



# City of Valdez

212 Chenega Ave.  
Valdez, AK 99686

## Meeting Agenda

### City Council

---

Tuesday, May 17, 2022

7:00 PM

Council Chambers

---

#### Regular Meeting

#### WORK SESSION AGENDA - 6:00 pm

*Transcribed minutes are not taken for Work Sessions. Audio is available upon request.*

1. [Work Session: Valdez Police Department Annual Report](#)

#### REGULAR AGENDA - 7:00 PM

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. SWEAR-IN CITY COUNCIL

IV. ELECTION OF MAYOR PRO TEMPORE

V. ROLL CALL

VI. APPROVAL OF MINUTES

VII. PUBLIC BUSINESS FROM THE FLOOR

VIII. CONSENT AGENDA

1. [Approval To Go Into Executive Session Re: Escaped Property -Treatment of Supplemental Assessments](#)
2. [Proclamation: National Trails Day](#)
3. [Proclamation: National Bike Week](#)

IX. NEW BUSINESS

1. [Approval of Temporary Access Agreement with Rydor Enterprises, LLC, Camicia Creek Landholdings, LLC, and Brandon Reese, for Access of Parcels A-1, A-2 and B, ASLS 79-116 and Tract C of Rydor Subdivision 2019 Addition Across City of Valdez Property.](#)

2. [Approval of the 2022-2023 Valdez City Schools Budget](#)

#### X. ORDINANCES

1. [#22-07 - Amending the Zoning Map to Effect a Change to Lot 1C, USS 197, Plat 2007-15 to Commercial Residential. First Reading. Public Hearing.](#)

#### XI. RESOLUTIONS

1. [#22-33 - Amending the 2022 Budget by Accepting the State of Alaska Department of Natural Resources, Division of Forestry 2022 Volunteer Fire Assistance Grant in the Amount of \\$4,999.99 and Authorizing the Expenditure](#)
2. [#22-34 - Authorizing a Lease with Harris Sand & Gravel for 4380 McKinley Street, Parcel B, ATS 10](#)
3. [#22-35 - Amending the 2022 City Budget by Recognizing \\$55,100 of Additional Revenues from Providence Valdez Medical Center for the Valdez Childcare Needs Assessment, and Appropriating Expenditures for the Same](#)

#### XII. REPORTS

1. [Report: Temporary Land Use Permit #22-03 for Fat Mermaid Restaurant for 518 Square Feet of Public Right-of-Way Immediately Adjacent to Lot 1A, Block 39A, Harbor Subdivision](#)

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

1. City Manager Report
  2. [City Manager's Report May 17, 2022](#)

2. City Clerk Report

3. City Attorney Report

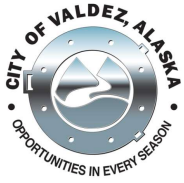
4. City Mayor Report

#### XIV. COUNCIL BUSINESS FROM THE FLOOR

#### XV. EXECUTIVE SESSION

#### XVI. RETURN FROM EXECUTIVE SESSION

#### XVII. ADJOURNMENT



Legislation Text

---

**File #:** 22-0221, **Version:** 1

---

**ITEM TITLE:**

Work Session: Valdez Police Department Annual Report

**SUBMITTED BY:** Chief Bart Hinkle

**FISCAL NOTES:**

Expenditure Required: NA  
Unencumbered Balance: NA  
Funding Source: NA

**RECOMMENDATION:**

Receive and file.

**SUMMARY STATEMENT:**

Chief Hinkle will present the Valdez Police Department annual report to the City Council.



**Valdez Police Department Mission Statement:**

*Our Mission is to Provide Excellent Service and Protection,  
through Leadership and Partnership with the Community.*

### **2021 – 2022 Programming and SRO activity (Education and Mentorship):**

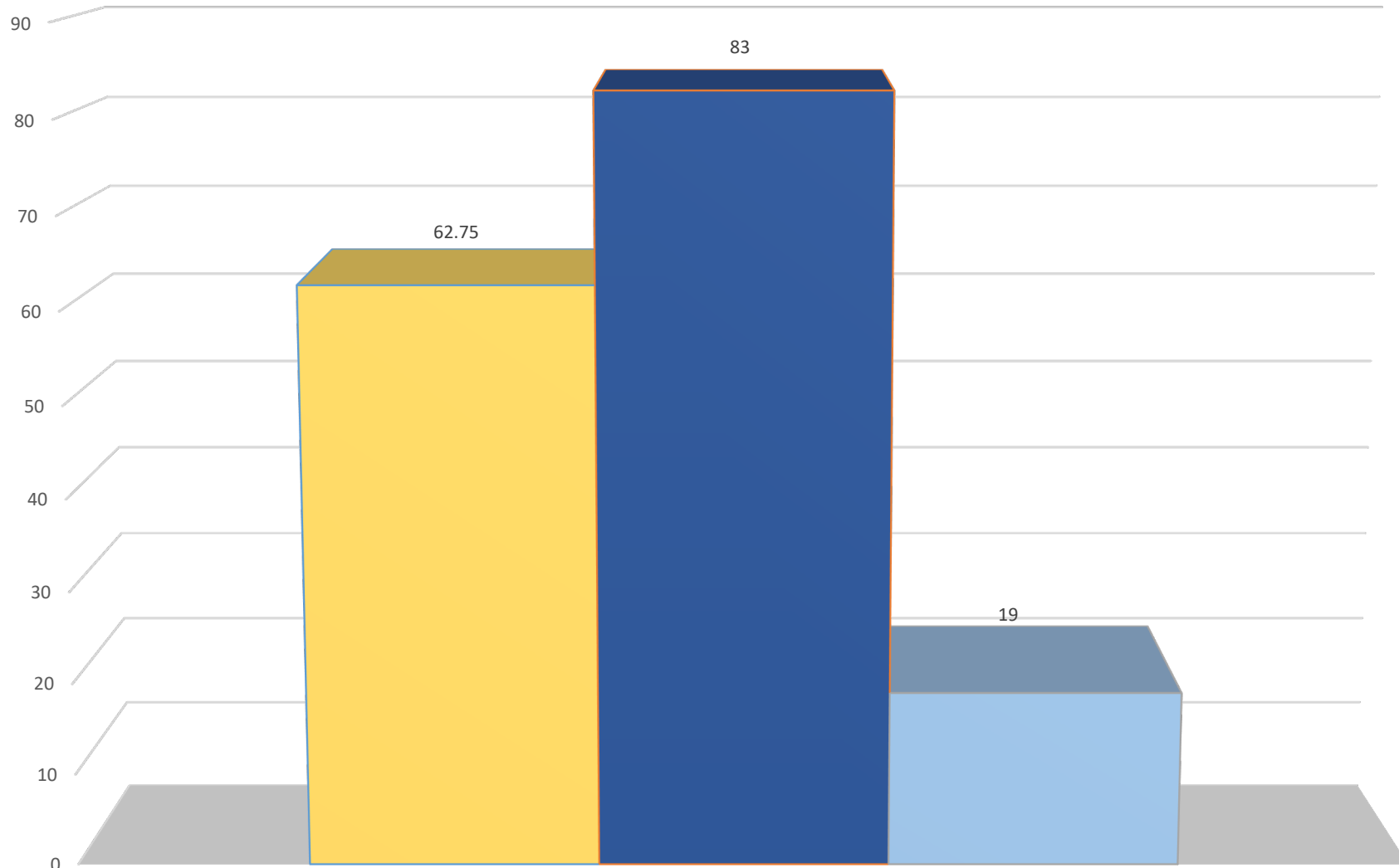
- DARE – 10 weeks of classes – 7<sup>th</sup> grade (57 students graduated)
- DARE – 10 weeks of classes – 5<sup>th</sup> grade (46 students graduated)
- Digital Citizenship – 6<sup>th</sup> grade (55 students)
- Extraordinary Gentlemen – 7-week character building – 4<sup>th</sup> grade (46 students)
- Skid Mark Data Accident Reconstruction – 8<sup>th</sup> grade science – 2-day lesson
- 1<sup>st</sup> Chapter Friday's – 6<sup>th</sup>/7<sup>th</sup> grades
- Narcotics Presentation – Valdez High School Forensics Class
- GMS Pickle Hunt
- Trunk'r'Treat
- Weekly Free Throw Contest (GMS/VHS)
- Field Trip Chaperone – 7<sup>th</sup> grade
- Go Kart Impaired Driving Lesson – GMS (~150 students)
- Outdoor Education Class – GMS (30 students)
- Kindergarten Career Day
- Assisted with Toothpick Tower Competition

### **2021 – 2022 SRO involvement (Law Enforcement activity):**

- Threat (referred to Department of Juvenile Justice)
- Criminal Mischief
- Tobacco Possession (6 citations issued)
- Misconduct Involving a Controlled Substance – Marijuana (2 cases) (referred to Department of Juvenile Justice)
- Sexual Abuse of a Minor
- Harassment (student)
- Harassment (2 cases) (staff)
- Bicycle Theft
- Truancy (5 cases)
- DUI
- Threat Assessments (15) conducted in accordance with Valdez City School District policy

# # HOURS IN EACH SCHOOL

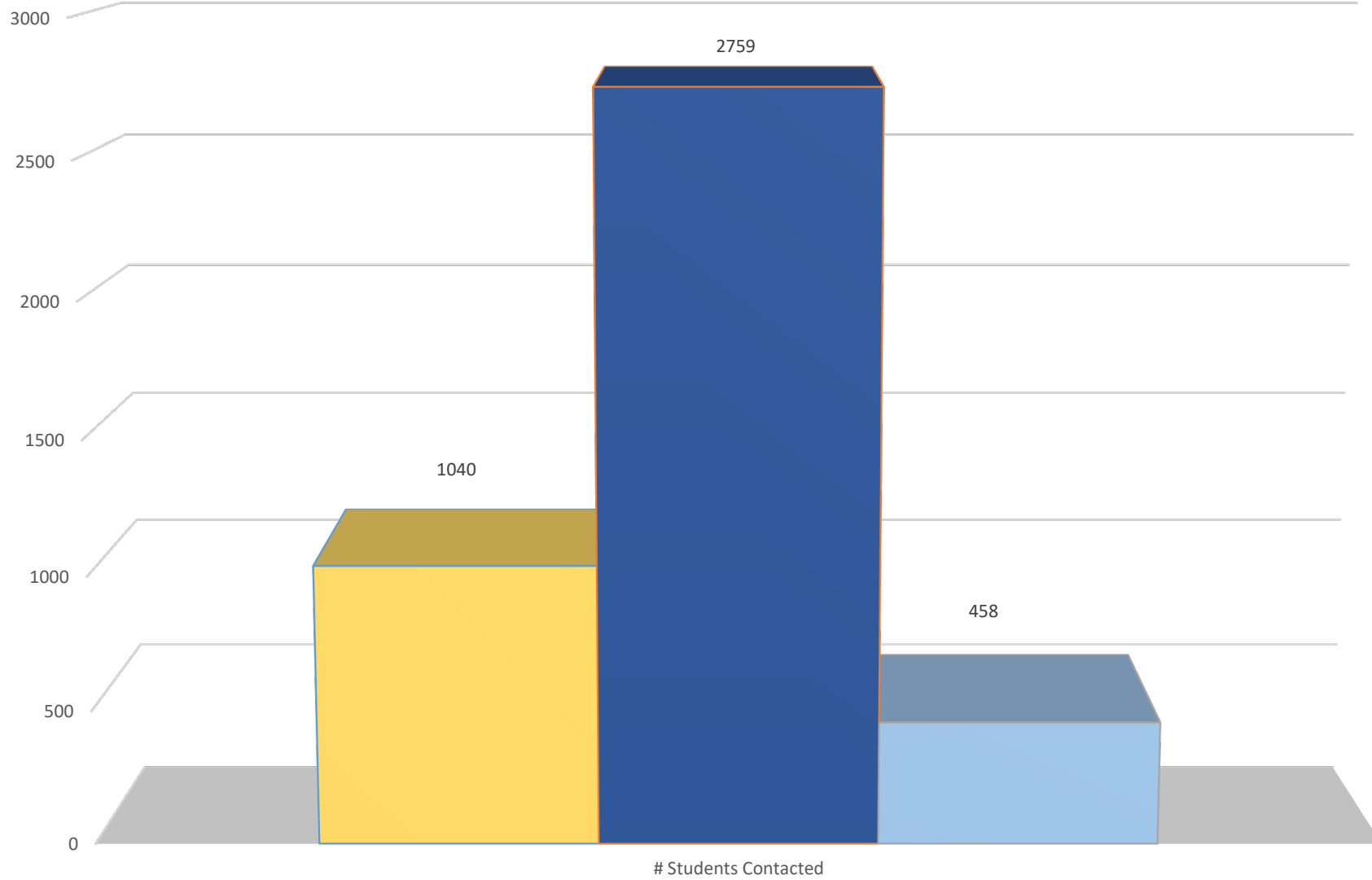
■ HHES ■ GMS ■ VHS



# Hours in each School

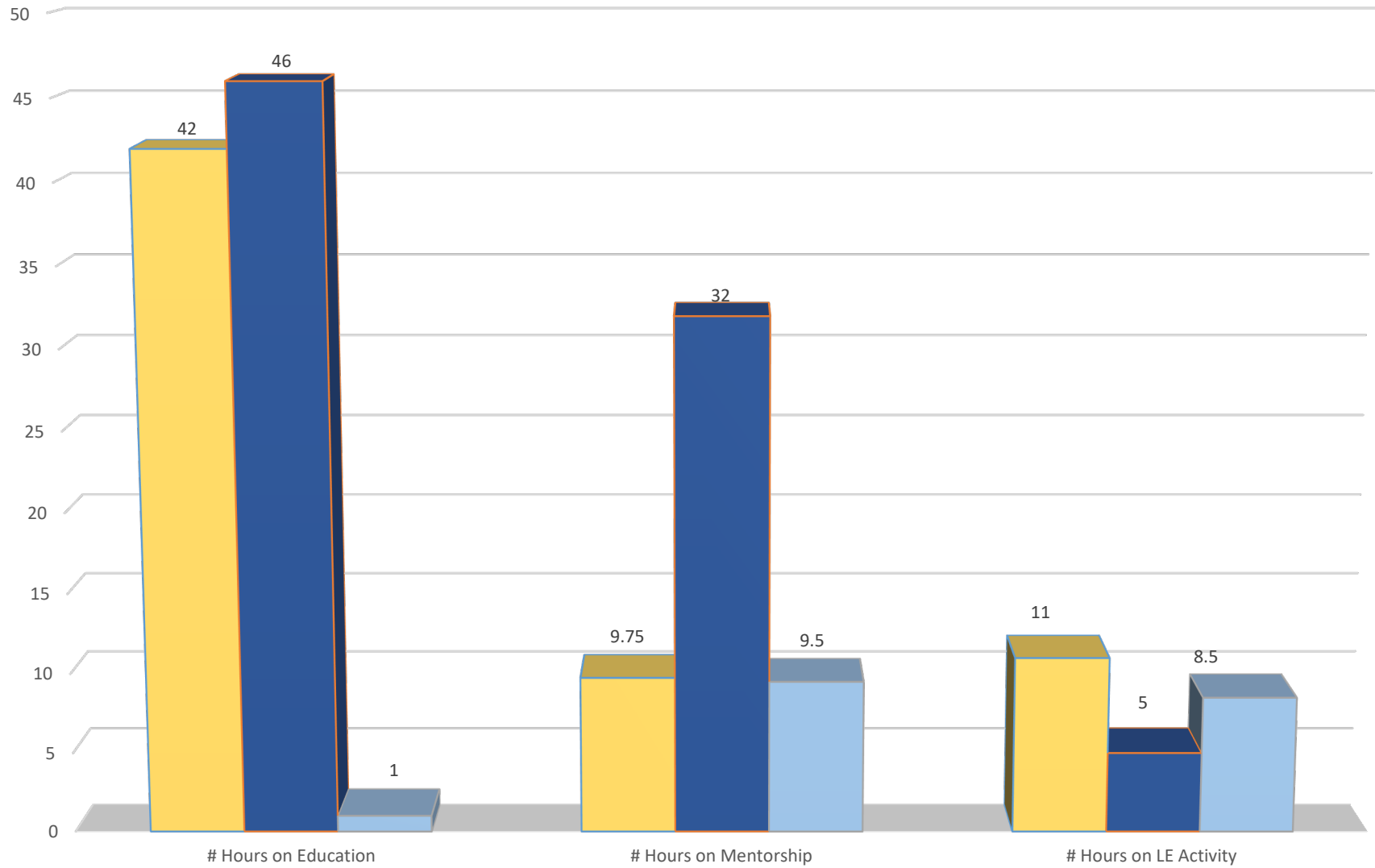
# # STUDENTS CONTACTED IN EACH SCHOOL

■ HHES ■ GMS ■ VHS



# # HOURS SPENT EACH DISCIPLINE BY SCHOOL

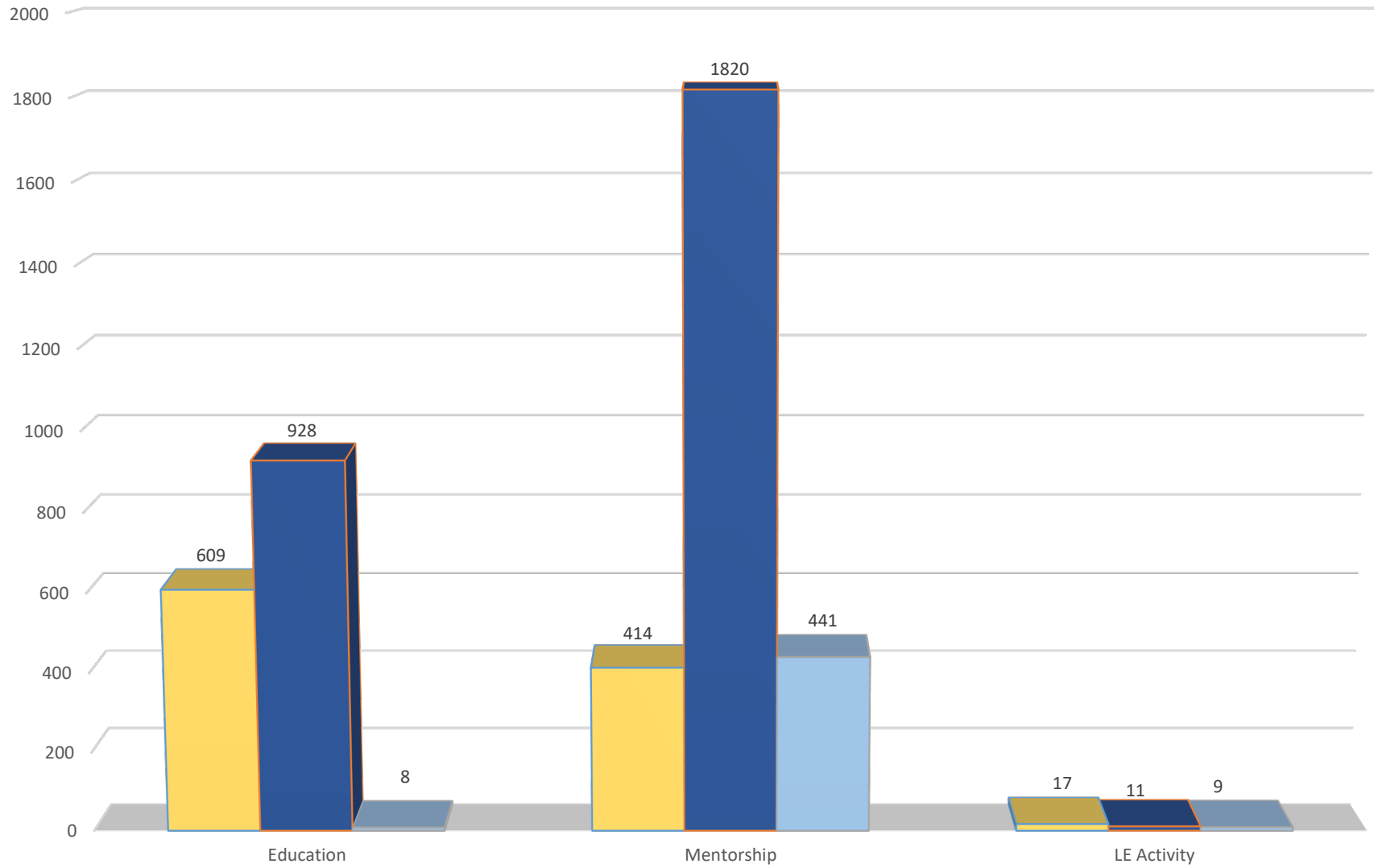
■ HHES ■ GMS ■ VHS



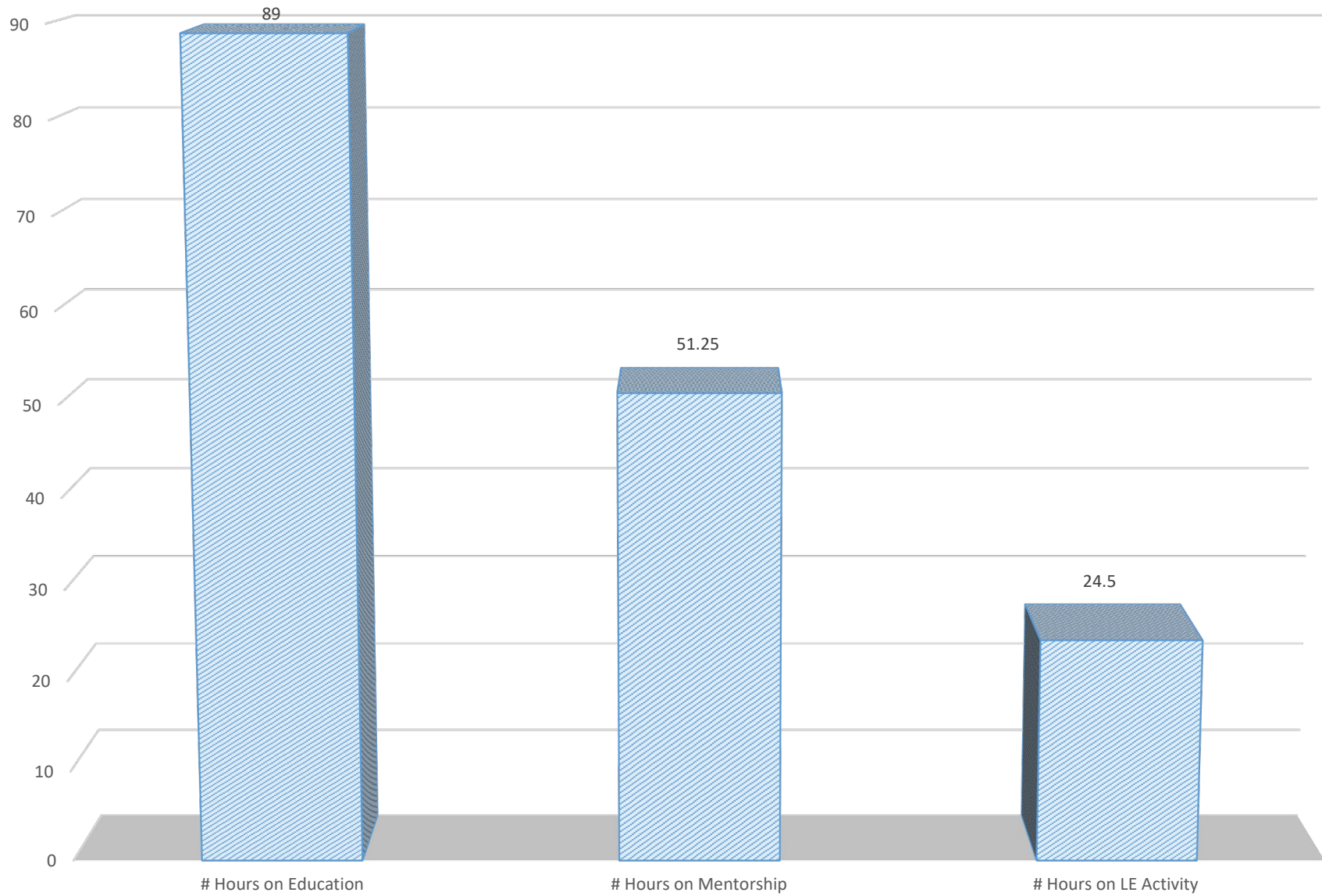


# #STUDENTS CONTACTED BY DISCIPLINE

■ HHES ■ GMS ■ VHS



## TOTAL HOURS ON EACH DISCIPLINE



## **2022 – 2023 anticipated/planned Programming and SRO activity (Education and Mentorship):**

- DARE – 10 weeks of classes – 7<sup>th</sup> grade
- DARE – 10 weeks of classes – 5<sup>th</sup> grade
- Digital Citizenship – GMS and VHS
- Extraordinary Gentlemen – 7-week character building – 4<sup>th</sup> grade
  - Refine
  - Utilize older mentors
- Expand Free Throw Shooting Contest to HHES
- Start Guys Read program – 3<sup>rd</sup> / 4<sup>th</sup> grades
- Collaborate with Valdez City Schools for VAPE prevention education (“Catch My Breath”)
- Explore additional opportunities with Valdez High School
  - Narcotics Presentation
  - Search and Seizure Lecture
  - Elective course?
- Continue GMS Pickle Hunt
- Conduct Go Kart Impaired Driving Lesson – GMS
- Assist with Toothpick Tower Competition
- Continue 1<sup>st</sup> Chapter Friday’s – 6<sup>th</sup>/7<sup>th</sup> grades
- PSA K9 program



## **SCHOOL RESOURCE OFFICER**

### **SUMMARY:**

In coordination with Valdez Police Department and Valdez City Schools, the School Resource Officer maintains a safe, orderly, and secure atmosphere within the school buildings, while working to foster and maintain positive relationships between law enforcement and youth.

### **ESSENTIAL FUNCTIONS:**

1. Enforce Federal, State, and Local criminal laws and ordinances.
2. Act as a lead member of the District Threat Assessment Team.
3. Assist in the development and evaluation of school security and crisis plans.
4. Act as a role model and work to build positive relationships with administrators, staff, students, and parents to develop a positive law enforcement/education relationship.
5. Help develop and deliver classroom instruction on law enforcement related topics and formulate crime prevention programs.
6. Remain aware of investigations involving students and render assistance to the investigating officer when necessary.
7. Coordinate with building principals to investigate and assist in the prosecution of violations occurring on school premises; gather information concerning criminal activity involving students on or off school grounds; conduct arrests as necessary and appropriate.
8. Coordinate the schedule for emergency drills in conjunction w/other local agencies.
9. Coordinate and conduct ALICE training for staff and students.
10. Be familiar with community agencies that offer assistance to students and their families and work with building counselors to make appropriate referrals to such agencies.
11. Perform ongoing security checks of the building campuses and make recommendations to the school administration.
12. Engage in non-school related police activities as assigned when school is not in session.

### **NON-ESSENTIAL FUNCTIONS:**

Other duties as assigned.

### **COMPETENCIES:**

1. Ability to maintain confidentiality;
2. Ability to relate positively and cooperatively with other district employees, students and parents in the public education environment;
3. Ability to collaborate with school staff as necessary;
4. Ability to work independently and possess good management skills;
5. Knowledge of how to operate a personal computer and related software;
6. Knowledge of applicable Federal, State, and Local laws and ordinances;

7. Knowledge of education administrative and operational policies and procedures;
8. Effective interpersonal, communication, conflict resolution, time management, and record-keeping skills.

### SUPERVISORY RESPONSIBILITY:

Supervises students, volunteers, guests, student library interns, and classes as needed.

### REPORTS TO:

Chief of Police at Valdez Police Department  
School Administration

### WORK ENVIRONMENT:

Mainly works within the school buildings, but may be required to patrol outdoor spaces.

### PHYSICAL DEMANDS:

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing duties of this job, the employee is regularly required to stand, talk, and hear. The employee frequently is required to walk and use hands to finger, handle, or feel. The employee is occasionally required to sit; climb or balance, reach with hands and arms; and stoop, kneel crouch, or crawl. The employee must frequently lift and/or move up to 10 pounds, and occasionally lift and/or move up to 50 pounds. Specific vision abilities required by this job include close vision, distance vision, peripheral vision, depth perception, and ability to adjust focus.

### POSITION TYPE AND EXPECTED HOURS OF WORK:

Expected hours of work, salary, and benefits are all established by the City of Valdez and Valdez Police Department.

### TRAVEL:

Some travel may be expected for this position.

### REQUIRED EDUCATION AND EXPERIENCE:

1. Current officer with the Valdez Police Department and meeting all requirements to fulfill their duties with VPD.
2. Successful completion of, or a willingness to undergo, a basic SRO training course from the National Association of School Resource Officers (NASRO).
3. Current ALICE instructor.

PREFERRED EDUCATION AND EXPERIENCE:

1. Prior experience as a School Resource Officer.

ADDITIONAL ELIGIBILITY QUALIFICATIONS:

None required for this position.

EEO STATEMENT:

The City of Valdez is an equal opportunity employer. Qualified applicants receive consideration for employment without discrimination due to race, color, national origin, sex, age, marital status, veteran status, or sexual orientation.

OTHER DUTIES:

Please note this job description is not designed to cover or contain a comprehensive listing of activities, duties, or responsibilities that are required of the employee for this job. Duties, responsibilities, and activities may change at any time with or without notice.

SIGNATURE

Employee signature below constitutes the employee's understanding of the requirements, essential functions, and duties of the position.

---

Employee

---

Date

Report to Council  
to date: May 11, 2022

**Emergency and Disaster Management (EDM)**

Completed Projects July 6, 2021 to date

- COVID-19 related reports to the state, attended meetings with local stakeholders and state agencies, and provided continual testing support to both clinics via three-month contracts. Although not entirely complete, one clinic is self-sufficient and the other is preparing to become self-sufficient – contracts are complete end of June for full demobilization of city-supported testing.
- New Tsunami brochures hand-delivered to all RV parks and Hotels July/2021
- 8.2m earthquake response – Tsunami Advisory w/ IM Short team assembly and community communication July/2021
- NIXLE subscription promotional advertisements – KVAK Radio/app Aug/2021
- Tsunami brochure and guidance letter mailed to every Valdez PO Box Aug/2021
- PWSC – Orientation presentation to new students on Valdez hazards Aug/2021
- UAF – Collaborated w/ UAF on sUAS ed for middle schoolers in Alaska Aug/2021
- Flu Clinic – Coordinated in partnership with local PHN Oct/2021
- Tsunami Inundation “Know Your Zone” ed and contest give-away – KVAK Oct/2021
- Tsunami Education Presentations – Elena Suleimani/AEC in Valdez Oct/2021
- Participated in TTX – Civil Disturbance USCG/APSC/AMH/COV Nov/2021
- SPOT weather training w/ NWS – Coordinated for VPD dispatch Nov/2021
- PSA – Valdez Glacier Lake winter advisory on glacier changes Jan/2022
- Old VFD and VPD renovation temporary EDM storage – finalized drawings Jan/2022
- Tonga volcano eruption – Tsunami Advisory w/ IM Short team assembly and community communication Jan/2022
- “When Minutes Matter” 2-day FEMA communications seminar Feb/2022
- USFA O-305 AHIMT training – 5-day COV IMT certification training Mar/2022
- Supported snow-load disaster declaration Mar/2022
- Became a member of the Alaska Emergency Management Assoc. May/2022
- COV Emergency Manager job description created May/2022

Work in Progress

- EOP revisions are ongoing
- EDM webpage on COV site; improvements are in draft-mode in the page’s background
- Elena Suleimani studio recording (from Oct/2021) 55min tsunami educational piece is complete and will be distributed to stakeholders May/2022 for summer on-boarding. The piece will also be available to the public/schools/etc. on COV YouTube and EDM site.
- NIXLE subscription campaign w/ Seed Media; 30 second add & 2-minute sign-up tutorial have debuted in the theater and digital signage boards (i.e. airport, Hub, Food Cache, and Civic Center). Preparing to air ads on YouTube and Facebook that will direct viewers to the full videos to increase subscriber base. Videos housed on COV YouTube and EDM site.
- Tsunami Education/Personal Prep 6-minute video w/ Seed Media is complete. Debuts June/2022 in theatre once EDM page is upgraded with personal preparedness resources.

Video is then advertised on social media platforms; NIXLE is also promoted within. This is a precursor to a larger education/personal preparedness self-reliance initiative for residents beginning in 2023.

