

**City of Palmer, Alaska
City Council Meeting**

July 28, 2020, at 7:00 PM

City Council Chambers
231 W. Evergreen Avenue, Palmer

www.palmerak.org

AGENDA

A. CALL TO ORDER

B. ROLL CALL

C. PLEDGE OF ALLEGIANCE

D. APPROVAL OF AGENDA

- 1. Approval of Consent Agenda
 - a. **Action Memorandum No. 20-053:** Authorizing the City Manager to Execute an Assignment and Consent to Assignment of Lease Agreements with Hinchinbrook Equipment, Inc. and New Horizons Telecom, Inc. for PMA Lease No. 91-1 on Lease Lot 5, and PMA Lease No. 97-2 on Lease Lot 4, of Block 3, Palmer Municipal Airport for the Purpose of Transferring the Leases to the Parent Corporation..... Page 3
 - b. **Action Memorandum No. 20-054:** Authorizing the City Manager to Negotiate and Enter into a Sole Source Contract with Roger Hickel Contracting, Inc., for the Purchase and Installation of an Additional Sulzer Blower, to Include Control Integration and Electrical Connections, at the Palmer Wastewater Treatment Plant in an Amount Not to Exceed \$312,026.00..... Page 27
- 2. Approval of Minutes
 - a. June 23, 2020, Regular Meeting..... Page 35

E. REPORTS

- 1. City Manager’s Report
- 2. City Clerk’s Report Page 41
 - a. Referendum Petition
- 3. Mayor’s Report Page 43
- 4. City Attorney’s Report

F. AUDIENCE PARTICIPATION

G. PUBLIC HEARING

- 1. **Ordinance No. 20-007:** Suspending Ordinance No. 18-004 Pertaining to Palmer Municipal Code Chapter 8.09 Regarding the Distribution of Single-Use Disposable Plastic Shopping Bags During the State of Emergency Order Regarding the COVID-19 Pandemic Page 45
- 2. **Resolution No. 20-019:** Issuance of Utility Revenue Bonds in the Principal Amount Not to Exceed \$8,000,000.00 to Finance Wastewater Utility Improvements, as Required by Federal Consent Decree, and to Submit the Question of the Issuance of such Bonds to the Qualified Voters of the City at the October 6, 2020 City Election (1st Public Hearing) Page 53
- 3. **Resolution No. 20-020:** Accepting and Appropriating the 2020 State of Alaska DUI High Visibility Enforcement Grant 405d M5HVE-20-01-FA(A)-10 in the Amount of \$18,720.00 to be Used for DUI High Visibility Enforcement Activities by the Palmer Police Department from July 3, 2020, through September 8, 2020 Page 57

H. NEW BUSINESS

I. RECORD OF ITEMS PLACED ON THE TABLE

J. AUDIENCE PARTICIPATION

K. COUNCIL COMMENTS

L. ADJOURNMENT

Tentative Future Palmer City Council Meetings

Meeting Date	Meeting Type	Time	Notes
Aug 11	Regular	7 pm	AML Summer Conf. 11-13 Last Day to Adopt Ballot Measures
Aug 25	Regular	7 pm	
Sep 8	Regular	7 pm	
Sep 22	Regular	7 pm	
Oct 12	Special	6pm	Election Certification
Oct 13	Regular	7 pm	
Oct 27	Regular	7 pm	
Nov 3	Special	6 pm	Budget
Nov 10	Special	6 pm	Budget
Nov 10	Regular	7 pm	
Nov 24	Special	6 pm	Budget
Nov 24	Regular	7 pm	
Dec 1	Special	6 pm	Budget
Dec 8	Special	6 pm	Budget
Dec 8	Regular	7 pm	Budget
Dec 22	Regular	7 pm	
Jan 12 '21	Regular	7 pm	

**City of Palmer
Action Memorandum No. 20-053**

Subject: Authorizing the City Manager to Execute an Assignment and Consent to Assignment of Lease Agreements with Hinchinbrook Equipment, Inc. and New Horizons Telecom, Inc. for PMA Lease No. 91-1 on Lease Lot 5, and PMA Lease No. 97-2 on Lease Lot 4, of Block 3, Palmer Municipal Airport for the Purpose of Transferring the Leases to the Parent Corporation

Agenda of: July 28, 2020

Council Action: **Approved** **Amended:** _____
 Defeated




Originator Information:

Originator: Frank J. Kelly, Airport Superintendent

Department Review:

Route to:	Department Director:	Signature:	Date:
_____	Community Development	_____	_____
_____	Finance	_____	_____
_____	Fire	_____	_____
_____	Police	_____	_____
_____	Public Works	_____	_____

Approved for Presentation By:

	Signature:	Remarks:
City Manager		_____
City Attorney		_____
City Clerk		_____

Certification of Funds:


Total amount of funds listed in this legislation: \$ **0.00**

This legislation (√):

- Creates revenue in the amount of: \$ _____
- Creates expenditure in the amount of: \$ _____
- Creates a saving in the amount of: \$ _____
- Has no fiscal impact

Funds are (√):

- Budgeted Line item(s): _____
- Not budgeted _____

Director of Finance Signature: 

Attachment(s):

- Letter of Request from Leighton Lee, President of NHTI
- Draft Assignment and Consent to Assignment Agreement for PMA No. 91-1
- Draft Assignment and Consent to Assignment Agreement for PMA No. 97-2
- Property Map Locations
- Identity Documents New Horizons Telecom, Inc.
- Identity Document Hinchinbrook Equipment, Inc.

Summary Statement/Background:

Mr. Leighton Lee, President of both Hinchinbrook Equipment Inc. and New Horizons Telecom, Inc. and 100% shareholder of NHTI has requested that the City of Palmer allow for the assignment of two airport leases currently held by Hinchinbrook Equipment Inc. (a wholly owned subsidiary of NHTI) to the parent corporation. Mr. Lee is intending to dissolve the subsidiary corporate entity and needs the two leases assigned to New Horizons Telecom, Inc. to fully accomplish the task.

As a normal course of leasing business with the City, Mr. Leighton Lee will replace his father's personal guarantee on both leases as the 100% shareholder of NHTI stock. NHTI currently holds PMA Lease No. 91-2 and these two assignments will directly consolidate all Palmer Airport Lease holdings to the parent corporation.

NHTI remains our second largest Lessee of airport property and Leighton also serves on the Airport Advisory Commission.

Administration's Recommendation:

To approve Action Memorandum No. 20-053



July 07, 2020

Palmer City Council
231 W. Evergreen Ave
Palmer, AK, 99645

Honorable Mayor DeVries and Palmer City Council Members,

New Horizons Telecom, Inc. is currently assigned one lease of City owned property on the south ramp of the Palmer Airport. An additional two leases (PMA Leases 91-1 and 97-2) are assigned to Hinchbrook Equipment, Inc. which is a wholly owned subsidiary of New Horizons Telecom.

As President of both entities, it is my intent to dissolve Hinchbrook Equipment. The purpose of this letter is to request a name change on leases 91-1 and 97-2 from Hinchbrook Equipment Inc. to New Horizons Telecom, Inc. leaving all three leases under the one single corporation.

No other change to the leases is contemplated or requested.

Respectfully,

Leighton Lee
President and CEO
New Horizons Telecom, Inc.

New Horizons Telecom, Inc.
901 Cope Industrial Way
Palmer, Alaska 99645
www.nhtiusa.com

907.761.6000 (phone)
907.761.6001 (fax)



City of Palmer • Palmer Municipal Airport
231 W. Evergreen Avenue • Palmer, AK 99645
Phone: 907-745-3271 Fax: 907-745-0930

ASSIGNMENT AND CONSENT TO ASSIGNMENT

“Palmer Municipal Airport Lease No. 91-1”

In consideration of and in reliance upon the above assumption and promises contained in this instrument, the City of Palmer hereby consents to the foregoing Assignment of Lease Agreement PMA No. 91-1 on Lot 5, Block 3, for the Palmer Municipal Airport, Palmer Recording District, Third Judicial District, State of Alaska between Hinchinbrook Equipment, Inc., (“Assignor”) to New Horizons Telecom, Inc., (“Assignee”).

Current Palmer Municipal Airport Lease No. 91-1 (The Airport Lease) is in Effect. Except as otherwise expressly stated herein, nothing in this Assignment and Consent to Assignment of PMA Lease No. 91-1 is intended to amend or alter any of the terms and conditions of the Airport Lease or any amendments thereto previously executed by Lessor and Lessee. All terms and conditions remain in full force and effect.

Amendment(s)

None

Notices

Any notices required to be sent in accordance with the terms of this Lease, including legal process, shall be sent in writing by registered or certified mail, to the parties at the following addresses unless otherwise notified in writing and deemed to be received when so sent:

Lessor’s address: City Manager
City of Palmer
231W. Evergreen Ave., Palmer, AK 99645

Lessee’s address: New Horizons Telecom, Inc.
901 Cope Industrial Way
Palmer, AK. 99645

LESSOR: City of Palmer

By: _____
John Moosey, City Manager

Date: _____

ASSIGNOR: Hinchinbrook Equipment, Inc.

By: _____
Leighton J. Lee, President

Date: _____

By: _____
Dean Mudd, Secretary

Date: _____

ASSIGNEE AND LESSEE: New Horizons Telecom, Inc.

By: _____
Leighton J. Lee, President

Date: _____

By: _____
Dean Mudd, Secretary

Date: _____

GUARANTOR(s):

By: _____
Leighton J. Lee, Individually

Date: _____

NOTARY

STATE OF ALASKA)

)ss.

THIRD JUDICIAL DISTRICT)

THIS IS TO CERTIFY that on the _____ day of _____, 2020, before me the undersigned, a Notary Public in and for the State of Alaska, duly commissioned and sworn, personally appeared, John Moosey, known to me to be the identical individual described in and who executed the within and foregoing Assignment and Consent to Assignment Agreement as City Manager of the City of Palmer, freely and voluntarily on behalf of the City of Palmer for the uses and purposes therein mentioned.

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

Notary Public in and for Alaska

My commission expires: _____

NOTARY

STATE OF ALASKA)
)ss.
THIRD JUDICIAL DISTRICT)

This is to certify that on the _____ day of _____, 2020, before me, the undersigned, a Notary Public in and for the State of Alaska, personally appeared, Leighton J. Lee, President of the corporation(s) named in the forgoing instruments, acknowledged to me that he/she had, in his/her official capacity is authorized by the corporation(s) to execute the foregoing instruments as the free act and deed of the said corporation(s) for the uses and purposes therein stated.

WITNESS my hand and official seal the date and year first above written.

Notary public in and for Alaska

My commission expires: _____

NOTARY

STATE OF ALASKA)
)ss.
THIRD JUDICIAL DISTRICT)

This is to certify that on the _____ day of _____, 2020, before me, the undersigned, a Notary Public in and for the State of Alaska, personally appeared, Dean Mudd, Secretary of the corporation(s) named in the forgoing instruments, acknowledged to me that he/she had, in his/her official capacity is authorized by the corporation(s) to execute the foregoing instruments as the free act and deed of the said corporation(s) for the uses and purposes therein stated.

WITNESS my hand and official seal the date and year first above written.

Notary public in and for Alaska

My commission expires: _____



City of Palmer • Palmer Municipal Airport
231 W. Evergreen Avenue • Palmer, AK 99645
Phone: 907-745-3271 Fax: 907-745-0930

ASSIGNMENT AND CONSENT TO ASSIGNMENT

“Palmer Municipal Airport Lease No. 97-2”

In consideration of and in reliance upon the above assumption and promises contained in this instrument, the City of Palmer hereby consents to the foregoing Assignment of Lease Agreement PMA No. 97-2 on Lot 4, Block 3, for the Palmer Municipal Airport, Palmer Recording District, Third Judicial District, State of Alaska between Hinchinbrook Equipment, Inc., (“Assignor”) to New Horizons Telecom, Inc., (“Assignee”).

