Service Only

F. Steven Mahoney
Janella Kamai
Manley & Brautigam
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Anchorage AK 99501
smahoney@mbb.law; jkamai@mbb.law

William D. Temko
Munger, Tolles & Olson LLP
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william.temko@mto.com

Robin Brena
Jon Wakeland
Kelly Moghadam
Jake Staser
Brena, Bell & Walker, P.C.
810 N Street, Ste 100
Anchorage, AK 99501
rbrena@brenalaw.com; jwakeland@brenalaw.com; kmoghadam@brenalaw.com; jstaser@brenalaw.com

Department of Law
1031 W. 4th Ave., Ste. 200
Anchorage AK 99501
Dept. of Law Central Email

James H. Greeley, Jr.
Petroleum Property Tax Assessor
550 W. 7th Ave., Ste. 500
Anchorage AK 99501
james.greeley@alaska.gov

By: Halley Canfield
Office of Administrative Hearings

BEFORE THE STATE ASSESSMENT REVIEW BOARD
STATE OF ALASKA

In the Matter of:)
)
) Appeal of Revenue Decision
CONOCOPHILLIPS TRANSPORTATION ALASKA,) No. 26-56-03
INC.; EXXONMOBIL PIPELINE COMPANY LLC;)
HARVEST ALASKA, LLC; ALYESKA PIPELINES)
SERVICE COMPNAY, LLC)
)
)
Oil & Gas Property Tax (AS 43.56)) OAH No. 26-0332-TAX
2026 Assessment Year)

NOTICE OF APPEAL, HEARING, AND PREHEARING CONFERENCE


The State Assessment Review Board has received an appeal of Revenue Decision No. 26-56-03 (“ICD”) filed by Harvest Alaska, LLC, ConocoPhillips Transportation Alaska, Inc., and ExxonMobil Pipeline Company, and Alyeska Pipeline Service Company. The assessed property at issue in the ICD consists of pipeline property, pump stations, a marine terminal, materials, and supplies associated with the Trans-Alaska Pipeline System (“TAPS”). TAPS property is owned by Harvest Alaska, LLC, ConocoPhillips Transportation Alaska, Inc., and ExxonMobil Pipeline Company. The property is located in the North Slope Borough, Fairbanks North Star Borough, City of Valdez, and Unorganized Borough.

The hearing for all appeals from ICD 26-56-03 will be held on **May 13-15, 2026 at 9:00 a.m.** at the University of Alaska Anchorage Professional Studies Building, 2533 Providence Drive, Anchorage.

A Prehearing Conference will be held by videoconference on **April 23, 2026 between 9:00 and 11:00 a.m.** Prehearing Conferences for multiple appeals are scheduled for this date and time. The parties will be contacted with details for attending these conferences. The Parties will also receive a proposed prehearing order in advance of the prehearing conference.

I have directed OAH to mail a copy of this notice to the owners of the property, in the North Slope Borough, Fairbanks North Star Borough, City of Valdez. Notice and a copy of the appeal are also being emailed to these entities, counsel, and the Departments of Law and Revenue. A hard copy of the appeal can also be mailed out upon request. The parties may contact the Office of Administrative Hearings at 907-269-8170 or doa.oah@alaska.gov with questions about the prehearing conference or filing procedures.

DATED: April 20, 2026


William Westover, Chair
State Assessment Review Board

I certify that on April 20, 2026, this document was served on the following by mail and email, as specified below. Email and mail-only service included a copy of the appeal:

Mail-Only Service

ConocoPhillips Transportation Alaska, Inc.
P.O. Box 110360
Anchorage, AK 99510-0360

ExxonMobil Pipeline Company
P.O. Box 2220
Houston, TX 77252-2220

Harvest Alaska, LLC
3800 Centerpoint Drive, Suite 1400
Anchorage, AK 99503

Alyeska Pipeline Service Company
Attn: Teresa Fair
P.O. Box 196660
Anchorage, AK 99512

Email and Mail Service

North Slope Borough
Attn: Vernon Edwardsen, Chief Administrative Officer
P.O. Box 69
Utqiavik, AK 99723-0069
vernon.edwardsen@north-slope.org; stephanie.sanchez@north-slope.org

North Slope Borough
Attn: Josiah Patkotak, Mayor
P.O. Box 69
Utqiavik, AK 99723-0069
josiah.patkotak@north-slope.org; joanne.simmonds@north-slope.org

Fairbanks North Star Borough
Attn: Grier Hopkins, Mayor
P.O. Box 71267
Fairbanks, AK 99707
grier.hopkins@fnsb.gov

City of Valdez
Attn: Dennis Fleming, Mayor
P.O. Box 307
Valdez AK 99686-0307
sscheidt@valdezak.gov

City of Valdez
Attn: Jordan Nelson, Finance Director
P.O. Box 307
Valdez, AK 99686-0307
jnelson@valdezak.gov

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F. Steven Mahoney
Janella Kamai
Manley & Brautigam
1127 W. 7th Ave
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smahoney@mbb.law; jkamai@mbb.law

William D. Temko
Munger, Tolles & Olson LLP
350 South Grand Avenue
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Robin Brena
Jon Wakeland
Kelly Moghadam
Jake Staser
Erik Fossum
Brena, Bell & Walker, P.C.
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rbrena@brenalaw.com; jwakeland@brenalaw.com; kmoghadam@brenalaw.com; jstaser@brenalaw.com;
efossum@brenalaw.com

Department of Law
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Anchorage AK 99501
Dept. of Law Central Email

James H. Greeley, Jr.
Petroleum Property Tax Assessor
550 W. 7th Ave., Ste. 500
Anchorage AK 99501
james.greeley@alaska.gov

By: *Haley Canfield*
Office of Administrative Hearings

Received

APR 24 2026

City of Valdez

**BEFORE THE STATE ASSESSMENT REVIEW BOARD
STATE OF ALASKA**

In the Matter of:)	
)	Appeal of Revenue Decision
NORTH SLOPE BOROUGH, FAIRBANKS NORTH)	No. 26-56-03
STAR BOROUGH, CITY OF VALDEZ (TAPS))	
)	
Oil & Gas Property Tax (AS 43.56))	OAH No. 26-0330-TAX
<u>2026 Assessment Year</u>)	

NOTICE OF APPEAL, HEARING, AND PREHEARING CONFERENCE

The State Assessment Review Board has received an appeal of Revenue Decision No. 26-56-03 (“ICD”) filed by the North Slope Borough, Fairbanks North Star Borough, and City of Valdez (“Municipalities”). The assessed property at issue in the ICD consists of pipeline property, pump stations, a marine terminal, materials, and supplies associated with the Trans-Alaska Pipeline System (“TAPS”). TAPS property is owned by Harvest Alaska, LLC, ConocoPhillips Transportation Alaska, Inc., and ExxonMobil Pipeline Company. The property is located in the North Slope Borough, Fairbanks North Star Borough, City of Valdez, and Unorganized Borough.

The hearing for all appeals from ICD 26-56-03 will be held on **May 13-15, 2026 at 9:00 a.m.** at the University of Alaska Anchorage Professional Studies Building, 2533 Providence Drive, Anchorage.

A Prehearing Conference will be held by videoconference on **April 23, 2026 between 9:00 and 11:00 a.m.** Prehearing Conferences for multiple appeals are scheduled for this date and time. The parties will be contacted with details for attending these conferences. The Parties will also receive a proposed prehearing order in advance of the prehearing conference.

I have directed OAH to mail a copy of this notice to the owners of the property and the Municipalities. Notice and a copy of the appeal are also being emailed to these entities, counsel, and the Departments of Law and Revenue. A hard copy of the appeal can also be mailed out upon request. The parties may contact the Office of Administrative Hearings at 907-269-8170 or doa.oah@alaska.gov with questions about the prehearing conference or filing procedures.

DATED: April 20, 2026



William Westover, Chair
State Assessment Review Board

I certify that on April 20, 2026, this document was served on the following by mail and email, as specified below. Email and mail-only service included a copy of the appeal:

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P.O. Box 110360
Anchorage, AK 99510-0360

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Harvest Alaska, LLC
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Alyeska Pipeline Service Company
Attn: Teresa Fair
P.O. Box 196660
Anchorage, AK 99512

Email and Mail Service

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Attn: Vernon Edwardsen, Chief Administrative Officer
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vernon.edwardsen@north-slope.org; stephanie.sanchez@north-slope.org

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josiah.patkotak@north-slope.org; joanne.simmonds@north-slope.org

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City of Valdez
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City of Valdez
Attn: Jordan Nelson, Finance Director
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Manley & Brautigam
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smahoney@mbb.law; jkamai@mbb.law

William D. Temko
Munger, Tolles & Olson LLP
350 South Grand Avenue
50th Floor
Los Angeles, CA 90071-3426
william.temko@mto.com

Robin Brena
Jon Wakeland
Kelly Moghadam
Jake Staser
Erik Fossum
Brena, Bell & Walker, P.C.
810 N Street, Ste 100
Anchorage, AK 99501
rbrena@brenalaw.com; jwakeland@brenalaw.com; kmoghadam@brenalaw.com; jstaser@brenalaw.com;
efossum@brenalaw.com

Department of Law
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James H. Greeley, Jr.
Petroleum Property Tax Assessor
550 W. 7th Ave., Ste. 500
Anchorage AK 99501
james.greeley@alaska.gov

By: Haley Canfield
Office of Administrative Hearings

Appraisal Company of Alaska LLC

341 TUDOR RD, SUITE 202
ANCHORAGE, ALASKA 99503
mrenfro@appraisalalaska.com

April 28, 2026

City of Valdez
P.O. Box 307
Valdez, Alaska 99686

Attention: Mr. Jordan Nelson
Finance Director

CERTIFICATION

2026 Real Property Tax Roll

I, Michael C. Renfro, Contract Assessor for the City of Valdez, do hereby certify the following assessed values for Tax Year 2026:

Locally Assessed:

Land	\$151,474,874
Improvements	\$668,742,536
TOTAL	\$820,217,410
LESS Exemption	-\$424,877,473
TOTAL LOCALLY ASSESSED FOR 2025:	<u>\$395,339,937</u>

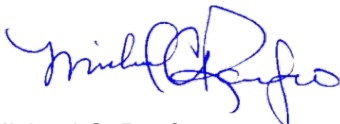
State Assessed:

Total State Assessed 43.56 Properties	\$2,971,037,510
TOTAL ASSESSMENT ROLL FOR 2026:	\$3,366,377,447

Does not include supplemental roll.