- Functional Exercise 2-day; Earthquake/Tsunami COV IMT and stakeholders Nov/2022
- COV Tsunami-Ready certification with NOAA/NWS; final items are: road signage changes/additions and minor revisions/additions to the EOP
- New COV evacuation mapping will be completed and distributed May/2022 and is also one of the requirements for the Tsunami Ready certification.
- Creating a 36”X24” metal sign using info from both sides of tsunami brochure plus additional information included r.e. NIXLE, evacuation routes, and links to EDM page and newly created media products. Sign will be translated into several languages accessed via QR code. Sign will be placed in small boat harbor, offered to fish processors, at recreational locations, Kelsey Dock, and all RV parks and Hotels wishing to post the sign.
- 2022-Budgeted non-perishable food supply for displaced persons during disaster events is nearing coordination completion with supplier. Final proposal/quote ready May/2022
- Coordinating with PVMC to assist in the creation of a team that will be prepared to move hospital patients during tsunami evacuations and disaster events over to ACS at GMS
- Outdoor warning siren maintenance and equipment upgrades
- MOUs with local stakeholders
- Continued ICS training for COV IMT
- Attendance to monthly USGS PWS slope instability/landslides mtgs
- Attendance to monthly scientific group PWS slope instability mtgs
- Attendance to monthly Barry Arm Landslide working group
- Ongoing LEPC participation
- Ongoing FEMA Emergency Manager training through independent study courses, virtual training, and in-person courses.

#### Long Range Plans

- Certify Valdez as a “Storm Ready” community through NOAA/NWS
- Create and implement a plan (in partnership with the USGS and other scientists) to monitor the ongoing changes to the Valdez Glacier, Ice Dam Lake, and slope instabilities in the area that could create landslide-generated tsunamis in Glacier Lake. This hazard affects the immediate area and downstream public and private assets.
- Earthquake education is on the shirttails of the current tsunami education efforts. Additional community education will also include: Avalanche, Flooding, Outdoor Recreation, and Haz Mat.
- Work with Capital Facilities department to create a storage location, resource preparation, and point of distribution for EDM supplies out of the inundation zone.
- Fire Station 4 is inadequate as a community shelter. Alternatives need to be discussed.
- Acquire a Command and Communications vehicle for mobile ICS disaster response and emergency use by COV public safety departments (FIRE/EMS/SAR/POLICE).
- Organize COV building-specific evacuation, reunification, rallying, communication, and personnel accountability plans for disaster response at each COV facility
- Complete Emergency Manager certification training
- Complete emergency services radio upgrades



- Create a Functional Needs Population Registry – volunteer registry to identify persons in the community with functional needs to improve planning and response as pertaining to evacuations, sheltering, and disaster response – partnering with The Response Group on this project.
- Create a family/resident community preparedness and self-reliance initiative for implementation in 2023 and 2024

# Valdez Police Department

Animal Control

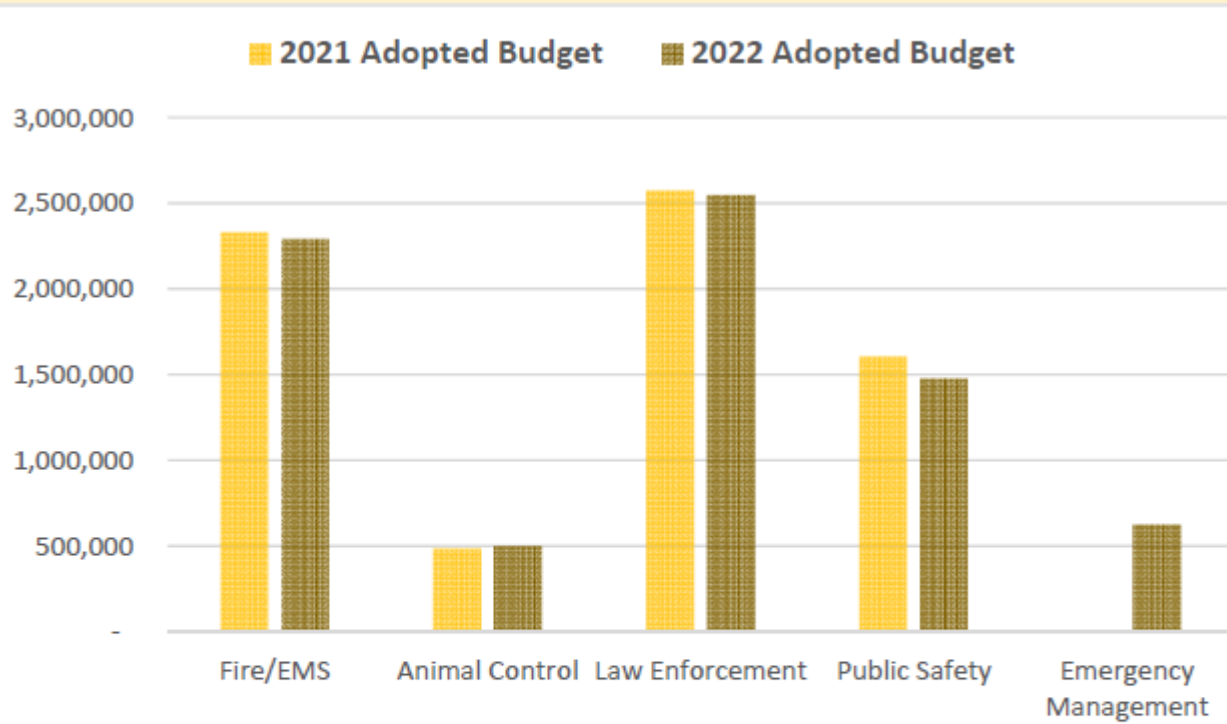
Public Safety (Dispatch & Corrections)

Emergency Management

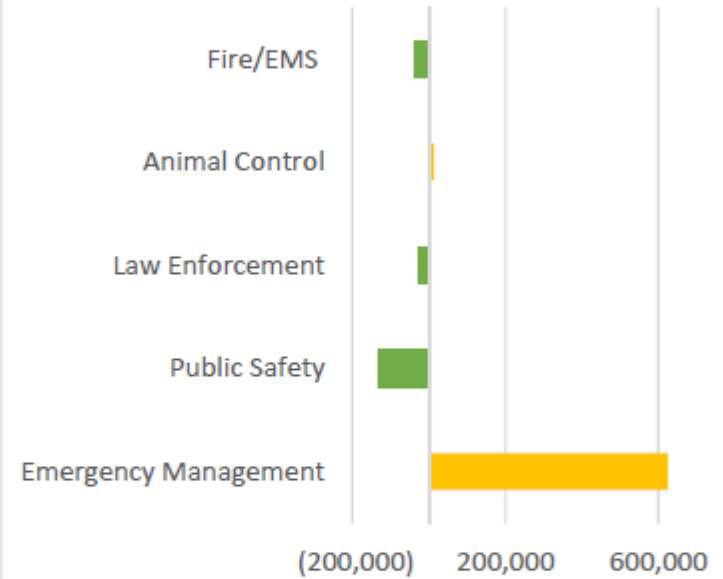
Law Enforcement

\* Code Enforcement

## Public Safety



### 2022 Adopted Budget Changes Compared to 2021 Adopted Budget



### Adopted Budget History

	2018	2019	2020	2021	2022
Fire/EMS	1,981,807	2,068,307	2,234,144	2,328,483	2,291,331
Animal Control	448,249	517,755	516,426	483,037	496,177
Law Enforcement	2,129,345	2,362,150	2,391,653	2,574,089	2,548,641
Public Safety	1,428,339	1,489,846	1,524,475	1,605,076	1,475,598
Emergency Management	-	-	-	-	624,358
<b>Grand Total</b>	<b>5,987,740</b>	<b>6,438,057</b>	<b>6,666,699</b>	<b>6,990,685</b>	<b>7,436,105</b>

### 2018 through 2022 Adopted Budget Trendline



<b>Authorized Position Count</b>					
	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>
ANIMAL CONTROL	3.20	3.20	3.20	3.20	3.20
EMERGENCY MANAGEMENT					1.00
LAW ENFORCEMENT	12.10	13.10	13.10	13.10	12.30
PUBLIC SAFETY	9.70	9.70	9.70	9.70	9.50
<b>Grand Total</b>	<b>25.00</b>	<b>26.00</b>	<b>26.00</b>	<b>26.00</b>	<b>26.00</b>

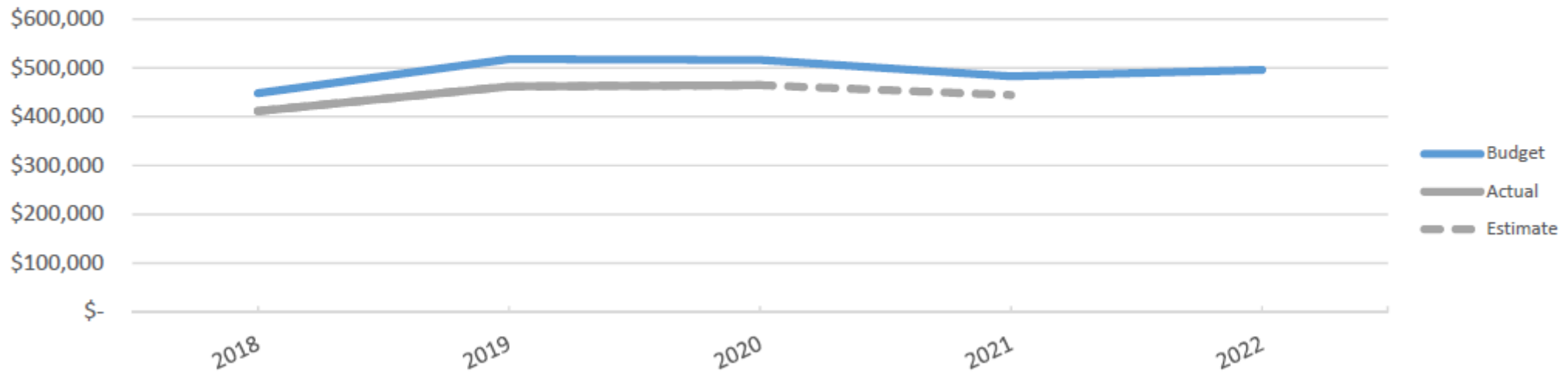
	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2021</b>	<b>2022</b>
	<b>ACTUAL</b>	<b>ACTUAL</b>	<b>ACTUAL</b>	<b>Estimate</b>	<b>Adopted Budget</b>	<b>Adopted Budget</b>
⊕ <b>Animal Control</b>	<b>411,763</b>	<b>462,153</b>	<b>464,614</b>	<b>444,601</b>	<b>483,037</b>	<b>496,177</b>
⊕ <b>Emergency Management</b>	-	-	-	-	-	<b>624,358</b>
⊕ <b>Law Enforcement</b>	<b>1,991,918</b>	<b>2,278,819</b>	<b>2,229,583</b>	<b>2,384,531</b>	<b>2,574,089</b>	<b>2,548,641</b>
⊕ <b>Public Safety</b>	<b>1,230,375</b>	<b>1,283,257</b>	<b>1,323,633</b>	<b>1,406,416</b>	<b>1,605,076</b>	<b>1,475,598</b>
<b>Grand Total</b>	<b>3,634,057</b>	<b>4,024,229</b>	<b>4,017,830</b>	<b>4,235,548</b>	<b>4,662,203</b>	<b>5,144,774</b>

**Adopted Budget**

	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>
<b>Police Chief</b>					
FTE Payroll	3,132,009	3,417,940	3,487,633	3,714,014	3,925,358
Other	<u>873,924</u>	<u>951,811</u>	<u>944,921</u>	<u>948,189</u>	<u>1,219,416</u>
<b>Operational Expenses</b>	<b>4,005,933</b>	<b>4,369,750</b>	<b>4,432,554</b>	<b>4,662,203</b>	<b>5,144,774</b>

## ANIMAL CONTROL

### Adopted Budget vs Actual



Revenues	Actual Revenue			Estimate	Adopted Budget	
	2018	2019	2020		2021	2022
Animal Control	(18,062)	(12,070)	(5,865)	(8,550)	(11,000)	(9,350)

Over 5%   
 0-5%   
 Below 0%

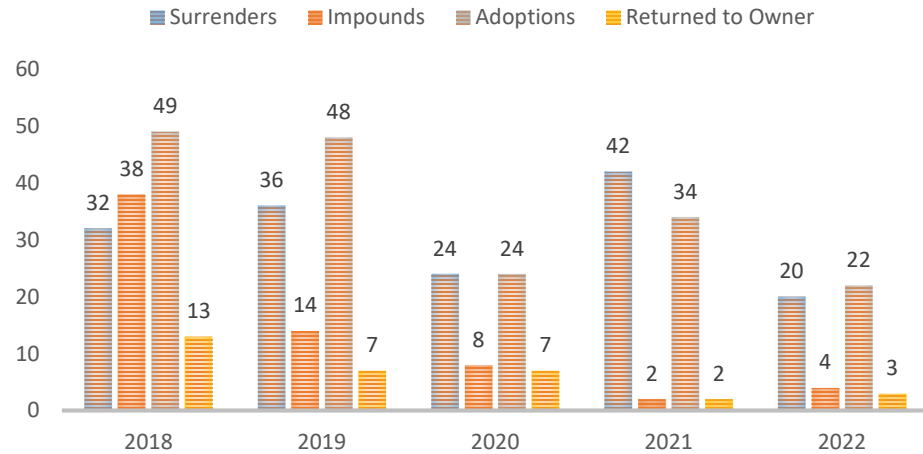
Expenses	Actual Expenditure			Estimate	Adopted Budget		2021 to 2022 Budget Changes	
	2018	2019	2020		2021	2022	Dollar Change	Percent Change
FTE Payroll	278,322	304,012	326,195	351,561	361,288	379,498	18,210	5.0%
Other Personnel	47,711	47,808	44,776	38,040	59,980	53,329	(6,651)	-11.1%
Other Operating	41,496	73,182	53,102	48,000	54,595	40,650	(13,945)	-25.5%
Contracts	1,605	1,136	4,470	7,000	7,175	22,700	15,525	216.4%
Utilities	42,629	36,015	36,071	-	-	-	-	0.0%
<b>Grand Total</b>	<b>411,763</b>	<b>462,153</b>	<b>464,614</b>	<b>444,601</b>	<b>483,037</b>	<b>496,177</b>	<b>13,139 </b>	<b>2.7%</b>

# Animal Control

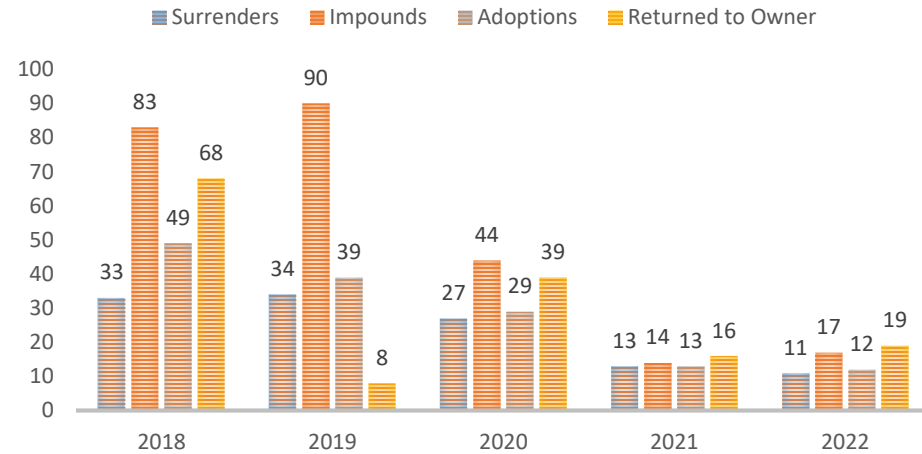
CATS					
	2018	2019	2020	2021	2022
Surrenders	32	36	24	42	20
Impound	38	14	8	2	4
Adoptions	49	48	24	34	22
Returned to Owner	13	7	7	2	3

DOGS					
	2018	2019	2020	2021	2022
Surrenders	33	34	27	13	11
Impound	83	90	44	14	17
Adoptions	49	39	29	13	12
Returned to Owner	68	8	39	16	19

## CATS



## DOGS





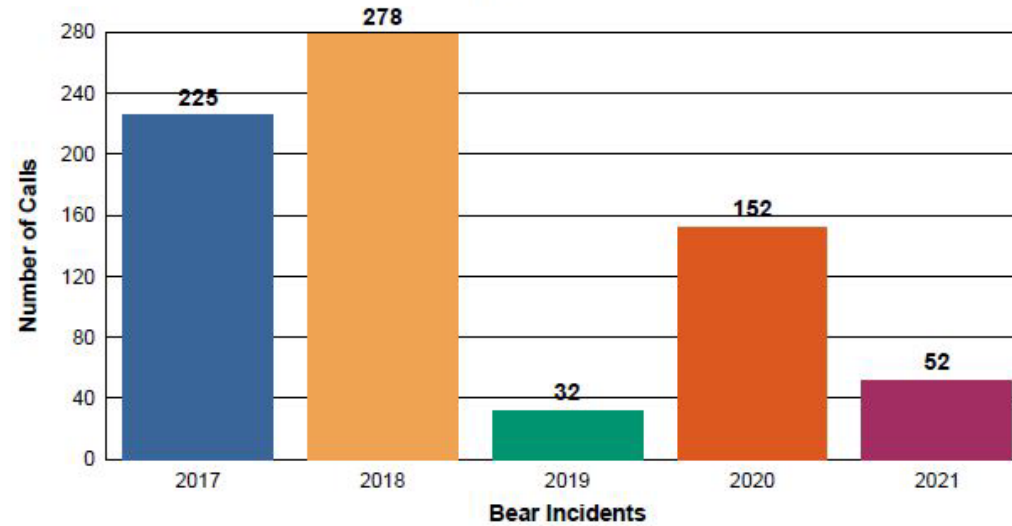
# VALDEZ POLICE DEPARTMENT

## *Bear Calls*

	2017	2018	2019	2020	2021	Total
Bear Incident	225	278	32	152	52	739
Total	225	278	32	152	52	739

### Bear Calls

2017 - 2021



# Completed:

- 120 Hours of Training in 2021
- 190 Hours of Training in 2022 (80 hours in Behavior Management)
- Revamped Volunteer Program
  - (Three levels of volunteers – training, commitment, responsibility differences)
- Hosted Wildlife Awareness Training for community (conducted by ADF&G)
- Created new surrender, adoption paperwork and protocols
- Remodel of the Shelter
  - Training room, small animal room, and quarantine
- Established a relationship with Spring Creek Correctional Center
  - House trains and trains behavioral issue dogs for shelters to enhance adoptions
- Distributed flyers to residents for dog licensing
  - Dog licensing increased by 36% since 2021
- Started Facebook page for the Valdez Animal Shelter
- Replaced incinerator (estimated lifespan of 15-20 years)



# In Progress:

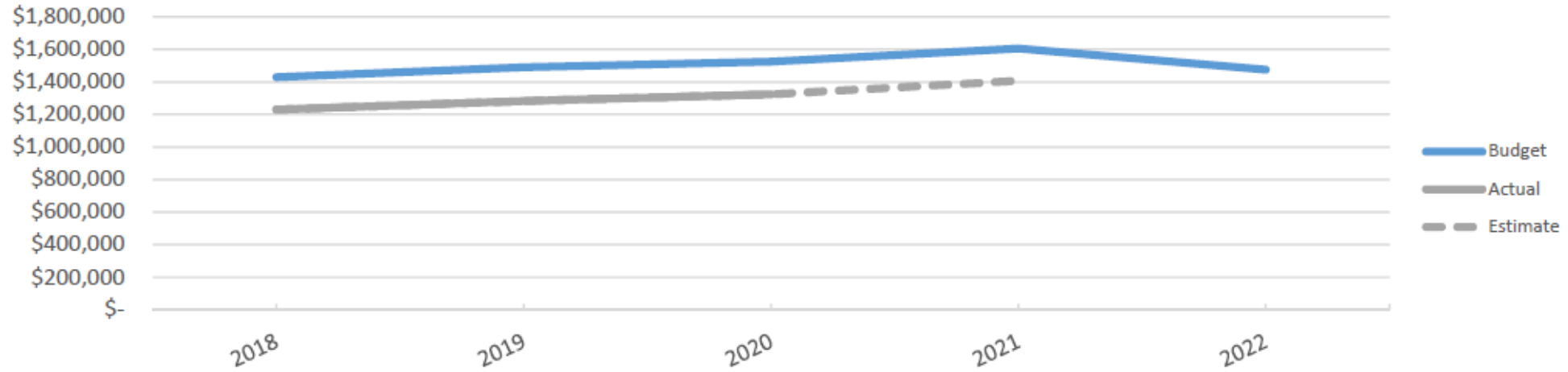
- Continue to develop Animal Enrichment Plan
- Update Field Officer SOP's and Department OPM
- Create a Behavior Modification program
- Continued training & instructor development
  - Animal Control Officer currently undergoing ACO II (40 hours)
  - ACO & Shelter Attendant undergoing Animal Shelter Behavior Mgmt. Certification Course (40 hours)
  - Chief ACO undergoing certification course for Animal Shelter Management
- Deliver Bear Awareness courses (PRCS, KOA -2022), others
- Identify potential “leash free” areas in Valdez for VMC change
- Creating a bear and moose safety video with SEED Media
  - To be played on video monitors at the Hatchery and other locations

# Future Goals & Plans:

- Facilitate community trainings involving bear/wildlife safety
- Build relationships with COV Departments for promoting adoptions / PRCS for summer camps
- Review and revise Animal Response/ Shelter plans in COV Emergency Operations Plan
- Facilitate community trainings involving bear/wildlife safety
- Remodel office space in order to adequately store DEA-regulated drugs (behind 2 locked doors) –Approved Budget 2022-
- Seasonal dog park/outdoor dog socialization area located at the Shelter
- Create exercise program for dogs in the Shelter to use canine treadmill provided by FVAS
- Create “day out” program for assist dogs getting exercise and socialization

## PUBLIC SAFETY

### Adopted Budget vs Actual



Revenues	Actual Revenue			Estimate	Adopted Budget	
	2018	2019	2020		2021	2022
Public Safety	(390,875)	(398,000)	(397,750)	(405,000)	(365,100)	(405,000)

Over 5% ▶  
 0-5% ▬  
 Below 0% ✔

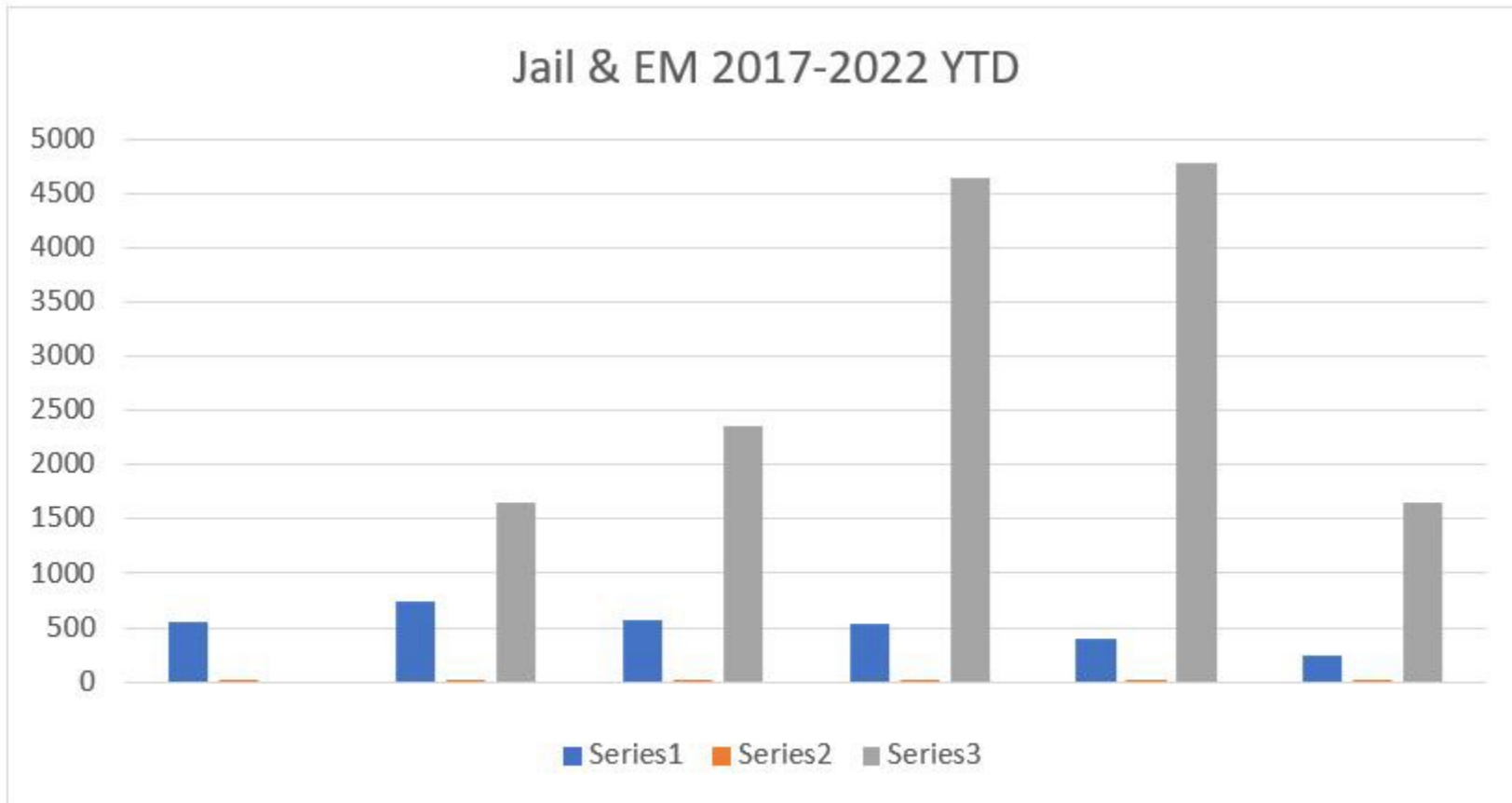
Expenses	Actual Expenditure			Estimate	Adopted Budget		2021 to 2022 Budget Changes	
	2018	2019	2020		2021	2021	2022	Dollar Change
FTE Payroll	1,046,831	1,095,611	1,186,923	1,215,908	1,233,381	1,277,032	43,651	3.5% <span style="color: orange;">▬</span>
Other Personnel	136,095	116,326	86,400	129,801	135,817	134,542	(1,275)	-0.9% <span style="color: green;">✔</span>
Other Operating	43,683	64,237	39,065	48,820	219,352	48,450	(170,902)	-77.9% <span style="color: green;">✔</span>
Contracts	3,767	7,083	11,245	11,887	16,527	15,574	(953)	-5.8% <span style="color: green;">✔</span>
<b>Grand Total</b>	<b>1,230,375</b>	<b>1,283,257</b>	<b>1,323,633</b>	<b>1,406,416</b>	<b>1,605,076</b>	<b>1,475,598</b>	<b>(129,478)</b>	<b>-8.1%</b> <span style="color: green;">✔</span>

## Public Safety Dispatch

	2017	2018	2019	2020	2021	2022 (thru 5/5)
Incoming Calls			21124	19512	23374	7364
Fingerprints	264	229	238	170	192	76
	2017	2018	2019	2020	2021	2022 (thru 5/5)
CAD Incidents	6393	7064	6707	5038	4929	1540
	2017	2018	2019	2020	2021	2022 (thru 5/5)
Assault	57	84	81	56	63	12
Burglary	6	19	12	8	11	3
Criminal Mischief	21	26	24	23	32	7
Disturbance	139	137	178	123	112	22
ETOH Person	21	29	25	22	22	5
Fire	29	20	32	22	74	31
Medical	180	222	224	203	256	73
MVC	63	74	53	67	61	35
Possible Drunk Driver	57	79	70	47	50	18
Suspicious Person/Car/PKG	46	67	80	63	67	15
Thefts	83	96	89	55	52	20
Trespassing	26	44	49	43	57	19
Welfare Checks	161	145	140	151	141	49

## Public Safety Jail

	2017	2018	2019	2020	2021	2022 thru 4/22
Man Days	554	748	567	541.5	399.5	247.5
Title 47 Holds	5	9	5	10	7	1
Electronic Monitor Days	0	1656	2368	4642	4788	1646



# Completed:

- Prepared to provide Dispatch services for other communities
  - Upgraded phone system
  - Ability to geo-locate 911 call
  - All PST fully trained in Dispatch and Corrections functions
- Converted to NIBRS (National Incident-Based Reporting System) – one of the first agencies in Alaska to do so
  - All information submitted electronically into the database
- Maintained all necessary certifications
- Extended State of Alaska Contract Jail agreement
- 911 Tax re-implemented to provide offset for training/equipment

## In Progress:

- Reviewing/updating/standardizing OPM for Jail and Dispatch
- Establishing redundancy amongst personnel
- Robust Electronic Monitoring program

# Future Goals & Plans:

- Achieve Accreditation by 2027
- Regional Dispatch Center
- Prisoner Transportation Officer training
- Upgrading jail camera system
- Dispatch Console Replacement
  - Project
  - Estimated (\$450,000) (2028)
- Dedicated IT person for Public Safety



# Closing Thoughts

- Upcoming Challenges/Concerns:
  - Upcoming retirement of PST Supervisor (estimated 3-5 years)
    - Position has taken on a **highly** technical aspect
  - Possibility of State of Alaska reducing amount of Jail Contract
    - Currently \$403,000
  - The importance of retaining qualified, trained professionals:
    - Turnover is costly and takes a physical/mental/emotional toll on those tasked with training or covering vacant shifts
      - Between \$37,000 - \$78,000 to train an employee in Dispatch / Corrections
        - Dispatch (610 hours)
        - Corrections (240 hours)

# Dedicated IT position for Public Safety

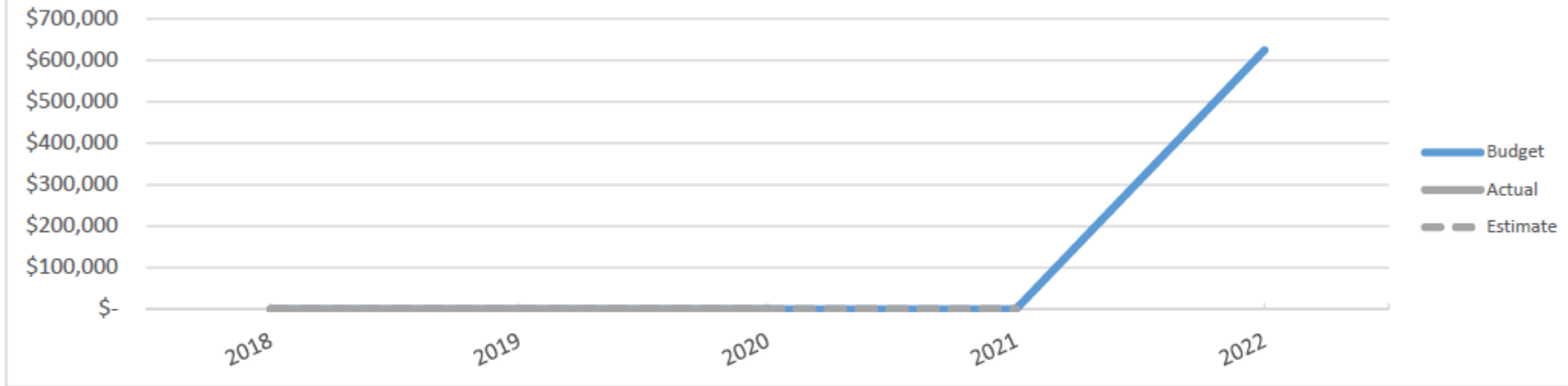
- Last 24 months, PD has over 230 tickets for service – nearly 20% of all City IT tickets
- Some of which are complicated and time consuming
- Since December 2021 over 120 hours of work has been done on PD tickets alone
- Does not even include projects such as Body Worn Cameras, radio upgrades, or emergency issues in which tickets are not generated
- Position would work different hours/weekends to provide support outside the M-F 8-5 currently provided by the IT Department
- Position would have specialized skill set

# Dedicated IT position for Public Safety

- Job Duties (not an all-inclusive list):
  - Technology CJIS City Compliance Assessment
  - Emergency PD/Fire radio systems management
  - PD Body Camera/In Car Camera System Support
  - PD File Retention Management
  - Co-Support with Systems and Network Administrators
    - Security Cameras, Radio systems, Phone system, PD Servers
  - 911 Dispatch equipment manager
    - Inform 911
    - 911 VOIP system

## EMERGENCY MANAGEMENT

### Adopted Budget vs Actual



Over 5% ▶  
 0-5% ▬  
 Below 0% ✔

Expenses	Actual Expenditure			Estimate	Adopted Budget		2021 to 2022 Budget Changes		
	2018	2019	2020		2021	2022	Dollar Change	Percent Change	
FTE Payroll	-	-	-	-	-	176,758	176,758	▶	100.0%
Other Personnel	-	-	-	-	-	53,500	53,500	▶	100.0%
Other Operating	-	-	-	-	-	394,100	394,100	▶	100.0%
<b>Grand Total</b>	-	-	-	-	-	<b>624,358</b>	<b>624,358</b>	▶	<b>100.0%</b>

# Overview – Emergency Management

- EM responsibilities added to Officer Baczuk's police duties in April of 2020
- Designed as a combination position of 50/50 Investigator and EM
- COVID-19 and Emergency Manager related taskings have dominated the position since March 2020
- Evaluation period for 12 months was requested so that staff could report back to Council with a recommendation whether to continue with the current arrangement, contract for the EM position, or advocate for a full-time EM
- Main objective of Emergency and Disaster Management is to solidify a prepared and resilient community that engages in partnerships with stakeholders

# Emergency Manager.....an FTE

- After 24 months of the hybrid Investigator/Emergency Manager position it is evident that a full-time position needs to be dedicated to Emergency Management
- Established budget
- Community expectations
- Council priorities
- Will **NOT** increase the overall COV FTE count – it has been requested that Administration do an analysis of current or upcoming vacancies and re-allocate the already approved FTE
- Position would remain within Law Enforcement and directly report to the Chief of Police.