Current Palmer Municipal Airport Lease No. 97-2 (The Airport Lease) is in Effect. Except as otherwise expressly stated herein, nothing in this Assignment and Consent to Assignment of PMA Lease No. 97-2 is intended to amend or alter any of the terms and conditions of the Airport Lease or any amendments thereto previously executed by Lessor and Lessee. All terms and conditions remain in full force and effect.

Amendment(s)

None

Notices

Any notices required to be sent in accordance with the terms of this Lease, including legal process, shall be sent in writing by registered or certified mail, to the parties at the following addresses unless otherwise notified in writing and deemed to be received when so sent:

Lessor’s address: City Manager
City of Palmer
231W. Evergreen Ave., Palmer, AK 99645

Lessee’s address: New Horizons Telecom, Inc.
901 Cope Industrial Way
Palmer, AK. 99645

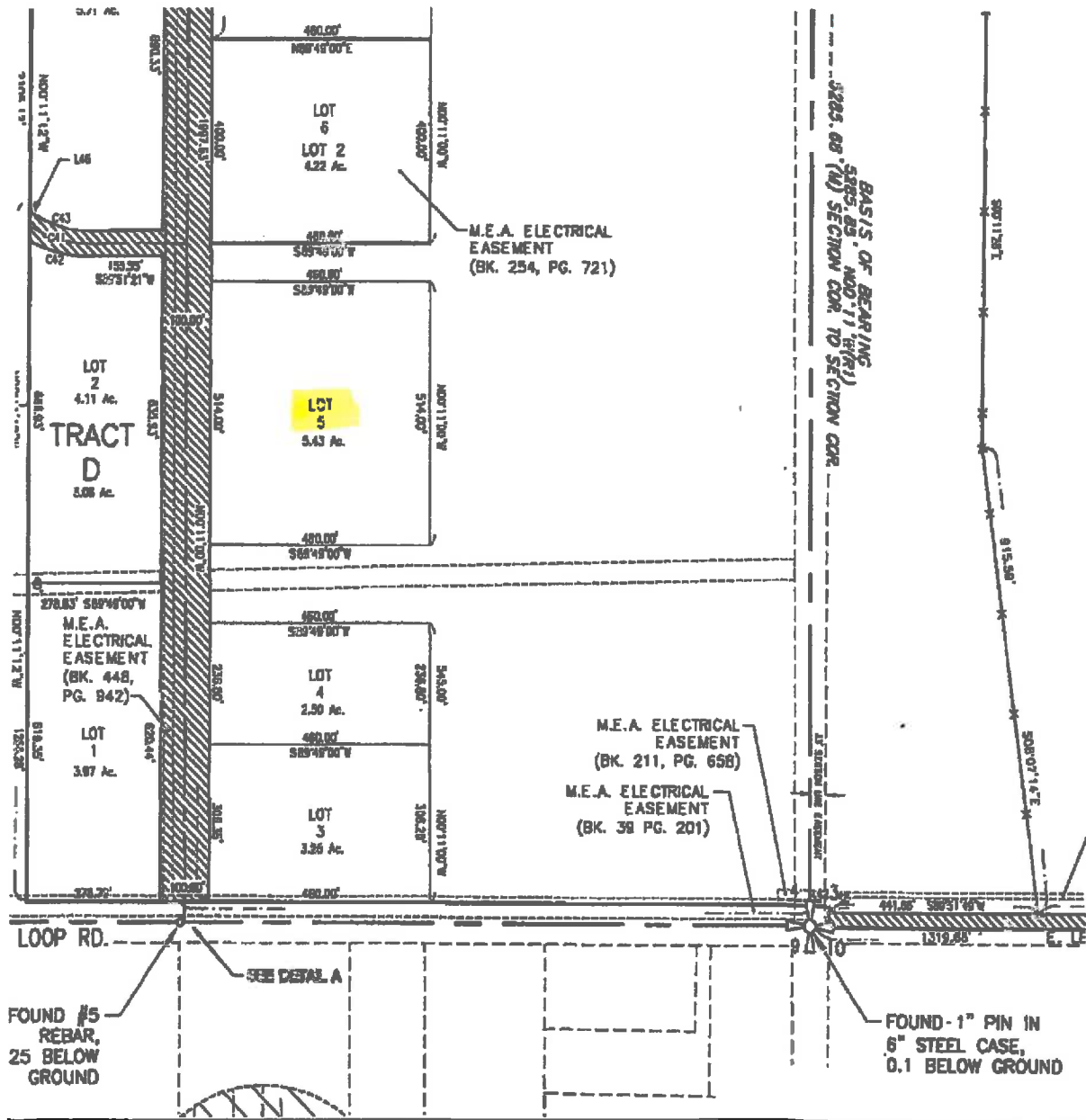
LESSOR: City of Palmer

By: _____
John Moosey, City Manager

Date: _____

"EXHIBIT A"

PALMER MUNICIPAL AIRPORT: BLOCK 3, LEASE LOT 5



Department of Commerce, Community, and Economic Development
CORPORATIONS, BUSINESS & PROFESSIONAL
LICENSING

State of Alaska / Commerce / Corporations, Business, and Professional Licensing / Search & Database Download / Corporations / Entity Details

ENTITY DETAILS

Name(s)

Type	Name
Legal Name	NEW HORIZONS TELECOM INC.

Entity Type: Business Corporation

Entity #: 41699D

Status: Good Standing

AK Formed Date: 2/29/1988

Duration/Expiration: Perpetual

Home State: ALASKA

Next Biennial Report Due: 1/2/2022

Entity Mailing Address: 901 COPE INDUSTRIAL WY, PALMER, AK 99645

Entity Physical Address: 901 COPE INDUSTRIAL WY, PALMER, AK 99645

Registered Agent

Agent Name: Dean Mudd

Registered Mailing Address: 901 COPE INDUSTRIAL WY, PALMER, AK 99645

Registered Physical Address: 901 COPE INDUSTRIAL WY, PALMER, AK 99645

Officials

Show Former

AK Entity #	Name	Titles	Owned
	DEAN MUDD	Director, Secretary, Treasurer	
	LEIGHTON LEE	Director, President, Shareholder	100.00



THE STATE
of **ALASKA**

Department of Commerce, Community and Economic Development
Division of Corporations, Business and Professional Licensing

Corporations Section

State Office Building, 333 Willoughby Avenue, 9th Floor

PO Box 110806, Juneau, AK 99811-0806

Phone: (907) 465-2550 • Fax: (907) 465-2974

Email: corporations@alaska.gov

Website: Corporations.Alaska.Gov

AK Entity #: 41699D
Date Filed: 04/30/2020
State of Alaska, DCCED

FOR DIVISION USE ONLY

RECEIVED
Juneau

APR 30 2020

CBPL

Fee Waived due to
COVID-19

Notice of Change of Officials

Domestic Business Corporation (AS 10.06)

- This Notice of Change of Officials form is only for Domestic Business Corporations and is used to report changes between biennial reporting periods in: officers, directors, alien affiliates, and shareholders.
- This Notice of Change of Officials will not be filed if the entity's biennial report is not current. To verify the entity's biennial report due date, go online to www.Corporations.Alaska.Gov and select, *Search Corporations Database*
- Standard processing time for complete and correct filings submitted to this office is approximately 10-15 business days. All filings are reviewed in the date order they are received.
- The information you submit is a public record and will be posted on the State's website.

1. Important:

AS 10.06.813

Each Domestic Business Corporation is required to notify this office when there is a change of officials.

— AS 10.06.813

Failure to meet this requirement may result in involuntary dissolution of the entity's authority to transact business in the State of Alaska.

— AS 10.06.633(5)(7)

The Domestic Business Corporation is to keep and make available the records of the official(s) changes.

— AS 10.06.430

2. Fee:

\$25 Nonrefundable Filing Fee (CORF)

3 AAC 16.030(b)

Mail this form and the non-refundable \$25 filing fee in U.S. dollars to the letterhead address. Make the check or money order payable to the State of Alaska, or use the attached credit card payment form.

3. Entity Information:

AS 10.06.813

Entity Name: New Horizons Telecom Inc

Alaska Entity Number: 41699D



K 2 7 9 1 8 9 0

4. REMOVE from Record:

AS 10.06.813(b)

The following officials (officers, directors, shareholders, and alien affiliates) will be completely removed from the record as a result of this filing. If necessary, use the following SUPPLEMENT page.

RECEIVED
Juneau

Name: John Lee

Name: _____

APR 30 2020

Name: John S Lee Revocable Living T

Name: _____

CBPL

If an official is not being removed from record, then list them in Item #5 below (with their current information).

5. ALL Current Officials:

AS 10.06.813(b) and
AS 10.06.950

The following is a complete list of ALL remaining and new officials who will be on record as a result of this filing.

Domestic Business Corporations must have a President, Secretary, Treasurer, and at least one Director. The President and the Secretary cannot be the same person unless the President is 100% shareholder. The entity must also provide all shareholders who own 5% or more of the issued shares, and all alien affiliates.

— AS 10.06.453 and 10.06.483

List **ALL** officials and their current information to be on record.

BOLD fields are required.

FULL LEGAL NAME	COMPLETE MAILING ADDRESS	% Owned	Shareholder	PRESIDENT	Vice-President	SECRETARY	TREASURER	DIRECTOR	Assistant Secretary	Assistant Treasurer	Alien Affiliate
Leighton J Lee	Cope Industrial Way Palmer, AK 99	100	x	x				x			
Dean Mudd	Cope Industrial Way Palmer, AK 99					x	x	x			

→ If necessary, use the following SUPPLEMENT page.

6. Required Signature:

AS 10.06.813(b) and
AS 10.06.825

The Notice of Change of Officials must be signed by the President or Vice-President of the corporation. Persons who sign documents filed with the commissioner that are known to the person to be false in material respects are guilty of a class A misdemeanor.

Signature: 

Date: 4/28/2020

Printed Name: Leighton J Lee

Title of Authorized Signer:

President

— or —

Vice-President

Alaska Entity #41699D

State of Alaska
Department of Commerce, Community, and Economic Development
Corporations, Business, and Professional Licensing

Certificate of Compliance

The undersigned, as Commissioner of Commerce, Community, and Economic Development of the State of Alaska, and custodian of corporation records for said state, hereby issues a Certificate of Compliance for:

NEW HORIZONS TELECOM INC.

This entity was formed on February 29, 1988 and is in good standing. This entity has filed all biennial reports and fees due at this time.

No information is available in this office on the financial condition, business activity or practices of this corporation.



IN TESTIMONY WHEREOF, I execute the certificate and affix the Great Seal of the State of Alaska effective **October 4, 2019**.

A handwritten signature in cursive script, appearing to read "Julie Anderson".

Julie Anderson
Commissioner



THE STATE
 of ALASKA

Department of Commerce, Community, and Economic Development
 Division of Corporations, Business, and Professional Licensing
 PO Box 110806, Juneau, AK 99811-0806
 (907) 465-2550 • Email: corporations@alaska.gov
 Website: corporations.alaska.gov

FOR DIVISION USE ONLY

Domestic Business Corporation

2020 Biennial Report
 For the period ending December 31, 2019

Web-11/19/2019 1:42:43 PM

Due Date: This report along with its fees are due by January 2, 2020

Fees: If postmarked before February 2, 2020, the fee is \$100.00.
 If postmarked on or after February 2, 2020 then this report is delinquent and the fee is \$137.50.

Entity Name: NEW HORIZONS TELECOM INC.

Entity Number: 41699D

Home Country: UNITED STATES

Home State/Prov.: ALASKA

Physical Address: 901 COPE INDUSTRIAL WY, PALMER, AK
 99645

Mailing Address: 901 COPE INDUSTRIAL WY, PALMER, AK
 99645

Registered Agent information cannot be changed on this form. Per Alaska Statutes, to update or change the Registered Agent information this entity must submit the Statement of Change form for this entity type along with its filing fee.

Name: Dean Mudd

Physical Address: 901 COPE INDUSTRIAL WY, PALMER, AK
 99645

Mailing Address: 901 COPE INDUSTRIAL WY, PALMER, AK
 99645

Officials: The following is a complete list of officials who will be on record as a result of this filing.