Sincerely,

APPRAISAL COMPANY OF ALASKA



Michael C. Renfro
Contract Assessor, City of Valdez



Legislation Text

File #: RES 26-0029, **Version:** 1

ITEM TITLE:

#26-29 - Naming Rates and Fees for Use of Facilities in the Valdez Harbors and Repealing Resolution 24-51 Formerly Naming Such Rates and Fees

SUBMITTED BY: Sarah Von Bargaen, Harbormaster

FISCAL NOTES:

Expenditure Required: N/A
Unencumbered Balance: N/A
Funding Source: N/A

RECOMMENDATION:

Approve Resolution 26-29.

SUMMARY STATEMENT:

The Ports and Harbor Commission has reviewed and approved the attached resolution with proposed changes to the Harbors' rates and fees. The Commission and staff are now submitting to City Council for approval their final recommendations for rate changes for use of the facilities within the Valdez Harbors.

- Charging moorage for commercial seine skiffs when not stored on deck of boat
- Increase of annual moorage on A-K and R-W Floats, annually, based off the Anchorage CPI plus 1% starting in 2028
- Increase of Tour Dock annual moorage, annually, based off the Anchorage CPI plus 1% starting in 2027
- Increasing monthly and daily moorage for all docks. These fees will also increase annually based off the Anchorage CPI plus 1% starting in 2027
 - Monthly prepaid from \$10.00/ft/ to \$13.84/ft., billed from \$15.00/ft. to \$15.92/ft.
 - Daily prepaid from \$0.80/ft. to \$1.15/ft, billed from \$1.20/ft. to \$1.33/ft.
- Parking fees (passes) for any vehicle hooked to a trailer, \$10/day, \$50/week and \$150/mo.
- Upland overnight camping of recreational vehicles from October 15 to April 15 will be charged \$40 per night, electricity not included

- Adjusting boat lift fees:
 - Vessels up to 40' shall be charged \$350 and vessels 41' and longer shall be charged \$450
- Adjusting equipment use rate from \$60 to \$100
- Charging for initial crane/fish pump cards - \$50
- Addition of labor fee for HAZWOPER trained staff of \$150 per employee
- Addition of fee for pumps loaned or left on vessels - \$50/day
- Addition of fee for using the dump station directly across from the Harbormaster office (October 15 to April 15, by appt. only) - \$10 + labor
- Addition of fee for bilge pump-out services (May 15 to October 15, by appt. only) - \$25 + labor
- Addition of fee for move list requests - \$25 per request
- Addition of "service fee reimbursement" for electric amperage overloads and GFCI trips - applicable labor rate, if found to be a boat issue
- Increase of launch ramp fees for motorized vessels:
 - Daily from \$10 to \$15 and season from \$75 to \$100
- Addition and change of Miscellaneous Fees and Fines:
 - Adjustment of fee for unauthorized commercial work within the Harbors - 2nd incident from \$400 to \$350 and 3rd incident from \$800 to \$500
 - Adjustment of fee for release of fireworks on Harbor property - decreased from \$1,000 to \$500
 - Failure to provide current copy of insurance, moorage contract or registration/documentation - \$5/day per document
 - Denied moorage or storage - \$300/day
 - Fueling a vessel not located at a designated fuel dock - \$0.04/gallon
 - Disposal of vessel fee - Cost + 25%
 - Returned check fee - \$35
- Maintenance Pad and Wash Down Pad Changes:
 - Addition of separate fee for Maintenance Pad use by impounded vessels - double the applicable rate
 - Addition of doubled fees for vessel on Maintenance Pad in excess of 30 days

- Addition of pressure washer rental fee - \$50/hr.

**VALDEZ SMALL BOAT HARBOR
SCHEDULE OF RATES AND FEES
RESOLUTION #24-51 ~~26-XX~~**

SECTION I. MOORAGE FEES

A. Annual Slip Rental

The due date for all annual moorage rentals is established as January 1 in any calendar year to allow maximum utilization of the Valdez Harbors. At the option of the vessel owner, the moorage fee may be paid in annual, semi-annual or monthly installments. In the event a reserved moorage space comes available later in the calendar year, annual moorage shall be pro-rated based on the date of assignment, ~~either semi-annual, quarterly, monthly or daily~~ as applicable.

The annual moorage fee for reserved moorage privileges shall be based on the length of float assigned or the overall length of the vessel (including all hull attachments, such as bowsprits, davits, dinghies, etc.) whichever is longer. (Commercial seine skiffs are exempt, only if stored on deck of primary vessel. Seine skiffs tied alongside or behind are subject to moorage fees).

The rate structure for reserved moorage privileges on A-K and R-W Docks will be increased annually to help offset the ongoing effects of inflationary pressures and other cost escalations associated with the long-term maintenance and operations of the Valdez Harbors. Annual increases will be set initially in three-year increments followed by yearly increments and be expressed as a percentage amount, not to be exceeded.

Twenty foot (20') sized slip moorage rates will be evaluated periodically but will not increase unless authorized by this resolution. Twenty foot (20') sized slip rates will be charged at thirty-five dollars (\$35.00) per foot per year.

For the three-year period 2025, 2026, and 2027 the annual increase for reserved moorage for twenty-four foot (24') to one hundred foot (100') sized slips will be a percentage amount not to exceed five percent (5%) per year. This resolution authorizes an increase of up to this amount each year, except that the City Council may, during the annual budget process, set the increase at a lesser amount for the next calendar year. After the three-year period, twenty-four foot (24') slips and larger moorage will increase ~~by one percent (1%)~~ annually based on Anchorage CPI plus 1 percent (1%), starting in 2028. The updated rate will be published by August 1st of each year.

Reserved semi-annual moorage rates on A-M and R-W Docks may be paid in two equal installments of sixty percent (60%) of the annual rate established above. The first installment is due and payable on or before January 1 of any calendar year. The second installment is due on or before July 1 of the same calendar year.

Reserved monthly moorage rates on A-M and R-W Docks may be paid in twelve equal installments of twelve percent (12%) of the annual rate established above. Each prepaid installment is due and payable on or before the first day of each month of the same calendar year (January 1, February 1, March 1, etc.).

Reserved Tour Boat Dock moorage rates will be evaluated periodically but will not increase unless authorized by this resolution increase annually based on Anchorage CPI plus 1 percent (1%) starting in 2027. The updated rate will be published by August 1st of each year. Tour Boat Dock rates will be charged at eighty dollars and twenty-three cents (\$80.23) per foot per year. At the option of the vessel owner, the moorage fee may be paid in annual, semi-annual or monthly installments.

Reserved semi-annual moorage rates on Tour Boat Dock may be paid in two equal installments of sixty percent (60%) of the annual rate established above. The first installment is due and payable on or before January 1 of any calendar year. The second installment is due on or before July 1 of the same calendar year.

Reserved monthly moorage rates on Tour Boat Dock may be paid in twelve equal installments of twelve percent (12%) of the annual rate established above. Each prepaid installment is due and payable on or before the first day of each month of the same calendar year (January 1, February 1, March 1, etc.).

All tour boats 60 feet overall length or longer shall be berthed at the Tour Boat Dock. All slips located at the Tour Boat Dock facility shall be classed as ~~60~~ 100-foot slips. The rate shall be the annual moorage rate fee per foot per year based on the ~~60~~ 100-foot length of the slip or the vessel length, whichever is greater. Tour boats have preferential rights to all Tour Boat Dock slips. In the event more tour boats than Tour Boat Dock slips are available, a waiting list will be implemented.

B. Transient Slip Rental

For the purpose of calculating moorage, daily moorage is considered a 24-hour period from 8:00 a.m. to 8:00 a.m. the following day. Up to three (3) hours will be allowed for loading and unloading of vessels. Vessels moored longer than three (3) hours will be assessed transient moorage fees.

1. Annual Transient Slip Rental

The annual moorage fee for transient moorage privileges shall be 115% of the rate charged for reserved moorage. This fee shall be based on the length of the normally assigned float or the overall length of the vessel (including all hull attachments, such as bowsprits, dinghies, davits, etc.) whichever is longer. The annual rate applies only if paid in advance (or if card on file is approved at month end billing). At the option of the vessel owner, the annual moorage fee may be paid in annual, semi-annual or monthly installments.

Transient annual, semi-annual moorage rates on A-M Docks and Tour Dock may be paid in two equal installments of sixty percent (60%) of the annual rate established above. The first installment is due and payable on or before January 1 of any calendar year. The second installment is due on or before July 1 of the same calendar year.

Transient annual, monthly moorage rates on A-M Docks and Tour Dock may be paid in twelve equal installments of twelve percent (12%) of the annual rate established above. Each prepaid installment is due and payable on or before the first day of each month of the same calendar year (January 1, February 1, March 1, etc.).

~~Transient annual, semi-annual moorage rates on Tour Boat Dock may be paid in two equal installments of sixty percent (60%) of the annual rate established above. The first installment is due and payable on January 1 of any calendar year. The second installment is due on or before July 1 of the same calendar year.~~

~~Transient annual, monthly moorage rates on Tour Boat Dock may be paid in twelve equal installments of twelve percent (12%) of the annual rate established above. Each prepaid installment is due and payable on or before the first day of each month of the same calendar year (January 1, February 1, March 1, etc.).~~

2. Monthly Transient Slip Rental

a. Paid in Advance

The monthly rate for transient moorage, based on the overall length of the vessel (including all hull attachments, such as bowsprits, dinghies, davits, etc.) shall be ~~ten dollars (\$10.00)~~ thirteen dollars and eighty-four cents (\$13.84) per foot for all docks except the Tour Boat Dock slips, which shall be twenty dollars (\$20.00) per foot if paid in advance. The monthly rate applies only if paid in advance (or if card on file is approved at month end billing). The rate will increase annually based on Anchorage CPI plus 1 percent (1%) starting in 2027. The updated rate will be published by August 1st of each year.

b. Billed

The monthly rate for billed transient moorage, based on the overall length of the vessel (including all hull attachments, such as bowsprits, dinghies, davits, etc.) shall be ~~fifteen dollars (\$15.00)~~ fifteen dollars and ninety-two cents (\$15.92) per foot for all docks except the Tour Boat Dock slips, which shall be thirty dollars (\$30.00) per foot if moorage must be collected through an invoice. The rate will increase annually based on Anchorage CPI plus 1 percent (1%) starting in 2027. The updated rate will be published by August 1st of each year.

