



CITY & BOROUGH of YAKUTAT
P.O. Box 160
Yakutat, Alaska 99689
Phone (907) 784-3323
Fax (907) 784-3281

NOTICE

**City and Borough of Yakutat, Alaska
Borough Assembly Special Meeting
June 25, 2020 7:00 p.m. City Hall**

The Borough Assembly shall conduct a Special Meeting on

Thursday, June 25, 2020 at 7:00 p.m. at the City Hall.

While the Meeting is open to the public, the public is strongly encouraged to participate using the teleconference number. Individuals who wish to provide written comments to the Borough Assembly under Agenda Item Audience Participation,

please contact the Borough Clerk at

907-784-3323 ext. 104 or

Email: admin@yakutatak.us no later than Thursday, June 25 at 4:30 p.m.

Teleconference Number: 1-800-528-2793

Code: 3182367

This Meeting will be aired on the local radio station.

KYKT 91.9 FM



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AGENDA

**City and Borough of Yakutat, Alaska
Borough Assembly Special Meeting
June 25, 2020 7:00 p.m. City Hall**

- 1. CALL TO ORDER:
- 2. ROLL CALL:
- 3. ADOPTION OF AGENDA:
- 4. MINUTES OF PREVIOUS MEETING:
 - 4.1 June 4, 2020 – Regular Meeting
- 5. MANAGER' S REPORT:
- 6. COMMUNICATIONS AND APPEARANCE REQUESTS: NONE
- 7. AUDIENCE PARTICIPATION:
 - 7.1 IN PERSON PARTICIPATION
 - 7.2 PARTICIPATION BY WRITTEN COMMENT
 - 7.3 TELEPHONIC PARTICIPATION
- 8. HEARINGS, ORDINANCES AND RESOLUTIONS:

INTRODUCTION:

8.1 ORDINANCE 20-673: AN ORDINANCE AMENDING SUBSECTION 2.08.010(A) OF THE CODE OF THE CITY AND BOROUGH OF YAKUTAT, ALASKA.

8.2 EMERGENCY ORDINANCE 20-674: AN EMERGENCY ORDINANCE AMENDING SECTION 2.12.200 OF THE CODE OF THE CITY AND BOROUGH OF YAKUTAT TO PERMIT TELECONFERENCE ATTENDANCE BY MEMBERS AT ASSEMBLY MEETINGS FOR PURPOSES OF ESTABLISHING A QUORUM

PUBLIC HEARING AND CONSIDERATION OF ORDINANCE:

8.3 EMERGENCY ORDINANCE 20-674: AN EMERGENCY ORDINANCE AMENDING SECTION 2.12.200 OF THE CODE OF THE CITY AND BOROUGH OF YAKUTAT TO PERMIT TELECONFERENCE ATTENDANCE BY MEMBERS AT ASSEMBLY MEETINGS FOR PURPOSES OF ESTABLISHING A QUORUM

RESOLUTIONS:

8.4 RESOLUTION 20-333: A RESOLUTION ACCEPTING CORONAVIRUS RELIEF FUNDS FROM THE STATE OF ALASKA, DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT, FOR COSTS INCURRED DUE TO THE COVID-19 PUBLIC HEALTH EMERGENCY.

8.5 RESOLUTION 20-334: A RESOLUTION OF THE BOROUGH ASSEMBLY OF THE CITY AND BOROUGH OF YAKUTAT, ALASKA ADOPTING A LARGE-SCALE COMMERCIAL DISPOSAL RATE AT THE YAKUTAT LANDFILL.

9. OLD BUSINESS: NONE

10. NEW BUSINESS:

10.1 Financial Report for Period Ending May 31, 2020.

10.2 Report to Assembly on Proposed Direct Sale of Borough- Owned Property (CCBY 7.16.065)

10.3 Changing of use of Borough –owned parcel per recommendation of the Planning Commission

11. AUDIENCE PARTICIPATION:

11.1 IN PERSON PARTICIPATION

11.2 TELEPHONIC PARTICIPATION

12. MAYOR'S REPORT, ASSEMBLY MEMBERS COMMENTS:

13. ADJOURNMENT:

4.1



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MINUTES- DRAFT FOR APPROVAL
CITY AND BOROUGH OF YAKUTAT
BOROUGH ASSEMBLY
REGULAR MEETING
June 4, 2020, 7:00 P.M. City Hall

CBY Staff Present: J. Erickson, Borough Manager and A. Munoz, Borough Clerk.

Public Present: Casey Mapes, Cathy Bremner, Beverly Bremner, Cynthia Peterson, Kip Hoadley, Walt Pickett, and Jeff Mancini.

Public Telephonic: Jana Weltzin, Raymond Sensmeier, Larry Powell, and Eva Sensmeier.

1. CALL TO ORDER:

Mayor, C. Bremner called the meeting to order at 7:04 p.m.

2. ROLL CALL:

N. Holcomb: Present
S. Nelson: Telephonic
G. Valle: Present
D. James: Present
M. Knutsen: Present at 7:10 p.m.
C. Bremner: Present
S. Demmert: Present

3. ADOPTION OF AGENDA:

MOTION: G. Valle moved to amend the Agenda placing Agenda Item 10.2 The North West Company (International), Inc. doing business as Alaska Commercial Company - Package Store Liquor License (#1264) Transfer Application before Agenda Item 10.1 Financial Report for Period Ending April 30, 2020.

SECOND: N. Holcomb

QUESTION: N. Holcomb

VOICE VOTE: All Ayes

MOTION CARRIED

4. MINUTES OF PREVIOUS MEETING:

4.1 May 21, 2020 – Regular Meeting.

MOTION: N. Holcomb moved to approve the Minutes of the May 21, 2020 Regular Meeting.

SECOND: S. Demmert

QUESTION: N. Holcomb

VOICE VOTE: All Ayes

MOTION CARRIED

5. MANAGER' S REPORT:

Borough Manager, J. Erickson: Commented on many subjects including: changes to the State of Alaska Health Mandates, CBY jail cells, Grant writing, 4th of July, Resolution to accept COVID-19 Relief funds, PFAS, Notice for part time work, CBY surplus vehicles.

Mayor, C. Bremner: Thanked Jon and asked if anyone had questions for him.

Mayor, C. Bremner: Inquired on COVID-19 testing. Commented that COVID-19 has greatly impacted Yakutat's Sport Fishery. Inquired on enforcement regarding the State of Alaska Health Mandates. Commented on having a second Work Session regarding COVID-19 Relief Funds.

G. Valle: Commented on the current Health Mandates. Commented on the options for travelers coming into Yakutat.

6. COMMUNICATIONS AND APPEARANCE REQUESTS:

6.1 Information and comment to the Assembly from the applicant North West Company (International), Inc. doing business as Alaska Commercial Company – Package Store License (#1264) - (3 AAC 304.145(d)).

Mayor, C. Bremner: Declared her Conflict of Interest as General Manager of the Glass Door Bar and Liquor Store and asked Mayor Pro Tempore N. Holcomb to lead the meeting.

N. Holcomb: Inquired if there are any Appearance Requests. Commented if there are no Appearance Requests the Assembly would move on to the next agenda Item.

Borough Manager, J. Erickson: Commented the Assembly may take Public Testimony on the License Transfer Application.

N. Holcomb: Inquired if Public Testimony be under 7.1.

Borough Manager, J. Erickson: Commented the Assembly can put it under 7.1. Commented he is unsure if the Assembly can have public comment when the Assembly is

discussing a vote.

S. Demmert: Suggested placing Audience Participation on the Table then move on to 7.1.

Borough Manager, J. Erickson: Commented that was his suggestion. Commented he believed to be legal the Assembly cannot have public comments and then have 7.1 and then have more public comment again.

N. Holcomb: Inquired if the Assembly would allow public comment after it is on the table.

Borough Manager, J. Erickson: Commented that would be his suggestion.

N. Holcomb: Commented the Assembly would now move on to 7.1 License Transfer Application. Inquired, what is the wish of the Assembly?

MOTION: M. Knutsen moved to protest the application based on the best interest of the community.

SECOND: G. Valle.

N. Holcomb: Commented a motion had been made and seconded. Commented the Assembly would now take audience participation.

D. James: Commented on Agenda Item 6.1 first then followed by public comment as the agenda was adopted.

N. Holcomb: Commented he had misread Agenda Item 6.1 and thanked D. James. Commented Alaska Commercial Company may make comments now.

Walt Pickett: Thanked the Assembly for the opportunity to speak. Commented AC has been in Yakutat for 15 years, have been good corporate citizens of the community, and AC does everything in its power to make sure that the business is run professionally and respect the rights and desires of the community as a whole. Commented the Northwest Company has 7 liquor stores in the state and this is a continuation of the business. Commented the business is an opportunity to provide products and services to make it convenient for costumers. Commented on True North Federal Credit Union was another example of providing products and services. Commented on the Sitka, Cordova, McGrath and Nome AC liquor stores. Commented the North West Company takes the laws very seriously. Commented on a trainer, additional benefits that this project would provide. All health and safety requirements have been met, commented the Fire Marshal has signed off on this project. The North West Company goes beyond the State of Alaska's requirements. Thanked the Assembly and audience members. Commented the intention is not to run any company out of business, but it is to provide additional opportunities for costumers.