- **Provide all officials and required information. Use only the titles provided.**
- **Mandatory Officers (3) and Directors (1), who must be individuals:** this entity must have a President, Secretary, and Treasurer. The President and Secretary cannot be the same person unless the President is 100% Shareholder. This entity must have at least one (1) Director. Provide all the individuals who are directors.
- **Shareholders:** the entity must provide all Shareholders who own 5% or more of the Issued Shares. Shareholders may be an individual or another entity.
- **Alien Affiliates:** the entity must provide all Alien Affiliates (non-U.S.), which may be an individual or another entity.

Full Legal Name	Complete Mailing Address	% Owned	Alien Affiliate	Assistant Secretary	Assistant Treasurer	Director	President	Secretary	Shareholder	Treasurer	Vice President
DEAN MUDD	901 COPE INDUSTRIAL WY, PALMER, AK 99645					X		X			
LEIGHTON LEE	901 COPE INDUSTRIAL WY, PALMER, AK 99645					X					X
John Lee	901 COPE INDUSTRIAL WY, PALMER, AK 99645					X	X			X	
JOHN S LEE REVOCABLE LIVING TRUST	901 COPE INDUSTRIAL WY, PALMER, AK 99645	100.00							X		

If necessary, attach a list of additional officers on a separate 8.5 X 11 sheet of paper.

ENTITY DETAILS

Name(s)

Type	Name
Legal Name	HINCHINBROOK EQUIPMENT INC.

Entity Type: Business Corporation

Entity #: 41815D

Status: Good Standing

AK Formed Date: 3/21/1988

Duration/Expiration: Perpetual

Home State: ALASKA

Next Biennial Report Due: 1/2/2022

Entity Mailing Address: 901 COPE INDUSTRIAL WAY, PALMER, AK 99645

Entity Physical Address: 901 COPE INDUSTRIAL WAY, PALMER, AK 99645

Registered Agent

Agent Name: LEIGHTON LEE

Registered Mailing Address: 901 COPE INDUSTRIAL WAY, PALMER, AK 99645

Registered Physical Address: 901 COPE INDUSTRIAL WAY, PALMER, AK 99645

Officials

Show Former

AK Entity #	Name	Titles	Owned
	DEAN MUDD	Director, Secretary, Treasurer	
	LEIGHTON LEE	Director, President	
41699D	NEW HORIZONS TELECOM INC.	Shareholder	100.00

Filed Documents

Date Filed	Type	Filing	Certificate
3/21/1988	Creation Filing	Click to View	
1/19/1990	Biennial Report		
12/30/1991	Biennial Report	Click to View	
2/29/1992	Biennial Report		
1/19/1994	Biennial Report	Click to View	
5/02/1996	Biennial Report	Click to View	
5/21/1998	Biennial Report	Click to View	
7/05/2000	Biennial Report	Click to View	
10/25/2002	Biennial Report	Click to View	
4/03/2003	Election or Resolution to Dissolve	Click to View	



THE STATE
of **ALASKA**

Department of Commerce, Community and Economic Development
Division of Corporations, Business and Professional Licensing

Corporations Section
State Office Building, 333 Willoughby Avenue, 9th Floor
PO Box 110806, Juneau, AK 99811-0806
Phone: (907) 465-2550 • Fax: (907) 465-2974
Email: corporations@alaska.gov
Website: Corporations.Alaska.Gov

Division of Corporations, Business
and Professional Licensing

RECEIVED
Juneau
JUN 22 2020

COR
RECEIVED ONLY
Juneau
JUN 16 2020
Division of Corporations, Business
and Professional Licensing

**Fee Waived due to
COVID-19**

Notice of Change of Officials

Domestic Business Corporation (AS 10.06)

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- Standard processing time for complete and correct filings submitted to this office is approximately 10-15 business days. All filings are reviewed in the date order they are received.
- The information you submit is a public record and will be posted on the State's website.

1. Important:	AS 10.06.813
<p>Each Domestic Business Corporation is required to notify this office when there is a change of officials. — AS 10.06.813</p> <p>Failure to meet this requirement may result in involuntary dissolution of the entity's authority to transact business in the State of Alaska. — AS 10.06.833(5)(7)</p> <p>The Domestic Business Corporation is to keep and make available the records of the official(s) changes. — AS 10.06.430</p>	

2. Fee:	<input checked="" type="checkbox"/> \$25 Nonrefundable Filing Fee (CORF)	3 AAC 16.030(b)
<p>Mail this form and the non-refundable \$25 filing fee in U.S. dollars to the letterhead address. Make the check or money order payable to the State of Alaska, or use the attached credit card payment form.</p>		

3. Entity Information:	AS 10.06.813
<p>Entity Name: <u>Hinchinbrook Equipment Inc</u></p> <p>Alaska Entity Number: <u>41815D</u></p>	



RECEIVED
Juneau
JUN 22 2020
Division of Corporations, Business
and Professional Licensing

4. REMOVE from Record: AS 10.06.813(b)

The following officials (officers, directors, shareholders, and alien affiliates) will be completely removed from the record as a result of this filing. If necessary, use the following SUPPLEMENT page.

Name: John Lee Name: _____
 Name: _____ Name: _____

If an official is not being removed from record, then list them in item #5 below (with their current resignation).

5. ALL Current Officials: AS 10.08.813(b) and AS 10.06.950

The following is a complete list of ALL remaining and new officials who will be on record as a result of this filing. Domestic Business Corporations must have a President, Secretary, Treasurer, and at least one Director. The President and the Secretary cannot be the same person unless the President is 100% shareholder. The entity must also provide all shareholders who own 5% or more of the issued shares, and all alien affiliates. — AS 10.06.453 and 10.06.483

List ALL officials and their current information to be on record. BOLD fields are required.

FULL LEGAL NAME	COMPLETE MAILING ADDRESS	% Owned	Shareholder	PRESIDENT	Vice-President	SECRETARY	TREASURER	DIRECTOR	Assistant Secretary	Assistant Treasurer	Alien Affiliate
Leighton J Lee	Cope Industrial Way Palmer, AK 99645			X				X			
Dean Mudd	Cope Industrial Way Palmer, AK 99645					X	X	X			
New Horizons Telecom Inc	Cope Industrial Way Palmer, AK 99645	100	X								

→ If necessary, use the following SUPPLEMENT page.

6. Required Signature: AS 10.06.813(b) and AS 10.06.825

The Notice of Change of Officials must be signed by the President or Vice-President of the corporation. Persons who sign documents filed with the commissioner that are known to the person to be false in material respects are guilty of a class A misdemeanor.

Signature: [Signature] Date: 6/10/2020

Printed Name: Leighton J Lee

Title of Authorized Signer: President — or — Vice-President



THE STATE
 of ALASKA

Department of Commerce, Community, and Economic Development
 Division of Corporations, Business, and Professional Licensing
 PO Box 110806, Juneau, AK 99811-0806
 (907) 465-2550 • Email: corporations@alaska.gov
 Website: corporations.alaska.gov

FOR DIVISION USE ONLY

Domestic Business Corporation

2020 Biennial Report
 For the period ending December 31, 2019

Web-12/9/2019 10:29:22 AM

Due Date: This report along with its fees are due by January 2, 2020

Fees: If postmarked before February 2, 2020, the fee is \$100.00.
 If postmarked on or after February 2, 2020 then this report is delinquent and the fee is \$137.50.

Entity Name: HINCHINBROOK EQUIPMENT INC.

Entity Number: 41815D

Home Country: UNITED STATES

Home State/Prov.: ALASKA

Physical Address: 901 COPE INDUSTRIAL WAY, PALMER,
 AK 99645

Mailing Address: 901 COPE INDUSTRIAL WAY, PALMER,
 AK 99645

Registered Agent information cannot be changed on this form. Per Alaska Statutes, to update or change the Registered Agent information this entity must submit the Statement of Change form for this entity type along with its filing fee.

Name: LEIGHTON LEE

Physical Address: 901 COPE INDUSTRIAL WAY, PALMER,
 AK 99645

Mailing Address: 901 COPE INDUSTRIAL WAY, PALMER,
 AK 99645

Officials: The following is a complete list of officials who will be on record as a result of this filing.

- **Provide all officials and required information. Use only the titles provided.**
- **Mandatory Officers (3) and Directors (1), who must be individuals:** this entity must have a President, Secretary, and Treasurer. The President and Secretary cannot be the same person unless the President is 100% Shareholder. This entity must have at least one (1) Director. Provide all the individuals who are directors.
- **Shareholders:** the entity must provide all Shareholders who own 5% or more of the Issued Shares. Shareholders may be an individual or another entity.
- **Alien Affiliates:** the entity must provide all Alien Affiliates (non-U.S.), which may be an individual or another entity.

Full Legal Name	Complete Mailing Address	% Owned	Alien Affiliate	Assistant Secretary	Assistant Treasurer	Director	President	Secretary	Shareholder	Treasurer	Vice President
New Horizons Telecom Inc	901 COPE INDUSTRIAL WAY, PALMER, AK 99645	100.00							X		
JOHN LEE	901 COPE INDUSTRIAL WAY, PALMER, AK 99645					X	X				
DEAN MUDD	901 COPE INDUSTRIAL WAY, PALMER, AK 99645					X		X		X	
LEIGHTON LEE	901 COPE INDUSTRIAL WY, PALMER, AK 99645					X					X

If necessary, attach a list of additional officers on a separate 8.5 X 11 sheet of paper.

**City of Palmer
Action Memorandum No. 20-054**

Subject: Authorizing the City Manager to Negotiate and Enter into a Sole Source Contract with Roger Hickel Contracting, Inc., for the Purchase and Installation of an Additional Sulzer Blower, to Include Control Integration and Electrical Connections, at the Palmer Wastewater Treatment Plant in an Amount Not to Exceed \$312,026.00


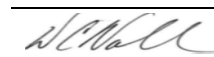
Agenda of: July 28, 2020

Council Action: **Approved** **Amended:** _____
 Defeated


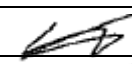
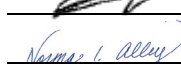
Originator Information:

Originator: Chris Nall, Director of Public Works

Department Review:

Route to:	Department Director:	Signature:	Date:
_____	Community Development	_____	_____
√	Finance		07/08/2020
_____	Fire	_____	_____
_____	Police	_____	_____
√	Public Works		07/07/2020

Approved for Presentation By:

	Signature:	Remarks:
City Manager		_____
City Attorney		_____
City Clerk		_____

Certification of Funds:


Total amount of funds listed in this legislation: \$ **312,026.00**

This legislation (√):

<input type="checkbox"/>	Creates revenue in the amount of:	\$ _____
√	Creates expenditure in the amount of:	\$ <u>312,026.00</u>
<input type="checkbox"/>	Creates a saving in the amount of:	\$ _____
<input type="checkbox"/>	Has no fiscal impact	

Funds are (√):

<input type="checkbox"/>	Budgeted	Line item(s): <u>24-53-43-6225 WWTP City Funds</u>
√	Not budgeted	_____

Director of Finance Signature: 

Attachment(s):

- Quote from Roger Hickel Contracting, Inc.

Summary Statement/Background:

As part of the City's attempt to modify our Federal Consent Decree No: 3:16-cv-00204-TMB, to allow for additional time before being required to installing 2 secondary clarifiers, the City was advised by the Department of Justice (DOJ) and Environmental Protection Agency (EPA) to install a second/redundant high speed turbo blower to the new control building. These blowers provide continuous aeration to the MBBR.

Currently, there is only one high speed turbo blower in the control building. The second blower was cut during Phase I of the WWTP (MBBR and Control Building installation), due to budgetary constraints.

The addition of a second blower will allow for redundancy within our WWTP process and allow for continued aeration within the MBBR should one blower encounter a mechanical issue or need to be taken offline for routine maintenance.

A Sole Source procurement with Roger Hickel Contracting, Inc. is requested to:

1. Speed the process of procuring and installing the new blower. This process is expected to take up to a year.
2. Because Roger Hickel completed the construction of Phase I of the project and their personnel are familiar with our facility and the Sulzer blowers.

Administration's Recommendation:

To approve Action Memorandum No. 20-054

Roger Hickel Contracting, Inc.