3. Daily Transient Slip Rental

a. Paid in Advance

The daily rate for transient moorage, based on the overall length of the vessel (including all hull attachments, such as bowsprits, dinghies, davits, etc.) shall be one dollar and fifteen cents (\$1.15) per foot for all docks except the Tour Boat Dock slips, which shall be one dollar and fifty cents (\$1.50) per foot if paid in advance. This daily rate applies only if paid in advance (or if card on file is approved at month end billing). The rate will increase annually based on Anchorage CPI plus 1 percent (1%) starting in 2027. The updated rate will be published by August 1st of each year.

b. Billed

The daily rate for billed transient moorage, based on the overall length of the vessel (including all hull attachments, such as bowsprits, dinghies, davits, etc.) shall be one dollar and thirty-three cents (\$1.33) per foot for all docks except the Tour Boat Dock slips, which shall be two dollars and twenty-five cents (\$2.25) per foot if moorage must be collected through an invoice. The rate will increase annually based on Anchorage CPI plus 1 percent (1%) starting in 2027. The updated rate will be published by August 1st of each year.

~~The daily rate for transient moorage, based on the overall length of the vessel (including all hull attachments, such as bowsprits, dinghies, davits, etc.), shall be as follows:~~

_____ Daily moorage paid in advance _____	Charged at \$0.80 per foot per day
_____ Daily moorage billed _____	Charged at \$1.20 per foot per day
_____ Daily moorage paid in advance _____	
 for Tour Boat Dock slips _____	Charged at \$1.50 per foot per day
_____ Daily moorage billed for _____	
 Tour Boat Dock slips _____	Charged at \$2.25 per foot per day

C. Miscellaneous Moorage Fees

Vessels which occupy more than one-half (1/2) of the space between two (2) finger floats will be assessed an over-width fee of two dollars (\$2.00) per square foot over the allowed space.

Vessels propelled solely by human power or personal watercraft and that occupy less than one-half (1/2) of the space between two (2) finger floats will be assessed a fee of twenty-five cents (\$0.25) per square foot per day or two dollars (\$2.00) per square foot per month.

Seaplanes will be assessed moorage by the width of the wings, i.e., if a seaplane takes up the space of three (3) slips, it will be charged accordingly.

Tour or charter vessels using moorage in the harbor to transport passengers (but not staying in the harbor more than three (3) hours, will be assessed a transient passenger tax. This fee will be two dollars (\$2.00) per passenger, per boarding trip. Insurance will be required and the City of Valdez listed as an additional insured.

All commercial vessels, including but not limited to fishing charters, tours, water taxis, kayak transport vessels, etc. shall pay one dollar (\$1.00) per passenger, per boarding trip starting in 2023. All commercial vessels listed in this section are required to provide the harbor with a valid business registration with the City of Valdez on an annual basis while operating in Valdez and list the City of Valdez as “additional insured”. Failure to provide valid registration could result in the loss of permanent slip or use of moorage within the harbor and/or possible fines. Failure to report and/or make payment of fees within thirty (30) days after the end of the calendar year will result in the doubling of fees owed. Failure to report and submit payment after two (2) consecutive years will result in the loss of permanent slip or use of moorage within the harbor and/or possible fines.

Vessels mooring at the Drive-Down Float (DDF) in the South Basin will be assessed a prepaid rate of one dollar and fifty cents (\$1.50) per foot per day or a billed rate of three dollars (\$3.00) per foot per day. (The DDF is there for active loading and unloading and occasional net repair, not for long-term moorage). Vessels that have paid annual moorage may be exempt from additional DDF fees upon approval and/or scheduling with the Harbormaster.

Auxiliary vessels (including personal watercraft) tied alongside, behind, to side of, or in front of the primary vessel, so long as they do not interfere with maneuverability of other vessel operators are allowed. The auxiliary vessel shall be charged transient moorage fees while in the water as applies from Section B. Commercial seine skiffs are exempt ~~unless left in the water without the primary vessel~~ only if stored on deck of primary vessel. Seine skiffs left in the water without the primary vessel, tied alongside or behind the primary vessel are subject to moorage fees.

SECTION II. UPLAND STORAGE AND PARKING

A. Upland storage of vessels, vessels on trailers, trailers, cradles, ~~or~~ vessels on cradles and vehicles, (in either basin, including the Stand Stephens Plaza/A Ramp parking area) during winter months (October 1 - April 30) shall be charged at a minimum rate of sixty dollars (\$60.00) per vessel, vessel on trailer, trailer, ~~or~~ cradle, vessel on cradle or vehicle per month, up to thirty feet (30') in length. For all storage over thirty feet (30') in length, an additional ~~two dollars (\$2.00)~~ three dollars (\$3.00) per foot per month shall be charged.

B. Upland storage of vessels, vessels on trailers, trailers, cradles, vessels on cradles, (in either basin, overflow lot, Kobuk Dr. of Jack Cook Ave.) during the summer months (May 1 - September 30) shall be charged ten dollars (\$10.00) per day.

C. Upland storage of vessels, vessels on trailers, trailers, cradles, ~~or~~ vessels on cradles during the summer months (May 15 - August 31) stored in the truck/trailer area of ~~the~~ either basin's yard shall be charged twenty dollars (\$20.00) per day.

D. Upland storage of vessels, vessels on trailers, trailers, or cradles, or vessels on cradles staying past the nine (9) month allotted time in both basins shall be charged a fee that doubles each additional nine (9) months.

E. Upland storage/parking of vessels hooked to a vehicle or trailers hooked to a vehicle in excess of seven (7) days will be charged the same fees applicable for winter or summer storage.

F. Upland long-term storage/parking of vehicles or trailers (in either basin, overflow lot, Kobuk Dr., or Jack Cook Ave., or Stan Stephens Plaza/A Ramp parking area, or North Harbor Dr.) in excess of seven (7) days shall be charged applicable monthly/daily storage rates.

G. Fisherman's Dock storage space shall be charged at a rate of ten dollars (\$10.00) per day.

H. Parking of vehicles hooked to trailers in either basin (including all parking spaces, along Kobuk Dr., Jack Cook Ave. and the Stan Stephens Plaza/A Ramp parking area) will require a paid parking pass. Pass fees shall be ten dollars (\$10.00) per day, fifty dollars (\$50.00) per week and one hundred fifty dollars (\$150.00) per month. Passes are available for purchase at the Harbor office.

I. Upland overnight camping of recreational vehicles (including campers, camper vans, travel trailers, fifth-wheels, toy haulers, etc.) shall be charged a fee of forty dollars (\$40.00) per night from October 15 to April 15.

H.J. An environmental fee shall be charged to all vessels storing their vessels in the Harbor uplands to help offset SWPPP fees and upland washdown system maintenance. This is an annual fee after thirty (30) days or more in the yard.

1. Trailered vessels shall be charged a flat fee of twenty dollars (\$20.00).
2. Vessels up to 35' shall be charged a flat fee of fifty dollars (\$50.00).
3. Vessels 36'-45' shall be charged a flat fee of sixty dollars (\$60.00).
4. Vessels 46' and over shall be charged a flat fee of seventy dollars (\$70.00).

SECTION III. BOAT LIFT AND TRAILER HAUL-OUTS

A. The following charges shall be made for use of the 75-ton Travelift ~~and Harbor Trailers~~. However, the Harbor reserves the right to refuse lift and trailer services if necessary.

1. The minimum fee for a lift ~~or trailer haul-out (emergency only)~~ shall be ~~three hundred dollars (\$300.00) based on a thirty foot (30')~~ three hundred fifty dollars (\$350.00) for vessels up to forty feet (40') and four hundred fifty dollars (\$450.00) for vessels forty-one feet (41') or longer for the first hour

of use or any portion of time less than one (1) hour. ~~Vessels up to thirty feet (30') in length shall be charged the minimum lift fee. Vessels thirty one feet (31') and longer shall be charged the minimum lift fee plus an additional one dollar (\$1.00) per foot over thirty feet (30'), i.e. a vessel of thirty-eight feet (38') shall be charged a rate of three hundred thirty-eight dollars (\$338.00).~~

2. For use of the lift in excess of one (1) hour over scheduled lift time (if delaying other schedule lifts), a fee of one and a half times the applicable lift rate per hour shall be charged. This charge shall be assessed in no less than fifteen (15) minute increments.
3. For use of the lift after normal working hours, a fee of double the applicable lift rate will be charged. Double the applicable lift rate shall be charged for each consecutive hour, billed out in fifteen (15) minute increments.
4. For use of the lift to hang overnight, a fee of double the applicable lift rate will be charged. Hanging overnight consists of two separate lifts, one in the evening and one in the morning. The last lift of the day must be scheduled with Harbor staff and no longer than one hour shall be taken, or overtime rates will apply as described in item #3 above. Vessels must be in the water by ~~9:00~~ 10:00 a.m. the following morning, as tide allows, or additional charges will be incurred according to item #2 above. All vessels must be supported while hanging in the slings.
5. For use of the lift during winter months, a fee of the applicable lift rate will be charged plus operator labor of sixty dollars (\$60.00) per one-half hour per employee, or one hundred dollars (\$100.00) per hour per employee and use of genie-lift at a flat fee of ~~sixty dollars (\$60.00)~~ one hundred dollars (\$100.00).
6. Failure to cancel a scheduled lift one-half hour prior to time of lift, you will be charged a cancellation fee of one-half the regular lift fee for scheduled vessel.
7. All vessels being lifted to the yard for more than one month will be required to place filter fabric under the length of the vessel and all blocking ~~as well as placing absorbent pads under the keel~~. If vessel owner or agent does not have filter fabric ~~or pads~~, the Harbor will provide ~~them~~ it at our cost, plus fifteen percent (15%).
8. Use of Harbor jack stands (for emergency or impound lifts) will be charged at a rate of five hundred dollars (\$500.00) per week or twenty-five dollars (\$25.00) per day from May 1st through September 30th and three hundred dollars (\$300.00) per month from October 1st through April 30th (billed out in quarter month increments).

9. Vessels requiring to be hauled out that do not have insurance shall be charged double the applicable lift rate.

SECTION IV. GRID, CRANE, AND FISH PUMP FEES

A. Grid rental rates shall be charged the following rates per foot per tide. One dollar and seventy-five cents (\$1.75) for vessels up to forty-nine feet (49'), two dollars and fifty cents (\$2.50) for vessels fifty to seventy feet (50'-70'), three dollars and twenty-five cents (\$3.25) for vessels seventy-one to ninety feet (71'-90'), and four dollars (\$4.00) for vessels ninety-one feet (91') and over, based on the overall length of the vessel (including all hull attachments, such as bowsprits, davits, dinghies, etc.) Once the grid is scheduled and the boat owner fails to show or cancel at least one tide prior to the scheduled grid time, the minimum of one tide will be charged.

B. The Harbormaster shall issue permission for use of the grid and no boat shall be moored onto the grid until such permission has been granted and a Grid Use Agreement has been filed. The grid use shall be scheduled on a first come, first serve basis.

