



## **CITY MANAGER REPORT**

**Reporting Period:** September – November 21, 2019

**Prepared By:** Phillip A. Zavadil, City Manager

**Date:** November 22, 2019

### **Outreach and Communications Plan**

#### **City Code Online**

The City Code of Ordinances is now online. You can access the ordinances by going to <https://saintpaul.municipal.codes> or via our website at [www.stpaulak.com](http://www.stpaulak.com).

#### **Public Information Requests**

Recently we have had a request from a company for vendor data. In the past we have had request for various information that the City retains. The City does not have a written process on how to respond to these requests, however under [AS 40.25.120](#) the City is obligated to respond to requests for public information. In order to respond to requests in the future and potentially recover costs associated with these types of requests I worked with our general legal counsel to develop a form for public information requests (*see attached*). This form is available on the City's website.

### **Lobbying Efforts in Juneau**

#### **Thank You Letters to State Legislatures**

We sent thank you letters to Senator Hoffman and Speaker Edgmon for their work on retaining shared fish tax and PCE (*see attached letters*).

#### **St. Paul School Roof Issue**

On October 11, 2019 we sent a joint letter (*see attached*) from School Board President Wegeleben and Mayor Merculief on behalf of the Pribilof School District and City to Senator Hoffman and Speaker Edgmon outlining the issue with the St. Paul School roof and roof structure and the importance of funding the project to repair the roof and structure.

On November 15, 2019, I received an email from Superintendent Agenbroad, confirming that the St. Paul School CIP application was scored the number one priority for FY'21 Major Maintenance list. *See attachment for more details.*

Mark Hickey the City's lobbyist in Juneau is tracking this issue.

### **2020 Contracts for Professional Services**

#### **Hickey and Associates**

On October 14, 2019, I signed a contract with Hickey and Associates to provide lobbying services in Juneau for 2020.



**DTB**

Last year I agreed to and signed a three-year contract with Mateo to provide fisheries consulting (attending NPFMC meetings) and lobbying services in DC.0.

**Ashburn and Mason**

Since Ron Bair's retirement in 2017, we have been working with Becky Lipson of Ashburn and Mason to provide general legal services and general counsel for the City. I am currently drafting a three-year contract for Ashburn and Mason to provide these services for the City.

**Polar Consult**

I signed a contract with Hickey and Associates to provide lobby services in Juneau for 2020.

**LMJ Consulting**

The contract for LMJ Consulting to provide managed IT services began in December 2018 and is good for three years.

**Apple Enterprises**

In October, I signed a new contract with Apple Enterprises for Simeon Swetzof to provide representation on behalf of the City at the North Pacific Fisheries Management Council meetings.

**My Spare Time**

In October, I signed a new contract with My Spare Time for Phyllis Swetzof to provide assistance to Monique and I when requested and to assist with special events.

**Aldrich Advisors**

Aldrich Advisors is the City's new audit firm. They performed the CY2018 audit. I spoke with Lia Patton about engaging Aldrich to perform the CY2019 audit.

**Sedor Wendlandt Evans & Filippi**

Sedor Wendleant Evans & Filippi has provided employment related legal service for the City for several years now. We have an ongoing engagement letter for these services.

**Air Transportation**

**Meeting with Ravn Management**

On October 24, 2019, I met with representatives with Ravn. Below is a summary of our discussion:

**Penair Accident and Impact On Service**

- The accident involving the SAAB 2000 in Unalaska will have no effect on our flights to St. Paul Island. Ravn is under EAS contract so they have to fly the stated schedule. I asked if this could affect make up flights and Derek did not commit to how the accident could affect make up flights. Derek said that he would rather under promise and over commit.
- Due to the accident Ravn is moving aircraft around. Derek said they would resume regular scheduled flights to Unalaska on November 4th using the Dash-8.
- I requested Ravn issue a notice to the community regarding their commitment to safety and flying the established schedule. Derek said that would be coming soon.

**Tourism and Charters**

- Ravn be talking with St. Paul Tours regarding charting flights for tourist next year.

- Trident is going to charter 5 Ravn flights in January.
- No info on if the duck hunters have booked groups or charters with Ravn. This may mean they are taking the regular flights or chartering with ACE.
- We briefly discussed the tourism study Tribal Government is performing. Derek said Ravn would like to be involved in promoting tourism and would like a copy of the study once completed. Derek recommended that we join the Alaska Travel Industry Association and also look at committing funds to tourism development.

#### Alaska Surface Observing System (ASOS)

- Due to FAA regulations Ravn needs to ASOS or weather data for the pilot to determine if he/she can land in the given runway environment. Basically, depending on what the weather is doing they can land if ASOS is missing data and their weather observer can provide the missing data.
- Ravn would sign on to a joint letter to NWS and/or FAA regarding the importance of maintaining our ASOS.
- We discussed requesting installation of an AWOS on the north end of the runway. That would be expensive but Ravn would be supportive.
- We should ask NWS about the Supplemental Aviation Reporting System (SARS) which is a certified weather product that NWS produces. NWS should be able to produce this data from the weather service station on the island.

#### Essential Air Service

- Derek would like to meet with the community before the end of the year to review how things are going. I said that would be great. He will inform me when they will make time to have this meeting.

#### **Meetings with National Weather Service Regarding Automated Surface Observing System**

On October 29, 2019, Mateo and I met with Mark Miller National Weather Service in DC Below is a summary of our discussion:

- Our current ASOS equipment is from the early 1990s. NWS has funding for updating the system via a service life extension program but that has not scheduled the update of our system at this time.
- We asked about developing an agreement for hiring a local tech to diagnose and maintain the ASOS. Mark informed us that there may be potential union issues and that it would be unlikely that NWS could do this.
- We asked about keeping spare parts on hand. Mark informed us that this is not possible. But the techs come with a spares kit just in case. Mark said that he pulled the data from our ASOS and there did not appear to be specific parts that are going out consistently. Over the past couple years there have been separate issues, so keeping spare parts on hand would have not resulted in fixing the system any faster.

On November 4, 2019, I met with Angel Corona with the National Weather Service in Anchorage. Below is a summary of our discussion:

- Angel informed me that our ASOS has experienced 4 warm reboots this year and the problem began in August of this year.
- Some NWS techs think there may be an issue with the power going to the system.

- Angel and I committed to figuring out the potential power issue. NWS would be sending out someone to test the power coming into the ASOS. I committed the City's electrician to testing the power going to the system.

**Meeting with US Department of Transportation Regarding Essential Air Service**

On October 31, 2019, Mateo, Mayor Merculief, and I met with Michael Gormas and Kevin Schlemmer with the US Department of Transportation regarding Essential Air Service for St. Paul Island. Below is a summary of our meeting:

- We thanked Michael and Kevin for completing the award. We stated that we would have liked to have seen a 4<sup>th</sup> flight during peak seasons but understood that funding may have not allowed that to happen.
- We were asked why we did not coordinate our meeting with TDX. TDX representatives met with them earlier in the day. We stated we were trying to contact and arrange a meeting with TDX's representative in DC but were not able to connect with him.
- Kevin stated that the EAS program has the ability for some flexibility by allowing Ravn to fly less flights per week during the slow times and fly 4 flights a week during the peak seasons. DOT would need to work with their accounting folks to accommodate this flexibility. Kevin stated that DOT would not make Ravn change the schedule to make this happen, that it would be up to the community to work with Ravn on this type of schedule.
- We briefly discussed some of the issues with our ASOS and that we are working with the National Weather Service to address those issues.

**NOAA CEIP Loan**

The following report includes current and historic detail regarding the City of Saint Paul's Coastal Energy Impact Loan (CEIP) Loan.

The City took out a CEIP loan in 1987 in order to relocate and replace a non-compliant bulk fuel farm facility left by NMFS after the phase-out of the commercial fur seal harvest in 1983. One of the key elements of CEIP program loans is that they are to be paid back by revenues generated from the infrastructure built with the loan, and not out of other City funds. In the City's case, the CEIP related infrastructure has essentially been running at a loss since the collapse of the crab stocks in 2000. During the boom crab years in the 1990's the City paid over \$3 million on the loan.

In 2010 the City negotiated a new agreement with NOAA/OCM (known as the Fifth Amendment to the Tripartite Agreement) which basically placed principal and interest payments on the loan in a moratorium status, which continues to this day.

On October 30, 2019, Mateo, Mayor Merculief and I met with the NOAA/Office of Coastal Management representatives regarding the final status of the \$6.5 million CEIP loan.

During our meeting last week OCM reported that given its ongoing review of the City's audited financial statements it was clear that this CEIP loan was non-performing and that NOAA/OCM was considering a recommendation of forgiveness of the loan to Congress, as allowed under the Coastal Zone Management Act of 1990 (*see explanation of statute in CEIP Backgrounder attached*). Since this step has never been taken, NOAA is waiting for a response from the Office of Management and Budget as to what impact loan forgiveness of any CEIP loan would have on the nation's budget/finances. Until there is a response and there is certainty as to how to write these loans off, NOAA/OCM can't/won't move forward with a recommendation of forgiveness.

Regarding the City Saint Paul, NOAA/OCM has verified the economic/fishery trends and that the City does not have the means to pay back the CEIP loan.

Per the terms of the Fifth Amendment to the Tripartite Agreement of 2010 (which implemented the moratorium), the City maintains \$150,000 in reserve. In the event of resolution of this loan, NOAA would be requesting this amount in exchange for forgiveness of the loan. The three parties to the Tripartite Agreement on the CEIP Loan are: NOAA/OCM, the City of Saint Paul, and the Alaska Municipal Bond Bank (AMBB).

On November 14, 2019, Mateo, Stephanie and I had a teleconference with Deven Mitchell with the Alaska Municipal Bond Bank regarding the status of our CEIP loan. We provided Deven with an overview of our meeting with NOAA in DC and informed him that we would be pursuing forgiveness of the loan. Deven stated that the bond bank will support what the community wants, and they look forward to working with us on forgiveness of the loan. There may be some small fees associated with forgiving the loan, which he will provide to us.

### **Fisheries**

#### **PEW Charitable Trust and Kawerak, Inc. Workshop**

On October 23-24, 2019 The PEW Charitable Trusts and Kawerak, Inc. hosted a workshop entitled “Coming together for the future of our oceans: Gathering of Alaska Native Organizations”. I attended the first day of the workshop. Also, in attendance for St. Paul Island was Lauren Divine, Richard Zacharof, and Sera Edelen. The workshop focused on how Alaskan native communities can work together to understand, have a voice and be effective at the North Pacific Fisheries Management Council. I have not revised a summary of the meeting yet but will forward once I do.

#### **NPFMC Internship**

Dr. Divine and I have been working on developing a plan, job description and funding request for hiring of a local intern or two to learn and participate in the North Pacific Fisheries Management Council process.

### **Planning and Zoning**

#### **AML Mooring Project**

I have been trying to work with AML regarding their proposed project of installing 50-ton moorings with hand winches on City property so they can secure the barge at the City South Dock. On April 10, 2019 AML submitted an Application for Construction Permit. I worked with Mike Dahl to review the project and prepare a notice to proceed. Mike talked with an AML representative regarding the project and some concerns that we had. On June 12, 2019, I issued a Notice to Proceed for the project, but AML did not agree with the condition to provide us with as built drawings upon completion of the project. I requested that AML provide some level of engineer for this project to ensure that the project would not impact the utilities (electric, water, sewer, and fuel line) in the area. AML said they already spent enough on the project and they did not want to spend additional funds on engineering.

On October 22, 2019, I facilitated a teleconference between Gordon Lindblad with AML, Mike Dahl, Joel Graves, and Becky Lipson regarding the project. We expressed again our concerns regarding the project and the impact on the City’s utilities. Gordon stated they were going to abandon the project. On October 23, 2019 I sent an email to Gordon and Don Reid with AML withdrawing the Notice to Proceed for this project. On October 24, 2019, Gordon sent me an email stating that AML has not made a final decision on the project.

On November 21, 2019, I spoke with Don Reid with AML regarding the project and an invoice that was sent to AML for storage of containers on City property. In order to keep good relations with AML I informed Don that I would waive the storage charges. We discussed the mooring project further and I informed him that the City requires some engineer for the project. I let him know I am obtaining a cost estimate for the engineering from Polar Consult, but the City is not in the position to pay for engineering

at this time. I will be forwarding the cost estimate to Don once I receive it.

#### **NOAA Landfill Conveyance**

Becky Lipson with Ashburn and Mason and I have been working on a conveyance of the Ataqan Landfill from NOAA to the City via a quit claim deed. There has been some disagreement between our legal counsel and NOAA's on which type of document is needed for the transfer. Additionally, we want to make sure to address any environmental issues related to the transfer. During a meeting with Becky last month she informed me she is close to finalizing the transfer of this property.

#### **Escrowed Funds**

On November 5, 2019, I received notice regarding release of escrow funds from Fidelity Title Agency of Alaska. TDX funded the Escrow Account pursuant to a letter agreement dated August 14, 2013 relating to the Final Settlement Agreement ("FSA") between TDX and the City. Specifically, FSA sums due to TDX from the City were withheld to secure TDX's extended performance obligations under FSA Section 3.5.3.1, with disbursement contingent upon completion. At this time, the City continues to dispute that TDX's partial performance satisfied its FSA Section 3.5.3.1 fill obligations. We are in the process of securing funds (i.e. State DOT Community Transportation Grant) that will cover TDX's FSA Section 3.5.3.1 obligation for the Harbor Road.