July 8nd, 2020

**Palmer WWTF
HDR Engineering
2525 C Street- Suite 500
Anchorage, Alaska 99503-2632**

Attention: Ryan Moyer

Re: Palmer WWTF

Change Order Proposal No. 10- Additional Blower (revised for 7-8-20_

Dear Mr. Moyer-

In accordance with your recent request, we are providing the attached proposal to add an additional blower to the scope of this project. This change includes provisions for new Blower, as solicited by HDR to Sulzer. Work also includes control integration and electrical connections as defined by Bill McDonald on 6-28-18.

Please note that we are not charging general conditions or re-mobilization costs and are only requesting less than the allowable mark-up and overhead for this work. Please also note that the lead time on this blower is 26-28 weeks.

We propose to do this additional scope of work for the lump sum price of \$312,026. Please see attached breakdown for how this figure was derived.

Please do not hesitate to contact me should you have any questions or concerns regarding this proposal. Thank you for this opportunity to be of service.

Sincerely,



Scott Dunlap, Project Manager
Roger Hickel Contracting, Inc
374-10

Accepted:

Owner's Representative

Date: _____

Roger Hickel Contracting, Inc.

Project: **Palmer WWTF**
Description: Add'l blower

Date: 7/8/2020
Job # 374
COP # 10

General Contractors Work

1 Labor	\$ 7,900
2 Miscellaneous Job Supplies	\$ -
3 Equipment	\$ 800
4 Materials	\$ 231,620
6 Subtotal	\$ 240,320

Subcontractors

20 Subcontractor work - Direct Cost	\$ 43,111
21 Subcontractor equipment	\$ -
22 2nd Tier Subcontractor	\$ -
23 3rd Tier Subcontractor	\$ -

SUMMARY

31 Markup on Prime Contractors Labor & Materials:	7%	\$ 16,822
32 Markup on Prime Contractors Equipment:	\$	-
33 Prime Contractors Subtotal		\$ 257,142
34 Prime Contractors Markup on Subcontractors Direct Cost	10%	\$ 4,311
35 Subcontractor Subtotal With Prime Contractors Markup		\$ 47,422
36 Subtotal Prime and Subcontractor		\$ 304,565
37 General Liability Insurance (.55%)		\$ 1,675
38 All risk Insurance(1.1%)		\$ 3,350
39 P/P Bond (0.8%)		\$ 2,437
40 TOTAL CHANGE ORDER AMOUNT		\$ 312,026

An additional 0 calendar day extension to the contract is required

Submitted by: _____

Date 7/8/2020

Project: Palmer WWTF

Roger Hickel Contracting, Inc.

CO #: 10
Description: Additional Blower
SPEC SECT

QTY	ACTIVITY	Labor MH	Labor \$	Total MH's	TOTAL LABOR \$	Material rates	TOTAL MATL \$	TOTAL EQUIP \$	SUB \$	Line Totals
1										0
2	Purchase New Blower	1 LS	79.00	0	79	231,620	231,620			231,620
	Tec-Pro Control Work	1 LS	79.00	0	79				\$7,977	7,977
	Tec-Pro Electric Work	1 LS	79.00	0	79				\$18,333	18,333
	Superior Mechanical Connection Work	1 LS	79.00	0	79				\$16,801	16,801
	RHC - 1 week, mobilize a forklift and help facilitate, 1 week to accomplish work	2 wk	83.00	100	79	7,900		800	\$0	
		LS	75.13	0						0
			.00	0						0
SECTION TOTALS										283,431
			100	100	7,900.00		231,620.00	800	43111	

Total MH 100

Total Labor \$ 7,900

Total Matl \$ 231,620

Total Equip \$ 800

Total Sub \$ 43,111

Total \$ 283,431

QUOTATION

Attn: Scott Dunlap
 Company: **Roger Hickel**
 Ph No.:
 E-Mail:

Quote No.
 2018-Q-088 - Rev 0
 DATE
 6/30/2020

From: **Kevin Laurin**
 Company:
 Ph No.:
 E-Mail:

Prices are in USD
 DAP: Destination
 Sulzer's Preliminary General
 Commercial Comments Apply
 Delivery: 26-28 weeks
 Submittals: 2 - 4 weeks
 Validity: 30 Days

Prepared By: John A. Paiva
 Ph No.: (203) 514-4341

Subject: City of Palmer WWTP, City of Palmer, AK - Second Blower

Item	Qty	Description	Subtotal
1		High Speed Turbo Blowers	
		Configuration is 1 operating (existing) plus 1 standby	
	1	Turbo Compressor HST 20-4500-1-U150-48, 480/3/60	
	1	Ethernet Communication	
		Inlet Accessories	
	1	Integral Inlet Filter	
	1	Inlet Silencer (integral with blower unit)	
	1	Pressure Differential Switch - US Units	
		Outlet Accessories	
	1	Outlet Silencer (integral with blower unit) - ANSI 12"	
	1	Outlet Flexible Joint Steel - ANSI 12" x ANSI 12"	
	1	Back Flow Barrier, Flapper Type - Wafer Type, ANSI 12"	
	1	Manual Outlet Valve - Wafer, ANSI 12"	
		Other Accessories	
	1	Passive Harmonic Filter (stand alone), NEMA 1, IEEE519 Compliant - MAPG0208D009	
	2	Metal Tag for Component Identification	
		Spare Parts	
	1	Cabinet Cooling Filter - (2 / blower)	
	1	Inlet Filter Cartridge - Integral (3 / blower)	
		Testing - Warranty	
	1	Witness Testing - Per ASME PTC-10	
	1	Witness Testing - Third Party Testing	
	4	Additional Test Points - Per ASME PTC-10	
	1	Balancing Report	
	1	Hydrostatic Pressure Test Certificate	
	1	Factory Certificates	
	1	Transport Packaging by Sea	
	1	Accessories Packaging	

QUOTATION

Attn: Scott Dunlap
 Company:
 Ph No.:
 E-Mail:

Quote No.
 2018-Q-088 - Rev 1

DATE
 6/30/2020

From: Kevin Laurin
 Company: Ak Roteq
 Ph No.:
 E-Mail:

Prices in USD
 DAP Destination
 Sulzer's Preliminary General
 Commercial Comments Apply
 Delivery: 26-28 weeks
 Submittals: 2 - 4 weeks
 Validity: 30 Days

Prepared By: John A. Paiva
 Ph No.: (203) 514-4341

Subject: City of Palmer WWTP, City of Palmer, AK - Second Blower

Item	Qty	Description	Subtotal
2		Start-Up Assistance & Training - Freight	
	1	Commissioning (Start up & Training) for HST, 3 Days Maximum	
	1	Standard Warranty (2 years)	
	1	Freight, USA to City of Palmer, AK	
		Please note that Start-Up Assistance & Training & Freight must be included in the final price. These items can not be discounted nor commissioned. Additional Field Services are available at \$1,300.00/day	
		Total Air flow Range (SCFM): 6,200 (3,100 per blower)	
		Differential pressure (psi): 9.0	
		Altitude (ft ASL): 154	
		Inlet pressure (psia): 14.61	
		Inlet pressure losses (psi): 0.1	
		Process air inlet temp. range (°F): 25 to 75 (-38 to 86)	
		Relative humidity range (%): 0 to 90	
		Site Voltage / Phase / Freq: 480/3/60	
		Total Project NET Price	\$184,950
		Adder for Standard MCU	
	1	Master Control Unit (MCU)	\$ 46,570.00
		SULZER ABS will provide the following Type of MCU for this project: A-B CompactLogix PLC and 7" PanelView Plus7 touch screen interface The above MCU shall include the following elements: 1) MCU Enclosure, NEMA 4 sheet steel. 2) Allen Bradley PLC containing the software to control the HST Blowers 3) MCU includes 16 Digital Inputs, 16 Digital Outputs, 4 Analog Inputs, 2 Analog Outputs, 24 VDC Power Supply and UPS @ 3.4 AH 4) A-B Ethernet Communications between the PLC and HMI and for Inter-PLC/SCADA communications using CAT5/6 cabling. CAT 5/6 cabling by others. No Fiber Optic Equipment included. 5) Ethernet/IP communications between the MCU and the HST Blowers 6) Allen Bradley 8 Port Unmanaged Ethernet Switch 7) Manifold Pressure Control (Pressure Monitoring Device not included) 8) Control of a maximum of Six (6) HST Blowers using a PID controller	

A. CALL TO ORDER

A regular meeting of the Palmer City Council was held on June 23, 2020, at 7:00 p.m. in the Council Chambers, Palmer, Alaska. Mayor DeVries called the meeting to order at 7:00 p.m.

B. ROLL CALL

Due to COVID-19 Mayor DeVries was present in the Council Chambers while the Council Members participated in the meeting by teleconference.

Comprising a quorum of the Council, the following were present:

Edna DeVries, Mayor

Julie Berberich (participated by teleconference)

Richard W. Best (participated by teleconference)

Steve Carrington (participated by teleconference)

Linda Combs, Deputy Mayor (participated by teleconference)

Sabrina Combs (participated by teleconference)

Jill Valerius (participated by teleconference)

Staff in attendance were the following:

John Moosey, City Manager

Norma I. Alley, MMC, City Clerk

Michael Gatti, City Attorney (participated by teleconference)

Kara Johnson, Deputy City Clerk

C. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was performed.

D. APPROVAL OF AGENDA

1. Approval of Consent Agenda
 - a. **Resolution No. 20-016:** Designating Authorized Signatures for Check Signing Affecting Any and All Disbursements of City Monies for the General Checking Account, the Palmer Construction Account and Designating City Representatives Who Are Authorized and Empowered to Execute and Deliver All Documentation and Instructions on City Investment Accounts
 - b. **Action Memorandum No. 20-047:** Authorizing the City Manager to Execute a Design and Construction Administration Contract Addendum with HDL Engineering Consultants, LLC in the Amount of \$37,560.00 for Blast Pad Paving Work Related to the RW 16/34 Rehabilitation
 - c. **Action Memorandum No. 20-048:** Authorizing the City Manager to Accept a New Park Equipment Donation from the Mat-Su United Way and Coordinate Public Works Support of the Installation of the New Equipment
2. Approval of Minutes
 - a. May 26, 2020, Regular Meeting

Main Motion: To Approve the Agenda, Consent Agenda, and Minutes

Moved by:	S. Combs
Seconded by:	Berberich

Primary Amendment #1: To Move Audience Participation Prior to Reports

Moved by:	S. Combs
Seconded by:	Berberich
Vote:	Unanimous
Action:	Motion Carried

Vote on Motion: To Approve the Agenda, Consent Agenda, and Minutes, as Amended

Vote:	Unanimous
Action:	Motion Carried

E. AUDIENCE PARTICIPATION

Mr. Todd Smolden, Governor Dunleavy’s Mat-Su Office Director, provided an update on Governor’s Office.

Mr. Steven Paine, Matanuska-Susitna Borough School District Safety and Emergency Preparedness Manager, spoke on proposed speed limit for Old Glenn Highway between Clark-Wolverine and Matanuska River Bridge and the effects it will have on the community.

Ms. Cheri Sobczak-Crippen testified on behalf of current affairs regarding the Chief of Police.

Mr. Aundra Jackson, Mat-Su Martin Luther King Jr. Foundation President, testified on behalf of current affairs regarding the Chief of Police (see official meeting packet for written testimony).

Ms. Daphne Barbosa testified on behalf of current affairs regarding the Chief of Police.

Ms. Shawna Larson, Chickaloon Tribal Council Vice-Chairman, testified on behalf of current affairs regarding the Chief of Police.

Ms. Lisa Wade, Chickaloon Tribal Council Secretary, testified on behalf of current affairs regarding the Chief of Police.

Ms. Trista Hosiman testified on behalf of current affairs regarding the Chief of Police.

Ms. Crystal Howard testified on behalf of current affairs regarding the Chief of Police.

Ms. Christina Edwin testified on behalf of current affairs regarding the Chief of Police.

Ms. Aurora Till testified on behalf of current affairs regarding the Chief of Police.

