



City of Homer

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Homer City Council

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Memorandum

TO: MAYOR CASTNER AND HOMER CITY COUNCIL

FROM: DONNA ADERHOLD, COUNCILMEMBER

DATE: DECEMBER 2, 2019

SUBJECT: ALASKA MUNICIPAL LEAGUE ANNUAL LOCAL GOVERNMENT CONFERENCE
ANCHORAGE, 20-22 NOVEMBER 2019

I had the privilege to travel to Anchorage to attend the Alaska Municipal League's annual conference, November 20-22, 2019. These trips are valuable on many fronts, and I appreciate the opportunity to attend. Below is my summary of the conference and the breakout sessions I participated in. Please note that these are my takeaways and other councilmembers likely picked up on different aspects of the presentations and discussions.

November 20 Opening Plenary Session

The opening morning of the Conference was a plenary session that included reports from the Alaska Government Finance Officers Association, Alaska Association of Municipal Clerks, Alaska Municipal Management Association, Alaska Fire Chiefs Association, Alaska Municipal Attorneys Association, and the Alaska Conference of Mayors. The AML board of directors is made up of representatives from districts around the state, and the district board members provided brief reports with municipal issues in each of the regions. Jim Johnson, University of Alaska President, and Nicole Borromeo, Alaska Federation of Natives General Council, provided their impressions on the state of the state.

Governor Dunleavy provided a video in which he acknowledged that he will not be proposing cuts to municipal oil and gas property taxes or fish tax revenue sharing in the upcoming budget he will send to the legislature in early December.

Ethan Berkowitz, Anchorage Mayor, presented on the dwindling support the state is providing to municipalities and shared his idea of a municipal dividend to combat that dwindling support. The municipal dividend could be funded by committing 100% of oil royalties to the permanent fund instead of the current 25%. The state is pushing more responsibility on municipalities and the municipal dividend would result in more municipal capacity to take on the added responsibilities.

Bryce Edgmon, Speaker of the House, noted that the debacle of 2019 is over. The governor has changed staff and is acknowledging that his first attempt at being governor did not go so well. Edgmon acknowledged the state's ongoing budget issues by stating that 55% of the state budget for the current fiscal year is funded by permanent fund earnings. Half the state budget is schools and Medicaid and these were underfunded in the

current budget. The legislature is looking at the largest supplemental adjustment to the budget ever because of Medicaid. The big issues for the upcoming legislative session will be oil taxes, revenues (the governor has hinted at proposing a state sales tax but this remains unknown), and a spending cap. He noted that if state budget cuts continue, smaller communities could go away.

Two representatives from ExxonMobil provided energy outlooks through 2040. David Khemakhem, Corporate Strategic Planning, discussed demand drivers in forecasting: technology, policy, and consumer preferences (unknowns for future, uncertainties). He stated that the world will demand a 25% increase in energy by 2040 (from all sources). The largest growth sectors will be in industry (10%) and electrical generation (30%). Energy in India and China will grow by 50%. Natural gas will increase while coal will decrease. Nuclear, solar, and wind will increase. US demand will change, requiring less oil and more natural gas. He provided a comparison to the Paris Accord agreements and the models to get there. New technologies that are feasible are not available yet. Darlene Gates, ExxonMobil Alaska President talked about the company's triple A rating: awareness, advocacy, and action. She focused her presentation on the potential for natural gas in Alaska. There are no solutions yet to options for bringing North Slope natural gas to market, but that they are exploring the potential of shipping from the North Slope. They are evaluating the economics and feasibility. She also spoke about the current "Alaska's Fair Share" ballot initiative, stating that it goes too far. Royalties are driven by production. In a barrel of oil, 56% of the profit goes to the state and municipalities, 16% goes to the federal government, and 29% goes to the producer. The 29% that goes to the producer goes to future investment.