On November 18, 2019, I teleconferenced with Becky, Monique, Mike Dahl and Phyllis regarding how to respond to Fidelity. I have instructed Ashburn and Mason, on behalf of the City to send a letter to Fidelity recognizing that Fidelity cannot be expected to provide continued escrow services and without waiving any enforcement or collection right, or otherwise limit its ability to contest the sufficiency of TDX's performance, the City does not object to Fidelity releasing the Escrow Account funds to TDX.

#### **Retail Sale of Fireworks Permit**

On October 1, 2019, I sent notice to Larry Nutter the Aleut Community Store Manager that he will need to renew his permit with the City and State for the retail sale of fireworks. The permits will need to be renewed prior to December 28, 2019.

#### **Capital Improvement Plan**

Next year we need to update the City's 2017 – 2021 Capital Improvement Plan. The CIP provides information on capital projects identified as priorities for the St. Paul Island. I recommend to Council that a committee [made up of two council members, along with the Public Works Director, City Engineer and City Manager] is formed to identify projects, prioritize the projects, and update the plan.

#### **Comprehensive Economic Development**

I think the City should take the lead this coming year on updating the Comprehensive Economic Development Strategy (CEDS). I am going to plan to discuss this with Patrick and Amos in the coming months.

On November 10, 2019, I met John R. Merculief for brunch. John R. is on the Tanaq Corporation board. We discussed the St. George Harbor and economic development on St. George. I expressed interest in working with the community on the development of their new harbor but let him know we did not have a good consistent contact on the island to communicate with. John R. recommended that I meet with Nathan McCowan, President and CEO of Tanaq Corporation.

On November 13, 2019, I had a brief meeting with Nathan McCowan regarding the new harbor on St. George and general economic development. We had a good discussion. I suggested that all the entities on St. Paul and George get together to talk about both harbors and come up with a unified Pribilof regional strategy on the harbors that we can present to the Army Corps and congressional delegation in DC. I also suggested that we develop a Pribilof region CEDS. We were not sure how to make this happen given some of the communication and cooperation challenges between entities and the island, but it is

worth pursuing.

### **General Meetings**

#### **Ashburn and Mason**

On October 21 and November 5, 2019, I met with City's general legal counsel Becky Lipson. We discussed the following:

- Preparing a 3-year contract with Ashburn and Mason to provide general legal services for the City.
- ADEC best practices scoring and how if needed A&M could assist.
- Work on the following ordinance updates for next year: Harbor, Water, and Sewer.
- Process for public information requests.

#### **DTB**

On October 28 and 31, I met with Mateo to discuss the strategy and to review talking points for our visit with the congressional delegation and agency representatives. and other business

On November 7, 2019, I met with Mateo via teleconference to review how the meetings in DC went and to discuss follow up items from these meetings.

#### **Congressional Delegation**

On October 29, 2019, Mateo, Jacob and I met with Congressman Young, Senator Murkowski, and Senator Sullivan (*see attached DC meeting itinerary, talking points, and background info*). I will provide a verbal report on how these meetings went at the Council meeting.

On October 30, 2019, Mateo, Jacob and I attended a fundraiser event for Congressman Young at the Capitol Hill Club.

On October 30, 2019, Mateo, Jacob and I met with Kevin Swanson as legislative assistant for Congressman Young to get him familiar with our infrastructure and infrastructure needs on St. Paul Island.

#### **Governor's DC Representative**

On October 30, 2019, Mateo, Jacob and I met with the Governor's staff in DC, Kip Knudson and Dottie Ochoa. We reviewed our talking points with Kip and Dottie. We also discussed our concern regarding the Governor's position on shared fish tax, which Kip was unaware of.

#### **Polar Consult**

On October 22 and November 6, 2019, I met with Mike Dahl and Joel Graves to discuss the status on a number of maintenance and capital improvement projects Polar is working on for the City. We also discussed the potential projects for next year.

#### **FAA Regional Administrator**

On October 24, 2019, I met with Kerry Long. We discussed our ASOS issues and the status on the housing lease for FAA.

#### **ADEC Commissioner Brune and Staff**

On Monday, October 21st I met with the ADEC Commissioner Brune and ADEC staff (Amber, Carrie, Gene and Lynn). The topics we discussed were Best Practices Scoring (BPS), rural operator course and certification and outfall permitting. Below is a summary of our discussion regarding Best Practices Scoring (BPS) and the rural water operator certification:

- The BPS program was changed in 2015.

- Commissioner Brune stated that the BPS is designed to apply to all communities, but the scoring process may actually be detrimental to St. Paul.
- The guidance to the RUBA staff and DEC remote workers regarding scoring was not clear and they tried to work on improving how the staff conducts the scores.
- The BPS program rules require the operator to provide either a written or verbal report to city council on the day to day operations of the water utility.
- The BPS program rules require a cash basis report to city council. She stated that the council needs to know how much cash is on hand.
- Financial reporting to City Council and DEC must be done on a cash basis under the BPS program. I informed that we do accrual basis accounting and have a sophisticated accounting software. DEC stated that the City Council and DEC need to know how much cash is on hand. I said the reports we have state that.
- At the end of the day DEC staff stated that we have to modify how we do business to fit the BPS process.
- The water operator certification is based on a national program and that for several years now her and other staff have been working on changing it to system specific certification, but they cannot agree on what will go into the training and testing.
- DEC has a new training manual and will be send it out to me to provide to our operators. Also, we can have our operators retest on the portions they did not pass as long as we can have someone proctor the exam.
- The employer (CSP) cannot receive the individual operator exam scores, it is only the operator that receives their score and then they can share it or not.
- DEC is working on beta testing specific system modules and that we could be a part of that testing.
- This was a good informative meeting, however I disagreed with the staff regarding the BPS program on many points. Not sure of how these BPS rules are made and approved but would like to look into it more. I think our state legislatures and administration should be aware of the “micromanaging” that ADEC Village Safe Water Program is doing with this BPS program.
- I sent an email to Commissioner Brune requesting on official BPS rescore but have not heard back yet on the rescore process.
- I discussed with our auditor the reporting on a cash basis, and she stated that this might be in contradiction with government accounting rules. I am having her send more info to me on this.
- The bottom line is we need the VSW funding for construction of new lift stations. I can make notes on the bottom of the financial reports for the water utility that show how much cash is on hand for a given reporting period. Also, we can have our operator provide a short report to council on water utility. Doing these two things should bump up our score enough so we will be eligible for VSW funding. With that said I think I would still like to pursue changes to this program based on the issues we are having; there must be other communities that have the same issues as we do and if we rally together we might be able to change some of how this scoring program works.

#### **Alaska Public Entity Insurance (APEI) Meetings**

On October 24, 2019, I attended the annual APEI membership meeting and then on October 25, 2019 I attended the APEI Board meeting. At the board meeting we elected board officers, renewed our Director and Officer Liability Coverage, created a committee to review the bylaws, and performed an evaluation on the Executive Director.



### **Awards/Grants/Donations/Opportunities/Agreements**

#### **State of Alaska Hazard Mitigation Grant Program (HMGP)**

The grant proposal deadline changed to mid-January 2020. I continue work with our grant writer to develop this proposal for new community emergency sirens. I met with a State of Alaska representative to review the draft proposal. Part of the proposal included obtaining exemption letters from SHPO, NOAA and USFWS stating that this project will not have an impact on any endangered species under these agencies' jurisdictions. On October 17, 2019, I sent email to USFWS and NOAA representatives requesting exemption letter for this project. On October 25, 2019 I met with Stewart Cogswell and Douglass Cooper with the USFWS Ecological Services regarding our project. I reviewed the project with them, and Mr. Cooper sent me an email stating that this project will not have an impact on any endangered species within USFWS' jurisdiction.

On November 20, 2019, I met with our grant writer to review the remaining items we need to complete for this proposal. We plan to submit the proposal for review by the State by mid-December 2019 and then submit the final proposal by the end of December 2019.

#### **Economic Development Administration (EDA) - Economic Development Assistance**

On October 31, 2019 I submitted the final revised proposal for conducting a feasibility study and business plan for harbor improvements and expansion to Shirley Kelly with EDA. EDA's internal review committee will meet in the coming months to review and score the proposal

#### **State of Alaska Community Transportation Program**

The application to the SOA DOT/PF for the Harbor Road has been submitted for review and scoring. The Project Evaluation Board will meet in January 2020 to review and score the projects.

#### **Alaska Energy Authority (AEA)**

On October 24, 2019, I received notice that the City received the Wells Fargo/VEEP grant in the amount of \$29,706 for purchase and installation of LED streetlights throughout the community. Additionally, we have received approval from AEA to purchase the LED streetlights that we identified in the grant.

#### **USCG MOA**

On October 7, 2019 I met with CWO J.P. Ragan and other coast guard personnel at the USCG Station to sign the attached Memorandum of Agreement for the City to provide police, fire and EMS services to the Coast Guard Installation on St. Paul Island.

#### **State of Alaska Community Development Block Grant**

I will be looking at applying for a SOA CDBG grant this next year to complete some of the old town water service line upgrades to some of the homes.

#### **USDOT Port Infrastructure Development Grants**

This is a new grant that we will look at next year once the announcement comes out for some of the work that needs to be done in the harbor, such as dock upgrades and repairs and new harbormaster office.

### **Information Technology (IT)**

On November 7, 2019 I met with representatives of LMJ Consulting regarding our managed IT services. It has been a year since LMJ started providing managed IT services for the City. Overall, I stated that I was happy with the service LMJ is providing and that we have good communication with the LMJ staff assigned to St. Paul.

We discussed future upgrades to the City's landline phone system and internet services. LMJ is currently

performing a feasibility test with softphone technology to test how well a new phone system they use will work given our internet challenges. The City currently has a Mitel voice over IP phone system that is about 8 years old. In general, the system works fine but when we have to do updates or have to shut the system down sometimes we experience difficulties with bring the system back online. Additionally, we do not have the ability to forward to outside lines. Once LMJ completes the test they will prepare a quote for updating our phone system.

We also discussed how to improve our internet. The City currently purchases internet from TelAlaska. We have what is called a 4 by 1 package and pay \$3,150 per month for this service. This service is shared with the St. Paul School and Trident as well as other users in the lower 48. Outside the hours of 7 am to 5 pm the internet slows down and is dedicated to other users. LMJ is evaluating an internet service from Alaska Satellite called Maverick. Maverick is based on YAMAL 300K Ku Band. The City would have upfront hardware costs of approximately \$5,000 for this system. This would be a dedicated service. For the 10 by 2 package the monthly costs would be \$4,500. This system would more than double our current bandwidth and actually save us money and pay for itself through increased staff productivity.

### **Harbor**

On October 30, 2019, Mateo, Jacob and I met with Steve Kopecky, Pacific Ocean Division Regional Integration Team and other staff with the US Army Corps of Engineers. We thanked them for working through the harbor cost share issue and discussed the process for operation and maintenance projects and future upgrades to the harbor. We also discussed the February and October storm events and the potential impact on the breakwater and harbor. We showed them pictures of the October storm event. Steve encouraged us to work with the Alaska Corps staff on O&M projects and future harbor upgrades.

On November 6, 2019, Mike Dahl, Joel Graves, Mateo and I met with Donna West and Nathan Epps with the Alaska Army Corps of Engineers regarding operation and maintenance projects on our harbor. Nathan presented the recent summer 2019 draft survey results of the harbor. We discussed the storm events with Donna and Nathan and requested a survey of the breakwater to check for cracked or compromised rocks. We will be following up the both of them in the coming months.

### **City Hall Backup Generator**

The Tribal Government of St. Paul received funding from FEMA to purchase a whole building backup generator for the City Hall. City Hall serves as one of the emergency shelters and as the Incident Command Center/Emergency Operations Center in the event of a large community emergency and well essential City services are provided out of the City Hall. I am working with Mike Dahl to prepare the engineering drawings necessary to put this project out to bid. The plan is to send out a bid package for both the City Hall and Tribal Office together.

### **Personnel**

#### **Training**

##### **Asset Essentials**

The week of September 23-26, 2019 a DUDE Solutions representative was on island to work with staff to train them on setting up Preventive Maintenance work orders in Asset Essentials. Monique and Emily were trained on the administrative and reporting functions in Asset Essentials. We are still new to this system and learning each day.

##### **Managers Training**

On September 30 and October 1, 2019, Carleen Mitchel with Alaska Public Entity Insurance provided the following trainings to supervisory staff: Managing to Stay Out of Court; Management Communications Best Practices; Performance Appraisals; Conflict Resolution; Harassment/Discrimination Prevention.

### Job Hazard Analysis and Implementing Safety Committees Training

On September 30 and October 1, 2019, Cole Cummins with Alaska Public Entity Insurance provided training to Public Works staff on Job Hazard Analysis and then training on implementing a safety committee to supervisory staff.

### 8-Hour HAZWOPER and 4-Hour Marine Spill Response

October 9-10 Greg Hoffman with Petro Star/North Pacific Fuels conducted an 8-Hour HAZWOPER and 4-Hour Marine Spill Response at the Bering Sea Learning Center. He also help to guide a tabletop spill drill. Public Works staff were in attendance and well as employees from TDX and the school.