C. The fee for use of the cranes on the Fisherman's Dock shall be eighty dollars (\$80.00) per hour. This fee shall be billable in 15-minute increments. Once the crane has been activated, failure to deactivate the crane at the end of use will result in a one hour minimum charge of eighty dollars (\$80.00).

D. The fee for use of the fish pump on the Fisherman's Dock shall be one hundred fifty dollars (\$150.00) per hour.

E. Assignment of original crane or fish pump card shall be charged fifty dollars (\$50.00). Replacement of crane and fish pump cards shall be charged a rate of twenty dollars (\$20.00) per card.

SECTION V. LABOR AND SERVICES

A. Service and labor performed by the Harbormaster or any City employee working in the Valdez Harbors shall be charged at the flat rate of sixty dollars (\$60.00) per one-half (1/2) hour minimum, per employee and one hundred dollars (\$100.00) per hour minimum, per employee for labor during normal business hours. All labor performed after normal business hours shall be charged at the flat overtime rate of ~~ninety dollars (\$90.00)~~ one hundred fifty dollars (\$150.00) per hour, per employee. Labor requiring a call out will be charged the after-hour rate at a two (2) hour minimum rate per employee. Service and labor requiring HAZWOPER trained staff, shall be charged a flat rate of one hundred fifty dollars (\$150.00) per employee, per hour.

1. The above labor fee includes, but is not limited to, snow removal from vessels, spill clean-up, pressure washing (impounds only), emergency vessel pump-out, etc.

2. Boat moves or towing performed in the North Basin or towed in from the breakwater shall be charged at a flat rate of sixty dollars (\$60.00) plus labor. Boat moves or towing performed from one basin to another shall be charged at a flat rate of one hundred dollars (\$100.00) plus labor.
3. Towing performed outside of the breakwater shall be charged one hundred twenty dollars (\$120.00) plus labor.
4. Pumping of vessels shall be charged a flat rate of fifty dollars (\$50.00) per pump used, plus labor. (In the event a pump or pumps are left on a vessel overnight or for multiple days, a flat fee of fifty dollars (\$50.00) per day shall be charged.)
5. Use of skiff for non-boat move related services shall be charged an hourly rate of one hundred dollars (\$100.00) plus labor.
6. Use of bobcat, loader or other equipment for customer assistance shall be charged a flat fee of ~~sixty dollars (\$60.00)~~ one hundred dollars (\$100.00) plus labor.
7. Deployment of boom shall be charged at two hundred fifty dollars (\$250.00) plus labor and equipment costs.
8. Use of the dump station (located opposite the Harbormaster Office) from October 15th to April 15th (by appointment only), shall be charged ten dollars (\$10.00) plus labor per use.
9. Use of the bilge pump from May 15th to October 15th (by appointment only), shall be charged twenty-five dollars (\$25.00) plus labor per use.

B. All materials and/or supplies shall be charged at cost to the City plus fifteen percent (15%).

SECTION VI. WAIT LIST AND MOVE LIST

A fifty dollar (\$50.00) per year non-refundable fee shall be charged per listing to each customer placing his/her name on the waiting list for a reserved slip.

A fee of twenty-five dollars (\$25.00) shall be charged for each move request.

SECTION VII. ELECTRICAL SERVICE IN THE HARBOR

A. Slip holders will be charged a monthly service charge of twelve dollars (\$12.00) and the actual cost of power per kilowatt hour as charged by the utility plus (\$0.025) per kilowatt hour. Kilowatt rates fluctuate monthly throughout the year per local utility. (Owners or operators are responsible for notifying the Harbor office of their in and out readings from their slips.)

B. Daily flat rate for power on the water is ten dollars (\$10.00)/day for 30amp, fifteen dollars (\$15.00)/day for 50amp and twenty-five dollars (\$25.00)/day for 100amp. This rate is for transient vessels staying 15 consecutive days or less.

C. Vessel owners connecting to power without prior authorization from Harbor staff will be fined. See Section IX #12 Tampering or unauthorized use of utilities.

D. Service Fee Reimbursement – For electric pedestal amperage overloads, and GFCI trips (2 or more in a 60-day period, verified it is a vessel issue) shall be charged the applicable labor rate, and emergency call-out fees may also apply.

SECTION VIII. LAUNCH RAMP

A. Launch ramp fees will be charged at ~~ten dollars (\$10.00)~~ fifteen dollars (\$15.00) per day or ~~seventy-five dollars (\$75.00)~~ one hundred dollars (\$100.00) per calendar year for use of the launch ramp. Vessels paying annual moorage fees will be exempt from this fee, but any trailer or truck and trailer left is subject to normal storage fees.

B. This fee excludes vessels propelled solely by human power, which shall pay five dollars (\$5.00) per day or thirty-seven dollars and fifty cents (\$37.50) per year for use of the launch ramp.

C. Vessel owners failing to provide proof of launch payment by receipt, self-pay stub or season launch sticker displayed on or in vehicle will be fined. See Section IX #21 Failure to pay launch fee.

D. Vessels left unattended or blocking the launch ramps will be charged a fee of twenty dollars (\$20.00) per hour.

SECTION IX. MISCELLANEOUS HARBOR FEES/FINES

The following fees/fines will be assessed for Valdez Harbors infractions:

1. \$ 50.00 Speeding/violation of “No Wake” speed
2. \$ 75.00 Operating a vessel in a reckless manner
3. \$ 75.00 Operating a vessel in a negligent manner
4. \$ 75.00 Trolling or fishing from a vessel in the Valdez Harbors or breakwater
5. \$ 75.00 Impeding safe navigation
6. \$200.00 Disposing of trash, garbage, human refuse or animal waste, or any similar substance in the water of the harbors or upon the harbor grounds. Each infraction after the initial disposition of waste will result in an additional increase of one hundred dollars \$100.00 per violation. Upon third violation, you will be trespassed from the Harbors.
7. \$200.00 Releasing any fuel, oil, or their derivatives into the water or onto the lands of the harbors. Each infraction after the initial release will result in an additional increase of one hundred dollars \$100.00 per violation. Upon third violation, you will be trespassed from the Harbors.

8. \$ 75.00 Failure to register with the Harbormaster any vessel on which stall or space rental is not currently being paid and occupying any of the Valdez Harbors (Additional labor rates may apply if research related to unregistered boats is required).
9. \$ 50.00 Creating a nuisance or conducting unlawful business
10. \$ 50.00 Failure to properly control dog or other animal
11. \$ 50.00 Improper storage on any float, ramp, decline, walk or other public place in the Valdez Harbors, except at designated loading/unloading spaces
12. \$250.00 Tampering or unauthorized use of utilities
13. \$ 25.00 Posting on bulletin board without proper consent
14. \$ 25.00 Improper posting of advertisement
15. \$100.00 Tampering or removing any sign or notice
16. \$ 50.00 Subleasing a slip to another user
17. \$500.00 Impoundment of vessel or vehicle due to lack of payment or dereliction
18. \$>500.00 A collection fee will be applied to any account for which formal collection action is taken, regardless of the base delinquent amount. The fee will be 100% of base amount, but not to exceed five hundred dollars (\$500.00).
19. \$ 50.00 Parking in a fire zone
20. \$100.00 Failure to provide 24-hour notice for Harbor staff to accommodate adequate time for slip clearance
21. \$ 40.00 Failure to pay launch fee
22. \$100.00 Failure to adhere to the Harbor's "Code of Conduct," Harassing customers or staff. Deliberate behavior that is intimidating, hostile, offensive, or adversely impacts staff work performance.
23. \$ 50.00 Failure to launch tenant vessel after giving notice for Harbor to clear slip and transient vessel was charged move fee, when the move turned out to be unnecessary
24. \$200.00 Blocking of the cranes with unattended gear, vehicles, netting, trailers, etc. shall be charged a fine of two hundred dollars (\$200.00) per day.
25. \$200.00 Storage on the Drive Down Float (which is prohibited) of unattended gear, vehicles, netting, trailers, etc. shall be charged a fine of two hundred dollars (\$200.00) per day.
26. \$200.00+ Any commercial business or non-commercial entity performing unauthorized work, i.e. no approved permit or registration within the public lands controlled by the Valdez Harbors shall receive a penalty fine of two hundred dollars (\$200.00) per the 1st incident, ~~four hundred dollars (\$400.00)~~ three hundred fifty dollars (\$350.00) per the 2nd incident and ~~eight hundred dollars (\$800.00)~~ five hundred dollars (\$500.00) for the 3rd incident. After 3rd incident, business or entity will be trespassed from the Harbors.
27. \$ 100.00 Defacing or vandalism of/on Harbor docks or uplands. Materials and labor charges will apply if applicable.

28. ~~\$1,000.00~~500.00 Release of any type of fireworks into the water or onto the lands of the Harbor **per offense, per person**. ~~Each infraction after the initial offense will result in an additional increase of one thousand dollars \$1,000.00 per violation.~~ Upon third violation, you will be trespassed from the Harbor.
29. \$50.00/day Failure to return temporary card key for use of cranes or fish pump
30. \$100.00 Unauthorized use of wheeled or motorized conveyances on floats, ramps, or on water; i.e. skateboards, rollerblades, bicycles, motorcycles, wake foils, etc. unless pre-authorized by Harbor staff. Use of accessible resources are excluded from this.
31. \$100.00 Unauthorized permanent attachment of cleats, bumpers, fendering, etc. on docks or finger floats.
32. \$300.00 Utilization of boat grid without prior authorization and scheduling.
33. \$ 75.00 Disturbing the peace (fee applies per complaint, i.e. if three people complain about the same disturbance the total charge would be two hundred twenty-five dollars (\$225.00).
34. \$ 40.00 Unauthorized camping on City of Valdez Harbor properties (May 1-Sept. 30, sixty dollars (\$60.00) per day, Oct. 1-April 30, forty dollars (\$40.00) per day).
35. \$5.00/day Failure to provide current insurance, moorage contract, or registration/documentation. The fee is assessed per document per day, billed at month end.
36. \$300.00/day Denied moorage or storage: any vessel or property that has been formally denied moorage or storage and not yet impounded and remains on harbor property shall be assessed this fee.
37. \$0.04/gallon Fueling a vessel not located at a designated fuel dock must be scheduled through the Harbor office in advance and pay the applicable per gallon fee.
38. Cost+25% If the Harbor is required to dispose of a vessel, the vessel owner will be charged and sent to collections if necessary.
39. \$35.00 Returned check fee.

SECTION X. SHOWER AND LAUNDRY FACILITIES

A fee of four dollars (\$5.00) per shower will be charged for use of public showers in the restrooms located below the North Harbor office and the South Harbor Warehouse/Public Shower/Restroom building.

