

**CITY OF PALMER
ACTION MEMORANDUM NO. 12-024**

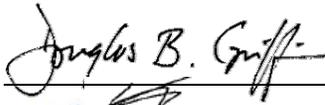
Subject: Authorize the City Manager to Donate to the City of Bethel Unused Bags of Sodium Fluoride and Fluoride Injection Equipment That Have Been Removed From Service

Agenda of: April 10, 2012

Council Action: Authorized _____

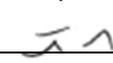
Approved for presentation by:

City Manager
City Attorney
City Clerk





Certification of Funds:

Total amount of funds listed in legislation:	\$ <u>0</u>
This legislation (√):	
<input checked="" type="checkbox"/> Has no fiscal impact	
Creates:	
<input type="checkbox"/> A negative fiscal impact in the amount of:	\$ _____
<input type="checkbox"/> A positive fiscal impact in the amount of:	\$ _____
<input type="checkbox"/> Funds are budgeted from this (these) line item(s):	
➤	
<input type="checkbox"/> Funds are not budgeted. Budget modification is required. Affected line item(s):	
➤	
Unrestricted/undesignated fund balance (after budget modification)	\$ _____
Director of Finance signature certifying funds:	 _____

Attachment(s):

- IM 11-039 With Ord 11-007
- Fluoride Disposal Estimate
- Photos

Summary statement: On October 25, 2011, the Palmer City Council adopted Ordinance 11-007 effectively stopping the addition of sodium fluoride (fluoride) to the public water supply. The fluoride injection equipment was taken off-line and subsequently removed from service. The equipment, which is eight years old, has an estimated resale value of \$1,200 and is comprised of two 85 gallon plastic storage tanks, one tank stirring mechanism, two injection pumps, several small valves, one sonar device, and miscellaneous small parts.

Thirteen 50 pound bags of fluoride remain with an estimated resale value of approximately \$520 (13 x \$40). Fluoride in concentrated form such as 50 pound bags is considered a poisonous substance and disposal of 13 bags is estimated to cost \$2,013.

The administration proposes to dispose of the fluoride and fluoride injection equipment by donation to the City of Bethel which expressed an interest in obtaining this equipment and fluoride for their water system. The administration believes that this course of action is in the best interests of both cities.

Labor costs to package the fluoride and fluoride injection equipment for shipping would cost approximately \$168 (3 hours x \$56) and delivery to Anchorage approximately \$112 (2 hours x \$56).

VALUE SUMMARY

Used fluoride injection equipment.....	\$1200.
13 Bags of Fluoride	\$520.
Labor to package fluoride and equipment.....	\$168.
Delivery to Anchorage	\$112.
<hr/>	
Total Value	\$2,000.

The City of Palmer will deliver the equipment to an airfreight office in Anchorage and all other transportation costs will be the responsibility of the City of Bethel.

Considering the \$2,013 fluoride disposal cost, donating the fluoride and fluoride injection equipment is recommended.

Administration recommendation: Approve action memorandum 12-024.

CITY OF PALMER
INFORMATION MEMORANDUM NO. 11-039
ORDINANCE NO. 11-007

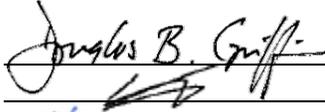
Subject: Ordinance No. 11-007: Repealing Palmer Municipal Code Section 8.12.010, City Manager Duty, to Prohibit the Addition of Fluoride to the Public Water Supply

Agenda of: October 11, 2011

Council Action: Public hearing on
October 25, 2011 Adopted

Approved for presentation by:

City Manager
City Attorney
City Clerk





Certification of Funds:

Total amount of funds listed in legislation: \$ 0

This legislation (√):

Has no fiscal impact

Funds are budgeted from this (these) line item(s): ➤

Funds are not budgeted. Budget modification is required. Affected line item(s):

Unrestricted/undesignated fund balance (after budget modification) \$ _____

Director of Finance signature certifying funds:  _____

Attachment(s):

- Ordinance Number 11-007
- Fairbanks Fluoride Task Force Report
- Fairbanks Ordinance 11-5849

Summary statement:

In response to concerns about the risks of fluoride in the Palmer public water supply, the City Council directed the administration to investigate the issue and in response to the investigation, it has determined that an ordinance be introduced ending the addition of fluoride to the public water supply. The water fluoridation concerns included moral, ethical, safety, and efficacy aspects of adding fluoride to the public water supplies.