### APEI Loss Control Visit

On September 30 and October 1, 2019 Cole Cummins and Carleen Mitchel with Alaska Public Entity Insurance were on island for a loss control visit. Carleen conducted several trainings with staff, which are described above. Cole performed facilities inspections with our Public Works staff on all the City buildings except for the housing units. *Attached is the inspection report.* I emailed the report to all staff and requested that they address the issues identified in the report. The cleaning up of items that pose a fire hazard has been complete. In December we will be have a safety committee meeting to work on hazardous communication plan, labeling of hazardous materials, and coming up with a plan to address the other items identified in the report.

### Finance

#### **CY2020 City Budget Prep**

In mid-September, departments submitted their budget requests. I have been working on a draft budget for 2020 to present to Council at a budget workshop in December.

#### **CY2019 Budget Amendment**

There have been several changes in both revenue and expenses for the CY2019 budget. We will be presenting a budget amendment for the CY2019 budget at the next Council meeting.

#### **Utility Rates Study**

Stephanie, Nadia, Monique and I have been working with William (Bill) Wilks of PBA Consulting to update the utility rate study he performed for the City back in 2014. Bill has sent a draft final report of the study for our review. We will present the final report on the rate study to Council at a budget workshop in December.

#### **Northrim Loan**

I have been communicating with Northrim Bank regarding a loan for replacement of vehicles. Northrim offered a 60-month loan at 90% of the acquisition costs plus shipping. The interest rate they offered was fixed at 4.25% of the life of the loan. I spoke with Lia Patton with Aldrich about the terms and she informed me they were favorable. I will present more details on the loan at the budget workshop in December. Council will need to approve the terms of the loan via a resolution.

#### **Finance Department Policies and Procedures**

October 23, 2019 I met with Lia Patton with Aldrich regarding the work they performed on preparing a policy and procedure manual for the Finance Department. We reviewed the draft manual and made several changes. Stephanie, Lia and I have some additional work to complete the manual.

#### **Investments**

Moving funds from TVI investments to a Northrim Jump Up CD has resulted in increased investment income. I have been doing some research on investments and discovered that we may need to revise

our investment ordinance to allow for investment into other types of funds to see increased gains in the income. There is a risk in doing this, so I will be talking with TVI and other investment funds regarding some options to increase our gains. Once I have additional information I will present the results to Council.

**Insurance Indemnification Agreement for Operating on City Docks**

I sent the Insurance Indemnification Agreement notices to AML, CBSFA, TDX, Tribal Government, and Trident Seafoods to execute this document and provide the City with the required certificates of insurance. To date I have received agreements and certificates from AML, CBSFA, and Trident. Tribal Government informed me they are working with their insurance company on providing the necessary documents. I sent a second notice to TDX on September 3<sup>rd</sup> but have not received a response.

**Fire Department**

On October 11, 2019, volunteer fire personnel conducted fire prevention activities at the St. Paul School. We discussed home escape plans, how to use 911, had the younger grades participate in a fire prevention scavenger hunt in the school, and held a bunker relay race in the gym. At the end we handed out fire prevention gifts to the students and staff.

On October 20, 2019 at approximately 2 am Public Safety dispatch received a call of a fire at house 21. Fire personnel were dispatched. The fire was contained to the outside of the street side of the house. At approximately 4:30 am the fire was fully extinguished.



Send your request to [info@stpaulak.com](mailto:info@stpaulak.com)

# CITY OF SAINT PAUL

## ALASKA

PUBLIC RECORDS REQUEST					
<b>Requestor Name:</b>					
<b>Address:</b>					
<b>City:</b>		<b>State:</b>		<b>Zip Code:</b>	
<b>Contact Number:</b>		<b>Email:</b>			
<b>This is a request to:</b>					
Receive a copy of municipal record(s)			This request relates to pending litigation		
Inspect municipal record(s)					
<b>Describe the public record(s) request as specifically as possible (include document titles, dates, parties, addresses, etc.):</b>					
I understand that certain municipal records are exempt from disclosure. See AS 40.25.120 for more information. I understand that I may be charged a fee for copying public records. The City will respond with an estimated charge. This is an estimate only. Requests are \$0.30/page plus employee time (\$80/hour). I agree to protect the security and integrity of the information system provided to me and I understand that the City of Saint Paul is not responsible or liable in any manner for the use of such information					
<b>Requestor's Signature:</b>				<b>Date:</b>	

<i>(this section is for City of Saint Paul use only)</i>			
<b>Received By:</b>		<b>Date:</b>	
<i>Communications/Review Log</i>			
<i>Fees</i>			
<b>Estimated Fees</b>  <u><i>Copies</i></u> _____ pages x \$0.30 = \$ _____  <u><i>Employee Time</i></u> _____ hours x \$80 = \$ _____  <u><i>Postage</i></u> = \$ _____  <b>Total Estimated Fees = \$</b> _____   <div style="text-align: right;"> <i>Fees paid in advance = \$</i> _____  <i>Amount due = \$</i> _____  <i>Received on:</i> _____       </div>		<b>Actual Fees</b>  <u><i>Copies</i></u> _____ pages x \$0.30 = \$ _____  <u><i>Employee Time</i></u> _____ hours x \$80 = \$ _____  <u><i>Postage</i></u> = \$ _____  <b>Total Fees = \$</b> _____   <div style="text-align: right;"> <i>Refund/ Additional due = \$</i> _____  <i>Received on:</i> _____       </div>	
<i>Fulfilled/Completed</i>			
<b>Denied By:</b>		<b>Date:</b>	
<i>Denials</i>			
If request denied, in whole or in part, please cite to code, statute, or other local, federal, or state law exemption:			
<b>Denied By:</b>		<b>Date:</b>	



October 11, 2019

The Honorable Lyman Hoffman  
Majority Leader  
Alaska State Senate  
State Capitol, Room 508  
Juneau, Alaska 99801-1182

The Honorable Bryce Edgmon  
House Speaker  
Alaska House of Representatives  
State Capitol, Room 208  
Juneau, Alaska 99801-1182

Dear Senator Hoffman and Speaker Edgmon:

We wanted to bring to your attention a critical issue concerning our community's school, the St. Paul K-12 School. It has been brought to our attention by LCG Lantech Inc., the architectural firm hired by the Pribilof School District (PSD) to survey our school for a new roof, that the St. Paul School has some major structural issues that need to be addressed immediately to keep our community's school aged children, faculty and staff safe.

During the 2019 summer survey, performed LCG Lantech. The firm found that in addition to the school's roof needing to be replaced they also discovered significant health-safety issues with the buildings support structure. A 1995 roof shingle replacement and insulation project permanently loaded the original roof support structures with eight (8 lbs.) pounds of the original sixteen pounds (16 lbs) the original roof was designed to support, add to that many subsequent roof loads from snow fall and the St. Paul school roof has exceeded it's designed carrying capacity and failed. Add to this weakness, the fact that roof overloading has been further compounded by sinking of the roof support columns which has additionally caused the girders and trusses that support the roof to sheer, cracking all of these support members lengthwise. It has been determined that approximately 99% of the roof trusses over the majority of the school have been significantly weakened, to the point that under the LCG Safety Plan the majority of the school building cannot safely be occupied "with any measurable amount of snow on the roof" and must be closed and students and personnel evacuated.

The St. Paul School has taken the following steps to ensure student safety:

- Hired LCG Lantech to perform a second due diligence survey to assure administration that the safe zones are indeed safe should catastrophic roof collapse occur, while the building was occupied.
- Moved the classrooms to another part of the school built after the main school and having an independent roof complex.
- Developed a safety and building closure plan when there is a snow load on the roof of the affected area of the school.
- Submitted a Capital Improvement Plan for FY21.

We are requesting that emergency funding in the amount of \$1,935,097 be allocated without delay to address this structural issue, the consequences of not correcting will result in complete roof


collapse over time. The reassignment of classes to other areas of the building is a temporary measure at best, separating students for library and classroom resources.

We thank you both for your time and consideration of this issue. Should you or your staff want additional technical information regarding the findings of the structural engineers or the Capital Improvement Plan grant proposal, please contact Superintendent Brett Agenbroad Pribilof School District at [agenbroadb@pribilofsd.org](mailto:agenbroadb@pribilofsd.org).

Sincerely,



Aubrey Wegeleben, School Board President  
Pribilof School District



Jacob Mercurief, Mayor  
City of Saint Paul

Cc: Brett Agenbroad, Superintendent, Pribilof School District  
Phillip A. Zavadil, City Manager, City of Saint Paul





# Pribilof School District

## St. Paul School

Box 207 λ St. Paul Island λ Alaska 99660

Phone: 907-546-3337

To: The Pribilof School District Board of Education,  
Community Leadership

From: Superintendent Agenbroad

Subject: FY 2021 School Construction and Major Maintenance CIP lists

Dear members of the PSD Board of Education and Community Leaders,

Attached to this correspondence is the FY'21 School Construction and Major Maintenance Capital Improvement Projects (CIP) list, released November 5, 2019. As you will see from the attached documents, the Saint Paul School CIP application has been scored number-one in priority on the FY'21 Major Maintenance list. The PSD application scored 231.67 points, 24.74 points above the next qualifying school district.

The CIP determination cover letter indicates that there will be a public hearing Wednesday, November 27 for districts requesting reconsideration of CIP placement. In discussing the reconsideration process it is believed to be unlikely that our position will be altered after the reconsideration hearings. It is felt that the urgency of need for the PSD roof project as well as the nominal cost of the repair, in this era of state funding shortages, provides a project that most legislators, including the governor, should be able to support.

Our next two funding indicators will be in mid-December when the CIP reconsideration process is over and a final ranking is made available. The second December indicator of project funding will occur when the governor's budget is released in December.

If the governor's budget includes CIP funding, even though the reconsideration and review/ranking process runs through March, it has been suggested that we may approach our state representatives about sponsoring a special appropriation outside the governor's budget in an effort to procure PSD CIP funding prior to FY'21. If we were successful in receiving a special appropriation we may be able to go out to bid for a contractor and finish drawings in time to perform the work during the summer of 2020, though I'm compelled to think this is a very tight timeline.

Once the governor's budget has been released, we may want to revisit options.

Respectfully,

Mr. Agenbroad  
Superintendent  
Pribilof School District  
11/18/19



THE STATE  
of ALASKA

GOVERNOR MICHAEL I. DUNLEAVY

Department of Education  
& Early Development

FINANCE & SUPPORT SERVICES

801 West 10<sup>th</sup> Street, Suite 200  
P.O. Box 110500  
Juneau, Alaska 99811-0500  
Main: 907.465.2875  
Fax: 907.465.3452

**To:** Superintendents

**From:** Heidi Teshner, Director of Finance & Support Services

**Date:** November 5, 2019

**Subject:** FY2021 School Construction and Major Maintenance CIP Lists

\*\*\*\*\*

Attached are the Department of Education & Early Development's initial agency decision lists of the FY2021 Capital Improvement Projects for the School Construction and Major Maintenance Grant Funds. In addition, two reports are included showing the points each project received in the formula-driven and evaluative scoring elements. One list is sorted by district without regard to fund category; the other list shows projects in priority order by fund.

The department will hold a public hearing in accordance with AS 14.11.016(a), providing school districts with an opportunity to request reconsideration on the eligibility and priority of their projects. Hearings will take place on Wednesday, November 27, 2019, at 801 W. Tenth Street Suite 200, in Juneau via teleconference or in person. The department will review the original decision on the basis of written requests and public testimony by the district, and determine if the decision on the project should be changed. Written requests for reconsideration need to be submitted no later than 4:30 p.m. on November 27, 2019. Within 15 working days following completion of the hearing, updated School Construction and Major Maintenance Grant Fund lists will be released.

The department will host an information and Q&A session on the reconsideration process by teleconference on November 14, 2019 at 1:30 p.m. If you are interested, please visit our website, [education.alaska.gov/facilities](http://education.alaska.gov/facilities), or contact Facilities for information.

As you review the lists, please note that there may be changes in ranking for projects that were rated both last year and this year. These changes can be attributed to a variety of factors, including changes to student population projections, projects at different stages of completion, changes to maintenance program scores, additions and deletions of projects by districts, and changes in the submitted application information.

If you have any questions, please let me know.

