

Mayor Edna B. DeVries  
Deputy Mayor Linda Combs  
Council Member Julie Berberich  
Council Member Richard W. Best  
Council Member Steve Carrington  
Council Member Sabrena Combs  
Council Member Jill Valerius

City Attorney Michael Gatti  
City Clerk Norma I. Alley, MMC  
City Manager Brad Hanson

**City of Palmer, Alaska**  
**City Council Meeting**  
**May 26, 2020, at 7:00 PM**  
City Council Chambers  
231 W. Evergreen Avenue, Palmer  
[www.palmerak.org](http://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. 20-043:** Acknowledgement of all Federal Grant Assurances as it Relates to the Federal Aviation Administration’s Airport Improvement Program ..... Page 3

### **E. COMMUNICATIONS AND APPEARANCE REQUESTS**

1. Presentation by Planning and Zoning Commission Chair Richard Benedetto ..... Page 29

### **F. REPORTS**

1. City Manager’s Report ..... Page 35
2. City Clerk’s Report
3. Mayor’s Report ..... Page 39
4. City Attorney’s Report

### **G. AUDIENCE PARTICIPATION**

### **H. PUBLIC HEARING**

1. **Resolution No. 20-013:** Authorizing the City Manager to Accept and Appropriate the 2020 State of Alaska High Visibility Click It or Ticket Enforcement Grant in the Amount of \$12,480.00 to be used for High Visibility Seatbelt Enforcement Activities by the Palmer Police Department..... Page 41

### **I. NEW BUSINESS**

1. **Resolution No. 20-014:** Authorizing the City Manager to Suspend Certain Fees and Fines From the 2020 Fees and Fines Schedules Due to COVID-19 Public Health Disaster Emergency ..... Page 55
2. **Resolution No. 20-015:** Authorizing the City Manager to Accept Coronavirus Relief Funds in the Amount of \$7,566,546.24 for Costs that are for Necessary Expenditures Incurred Due to the Public Health Emergency with Respect to Coronavirus Disease 2019 (COVID-19) from the Alaska Department of Commerce, Community, and Economic Development..... Page 59
3. **Action Memorandum No. 20-044:** Directing the City Manager to Notify the State of Alaska of the City Council’s Statement of Non-Objection to Liquor License No. 5566 for Matanuska Brewing Company ..... Page 63

### **J. RECORD OF ITEMS PLACED ON THE TABLE**

### **K. AUDIENCE PARTICIPATION**

**L. COUNCIL COMMENTS**

**M. ADJOURNMENT**

**Tentative Future Palmer City Council Meetings**

<b>Meeting Date</b>	<b>Meeting Type</b>	<b>Time</b>	<b>Notes</b>
<b>Jun 9</b>	Regular	7 pm	
<b>Jun 23</b>	Regular	7 pm	
<b>Jul 14</b>	Regular	7 pm	
<b>Jul 28</b>	Regular	7 pm	
<b>Aug 11</b>	Regular	7 pm	AML Summer Conf. 11-13 Last Day to Adopt Ballot Measures
<b>Aug 25</b>	Regular	7 pm	

**City of Palmer  
Action Memorandum No. 20-043**

**Subject:** Acknowledgement of All Federal Grant Assurances as it Relates to the Federal Aviation Administration's Airport Improvement Program

**Agenda of:** May 26, 2020

**Council Action:**     **Approved**                       **Amended:** \_\_\_\_\_  
                                   **Defeated**


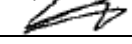

**Originator Information:**

**Originator:**    City Manager

**Department Review:**

<b>Route to:</b>	<b>Department Director:</b>	<b>Signature:</b>	<b>Date:</b>
_____	Community Development	_____	_____
_____	Finance	_____	_____
_____	Fire	_____	_____
_____	Police	_____	_____
_____	Public Works	_____	_____

**Approved for Presentation By:**

	<b>Signature:</b>	<b>Remarks:</b>
City Manager	<u></u>	_____
City Attorney	<u></u>	_____
City Clerk	<u></u>	_____

**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):**

- FAA Grant Assurances

**Summary Statement/Background:**

Since March 31, 1950, the City of Palmer has applied for and received federal grant monies pertaining to airport improvement projects. Each federal grant award received, has presumably contained grant obligations and assurances as promulgated prior to the time of the award and into perpetuity that has obligated the City then, now and into the future to those federal grant obligations and assurances.

This action is to acknowledge the grant assurances by city council for FAA grants.

**Administration's Recommendation:**

To approve Action Memorandum No. 20-043

## ASSURANCES

### AIRPORT SPONSORS

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#### A. General.

- a. These assurances shall be complied with in the performance of grant agreements for airport development, airport planning, and noise compatibility program grants for airport sponsors.
- b. These assurances are required to be submitted as part of the project application by sponsors requesting funds under the provisions of Title 49, U.S.C., subtitle VII, as amended. As used herein, the term "public agency sponsor" means a public agency with control of a public-use airport; the term "private sponsor" means a private owner of a public-use airport; and the term "sponsor" includes both public agency sponsors and private sponsors.
- c. Upon acceptance of this grant offer by the sponsor, these assurances are incorporated in and become part of this grant agreement.

#### B. Duration and Applicability.

##### 1. Airport development or Noise Compatibility Program Projects Undertaken by a Public Agency Sponsor.

The terms, conditions and assurances of this grant agreement shall remain in full force and effect throughout the useful life of the facilities developed or equipment acquired for an airport development or noise compatibility program project, or throughout the useful life of the project items installed within a facility under a noise compatibility program project, but in any event not to exceed twenty (20) years from the date of acceptance of a grant offer of Federal funds for the project. However, there shall be no limit on the duration of the assurances regarding Exclusive Rights and Airport Revenue so long as the airport is used as an airport. There shall be no limit on the duration of the terms, conditions, and assurances with respect to real property acquired with federal funds. Furthermore, the duration of the Civil Rights assurance shall be specified in the assurances.

##### 2. Airport Development or Noise Compatibility Projects Undertaken by a Private Sponsor.

The preceding paragraph 1 also applies to a private sponsor except that the useful life of project items installed within a facility or the useful life of the facilities developed or equipment acquired under an airport development or noise compatibility program project shall be no less than ten (10) years from the date of acceptance of Federal aid for the project.

##### 3. Airport Planning Undertaken by a Sponsor.

Unless otherwise specified in this grant agreement, only Assurances 1, 2, 3, 5, 6, 13, 18, 25, 30, 32, 33, and 34 in Section C apply to planning projects. The terms, conditions, and assurances of this grant agreement shall remain in full force and effect during the life of the project; there shall be no limit on the duration of the assurances regarding Exclusive Rights and Airport Revenue so long as the airport is used as an airport.

#### C. Sponsor Certification.

The sponsor hereby assures and certifies, with respect to this grant that:

##### 1. General Federal Requirements.

It will comply with all applicable Federal laws, regulations, executive orders, policies, guidelines, and requirements as they relate to the application, acceptance and use of Federal funds for this project including but not limited to the following:

**FEDERAL LEGISLATION**

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- a. Title 49, U.S.C., subtitle VII, as amended.
- b. Davis-Bacon Act - 40 U.S.C. 276(a), et seq.<sup>1</sup>
- c. Federal Fair Labor Standards Act - 29 U.S.C. 201, et seq.
- d. Hatch Act – 5 U.S.C. 1501, et seq.<sup>2</sup>
- e. Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 Title 42 U.S.C. 4601, et seq.<sup>1,2</sup>
- f. National Historic Preservation Act of 1966 - Section 106 - 16 U.S.C. 470(f).<sup>1</sup>
- g. Archeological and Historic Preservation Act of 1974 - 16 U.S.C. 469 through 469c.<sup>1</sup>
- h. Native Americans Grave Repatriation Act - 25 U.S.C. Section 3001, et seq.
- i. Clean Air Act, P.L. 90-148, as amended.
- j. Coastal Zone Management Act, P.L. 93-205, as amended.
- k. Flood Disaster Protection Act of 1973 - Section 102(a) - 42 U.S.C. 4012a.<sup>1</sup>
- l. Title 49, U.S.C., Section 303, (formerly known as Section 4(f))
- m. Rehabilitation Act of 1973 - 29 U.S.C. 794.
- n. 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);
- o. Americans with Disabilities Act of 1990, as amended, (42 U.S.C. § 12101 et seq.), prohibits discrimination on the basis of disability).
- p. Age Discrimination Act of 1975 - 42 U.S.C. 6101, et seq.
- q. American Indian Religious Freedom Act, P.L. 95-341, as amended.
- r. Architectural Barriers Act of 1968 -42 U.S.C. 4151, et seq.<sup>1</sup>
- s. Power plant and Industrial Fuel Use Act of 1978 - Section 403- 2 U.S.C. 8373.<sup>1</sup>
- t. Contract Work Hours and Safety Standards Act - 40 U.S.C. 327, et seq.<sup>1</sup>
- u. Copeland Anti-kickback Act - 18 U.S.C. 874.1
- v. National Environmental Policy Act of 1969 - 42 U.S.C. 4321, et seq.<sup>1</sup>
- w. Wild and Scenic Rivers Act, P.L. 90-542, as amended.
- x. Single Audit Act of 1984 - 31 U.S.C. 7501, et seq.<sup>2</sup>
- y. Drug-Free Workplace Act of 1988 - 41 U.S.C. 702 through 706.
- z. The Federal Funding Accountability and Transparency Act of 2006, as amended (Pub. L. 109-282, as amended by section 6202 of Pub. L. 110-252).

**EXECUTIVE ORDERS**

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- a. Executive Order 11246 - Equal Employment Opportunity<sup>1</sup>
- b. Executive Order 11990 - Protection of Wetlands
- c. Executive Order 11998 –Flood Plain Management

- d. Executive Order 12372 - Intergovernmental Review of Federal Programs
- e. Executive Order 12699 - Seismic Safety of Federal and Federally Assisted New Building Construction<sup>1</sup>
- f. Executive Order 12898 - Environmental Justice

#### **FEDERAL REGULATIONS**

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- a. 2 CFR Part 180 - OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement).
- b. 2 CFR Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards. [OMB Circular A-87 Cost Principles Applicable to Grants and Contracts with State and Local Governments, and OMB Circular A-133 - Audits of States, Local Governments, and Non-Profit Organizations].<sup>4, 5, 6</sup>
- c. 2 CFR Part 1200 – Nonprocurement Suspension and Debarment
- d. 14 CFR Part 13 - Investigative and Enforcement Procedures 14 CFR Part 16 - Rules of Practice For Federally Assisted Airport Enforcement Proceedings.
- e. 14 CFR Part 150 - Airport noise compatibility planning.
- f. 28 CFR Part 35- Discrimination on the Basis of Disability in State and Local Government Services.
- g. 28 CFR § 50.3 - U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964.
- h. 29 CFR Part 1 - Procedures for predetermination of wage rates.<sup>1</sup>
- i. 29 CFR Part 3 - Contractors and subcontractors on public building or public work financed in whole or part by loans or grants from the United States.<sup>1</sup>
- j. 29 CFR Part 5 - Labor standards provisions applicable to contracts covering federally financed and assisted construction (also labor standards provisions applicable to non-construction contracts subject to the Contract Work Hours and Safety Standards Act).<sup>1</sup>
- k. 41 CFR Part 60 - Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor (Federal and federally assisted contracting requirements).<sup>1</sup>
- l. 49 CFR Part 18 - Uniform administrative requirements for grants and cooperative agreements to state and local governments.<sup>3</sup>
- m. 49 CFR Part 20 - New restrictions on lobbying.
- n. 49 CFR Part 21 – Nondiscrimination in federally-assisted programs of the Department of Transportation - effectuation of Title VI of the Civil Rights Act of 1964.
- o. 49 CFR Part 23 - Participation by Disadvantage Business Enterprise in Airport Concessions.
- p. 49 CFR Part 24 – Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally Assisted Programs.<sup>1,2</sup>
- q. 49 CFR Part 26 – Participation by Disadvantaged Business Enterprises in Department of Transportation Programs.
- r. 49 CFR Part 27 – Nondiscrimination on the Basis of Handicap in Programs and Activities Receiving or Benefiting from Federal Financial Assistance.<sup>1</sup>

- s. 49 CFR Part 28 –Enforcement of Nondiscrimination on the Basis of Handicap in Programs or Activities conducted by the Department of Transportation.
- t. 49 CFR Part 30 - Denial of public works contracts to suppliers of goods and services of countries that deny procurement market access to U.S. contractors.
- u. 49 CFR Part 32 –Governmentwide Requirements for Drug-Free Workplace (Financial Assistance)
- v. 49 CFR Part 37 –Transportation Services for Individuals with Disabilities (ADA).
- w. 49 CFR Part 41 - Seismic safety of Federal and federally assisted or regulated new building construction.

### **SPECIFIC ASSURANCES**

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Specific assurances required to be included in grant agreements by any of the above laws, regulations or circulars are incorporated by reference in this grant agreement.

### **FOOTNOTES TO ASSURANCE C.1.**

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- <sup>1</sup> These laws do not apply to airport planning sponsors.
- <sup>2</sup> These laws do not apply to private sponsors.
- <sup>3</sup> 49 CFR Part 18 and 2 CFR Part 200 contain requirements for State and Local Governments receiving Federal assistance. Any requirement levied upon State and Local Governments by this regulation and circular shall also be applicable to private sponsors receiving Federal assistance under Title 49, United States Code.
- <sup>4</sup> On December 26, 2013 at 78 FR 78590, the Office of Management and Budget (OMB) issued the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards in 2 CFR Part 200. 2 CFR Part 200 replaces and combines the former Uniform Administrative Requirements for Grants (OMB Circular A-102 and Circular A-110 or 2 CFR Part 215 or Circular) as well as the Cost Principles (Circulars A-21 or 2 CFR part 220; Circular A-87 or 2 CFR part 225; and A-122, 2 CFR part 230). Additionally it replaces Circular A-133 guidance on the Single Annual Audit. In accordance with 2 CFR section 200.110, the standards set forth in Part 200 which affect administration of Federal awards issued by Federal agencies become effective once implemented by Federal agencies or when any future amendment to this Part becomes final. Federal agencies, including the Department of Transportation, must implement the policies and procedures applicable to Federal awards by promulgating a regulation to be effective by December 26, 2014 unless different provisions are required by statute or approved by OMB.
- <sup>5</sup> Cost principles established in 2 CFR part 200 subpart E must be used as guidelines for determining the eligibility of specific types of expenses.
- <sup>6</sup> Audit requirements established in 2 CFR part 200 subpart F are the guidelines for audits.

