

# MANAGER'S REPORT

March 29 – Good Friday

March 31 – Deadline for Senior/Disabled Veteran Property Tax Exemption

March 31 – Easter

DATE: March 25, 2024  
TO: Mayor and Borough Assembly  
FROM: Annette Kreitzer, Borough Manager

## **Assembly Follow-up:**

- 1) Work with the Friends of Mosquito Lake School & Community Center/Four Winds Resource Center to produce a new MOU for administration of the Borough facility known as the Mosquito Lake School. – *I have included funding in the budget amendment on the February 13 Assembly agenda to plow the Mosquito Lake facility to ensure access for school bus turnaround, garbage collection, and fuel delivery. No update.*
- 2) Porcupine Trail FEMA Appeal: **No update.** Submitted on time to State DMVA – DMVA has until May 3 to confer with the Borough and submit to FEMA.

## **Administration**

### **HUMAN RESOURCES:**

- Public Facilities Director position – negotiations ongoing, reference calls made.
- We are recruiting for a Planning & Zoning Technician II, the Assembly approved funding for previously.
- Police Chief position –I expect to conclude negotiations with Sgt. Dryden for the position before the April 9 Assembly meeting.
- IT support for the Library and potentially some position restructuring – this is still a work in progress.
- Fire Chief position – Working on preliminary information for the Operational Audit-Fire Department Strategic Planning project. Prior to submission of the information, we'll request a meeting with the Public Safety Advisory Board. Members have been working on this over Spring break (March 17-23).
- Harbor Seasonal positions will be advertised starting the week of March 25.
- Executive Assistant to Manager, recruiting this week.
- Starting to advertise for an expected opening in Dispatch, due to a likely retirement.

### **MANAGER MEETINGS:**

Multiple budget meetings week of March 11-15; Work on transition with former Planner, Clerk and Deputy Clerk; 3/14/24 KHNS Interview re: PSB funding in

federal appropriations bills; Planning Commission meeting; 3/15/24 Phone conference with federal lobbyist re: projects submitted to federal CDS portals; Meeting with Mayor, Deputy Mayor and Clerk re: Planning Commission meeting and communication;

March 18-23: Budget meetings; work on Police Chief contract; Review legislation of interest to Borough; 3/19/24 Regular meeting with Deputy Mayor; Commerce Committee; 3/20/24 Staff meeting, Bi-weekly Lutak Dock meeting; 3/20-21/24 meetings with State lobbyist and legislators and/or staff re: matching funds for PSB funding sources; Trenton English, Local 71 re: voluntary benefits and exempt staff; 3/23 (Saturday) in office – budget preparation (11:15 am – 5:15 pm). Several phone conferences re: Jenae’s Playground to come to consensus on plantings and moving project forward.

**UPCOMING PUBLIC EVENTS/MEETINGS:**

March 26: 5:30 pm Personnel Committee

March 26: 6:00 pm Borough Assembly

March 27: 5:30 pm Townhall w/Assessor Martins Onskulis of Appraisal Alaska

March 28: 10:30 am Ports & Harbors Advisory Committee

March 28: 5:30 pm – Parks & Rec Subcommittee on Trails

April 2: 5 pm Planning Commission Work Session re: Geotechnical Advisory Group

April 2: 6:30 pm GAS Committee

April 4: 5 pm US Army Restoration Advisory Board meeting for the former Haines Fuel Terminal – Chilkat Center

**COMPREHENSIVE PLAN:**

- Check the link ([COMPREHENSIVE PLAN](#)) for the most current schedule and meetings.
- Now is the time to comment on the draft plan – Submit your comments before April 12! Use the link above to get information on how to submit your comments.