BRIEF HISTORY OF FLUORIDATION (from various internet sources)

Community water fluoridation in the United States is partly due to the research of Dr. Frederick McKay, who pressed the dental community in 1909 for an investigation into what became known as dental fluorosis. Despite the negative impact on the physical appearance of their teeth, the children whom Dr. McKay studied had stained, mottled and pitted teeth but also had fewer cavities than other children. McKay brought this to the attention of Dr. G.V. Black, and Black's interest was followed by greater interest within the dental profession.

Fluoridation became an official policy of the U.S. Public Health Service by 1951, and by 1960 water fluoridation had become widely used in the U.S. McKay's work established that fluorosis occurred before tooth eruption. Others assumed that fluoride's protection against cavities was

also pre-eruptive, and this incorrect assumption was accepted for years.

By 2000, the topical effects of fluoride (in both water and toothpaste) were well understood, and it had become known that a constant low level of fluoride in the mouth works best to prevent cavities.

Fluoridation has been the subject of many court cases wherein activists have sued municipalities, asserting that their rights to consent to medical treatment and due process are infringed by mandatory water fluoridation. Individuals have sued municipalities for a number of illnesses that they believe were caused by fluoridation of the city's water supply. In most of these cases, the courts have held in favor of cities, finding no or only a tenuous connection between health problems and widespread water fluoridation. (*Beck v. City Council of Beverly Hills*, 30 Cal. App. 3d 112, 115 (Cal. App. 2d Dist. 1973) ("Courts through the United States have uniformly held that fluoridation of water is a reasonable and proper exercise of the police power in the interest of public health. The matter is no longer an open question." citations omitted).

To date, no federal appellate court or state court of last resort (i.e., state supreme court) has found water fluoridation to be unlawful. (Pratt, Edwin, Raymond D. Rawson & Mark Rubin, *Fluoridation at Fifty: What Have We Learned*, 30 J.L. Med. & Ethics 117, 119 (Fall 2002)

FAIRBANKS

On June 6, 2011, the Fairbanks City Council voted 5-1 to end the practice of adding fluoride to city drinking water. The ordinance was introduced by Mayor Jerry Cleworth after recommendations made by the Fairbanks Fluoride Task Force.

The task force, created by the City Council to study the fluoridation issue, recommended the ban even though the American Dental Association, the Alaska Department of Public Health and the Centers for Disease Control and Prevention support the use of fluoride in public water supplies to help prevent tooth decay.

The task force found that no fluoride should be added because city water already contains naturally occurring fluoride and higher levels could harm non-nursing infants.

Fairbanks water has natural fluoride levels of 0.3 parts per million. The utility for years had been boosting those levels to 1 parts per million (ppm), based on federal health recommendations. It lowered the level to 0.7 ppm earlier this year when recommendations changed.

The vote, which closes an issue that first came to the council three years ago, came after more than an hour of public testimony, most of it in favor of removing the added fluoride. Many people pointed out that fluoridated toothpaste and mouthwash is available in stores, while others said fluoride should not be added to drinking water without the consent of the public.

JUNEAU

Beginning January 15, 2007, the City of Juneau ceased adding fluoride to the drinking water. Two years prior, the Assembly appointed a six-member Fluoride Study Commission and charged them with several tasks: researching and evaluating the scientific literature regarding the use of fluoride in municipal drinking water; performing a cost/benefit and risk analysis regarding the use of fluoride in municipal drinking water; and finally, making recommendations regarding the use of fluoride in the City's drinking water.

After two years of work, the Commission issued its final report in July 2006 and was split in its recommendations. Three members supported continued fluoridation, believing it to be safe and effective in helping to prevent tooth decay; two members recommended that fluoridation be discontinued, believing it to be potentially unsafe and of doubtful efficacy in fighting tooth decay; and one member recommended that fluoridation be discontinued, believing that the evidence did not show fluoridation to be safe and effective with sufficient certainty.

In addition to reviewing the Commission's report and receiving written comments on the issue from dozens of residents, the Assembly listened to extensive public testimony on fluoridation at its November 20, 2006 meeting. Then, after debating the issue at that meeting and again on December 11, 2006, the Assembly – attempting to balance uncertain benefits and risks – voted to cease fluoridation.