# Completed – Emergency Management

- Successfully navigated and led much of COV's COVID-19 response
- Distributed a tsunami brochure and guidance letter to every Valdez PO Box
- Maintained/updated City of Valdez Emergency Operations Plan
- Created multiple PSAs regarding Valdez Glacier Lake and Valdez Glacier
- Facilitated 5-day All Hazards Incident Management Training for COV IMT
- Partnered with Alaska Earthquake Center/UAF to create tsunami brochure
- Developed NIXLE subscription promotional advertisements
- Developed a written job description for COV Emergency Manager

# Works in Progress – Emergency Management

- Purchase of non-perishable food supply (2022 budgeted item)
- Outdoor Warning Siren maintenance and equipment upgrades
- Creation of sheltering structure and procedures at designated shelter sites
- Consolidation and inventory of current EDM supplies
- Creating and deploying signage with tsunami information similar to the mailed brochure. Displayed publicly, in multiple languages
- Creating a functional-needs population registry
- Drafting MOU's with local stakeholders
- Maintenance of the EOP

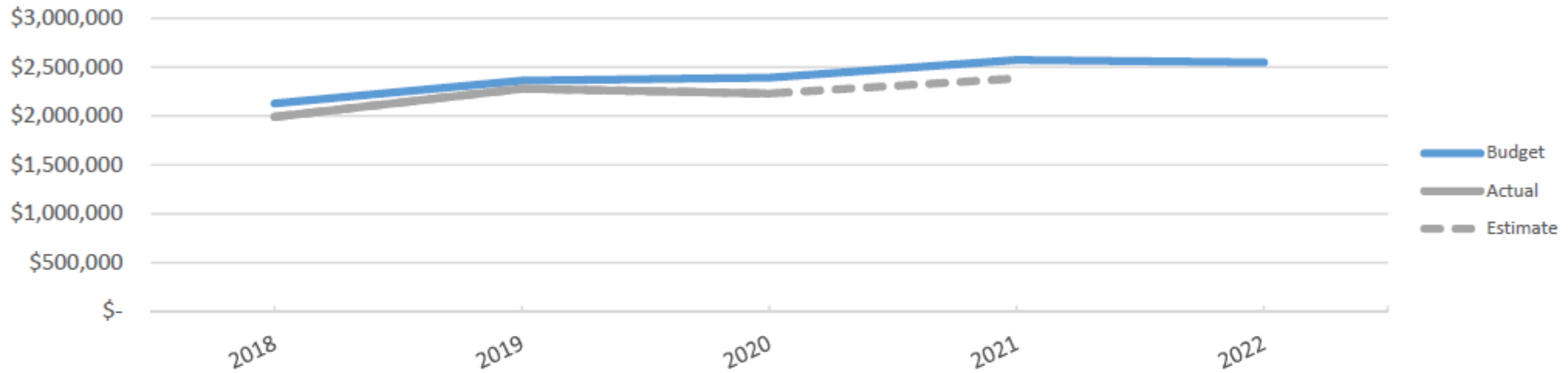


# Long Range Plans – Emergency Management

- Complete emergency services radio upgrades
- Complete Emergency Manager certification training
- Certify Valdez as a “Storm Ready” community through NOAA/NWS
- Identify alternate and adequate community shelters for outlying neighborhoods (FS 4 is inadequate)
- Continue training, and exercising, for COV ICS Command and General staff
- Organize COV building-specific evacuation, reunification, rallying, communication, and personnel accountability plans for disaster response at each COV facility
- Identify/acquire new storage location for EDM supplies that is out of the inundation zone
- Create a family/resident community resilience plan that is sustainable and compliments city planning and preparedness (whole community approach)

## LAW ENFORCEMENT

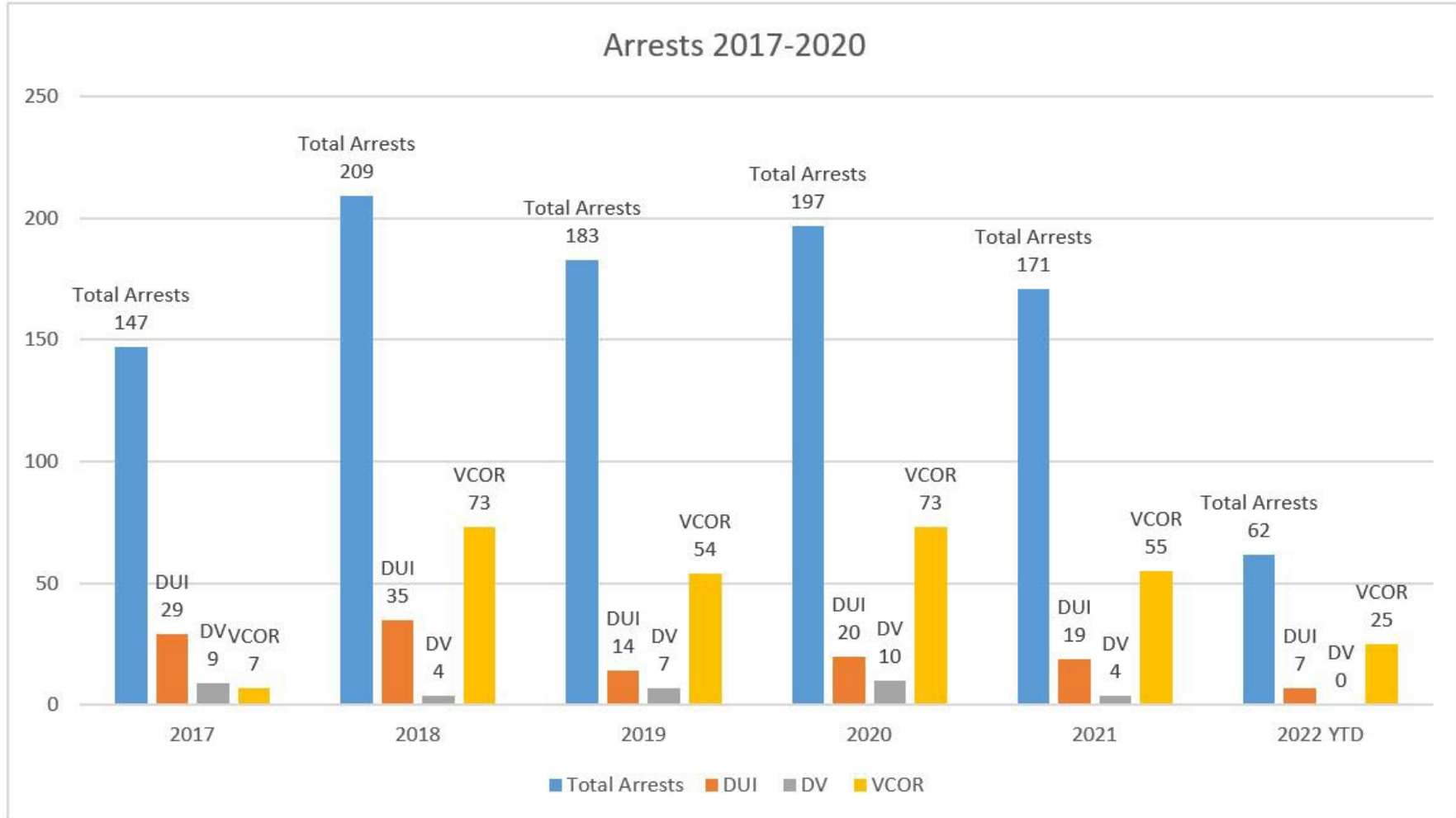
### Adopted Budget vs Actual



Over 5% ▶  
 0-5% ▬  
 Below 0% ✔

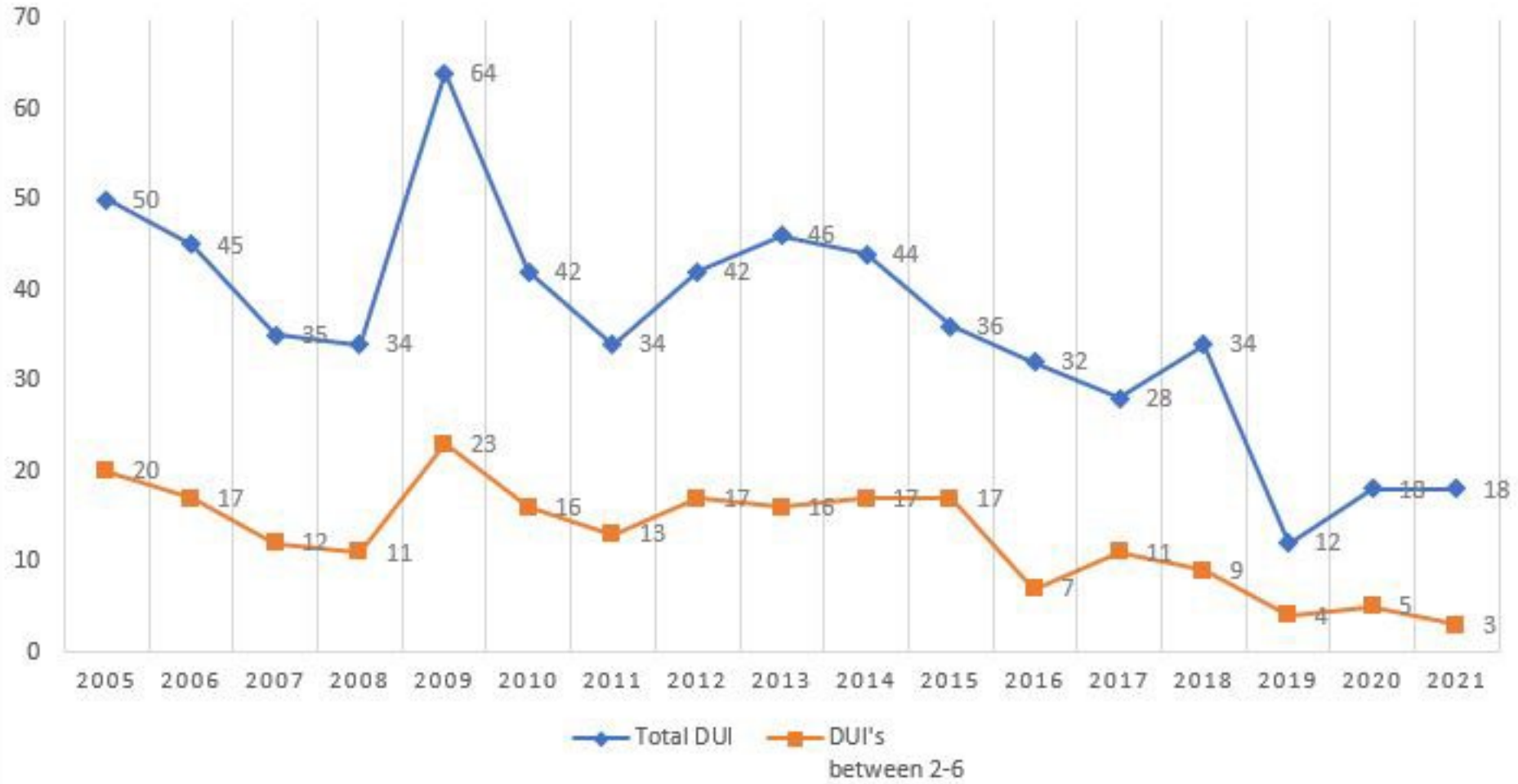
Expenses	Actual Expenditure			Estimate	Adopted Budget		2021 to 2022 Budget Changes	
	2018	2019	2020		2021	2022	Dollar Change	Percent Change
FTE Payroll	1,721,971	1,972,847	1,959,739	2,059,031	2,119,345	2,092,070	(27,275) <span style="color: green;">✔</span>	-1.3%
Other Personnel	148,068	166,403	129,502	177,000	233,299	214,926	(18,373) <span style="color: green;">✔</span>	-7.9%
Other Operating	113,083	112,298	118,103	121,500	139,645	133,145	(6,500) <span style="color: green;">✔</span>	-4.7%
Contracts	8,796	27,272	22,239	27,000	81,800	108,500	26,700 <span style="color: red;">▶</span>	32.6%
<b>Grand Total</b>	<b>1,991,918</b>	<b>2,278,819</b>	<b>2,229,583</b>	<b>2,384,531</b>	<b>2,574,089</b>	<b>2,548,641</b>	<b>(25,448) <span style="color: green;">✔</span></b>	<b>-1.0%</b>

	2017	2018	2019	2020	2021	2022 YTD
<b>Total Arrests</b>	147	209	183	197	171	62
<b>DUI</b>	29	35	14	20	19	7
<b>DV</b>	9	4	7	10	4	0
<b>VCOR</b>	7	73	54	73	55	25

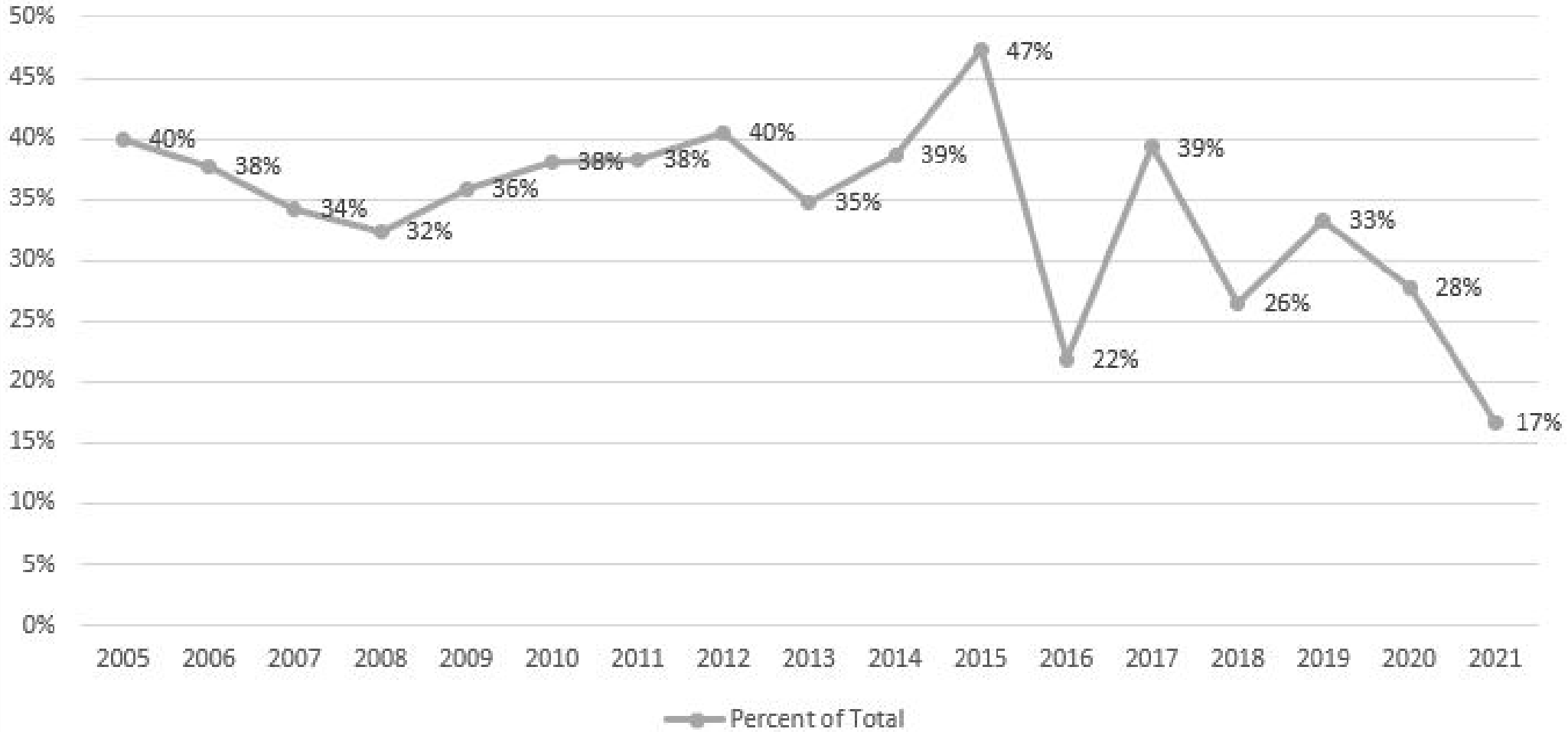


	DUI's				Avg BrAC	Avg BrAC
	Total DUI	between 2-6	Percent of Total	Highest BrAC	Total DUI's	2am-6am
2005	50	20	40%	0.336	0.142	0.120
2006	45	17	38%	0.364	0.161	0.149
2007	35	12	34%	0.277	0.147	0.149
2008	34	11	32%	0.343	0.149	0.157
2009	64	23	36%	0.325	0.145	0.140
2010	42	16	38%	0.304	0.168	0.171
2011	34	13	38%	0.282	0.154	0.154
2012	42	17	40%	0.311	0.154	0.147
2013	46	16	35%	0.287	0.163	0.163
2014	44	17	39%	0.250	0.152	0.149
2015	36	17	47%	0.400	0.162	0.160
2016	32	7	22%	0.423	0.182	0.168
2017	28	11	39%	0.389	0.192	0.185
2018	34	9	26%	0.366	0.191	0.200
2019	12	4	33%	0.225	0.183	0.197
2020	18	5	28%	0.243	0.162	0.171
2021	18	3	17%	0.315	0.200	0.169

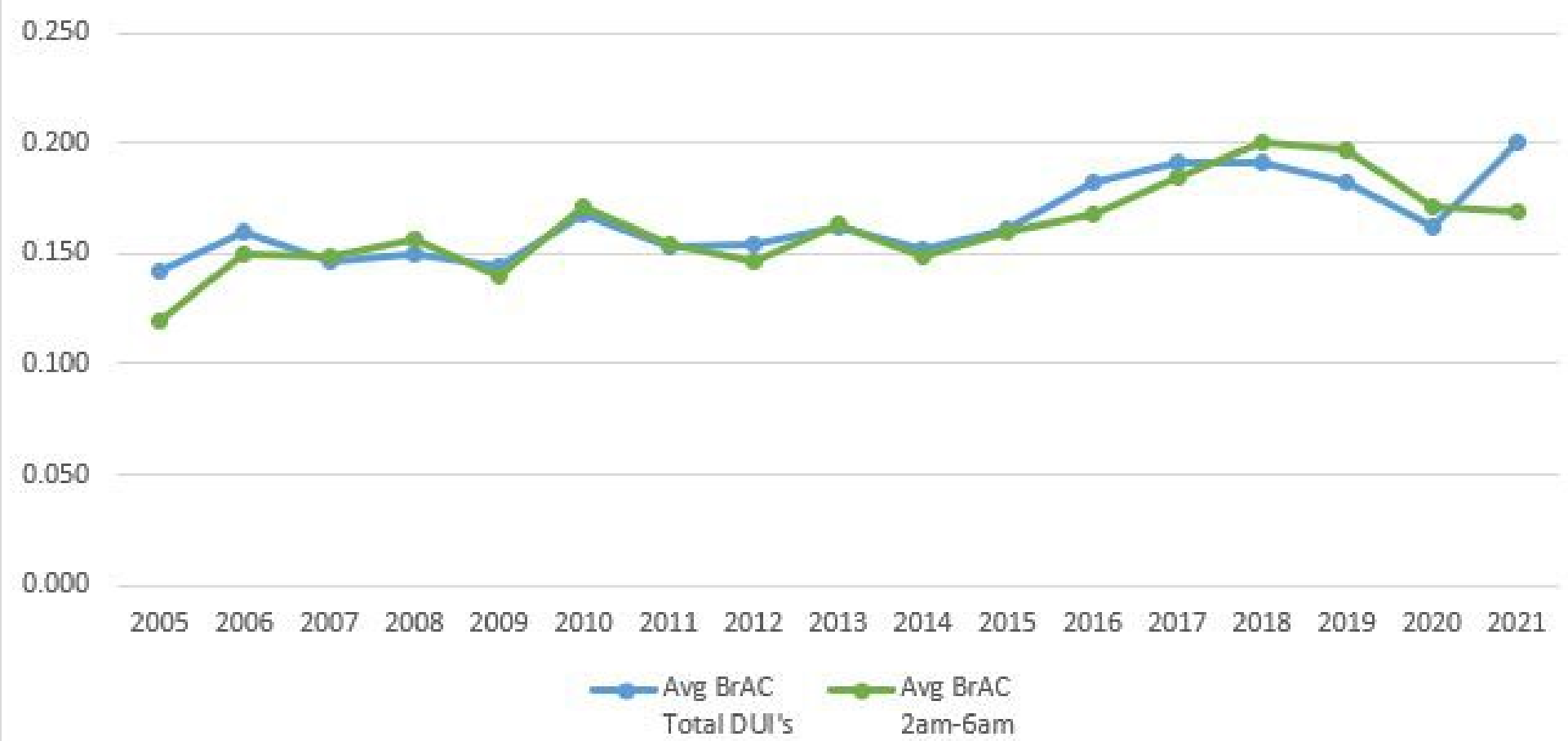
## TOTAL DUI'S VS DUI'S BETWEEN 2AM-6AM

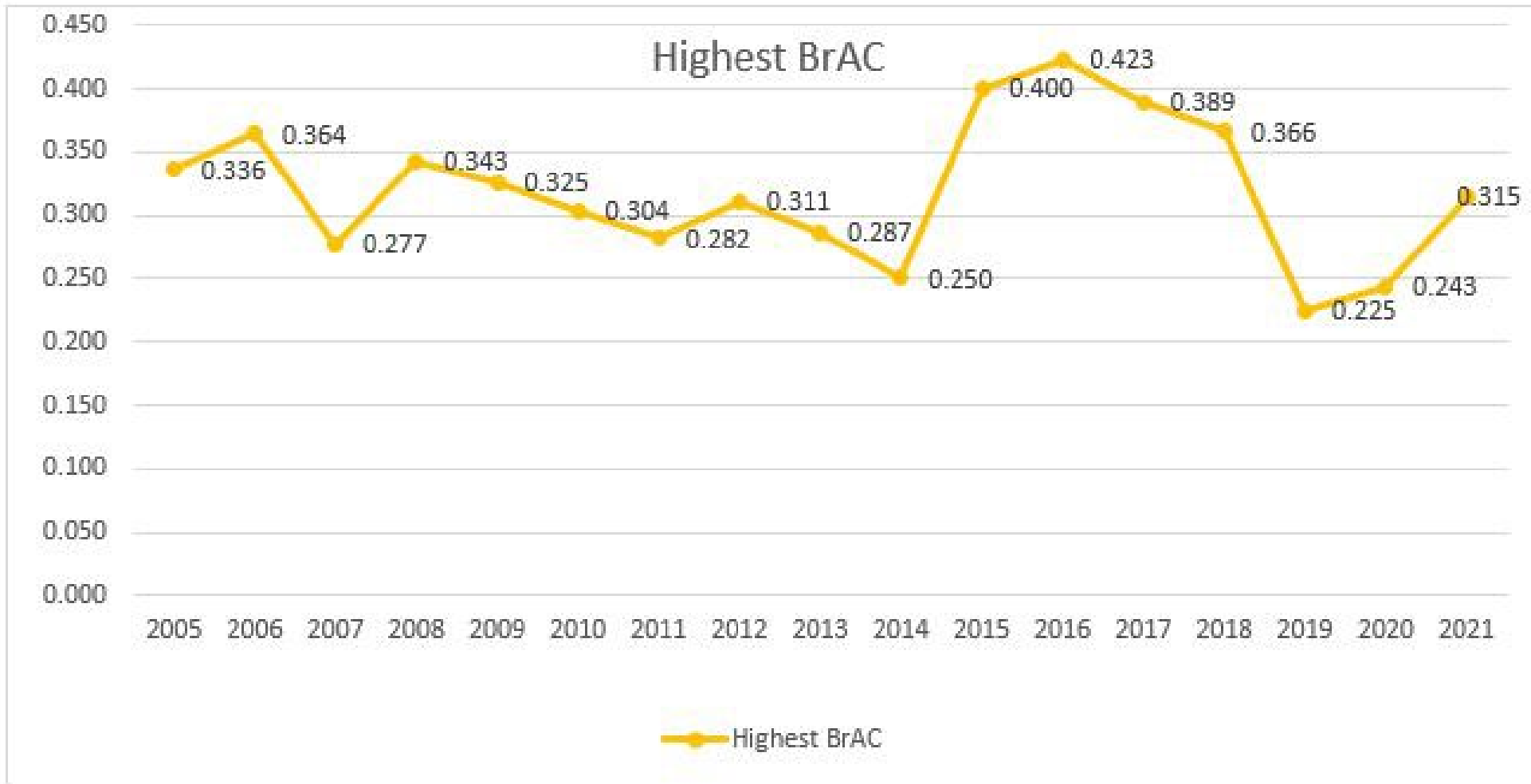


Percentage of Total DUI's falling between 2am-6am



Average BrAC - Difference between total DUI's and DUI's between 2am-6am





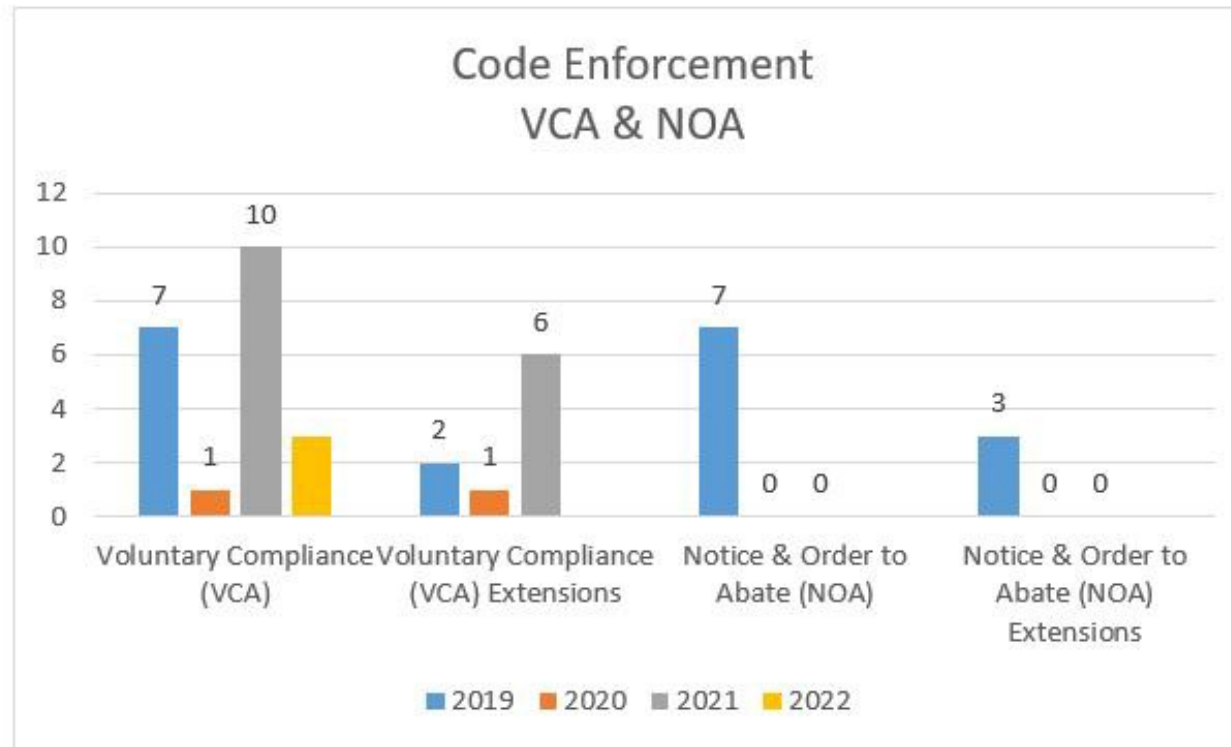


# Overview – Code Enforcement

	2019	2020	2021	2022
Voluntary Compliance (VCA)	7	1	10	3
Voluntary Compliance (VCA) Extensions	2	1	6	0
Notice & Order to Abate (NOA)	7	0	0	0
Notice & Order to Abate (NOA) Extensions	3	0	0	0

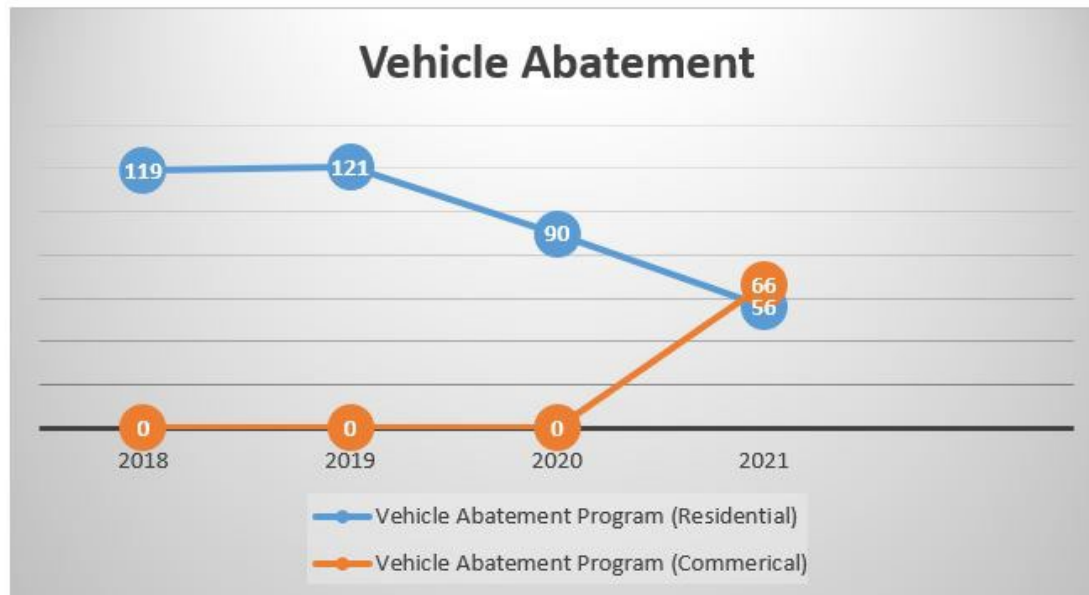
Total Citations Issued: 2 (\$240 total)

Landfill fees waived under the VCA's: \$2,850



# Vehicle Abatement

	<u>2018</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>
Vehicle Abatement Program (Residential)	119	121	90	56
Vehicle Abatement Program (Commerical)	0	0	0	66



- 2018 was strictly vehicles on COV property
- 2019/2020 combination of COV property and private property
- 2021 includes vehicles located on commercial property
- 2022 expected to yield a minimum of 90 vehicles
- Total vehicles to date: 452