Attachments

1. FY2021 School Construction Grant Fund List
2. FY2021 Major Maintenance Grant Fund List
3. Total Points, Formula-Driven and Evaluative (by district)
4. Total Points, Formula-Driven and Evaluative (by fund, by priority)
5. Capital Improvement Project (CIP) Annual Review and Ranking Process
6. Public Notice for Reconsideration Hearing



State of Alaska  
Department of Education and Early Development  
Capital Improvement Projects (FY2021)  
Major Maintenance Grant Fund

Initial List

Nov 5	School District	Project Name	Amount Requested	Eligible Amount	Prior Funding	DEED Recommended Amount	Participating Share	State Share	Aggregate Amount
1	Pribilof Island	St. Paul K-12 School Roof Replacement and Structural Repairs	\$1,935,097	\$1,935,097	\$0	\$1,935,097	\$38,702	\$1,896,395	\$1,896,395
2	Galena City	Galena Interior Learning Academy Composite Building Renovation	\$5,206,998	\$5,206,998	\$0	\$5,206,998	\$260,350	\$4,946,648	\$6,843,043
3	Kake City	Kake Schools Heating Upgrades	\$239,522	\$239,522	\$0	\$239,522	\$47,904	\$191,618	\$7,034,661
4	Craig City	Craig Middle School Code and Security Improvements	\$4,195,748	\$4,160,445	\$0	\$4,160,445	\$832,089	\$3,328,356	\$10,363,017
5	Anchorage	West High School Roof Replacement	\$7,497,000	\$6,869,381	\$0	\$6,869,381	\$2,404,283	\$4,465,098	\$14,828,115
6	Chugach	Tattilek K-12 School Renovation	\$5,842,462	\$5,842,462	\$0	\$5,842,462	\$116,849	\$5,725,613	\$20,553,728
7	Denali Borough	Anderson K-12 School Partial Roof Replacement	\$1,755,173	\$1,671,973	\$0	\$1,671,973	\$334,395	\$1,337,578	\$21,891,306
8	Anchorage	Birchwood Elementary School Roof Replacement	\$3,399,999	\$2,844,295	\$0	\$2,844,295	\$995,503	\$1,848,792	\$23,740,098
9	Iditarod Area	David-Louis Memorial K-12 School HVAC Control Upgrades, Grayling	\$119,088	\$116,071	\$0	\$116,071	\$2,321	\$113,750	\$23,853,848
10	Anchorage	Service High School Health and Safety Improvements	\$4,776,466	\$4,735,551	\$0	\$4,735,551	\$1,657,443	\$3,078,108	\$26,931,956
11	Anchorage	Nunaka Valley Elementary School Roof Replacement	\$1,977,874	\$1,977,874	\$0	\$1,977,874	\$692,256	\$1,285,618	\$28,217,574
12	Anchorage	Northwood Elementary School Partial Roof Replacement	\$2,213,417	\$2,213,417	\$0	\$2,213,417	\$774,696	\$1,438,721	\$29,656,295
13	Anchorage	Inlet View Elementary School Domestic Water System Improvements	\$466,532	\$466,532	\$0	\$466,532	\$163,286	\$303,246	\$29,959,541
14	Nenana City	Nenana K-12 School Flooring and Asbestos Abatement	\$436,486	\$415,265	\$0	\$415,265	\$20,763	\$394,502	\$30,354,043
15	Juneau Borough	Sayéik: Gastineau Community School Partial Roof Replacement	\$1,471,318	\$1,471,318	\$0	\$1,471,318	\$514,961	\$956,357	\$31,310,400
16	Copper River	District Office Roof Renovation and Energy Upgrade	\$1,080,069	\$1,080,069	\$0	\$1,080,069	\$21,601	\$1,058,468	\$32,368,868
17	Lower Yukon	Hooper Bay K-12 School Exterior Repairs	\$2,287,811	\$2,287,811	\$0	\$2,287,811	\$45,756	\$2,242,055	\$34,610,923
18	Anchorage	Stellar Secondary School Fire Alarm	\$298,630	\$276,855	\$0	\$276,855	\$96,899	\$179,956	\$34,790,879
19	Chugach	Chenega Bay K-12 School Renovation	\$5,307,914	\$5,307,914	\$0	\$5,307,914	\$106,158	\$5,201,756	\$39,992,635
20	Ketchikan Borough	Ketchikan High School Security Upgrades	\$507,023	\$507,023	\$0	\$507,023	\$177,458	\$329,565	\$40,322,200
21	Lower Kuskokwim	Quiguun Memorial K-12 School Renovation, Oscarville	\$4,604,180	\$3,843,331	\$0	\$3,843,331	\$76,867	\$3,766,464	\$44,088,664
22	Lower Kuskokwim	Akula Ellitnaulik K-12 School Renovation, Kasigluk-Akula	\$4,677,139	\$4,173,354	\$0	\$4,173,354	\$83,467	\$4,089,887	\$48,178,551
23	Fairbanks Borough	Administrative Center Air Conditioning and Ventilation Replacement	\$1,427,684	\$1,427,684	\$0	\$1,427,684	\$499,689	\$927,995	\$49,106,546



**Alaska Department of Education and Early Development  
Capital Improvement Projects (FY2021)  
Major Maintenance Grant Fund**

**Total Points - Formula-Driven and Evaluative  
Initial List**

Pri #	School District	Project Name	School Dist Rank	Weight Avg. Age	Prev. 14.11 Fund	Plan and Design	Prior Design	Avg Expend Maint	Un-Housed Today	Un-Housed 7 Years	Type of Space	Cond Survey	OM Rpts	Maint Mgt	Energy Mgt	Cust Pgm	Maint Train	Capital Plan	Emergency	Life/Safety and Code Conditions	Exist-ing Space	Cost Esti-mate	Proj vs Oper Cost	Alter-natives	Op-tions	Total Points
1	Pribilof Island	St. Paul K-12 School Roof Replacement and Structural Repairs	30.00	30.00	0.00	20.00	0.00	2.67	0.00	0.00	0.00	10.00	30.00	3.00	3.33	2.00	2.67	3.00	13.00	42.00	6.00	18.67	2.00	0.00	13.33	231.67
2	Galena City	Galena Interior Learning Academy Composite Building Renovation	30.00	17.75	0.00	25.00	0.00	4.87	0.00	0.00	0.00	10.00	25.00	3.33	3.33	3.33	3.33	3.67	0.00	29.64	3.33	23.67	9.33	0.00	11.33	206.93
3	Kake City	Kake Schools Heating Upgrades	30.00	29.39	0.00	25.00	0.00	1.63	0.00	0.00	0.00	8.00	30.00	2.67	3.67	3.00	3.33	3.00	0.00	17.33	3.33	28.33	7.00	0.00	10.00	205.69
4	Craig City	Craig Middle School Code and Security Improvements	30.00	26.81	0.00	20.00	0.00	2.38	0.00	0.00	0.00	10.00	25.00	3.00	3.00	2.33	2.00	3.00	0.00	34.91	3.67	20.33	4.00	0.00	7.67	198.09
5	Anchorage	West High School Roof Replacement	12.00	30.00	0.00	25.00	0.00	4.78	0.00	0.00	0.00	8.00	30.00	4.00	4.67	3.67	3.33	5.00	0.00	27.67	1.67	27.00	3.67	0.00	7.33	197.78
6	Chugach	Tattilek K-12 School Renovation	27.00	18.62	0.00	20.00	0.00	1.44	0.00	0.00	0.00	10.00	25.00	3.00	3.33	3.33	2.33	3.00	5.00	39.50	0.00	17.67	1.33	0.00	12.67	193.23
7	Denali Borough	Anderson K-12 School Partial Roof Replacement	30.00	30.00	0.00	25.00	0.00	3.14	0.00	0.00	0.00	10.00	30.00	3.33	3.67	3.00	3.00	3.33	0.00	6.00	0.00	20.33	6.33	0.00	15.00	192.14
8	Anchorage	Birchwood Elementary School Roof Replacement	9.00	30.00	0.00	25.00	0.00	4.78	0.00	0.00	0.00	8.00	30.00	4.00	4.33	3.67	3.33	5.00	0.00	19.46	2.00	26.33	3.67	0.00	6.67	185.24
9	Iditarod Area	David-Louis Memorial K-12 School HVAC Control Upgrades, Grayling	30.00	16.00	0.00	25.00	0.00	2.53	0.00	0.00	0.00	8.00	25.00	2.00	2.00	2.33	2.33	2.33	5.00	20.71	0.00	28.00	5.67	0.00	7.67	184.58
10	Anchorage	Service High School Health and Safety Improvements	0.00	30.00	0.00	25.00	0.00	4.78	0.00	0.00	0.00	5.00	30.00	4.00	4.33	3.67	3.33	5.00	0.00	37.51	2.00	24.00	2.33	0.00	3.33	184.29
11	Anchorage	Nunaka Valley Elementary School Roof Replacement	27.00	30.00	0.00	25.00	0.00	5.00	0.00	0.00	0.00	8.00	25.00	4.33	4.00	4.00	3.00	5.00	0.00	8.91	0.00	25.00	2.67	0.00	6.67	183.58
12	Anchorage	Northwood Elementary School Partial Roof Replacement	24.00	30.00	0.00	25.00	0.00	5.00	0.00	0.00	0.00	8.00	25.00	4.33	4.00	4.00	3.00	5.00	0.00	11.00	0.00	24.67	2.67	0.00	7.00	182.67
13	Anchorage	Inlet View Elementary School Domestic Water System Improvements	18.00	30.00	0.00	25.00	0.00	5.00	0.00	0.00	0.00	10.00	25.00	4.33	4.00	4.00	3.00	5.00	0.00	15.00	0.00	26.67	0.00	0.00	7.33	182.33
14	Nenana City	Nenana K-12 School Flooring and Asbestos Abatement	30.00	30.00	0.00	25.00	0.00	2.97	0.00	0.00	0.00	5.00	30.00	3.67	3.00	2.67	2.00	3.67	0.00	7.00	3.00	24.67	2.33	0.00	6.67	181.64
15	Juneau Borough	Sayéik: Gastineau Community School Partial Roof Replacement	30.00	30.00	0.00	25.00	0.00	2.44	0.00	0.00	0.00	5.00	25.00	3.67	2.67	4.67	3.33	3.67	0.00	7.54	0.00	21.67	7.33	0.00	7.33	179.31
16	Copper River	District Office Roof Renovation and Energy Upgrade	30.00	30.00	0.00	10.00	0.00	1.40	0.00	0.00	0.00	10.00	25.00	3.67	3.33	3.33	3.00	3.67	0.00	26.67	0.00	13.67	4.67	0.00	7.67	178.07
17	Lower Yukon	Hooper Bay K-12 School Exterior Repairs	24.00	1.00	0.00	25.00	0.00	2.20	0.00	0.00	0.00	8.00	25.00	3.33	3.00	3.00	2.67	3.33	6.67	21.28	3.00	27.33	4.67	0.00	12.33	175.81
18	Anchorage	Stellar Secondary School Fire Alarm	15.00	30.00	0.00	20.00	0.00	4.78	0.00	0.00	0.00	0.00	30.00	4.00	4.33	3.67	3.33	5.00	0.00	18.04	0.67	27.00	4.00	0.00	5.00	174.82
19	Chugach	Chenega Bay K-12 School Renovation	30.00	11.59	0.00	20.00	0.00	1.44	0.00	0.00	0.00	10.00	25.00	3.00	3.33	3.33	2.33	3.00	0.00	29.63	0.00	17.67	2.00	0.00	12.33	174.66
20	Ketchikan Borough	Ketchikan High School Security Upgrades	30.00	30.00	0.00	25.00	0.00	4.42	0.00	0.00	0.00	0.00	25.00	3.67	3.00	2.67	3.00	3.33	0.00	0.00	0.00	24.33	11.00	0.00	6.67	172.09



## **Capital Improvement Project (CIP) Annual Review and Ranking Process**

The Department of Education & Early Development (DEED) annually reviews and prioritizes capital improvement project applications submitted by the school districts. Project applications are submitted on a form furnished by the department. Below is schedule of the CIP review and ranking process:

- ❖ September 1 – Applications and eligibility information due to DEED. AS 14.11.011(b)(1)
- ❖ September 1-October 31 – Rating team of three DEED staff review, evaluate, and establish priority lists for Major Maintenance and School Construction CIP projects. The rating process evaluates and scores projects in nine formula-driven and eight evaluative elements. These factors are designed to establish the priority of need based on facility conditions and adequacy of space as well as the likelihood a district has and will adequately maintain and operate their schools. AS 14.11.013 and 4 AAC 31.022.
- ❖ November 1 – DEED submits initial priority lists for Major Maintenance and School Construction CIP projects to the Governor. AS 14.11.013(a)(3)
- ❖ November 5 – DEED publishes initial priority lists for Major Maintenance and School Construction CIP projects and notifies school districts of their project priority ranking. AS 14.11.013(e) and 4 AAC 31.026(a)
- ❖ By November 15 – DEED provides notice to school districts of a public hearing to be undertaken no later than December 1, for the purpose of receiving oral and written comments regarding a request for reconsideration of the priority ranking of a school district's project. 4 AAC 31.026(a)
- ❖ December – Bond Reimbursement & Grant Review Committee reviews the department's priority lists for grants. BR&GR makes recommendations to the state board concerning school construction grants. AS 14.11.014(b)(1) and (2)
- ❖ By December 19 – DEED issues a written decision to each school district regarding their reconsideration request and publishes reconsideration priority lists for Major Maintenance and School Construction CIP projects based on reconsideration decisions. 4 AAC 31.026(b)
- ❖ Early January – School district's dissatisfied by DEED reconsideration decision can file an appeal with the commissioner within 15 calendar days after receipt of the decision. 4 AAC 31.026(c)
- ❖ Mid-January – Within 10 working days after filing of an appeal, the chief administrative law judge will appoint a hearing officer to hear the case. AS 14.11.016(b)
- ❖ Late January – Within 5 working days after appointment, the hearing officer shall determine whether the appeal does not raise an issue of law or fact. 4 AAC 31.026(e)
- ❖ Early February – Within 15 working days after appointment, the hearing officer shall hear the school district's appeal. 4 AAC 31.026(f)
- ❖ Early March – Within 60 calendar days after the filing of the school district's appeal, the hearing officer shall deliver the proposed decision to the State Board of Education. 4 AAC 31.026(h)

Date to be determined – At the State Board of Education's next regularly scheduled meeting after the receipt of the hearing officer's decision, the board will adopt all, part, or none of the hearing officer's decision. AS 14.11.015(a) and 4 AAC 31.026(i)

# **PUBLIC NOTICE**

## **Reconsideration of FY2021 CIP Grant Rankings**

Pursuant to AS 14.11.013(e) and 4 AAC 31.026(a), the Department of Education & Early Development will hold public hearings to receive oral and written comments on the priority ranking of proposed school construction and major maintenance projects for FY2021, which is available to view at: [education.alaska.gov/facilities](http://education.alaska.gov/facilities). The hearings will be held Wednesday, November 27, 2019, from 9:30 a.m. to 4:30 p.m., 2<sup>nd</sup> floor conference room, 801 W. 10<sup>th</sup> Street, Juneau, via teleconference or in person. All hearings are by appointment and open to the public.