#### **2. Responsibility and Authority of the Sponsor.**

##### **a. Public Agency Sponsor:**

It has legal authority to apply for this grant, and to finance and carry out the proposed project; that a resolution, motion or similar action has been duly adopted or passed as an official act of the applicant's governing body authorizing the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.

##### **b. Private Sponsor:**



It has legal authority to apply for this grant and to finance and carry out the proposed project and comply with all terms, conditions, and assurances of this grant agreement. It shall designate an official representative and shall in writing direct and authorize that person to file this application, including all understandings and assurances contained therein; to act in connection with this application; and to provide such additional information as may be required.

**3. Sponsor Fund Availability.**

It has sufficient funds available for that portion of the project costs which are not to be paid by the United States. It has sufficient funds available to assure operation and maintenance of items funded under this grant agreement which it will own or control.

**4. Good Title.**

- a. It, a public agency or the Federal government, holds good title, satisfactory to the Secretary, to the landing area of the airport or site thereof, or will give assurance satisfactory to the Secretary that good title will be acquired.
- b. For noise compatibility program projects to be carried out on the property of the sponsor, it holds good title satisfactory to the Secretary to that portion of the property upon which Federal funds will be expended or will give assurance to the Secretary that good title will be obtained.

**5. Preserving Rights and Powers.**

- a. It will not take or permit any action which would operate to deprive it of any of the rights and powers necessary to perform any or all of the terms, conditions, and assurances in this grant agreement without the written approval of the Secretary, and will act promptly to acquire, extinguish or modify any outstanding rights or claims of right of others which would interfere with such performance by the sponsor. This shall be done in a manner acceptable to the Secretary.
- b. It will not sell, lease, encumber, or otherwise transfer or dispose of any part of its title or other interests in the property shown on Exhibit A to this application or, for a noise compatibility program project, that portion of the property upon which Federal funds have been expended, for the duration of the terms, conditions, and assurances in this grant agreement without approval by the Secretary. If the transferee is found by the Secretary to be eligible under Title 49, United States Code, to assume the obligations of this grant agreement and to have the power, authority, and financial resources to carry out all such obligations, the sponsor shall insert in the contract or document transferring or disposing of the sponsor's interest, and make binding upon the transferee all of the terms, conditions, and assurances contained in this grant agreement.
- c. For all noise compatibility program projects which are to be carried out by another unit of local government or are on property owned by a unit of local government other than the sponsor, it will enter into an agreement with that government. Except as otherwise specified by the Secretary, that agreement shall obligate that government to the same terms, conditions, and assurances that would be applicable to it if it applied directly to the FAA for a grant to undertake the noise compatibility program project. That agreement and changes thereto must be satisfactory to the Secretary. It will take steps to enforce this agreement against the local government if there is substantial non-compliance with the terms of the agreement.

- d. For noise compatibility program projects to be carried out on privately owned property, it will enter into an agreement with the owner of that property which includes provisions specified by the Secretary. It will take steps to enforce this agreement against the property owner whenever there is substantial non-compliance with the terms of the agreement.
- e. If the sponsor is a private sponsor, it will take steps satisfactory to the Secretary to ensure that the airport will continue to function as a public-use airport in accordance with these assurances for the duration of these assurances.
- f. If an arrangement is made for management and operation of the airport by any agency or person other than the sponsor or an employee of the sponsor, the sponsor will reserve sufficient rights and authority to insure that the airport will be operated and maintained in accordance Title 49, United States Code, the regulations and the terms, conditions and assurances in this grant agreement and shall insure that such arrangement also requires compliance therewith.
- g. Sponsors of commercial service airports will not permit or enter into any arrangement that results in permission for the owner or tenant of a property used as a residence, or zoned for residential use, to taxi an aircraft between that property and any location on airport. Sponsors of general aviation airports entering into any arrangement that results in permission for the owner of residential real property adjacent to or near the airport must comply with the requirements of Sec. 136 of Public Law 112-95 and the sponsor assurances.

**6. Consistency with Local Plans.**

The project is reasonably consistent with plans (existing at the time of submission of this application) of public agencies that are authorized by the State in which the project is located to plan for the development of the area surrounding the airport.

**7. Consideration of Local Interest.**

It has given fair consideration to the interest of communities in or near where the project may be located.

**8. Consultation with Users.**

In making a decision to undertake any airport development project under Title 49, United States Code, it has undertaken reasonable consultations with affected parties using the airport at which project is proposed.

**9. Public Hearings.**

In projects involving the location of an airport, an airport runway, or a major runway extension, it has afforded the opportunity for public hearings for the purpose of considering the economic, social, and environmental effects of the airport or runway location and its consistency with goals and objectives of such planning as has been carried out by the community and it shall, when requested by the Secretary, submit a copy of the transcript of such hearings to the Secretary. Further, for such projects, it has on its management board either voting representation from the communities where the project is located or has advised the communities that they have the right to petition the Secretary concerning a proposed project.

**10. Metropolitan Planning Organization.**

In projects involving the location of an airport, an airport runway, or a major runway extension at a medium or large hub airport, the sponsor has made available to and has provided upon request to the metropolitan planning organization in the area in which the airport is located, if any, a copy

of the proposed amendment to the airport layout plan to depict the project and a copy of any airport master plan in which the project is described or depicted.

**11. Pavement Preventive Maintenance.**

With respect to a project approved after January 1, 1995, for the replacement or reconstruction of pavement at the airport, it assures or certifies that it has implemented an effective airport pavement maintenance-management program and it assures that it will use such program for the useful life of any pavement constructed, reconstructed or repaired with Federal financial assistance at the airport. It will provide such reports on pavement condition and pavement management programs as the Secretary determines may be useful.

**12. Terminal Development Prerequisites.**

For projects which include terminal development at a public use airport, as defined in Title 49, it has, on the date of submittal of the project grant application, all the safety equipment required for certification of such airport under section 44706 of Title 49, United States Code, and all the security equipment required by rule or regulation, and has provided for access to the passenger enplaning and deplaning area of such airport to passengers enplaning and deplaning from aircraft other than air carrier aircraft.

**13. Accounting System, Audit, and Record Keeping Requirements.**

- a. It shall keep all project accounts and records which fully disclose the amount and disposition by the recipient of the proceeds of this grant, the total cost of the project in connection with which this grant is given or used, and the amount or nature of that portion of the cost of the project supplied by other sources, and such other financial records pertinent to the project. The accounts and records shall be kept in accordance with an accounting system that will facilitate an effective audit in accordance with the Single Audit Act of 1984.
- b. It shall make available to the Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, for the purpose of audit and examination, any books, documents, papers, and records of the recipient that are pertinent to this grant. The Secretary may require that an appropriate audit be conducted by a recipient. In any case in which an independent audit is made of the accounts of a sponsor relating to the disposition of the proceeds of a grant or relating to the project in connection with which this grant was given or used, it shall file a certified copy of such audit with the Comptroller General of the United States not later than six (6) months following the close of the fiscal year for which the audit was made.

**14. Minimum Wage Rates.**

It shall include, in all contracts in excess of \$2,000 for work on any projects funded under this grant agreement which involve labor, provisions establishing minimum rates of wages, to be predetermined by the Secretary of Labor, in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a-276a-5), which contractors shall pay to skilled and unskilled labor, and such minimum rates shall be stated in the invitation for bids and shall be included in proposals or bids for the work.

**15. Veteran's Preference.**

It shall include in all contracts for work on any project funded under this grant agreement which involve labor, such provisions as are necessary to insure that, in the employment of labor (except in executive, administrative, and supervisory positions), preference shall be given to Vietnam era veterans, Persian Gulf veterans, Afghanistan-Iraq war veterans, disabled veterans, and small business concerns owned and controlled by disabled veterans as defined in Section 47112 of Title

49, United States Code. However, this preference shall apply only where the individuals are available and qualified to perform the work to which the employment relates.

**16. Conformity to Plans and Specifications.**

It will execute the project subject to plans, specifications, and schedules approved by the Secretary. Such plans, specifications, and schedules shall be submitted to the Secretary prior to commencement of site preparation, construction, or other performance under this grant agreement, and, upon approval of the Secretary, shall be incorporated into this grant agreement. Any modification to the approved plans, specifications, and schedules shall also be subject to approval of the Secretary, and incorporated into this grant agreement.

**17. Construction Inspection and Approval.**

It will provide and maintain competent technical supervision at the construction site throughout the project to assure that the work conforms to the plans, specifications, and schedules approved by the Secretary for the project. It shall subject the construction work on any project contained in an approved project application to inspection and approval by the Secretary and such work shall be in accordance with regulations and procedures prescribed by the Secretary. Such regulations and procedures shall require such cost and progress reporting by the sponsor or sponsors of such project as the Secretary shall deem necessary.

**18. Planning Projects.**

In carrying out planning projects:

- a. It will execute the project in accordance with the approved program narrative contained in the project application or with the modifications similarly approved.
- b. It will furnish the Secretary with such periodic reports as required pertaining to the planning project and planning work activities.
- c. It will include in all published material prepared in connection with the planning project a notice that the material was prepared under a grant provided by the United States.
- d. It will make such material available for examination by the public, and agrees that no material prepared with funds under this project shall be subject to copyright in the United States or any other country.
- e. It will give the Secretary unrestricted authority to publish, disclose, distribute, and otherwise use any of the material prepared in connection with this grant.
- f. It will grant the Secretary the right to disapprove the sponsor's employment of specific consultants and their subcontractors to do all or any part of this project as well as the right to disapprove the proposed scope and cost of professional services.
- g. It will grant the Secretary the right to disapprove the use of the sponsor's employees to do all or any part of the project.
- h. It understands and agrees that the Secretary's approval of this project grant or the Secretary's approval of any planning material developed as part of this grant does not constitute or imply any assurance or commitment on the part of the Secretary to approve any pending or future application for a Federal airport grant.

**19. Operation and Maintenance.**

- a. The airport and all facilities which are necessary to serve the aeronautical users of the airport, other than facilities owned or controlled by the United States, shall be operated at all times in a safe and serviceable condition and in accordance with the minimum standards as may be

required or prescribed by applicable Federal, state and local agencies for maintenance and operation. It will not cause or permit any activity or action thereon which would interfere with its use for airport purposes. It will suitably operate and maintain the airport and all facilities thereon or connected therewith, with due regard to climatic and flood conditions. Any proposal to temporarily close the airport for non-aeronautical purposes must first be approved by the Secretary. In furtherance of this assurance, the sponsor will have in effect arrangements for-

- 1) Operating the airport's aeronautical facilities whenever required;
  - 2) Promptly marking and lighting hazards resulting from airport conditions, including temporary conditions; and
  - 3) Promptly notifying airmen of any condition affecting aeronautical use of the airport. Nothing contained herein shall be construed to require that the airport be operated for aeronautical use during temporary periods when snow, flood or other climatic conditions interfere with such operation and maintenance. Further, nothing herein shall be construed as requiring the maintenance, repair, restoration, or replacement of any structure or facility which is substantially damaged or destroyed due to an act of God or other condition or circumstance beyond the control of the sponsor.
- b. It will suitably operate and maintain noise compatibility program items that it owns or controls upon which Federal funds have been expended.

#### 20. Hazard Removal and Mitigation.

It will take appropriate action to assure that such terminal airspace as is required to protect instrument and visual operations to the airport (including established minimum flight altitudes) will be adequately cleared and protected by removing, lowering, relocating, marking, or lighting or otherwise mitigating existing airport hazards and by preventing the establishment or creation of future airport hazards.

#### 21. Compatible Land Use.

It will take appropriate action, to the extent reasonable, including the adoption of zoning laws, to restrict the use of land adjacent to or in the immediate vicinity of the airport to activities and purposes compatible with normal airport operations, including landing and takeoff of aircraft. In addition, if the project is for noise compatibility program implementation, it will not cause or permit any change in land use, within its jurisdiction, that will reduce its compatibility, with respect to the airport, of the noise compatibility program measures upon which Federal funds have been expended.

#### 22. Economic Nondiscrimination.

- a. It will make the airport available as an airport for public use on reasonable terms and without unjust discrimination to all types, kinds and classes of aeronautical activities, including commercial aeronautical activities offering services to the public at the airport.
- b. In any agreement, contract, lease, or other arrangement under which a right or privilege at the airport is granted to any person, firm, or corporation to conduct or to engage in any aeronautical activity for furnishing services to the public at the airport, the sponsor will insert and enforce provisions requiring the contractor to-
  - 1) furnish said services on a reasonable, and not unjustly discriminatory, basis to all users thereof, and
  - 2) charge reasonable, and not unjustly discriminatory, prices for each unit or service,

provided that the contractor may be allowed to make reasonable and nondiscriminatory discounts, rebates, or other similar types of price reductions to volume purchasers.

- a.) Each fixed-based operator at the airport shall be subject to the same rates, fees, rentals, and other charges as are uniformly applicable to all other fixed-based operators making the same or similar uses of such airport and utilizing the same or similar facilities.
- b.) Each air carrier using such airport shall have the right to service itself or to use any fixed-based operator that is authorized or permitted by the airport to serve any air carrier at such airport.
- c.) Each air carrier using such airport (whether as a tenant, non-tenant, or subtenant of another air carrier tenant) shall be subject to such nondiscriminatory and substantially comparable rules, regulations, conditions, rates, fees, rentals, and other charges with respect to facilities directly and substantially related to providing air transportation as are applicable to all such air carriers which make similar use of such airport and utilize similar facilities, subject to reasonable classifications such as tenants or non-tenants and signatory carriers and non-signatory carriers. Classification or status as tenant or signatory shall not be unreasonably withheld by any airport provided an air carrier assumes obligations substantially similar to those already imposed on air carriers in such classification or status.
- d.) It will not exercise or grant any right or privilege which operates to prevent any person, firm, or corporation operating aircraft on the airport from performing any services on its own aircraft with its own employees [including, but not limited to maintenance, repair, and fueling] that it may choose to perform.
- e.) In the event the sponsor itself exercises any of the rights and privileges referred to in this assurance, the services involved will be provided on the same conditions as would apply to the furnishing of such services by commercial aeronautical service providers authorized by the sponsor under these provisions.
- f.) The sponsor may establish such reasonable, and not unjustly discriminatory, conditions to be met by all users of the airport as may be necessary for the safe and efficient operation of the airport.
- g.) The sponsor may prohibit or limit any given type, kind or class of aeronautical use of the airport if such action is necessary for the safe operation of the airport or necessary to serve the civil aviation needs of the public.