# Overview – School Resource Officer

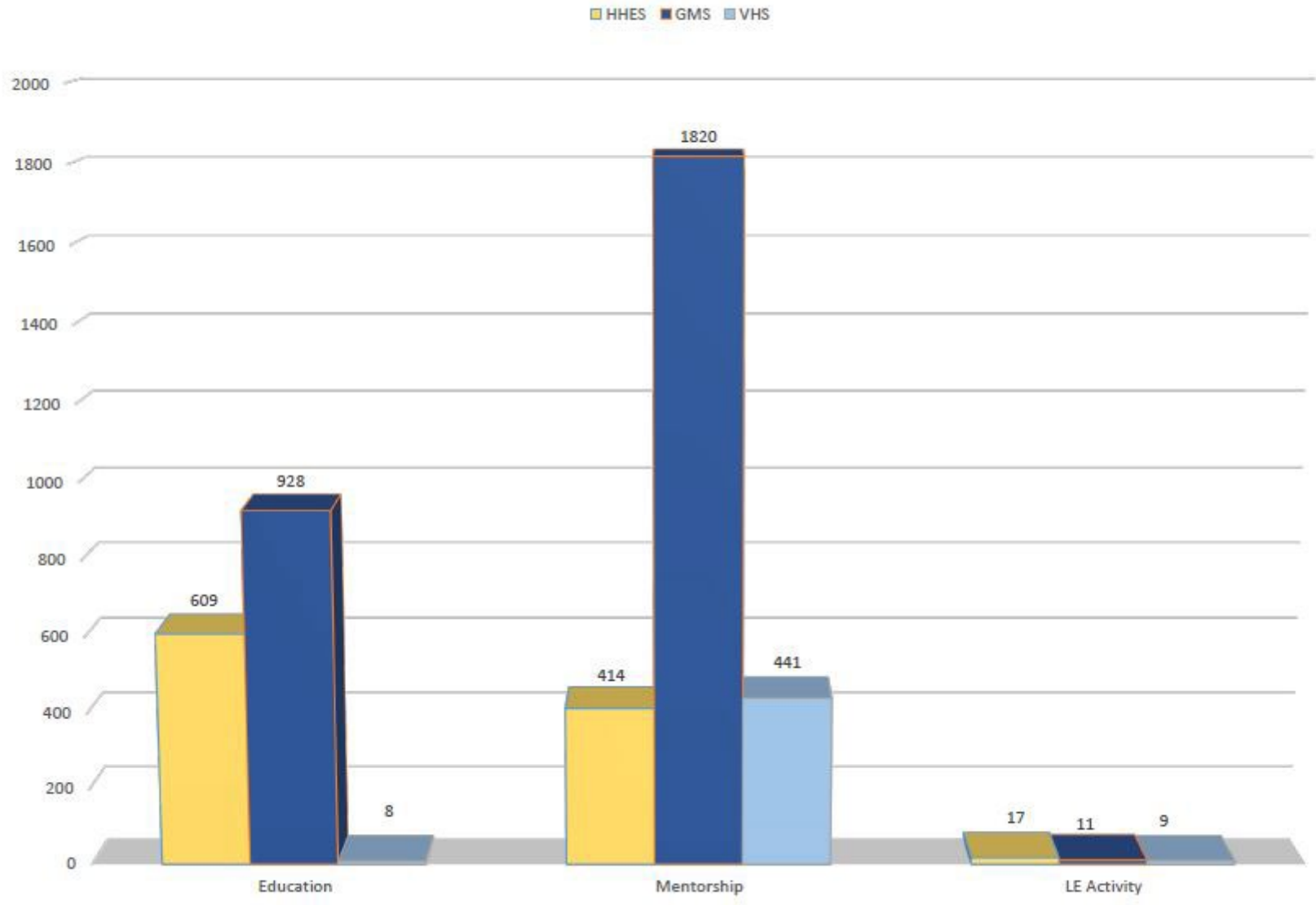
## 2021 -2022 School Year Summary

- Instructed Digital Citizenship (6<sup>th</sup> grade).
- Instructed 10 weeks of DARE for 5<sup>th</sup> grade and 7<sup>th</sup> grade.
- Continued GMS Pickle Hunt.
- Conducted Impaired and Distracted Driving Education for 6<sup>th</sup>-8<sup>th</sup> graders.
- Held weekly lunch-hour free-throw competitions at GMS, VHS.
- Conducted ALICE re-certification training for HHES/GMS/VHS per their request.
- Frequented all 3 schools.
- Introduced Extraordinary Gentlemen – 7 week character building (4<sup>th</sup> grade)

## 2022 – 2023 School Year Goals

- Continue Digital Citizenship.
- Continue DARE Program. Incorporate a separate peer-led instructional series on Vaping.
- Expand Distracted and Impaired Driving Course to VHS and “driver-aged” students.
- Expand free-throw shooting to HHES.
- Partner to start a “Guys Read” program (3<sup>rd</sup>-4<sup>th</sup> graders)
- Continue GMS Pickle Hunt.
- Increase time spent with instructional lessons/guest reader/classroom visits at VHS.
- Conduct ALICE training as requested.
- Implement a Psychiatric Service Animal K9 program

# #STUDENTS CONTACTED BY DISCIPLINE



# Law Enforcement Completed:

- Analysis of hybrid Investigator/Emergency Manager combination position
- Formalized SRO position (updated MOU with Valdez City Schools pending 5/23 School Board approval)
- Valdez Municipal Code change allowing for all-purpose vehicles on roadways with a posted speed of 35 mph or less
- Transitioned to 100% electronic submittal of Discovery items/case reports to DA's office
- Transitioned from PC's to laptops (used in vehicle and in office)
- Plethora of Trainings
  - 2 Officers attended Hazardous Devices School – 5 week training (certified bomb technician)
- Maintained all necessary certifications

# In Progress:

- OPM [Operating Policies/Procedures Manual] review / revision / development
  - Intend to publish it once completed
- EOD team member trainings [3 spots allocated by FBI]
- Implementing dedicated vehicle per Officer
- Training(s)
- Advertising
- 2022 Vehicle Abatement Program

# Future Goals & Plans:

- Achieve Accreditation by 2027
- Recruitment
- Complete OPM Revision and Publication in 2022
- Contract a barge to come to Valdez, process all salvageable materials (vehicles, yellow iron, etc.)
- Continue to enhance the School Resource Officer position
- Identify additional / new training opportunities
- Increase transparency
- Continue to fulfill our mission statement
- Deliver the type and quality of Law Enforcement services that the citizens of Valdez deserve and expect

# Closing Thoughts

- Retention & Recruitment:
  - Average years of VPD LE experience: 16 years, 4 months
  - 5 employees over 20 years, 3 with 20 years+ of service with VPD
  - Recruitment / hiring is difficult
    - “Semi-Rural” Alaska, opportunities for significant other, housing, etc.
    - Written component, Integrity test, Physical Examination, Polygraph, Psych. Exam, Drug Test
    - One qualified applicant in 2018, current vacancy unfilled since October 2021
    - Upcoming retirement in October 2022, more on the horizon
  - Turnover is costly and takes a physical/mental/emotional toll on those tasked with training or covering vacant shifts
    - Between \$82,000 - \$196,000 to outfit and train an Officer
      - Alaska Law Enforcement Training Academy [ALET] (1280 hours)
      - Field Training Evaluation Program [FTEP] (672 hours)



# Closing Thoughts

- Training:
  - Training requirements for Law Enforcement are not going to go down
  - The travel/per diem and cost to backfill the vacated position is expensive
  - With a number of upcoming vacancies, the need for adequate, consistent, Department-wide training is paramount
  - Currently researching a Training Simulator
    - Budgetary impact: \$36,000/year
    - Scenario-based training that improves: situational awareness, use of de-escalation techniques, critical thinking, communication skills, decision making under stress, reading body language and threat cues and improving Officer and civilian safety.
    - Other entities may utilize it (Counseling Center)
    - Database regularly updated, each scenario has an average of 85 branching options per scenario

# Bottom Line:

**All Departments are extremely sensitive to changes in personnel costs, due to shifts, holidays, and overtime.**

*Upcoming (potential) Budgetary Items and Requests-*

Public Safety:

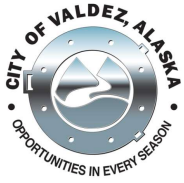
- 2028 replacement of Dispatch console (\$400,000)

Law Enforcement:

- \$36,000+/ year for Training Simulator. Potential offset in travel/per diem/other training that would cause necessary OT to backfill shift
- Proposal to exceed authorized FTE for a dedicated, short-term period to allow for continuity of operations when a retirement/separation date has been identified and accepted
- Implementation of a Reserve Officer program

Emergency Management:

- Recommendation for FTE re-allocated from a vacant, previously authorized FTE



Legislation Text

---

**File #:** 22-0222, **Version:** 1

---

**ITEM TITLE:**

Approval To Go Into Executive Session Re: Escaped Property -Treatment of Supplemental Assessments

**SUBMITTED BY:** Jake Staser, City Attorney

**FISCAL NOTES:**

Expenditure Required: NA  
Unencumbered Balance: NA  
Funding Source: NA

**RECOMMENDATION:**

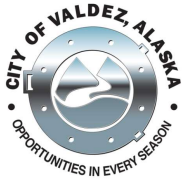
[Click here to enter text.](#)

**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 #:** 22-0223, **Version:** 1

---

**ITEM TITLE:**

Proclamation: National Trails Day

**SUBMITTED BY:** Sheri Pierce, MMC, City Clerk

**FISCAL NOTES:**

Expenditure Required: NA

Unencumbered Balance: NA

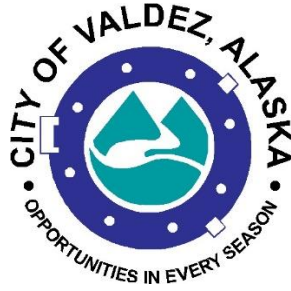
Funding Source: NA

**RECOMMENDATION:**

[Click here to enter text.](#)

**SUMMARY STATEMENT:**

Valdez Adventure Alliance will be present to accept this proclamation recognizing Saturday, June 4<sup>th</sup> as National Trails Day in Valdez.



## PROCLAMATION

WHEREAS, the American Hiking Society's National Trails Day is a celebration of America's magnificent trail system, occurring annually on the first Saturday in June; and

WHEREAS, National Trails Day is a day of public events aimed at advocacy and trail service when thousands of hikers, bikers, rowers, horseback riders, trail clubs, federal and local agencies, land trusts, and businesses come together in partnership to advocate for, maintain, and clean up public lands and trails; and

WHEREAS, National Trails Day unites the trails community by connecting more people to trails and public lands with the goals of improving the trails and places we love, sustaining America's remarkable trails system, and preserving beloved trails for future generations; and

WHEREAS, Valdez Adventure Alliance in support of local recreational and stewardship efforts, has registered a Shoup Bay Trail community service project for National Trails Day; and

WHEREAS, the Valdez community appreciates the hard work and tireless dedication of City Parks maintenance supervisor, Marcie Robertson, City Parks maintenance staff, and the Valdez Adventure Alliance in their efforts to maintain Valdez area trails; and

WHEREAS, the Valdez community recognizes our local trails system as an important community resource for the enjoyment, physical health, and mental well-being of Valdez citizens.

NOW, THEREFORE: I, Sharon Scheidt, Mayor of the City of Valdez, do hereby proclaim Saturday, June 4th, 2022, as

### NATIONAL TRAILS DAY

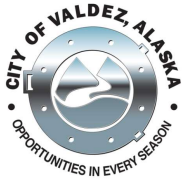
in Valdez, and encourage all citizens, to support the nationwide movement and commit to taking at least one action in 2022 to preserve trails and fight for equitable access to quality green space.

CITY OF VALDEZ, ALASKA

ATTEST:

\_\_\_\_\_  
Sharon Scheidt, Mayor

\_\_\_\_\_  
Sheri L. Pierce, MMC, City Clerk



Legislation Text

---

**File #:** 22-0224, **Version:** 1

---

**ITEM TITLE:**

Proclamation: National Bike Week

**SUBMITTED BY:** Sheri Pierce, MMC, City Clerk

**FISCAL NOTES:**

Expenditure Required: NA

Unencumbered Balance: NA

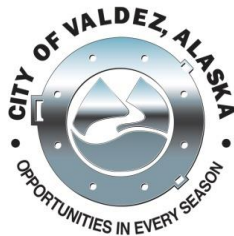
Funding Source: NA

**RECOMMENDATION:**

[Click here to enter text.](#)

**SUMMARY STATEMENT:**

This proclamation recognizes the week of May 16<sup>th</sup> through May 22<sup>nd</sup> as National Bike Week in Valdez.



## PROCLAMATION

WHEREAS, for more than a century the bicycle has been an utilitarian, economical, environmentally sound and effective means of personal transportation, recreation and fitness; and

WHEREAS, the City of Valdez encourages the use of bicycles as a means of transportation; and

WHEREAS, the City of Valdez recognizes the bicycle as a legitimate roadway vehicle and therefore is entitled to legal and responsible use of all public roadway facilities in Valdez; and

WHEREAS, the City of Valdez encourages the increased use of the bicycle, benefiting all citizens of Valdez by improving air quality, reducing traffic congestion and noise, decreasing the use of and dependence upon finite energy sources, and fostering exercise; and

WHEREAS, the City of Valdez, recognizing the use of bicycles as a viable mode of transportation, endeavors to promote safe and responsible bicycling and is committed to incorporating the development of bicycle facilities in the vision for our community; and

WHEREAS, the League of American Bicyclists has established May as National Bicycle Month.

NOW, THEREFORE, I, Mayor of the City of Valdez, do hereby proclaim, May 16<sup>th</sup> thru May 22<sup>nd</sup>, 2022, as

### NATIONAL BIKE WEEK

in the City of Valdez, and encourage all citizens to ride their bicycles to work, to the store, to the park, around their neighborhoods and with friends and family to promote the personal and societal benefits achieved from bicycling.

DATED this 17<sup>th</sup> day of May, 2022.

CITY OF VALDEZ, ALASKA

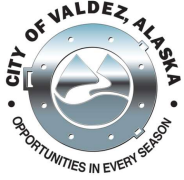
---

Sharon Scheidt, Mayor

ATTEST:

---

Sheri L. Pierce, MMC, City Clerk



## Legislation Text

---

**File #:** 22-0225, **Version:** 1

---

**ITEM TITLE:**

Approval of Temporary Access Agreement with Rydor Enterprises, LLC, Camicia Creek Landholdings, LLC, and Brandon Reese, for Access of Parcels A-1, A-2 and B, ASLS 79-116 and Tract C of Rydor Subdivision 2019 Addition Across City of Valdez Property.

**SUBMITTED BY:** Paul Nylund - Senior Planner/GIS Technician

**FISCAL NOTES:**

Expenditure Required: N/A  
Unencumbered Balance: N/A  
Funding Source: N/A

**RECOMMENDATION:**

Approve temporary access agreement with Rydor Enterprises, LLC and Camicia Creek Landholdings for access of parcels A-1, A-2 and B, ASLS 79-116 and Tract C of Rydor Subdivision 2019 Addition across City of Valdez property.

**SUMMARY STATEMENT:**

On June 2, 2008, the Valdez City Council passed Resolution 08-25 authorizing access to Parcels A-1, A-2 and, ASLS 79-116 through city property over the Alpetco Road to Ryan McCune (Rydor Enterprises). In 2021 Brandon Reese requested that he be added to this resolution in order to access this property, as well as to Tract C of Rydor Subdivision 2019 Addition. Tract C was purchased by Rydor Enterprises from the City of Valdez in 2019 and was then transferred to Camicia Creek Landholdings, of which Brandon Reese is part. Resolution 08-25 granted Ryan McCune authorization to access his 100 acres of property for the purposes of development but in the time since 2008 the situation in this area had changed. The number of companies and individuals involved had increased, the size of the private property doubled, and the traffic across city property increased. Due to these changes, along with the period of time that has passed since the authorization, the City Clerk and City Attorney determined that the most appropriate method to add Camicia Creek Landholdings was to repeal and replace Resolution 08-25 with a new resolution, Resolution 21-20.

Resolution 21-20 was approved on May 18<sup>th</sup>, 2021, and has expired as of December 31<sup>st</sup>, 2021. The hope was that the City of Valdez would work with the land owners to establish a more permanent solution for access to these parcels using the information contained in an access study that was commissioned by the city in summer of 2021. As of the time of this agenda statement, the access study has not yet been finalized and there have been no major advances in establishing formal platted access to the private parcels. This new agreement will grant continued access to the private



property over City of Valdez owned land.

AK Department of Fish and Game Habitat Section has determined that a Fish Habitat Permit is required for the crossing of Corbin Creek by equipment and large vehicles for the purpose of development of the private parcels. Currently Fish Habitat Permit FH20-II-0084 grants Rydor Enterprises permission to cross Corbin Creek with heavy equipment, trucks, and ATVs. It is the responsibility of Camicia Creek Landholdings and Brandon Reese, to obtain written approval from the ADF&G Habitat Section in the form of a permit amendment or additional permit, for any activity that significantly deviates from the approved plan.

Planning Department staff recommends that the City Council approve this agenda item and authorize the City Manager to execute this access agreement with Camicia Creek Land Holdings, Rydor Enterprises, and Brandon Reese, providing temporary access across City of Valdez owned property for the purpose of development. Staff has included an expiration date of December 31, 2023 with the intention that the agreement be revisited in the fall of 2023. At that time, staff is hopeful that a permanent ROW can be platted.

## TEMPORARY ACCESS AGREEMENT

THIS TEMPORARY ACCESS AGREEMENT (“Agreement”) is made and entered into this the \_\_\_ day of \_\_\_\_\_, 2022, by and between the City of Valdez, Alaska (“Grantor” or “City”), and Rydor Enterprises LLC., Camicia Creek Landholdings, LLC, and Brandon Reese (together “Grantee”). Grantor and Grantee are sometimes herein referred to individually as a “Party” and together as the “Parties.”

### A. THE PARTIES MUTUALLY COVENANT AS FOLLOWS:

1. For and in consideration of an annual payment of zero Dollars (\$00.00) and other good and valuable consideration, the receipt and legal sufficiency of which are hereby acknowledged, and the keeping and the performance of the covenants and agreements hereinafter expressed, Grantor grants to Grantee a non-exclusive license for temporary access to cross the Grantor’s property (hereinafter, the “Property”) located in the City of Valdez, Alaska as set forth in the attached Exhibit A, which identifies the Property Access Trail (“Trail”).

2. Subject to the covenants and agreements set forth herein, Grantee may access the Property for the sole purpose of crossing over the Property for the term beginning the 1<sup>st</sup> day of January, 2022 and ending the 31<sup>st</sup> day of December, 2024. Grantor may mark the Trail with trail markings such as colored plastic tape and Grantees agree that they and their employees or guests shall stay within trail markings when crossing the Property.

3. This grant of access is subject to any and all previously granted easements, rights-of-way, licenses and conveyances, recorded or unrecorded. It is Grantee’s sole responsibility to determine the existence of any rights, uses or installations conflicting with Grantee’s use of the Property hereunder. Grantee agrees to not interfere with any use in Property by any other party under a previous grant. Grantee understands and agrees that Grantor makes no representations concerning ownership of nor warrants title to any of the Property. To the extent that this grant of access may encroach on lands not owned or controlled by Grantor, Grantee assumes all responsibility for any such encroachment.

4. Grantor and Grantee agree that this Agreement including all exhibits, supersedes any and all prior written or oral agreements, and there are no covenants or agreements between the Parties except as set forth herein with respect to the use of the Property by Grantee. No prior or contemporaneous addition, deletion, or other amendment hereto shall have any force or effect whatsoever unless embodied herein in writing. No subsequent amendment hereto shall have any force or effect unless embodied in a written agreement executed and approved by the Parties.

5. Any notice required or permitted by this Agreement may be delivered in person, sent by registered or certified mail, return receipt requested, or sent by e-mail to the Party at the address as hereinafter provided. If sent by mail notice shall be effective when posted in the U.S. Mail with sufficient postage attached thereto: If sent by e-mail notice shall be effective upon acknowledgment of receipt by the receiving Party.

**GRANTOR:**

**ATTN: Mark Detter  
CITY OF VALDEZ  
PO BOX 307  
VALDEZ, AK 99686  
EMAIL:**

**GRANTEE:**

**ATTN: Ryan McCune  
RYDOR ENTERPRISES LLC  
PO BOX 3633  
VALDEZ, AK 99686  
EMAIL:Rydormccune@gmail.com**

**ATTN: NATE SMITH  
CAMICIA CREEK  
LANDHOLDINGS LLC.  
PO BOX 2845  
VALDEZ, AK 99686  
EMAIL: 907snowcat@gmail.com**

**BRANDON REESE  
PO BOX 2409  
VALDEZ, AK 99686  
EMAIL:Treesandpow@gmail.com**

Notice of change of address shall be treated as any other notice.

6. This Agreement shall be governed by the laws of the State of Alaska with venue in the Superior Court, Third Judicial District at Valdez, Alaska.

**B. GRANTOR EXPRESSLY COVENANTS:**

1. Grantee shall have access at all times subject to this Agreement, and subject to Grantor's security policies and procedures, to the Property for the purposes set forth herein.

**C. GRANTEE EXPRESSLY COVENANTS:**

1. Grantor shall have, during the continuance of this Agreement, the right to use the Property for any purposes, provided such use does not materially interfere with

the license granted herein.

2. Use of the property shall not cause or contribute to water quality degradation, alteration of drainage systems, significant rutting, ground disturbance, or thermal erosion and shall not cause environmental degradation or contamination prohibited by state or federal law.

3. Grantee covenants to limit the use of the Property as follows:

a. Access to property owned by Grantee using a highway vehicle with a curb weight of up to 10,000 pounds, including a four-wheel-drive vehicle or pickup truck, or using a recreational-type vehicle off-road or all-terrain vehicle with a curb weight of up to 2,500 pounds, including a snowmobile/snowmachine (or other tracked vehicle), motorcycle or ATV.

b. Travel of construction and other heavy equipment with written approval from Grantor and subject to the insurance requirements set forth in Section C(11).

4. Grantee shall submit a written request for the uses identified in Section C(3)(b) to the Planning Director at least fifteen (15) days prior to the planned commencement of such use. The written request shall include a description of equipment, identify the portion or portions of the Property to be used, and the requested duration of use.

5. Grantee shall not allow access through the locked gate maintained by the City to third parties without prior written consent from the City, unless such access is directly associated with the performance of work under an approved building permit or development activity.

6. Grantee shall obtain all City, state, or federal permits required for construction or other activities on Grantee's property accessed under this Agreement.

7. In the event Grantor shall, in the future, wish to grant easements or rights-of-way that encroach upon the license granted herein, Grantee expressly agrees and covenants it will consent to and not object to any such easements or rights-of-way.

8. Grantee shall make no improvements on the Property. In the event of termination, Grantee, at its expense, shall, upon written request by Grantor, remove all improvements constructed by Grantee from the Property within ninety (90) days of termination and restore the Property as nearly as is practicable to the condition of the land existing immediately prior to Grantee's first use. In the event that Grantee does not remove the improvements within such 90-day period, Grantor shall have the option to

either (1) remove the improvements and restore the Property to its prior condition and bill the Grantee for the cost of removal and restoration, or (2) consider such improvements abandoned, in which case the improvements shall become the property of Grantor.

9. Grantee may not use this grant of access for any purpose other than that which is specifically described herein. If the Property is used by Grantee for any purpose other than stated herein, the Agreement is automatically terminated, and all of the rights of Grantee (and Grantee's successors or assigns) in and to the Property become null and void, and the Property shall absolutely revert to and revest in Grantor as fully and completely as if this instrument had not been executed, without the necessity for suit or re-entry and Grantee shall remove improvements as provided above. No act or omission on the part of Grantor shall be a waiver of the operation or enforcement of this Paragraph.

10. Grantee agrees to comply with all rules, regulations and policies promulgated by Grantor pertaining to the use of the Property and agrees to obtain all required state or federal authorizations required for use of the Property.

11. Grantee agrees to indemnify, defend and hold harmless the Grantor against all liability, loss and expense and against all claims and actions based upon or arising out of injury or death to persons or damage to property, caused by any acts or omissions of Grantee, its residents, members, guests, successors, assigns, agents or contractors or arising out of Grantee's use of the Property. In the event that Grantee contracts for any work to be performed on the Property, subject to applicable permitting requirements, Grantee agrees that it shall require its contractors and subcontractors to indemnify, defend and hold harmless Grantor, its employees and agents from any and all claims, damages and liabilities whatsoever for injury or death to persons or damage to property arising from the contractors' and/or subcontractors' actions or inactions. All contractors and subcontractors shall be required to abide by and follow the provisions of this Agreement.

12. No clearing, brush disposal, or trail modification on the Property shall occur without the prior written approval of a plan for such activities by the Planning Director or designee.

13. For any period during which Grantee has received written authorization to engage in the use described in Section C(2)(b), Grantee shall maintain liability insurance as set forth herein naming the City as an additional insured party with a waiver of subrogation endorsement in favor of the City. Grantee shall provide proof of insurance including the full insurance policy with endorsements in a form acceptable to the City prior to using the Property. Minimum insurance requirements are as follows:

a. General Liability: Covering the Permittee and the City for any and all claims for personal injury, bodily injury (including death) and property damage (including environmental degradation or contamination) arising from any activity occurring as a result of this Agreement. Minimum limits:

- \$1,000,000 Each Occurrence
- \$100,000 Damage to Rented Premises
- \$5,000 Medical Payments
- \$1,000,000 Personal & Adv Injury
- \$2,000,000 General Aggregate
- \$2,000,000 Products and Completed Operations Aggregate

b. Auto Liability (if applicable): Permittee shall maintain business auto liability insurance covering liability arising out of any auto (including owned, hired, and non-owned autos). Minimum Limits:

\$1,000,000 Combined single limit each accident.

Where workman's compensation insurance is required under state or federal law the City may require proof of such insurance.

IN WITNESS WHEREOF, the Parties hereto have caused this Temporary Access Agreement to be executed the day and year first above written.

**[SIGNATURES TO FOLLOW]**

**GRANTOR:**

**CITY OF VALDEZ, ALASKA**

By: \_\_\_\_\_  
Sharon Scheidt, Mayor

Date: \_\_\_\_\_

**ATTEST:**

By: \_\_\_\_\_  
Sheri L. Pierce, MMC, City Clerk

Approved as to Form:  
BRENA, BELL & WALKER, P.C.  
Attorneys for the City of Valdez

By: \_\_\_\_\_  
Jake W. Staser

**GRANTEE:**

**RYDOR ENTERPRISES, LLC,  
CAMICIA CREEK LAND  
HOLDINGS, LLC, AND BRANDON  
REESE**

By: \_\_\_\_\_  
Ryan McCune  
Rydor Enterprises, LLC

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Nate Smith  
Camicia Creek Landholdings, LLC

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Brandon Reese

Date: \_\_\_\_\_

CITY OF VALDEZ, ALASKA

RESOLUTION #21-20

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA AUTHORIZING ACCESS TO PARCELS A-1, A-2 AND B, ASLS 79-116 AND TRACT C OF RYDOR SUBD 2019 ADDITION, ACROSS CITY-OWNED PROPERTY OVER THE ALPETCO ROAD TRAIL

WHEREAS, the City of Valdez sold Rydor Enterprises, LLC 100 acres of property within Tract A and Tract B, ASLS 79-116 to known as Parcels A-1, A-2 & B, ASLS 79-116, and Tract C Rydor SUBD 2019 Addition; and

WHEREAS, Rydor Enterprises, LLC and Camicia Creek Land Holdings, LLC require access to their properties for the purpose of developing a mountain recreation center; and

WHEREAS, this property is landlocked with no platted access, and Rydor Enterprises, LLC and Camicia Creek Land Holdings, LLC are requesting access across City property for the purpose of continuing the process of development; and

WHEREAS, the City Council approved Resolution 08-25 on June 2, 2008 authorizing temporary and insured access to the properties via the Alpetco Road; and

WHEREAS, the City wishes to grant Rydor Enterprises, LLC and Camicia Creek Land Holdings, LLC access while maintaining the use of existing trails and road beds; and

WHEREAS, the City has commissioned an access study for this area to be completed in summer of 2021, which is a necessary step in establishing formal platted access to these properties; and

WHEREAS, this agreement is to be reevaluated before the expiration of this Resolution with the intent of moving toward the formal dedication of access via municipal access agreement or platted right of way;

WHEREAS, the City of Valdez needs to be protected against liability that may result from the access provided under this Resolution; and

WHEREAS, the City of Valdez needs to ensure all state and federal permits for such work are obtained for all actions taken on its land.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA, that:



Section 1. Rydor Enterprises, LLC and Camicia Creek Land Holdings, LLC are granted access for purposes of project development over the Old Alpetco Road trail until December 31, 2021 or until otherwise revoked by Council resolution so long as all other requirements of this Resolution are satisfied.

Section 2. The City, acting through the City Manager, may restrict any form of access not expressly provided for by this Resolution.

Section 3. For the duration of access grant, Rydor Enterprises, LLC and Camicia Creek Land Holdings, LLC shall maintain a general liability insurance policy covering their activities within the access area including brushing, clearing, and grading activities with minimum limits of \$1,000,000 general aggregate. The policy shall name the City of Valdez as an additional insured and proof of insurance must be submitted to the City Manager prior to using the access area under this Resolution.

Section 4. In conformance with state and federal regulations, all required Alaska Department of Fish and Game Fish Habitat Permits and other applicable state and federal permits shall be obtained and submitted to the City Manager for inspection prior to using the access area under this Resolution.

Section 5. Rydor Enterprises, LLC and Camicia Creek Land Holdings, LLC shall not allow access through the locked gate maintained by the City to third parties without prior written consent from the City, unless such access is directly associated with the performance of work under an approved building permit or development activity.

Section 6. Rydor Enterprises, LLC and Camicia Creek Land Holdings, LLC use of the access area is not exclusive and shall not unreasonably interfere with the use of the public or the City.

Section 7. No clearing, brush disposal, or trail modification within the access area shall occur without the prior approval of a plan for such activities by the City Manager.


PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA, this 18<sup>th</sup> day of May, 2021.