Ms. Jinee Mealone testified on behalf of current affairs regarding the Chief of Police.

Ms. Olivia Berk testified on behalf of current affairs regarding the Chief of Police.

Ms. Jolene Malone testified on behalf of current affairs regarding the Chief of Police.

Ms. Azlynn Brandenburg testified on behalf of current affairs regarding the Chief of Police.

Ms. Zoey Fuller testified on behalf of current affairs regarding the Chief of Police.

Ms. Hannah Villanvera testified on behalf of current affairs regarding the Chief of Police.

Ms. Sherry Wilson testified on behalf of current affairs regarding the Chief of Police.

Ms. Meghan Crier testified on behalf of current affairs regarding the Chief of Police.

Ms. Kim Waychoff testified on behalf of current affairs regarding the Chief of Police.

Ms. Julia Safarik testified on behalf of current affairs regarding the Chief of Police.

Ms. Annika Gagnon testified on behalf of current affairs regarding the Chief of Police.

Ms. Veri di Suvero testified on behalf of current affairs regarding the Chief of Police.

Ms. Kelsey Schober testified on behalf of current affairs regarding the Chief of Police.

Ms. Amber Hogan testified on behalf of current affairs regarding the Chief of Police.

Ms. Tea Brown testified on behalf of current affairs regarding the Chief of Police.

Ms. Kalani Ross testified on behalf of current affairs regarding the Chief of Police.

Mr. Jeremy Houston testified on behalf of current affairs regarding the Chief of Police.

Mr. Sherman Leifer, Palmer Bar Owner/Member, asked for Council's support for the liquor license application.

Mr. Wesley Artz, Palmer Bar Owner, asked for Council's support for the liquor license application.

Mr. Luke Howard, 907 Freedom, testified on behalf of current affairs regarding the Chief of Police.

Mr. Eugene Carl Haberman testified on the public process and rights for the public to address policies and procedures.

Deputy City Clerk Johnson read written testimony into the record (see official meeting packet for written testimony).

Mayor Devries called a recess at 9:12 p.m. The meeting reconvened at 9:23 p.m.

F. REPORTS

1. City Manager's Report

City Manager Moosey reported this was his first Palmer Council Meeting as city manager and was looking forward to this new opportunity.

2. City Clerk's Report

City Clerk Alley reported on Council returning to the Chambers.

3. Mayor's Report

a. Palmer Pride Awards Nominations

Mayor DeVries highlighted her written report, requested nominations for Palmer Pride Awards, and updated the Council on Fred Meyer's request to lift the restrictions on distribution of plastic bags.

4. City Attorney's Report

None.

G. PUBLIC HEARING

- 1. **Ordinance No. 20-006:** Amending the Zoning Map to Revise the Zoning Designation of Tax Parcel Tract 5, Cedar Hills Subdivision, Unit 2, Phase 1 to Re-Zone Parcel from Commercial Limited (CL) to Public Use (P)

Mayor DeVries opened the public hearing on Ordinance No. 20-006. Hearing no objections from the Council Mayor Devries closed the public hearing.

Main Motion: To Approve Ordinance No. 20-006

Moved by:	S. Combs
Seconded by:	Carrington

Primary Amendment #1: To Amend Ordinance No. 20-006 wording; The Public use of the Property is Limited to the Establishment of an Emergency Medical Facility Building with Necessary Buffers, Open Space, and Setbacks for Mitigation of Noise and Light. Emergency Medical Facility Building Must be Orientated in Such a Way that Provides Safe Access to the Glenn Highway, as Outlined in Applicant’s Response

Moved by:	DeVries
Seconded by:	Best
Vote:	Unanimous
Action:	Motion Carried

Vote on Motion: To Approve Ordinance No. 20-006, As Amended

Vote:	Unanimous
Action:	Motion Carried

H. UNFINISHED BUSINESS

- 1. **Information Memorandum No. 20-006:** Committee of the Whole for General Discussion Regarding Code of Ethics for City Council (Note: action may be taken following the Committee of the Whole)
- 2. **Information Memorandum No. 20-007:** Committee of the Whole for General Discussion Regarding CARES Act Funding (Note: action may be taken following the Committee of the Whole)

Motion to Postpone: To Postpone Information Memorandum No. 20-006 and Information Memorandum No. 20-007 to July 14, 2020, Agenda

Moved by:	Best
Seconded by:	L. Combs
Vote:	Unanimous
Action:	Motion Carried

Mayor DeVries directed for written testimony to be carried forward to the next meeting.

I. NEW BUSINESS

- 1. **Action Memorandum No. 20-049:** Directing the City Manager to Notify the State of Alaska of the City Council’s Statement of Non-Objection to Liquor License No. 1274 for Palmer Bar Located at 828 S. Colony Way

Main Motion: To Approve Action Memorandum No. 20-049

Moved by:	S. Combs
Seconded by:	Valerius
Vote:	Unanimous
Action:	Motion Carried

- 2. **Action Memorandum No. 20-050:** Approving the City Manager to Enter into an Agreement with Resource Data, Inc., for Vote From Home Feasibility Study Services for the City of Palmer for \$3,000.00

Deputy City Clerk Johnson read the following written testimony into the record (see official meeting packet for written testimony).

Main Motion: To Approve Action Memorandum No. 20-050

Moved by:	S. Combs
Seconded by:	Valerius
Vote:	3 Yes/4 No (Best, Carrington, L. Combs, DeVries)
Action:	Motion Failed

J. RECORD OF ITEMS PLACED ON THE TABLE

Deputy City Clerk Johnson reported written testimony was the Item Placed on the Table.

K. AUDIENCE PARTICIPATION

Mr. Eugene Carl Haberman testified on the public process and rights for the public to address policies and procedures.

Ms. Auroa Till testified on behalf of current affairs regarding the Chief of Police.

Mr. Mike Chmielewski testified on behalf of current affairs regarding the Chief of Police.

L. COUNCIL MEMBER COMMENTS

No direction was given to staff for legislation to be placed on a future agenda.

M. ADJOURNMENT

With no further business before the City Council, the meeting adjourned at 11:31 p.m.

Approved this ____ day of _____, 2020.

Norma I. Alley, MMC, City Clerk

Edna B. DeVries, Mayor



TO: Palmer City Council
FROM: Norma I. Alley, MMC *Norma I. Alley*
DATE: July 28, 2020
SUBJECT: Referendum Petition Certified

On March 4, 2020, I received an application for a referendum petition, proposing to repeal Palmer Municipal Code 5.32 Marijuana Businesses, Prohibiting the Operation of Marijuana Cultivation Facilities, Marijuana Manufacturing Facilities, Marijuana Testing Facilities, and Retail Marijuana Stores Pursuant to AS 17.38.110 Local Control, but Not Restricting Industrial Hemp as Defined Herein.

The application met the Palmer Municipal Code criteria. I certified the application and issued the referendum petition books on March 24, 2020.

The petitioners submitted the referendum petition instrument on July 1, 2020. Following my review, I concluded the petitioners met the signature requirements. As a matter of information, the number of signatures gathered and counted is listed below:

Signature Stats				
Book #	Total Sigs. Collected	Accepted	Rejected	Total
1	31	29	2	31
2	30	21	9	30
3	30	24	6	30
4	30	26	4	30
5	30	24	6	30
6	0			0
7	15	12	3	15
Total:	166	136	30	166

Based on the timeframes listed in the Code, unless the Council repeals PMC 5.32 or a majority vote favors the repeal of the matter referred, the referendum question will be on the October 6, 2020, ballot. The question before the voters will be substantially as follows:

CITY OF PALMER
PROPOSITION NO. P-X
(Referendum Ordinance No. 20-004)

REFERENDUM ORDINANCE

Ordinance No. 20-004: A Referendum Ordinance of the Voters of the City of Palmer Repealing Palmer Municipal Code Chapter 5.32 Marijuana Businesses, Prohibiting the Operation of Marijuana Cultivation Facilities, Marijuana Manufacturing Facilities, Marijuana Testing Facilities, and Retail Marijuana Stores Pursuant to AS 17.38.110 Local Control, but Not Restricting Industrial Hemp as Defined Herein.

Should Ordinance No. 20-004 be placed before the voters of the City of Palmer? Ordinance No. 20-004 would repeal PMC 5.32 and allow marijuana businesses in the City of Palmer. Effective date would be at the certification of the election, which is scheduled for October 12, 2020.

Proposition No. P-X Yes () (A yes vote enacts the referendum ordinance).
 No () (A no vote fails the referendum ordinance).

Per PMC 18.07.050(B), the council may not enact an ordinance substantially similar. However, the council can repeal PMC 5.32 or, by majority vote, favor the repeal of the matter referred and the measure will not be placed on the ballot.

PMC 18.07.055(B) outlines that if the proposition is approved, substantially similar legislation may not be enacted by the council for a period of two years after its effective date.

If an initiative or referendum measure fails to receive voter approval, a new petition application for substantially the same measure may not be filed sooner than six months after the election results are certified per PMC 18.07.055(C).

Mayor's Memo
Council Meeting report for council Meeting
on July 28, 2020

Events

Since several events such as Palmer Pride is prior to our meeting I will be giving a verbal report along with Deputy Mayor Combs.

As well as the presentation to the Businessperson of the Year, Citizen of the Year, beautiful lawns in Palmer, and the Golden Heart Awards not given in February 2020.

Alaska State Fair has scheduled several events, please check their Facebook or website to see the calendar of events.

Friday Fling continues.

Alaska Municipal League Summer meeting via zoom - August 10-14.

Agenda setting meeting July 29 and August 12.

Mayor/Managers meeting on August 20

We want and value your input and participation.

Edna DeVries Mayor v/t 907-355-9933

edevries@palmerak.org

**City of Palmer
Ordinance No. 20-007**

Subject: Suspending Ordinance No. 18-004 Pertaining to Palmer Municipal Code Chapter 8.09 Regarding the Distribution of Single-Use Disposable Plastic Shopping Bags During the State of Emergency Order Regarding the COVID-19 Pandemic

Agenda of: July 14, 2020 – Introduction
July 28, 2020 – Public Hearing

Council Action: **Adopted** **Amended:** _____
 Defeated


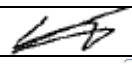

Originator Information:

Originator: Mayor DeVries via City Manager Moosey

Department Review:

Route to:	Department Director:	Signature:	Date:
_____	Community Development	_____	_____
_____	Finance	_____	_____
_____	Fire	_____	_____
_____	Police	_____	_____
_____	Public Works	_____	_____

Approved for Presentation By:

	Signature:	Remarks:
City Manager		_____
City Attorney		_____
City Clerk		_____

Certification of Funds:


Total amount of funds listed in this legislation: \$ **0.00**

This legislation (√):

- Creates revenue in the amount of: \$ _____
- Creates expenditure in the amount of: \$ _____
- Creates a saving in the amount of: \$ _____
- Has no fiscal impact

Funds are (√):

- Budgeted Line item(s): _____
- Not budgeted _____

Director of Finance Signature: 

Attachment(s):

- Ordinance No. 20-007
- Ordinance No. 18-004

Summary Statement/Background:

Because of COVID-19, the paper industry is unable to meet the demand for retailers located within the city of Palmer for paper bags. This ban would be in effect until the state of Alaska emergency order has been lifted, thus allowing our larger retail establishments to meet the needs of our citizens and their customers.

Their company policy is still to be rid of plastic bags all together but because of the paper industry inability to meet the needs for paper products, they have requested this action. Hopefully this time will allow the paper industry to catch up.

LEGISLATIVE HISTORY

Introduced by: Mayor DeVries
Date: July 14, 2020
Public Hearing: July 28, 2020
Action:
Vote:

Yes:	No:

CITY OF PALMER, ALASKA

Ordinance No. 20-007

An Ordinance of the Palmer City Council Suspending Ordinance No. 18-004 Pertaining to Palmer Municipal Code Chapter 8.09 Regarding the Distribution of Single-Use Disposable Plastic Shopping Bags During the State of Emergency Order Regarding the COVID-19 Pandemic

WHEREAS, the Palmer City Council enacted a prohibition on the distribution of single-use disposable plastic bags in 2018 through Ordinance No. 18-004; and

WHEREAS, the principals for the plastic bag ban are still valid and necessary for the livability and sustainability for the city of Palmer; and

WHEREAS, there is a current international pandemic and subsequently the state of Alaska Governor has issued state of emergency orders regarding the COVID-19 pandemic; and

WHEREAS, the commercial industry is facing challenges to effectively meet the requirements of Ordinance No. 18-004 due to scarcity of product availability and the virus threat of use of personal shopping gear.