Nils Andreassen, AML executive director, presented on the strength in diversity of municipalities across Alaska. His presentation consisted of a series of generalized overview maps of Alaska demonstrating different municipal issues. Two of the many highlights included that Alaska municipalities collectively manage as many road miles as the state Department of Transportation and 97% of municipalities rely on public radio for information. He noted the number of municipalities that now have some version of a restriction on plastic bags and asked whether plastic bags should be an AML issue. AML membership is a partnership and we all need to work together toward common needs. The state is facing a \$1 billion deficit and a \$200 million supplemental budget adjustment for the current fiscal year. Legislative priorities for AML in the upcoming session include community assistance (down by 1/3), education cost-shifting, PERS/TRS, the marine highway system, revenue, and public safety. Petroleum property taxes and fish taxes were on the list but the governor has indicated these are off the table. He spoke of systems change relative to the development of a community services fund and the need for the state to pay off the PERS net pension liability (paying off the debt would save the state \$475 million annually).

Eric Whaley and Brad Gewehr of Bank of America Merrill Lynch spoke on national economic trends and hot topics in municipal credit markets. They asked the question: what happens when we hit the next recession and we have high federal deficits? What happens to federal loans and grants to states and municipalities? Challenges we face: the state pension plan and the unfunded liability, cost of investing in climate resilience and recover, and the change in US demographics from a pyramid shape (lots of people in younger age groups, tapering to very few in older age groups) to a pillar shape (almost equal distribution of numbers of people in all age groups).

Afternoon Concurrent Sessions

Homer councilmembers present divided among numerous concurrent sessions during the afternoon. I attended a policy workshop on PERS reform, a portion of a session on housing and homelessness, and a meeting of the legislative positions and resolutions committees.

PERS Reform Policy Workshop

The Public Employees Retirement System (PERS) is a perennial issue for municipalities and is a complicated topic that I am still getting my arms around. Nils Andreassen started the workshop with a brief history lesson on the PERS issue between the state and municipalities. Some highlights of the history lesson include: Originally, the state and municipal PERS accounts were maintained as separate funds, with the state contributing for state employees and municipalities contributing for municipal employees. For reasons lost to history, the state blended the funds in 1971 without notifying municipalities. This state accounting was uncovered in 2006 when the insolvency of the fund was discovered. A new management agreement between the state and municipalities was signed; the agreement included a 22% cap on municipal employer contribution and the intent by the state to pay down the unfunded liability by 2039 (the state has not paid down the unfunded liability at the rate agreed to and will not be paid off by 2039). Municipalities continue to pay 22% (though the legislature threatens to increase this proportion regularly) but are 18% of PERS. The state, university, and other state enterprises are the other contributors to PERS.

The unfunded liability is currently funded at 56% and amortization is extended indefinitely beyond 2039. Once 2039 comes and goes without the liability paid off, the liability will shift to the municipalities. Municipalities have become “prisoners of PERS.” Municipalities can’t afford to stay in and can’t afford to get out because termination studies require municipalities to continue to pay down the unfunded liability for “ghost employees.” For every payroll dollar, \$0.22 goes to PERS and \$0.15 goes to debt.

The best way to deal with the debt is to pay it off. Potential sources to pay off the debt are the earnings reserve and pension obligation bonds (which have been used in other states that found themselves in similar situations to the state of Alaska). The important thing is to get money into the PERS system rather than the liability.

The state legislature has turned over several times since the 2008 agreement on PERS and current legislators need to be reeducated on the issue. The dynamics of the agreement have changed dramatically. The state is not motivated to reform the system.

AML has formed a working group on reforming PERS. HB79, peace officer/firefighter retirement benefits sponsored by Rep. Kopp, is a shared risk model based on other states that are working well, and is restricted to public safety. SB46 casts a broader net and has different approaches. AML participated with other non-state employers on PERS issues.

I took several handouts from this session that I am still reviewing.

Housing and Homelessness

Because of other meeting obligations, I was only able to attend the end of this session. The session was moderated by Brian Wilson, Alaska Coalition on Housing and Homelessness, and Jasmine Boyle, Anchorage Coalition to End Homelessness, and included panelists Rorie Watt, Juneau manager, Jim Matherly, Fairbanks mayor, and Ethan Berkowitz, Anchorage mayor. The panelists discussed recent actions they have taken to provide homeless housing and to address the perennial issue of homelessness. The room was full and participants were actively engaged in the discussion. Rep. Sponholz’s chief of staff attended and noted the representative’s interest in working with municipalities on their needs.

