

**CITY OF WHITTIER, ALASKA
NON-CODE ORDINANCE 2026-006**

**A NON-CODE ORDINANCE OF THE CITY COUNCIL OF WHITTIER, ALASKA
AUTHORIZING THE PURCHASE AND INSTALLATION OF CHAIN-LINK FENCING
SURROUNDING HARBOR DUMPSTERS, FROM MAISEY FENCE LLC IN AN
AMOUNT NOT TO EXCEED \$9,721.99 AND APPROPRIATING FUNDS**

WHEREAS, the City of Whittier, Alaska's (the "City") is experiencing increasing incidents of bear/human conflicts associated with bears attracted to trash receptacles and dumpsters located in the Whittier Harbor, which represent a continued threat to public safety; and

WHEREAS, the City desires to take immediate action to reduce the ability of bears to access dumpsters and trash receptacles in order to deter bears from climbing in and around dumpsters where there is an increased risk to public health and safety. The increasing presence and boldness of bears increases the likelihood of human /bear interactions in the busy harbor and waterfront areas, causing unnecessary risk and placing at risk human safety and personal and public property; and

WHEREAS, Whittier Municipal Code 3.32.210 allows for emergency purchases without competition in cases where there is a threat to public health or safety, and where the procurement should be transacted without delay, and where the city manager shall report on such procurement to the council no later than the second regular meeting following the execution of the procurement; and

WHEREAS, by this Ordinance, the city manager is declaring a public safety hazard and seeking Council authorization for the procurement. Steps have been taken by Harbor staff to solicit competing quotes from three reputable companies, with a recommendation to award the contract to the lowest bidder.

NOW, THEREFORE, THE WHITTIER CITY COUNCIL ORDAINS:

Section 1. This is a non-code ordinance.

Section 2. The Whittier City Council finds it in the public interest to authorize the emergency purchase of fencing to be installed around existing Harbor trash receptacles, in accordance with Whittier Municipal Code 3.32.210 which allows for emergency purchases in lieu of Whittier Municipal Code 3.32.140 which otherwise requires competitive sealed bids, in accordance with the recitals above which are incorporated herein.

Section 3. Funding for this purchase is hereby appropriated from the Harbor Reserves Account No. 51-000-3000 to the Harbor Contracted Services Account No. 51-800-6565.

Section 4. Effective Date. This ordinance shall become effective upon adoption.

PASSED AND APPROVED by a duly constituted quorum of the Whittier City Council
on this 19th day of August, 2026.

Victor Shen
Mayor

AYES:
NOES:
ABSENT:
ABSTAIN:

ATTEST:

Shelby Carlson
Acting City Clerk

(City Seal)