A fee of six dollars (\$6.00) per wash, one dollar (\$2.00) per twelve-minute cycle for dryer will be charged for use of public laundry facilities located at the South Harbor Warehouse/Public Shower/Restroom building.

SECTION XI. MAINTENANCE AND WASHDOWN PADS

Use of the Maintenance Pads may be charged a fee of twenty dollars (\$20.00) per day for fourteen days or less; twenty-five dollars (\$25.00) per day for fifteen to thirty days; thirty-five dollars (\$35.00) per day for thirty-one days or more and includes use of power and water. In the event of unexpected or extenuating circumstances, the rate may be lowered or capped at the discretion of the Harbormaster. Use of maintenance pads is by reservation with Harbor office staff. If use of a maintenance pad is to exceed thirty (30) days, a work plan must be filed with the Harbormaster.

~~Use of Maintenance Pads during winter months (once water has been shut off) but electric power is needed, vessel owners will be charged a monthly service fee of twelve dollars (\$12.00) and the actual cost of power per kilowatt hour as charged by the utility plus (\$0.025) per kilowatt hour. Vessel owners are responsible for providing their own Metermid utility counter or other like type of counter. If no Metermid is being used then regular daily rate of power applies.~~ Use of Maintenance Pads for impounded vessel shall be charged a fee double the applicable rate.

Use of Maintenance Pads more than three (3) months, the thirty-one (31) day plus fee shall double. At the discretion of the Harbormaster, and there is an active and approved work plan, the doubling of fees may be waived. In the event no active work is being performed, the Harbormaster has the right to revoke the work plan and back charges may apply.

Use of Washdown Pads are is free. Power is available at the Washdown Pads and in the uplands for fifteen dollars (\$15.00) per day.

The fee for use of a pressure washer (used only on maintenance or washdown pads) shall be charged a rate of fifty dollars (\$50.00) per hour.

SECTION XII. WATERFRONT VENDOR AND ACTIVITY

Any commercial business selling goods or services within public lands controlled by the Valdez Harbors must first obtain a Waterfront Commercial Work Permit. The fee for the permit shall be five hundred dollars (\$500.00) annually.

Any non-commercial entities, i.e. fish filleters selling services within the public lands controlled by the Valdez Harbors must first register with a Waterfront Activity Registration. The fee for the registration shall be two hundred dollars (\$200.00) annually and will increase by one hundred dollars (\$100.00) per year until 2028, capping at five hundred dollars (\$500.00). ~~Snow shovelers are also required to register with the Harbormaster by filling out a Waterfront Activity Registration at not cost.~~

CITY OF VALDEZ, ALASKA

RESOLUTION NO. 26-29

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA NAMING RATES AND FEES FOR USE OF FACILITIES IN THE VALDEZ HARBORS AND REPEALING RESOLUTION 24-51 FORMERLY NAMING SUCH RATES AND FEES

WHEREAS, the Valdez Harbors are operated and maintained under the jurisdiction of the Valdez City Council; and,

WHEREAS, Resolution 24-51 previously established the schedule of rates and fees for the public use of the Valdez Harbors; and,

WHEREAS, the City Council has determined that adjustments in rates and fees are necessary in order to provide for adequate funding of long-term maintenance and operations of the Harbors.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE City OF VALDEZ, ALASKA, that:

Section 1. Resolution 24-51 is hereby repealed.

Section 2. The attached schedule of rates and fees shall govern the public use of the facilities in the Valdez Harbors.

Section 3. This resolution shall become effective upon approval.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA, this 6th day of May 2026

CITY OF VALDEZ, ALASKA

Dennis Fleming, Mayor

ATTEST:

Sheri L. Pierce, MMC, City Clerk

**VALDEZ SMALL BOAT HARBOR
SCHEDULE OF RATES AND FEES
ATTACHMENT TO RESOLUTION #26-28**

SECTION I. MOORAGE FEES

A. Annual Slip Rental

The due date for all annual moorage rentals is established as January 1 in any calendar year to allow maximum utilization of the Valdez Harbors. At the option of the vessel owner, the moorage fee may be paid in annual, semi-annual or monthly installments. In the event a reserved moorage space comes available later in the calendar year, annual moorage shall be pro-rated based on the date of assignment, as applicable.

The annual moorage fee for reserved moorage privileges shall be based on the length of float assigned or the overall length of the vessel (including all hull attachments, such as bowsprits, davits, dinghies, etc.) whichever is longer. (Commercial seine skiffs are exempt, only if stored on deck of primary vessel. Seine skiffs tied alongside or behind are subject to moorage fees).

The rate structure for reserved moorage privileges on A-K and R-W Docks will be increased annually to help offset the ongoing effects of inflationary pressures and other cost escalations associated with the long-term maintenance and operations of the Valdez Harbors. Annual increases will be set initially in three-year increments followed by yearly increments and be expressed as a percentage amount, not to be exceeded.

Twenty foot (20') sized slip moorage rates will be evaluated periodically but will not increase unless authorized by this resolution. Twenty foot (20') sized slip rates will be charged at thirty-five dollars (\$35.00) per foot per year.

For the three-year period 2025, 2026, and 2027 the annual increase for reserved moorage for twenty-four foot (24') to one hundred foot (100') sized slips will be a percentage amount not to exceed five percent (5%) per year. This resolution authorizes an increase of up to this amount each year, except that the City Council may, during the annual budget process, set the increase at a lesser amount for the next calendar year. After the three-year period, twenty-four foot (24') slips and larger moorage will increase annually based on Anchorage CPI plus 1 percent (1%), starting in 2028. The updated rate will be published by August 1st of each year.

Reserved semi-annual moorage rates on A-M and R-W_Docks may be paid in two equal installments of sixty percent (60%) of the annual rate established above. The first installment is due and payable on or before January 1 of any calendar year. The second installment is due on or before July 1 of the same calendar year.

Reserved monthly moorage rates on A-M and R-W Docks may be paid in twelve equal installments of twelve percent (12%) of the annual rate established above. Each prepaid installment is due and payable on or before the first day of each month of the same calendar year (January 1, February 1, March 1, etc.).

Reserved Tour Boat Dock moorage rates will increase annually based on Anchorage CPI plus 1 percent (1%) starting in 2027. The updated rate will be published by August 1st of each year. Tour Boat Dock rates will be charged at eighty dollars and twenty-three cents (\$80.23) per foot per year. At the option of the vessel owner, the moorage fee may be paid in annual, semi-annual or monthly installments.

Reserved semi-annual moorage rates on Tour Boat Dock may be paid in two equal installments of sixty percent (60%) of the annual rate established above. The first installment is due and payable on or before January 1 of any calendar year. The second installment is due on or before July 1 of the same calendar year.

Reserved monthly moorage rates on Tour Boat Dock may be paid in twelve equal installments of twelve percent (12%) of the annual rate established above. Each prepaid installment is due and payable on or before the first day of each month of the same calendar year (January 1, February 1, March 1, etc.).

All tour boats 60 feet overall length or longer shall be berthed at the Tour Boat Dock. All slips located at the Tour Boat Dock facility shall be classed as 100-foot slips. The rate shall be the annual moorage rate fee per foot per year based on the 100-foot length of the slip or the vessel length, whichever is greater. Tour boats have preferential rights to all Tour Boat Dock slips. In the event more tour boats than Tour Boat Dock slips are available, a waiting list will be implemented.

B. Transient Slip Rental

For the purpose of calculating moorage, daily moorage is considered a 24-hour period from 8:00 a.m. to 8:00 a.m. the following day. Up to three (3) hours will be allowed for loading and unloading of vessels. Vessels moored longer than three (3) hours will be assessed transient moorage fees.

1. Annual Transient Slip Rental

The annual moorage fee for transient moorage privileges shall be 115% of the rate charged for reserved moorage. This fee shall be based on the length of the normally assigned float or the overall length of the vessel (including all hull attachments, such as bowsprits, dinghies, davits, etc.) whichever is longer. The annual rate applies only if paid in advance (or if card on file is approved at month end billing). At the option of the vessel owner, the annual moorage fee may be paid in annual, semi-annual or monthly installments.

Transient annual, semi-annual moorage rates on A-M Docks and Tour Dock may be paid in two equal installments of sixty percent (60%) of the annual rate established above. The first installment is due and payable on or before January 1 of any calendar year. The second installment is due on or before July 1 of the same calendar year.

Transient annual, monthly moorage rates on A-M Docks and Tour Dock may be paid in twelve equal installments of twelve percent (12%) of the annual rate established above. Each prepaid installment is due and payable on or before the first day of each month of the same calendar year (January 1, February 1, March 1, etc.).

2. Monthly Transient Slip Rental

a. Paid in Advance

The monthly rate for transient moorage, based on the overall length of the vessel (including all hull attachments, such as bowsprits, dinghies, davits, etc.) shall be thirteen dollars and eighty-four cents (\$13.84) per foot for all docks except the Tour Boat Dock slips, which shall be twenty dollars (\$20.00) per foot if paid in advance. The monthly rate applies only if paid in advance (or if card on file is approved at month end billing). The rate will increase annually based on Anchorage CPI plus 1 percent (1%) starting in 2027. The updated rate will be published by August 1st of each year.

b. Billed

The monthly rate for billed transient moorage, based on the overall length of the vessel (including all hull attachments, such as bowsprits, dinghies, davits, etc.) shall be fifteen dollars and ninety-two cents (\$15.92) per foot for all docks except the Tour Boat Dock slips, which shall be thirty dollars (\$30.00) per foot if moorage must be collected through an invoice. The rate will increase annually based on Anchorage CPI plus 1 percent (1%) starting in 2027. The updated rate will be published by August 1st of each year.

3. Daily Transient Slip Rental

a. Paid in Advance

The daily rate for transient moorage, based on the overall length of the vessel (including all hull attachments, such as bowsprits, dinghies, davits, etc.) shall be one dollar and fifteen cents (\$1.15) per foot for all docks except the Tour Boat Dock slips, which shall be one dollar and fifty cents (\$1.50) per foot if paid in advance. This daily rate applies only if paid in advance (or if card on file is approved at month end billing). The rate will increase annually based on Anchorage CPI plus 1 percent (1%) starting in 2027. The updated rate will be published by August 1st of each year.

b. Billed

The daily rate for billed transient moorage, based on the overall length of the vessel (including all hull attachments, such as bowsprits, dinghies, davits, etc.) shall be one dollar and thirty-three cents (\$1.33) per foot for all docks except the Tour Boat Dock slips, which shall be two dollars and twenty-five cents (\$2.25) per foot if moorage must be collected through an invoice. The rate will increase annually based on Anchorage CPI plus 1 percent (1%) starting in 2027. The updated rate will be published by August 1st of each year.