A school district requesting reconsideration of its eligibility determination, the priority ranking assigned to a project, its scope as approved by the department, or the project's budget, or denial of waiver of local contribution requirement, shall file, not later than November 27, 2019, at 4:30 p.m., a written request for reconsideration that states:

- the specific objection;
- a summary of evidence that the department erred in its eligibility determination, priority ranking of the project, the scope of the project allowed, or the amount of the project budget approved; and
- the relief sought.

A district may request reconsideration without attending the public hearing, but the request must be received by the department no later than the closing time of the public hearings. Oral and written comments should focus on how the department erred in ranking a project, in determining allowable scope of a project, or in determining the approved amount of a project budget.

Districts requesting a hearing or persons with disabilities who need a special modification in order to present their comments at the hearing should contact Sharol Roys at [sharol.roys@alaska.gov](mailto:sharol.roys@alaska.gov) or call (907) 465-6470 no later than 3:00 p.m. on November 22 2019.





## **St. Paul CEIP Loan -- Backgrounder**

### **Background:**

In 1987 the City of Saint Paul entered into an agreement with NOAA and the Alaska Municipal Bond Bank (AMBB), known as the Tripartite Agreement, to borrow \$6,562,878 to finance the relocation and construction of a new bulk fuel farm.

The reason the City had to incur this debt was that the bulk fuel farm left behind by NMFS to the community after the phase-out of the commercial fur seal harvest in 1983 did not comply with federal environmental standards and was a threat to bird nesting sites and fur seal rookeries. In fact, the facility was rusting, unlined, undiked, and leaking fuel. In addition, the City used a portion of the loan proceeds to make improvements to the municipal dock.

St. Paul's 1986 CEIP Loan Application was premised on: 1) the development of infrastructure necessary to support oil and gas development in the nearby Navarin and St. George basins; and 2) the promotion of the Americanization of the US fisheries by providing marine support services for an anticipated year round fishing industry.

Although St. Paul's location made it the most viable location to serve as a full services OCS marine support base to access the 1.2 billion bbl oil that the Mineral Management Service estimated the area contained, oil and gas development was halted by various lawsuits and because prospects were not considered commercially viable at the time.

Payment of the CEIP loan was secured solely by the net revenues from the City's port facilities (the infrastructure that was built with the CEIP loan) which are maintained in the Bulk Fuel Farm Fund; the Marine Sales Fund; and the Harbor Fund, known collectively as the Enterprise Funds.

Until the collapse of the snow crab stocks in 2000, the port facilities generated sufficient revenues allowing the City to fulfill its obligations under the CEIP loan. The **City made payments totaling \$3,064,084.22 over the life of the loan.**

In 2000 the City renegotiated the terms of the loan, known as the Fourth Amendment to the Tripartite Agreement.

In 2005, given the continued poor condition of the crab stocks and the resulting financial difficulties, the City entered into discussions with NOAA to negotiate a Fifth Amendment to the Tripartite Agreement.

The Fifth Amendment was executed in 2010. It implemented a moratorium on principal and interest payments retroactively to 2005 and extending to 2015.

In 2015, the City approached NOAA regarding a further extension of the moratorium. The City and NOAA have been in discussions about the final status of the CEIP loan since 2015. In the interim, the moratorium on payments continues.

**Statutory Authority:**

During meetings in Washington, DC on October 30, 2019, NOAA/OCM informed the City that given the non-performing status of the loan, it was considering a recommendation of forgiveness of the loan to Congress, as established by the Coastal Zone Management Act (CZMA) of 1990.

Section 1456a(a)(1) of the CZMA of 1990 states as follows:

*"If the Secretary finds that any coastal state or unit of local government is unable to meet its obligations pursuant to this subsection because actual increases in employment and related population resulting from coastal energy activity do not provide adequate revenues to enable such State or unit to meet such obligations in accordance with the appropriate repayment schedule, the Secretary shall, after review of the information submitted by such State or unit, take any of the following actions [emphasis added]*

- (A) *Modify the terms and conditions of the such loan.*
- (B) *Refinance the loan.*
- (C) **Recommend to the Congress that legislation be enacted to forgive the loan.**

It is important to note that under the preceding statute, the Coastal Zone Management of 1972 (the statutory framework under which the City took out the CEIP loan in 1987) the Secretary had greater discretionary authority to modify a loan. The CZMA of 1972 stated that:

*"the Director (of NOAA's Office of Coastal Resource Management) shall...take...any of the following actions:*

1. *Modify appropriately the terms and conditions of such loan.*
2. *Refinance such loan.*
3. *Make a supplemental loan to such state or unit the proceeds of which shall be applied to the payment of principal and interest due under such loan.*
4. *Make a grant to such state or unit the proceeds of which shall be applied to the payment of principal and interest due under such loan."*

During meetings between the City and OCM, OCM indicated that since a "recommendation of forgiveness to Congress" under the CEIP program has never been pursued, it was waiting for a response from the Office of Management and Budget as to what impact loan forgiveness of *any* CEIP loan would have on the nation's budget. Until there is a response and there is certainty as to how to write these loans off, NOAA/OCM will not proceed with a recommendation of forgiveness.



### **Congressional Intent:**

The legislative history of the CZMA establishes that Congress' intent was to provide a mechanism for balancing the national goals of Outer Continental Shelf (OCS) and offshore development with adequate planning and protection of the coastal resources and communities. It was recognized that while the federal government controlled resource development beyond the 3-mile offshore jurisdiction of the States, the States and local governments would bear the brunt of the adverse effects resulting from OCS development.

Congress anticipated that sparsely populated states and localities would be subject to dramatic growth as a result of OCS development without the resources to cope with such drastic changes. The CEIP program was understood by Congress to be a program that would alleviate burdens on local and state governments. Congress noted that the communities that were likely sites for on-shore support bases would experience a problem with time and money. Their ability to provide necessary incremental social services and infrastructure exceeded the sources of revenues in these communities from property and local sales taxes.

The concept was that so long as the CEIP funds paid for infrastructure that ameliorated the negative impacts of federal OCS development, while returning a positive return from the operation of the facility, the money would be treated as a loan. If, however, the infrastructure necessary to prevent harm to the state or local government unit did not create a positive economic return, the monies would be converted into a grant.

### **Congressional/Legislative Considerations:**

From a congressional perspective, it was reported during our meeting with NOAA/OCM that:

- 5 loans are outstanding including St. Paul's:
  - Pascagoula, Mississippi;
  - Lynn, Massachusetts;
  - Nome Alaska; and,
  - New Orleans, LA.

(so, there is a mix of port communities nationwide in Red and Blue districts that are similarly situated. This avoids the problem with the House earmark moratorium).

- Most of the loans are non-performing. In the case of Pascagoula and New Orleans, the infrastructure those communities built with their CEIP loans was wiped out by hurricanes.
- Regarding St. Paul, NOAA/OCM has verified the economic/fishery trends and that the City does not have the means to pay back the CEIP loan.

- NOAA/OCM is not sure about a timeframe at this time, but the next step is clearly OMB's to take. Once a response is received from OMB things will start moving through the bureaucracy and OCM would be contacting the City (and presumably the other similarly situated communities).
- Per the terms of the Fifth Tripartite Agreement of 2010 (which implemented the moratorium), the City maintains \$150,000 in reserve. In the event of resolution of this loan, NOAA would be requesting this amount in exchange for forgiveness of the loan (a good deal from the City's perspective).

**MEMORANDUM OF AGREEMENT**  
**BETWEEN THE**  
**CITY OF SAINT PAUL**  
**AND THE**  
**UNITED STATES COAST GUARD**  
**CG BASE KODIAK**

- I. **PARTIES.** The parties of this Memorandum of AGREEMENT (AGREEMENT) are the United States Coast Guard Base Kodiak (USCG) and the CITY of Saint Paul (CITY).
- II. **PURPOSE.** To establish an agreement between USCG and the CITY as to police department, fire department, and public utility services at the Coast Guard Installation located in Saint Paul, Alaska.
- III. **DEFINITIONS.**
- A. COMMANDING OFFICER (CO). The CO of CG BASE Kodiak or the duly appointed direct representative of the CO, including the Senior Duty Officer (SDO) and the Security Officer.
  - B. SENIOR DUTY OFFICER (SDO). The SDO of FOL Saint Paul is the duly appointed representative of the Base Kodiak CO.
  - C. FACILITIES ENGINEERING POC (KODIAK FE). The KODIAK FE of CG BASE Kodiak is the designated point of contact as it relates to this AGREEMENT.
  - D. INSTALLATION. The USCG Saint Paul Forward Operating Location (FOL) is located at 900 Polovina Turnpike, Saint Paul Island, AK 99660. The INSTALLATION is comprised of a 11,374 SF Station Admin Building, a 4,516 SF Signal and Power Building, and 88.84 acres of government owned land.
- IV. **AUTHORITY.** This AGREEMENT is authorized under 14. U.S.C. § 141, 18 U.S.C., 1382, and 31 U.S.C., § 1342.
- V. **JURISDICTION.**
- A. *Legislative Jurisdiction.* Pursuant to Article I, section 8, clause 17 of the U.S. Constitution, Kodiak, Alaska is a place of concurrent Federal and state jurisdiction. The Installation and surrounding Coast Guard property is located within the territorial limits of St. Paul, Alaska.
  - B. *Prosecutorial Jurisdiction.* The U.S. Department of Justice (DOJ), the Coast Guard, and State of Alaska hold prosecutorial jurisdiction over crimes committed on Coast Guard

property. The Alaskan Criminal Code applies on Coast Guard property, therefore Federal, state, and local prosecutors have jurisdiction over offenses committed thereon.

- C. *Investigative Jurisdiction.* As a place of concurrent Federal and state jurisdiction, Federal, state, and local agencies may investigate felony and misdemeanor violations of Federal, state, and local law.

## VI. GENERAL PROVISIONS.

### A. ROLES AND RESPONSIBILITIES

#### 1. *Police Services*

- (a) Fresh Pursuit. The CITY shall alert the USCG of fresh or immediate pursuit toward the Installation at the earliest practicable moment.
- (b) Immediate Reporting. All incidents requiring police response support shall be immediately reported to the CITY by dialing 911. This includes, but is not limited to, active shooter incidents or other physical altercations, bomb/bomb threats, civil disturbances, robbery/theft, or the release of a weapon of mass destruction.
- (c) Response to 911 Call from the Installation. The CITY will respond to emergency calls (911 calls) originating from the Installation with the same immediacy as if the call originated from any other location within the CITY limits.
- (d) First On Scene. The CITY's officers responding on the scene are hereby conferred with the same powers as the CO of the Installation until the CO, SDO, Security Officer or another duly appointed direct representative of the CO arrives on scene. The first arriving officer should immediately be briefed concerning location and status of the incident. The first arriving officer shall take command of the situation and the CITY shall cooperate with the USCG Security Officer. The CITY's Officer in Charge will direct its resources to investigate and make an assessment of the resources required to mitigate the incident.
- (e) Arrest and Detention Authority. The CO hereby authorizes and requests, until such time as countermanded by the CO, Security Officer, or other direct representative of the CO on-scene, that the CITY:
  - i. Lawfully exercise its police authority.
  - ii. Transport personnel located on the Installation to the CITY's jail facility for temporary confinement if warranted as a matter of law, until such time as transport to a federal detention facility can be arranged by the USCG.
- (f) Disagreement Over Response Operations. The CITY shall work closely with the crews of USCG within the CITY's limits of responsibility in order to respond to the emergency. However, should a disagreement regarding response operations occur between the CITY's Officer in Charge and the USCG Security Officer, and such disagreement cannot be immediately resolved, the CITY's Officer in Charge shall withdraw the CITY's police department personnel and equipment from the affected

area, and the USCG shall prevent the spread of the emergency from USCG property to any property belonging to the CITY. The CITY has exclusive jurisdiction over CITY property and call-outs involving civilian suspects or victims.