### 23. Exclusive Rights.

It will permit no exclusive right for the use of the airport by any person providing, or intending to provide, aeronautical services to the public. For purposes of this paragraph, the providing of the services at an airport by a single fixed-based operator shall not be construed as an exclusive right if both of the following apply:

- a. It would be unreasonably costly, burdensome, or impractical for more than one fixed-based operator to provide such services, and
- b. If allowing more than one fixed-based operator to provide such services would require the reduction of space leased pursuant to an existing agreement between such single fixed-based operator and such airport. It further agrees that it will not, either directly or indirectly, grant or permit any person, firm, or corporation, the exclusive right at the airport to conduct any aeronautical activities, including, but not limited to charter flights, pilot training, aircraft rental

and sightseeing, aerial photography, crop dusting, aerial advertising and surveying, air carrier operations, aircraft sales and services, sale of aviation petroleum products whether or not conducted in conjunction with other aeronautical activity, repair and maintenance of aircraft, sale of aircraft parts, and any other activities which because of their direct relationship to the operation of aircraft can be regarded as an aeronautical activity, and that it will terminate any exclusive right to conduct an aeronautical activity now existing at such an airport before the grant of any assistance under Title 49, United States Code.

#### **24. Fee and Rental Structure.**

It will maintain a fee and rental structure for the facilities and services at the airport which will make the airport as self-sustaining as possible under the circumstances existing at the particular airport, taking into account such factors as the volume of traffic and economy of collection. No part of the Federal share of an airport development, airport planning or noise compatibility project for which a grant is made under Title 49, United States Code, the Airport and Airway Improvement Act of 1982, the Federal Airport Act or the Airport and Airway Development Act of 1970 shall be included in the rate basis in establishing fees, rates, and charges for users of that airport.

#### **25. Airport Revenues.**

- a. All revenues generated by the airport and any local taxes on aviation fuel established after December 30, 1987, will be expended by it for the capital or operating costs of the airport; the local airport system; or other local facilities which are owned or operated by the owner or operator of the airport and which are directly and substantially related to the actual air transportation of passengers or property; or for noise mitigation purposes on or off the airport. The following exceptions apply to this paragraph:
  - 1) If covenants or assurances in debt obligations issued before September 3, 1982, by the owner or operator of the airport, or provisions enacted before September 3, 1982, in governing statutes controlling the owner or operator's financing, provide for the use of the revenues from any of the airport owner or operator's facilities, including the airport, to support not only the airport but also the airport owner or operator's general debt obligations or other facilities, then this limitation on the use of all revenues generated by the airport (and, in the case of a public airport, local taxes on aviation fuel) shall not apply.
  - 2) If the Secretary approves the sale of a privately owned airport to a public sponsor and provides funding for any portion of the public sponsor's acquisition of land, this limitation on the use of all revenues generated by the sale shall not apply to certain proceeds from the sale. This is conditioned on repayment to the Secretary by the private owner of an amount equal to the remaining unamortized portion (amortized over a 20-year period) of any airport improvement grant made to the private owner for any purpose other than land acquisition on or after October 1, 1996, plus an amount equal to the federal share of the current fair market value of any land acquired with an airport improvement grant made to that airport on or after October 1, 1996.
  - 3) Certain revenue derived from or generated by mineral extraction, production, lease, or other means at a general aviation airport (as defined at Section 47102 of title 49 United States Code), if the FAA determines the airport sponsor meets the requirements set forth in Sec. 813 of Public Law 112-95.
    - a.) As part of the annual audit required under the Single Audit Act of 1984, the sponsor will direct that the audit will review, and the resulting audit report will provide an opinion concerning, the use of airport revenue and taxes in paragraph (a), and indicating whether funds paid or transferred to the owner or operator are paid or transferred in a

manner consistent with Title 49, United States Code and any other applicable provision of law, including any regulation promulgated by the Secretary or Administrator.

- b.) Any civil penalties or other sanctions will be imposed for violation of this assurance in accordance with the provisions of Section 47107 of Title 49, United States Code.

## 26. Reports and Inspections.

It will:

- a. submit to the Secretary such annual or special financial and operations reports as the Secretary may reasonably request and make such reports available to the public; make available to the public at reasonable times and places a report of the airport budget in a format prescribed by the Secretary;
- b. for airport development projects, make the airport and all airport records and documents affecting the airport, including deeds, leases, operation and use agreements, regulations and other instruments, available for inspection by any duly authorized agent of the Secretary upon reasonable request;
- c. for noise compatibility program projects, make records and documents relating to the project and continued compliance with the terms, conditions, and assurances of this grant agreement including deeds, leases, agreements, regulations, and other instruments, available for inspection by any duly authorized agent of the Secretary upon reasonable request; and
- d. in a format and time prescribed by the Secretary, provide to the Secretary and make available to the public following each of its fiscal years, an annual report listing in detail:
  - 1) all amounts paid by the airport to any other unit of government and the purposes for which each such payment was made; and
  - 2) all services and property provided by the airport to other units of government and the amount of compensation received for provision of each such service and property.

## 27. Use by Government Aircraft.

It will make available all of the facilities of the airport developed with Federal financial assistance and all those usable for landing and takeoff of aircraft to the United States for use by Government aircraft in common with other aircraft at all times without charge, except, if the use by Government aircraft is substantial, charge may be made for a reasonable share, proportional to such use, for the cost of operating and maintaining the facilities used. Unless otherwise determined by the Secretary, or otherwise agreed to by the sponsor and the using agency, substantial use of an airport by Government aircraft will be considered to exist when operations of such aircraft are in excess of those which, in the opinion of the Secretary, would unduly interfere with use of the landing areas by other authorized aircraft, or during any calendar month that –

- a. by gross weights of such aircraft) is in excess of five million pounds Five (5) or more Government aircraft are regularly based at the airport or on land adjacent thereto; or
- b. The total number of movements (counting each landing as a movement) of Government aircraft is 300 or more, or the gross accumulative weight of Government aircraft using the airport (the total movement of Government aircraft multiplied.

## 28. Land for Federal Facilities.

It will furnish without cost to the Federal Government for use in connection with any air traffic control or air navigation activities, or weather-reporting and communication activities related to air traffic control, any areas of land or water, or estate therein, or rights in buildings of the sponsor as the Secretary considers necessary or desirable for construction, operation, and maintenance at



Federal expense of space or facilities for such purposes. Such areas or any portion thereof will be made available as provided herein within four months after receipt of a written request from the Secretary.

#### 29. Airport Layout Plan.

- a. It will keep up to date at all times an airport layout plan of the airport showing:
- 1) boundaries of the airport and all proposed additions thereto, together with the boundaries of all offsite areas owned or controlled by the sponsor for airport purposes and proposed additions thereto;
  - 2) the location and nature of all existing and proposed airport facilities and structures (such as runways, taxiways, aprons, terminal buildings, hangars and roads), including all proposed extensions and reductions of existing airport facilities;
  - 3) the location of all existing and proposed nonaviation areas and of all existing improvements thereon; and
  - 4) all proposed and existing access points used to taxi aircraft across the airport's property boundary. Such airport layout plans and each amendment, revision, or modification thereof, shall be subject to the approval of the Secretary which approval shall be evidenced by the signature of a duly authorized representative of the Secretary on the face of the airport layout plan. The sponsor will not make or permit any changes or alterations in the airport or any of its facilities which are not in conformity with the airport layout plan as approved by the Secretary and which might, in the opinion of the Secretary, adversely affect the safety, utility or efficiency of the airport.
- a.) If a change or alteration in the airport or the facilities is made which the Secretary determines adversely affects the safety, utility, or efficiency of any federally owned, leased, or funded property on or off the airport and which is not in conformity with the airport layout plan as approved by the Secretary, the owner or operator will, if requested, by the Secretary (1) eliminate such adverse effect in a manner approved by the Secretary; or (2) bear all costs of relocating such property (or replacement thereof) to a site acceptable to the Secretary and all costs of restoring such property (or replacement thereof) to the level of safety, utility, efficiency, and cost of operation existing before the unapproved change in the airport or its facilities except in the case of a relocation or replacement of an existing airport facility due to a change in the Secretary's design standards beyond the control of the airport sponsor.

#### 30. Civil Rights.

It will promptly take any measures necessary to ensure that no person in the United States shall, on the grounds of race, creed, color, national origin, sex, age, or disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in any activity conducted with, or benefiting from, funds received from this grant.

- a. Using the definitions of activity, facility and program as found and defined in §§ 21.23 (b) and 21.23 (e) of 49 CFR § 21, the sponsor will facilitate all programs, operate all facilities, or conduct all programs in compliance with all non-discrimination requirements imposed by, or pursuant to these assurances.
- b. Applicability
  - 1) Programs and Activities. If the sponsor has received a grant (or other federal assistance) for any of the sponsor's program or activities, these requirements extend to all of the

sponsor's programs and activities.

- 2) Facilities. Where it receives a grant or other federal financial assistance to construct, expand, renovate, remodel, alter or acquire a facility, or part of a facility, the assurance extends to the entire facility and facilities operated in connection therewith.
- 3) Real Property. Where the sponsor receives a grant or other Federal financial assistance in the form of, or for the acquisition of real property or an interest in real property, the assurance will extend to rights to space on, over, or under such property.

c. Duration.

The sponsor agrees that it is obligated to this assurance for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the assurance obligates the sponsor, or any transferee for the longer of the following periods:

- 1) So long as the airport is used as an airport, or for another purpose involving the provision of similar services or benefits; or
- 2) So long as the sponsor retains ownership or possession of the property.

d. Required Solicitation Language. It will include the following notification in all solicitations for bids, Requests For Proposals for work, or material under this grant agreement and in all proposals for agreements, including airport concessions, regardless of funding source:

"The **(Name of Sponsor)**, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises and airport concession disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award."

e. Required Contract Provisions.

- 1) It will insert the non-discrimination contract clauses requiring compliance with the acts and regulations relative to non-discrimination in Federally-assisted programs of the DOT, and incorporating the acts and regulations into the contracts by reference in every contract or agreement subject to the non-discrimination in Federally-assisted programs of the DOT acts and regulations.
- 2) It will include a list of the pertinent non-discrimination authorities in every contract that is subject to the non-discrimination acts and regulations.
- 3) It will insert non-discrimination contract clauses as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a sponsor.
- 4) It will insert non-discrimination contract clauses prohibiting discrimination on the basis of race, color, national origin, creed, sex, age, or handicap as a covenant running with the land, in any future deeds, leases, license, permits, or similar instruments entered into by the sponsor with other parties:
  - a.) For the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and

- b.) For the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.
- f. It will provide for such methods of administration for the program as are found by the Secretary to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the acts, the regulations, and this assurance.
- g. It agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the acts, the regulations, and this assurance.

### 31. Disposal of Land.

- a. For land purchased under a grant for airport noise compatibility purposes, including land serving as a noise buffer, it will dispose of the land, when the land is no longer needed for such purposes, at fair market value, at the earliest practicable time. That portion of the proceeds of such disposition which is proportionate to the United States' share of acquisition of such land will be, at the discretion of the Secretary, (1) reinvested in another project at the airport, or (2) transferred to another eligible airport as prescribed by the Secretary. The Secretary shall give preference to the following, in descending order, (1) reinvestment in an approved noise compatibility project, (2) reinvestment in an approved project that is eligible for grant funding under Section 47117(e) of title 49 United States Code, (3) reinvestment in an approved airport development project that is eligible for grant funding under Sections 47114, 47115, or 47117 of title 49 United States Code, (4) transferred to an eligible sponsor of another public airport to be reinvested in an approved noise compatibility project at that airport, and (5) paid to the Secretary for deposit in the Airport and Airway Trust Fund. If land acquired under a grant for noise compatibility purposes is leased at fair market value and consistent with noise buffering purposes, the lease will not be considered a disposal of the land. Revenues derived from such a lease may be used for an approved airport development project that would otherwise be eligible for grant funding or any permitted use of airport revenue.
- b. For land purchased under a grant for airport development purposes (other than noise compatibility), it will, when the land is no longer needed for airport purposes, dispose of such land at fair market value or make available to the Secretary an amount equal to the United States' proportionate share of the fair market value of the land. That portion of the proceeds of such disposition which is proportionate to the United States' share of the cost of acquisition of such land will, (1) upon application to the Secretary, be reinvested or transferred to another eligible airport as prescribed by the Secretary. The Secretary shall give preference to the following, in descending order: (1) reinvestment in an approved noise compatibility project, (2) reinvestment in an approved project that is eligible for grant funding under Section 47117(e) of title 49 United States Code, (3) reinvestment in an approved airport development project that is eligible for grant funding under Sections 47114, 47115, or 47117 of title 49 United States Code, (4) transferred to an eligible sponsor of another public airport to be reinvested in an approved noise compatibility project at that airport, and (5) paid to the Secretary for deposit in the Airport and Airway Trust Fund.
- c. Land shall be considered to be needed for airport purposes under this assurance if (1) it may be needed for aeronautical purposes (including runway protection zones) or serve as noise buffer land, and (2) the revenue from interim uses of such land contributes to the financial self-sufficiency of the airport. Further, land purchased with a grant received by an airport operator or owner before December 31, 1987, will be considered to be needed for airport purposes if the Secretary or Federal agency making such grant before December 31, 1987, was

notified by the operator or owner of the uses of such land, did not object to such use, and the land continues to be used for that purpose, such use having commenced no later than December 15, 1989.

- d. Disposition of such land under (a) (b) or (c) will be subject to the retention or reservation of any interest or right therein necessary to ensure that such land will only be used for purposes which are compatible with noise levels associated with operation of the airport.

**32. Engineering and Design Services.**

It will award each contract, or sub-contract for program management, construction management, planning studies, feasibility studies, architectural services, preliminary engineering, design, engineering, surveying, mapping or related services with respect to the project in the same manner as a contract for architectural and engineering services is negotiated under Title IX of the Federal Property and Administrative Services Act of 1949 or an equivalent qualifications-based requirement prescribed for or by the sponsor of the airport.