Legislative Position and Resolution Committees

These committees met to prepare for the AML business meeting on Friday morning. Each year the AML evaluates pre-filed state legislation for potential effects on municipalities and develops position statements. Municipalities also have the opportunity to submit resolutions on issues they want AML to focus on during the upcoming legislative session. The position statements and resolutions are voted on during the business meeting and those that pass are moved forward by AML staff.

November 21 Concurrent Sessions

Homer councilmembers divided up for the first of two concurrent sessions and came together for the second. The mayor and I attended a policy workshop on funding the ferry and all of us attended a panel discussion on strengthening the manager-elected official relationship.

Funding the Ferry

This session provided participants from communities severely impacted by the cuts to the Alaska Marine Highway System to voice their concerns and my notes reflect the popcorn style of the discussion. The conversation was facilitated by Nils Andreassen and Mike Lesmann, DOT&PF Legislative Liaison, and Robert Venables, Marine Transportation Advisory Board Chair, listened, took notes, and answered questions.

Nils began with a few questions: what are local expectations, what are alternative funding mechanisms, is this the new “normal”, what are the expectations of the Northern Economics report expected on December 15, and what is the role of AML?

Any new revenue source is going to take 2 years at least to have an effect on operations.

Where are the funds coming from? There are no other funds available.

Nobody knows where to go or what to do, which leaves cities trying to find solutions (such as barges).

Northern Economics survey questions don't make sense. It's not like ferry-dependent communities can choose to take a bus.

How the bureaucracy is making decisions.

The ferry system is a big hairy audacious system.

There needs to be a governance change: take the ferry system away from DOT&PF where it has been impacted for years by the revolving door of administrations with conflicting ideas on how to fund the system. Currently there is no AMHS director.

What is basic service?

Municipalities need to be together on AMHS service as a whole.

The loss of the ferry system is like being hit by a tsunami—hit hard and fast without warning or time to plan.

Municipalities need clear communication from the state.

Triage of ferries—now beyond triage.

Do have options for revenue.

Costs to transport equipment such as new emergency vehicles will more than double without having ferries for transport, so the costs to municipalities is extreme.

The state caused the crisis and they need to solve it. Municipalities need to know what service will be in advance so they can plan.

Municipalities need to be collective advocates for the system as a whole. It's a safety issue for ferry-dependent communities. Municipalities need to work together on solutions.

Communities that have had their economies upturned by the loss of ferries will fail without ferry service.

There needs to be a private corporation model similar to the Alaska Railroad.

There is an Alaskan business connection in that low bidders on construction projects in remote areas often depend on shipping equipment on the ferry to reduce their costs.

People who work logistics on the ferry system have been left out of the conversation.

The ferry system is like a Rubik's cube in that every aspect of operating the system needs to move together to be solved correctly.

Strategies we need to get us through the next two years will be different from what we do long term.

Communities cannot be sacrificed.

Federal funds for system with state match.

How do we keep boats going so we can maintain some level of service until we can solve the problem?

Communities have not heard from Northern Economics on phase 3 of their scope of work which was to reach out to communities dependent on the ferry system.

Need to compare Northern Economics report to previous McDowell report.

We are looking at the potential for mass migration out of small communities because of the drastic increase in costs. Will these people end up on the streets?

Ferry service needs to be seen as a basic right just as the highway system is. We need to change our attitude and the attitude of the state.

The response to the earthquake outside of Anchorage a year ago was crisis and everyone responded to get roads fixed right away. This is a crisis, too. Why is no one responding?

Interior communities need to know how they are dependent on coastal cities and ferries.

Could a private sector model similar to the Alaska Railroad receive federal funds? Yes.

Is this intended to break the backs of the union?

Urban/rural divide—importance of small communities to support industries.

Communities are good partners with the state, but the state is not being a good partner with communities.

Cordova worked a long term plan to align city services to the promised fast ferry. The theater in the Cordova Center was built with the exact number of seats as the fast ferry and the community increased ferry ridership by 30% to demonstrate support for the ferry. Then the fast ferry was taken away.

The ferry fleet and ports need to be standardized. Currently there is a mismatch in that some ferries cannot offload on some ports. This has happened over time because one administration starts a ferry construction initiative and the next administration changes it or stops it.

A board should run the ferry system rather than the executive branch administration.

Coastal communities need to be loud, persistent, and pugnacious; have to be the kid who never shuts up.