CITY OF VALDEZ, ALASKA



Sharon Scheidt, Mayor

ATTEST:

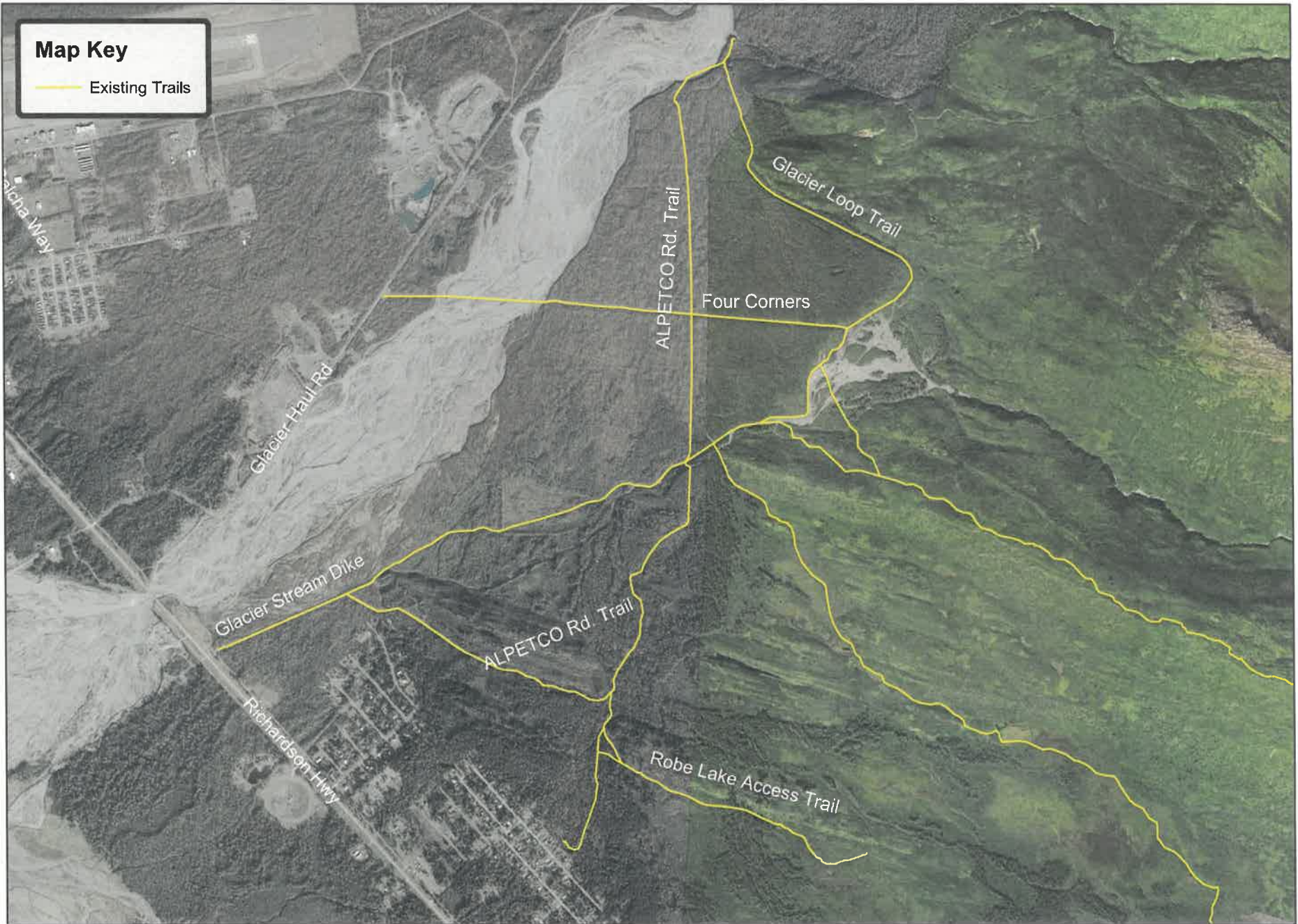


Sheti L. Pierce, MMC, City Clerk



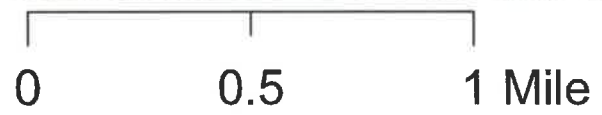


# "GLACIER STREAM EAST" TRAILS



**Map Key**

— Existing Trails

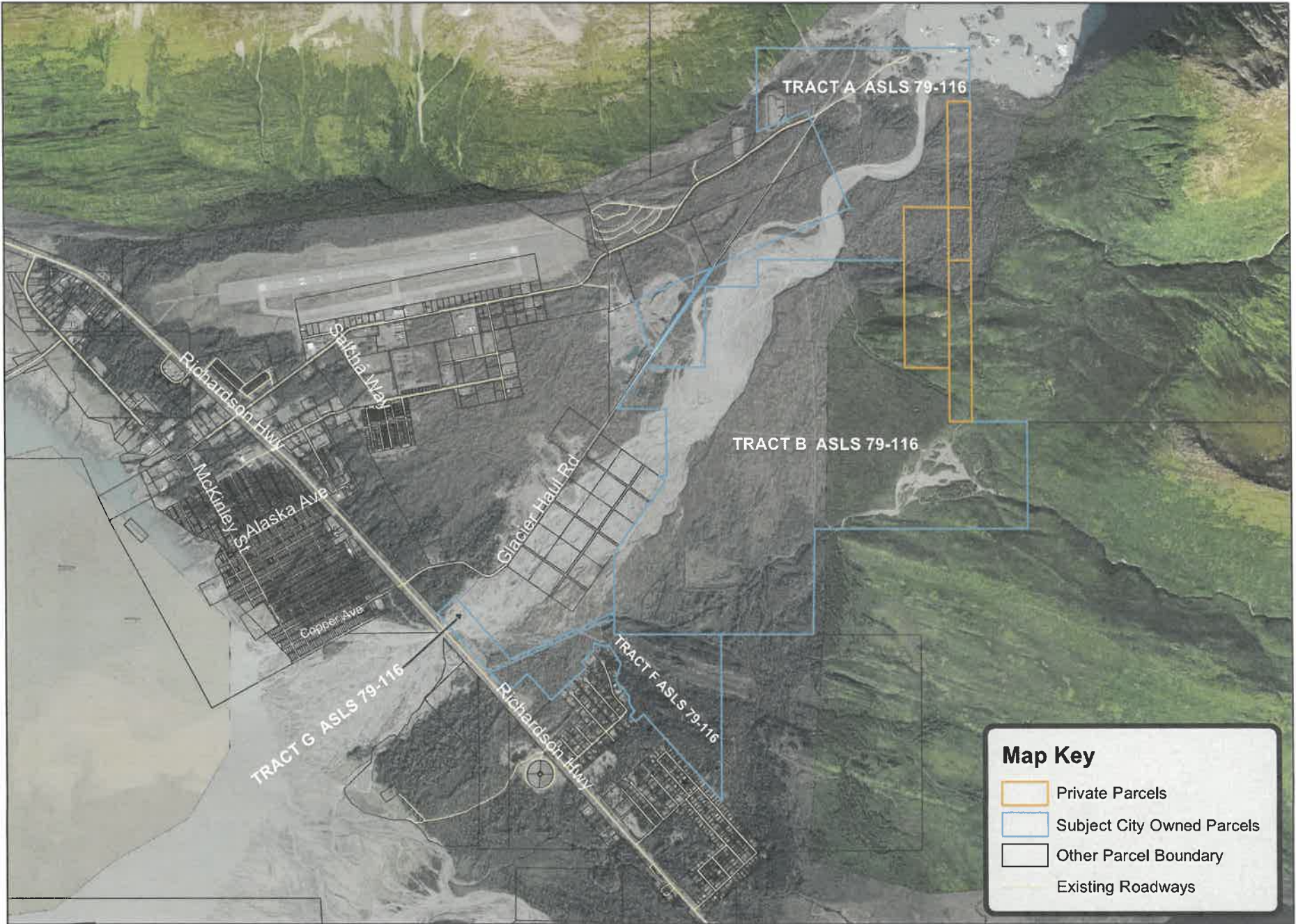


Attachment 'B'

Information displayed is for informational purposes only. The City of Valdez makes no warranties, expressed or implied as to the veracity or accuracy of the information herein.



# ASLS 79-116 and PRIVATE PARCELS



CITY OF VALDEZ, ALASKA

RESOLUTION 08-25

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA AUTHORIZING ACCESS TO PARCELS A-1, A-2 AND B, ASLS 79-116 THROUGH CITY-OWNED PROPERTY OVER THE ALPETCO ROAD

WHEREAS, the City of Valdez sold Ryan McCune 100 acres of property within Tract A and Tract B, ASLS 79-116 to known as Parcels A-1, A-2 & B, ASLS 79-116; and

WHEREAS, Mr. McCune (Rydor Enterprises) requires access to this property for the purpose of developing a mountain recreation center; and

WHEREAS, the City Council approved Resolution 07-62 on August 21, 2007 authorizing permitted and insured access to the property via the Alpetco Road through December 31, 2007; and

WHEREAS, this property is landlocked with no platted access, and Mr. McCune is requesting access through City property so that he may continue the process of development; and

WHEREAS, the City wishes to grant him access while maintaining the use of existing easements and road beds; and

WHEREAS, the City of Valdez needs to be protected against liability that may result from brushing and clearing work in these areas; and

WHEREAS, the City of Valdez needs to ensure all state and federal permits for such work are obtained for all actions taken on its land.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA, that:

Section 1. Access for purposes of project development is granted over the Alpetco Road until otherwise revoked by Council resolution so long as all other requirements of this resolution are satisfied.

Section 2. The City, acting through the City Manager, may restrict any form of access not expressly provided for by this resolution.

Section 3. Ryan McCune (Rydor Enterprises) is required to construct an alternative route to the Alpetco Road away from Corbin Creek Subdivision; the cost of which will be the responsibility of Mr. McCune.

Section 4. The City will determine and adequately mark the route prior to construction.

Section 5. A plan for brush disposal shall be submitted to the City Manager for approval.

Section 6. For the duration of access, the City of Valdez, and road areas shall be named as an additional insured on a \$1,000,000 general liability policy, proof of which must be submitted to the City Manager.

Section 7. In conformance with state and federal regulations, Alaska Coastal Management Plan, Corps of Engineers, DNR Habitat and any other applicable state and federal permits shall be obtained and submitted to the City Manager for inspection.

Section 8. The City shall install a gate and provide key access to Rydor Enterprises.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA, this 2<sup>nd</sup> Day of June, 2008.

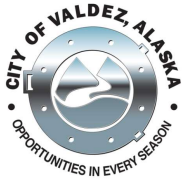
CITY OF VALDEZ, ALASKA

  
Bert L. Cottle, Mayor

ATTEST:

*for Shell Moore, Deputy*  
Sheri L. Pierce, CMC/AEE, City Clerk





## Legislation Text

---

**File #:** 22-0226, **Version:** 1

---

**ITEM TITLE:**

Approval of the 2022-2023 Valdez City Schools Budget

**SUBMITTED BY:** Jordan Nelson, Finance Director

**FISCAL NOTES:**

Expenditure Required: 10,862,749

Unencumbered Balance: 5,431,375

Funding Source: 001-0100-48600, Education Dept, Contributions

**RECOMMENDATION:**

Approve

**SUMMARY STATEMENT:**

- Pursuant to AS 14.14.060, the Valdez City Schools have completed their budget process and adopted their 2021-2023 budget (attached).
- **This budget reflects \$10,862,749 of City Support, comprised of \$9,046,244 of operating funds and \$1,816,505 of support program funding.** The final page of the attachment summarizes operating funds ("fund 100") and five categories of program support.
- The total budget figure is consistent with the School's proposal to City Council during the City's 2022 budget process in October of 2021, and therefore matches the City's 2022 adopted budget figure.
- The City has until June 1, 2022 to take action on this budget. If no action is taken, the budget is accepted by default.
- The School's Director of Business Services and City Finance Director will be present to field questions from City Council.

# VALDEZ CITY SCHOOLS

## FY '23 Budget

Projected 620 ADM

### OPERATING FUND Fund 100

#### REGULAR INSTRUCTION Function 100

	FY22 2021-22 Budgeted	FY23 2022-23 Budgeted
<b>Object # Description</b>		
315 Certified Salaries	3,334,950.00	3,192,348.00
329 Substitute Salaries	99,345.72	95,260.37
360 Benefits	1,800,338.06	1,805,720.03
443 Equipment Repair/Maint	0.00	0.00
451 Teaching Supplies	182,079.00	181,665.00
471 Textbooks	1,613.50	1,613.50
510 Equipment	8,000.00	8,000.00
<b>TOTAL FUNCTION 100</b>	<b>5,426,326.28</b>	<b>5,284,606.89</b>

<b>Includes:</b>	<b>FY22</b>	<b>FY23</b>	
	<b>44.78 Certified FTE</b>	<b>43.78 Certified FTE</b>	
	*11.78 FTE VHS	*10.78 FTE VHS	
	*10.00 FTE GMS	*10.00 FTE GMS	
	*21.15 FTE HHES      *.85 Grant Funded	*21.45 FTE HHES      *.55 Grant Funded	
	* 1.00 FTE District Wide	* 1.00 FTE District Wide	

#### CURRICULUM Function 105

	FY22 2021-22 Budgeted	FY23 2022-23 Budgeted
<b>Object # Description</b>		
321 Director Salary	0.00	0.00
315 Certified Salaries	0.00	10,500.00
329 Substitute Salaries	0.00	0.00
360 Benefits	0.00	1,651.69
418 Professional Development	0.00	0.00
451 Supplies & Materials	44,000.00	65,000.00
471 Textbooks	110,000.00	110,000.00
<b>TOTAL FUNCTION 105</b>	<b>154,000.00</b>	<b>187,151.69</b>

<b>Includes:</b>	<b>FY22</b>	<b>FY23</b>	
	<b>0.00</b> \$500 Stipends	<b>21.00</b> \$500 Stipends	

**TECHNOLOGY  
Function 110**

	FY22 2021-22 Budgeted	FY23 2022-23 Budgeted
<b>Object # Description</b>		
321 Director Salary	126,913.00	132,112.00
324 Support Salary	111,026.00	155,376.00
329 Substitute Salaries	5,000.00	5,000.00
360 Benefits	131,422.25	177,332.91
410 Professional Services	26,400.00	30,000.00
420 Travel	36,000.00	36,000.00
443 Equip Repair & Maint	20,000.00	20,000.00
479 Other Supplies/Media	79,000.00	88,000.00
510 Equipment	50,000.00	46,400.00
<b>TOTAL FUNCTION 110</b>	<b>585,761.25</b>	<b>690,220.91</b>

<b>Includes:</b>	<b>FY22</b>	<b>FY23</b>
	<b>1 Administrator</b>	<b>1 Administrator</b>
	*1.00 Technology Director	*1.00 Technology Director
	<b>2 Classified</b>	<b>3 Classified</b>
	*1.00 Desktop Support Technician	*2.00 Desktop Support Technician
	*1.00 Network Manager	*1.00 Network Manager

**BILINGUAL/BICULTURAL INSTRUCTION  
Function 120**

	FY22 2021-22 Budgeted	FY23 2022-23 Budgeted
<b>Object # Description</b>		
315 Certified Salary	0.00	0.00
323 Aide Salaries	0.00	0.00
324 Support Salaries	0.00	0.00
329 Substitute Salaries	0.00	0.00
360 Benefits	0.00	0.00
410 Professional Services	0.00	0.00
420 Travel	0.00	0.00
451 Teaching Supplies	0.00	0.00
454 Office Supplies	0.00	0.00
<b>TOTAL FUNCTION 120</b>	<b>0.00</b>	<b>0.00</b>

<b>Includes:</b>	<b>FY22</b>	<b>FY23</b>
	<b>5.00 Classified</b>	<b>5.00 Classified</b>
	*0.00 HHES Aide	*4.00 Grant Funded
	*0.00 Records Clerk	*1.00 Grant Funded
	*0.00 District Wide Aide	*4.00 Grant Funded
	*0.00 Recruiter/records	*1.00 Grant Funded



**VOCATIONAL EDUCATION  
Function 160**

	<b>FY22 2021-22 Budgeted</b>	<b>FY23 2022-23 Budgeted</b>
<b>Object # Description</b>		
315 Certified Salaries	114,701.00	119,430.00
329 Substitute Salaries	3,670.43	3,821.76
360 Benefits	67,588.51	70,781.93
410 Professional Services	0.00	0.00
443 Equipment Repair	0.00	0.00
451 Teaching Supplies	19,000.00	19,000.00
471 Textbooks	0.00	0.00
510 Equipment	0.00	0.00
<b>TOTAL FUNCTION 160</b>	<b>204,959.94</b>	<b>213,033.69</b>

<b>Includes:</b>	<b>FY22</b>	<b>FY23</b>
	<b>1.71 Certified FTE</b>	<b>1.71 Certified FTE</b>
	*1.29 FTE VHS	*1.29 FTE VHS
	*0.42 FTE GMS	*0.42 FTE GMS

**SPECIAL EDUCATION  
Function 200**

	<b>FY22 2021-22 Budgeted</b>	<b>FY23 2022-23 Budgeted</b>
<b>Object # Description</b>		
315 Certified Salaries	518,439.00	490,162.00
323 Aide Salaries	497,093.00	484,616.00
329 Substitute Salaries	33,475.67	31,901.14
360 Benefits	924,588.67	979,606.53
410 Professional Services	0.00	0.00
420 Travel	0.00	0.00
451 Teaching Supplies	7,000.00	7,000.00
471 Textbooks	5,000.00	5,000.00
510 Equipment	0.00	0.00
<b>TOTAL FUNCTION 200</b>	<b>1,985,596.34</b>	<b>1,998,285.67</b>

<b>Includes:</b>	<b>FY22</b>	<b>FY23</b>
	<b>9.00 Certified FTE</b>	<b>8.0 Certified FTE</b>
	*2.00 FTE VHS	*1.00 FTE VHS
	*1.50 FTE GMS	*1.50 FTE GMS
	*3.86 FTE HHES     *.64 Grant Funded	*3.80 FTE HHES     * .70 Grant Funded
	*1.00 FTE District Wide	*1.00 FTE District Wide
	<b>21.60 Classified</b>	<b>19.60 Classified</b>
	*4.00 VHS Paras     *0.00 Grant Funded	*2.00 VHS Paras
	*3.00 GMS Paras     *1.00 Grant Funded	*6.00 GMS Paras     *1.00 Grant Funded
	*13.60 HHES Paras     *1.00 Grant Funded	*10.60 HHES Paras

**SPECIAL EDUCATION SUPPORT  
Function 220**

<b>Object # Description</b>	<b>FY22 2021-22 Budgeted</b>	<b>FY23 2022-23 Budgeted</b>
314 Director Salary	116,837.00	104,938.00
324 Support Salaries	44,738.00	44,738.00
360 Benefits	85,415.24	86,826.44
410 Professional Services	125,000.00	125,000.00
420 Travel	7,500.00	7,500.00
443 Equipment Repair	0.00	0.00
451 Teaching Supplies	0.00	0.00
454 Office Supplies	1,000.00	1,000.00
479 Other Supl. & Media	5,500.00	5,500.00
510 Equipment	5,500.00	5,500.00
<b>TOTAL FUNCTION 220</b>	<b>391,490.24</b>	<b>381,002.44</b>

<b>Includes:</b>	<b>FY22</b>	<b>FY23</b>
	<b>1 Administrator</b>	<b>1 Administrator</b>
	*1.00 Sp Ed Director	*1.00 Sp Ed Director
	<b>1 Classified</b>	<b>1 Classified</b>
	*1.00 Admin Asst	*1.00 Admin Asst

**SUPPORT SERVICES-STUDENTS  
Function 300**

<b>Object # Description</b>	<b>FY22 2021-22 Budgeted</b>	<b>FY23 2022-23 Budgeted</b>
315 Certified Salaries	218,536.00	225,708.00
329 Substitute Salaries	0.00	0.00
360 Benefits	117,447.65	124,711.96
420 Travel	2,400.00	2,400.00
479 Other Supl. & Media	7,650.00	7,650.00
<b>TOTAL FUNCTION 300</b>	<b>346,033.65</b>	<b>360,469.96</b>

<b>Includes:</b>	<b>FY22</b>	<b>FY23</b>
	<b>4.00 Certified FTE</b>	<b>3.00 Certified FTE</b>
	*2.00 FTE VHS	*1.00 FTE VHS
	*1.00 FTE GMS	*1.00 FTE GMS
	*1.00 FTE HHES	*1.00 FTE HHES

**SUPPORT SERVICES-INSTRUCTION  
Function 350**

Object # Description	FY22 2021-22 Budgeted	FY23 2022-23 Budgeted
315 Certified Salaries	0.00	0.00
321 Director Salary	0.00	0.00
323 Aide Salaries	239,033.00	212,237.00
329 Substitute Salaries	11,517.23	9,474.15
360 Benefits	256,227.24	233,712.20
410 Professional Services	58,000.00	56,000.00
411 Instructional Services	0.00	0.00
418 Professional Development	45,000.00	45,000.00
433 Communications	190,000.00	75,000.00
443 Equipment Repair	1,200.00	1,200.00
472 Library Books	12,400.00	10,900.00
473 Periodicals	2,000.00	2,000.00
479 Other Sup. & Media	14,900.00	15,900.00
510 Equipment	500.00	500.00
<b>TOTAL FUNCTION 350</b>	<b>830,777.47</b>	<b>661,923.35</b>

**Includes:**

**FY22**

**0.00 Certified FTE**

\*0.00 District Wide \*0.00 Grant Funded

**FY23**

**0.00 Certified FTE**

\*0.00 District Wide \*0.00 Grant Funded

**8.00 Classified**

\*1.00 VHS Library  
 \*1.00 GMS Library  
 \*1.00 HHES Library  
 \*1.00 VHS Office  
 \*1.00 Career Counselor \*0.00 Grant Funded  
 \*1.00 HHES Office  
 \*0.00 HHES Classroom \*1.00 Grant Funded  
 \*0.00 School Nurse \*1.00 Grant Funded

**8.00 Classified**

\*1.00 VHS Library  
 \*1.00 GMS Library  
 \*1.00 HHES Library  
 \*1.00 VHS Office  
 \*0.00 Career Counselor \*1.00 Grant Funded  
 \*1.00 HHES Office  
 \*0.00 HHES Classroom \*1.00 Grant Funded  
 \*0.00 School Nurse \*1.00 Grant Funded

**BUILDING ADMINISTRATION  
Function 400**

Object # Description	FY22 2021-22 Budgeted	FY23 2022-23 Budgeted
313 Principal Salaries	363,493.00	378,508.00
324 Support Salaries	0.00	0.00
329 Substitute Salaries	0.00	0.00
360 Benefits	143,904.41	150,984.96
420 Travel	3,750.00	3,750.00
491 Dues & Fees	1,800.00	1,800.00
<b>TOTAL FUNCTION 400</b>	<b>512,947.41</b>	<b>535,042.96</b>

**Includes:**

**FY22**

**3.00 Administrators**

\*1.00 VHS Principal  
 \*1.00 GMS Principal  
 \*1.00 HHES Principal

**FY23**

**3.00 Administrators**

\*1.00 VHS Principal  
 \*1.00 GMS Principal  
 \*1.00 HHES Principal

**BUILDING ADMINISTRATION-SUPPORT  
Function 450**

	FY22 2021-22 Budgeted	FY23 2022-23 Budgeted
<b>Object # Description</b>		
324 Support Salary	130,556.00	131,800.00
329 Substitute Salaries	4,177.79	4,217.60
360 Benefits	114,946.99	120,750.39
420 Travel	0.00	0.00
441 Rentals	1,440.00	1,440.00
443 Equipment Repair/Maint	500.00	500.00
454 Office Supplies	11,432.00	11,832.00
510 Equipment	1,000.00	1,000.00
<b>TOTAL FUNCTION 450</b>	<b>264,052.78</b>	<b>271,539.99</b>

<b>Includes:</b>	<b>FY22</b>	<b>FY23</b>
	<b>3.00 Classified</b>	<b>3.00 Classified</b>
	*1.00 VHS Admin Asst	*1.00 VHS Admin Asst
	*1.00 GMS Admin Asst	*1.00 GMS Admin Asst
	*1.00 HHES Admin Asst	*1.00 HHES Admin Asst

**DISTRICT ADMINISTRATION  
Function 510**

	FY22 2021-22 Budgeted	FY23 2022-23 Budgeted
<b>Object # Description</b>		
311 Superintendent Salary	150,000.00	160,000.00
324 Support Salary	60,281.28	55,256.04
360 Benefits	93,830.12	97,625.45
410 Professional Services	20,000.00	15,000.00
413 Other Services/Advert	1,000.00	0.00
420 Travel	5,000.00	5,000.00
454 Office Supplies	500.00	1,000.00
479 Other Supplies/Media	7,000.00	7,000.00
491 Dues & Fees	3,000.00	3,000.00
510 Equipment	2,500.00	2,500.00
<b>TOTAL FUNCTION 510</b>	<b>343,111.40</b>	<b>346,381.49</b>

<b>Includes:</b>	<b>FY22</b>	<b>FY23</b>
	<b>1 Administrator</b>	<b>1 Administrator</b>
	*1.00 Superintendent	*1.00 Superintendent
	<b>1 Classified</b>	<b>1 Classified</b>
	*1.00 Board/Supt. Admin Asst	*1.00 Board/Supt. Admin Asst



**OPERATIONS & MAINTENANCE**  
**Function 600**

	FY22 2021-22 Budgeted	FY23 2022-23 Budgeted
<b>Object # Description</b>		
321 Managerial Salary	109,050.00	108,172.00
324 Support Salaries	35,175.00	36,241.00
325 Maint./Custodial Salaries	702,276.00	714,056.00
329 Substitute Salaries	52,611.11	53,341.47
360 Benefits	637,365.72	635,853.55
420 Travel	8,500.00	6,500.00
436 Electricity	430,000.00	520,000.00
438 Fuel for Heating	310,000.00	364,000.00
441 Rentals	5,000.00	3,500.00
442 Building Repair	75,000.00	50,000.00
443 Equipment Repair	105,000.00	50,000.00
444 Contracted Services	80,000.00	100,000.00
445 Insurance Prop/Liab	120,000.00	120,000.00
452 Maintenance Supplies	150,000.00	100,000.00
453 Janitorial Supplies	60,000.00	70,000.00
454 Office Supplies	0.00	0.00
457 Small Tools	0.00	0.00
458 Gas & Oil	10,000.00	10,000.00
479 Other Supplies	0.00	0.00
491 Dues & Fees	1,500.00	1,500.00
510 Equipment	<u>65,000.00</u>	<u>35,000.00</u>
<b>TOTAL FUNCTION 600</b>	<b>2,956,477.83</b>	<b>2,978,164.02</b>
<b>Amount Transferred to Comm Ed</b>	<b>886,943.35</b>	<b>893,449.21</b>
<b>Operating Fund Totals</b>	<b>2,069,534.48</b>	<b>2,084,714.82</b>

**Includes:**

**FY22**

**1 Administrator**

\*1.00 Director of Facilities

**14.63 Classified**

\*3.00 Maintenance

\*3.00 Day Custodians

\*0.63 Admin Asst

\*8.00 Evening Custodians

**FY23**

**1 Administrator**

\*1.00 Director of Facilities

**14.63 Classified**

\*3.00 Maintenance

\*3.00 Day Custodians

\*0.63 Admin Asst

\*8.00 Evening Custodians

**OTHER FINANCING**

**Function 900**

	FY22 2021-22 Budgeted	FY23 2022-23 Budgeted
<b>Object # Description</b>		
552 Transfers to Sp. Rev. Funds	<u>502,278.44</u>	<u>526,069.14</u>
<b>TOTAL FUNCTION 900</b>	<b>502,278.44</b>	<b>526,069.14</b>

**OPERATING FUND EXPENDITURE TOTALS  
FUND 100**

	<b>FY22 2021-22 Budgeted</b>	<b>FY23 2022-23 Budgeted</b>
100-REGULAR INSTRUCTION	5,426,326.28	5,284,606.89
105-CURRICULUM	154,000.00	187,151.69
110-TECHNOLOGY	585,761.25	690,220.91
120-BILINGUAL/BICULTURAL INSTRUCTION	0.00	0.00
160-VOCATIONAL EDUCATION	204,959.94	213,033.69
200-SPECIAL EDUCATION	1,985,596.34	1,998,285.67
220-SPECIAL EDUCATION SUPPORT	391,490.24	381,002.44
300-SUPPORT SERVICES-STUDENTS	346,033.65	360,469.96
350-SUPPORT SERVICES-INSTRUCTION	830,777.47	661,923.35
400-BUILDING ADMINISTRATION	512,947.41	535,042.96
450-BUILDING ADMINISTRATION-SUPPORT	264,052.78	271,539.99
510-DISTRICT ADMINISTRATION	343,111.40	346,381.49
511-SCHOOL BOARD	40,100.00	48,500.00
550-DISTRICT ADMINISTRATION-SUPPORT	304,892.99	315,850.55
600-OPERATIONS & MAINTENANCE	2,069,534.48	2,084,714.82
	<hr/> 13,459,584.24	<hr/> 13,378,724.41

**TRANSPORTATION**

**Fund 205**

**Function 760**

**Object # Description**

	<b>FY22 2021-22 Budgeted</b>	<b>FY23 2022-23 Budgeted</b>
425 Student Travel	703,517.09	717,587.43
426 Field Trips/Non-reg.	10,750.00	10,750.00
510 Equipment	0.00	0.00
<b>TOTAL FUNCTION 760</b>	<hr/> 714,267.09	<hr/> 728,337.43

**COMMUNITY EDUCATION  
Fund 215**

**COMMUNITY EDUCATION  
Function 780  
30% of O & M**

Object # Description	FY22 2021-22 Budgeted	FY23 2022-23 Budgeted
315 Certified Salaries		
321 Managerial Salary	32,715.00	32,451.60
324 Support Salaries	10,552.50	10,872.30
325 Maint./Custodial Salaries	206,182.80	209,716.80
329 Substitute Salaries	15,783.33	16,002.44
330 Overtime	4,500.00	4,500.00
360 Benefits	191,209.72	190,756.07
420 Travel	2,550.00	1,950.00
431 Water & Refuse	0.00	0.00
436 Electricity	129,000.00	156,000.00
438 Fuel for Heating	93,000.00	109,200.00
441 Rentals	1,500.00	1,050.00
442 Building Repair	22,500.00	15,000.00
443 Equipment Repair	31,500.00	15,000.00
444 Contracted Services	24,000.00	30,000.00
445 Insurance Prop/Liab	36,000.00	36,000.00
452 Maintenance Supplies	45,000.00	30,000.00
453 Janitorial Supplies	18,000.00	21,000.00
454 Office Supplies	0.00	0.00
457 Small Tools	0.00	0.00
458 Gas & Oil	3,000.00	3,000.00
479 Other Supplies	0.00	0.00
491 Dues & Fees	450.00	450.00
510 Equipment	19,500.00	10,500.00
<b>TOTAL FUNCTION 780</b>	<b>886,943.35</b>	<b>893,449.21</b>

**LUNCH FUND  
Fund 255**

**FOOD SERVICE  
Function 790**

Object # Description	FY22 2021-22 Budgeted	FY23 2022-23 Budgeted
326 Food Service Salaries	212,965.00	221,517.00
329 Substitute Salaries	19,166.85	19,936.53
360 Benefits	223,578.54	236,985.70
420 Travel	0.00	0.00
443 Equipment Rep/Maint	0.00	0.00
453 Janitorial Supplies	4,000.00	4,000.00
459 Food	250,000.00	260,000.00
460 Milk	55,000.00	59,000.00
479 Other Supplies/Media	40,000.00	40,000.00
510 Equipment	0.00	0.00
<b>TOTAL FUNCTION 790</b>	<b>804,710.39</b>	<b>841,439.23</b>

**Includes:**                      **FY22**  
   **\*8.00 Classified**

**FY23**  
**\*8.00 Classified**



**PUPIL ACTIVITIES  
Fund 301**

**PUPIL ACTIVITIES  
Function 850**

Object # Description	FY22 2021-22 Budgeted	FY23 2022-23 Budgeted
325 Classified Salaries	0.00	0.00
329 Sub Salaries	16,500.00	16,500.00
485 Extra Duty Contracts	247,803.82	247,803.82
360 Benefits	43,525.88	43,525.88
425 Travel	210,000.00	210,000.00
479 Equipment	3,000.00	5,000.00
551 Activities/Misc	59,500.00	59,500.00
518 Native Youth Olympics	6,000.00	8,000.00
552 Band	4,200.00	6,000.00
553 Basketball	29,500.00	35,000.00
554 Cheerleaders	1,900.00	4,000.00
555 Swim/Dive	2,000.00	4,000.00
556 Track	4,600.00	10,000.00
557 Volleyball	15,500.00	19,500.00
542 Wrestling	10,800.00	12,500.00
543 Cross Country Skiing	6,500.00	8,200.00
544 Yearbook	10,000.00	10,000.00
561 Academic Decathlon	2,100.00	2,100.00
563 Chorus	1,500.00	3,000.00
565 Spelling Bee	0.00	0.00
566 Student Council	2,800.00	2,800.00
567 Honor Society	500.00	500.00
568 Team Feeding	0.00	0.00
569 Cross Country Running	2,200.00	4,000.00
571 Drama	1,200.00	1,200.00
579 Softball	0.00	0.00
580 Baseball	0.00	0.00
583 Lego Robotics	1,000.00	1,000.00
593 Football	12,500.00	12,500.00
<b>TOTAL FUNCTION 850</b>	<b>695,129.70</b>	<b>726,629.70</b>

**CIP-COMPUTER  
Fund 501**

**CIP COMPUTER  
Function 350**

Object # Description	FY22 2021-22 Budgeted	FY23 2022-23 Budgeted
410 Professional Development	0.00	0.00
420 Travel	0.00	0.00
443 Equipment Repair and Maint	0.00	0.00
479 Other Supplies and Media	15,150.00	15,000.00
510 Equipment	99,350.00	205,428.00
<b>TOTAL FUNCTION 350</b>	<b>114,500.00</b>	<b>220,428.00</b>

**CIP-FACILITIES  
Fund 502**

**CIP - FACILITIES  
Function 350**

	<b>FY22 2021-22 Budgeted</b>	<b>FY23 2022-23 Budgeted</b>
<b>Object # Description</b>		
510 Equipment	<u>555,000.00</u>	<u>0.00</u>
<b>TOTAL FUNCTION 350</b>	<b>555,000.00</b>	<b>0.00</b>

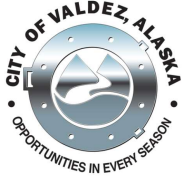
**VEHICLE REPLACEMENT  
FUND 503**

**VEHICLE REPLACEMENT  
Function 600**

	<b>FY22 2021-22 Budgeted</b>	<b>FY23 2022-23 Budgeted</b>
<b>Object # Description</b>		
510 Equipment	<u>19,592.00</u>	<u>0.00</u>
<b>TOTAL FUNCTION 600</b>	<b>19,592.00</b>	<b>0.00</b>

## Revenue

OPERATING Fund 100	FY22 2021-22 Budgeted	FY23 2022-23 Budgeted
City Funding	\$9,047,171	\$9,046,244
State Funding	\$4,736,239	\$4,853,461
Federal Funding	\$13,200	\$13,200
Local Funding	\$140,000	\$50,000
Reserve	\$25,251	
Transfer out	-\$502,278	-\$526,069
	<u>\$13,459,583</u>	<u>\$13,436,836</u>
<b>PUPIL TRANSPORTATION</b>		
<b>Fund 205</b>		
City Funding	\$94,000	\$94,000
State Funding	\$477,231	\$504,060
Transportation Reserve	\$143,036	\$130,277
	<u>\$714,267</u>	<u>\$728,337</u>
<b>COMMUNITY EDUCATION</b>		
<b>Fund 215</b>		
City Funding	\$842,505	\$842,505
Local Funding	\$0	\$0
Comm Ed Reserve		\$50,944
Transfer In	\$44,438	\$0
	<u>\$886,943</u>	<u>\$893,449</u>
<b>FOOD SERVICE</b>		
<b>Fund 255</b>		
City Funding	\$400,000	\$400,000
Federal Funding	\$162,000	\$162,000
Local Funding	\$105,000	\$105,000
Rollover	\$0	\$0
Transferred in	\$137,710	\$174,439
	<u>\$804,710</u>	<u>\$841,439</u>
<b>PUPIL ACTIVITIES</b>		
<b>Fund 301</b>		
City Funding	\$355,000	\$355,000
Local Funding	\$20,000	\$20,000
Transferred in	\$320,130	\$351,630
	<u>\$695,130</u>	<u>\$726,630</u>
<b>TECHNOLOGY</b>		
<b>Fund 501</b>		
City Funding	\$125,000	\$125,000
Technology Reserve		\$95,428
	<u>\$125,000</u>	<u>\$220,428</u>
<b>VEHICLE REPLACEMENT</b>		
<b>Fund 502</b>		
Veh Repl Reserve	\$19,592	\$0
	<u>\$19,592</u>	<u>\$0</u>
<b>FACILITIES</b>		
<b>Fund 503</b>		
Facilities Reserve	\$555,000	\$0
	<u>\$555,000</u>	<u>\$0</u>



## Legislation Text

---

**File #:** ORD 22-0007, **Version:** 1

---

**ITEM TITLE:**

#22-07 - Amending the Zoning Map to Effect a Change to Lot 1C, USS 197, Plat 2007-15 to Commercial Residential

**SUBMITTED BY:** Kate Huber, Planning Director

**FISCAL NOTES:**

Expenditure Required: N/A

Unencumbered Balance: N/A

Funding Source: N/A

**RECOMMENDATION:**

The Planning & Zoning Commission recommends approval of ordinance #22-07 amending the zoning map to effect a change to Lot 1C, USS 197, Plat 2007-15 to Commercial Residential.

