

# KODIAK CITY COUNCIL

## WORK SESSION AGENDA

**Tuesday, January 8, 2019**  
**Kodiak Public Library Multi-Purpose Room**  
**7:30 p.m.**

*Work sessions are informal meetings of the City Council where Councilmembers review the upcoming regular meeting agenda packet and seek or receive information from staff. Although additional items not listed on the work session agenda are sometimes discussed when introduced by the Mayor, Council, or staff, no formal action is taken at work sessions and items that require formal Council action are placed on a regular Council meeting agenda. Public comments at work sessions are NOT considered part of the official record. Public comments intended for the "official record" should be made at a regular City Council meeting.*

### Discussion Items

1. Public Comments (limited to 3 minutes)
2. Review of Applications/Interview of New Advisory Board Applicants .....1
3. Discuss Juneau Lobbyist RFP.....14
4. Online Sales Tax Update .....18
5. Siren Update.....23
6. State Homeland Security Program Grant Update
7. Elected Officials Training/Travel Requests
8. January 10, 2019, Agenda Packet Review

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## Office of the City Clerk

710 Mill Bay Road, Room 219, Kodiak, Alaska 99615

### MEMORANDUM

To: Mayor Branson and Councilmembers      Date: January 8, 2019  
From: Michelle Shuravloff-Nelson, CMC *MS*      Subject: Advisory Board Applicants  
Deputy Clerk

The City Clerk advertised for individuals to fill vacant seats on various City advisory boards that expired December 31, 2018. Applications were received for appointment to the Building Code Board of Appeals, Port and Harbors Advisory Board, Parks and Recreation Advisory Board, and the Personnel Board.

Seats for Appointment	Applicants
<b>Building Code Board of Appeals</b> (no City residency requirement) 3 regular seats ending 2021	New Applicant: Douglas Mathers
<b>Port and Harbors Advisory Board</b> (no City residency requirement)  2 regular seats ending December 31, 2021 2 alternate seats ending December 31, 2019 (one-year terms) 1 ex-officio student seat with a term ending May 31, 2019	New Applicant: Zachary Schmeil Applicants: Tim Abena David G. Jentry Patrick O' Donnell Oliver Holm
<b>Parks &amp; Recreation Advisory Board</b> (City residency requirement of four members) 3 regular seats ending 2021 1 alternate seat ending 2019	Applicant: John Butler
<b>Personnel Board</b> (City residency requirement) 1 regular seat ending 2020 2 vacant seats ending 2019	New Applicant: Derek P. Foster



# Office of the City Clerk

710 Mill Bay Road, Room 219, Kodiak, Alaska 99615

## BUILDING CODE BOARD OF APPEALS

Five seats

TERM	BOARDMEMBER	HOME	WORK	FAX	MAILING ADDRESS
2018	John Butler JBHHS@PTIALASKA.NET	486-4604	486-3706	486-2497	P.O. Box 2610
2018	Ed Mahoney builders@ptialaska.net	486-1968	539-1234		3944 Spruce Cape Road
2018	Cache Seel seelconstructionkodiak@gmail.com	512-0908	512-7515		515 Carolyn St.
2019	Jerrol Friend	539-1975	486-3908		P.O. Box 175
2019	Chris Sibrel	760-977-8277	942-1997		12816 Noch Dr.

Legislation	Appointments
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Kodiak City Code Chapter 14.40

10/25/84	01/23/86	2/12/87
01/08/87	12/14/87	12/12/88
01/26/89	01/11/90	12/14/90
01/09/92	01/14/93	01/27/94
12/22/94	12/14/95	12/12/96
3/27/97	12/11/97	12/10/98
2/10/00	5/24/01	12/13/01
01/23/03	01/13/05	12/15/05
12/13/07	2/28/08	12/11/09
12/9/10	2/23/12	12/13/12
2/13/14	12/10/15	01/12/17
2/9/17	2/8/18	



City Clerk's Office  
 710 Mill Bay Road, Rm 219  
 Kodiak, AK 99613  
 (907) 486-8636 \* (907) 486-8633 (fax)

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CITY OF KODIAK  
 City Clerk's Office

Advisory Board Application Form

Douglas I Mathers  
 NAME

907 486 4591 N/A mathers@gei.net  
 HOME TELEPHONE WORK TELEPHONE FAX EMAIL

2171 Harbor Way Kodiak  
 RESIDENCE (STREET) ADDRESS

PO Box 2916 KODIAK, AK 99615  
 MAILING ADDRESS

42 years 42 years  
 LENGTH OF RESIDENCE IN KODIAK LENGTH OF RESIDENCE IN ALASKA

Are you a registered voter in the City of Kodiak?  
 Do you own property in the City of Kodiak?  
 Yes  No  
 Yes  No

On which boards are you interested in serving?  
 (Please list in order of preference)  
Building Code Board of Appeals

Please list your areas of expertise and education that  
 would benefit the boards for which you are applying.  
licensed plumbing journey man  
Certified plumbing inspector  
ICC post certified in many const.  
trades. Past Building Official and  
assistant BO for city of Kodiak

Community Activities:  
Member Bay side  
volunteer Fire  
Department 35+ Years

Professional Activities:  
27 years  
Past member International  
Code Council through  
the city of Kodiak

[Signature] 11/29/18  
 SIGNATURE DATE

Return application to City Clerk 710 Mill Bay Road Room 219 Kodiak AK 99613  
 Fax 486-8633

Revised December 2016



## Office of the City Clerk

710 Mill Bay Road, Room 219, Kodiak, Alaska 99615

### PORT AND HARBORS ADVISORY BOARD

Seven regular seats, two alternates, and one student seat

Effective February 8, 2018

TERM	BOARDMEMBER	HOME	WORK or CELL	FAX	MAILING ADDRESS
2020	Marty Owen kodiakowen@gmail.com	486-5079	654-8150		1223 Kouskov, St.
2020	Jake Everich jeverich@gmail.com	401-742-9187	same		3932 Wolverine Way, Unit 1
2020	Nick Szabo herschel@gci.net	486-3853	486-3853	486-3853	P.O. Box 1633
2018	Tim Abena timabena@aol.com	486-3290	360 957-3200	486-3290	3103 Mill Bay Road
2018	Oliver Holm chicken@gci.net	486-6957	907-654-7005	N/A	P.O. Box 8749
2019	Stormy Stutes stutes@gci.net	486-8757	942-2121	486-8709	2230 Monashka Way
2019	Norm Lenon rymar@gci.net	512-0752	942-3593		522 Sut Larsen Way
2018 *Alternate 1	David Jentry dwjentry@gci.net	486-5205		486-5243	3622 Otmeloi Way
2018 *Alternate 2	Lloyd Shanley Lloydalaska@hotmail.com	654-7763		N/A	523 Sut Larsen Way
Student (ex-officio)	VACANT				