- (g) Recognition of Federal Property and CO Responsibility. The CITY fully recognizes that USCG property (including vessels) are Federal property and that the Commanding Officers of both Base Kodiak and these vessels are responsible for what takes place onboard their respective units and thus have full authority to carry out that responsibility. Additionally, the CITY will not board any Federal installation or vessel against the wishes of the respective Commanding Officer or his/her designated representative (USCG SDO/Security Officer).
- (h) Command and Control Over Resources. If, in the opinion of the CITY's Officer in Charge, it is necessary to commit CITY's personnel and equipment, such manpower and equipment shall remain under the control of the CITY's Officer in Charge. Members of the USCG shall remain under the command of their own respective Commanding Officers.
- (i) Joint Training. In order to make the integrated concept of USCG and the CITY's police department a success, joint organizational meetings, training, and exercises should be held by each Unit as often as the parties deem appropriate.
- (j) Evidence Handling, Documents, Reports. Following all emergency responses under this Agreement, the CITY's police department shall forward a copy of the incident report, to the USCG point of contact shown below. Communications between the CITY's police department and USCG to discuss the details of the incident, response to the incident or recommend modifications to procedures to improve response to future incidents under this Agreement shall be between the points of contact shown below. The sharing of evidence, or other information created and/or obtained by the CITY's police department related to its' responses on the Installation is subject to federal, state, and local law and in the absence of applicable law, such information shall be held by the entity with prosecutorial discretion.
- (k) Tactics and Use of Force (UOF) Policy. The CITY's police officers are authorized by the CO to use tactics as the CITY's police department deems necessary to safeguard human life and property. CITY police officers are authorized by the CO to apply the police department's UOF policy or equivalent, unless given specific instructions to the contrary by the CO, Security Officer, or CO's direct on-scene representative.
- (l) Familiarization. USCG will ensure the availability of all facilities to the CITY for familiarity visits. The USCG Command Security Officer (CSO) will track the visits and verify that they are occurring *quarterly basis*.

## **2. Fire Services**

- (a) Response to 911 Call from Installation. The CITY will respond to emergency calls (911 calls) originating from the Installation with the same immediacy as if the call originated from any other location within the CITY limits. The CITY's fire department

and/or emergency medical services personnel and equipment shall be dispatched to the INSTALLATION as determined and directed by the CITY's fire department. All fire and rescue equipment, personnel, and response to an emergency shall be at the sole discretion of the CITY's fire department.

- (b) Communication with CO/SDO. The CITY's fire department will ensure immediate, continuous, and timely communications with US regarding fire and rescue response at the INSTALLATION.

## **VII. POINTS OF CONTACTS.**

CWO John P. Ragan  
USCG Base Kodiak Security Officer  
Address: PO Box 195000, Kodiak, AK 99619  
Phone: (907) 487-6603  
Mobile: (907) 654-4152  
Email: John.P.Ragan@uscg.mil

Officer Zachery Lamblez  
City of Saint Paul Chief of Police:  
Office: 907-546-3131  
Cell: 907-546-4144  
PO Box 901  
950 Gorbatch Street  
Saint Paul Island, Alaska 99660

## **VIII. OTHER PROVISIONS.**

- A. **ANNUAL REVIEW.** The parties to this AGREEMENT contemplate annual review of the terms of this AGREEMENT.
- B. **NOT A CONTRACT.** This AGREEMENT is an administrative agreement between CG BASE Kodiak and the CITY for the limited purposes described within this AGREEMENT. Neither parties intend for this AGREEMENT to create any legal obligations, liabilities, indemnification obligations, or otherwise create a cause of action that did not otherwise exist in the absence of this Agreement. Each Party is exclusively responsible for acting in a manner which that party believes to be most in conformity with its applicable governing laws.
- C. **NOT AN OBLIGATION OF FUNDS.** This AGREEMENT is not an AGREEMENT by the United States, U.S. Department of Homeland Security, Coast Guard, or the CITY to obligate or expend any funds.

D. **NOT AN ANTIDEFICIENCY ACT VIOLATION.** Pursuant to 31 U.S.C. § 1342, the Commanding Officer of CG BASE Kodiak is authorized to accept emergency services involving an imminent threat to the safety of human life or the protection of property.

E. **NOT AN OBLIGATION OF FUNDS.** This MOA is not an agreement by the United States, United States Department of Homeland Security, the USCG, or the City of Saint Paul to obligate or expend any funds.

F. **SAVINGS PROVISION.** Nothing in this AGREEMENT is intended to conflict with current law, regulations, or directives of the United States, U.S. Department of Homeland Security, Coast Guard, State of Alaska, or the City of Saint Paul. If a term of this AGREEMENT is inconsistent with such authority, then that term shall be invalid, but the remaining terms and conditions of this AGREEMENT shall remain in full force and effect.

G. **MODIFICATION.** This AGREEMENT may be modified by written consent of the Parties.

H. **TERMINATION.** Either Party may terminate this AGREEMENT at any time for any reason with written notice to the other Party. If not sooner terminated, this AGREEMENT will remain in effect until terminated.

IX. **EFFECTIVE DATE.** This AGREEMENT will become effective when executed by the Parties.

X. **APPROVED BY:**

For the *CITY OF SAINT PAUL*:

  
\_\_\_\_\_

Phillip A. Zavadil  
City Manager

10/7/19  
Date

For the *United States Coast Guard*:

  
\_\_\_\_\_

CAPT J. W. Good  
CG BASE Kodiak  
Commanding Officer

10/7/19  
Date

Attachments:

- A. Station Building Floor Plan

**St. Paul Visit  
MEETING SCHEDULE**

**October 29-31, 2019**

**Washington, DC**

**CONTACT PERSON:**

Mateo Paz-Soldan - cell: 202-258-1811  
Email: [cpaz-soldan@dtbassociates.com](mailto:cpaz-soldan@dtbassociates.com)

**PARTICIPANTS:**

Jacob Merculief, Mayor – City of St. Paul, cell: 907-546-4011  
Phil Zavadil, City Manager – City of St. Paul, cell: 907-717-8307  
Marissa Merculieff, Representative – St. Paul Tribal Government, cell: 907-717-3429

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**Monday, October 28**

5:30 pm                      **Preparatory Meeting and Dinner to Review Meeting Materials**

*Address:*                      Sequoia Restaurant  
3000 K Street, NW  
Washington DC 20007

**Tuesday, October 29**

9:30 am                      **National Weather Service**

*Contact:*                      Mark Miller

*Address:*                      DTB Associates, LLP  
1101 15<sup>th</sup> St. NW, Suite 202  
Washington, D.C. 20005

11:30 am                      **Congressman Don Young**

*Staff Contact:*                      Martha Newell  
[martha.newell@mail.house.gov](mailto:martha.newell@mail.house.gov)

*Scheduler:*                      Paula Conru, Executive Assistant  
[paula.conru@mail.house.gov](mailto:paula.conru@mail.house.gov)

*Address:*                      2314 Rayburn House Office Building  
Washington, DC 20515



Tel: (202) 225-5765

3:30 pm

**Senator Lisa Murkowski**

*Staff Contact:* Ann Robertson  
[ann\\_robertson@murkowski.senate.gov](mailto:ann_robertson@murkowski.senate.gov)

*Scheduler:* Kristen Daimler Nothdurft  
[kristen\\_daimler-nothdurft@murkowski.senate.gov](mailto:kristen_daimler-nothdurft@murkowski.senate.gov)

*Address:* 522 Hart Senate Office Building  
Washington, DC 20510

4:30 pm

**Senator Dan Sullivan**

*Staff Contact:* Erik Elam  
[erik\\_elam@sullivan.senate.gov](mailto:erik_elam@sullivan.senate.gov)

*Scheduler:* Avery Fogels  
[avery\\_fogels@sullivan.senate.gov](mailto:avery_fogels@sullivan.senate.gov)

*Address:* 302 Hart Senate Building  
Washington, DC 20510  
Tel: (202) 224-3004

6:00 pm

**Dinner at China Chilcano**

*Address:* 418 7<sup>th</sup> Street, NW  
Washington, DC 20004  
(202) 783-0941

**Wednesday, October 30**

9:15 am

**US Corps of Engineers**

Steve Kopecky, Pacific Ocean Division Regional Integration Team

*Contact:* Karen Zelch

*Address:* GAO Building  
441 G Street, NW 3C94  
Washington, DC 20314  
(202) 761-1253 (office)  
Cell: (509) 730-3039

11:00 am

**NOAA – Office for Coastal Management**  
Re: CEIP Loan

*Contact:* Dwight Reynolds, OCM  
John King, Director of Business Operations

*Address:* DTB Associates, LLP  
1101 15<sup>th</sup> St. NW, Suite 202  
Washington, D.C. 20005

2:00 pm

**State of Alaska-Governor's Office in DC**

*Contact:* Kip Knudson, Director of State and Federal Relations

*Address:* Hall of States  
444 North Capitol Street, NW, Suite 336  
Washington, DC 20001-1538

3:00 pm

**Don Young Fundraiser at Capitol Hill Club**

4:00 pm

**Office of Congressman Young – Infrastructure Staff**

Kevin Swanson, Legislative Assistant

*Contact:* Kevin Swanson

*Address:* 2314 Rayburn House Office Building  
Washington, DC 20515  
Tel: 202-225-5765

**Thursday, October 31**

4:00 pm

**Department of Transportation**

Michael Gormas, Office of Aviation Analysis  
[michael.gormas@dot.gov](mailto:michael.gormas@dot.gov)

Kevin Schlemmer, Office of Aviation Analysis  
[kevin.schlemmer@dot.gov](mailto:kevin.schlemmer@dot.gov)

*Address:* 1200 New Jersey Ave, SE  
Washington, D.C. 20590  
Tel: (202) 366-1853

## **TALKING POINTS**

### **City of Saint Paul Island Meetings in Washington DC October 29-31, 2019**

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#### **The Harbor: Key to St Paul Island's Transition from Fur Sealing**

- Harbor Cost-Share Issue: The 2018 WRDA clarified that the City did not owe an additional \$10.5 million for construction of the Saint Paul Harbor Improvements Project. The City is in the process of finalizing the documentation with the USACE regarding payment over 30 years over the \$1.6 million that is owed for construction of the Small Boat Harbor which concluded in 2010.
- Resolution of the harbor issues brings to an end a process that formally started in 1996, but in reality extends back to the period immediately after the phase-out of the commercial fur seal harvest in 1984. At the time, federal and state administrations, as well as the Congressional offices, recognized that development of a harbor was critical for St. Paul Island to develop a self-sufficient economy not based on fur sealing.

#### **Development of a Fisheries-Based Economy**

- St. Paul Island succeeded in developing a fisheries-based economy in the 1990's. The snow crab fishery experienced a boom and St. Paul Island's new harbor was well-positioned to attract harvesting and processing activities. St. Paul Island became the second most important community in Alaska in terms of the total value of its fisheries business taxes. This economic activity allowed the community to invest in additional infrastructure – bulk fuel farm, power plant, public works facility, water tanks, etc – to support the community's participation in the Bering Sea fisheries and local residential needs.
- In addition, during this period, the residents developed a thriving local halibut fishery, which employs about a quarter of St. Paul Island's population and is the key source of annual income for many individuals and local households.

#### **From Boom to Bust**

- In 2000, the snow crab stocks collapsed from a TAC of 200 million lbs to 25 million lbs. This triggered the declaration of a commercial failure as well as the development of the Crab Rationalization Program, which protected St. Paul's participation in a much reduced crab fishery by requiring delivery of crab to shoreside processors on a regional basis.

- In 2013, the community suffered another blow when the halibut fishery faced closure by the IPHC due to a much reduced halibut biomass. However, bycatch of halibut by the groundfish fisheries remained unaffected. This triggered action at the NPFMC which reduced halibut bycatch levels by 21% in 2015. Action to further reduce bycatch and restore an equitable allocation of the halibut resource remains ongoing through the NPFMC's development of an abundance-based management program.

### **Looking to the Future**

- While St. Paul Island has been heavily invested during the past 20 years in preserving the crab and halibut fisheries, and maintaining its participation in them, the resolution of the harbor cost-share issue allows the community to look forward at the next stage of its development. The challenge of climate change, warming oceans, and unstable fisheries means that St. Paul needs to focus on diversifying its economy into other fisheries and mariculture.
- St. Paul Island's strategic location in the central Bering Sea and its existing infrastructure allow it to become a viable location for processing of cod and other groundfish fisheries.
- In addition, St. Paul Island is adjacent to the maritime transportation corridors that are opening through the Arctic Ocean and its harbor, airport, and health infrastructure may play an important support role to activities like expanded tourism and research activities in the future.

### **Priorities Going Forward**

- Among the critical pieces of infrastructure that St. Paul Island will need to address or invest in to position itself for future economic diversification, are:
  - Upgraded Seafood Waste Outfall, Secondary Wastewater Treatment Plant, and/or Fish Meal Plant;
  - Flood mitigation projects;
  - Upgrading of City docks to allow for Multi-Use;
  - Additional mooring capacity in existing harbor;
  - Evaluation of harbor expansion to accommodate larger vessels;
  - Enhancement of Airport to allow for larger, more reliable, and more frequent flight services;
  - Development of infrastructure necessary to respond to a catastrophic situation such as an oil spill or a damaged tourist cruise ship; and,
  - Resolution of the \$6.5 million Coastal Energy Impact Program (CEIP) loan that was used to relocate the bulk fuel farm in the immediate post-phaseout period.

Other items of importance are:

- Commercial and residential sewer upgrades;
- Emergency siren upgrade and City Hall backup generator;
- Integration of additional alternative energy sources into electrical grid;
- Construction of new harbormaster building; and,
- Realignment of the Harbor Road per Settlement Agreement.