THE CITY OF PALMER, ALASKA, ORDAINS:

Section 1. Classification. This ordinance shall be permanent in nature and shall be incorporated into the Palmer Municipal Code.

Section 2. Severability. If any provisions of this ordinance or application thereof to any person or circumstances are held invalid, the remainder of this ordinance and the application to the other persons or circumstances shall not be affected thereby.

Section 3. Palmer Municipal Code Chapter 8.09 is hereby temporarily suspended for sixty calendar days following the lifting of the state of Alaska emergency orders regarding the COVID-19 pandemic.

Section 4. Palmer Municipal Code Chapter 8.09 shall be reimplemented and in full force and effect sixty calendar days following the lifting of the state of Alaska emergency orders regarding the COVID-19 pandemic.

Section 5. Effective Date. Ordinance No. 20-007 shall take effect upon adoption by the city of Palmer City Council.

Passed and approved this _____ day of _____, 2020.

Edna B. DeVries, Mayor

Norma I. Alley, MMC, City Clerk

LEGISLATIVE HISTORY

Committee of the Whole: February 27, 2018
Introduced by: Council Members LaFrance and Combs
Date: May 1, 2018
Public Hearing: May 22, 2018
Action: Adopted
Vote: 4 Yes/1 No/1 Absent/
1 Vacant

Yes:	No:
Combs	Carrington
DeVries	
Fuller	Absent:
LaFrance	Best

CITY OF PALMER, ALASKA

Ordinance No. 18-004

An Ordinance of the Palmer City Council Enacting Palmer Municipal Code Chapter 8.09 Prohibiting the Distribution of Single-Use Disposable Plastic Shopping Bags and Amending the City of Palmer Fine Schedule

WHEREAS, the use of single-use carry-out disposable plastic shopping bags in the city of palmer ("city") creates a burden on the environment, endangers wildlife, and has been shown to be harmful to bodies of water and problematic for solid waste management; and

WHEREAS, to decrease the number of littered disposable plastic shopping bags in the city, it is necessary to restrict general use; and

WHEREAS, it is in the best interest of the health, safety, and welfare of all residents to restrict the use of single-use disposable plastic shopping bags; and

WHEREAS, plastic carryout bags do not biodegrade, create problematic environmental issues, and frequently escape from trash containers and landfills creating a burden on residents and the City for clean-up.

THE CITY OF PALMER, ALASKA, ORDAINS:

Section 1. Classification. This ordinance shall be permanent in nature and shall be incorporated into the Palmer Municipal Code.

Section 2. Severability. If any provisions of this ordinance or application thereof to any person or circumstances are held invalid, the remainder of this ordinance and the application to the other persons or circumstances shall not be affected thereby.

Section 3. Palmer Municipal Code is hereby amended to read as follows (new language is underlined and deleted language is ~~stricken~~):

Chapter 8.09.010 Definitions

Any word, term, or phrase not defined in this section shall have its ordinary and common meaning. The following words, terms, and phrases, when used in this chapter, shall have the meanings ascribed to them in this section:

"Affected establishment" means any retail or commercial business facility located inside the city of Palmer that sells goods or prepared food directly to consumers including but not limited to grocery stores, pharmacies, retail stores, and restaurants.

"Single-use plastic disposable shopping bag" means a bag made from plastic or any material not marked or labeled as "biodegradable" or "compostable" that is neither intended nor suitable for continuous reuse and that is less than 4 mils thick, designed to carry customer purchases from the seller's premises.

Chapter 8.09.020 Purpose

The purpose of this chapter is to reduce the generation of waste from single-use plastic disposable shopping bags.

Chapter 8.09.030 Single-use plastic disposable shopping bag prohibited

A. No affected retail establishment may provide to any customer a single-use plastic disposable shopping bag for the purpose of carrying away goods from the point of sale.

B. No person may distribute single-use plastic disposable shopping bags at any city facility or any event held on city property.

Chapter 8.09.040 Exceptions

Exceptions to the prohibition are bags used by customers inside stores:

A. To package bulk items such as fruit, vegetables, nuts, grains, candy or small hardware items such as nails and bolts; and

B. Bags used to contain dampness or leaks from items such as frozen foods, meat, or fish, flowers or potted plants; and

C. Bags used to protect prepared foods or bakery goods; and

D. Bags provided by pharmacists to contain prescription drugs; and

E. newspaper, laundry or dry-cleaning bags; and

F. Bags sold for consumer use, off the seller's premises, for such purposes as the collection and disposal of garbage, pet waste, or yard waste.

Chapter 8.09.050 Fines

A Violation of this chapter is an offense punishable by the fine established in the current, adopted budget.

Section 4. Amendment of city of Palmer Fine Schedule is hereby amended to add a fine schedule for the distribution of single-use plastic disposable shopping bags, as follows:

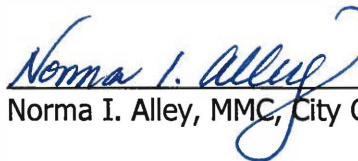
Palmer Municipal Code (PMC) Title 8 Health & Safety			
Chapter 8.09 Prohibiting the Distribution of Single-Use Disposable Plastic Shopping Bags			
Section Title:	Section Citation:	Fine:	Fine Citation:
Single-use plastic disposable shopping bag prohibited	8.09.030	First Offence: Warning Second Offence: \$100.00 Third Offence: \$300.00	8.09.050

Section 5. Effective Date. Ordinance No. 18-004 shall take effect January 1, 2019.

Passed and approved this 22nd day of May, 2018.



 Edna B. DeVries, Mayor



 Norma I. Alley, MMC, City Clerk



John Moosey
City Manager
City of Palmer
231 West Evergreen Avenue
Palmer, Alaska 99645
907.761.1304

July 13, 2020

Dear Mr. Moosey,

I am writing you today to ask the City of Palmer to request a temporary waiver, or a lift of the plastic bag ban in Palmer, Alaska. We appreciate your commitment to eliminate plastic bags. As a company, we have elected to voluntarily eliminate plastic bags from use altogether, as part of our Zero Hunger / Zero Waste social impact plan.

As it happens, there is an ongoing shortage of paper bags available in the market. The increase in municipal and state bag bans, along with the increase in demand for bags during the Covid-19 pandemic, has left the paper industry incapable with keeping up with the market demand. While we have every intention of honoring local bag ordinances, we simply cannot get reliable access to paper bags for the foreseeable future.

I would be happy to stay in touch on this subject directly, or through Ted Popely. I would also encourage anyone on your team to contact members of the paper industry directly as well (we use International Paper for our supply) to glean additional insight. We appreciate your consideration and are eager to continue serving the Palmer community.

Sincerely,

Jeffery Temple
Director of Corporate Affairs
Fred Meyer Stores, Inc

**City of Palmer
Resolution No. 20-019**

Subject: Issuance of Utility Revenue Bonds in the Principal Amount Not to Exceed \$8,000,000.00 to Finance Wastewater Utility Improvements, as Required by Federal Consent Decree, and to Submit the Question of the Issuance of such Bonds to the Qualified Voters of the City at the October 6, 2020 City Election


Agenda of: July 28, 2020 – Introduction and 1st Public Hearing
August 11, 2020 – 2nd Public Hearing

Council Action: **Approved** **Amended:** _____
 Defeated


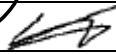

Originator Information:

Originator: Chris Nall, Director of Public Works

Department Review:

Route to:	Department Director:	Signature:	Date:
_____	Community Development	_____	_____
_____	Finance	_____	_____
_____	Fire	_____	_____
_____	Police	_____	_____
✓	Public Works		07/07/2020

Approved for Presentation By:

	Signature:	Remarks:
City Manager		_____
City Attorney		_____
City Clerk		_____

Certification of Funds:


Total amount of funds listed in this legislation: \$ **8,000,000.00**

This legislation (✓):

- Creates revenue in the amount of: \$ 8,000,000.00
- Creates expenditure in the amount of: \$ _____
- Creates a saving in the amount of: \$ _____
- Has no fiscal impact

Funds are (✓):

- Budgeted Line item(s): _____
- Not budgeted

Director of Finance Signature: 

Attachment(s):

- Resolution No. 20-019

Summary Statement/Background:

In accordance with the City of Palmer's Federal Consent Decree (Civil Action No: 3:16-cv-00204-TMB), the City is required to install and operate two Secondary Clarifiers units at the Palmer Wastewater Treatment Plant.

The clarifiers are to be of sufficient treatment and settling capacity to enable the facility to meet all effluent limits in the its current APDES permit or any subsequent APDES permits that may be issued by EPA or ADEC.

The system shall be configured to allow for the future addition of a third clarifier, if necessary, to support treatment of a future maximum monthly flow of 1.5 Million Gallons a Day.

Administration's Recommendation:

Approve Resolution No. 20-019.

LEGISLATIVE HISTORY

Introduced by: City Manager Moosey
1st Public Hearing Date: July 28, 2020
2nd Public Hearing: August 11, 2020
Action:
Vote:

Yes:	No:

CITY OF PALMER, ALASKA

Resolution No. 20-019

A Resolution of the City Council of the City of Palmer, Alaska, Authorizing the City of Palmer to Issue Utility Revenue Bonds in the Principal Amount Not to Exceed \$8,000,000.00 to Finance Wastewater Utility Improvements, as Required by Federal Consent Decree and to Submit the Question of the Issuance of Such Bonds to the Qualified Voters of the City at the October 6, 2020, Regular City Election

WHEREAS, the City of Palmer, Alaska (the "City") is a home rule city and under Section 11 of Article X of the Alaska Constitution may exercise all legislative power not prohibited by law or the charter of the City, and the City has determined that the matters set forth in this resolution are not prohibited by law or the charter; and

WHEREAS, Section 11.1(a)(2) of the Palmer City Charter authorizes the City to issue revenue bonds which are secured only by the revenue producing public utilities and do not constitute a general obligation or debt of the City, provided that such revenue bonds shall be authorized by the council and ratified by a majority of the qualified voters of the City; and

WHEREAS, it is necessary and in the best interest of the City and its residents that the City authorize the issuance of utility revenue bonds for the purposes described in this Resolution.

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

Section 1. It is hereby determined to be for a public purpose and in the public interest of the City to incur utility revenue bonded indebtedness in an amount not to exceed Eight Million Dollars (\$8,000,000.00), for the purpose of financing capital improvements to the City's wastewater utility facilities and to pay costs of issuance of such bonds.

Section 2. The City is authorized to borrow the sum of not to exceed Eight Million Dollars (\$8,000,000.00) to finance the capital improvements described in Section 1, and the borrowing shall be evidenced by the issuance of utility revenue bonds of the City. The revenues of the City wastewater utility shall be pledged for payment of the principal of and interest on the bonds. The bonds shall not be a general obligation of the City, and neither the full faith and credit nor the taxing power of the City shall be pledged to the payment of the principal of or interest on the bonds.

Section 3. The City shall submit the following proposition to the qualified voters of the City at the October 6, 2020, regular City election. The proposition must receive an affirmative vote from a majority of the qualified voters voting on the question to be approved.

