

City of Gustavus, Alaska

Resolution No. 2008-25

A RESOLUTION DIRECTING THE DRC COMMITTEE TO TAKE ACTIONS REGARDING USE OF THE 'AIRPORT TRIANGLE' FOR THE DISPOSAL OF SEPTAGE AND CONSTRUCTION/ DEMOLITION WASTE

WHEREAS, the City of Gustavus adopted Resolution 2007-04 directing the DRC Committee to "to complete a definitive exploration of new site options, for comparison to the existing site, for all or some of the existing DRC functions, and for the additional function of septage processing";

WHEREAS, following a rigorous and exhaustive process the DRC Committee determined that only one site within the municipal boundaries of Gustavus, the Airport Triangle, can provide for some of the existing DRC functions, including the currently unmet needs of septage disposal and construction/ demolition waste disposal;

WHEREAS, the Alaska Department of Transportation and Public Facilities, in response to a DRC Committee 'Scoping Document for Moving One or More Functions of the DRC (August, 2007), to a 'Risk Assessment For Location of Gustavus DRC Functions at the Airport Triangle Site (March 31, 2008) and to a meeting with representatives of the DRC Committee held on May 29, 2008, went on record in writing with a July 3, 2008, letter to oppose any development of DRC functions at the Airport Triangle;

WHEREAS, the DRC Committee, in a Memorandum dated November 24, 2008, proposes a plan of action and asks for direction and support from the Gustavus City Council;

NOW THEREFORE BE IT RESOLVED, the City Council by this resolution hereby provides the following support and direction to the DRC committee:

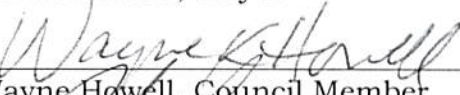
- The DRC is authorized to solicit legal counsel through the established agreement with the City Attorney to determine if the City has a legal basis to apply for a permit and move forward its proposed actions regarding the Airport Triangle parcel;
- If legal counsel determines that the City is within its rights to apply for a permit, the DRC Committee, in collaboration with the Lands Committee, is authorized to notify the State of Alaska DNR of the City's intent to select the entire Airport Triangle parcel as a AS 38.05.810 public and charitable use land selection;

- If legal counsel determines that the City is within its rights to apply for a permit, the DRC Committee is authorized to contact consultants with experience in securing State of Alaska permits in the area of waste disposal, including septage, and from those contacted to identify consultant(s) deemed appropriate and capable of executing this work; and to establish a written cost estimate for this work, and present it to the City Council for consideration.

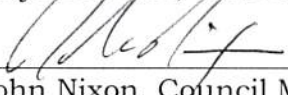
PASSED and APPROVED by the Gustavus City Council, this 11th day of December, 2008.



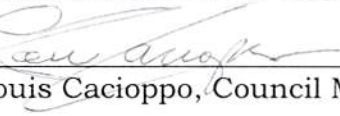
William Unkel, Mayor



Wayne Howell, Council Member



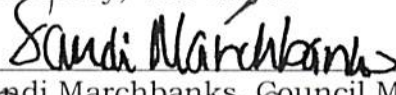
John Nixon, Council Member



Louis Cacioppo, Council Member



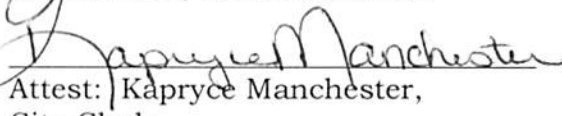
Paul Berry, Vice Mayor



Sandi Marchbanks, Council Member



Joe Lassiter, Council Member



Attest: Kapryce Manchester,
City Clerk