**33. Foreign Market Restrictions.**

It will not allow funds provided under this grant to be used to fund any project which uses any product or service of a foreign country during the period in which such foreign country is listed by the United States Trade Representative as denying fair and equitable market opportunities for products and suppliers of the United States in procurement and construction.

**34. Policies, Standards, and Specifications.**

It will carry out the project in accordance with policies, standards, and specifications approved by the Secretary including, but not limited to, the advisory circulars listed in the Current FAA Advisory Circulars for AIP projects, dated April 18, 2019, and included in this grant, and in accordance with applicable state policies, standards, and specifications approved by the Secretary.

**35. Relocation and Real Property Acquisition.**

- a. It will be guided in acquiring real property, to the greatest extent practicable under State law, by the land acquisition policies in Subpart B of 49 CFR Part 24 and will pay or reimburse property owners for necessary expenses as specified in Subpart B.
- b. It will provide a relocation assistance program offering the services described in Subpart C and fair and reasonable relocation payments and assistance to displaced persons as required in Subpart D and E of 49 CFR Part 24.
- c. It will make available within a reasonable period of time prior to displacement, comparable replacement dwellings to displaced persons in accordance with Subpart E of 49 CFR Part 24.

**36. Access By Intercity Buses.**

The airport owner or operator will permit, to the maximum extent practicable, intercity buses or other modes of transportation to have access to the airport; however, it has no obligation to fund special facilities for intercity buses or for other modes of transportation.

**37. Disadvantaged Business Enterprises.**

The sponsor shall not discriminate on the basis of race, color, national origin or sex in the award and performance of any DOT-assisted contract covered by 49 CFR Part 26, or in the award and performance of any concession activity contract covered by 49 CFR Part 23. In addition, the sponsor shall not discriminate on the basis of race, color, national origin or sex in the administration of its DBE and ACDBE programs or the requirements of 49 CFR Parts 23 and 26. The sponsor shall take all necessary and reasonable steps under 49 CFR Parts 23 and 26 to ensure

nondiscrimination in the award and administration of DOT-assisted contracts, and/or concession contracts. The sponsor's DBE and ACDBE programs, as required by 49 CFR Parts 26 and 23, and as approved by DOT, are incorporated by reference in this agreement. Implementation of these programs is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to the sponsor of its failure to carry out its approved program, the Department may impose sanctions as provided for under Parts 26 and 23 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1936 (31 U.S.C. 3801).

**38. Hangar Construction.**

If the airport owner or operator and a person who owns an aircraft agree that a hangar is to be constructed at the airport for the aircraft at the aircraft owner's expense, the airport owner or operator will grant to the aircraft owner for the hangar a long term lease that is subject to such terms and conditions on the hangar as the airport owner or operator may impose.

**39. Competitive Access.**

- a. If the airport owner or operator of a medium or large hub airport (as defined in section 47102 of title 49, U.S.C.) has been unable to accommodate one or more requests by an air carrier for access to gates or other facilities at that airport in order to allow the air carrier to provide service to the airport or to expand service at the airport, the airport owner or operator shall transmit a report to the Secretary that-
  - 1) Describes the requests;
  - 2) Provides an explanation as to why the requests could not be accommodated; and
  - 3) Provides a time frame within which, if any, the airport will be able to accommodate the requests.
- b. Such report shall be due on either February 1 or August 1 of each year if the airport has been unable to accommodate the request(s) in the six month period prior to the applicable due date.



## FAA Airports

### Current FAA Advisory Circulars Required for Use in AIP Funded and PFC Approved Projects

Updated: 4/18/2019

View the most current versions of these ACs and any associated changes at:  
[http://www.faa.gov/airports/resources/advisory\\_circulars](http://www.faa.gov/airports/resources/advisory_circulars) and  
[http://www.faa.gov/regulations\\_policies/advisory\\_circulars/](http://www.faa.gov/regulations_policies/advisory_circulars/)

NUMBER	TITLE
70/7460-1L Change 2	Obstruction Marking and Lighting
150/5000-9A	Announcement of Availability Report No. DOT/FAA/PP/92-5, Guidelines for the Sound Insulation of Residences Exposed to Aircraft Operations
150/5000-17	Critical Aircraft and Regular Use Determination
150/5020-1	Noise Control and Compatibility Planning for Airports
150/5070-6B Changes 1- 2	Airport Master Plans
150/5070-7 Change 1	The Airport System Planning Process
150/5100-13B	Development of State Standards for Nonprimary Airports
150/5200-28F	Notices to Airmen (NOTAMS) for Airport Operators
150/5200-30D Change 1	Airport Field Condition Assessments and Winter Operations Safety
150/5200-31C Changes 1-2	Airport Emergency Plan
150/5210-5D	Painting, Marking, and Lighting of Vehicles Used on an Airport
150/5210-7D	Aircraft Rescue and Fire Fighting Communications

NUMBER	TITLE
150/5210-13C	Airport Water Rescue Plans and Equipment
150/5210-14B	Aircraft Rescue Fire Fighting Equipment, Tools and Clothing
150/5210-15A	Aircraft Rescue and Firefighting Station Building Design
150/5210-18A	Systems for Interactive Training of Airport Personnel
150/5210-19A	Driver's Enhanced Vision System (DEVS)
150/5220-10E	Guide Specification for Aircraft Rescue and Fire Fighting (ARFF) Vehicles
150/5220-16E Changes 1	Automated Weather Observing Systems (AWOS) for Non-Federal Applications
150/5220-17B	Aircraft Rescue and Fire Fighting (ARFF) Training Facilities
150/5220-18A	Buildings for Storage and Maintenance of Airport Snow and Ice Control Equipment and Materials
150/5220-20A	Airport Snow and Ice Control Equipment
150/5220-21C	Aircraft Boarding Equipment
150/5220-22B	Engineered Materials Arresting Systems (EMAS) for Aircraft Overruns
150/5220-23	Frangible Connections
150/5220-24	Foreign Object Debris Detection Equipment
150/5220-25	Airport Avian Radar Systems
150/5220-26 Changes 1-2	Airport Ground Vehicle Automatic Dependent Surveillance - Broadcast (ADS-B) Out Squitter Equipment
150/5300-13A Change 1	Airport Design
150/5300-14C	Design of Aircraft Deicing Facilities
150/5300-16A	General Guidance and Specifications for Aeronautical Surveys: Establishment of Geodetic Control and Submission to the National Geodetic Survey
150/5300-17C Change 1	Standards for Using Remote Sensing Technologies in Airport Surveys
150/5300-18B Change 1	General Guidance and Specifications for Submission of Aeronautical Surveys to NGS: Field Data Collection and Geographic Information System (GIS) Standards

NUMBER	TITLE
150/5320-5D	Airport Drainage Design
150/5320-6F	Airport Pavement Design and Evaluation
150/5320-12C Changes 1-8	Measurement, Construction, and Maintenance of Skid Resistant Airport Pavement Surfaces
150/5320-15A	Management of Airport Industrial Waste
150/5235-4B	Runway Length Requirements for Airport Design
150/5335-5C	Standardized Method of Reporting Airport Pavement Strength - PCN
150/5340-1L	Standards for Airport Markings
150/5340-5D	Segmented Circle Airport Marker System
150/5340-18F	Standards for Airport Sign Systems
150/5340-26C	Maintenance of Airport Visual Aid Facilities
150/5340-30J	Design and Installation Details for Airport Visual Aids
150/5345-3G	Specification for L-821, Panels for the Control of Airport Lighting
150/5345-5B	Circuit Selector Switch
150/5345-7F	Specification for L-824 Underground Electrical Cable for Airport Lighting Circuits
150/5345-10H	Specification for Constant Current Regulators and Regulator Monitors
150/5345-12F	Specification for Airport and Heliport Beacons
150/5345-13B	Specification for L-841 Auxiliary Relay Cabinet Assembly for Pilot Control of Airport Lighting Circuits
150/5345-26D	FAA Specification For L-823 Plug and Receptacle, Cable Connectors
150/5345-27E	Specification for Wind Cone Assemblies
150/5345-28G	Precision Approach Path Indicator (PAPI) Systems
150/5345-39D	Specification for L-853, Runway and Taxiway Retro reflective Markers
150/5345-42H	Specification for Airport Light Bases, Transformer Housings, Junction Boxes, and Accessories
150/5345-43H	Specification for Obstruction Lighting Equipment



NUMBER	TITLE
150/5345-44K	Specification for Runway and Taxiway Signs
150/5345-45C	Low-Impact Resistant (LIR) Structures
150/5345-46E	Specification for Runway and Taxiway Light Fixtures
150/5345-47C	Specification for Series to Series Isolation Transformers for Airport Lighting Systems
150/5345-49D	Specification L-854, Radio Control Equipment
150/5345-50B	Specification for Portable Runway and Taxiway Lights
150/5345-51B	Specification for Discharge-Type Flashing Light Equipment
150/5345-52A	Generic Visual Glideslope Indicators (GVGI)
150/5345-53D	Airport Lighting Equipment Certification Program
150/5345-54B	Specification for L-884, Power and Control Unit for Land and Hold Short Lighting Systems
150/5345-55A	Specification for L-893, Lighted Visual Aid to Indicate Temporary Runway Closure
150/5345-56B	Specification for L-890 Airport Lighting Control and Monitoring System (ALCMS)
150/5360-12F	Airport Signing and Graphics
150/5360-13A	Airport Terminal Planning
150/5360-14A	Access to Airports By Individuals With Disabilities
150/5370-2G	Operational Safety on Airports During Construction
150/5370-10H	Standards for Specifying Construction of Airports
150/5370-11B	Use of Nondestructive Testing in the Evaluation of Airport Pavements
150/5370-13A	Off-Peak Construction of Airport Pavements Using Hot-Mix Asphalt
150/5370-15B	Airside Applications for Artificial Turf
150/5370-16	Rapid Construction of Rigid (Portland Cement Concrete) Airfield Pavements
150/5370-17	Airside Use of Heated Pavement Systems
150/5390-2C	Heliport Design

NUMBER	TITLE
150/5395-1A	Seaplane Bases

**THE FOLLOWING ADDITIONAL APPLY TO AIP PROJECTS ONLY**

Updated: 3/22/2019

<b>NUMBER</b>	<b>TITLE</b>
150/5100-14E Change 1	Architectural, Engineering, and Planning Consultant Services for Airport Grant Projects
150/5100-17 Changes 1 - 7	Land Acquisition and Relocation Assistance for Airport Improvement Program Assisted Projects
150/5300-15A	Use of Value Engineering for Engineering Design of Airport Grant Projects
150/5320-17A	Airfield Pavement Surface Evaluation and Rating Manuals
150/5370-12B	Quality Management for Federally Funded Airport Construction Projects
150/5380-6C	Guidelines and Procedures for Maintenance of Airport Pavements
150/5380-7B	Airport Pavement Management Program
150/5380-9	Guidelines and Procedures for Measuring Airfield Pavement Roughness



Madam Mayor and City Council,

Thank you for the time to bring you the status of the Planning and Zoning Commission via written correspondence as we are try to help our community stay safe. I hope you are all well with our current situation and staying healthy.

This year we have continued our path through Chapter 17, . This last 12 months and especially the beginning of 2020 we have made some great progress as we close out some sticking points. Finally having a full Commission was a first and quite exciting step as we received more input and points of view. I believe it led our last two meetings in a positive and productive direction.

We've approached Chapter 17 with great focus on the following

- Standardization – by standardizing Chapter 17 we hope to make an easier to read and understand chapter from section to section. An example is the height of a fence. We've brought all sections to 6ft. This avoids the question and confusion of having a 6.5 foot fence in one area and a 6 foot fence in another and maybe another size somewhere else. This approach will give our citizens an easier read through out as they try to plan projects, improvements and business ventures.
- Streamlined Authorized Uses – by creating a cross tab chart of authorized uses and zones we are accomplishing two objectives. First is the reduction in words and pages. Second is ease of use. Now the citizens, business owners, and those that want to invest in Palmer will have a one stop place for all zones to determine what is an acceptable and what is not acceptable and what could be presented to the City for a Conditional Use.
- Keep Palmer – Palmer - While we share the desire to have Palmer stay a quaint little city we also share the need to have it grow in a way that can enhance our City. We've given great attention to the ---- . By looking at the details of this study we put time into ensuring that Chapter 17 is open and universally supportive of the potential options presented by ----

With the steps above we feel that the overall culture of a Business-Friendly City can be met. We've had a great breakthrough in the Commission on the topic of conex usage. The use, look, placement and ---- gave us great discussion and debate over the past year. We understand the need and importance to some of our Palmer businesses and I think we came to a very good solution. This coupled with a proposed new zone called "Highway Commercial", have taken a great deal of time. With the need for the Glenn Highway expansion comes opportunities for investors and entrepreneurs to bring great things to our City. We took a simple approach to zoning asking, "What do we want to see as we come into or out of Palmer?". After all, the last thing you see will most likely be the first thing you remember. Using this simple approach combined with an openness to business we believe we are getting close.

Additionally, we have reviewed many plot requests this year. Although many are fairly simple, it is still very important to us to ensure that our great citizens are following our establish zoning rules and enhancing the land and building use.