**MAJOR PROJECT ISSUES:**

- Lutak Dock- Solstice continues to work on the draft Environmental Assessment for the Assembly’s review in Executive Session. As soon as it is available, we’ll schedule the session.
- RAISE GRANT AGREEMENT DEADLINE CHANGE: Although the deadline for FY21 RAISE grants throughout the US has been extended from September 30, 2024 to September 2027, our grant administrator has advised: **Please note that the Office of the Secretary is keen to still obligate these funds as soon as practicable so I encourage you to continue working with our team to complete the Section 106 and NEPA processes.** The change is included in [H.R.4366 - Consolidated Appropriations Act, 2024](#). The deadline to expend funds is now September 30, 2032. I have requested an accounting for how much the Borough has spent so far on the project and amounts pending.

- Lutak Dock Questions re: Commerce and Ore prohibition
  - Question to Borough Attorney: Would a prohibition of the transportation of mineral ore present an unconstitutional restriction on trade? Also asked Lynn Canal Conservation, whose legal representative apparently raised the question initially what background was considered for making the assertion that it is an unconstitutional restriction on trade and have not received an explanation. **ANSWER: Attorney memo included in meeting documents.**
  - Question to MARAD: An Assembly member has proposed a Charter amendment to prohibit ore storage or shipment across Lutak Dock. The definition of ore is being defined by one of the Assembly's committees. Is there any language in the grant agreement or elsewhere which would prohibit the Borough from enacting such a ban? There is an assertion that the federal funding would prohibit the Borough from enacting a ban on the shipment or storage of ore at Lutak Dock. Here is the motion from the meeting: Motion: THOMAS moved to "Direct the Clerk to draft a proposition for a charter amendment that would prohibit ore storage and shipment at Lutak Dock," and the motion carried unanimously. **ANSWER: From Matt Duggan, Sr. Grants Management Specialist/MARAD "(The) type(s) of cargo Haines Borough decides to transport via the dock are entirely the Borough's choice and do not affect the award/project.**
- Porcupine Road/potential appeal of FEMA Determination Memo: The appeal was timely filed on March 4. The State has 60 days to respond to us (MAY 3) before the appeal would be sent to FEMA (*the State may not use all 60 days to respond to the Borough*). FEMA has 90 days to respond to an appeal.

#### **LEGISLATIVE ISSUES:**

Received word from Senator Murkowski's office that the final \$1.0 million in Criminal Justice funds passed Congress and are now headed to the President's desk for consideration. This makes the full federal funding \$13.0 million for the Haines Community Safety & Training Center project (replace the Public Safety Building). Again, this success is due to the diligent work of Senator Murkowski's staff, our federal lobbyist Jay Sterne, former Mayor Doug Olerud, former Fire Chief All Giddings and the support of the entire Alaska delegation. We are preparing to request additional federal funds for this project in the FY25 budget, as well as focus on funds to finish the Small Boat Harbor project, and Library expansion.

With our State lobbyist, Reid Harris, I met with a number of legislative staff regarding matching funds for the Public Safety Building (\$1.65M). There are a number of bills that we are tracking.

#### **LEGAL ISSUES:**

- Assessment Notice omission of dates taxes due and BOE dates. Cards are being resent.

## **DEPARTMENT REPORTS**

### **Lands/Assessment/Permitting**

- We are working through the transition of the Planner position.

### **PROPERTY ASSESSMENTS**

- Property Assessments were mailed March 22 from Haines (printed in Juneau). However, due to the omission of dates when taxes are due, and the BOE dates, they must be reprinted and resent. This is the only change – there are NO changes to assessment values. The reprinted cards will be yellow, and contain the dates mentioned. The larger cards are in response to the Property Tax Assessment Ad Hoc Board’s recommendations to include more information for property owners.

### **Finance**

- Working on FY25 budget. Manager’s budget due April 1 to Assembly.

### **Library**

- Director Reba Heaton informed us that she had been called regarding a so-called “First Amendment Audit” where the goal is to film a public official refusing a person with a camera the ability to film in a “public place”. This has happened in a number of public places – Post offices, police stations and public libraries. Heaton informed us that the Library has a filming policy and I’ll be reviewing it for expansion to all Borough public buildings.