Moving forward:

AML will post the McDowell report on the AML website.

Mike Lesmann took notes on the questions asked during the discussion and will prepare responses. The questions and responses will be posted on the AML website.

Need to be pugnacious, but also strategic.

Alaska Federation of Natives, the Alaska Chamber of Commerce, and other statewide organizations have written letters supporting the continued functioning of the Alaska Marine Highway System.

Municipalities that have submitted resolutions and letters regarding the ferry system should share those with AML so AML can connect communities.

The state needs to avoid the “Balkanization” of communities.

Strengthening the Manager-Elected Official Relationship

Panelists for the session included Jim Williams, Fairbanks North Star Borough chief of staff, Katie Koester, Homer city manager, Pat Branson, Kodiak mayor, and Pete Petersen, Anchorage assembly member. Rorie Watt, Juneau manager, facilitated the question/answer discussion. Some of the areas of discussion included the following:

Professional ethics—education and prevention, ethics training with council and manager, a reminder that everything one says and does could be on the front page, be the culture you want to be, address things as they come up.

Know your role in the organization—managers manage (remembering that everything doesn’t need to be done right now) and council/assembly sets policy.

Honesty and trust—work together towards common goals, communication is important.

Things fall apart when manager and elected officials do not do their roles.

Partnership.

Training to understand roles and ethics.

The manager is the conduit to the organization. Respect roles and separation of roles.

The manager and mayor have a close working relationship—the mayor is an ally in organizing the body related to flow and process of meetings; there is an outward facing role of the mayor, but the mayor needs to remember that the manager works for the body.

Municipalities should have an onboarding process for newly elected officials to ensure everyone knows and understands their roles.

How to give or receive feedback back and forth between manager and elected body?

How do managers coach “up” to mayor and council/assembly members? Elected officials have the opportunity to coach each other from the perspective of the good of the community. Manager provide evaluation of elected officials?

No surprises at the dais during a meeting—understanding process and training on process.

What defines complexity? It’s complex.

Afternoon Plenary Session

National Insurance Trends

During lunch, David Nunley, City of Anaheim, California risk manager, presented on national trends on municipal property insurance and claims.

AML and Partner Program Services

The AML Investment Pool (AMLIP) allows AML member municipalities to invest funds in a way that earns more interest than a money market account but remains secure. There are different accounts for different purposes. The pool is growing over time with more investments. Municipalities maintain same day liquidity.

Alaska Municipalities Health Plan (RISQ Consulting) is a new offering from AML that is intended for municipalities with about 50-100 employees. It is a partnership with Premera that has flexible plans and possibly better health care coverage and pricing than other plans. Target is to go live July 2020.

National Association of Counties (NACo) is currently focused on the 2020 census and an urban-rural census task force has been formed. Undercounting in the census = underfunding! Equity in broadband service is another area of focus. Broadband service providers report to FCC by census block which allows the companies to high gaps in service; the FCC does not fact check the reporting. A new mobile app is out called “Test IT” that measures network speed and aggregates the responses across the US to verify service. A third area of focus is working to reinstate automatic federal funding for payment in lieu of taxes (PILT) for rural school (this is a federal program for areas with large areas of federal lands that do not pay state and local taxes, including the Kenai National Wildlife Refuge and Chugach National Forest on the Kenai Peninsula). Funding during the past several years has been annual appropriations.

The AML Joint Insurance Association provides risk services, rate stabilization, a loss control incentive program, a safety savings account, HR services, law enforcement support services, insurance services, inspections and safety recommendations and OSHA training.

The National League of Cities provides technical services and sustainability and green initiatives.

Online Sales Tax Implementation

AML has been working towards implementation of a means for municipalities to receive remote sales taxes since the Wayfair v. S. Dakota Supreme Court decision. Alaska is unique in having municipalities with sales taxes and no state sales tax. Two big factors in developing a centralized administration of collecting remote sales taxes was determining the required economic nexus and developing a common set of definitions for all municipalities. Working with municipalities around the state that have sales taxes, AML developed an intergovernmental agreement and drafted bylaws. The remote sellers sales tax code and software for the centralized administration through AML are in final stages of development. The system should be complete in January. There are potentially 2,600-3,000 vendors. The system maintains local taxing authority and municipalities and opt in or out of taxing remote sales through AML. This is not a new tax; it allows taxing of online sales at the same municipal rate and “levels the playing field” with local businesses.