N. Holcomb: Thanked Walt Pickett, and commented that the Assembly will now take in person public comment.

7. AUDIENCE PARTICIPATION:

7.1. License Transfer Application

- A. Interested members of the public may comment upon the following Liquor License application for transfer of location and ownership:
- Type: Package Store - License #1264
Applicant: The North West Company (International), Inc.
DBA: Alaska Commercial Company
Location: 716 Ocean Cape Road, Yakutat, Alaska

Cathy Bremner: Thanked the Assembly and Mayor C. Bremner. Commented that she is the YCC President and a direct descendant of the five chiefs. Commented that the Assembly will hear from Jena Weltzin who is employed by the YCC. Commented that she would like the record reflect that she urged the City and Borough of Yakutat to protest this transfer and liquor location. Commented on YCC's \$185,000 donations made to the community over the past 15 years. Thanked the Assembly.

Larry Powell: Commented that he cannot hear what is being said over the phone.

N. Holcomb: Commented participants will be asked to speak louder.

Casey Mapes: Commented in favor of the License Transfer Application. Commented the City is going to have an increase in expenditures. Commented that the Assembly look into the revenue coming into Yakutat. Thanked the Assembly.

Cynthia Peterson: Commented she is the Vice President for the YCC and spoke in favor of protest for the License Transfer Application. Commented on the Letter from the YCC.

Larry Powell: Commented he has been a Yakutat resident for 56 years. Opposed the License Transfer Application. Commented on the location, the potential noise, road access.

N. Holcomb: Commented to Larry Powell he has exceeded his time limit.

Larry Powell: Commented opposed to the time limit.

N. Holcomb: Commented L. Powell may proceed.

Larry Powell: Commented on the location of the transfer, the profits of the YCC, and there is not a community need for another liquor store. Commented he would like the ability to submit his comments in writing.

N. Holcomb: Thanked Larry Powell and commented he has the opportunity to submit comments.

Jana D. Weltzin: Commented she is representative for YCC. Commented on the foundation

of YCC and opposed the license transfer application. Requested the Assembly protest the license transfer application. Commented on the historical background of the locations involved. Commented on the original liquor license intentions. Commented on Yakutat's population, oversaturation, and proposed location.

N. Holcomb: Commented time limit has been reached.

Jana D. Weltzin: Commented on having a liquor store inside of a grocery store, and thanked the assembly for their time.

Raymond Sensmeier: Commented on his personal and professional background in Yakutat, and read the names of the five chiefs. Commented in favor of the protest and on the donations YCC has made to the community. Commented on the location of the proposed license transfer application. Commented opposed on the time limit for audience participation.

N. Holcomb: Commented R. Sensmeier had reached his time limit and may say a closing statement.

Raymond Sensmeier: Commented on the Coronavirus and George Floyd. Thanked the Assembly.

N. Holcomb: Inquired if there were any other in person or telephonic comments. Commented hearing none the clerk will read the written comments.

Written Comments: Please see attachments for full written comments.

Helen Galstad: Attachment A

Yakutat Tlingit Tribe: Attachment B

John Buller: Attachment C

Chantil Bremner- Firestack: Attachment D

Cathy Bremner: Attachment E

Jana D. Welzin, JDW Counsel: Attachment F

N. Holcomb: Commented Public comment was closed and inquired if there was any discussion from the Assembly Members.

M. Knutsen: Opposed another Liquor Store being so close to town and so close to the school. Commented the transfer will normalize alcohol for children. Commented children in the community are already exposed to alcohol more than they need to be. Commented YCC has donated almost \$200,000 dollars back into the Community over the past 15 years. Commented AC does try and support the Community, but it is not at the same level as YCC. Commented if AC and YCC are competing YCC business will suffer and

will not be able to continue that same amount of donations to the Community. Commented she does not see AC donating to funeral expenses, which are a very big hardship in the community, especially when community members pass away unexpectedly.

N. Holcomb: Inquired if there were any other Assembly Member comments

Eva Sensmeier: Commented in favor of protesting the License Transfer Application. Commented on the location of the proposed package store and normalizing alcohol for children.

D. James: Commented the current location is about 3.5 miles from the center of the community. Commented the proposed transfer location is approx. 350 yards from a Daycare center. Commented the proposed transfer location is approx. 450 yards from an Elementary/High School. Commented AC is a gathering place for students, also visiting high school students. Commented that the Senior Center is approx. 95 yards from the entrance of AC. Commented AC is a grocery store and it brings in families. Inquired if Yakutat needs another package store that will be open year round. Yakutat lodge is only open 6-7 months out of the year, whereas AC will be open year round.

N. Holcomb: Inquired if there were any other Assembly Member comments, hearing none call for the question.

QUESTION: M. Knutsen

ROLL CALL VOTE:

G. Valle: YES
S. Demmert: YES
D. James: YES
M. Knutsen: YES
S. Nelson: ABSTAIN
N. Holcomb: YES

MOTION PASSED

7.2 Audience participation on other matters, in the following order: in-person, by written comment, telephonically.

Cathy Bremner: Thanked the Assembly for listening to the community members and voting to protest.

8. HEARINGS, ORDINANCES AND RESOLUTIONS:

INTRODUCTION: NONE

PUBLIC HEARING AND ASSEMBLY ACTION: NONE

RESOLUTIONS: NONE

9. OLD BUSINESS: NONE

10. NEW BUSINESS:

10.2 The North West Company (International) , Inc. doing business as Alaska Commercial Company - Package Store Liquor License (#1264) Transfer Application.

Please see Attachment G for the fully executed CBY Assembly Protest of Approval of Package Store License #1264.

10.1 Financial Report for Period Ending April 30, 2020.

MOTION: M. Knutsen moved to approve the Financial Report for Period Ending April 30, 2020.

SECOND: S. Nelson

DISCUSSION: None

QUESTION: S. Demmert

VOICE VOTE: ALL AYES MOTION CARRIED

11. AUDIENCE PARTICIPATION: None

12. MAYOR'S REPORT, ASSEMBLY MEMBERS COMMENTS:

M. Knutsen: Thanked the Assembly for listening to its community members and thanked the AC representatives.

S. Nelson: Thanked everyone for their comments and sharing their views on the liquor license. Opposed the Liquor License being in the community, however does not want to see AC shut down, which brings in revenue to the CBY.

Mayor, C. Bremner: Commented on another Work Session regarding COVID-19 Relief Funds. Thanked everyone for their comments, and thanked the local radio station.

13. ADJOURNMENT:

MOTION: N. Holcomb moved to adjourn the meeting at 8:12 p.m.

SECOND: M. Knutsen

QUESTION: S. Demmert

VOICE VOTE: ALL AYES MOTION CARRIED

Attachment: A

Helen Galstad
P.O. Box 265
Yakutat, AK 99689

RECEIVED
JUN 03 2020
CITY & BOROUGH
YAKUTAT

June 3, 2020

City & Borough of Yakutat, Mayor & Assembly Members
P.O. Box 160
Yakutat, AK 99689

RE: Package License 1264

Dear Mayor and Assembly Members:

Please find the enclosed letter and signatures I previously sent to The Alcohol and Marijuana Control Office regarding the transfer application before you on June 4, 2020.

I'm grateful to live in a community that has the right to protest this transfer application, and I ask that you, on behalf of our community, do exactly that! This transfer is not in the best interest of our community! I ask that you honor, our children, our elders, our community, and the memory of The Five Chiefs of Yakutat, and file a formal protest with the Alcohol Marijuana Control Office, as soon as possible.

Thank you, for your time.

Sincerely,



Helen Galstad, Concerned Yakutat Citizen

Enc: Letter Sent to AMCO Dated December 20, 2019

Helen Galstad
P.O. Box 265
Yakutat, AK 99689

December 20, 2019

Alcohol and Marijuana Control Office delivered to via Email to
550 W 7th Avenue, Suite 1600 alcohol.licensing@alaska.gov
Anchorage, AK 99501

Yakutat Adventures, LLC delivered to via U.S. mail
989 Airport Road
Yakutat, AK 99689

The North West Company delivered to via U.S. Mail
ATTN: Legal Department
77 Main Street
Winnipeg, Manitoba R3C1A3

RE: Package License 1264 (located in Yakutat, AK)

To all:

Yesterday, I noticed the application notice. I, and many of my friends and neighbors, object to the transfer. See attached signatures of friends and neighbors.

This letter is to express my formal objection to the transfer of this license. Neither party to this transfer are local, and it will change how this community has operated for the last 60+ years.

The proposed location is so close to the Yakutat School District, The YTT Senior Center, The YTT Tribal Administrative Offices, two churches within 0.5 mile, and the soon to be new hospital.

We already have a designated place within 0.6 mile away where children are not allowed to go. There is no need for two package stores so close together in a town this size. Especially when my underage children and grandchildren frequent the proposed location.

Sincerely,

Helen Galstad, Concerned Yakutat Citizen



WE, the undersigned, are residents of the City & Borough of Yakutat, AK, object to the transfer of Package License #1264, Form AB-01 Transfer License Application, posted notice of December 10, 2019, with the Alaska Alcoholic Beverage Control Board, known as AMCO. As residents of the City & Borough of Yakutat, we object this transfer for the following reasons:

We already have a local, community-community owned package store within 0.6 tenths of a mile from the proposed location;

The application is wrong in statement of the distance to the Yakutat School District, which is actually 0.2 tenths of a mile from the proposed location;

The application is wrong in statement of distance to the nearest church, which is actually St. Ann's Catholic Church, at 0.3 tenths of a mile from the proposed location;

The application is wrong in statement of distance to The Church of Jesus Christ of Latter-Day Saints, which is actually 0.4 tenths of a mile away from the proposed location;

Many students of the Yakutat School District frequent the proposed location;

This transfer will change the dynamics of our community!

Robin Bernius

Harold May

Jane A. Holchoff

Lauri Bernius

Theodore Valle Jr.

Helen Halstad

Cliff Willey

[Signature]

Arc Val

Ruperto Samsmeier

Laine Petessen

Clair Foster Co

John Nathanson

Nancy Bernius

John D. Williams Jr

M. Knutson

Matt Almach

JOHN LOUIS 60

Amian Johnson

Eli Harbor 12/19/2019

Frank B...