Regular terms expire December 31 (three-year terms)

Alternate terms expire December 31 (one-year terms)

Student term expires May 31 (one-year term)

#### Legislation

Resolution Number 49–81  
Resolution Number 44–86  
Resolution Number 54–87  
Resolution Number 05–94  
Resolution Number 98–32

**\*[Clerk’s Note: The alternates do not make motions or vote unless regular member(s) are absent.]**

#### Appointments

11/03/87	12/14/87	10/27/88
12/12/88	10/12/89	01/11/90
02/22/90	12/14/90	01/09/92
03/12/92	01/14/93	01/27/94
02/10/94	09/22/94	12/22/94
10/05/95	12/14/95	12/12/96
12/11/97	12/10/98	02/10/00
02/22/01	05/24/01	12/13/01
09/12/02	01/23/03	01/22/04
01/13/05	12/15/05	12/14/06
12/13/07	02/12/09	12/11/09
12/9/10	12/8/11	12/13/12
12/12/13	1/8/15	12/10/15
1/12/17	3/23/17	4/27/17
2/8/18		

Updated February 9, 2018



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CITY OF KODIAK  
 City Clerk's Office

**Advisory Board Application Form**

Zackary Davit Schmeil

NAME  
 907-654-9856 - 654-9856 2Schmeil@gmail.com  
 HOME TELEPHONE WORK TELEPHONE FAX EMAIL

3872 Otmeloi way  
 RESIDENCE (STREET) ADDRESS

P.O. Box 2863 Kodiak, AK 99615 KODIAK, AK 99615  
 MAILING ADDRESS

23 Years 11 months 23 Years 11 months  
 LENGTH OF RESIDENCE IN KODIAK LENGTH OF RESIDENCE IN ALASKA

Are you a registered voter in the City of Kodiak?  Yes  No  
 Do you own property in the City of Kodiak?  Yes  No

On which boards are you interested in serving?  
 (Please list in order of preference)

Please list your areas of expertise and education that  
 would benefit the boards for which you are applying.

Port and Harbors Advisory Board

I own a small boat in the Harbor, family owns and operates F/V Alaska Spirit and F/V Kilokak.

Community Activities:

Professional Activities: Commercial Fishing 6 years on the Alaska Spirit also during those 6 years 5 of them were also on the Kilokak.

Zackary Schmeil  
 SIGNATURE

11/24/2018  
 DATE

Return application to City Clerk, 710 Mill Bay Road, Room 219, Kodiak, AK 99615  
 Fax: 486-8633



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 Kodiak, AK 99615  
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**Advisory Board Application Form**

Tim Abena

NAME

486-3290 360.957.3200 907486 3290 timabena@aol.com  
 HOME TELEPHONE WORK TELEPHONE FAX EMAIL

3103 MILL BAY RD  
 RESIDENCE (STREET) ADDRESS

Same KODIAK, AK 99615  
 MAILING ADDRESS

22+ YEARS  
 LENGTH OF RESIDENCE IN KODIAK

22+ YEARS  
 LENGTH OF RESIDENCE IN ALASKA

Are you a registered voter in the City of Kodiak?  
 Do you own property in the City of Kodiak?

Yes  No  
 Yes  No

On which boards are you interested in serving?  
 (Please list in order of preference)

Please list your areas of expertise and education that  
 would benefit the boards for which you are applying.

PLRB

Comm. Fishing  
BOAT BUILDING  
CONSTRUCTION

Community Activities:

Professional Activities:

[Signature]  
 SIGNATURE

11/20/18  
 DATE

Return application to City Clerk, 710 Mill Bay Road, Room 219, Kodiak, AK 99615  
 Fax: 486-8633





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CITY OF KODIAK  
 City Clerk's Office

**Advisory Board Application Form**

DAVID G. JENTRY  
 NAME

486-5205 486-5205 DWJENTRY@GCI.NET  
 HOME TELEPHONE WORK TELEPHONE FAX EMAIL

3622 OTMELOI WAY  
 RESIDENCE (STREET) ADDRESS

P.O. BOX 3128 99615 KODIAK, AK 99615  
 MAILING ADDRESS

40 YRS  
 LENGTH OF RESIDENCE IN KODIAK

40 YRS  
 LENGTH OF RESIDENCE IN ALASKA

Are you a registered voter in the City of Kodiak?  
 Do you own property in the City of Kodiak?

Yes  No  
 Yes  No

On which boards are you interested in serving?  
 (Please list in order of preference)

Please list your areas of expertise and education that  
 would benefit the boards for which you are applying.

PORT & HARBOR

12 + YEARS ON P&H BOARD

Community Activities:

Professional Activities:

NONE

RETIRED - FISHERMAN

David G. Jentry  
 SIGNATURE

11-26-2018  
 DATE

Return application to City Clerk, 710 Mill Bay Road, Room 219, Kodiak, AK 99615  
 Fax: 486-8633



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CITY OF KODIAK  
 City Clerk's Office

### Advisory Board Application Form

Patrick O'Donnell

NAME

907 486 2683

HOME TELEPHONE

907 539 5296

WORK TELEPHONE

907 486 2683

FAX

gwfisheries@yahoo.com

EMAIL

1353 Mountain View Drive Kodiak, Alaska 99615

RESIDENCE (STREET) ADDRESS

PO Box 3075 Kodiak, Alaska 99615

MAILING ADDRESS

**KODIAK, AK 99615**

25 years

LENGTH OF RESIDENCE IN KODIAK

25 years

LENGTH OF RESIDENCE IN ALASKA

Are you a registered voter in the City of Kodiak?

Yes  No

Do you own property in the City of Kodiak?

Yes  No

On which boards are you interested in serving?  
 (Please list in order of preference)

Please list your areas of expertise and education that  
 would benefit the boards for which you are applying.