## **BACKGROUND**

### **City of Saint Paul Island Meetings in Washington DC October 29-31, 2019**

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#### **INFRASTRUCTURE**

##### **The Harbor Improvements Project – Cost Share Issue:**

- Since 2010, when the City was first apprised by the US Army Corps of Engineers (USACE) that, due to the retroactive application of the 2007 WRDA and the change in the cost share from 90-10% back to 65-35%, the City owed the USACE \$13 million, the City worked closely with the Alaska congressional delegation for an 8 year period for a “legislative fix.”
- After several unsuccessful attempts which were complicated by the earmark moratorium in the House of Representatives, language restoring the 2003 cost-share was included in the 2018 WRDA. This clarification basically removed \$10.5 million that the USACE alleged were owed to it by the City for the Harbor Improvements Project (Phases 1 and 2). The resolution of this issue allows the City to focus on other infrastructure priorities necessary to diversify St. Paul’s economy and prepare for climate change/unstable fisheries.
- Concerning the \$20 million Small Boat Harbor (Phase 3), the City is in the process of finalizing the documentation with the USACE for repayment of the \$1.6 million owed on this project.
- Significantly, the USACE completed a \$19 million operations and management in the Saint Paul Harbor in 2016.

##### **CEIP Loan Moratorium:**

- The City used the CEIP Loan funds in the 1980s to build the bulk fuel farm. In 2005, the City administratively appealed for relief from the terms of the Fourth Amendment to the Tripartite Agreement that then governed repayment of the CEIP Loan. These terms required that starting in 2005 the City, abide by the following repayment schedule: \$400,000 per year for 4 years; \$450,000/year for 8 years; and \$500,000/year for eight years, in order to pay off the \$6.5 million loan. Negotiations between the City, OCM (Office of Coastal Resource Management)/NOAA, and the Alaska Municipal Bond Bank proceeded for 5 years. At the end of these negotiations OCM and the City agreed to a 10 year moratorium on repayment of the CEIP loan under the

terms of the so-called Fifth Amendment to the Tripartite Agreement retroactive to April 18, 2005 (the date on which the negotiations began) and extending to March 18, 2015.

- The moratorium applies to principal and interest payments on the loan. The City is allowed, after funding the reserve funds, to use revenues for maintenance of the bulk fuel farm and related port facilities. Six months prior to expiration of the moratorium (that occurred on September 18, 2014), the City submitted a report to OCM updating the relevant financial and economic information required to evaluate the City's potential to repay the loan. The City made the best case possible for an additional extension of the moratorium, or forgiveness as allowed by the Coastal Zone Management Act. The status of the crab and halibut stocks as well as the difficult financial and budgetary picture presented by the City should be useful in this regard.
- The negotiations with OCM and appeals by the City that concluded in the Fifth Amendment in 2010 took 5 years. It is possible that a similar period will be necessary before negotiations conclude. NOAA/OCM was required to respond to the City's report on March 18, 2015, the date on which the 10-year moratorium expired. I contacted NOAA on behalf of the City on that date and offered NOAA additional time to respond to the City's report, as long as the terms of the moratorium were extended during this period. NOAA agreed and its initial feedback regarding a permanent fix at the time appeared positive.
- The City is still waiting for a response, but importantly, the moratorium on payments continues. In recent communications with NOAA/OCM, the agency has appeared amenable to recommending forgiveness of the loan to Congress as established in the amended Coastal Zone Management Act of 1990. However, this has never been done before and there is no precedent to guide the agency. NOAA is currently awaiting an answer from the Office of Management and Budget (OMB) as to what impact forgiveness of any CEIP loan would have on the budget. Until OMB responds, OCM does not want to ask Congress for forgiveness of the loan since Congress would be uncertain of the budgetary impacts of writing CEIP loans off.
- Should NOAA, under a pessimistic scenario, seek to negotiate a new repayment schedule, the City at present would be in a stronger position to argue that its financial situation is in even worse shape than it was in 2010 and therefore a formal re-extension of the moratorium would be warranted.

#### **A Role for St Paul Island in the Development of the Arctic?:**

- The opening of the Arctic to shipping and development, such as oil and gas, has awakened the interest of the state and federal governments in being able to take advantage of the opportunities that will arise as well as prepare for contingencies such as oil spills, epidemics, or security threats. As such, both

the state and federal governments through various organizations and commissions such as the Arctic Council have identified communities and ports in Alaska that are expected to play a key role in Arctic development. Top of the list are communities such as Nome and Unalaska, but U.S. Coast Guard representatives have also visited St Paul Island in recent years to assess the existing infrastructure and future potential. Previous city managers have also met with the United States' "Arctic Ambassador," Admiral Papp, to explore this potential.

- Given the uncertainties in fisheries, the potential for St Paul Island to act as a service or support location for Arctic shipping and development, may provide an important alternative source of business and economic diversification. This potential must be further explored. St Paul Island has a harbor, airport, medical facility, supply store, and weather station, which with some adjustments or upgrades could be of great interest to national and international businesses. In the 1990's the City also applied for and was designated a foreign trade zone (FTZ).
- At a minimum, St Paul Island should leverage its location and argue for state and federal support to be prepared to respond to an oil spill that might threaten nearby fisheries, and bird and fur seal rookeries. Similarly, the expected increase in international Arctic shipping might create vulnerabilities to disease/outbreaks or even security threats. St Paul Island must be prepared to serve as an initial response stage for incidents occurring near its waters.

## **FISHERIES**

### **Crab and Other Fishery Issues:**

- Commercial Fishery Failure Status: from 2000 to 2008, the City experienced a commercial fishery failure under Section 312 of the Magnuson-Steven Act (MSA) in the opilio/snow crab fishery as determined by NMFS. This federal status ended in 2008, but it helped the City to obtain funds in the first year (used to upgrade the fresh water tanks) of the fishery failure. TDX and the Tribe also obtained funds as part of this City-led effort. This status has also been helpful to the City in expediting legislative and regulatory relief (crab rationalization program), in negotiations with OCM/NOAA over the repayment of the CEIP Loan, and in making the case for higher halibut quotas in recent years. While NMFS terminated this status in 2008 arguing that it could be not be extended ad nauseam, St Paul Island's economy remains depressed and at levels comparable to those experienced immediately after the collapse of the stocks in 2000.
- Improvements to the Management of the Crab Fishery: Cooperatives or coops allow harvesters to pool their efforts to promote greater efficiency in the



harvesting and delivering of crab. They are also a key tool for managing and scheduling regionalized deliveries of opilio and therefore avoiding situations that may require relief from regional landing requirements. The City has played a key role in all of these efforts at the NPFMC, before NMFS, and with AK congressional offices.

- Custom Processing Exemption: both Trident and Icicle, the biggest northern region crab processing companies, have custom processed inside the Saint Paul Harbor in recent years thanks to changes secured to the MSA by the City and CBSFA at both the NPFMC and the U.S. Congress in 2006-07. These changes exempted processors from processor use caps while custom processing inside a harbor and are particularly important because they allow processors to custom process for other processing companies without exceeding their use cap. Since the exemption only applies while inside a harbor and within municipal boundaries, such as St Paul Island's, it maximizes benefits to the community of processing and custom-processing activity.
- Bairdi Custom Processing Exemption: one of the few crab fisheries that was not covered by the use cap custom processing exemption was bairdi. This is due to the fact that it was a closed fishery for many years including the years when the exemption was adopted (2006-2007) and has only recently been reopened. In late 2015, CBSFA, as owner of new bairdi assets, spearheaded an emergency effort with City support before NMFS and the NPFMC to add bairdi to the list of exempted species. This required building a coalition with harvester and processor representatives, and jointly lobbying NMFS and individual NPFMC members for support. The Secretary of Commerce agreed to the industry's request for Emergency Action, and as a result bairdi was exempted from the use caps in the 2015-16 season. Since an Emergency Action has a statutory/regulatory duration of 6 months, a longer term fix was required. At the NPFMC meetings in February and April of 2016, the groundwork was laid for an unprecedented Initial Review/Final Action at the NPFMC meeting in June 2016 that would add bairdi to the exempted list, thereby providing a long-term fix to this problem. NMFS finalized the proposed regulations in 2017.
- Relationship with Saint George: custom processing has also benefited Saint George as the two processors, Peter Pan and Snopac, which could not operate in that community due to structural problems with its harbor, had their crab shares processed by Saint Paul-based processors (Trident). St Paul Island for its part has derived benefits in fish tax revenues and service fees due to the concentrated processing and custom-processing effort at the Trident plant. The City voluntarily rebated to Saint George fish taxes derived from these two processors for three seasons, (approximately \$450,000 for the 3 years) until APICDA was able to buy/secure Peter Pan and Snopac's quota, thereby

protecting Saint George's stake in processing rights derived by those two companies on St George Island.

However, in 2011, the City of Saint George challenged the City for discontinuing these voluntary rebates, asked to review the City's public records, and appeared to threaten litigation. While the City was able to clarify the record and respond effectively to this threat, it remains a contentious issue and has resurfaced periodically. In 2011 APICDA informally requested that the City consider an increase in its fisheries taxes by .5% commensurate with the revenues the City of Saint George would have received had crab processing continued in that community. This issue will require delicate handling by the City Council going forward given the close relationship between both communities.

- Benefits of Crab Fishery to Community: in addition to fisheries business tax revenues, the City derives fees from use of water, sewer, fuel, and other utilities. The local village corporation, TDX, benefits from the lease of space for container/crab pot storage. During the snow crab season, the harbor area is busy with harvesters off-loading snow crab to the processors and services and supplies purchased by crewmembers at the local store generate business activity in the community.
- Crab as the Underpinning for the Halibut Fishery: the CDQ/IFQ halibut fishery is an important source of employment and revenues for many local residents and their families and crews during the summer months. Approximately 15-18 vessel owners and a total of 75-80 residents depend on this fishery for their livelihoods. This activity is also dependent on crab processing as the latter is the economic mainstay for the processing companies located on St Paul Island. Without crab, the processors would not locate there for halibut processing. Recent, dramatic, declines in the halibut quota (FCEY) have created concerns about the poundage necessary to sustain both the local fleet and the halibut processing operations, and responses are being developed that may address, at least in part, these concerns (see below Efforts to Reduce Halibut Bycatch and New Management Approaches).
- Cod Fishery Potential: the Cod longliners have used the City Berth during some seasons to offload their cod into freezer containers. The community derives revenues from this activity. Proximity to the cod and other fishery biomasses as well as fuel costs have made St Paul Island an attractive venue for new fishery activity and point to the community's potential for becoming a more diversified platform for the Bering Sea fisheries.

The City, in conjunction with CBSFA, has supported efforts at the NPFMC with the other CDQ groups to establish a CDQ small boat p-cod fishery. The initiative would allow local CDQ halibut fishermen to retain cod while fishing for halibut. Fishermen are currently capped at 20% of the cod that is caught

while fishing for halibut. The ability to develop a cod fishery would provide an important complement to the halibut fleet in the summer months and would be a key step in the community's diversification efforts. As the halibut quota suffers further cuts, a growing cod fishery may attenuate the local impacts in the decline of halibut. A critical element of a growing and successful cod fishery is having the related infrastructure necessary to process this species and deal with its discharges (outfalls/fish meal plant, freezer capacity, etc). Maintaining a cooperative and strategic relationship with Trident will be key to these efforts.

The Final Rule implementing this action (known as Amendment 109) was published in the Federal Register on May 4, 2016, and is effective June 3, 2016.

- BSAI Cod Rationalization: in addition, recent declines and fluctuations in the cod fishery resulting from climate change have led to renewed calls for a comprehensive BSAI cod rationalization program, currently under consideration at the NPFMC. This program would provide for more stability and predictability to participants in this fishery. As cod stocks have migrated to the northern Bering Sea, the location of the Trident Plant on St. Paul Island has gained renewed interest in addressing the seafood waste issues (either through an extended outfall or fish meal plant) that at present prevent the plant from processing cod and other groundfish on a large scale.

#### **Crab Fishery Community Protections:**

- Rationalization: as a result of its dependence on crab processing, the City has been very active in the development of the community protection provisions of this program. These protections include regionalization; the 90/10% A/B share split among processors and harvesters; Rights of First Refusal; and an increase in the crab allocation from 7.5% to 10% to the CDQ groups including CBSFA. As a northern region community, Saint Paul was at risk of losing its historic share (approx. 40%) of snow crab deliveries to southern ports after the crab stocks collapsed in the 1999-2000 season and as the Council and Congress developed and implemented a vessel buyback and rationalization program. Without regionalization in a rationalized fishery, the crab fishery under greatly reduced TACs would have likely concentrated in Unalaska.
- Protections: the City therefore views regionalization of crab deliveries and the processor-harvester 90/10 A/B share split (which match harvester shares to processors such as the Trident plant on Saint Paul) as critical elements of the program that must be maintained at least with respect to Saint Paul and the northern region (other solutions may be needed in other communities). Any weakening of these two elements could result in shares migrating south to the detriment of the City's crab processing based economy. Southern region communities such as Unalaska and Kodiak are more diversified.

- Emergency Relief from Regionalization: ER (or Regional Landing Requirement Relief) is one of the changes/adjustments to the crab rationalization program that has been sought by harvesters, and on occasion, by processors. The City/CBSFA have worked closely with the harvesting and processing sectors to develop a civil contracts based system (Framework Agreement) for providing emergency relief from regionalization for events such as ice that would prevent delivering and processing of crab in the Saint Paul Harbor. By remaining actively involved, the City and CBSFA have been able to shape the outcome of the discussions and include limitations to its potential use. The participants have signed framework agreements for three consecutive years, and filed notifications to NMFS as required by regulation. The signed framework agreements are due October 15<sup>th</sup> of every year.

It should be noted that efforts to develop the Framework Agreement during a period of 6 years resulted in increased efficiencies in the pursuit of the crab fisheries to Saint Paul's benefit including: a) the establishment a harvester coop (ICE) covering 70% of the harvesting sector; and, b) improved coordination and scheduling among processors, harvesters, and communities.