During the session the mayors of municipalities that have passed resolutions committing to the agreement signed the intergovernmental agreement with AML.

Legislative Leadership Panel at AML President’s Dinner

Cathy Giessel, Senate President, Tom Begich, Senate Minority Leader, and Lance Pruitt, House Minority Leader, took part in a panel discussion. Bryce Edgmon, House Majority Leader, spoke to AML during the first day of the conference. Some of the nuggets I wrote down include the following:

- Tom Begich—If we don’t know what you (municipalities) need, we can’t address it.
- Cathy Giessel—Municipalities have the expectation that the state will maintain transportation systems upon which they depend (airports, highways, ferries).
- Lance Pruitt—This is a partnership. Come to us with new ideas. Two-way communication. Provide innovative ways to solve problems.
- Lance Pruitt—We are not ripping each other’s eyes out. We’re all Alaskans and we can get through this challenge. Let go of judgment and listen to each other.
- Lance Pruitt—Municipalities are incubators of change, catalysts of growth.

November 22 AML Business Meeting

As the last remaining elected official representing Homer, I attended the business meeting and voted on behalf of our municipality. All proposed 2020 position statements and resolutions were adopted. New officers and directors were elected. Of note, Jim Matherly, Fairbanks mayor, was elected to the position of 2nd Vice President and Lisa Parker was reelected to District 3 director seat for the Kenai Peninsula. Following the meeting, Lisa Parker and I discussed the concept of a meeting of all city councils on the Kenai Peninsula to discuss issues we hold in common.

Planning for Climate Change in Alaska

The afternoon after the close of the AML conference, the Municipality of Anchorage and the Alaska Center hosted a discussion on climate action planning and next steps for municipalities to work together on climate issues. Anchorage sustainability staff and the University of Alaska presented and elected officials and individuals from Anchorage, Seward, Kodiak, Nikiski, Homer, and Juneau participated.

Anchorage's climate action plan and strategy are available online, as is a toolkit for other municipalities to use to develop their own plan. Anchorage sees their plan as an economic opportunity and a way to save money. They are currently working towards an energy from waste initiative that would reduce the need for landfill space while generating energy.

Anchorage has a sustainability manager on staff and a subcabinet on climate planning and action, with members assigned from each city department. They will report annual progress on implementing their climate action plan to the public. Their website includes a summary of funding sources for climate plan implementation.

Some of their strategies/considerations include the following:

- Find people/groups in community who can take on items from the climate action plan
- Improve processes already in place; strategy = action, how is it going to be used?
- Social media – what am I doing?
- Equity and values need to be considered—some ideas sound good until you look at them from multiple perspectives
- Communal resources municipalities could use
- Municipalities meeting with utilities on climate change strategies

The Alaska Center plans on holding a meeting in February to share strategies and implementation.

Overall, this was a good opportunity to meet with others interested in municipal climate action and to see where different municipalities are in planning and gain new energy for continuing work on Homer's climate action plan.



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Memorandum

TO: MAYOR CASTNER AND HOMER CITY COUNCIL

FROM: COUNCILMEMBER EVENSEN

DATE: DECEMBER 3, 2019

SUBJECT: ATTENDANCE REPORT FOR NEWLY ELECTED OFFICIALS TRAINING AND ALASKA MUNICIPAL LEAGUE CONFERENCE

I recently attended a training session for Newly Elected Officials within Alaska. Topics covered a range of foundational information, procedural tips, and case studies. The session was very well attended (> 100 newly elected individuals from across the State – literally from Adak to Kaktovik) and received a high level of interaction from participants. Overall, I found the workshop to be highly informative and helpful.

I also attended the main conference hosted by the Alaska Municipal League. Events provided great environments for networking and talking with folks who are facing (and solving) modern-day challenges throughout our sister Alaskan communities. Because other councilmembers were also in attendance, we employed a “divide-and-conquer approach” splitting up to cover as much ground as possible among concurrent sessions.

I found three sessions provided particularly insightful information for potential future projects/development strategy along the shores of Kachemak Bay.