**SUMMARY STATEMENT:**

Street Address: 7455 Richardson Highway

Legal Description: Lot 1C, USS 197, Plat 2007-15

Current Zoning District: Rural Residential (R-R)

Proposed Zoning District: Commercial Residential (C-R)

Property Owner: William Amberg

Size: 2.51 Acres

On March 8, 2022 the City received a rezone request from William Amberg to change the zoning on Lot 1C, USS 197 to Commercial Residential. The current zoning of this property is Rural Residential.

Planning staff advised the planning and zoning commission to recommend denial of the proposed rezone because it is not in accordance with the comprehensive plan. The future land use map designates this lot as within the Rural Neighborhood place type (Plan Valdez, page 25) and the designated primary use within this place type is detached single-family dwellings. Commercial land uses are identified as an incompatible land use in the Rural Neighborhood place type (Plan Valdez, page 13). VMC 17.54.050 requires the rezone be in accordance with the comprehensive plan.

At their April 13, 2022 meeting the Planning and Zoning commission voted to recommend approval of the rezone and adopted their findings at their May 11, 2022 meeting. Their findings in support of the recommendation are attached. However, the commission also expressed concerns about the adjacent 1.4-acre property, 7421 Richardson Highway, being surrounded on three sides with Commercial Residential zoned property while remaining zoned Rural Residential.

CITY OF VALDEZ, ALASKA

ORDINANCE NO. 22-07

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA AUTHORIZING AN AMENDMENT TO THE ZONING MAPS TO EFFECT A CHANGE ON LOT 1C, USS 197, PLAT 2007-15 FROM RURAL RESIDENTIAL TO COMMERCIAL RESIDENTIAL

WHEREAS, William Amberg is the owner of Lot 1C, USS 197; and

WHEREAS, the official zoning map indicates that the subject property is currently zoned Rural Residential; and

WHEREAS, Mr. Amberg desires to rezone said property from Rural Residential to Commercial Residential; and

WHEREAS, a rezone may only be effectuated if the subject parcel is a minimum of two acres in size, or if the adjacent zoning is the same as the desired zoning; and

WHEREAS, the subject property is 2.51 acres in compliance with the minimum size standard for a rezone, and it is adjacent to another parcel zoned Commercial Residential, an extension of an existing zoning district; and

WHEREAS, the planning & zoning commission found this rezone to be in accordance with the comprehensive plan; and

WHEREAS, the planning & zoning commission held a public hearing on this matter on April 13, 2022; and following public input and discussion, approved a recommendation to the city council to approve this rezone.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA, that:

Section 1: The Zoning Maps of the City of Valdez, Alaska are amended to effect a change to Lot 1C, USS 197, Plat 2007-15 from Rural Residential to Commercial Residential.

Section 2: This ordinance becomes effective immediately upon passage and approval.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA, this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

CITY OF VALDEZ, ALASKA

---

Sharon Scheidt, Mayor

ATTEST:

---

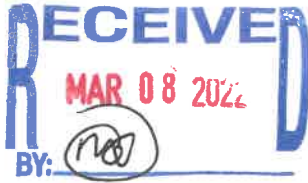
Sheri L. Pierce, MMC, City Clerk

APPROVED AS TO FORM:

---

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

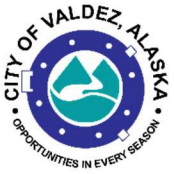
First Reading:  
Second Reading:  
Yeas:  
Nays:  
Absent:  
Abstain:



**FEE: \$50.00**  
**SITE PLAN**  
**WAIVED 2013 PER**  
**RESOLUTION #12-72**

**CITY OF VALDEZ**  
**APPLICATION FOR REZONE**

APPLICATION NUMBER	DATE 3/1/22
NAME OF APPLICANT William Amberg	
ADDRESS OF APPLICANT	
7455 Richardson Hwy, Valdez, AK 99686	
DAYTIME PHONE	907 255-0940
LEGAL OWNER	William J Amberg
ADDRESS	HC60 Box 40
	Copper Center, AK 99573
PHONE NUMBER	907 255-0940
LOCATION OF PROPERTY AND/OR LEGAL DESCRIPTION/STREET ADDRESS	
7455 Richardson Hwy	
CURRENT ZONING	Rural Residential
PROPOSED ZONING	Commercial Residential
DESCRIPTION OF PROPERTY, INCLUDING SQUARE FOOTAGE OR ACREAGE.	
7455 Rich Hwy, Lot 1C, Plat # 2007-15, Lot size 3 AC, Tax id 0197-030-001-3	
WHY IS THE PROPERTY MORE SUITED FOR THE PROPOSED ZONING DISTRICT THAN FOR THE PRESENT ZONING?	
1) Location, Location, Location	
2) 3Ø Power (Commercial Power) at site	
3) CR Zoning already at Adjacent Lots	
4) Better use of Property	
SIGNATURE William J Amberg	DATE 3/1/22



City of Valdez

**ALASKA**

Planning Department

---

## Amberg Rezone – Proposed Findings

Date: April 13, 2022

File: Rezone 22-05

To: Planning & Zoning Commission

From: Bruce Wall, Senior Planner

### General Information

Street Address: 7455 Richardson Highway  
Legal Description: Lot 1C, USS 197, Plat 2007-15  
Current Zoning District: Rural Residential (R-R)  
Proposed Zoning District: Commercial Residential (C-R)  
Property Owner: William Amberg  
Size: 2.51 Acres

### Project Description

On March 8, 2022 the City received a rezone request from William Amberg to change the zoning on Lot 1C, USS 197 to Commercial Residential. The official zoning map adopted by the City Council in 2021 indicates that this property is zoned Rural Residential.

Staff is recommending denial of the proposed rezone because it is not in accordance with the comprehensive plan. The future land use map designates this lot as within the Rural Neighborhood place type (Plan Valdez, page 25) and the designated primary use within this place type is detached single-family dwellings. Commercial land uses are identified as an incompatible land use in the Rural Neighborhood place type (Plan Valdez, page 13).

### Findings

#### 1. Procedure.

- a) On March 8, 2022 the City received a rezone request from William Amberg to change the zoning on Lot 1C, USS 197 to Commercial Residential.
- b) A public hearing was scheduled for April 13, 2022 to consider the zoning change.
- c) Notice of the meeting was published in the Copper River Record on March 31, 2022 and April 7, 2022, in accordance with VMC 17.06.060(B)(1) and VMC 17.54.040.
- d) Notice of the publication was published in KVAK's e-blast newspaper on March 28, 2022.
- e) Notice of the meeting was mailed on March 30, 2022 to the 10 property owners within 300 feet of the subject property, in accordance with VMC 17.06.060(B)(2) and VMC 17.54.040.



2. Reasons and justification for proposing such change. VMC 17.54.030(A)

- The applicant has indicated that the location of the property, availability of three phase power on the property, the existing Commercial Residential zoning adjacent to the property, and that the proposed rezone would support a better use of the property are all reasons that the proposed Commercial Residential zoning is more suited than the present Rural Residential zoning.

3. Except for the extension of existing district boundaries, no change in any use district classification or an official zoning map shall be considered which contains an area less than two acres. VMC 17.54.020(C)

- a) There are five parcels within the Commercial Residential zoning district in the vicinity of the subject property the proposed rezone would be an extension of these existing district boundaries.
- b) The property size is 2.51 acres.

4. The effect the rezone will have on the objectives of the comprehensive plan. VMC 17.54.030(B)

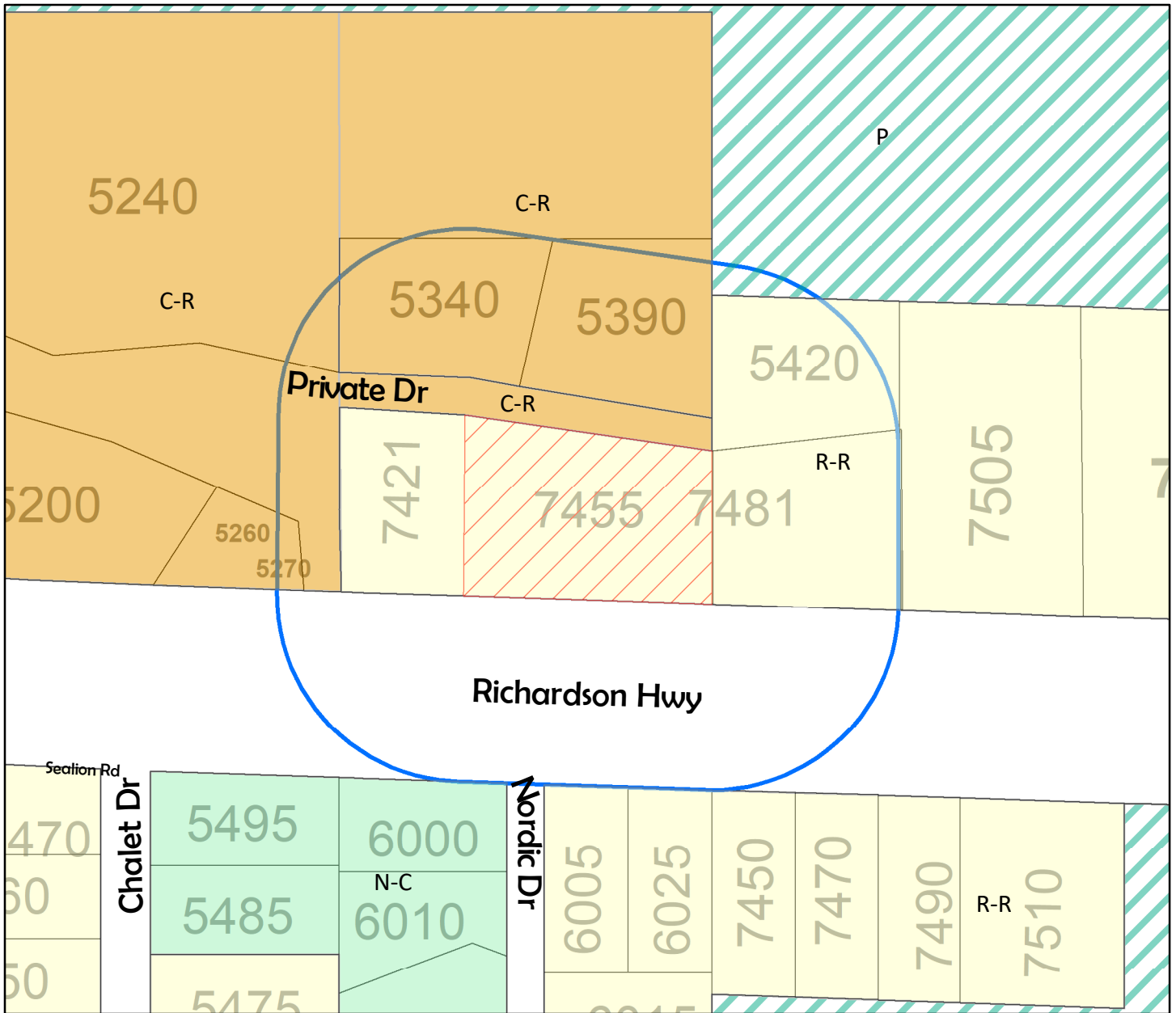
- The proposed rezone is inconsistent the objectives of the comprehensive plan. Objective 2.1.E of the Valdez Comprehensive Plan states, “Rezone parcels to align with the Future Land Use Map.” The future land use map designates this lot as within the Rural Neighborhood place type and the designated primary use within this place type is detached single-family dwellings. Commercial land uses are identified as an incompatible land use in the Rural Neighborhood place type.

5. Whether the public necessity, convenience, general welfare, modification of the comprehensive plan, or good zoning practice requires the rezone. VMC 17.54.050

- a) There is not anything in the record to indicate that the public necessity, convenience, or general welfare requires the rezone.
- b) On November 2, 2021 the Valdez Comprehensive Plan was modified and it designated this area as within the Rural Neighborhood place type.
- c) The current Rural Residential zoning of this property is consistent with the modified comprehensive plan.
- d) The recent modification of the comprehensive plan does not require the proposed rezone.
- e) The R-R (rural residential) district is intended to include lands where a full range of public services and utilities may not be available but topography and soil condition allow development at low population densities that can rely on on-lot water and sewer without creating a public health hazard. R-R districts are intended to protect low-density living, and to protect the rural character of the district. VMC 17.20.010
- f) The C-R (commercial residential) district is intended to allow commercial and light industrial uses of land which do not detract from the residential use of the land by introducing excess noise, increased safety hazards, air pollution or water pollution. VMC 17.26.010
- g) Good zoning practice encourages commercial uses closer to the center of towns; therefore, good zoning practice does not require the proposed rezone.

6. Whether the rezone is in accordance with the comprehensive plan. VMC 17.54.050

- The proposed rezone is not in accordance with the comprehensive plan because the future land use map designates this lot as within the Rural Neighborhood place type and the designated primary use within this place type is detached single-family dwellings. Commercial land uses are identified as an incompatible land use in the Rural Neighborhood place type.



# Rezone Request to Commercial Residential

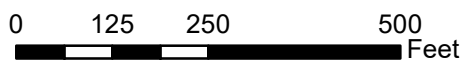
## P & Z Commission Meeting

April 13, 2022



### Current Zoning

- Commercial Residential (C-R)
- Neighborhood Commercial (N-C)
- Public Lands (P)
- Rural Residential (R-R)
- 300-Foot Notification Area
- Subject Property

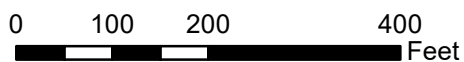
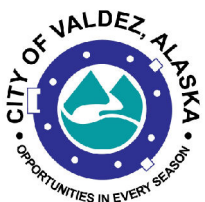


Date: 3/23/2022

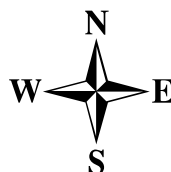
Author: City of Valdez Planning



**Rezone Request to Commercial Residential**  
**P & Z Commission Meeting**  
**April 13, 2022**



Date: 3/24/2022  
 Author: City of Valdez Planning

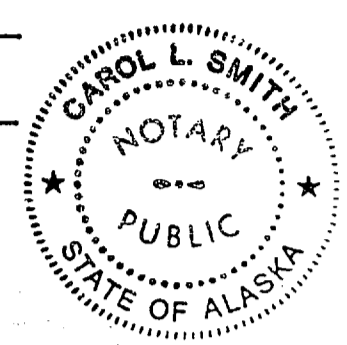


 Subject Property

LOTS 1A & 1B USS 5625  
 CERTIFICATE of OWNERSHIP and DEDICATION

WE Viola Amberg + William Amberg DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT WE HEREBY ADOPT THIS PLAT OF LAND DIVISION AND DEDICATE ALL THE EASEMENTS SHOWN HEREON TO THE PUBLIC IN PERPETUITY FOR USE AS ROAD AND UTILITY EASEMENTS.

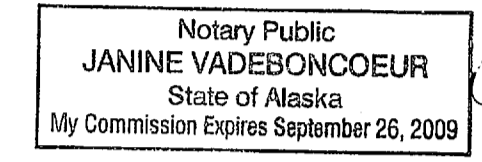
SIGNED William Amberg DATE 6/19/07  
Viola Amberg DATE 8/24/07



ACKNOWLEDGEMENT of NOTARY  
 STATE OF ALASKA, THIRD JUDICIAL DISTRICT

THIS IS TO CERTIFY THAT ON THIS 19th DAY OF June, 2007 BEFORE ME A NOTARY OF THE PUBLIC IN AND FOR THE STATE OF ALASKA, DULY COMMISSIONED AND SWORN PERSONALLY APPEARED Viola Amberg + William Amberg WHO SIGNED THIS PLAT AS OWNER OF THIS PROPERTY.

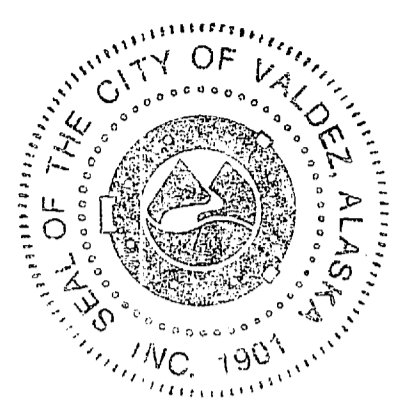
NOTARY OF THE PUBLIC Carol L. Smith  
 MY COMMISSION EXPIRES 1-1-2011



CERTIFICATE of PAYMENT OF TAXES

Shelli Moore Deputy City Clerk for the CITY of VALDEZ, ALASKA. DO HEREBY CERTIFY THAT ALL TAXES LEVIED AGAINST THE PROPERTY REPRESENTED BY THIS PLAT ARE PAID AS OF 11/6/07

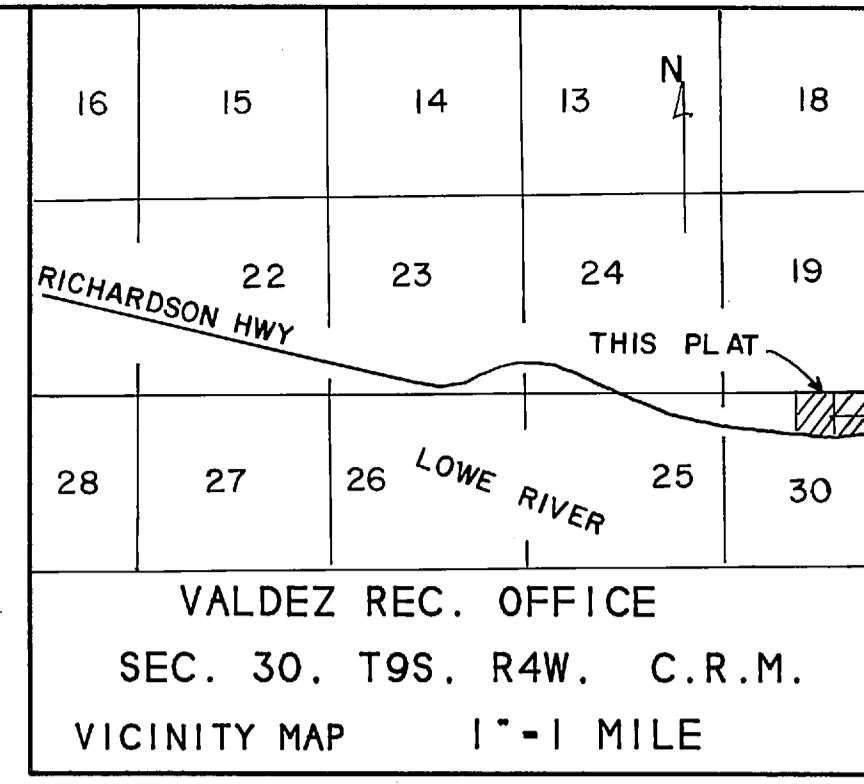
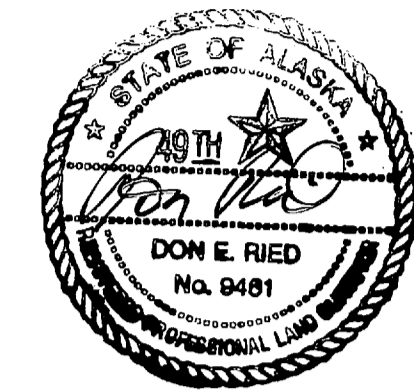
for: Shelli Moore, Deputy DATE 11/6/07  
 CITY CLERK



CERTIFICATE of REGISTERED LAND SURVEYOR

Don E. Reed, REGISTERED LAND SURVEYOR DO HEREBY CERTIFY THAT THIS PLAT REPRESENTS THE SURVEY PERFORMED UNDER MY SUPERVISION AND THAT ALL DISTANCES AND BEARINGS SHOWN HEREON ARE CORRECT TO THE BEST OF MY BELIEF.

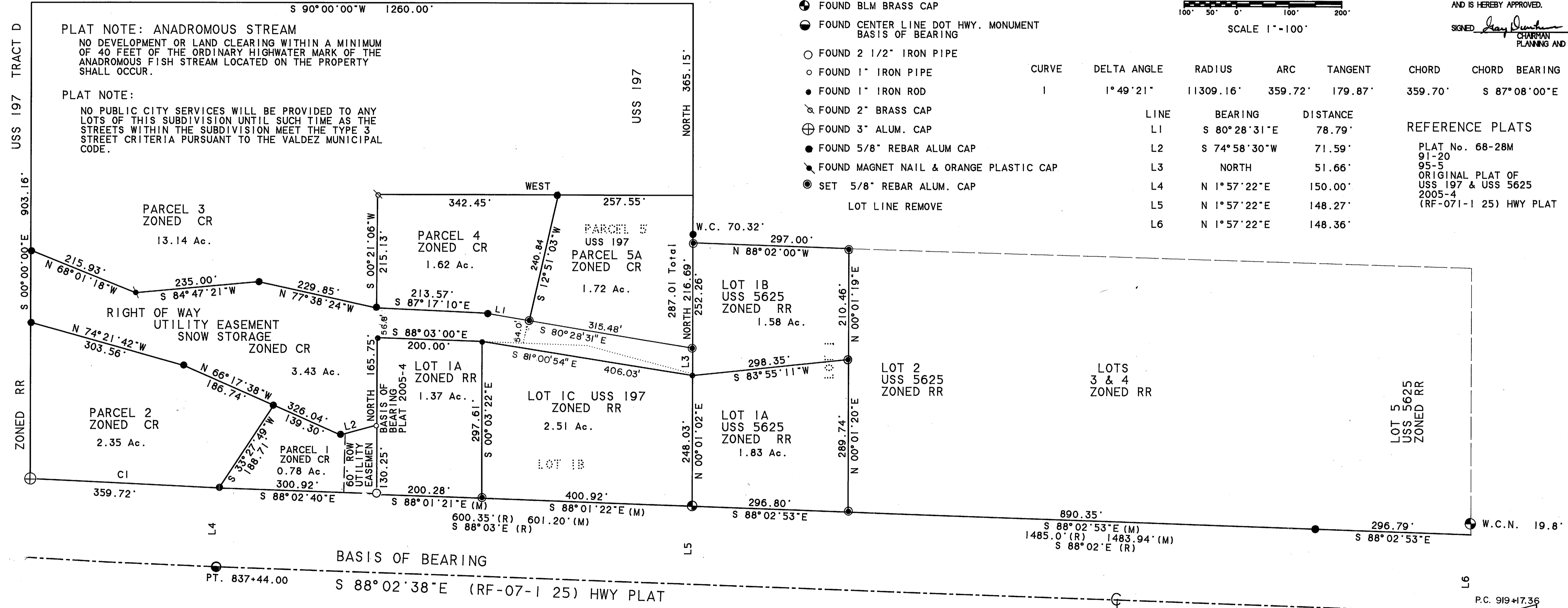
SIGNED Don E. Reed REGISTERED LAND SURVEYOR



PLANNING and ZONING COMMISSION

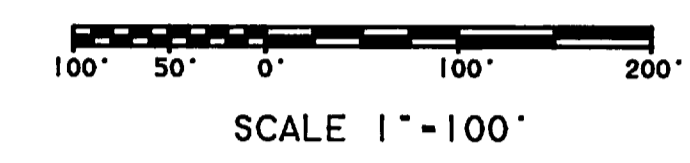
THIS PLAT CONFORMS TO THE REQUIREMENTS OF THIS COMMISSION AND IS HEREBY APPROVED.

SIGNED Jay Dunbar DATE 6/13/07  
 CHAIRMAN  
 PLANNING AND ZONING COMMISSION



LEGEND

- FOUND BLM BRASS CAP
- FOUND CENTER LINE DOT HWY. MONUMENT BASIS OF BEARING
- FOUND 2 1/2" IRON PIPE
- FOUND 1" IRON PIPE
- FOUND 1" IRON ROD
- ⊗ FOUND 2" BRASS CAP
- ⊕ FOUND 3" ALUM. CAP
- FOUND 5/8" REBAR ALUM CAP
- ⊗ FOUND MAGNET NAIL & ORANGE PLASTIC CAP
- SET 5/8" REBAR ALUM. CAP



CURVE	DELTA ANGLE	RADIUS	ARC	TANGENT	CHORD	CHORD BEARING
I	1°49'21"	11309.16'	359.72'	179.87'	359.70'	S 87°08'00"E

LINE	BEARING	DISTANCE
L1	S 80°28'31"E	78.79'
L2	S 74°58'30"W	71.59'
L3	NORTH	51.66'
L4	N 1°57'22"E	150.00'
L5	N 1°57'22"E	148.27'
L6	N 1°57'22"E	148.36'

REFERENCE PLATS

PLAT No. 68-28M  
 91-20  
 95-5  
 ORIGINAL PLAT OF  
 USS 197 & USS 5625  
 2005-4  
 (RF-07-1 25) HWY PLAT

LOT 1C USS 197  
 CERTIFICATE of OWNERSHIP and DEDICATION

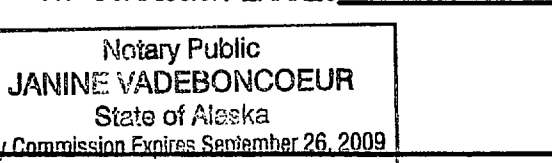
WE William Amberg DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT WE HEREBY ADOPT THIS PLAT OF LAND DIVISION AND DEDICATE ALL THE EASEMENTS SHOWN HEREON TO THE PUBLIC IN PERPETUITY FOR USE AS ROAD AND UTILITY EASEMENTS.

SIGNED William Amberg DATE 9/06/07



ACKNOWLEDGEMENT of NOTARY  
 STATE OF ALASKA, THIRD JUDICIAL DISTRICT

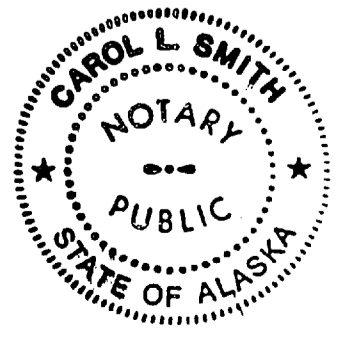
THIS IS TO CERTIFY THAT ON THIS 6 DAY OF September 2007 BEFORE ME A NOTARY OF THE PUBLIC IN AND FOR THE STATE OF ALASKA, DULY COMMISSIONED AND SWORN PERSONALLY APPEARED William Amberg WHO SIGNED THIS PLAT AS OWNER OF THIS PROPERTY.



PARCEL 5A USS 197  
 CERTIFICATE of OWNERSHIP and DEDICATION

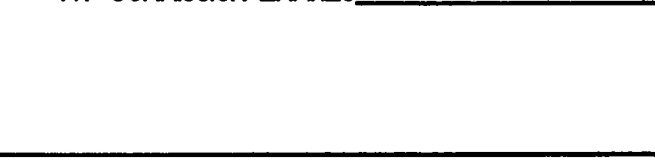
WE Steven F. and Joy F. Hanson DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT WE HEREBY ADOPT THIS PLAT OF LAND DIVISION AND DEDICATE ALL THE EASEMENTS SHOWN HEREON TO THE PUBLIC IN PERPETUITY FOR USE AS ROAD AND UTILITY EASEMENTS.

SIGNED Steven F. Hanson DATE 6/19/07  
Joy F. Hanson DATE 6/19/07



ACKNOWLEDGEMENT of NOTARY  
 STATE OF ALASKA, THIRD JUDICIAL DISTRICT

THIS IS TO CERTIFY THAT ON THIS 19th DAY OF June, 2007 BEFORE ME A NOTARY OF THE PUBLIC IN AND FOR THE STATE OF ALASKA, DULY COMMISSIONED AND SWORN PERSONALLY APPEARED Steven F. Hanson and Joy F. Hanson WHO SIGNED THIS PLAT AS OWNER OF THIS PROPERTY.

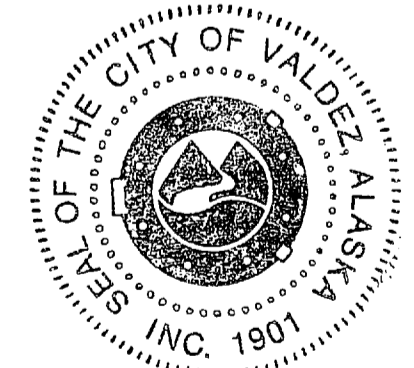


CERTIFICATE of PAYMENT OF TAXES

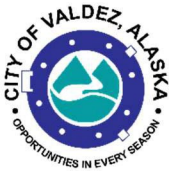
Shelli Moore Deputy City Clerk for the CITY of VALDEZ, ALASKA. DO HEREBY CERTIFY THAT ALL TAXES LEVIED AGAINST THE PROPERTY REPRESENTED BY THIS PLAT ARE PAID AS OF 11/6/07

for: Shelli Moore, Deputy DATE 11/6/07  
 CITY CLERK

INTENT OF SURVEY PARCEL 5A 81C USS 197 & LOT 1A & 1B USS 5625	
PREPARED FOR: STEVE HANSON BOX 2234 VALDEZ, AK. 99686 835-2929	SURVEYOR: REED & ASSOC. BOX 513 VALDEZ, AK. 99686 835-4310
SUBDIVIDE PARCEL 5 USS 197 & LOT 1B USS 197 INTO PARCEL 5A & LOT 1C USS 197 SUBDIVIDE LOT 1 USS 5625 INTO LOT 1A & 1B USS 5625 VALDEZ RECORDING DISTRICT	
FILE: A:\JOINT2	DRAWN & CHECKED: JLR DER
SURVEYED: 5-29-07	SCALE: 1"=100'



2007-15  
 Valdez REC DIST  
 Date 12-4-2007  
 Time 10:09 AM  
 Requested by City of Valdez  
 Address \_\_\_\_\_



City of Valdez

**ALASKA**

Planning Department

---

Amberg Rezone – Planning and Zoning Commission Findings

Date: May 11, 2022

To: City Council

From: Planning & Zoning Commission

General Information

Street Address: 7455 Richardson Highway  
Legal Description: Lot 1C, USS 197, Plat 2007-15  
Current Zoning District: Rural Residential (R-R)  
Proposed Zoning District: Commercial Residential (C-R)  
Property Owner: William Amberg  
Size: 2.51 Acres

Findings and Conclusions

1. Procedure.

- a) On March 8, 2022 the City received a rezone request from William Amberg to change the zoning on Lot 1C, USS 197 to Commercial Residential.
- b) A public hearing was scheduled for April 13, 2022 to consider the zoning change.
- c) Notice of the meeting was published in the Copper River Record on March 31, 2022 and April 7, 2022, in accordance with VMC 17.06.060(B)(1) and VMC 17.54.040.
- d) Notice of the publication was published in KVAK's e-blast newspaper on March 28, 2022 and April 7, 2022.
- e) Notice of the meeting was mailed on March 30, 2022 to the 10 property owners within 300 feet of the subject property, in accordance with VMC 17.06.060(B)(2) and VMC 17.54.040.