## Proposed City of Palmer Use Matrix

<b>Commercial - Retail</b>	CBD Overlay	C-L	C-G	HC	BP	I	P	A
Large retail establishment (+20000)			P	P				
Automobile sales			P	P	P	P		
Airplane, Boat, motorcycle, ATV, recreational vehicle sales and service			P	P	P	P		
Building Materials			P	P	P	P		C
Garden & Farm supplies		C	P	P	P	P		P
Convenience store (Neighborhood Grocery)	P	P	P	P				
Renewable energy sales and service	P	P	P	P	P	P		
Bicycle sales and service	P	P	P	P				
Office supplies, home and office sale and service	P	P	P	P				
Telecommunication sales and service	P		P	P	P	P		
Tire Sales and Service, auto parts and accessory sales	P		P	P	P	P		
Liquor Sale	P	C	P	P				
Sporting-goods store, Hunting apparel, camping, firearms, archery and accessory	P		P	P	P			
Flea Market – indoor			P	P	P	P		
Butcher, delicatessen sales and service	P	P	P	P	P			
Farmers Market	P	P	P	P				P
Apparel, shoe, clothing	P	P	P	P				
Artisan sales and service – art, jewelry, collectibles	P	P	P	P	P	P		P
General - Book, stationary, video, art supply, hobby, toy, game, fabric, floral, accessor, gift	P	P	P	P				
Pet shops			P	P	P	P		P
Auction	P		C	P	P	P		
Collectibles – Antique, 2 <sup>nd</sup> Hand, Thrift	P	C	P	P	C			P
Marijuana								
Retail fuel, gas, propane		C	P	P	P	P		
Home accessory – carpet, blinds, cabinets, or other similar	P	P	P	P	P	P		P

<b>Education / Training</b>	CBD Overlay	C-L	C-G	HC	BP	I	P	A
Elementary							P	
Secondary							P	
Trade, College / University	C		C	P	P	P	P	
Boarding			C	P				
Beauty, art, dancing, drama, modeling, photography, or similar	P	P	P	P	P			
On-line	P	P	P	P				

<b>Food Service</b>	<b>CBD Overlay</b>	<b>C-L</b>	<b>C-G</b>	<b>HC</b>	<b>BP</b>	<b>I</b>	<b>P</b>	<b>A</b>
Restaurant / Cafe	P	P	P	P				
Restaurant / Café with drive thru	P		P	P				
Itinerant vendors	P	P	P	P	P	P	P	P
Microbrewery, winery, distillery, artesian brewing	P		P	P	P	P		P
Meat processing and smoking house	P		P	P	P	P		P
Specialty – ice cream, candy, other similar	P	P	P	P				
Bakery, coffee shop	P	P	P	P	P	P		

<b>Health / Veterinary</b>	<b>CBD Overlay</b>	<b>C-L</b>	<b>C-G</b>	<b>HC</b>	<b>BP</b>	<b>I</b>	<b>P</b>	<b>A</b>
Hospital with heliport	C		C	C			C	
Urgent care, medical complex	P	P	P	P				
Health practitioner - Medical, dental, eye, Psychiatrist, physical therapy or other specialty with laboratories,	P	P	P	P			P	
Pharmacy, drug	P	P	P	P				
Mental Health facility	C		C	C			C	C
Veterinary practice, surgery, overnight boarding, veterinary groomers	P	C	P	P				
Boarding Kennels <sup>1</sup>					P	P		

<b>General Services</b>	<b>CBD Overlay</b>	<b>C-L</b>	<b>C-G</b>	<b>HC</b>	<b>BP</b>	<b>I</b>	<b>P</b>	<b>A</b>
Lodging – STR (see 17.89), boarding, hotel, motel,	P	C	P	P				P
Automobile, equipment rental	P		P	P	P	P		
Daycare – Adult, children, infants	P	C	P	P				
Commercial parking	P	C	P	P	C	C		
Carwash	C	C	P	P	P	P	C	
Transportation terminals	P	C	P	P				
Personal Care – beauty, nail, spa, tattoo, massage therapist or other similar	P	P	P	P			P	
Laundromats, dry-cleaning, laundry and linen service	P	C	P	P	P	P		
Personal services – delivery, domestic, clothing alteration,	P	P	P	P	P			
Exercise Facilities – gyms, health, yoga, Pilates, or other similar	P	P	P	P	P	P		
Printing and Post-office and accessory activities	P	P	P	P				
Mini – storage – Indoor				P	P	P		
Indoor shooting range			P	P	P	P		
Screen printing, sign design and construction	P	P	P	P	P	P		P
Bingo or other games of chance	P		P	P				
Taxidermy shops sales and service (excluding large scale tanning)	P	P	P	P	P	P		
Meat storage – individual lockers, bulk	P	C	P	P	P	P		P
Pawn shops			P	P				P
Entertainment – billiards, bowling, arcade or other similar	P	P	P	P				
Machine shop		C	P	P	P	P		
Aeronautical (outside airport boundaries)		C	C	C	C	C		
Wireless communication towers	C	C	C	C	C	C		
Automotive repair, including autobody			P	P	P	P	C	C
Radio/Television studios, music or recording studio	P		P	P	P			
Bail bonds	P		P	P				
Authorized Special Event/Activity	P	P	P	P	P	P	P	P

<b>Office</b>	<b>CBD Overlay</b>	<b>C-L</b>	<b>C-G</b>	<b>HC</b>	<b>BP</b>	<b>I</b>	<b>P</b>	<b>A</b>
Banks – alternative financial, credit unions, saving and loans, or other similar	P	P	P	P				
Professional – business services, insurance, real-estate, administrative, engineering, drafting, lawyers	P	P	P	P				
Medical	P	P	P	P				
Construction (excluding storage of heavy equipment)	P	P	P	P	P	P		
Governmental	P	P	P	P	P	P	P	

<b>Industrial / Manufacturing</b>	<b>CBD Overlay</b>	<b>C-L</b>	<b>C-G</b>	<b>HC</b>	<b>BP</b>	<b>I</b>	<b>P</b>	<b>A</b>
Warehousing and Freight movement and storage			C	C	P	P		
Impound vehicle yards					P	P		
Contractor yards – Electrical, masonry, building, roofing, Industrial,					P	P		
Manufacturing, processing, fabrication, packaging, or assembly of goods			C	C	P	P		
Large wholesale sales				C	P	P		
Mining/extraction				C	C	C		C
Recycling, including organic, junk yards					C	C		C
Landfills					C	C	C	C
Meat slaughterhouse and packing, wholesale fur dealers				C	P	P		
Heavy vehicle and equipment sales and service						P	P	
Asphalt plant				C	C	P		

<b>Public Assembly</b>	<b>CBD Overlay</b>	<b>C-L</b>	<b>C-G</b>	<b>HC</b>	<b>BP</b>	<b>I</b>	<b>P</b>	<b>A</b>
Assembly Halls – Auditorium, civic center, concert hall, performing arts center, theaters, senior, youth	P	P	P	P			P	
Humanitarian service and shelter facilities – long-term	C		C	C				
Funeral parlors and mortuaries	P		P	P				
Libraries, Museums, Art galleries,	P		P	P			P	P
Recreational Facilities – ice arena, swimming pools	P			P			P	
Private clubs or lodges with alcohol	P		P	P				
Private clubs or lodges without alcohol	P	P	P	P				
Racetrack - non-motorized					C	C		C
Racetrack – motorized				C			C	C
Place of worship	P	C	P	P				P
Outdoor concert venue	P		P	P	P			
Center – youth, senior	P	P	P	P				



Recreational	CBD Overlay	C-L	C-G	HC	BP	I	P	A
Managed open space	P	P	P	P	P	P	P	P
Boat – Launch, club,			P	P		P	P	
Shooting ranges – indoor				P	P	P		C
Shooting ranges – outdoor					C	C	C	C
Campgrounds – recreational vehicle parks				P			C	
Golf course				P			P	P
Miniature golf	P		P	P				P
Go-cart facility			C	P				

Public / Institutional	CBD Overlay	C-L	C-G	HC	BP	I	P	A
Courthouse							P	
Jails							P	
Playgrounds, parks, ballfields	P	P	P	P			P	P
Electrical distribution substations, communication huts					P	P	P	P
Cemeteries							C	C
Fire stations/Emergency Services	C	C	C	P	P	P	P	C

Residential	CBD Overlay	C-L	C-G	HC	BP	I	P	A
Accessory Dwelling Unit associated with a single family residence								
Temporary Buildings					P	P		P

P = Permitted Use  
C = Conditional use  
Blank= Not permitted

<sup>1</sup> Provided such an activity be conducted within a completely enclosed building, except that outdoor exercise yard may be permitted.

**17.XX.0XX Compatibility of Uses not defined**

Where a proposed use is not specifically identified by this ordinance or the ordinance is unclear as to whether the use is allowed in a particular zone, the Zoning Administrator may find the use is similar to another use that is permitted, allowed conditionally, or prohibited in the subject zone and apply the ordinance accordingly. Use rulings that require discretion on the part of Zoning Administrator shall be confirmed by the Planning and Zoning Commission at the next regular meeting that allows due public notice.

**17.XX.0XX Appeal of Compatibility of Use**

In the event the petitioner disagrees with the confirmation of the Planning and Zoning they may appeal to the Palmer City Council for final city evaluation. Any Subsequent appeal will be the Alaska Superior Court, in Palmer Alaska.

Updated 5/8/19

Proposed Districts:

CBD Overlay - Central Downtown District (CBD) Overlay  
HC - Highway Commercial

Current Zoning Districts:

C-L – Commercial Limited  
C-G – Commercial General  
BP – Business Park  
I – Industrial  
P – Public  
A -Agriculture



**City Manager's Office**

Phone: (907) 745-3271  
 Fax: (907) 745-0930

231 W. Evergreen Ave.  
 Palmer, Alaska 99645-6952  
[www.cityofpalmer.org](http://www.cityofpalmer.org)

TO: City Council Members  
 FROM: Brad Hanson  
 DATE: May 18, 2020  
 SUBJECT: City Manager's Report

The council requested a report on city versus MEA owned streetlights. Included is a breakdown of costs for streetlights owned by the city and by MEA. Also included is a list of the physical locations of light poles owned by MEA.

<b>MEA</b>		<b>City Power Charges</b>	
Per Month	\$2,191.50	January	11888.00
Annual	\$26,298.00	February	9834.00
Total MEA Streetlights	82.00	March	8191.00
Average Cost	\$320.71	April	7713.00
		May	6279.00
		June	5437.00
		July	5617.00
		August	6524.00
Ave. Cost of Light Pole New	\$8,500.00	September	7615.00
Decrative Cost	\$9,500.00	October	9410.00
		November	10056.00
		December	13167.00
		Last 12 Months Light bill	\$101,731.00
		Total City Streetlights	600.00
		Average Cost	\$169.55

## MEA Owned Streetlights

Device	Device St Description	Device Type	Connect Dt	Rate Schedule	Free Charged	OWNER
293	1 - Active COMMERCIAL DR	250W HPS	8/18/1992	SL - Street Lights		MEA
295	1 - Active COMMERCIAL S/CHUGACH ST	250W HPS	8/18/1992	SL - Street Lights	27.36	MEA
296	1 - Active E INDUSTRIAL ST/INDUSTRIAL WAY	250W HPS	8/18/1992	SL - Street Lights	27.36	MEA
300	1 - Active REMPEL AVE	250W HPS	5/17/1971	SL - Street Lights	27.36	MEA
301	1 - Active REMPEL AVE	150W HPS	5/17/1971	SL - Street Lights	21.61	MEA
306	1 - Active S COBB ST/SNODGRASS L7	250W HPS	11/27/2008	SL - Street Lights	27.36	MEA
308	1 - Active W ELMWOOD/DIAMOND/COBB	250W HPS	5/17/1971	SL - Street Lights	27.36	MEA
310	1 - Active E EVERGREEN/AIRPORT RD	250W HPS	10/14/1992	SL - Street Lights	27.36	MEA
311	1 - Active PALMER AIRPORT	150W HPS	5/17/1971	SL - Street Lights	21.61	MEA
312	1 - Active AIRPORT ROAD/	250W HPS	10/14/1992	SL - Street Lights	27.36	MEA
313	1 - Active AIRPORT ROAD/	250W HPS	10/14/1992	SL - Street Lights	27.36	MEA
314	1 - Active BAILEY HEIGHTS	250W HPS	12/30/1992	SL - Street Lights	27.36	MEA
321	1 - Active N EKLUTNA	250W HPS	5/17/1971	SL - Street Lights	27.36	MEA
322	1 - Active E DOLPHIN	250W HPS	12/5/2014	SL - Street Lights	27.36	MEA
323	1 - Active E DOLPHIN	250W HPS	12/5/2014	SL - Street Lights	27.36	MEA
324	1 - Active N COBB ST	250W HPS	12/30/1992	SL - Street Lights	27.36	MEA
325	1 - Active E CARIBOU	175W MV (G)	1/12/1993	SL - Street Lights	24.59	MEA
326	1 - Active E CARIBOU	250W HPS	1/12/1993	SL - Street Lights	27.36	MEA
328	2 - Inacti W CARIBOU/N BAILEY	250W HPS	12/30/1992	SL - Street Lights	27.36	MEA
329	1 - Active W BEAVER/N BAILEY	250W HPS	5/17/1971	SL - Street Lights	27.36	MEA
332	1 - Active W AUKLET/N ALASKA	250W HPS	5/17/1971	SL - Street Lights	27.36	MEA
338	1 - Active E AUKLET/INDEPENDENCE	150W HPS (G)	2/2/2010	SL - Street Lights	24.59	MEA
342	1 - Active E BEAVER/N HATCHER	150W HPS	5/17/1971	SL - Street Lights	21.61	MEA
343	1 - Active E BEAVER/N INDEPENDENCE	150W HPS	5/17/1971	SL - Street Lights	21.61	MEA
344	1 - Active E EKLUTNA/	250W HPS	1/12/1993	SL - Street Lights	27.36	MEA
449	1 - Active ARCTIC/GLENN	150W HPS	5/17/1971	SL - Street Lights	21.61	MEA
451	1 - Active FIREWEED AVE	175W MV (G)	5/17/1971	SL - Street Lights	24.59	MEA
545	1 - Active N INDEPENDENCE ST/E BEAVER AVE	250W HPS	2/5/1996	SL - Street Lights	27.36	MEA
546	1 - Active S INDEPENDENC ST	250W HPS	2/5/1996	SL - Street Lights	27.36	MEA
547	1 - Active N HATCHER ST	250W HPS	2/5/1996	SL - Street Lights	27.36	MEA
557	1 - Active EAST DOLPHIN	250W HPS	12/5/2014	SL - Street Lights	27.36	MEA
558	1 - Active ALBRECHT/GLENN HWY	250W HPS	1/16/1997	SL - Street Lights	27.36	MEA
622	1 - Active E GOLD KEY LANE	250W HPS	2/5/1998	SL - Street Lights	27.36	MEA
623	1 - Active E GOLD KEY LANE	250W HPS	2/5/1998	SL - Street Lights	27.36	MEA
663	1 - Active NORTH DENALI/	130.01-140W LEI	9/28/1998	SL - Street Lights	18.44	MEA
739	1 - Active S FELTON ST/NA	250W HPS	10/22/2000	SL - Street Lights	27.36	MEA
740	1 - Active S FELTON ST/	250W HPS	10/22/2000	SL - Street Lights	27.36	MEA
741	1 - Active S FELTON ST/WOODSTOCK DR	250W HPS	10/22/2000	SL - Street Lights	27.36	MEA
742	1 - Active JOSSELIN LANE/WOODSTOCK DR	250W HPS	10/22/2000	SL - Street Lights	27.36	MEA
743	1 - Active JOSSELIN LANE/JOAN OF ARC	250W HPS	10/22/2000	SL - Street Lights	27.36	MEA
744	1 - Active JOSSELIN LANE/N/A	250W HPS	10/22/2000	SL - Street Lights	27.36	MEA
745	1 - Active JOSSELIN LANE/FELICIA ST	250W HPS	10/22/2000	SL - Street Lights	27.36	MEA
746	1 - Active JOSSELIN LANE/JOAN OF ARC	250W HPS	10/22/2000	SL - Street Lights	27.36	MEA
747	1 - Active JOAN OF ARC/NEAR CULDESAC	250W HPS	10/22/2000	SL - Street Lights	27.36	MEA
748	1 - Active JOAN OF ARC/FELICIA ST	250W HPS	10/22/2000	SL - Street Lights	27.36	MEA