C. Miscellaneous Moorage Fees

Vessels which occupy more than one-half (1/2) of the space between two (2) finger floats will be assessed an over-width fee of two dollars (\$2.00) per square foot over the allowed space.

Vessels propelled solely by human power or personal watercraft and that occupy less than one-half (1/2) of the space between two (2) finger floats will be assessed a fee of twenty-five cents (\$0.25) per square foot per day or two dollars (\$2.00) per square foot per month.

Seaplanes will be assessed moorage by the width of the wings, i.e., if a seaplane takes up the space of three (3) slips, it will be charged accordingly.

Tour or charter vessels using moorage in the harbor to transport passengers (but not staying in the harbor more than three (3) hours, will be assessed a transient passenger tax. This fee will be two dollars (\$2.00) per passenger, per boarding trip. Insurance will be required and the City of Valdez listed as an additional insured.

All commercial vessels, including but not limited to fishing charters, tours, water taxis, kayak transport vessels, etc. shall pay one dollar (\$1.00) per passenger, per boarding trip starting in 2023. All commercial vessels listed in this section are required to provide the harbor with a valid business registration with the City of Valdez on an annual basis while operating in Valdez and list the City of Valdez as "additional insured". Failure to provide valid registration could result in the loss of permanent slip or use of moorage within the harbor and/or possible fines. Failure to report and/or make payment of fees within thirty (30) days after the end of the calendar year will result in the doubling of fees owed. Failure to report and submit payment after two (2) consecutive years will result in the loss of permanent slip or use of moorage within the harbor and/or possible fines.

Vessels mooring at the Drive-Down Float (DDF) in the South Basin will be assessed a prepaid rate of one dollar and fifty cents (\$1.50) per foot per day or a billed rate of three dollars (\$3.00) per foot per day. (The DDF is there for active loading and unloading and occasional net repair, not for long-term moorage). Vessels that have paid annual moorage may be exempt from additional DDF fees upon approval and/or scheduling with the Harbormaster.

Auxiliary vessels (including personal watercraft) tied alongside, behind, to side of, or in front of the primary vessel, so long as they do not interfere with maneuverability of other vessel operators are allowed. The auxiliary vessel shall be charged transient moorage fees while in the water as applies from Section B. Commercial seine skiffs are exempt only if stored on deck of primary vessel. Seine skiffs left in the water without the primary vessel, tied alongside or behind the primary vessel are subject to moorage fees.

SECTION II. UPLAND STORAGE AND PARKING

A. Upland storage of vessels, vessels on trailers, trailers, cradles, vessels on cradles and vehicles, (in either basin, including the Stan Stephens Plaza/A Ramp parking area) during winter months (October 1 - April 30) shall be charged at a minimum rate of sixty dollars (\$60.00) per vessel, vessel on trailer, trailer, cradle, vessel on cradle or vehicle per month, up to thirty feet (30') in length. For all storage over thirty feet (30') in length, an additional three dollars (\$3.00) per foot per month shall be charged.

B. Upland storage of vessels, vessels on trailers, trailers, cradles, vessels on cradles, (in either basin, overflow lot, Kobuk Dr. of Jack Cook Ave.) during the summer months (May 1 - September 30) shall be charged ten dollars (\$10.00) per day.

C. Upland storage of vessels, vessels on trailers, trailers, cradles, vessels on cradles during the summer months (May 15 - August 31) stored in the truck/trailer area of either basin's yard shall be charged twenty dollars (\$20.00) per day.

D. Upland storage of vessels, vessels on trailers, trailers, cradles, or vessels on cradles staying past the nine (9) month allotted time in both basins shall be charged a fee that doubles each additional nine (9) months.

E. Upland storage/parking of vessels hooked to a vehicle or trailers hooked to a vehicle in excess of seven (7) days will be charged the same fees applicable for winter or summer storage.

F. Upland long-term storage/parking of vehicles or trailers (in either basin, overflow lot, Kobuk Dr., Jack Cook Ave., Stan Stephens Plaza/A Ramp parking area, or North Harbor Dr.) in excess of seven (7) days shall be charged applicable monthly/daily storage rates.

G. Fisherman's Dock storage space shall be charged at a rate of ten dollars (\$10.00) per day.

H. Parking of vehicles hooked to trailers in either basin (including all parking spaces, along Kobuk Dr., Jack Cook Ave. and the Stan Stephens Plaza/A Ramp parking area) will require a paid parking pass. Pass fees shall be ten dollars (\$10.00) per day, fifty dollars (\$50.00) per week and one hundred fifty dollars (\$150.00) per month. Passes are available for purchase at the Harbor office.

I. Upland overnight camping of recreational vehicles (including campers, camper vans, travel trailers, fifth-wheels, toy haulers, etc.) shall be charged a fee of forty dollars (\$40.00) per night from October 15 to April 15.

J. An environmental fee shall be charged to all vessels storing their vessels in the Harbor uplands to help offset SWPPP fees and upland washdown system maintenance. This is an annual fee after thirty (30) days or more in the yard.

1. Trailered vessels shall be charged a flat fee of twenty dollars (\$20.00).
2. Vessels up to 35' shall be charged a flat fee of fifty dollars (\$50.00).
3. Vessels 36'-45' shall be charged a flat fee of sixty dollars (\$60.00).
4. Vessels 46' and over shall be charged a flat fee of seventy dollars (\$70.00).

SECTION III. BOAT LIFT

A. The following charges shall be made for use of the 75-ton Travelift. However, the Harbor reserves the right to refuse lift and trailer services if necessary.

1. The minimum fee for a lift shall three hundred fifty dollars (\$350.00) for vessels up to forty feet (40') and four hundred fifty dollars (\$450.00) for vessels forty-one feet (41') or longer_for the first hour of use or any portion of time less than one (1) hour-
2. For use of the lift in excess of one (1) hour over scheduled lift time (if delaying other schedule lifts), a fee of one and a half times the applicable lift rate per hour shall be charged. This charge shall be assessed in no less than fifteen (15) minute increments.
3. For use of the lift after normal working hours, a fee of double the applicable lift rate will be charged. Double the applicable lift rate shall be charged for each consecutive hour, billed out in fifteen (15) minute increments.
4. For use of the lift to hang overnight, a fee of double the applicable lift rate will be charged. Hanging overnight consists of two separate lifts, one in the evening and one in the morning. The last lift of the day must be scheduled with Harbor staff and no longer than one hour shall be taken, or overtime rates will apply as described in item #3 above. Vessels must be in the water by 10:00 a.m. the following morning, as tide allows, or additional charges will be incurred according to item #2 above. All vessels must be supported while hanging in the slings.
5. For use of the lift during winter months, a fee of the applicable lift rate will be charged plus operator labor of sixty dollars (\$60.00) per one-half hour per employee, or one hundred dollars (\$100.00) per hour per employee and use of genie-lift at a flat fee of one hundred dollars (\$100.00).

6. Failure to cancel a scheduled lift one-half hour prior to time of lift, you will be charged a cancellation fee of one-half the regular lift fee for scheduled vessel.
7. All vessels being lifted to the yard for more than one month will be required to place filter fabric under the length of the vessel and all blocking. If vessel owner or agent does not have filter fabric, the Harbor will provide it at our cost, plus fifteen percent (15%).
8. Use of Harbor jack stands (for emergency or impound lifts) will be charged at a rate of five hundred dollars (\$500.00) per week or twenty-five dollars (\$25.00) per day from May 1st through September 30th and three hundred dollars (\$300.00) per month from October 1st through April 30th (billed out in quarter month increments).
9. Vessels requiring to be hauled out that do not have insurance shall be charged double the applicable lift rate.

SECTION IV. GRID, CRANE, AND FISH PUMP FEES

A. Grid rental rates shall be charged the following rates per foot per tide. One dollar and seventy-five cents (\$1.75) for vessels up to forty-nine feet (49'), two dollars and fifty cents (\$2.50) for vessels fifty to seventy feet (50'-70'), three dollars and twenty-five cents (\$3.25) for vessels seventy-one to ninety feet (71'-90'), and four dollars (\$4.00) for vessels ninety-one feet (91') and over, based on the overall length of the vessel (including all hull attachments, such as bowsprits, davits, dinghies, etc.) Once the grid is scheduled and the boat owner fails to show or cancel at least one tide prior to the scheduled grid time, the minimum of one tide will be charged.

B. The Harbormaster shall issue permission for use of the grid and no boat shall be moored onto the grid until such permission has been granted and a Grid Use Agreement has been filed. The grid use shall be scheduled on a first come, first serve basis.

C. The fee for use of the cranes on the Fisherman's Dock shall be eighty dollars (\$80.00) per hour. This fee shall be billable in 15-minute increments. Once the crane has been activated, failure to deactivate the crane at the end of use will result in a one hour minimum charge of eighty dollars (\$80.00).

D. The fee for use of the fish pump on the Fisherman's Dock shall be one hundred fifty dollars (\$150.00) per hour.

E. Assignment of original crane or fish pump card shall be charged fifty dollars (\$50.00). Replacement of crane and fish pump cards shall be charged a rate of twenty dollars (\$20.00) per card.

SECTION V. LABOR AND SERVICES

A. Service and labor performed by the Harbormaster or any City employee working in the Valdez Harbors shall be charged at the flat rate of sixty dollars (\$60.00) per one-half (1/2) hour minimum, per employee and one hundred dollars (\$100.00) per hour minimum, per employee for labor during normal business hours. All labor performed after normal business hours shall be charged at the flat overtime rate of one hundred fifty dollars (\$150.00) per hour, per employee. Labor requiring a call out will be charged the after-hour rate at a two (2) hour minimum rate per employee. Service and labor requiring HAZWOPER trained staff, shall be charged a flat rate of one hundred fifty dollars (\$150.00) per employee, per hour.

1. The above labor fee includes, but is not limited to, snow removal from vessels, spill clean-up, pressure washing (impounds only), emergency vessel pump-out, etc.
2. Boat moves or towing performed in the North Basin or towed in from the breakwater shall be charged at a flat rate of sixty dollars (\$60.00) plus labor. Boat moves or towing performed from one basin to another shall be charged at a flat rate of one hundred dollars (\$100.00) plus labor.
3. Towing performed outside of the breakwater shall be charged one hundred twenty dollars (\$120.00) plus labor.
4. Pumping of vessels shall be charged a flat rate of fifty dollars (\$50.00) per pump used, plus labor. (In the event a pump or pumps are left on a vessel overnight or for multiple days, a flat fee of fifty dollars (\$50.00) per day shall be charged.)
5. Use of skiff for non-boat move related services shall be charged an hourly rate of one hundred dollars (\$100.00) plus labor.
6. Use of bobcat, loader or other equipment for customer assistance shall be charged a flat fee of one hundred dollars (\$100.00) plus labor.
7. Deployment of boom shall be charged at two hundred fifty dollars (\$250.00) plus labor and equipment costs.
8. Use of the dump station (located opposite the Harbormaster Office) from October 15th to April 15th (by appointment only), shall be charged ten dollars (\$10.00) plus labor per use.
9. Use of the bilge pump from May 15th to October 15th (by appointment only), shall be charged twenty-five dollars (\$25.00) plus labor per use.