Edie Phillips

Elyad...

Jessie J. Bremer

Vern Flannery

David G. ...

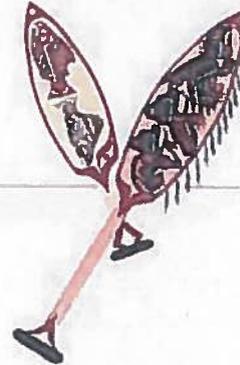
MW

Chris H

Attachment : B

Yakutat Tlingit Tribe

606 Forest Hwy. 10 * P.O. Box 418 * Yakutat, Alaska 99689
Phone (907) 784-3238 * Fax (907) 784-3595 * www.yttribe.org



June 1, 2020

Alcohol and Marijuana Control Office
Alcohol Licensing
550 W. 7th Avenue, Suite 1600
Anchorage, AK 99501
alcohol.licensing@alaska.gov

RECEIVED

JUN 04 2020

CITY & BOROUGH
YAKUTAT

RE: Objection to Transfer of License
License #1264, NWC (U.S.) Holdings, Inc.

To whom this may concern,

On behalf of the Yakutat Tlingit Tribal Council please accept this letter in opposition of the transfer of License #1264 to The North West Company (International) Inc., DBA AC Store.

Not only are there social concerns with a greater availability of beer, wine, and spirits, but there are also statutory restrictions and regulations that may prohibit such a transfer from being granted.

The current population of Yakutat is approximately 650 people. We have one existing package store licensee, The Glass Door Bar and Liquor Store that operates in close proximity to The AC Store.

Under Title 4, Article 5 there are restrictions on issuance and transfer of licenses and the board may prohibit relocation of an existing license.

Title 4, Article 5

Section 04.11.400. Population limitations.

(a) Except as provided in (d) – (k) of this section, a new license may not be issued and the board may prohibit relocation of an existing license

(2) inside an established village, incorporated city, or unified municipality if, after the issuance or relocation, there would be inside the established village, incorporated city, or unified municipality

(B) more than one license of each type, including licenses that have been issued under (d) or (e) of this section, for each 3000 population or fraction of that population;....

To preserve, maintain and protect the unique culture, land & resources of Yakutat Tlingit people,
to maximize our social, health & well being while creating economic development benefits to all Tribal members.



Yakutat Tlingit Tribe Resolution 2016-12

There are exceptions and the board may approve transfers in a limited number of circumstances under (d) – (k).

Letter (d)(1) and (2) references tourist trades, hotels, motels, or similar businesses as well as airport terminals. Letter (e) (1, 2, and 3) are in reference to restaurants and eating places. Letter (f) is not applicable due to transfer distance greater than 1 mile from original location and not meeting necessary requirements as indicated in (f)(2)(A),(B), and (C). Letter (g) pertains to eating establishments. Letter (i) pertains to golf courses. Letter (j) pertains to recreation lodges. Lastly, letter (k) pertains to populations greater than 60,000.

Exceptions (d) through (k) are not applicable to this license transfer request and therefore should be denied.

Additionally, these two businesses (Glass Door and AC Store) are in close proximity to each other and the population limitations clearly do not support an additional license. The existing licensee, Yakutat Adventures, LLC, DBA Yakutat Lodge, operates at the Yakutat Airport which is approximately 2-3 miles outside of the population center and primarily serves their own clients and those arriving and/or departing Yakutat by way of the Yakutat Airport.

If you need additional information or would like to speak with me regarding this objection of transfer, please feel free to contact me at your earliest convenience.

Sincerely,



John P Buller
Tribal President
Yakutat Tlingit Tribe
john.buller85@gmail.com
907-784-3238

Attachment : C

Alfredo Munoz

From: John Buller <john.buller85@gmail.com>
Sent: Thursday, June 4, 2020 4:24 PM
To: Admin@yakutatak.us
Subject: Liquor License

Mayor and Assembly,

As a resident of Yakutat I hope to see the assembly object and protest the liquor license for Ac store. Why do we need another liquor store so close downtown by the school, sr. Center, clinic and federal offices. Thank you for your time.

John Buller

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JUN 04 2020

**CITY & BOROUGH
YAKUTAT**

--

John Buller
Aanakwei Eesh
Galyax Kaagwaantaan
Yakutat Tlingit Tribe
Tribal President

OUR MISSION:

“To preserve, maintain and protect the unique culture, land and resources of Yakutat Tlingit people; to maximize our social, health & well-being while creating economic development benefits to all tribal members.”

Attachment : D

Alfredo Munoz

From: Chantil Bremner-firestack <chantil.firestack@yahoo.com>
Sent: Thursday, June 4, 2020 2:22 PM
To: admin@yakutatak.us
Subject: Comment on Package Store License (#1264) Transfer

To the Yakutat City and Borough Assembly Members,

I would like to take this opportunity to express my opposition of the transfer of the package store license #1264 to the North West Company (International). Inc, DBA Alaska Commercial Company. As we already have a package store located within the city limits I do not see a need to have another. I also think that approving the sale of a liquor license so close to a school is not something our community should condone. I believe our children are already exposed to alcohol enough and allowing the sale of it in our grocery stores just normalizes drinking and encourages underage consumption. I also believe that there is not enough business in the community to sustain two package stores and a large corporation would have the resources to undercut our local package store which in turn could cause that establishment to shut down causing jobs lost and more of our community members to leave in search of employment.

Thank you for your time on this matter.

Best Regards,
Chantil Bremner-Firestack

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JUN 04 2020

CITY & BOROUGH
YAKUTAT

Sent from [Mail](#) for Windows 10

Attachment

Alfredo Munoz

From: Cathy Bremner <cathy.bremner2012@gmail.com>
Sent: Thursday, June 4, 2020 4:22 PM
To: Alfredo Munoz
Subject: Object

Thank you Mayor Cindy Bremner and honorable assembly members, Jon Erickson borough manager, Thank you for your service to this community, my name is Cathy Bremner, YCC President, I am a descendent of the five chiefs. Born and raised in this community. You have heard the objection on behalf of YCC from Jena Weltzin. I will not repeat what she has stated however, I would like the record to reflect I urge city and Borough of the Yakutat to protest this transfer and liquor location. Thank you for your time.

CathyB

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JUN 04 2020

CITY & BOROUGH
YAKUTAT

Attachment: F



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JUN 03 2020

CITY & BOROUGH
YAKUTAT

June 4th, 2020

Jana D. Weltzin
Licensed in Alaska & Arizona
901 Photo Ave
Anchorage, Alaska 99503
Phone 630-913-1113
Main Office 907-231-3750
JDW, LLC
jana@jdwconsult.com

Re: Package License 1264 – Transfer of Ownership & Transfer of Location Request

Dear Honorable Assembly of Yakutat:

This firm has the privilege of representing YCC, Inc. a community minded corporation, originally formed by the honorable Five Chiefs of Yakutat, Alaska, to further community interests and to protect their fellow community members. The purpose of this letter is to formally object to the relocation of Package License 1264 and request the assembly protest this transfer application pursuant to AS 04.11.480.

Brief Historical Review.

To better understand the reason for YCC, Inc.'s strong objection to this proposed relocation, its necessary to recap a bit of history. Originally, YCC was formed as a non-profit by the Five Chiefs of Yakutat. The Chiefs knew it was only a matter of time before liquor became a part of their community and they wanted to ensure that the dispensing and sale of liquor was entrusted in a company that had the best interest of the community members in mind – therefore, they banded together and formed YCC. YCC's creation stemmed from a strong desire to be mindful of community needs and a commitment to giving back to the community. YCC has done just that, since its inception, dating all the way back to its incorporation in 1962. Even at its very early stages of business operations, YCC consistently followed thru with the intent of the Five Chiefs – it gave interest free loans to persons who were experiencing emergencies or hardships, it gave three hundred dollars (\$300) to the Alaska Native Brotherhood (back in the early 1960s) to help pay for a cinema screen and special adapter so that the Brotherhood could utilize their projector. YCC also bought games so that the Brotherhood could host game nights for adults and children. *See Letter from the Yakutat Community Corporation dated April 22, 1964 attached as Exhibit A.* This community mindfulness has continued to present day. Every year, all graduates from Yakutat High School receive a \$500.00 scholarship from YCC. Each year, YCC donates to the Yakutat Senior Center, the Yakutat School District, and to the Yakutat Tlingit Tribe. Additionally, YCC also donates to families who have lost love ones and assist with funeral expenses for any descendants of the Five Chiefs. YCC's package store has been part of the life blood of this community for nearly six (6) decades – YCC's historical responsibility to Yakutat and its stewardship of the community is of the utmost importance to the board of YCC. The YCC



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Anchorage, Alaska 99503
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jana@jdwconsult.com

board includes members appointed by the Alaska Native Brotherhood, the Alaska Native Sisterhood Yakutat Camp 13, and members appointed by the Yakutat Tlingit Tribe.

The historical background on the package store License Number 1264, currently owned by Yakutat Adventures, LLC (an Arizona based company) is also an important part of the full consideration of the relocation request and the impact relocation will have on the community. License number 1264 was obtained prior to the Borough becoming incorporated – the license location (its current location) at the time, was outside of the city limits of Yakutat and therefore was not prohibited by population limits. It is the recollection of YCC that the license was objected to by the City, but ultimately granted due to being outside City limits. As documented in the YCC Board of Directors Special Meeting Minutes on February 6th, 1963, the original licensee of License Number 1264 meet with the Board of YCC and represented that the license was only to serve the folks coming to and from the airport area and the lodge that the original licensee owned at the time (Mr. and Mrs. Frank Ryman). *See Attached meeting minutes dated Feb. 6th, 1963, attached as Exhibit B.* Mr. Ryman represented to the board that it was primarily concerned with servicing folks from the lodge, and did not intend to draw business from downtown area. In 1992 the City dissolved, and the Borough was incorporated, and the limits of the Borough extended passed the City limits which by default, included the licensed location of License Number 1264. Therefore, a license that would not have been allowed due to population licensing limitations was essentially “grandfathered-in” due to the borough’s annexation. It is also important to remember, that during this time, there was nearly twice the amount of people living in the Yakutat area then there currently is now.