2. Reasons and justification for proposing such change. VMC 17.54.030(A)

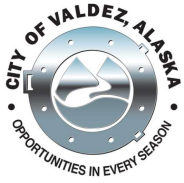
- a) The applicant has indicated that the location of the property, availability of three phase power on the property, the existing Commercial Residential zoning adjacent to the property, and that the proposed rezone would support a better use of the property are all reasons that the proposed Commercial Residential zoning is more suited than the present Rural Residential zoning.
- b) There is already a large commercial greenhouse facility and other commercial uses in the vicinity and there is adjacent property zoned Commercial Residential and Commercial Neighborhood.

3. Except for the extension of existing district boundaries, no change in any use district classification or an official zoning map shall be considered which contains an area less than two acres. VMC 17.54.020(C)

- a) There are five parcels within the Commercial Residential zoning district in the vicinity of the subject property the proposed rezone would be an extension of these existing district boundaries.
  - b) The property size is 2.51 acres.
4. The effect the rezone will have on the objectives of the comprehensive plan. VMC 17.54.030(B)  
The Commission finds that the proposed rezone aligns with the objectives of the comprehensive plan. Specifically, the intent of the CR (commercial residential) zoning district, as described in VMC 17.26.010, includes commercial uses that will not detract from the rural residential uses.
5. Whether the public necessity, convenience, general welfare, modification of the comprehensive plan, or good zoning practice requires the rezone. VMC 17.54.050
- a) There is not anything in the record to indicate that the public necessity, convenience, or general welfare requires the rezone.
  - b) On November 2, 2021 the Valdez Comprehensive Plan was modified and it designated this area as within the Rural Neighborhood place type.
  - c) The current Rural Residential zoning of this property is consistent with the modified comprehensive plan.
  - d) The recent modification of the comprehensive plan does not require the proposed rezone.
  - e) The C-R (commercial residential) district is intended to allow commercial and light industrial uses of land which do not detract from the residential use of the land by introducing excess noise, increased safety hazards, air pollution or water pollution. VMC 17.26.010.
  - f) There is a history of commercial uses in this area, as well as some existing commercial uses on nearby lots that currently hold the C-R (commercial residential) district .
6. Whether the rezone is in accordance with the comprehensive plan. VMC 17.54.050
- The proposed rezone is in accordance with the comprehensive plan because the future land use map designates this lot as within the Rural Neighborhood place type and the Commercial Residential zoning district is compatible with the Rural Neighborhood place type in the comprehensive plan because VMC 17.26.010 states that the intent of the Commercial Residential district is to allow commercial and light industrial uses of land which do not detract from the residential use of the land.

### Recommendation

The Planning and Zoning Commission recommends that the City Council approve the request to change the zoning on Lot 1C, USS 197 to Commercial Residential.



Legislation Text

---

**File #:** RES 22-0033, **Version:** 1

---

**ITEM TITLE:**

#22-33 - Amending the 2022 Budget by Accepting the State of Alaska Department of Natural Resources, Division of Forestry 2022 Volunteer Fire Assistance Grant in the Amount of \$4,999.99 and Authorizing the Expenditure

**SUBMITTED BY:** Tracy Raynor

**FISCAL NOTES:**

Expenditure Required: NA  
Unencumbered Balance: NA  
Funding Source: NA

**RECOMMENDATION:**

Recommend accepting these grant funds

**SUMMARY STATEMENT:**

This is an annual grant from the Alaska Department of Natural Resources. No matching monies required. These funds are used to provide training for the fire department members.

CITY OF VALDEZ, ALASKA

RESOLUTION #22-33

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA, AMENDING THE 2022 CITY BUDGET BY ACCEPTING THE STATE OF ALASKA DEPARTMENT OF NATURAL RESOURCES, DIVISION OF FORESTRY 2022 VOLUNTEER FIRE ASSISTANCE GRANT IN THE AMOUNT OF \$4,999.99 AND AUTHORIZING THE EXPENDITURE

WHEREAS, the State of Alaska, Department of Natural Resources, Division of Forestry has awarded the 2022 Volunteer Fire Assistance grant to the City of Valdez Fire Department in the amount of \$4,999.99; and

WHEREAS, the City will use the Volunteer Fire Assistance grant funds for the Fire Attack Training course.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA, that:

Section 1. The city authorizes the acceptance of grant funds from the DOA DNR Forestry Volunteer Fire Assistance Grant (001-0000-33430) in the amount of \$4,999.99.

Section 2. The City increases the appropriation for the SOA DNR Fire Assistance Grant Training (001-3200-45910) in the amount of \$4,999.99.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA, this 17<sup>th</sup> day of May, 2022.

CITY OF VALDEZ, ALASKA

\_\_\_\_\_  
Sharon Scheidt, Mayor

ATTEST:

\_\_\_\_\_  
Sheri L. Pierce, MMC, City Clerk





March 15, 2022

Dear Volunteer Fire Department:

Thank you for applying for the 2022 Volunteer Fire Assistance (VFA) grants. Forty (40) volunteer fire departments applied for a VFA grant requesting a total of \$188,493 in assistance. All forty (40) VFDs will receive some level of funding. A total of \$186,091 was awarded. This letter is the official notification.

The enclosed spreadsheet lists all applicants and amount requested/amount awarded. If a fire department was awarded a grant, the amount awarded will be listed in the column titled "Amount Awarded". If a VFD did not receive any funding or will be receiving a partial award, please contact your respective DOF Fire Management Officer with any questions you may have.

- Checks will be distributed electronically by association with the VFD's SOA vendor number and the SOA electronic payment agreement. Electronic disbursements are expected by May 2022.
- To be eligible for a 2023 VFA grant, compliance documentation, such as copies of receipts for 2022 grant expenditures, must be submitted to your nearest Forestry office at the time of, or prior to, submitting a 2022 application.
- Volunteer Fire Assistance is an award of Federal Financial Assistance with funding from the USDA Forest Service. Prime and sub-recipients to this award are subject to OMB guidance in sub-parts A through F of 2 CFR Part 200 as adapted and supplemented by the USDA in 2 CFR Part 400. Adaption by USDS of the OMB guidance in 2 CFR 400 gives regulatory effect to OMB guidance in 2 CFR 200 where full text may be found.
- The brochure, Complying with Civil Rights, FS-850, can be found at:  
[www.fs.usda.gov/internet/fse\\_documents/fseprd526908.pdf](http://www.fs.usda.gov/internet/fse_documents/fseprd526908.pdf)
- The OMB Circulars are available on the internet at [www.ecfr.gov](http://www.ecfr.gov).

If an application was not fully successful do not be discouraged and continue to apply every year by submitting a completed online application package by the deadline.

Sincerely,

Sarah Saarloos, Fire Staff Officer

## 2022 VFA Grant Awards

Fire Department	Amount Requested	Amount Awarded	Division of Forestry Office
Delta Junction VFD	\$4,454.59	\$4,454.59	Delta Area Office
Rural Deltana VFD	\$5,000.00	\$5,000.00	Delta Area Office
Chena-Goldstream Fire & Rescue	\$5,000.00	\$5,000.00	Fairbanks Area Office
City of Anderson	\$5,000.00	\$5,000.00	Fairbanks Area Office
McKinley VFD	\$4,599.00	\$4,599.00	Fairbanks Area Office
North Pole FD	\$5,000.00	\$5,000.00	Fairbanks Area Office
North Star VFD	\$4,431.60	\$4,431.60	Fairbanks Area Office
Salcha Fire & Rescue	\$4,297.50	\$4,297.50	Fairbanks Area Office
Steese Area VFD	\$5,000.00	\$5,000.00	Fairbanks Area Office
Tri-Valley VFD	\$4,976.00	\$4,976.00	Fairbanks Area Office
Bear Creek Fire/EMS Department	\$4,370.76	\$4,370.76	Kenai Kodiak Area Office
Central Emergency Services	\$4,209.57	\$4,209.57	Kenai Kodiak Area Office
Cooper Landing VFD	\$4,968.00	\$4,968.00	Kenai Kodiak Area Office
Homer VFD	\$4,717.80	\$4,717.80	Kenai Kodiak Area Office
Kachemak Emerg. Services	\$4,981.50	\$4,981.50	Kenai Kodiak Area Office
Kenai FD	\$4,864.50	\$4,864.50	Kenai Kodiak Area Office
Lowell Point VFD	\$5,000.00	\$5,000.00	Kenai Kodiak Area Office
Nikiski FD	\$4,406.40	\$4,406.40	Kenai Kodiak Area Office
Seward FD	\$4,765.80	\$4,765.80	Kenai Kodiak Area Office
Western Emergency Services Area	\$5,000.00	\$5,000.00	Kenai Kodiak Area Office
Womens Bay VFD	\$4,170.95	\$4,170.95	Kenai Kodiak Area Office
Caswell Lakes FSA #135	\$4,999.99	\$4,999.99	Mat Su Area
Chickaloon Fire Service, Inc.	\$4,995.00	\$4,995.00	Mat Su Area
Girdwood Vol. Fire & Rescue, Inc.	\$4,755.98	\$4,755.98	Mat Su Area
Houston FD	\$4,815.00	\$4,815.00	Mat Su Area
Mat-Su Borough-West Lakes FSA	\$3,910.77	\$3,910.77	Mat Su Area
Palmer Fire and Rescue	\$5,000.00	\$5,000.00	Mat Su Area
Talkeetna VFD	\$5,000.00	\$5,000.00	Mat Su Area
Willow VFD	\$4,999.99	\$4,999.99	Mat Su Area
Gustavus VFD	\$4,778.44	\$3,946.14	Southeast Alaska
Ketchikan International Airport FD	\$5,000.00	\$5,000.00	Southeast Alaska
Sitka FD	\$3,384.00	\$3,384.00	Southeast Alaska
Thorne Bay VFD	\$4,547.25	\$4,547.25	Southeast Alaska
Yakutat VFD	\$4,905.65	\$4,905.65	Southeast Alaska
Tok VFD	\$4,066.64	\$2,496.59	Tok Area Office
Gakona VFD	\$4,905.00	\$4,905.00	Valdez-Copper River Area Office
GlennRich Fire Rescue	\$5,000.00	\$5,000.00	Valdez-Copper River Area Office
Kennicott/McCarthy VFD	\$4,973.00	\$4,973.00	Valdez-Copper River Area Office
Kenny Lake VFD	\$4,743.00	\$4,743.00	Valdez-Copper River Area Office
Valdez FD	\$4,499.99	\$4,499.99	Valdez-Copper River Area Office
<b>GRAND TOTAL</b>	<b>\$188,493.67</b>	<b>\$186,091.32</b>	

**Notice: This is not an official check or EFT notification. It may not be used as a substitute for the original document received.**

**CLIENT NAME  
REMITTANCE ADVICE**

CHECK/EFT No :4121197055  
CHECK/EFT DATE :4/12/2022

VENDOR CODE:CIV84401  
VENDOR NAME:CITY OF VALDEZ  
Alias/DBA :CITY MANAGER  
Assignee Name :  
Assignee Alias/DBA :

DOCUMENT ID #: EFT 10 EF220117557  
CHECK/EFT AMOUNT :4999.99  
AMOUNT INCLUDES FREIGHT AND/OR IS NET OF DISCOUNT

<u>DEPARTMENT NAME</u>	<u>TELEPHONE NUMBER</u>	<u>VENDOR INV #</u>	<u>INVOICE AMOUNT</u>	<u>LINE AMOUNT</u>	<u>DESCRIPTION</u>
Department of Natural Resources			4,999.99	4,999.99	Valdez FD 22 Volunteer Fire Department UDR Fed Pass Thru. If you have any questions regarding the payment please contact Mary Gaiser at 907-269-8450 or Mary.Gaiser@Alaska.gov. Thank you.

4/14/2022

169 / MISCELLANEOUS ACH CREDIT

**Cust Ref:** 000000000000

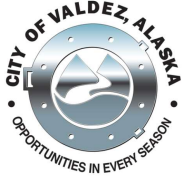
**Unique ID:** 00000091004538182021

State of Alaska SOA-IRIS 220412 202204121197055 RMR\*IV\*\*\*4999.99\*INTE\*EF220117557\*

**Credit Amount:**

**Bank Ref:** IA000011791473

4,999.99



## Legislation Text

---

**File #:** RES 22-0034, **Version:** 1

---

**ITEM TITLE:**

#22-34 - Authorizing a Lease with Harris Sand & Gravel for 4380 McKinley Street, Parcel B, ATS 10

**SUBMITTED BY:** Nicole LeRoy, Planner

**FISCAL NOTES:**

Expenditure Required: N/A

Unencumbered Balance: N/A

Funding Source: N/A

**RECOMMENDATION:**

Approve Resolution #22-34 authorizing a lease with Harris Sand & Gravel for 4380 McKinley Street, Parcel B, ATS 10 owned by the City of Valdez with conditions.

**SUMMARY STATEMENT:**

Planning Department staff received a lease application from Bill Harris of Harris Sand & Gravel for use of 4380 McKinley Street, Parcel B ATS 10 (plat 98-35) for a barge loading and unloading facility. Harris Sand & Gravel has installed a dock, and stores a barge at this location.

Harris Sand & Gravel has leased this property for over twenty years. The first agreement spanned from June 1, 1998-May 31, 2003 with two five-year options to renew. The agreement was in holdover subject to month to month tenancy for several years until 2016 when Harris Sand & Gravel received approval from City Council for an additional four-year lease at this location. This lease was never executed, and was approved on the condition that any material moved through the location should be in association with construction of the new harbor only. Staff at the time had significant reservations about the safety of the long-term use of the location, and emphasized the temporary nature of the new harbor construction as justification of their recommendation of approval for the lease at the time. Since the 2016 lease agreement was never executed, Harris Sand & Gravel has continued to use the site under the 1998 lease on a month to month tenancy.

Harris Sand & Gravel is now pursuing a new lease agreement for a barge loading and unloading facility (see attached lease application narrative.) The approval of this lease would allow Harris Sand & Gravel to use the site as a barge loading and unloading facility, and allow them to move commercial freight through the location. Per VMC 14.04.060, tideland leases may be approved for a

maximum initial period of twenty-one years. Mr. Harris has requested the maximum term.

### **Development Costs and Requirements**

VMC 4.08.100 states, “where the application is granted and the applicant becomes a lessee, the applicant shall be required to pay for any and all survey, appraisal or other costs incurred in connection with the application and lease process.”

A phase I environmental assessment is required prior to the leasing or sale of all industrial lands per the 2005 Land Management Policies and Procedures. If this lease request is approved, staff will order a phase I environmental assessment at the cost of lessee.

Mr. Harris’s lease is subject to appraisal for the purposes of adjusting fair rental value every five years. Harris Sand & Gravel pays fair market value for the location, defined in Valdez Municipal Code as 10% of appraised value annually. The property is also subject to possessory interest taxation which Harris Sand & Gravel pays. If this new lease is granted, staff will order an appraisal at the cost of lessee to determine fair rental value for the location.

Mr. Harris now holds the required US Army Corps of Engineers (USACE) permit for the development and will be required to maintain any additional permitting throughout the duration of the use as deemed necessary by the USACE. Additionally, Mr. Harris was required to apply for a retroactive City of Valdez floodplain development permit for the improvements made, which he has submitted.

### **Staff Comment**

Public Works Director Rob Comstock, Ports and Harbors Director Jeremy Talbott, and Capital Facilities Director Nate Duval were solicited for comments on the lease application. Mr. Comstock and Mr. Duval had no objections to the proposed lease. Mr. Talbot recommends Harris Sand & Gravel be required to pay port tariffs on freight moved through the location, as well as that the lease include provision that in the event of an emergency, the city can utilize the location and its improvements for public use. Port tariffs have not been a condition of previous approvals for this location, which have stipulated that no commercial freight should be moved through the property. Staff has proposed port tariffs as a compromise to allow for the site to be used for commercial freight, while reducing competition with the Port of Valdez.

Proposed condition #2 references required port tariffs, and proposed condition #3 references the inclusion of an emergency provision in the lease.

### **Zoning**

Per VMC 4.08.060 Zoning. “No application for lease shall be considered unless the land desired to be leased is zoned to permit the use to which the applicant intends to put the land.”

It appears prior staff had been under the impression the area was zoned light industrial, which allows for all permitted uses in the waterfront industrial district including barge freight terminals, and ports

and harbor facilities. However, the proposed lease area is zoned public lands which does not allow for barge freight terminals. The approval of this lease would be on the condition the property is appropriately rezoned to light industrial to accommodate the requested use.

### **Alignment of Proposed Use with the 2021 Adopted Comprehensive Plan**

The future land use maps in Plan Valdez designate this area as working waterfront place type, a place type that allows for commercial and industrial waterfront-based uses such as barge loading and unloading as Mr. Harris has proposed.

The proposed lease location is also within an “area of significant environmental constraint”, as designated by the development suitability map for Plan Valdez (p. 10) Areas with this designation have been assessed by the comprehensive plan process to be subject to increased risks of geophysical hazards including flooding and liquefaction. As a tideland property, this location is subject to tsunami inundation risk. The technical memorandum assessment in Plan Valdez regarding soil stability states, “potentially liquefiable soils have been identified throughout Valdez and are especially prevalent in the vicinity of Old Town Valdez. During the 1964 earthquake, wide-scale liquefaction and lateral spreading occurred in the old townsite, and modern investigations such that the risk is still present (PND 2019.) (p. 60 Plan Valdez.)

Additionally, DOWL Engineers 1983 “Old Town Hazard Assessment” designates this property as seismically-induced hazard “Zone A.” This assessment concluded, “the geology of Port Valdez, the subsurface soil conditions in and about the Old Valdez townsite, and the potential for strong earthquake shaking in the area significantly influence the stability of the old townsite.” Zone A is, “an area very highly susceptible to seismically induced ground failure” and the report concludes “no structures or utilities should be constructed in Zone A. Temporary marine loading facilities and storage areas might be allowed, if the risks to life and property can be justified on an individual project needs basis” (p. 16 Old Town Hazard Assessment.)

Staff recommends Council carefully consider risks to life safety when recommending approval of this use, in light of the physical characteristics of the location. Staff proposes Harris Sand & Gravel staff and contractors should only be on the site during active construction and site reclamation of the facility, during active docking of vessels, and loading and unloading of trucks and vessels. Staff also proposes Harris Sand and Gravel be required to wear appropriate floatation personal protective equipment at all times while in the lease area, and sign a written acknowledgment of the hazard area. These conditions were proposed by staff during the 2016 lease approval as well, in an attempt to mitigate some of the inherent safety risks associated with this location.

The Ports and Harbors Commission voted to approve a recommendation to approve this lease on April 18, 2022. Staff had originally included the proposed condition that Harris Sand & Gravel staff and contractors be required to wear appropriate floatation PPE at all times while in the lease area. The Ports and Harbors Commission felt this was an unnecessary condition, and staff agreed, and removed it from the recommendation for the Planning and Zoning Commission.

The Planning and Zoning Commission voted to approve a recommendation to approve this lease on April 27, 2022 with recommended staff conditions.

In conclusion, staff recommends City Council approve a lease with Harris Sand and Gravel with the

following conditions:

1. Harris Sand & Gravel is required to obtain all state, local, and federal permits necessary, and the conditions of such approvals must be complied with throughout the duration of the use.
2. Harris Sand & Gravel is required to pay port tariffs for freight moved through the lease location.
3. The lease agreement shall contain language allowing the City to be able to use the facility in the event of an emergency
4. This lease approval is contingent upon the rezone of the property from public lands to light industrial.
5. Harris Sand & Gravel staff and contractors should only be on the site during active construction and site reclamation of the facility, during active docking of vessels, and loading and unloading of trucks and vessels.
7. Harris Sand & Gravel is required to sign a written acknowledgement of the hazard area.
8. A phase I environmental site assessment is required to be completed prior to the execution of the lease agreement per the 2005 Property Management Policies and Procedures.

Pending Council approval, staff will bring forward an application to rezone the property from public lands to light industrial. The phase I environmental assessment will need to be completed prior to the lease being executed as well. Assuming the rezone is approved, staff will work with the City Attorney and Mr. Harris to execute a lease agreement. The City Council may request any conditions or amendments to staff's proposed conditions.

CITY OF VALDEZ, ALASKA

RESOLUTION #22-34

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA, AUTHORIZING A LEASE WITH HARRIS SAND AND GRAVEL FOR PARCEL B, ATS 10

WHEREAS, Harris Sand & Gravel has held a lease with the City of Valdez for Parcel B, ATS 10 for over two decades; and

WHEREAS, Harris Sand & Gravel's previous lease agreement expired and is in holdover on a month to month basis subject to all terms and conditions of the agreement; and

WHEREAS, Harris Sand & Gravel has applied to re-lease the property for a term for 21 years for a barge loading and unloading facility; and

WHEREAS, the property was previously thought to be zoned Light Industrial, but is in fact zoned Public Lands; and

WHEREAS, per the 2005 Property Management Policies and Procedures, a phase I environmental site assessment is required to be completed for all Light Industrial property at the cost of lessee; and

WHEREAS, Parcel B ATS 10 is located within an area of significant development hazard according to the 2021 Adopt Comprehensive Plan, as well as the tsunami inundation zone; and

WHEREAS, the Ports and Harbors Commission approved a recommendation to approve this lease on April 18, 2022; and

WHEREAS, the Planning and Zoning Commission approved a recommendation to approve this lease on April 27, 2022.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA, that:

Section 1. The City Council of the City of Valdez, Alaska authorizes a lease with Harris Sand & Gravel.

Section 2. This lease approval is conditional upon the approval of a rezone of the property from Public Lands to Light Industrial.

Section 3. The use of the lease shall be for operation and maintenance of a barge loading and unloading facility.

Section 4. The annual rental rate will be 10% of appraised value. The property will be reappraised every five years and the rent adjusted accordingly.



Section 5. All conditions of US Army Corps of Engineers (USACE) Permit POA-1998-00882-M1 must be adhered to throughout the term of the lease.

Section 6. Harris Sand & Gravel is required to pay port tariffs for freight moved through the lease location.

Section 7. Harris Sand & Gravel staff and contractors should only be on the site during active construction and site reclamation of the facility, during active docking of vessels, and loading and unloading of trucks and vessels.

Section 8. The lease agreement shall contain language allowing the City to be able to use the facility in the event of an emergency.

Section 9. All local, state, and federal permitting associated with the development must be obtained, and the conditions of such approvals must be complied with throughout the duration of the lease term, including required floodplain development permits.

Section 10. A phase I environmental site assessment is required to be completed prior to execution of the lease agreement at the cost of lessee.

Section 11. Harris Sand & Gravel is required to sign a written acknowledgement of the hazard area.

Section 12. In conformance with Valdez Municipal Code Section 4.08.160 this lease shall not become effective until public notice has been given for at least thirty days. This resolution shall be posted twice in a newspaper in the city and shall be posted on the official city bulletin board and two other public places in the city for thirty days prior to the effective date of the lease.

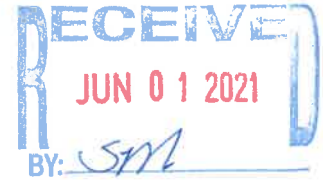
PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA, this 17<sup>th</sup> day of May, 2022.

CITY OF VALDEZ, ALASKA

\_\_\_\_\_  
Sharon Scheidt, Mayor

ATTEST:

\_\_\_\_\_  
Sheri L. Pierce, MMC, City Clerk



**CITY OF VALDEZ  
APPLICATION FOR LEASE OF CITY OWNED LAND**

**Application Fee: \$50.00 (Non-refundable)**

**FEE WAIVED FOR 2017 PER RES# 12-72**

**This form is to be completed by an individual or an organization proposing to lease City-owned land. Complete in full and to the best of your knowledge. Please explain any omissions and use additional pages where appropriate. If requested, proprietary and financial information of applicants that is so marked will be kept confidential.**

The completed application shall be returned to the Valdez Community & Economic Development Department located in City Hall along with the Application fee.

A deposit of \$3,000 will be required prior to the City initiating any required appraisal or land survey. The deposit will be used to offset the cost of the appraisal and land survey. If additional funds are necessary, the applicant will be billed as part of the lease. If there is a balance, it will be applied to the first year's lease payment. This deposit will be the cumulative amount of any required appraisal, land survey or Phase I environmental analysis according to the following schedule:

- \* If a survey and/or appraisal are required: \$3,000
- \* If a Phase I Environmental Analysis only is required: \$3,000
- \* If a survey or appraisal and Environmental Analysis are required: \$5,000  
(Required on all industrial land)

**1. Name of Individual Completing Application Form:**

Name: Bill Harris Phone: 907 831-0287  
Daytime/ Message

Mailing Address: P.O. Box 6 Valdez, AK 99686

**2. If other individual(s) or an organization(s) will be a party to this application, indicate below. Attach additional pages as needed:**

a) Name Harris Sand and Gravel Phone: 907 835-4756

Mailing Address P.O. Box 6  
Valdez, AK 99686

Relationship to other applicant(s) Owner

b) Organization's name \_\_\_\_\_

Address \_\_\_\_\_

Primary Contact: \_\_\_\_\_

Title: \_\_\_\_\_

Daytime Phone #: \_\_\_\_\_

3. TYPE OF ORGANIZATION: (Check one)

Individuals \_\_\_\_\_

Business Corporation  \_\_\_\_\_

General Partnership \_\_\_\_\_

Non-Profit Corporation \_\_\_\_\_

Limited Partnership \_\_\_\_\_

Non-Profit Association \_\_\_\_\_

Other \_\_\_\_\_

If non-profit, has IRS Tax Exempt Status been obtained? Yes \_\_\_ No \_\_\_

If yes, attach letter of determination.

Note: Please submit, as appropriate, the following items with this application:

1.  Current Alaska business license;
2. Designation of signatory authority to act for organization of other individuals;
3.  Certificate and articles of incorporation;
4. Partnership agreement and amendments;
5. Charter/by-laws for non-profits;
6.  Most recent annual financial statement;

4. Legal Description AFFECTED BY APPLICATION:

Located in Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_ Meridian \_\_\_\_\_

Lot/ Block/ Tract/ Subd. \_\_\_\_\_ Plat # \_\_\_\_\_

Other Description Parcel B - Old Valdez Townsite

Tax # \_\_\_\_\_ No. of Acres 8

5. DESCRIBE PROPOSAL. ATTACH NARRATIVE FOR FURTHER DESCRIPTION AND A SITE PLAN (the description should include the use; value and nature of improvements to be constructed; the type of construction; and, the estimated dates for construction to commence and be completed).

No further construction is anticipated.

HSand B does material supply as well as  
Civil and Marine Construction.

12. IF REQUIRED, ARE YOU PREPARED TO SPEND FUNDS FOR THE FOLLOWING:

- | YES           | NO            |  |
|---------------|---------------|--|
| <u>      </u> | <u>N/A</u>    | a) Performance bond  |
| <u>      </u> | <u>N/A</u>    | b) Damage deposit  |
| <u>  ✓  </u>  | <u>      </u> | c) General liability insurance   |
| <u>  ✓  </u>  | <u>      </u> | d) Worker's compensation insurance   |
| <u>      </u> | <u>      </u> | e) Survey and platting   |
| <u>      </u> | <u>N/A</u>    | f) Appraisal fee   |
| <u>      </u> | <u>N/A</u>    | g) Closing fees, which may include title insurance,<br>document preparation, escrow closing, and recording |
| <u>  ✓  </u>  | <u>      </u> | h) Any federal, state and local permits required   |
| <u>  ✓  </u>  | <u>      </u> | i) Maintenance costs (present or future)   |

13. LIST THREE (3) CREDIT OR BUSINESS REFERENCES:

Name	Address	Phone #
<u>First National Bank Alaska</u>	<u>101 Egan</u>	<u>834-4800</u>
<u>Alaska Pipeline</u>	<u>Valdez Terminal</u>	<u>834-6689</u>
<u>Wilson Bros.</u>	<u>1800 Mc Loop Rd.</u>	<u>835-2422</u>

14. HAS APPLICANT, OR AFFILIATED ENTITY, EVER FILED A PETITION FOR BANKRUPTCY, BEEN ADJUDGED BANKRUPT OR MADE AN ASSIGNMENT FOR THE BENEFIT OF CREDITORS?

      No        
\_\_\_\_\_  
\_\_\_\_\_

15. IS APPLICANT, OR AFFILIATED ENTITY, NOW IN DEFAULT ON ANY OBLIGATION TO, OR SUBJECT TO ANY UNSATISFIED JUDGEMENT OF LIEN?        YES   ✓   NO IF YES, EXPLAIN:

\_\_\_\_\_  
\_\_\_\_\_

---

6. WHAT IS THE TERM OF THE LEASE DESIRED?

21 years

7. IF THE REQUEST FOR A LEASE AT LESS THAN FAIR MARKET VALUE, PROVIDE JUSTIFICATION.

8. PLEASE STATE WHY YOU BELIEVE IT WOULD BE IN THE "BEST INTEREST OF THE CITY" TO APPROVE YOUR PROPOSAL AND PROCESS YOUR APPLICATION.

Further more diversified economic development.

9. CURRENT STATUS OF LAND. DESCRIBE ANY EXISTING IMPROVEMENTS, PROVIDE PHOTOGRAPHS IF POSSIBLE.

Land has a bulkhead type Dock and small staging area.

10. HAS APPLICANT PREVIOUSLY PURCHASED OR LEASED CITY LAND OR RESOURCES?  YES  NO. IF YES, PROVIDE LEGAL DESCRIPTION, TYPE OR PURCHASE OR LEASE, AND STATUS.

Same Land as requested above.

11. IF APPLICANT IS A BUSINESS OPERATION, LIST PRESENT BUSINESS ACTIVITIES.

COMPLETE THE FOLLOWING APPLICANT QUALIFICATION STATEMENT FOR EACH INDIVIDUAL APPLICANT OR ORGANIZATION. ATTACH ADDITIONAL STATEMENTS IF NEEDED.

APPLICANT QUALIFICATION STATEMENT

I, \_\_\_\_\_ (Individual Name)

I, \_\_\_\_\_ (Individual Name)

I, Bill Harris (Representative's Name) On Behalf of Harris Sand and Gravel (Organization's Name)

P.O. Box 6 (Address)

Valdez, AK (City, State) 99686 (Zip)

do hereby swear and affirm for myself as applicant or as representative for the organization noted above that:

- The Applicant is a citizen of the United States, over the age of nineteen;
- and
- If a group, association or corporation, is authorized to conduct business Under the laws of the State of Alaska; and
- Has not failed to pay a deposit or payment due the City in relation to City-owned real property in the previous five (5) years; and
- Is not currently in breach or default on any contract or lease for real Property transactions in which the City has an interest; and
- Has not failed to perform under or is not in default of a contract with the City; and
- Is not delinquent in any tax payment to the City.

I HEREBY CERTIFY THAT THE INFORMATION CONTAINED HEREIN IS TRUE TO MY KNOWLEDGE.

[Signature] Applicant Signature      6/2/21 Date      [Signature] Applicant Signature               Date

Bill Harris  
Print Name

\_\_\_\_\_  
Print Name

**RECEIVED**

By nleroy at 9:14 am, Feb 09, 2022



## Harris Sand & Gravel, Inc. Old Valdez Parcel B Plan

Harris Sand and Gravel intends to use the Old Valdez Parcel B area pretty much as it has been used the last 5 years or so. It will be used for the following purposes.

The existing 85' wide bulkhead dock will be maintained for loading out barges with construction materials including Riprap of all sizes, Gravel, Asphalt and equipment for Marine related construction jobs in Prince William Sound and elsewhere.

Some materials and marine related equipment will be staged there and the site will also be used to moor and maintain barges and vessels when not in use.

Please advise if you need more info.

Sincerely,

Bill Harris  
President

**Alaska Department of Commerce, Community, and Economic Development**

Division of Corporations, Business, and Professional Licensing  
PO Box 110806, Juneau, AK 99811-0806

This is to certify that

**HARRIS SAND & GRAVEL INC**

EIN: 92-0056819

P O BOX 6, 260 AIRPORT ROAD, VALDEZ, AK 99686-0006

owned by

HARRIS SAND & GRAVEL INC

is licensed by the department to conduct business for the period

October 7, 2020 to December 31, 2022  
for the following line(s) of business:

23 - Construction

<b>State of Alaska</b>		
Department of Commerce, Community, and Economic Development Division of Corporations, Business, and Professional Licensing Regulation of Construction Contractors and Home Inspectors		
HARRIS SAND & GRAVEL INC		
DBA: HARRIS SAND & GRAVEL INC		
As		
General Contractor Without Residential Contractor Endorsement		
License CONE5976	Effective 11/19/2020	Expires 12/31/2022



This license shall not be taken as permission to do business in the state without having complied with the other requirements of the laws of the State or of the United States.

This license must be posted in a conspicuous place at the business location. It is not transferable or assignable.