Port & Harbors Advisory Board

Trawl Fishing Industry

Commercial Fishing, Gulf Of Alaska and Bering Sea. 28 years

Use of all docks and Travel lift, Shipyard use

Small Business

Community Activities: \_\_\_\_\_

Professional Activities: \_\_\_\_\_

NPFMC Advisory Panel

Golden West Fisheries, Inc President/ Owner F/V Caravelle

ADF&G Advisory Committee

Alaska Whitefish Trawlers Association. Board President

Kodiak College Maritime Advisory Committee

SIGNATURE

11-20-2018

DATE

Return application to City Clerk, 710 Mill Bay Road, Room 219, Kodiak, AK 99615  
 Fax: 486-8633



City Clerk's Office  
 710 Mill Bay Road, Rm 219  
 Kodiak, AK 99615  
 (907) 486-8636 \* (907) 486-8633 (fax)

**Advisory Board Application Form**

Oliver Holm

NAME

907-486-6957

HOME TELEPHONE

same

WORK TELEPHONE

chicken@gci.net

FAX

chicken@gci.net

EMAIL

3338 Tona Lane

RESIDENCE (STREET) ADDRESS

PO Box 8749, Kodiak, AK 99615

MAILING ADDRESS

**KODIAK, AK 99615**

28+ yrs continuous also prior time

LENGTH OF RESIDENCE IN KODIAK

Service district one

LENGTH OF RESIDENCE IN ALASKA

Are you a registered voter in the City of Kodiak?  
 Do you own property in the City of Kodiak?

Yes  No  
 Yes  No

On which boards are you interested in serving?  
 (Please list in order of preference)

Please list your areas of expertise and education that  
 would benefit the boards for which you are applying.

Ports and Harbors Advisory Board

55 yrs in local fisheries  
some experience in boat + other  
construction

Community Activities:

30+ yrs on Kodiak Fish + Game  
Advisory Committee (committee)  
30 yrs elected to Kodiak Regional  
Aquaculture Association board

Professional Activities:

owner/operator fishing business  
3 yrs United Fisherman Association Vice President  
current Kodiak Seiner's Assoc. board member  
past ANCC board member

Oliver N. Holm

SIGNATURE

Nov. 16, 2018

DATE

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CITY OF KODIAK  
 City Clerk's Office



# Office of the City Clerk

710 Mill Bay Road, Room 219, Kodiak, Alaska 99615

## PARKS AND RECREATION ADVISORY BOARD

Nine members (including two alternates) from the community chosen to reflect cultural and ethnic diversity, one USCG representative, and one student seat. Four regular members shall be residents within the Kodiak City limits, and three regular members shall be residents from inside or outside the Kodiak City limits.

TERM	BOARDMEMBER	HOME	WORK	FAX	MAILING ADDRESS	City/KIB
2018	John Butler jbjhs@ptialaska.net	486-4604	486-3706	486-2497	PO Box 2610	B
2018	Helm Johnson helm@helmarts.com	539-5014	539-5014	866-510-1563	PO Box 261	C
2018	Vacant					C
2019	Jessica Horn hikeadq@gmail.com	487-2718	Cell 942-0441		665 Sargent Creek Rd.	B
2019	Marcus Dunbar mdunbar01@kibsd.org	486-0809	Cell 317-4325		1477 Selief Lane	C
2019	John Glover jtgloverkodiak@gmail.com	486-2335	539-7004		521 Sut Larsen Way	B
2019	Ryan Murdock boneyardsurfing@gmail.com	952-1072			3272 Mill Bay Rd.	C
2019 Alternate 1	Domonique Ruiz domoniqueruz@Outlook.com	942-2062	512-0600		PO Box 8802	B
2019 Alternate 2	Vacant					
USCG 2019	Lieutenant Commander Kyle Ensley Kyle.L.Ensley@uscg.mil	210-913-9884	487-5170 x 6678		207 Race Rock Ct. Apt. C	N/A
2019	Josh Nummer joshnummer@gmail.com	486-0959			1619 Mission road	N/A

Regular terms expire December 31 (three-year terms)

Alternate terms expire December 31 (Resolution No. 2011-23 stipulates other than ex-officio members, terms shall be for three years)

USCG & Student terms set at appointment

### Legislation

Resolution Number 03-84  
 Resolution Number 44-86  
 Resolution Number 2000-4, 01/27/00  
 Resolution Number 01-7, 02/22/01  
 Resolution Number 04-25, 07/08/04  
 Resolution Number 2011-23, 08/25/2011

**[Clerk's Note: The alternates do not make motions or vote unless regular member(s) are absent.]**

### Appointments

01/12/84	02/26/84	12/13/84
01/10/85	06/13/85	12/19/85
01/23/86	01/08/87	02/12/87
11/03/87	12/14/87	10/27/88
12/12/88	10/12/89	01/11/90
12/14/90	01/09/92	03/12/92
05/14/92	07/09/92	01/14/93
01/27/94	02/10/94	03/10/94
09/22/94	12/22/94	10/05/95
12/14/95	10/24/96	12/12/96
12/11/97	12/10/98	01/26/99
02/25/99	02/10/00	02/22/01
05/24/01	12/13/01	02/28/02
05/09/02	07/24/03	02/26/04
01/13/05	08/24/06	12/14/06
12/13/07	02/28/08	02/12/09
06/24/10	08/26/10	12/9/10
01/13/11	09/22/11	2/23/12
08/09/12	8/23/12	12/13/12
02/28/13	06/27/13	12/12/13
2/14/14	12/10/15	09/8/16
1/12/17	05/10/18	9/27/18



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 Kodiak, AK 99615  
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CITY OF KODIAK  
 City Clerk's Office

**Advisory Board Application Form**

**John Butler**

NAME

**486-4604**

**johnandmoe@g**

HOME TELEPHONE

WORK TELEPHONE

FAX

EMAIL

**42910 Chiniak Hy**

RESIDENCE (STREET) ADDRESS

**P. O. Box 2610**

**KODIAK, AK 99615**

MAILING ADDRESS

**48 yrs**

**48 yrs**

LENGTH OF RESIDENCE IN KODIAK

LENGTH OF RESIDENCE IN ALASKA

**Are you a registered voter in the City of Kodiak?**

Yes  No

**Do you own property in the City of Kodiak?**

Yes  No

**On which boards are you interested in serving?  
 (Please list in order of preference)**

**Please list your areas of expertise and education that  
 would benefit the boards for which you are applying.**

**Parks and rec**

**Community Activities:** \_\_\_\_\_

**Professional Activities:** \_\_\_\_\_

**John Butler**

**Nov 16 2018**

SIGNATURE

DATE

Return application to City Clerk, 710 Mill Bay Road, Room 219, Kodiak, AK 99615  
 Fax: 486-8633