The Framework Agreement establishes an industry Coordinating Committee that sets fishery guidelines for each crab season. These guidelines seek to establish fishery objectives, and improve coordination and scheduling among all sectors ahead of, and during, each season. If an event preventing delivery of crab into a harbor (ice on Saint Paul, oil spill in Unalaska) were to occur, the parties to a Framework Agreement would then negotiate and sign an Exemption Contract that would state the terms under which crab may be delivered to another region and any compensation that would be provided to a community losing the crab. All sectors agree that compensatory deliveries are the most effective form of compensation, either later in the season or in a subsequent season. However, monetary compensation is also contemplated in the event that compensatory deliveries are unfeasible. The harvester coop (ICE) through its Reserve Pool mechanism (the development of which Saint Paul has monitored closely) is set up to avoid the need for requesting Emergency Relief by allowing for quota exchanges among harvesters, improved scheduling of deliveries, and prioritizing deliveries to Saint Paul early in the season before the arrival of the ice-pack.

- Harvester and processor representatives have approached the City and CBSFA in the past, seeking to modify the Pre-Season Fishery Guidelines agreed to in the Framework Agreement, given the difficulties that these sectors have ahead in committing to guidelines regarding harvesting or processing capacity, scheduling, etc. Since the City was a key player in the process leading up to the Framework Agreement, it will have to engage with these sectors and determine whether it should agree or not to any proposed changes.

- Rights of First Refusal (ROFR): another important community protection that Saint Paul, in close coordination with other communities, has sought to amend and improve is the ROFR mechanism. This mechanism provides crab dependent communities with a ROFR that is triggered only in the event of a transaction that involves processor quota share leaving a crab dependent community. CBFSFA as the designated ECCO (Eligible Crab Community Organization) is the ROFR-holder for PQS originating on Saint Paul and has signed ROFRs with various companies including Trident and Icicle. During the past 9 years the City and CBSFA have worked in a coordinated fashion to strengthen ROFRs by obtaining NPFMC approval for an extension in the time provided to communities to respond to and execute a ROFR, preventing ROFRs from lapsing, and improving notification requirements to communities in the event of a ROFR triggering event or if IPQ (Individual Processor Quota) is used outside the community of origin. As a result of the City and CBSFA's work, communities with ROFRs in a ROFR triggering event are able to: 1) negotiate with processors only for those processor assets that are based in that community; and, 2) negotiate with the PQS holder whether to acquire only the processor quota share (PQS) or the PQS and the crab related assets. There is a third, related, action being proposed by Unalaska which is of interest to the southern region communities that would provide compensation to a community if the PQS holder processes the IPQ outside the community of origin (for example during custom processing arrangements).

The Final Rule implementing the new ROFRs was published in the Federal Register on January 13, 2016, and is effective February 12, 2016. The ROFRs were recently renewed for a 5 year period in June of 2019.

- Crew-Member Issues: the City/CBSFA support crew-member proposals that seek a greater vested interest in and recognition for their active participation in the crab fisheries. However, Saint Paul has been concerned that some proposals which would involve a significant conversion of A shares to crewmember C shares, which are not regionalized, would weaken Saint Paul's protections and result in a reduction in crab deliveries to northern region communities. While recent proposals no longer contemplate converting A shares to C shares, the development of solutions to address crewmember issues is ongoing and requires monitoring by the City. During the recent 10 year review of the Crab Program at the NPFMC meeting in Kodiak (June 2016), crew representatives continued to express concerns about the loss of crew jobs and their inability to buy into the fishery notwithstanding the development of Right of First Offer (ROFO) mechanisms by the harvesters.

### **Efforts to Reduce Halibut Bycatch and New Management Approaches:**

- The City has been absorbed since late 2014 by the crisis in the status of halibut stocks in halibut management area 4CDE, which includes Saint Paul. The halibut fishery is a key component of the local economy and an important

contributor to the community's social, cultural, and psychological well-being. In recent years, the capture of halibut as bycatch has far exceeded the levels retained by the directed halibut fishermen, including those on Saint Paul. Since bycatch use is accounted for first by the National Marine Fisheries Service (NMFS) and the International Pacific Halibut Commission (IPHC), directed fishermen including CDQ/IFQ halibut fishermen on Saint Paul have borne the brunt of lower halibut quota designed to conserve the stocks.

- In 2014, the IPHC's preliminary findings threatened to result in a closure of Saint Paul's halibut fishery. Working with the State of Alaska, NPFMC, NMFS, the IPHC, and bycatch users, Saint Paul entities were able to secure a halibut quota sufficient (1,285 million lbs) to have a minimal fishery in 2015. Subsequently, in June 2015, after months of lobbying before the IPHC, the NPFMC, NMFS headquarters in DC, the Department of Interior, the Governor's office, and the AK congressional offices, as well as a media effort and intense coalition-building efforts, the NPFMC took action reducing halibut PSC or bycatch levels by 21%. The City, CBSFA, and other directed halibut users were seeking a 41% cut. The NPFMC in its deliberations at the time admitted that this was a first step, and that additional actions would be taken to further reduce bycatch and better manage the halibut stocks including: the development of a halibut abundance-based management program.
- The development of an ABM program is still ongoing, but overall efforts since June 2015 including voluntary reductions by bycatch users have paid off for Saint Paul. However, the situation with halibut will remain a major issue for the foreseeable future and will require concerted and coordinated effort with other Saint Paul entities and halibut user groups.

October 16, 2019

Phillip Zavadil, City Manager  
City of Saint Paul  
PO Box 901  
Saint Paul, AK 99660

Dear Phillip :

Thanks for helping to arrange our visit to the City of Saint Paul on September 30<sup>th</sup>. During our visit we conducted a surface level safety inspection. This was not an in depth inspection, but was intended to point out "low-hanging fruit" and provide an idea of what kinds of issues exist, as well as the type of things an OSHA inspector might point out during a visit.

During our walkthroughs we identified a number of hazards and conditions that should be corrected to comply with best practices and OSHA regulations. The following report details these providing a description, a picture, and a citation to the OSHA regulation where applicable. We encourage you to have these corrections completed as soon as reasonably possible.

One thing APEI offers that I think would really benefit the City is our online training program TargetSolutions. TargetSolutions offers over 700 courses covering a wide variety of safety and regulatory topics. This includes Fire/EMS, Police, Human Resources, Business Skills, and other various OSHA topics. I feel that it would be a great tool for the City of Saint Paul to use. Please let me know if you have any questions regarding the TargetSolutions program.

Thanks again for helping to arrange this visit. If you have any questions or need additional assistance, please don't hesitate to contact us.

Sincerely,



Cole Cummins  
Loss Control Manager

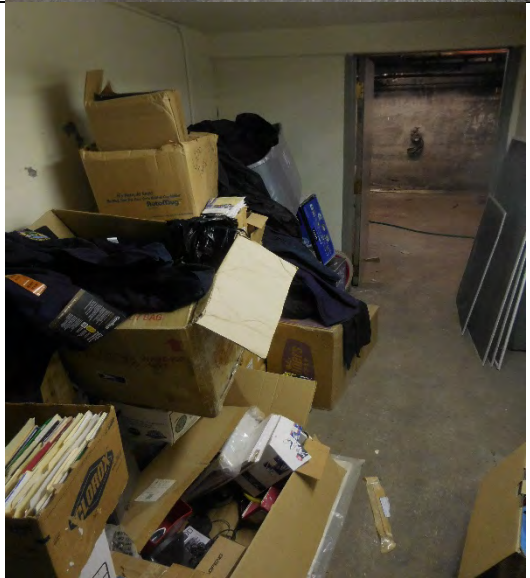
Fire extinguishers should be inspected on a monthly basis as well as an annual inspection of the cylinder. Fire extinguishers have a six-year life before they need to have a hydrostatic test done. The extinguisher is only good for another six years after the hydrostatic test. This extinguisher was last inspected in 2012 and it needs to be inspected or replaced.

- City Hall



Exit routes must be free and unobstructed. No materials or equipment may be placed, either permanently or temporarily, within the exit route. 1910.37(a)(3) and IFC 1003.6

The boxes and other items in the hallway are obstructing direct access to the exit path that goes up the stairs.





Secondary containers must be labeled to show any hazardous chemicals and comply with the new Hazard Communication Standard. 1910.1200(f)(6)

The new labels must include:  
Signal word like Danger or Hazard,  
Pictograms,  
Manufacturer information,  
Precautionary statement/First aid,  
Hazard statement,  
Name of the product



Electrical wires must be completely enclosed to prevent an employee from accidental electrocution. 1910.305(b)(2)

- Public Works



This eye wash station must be cleaned at 90-day intervals or as needed. Cleaning must include draining of unit, flushing and refilling with potable water. ANSI Z358.1



Eye wash stations must be run on a weekly basis and need to have their protective covers on. ANSI Z 358.1-2014



Extinguishers should be mounted on brackets or in wall cabinets with the carrying handle placed 3-½ to 5 feet above the floor. NFPA 10 6.3.1.1



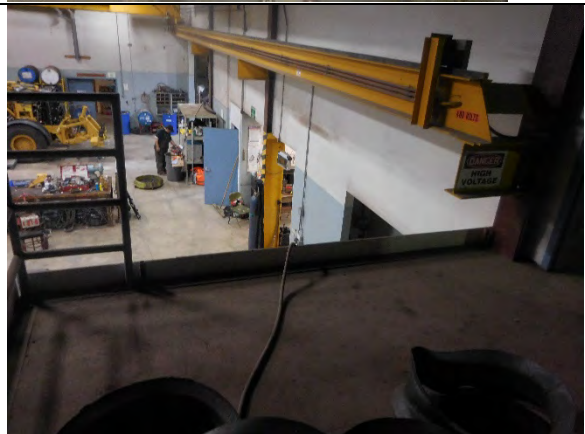
Extinguishers should be mounted on brackets or in wall cabinets with the carrying handle placed 3-½ to 5 feet above the floor. NFPA 10 6.3.1.1



Openings in electrical boxes must be covered with blanks. Tape must not be used to cover any switches 1910.303(b)(7)(i)



The removable barrier should always be in place when there is no loading/unloading going on.



Pressurized cylinders must be secured properly so they can't be knocked over. 1910.253(b)(2)(ii)

We recommend a chain or a similar device to help secure them.



This bench grinder is missing the bench rest and top guard. The bench rest on a grinder must be adjusted to within 1/8" of the wheel and the top guard must be adjusted to within 1/4".  
1910.215(a)(4); 1910.215(b)(9)

- Polar Star





The top of this drill press is missing its guard which is exposing pulleys and other moving parts that need to be guarded.



Extinguishers should be mounted on brackets or in wall cabinets with the carrying handle placed 3-½ to 5 feet above the floor. NFPA 10 6.3.1.1



Secondary containers must be labeled to show any hazardous chemicals and comply with the new Hazard Communication Standard. 1910.1200(f)(6)

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All places of employment need to be kept clean and free from clutter. 1910.141(a)(3)(i)

This area is starting to become a housekeeping issue.

- Fire Station



This balcony requires a standard railing, mid-rail, and toe board. 1910.23(a)(1); 1910.23(e) It can be removable for loading and unloading. 1910.23(b)

This broom stick does not meet the requirement.



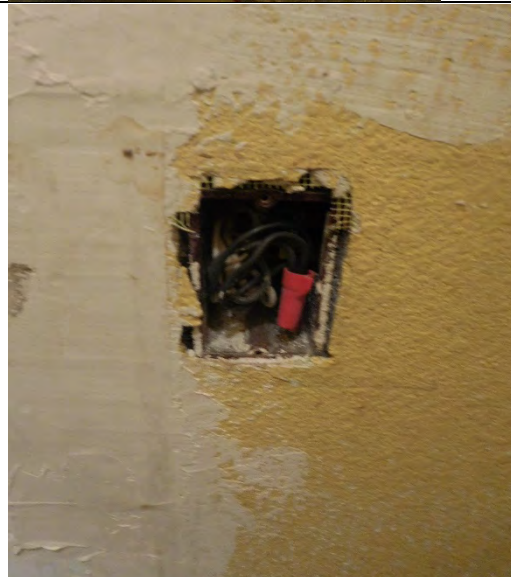
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The new labels must include:  
Signal word like Danger or Hazard,  
Pictograms,  
Manufacturer information,  
Precautionary statement/First aid,  
Hazard statement,  
Name of the product

- Community Center



Electrical wires must be completely enclosed to prevent an employee from accidental electrocution. 1910.305(b)(2)



Emergency lights should be tested monthly to ensure proper functioning in the event of power loss. Dead batteries should be replaced promptly. 1910.37(b)(1)





Electrical wires must be completely enclosed to prevent an employee from accidental electrocution. 1910.305(b)(2)



Fire extinguishers should be inspected on a monthly basis as well as an annual inspection of the cylinder. Fire extinguishers have a six-year life before they need to have a hydrostatic test done. The extinguisher is only good for another six years after the hydrostatic test. This extinguisher was last inspected in 2010.



Openings in electrical boxes must be covered with blanks. Tape must not be used to cover any switches 1910.303(b)(7)(i)





Extension cords may not be used as a permanent installation.  
1910.305(g)(1)(iii)



Extinguishers should be mounted on brackets or in wall cabinets with the carrying handle placed 3-½ to 5 feet above the floor. NFPA 10 6.3.1.1