Julie Anderson  
Commissioner





# CITY OF VALDEZ BUSINESS REGISTRATION

**ISSUED TO:**

Harris Sand & Gravel, Inc.  
William Harris  
(907) 835-4756

260 Airport Road  
Valdez, AK, 99686-0006

**ISSUED BY:**

City of Valdez  
Planning Department  
907-834-3401

PO Box 307  
Valdez, AK 99686

**REGISTRATION NUMBER:** 22-363

**BUSINESS DESCRIPTION:** General Construction

**BUSINESS TYPE:** contractor - excavation landscaping/snow removal marine/fishing retail

**APPROVED BY:**

**VALID FROM:** 01/01/2022

**EXPIRES:** 12/31/2022

*This license is non-transferable and is issued in compliance with the City of Valdez, AK per Valdez Municipal Code 5.04.*



# Harris Barge Lease Area





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

Received 12/23/21 - NL

December 1, 2021

Regulatory Division  
POA-1998-00882-M1

Harris Sand and Gravel, Inc.  
Attention: William Harris  
PO Box 6  
Valdez, AK 99686

Dear Mr. Harris:

Enclosed is the signed Department of the Army (DA) permit modification, file number POA-1998-00882-M1, Port Valdez. This is the first permit modification of the original permit. Also enclosed is a Notice of Authorization that should be posted in a prominent location near the authorized work.

If changes to the plans or location of the work are necessary for any reason, plans must be submitted to us immediately. Federal law requires approval of any changes before construction begins.

Nothing in this letter excuses you from compliance with other Federal, State, or local statutes, ordinances, or regulations.

Please contact me via email at [lucas.j.byker@usace.army.mil](mailto:lucas.j.byker@usace.army.mil), by mail at the address above, by phone at (907) 753-2760, or toll free from within Alaska at (800) 478-2712, if you have questions. For more information about the Regulatory program, please visit our website at [www.poa.usace.army.mil/Missions/Regulatory](http://www.poa.usace.army.mil/Missions/Regulatory).

Sincerely,

A handwritten signature in black ink, appearing to be "LJ Byker".

Lucas Byker  
Regulatory Specialist



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

December 1, 2021

Regulatory Division  
POA-1998-00882-M1

DEPARTMENT OF THE ARMY  
PERMIT MODIFICATION

Department of the Army permit number POA-1998-00882, Port Valdez, was issued to Harris Sand & Gravel on 22 December 2015, to construct an approximately 500-foot long by 200-foot wide temporary barge dock comprised of 1.14 acres of intertidal fill.

This is the first modification of the original permit. The permit is hereby modified as follows:

Permanently maintain an existing approximately 500-foot long by 200-foot wide barge dock.

Updated plans, dated 3 September 2021, reflecting the barge dock being a permanent structure are enclosed and made a part of this permit modification.

The project site is located within Section 3, T. 9 S., R. 6 W., Copper River Meridian; Latitude 61.1125° N., Longitude 146.2697° W.; in Valdez, Alaska.

In accordance with your request, General Condition No. 1 of the permit is hereby amended to read as follows:

The time limit for completing the work authorized ends on November 30, 2026. If you find that you need more time to complete the authorized activity, please submit your request for a time extension to the Corps of Engineers for consideration at least one month before permit expiration.

All other conditions under which the subject authorization was made remain in full force and effect.

This authorization and the enclosed modified plans should be attached to the original permit. Also enclosed is a Notice of Authorization that should be posted in a prominent location near the authorized work.

BY AUTHORITY OF THE SECRETARY OF THE ARMY:

A handwritten signature in black ink, appearing to read "L. Byker".

Lucas Byker  
Regulatory Specialist



**This notice of authorization must be conspicuously displayed at the site of work.**

**United States Army Corps of Engineers  
Port Valdez**

**A permit to:** Permanently maintain an existing approximately 500-foot long by 200-foot wide barge dock.

**at:** Section 3, T. 9 S., R. 6 W., Copper River Meridian; Latitude 61.1125° N., Longitude 146.2697° W.; in Valdez, Alaska

**has been issued to:** Harris Sand and Gravel, Inc.

**on:** December 1, 2021 **and expires on:** November 30, 2026

**Address of Permittee:** Harris Sand and Gravel, Inc., PO Box 6, Valdez, AK 99686

**Permit Number:**

POA-1998-00882-M1

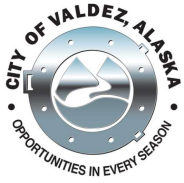
**FOR: *District Commander*  
Lucas Byker  
Regulatory Specialist  
REGULATORY DIVISION**



Figure 1: Map submitted by the applicant depicting the project footprint.



Figure 2: Overview map showing the project areas location within Valdez.



## Legislation Text

---

**File #:** RES 22-0035, **Version:** 1

---

**ITEM TITLE:**

#22-35 - Amending the 2022 City Budget by Recognizing \$55,100 of Additional Revenues from Providence Valdez Medical Center for the Valdez Childcare Needs Assessment, and Appropriating Expenditures for the Same

**SUBMITTED BY:** Jordan Nelson, Finance Director

**FISCAL NOTES:**

Expenditure Required: \$55,100

Unencumbered Balance: \$55,100

Funding Source: Providence Valdez Medical Center (PVMC) Fund

**RECOMMENDATION:**

Approve

**SUMMARY STATEMENT:**

- Pursuant to Comprehensive Plan Priority 5.1.C: “Continue to assess and fund community service organization annual funding based on allocation of available grant funding.”
- Valdez Childcare Needs Assessment: \$55,100
  - Funding comes from PVMC Fund, largely from accumulated profits
    - PVMC Fund: \$54,600
    - All Alaska Pediatric Partnership: \$500
- Authorization for a cash transfer from PVMC to City of Valdez, as City personnel will manage the contract
- Providence Budget is managed separately, this reflects an amendment to the approved 2022 Providence Budget, reviewed and approved by Providence Valdez Director and City Manager
- City of Valdez PVMC Fund currently has \$8.6MM available reserve funds in excess of the minimum set forth in the Providence Management and Operating Agreement

CITY OF VALDEZ, ALASKA

RESOLUTION #22-35

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA, AMENDING THE 2022 CITY BUDGET BY RECOGNIZING \$55,100 OF ADDITIONAL REVENUES FROM PROVIDENCE VALDEZ MEDICAL CENTER FOR THE VALDEZ CHILDCARE NEEDS ASSESSMENT, AND APPROPRIATING EXPENDITURES FOR THE SAME

WHEREAS, Council has provided direction to administration related to childcare as an articulated priority; and

WHEREAS, Providence Valdez Medical Center (PVMC) will remit payment to the City for a Valdez Childcare Needs Assessment; 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 2022 City Budget is amended as follows:

Section 1: PVMC Reserve Transfer, 001-0000-35200, is increased by \$55,100

Section 2: Administration Department Contractual Services, 001-5100-43400, increased by \$55,100

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA, this 17th day of May, 2022.

City of Valdez, Alaska

---

Sharon Scheidt, Mayor

ATTEST:

---

Sheri L. Pierce, MMC, City Clerk



**Agreement for Professional Services**  
**Project: Valdez Childcare Needs Assessment**  
**Contract No.**  
**Cost Code:**

Schedule kick-off meeting with the project team. Review background materials. Schedule and host monthly meetings of the Stellar & Valdez project teams, participate in other project meetings and activities. Prepare monthly progress reports.

**DELIVERABLES**

- » *Regular status meetings with project team (virtual)*
- » *Finalized timeline and methodology*
- » *Summaries of any meetings with City of Valdez departments and other stakeholders*

**ASSESS THE CURRENT STATE** **\$24,200**

Conduct research to determine the current state. Survey families, conduct interviews with providers, employers, school district and other key stakeholders. Compile census and surveillance datasets for Valdez. Conduct focus groups to follow-up on specific needs identified in surveys. Provide incentives. Travel for two staff to visit Valdez for data collection.

**DELIVERABLES**

- » *Data collection, coding, and analysis including key informant interviews with providers, employers, and other key stakeholders and Family survey and/or focus groups with community members and/or members of childcare workforce*

**SERVICE PLANNING** **\$12,000**

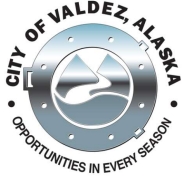
Use information gathered in the assessment process to create a detailed plan outlining options for the City of Valdez to improve child care access in the community. The plan will include projected need, identify potential partnerships and include financial analysis.

**DELIVERABLES**

- » *Draft strategic plan*

**FINAL REPORT** **\$12,000**

Develop final written report of the needs assessment and related service plan for public review. Present and reflect on findings with the City of Valdez project team



## Legislation Text

---

**File #:** 22-0227, **Version:** 1

---

**ITEM TITLE:**

Report: Temporary Land Use Permit #22-03 for Fat Mermaid Restaurant for 518 Square Feet of Public Right-of-Way Immediately Adjacent to Lot 1A, Block 39A, Harbor Subdivision

**SUBMITTED BY:** Nicole LeRoy, Planner

**FISCAL NOTES:**

Expenditure Required: N/A  
Unencumbered Balance: N/A  
Funding Source: N/A

**RECOMMENDATION:**

N/A report only

**SUMMARY STATEMENT:**

On April 7, 2022, Karen Ables, owner of the Fat Mermaid Restaurant, applied for a temporary land use permit for seasonal outdoor seating adjacent to her restaurant at 143 North Harbor Drive. This is the fifth year Ms. Ables has pursued a permit of this type. Per her attached application, Ms. Ables has requested use of a 518 square foot portion of public right-of-way for outdoor restaurant seating. Ms. Ables requested the permit for May 1st - October 1st of 2022.

When this type of temporary land use permit was first processed in 2018, staff recommended compliance with the Americans with Disabilities Act (ADA) be a condition of the permit approval to allow all pedestrians an accessible route through the public right-of-way. There was debate at the time as to the required slope of the sidewalk for qualification as an accessible route as defined by the ADA. Through inspection of the site at the time, it was determined that the slope of the accent strip exceeded the 2% maximum slope mandated by the ADA, disqualifying it as an approved accessible route. As such, it was determined by staff that 36" distance of flat, clear sidewalk would need to be maintained in order to meet the ADA minimum clearance for accessible routes (see attached guidelines.) It should be noted that the permit area shown in the application site plan for this year extends out slightly further towards Wrangell Avenue than in prior years. The drawing submitted by Ms. Ables shows an 9' x 10' uncovered portion of public right-of-way to be utilized for outdoor seating on the corner of Wrangell Avenue and North Harbor Drive. Staff has no concerns about the use of this additional portion of right-of-way usage by the Fat Mermaid, so long as appropriate ADA clearance is appropriately maintained on Wrangell Avenue, and North Harbor Drive.

Per VMC 17.48.140 F 2, use of the property under the permit shall not constitute a nuisance, substantially interfere with the use and enjoyment of adjacent property, or adversely impact public

access or city operations. Ms. Able's requirement to meet ADA compliance meets the intent of this provision.

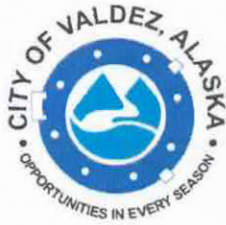
In addition, per Valdez Municipal Code 17.48.140 F 7, the permanent alteration of City property is prohibited under a permit of this type. To satisfy this code requirement, staff recommends that the temporary land use permit approval condition that all barricades for the permitted area be temporary and moveable, and that no modification to the sidewalk occurs.

Fees temporary land use permits were established by City Council with Resolution #12-36. The resolution states that "for permits not exceeding two acres in size and for a period of six months or less, the fee shall be \$250 per month." For the six-month period Ms. Ables has requested, the permit fee will be \$1,500.00.

Staff submitted the temporary land use permit application to Capital Facilities, Public Works, and Ports and Harbor for their comments and received no objection to the permit.

Staff recommended to the Planning and Zoning Commission that the temporary land use permit request by Karen Ables and the Fat Mermaid Restaurant be approved with the conditions that Ms. Ables be required to comply with all ADA guidelines, make no permanent alteration to the area, and obtain a building permit and required inspections for the proposed structure, as required by Title 15 of the Valdez Municipal Code.

The Planning and Zoning Commission voted to approve temporary land use permit 22-03 on April 27, 2022. The approval of temporary land use permits is to be reported to City Council at the next regularly scheduled meeting.



# CITY OF VALDEZ TEMPORARY LAND USE PERMIT APPLICATION

All fields are required. If not applicable, please mark with N/A or dash.

### Office Use Only

Application Number 22=03 Date Received 4/7/2022  
Initials NL Zoning District ROW adjacent to G  
Permitted Use? Yes  No

### APPLICANT INFORMATION

Name The Fat Mermaid  
Phone 907-831-0274  
Email \_\_\_\_\_  
Mailing Address PO Box 1999  
Valdez, AK 99686

### REPRESENTATIVE INFORMATION *(if applicable)*

Name Karen Abbs  
Phone 907 831 0274  
Email Kabbs1221@gmail.com  
Mailing Address Box 1999  
Valdez AK 99686

### PROPERTY INFORMATION

Property Owner Name \_\_\_\_\_  
Legal Description Lot 14 Block 39.5 Subdivision/Survey Mineral Creek  
Physical Address 143 N. Harbor Dr  
Property Description The Fat mermaid (partial sidewalk)  
Proposed Use of Area *(attach a narrative, if more detail is required)*

*an awning will be re-attached for summer.*

Total Use Area Dimensions 9 x 10' =  
18 x 6 =  
32' by 10' = 518 ± Sq'  
 Term Requested 6 months  
 Parking Area Dimensions \_\_\_\_\_

**TEMPORARY BUILDINGS/STRUCTURES** (if applicable)

Detail the number of temporary buildings, and the dimensions, type, and use for each.

**ORGANIZATION TYPE**

- Individual                       Corporation  
 Sole Proprietorship           Non Profit  
 Partnership                       Other (please explain) \_\_\_\_\_

**ADDITIONAL MATERIALS REQUIRED** (the following must be submitted when applying for a TLUP)

- Site Plan (including lot boundaries, use area boundaries, parking dimensions, and proposed temporary buildings)  
 Certificate of Liability Insurance (may be submitted following approval, but is required prior to permit issuance)  
 State of Alaska Business License (and any applicable professional licenses)  
 City of Valdez Business Registration

APPLICANT SIGNATURE Karen Able                      DATE 3-31-2022

(Your signature above certifies that you are the official representative of this business and that all information included on this form is accurate.)

**ADDITIONAL INFORMATION**

Forms may be emailed to [planningdept@valdezak.gov](mailto:planningdept@valdezak.gov) or dropped off at the Planning Window in City Hall. For a fillable PDF form, visit [valdezak.gov/275/City-Forms](http://valdezak.gov/275/City-Forms)

To submit via mail, send to the following address:  
**Planning Department**  
**City of Valdez**  
**PO Box 307**  
**Valdez, AK 99686**

**QUESTIONS?**  
 Call the City of Valdez Planning Department at **907-834-3401** or email [planningdept@valdezak.gov](mailto:planningdept@valdezak.gov).

$$9 \times 10 = 90'$$



no Awning

$$18 \times 6 = 108$$

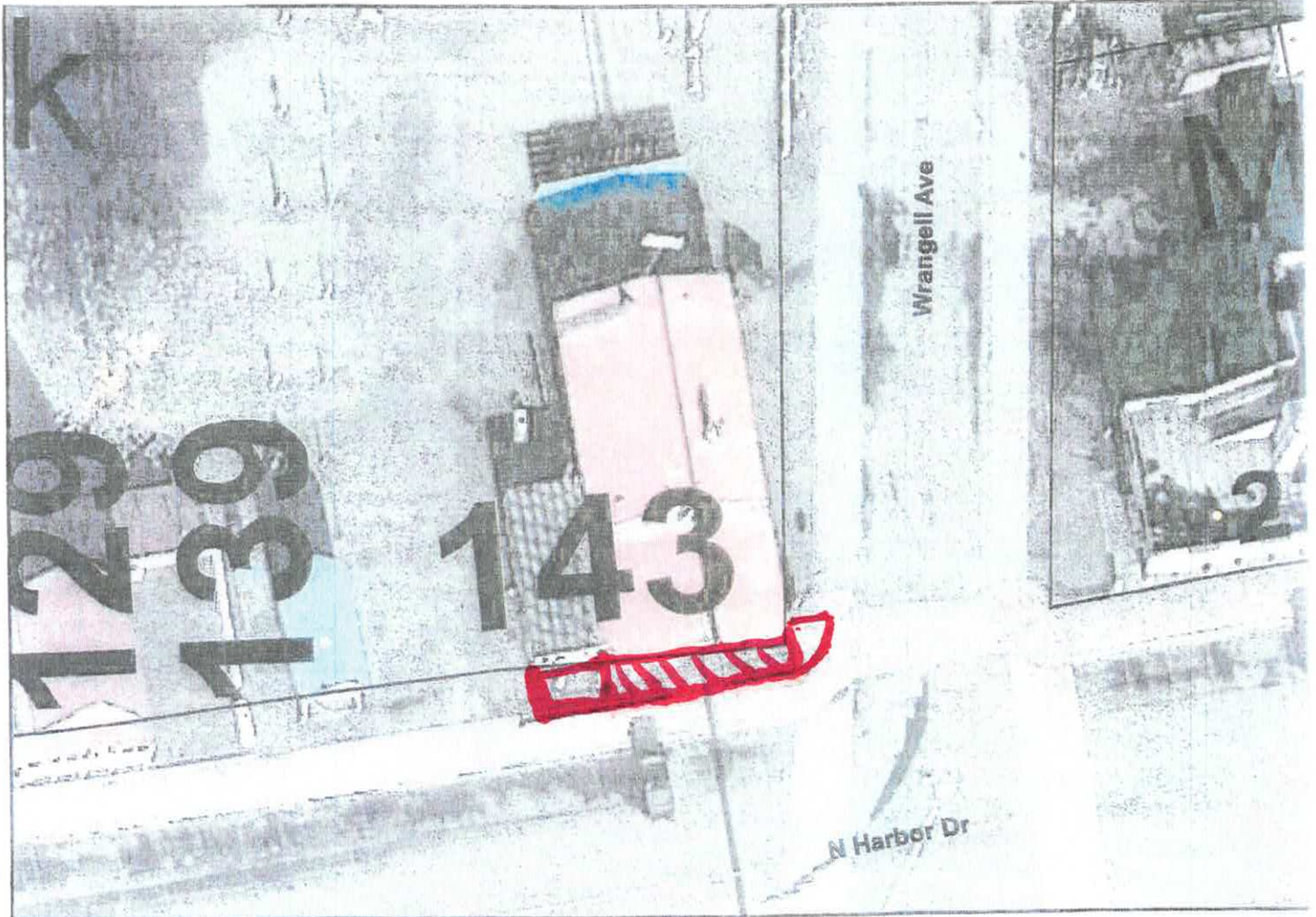


no Awning

$$32' \times 10' = 320$$



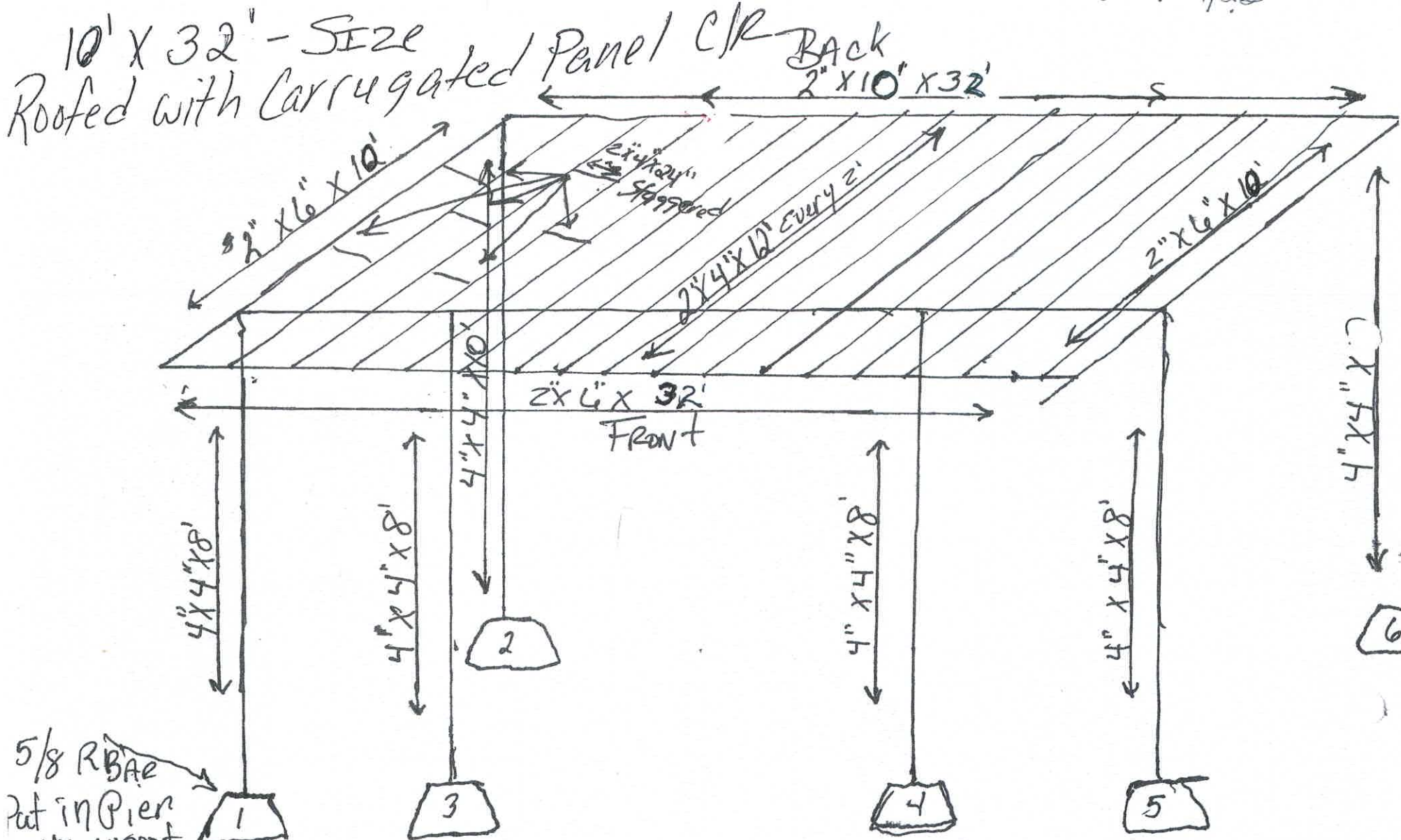
Awning



NOTE: Map depicting approximate parcel boundary only.  
Use recorded plat for accurate delineation.

Awning is 32' wide by 10' deep. however, there is a 52" clear pathway between street side walk and awning, leaving ample room for pedestrians

Uncovered area plus Awning is 60' wide, depth varies due to property line



5/8 RBAE  
Put in Pier  
4" x 4" post

Pier Block  
12x8x12 w/hole  
Numbered  
1, 2, 3, 4, 5, 6

*[Signature]*

**THE FAT MERMAID**  
DINING ON THE VALDEZ WATERFRONT



**KAREN ABLES**  
(907) 835-3000 B  
(907) 831-0274 C

143 N HARBOR DR.  
P.O. BOX 1999

WWW.THEFATMERMAID.COM

**Alaska Department of Commerce, Community, and Economic Development**

Division of Corporations, Business, and Professional Licensing  
PO Box 110806, Juneau, AK 99811-0806

This is to certify that

**THE FAT MERMAID**

PO BOX 1999, VALDEZ, AK 99686

owned by

NORTH HARBOR PROJECT, INC.

is licensed by the department to conduct business for the period

April 2, 2020 to December 31, 2023  
for the following line(s) of business:

72 - Accommodation and Food Services



This license shall not be taken as permission to do business in the state without having complied with the other requirements of the laws of the State or of the United States.

This license must be posted in a conspicuous place at the business location.  
It is not transferable or assignable.

Julie Anderson  
Commissioner





# CITY OF VALDEZ BUSINESS REGISTRATION

**ISSUED TO:**

The Fat Mermaid  
Karen Ables  
(907) 831-0274

143 N Harbor Dr  
Valdez, AK, 99686

**ISSUED BY:**

City of Valdez  
Planning Department  
907-834-3401

PO Box 307  
Valdez, AK 99686

**REGISTRATION NUMBER:** 22-109

**BUSINESS DESCRIPTION:** Restaurant

**BUSINESS TYPE:** restaurant/bar/catering

**APPROVED BY:**

**VALID FROM:** 01/01/2022

**EXPIRES:** 12/31/2022

*This license is non-transferable and is issued in compliance with the City of Valdez, AK per Valdez Municipal Code 5.04.*

---

## CHAPTER 4: ACCESSIBLE ROUTES

### 401 General

**401.1 Scope.** The provisions of Chapter 4 shall apply where required by Chapter 2 or where referenced by a requirement in this document.

### 402 Accessible Routes

**402.1 General.** Accessible routes shall comply with 402.

**402.2 Components.** Accessible routes shall consist of one or more of the following components: walking surfaces with a running slope not steeper than 1:20, doorways, ramps, curb ramps excluding the flared sides, elevators, and platform lifts. All components of an accessible route shall comply with the applicable requirements of Chapter 4.

**Advisory 402.2 Components.** Walking surfaces must have running slopes not steeper than 1:20, see 403.3. Other components of accessible routes, such as ramps (405) and curb ramps (406), are permitted to be more steeply sloped.

### 403 Walking Surfaces

**403.1 General.** Walking surfaces that are a part of an accessible route shall comply with 403.

**403.2 Floor or Ground Surface.** Floor or ground surfaces shall comply with 302.

**403.3 Slope.** The running slope of walking surfaces shall not be steeper than 1:20. The cross slope of walking surfaces shall not be steeper than 1:48.

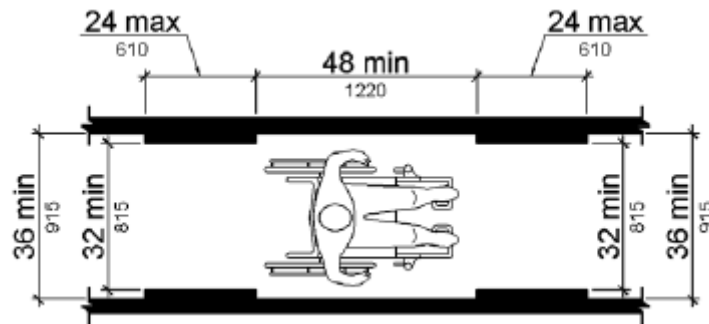
**403.4 Changes in Level.** Changes in level shall comply with 303.

**403.5 Clearances.** Walking surfaces shall provide clearances complying with 403.5.

**EXCEPTION:** Within employee work areas, clearances on common use circulation paths shall be permitted to be decreased by work area equipment provided that the decrease is essential to the function of the work being performed.

**403.5.1 Clear Width.** Except as provided in 403.5.2 and 403.5.3, the clear width of walking surfaces shall be 36 inches (915 mm) minimum.

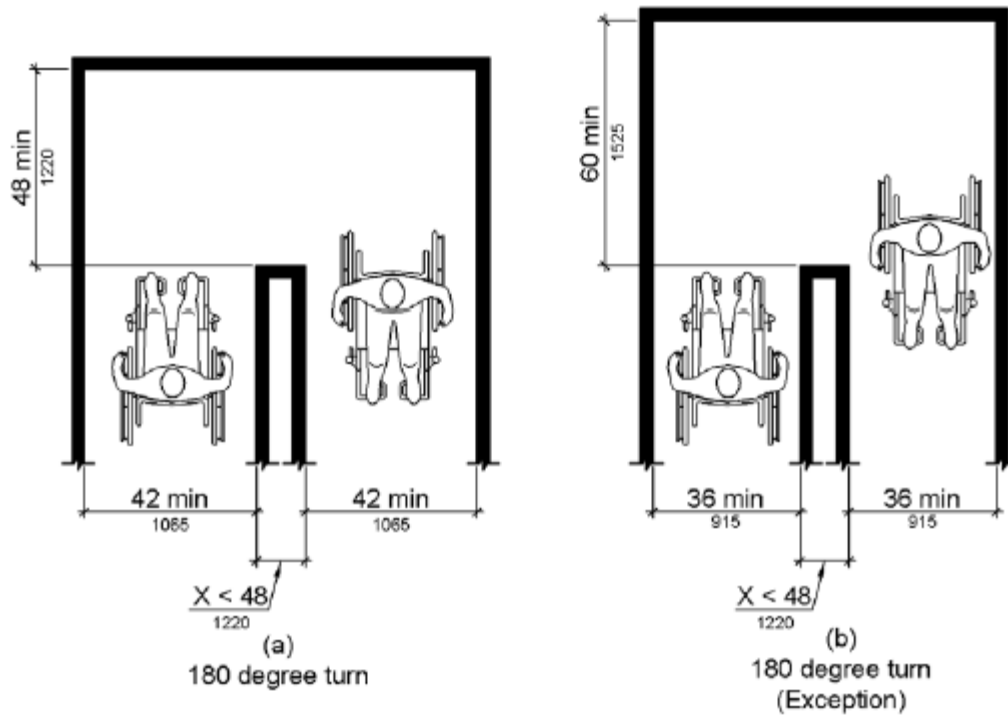
**EXCEPTION:** The clear width shall be permitted to be reduced to 32 inches (815 mm) minimum for a length of 24 inches (610 mm) maximum provided that reduced width segments are separated by segments that are 48 inches (1220 mm) long minimum and 36 inches (915 mm) wide minimum.



**Figure 403.5.1 Clear Width of an Accessible Route**

**403.5.2 Clear Width at Turn.** Where the accessible route makes a 180 degree turn around an element which is less than 48 inches (1220 mm) wide, clear width shall be 42 inches (1065 mm) minimum approaching the turn, 48 inches (1220 mm) minimum at the turn and 42 inches (1065 mm) minimum leaving the turn.

**EXCEPTION:** Where the clear width at the turn is 60 inches (1525 mm) minimum compliance with 403.5.2 shall not be required.

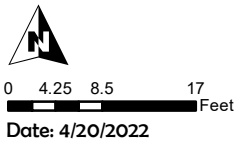
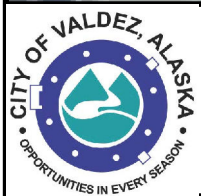


**Figure 403.5.2 Clear Width at Turn**

**403.5.3 Passing Spaces.** An accessible route with a clear width less than 60 inches (1525 mm) shall provide passing spaces at intervals of 200 feet (61 m) maximum. Passing spaces shall be either: a space 60 inches (1525 mm) minimum by 60 inches (1525 mm) minimum; or, an intersection of two walking surfaces providing a T-shaped space complying with 304.3.2 where the base and arms of the T-shaped space extend 48 inches (1220 mm) minimum beyond the intersection.

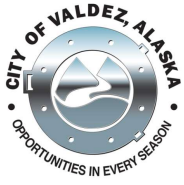
**403.6 Handrails.** Where handrails are provided along walking surfaces with running slopes not steeper than 1:20 they shall comply with 505.

**Advisory 403.6 Handrails.** Handrails provided in elevator cabs and platform lifts are not required to comply with the requirements for handrails on walking surfaces.



Information displayed is for informational purposes only. The City of Valdez makes no warranties, expressed or implied as to the veracity or accuracy of the information herein.

143 N Harbor Drive



## Legislation Text

---

**File #:** 22-0228, **Version:** 1

---

**ITEM TITLE:**

City Manager's Report May 17, 2022

**SUBMITTED BY:** Mark Detter, City Manager

**FISCAL NOTES:**

Expenditure Required: N/A

Unencumbered Balance: N/A

Funding Source: N/A

**RECOMMENDATION:**

Receive and File.

**SUMMARY STATEMENT:**

The following are my activities for the past two weeks:

**Attended Meeting on St. Patrick Subdivision/Whalen Street-** Bill Harris, Nate Duval, and myself had a meeting and discussed St. Patrick Subdivision and Whalen Street construction project. The timeline on materials has made this a two-season project. Costs have also increased on Whalen Street project.

A Developer's Agreement and Resolution awarding Housing Land Grant Award will be presented in June to City Council for the St. Patrick Subdivision.

**Interviews for PRCS Director and Deputy City Clerk-**Part of interview panel for PRCS Director and Deputy City Clerk position. Four interviews were conducted for PRCS Director and three were conducted for Deputy City Clerk.

**Rezone for Senior Housing-** Attended Planning Commission meeting where rezone to multi-family for a portion of the Valdez Medical Park Subdivision Senior Park Addition was approved. Zoning will come to Council for 1<sup>st</sup> reading of Ordinance in June.

Also attended Providence Community Advisory Council meeting.

Next three weeks will include attending Economic Diversification Commission meeting and continue to work on filling PRCS Director Position.