**City of Palmer
Resolution No. 20-020**

Subject: Accepting and Appropriating the 2020 State of Alaska DUI High Visibility Enforcement Grant 405d M5HVE-20-01-FA(A)-10 in the Amount of \$18,720.00 to be Used for DUI High Visibility Enforcement Activities by the Palmer Police Department from July 3, 2020, through September 8, 2020


Agenda of: July 28, 2020

Council Action: **Approved** **Amended:** _____
 Defeated




Originator Information:

Originator: Dwayne A Shelton, Chief of Police

Department Review:

Route to:	Department Director:	Signature:	Date:
_____	Community Development	_____	_____
_____	Finance	_____	_____
_____	Fire	_____	_____
X	Police		7-1-2020
_____	Public Works	_____	_____

Approved for Presentation By:

	Signature:	Remarks:
City Manager		_____
City Attorney		_____
City Clerk		_____

Certification of Funds:


Total amount of funds listed in this legislation: \$ **18,720.00**

This legislation (√):

<input checked="" type="checkbox"/>	Creates revenue in the amount of:	\$ <u>18,720.00</u>
<input type="checkbox"/>	Creates expenditure in the amount of:	\$ _____
<input type="checkbox"/>	Creates a saving in the amount of:	\$ _____
<input type="checkbox"/>	Has no fiscal impact	

Funds are (√):

<input type="checkbox"/>	Budgeted	Line item(s): <u>52-00-00-3420 Police Services; 52-01-21-6012</u>
<input checked="" type="checkbox"/>	Not budgeted	<u>52-01-21-6015; 52-01-21-6035</u>

Director of Finance Signature: 

Attachment(s):

- Resolution No. 20-020
- Notice to Proceed
- Supplemental Notice
- Grant Certifications and Assurances

Summary Statement/Background:

The City of Palmer has applied to the State of Alaska Department of Transportation for grant monies in the amount of \$18,720.00 to fund high visibility overtime DUI enforcement. That amount includes \$17,640.00 for officers to conduct additional DUI enforcement during high intensity periods when such crimes are more likely. The enforcement is strictly on an overtime basis and will not detract from routine patrol or other duties required of the Palmer Police Department. The enforcement is also voluntary on the part of the officers. The additional \$1,080.00 is to cover additional fuel costs incurred by the extra enforcement activity. No matching funds are required. The enforcement periods run from July 3, 2020, through September 8, 2020.

DUI Crimes represent a public safety concern due to increased risk of injury in motor vehicle accidents. The grant will allow for extra patrol specifically focused on detecting, investigating, and arresting/charging those motorists who violate Alaska DUI laws. The ultimate objective is to reduce the number of Driving Under the Influence offenses thus making the roadways safer for motorists and pedestrians. During their enforcement activities, officers also encounter and investigate other crimes and violations on their traffic stops. In the past these have include driving offenses, drug offenses, as well as simple speeding and other traffic violations. The officers address these crimes and violations as they arise, which is also a benefit to public safety.

Administration's Recommendation:

Approve Resolution No. 20-020

LEGISLATIVE HISTORY

Introduced by: City Manager Moosey
Public Hearing Date: July 28, 2020
Action:
Vote:

Yes:	No:

**CITY OF PALMER, ALASKA
Resolution No. 20-020**

A Resolution of the Palmer City Council Accepting and Appropriating the 2020 State of Alaska DUI High Visibility Enforcement Grant 405d M5HVE-20-01-FA(A)-10 in the Amount of \$18,720.00 to be Used for DUI High Visibility Enforcement Activities by the Palmer Police Department from July 3, 2020, through September 8, 2020

WHEREAS, Driving Under the Influence (DUI) violations are a public safety concern for the citizens of the city of Palmer; and

WHEREAS, the Palmer Police Department is tasked with enforcing state statutes, including DUI statutes to increase the safety of the driving public; and

WHEREAS, the Palmer Police Department has been awarded \$18,720.00 under the 2020 State of Alaska DUI High Visibility Enforcement Grant; and

WHEREAS, the enforcement will be conducted during the time periods of 1800 hours on July 3, 2020 through 0600 hours on July 6, 2020 and from 1800 hours on August 14, 2020 through 0600 hours on September 8, 2020.

NOW, THEREFORE, BE IT RESOLVED by the Palmer City Council to accept and appropriate \$18,720.00 from the State of Alaska Department of Transportation to be used for Palmer police officers to engage in overtime high visibility DUI enforcement activities during dedicated enforcement periods from July 3, 2020 through July 6, 2020 and from August 14, 2020 through September 8, 2020.

ORIGINAL SCOPE OF WORK

The City proposes to use the funds from the State of Alaska Department of Transportation to fund voluntary overtime for Palmer Police Department patrol officers to engage in high visibility enforcement of DUI laws. The enforcement will consist of extra patrol dedicated to detection, investigation, and prosecution of DUI violations, which are a public safety concern for the citizens of the City of Palmer. The enforcement period is specifically identified by the State of Alaska in the grant document and coincides with the DUI National Enforcement Mobilization.

Approved by the Palmer City Council this ____ day of _____, 2020.

Edna B. DeVries, Mayor

Norma I. Alley, MMC, City Clerk



Notice to Proceed

State of Alaska, DOT & PF
 P.O. Box 112500
 Juneau, AK 99801-2500
 Ph: 907-465-4070
 Fx: 907-465-6984
dot.alaska.gov/highwaysafety

Grantee Name and Address: Palmer Police Department 423 S. Valley Way Palmer, AK 99645	Grant Title/ Short Description: FFY2020 High Visibility Enforcement DUI Events
---	---

Supplemental Agreements: Check all that apply.

Enforcement Agreement
 Law Enforcement Liaison Agreement

Action Requested:

New Setup
 Increase Funds
 Reduce Funds
 Closure (Decrease)

Revision of Funds: **Please provide explanation of funding change and budget breakdown.**

FUNDING SUMMARY			
Budgets Approved for this NTP			
Budget Category	Current Budget Totals	AHSO Increase (Decrease)	Revised Budget Totals
(100) Personnel Services	\$ -	\$ 17,640.00	\$ 17,640.00
(200) Travel & Per Diem	\$ -	\$ -	\$ -
(300) Contractual Services	\$ -	\$ 1,080.00	\$ 1,080.00
(400) Commodities	\$ -	\$ -	\$ -
(500) Equipment	\$ -	\$ -	\$ -
(Indirect Costs)	\$ -	\$ -	\$ -
TOTALS	\$ -	\$ 18,720.00	
TOTAL AMOUNT AUTHORIZED TO DATE			\$ 18,720.00

Explanation of Approved Grant Application & Activity Dates:
 New setup of FFY2020 DUI HVE OT funds. **Reimbursement for enforcement events may not exceed line item totals as noted in the Supplemental DUI Enforcement Agreement**

AHSO USE ONLY GRANT CODING			
Activities as outlined in the FFY 2020 Grant Application covering the period of:			10/1/19 through 9/30/20
<u>IRIS Program(AKSAS PJ)</u>	<input checked="" type="checkbox"/> IPO2 (RSA/Interagency)	AHSO Grant Number	
		405d M5HVE-20-01-FA(A)-10	
<u>IRIS Phase</u>	<input type="checkbox"/> GAE (EN/Non-Interagency)	NTP #:	1
TH405		Full Grant Amount:	\$ 18,720.00
<u>Activity Code(Pgm Code)</u>	<u>Accounting Template</u>	DUNS #:	037411071
289P	TPJ001	FAIN #:	18X92045D0AK
<u>Object Code (Account)</u>	<u>Task#</u>	<u>Vendor #</u>	CFDA # and Name
3112	STWS	CIP84644	20.616 National Priority Safety Programs

Grants Administrator Name: Tammy Kramer	Accounting Technician Name: N/A
<i>Tammy Kramer</i> 6/21/2020	
Signature _____ Date	Signature _____ Date

You may proceed with the activities for the Categories and specific Tasks enumerated above in the Funding Summary. Any activities beyond the written scope and/or any costs above the price estimate in our Agreement require prior AHSO approval and a Project Revision. Actual cost underrun of the Contract Amount for any Category shall not routinely accumulate for other Categories. AHSO reserves the right to retain or reallocate any remaining funds resulting from such cost underruns. Conditions to this agreement are as outlined in the "Agreement Conditions" Section 3 of the application for grant, **CONDITIONS ARE A PART OF THE PROJECT AGREEMENT AND, AS SUCH, ARE BINDING ON ALL PARTIES TO THE PROJECT AGREEMENT.**

This NTP is cumulative and supersedes all prior NTPs for this Agreement.

Issued for the Contracting Agency per ADOT&PF Policy #01.01.050 by AHSO Administrator: Tammy Kramer	Accepted for the Grantee by:
<i>Tammy Kramer</i> 6/21/2020	<i>[Signature]</i> 6/23/2020
Signature _____ Date	Signature _____ Date



Supplemental DUI Enforcement

State of Alaska, DOT & PF
P.O. Box 112500
Juneau, AK 99801-2500
Ph: 907-465-4070
Fx: 907-465-6984
dot.alaska.gov/highwaysafety

Grantee Name and Address: Palmer Police Department 423 S. Valley Way Palmer, Alaska 99645	Title/ Short Description: FFY2020 High Visibility Enforcement DUI Events
---	---

Action Requested New Setup Revision of Agreement: **Please provide change in the Enforcement Plan Breakdown.**

ACTUAL COST OF OVERTIME TO INCLUDE BENEFITS IS NOT TO EXCEED THE FOLLOWING AMOUNT INCLUDING VEHICLE USAGE	\$ 18,720.00
--	---------------------

Enforcement Plan Breakdown				
Enforcement Period	Budget of Time/Hours			Budget
	EXPENSE ITEMS	HOURS	AVERAGE HOURLY	
4th of July Weekend 18:00, 7/3/20 through 06:00, 7/6/20	Hours	20.00	\$ 98.00	\$ 1,960.00
	Vehicle Usage		\$ 6.00	\$ 120.00
Enforcement Period Total:				\$ 2,080.00
Labor Day Holiday Period 18:00, 8/14/20 through 06:00, 9/8/20	Hours	160.00	\$ 98.00	\$ 15,680.00
	Vehicle Usage		\$ 6.00	\$ 960.00
Enforcement Period Total:				\$ 16,640.00
	Hours		\$ -	\$ -
	Vehicle Usage	0.00	\$ -	\$ -
Enforcement Period Total:				\$ -
	Hours		\$ -	\$ -
	Vehicle Usage	0.00	\$ -	\$ -
Enforcement Period Total:				\$ -
Total Hours			\$ 17,640.00	
Total Vehicle Usage			\$ 1,080.00	
GRAND TOTAL of Enforcement Periods			\$ 18,720.00	

Purpose/Objectives: In order to reduce deaths and injuries caused by impaired drivers, the Grantee will conduct high-visibility DUI enforcement as detailed in the Alaska Strategic Enforcement Partnership Enforcement Plan submitted to the Alaska Highway Safety Office in April 2006. The **Palmer Police Department** agree to participate in the following enforcement blitzes from October 1, 2019 through September 30, 2020. As a guideline, a minimum of three (3) self-initiated contacts per hour funded with a 'desired outcome' of contacting as many violators as possible should be made. **Allowable use of funds is for overtime salary @ 1.5 times the normal rate, wages and benefits of commissioned personnel in direct support of operational activity.** To receive reimbursement for personnel services the department must provide activity sheets, overtime hours worked and the overtime hourly rates for each officer.

Agreement are as outlined above for FFY2020 Grant period of October 1, 2019 - Sep. 30, 2020.

Project Control DUI Enforcement Agreement Approved

Accepted for the Grantee by: Signature _____ Date 6/23/2020	Grants Administrator: Tammy Kramer Signature _____ Date 6/23/2020
--	--

You may proceed with the activities for the Categories and specific Tasks enumerated in the above Enforcement Agreement. Conditions to this agreement are as outlined in the "Agreement Conditions" **CONDITIONS ARE A PART OF THE PROJECT AGREEMENT AND, AS SUCH, ARE BINDING ON ALL PARTIES TO THE PROJECT AGREEMENT.**

This Enforcement Agreement is cumulative and supersedes all prior Enforcement Agreements.

The AHSO Administrator for this NTP is: Tammy Kramer
Issued for the Contracting Agency per ADOT&PF Policy #01.01.050 by: Tammy Kramer

Signature _____ Date 6/23/2020

Section 3: Agreement Certifications and Assurances

A. Contingent Upon Federal Funding: The award of grant funding is subject to the availability of Federal funding. The AHSO reserves the right to incrementally fund any awarded grant at any time during the grant period.