WORLDWIDE

Despite dental pressure, 99% of western continental Europe has rejected, banned, or stopped fluoridation due to environmental, health, legal, or ethical concerns. Only about 5% of the world population is fluoridated and more than 50% of these people live in North America. The Danish Minister of Environment recommended against fluoridation in 1977 because "no adequate studies had been carried out on its long-term effects on human organ systems other than teeth and because not enough studies had been done on the effects of fluoride discharges on freshwater ecosystems."

"In 1978, the West German Association of Gas & Water Experts rejected fluoridation for legal reasons and because 'the so-called optimal fluoride concentration of 1 mg per L is close to the dose at which long-term damage [to the human body] is to be expected.'" (Quotes from: Hilleman B, "FLUORIDATION: Contention won't go away," *Chemical and Engineering News*, 1988 Aug, 66:31 (The [] brackets were in the original article.)

PALMER

On February 14, 1967, Palmer City Council approved Ordinance number 136 which officially began the fluoridation of Palmer's public water supply.

At present, Palmer adds fluoride to the water to achieve a level of 0.7 – 1.0 ppm. Palmer well water contains naturally occurring fluoride. The Public Works Department conducted a 15 day monitoring period of naturally occurring fluoride levels in our municipal water wells.

15 day averages of naturally occurring fluoride levels:

Well #1	0.71 PPM
Well #4	0.20 PPM
Well #5	0.18 PPM

State recommended levels = 1.0 to 1.2 PPM

Below is a breakdown of materials and labor costs to fluoridate in 2009, 2010, and to date in 2011.

Fluoride Costs per year			
Year	Material Cost	Approx. Labor Cost	Total
2009	\$6,870.00	\$600.00	\$7,470.00
2010	\$4,040.00	\$300.00	\$4,340.00
2011	\$4,129.00	\$300.00	\$4,429.00

Ordinance no. 11-007 stops and prohibits the addition of fluoride, in any form, to the public water supply.

Administration recommendation: Adopt ordinance number 11-007.

Introduced by: City Manager
Date: October 11, 2011
Public Hearing: October 25, 2011
Action: Adopted
Vote: 6-1

Yes:	No:
Best	Erbey
Vanover	
Combs	
DeVries	
Hanson	
Johnson	

CITY OF PALMER, ALASKA

ORDINANCE NO. 11-007

AN ORDINANCE OF THE PALMER CITY COUNCIL REPEALING PALMER MUNICIPAL CODE SECTION 8.12.010, CITY MANAGER DUTY, TO PROHIBIT THE ADDITION OF FLUORIDE TO THE PUBLIC WATER SUPPLY

WHEREAS, Since 1967, the Palmer Municipal Code has required the addition of fluoride to the public water supply; and

WHEREAS, the public water supply receives water from three wells which are designated well #1, well #4, and well #5; and

WHEREAS, well #1, which produces three percent of the public water supply and contains an average of 0.71 parts per million (ppm) of naturally occurring fluoride, and wells #4 and #5 which produce 97% of the public water supply contain an average of 0.19 ppm of naturally occurring fluoride; and

WHEREAS, adding fluoride to the public water supply creates a fluoride concentration of 1.0 ppm; and

WHEREAS, questions about Palmer's public water supply have arisen after numerous municipalities in Alaska and other states have ceased adding fluoride to their public water supply upon receiving extensive testimony regarding the risks and benefits of fluoridating their public water supply; and

WHEREAS, in response to concerns about the risks of fluoride in the Palmer public water supply, the City Council directed the Administration to investigate the issue and in response to the investigation, the Administration has determined that an ordinance be introduced ending the addition of fluoride to the public water supply.

THE CITY OF PALMER, ALASKA ORDAINS:

Section 1. Classification. This ordinance shall be permanent in nature and shall be incorporated into the Palmer Municipal Code.

Section 2. Severability. If any provisions of this ordinance or application thereof to any person or circumstances are held invalid, the remainder of this ordinance and the application to the other persons or circumstances shall not be affected thereby.