Saturation & Monopoly Risks.

Currently, this community of 540¹ people have two liquor stores; One in town, owned locally by YCC, and another four miles away, owned by an Arizona based company but in the process of being sold. The new proposed owners will be that of a Canadian based company. The propose request to relocated license 1264 within less than half a mile from the YCC license and to relocate it to the town center would saturate this small community and impose two package licenses in the middle of town – these licenses are supposed to serve 3,000 people per a license. The definition of saturation is a “state or process that occurs when no more of something can be absorbed, combined with, or added.” This request further exacerbates the saturation in this market. This Assembly must consider whether this saturation and concentration in a small rural community is in the best interests of the community. The saturation of licenses in the heart of Yakutat should also give the assembly cause to be weary of approving this proposed relocation. The population of Yakutat is

¹ According to the License and Population Count Dated 4.30.2020 attached as *Exhibit C.*



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only a fraction of what would be needed to support one package store license. The current location that is approx. four (4) miles from the YCC license, makes survival of both licenses feasible. However, condensing both within less than a mile will create oversaturation and risk of local business failure. There is precedent to deny this re-location/transfer based on saturation. The Alcohol Control Board (ABC Board) addressed a similar situation in 2014 regarding a Nome beverage dispensary license. At the December 2014 ABC meeting, the board considered the transfer request of license number 110 (Bering Sea Saloon). Nome, as the local governing body, protested under AS 04.11.480 stating "The motion to protest was based on the Councilmen's shared belief that Nome has already exceed the number of liquor licenses necessary to accommodate the public convenience." See 2014 Board Tab Materials & Board Minutes attached as *Exhibit D*. The Board upheld the local government protest on that basis.

According to the License and Population Count Dated 4.30.2020 authored by the Alcohol and Marijuana Control Office ("AMCO"), Yakutat is only supposed to have one license, but as you know, it has two. The proposed new licensee is listed as The North West Company (International), Inc. ("NW Company"), a Canadian based company. NW Company listed all the package store licenses it has acquired in its transfer application. Below is a screen shot, for your reference, of the licenses NW Company owns:

1. The North West Company (International) Inc.; Commercial Retail; Lic. No. 08; Package Store.
2. The North West Company (International) Inc.; Commercial Retail; Lic. No. 775; Package Store.
3. The North West Company (International) Inc.; Commercial Retail; Lic. No. 1248; Package Store.
4. The North West Company (International) Inc.; Commercial Retail; Lic. No. 1463; Package Store.
5. The North West Company (International) Inc.; Commercial Retail; Lic. No. 1948; Package Store.
6. The North West Company (International) Inc.; Commercial Retail; Lic. No. 3410; Package Store.
7. The North West Company (International) Inc.; Commercial Retail; Lic. No. 3537; Package Store.
8. The North West Company (International) Inc.; Commercial Retail; Lic. No. 164; Package Store.

Upon digging into where these licenses sit, it has become apparent that the business model for this company is to acquire and operate rural package store licenses.

License No. 08 is located in Sand Point, within the Aleutians East Borough. The limit for package store licenses in Sand Point is one, and only one license, license no. 08, exists.

License No. 775; License No. 1248; and License No. 3537 are all three located in Nome. Nome has four (4) package store licenses, of which NW Company owns three (3).

License No. 1463 is located in McGrath in an unorganized borough, which as a population of 289 people.

License No. 1948 is located in Craig in an unorganized borough, just over 1,000 people live in this community.



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License No. 3410 is located in Cordova, an unorganized borough – with a population of 2,343.

License No. 164 is located outside city limits in the Bristol Bay Borough, again a community with a population of less than 1,000.

While we certainly appreciate that a multinational corporation sees the value of doing business in rural Alaska, the amount of and the specific targeting and acquiring of licenses in rural communities should cause pause and consideration. The Alaska Legislature recognized the risks and negative impacts of monopolies and codified in law the intent to restrict monopolies for liquor licensed establishments in *AS 04.11.690 Discouragement of Monopolies*. The statute provides that, “In a general sense, it is against the public interest that the issuance, renewal, or transfer of licenses issued under this title will create, or assist in the creation of, a monopoly.” Alaska Stat. Ann. § 04.11.690 (West)(Emphasis added). Ultimately, while corporate investment and development may be added benefits to a rural community, it is not a benefit when a multinational corporation intends to develop without causation and careful analyzation of the negative impacts it could have on a small community like Yakutat. Moreover, the Assembly should be particularly sensitive to the fact that NW Company is and has been procuring rural licenses and in this particular situation, moving within less than ½ a mile YCC’s location poses a real risk to YCC’s business viability. YCC is a community minded corporation, profit is not at the top of their priorities – the community is. It will be difficult to compete with NW Company, given NW’s financial holdings and multiple licenses.

Proposed Location Prohibited by AS 04.11.150(e).

The proposed new location illustrates a lack of community mindfulness. Going to the grocery store is a necessity, it is a requirement for every community member to get their essential needs. Going to a liquor store is a choice, you consciously make the decision to go to the package store for an alcoholic beverage. The proposed relocation is not only attached to the grocery store, *it is within the grocery store with no separate and independent entrance.* Per statute, a package store cannot be located inside another retail without a separate entry, unless this Board affirmatively approves such a layout. The Assembly should include in its protest that it does not wish the ABC Board to approve such a variance from the requirements of AS 04.11.150(e). AS 04.11.150(e) states:

*The business premises occupied by a holder of a package store license **may not** be connected by a door, opening, or other means of passage intended for the access of the general public*



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to an adjacent retail business not licensed under this title, unless approved by the board.

To the best of our knowledge, this package store is proposed to be on the second level of the grocery store with no independent separate exit. A customer of the package store would enter thru the general public entrance, go up the stairs, make their liquor purchase, and then go back down the stairs and through the store, and finally out the front public entrance, carrying their liquor purchase with them as they left. This is especially concerning given the fact that school age minors routinely utilize the café/deli area in the grocery store for lunch during the school year. Students congregate there, it is a small community, this is as close to a mall as its going to get. Again, this type of proposed location of a liquor store within a retail store is prohibited by AS 04.11.150(e). We would strongly encourage the Assembly to protest this relocation request and urge the ABC Board to not allow such a variance, especially knowing that minors during the school year eat lunch in the same building every day. The rationale for the purpose of 04.11.150(e) is to avoid (especially in small communities where grocery stores become akin to community centers and social gathering places) from imposing on impressionable youth the visibility of liquor and liquor products in areas that should be free from such influences. Granting an exemption to AS04.11.150(e) would not be in the best interests of this community. The Planning Commission partially recognized this danger and provided conditional #2 on the approval of the conditional use permit. However, condition number 2 is vague at best and does not fully address the issue at hand. Although the Planning Commission issuance was based on the Borough's code, the Commission did not fully consider the damaging impact to the community. The proposed upstairs location for the liquor store is right next to the youth games and toys section.

AS 04.11.340(1) Denial of Relocation Based on not being in public's best interest.

As discussed above, relocating this license inside of a grocery store, in a rural community with limited spaces for socialization, is not in the best interest of this community. Rather, it is self-serving and introduces the normalcy of alcoholic beverages to our youth in a space that should only be for gathering everyday essential products. In addition, the application does not correctly state the distances from other sensitive uses that would be impacted by relocating the liquor store to be within the grocery store. First, the distance from the proposed location to the Yakutat School District grounds is only two tenths of a mile – not four tenths as noted in the application. Second, the nearest church, St. Ann's Catholic Church, is three tenths of a mile away from the proposed location. The application did not even identify or mention St. Ann's Catholic Church at all in the application. Lastly, The Church of Jesus Christ of Latter-Day Saints is actually four tenths of a mile away from the proposed location, not half a mile away as represented in the application.

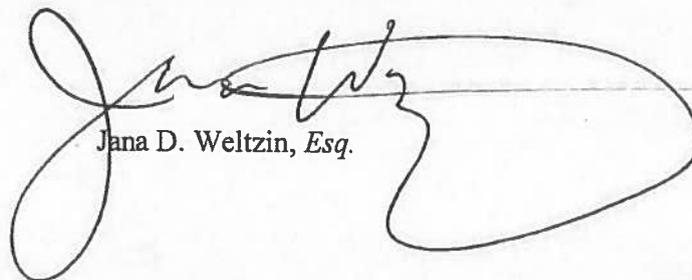


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Conclusion and Respectful Request to Deny Relocation Request.

Per 3 AAC 304.145, a local governing body protest may be based on facts that render the particular application objectionable to the local governing body OR may be based upon a general public policy. *See 3 AAC 304.145(e)*. In this case, the local governing body has both reasons to protest – the particular application is objectionable due to its location, nature of community and use by minors of the grocery deli located within the proposed location, lack of independent entrance and exit, and saturation of this license type in the heart of Yakutat. Additionally, on the basis of general public policy, there are less than 600 people in the community of Yakutat. The State's population base limits for package store licenses is one per every 3000 residences. License 1264 was originally granted because it was outside the city limits and then when the borough incorporated it was essentially grandfathered in. However, its current location is 3.9 miles door to door from the YCC package license. Moving license 1264 3.3 miles right into the heart of Yakutat further undermines the population-based license limitations provided by state law and exacerbates the fact that this community has twice as many package stores as it should have by law. Condensing the location of these licenses within less than a half a mile of distance from the other package store license creating a concentration of liquor stores right in the heart of the community, and this will have a negative impact on the community of Yakutat.