Revised: December 2016



## Office of the City Clerk

710 Mill Bay Road, Room 219, Kodiak, Alaska 99615

### PERSONNEL BOARD

Three seats

TERM	BOARDMEMBER	HOME	WORK	FAX	MAILING ADDRESS
2018	Pat Szabo pszabo@gci.net	486-3853			PO Box 1949
2019	Vacant				
2019	Vacant				

Regular terms expire December 31 (two-year terms)

#### Legislation

Established by City Charter  
Duties listed in City Code 2.08.180

#### Appointments

12/13/84	12/27/84	12/19/85
01/08/87	02/12/87	02/26/87
10/08/87	12/14/87	04/14/88
07/14/88	12/12/88	01/11/90
02/22/90	12/14/90	01/14/93
12/22/94	12/14/95	12/12/96
09/30/97	12/11/97	12/10/98
02/10/00	12/13/01	12/13/07
12/11/08	09/24/09	12/9/10
12/8/11	12/13/12	12/12/13
1/9/15	1/12/17	

Updated January 13, 2017

ERMS\01-0104\Personnel Board\Personnel Board Current Members.doc



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 City Clerk's Office

**Advisory Board Application Form**

DEREK P FOSTER

NAME

209.914.4839

HOME TELEPHONE

WORK TELEPHONE

FAX

DPFOSTER@BI@OUTLOOK.COM

EMAIL

1514 ISMAILOV ST, KODIAK AK 99615

RESIDENCE (STREET) ADDRESS

1514 ISMAILOV ST.

MAILING ADDRESS

**KODIAK, AK 99615**

17 YRS

LENGTH OF RESIDENCE IN KODIAK

25 YRS

LENGTH OF RESIDENCE IN ALASKA

Are you a registered voter in the City of Kodiak?

Yes  No

Do you own property in the City of Kodiak?

Yes  No

On which boards are you interested in serving?  
 (Please list in order of preference)

Please list your areas of expertise and education that  
 would benefit the boards for which you are applying.

PERSONNEL BOARD

ADMINISTRATIVE COUNSELOR,  
 PROJECT COORDINATOR, TRAINING  
 COORDINATOR, PERSONNEL AND PAY  
 COUNSELOR, FINANCIAL COUNSELOR

Community Activities: VOLUNTEER

Professional Activities: \_\_\_\_\_

AT ABBA FATHER'S  
 CHRISTIAN FELLOWSHIP CHURCH.

PROPERTY MANAGER

Derek Foster

SIGNATURE

29 NOV 2018

DATE

Return application to City Clerk, 710 Mill Bay Road, Room 219, Kodiak, AK 99615  
 Fax: 486-8633

**REQUEST FOR PROPOSALS**  
**For**  
**State Legislative Lobbying Services**  
**City of Kodiak, Alaska**

**Introduction**

The City of Kodiak Alaska (“City”) is seeking proposals from qualified consultants/firms/individuals (“consultant”) to represent the City on state policy and legislative issues. The consultant must have demonstrated experience in lobbying the Alaska State Legislature, with extensive experience on behalf of municipal clients preferred. At least five years’ experience in providing legislative and intergovernmental services before the legislative and executive branches is required. The consultant should have demonstrated experience in bipartisan relationships with a network of access to legislators, administrative executives, and staff. The Kodiak City Council seeks a strong lobbyist with sound knowledge of public policy, clear understanding of the legislative and state administrative processes and effective communication skills.

**Background**

The City of Kodiak is a home rule municipality, located on Kodiak Island 252 miles Southwest of Anchorage, representing over 6000 residents. Originally organized in 1940, the City is the largest of the Island’s communities.

**Scope of Work**

The consultant will be responsible for monitoring, identifying and prioritizing challenges and opportunities for the City of Kodiak with respect to issues under consideration by the State Legislature, Governor’s office, and state agencies.

It is anticipated that the duration of this scope of work will be throughout the 2019 legislative session and the period during which the Governor may take action on bills passed during the session. The scope of work should include legislators, interim communications, engagement with Commissioners and Division Directors, and the Governor’s office.

Work may include, but is not limited to:

1. Identify state legislation and legislative proposals that may impact Kodiak;
2. Identify proposed state regulatory changes that may impact Kodiak ;
3. Work with the City Council, Clerk, and Manager to develop positions on relevant legislation;
4. Assist the Mayor in arranging municipality lobbying visits to Juneau to help ensure productive meetings;
5. Draft legislation and amendments, as necessary;
6. Lobby for the City’s position on legislation and regulatory matters, including:
  - a. Direct contact and communication with state legislators and staff;
  - b. Direct contact and communication with state agencies;
  - c. Direct contact and communication with associations and other interest groups that may



**REQUEST FOR PROPOSALS**  
**For**  
**State Legislative Lobbying Services**  
**City of Kodiak, Alaska**

- have similar interests or interests that conflict with those of Kodiak;
- d. Draft letters and talking points on legislation as necessary;
  - e. Maintain close working relationship with Mayor and Council and designated members of staff;
  - f. Provide written briefing reports for Council and Manager on key issues and legislative committee activity during the legislative session;
  - g. Provide one visit annually to Kodiak for briefings in person to the Council, public and staff on key issues, legislative committees or legislative session status

**Required Respondent Information**

1. Letter of interest
2. Proposed plan including plan for briefing the Mayor and Council on the issues prior to and during the legislative session and year-round on administrative lobbying, maintaining continuous communications during the session, and implementing a decision-making process on issues that demand a quick turnaround time
3. A summary of relevant experience in the last five years. Please include the outcomes of lobbying efforts conducted.
4. A complete list of current clients and those served during the twelve months preceding the submission date and a declaration of any potential incompatibility or conflicts of interest between those clients and the City of Kodiak
5. A list of five references
6. The legal name of consultant/firm/individual, address, telephone number, number of years in business, and number of staff available or included in this proposal
7. Name and telephone number of the consultant who will be in charge of the actual work performed for the City of Kodiak
8. Outline approach with a proposed project schedule to conducting the work detailed under "Scope of Work"
9. Flat fee or itemized cost of services and any customary charges for services to be rendered. Include staff hourly rates, alternative retainer proposals, a description of the process used to fairly allocate costs among consultant's/firm's/individual's multiple clients to avoid double-billing for time spent in legislative activities; and
10. Estimate of expenses incurred that will be billed to the City of Kodiak
11. Potential causes for termination of the agreement.