B. Match: The Subgrantee agency is expected to provide a local hard dollar match when funding for personnel is included in this Agreement. The local match is a minimum of 20 percent for all projects, unless an alternative percent is approved by AHSO. Funding identified by the Subgrantee to meet the “hard” match requirement shall not originate from other federal funds or be used as match for another federal program.

C. Nondiscrimination: The Subgrantee will comply with all Federal statutes and implementing regulations relating to nondiscrimination. These include but are not limited to:

- **Title VI of the Civil Rights Act of 1964** (42 U.S.C. 2000d *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin) and 49 CFR part 21;
- **The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970**, (42 U.S.C. 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- **Federal-Aid Highway Act of 1973**, (23 U.S.C. 324 *et seq.*), and **Title IX of the Education Amendments of 1972**, as amended (20 U.S.C. 1681-1683 and 1685-1686) (prohibit discrimination on the basis of sex);
- **Section 504 of the Rehabilitation Act of 1973**, (29 U.S.C. 794 *et seq.*), as amended, (prohibits discrimination on the basis of disability) and 49 CFR part 27;
- **The Age Discrimination Act of 1975**, as amended, (42 U.S.C. 6101 *et seq.*), (prohibits discrimination on the basis of age);
- **The Civil Rights Restoration Act of 1987**, (Pub. L. 100-209), (broadens scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal aid recipients, sub-recipients and contractors, whether such programs or activities are Federally-funded or not);
- **Titles II and III of the Americans with Disabilities Act** (42 U.S.C. 12131-12189) (prohibits discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing) and 49 CFR parts 37 and 38;
- **Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations** (prevents discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations); and
- **Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency** (guards against Title VI national origin discrimination/discrimination because of limited English proficiency (LEP) by ensuring that funding recipients take reasonable steps to ensure that LEP persons have meaningful access to programs (70 FR at 74087 to 74100).

D. Buy America: Subgrantee will comply with the Buy America requirement (23 U.S.C. 313) when purchasing items using Federal funds. Buy America requires subgrantee, to purchase only steel, iron and manufactured products produced in the United States with Federal funds, unless the Secretary of Transportation determines that such domestically produced items would be inconsistent with the public interest, that such materials are not reasonably available and of a satisfactory quality, or that inclusion of domestic materials will increase the cost of the overall project contract by more than 25 percent. In order to use Federal funds to purchase foreign produced items, the State must submit a waiver request that provides an adequate basis and justification to and approved by the Secretary of Transportation. All requests for such waivers shall be submitted to the Alaska Highway Safety Office (AHSO).

E. Property: State and Local Agencies and Other Non-State Subgrantees: Equipment and other property acquired under this Agreement for use in highway safety projects shall be used and kept in operation for highway safety purposes. State Agencies: Property management standards described in the “State Property Accounting Manual” will be used in accounting for equipment purchased under this Agreement. Local Agencies and Other Non-State Subgrantees: Standards for property management described in 49 CFR 18.32(c) through e) will be used in accounting for equipment purchased under this Agreement. The Applicant Agency shall seek disposition instructions from the AHSO prior to disposing of any item of equipment purchased under this project. Nothing in this Agreement shall prevent the Applicant Agency from following existing property management standards that exceed the requirements set out in 49 CFR 18.32(c) through (e).

F. Copyright: The AHSO and the U.S. Department of Transportation reserves a royalty-free, nonexclusive and irrevocable license to reproduce, publish or otherwise use, and to authorize others to use, for State or Federal government purposes: 1) the copyright in any work developed under a grant, sub grant, or contract under a grant or sub grant; and 2) any rights of copyright to which a grantee, sub grantee, or a contractor purchases ownership with grant support.

G. Subcontracts: Services performed, or materials provided, by a Subgrantee’s subcontractor shall align with the objectives and intent of the grant agreement. The AHSO will not reimburse for work performed by any subcontractor until a copy of the subcontract is reviewed by the AHSO and deemed to meet the objectives of the grant agreement.

H. Procurement Standards: Subgrantees will use their own procurement procedures which reflect applicable State and local laws and regulations, provided that the procurements conform to applicable Federal law and the standards identified in 49 CFR 18.36.

I. Progress Reports: The Subgrantee agency shall submit quarterly narrative progress reports by mail or electronically which must include an update on grant performance measures, by the **15th of the month** following the end of each calendar quarter and an annual evaluation report by **November 15th** during the life of the project. Reimbursement claims will be held until the corresponding quarterly reports and/or annual report has been received and approved.

J. Financial Reports: The Subgrantee agency certifies it has an accounting system capable of properly accounting for expenditures made under this project. Claims for costs incurred must be submitted on a monthly basis, by the **15th of the end of the previous month**. Claims must be accompanied by supporting documentation which may be submitted by mail or electronically. Original copies of all supporting documentation submitted electronically must be kept in the Subgrantee agency’s grant project file for at least three years after the end date of the grant.

K. News Releases: The AHSO encourages Subgrantee agencies to publicize the Highway Safety project award. The “Alaska Highway Safety Office” shall be named as the granting agency in any news releases announcing the project award. Any subsequent news releases written by the Subgrantee agency regarding the project and related activity shall mention the “Alaska Highway Safety Office”.

L. Highway Safety Tag: The “Alaska Highway Safety Office” shall be identified as the sponsor or co-sponsor in any public information materials developed under a highway safety project. This requirement includes public service announcements on radio and television, newspaper advertisements, pamphlets and brochures, and promotional “giveaways” such as bumper stickers, key chains, etc. Promotional items must include both AHSO and Alaska’s “*Target Zero*” logo or wording to support the Alaska Strategic Highway Safety Plan as well as the type or national/state slogan of the current national or state driver behavior program: Impaired Driving, Occupant Protection, Traffic Records, Motorcycle Safety, etc. Examples of a national program include “*Click It Or Ticket*”, and “*Drive Sober Or Get Pulled Over*”.

M. Record Retention: All financial and programmatic records, supporting documents, statistical records, and other records of the Subgrantee agency which are required to be maintained by the terms of 49 CFR 18.42 and other records reasonably considered as pertinent to program regulations or the project agreement must be retained for a period of three years after submittal of the final claim. Additional record retention requirements may be found in 49 CFR 18.42 and are incorporated and made part of this Agreement by reference. The AHSO and the Comptroller General of the United States, or any of their authorized representatives, shall have the right of access to any pertinent books, documents, papers, or other records of Subgrantees which are pertinent to the grant, in order to make audits, examinations, excerpts, and transcripts.

N. Enforcement: If the Subgrantee agency materially fails to comply with any term of this Agreement, the AHSO may take one or more of the actions listed in 49 CFR 18.43(a)(1) through (5), as appropriate in the circumstances. Additional provisions for enforcement are listed in 49 CFR 18.45(b) through (d).

O. Termination for Convenience: Except as provided in 49 CFR 18.43, this Agreement may be terminated in whole or in part only as follows: a) by the AHSO with the consent of the Subgrantee agency, in which case the two parties shall agree upon the termination conditions, including the effective date, and, in the case of partial termination, the portion to be terminated, or b) by the Subgrantee agency upon written notification to the AHSO, setting forth the reasons for such termination, the effective date, and, in the case of partial termination, the portion to be terminated. If, however, in the case of a partial termination, the AHSO determines that the remaining portion of this Agreement will not accomplish the purposes for which the award was made, the AHSO may terminate the Agreement in its entirety under either 49 CFR 18.43 or paragraph a) of this section.

P. Audit: The Subgrantee agency agrees to arrange for a financial and compliance audit as required under the Single Audit Act of 1984 and to provide a copy of the final audit report to the AHSO upon request. The CFDA (Catalog of Federal Domestic Assistance) number of the State and Community Highway Safety Program is 20.600-20.613. The financial agency responsible for arranging for the audit shall be advised by the Subgrantee agency of this number.

R. Laws of Alaska: This Agreement shall be governed in all respects by the laws of the State of Alaska.

S. Limited English Proficient Persons (LEP) Guidance: Two Federal authorities, Title VI of the Civil Rights Act of 1964 and the Presidential Executive Order (EO) 13166, Improving Access to Services for Persons with Limited English Proficiency, require the ADOT&PF to provide LEP persons with meaningful access to programs, activities and services. To fully implement Title VI and EO 13166, the U.S. DOT published guidance to its recipients of Federal assistance on December 14, 2005 in the Federal Register. ADOT&PF is required to take reasonable steps to ensure meaningful access to their programs and activities by LEP persons. If you have any questions, please contact the Civil Right Manager, at 907 269-0850.

T. Political Activity (Hatch Act): The Subgrantee will comply with provisions of the Hatch Act (5 U.S.C. 1501-1508), which limits the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

U. Prohibition On Using Grant Funds to Check For Helmet Usage: The Subgrantee agency will not use 23 U.S.C. Chapter 4 grant funds programs to check helmet usage or create checkpoints that specially target motorcyclist.

Signature of Subgrantee Project Manager: _____ **Date:** _____

Section 4: Certification Regarding Debarment and Suspension

1. By signing and submitting this proposal, the prospective primary participant is providing the certification set out below and agrees to comply with the requirements of 2 CFR Parts 180 and 1300.
2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.
3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default or may pursue suspension or debarment.
4. The prospective primary participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary participant learns its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
5. The terms *covered transaction, debarment, suspension, ineligible, lower tier, participant, person, primary tier, principal, and voluntarily excluded*, as used in this clause, have the meaning set out in the Definitions and coverage sections of 2 CFR Part 180. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.
6. The prospective primary participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by NHTSA.
7. The prospective primary participant further agrees by submitting this proposal that it will include the clause titled "Instructions for Lower Tier Certification" including the "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion—Lower Tier Covered Transaction," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 CFR Parts 180 and 1300.
8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the list of Parties Excluded from Federal Procurement and Non-procurement Programs.

9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, the department or agency may disallow costs, annul or terminate the transaction, issue a stop work order, debar or suspend you, or take other remedies as appropriate.

Certification Regarding Debarment, Suspension, and Other Responsibility Matters-Primary Covered Transactions

- (1) The prospective primary participant certifies to the best of its knowledge and belief, that its principals:
- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or agency;
 - (b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of record, making false statements, or receiving stolen property;
 - (c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or Local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
 - (d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.
- (2) Where the prospective primary participant is unable to certify to any of the Statements in this certification, such prospective participant shall attach an explanation to this proposal.

Instructions for Lower Tier Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below and agrees to comply with the requirements of 2 CFR Parts 180 and 1300.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
4. The terms *covered transaction, debarment, suspension, ineligible, lower tier, participant, person, primary tier, principal, and voluntarily excluded*, as used in this clause, have the meanings set out in the Definition and Coverage sections of 2 CFR Part 180. You may contact the person to whom this proposal is submitted for assistance in obtaining a copy of those regulations.

5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by NHTSA.

6. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled "Instructions for Lower Tier Certification" including the "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 CFR Parts 180 and 1300.

7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Non-procurement Programs.

8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, the department or agency with which this transaction originated may disallow costs, annul or terminate the transaction, issue a stop work order, debar or suspend you, or take other remedies as appropriate.

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion -- Lower Tier Covered Transactions:

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Signature of Subgrantee Project Manager: _____ **Date:** _____

Section 5: Certification Regarding Federal Lobbying

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
3. The undersigned shall require that the language of this certification be included in the award documents for all sub-award at all tiers (including subcontracts, subgrants, and contracts under grant, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

RESTRICTION ON STATE LOBBYING

None of the funds under this program will be used for any activity specifically designed to urge or influence a State or local legislator to favor or oppose the adoption of any specific legislative proposal pending before any State or local legislative body. Such activities include both direct and indirect (e.g., "grassroots") lobbying activities, with one exception. This does not preclude a State official whose salary is supported with NHTSA funds from engaging in direct communications with State or local legislative officials, in accordance with customary State practice, even if such communications urge legislative officials to favor or oppose the adoption of a specific pending legislative proposal.

Signature of Subgrantee Project Manager: _____ **Date:** _____