## MEA Owned Streetlights

749	1 - Active JOAN OF ARC/N/A	250W HPS	10/22/2000	SL - Street Lights	27.36	MEA
750	1 - Active WOODSTOCK DR/	250W HPS	10/22/2000	SL - Street Lights	27.36	MEA
751	1 - Active WOODSTOCK DR/FELICIA ST	250W HPS	10/22/2000	SL - Street Lights	27.36	MEA
752	1 - Active WOODSTOCK DR/	250W HPS	10/22/2000	SL - Street Lights	27.36	MEA
753	1 - Active IRWIN RD/WOODSTOCK DR	250W HPS	10/22/2000	SL - Street Lights	27.36	MEA
755	1 - Active JOSSELIN LANE/FELICIA ST	250W HPS	10/22/2000	SL - Street Lights	27.36	MEA
863	1 - Active GRANVILLE ST/	250W HPS	5/15/2006	SL - Street Lights	27.36	MEA
864	1 - Active GRANVILLE ST/	250W HPS	5/15/2006	SL - Street Lights	27.36	MEA
865	1 - Active GRANVILLE ST/GELICIA ST	250W HPS	5/15/2006	SL - Street Lights	27.36	MEA
866	1 - Active N EKLUTNA	250W HPS	10/2/2004	SL - Street Lights	27.36	MEA
867	1 - Active E DOLPHIN/N DENALI	250W HPS	10/4/2004	SL - Street Lights	27.36	MEA
894	1 - Active HIDDEN RANCH LP/S FELTON	250W HPS	1/26/2005	SL - Street Lights	27.36	MEA
895	1 - Active HIDDEN RANCH LP/S FELTON	250W HPS	1/26/2005	SL - Street Lights	27.36	MEA
896	1 - Active Esty Circle	250W HPS	1/26/2005	SL - Street Lights	27.36	MEA
897	1 - Active Esty Circle	250W HPS	1/26/2005	SL - Street Lights	27.36	MEA
898	1 - Active S FELTON ST/	250W HPS	1/26/2005	SL - Street Lights	27.36	MEA
899	1 - Active HIDDEN RANCH SUBDIVISION	250W HPS	1/26/2005	SL - Street Lights	27.36	MEA
900	1 - Active HIDDEN RANCH CIR/	250W HPS	1/26/2005	SL - Street Lights	27.36	MEA
901	1 - Active HATCHER ST	250W HPS	5/17/1971	SL - Street Lights	27.36	MEA
903	1 - Active AIRPORT RD/	250W HPS	8/31/2005	SL - Street Lights	27.36	MEA
904	1 - Active GRANVILLE ST/FELTON ST	250W HPS	5/15/2006	SL - Street Lights	27.36	MEA
905	1 - Active GRANVILLE ST/	250W HPS	5/15/2006	SL - Street Lights	27.36	MEA
911	1 - Active W TAMMY CIR/FELICIA ST	250W HPS	5/15/2006	SL - Street Lights	27.36	MEA
912	1 - Active W TAMMY CIR/FELICIA ST	250W HPS	5/15/2006	SL - Street Lights	27.36	MEA
913	1 - Active ANGEL CIR	250W HPS	5/15/2006	SL - Street Lights	27.36	MEA
1244	1 - Active ALBRECHT/GLENN HWY	250W HPS	3/19/2008	SL - Street Lights	27.36	MEA
1261	1 - Active MIKE STREET	250W HPS	12/22/2008	SL - Street Lights	27.36	MEA
1262	1 - Active MIKE STREET	250W HPS	12/22/2008	SL - Street Lights	27.36	MEA
1263	1 - Active MIKE STREET	250W HPS	12/22/2008	SL - Street Lights	27.36	MEA
1264	1 - Active FELICITY STREET	250W HPS	12/22/2008	SL - Street Lights	27.36	MEA
1265	1 - Active GURN CIRCLE	250W HPS	12/22/2008	SL - Street Lights	27.36	MEA
1266	1 - Active GURN CIRCLE	250W HPS	12/22/2008	SL - Street Lights	27.36	MEA
1346	1 - Active MOUNTAIN ROSE EST	250W HPS	1/12/2010	C1 - Sm Commerc	27.36	MEA
1347	1 - Active BAILEY HEIGHTS	250W HPS	2/8/2010	SL - Street Lights	27.36	MEA
1556	1 - Active E OUTER SPRINGER/N THUMA ST	250W HPS	3/7/2018	SL - Street Lights	27.36	MEA
1578	1 - Active E YUKON ST/E PALMER AIRPORT RD	50.01-60W LED	9/26/2018	SL - Street Lights	12.87	MEA
1579	1 - Active FLIGHT SERVICE STATION/E YUKON	120.01-130W LEI	9/24/2018	SL - Street Lights	17.88	MEA
1580	1 - Active E EVERGREEN/AIRPORT RD	120.01-130W LEI	10/12/2018	SL - Street Lights	17.88	MEA
Total Cost of MEA Street Lights					2164.09	



# **Mayor's Memo**

**Council Meeting report for council Meeting**

**on May 26, 2020**

**May is Older Americans Month**

**Memorial Day, May 25, at Veterans Wall**

**Weekly meetings with United Way, Mat Su Health Foundation, Homeless Coalition, Food Banks, etc. via Zoom**

**Proposed Ethics legislation – June 9 agenda**

**WE WILL CONTINUE TO HOLD CITY COUNCIL MEETINGS. I WILL CHAIR THE MEETINGS IN PERSON COUNCIL MEMBERS CAN ATTEND VIA ZOOM OR TELECONFERENCE.**

**OUR MEETINGS WILL CONTINUE TO BE LIVE ON CABBAGE RADIO AND YOUTUBE.**

**THE PUBLIC CAN ATTEND IN PERSON OR CALL IN OR EMAIL OR TEXT THE CITY CLERK AND IT WILL BE RECORD IN THE PUBLIC RECORD**

**We want and value your input and participation.**

*Edna DeVries Mayor u/t 907-355-9933*

**[edevries@palmerak.org](mailto:edevries@palmerak.org)**





**City of Palmer  
Resolution No. 20-013**

**Subject:** Accepting and Appropriating the 2020 State of Alaska High Visibility Click It or Ticket Enforcement Grant in the Amount of \$12,480.00 to be used for High Visibility Seatbelt Enforcement Activities by the Palmer Police Department

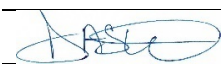
**Agenda of:** May 26, 2020

**Council Action:**     **Approved**                       **Amended:** \_\_\_\_\_  
                                   **Defeated**


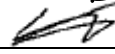

**Originator Information:**

**Originator:**    Dwayne A Shelton, Chief of Police

**Department Review:**

Route to:	Department Director:	Signature:	Date:
_____	Community Development	_____	_____
_____	Finance	_____	_____
_____	Fire	_____	_____
X	Police		5-11-2020
_____	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:    \$ **12,480.00**

This legislation (√):

X	Creates revenue in the amount of:	\$ <u>12,480.00</u>
	Creates expenditure in the amount of:	\$ _____
	Creates a saving in the amount of:	\$ _____
	Has no fiscal impact	

Funds are (√):

	Budgeted	Line item(s): <u>52-00-00-3420, 52-01-21-6012, 52-01-21-6015</u>
X	Not budgeted	<u>52-01-21-6035</u>

Director of Finance Signature: 

**Attachment(s):**

- Resolution No. 20-013
- Grant Award Documents

**Summary Statement/Background:**

The City of Palmer has applied to the State of Alaska Department of Transportation for grant monies in the amount of \$12,480.00 to fund high visibility overtime seatbelt enforcement. That amount includes \$11,760.00 for officers to conduct additional seatbelt enforcement during high intensity periods when such infractions 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 \$720.00 is to cover additional fuel costs incurred by the extra enforcement activity. No matching funds are required. The enforcement period runs from May 12, 2020 through June 1, 2020.

Seatbelt infractions 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 citing those motorists who violate Alaska seatbelt laws. The ultimate objective is an increase in voluntary compliance with existing seatbelt statutes. During the course of 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. 20-013

**LEGISLATIVE HISTORY**

Introduced by: City Manager Hanson

Date: May 26, 2020

Action:

Vote:

Yes:

No:

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**CITY OF PALMER, ALASKA  
Resolution No. 20-013**

**A Resolution of the Palmer City Council Authorizing the City Manager to Accept and Appropriate the 2020 State of Alaska High Visibility Click It or Ticket Enforcement Grant in the Amount of \$12,480.00 to be used for High Visibility Seatbelt Enforcement Activities by the Palmer Police Department**

WHEREAS, seatbelt infractions are a public safety concern for the citizens of the City of Palmer; and

WHEREAS, seatbelt usage has been shown to reduce the risk of bodily injury in a vehicle collision; and

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

WHEREAS, the Palmer Police Department has been awarded \$12,480.00 under the State of Alaska Department of Transportation 2020 Click It or Ticket Enforcement Mobilization.

NOW, THEREFORE, BE IT RESOLVED by the Palmer City Council to accept and appropriate \$12,480.00 from the State of Alaska Department of Transportation to be used for Palmer police officers to engage in overtime high visibility seatbelt enforcement activities during dedicated enforcement periods from May 12, 2020 through June 1, 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 seatbelt laws. The enforcement will consist of extra patrol dedicated to detection, investigation, and prosecution of seatbelt infractions, 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 Click-it-or-Ticket 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](http://dot.alaska.gov/highwaysafety)

<b>Grantee Name and Address:</b> Palmer Police Department 423 S. Valley Way Palmer Alaska 99645	<b>Grant Title/ Short Description:</b> FFY2020 High Visibility Enforcement CIOT Events
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**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	\$ -	\$ 11,760.00	\$ 11,760.00
(200) Travel & Per Diem	\$ -	\$ -	\$ -
(300) Contractual Services	\$ -	\$ 720.00	\$ 720.00
(400) Commodities	\$ -	\$ -	\$ -
(500) Equipment	\$ -	\$ -	\$ -
(Indirect Costs)	\$ -	\$ -	\$ -
<b>TOTALS</b>	\$ -	\$ 12,480.00	<b>\$ 12,480.00</b>
<b>TOTAL AMOUNT AUTHORIZED TO DATE</b>			<b>\$ 12,480.00</b>

**Explanation of Approved Grant Application & Activity Dates:**  
 New setup of FFY2020 CIOT HVE OT funds. \*\*Reimbursement for this project may not exceed \$12,480.00\*\*

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
<b>IRIS Program(AKSAS PJ)</b> HGRNT00131	<input type="checkbox"/> IPO2 (RSA/Interagency)	<b>AHSO Grant Number</b> 402 PT-20-06-FA(A)-8	
<b>IRIS Phase</b> THS402	<input checked="" type="checkbox"/> GAE (EN/Non-Interagency)	NTP #:	1
<b>Activity Code(Pgm Code)</b> 289P	<b>Accounting Template</b> TPJ001	Full Grant Amount:	\$ 12,480.00
<b>Object Code (Account)</b> 3112	<b>Task#</b> STWS	DUNS #:	037411071
	<b>Vendor #</b> CIP84644	FAIN #:	18X9204020AK
		<b>CFDA # and Name</b> 20.600 State & Community Highway Safety	

Grants Administrator Name: Tammy Kramer <i>Tammy Kramer</i> 5/8/2020 Signature Date	Accounting Technician Name: N/A Signature Date
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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 <i>Tammy Kramer</i> 5/8/2020 Signature Date	Accepted for the Grantee by: <i>[Signature]</i> 5-11-2020 Signature Date
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# Supplemental CIOT 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](http://dot.alaska.gov/highwaysafety)

<b>Grantee Name and Address:</b> Palmer Police Department 423 S. Valley Way Palmer, Alaska 99645	<b>Title/ Short Description:</b>  <b>FFY2020 High Visibility Enforcement - CIOT Events</b>
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**Action Requested**     New Setup     Revision of Agreement: **Please provide change in the Enforcement Plan Breakdown.**

<b>ACTUAL COST OF OVERTIME TO INCLUDE BENEFITS IS NOT TO EXCEED THE FOLLOWING AMOUNT INCLUDING VEHICLE USAGE</b>	<b>\$ 12,480.00</b>
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<b>Enforcement Plan Breakdown</b>				
<b>Budget of Time/Hours</b>				
Enforcement Period	EXPENSE ITEMS	HOURS	AVERAGE HOURLY	Budget
<b>Memorial Day Holiday Period</b> 18:00, 5/12 through 06:00, 6/1/20	Hours		\$ 98.00	\$ 11,760.00
	Vehicle Usage	120.00	\$ 6.00	\$ 720.00
<b>Enforcement Period Total:</b>				<b>\$ 12,480.00</b>
	Hours		\$ -	\$ -
	Vehicle Usage	0.00	\$ 6.00	\$ -
<b>Enforcement Period Total:</b>				<b>\$ -</b>
	Hours		\$ -	\$ -
	Vehicle Usage	0.00	\$ 6.00	\$ -
<b>Enforcement Period Total:</b>				<b>\$ -</b>
	Hours		\$ -	\$ -
	Vehicle Usage	0.00	\$ 6.00	\$ -
<b>Enforcement Period Total:</b>				<b>\$ -</b>
<b>Total Hours</b>				<b>\$ 11,760.00</b>
<b>Total Vehicle Usage</b>				<b>\$ 720.00</b>
<b>GRAND TOTAL of Enforcement Periods</b>				<b>\$ 12,480.00</b>