**Selection Criteria**

Proposals will be evaluated based on the following criteria:

1. Thoroughness of proposal reflecting full understanding of work to be completed;
2. Overall experience of staff assigned to the work;

**REQUEST FOR PROPOSALS**  
**For**  
**State Legislative Lobbying Services**  
**City of Kodiak, Alaska**

3. Recent experience conducting similar lobbying efforts;
4. Interpersonal compatibility with Mayor and Council

**Selection Process**

The Mayor, Council, Clerk and Manager will review the submitted proposals for completeness and qualifications to determine those consultant(s) to be invited to an interview and oral presentation.

Upon completion of all interviews, the Clerk will advise the respondents of its selection. A Professional Services Agreement for the work will be prepared and executed.

**Discretion and Liability Waiver**

1. Company personnel signing the cover letter of the proposal must be an authorized signer with the authority to represent the firm and to enter into a binding contract with the City of Kodiak.
2. Proposed services and related pricing contained in the proposal must be valid for a period of one year after the deadline for submission of the proposal.
3. The City will make every effort to administer the proposal in accordance with the terms and dates outlined in the RFP; however, reserves the right to modify the activities, timeline, or any other aspect of the process at any time as deemed necessary.
4. By requesting proposals, the City is in no way obligated to award a contract or pay the expenses of consultant(s) in connection with the preparation or submission of a proposal.
5. The awarding of an Agreement shall be contingent on the availability of funds and the necessary Mayor and Council approvals.
6. AML reserves the right to request and obtain from one or more of the consulting firms submitting proposals, supplementary information as may be necessary to analyze the proposals pursuant to the consultant selection criteria contained herein.
7. The City may require consultant(s) to participate in additional rounds of more refined submittals before the ultimate selection is made. These rounds could encompass revisions of the submittal criteria in response to the nature and scope of the initial proposal.
8. The City reserves the right to reject any and all proposals, to waive any non-material irregularities or informalities in any proposal, and to accept or reject any item or combination of items.
9. Factors such as, but not limited to, the following may disqualify a proposal without further consideration:
  - a. Evidence of collusion among respondents
  - b. Any attempt to improperly influence any member of staff or Council
  - c. A respondent's default under any type of agreement, which resulted in the termination of that agreement

**REQUEST FOR PROPOSALS**  
**For**  
**State Legislative Lobbying Services**  
**City of Kodiak, Alaska**

- d. Existence of any unresolved litigation between the respondent and the City

**Proposal Format and Submittal Instructions**

Please submit one original proposal as a PDF or print document. The proposal should include the following information:

1. Letter of interest
2. "Required Respondent Information" as listed above.
3. Attachments: Resumes

Deliver proposals to:

Debra Marlar, MMC  
City Clerk  
710 Mill Bay Road  
Kodiak, AK 99615

Proposals are due no later than **4 p.m. on February 15, 2019**. Any proposal received after the deadline will not be considered.

The City intends to have a decision made during the 31<sup>st</sup> Legislature Schedule

Should you have any questions about this request for proposal or for questions concerning the scope of work, please contact Debra Marlar at (907) 486-8638 or e-mail [dmarlar@city.kodiak.ak.us](mailto:dmarlar@city.kodiak.ak.us)



As you know, AML has been working to respond to municipal interest in the online sales tax opportunities now that *Wayfair* decision has been issued by the Supreme Court. This decision allows for taxation of internet sales with strict program requirements.

An initial working group has outlined the following steps that need to be conducted in preparation for single state-level administration:

- Compilation and review of municipal tax codes
- Identification and review of definitions and exemptions, and comparison with SSUTA
- Tax variability matrix to account for exemptions
- Negotiation of agreed-to definitions
- Solicitation for a sales tax administrator (“middle-man”) to provide sales tax boundary mapping and development of software
- Development of governance authority
- Production of public outreach materials and municipal FAQ

The goal is to establish a municipal-driven, independent arm of AML, that would conduct all online sales tax administration on behalf of municipalities, thereby fulfilling the terms outlined in *Wayfair*. This might evolve, but we believe it has the most potential for success.

In order to move forward, AML invites those municipalities that stand to benefit from successful implementation to contribute financial support. AML will then engage a contractor to complete the bulk of this work, even as staff assist by convening municipalities, help with negotiations, and otherwise support the effort.

Please consider contributing to this effort. The budget is estimated to be \$100,000 to complete the majority of initial tasks. Those who contribute will be included in the analysis matrix. We’ve designed the following levels to help us meet our budget for this activity:

- Over \$25 million in sales tax revenue      \$12-15,000
- \$10-25 million in sales tax revenue      \$7,500-10,000
- \$5-10 million in sales tax revenue      \$4,000-5,000
- \$1-5 million in sales tax revenue      \$1,000-2,500
- Over \$200,000 in sales tax revenue      \$500-1,000

We hope that you will be able to contribute in a meaningful way, consistent with your budget and ability to support our work. Please don’t hesitate to contact me with questions or to discuss the scope of work and contribution.

Sincerely,

Nils Andreassen

## **AML Working Group: Online Municipal Sales Tax**

**Purpose of Working Group:** Review, research and discuss outstanding online sales tax questions, and provide a potential pathway for implementation in Alaska that is responsive to municipal interests.