Truly and Sincerely Yours,



Jana D. Weltzin, Esq.

Exhibit A

Yakutat Community Corporation

YAKUTAT ALASKA

April 22, 1964

Alcoholic Beverage Control Board
Juneau, Alaska

Re: Yakutat application for 6-month retail license

Gentlemen:

It is our understanding that Mrs. Frank Ryman of the Yakutat Airport Lodge is making application for a six-month retail license at the airport.

Certainly it is not our desire or character to discourage further business and growth in the Yakutat area. We cannot justify in our minds however a need for another package store in Yakutat. It is our hope that we can reason with you and thereby justify our request that this application be denied.

We cannot know the reasoning behind this application. Our store is located approximately four miles from the airport, but on the main road from the same. It is located on the new Hallett's Avenue and has ample parking space. There is a rent-a-car system in Yakutat as well as a taxi service. Furthermore, Mr. Dick Nichols, owner-flier for the Totem Air Taxi, brings in his hunters to our store or any store in town free of charge. According to verbal information from PNA the Totem Air Taxi gets a 5 to 1 ratio of hunter business compared to the Gulf Air Taxi. Certainly it cannot be argued that our store is too far from hunters and tourists. There are very few tourists to speak of.

If we are to observe the statutes, we hardly have the minimum population of fifteen hundred in the entire Yakutat area. Our population hardly affords two hundred who are eligible to drink. We have done our very best to please and serve those of the outlying area, such as the F.A.A. and the Warning System both located several miles away. We have even offered free delivery service to the F.A.A. but they have not taken advantage of it because they seemingly don't feel it necessary.

By any business standard, the Ryman's certainly should NOT NEED the liquor store. The Ryman Family (Mr. and Mrs. Ryman) own several businesses already. They own a restaurant, a lodge, an air taxi and a cocktail lounge. Many people who own half of what they do, fare well, even in communities the size of Yakutat. If their business is poor it certainly isn't the fault of their facilities or a small population. The other air taxi is doing well, the local restaurant does well by operating in the summertime only, ANY cocktail lounge in Yakutat would do well, and certainly even another lodge or hotel in Yakutat would do well. We operate only one type of business at this time, and that is the liquor store. Rather than expanding and trying to swallow up every type of business we're presently trying to stabilize our business. From this one business and source of revenue we are trying to improve the condition of the town.

Along with attempting to improve the town by increasing its economy, we are also trying to improve our own plant and operations, all of which runs into high cost. We have erected a new liquor store building. To do this, we bought several pre-fab buildings and cleared the land of forest before building. Because of the necessity to settle in the building of our own, this year we have not been able to turn over to the town as much money as we would like.

We have however been doing our financial best to help in the local situation. In 1963 alone, we hired over twenty different men for different reasons at the wage cost of over \$4,000.00. We have spent over \$8,000.00 in managerial cost, for a total of better than \$12,000.00 which was used in the community. The Governor's project allowed \$3,500.00 in 1963 for aiding the Yakutat economy. During that time, none of the men working for us worked on the Governor's project nor did they find it necessary to apply for welfare aid. The amount we paid in wages you will notice, totaled more than that put up by the Governor. These jobs were never before obtainable in Yakutat.

In dire emergencies, we do not hesitate to make loans to groups or individuals who are capable of repayment. Our loans are made without interest to any good cause.

We gave three hundred dollars to the Alaska Native Brotherhood to help pay for a cinema screen and special adapter for their projector. Recently the Alaska Native Brotherhood began a game night for adults on Mondays and for children on Saturdays. The Yakutat Community Corporation bought the games for this cause in excess of \$40.00.

During the winter months the Corporation donated a heating unit and its installation to the Presbyterian Church.

To aid our fellow merchants we have purchased in excess of \$2,500.00 locally on items such as fuel, groceries for different occasions, Christmas items, and the like.

On Halloween we purchased apples and candies and CrackerJack enough for all the children in the town.

This Christmas we made a very special effort to decorate our store both inside and outside and was probably the only decorated store in town, lifting the spirit of the local folk because this was "their" store.

We contribute \$100.00 every month to the city for police pay. Furthermore we pay our two percent city sales tax and purposely use as much electricity as possible to aid the public utilities. We will be paying our property tax as well.

We have plans for the future also. Together with the local ANB-ANS we are planning a "clean up the town" campaign and the corporation is planning to match individuals on their purchase of exterior paint to encourage the local people to paint their homes. Eventually we hope that our business can expand, that more revenue can be brought into the corporation, that more money could be turned to improving the town.

The only question we can ask is, could all these things be done if the profits were going into one man's pocket?

We could not appreciably operate and turn over any profits if we were in competition with another package store in town.

It is our sincere hope that you will deny the application for a other liquor store in Yakutat.

Yours truly,

Board of Directors
Yakutat Community Corporation

by .

J. . Thomas
Manager
and
Member of the Board

Exhibit B

Minutes of special meeting of the Board of Directors of the Yakutat
Community Corporation, held in the liquor store on the 6 day of February
1963 at 8:15 pm.

Pursuant to: Election of Officers.

Minutes of preceding meeting read and adopted. Meeting scheduled for
December 27 not held.

Election of Officers:

President: Herb Bremner nominated by George Ramos

John Williams nominated by John Morris

Nominations closed

Written vote: Herb Bremner 5 John Williams 3

Herb Bremner elected President.

Vice-President: George Ramos nominated by John Morris

Marjorie Adams nominated by Herb Bremner

Nominations closed.

Written vote: George Ramos 5 Marjorie Adams 3

George Ramos elected Vice-President.

Secretary-Treasurer: John Morris nominated by Herb Bremner. Nomination

Declined.

Lorraine James nominated by Jack Hummel

Jack Hummel nominated by Lorraine James. Nomination

Declined.

Marge Adams nominated by John Morris

John Williams nominated by Lorraine James.

Nominations closed.

Written vote: Lorraine James 5 John Williams 3

Lorraine James elected Secretary-Treasurer.

Special meeting closed.

Ordinary business.

Unanimous vote to pay for correspondence courses for Martha Totland.

Joe Shatwell reminded to provide form for applications for money.

Authorized to secure new signautre cards from bank.

Meeting adjourned.

Minutes of special meeting of the Board of Directors of the Yakutat Community Corporation, held in the coffee shop of the Yakutat Airport Lodge on the 18 day of February, 1963 at 8:15 pm

Pursuant to: Meeting called at request of Frank Ryman of Yakutat Airport Lodge.

Minutes of previous meeting dispensed with.

1. George Ramos moved that we grant \$350.00 for science equipment to the Yakutat Public School. Jack Hummel seconded. Vote unanimous.

2. Frank Ryman:

"Trying to get retail store licence. Can see no legal reason why Lodge can't have one. Liquor board fears city to vote dry if granted to Lodge. Have invested \$100000.00 in present Lodge. This investment covered with present income. Lodge inadequate for Tourism. To develop area, must expand. Need \$75,000.00 to properly expand. Do not anticipate to take business from downtown. Expect to get Faa, and airport business. Much liquor shipped in via P N A etc., to F A A. Primarily concerned with service to people staying at lodge. People downtown would patronize lodge only after closing hours of store in town. Juneau wants expansion."

Questions:

1. What are your proposed hours? Open until midnight.
 2. Stock comparison? Lodge has better. Store should stock more variety.
 3. What effect would dry vote have? Retail licence would be stopped because of verbal agreement with Liquor Board; cocktail licence would be unaffected.
 4. What kind of opinion do you wish from Corporation? Write to State Liquor Board that the Corporation has no objection to the Lodge having a retail licence.
 5. Would the liquor store ever be permanently closed in the future when expansion completed? Unknown.
 6. Why not form corporation and sell stock? Taxation high, burdensome, not reputable.
 7. What do you estimate yearly income from retail store? \$30,000.00 to \$40,000.00.
 8. What cooperation can corporation expect in control matters? Will not go along with early closing. Otherwise O K.
 9. What advantages for the community are there in Lodge getting licence? Increased business, payroll, --all indirect benefits.
- Meeting adjourned to Air Terminal where Directors discussed the preceding.

2/18/63

2

Board members unanimously agreed to forstall decision until Friday February 22. Opinion strongly against favoring Lodge at this meeting.

Board also advised that the corporation holds an affidiavit stating Joe Shotwell has been charging almost double prices to strangers at the store. President has called for auditor to come from Juneau on Thursday, February 21. Purpose to audit books, set up fool proof bookkepping, and to advise on money matters.

Joe Shotwell to be replaced immediatley after audit.
Meeting adjourned.