**Purpose/Objectives:** In order to reduce deaths and injuries caused by unrestrained motor vehicle occupants and to increase compliance with Alaska's primary seat belt law, the Grantee will conduct high-visibility seat belt 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** agrees 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 - September 30, 2020.**

**Project Control CIOT Enforcement Agreement Approved**

Accepted for the Grantee by:  Signature _____	5-11-2020 Date _____	Grants Administrator: Tammy Kramer  Signature _____	Date _____
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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 \_\_\_\_\_

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### ***Section 3: Agreement Certifications and Assurances***

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**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 **15<sup>th</sup> of the month** following the end of each calendar quarter and an annual evaluation report by **November 15<sup>th</sup>** 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 **15<sup>th</sup> 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:** \_\_\_\_\_

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## ***Section 4: Certification Regarding Debarment and Suspension***

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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: 5-11-2020

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## ***Section 5: Certification Regarding Federal Lobbying***

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### **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: 5-11-2020



**City of Palmer  
Resolution No. 20-014**

**Subject:** Authorizing the City Manager to Suspend Certain Fees and Fines From the 2020 Fees and Fines Schedules Due to COVID-19 Public Health Disaster Emergency

**Agenda of:** May 12, 2020 – Committee of the Whole  
May 26, 2020 – Public Hearing

**Council Action:**     **Approved**                       **Amended:** \_\_\_\_\_  
                                  **Defeated**

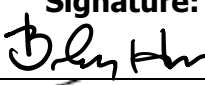


**Originator Information:**

**Originator:**    City Manager

**Department Review:**

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

**Approved for Presentation By:**

	Signature:	Remarks:
City Manager	<u></u>	_____
City Attorney	<u></u>	_____
City Clerk	<u></u>	_____

**Certification of Funds:**


Total amount of funds listed in this legislation:    \$ \_\_\_\_\_

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):**

- Resolution No. 20-014
- Hardship Form

**Summary Statement/Background:**

On March 11, 2020, Alaska Governor declared a public health disaster emergency in response to the novel coronavirus disease (COVID-19) pandemic. Since that time the State has issued 15 health mandates including closing private and public schools and stay at home orders for non-essential operations. Many Palmer residents and businesses are being adversely affected by these mandates. The following fees or fines are being waived or are considerations for waivers to lessen the burden on Palmer residents, businesses, and airport operators.

**Utilities:**

On April 9, 2020 the Governor signed SB 241 which among other items, provided for a moratorium on disconnection of residential utility service. The bill states an individual may seek protection against residential utilities being disconnected for nonpayment during the COVID-19 public health disaster emergency. Under this provision, an individual must provide the public utility a signed statement, sworn under penalty of perjury, that the person is experiencing financial hardship related to the COVID-19 public health disaster emergency and negotiate a deferred payment agreement with the utility. The utility may not impose interest or late fees on a person receiving protection who fulfills the terms of a deferred payment agreement.

The City did not hang door tags or disconnect any water, sewer or garbage utilities in March. The City made phone calls instead as reminders and were successful on getting payment for most of the outstanding accounts. Currently 14 accounts are past due from March. Late fees were not charged (deferred) in April, a loss in penalty revenue of \$3,561. The City will continue the practice of phone calls to delinquent utility customers. The City will work with customers that are having financial hardship due to COVID-19 public health disaster emergency and get a COVID-19 financial hardship form in place.

The City would like to continue with this process and actually waive late fees and working with utility customers with this process through June 2020.

**Airport Operators:**

State mandates for travel restrictions and stay at home orders for non-essential operations has had a large impact on many of the City's airport operators. Airport lease holders have specific language in each of their leases regarding late payment penalties. The airport superintendent will work with each airport operator on a case by case basis waiving late payment penalties if applicable for the period of April through June 2020. This process would utilize a similar hardship form as finance.

**Businesses:**

State mandates closing bars, dine in restaurant service, hair salons, nail salons, gyms, studios and all non-essential businesses as well as stay at home orders has had a large impact on local businesses. Any local business impacted by the COVID-19 public health disaster emergency can request in writing a waiver of late fees associated with sales tax filings for the periods of April through June 2020. Request for waivers must be received by August 31, 2020. Sales tax liability will not be waived.



**LEGISLATIVE HISTORY**

Introduced by: City Council  
Date: May 26, 2020  
Action:  
Vote:

Yes:	No:

CITY OF PALMER, ALASKA

**Resolution No. 20-014**

**A Resolution of the Palmer City Council Authorizing the City Manager to Suspend Certain Fees and Fines From the 2020 Fees and Fines Schedules Due to COVID-19 Public Health Disaster Emergency**

WHEREAS, Alaska Governor declared a public health disaster emergency on March 11, 2020, due to COVID-19 and has since issued over 15 state mandates including the closing of non-essential businesses, both private and public schools and a shelter in place order; and

WHEREAS, Palmer residents, airport operators, businesses have been adversely affected by the public health disaster emergency due to COVID-19 and the state mandates; and

WHEREAS, the City of Palmer desires to reduce the financial burden on the residents, businesses and airport operators of late fees and penalties on past due accounts for those who demonstrate a hardship.

NOW, THEREFORE, BE IT RESOLVED, that the Palmer City Council hereby authorizes the City Manager to waive interest and penalties for late payments to the City when a hardship is demonstrated retroactive to March 18, 2020, through June 30, 2020.

**Approved** by the Palmer City Council this \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Edna B. DeVries, Mayor

\_\_\_\_\_  
Norma I. Alley, MMC, City Clerk



## COVID-19 FINANCIAL HARDSHIP FORM

Sworn Statement of Financial Hardship: Under Alaska Senate Bill 241 [MORATORIUM ON DISCONNECTION OF RESIDENTIAL UTILITY SERVICE], an individual may seek protection against the disconnection of residential utilities for nonpayment during the COVID-19 public health disaster emergency. Under this provision, an individual must provide the public utility a signed statement, sworn under the penalty of perjury, that the person is experiencing financial hardship related to the COVID-19 public health disaster emergency.

Financial Hardship Defined: "Financial Hardship" means that a person's liquid assets from any source, including payments from the state or federal government because of the COVID-19 public health disaster emergency or a state or national disaster declaration related to COVID-19, when combined, would be insufficient to pay the reasonable cost of food, housing, health care, and other goods and services vital to the healthcare, and other goods and services vital to the health and wellness of the person and the person's spouse and dependents; in the paragraph, "dependent" has the meaning as given in AS 23.20.350(g).

Requirement to Negotiate Payment Plan: A person seeking protection under this provision must negotiate and agree to a deferred payment agreement allowing repayment over a period not shorter than the period of the public health disaster emergency declared by the governor of the State of Alaska.

No Interest or Late Fees: The utility may not impose interest or late fees on a person receiving protection under this provision who fulfills the terms of a deferred payment agreement.

### ATTESTATION:

I, \_\_\_\_\_(printed name) understand the terms and conditions noted above and swear, under penalty of perjury, that I am experiencing financial hardship due to the COVID-19 public health disaster emergency.

Signature: \_\_\_\_\_ Date Signed: \_\_\_\_\_

Utility Account Number: \_\_\_\_\_

Received By: \_\_\_\_\_ Date Received: \_\_\_\_\_

**City of Palmer  
Resolution No. 20-015**

**Subject:** Authorizing the City Manager to Accept Coronavirus Relief Funds in the Amount of \$7,566,546.24 for Costs that are for Necessary Expenditures Incurred Due to the Public Health Emergency with Respect to Coronavirus Disease 2019 (COVID-19) from the Alaska Department of Commerce, Community, and Economic Development

**Agenda of:** May 26, 2020

**Council Action:**     **Approved**                       **Amended:** \_\_\_\_\_  
                                   **Defeated**

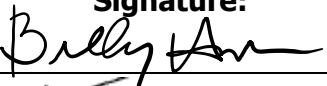
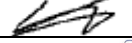

**Originator Information:**

**Originator:**    City Manager

**Department Review:**

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

**Approved for Presentation By:**

	Signature:	Remarks:
City Manager	<u></u>	_____
City Attorney	<u></u>	_____
City Clerk	<u></u>	_____

**Certification of Funds:**


Total amount of funds listed in this legislation:    \$ **7,566,546.24**

This legislation (√):

- Creates revenue in the amount of:                      \$ 7,566,546.24
- 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):**

➤ None

**Summary Statement/Background:**

On March 27, 2020 Congress passed the Coronavirus Air, Relief, and Economic Security Act (CARES Act). This act included numerous federal funding opportunities for the State of Alaska for response and mitigation for the COVID-19 public health crisis. The program legislation will provide support to communities, non-profits, businesses, and individuals throughout the state. The City of Palmer is slated to receive \$7,566,546.24 as our share of the \$562,500,000.00 distributed statewide. This legislation accepts the funds when they become available from the state. A special revenue fund will be set up for proper tracking of allowed expenditures.

On May 15, 2020, the City received guidance from the State of Alaska Department of Commerce, Community and Economic Development Division of Community and Regional Affairs including grant agreement, COVID-19 quarterly expenditures by community, treasury guidelines and monthly reporting requirements. A signed grant agreement and a resolution accepting this funding from the Palmer City Council is required to release funding.

**Administration's Recommendation:**

Approve Resolution No. 20-015.

**LEGISLATIVE HISTORY**

Introduced by: City Manager Hanson

Date: May 26, 2020

Action:

Vote:

Yes:	No:

CITY OF PALMER, ALASKA

**Resolution No. 20-015**

**A Resolution of the Palmer City Council Authorizing the City Manager to Accept Coronavirus Relief Funds in the Amount of \$7,566,546.24 for Costs that are for Necessary Expenditures Incurred Due to the Public Health Emergency with Respect to Coronavirus Disease 2019 (COVID-19) from the Alaska Department of Commerce, Community, and Economic Development**

WHEREAS, the City of Palmer wishes to provide the above described funds for the community of Palmer, Alaska.

NOW, THEREFORE, BE IT RESOLVED by the Palmer City Council hereby accepts Coronavirus Relief Funds in the amount of \$7,566,546.24 for costs that are for necessary expenditures incurred to the Public Health Emergency;

**Approved** by the Palmer City Council this \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Edna B. DeVries, Mayor

\_\_\_\_\_  
Norma I. Alley, MMC, City Clerk



**City of Palmer  
Action Memorandum No. 20-044**

**Subject:** Directing the City Manager to Notify the State of Alaska of the City Council's Statement of Non-Objection to Liquor License No. 5566 for Matanuska Brewing Company

**Agenda of:** May 26th, 2020

**Council Action:**     **Approved**                       **Amended:** \_\_\_\_\_  
                                   **Defeated**

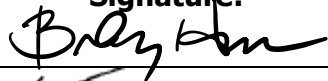


**Originator Information:**

**Originator:**    City Manager

**Department Review:**

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

**Approved for Presentation By:**

	Signature:	Remarks:
City Manager	<u></u>	_____
City Attorney	<u></u>	_____
City Clerk	<u></u>	_____

**Certification of Funds:**


Total amount of funds listed in this legislation:    \$ Unknown

This legislation (√):

- Creates revenue in the amount of:                      \$ Unknown
- 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):**

- Premise Diagram Change Form
- Administration Review Form

**Summary Statement/Background:**

Matanuska Brewing Company has applied for an amendment of their liquor license. State law requires local governing bodies (per AS 04.21.080, this is defined as the City Council) to review requests pertaining to liquor licenses within their municipalities. The City may voice a non-objection or may file a protest to a request.

As of the date of publication, the Administration had not received any written comments or phone calls from the public expressing concern or support for this application.

**Administration's Recommendation:**

To approve Action Memorandum No. 20-044.





Alaska Alcoholic Beverage Control Board

**Form AB-14: Licensed Premises Diagram Change**

**What is this form?**

This licensed premises diagram change form is required for all liquor licensees seeking to alter the functional floor plan or reduce or expand the area of the establishment's existing licensed premises, under 3 AAC 304.185. **The required \$250 licensed premises diagram change fee may be made by check, cashier's check, money order, or credit card (VISA or MasterCard).**

Your diagram must include dimensions and must show all entrances and boundaries of the premises, walls, bars, fixtures, and areas of storage, service, and consumption. If your proposed premises is located within a building or building complex that contains multiple businesses and/or tenants, please provide an additional page that clearly shows the location of your proposed premises within the building or building complex, along with the addresses and/or suite numbers of the other businesses and/or tenants within the building or building complex.

If approved, this form will replace the existing licensed premises diagram on file. All sections of the currently licensed area that you wish to remain licensed must be included in the outlined area, as described on Page 2 of this form. Blueprints, CAD drawings, or other clearly drawn and marked diagrams may be submitted in lieu of the second page of this form, as long as it meets the requirements listed on this form. The first and third pages must still be completed, attached to, and submitted with any supplemental diagrams. An AMCO employee may require you to complete the second page of this form if additional documentation for your premises diagram is needed.

This form must be completed and submitted to AMCO's main office prior to altering the existing floor plan. The licensed premises may not be altered unless and until the AMCO director has given written approval on this form. Please note that licensees seeking to change licensed premises diagrams for multiple licenses must submit a separate completed copy of this form and pay a separate fee for each license.

**Section 1 – Establishment Information**

Enter information for the licensed establishment.

Licensee:	Matanuska Brewing Company, LLC	License Number:	5566		
License Type:	Brewery				
Doing Business As:	Matanuska Brewing Company				
Premises Address:	513 South Valley Way				
City:	Palmer	State:	AK	ZIP:	99645

**Section 2 – Summary of Changes**

Provide a summary of the changes for which you are requesting approval.

Adding outside tasting areas per Special Investigator Hamilton's request. We had thought these areas were already included. See attached outside areas highlighted.