### **Goals of Working Group:**

- Ensure local tax authority and choice is respected
- Maximize municipal government revenue options
- Balance municipal revenue with costs to citizens
- Avoid statewide sales tax by State of Alaska, or displacement of local rates

### **Background on Online Sales Tax:**

- Recent Supreme Court *Wayfair* decision extinguishes physical presence requirement
  - Continued national and legal challenges potentially, but states generally moving forward
- Case establishes some requirements for implementation
  - Meeting the “threshold” of sales
  - Streamlining
    - Single state-level administration
    - Uniform definitions
    - Simplified rates
    - Software/safe harbor
- Alaska one of five states where municipalities have taxing authority, and only one without statewide sales tax
  - Other states ahead of Alaska in addressing – municipalities working with state to implement, have formed commissions to work through issues
- Sales tax in Alaska is implemented by a majority of incorporated municipalities, and a significant source of their annual budget
  - Online sales are estimated by DoR at \$1 billion, with 50% of that in Anchorage and Fairbanks (without sales tax); total revenue would be estimated within the individual municipalities
  - While an online sales tax levels the playing field for Alaska businesses, and increases potential revenue for municipalities, Alaskans are ultimately paying this – some municipalities may not want this and may choose not to participate
  - The view elsewhere is that this is a tax that is currently due but hasn’t otherwise been collected, and is thus not a “new” tax

### **Options for Alaska municipalities:**

1. No action by AML – state action probable
2. Individual municipal implementation – AML to provide model code change but chance of success is minimal
3. AML develops (semi-) independent authority for implementation
  - a. AML to negotiate with municipalities streamlined exemptions and definitions
  - b. SSUTA requires state or state-designated administration
    - i. AML to propose Alaska Municipal Sales Tax Commission
4. State implementation – AML to work within state-driven process
  - a. Increased likelihood of statewide sales tax

- b. Potential requirements to decrease municipal sales tax levels and comply with state-determined definitions and exemptions

**Working Group recommendations to AML:**

- AML should work with members toward the establishment of an independent authority, operated as an arm of AML as a service program, or in close association (similar to JIA or AMLIP)

**Implementation**

1. If Alaska municipalities want to benefit from retailers remitting a municipal sales tax on online sales, several things need to occur. AML leading this effort toward a (semi) independent authority makes sense.
2. The following should happen simultaneously, or in lockstep
  - Determine the nexus/threshold of online sales at the state level – i.e.; at what level will online sales be considered applicable to sales taxes (how much business should a retailer have in the state, through online sales, before taxes set in; this protects small businesses). South Dakota, which argued the *Wayfair* case, set theirs at \$100,000.
  - Review and streamline all current municipal tax codes
    - Definitions – align with SSUTA as much as possible
    - Exemptions – this will be more difficult, and we may have to consider a mechanism for remand to taxpayers from different communities
    - Determine baseline items that are applicable to online sales tax, based on commonality between municipalities
  - Map (or collect maps of) sales tax boundaries – this doesn't currently exist in all communities, and not in one place, but will be essential to implementation
3. AML to work with members to determine governance of an independent body
4. AML to determine service provider – software, return, audit functions
5. Legislation may be needed to allow municipalities to enable this process and to participate in an authority/commission of this type.
6. Legislation may also be needed if the group elects or needs to join the SSUTA, which is named in *Wayfair*, but not essential to state-level administration

On June 21, 2018, the U.S. Supreme Court handed down the decision for *South Dakota v. Wayfair, Inc.*, a case that was decades in the making. In the decision, the Court struck down a long-held physical presence standard that has vexed state and local sales and use tax administration for years. In particular, because states (and their local governments) could only require a business to collect and remit taxes if they had a physical presence in the state, the standard essentially resulted in the loss of billions of dollars in critical sales tax revenue for decades. Essentially, until the *Wayfair* decision, the physical presence standard kept sales and use tax administration in the 1960s, while technology transformed the retail industry into an electronic, global marketplace.

The question now is — what happens next? The answer to this question has three components: a brief look at what states are doing in response to the decision, speculation as to the possible actions the U.S. Congress could take, and a discussion of what local governments could be doing at this point.

#### A LOOK AT THE STATES

Diving into the state perspective first requires a quick recap of the *South Dakota* decision. While the decision in fact removes the burden of the physical presence standard first established by the Court in 1967, it does not exactly bless the South Dakota law as the perfect solution. Alternatively, the court pointed out components of the state law that the justices felt succeeded in reducing the burden on businesses (i.e., remote sellers) to comply with the requirement to collect. For example, the South Dakota law has a safe harbor for those with limited business in the state, and it does not allow for retroactive collection.

Further, the decision also noted South Dakota's participation in the Streamlined Sales and Use Tax Agreement (SSUTA) as also reducing the burden on businesses because of the minimum simplification requirements states must implement to comply with the agreement. Some of the simplification measures the court noted include: single, state-level administration; uniform definitions of products and services; simplified tax rate structures; and audit protections.

Accordingly, many states have sought to mimic South Dakota in adopting their respective remote seller laws. In fact, remote seller collection laws in roughly ten states went into effect October 1, 2018. A handful of other states will be following suit either later this year or as of January 1, 2019. States that are members of the SSUTA could view the court's decision as providing some reassurance that their laws could survive a legal challenge, but this is a situation where only time will tell as more and more states begin requiring remote sellers to collect.

#### WHAT WILL CONGRESS DO?

For almost a decade, state and local governments, along with partners in the business community, advocated for a federal solution to overcome the physical presence standard. The bills were known by different names, most recently as the Marketplace Fairness Act and the Remote Transactions Parity Act. Unfortunately, the bills have languished in both chambers, despite passing the Senate in 2013 and receiving an endorsement from the Obama administration. But now that the court has weighed in and removed the physical presence standard, opinions have differed on whether or not this will motivate Congress to act.

The short answer to this is no, as neither chamber appears likely to act before the end of the 115th Congress. But this is another matter where only time will tell. In particular, we must see how implementation goes in the states as they begin requiring collection. As long as there are no major controversies or disarray, Congress might be less likely to act. Federal lawmakers generally want to allow the states, a.k.a. the laboratories of democracy, to develop solutions on their own.

Since the Streamlined community has brought government and business together for almost 20 years, and the SSUTA has been in place for nearly the same amount of time, this could pave the way for a smooth transition into the post-physical presence world. Although many of the sales tax simplification issues have been debated and resolved in the setting of Streamlined, future issues could arise as technology

Essentially, until the *Wayfair* decision, the physical presence standard kept sales and use tax administration in the 1960s, while technology transformed the retail industry into an electronic, global marketplace.

improves and the retail marketplace further evolves. But for now, Congress appears to be more focused on the midterm elections than on advancing legislation on an issue that the states (and their local governments) are diligently proceeding on.