Exhibit C

ALCOHOL AND MARIJUANA CONTROL OFFICE

Population as of July 2019
 License Count as of 4.30.2020
 3 AAC 304.905

Local Governing Body	CED (1)	Inm (2)	Net Pop	ALLOWED BASED ON POPULATION (Not all communities allow for all license types. Check with your local government)		ACTUAL NUMBER OF LICENSES ISSUED* (Not all license types subject to population are listed. Contact AMCO for license types not listed before you apply)												
				3,000	1,500	Non-Restaurant/Eating Place												
				Non-R/E	R/E	BD	Pkg	Club	Brwpb	Brewy	Wine	Dist	Rec	R/E				
Homer	5,478		5,478	2	4	9	8	2				2						4
Kachemak	506		506	1	1	1							1					
Kenai	7,056	438	6,618	3	5	5	5	3									1	3
Seldovia	226		226	1	1	1	2											
Seward	2,545	537	2,008	1	2	7	4	1		1								2
Soldotna	4,233		4,233	2	3	4	3	1	1	1		1					1	3
Ketchikan Gateway Borough	5,202		5,202	2	4	3	4					1						1
Ketchikan	8,103	54	8,049	3	6	15	11	5				2						4
Saxman	434		434	1	1	1	1											
Kodiak Island Borough	6,519		6,519	3	5	2	2	1	1									
Kodiak	5,818		5,818	2	4	11	4	2				1						3
Lake and Peninsula Borough	919		919	1	1	3	2											
Egegik	85		85	1	1		1											
Matanuska-Susitna Borough	89,549	1,579	87,970	30	59	30	33	4	1	5	1	1	1	3	24			
Houston	2,112		2,112	1	2	1	1											1
Palmer	6,041		6,041	3	5	5	3	1		3		1		2	3			

R/E=Restaurant or Eating Place Lic.
 BD=Beverage Dispensary Lic.
 Pkg=Package Store Lic.

Club=Club Lic.
 Brwpb=Brewpub Lic.
 Brewy=Brewery Lic.
 Wine=Winery Lic.

Dist=Distillery Lic.
 Rec=Recreation Site Lic.
 *Includes delegated applications

ALCOHOL AND MARIJUANA CONTROL OFFICE

Population as of July 2019
 License Count as of 4.30.2020
 3 AAC 304.905

Local Governing Body	CED (1)	Inm (2)	Net Pop	ALLOWED BASED ON POPULATION (Not all communities allow for all license types. Check with your local government)		ACTUAL NUMBER OF LICENSES ISSUED* (Not all license types subject to population are listed. Contact AMCO for license types not listed before you apply)												
				3,000 Non-R/E	1,500 R/E	BD	Pkg	Club	Brwpb	Brewry	Wine	Dist	Rec	R/E				
Hoonah	782		782	1	1	1	1					1					1	
McGrath	289		289	1	1	2	3											
Nenana	362		362	1	1	1	2				1						1	
Nome	3,690	115	3,575	2	3	6	4			2							2	
Pelican	69		69	1	1	1	1										1	
Ruby	149		149	1	1		1											
Saint George	59		59	1	1		1											
Saint Paul	385		385	1	1		1											
Tenakee Springs	140		140	1	1		1											
Thorne Bay	562		562	1	1	1	1										1	
Unalaska	4,592		4,592	2	4	2	2										3	
Valdez	3,876		3,876	2	3	2	2			2							2	
Whittier	280		280	1	1	1	1										1	

Note: Since the 2017 population count was published, staff has reviewed the census data for students and military personnel. In accordance with the Census Bureau "Residence Rule" (https://www.census.gov/population/www/cen2010/resid_rules/resid_rules.html), students and military personnel are counted at the residence where they live and sleep most of the time. Thus these populations are counted by the Census in the appropriate population areas and no populations of students or military personnel need be discounted per 3 AAC 304.905(a)(2) and (b).

Alcohol & Marijuana Control Office

April 30, 2020
 Date

R/E=Restaurant or Eating Place Lic.
 BD=Beverage Dispensary Lic.
 Pkg=Package Store Lic.

Club=Club Lic.
 Brwpb=Brewpub Lic.
 Brewery=Brewery Lic.
 Wine=Winery Lic.

Dist=Distillery Lic.
 Rec=Recreation Site Lic.
 *Includes delegated applications

Exhibit D



THE STATE
of **ALASKA**

GOVERNOR SEAN PARNELL

**Department of Commerce, Community,
and Economic Development**

ALCOHOLIC BEVERAGE CONTROL BOARD

2400 Viking Drive
Anchorage, Alaska 99501
Main: 907.269.0350
TDD: 907.465.5438
Fax: 907.334-2285

MEMORANDUM

TO: Robert Klein, Chair and
Members of the Board

DATE: November 24, 2014

FROM: Cynthia Franklin
Director, ABC Board

RE: Bering Sea Saloon #110

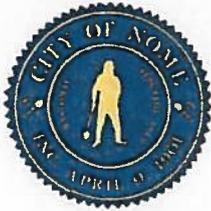
Questions for the Board:

- 1) Is there a valid objection to the transfer of the license based on debt owed by a corporation that unsuccessfully attempted to purchase the license?
- 2) Will the board uphold the City of Nome's protest to the transfer of the license

The Bering Sea Saloon license has been in waiver status following the death of the license holder, Stanley Sobocienski. There was an attempted transfer of the license to T&C, Inc., which included a security interest agreement, but the transfer fell through and was never completed. Attorney Matt Claman has filed an objection to the currently proposed transfer of the license to Stanley's widow, Balassa Sobocienski. Mr. Claman has sent letters relating to his claim which are contained in the board packet.

AS 04.11.360(4) provides that a transfer shall be denied if the transferor has not paid all debts or taxes arising from the conduct of the business licensed under this title. The board must determine if the debt in question qualified under this section to require denial of the license transfer.

Additionally, the City of Nome has lodged a protest to the transfer under AS 04.11.480. The materials related to Nome's protest are included in the board packet. The board must determine whether to uphold Nome's protest and deny the transfer of the license based on its protest.



P.O. Box 281 • Nome, Alaska 99762
phone 907.443.6663 fax 907.443.5345

October 28, 2014

Alcoholic Beverage Control Board
Records & Licensing Supervisor
2400 Viking Drive
Anchorage, Alaska

RE: TRANSFER OF BEVERAGE DISPENSARY LIQUOR LICENSE #110

To Whom It May Concern:

This letter is intended to serve as notice that at its regularly-scheduled meeting of October 27, 2014, the Nome City Council unanimously voted to protest the transfer of Beverage Dispensary Liquor License #110. The motion to protest was based on the Councilmen's shared belief that Nome has already exceeded the number of liquor licenses necessary to accommodate the public convenience. If you have any further questions, or if you require a copy of the meeting minutes once approved, please do not hesitate to contact me.

Most sincerely,

Tom Moran
City Clerk

"There's no place like Nome."
www.nomealaska.org

**State of Alaska
Alcoholic Beverage Control Board
Anchorage Meeting Minutes
December 1, 2014**

Board Members Present:

Bob Klein, Chair
Ellen Ganley, Vice Chair (joined at 10:25 AM due to travel)
Ethan Billings, Member
Marvin Yoder, Member
Bobby Evans, Member (telephonic)

Staff Members Present:

Cynthia Franklin, Director
Sarah Oates, Records & Licensing Supervisor
Robert Beasley, Enforcement Supervisor

ABC Board Counsel Present:

Harriet Milks, Assistant Attorney General

- **DIRECTOR BRIEFING** 9:06:55 AM
 - A. Director's Report 9:07:01 AM TAB 1

- **ADMINISTRATION** 9:22:40 AM
 - A. Approve minutes of the October 8, 2014 Board Meeting 9:24:27 AM TAB 2

Ethan Billings motions to approve the minutes.
Marvin Yoder seconds the motion.
Motion carries.
Approved 4-0

- **PUBLIC TESTIMONY** 9:25:43 AM
 - A. Period of time for public testimony on issues not on this agenda.
Please phone 1-800-315-6338 code 69173

- **EXECUTIVE SESSION** 9:55:58 AM

Marvin Yoder motions to enter executive session.
Bobby Evans seconds the motion.
Motion carries.
Approved 4-0

●	THIRD WAIVERS	<u>11:07:42 AM</u>	<u>TAB 20</u>
110	Bering Sea Saloon: Stanley L. Sobocienski; Nome No Premises License: Beverage Dispensary		
	Request withdrawn by Fred Odsen after protest of transfer upheld.		
●	NOTICES OF VIOLATION		
	A. Notices of Violation Issued and Licensee Responses		<u>TAB 21</u>
●	TITLE 04 STATUTE REVIEW	<u>2:24:53 PM</u>	<u>TAB 22</u>
	Role of the ABC Board		
	RB-1	<u>3:12:00 PM</u>	
	RB-2	<u>3:18:16 PM</u>	
	RB-3	<u>3:19:28 PM</u>	
	RB-4	<u>3:23:48 PM</u>	
	RB-5	<u>3:27:14 PM</u>	
	RB-6	<u>3:27:58 PM</u>	
	Local Option		
	LO-1	<u>3:31:08 PM</u>	
	LO-2	<u>3:31:56 PM</u>	
	LO-3	<u>3:38:02 PM</u>	
	LO-4	<u>3:40:46 PM</u>	
	LO-5	<u>3:43:18 PM</u>	
	Meeting Adjourned For the Day.	<u>3:49:42 PM</u>	

Attachment: G



CITY & BOROUGH of YAKUTAT

P.O. Box 160
Yakutat, Alaska 99689
Phone (907) 784-3323
Fax (907) 784-3281

June 8, 2020

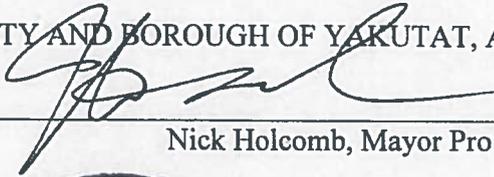
Glen Klinkhart, Interim Director
Department of Commerce, Community, and Economic Development
Alcohol & Marijuana Control Office
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
amco.localgovernmentonly@alaska.gov

Pursuant to Alaska Statute 04.11.480 and 3 AAC 304.145, the Borough Assembly of the City and Borough of Yakutat hereby protests the application for transfer of ownership and location in regard to liquor license (package store) #1264 (Applicant: The North West Company (International), Inc.).