One session covered **Gateway Communities** (Homer is a gateway to, among other things, Cook Inlet deepwaters, Kachemak Bay State Park, and three proximal National Parks – Kenai Fjords, Katmai, and Lake Clark). Here the repeated “foundational recipe for economic success” was shown to be *(1) easily accessed and well-marked hiking trails and (2) walkable shopping in a small area.*

Another covered **PFAS Chemical Contamination** into ground waters with adverse effects for health of residents in Alaskan communities. The main fluorinated compounds (PFOA and PFOS) are long-lived, known to cause cancer, and typically sourced from defunct or long-lived military facilities, municipal dumps, and operating airports. In my mind I wondered about reconnaissance testing of groundwater near Ohlson Mountain and the Homer airport. My question regarding marine contamination and levels in harbors went unanswered; but the lead EPA scientist got back after the Conference with published information from Puget Sound.

Lastly the session on **Inclusive Play** was excellent. This topic covered playgrounds and parks designed for everybody – meaning all ages and all levels of ability or disability – to make/define a true community hub. Numerous good ideas were shared such as seamless wheelchair access to mental health activities to social engagement to learning reading or mathematics to outlook zones for indirect monitoring by adults to

“embedded scavenger hunt” features. Representatives from other municipalities excitedly asked about names, costs of certain items of modern play equipment (e.g., social spinner or the highly athletic roller-slide). I was so taken by the presentation that I planned to reach out to the speaker to possibly give the City of Homer a recap at a Regular Meeting.



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Memorandum

Date: November 30, 2019

To: Homer City Council and Files

From: Ken Castner

Subject: AML Travel Report

I drove to Anchorage to attend the Alaska Conference of Mayors (ACoM) meeting on November 19. There were 50 mayors in attendance (including villages, cities and boroughs). ACoM is a non-partisan group. We spent much of our time discussing common community problems and dwindling state support for community projects.

During the business meeting two motions were considered and passed. The first was a "Sense of the Conference" resolution to continue the Ocean Ranger program. This followed several reports from SE Alaska cities and towns that reported large slicks and beach accumulation of wastes that they thought were coming from the large cruise ships. The cruise ship industry pays for the program, and the State still collects that funding, but the Governor vetoed the hiring of the observers last season that would travel on the ships while in our near-shore waters. I made the motion, and it was passed unanimously.

The second was a prepared resolution which is attached.

The next two days I attended the AML sessions and spent time visiting with some of the other delegates.

Katie and I joined Scott Adams for a meeting at the Alaska Department of Transportation to have a further (for me, anyway) discussion about the storm water discharge at the top of the Baycrest Subdivision.

While in Anchorage, I also had a meeting with Katie and the City Attorney to discuss legal aspects of covenant title restrictions and participating in the costs of coastal protection.

On the final day, I obtained the City's voting clicker and ballot, and turned them over to Donna.



Alaska Conference of Mayors

Resolution 2020-01

Supporting consideration of local government public safety advisory commissions.

Whereas, local governments in Alaska recognize their role in addressing public safety in Alaska; and

Whereas, Alaska has high prevalence of domestic violence, sexual assault, drug- and alcohol-related crime, and abuse; and

Whereas; 70 local governments in Alaska have police powers, and many more have responsibilities that intersect with the well-being and safety of residents;

Whereas, the City of Nome recently adopted an ordinance creating a Public Safety Advisory Commission; and

Whereas, the purpose of the City of Nome's Public Safety Advisory Commission is to:

- Advise the city council on matters relating to public safety and health; and
- Promote and foster communication by and between members of the public and the public safety department; and
- Encourage the highest ethical standards in the public safety department; and
- Promote the provision of quality law enforcement services to all residents with sensitivity, cultural understanding, and racial equity; and
- Provide an alternative method for accepting citizen concerns relating to officer conduct, or suggestions for changes in public safety department practices.; and

Whereas, these purposes can apply to municipal law enforcement and public safety, but also serve to strengthen Village Police Officers (VPOs), Village Public Safety Officers (VPSOs) and State Trooper activity within communities; and

Whereas, the City of Nome's ordinance serves as a model for other local governments in Alaska.

Now, therefore be it resolved, that the Alaska Conference of Mayors encourages consideration by local governments of the development of public safety advisory commissions.