Section 3. Palmer Municipal Code Section 8.12.010 is amended as follows (new language is underlined and deleted language is stricken):

Section 8.12.010 ~~City manager duty.~~ Public Water System

~~The city manager shall direct the appropriate personnel of the water department and assist them in providing the means and procedures for the introduction of fluoride into the public water supply in accordance with the procedures established by the Alaska Department of Environmental Conservation.~~

- A. Any person or water utility that owns or operates a public water distribution system in the City shall not add fluoride, in any form, to the water system.
- B. The operators of public water distribution systems within the City of Palmer shall provide a copy of the annual water quality report, called the Consumer Confidence Report (CCR), to the City. The report shall be distributed to all water customers on an annual basis.

Section 4. Effective Date. Ordinance No. 11-007 shall take effect upon adoption by the City of Palmer City Council.

Passed and approved this twenty-fifth day of October, 2011.

DeLena Goodwin Johnson, Mayor

Janette M. Bower, MMC, City Clerk



Amanda Mendonza, CHMM
Technical Services Representative
Emerald Alaska, Inc.
800 East Ship Creek Ave.
Anchorage, AK 99501
Phone: 907-569-5320
Toll Free: 877-375-5040
Fax: 907-569-5353
E-Mail: amanda.mendonza@emeraldnw.com

Work Estimate #11384

CUSTOMER: City of Palmer

WORK DESCRIPTION: Sodium Fluoride Transportation and Disposal

SERVICE ADDRESS: Palmer, AK

BILLING ADDRESS: 231 West Evergreen Ave.
Palmer, AK 99645

CUSTOMER CONTACT: John Berberich

PHONE NUMBER: 907-863-0746

EMAIL ADDRESS: jberberich@palmerak.org

DATE: 3/5/2012

This estimate is valid for a period of 30 days and only for the scope of work described herein.

SCOPE OF WORK:

Emerald Alaska, Inc. (EAI) is pleased to offer the City of Palmer the following quote for packaging, transporting and disposing of 13 bags of solid sodium fluoride. The information provided in this document is sensitive and confidential and is intended for use by City of Palmer and may not be disclosed to any third persons without the sender's written consent.

Documentation Fee	Quantity	Unit	Unit Price	Extended
Manifest Fee	1	EACH	\$ 30.00	\$ 30.00
Profile Fee	1	EACH	\$ 85.00	\$ 85.00
 Local Pick Up Charges				
Driver	Est.4	HOURS	\$ 70.00	\$ 280.00
Truck*	Est.	HOURS	\$ 38.00	\$ 152.00
 Disposal Item				
Sodium Fluoride (13bags x 50pounds each)	1	CYB	\$ 550.00	\$ 550.00
 Supplies				
Cubic Yard Box	1	EACH	\$ 95.00	\$ 95.00

Transportation to Seattle*

Per Container	1	EACH	\$	400.00	\$	400.00
---------------	---	------	----	--------	----	--------

Transportation to TSDF

Per Container	1	EACH	\$	320.00	\$	320.00
---------------	---	------	----	--------	----	--------

Energy Surcharge (18.4%)

					\$	101.57
--	--	--	--	--	----	--------

*Affected by Energy Surcharges

Total

					\$	2,013.57
--	--	--	--	--	----	----------

If you find our estimate for the scope of work described above acceptable, please sign and date this form and return it to my attention. If required by your company, please provide a purchase order number, or other invoicing reference number for this work. As soon as we receive a signed "Notice to Proceed" we will contact you with a date and time to schedule the above described scope of work.

Thank you for your consideration of this proposal. Emerald Alaska, Inc. looks forward to the opportunity to provide City of Palmer with environmental services in the near and ongoing future. If you should have any questions regarding this proposal, at your convenience, please contact me at 907-569-5320.

Sincerely,

Amanda Mendonza

Amanda Mendonza, CHMM
 Technical Services Representative

TERMS AND CONDITIONS:

1. Energy surcharges, applicable to the date of service, will apply to all items that are affected by fuel costs. Energy surcharges vary month-to-month.
2. This signed estimate must be received as an official Notice to Proceed for any project or change order.
3. The disposal pricing is based on the disposal method. The price above may differ from the final price, which is based upon final TSDf profile approval and waste receipt.
4. It is assumed that the above material is packaged in DOT approved shipping containers that are in good condition for transportation according to the regulations of the Department of Transportation. Off-specification containers will be re-packaged at the customer's expense.
5. If delays are encountered outside the immediate control of Emerald Alaska, Inc., additional charges may apply. Containers must be made readily accessible by the generator or the generator's representative.
6. The customer agrees to pay any applicable taxes or permits.
7. Expedited Services (less than 24-hour notice) are considered Emergency Response and may incur up to a 10% invoice surcharge.
8. The customer agrees to pay in full and on time all charges and fees within the scope of work and within any authorized change order. Payment Terms are NET 30 unless other arrangements have been made prior to the start of work. Billing will occur at the time Emerald Alaska, Inc. accepts the waste material(s) for transportation and/or disposal. Final Manifests, Certificates of Disposal and other supporting documentation will be mailed to the project manager when available.
9. The customer acknowledges this quote is a good faith estimate of the charges and fees which may be incurred within the scope of work, but the actual charges and fees may vary from or exceed the estimate. The customer agrees to pay the actual charges and fees.
10. Emerald Alaska, Inc. reserves the right to require security and take other steps to ensure the customer timely and fully pays all charges and fees. Emerald Alaska, Inc. may suspend services if the customer fails to make a full and timely payment.
11. Emerald Alaska, Inc. has no obligation to perform any services or incur any costs unless and until this Estimate is authorized and signed by the customer and returned to Emerald Alaska, Inc. Emerald Alaska, Inc. has no obligation to perform any services or incur any costs beyond those described within the scope of work in this Estimate unless and until a written change order is executed and signed by both the customer and by Emerald Alaska, Inc.

CUSTOMER ACCEPTANCE:

On behalf of City of Palmer, I agree to all terms and conditions of this Estimate and Work Order, and authorize Emerald Alaska, Inc. to proceed accordingly.

Customer Signature

Printed Name

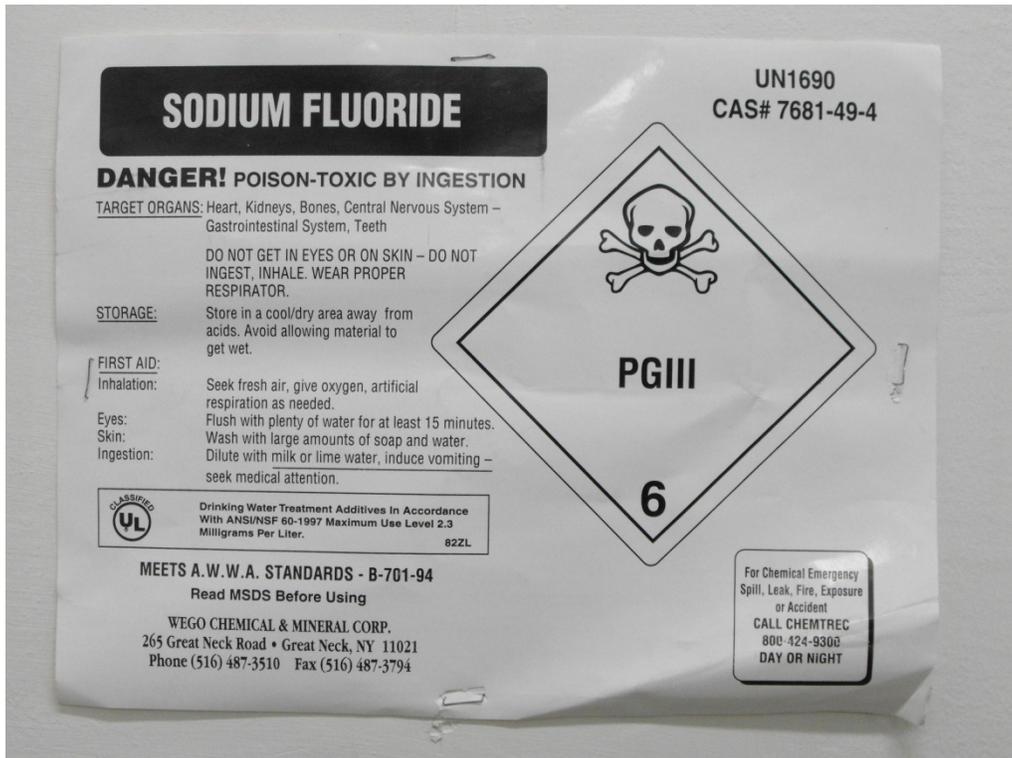
Title

Date

Purchase Order No.



13 bags of fluoride at well 4 & 5



Fluoride warning sign



Fluoride injection equipment prior to being removed from service