### **Tourism**

- Floating Dock and Port Development Fee continue to be discussed in the Assembly’s Finance and Commerce committees. A Resolution recommending support for the Port Development Fee is on the agenda.

### **Grants Administration**

- Working through issues regarding Jenae’s Playground, supply chain, types of plants, etc.
- Dalton St. (FEMA) project bid opening Friday March 29.
- Used oil shed for Harbor out to bid (opening April 9).
- Working with School District on school locker room door project, almost ready to go to bid.

### **Ports & Harbors**

- We are actively advertising for the Assistant Harbormaster position.

- Ports & Harbors Committee is expected to narrow the alternatives for the Letnikof Dock replacement (March 28) and agree on a concept to move forward.
- Identifying a firm to update drawings for PC Dock Anode Replacement project, which otherwise is ready to go out to bid.

### **Public Works**

- As we transition from winter into spring (fingers crossed) we will be removing, repairing, and welding all heavy equipment chains in preparation for next year. We will also be removing wing blades and front plows from the graders and getting them ready for much needed spring grading. We are currently winging back snow on all gravel roads to increase drainage and drying of said roads. Several loads of E1 will be stockpiled for pothole mitigation. Sweepers will be coming out of storage and getting ready to clean streets and sidewalks. We will be also be doing seasonal maintenance on all borough vehicles and equipment as well as seasonal tire changes.

# FY 21 RAISE GRANT DEADLINE EXTENSION

H. R. 4366—282

current project cost estimate, why the project cannot be completed with the obligated grant amount, and any other relevant information, as determined by the Secretary: *Provided further*, That funds made available under this subsection shall be allocated to projects eligible to receive funding under this section in order of the date the grant agreements were initially executed: *Provided further*, That the allocation under the previous proviso will be for the amounts necessary to cover increases to eligible project costs since the grant was obligated, based on the information provided: *Provided further*, That section 200.204 of title 2, Code of Federal Regulations, shall not apply to amounts made available under this section: *Provided further*, That the amounts made available under this section shall not be subject to limitations under section 6702(c) of title 49, United States Code: *Provided further*, That the amounts made available under this section shall not be part of the Federal share of total project costs under section 6702(e)(1) of title 49, United States Code: *Provided further*, That section 6702(f) of title 49, United States Code, shall not apply to amounts made available under this section: *Provided further*, That the Office of the Secretary of Transportation shall provide the amounts allocated to projects under this section no later than 120 days after the date the sufficient written justifications required under this section have been submitted.

SEC. 109C. For amounts provided for this fiscal year and prior fiscal years, section 24112(c)(2)(B) of Public Law 117-58 shall be applied by substituting “30 percent” for “40 percent”.

SEC. 109D. The remaining unobligated balances, as of September 30, 2024, from amounts made available for the “Department of Transportation—Office of the Secretary—National Infrastructure Investments” in division L of the Consolidated Appropriations Act, 2021 (Public Law 116-260) are hereby permanently rescinded, and an amount of additional new budget authority equivalent to the amount rescinded is hereby appropriated on September 30, 2024, to remain available until September 30, 2027, and shall be available, without additional competition, for completing the funding of awards made pursuant to the fiscal year 2021 national infrastructure investments program, in addition to other funds as may be available for such purposes: *Provided*, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 109E. For amounts provided for fiscal year 2024 under the heading “National Infrastructure Investments” in title VIII of division J of the Infrastructure Investment and Jobs Act (Public Law 117-58) to carry out section 6702 of title 49, United States Code, the set aside for historically disadvantaged communities or areas of persistent poverty under subsection (f)(2) of such section shall be applied by substituting “5 percent” for “1 percent” in this fiscal year: *Provided*, That amounts repurposed pursuant to this section that were previously designated by the Congress as an emergency requirement pursuant to a concurrent resolution on the budget are designated as an emergency requirement pursuant to section 4001(a)(1) of S. Con. Res. 14 (117th Congress), the concurrent resolution on the budget for fiscal year 2022, and to