The Assembly has determined that this transfer is not in the best interests of the community of Yakutat for the following reasons:

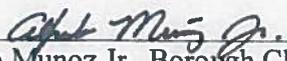
1. The community does not need another liquor store so close to town or so close to the school. The current location is about 3.5 miles from the center of the community. If the transfer is approved, the location would be only 350 yards from a daycare center, 450 yards from the elementary/high school, and 95 yards from the Senior Center.
2. The liquor store would be located in a facility which is a gathering place for students. The applicant is a grocery store, which brings in families. It would normalize alcohol for children. Children in the community are already exposed to alcohol more than they need to be.
3. The community does not need two year-round liquor stores. The current owner is only open 6 or 7 months out of the year, while the applicant would be open year-round.
4. There is not enough business in the community for two liquor stores. If the applicant and the existing store (owned by YCC, Inc.) are competing, the existing store's business will go down and it will not be able to continue donating to the Community. It has donated almost \$200,000 dollars back into the Community over the past 15 years, including to funeral expenses for residents. Funeral costs are a significant hardship in the community. The community needs that support.

CITY AND BOROUGH OF YAKUTAT, ALASKA



Nick Holcomb, Mayor Pro Tempore

ATTEST:

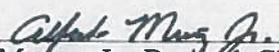


Alfredo Munoz Jr., Borough Clerk



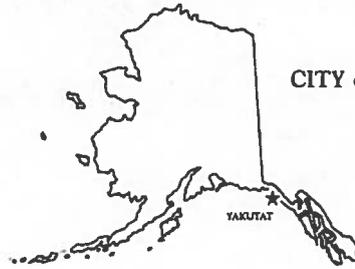
Certificate of Service: This Notice of Protest was sent on the 8th day of June, by U.S. Mail and email to the following:

The North West Company (International) Inc.
Attention: Legal Department
77 Main Street
Manitoba, R3C 1A3
license@northwest.ca
asutton@northwest.ca



Alfredo Munoz, Jr., Borough Clerk

5
//



CITY & BOROUGH of YAKUTAT

P.O. Box 160
Yakutat, Alaska 99689
Phone (907) 784-3323
Fax (907) 784-3281

**Borough Manager's Report
June 22, 2020**

Tonight there is an ordinance for introduction to add a dump fee for large commercial non-household debris.

Administration

- Please visit the Borough Website for the latest updates on the COVID-19 pandemic. www.yakutatak.us Also, a website update is in progress and we welcome any input about making the Borough web site better. Contact Freddie Munoz, Administrative Clerk.

Public Works

- All public works personnel remain on a regular work schedule in order to keep essential services and infrastructure operational.

Road Maintenance

Water/Sewer

Boat Harbor

- Heating for Boat Harbor building offices is complete and next step is completing the internet installation and workspace for the Harbormaster.
- Preparations for submitting Tier 1 funding request for the Boat Harbor have begun. A condition assessment site visit is scheduled with the Harbormaster for June 16th and 17th with R&M Engineering.
- No Parking of trailers, cars boats left unattended behind the Yakutat Public Safety Building. All trailer and vehicle must be removed for upcoming construction.

Planning

- The survey work for the 7 municipal entitlement properties is started June 16th by McCLane Consulting and hoping to complete them before June 30th.

Recreation and Trails

- The Planning Commission is recommending recreation and parking area in the south addition for lots 2 and 3 in Block A and asking for motion from the Assembly to approve the use.

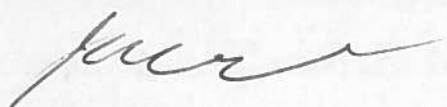
- The Fourth of July Parade permit has been approved by the State of Alaska, Brittany King is coordinating the events. Covid mitigation measures will be in place. United We Stand...6 feet apart.
- Maintenance on the parks and trails has begun.
- CBY crew and YTT crew continue developing the Community Garden (located within the 5-acre Park behind the school). Contact Penney James at YTT if you are interested in using a bin to grow vegetable garden.

Public Safety Fire Dept. & EMS

- Real ID's are available from DVM by appointment only at this time. The deadline may be extended to 2021.
- The search continues for a Yakutat Police Chief.
- Yakutat Emergency Response Team meet every Friday and have been working diligently to secure PPE, educate the community about COVID-19 safety measures, mandates and guidelines, and prepare for response to the virus and patients once it arrives in the community.
- Fire/EMS volunteers are needed. Training is available and any level of skill is welcome. Contact dispatch at 784-3206 or dispatch@yakutatak.us

Other Activity

- The bid for the replacement of the Public Safety Building foundation and parking lots demo will take place once the FEMA award is received.
- Legal representation for the inquiry concerning PFAS contaminated wells at the Airport has been opened.
- Cordova Wireless continues work on Yakutat's cell and internet service equipment.
- Nathan Molten of YTT proposed Domestic Violence shelter lease.



Jon Erickson EdD
 City and Borough Manager
 PO Box 160
 Yakutat, AK 99689
 Office (907) 784-3323 x103 Cell (907) 254-3826

8.1

Sponsored by:
Jon Erickson, Borough Manager
Introduced:
06-25-2020
Public Hearing Date:
07-02-2020
Date of Approval:

CITY AND BOROUGH OF YAKUTAT
ORDINANCE 20-673

AN ORDINANCE AMENDING SUBSECTION 2.08.010(A) OF THE CODE OF THE CITY AND BOROUGH OF YAKUTAT, ALASKA.

BE IT ENACTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF YAKUTAT, ALASKA as follows:

Section 1: Amendment. Subsection 2.08.010(A) of the Code of the City and Borough of Yakutat, Alaska, is hereby amended to read as follows (the new language is in bold and underlined):

2.08.010 Regular Meetings.

- A. All regular meetings of the Assembly shall be held on the first and third Thursday of each month during the months of October through May. **Regular meetings of the Assembly shall be held on the first Thursday of each month during the months of June through September.** All regular meetings shall begin at 7:00 p.m. and adjourn no later than 11:00 p.m., unless by vote of the Assembly.

* * *

Section 2: Effective Date. This ordinance is effective upon adoption.

PASSED AND APPROVED THIS _____ DAY OF _____, 2020.

CITY AND BOROUGH OF YAKUTAT, ALASKA

CINDY BREMNER
MAYOR

ALFREDO MUNOZ, JR.
BOROUGH CLERK

YakCode\Ord282

Sponsored by J. E. Erickson, Manager

CBY Ordinance 20-673

Page 2 of 2

8.2 + 8.3
8.2 + 8.3

Sponsored by:
J. Erickson, Borough Manager
Introduced:
06-25-2020
Public Hearing Date:
06-25-2020
Date of Approval: _____

**CITY AND BOROUGH OF YAKUTAT
EMERGENCY ORDINANCE 20-674**

AN EMERGENCY ORDINANCE AMENDING SECTION 2.12.200 OF THE CODE OF THE CITY AND BOROUGH OF YAKUTAT TO PERMIT TELECONFERENCE ATTENDANCE BY MEMBERS AT ASSEMBLY MEETINGS FOR PURPOSES OF ESTABLISHING A QUORUM

WHEREAS, both the federal and state governments have declared the COVID-19 outbreak a public health emergency; and

WHEREAS, the Borough Assembly has, pursuant to AS 26.23.140, declared the existence of a local emergency based upon the COVID-19 outbreak; and

WHEREAS, COVID-19 is easily transmittable person to person, and numerous governmental entities have recommended social distancing and limitations to the number of persons in a single gathering; and

WHEREAS, it might be difficult or impossible to obtain the physical presence of four members of the Assembly at a meeting in order to conduct borough business; and

WHEREAS, it is vital that the Assembly be able to meet and consider questions regarding public health concerns, and to authorize and direct actions by borough officials in response to the outbreak; and

WHEREAS, an emergency exists because the Borough must be able to respond quickly and efficiently to the public emergency which currently exists and there is insufficient time to follow ordinary ordinance adoption procedures in the existing time frame.

BE IT ENACTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF YAKUTAT, as follows:

Section 1. No Codification. This ordinance is not of a general and permanent nature and shall not be codified.

Section 2. Finding of Emergency. The Assembly finds that an emergency exists in the State of Alaska and the City and Borough of Yakutat due to the imminent outbreak of COVID-19, which

has been declared a global pandemic and a public health disaster emergency.

Section 3. Amendment. Section 2.12.200 of the Code of the City and Borough of Yakutat is hereby amended by amending paragraph B and adding a new paragraph C, as follows. The new language is in bold and underlined.

2.12.200 Quorum -- Voting.

A. Four Assembly members constitute a quorum. Four affirmative votes are required for the passage of an ordinance, resolution or motion.

B. The final vote on each ordinance, resolution or substantive motion is a recorded roll call vote. All Assembly members present **at a meeting, either in person or by teleconference,** shall vote unless the Assembly, for special reasons, permits a member to abstain.

C. Assembly Members are permitted to attend meetings via teleconference. Assembly members participating by teleconference shall be counted for purposes of determining a quorum. There is no minimum number of Assembly members who must be physically present at a meeting for purposes of determining a quorum.

Section 4. Effective Period. Pursuant to the provisions of CCBY 1.20.040(C), this ordinance is effective for a period of sixty (60) days.

Section 5. Effective Date. This ordinance is effective immediately upon its adoption.

PASSED AND APPROVED THIS _____ DAY OF _____, 2020.

CITY AND BOROUGH OF YAKUTAT, ALASKA

CINDY BREMNER
MAYOR

Alfredo Munoz Jr.
BOROUGH CLERK

YakCode\Ord277

8.4

**CITY AND BOROUGH OF YAKUTAT, ALASKA
RESOLUTION 20-333**

A RESOLUTION ACCEPTING CORONAVIRUS RELIEF FUNDS FROM THE STATE OF ALASKA, DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT, FOR COSTS INCURRED DUE TO THE COVID-19 PUBLIC HEALTH EMERGENCY.