B. All materials and/or supplies shall be charged at cost to the City plus fifteen percent (15%).

SECTION VI. WAIT LIST AND MOVE LIST

A fifty dollar (\$50.00) per year non-refundable fee shall be charged per listing to each customer placing his/her name on the waiting list for a reserved slip.

A fee of twenty-five dollars (\$25.00) shall be charged for each move request.

SECTION VII. ELECTRICAL SERVICE IN THE HARBOR

- A. Slip holders will be charged a monthly service charge of twelve dollars (\$12.00) and the actual cost of power per kilowatt hour as charged by the utility plus (\$0.025) per kilowatt hour. Kilowatt rates fluctuate monthly throughout the year per local utility. (Owners or operators are responsible for notifying the Harbor office of their in and out readings from their slips.)

- B. Daily flat rate for power on the water is ten dollars (\$10.00)/day for 30amp, fifteen dollars (\$15.00)/day for 50amp and twenty-five dollars (\$25.00)/day for 100amp. This rate is for transient vessels staying 15 consecutive days or less.

- C. Vessel owners connecting to power without prior authorization from Harbor staff will be fined. See Section IX #12 Tampering or unauthorized use of utilities.

- D. Service Fee Reimbursement – For electric pedestal amperage overloads, and GFCI trips (2 or more in a 60-day period, verified it is a vessel issue) shall be charged the applicable labor rate, and emergency call-out fees may also apply.

SECTION VIII. LAUNCH RAMP

- A. Launch ramp fees will be charged at fifteen dollars (\$15.00) per day or one hundred dollars (\$100.00) per calendar year for use of the launch ramp. Vessels paying annual moorage fees will be exempt from this fee, but any trailer or truck and trailer left is subject to normal storage fees.

- B. This fee excludes vessels propelled solely by human power, which shall pay five dollars (\$5.00) per day or thirty-seven dollars and fifty cents (\$37.50) per year for use of the launch ramp.

- C. Vessel owners failing to provide proof of launch payment by receipt, self-pay stub or season launch sticker displayed on or in vehicle will be fined. See Section IX #21 Failure to pay launch fee.

- D. Vessels left unattended or blocking the launch ramps will be charged a fee of twenty dollars (\$20.00) per hour.

SECTION IX. MISCELLANEOUS HARBOR FEES/FINES

The following fees/fines will be assessed for Valdez Harbors infractions:

- 1. \$ 50.00 Speeding/violation of “No Wake” speed

2. \$ 75.00 Operating a vessel in a reckless manner
3. \$ 75.00 Operating a vessel in a negligent manner
4. \$ 75.00 Trolling or fishing from a vessel in the Valdez Harbors or breakwater
5. \$ 75.00 Impeding safe navigation
6. \$200.00 Disposing of trash, garbage, human refuse or animal waste, or any similar substance in the water of the harbors or upon the harbor grounds. Each infraction after the initial disposition of waste will result in an additional increase of one hundred dollars \$100.00 per violation. Upon third violation, you will be trespassed from the Harbors.
7. \$200.00 Releasing any fuel, oil, or their derivatives into the water or onto the lands of the harbors. Each infraction after the initial release will result in an additional increase of one hundred dollars \$100.00 per violation. Upon third violation, you will be trespassed from the Harbors.
8. \$ 75.00 Failure to register with the Harbormaster any vessel on which stall or space rental is not currently being paid and occupying any of the Valdez Harbors (Additional labor rates may apply if research related to unregistered boats is required).
9. \$ 50.00 Creating a nuisance or conducting unlawful business
10. \$ 50.00 Failure to properly control dog or other animal
11. \$ 50.00 Improper storage on any float, ramp, decline, walk or other public place in the Valdez Harbors, except at designated loading/unloading spaces
12. \$250.00 Tampering or unauthorized use of utilities
13. \$ 25.00 Posting on bulletin board without proper consent
14. \$ 25.00 Improper posting of advertisement
15. \$100.00 Tampering or removing any sign or notice
16. \$ 50.00 Subleasing a slip to another user
17. \$500.00 Impoundment of vessel or vehicle due to lack of payment or dereliction
18. \$>500.00 A collection fee will be applied to any account for which formal collection action is taken, regardless of the base delinquent amount. The fee will be 100% of base amount, but not to exceed five hundred dollars (\$500.00).
19. \$ 50.00 Parking in a fire zone
20. \$100.00 Failure to provide 24-hour notice for Harbor staff to accommodate adequate time for slip clearance
21. \$ 40.00 Failure to pay launch fee
22. \$100.00 Failure to adhere to the Harbor's "Code of Conduct," Harassing customers or staff. Deliberate behavior that is intimidating, hostile, offensive, or adversely impacts staff work performance.
23. \$ 50.00 Failure to launch tenant vessel after giving notice for Harbor to clear slip and transient vessel was charged move fee, when the move turned out to be unnecessary

24. \$200.00 Blocking of the cranes with unattended gear, vehicles, netting, trailers, etc. shall be charged a fine of two hundred dollars (\$200.00) per day.
25. \$200.00 Storage on the Drive Down Float (which is prohibited) of unattended gear, vehicles, netting, trailers, etc. shall be charged a fine of two hundred dollars (\$200.00) per day.
26. \$200.00+ Any commercial business or non-commercial entity performing unauthorized work, i.e. no approved permit or registration within the public lands controlled by the Valdez Harbors shall receive a penalty fine of two hundred dollars (\$200.00) per the 1st incident, three hundred fifty dollars (\$350.00) per the 2nd incident and five hundred dollars (\$500.00) for the 3rd incident. After 3rd incident, business or entity will be trespassed from the Harbors.
27. \$100.00 Defacing or vandalism of/on Harbor docks or uplands. Materials and labor charges will apply if applicable.
28. \$500.00 Release of any type of fireworks into the water or onto the lands of the Harbor per offense, per person. Upon third violation, you will be trespassed from the Harbor.
29. \$50.00/day Failure to return temporary card key for use of cranes or fish pump
30. \$100.00 Unauthorized use of wheeled or motorized conveyances on floats, ramps, or on water; i.e. skateboards, rollerblades, bicycles, motorcycles, wake foils, etc. unless pre-authorized by Harbor staff. Use of accessible resources are excluded from this.
31. \$100.00 Unauthorized permanent attachment of cleats, bumpers, fendering, etc. on docks or finger floats.
32. \$300.00 Utilization of boat grid without prior authorization and scheduling.
33. \$ 75.00 Disturbing the peace (fee applies per complaint, i.e. if three people complain about the same disturbance the total charge would be two hundred twenty-five dollars (\$225.00).
34. \$ 40.00 Unauthorized camping on City of Valdez Harbor properties (May 1-Sept. 30, sixty dollars (\$60.00) per day, Oct. 1-April 30, forty dollars (\$40.00) per day).
35. \$5.00/day Failure to provide current insurance, moorage contract, or registration/documentation. The fee is assessed per document per day, billed at month end.
36. \$300.00/day Denied moorage or storage: any vessel or property that has been formally denied moorage or storage and not yet impounded and remains on harbor property shall be assessed this fee.
37. \$0.04/gallon Fueling a vessel not located at a designated fuel dock must be scheduled through the Harbor office in advance and pay the applicable per gallon fee.
38. Cost+25% If the Harbor is required to dispose of a vessel, the vessel owner will be charged and sent to collections if necessary.
39. \$35.00 Returned check fee.

SECTION X. SHOWER AND LAUNDRY FACILITIES

A fee of four dollars (\$5.00) per shower will be charged for use of public showers in the restrooms located below the North Harbor office and the South Harbor Warehouse/Public Shower/Restroom building.

A fee of six dollars (\$6.00) per wash, one dollar (\$2.00) per twelve-minute cycle for dryer will be charged for use of public laundry facilities located at the South Harbor Warehouse/Public Shower/Restroom building.

SECTION XI. MAINTENANCE AND WASHDOWN PADS

Use of the Maintenance Pads may be charged a fee of twenty dollars (\$20.00) per day for fourteen days or less; twenty-five dollars (\$25.00) per day for fifteen to thirty days; thirty-five dollars (\$35.00) per day for thirty-one days or more and includes use of power and water. In the event of unexpected or extenuating circumstances, the rate may be lowered or capped at the discretion of the Harbormaster. Use of maintenance pads is by reservation with Harbor office staff. If use of a maintenance pad is to exceed thirty (30) days, a work plan must be filed with the Harbormaster.

Use of Maintenance Pads for impounded vessel shall be charged a fee double the applicable rate.

Use of Maintenance Pads more than three (3) months, the thirty-one (31) day plus fee shall double. At the discretion of the Harbormaster, and there is an active and approved work plan, the doubling of fees may be waived. In the event no active work is being performed, the Harbormaster has the right to revoke the work plan and back charges may apply.

Use of Washdown Pads is free. Power is available at the Washdown Pads and in the uplands for fifteen dollars (\$15.00) per day.

The fee for use of a pressure washer (used only on maintenance or washdown pads) shall be charged a rate of fifty dollars (\$50.00) per hour.

SECTION XII. WATERFRONT VENDOR AND ACTIVITY

Any commercial business selling goods or services within public lands controlled by the Valdez Harbors must first obtain a Waterfront Commercial Work Permit. The fee for the permit shall be five hundred dollars (\$500.00) annually.

Any non-commercial entities, i.e. fish filleters selling services within the public lands controlled by the Valdez Harbors must first register with a Waterfront Activity Registration. The fee for the registration shall be two hundred dollars (\$200.00)

annually and will increase by one hundred dollars (\$100.00) per year until 2028, capping at five hundred dollars (\$500.00).



Legislation Text

File #: RES 26-0030, **Version:** 1

ITEM TITLE:

#26-30 - Amending the 2026 City Budget by Transferring \$23,000 from the Budget Variance Reserve to the Fire/EMS Department for Professional Fees and Services Budget

SUBMITTED BY: Tracy Raynor, Fire Chief

FISCAL NOTES:

Expenditure Required: \$23,000

Unencumbered Balance: \$465,679

Funding Source: 350-0350-55000, Budget Variance Reserve

RECOMMENDATION:

Approve Resolution 26-30.