Alcohol and Marijuana Control Office  
550 W 7<sup>th</sup> Avenue, Suite 1600  
Anchorage, AK 99501  
[alcohol.licensing@alaska.gov](mailto:alcohol.licensing@alaska.gov)  
<https://www.commerce.alaska.gov/web/amco>  
Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board

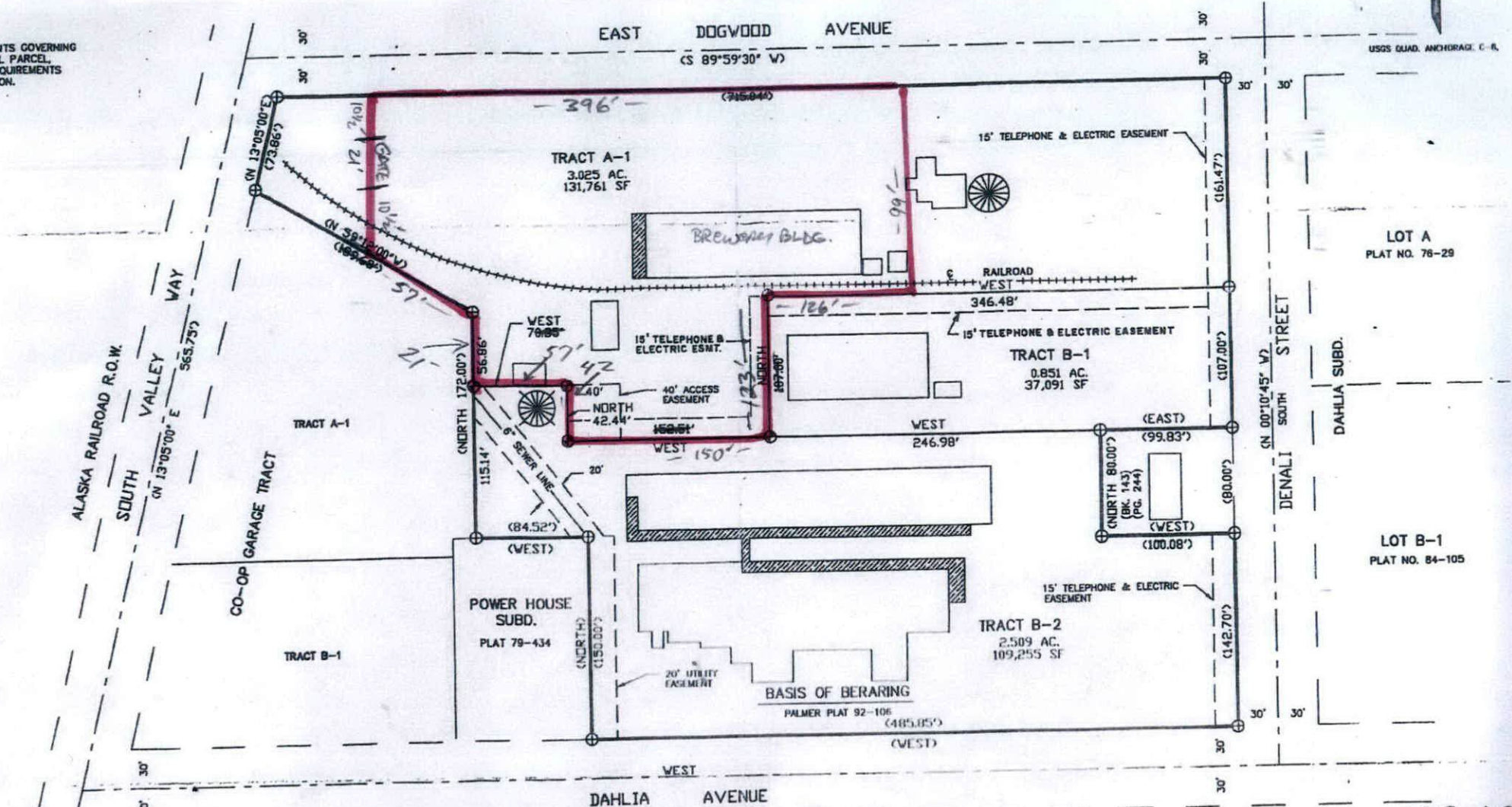
## Form AB-14: Licensed Premises Diagram Change

### Section 3 – Detailed Premises Diagram

Clearly indicate the boundaries of the premises and the proposed licensed area within that property. Clearly indicate the interior layout of any enclosed areas on the proposed premises. Clearly identify all entrances and exits, walls, bars, and fixtures, and outline in red the perimeter of the areas designated for alcohol storage, service, and consumption. Include dimensions, cross-streets, and points of reference in your drawing. You may attach blueprints or other detailed drawings that meet the requirements of this form.

ENTS GOVERNING  
AL PARCEL  
EQUIREMENTS  
EON.

USGS QUAD, ANCHORAGE, C-8.



LOT A  
PLAT NO. 76-29

LOT B-1  
PLAT NO. 84-105

Page 67 of 70

CITY OF PALMER

MATANUSKA VALLEY SPORTSMAN SURVEY TR. NO. 1 PLAT NO. 69-1089

IVEY SURVEY TR. A PLAT NO. 75-6

MATANUSKA-SUSITNA BOROUGH

**CERTIFICATE OF LESSEE**

I HEREBY CERTIFY THAT I HOLD A LEASE WITH OPTION TO PURCHASE OF A PORTION OF THE PROPERTY SHOWN AND DESCRIBED HEREON. I HEREBY AGREE TO THIS PLAT, AND TO ANY RESTRICTION OR COVENANT APPEARING HEREON AND ANY SUCH RESTRICTION OR COVENANT SHALL BE BINDING AND ENFORCEABLE AGAINST PRESENT AND SUCCESSIVE OWNERS OF THIS SUBDIVIDED PROPERTY.

BK. 13 MISC. PAGES 274 THROUGH 278  
BOOK AND PAGE OF DOCUMENT  
*Shirley K. Parker K.L.H. Vaca Properties*  
K.L.H., INC.  
P.O. BOX 989  
ANCHORAGE, ALASKA 99504

ASLS 96-4  
PROPOSED SUBDIVISION NAME  
LESSEE  
INTEREST IN PROPERTY

**CERTIFICATE OF PAYMENT OF TAXES**

I HEREBY CERTIFY THAT ALL CURRENT TAXES AND SPECIAL ASSESSMENTS, THROUGH Dec 31, 1999, AGAINST THE PROPERTY, INCLUDED IN THE SUBDIVISION OR RESUBDIVISION HEREON HAVE BEEN PAID.

*Loanniff* 8/5/99  
BOROUGH TAX COLLECTION OFFICIAL DATE

**CERTIFICATE OF PAYMENT OF TAXES**

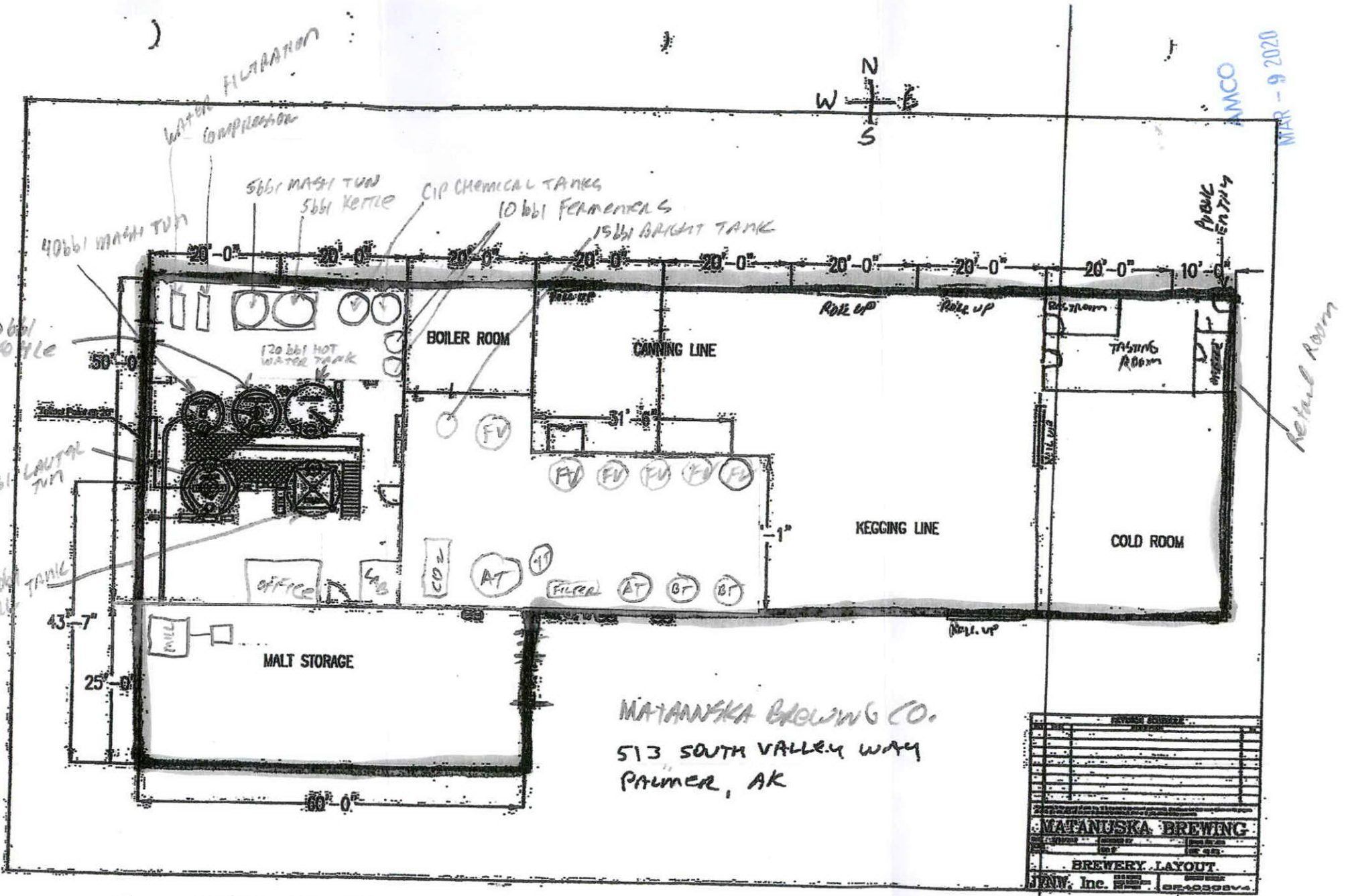
I HEREBY CERTIFY THAT SPECIAL ASSESSMENTS THROUGH

**PLANNING DIRECTOR'S CERTIFICATE**

I CERTIFY THAT THIS SUBDIVISION PLAT HAS BEEN FOUND TO COMPLY WITH THE LAND SUBDIVISION REGULATIONS OF THE MATANUSKA-SUSITNA BOROUGH, AND THAT THE PLAT HAS BEEN APPROVED BY THE PLATTING AUTHORITY BY PLAT RESOLUTION NO. 1999-99-P, DATED 8-27, 1999, AND THAT THIS PLAT HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE RECORDER IN THE PALMER RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.

August 5, 1999  
DATE  
*George K. Hudson (Acting)*  
PLANNING DIRECTOR,  
MATANUSKA-SUSITNA BOROUGH

99-62  
RECORDED & FILED  
*Palmer*  
DATE Aug 6, 1999  
TIME 3:09 P.  
Requested by AS/DWR



AMCO  
MAR - 9 2020

MATANUSKA BREWING CO.  
513 SOUTH VALLEY WAY  
PALMER, AK

MATANUSKA BREWING	
BREWERY LAYOUT	
JAN, Inc.	82-103084

- FV = FERMENTOR 120661
- BT = BRIGHT TANK 120661
- AT = AGING TANK 120661
- YT = YEAST TANK



Alaska Alcoholic Beverage Control Board

**Form AB-14: Licensed Premises Diagram Change**

**Section 4 – Declarations**

Read the statement below, and then sign your initials in the box to the right:

Initials

The proposed changes conform to all applicable public health, fire, and safety laws.

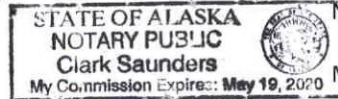
VB

As a liquor licensee, I declare under penalty of perjury that this form, including all attachments is true, correct, and complete.

[Signature]  
 Signature of licensee

**Kevin Burton**

Printed name of licensee



[Signature]  
 Notary Public in and for the State of Alaska.

My commission expires: 5-19-20

Subscribed and sworn to before me this 4<sup>th</sup> day of March, 2020.

**Section 5 – Local Government & AMCO Review**

**Local Government Review** (to be completed by an appropriate local government official):

Yes No Pending

The proposed changes shown on this form conform to all local restrictions and laws.

A local building permit is required for the proposed changes.

\_\_\_\_\_  
 Signature of local government official

\_\_\_\_\_  
 Building Permit #

\_\_\_\_\_  
 Date

\_\_\_\_\_  
 Printed name of local government official

\_\_\_\_\_  
 Title

**AMCO Review:**

Approved Disapproved

\_\_\_\_\_  
 Signature of AMCO Enforcement Supervisor

\_\_\_\_\_  
 Signature of Director

\_\_\_\_\_  
 Printed name of AMCO Enforcement Supervisor

\_\_\_\_\_  
 Printed name of Director

\_\_\_\_\_  
 Date

**AMCO Comments:**

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

AMCO  
 AMCO  
 MAR - 8 2020  
 MAR - 9 2020

# City of Palmer • Liquor License Review Form

**BUSINESS NAME:** Matanuska Brewing Co.

**OWNER:** Matt Tomter

**LICENSE TYPE:** Brewery

**LOCATION:** 513 South Valley Way

*Route to: Department of Finance*

### Department of Finance

Business License/Sales  
Tax/Utilities/Assessments  
Current:

Yes

No

If no, explain:

\_\_\_\_\_

Other Comments:

\_\_\_\_\_



Finance Director

05/08/2020

Date

*Route to: Department of Community Development*

### Department of Community Development

Code (PMC/Bldg/Fire)  
Compliant:

Yes

Yes

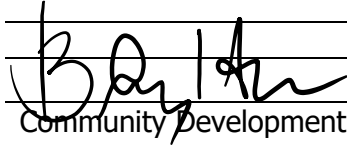
No

If no, explain:

\_\_\_\_\_

Other Comments:

\_\_\_\_\_



Community Development Director

05-11-2020

Date

*Route to: Police Department*

### Police Department

Excessive Calls:

Yes

No

If yes, explain:

\_\_\_\_\_

Other Comments:

\_\_\_\_\_



Chief of Police

5-11-2020

Date