### WHAT SHOULD LOCAL GOVERNMENTS BE DOING?

Although a lot of focus on this issue revolves around state legislatures, local governments have a role to play, as well. This is regardless of whether the city or county is in a state that allows local sales tax collection or not. Local governments should be engaged in the discussion, especially if their state legislatures are contemplating changes or additional simplification measures. Further, the primary message should be that local governments are looking to work in partnership with the state in moving forward on this issue to ensure success for both the government and business communities.

A good place to start is to see if your state department of revenue is posting any guidance or frequently asked questions (FAQs) on their remote seller laws. Several states, especially within the SSUTA, have already started posting these on their websites. Staff at the Streamlined Governing Board are also in the process of compiling their own FAQs, mostly to

**The primary message is that local governments are looking to work in partnership with the state in moving forward on this issue to ensure success for both the government and business communities.**

help businesses, but in part to ensure that all states are sharing the same message.

Next, work to understand how this issue might affect your local jurisdiction. If your state is a member of Streamlined, then you are likely in a good place because your state has already conformed its sales tax laws to the simplifications pointed out in the *Wayfair* decision. If your state has not joined Streamlined but has local sales taxes that are additive to the state's

rate, then some investigation is in order. We encourage you to contact your state Department of Revenue to see how they plan to proceed. If you have a locally administered sales tax, we encourage you to review the *Wayfair* decision and review the comments about the simplifications that resulted in a favorable decision. Would conforming to these simplifications warrant the potential benefits in additional collections of sales taxes beyond the state borders?

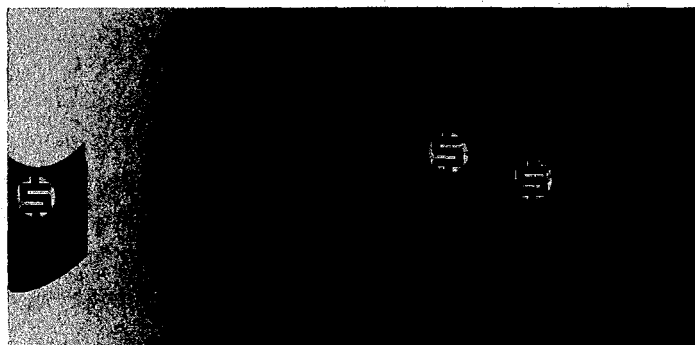
### CONCLUSIONS

There are still many questions that will only be answered over the course of time, but it is encouraging to finally see progress on modernizing this element of taxation in the 21st century. With reports that Internet-based retail sales will continue to grow at double digit rates — potentially amounting to 15 percent of all holiday shopping this season — the *Wayfair* decision was a bit of long-overdue good news. ■

#### Streamlined Sales and Use Tax Agreement

The Streamlined Sales and Use Tax Agreement (SSUTA) is the product of efforts to simplify and modernize sales and use tax collection and administration in the United States. The work leading up to the SSUTA began as early as 1999, although two U.S. Supreme Court cases essentially set the stage for the debate (*National Bellas Hess v. Illinois* in 1967 and *Quill Corp. v. North Dakota* in 1992) because the decisions essentially held that a state may not require a seller that doesn't have a physical presence in the state to collect tax on sales into the state. Currently, 24 states have adopted the agreement's simplification measures and are considered Full Member States. The Streamlined Sales Tax Governing Board is charged with administering and operating the SSUTA. For more information, visit [www.streamlinedsalestax.org](http://www.streamlinedsalestax.org).

MICHAEL BELARMINO is a senior policy advisor with GFOA's Federal Liaison Center. MIKE BAILEY is a finance consultant for the Municipal Research and Services Center.





REPORT TO THE CITY OF KODIAK

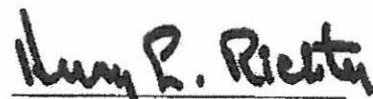
EVALUATION AND RECOMMENDATION

SIREN ALERT AND WARNING SYSTEM (SAWS)

Submitted to:

Chief Charles Kamai  
Kodiak Police Department  
217 Lower Mill Bay Road  
Kodiak, AK 99615

Submitted by:



Henry L. Richter, PhD, PE  
Richter Group  
2755 Alondra Way  
Palm Springs, CA 92264

## 1. INTRODUCTION

This report is a result of a consulting engagement whereby the Richter Group (RG) was asked to evaluate the Kodiak City and Borough Siren Alert and Warning System (SAWS). The task was to examine the present system and equipment, provide advice to the City and Borough as to the suitability and condition of the system, develop alternatives for upgrade or replacement, and possibly prepare a set of functional specifications for upgrading the system.

The City and Borough have and operate an electronic SAWS capability for warning the public of an impending tsunami or chemical emergency. The SAWS consists of a number of warning electronic sirens spread strategically through the populated area. These are powered off the commercial power mains and have internal backup batteries should power fail when alerting is required.

The City of Kodiak has twelve SAWS in service. The Kodiak Borough has seven in the road system around the City of Kodiak and another six in remote villages.

The SAWS in the City and Borough roads are activated by a radio signal, transmitted from Pillar Mountain, initiated by the radio control consoles in the Police Dispatch Center. The system uses standard two-tone sequential signalling which allows a variety of activations and cancellation.

The system is old, some units being as much as 20 years old and many more recent. The individual sirens (particularly the electronic control units) have been upgraded by the local contractor and are maintained in a conscientious manner. The City has them reviewed and evaluated annually, and needed corrections made at that time. Also, when a fault is detected, corrections are made promptly.

It was indicated that the location of all the SAWS units is not optimum in that some were on high ground, and also that there are some areas that lack coverage.

As a starting point, the consultant reviewed the latest systems and hardware available from the three principal suppliers: American Signal Corporation, Federal Signal, and Whalen. This served as background information for the review of the SAWS equipment.

There were three reasons to want to evaluate/upgrade the SAWS equipment.

- The maintainability of the present SAWS
- The upgrade to newer equipment
- The upgrade to newer technology
- The integration of the SAWS into a disaster management system

These topics will be addressed the body of this report.

## 2. THE ANALYSIS

Data was gathered from several sources to serve as the basis of the analysis. The consultant reviewed RG office files resulting from prior work in Kodiak implementing the present municipal radio system. Discussions concerning SAWS requirements and operations were held with the Kodiak City Manager, the Chief of Police, and the Borough Community Services Manager. Material from the City files reporting on the annual evaluations of the SAWS was obtained and studied. The present maintenance contractor (Aksala Communications) was interviewed. Representative SAWS equipment was examined.