SUMMARY STATEMENT:

Resolution #26-23 recognized an additional \$155K in Supplementary Emergency Medical Transportation (SEMT) funds and were a direct result of an added scope of work for a contractor. This opportunity was unknown and unbudgeted at the time of the adoption of the 2026 Budget.

Future expense appropriation requests will be adjusted for the Fire/EMS Department.

CITY OF VALDEZ, ALASKA

RESOLUTION NO. 26-30

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA AMENDING THE 2026 CITY BUDGET BY TRANSFERRING \$23,000 FROM THE BUDGET VARIANCE RESERVE TO THE FIRE/EMS DEPARTMENT PROFESSIONAL FEES AND SERVICES BUDGET

WHEREAS, the adopted budgets reflect best estimates of operating expenses; and

WHEREAS, the Fire Department budgeted professional fees for Supplementary Emergency Medical Transportation (SEMT) were inadequate to meet the full consultant fee; and

WHEREAS, future operating budgets will include increased professional fees to cover costs associated with applying for SEMT reimbursement; and

WHEREAS, budget amendments must be formally appropriated via Budget Amendment Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA, that the 2026 City Budget is revised as follows:

Section 2. Fire/EMS Department Professional Fees and Services 001.3200.43200 is increased by \$23,000.

Section 3. Budget Variance Reserve 350.0350.55000 is decreased by \$23,000.

Section 4. Transfer to General Fund 350.0050.49100 is increased by \$23,000.

Section 5. Transfer from Reserve Fund 001.0050.39140 is increased by \$23,000.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA, this 6th day of May, 2026.

City of Valdez, Alaska

Dennis Fleming, Mayor

ATTEST:

Sheri L. Pierce, MMC, City Clerk



Legislation Text

File #: 26-0181, **Version:** 1

ITEM TITLE:

Monthly Treasury Report - March 2026

SUBMITTED BY: Casey Dschaak, Budget and Financial Analyst

FISCAL NOTES:

Expenditure Required: N/A

Unencumbered Balance: N/A

Funding Source: N/A

RECOMMENDATION:

Receive and File

SUMMARY STATEMENT:

Monthly treasury report as per municipal code

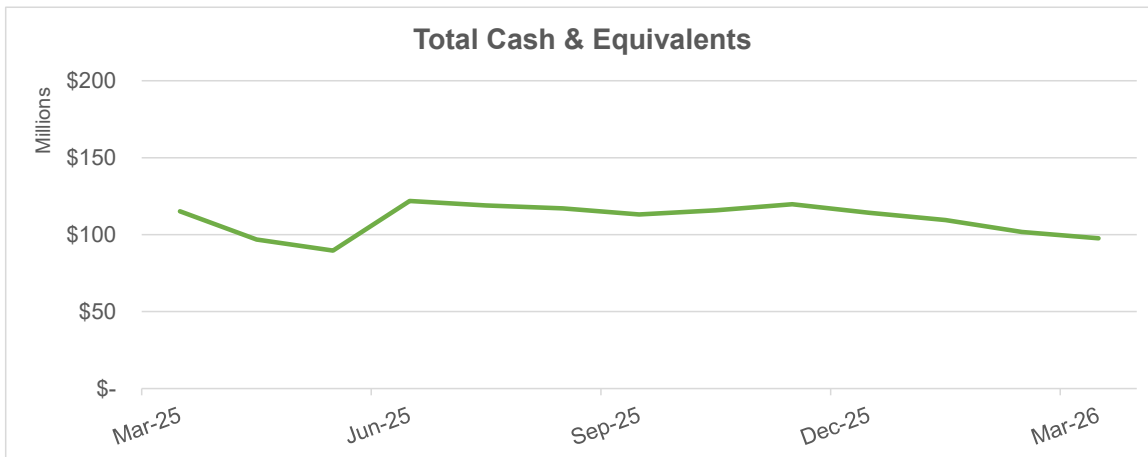
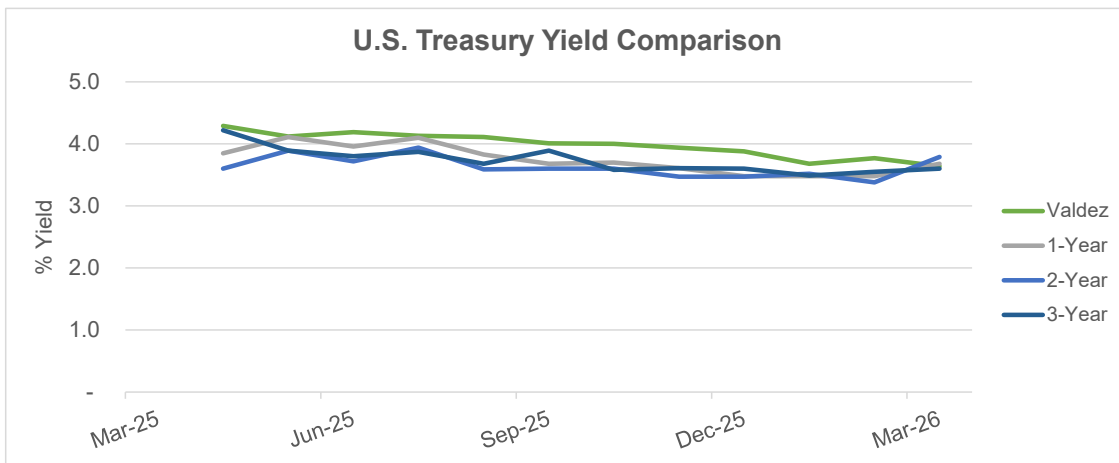


Monthly Treasury Report

Period Ending: **March 31, 2026**

Prepared By: *Casey Dschaak, Budget and Policy Analyst*

		<u>Begin</u>	<u>Debits</u>	<u>Credits</u>	<u>End</u>	<u>Yield</u> <small>Notes</small>
		<u>Balance</u>			<u>Balance</u>	
Central Treasury		101,779,597	41,062,074	(45,214,838)	97,626,800	3.64%
Central Treasury	Principal	81,701,241	151,275	(7,000,000)	74,852,515	3.72%
Money Market	Wells Fargo	10,289,096	6,538,893	(4,125,000)	12,702,989	3.49%
AMLIP	AMLIP	8,846,590	23,781	-	8,870,371	3.58%
Checking	Wells Fargo	549,380	22,671,487	(22,300,352)	920,516	0.00%
Payroll	Wells Fargo	(10,030)	2,032,368	(2,029,955)	(7,617)	0.00%
Ambulance Service	Wells Fargo	33	8,370	(8,370)	-	0.00%
Sweep	Wells Fargo	403,287	9,635,901	(9,751,162)	288,025	4.00%
Restricted		4,833	2	-	4,835	0.62%
Police	Wells Fargo	4,833	2	-	4,835	0.62%
Total		101,784,430	41,062,076	(45,214,838)	97,631,634	3.64%





Legislation Text

File #: 26-0178, **Version:** 1

ITEM TITLE:

City Manager Written Report

SUBMITTED BY: Nathan Duval, City Manager

FISCAL NOTES:

Expenditure Required: N/A

Unencumbered Balance: N/A

Funding Source: N/A

RECOMMENDATION:

Receive and file.

SUMMARY STATEMENT:

Attached report outlines events that have occurred since the last Council meeting. A verbal update will be provided in conjunction with report.

Council Priorities

- **Child Care** [Complete an operating, active, licensed childcare facility by Fall 2026]
 - Head Start is still accepting applications for students and teachers. Currently anticipate opening one early head start classroom and one head start classroom, tentatively, the second week of May
 - Completed required air sampling for environmental review for district office.
- **Housing** [Increase housing stock by Fall 2027, utilizing the housing needs survey]
 - Public comment for HB 13 on Saturday 5/2
- **Maintenance** [Annually appropriate funds toward deferred maintenance on critical infrastructure]
- **Modernize Aging Infrastructure** [Annually modernize aging infrastructure, while leveraging natural and transportation assets, to expand: Outdoor Recreation, Tourism, Maritime, Community]

Legislative Interactions

- HB 78 passed both House & Senate approving new tier of PERS that includes a pension.
- 2 Ice Breakers “officially” announced for Alaska, Homeport still TBD

Operations & Initiatives

- Tourism Task Force met to discuss next steps related to articles of incorporation and future organization structure
 - Lunch and learn for businesses to be held 5/14 at visitors center
- Working to prepare visitor center for 2026 season
- Finalizing agendas for Council & Directors’ strategic planning sessions in June

Personnel

- Advertising open positions for both full time and temps
- Preparing for summer retirements & succession

Projects

- Working on the summer work plan for the scrap barge. Initial estimate is an August load-out.
- Mailers & communications sent out about the Meals street project
- Monthly project reports begin in June to correspond with the summer season.



City of Valdez

212 Chenega Ave.
Valdez, AK 99686

Legislation Text

File #: 26-0183, **Version:** 1

ITEM TITLE:

May 2026 City Council Calendar

SUBMITTED BY: Elise Sorum-Birk, Deputy City Clerk

FISCAL NOTES:

Expenditure Required: n/a

Unencumbered Balance: n/a

Funding Source: n/a

RECOMMENDATION:

n/a

SUMMARY STATEMENT:

Attached is the city council calendar for May 2026.

May 2026

Valdez City Council Calendar

						1	2
3	4 Last Day for Absentee Voting 7 PM – Ports and Harbors Commission	5 Municipal Election Day	6 7 PM – City Council Regular Meeting (Certification of election and mil rate levy)	7	8	9	
10	11 6 PM – School Board Work Session 7 PM – School Board Meeting	12 6:30 PM – Parks & Recreation Commission Regular Meeting	13 5 PM – Library Board (at Library) 7 PM – Planning & Zoning Commission	14 12 PM – Tourism Task Force Business Lunch and Learn (Visitor's Center) 6 PM – Board of Equalization	15 6 PM – Board of Equalization (continuation of hearing as needed)	16	
17	18 Clerks to IIMC 5 PM – Beautification Commission	19 Clerks to IIMC	20 Clerks to IIMC	21 Clerks to IIMC 6 PM – Museum Board	22 Clerks to IIMC	23	
24	25 Memorial Day Holiday- City Offices Closed	26 6 PM – City Council Work Session with VFDA 7 PM – City Council Regular Meeting (Swear-in New Council) (Note date change)	27 7 PM – Planning & Zoning Commission	28	29	30	
31							

Note 1: This calendar is subject to change. Contact the Clerk's Office for the most up-to-date information.

Note 2: Unless otherwise indicated, all meetings occur in Valdez Council Chambers.

Updated 2/26/26