The SAWS information was upgraded by obtaining approximate siren locations and placing these on City and Borough maps for the consultant file and City file. Some subjective notes were made of sirens that were on high ground and therefore not necessary, and that it was possible that some populated areas were deficient in coverage. The acoustical effectiveness was not analyzed in this study.

There are several motives in considering the upgrading or replacing of the SAWS. These will be described, discussed, and addressed below. The reasons are listed in Section 1 of this report and comments follow:

- A. Problems of maintenance and reliability. It would be expected that hardware and electronics of this age would be plagued with ongoing maintenance and reliability problems. However, that is found not to be the case with the Kodiak SAWS. Early reliability problems were found in one product (Plectron). After that was experienced and analyzed, a cure was found by the maintenance contractor by replacing the tone decoders with a more reliable and robust brand and model and no problems have shown themselves since that cure. The main ongoing problem is the deterioration of batteries, and that is to be expected. The batteries are analyzed during the annual inspections and replaced before they become seriously degraded. There have been some outdoor cabinet rusting and leakages, and these have been replaced with a fiberglass variety with success. The annual condition reports show some rusting of the siren heads, and these have been cleaned up and repainted. Replacement of the system because of maintenance issues is not indicated.
  
- B. The upgrade to newer equipment. Often it appears time to replace older equipment with new. However, comparing the utility and operation of the present hardware with new on face value is not worth the investment. New equipment may use newer electronic components and more modern hardware, but from a functional standpoint they do not offer better operation. In the siren mode the use of new equipment should operate about the same as does the present SAWS. It is hard to evaluate the operation in the voice announcement mode. Most of the present SAWS equipment has voice capability, but it is not used. It has been found that except in the near field of the speaker-horns that the voice announcements are not intelligible – and this more to the fact that the sound has significant reverberant distortion. New equipment would not solve this problem. Newer amplifier and control circuitry exist, but since the present

hardware operates satisfactorily, there is nothing to be gained by replacement expenditure.

- C. The upgrade to newer technology. Two such upgrades suggest themselves: going to a digital control technique, and moving to a new two-way reporting and polling system. There is often a mindset that going to a digital format from an analog format is progress. Digital signaling is much quicker than analog, but in the case of a simple system like SAWS, there is not that much speed to be gained. The entire SAWS system can be commanded on in just a few seconds. In some cases the digital is more susceptible to interference where the longer tones in the two-tone sequential can overcome short instances of radio interference. The present scheme has worked well.

Addressing the possibility of a two-way radio system which can individually acknowledge siren command reaction, this turns out not to be practical with the present Kodiak system. Radio control signals are transmitted from Pillar Mountain in a simplex mode. It has been found that reliable transmissions reach all the existing SAWS units. To go to a duplex system would involve the securing and licensing of a second radio frequency (not an insurmountable task). But, expecting the inbound signals from smaller transmitters to reliably reach a receiver on Pillar Mountain is asking for trouble from the outlying SAWS installations. Requiring either acknowledgment from each siren unit, or conducting frequent polling to determine status, does not fill any existing gap in system operation. The weekly test has been effective in reporting any gaps in system operation, and such reports are rare. Again, the expenditure of funds to solve a non-problem is not warranted.

- D. The integration of the SAWS operation into disaster mitigation software. There are software packages available that allow the use of preplanned scenarios for disaster response and mitigation. These are commonly made part of a computer-aided dispatch system. The City is several years away from implementing such a capability, and since the possible disasters and responses in Kodiak are limited and understood, the development of such a software capability is not warranted at this time.

### 3. CONCLUSIONS; RECOMMENDATION

#### 3.1 Conclusions

The body of this report describes the data gathering that was done, the interviews, the equipment examination, and the analysis. The result of all this is that the condition of the present SAWS is felt to be in reliable workable condition, and that at least half a dozen years of service should be expected from the present system. The recommendation is to continue to use the present system, continuing the annual inspections and regular maintenance.

One proviso is that the continued availability of the present service organization (Aksala) and at least one of the two principal staff will stay available. They have kept the present system operational and have performed upgrades to insure reliable operation.

It is recommended that more spare hardware be kept in Kodiak locally (see next section). The continued availability of replacement parts does not seem to be in near term jeopardy, but a supply of parts locally is prudent considering the occasional delivery problems due to weather.

The City should consider the fact that replacement will be required some day and the establishment of a sinking fund would anticipate that time. The City has 12 sirens (plus the Borough 6 locally and 6 remotely) and a replacement cost of \$20,000 each should be expected. A replacement period of six years would be appropriate.

#### 3.2 Recommendation

The recommendation is to continue to use the present SAWS system, to continue the present mode of maintenance, and to have a local stock of spare parts. The parts recommended are:

- Cabinets - Aksala has one space fiberglas cabinet in reserve now
- Gel cell batteries - to have one set on hand
- Multiconductor cables and associated plugs - these do deteriorate and it would be well to have several on hand (maybe four). The plugs/cables may not be available long term
- Speaker voice coils - there are available from Atlas, but a couple on hand would be good
- One speaker enclosure. These may go out of manufacture and it is possible that something catastrophic could happen to one.
- Tone decoder boards - Aksala has spares now and the commercial supply should be available for some time.

## TSUNAMI SIREN INVENTORY

### CITY OF KODIAK

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This list and accompanying map on page 2 identify sirens in the City of Kodiak only. A siren highlighted in red indicates it is not currently working. Although the City activates sirens in the Borough, these sirens are maintained independently by the Borough.

1. Jack Hinkel Way Siren
2. 1320 Rezanof Drive (alley siren)
3. 700 block Mission Road Siren
4. Hemlock Street Siren
5. Headquarters Siren
6. Dog Bay Siren
7. Harbor Master's Office Siren
8. Pier 3 Siren
9. Gibson Cove Siren
10. Civil Air Patrol Siren
11. National Guard Armory Siren
12. Dairy Barn (Signal Hill) Siren

The siren below is not included on the inventory. It was removed during spring 2010 and parts were salvaged and used in existing sirens.

13. Public Works Roof Siren

\*See the map on the next page showing approximately where the sirens are located. A red triangle correlates to a siren above that is highlighted, and a black triangle indicates a working siren.