WHEREAS, COVID-19 virus is a respiratory disease that can result in serious illness or death and is easily transmittable person to person; and

WHEREAS, on March 11, 2020, the World Health Organization declared the virus a pandemic; on the same day, Alaska Governor Dunleavy issued a declaration of public health disaster emergency in response to the anticipated outbreak of COVID-19 in Alaska; and on March 13, 2020, President Donald J. Trump declared a national emergency in response to the virus pandemic; and

WHEREAS, on March 19, 2020, the Borough Assembly issued a Local Emergency Declaration for the City and Borough of Yakutat in regard to the outbreak; and

WHEREAS, the Borough has since undertaken significant measures to address the COVID-19 outbreak and incurred considerable expense in relation to those measures, and anticipates needing to expend further funds to address this public health emergency; and

WHEREAS, pursuant to the federal CARES (Coronavirus Aid, Relief, and Economic Security) Act, funds are available through the State of Alaska, Department of Commerce, Community, and Economic Development (DCCED), Coronavirus Relief Fund, to assist local governments in addressing the substantial and on-going costs that will be incurred due to the COVID-19 outbreak; and

WHEREAS, the amount of \$1,579,859 is currently available to the Borough to reimburse itself for COVID-19 expenses, in accordance with the terms and conditions of the CARES Act and the State of Alaska Coronavirus Relief Fund Grant Agreement.

THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF YAKUTAT, ALASKA as follows:

1. The City and Borough of Yakutat accepts Coronavirus Relief Funds from DCCED in the amount of \$1,579,859, or other amount as may be made available to the Borough, for necessary costs incurred due to the Coronavirus Disease 2019 (COVID-19) public health emergency.
2. The Borough Manager is hereby authorized to sign the Coronavirus Relief Fund Grant Agreement, in substantially the form as attached hereto.

PASSED AND APPROVED THIS _____ DAY OF _____ 2020.

Cindy Bremner, Mayor

ATTEST:

Alfredo Munoz, Jr.
Borough Clerk

Reso089

8.5

**CITY AND BOROUGH OF YAKUTAT
RESOLUTION 20-334**

A RESOLUTION OF THE BOROUGH ASSEMBLY OF THE CITY AND BOROUGH OF YAKUTAT, ALASKA ADOPTING A LARGE-SCALE COMMERCIAL DISPOSAL RATE AT THE YAKUTAT LANDFILL.

WHEREAS, the disposal of large amounts of non-household, commercial debris significantly increases the cost of landfill operations, and the Assembly has determined that such disposal requires imposition of disposal fees and conditions; and

WHEREAS, pursuant to CCBY 11.28.130, the Borough Assembly is to adopt the Landfill Rate Schedule by Resolution.

NOW, THEREFORE, BE IT RESOLVED THAT the Borough Assembly of the City and Borough of Yakutat, Alaska, hereby adopts the following disposal rates and conditions for large-scale commercial use of the Borough landfill:

1. Rates: Large-scale commercial (non-household) disposal:

Forty Dollars and No Cents (\$40.00) per cubic yard, up to a total of One Thousand (1000) cubic yards per User. After disposal of One Thousand (1000) cubic yards, User must obtain the permission of the Borough Manager for additional disposal.

"Large-scale" is defined as disposal of more than two (2) truckloads (a truck being defined as one with a capacity exceeding nine (9) cubic yards) of commercial waste by a User within any consecutive seven-day period.

2. Conditions of disposal:

A. Hazardous Waste is not accepted at the Borough landfill. A User must present documentation, adequate to the Borough, which demonstrates that the debris being disposed of contains no hazardous waste.

B. If the debris contains metal, User must separate out the metal from the other waste and place it in the designated metal recycling scrap pile.

PASSED AND APPROVED THIS _____ DAY OF _____ 2020.

MAYOR CINDY BREMNER

ATTEST:

ALFREDO MUNOZ, JR.
BOROUGH CLERK

10.1

City & Borough of Yakutat
Statement of Revenues and Expenditures - GF Monthly Rev & Exp Summary Report
10 - GENERAL FUND
From 5/1/2020 Through 5/31/2020

	Period to date Actual	Year to date Actual	Year to date Budget	Budget Variance	Percent Total Budget Remaining - Original
Revenue					
000	103,406.16	3,030,977.58	3,166,222.00	(135,244.42)	(4.27)%
	103,406.16	3,030,977.58	3,166,222.00	(135,244.42)	(4.27)%
Expenditures					
100	53,877.42	789,668.20	854,582.00	64,913.80	7.60%
121	55,219.65	415,158.81	528,414.00	113,255.19	21.43%
122	58,682.68	175,976.54	232,222.00	56,245.46	24.22%
123	5,409.61	54,765.97	89,274.00	34,508.03	38.65%
124	10.07	83,111.00	81,776.00	(1,335.00)	(1.63)%
125	4,523.49	29,094.17	52,913.00	23,818.83	45.02%
130	7,712.46	130,863.94	311,085.00	180,221.06	57.93%
151	77,578.76	672,392.64	799,360.00	126,967.36	15.88%
152	263.87	12,658.51	22,925.00	10,266.49	44.78%
153	137.79	5,700.02	6,903.00	1,202.98	17.43%
154	0.00	32,839.97	44,754.00	11,914.03	26.62%
155	174.96	174.96	8,700.00	8,525.04	97.99%
156	217.05	441.77	0.00	(441.77)	0.00%
160	1,337.63	147,887.46	188,206.00	40,318.54	21.42%
	265,145.44	2,550,733.96	3,221,114.00	670,380.04	20.81%
	(161,739.28)	480,243.62	(54,892.00)	535,135.62	(974.89)%

City & Borough of Yakutat
Statement of Revenues and Expenditures
10 - GENERAL FUND
000 - NONE
From 5/1/2020 Through 5/31/2020

	Current Period Actual	Current Year Actual	Total Budget - Original	Total Budget Variance - Original	Percent Total Budget Remaining - Original	
Revenue						
4010	REAL PROPERTY TAXES	0.00	392,405.88	372,000.00	20,405.88	5.49%
4020	T&H H/P.I.L.O.T.	0.00	2,756.65	1,066.00	1,690.65	158.60%
4030	SALES TAX	85,218.83	1,350,442.06	1,268,000.00	82,442.06	6.50%
4033	DELTA WESTERN - FLOWAGE FEE	0.00	17,483.18	29,479.00	(11,995.82)	(40.69)%
4035	ACCOMODATION TAX	3,072.62	222,710.17	205,000.00	17,710.17	8.64%
4040	INTEREST & PENALTIES	497.59	15,875.29	22,000.00	(6,124.71)	(27.84)%
4058	US DEPT OF JUSTICE - COPS GRANT	0.00	30,153.96	44,754.00	(14,600.04)	(32.62)%
4059	SOA DPS JAG PROGRAM	0.00	0.00	8,700.00	(8,700.00)	(100.00)%
4068	USDA	0.00	1,690.00	2,100.00	(410.00)	(19.52)%
4140	LICENSES & FEES	691.00	7,006.24	5,045.00	1,961.24	38.87%
4170	SNOW REMOVAL/SANDING	0.00	390.00	1,000.00	(610.00)	(61.00)%
4210	RENT - CITY PROPERTY	4,327.30	85,980.18	58,629.00	27,351.18	46.65%
4215	LEASES-YAKATAGA AREA	0.00	35,667.12	39,623.00	(3,955.88)	(9.98)%
4220	EQUIPMENT RENTAL	0.00	9,340.00	5,000.00	4,340.00	86.80%
4240	CITY LAND SALES	720.88	31,396.23	35,000.00	(3,603.77)	(10.30)%
4250	MATERIAL SALES - GRAVEL	600.00	31,080.00	1,200.00	29,880.00	2,490.00%
4360	SEVERANCE TAX	0.00	79,054.75	262,600.00	(183,545.25)	(69.90)%
4500	SHARED FISH BUSINESS TAX	0.00	321.50	6,000.00	(5,678.50)	(94.64)%
4510	RAW FISH TAX	0.00	218,085.69	240,000.00	(21,914.31)	(9.13)%
4515	FISHERIES-RESOURCE LANDING TAX	0.00	130,076.70	57,127.00	72,949.70	127.70%
4523	DMV SURCHARGE	802.30	9,636.95	7,000.00	2,636.95	37.67%
4525	ST OF AK-AK MENTAL HEALTH TRUST	0.00	8,000.00	0.00	8,000.00	0.00%
4530	STATE LIQUOR TAX	6,500.00	6,500.00	6,500.00	0.00	0.00%
4545	STATE OF AK COMMUNITY ASSISTANCE	0.00	307,406.40	289,000.00	18,406.40	6.37%
4580	P.I.L.O.T. - FEDERAL	0.00	0.00	109,565.00	(109,565.00)	(100.00)%
4610	YCHC-COVID-19 PUBLIC HEALTH & SAFETY	590.00	590.00	0.00	590.00	0.00%
4930	TRANSFER FROM OCEAN CAPE	0.00	14,000.00	14,000.00	0.00	0.00%
5530	INTEREST INCOME	248.27	11,949.64	56,000.00	(44,050.36)	(78.66)%
5580	SOUTH ADDIT SPEC ASSESSMENTS	0.00	0.00	334.00	(334.00)	(100.00)%
5585	FINES,PROCESS FEES COLLECTED	0.00	406.00	1,500.00	(1,094.00)	(72.93)%
5590	MISCELLANEOUS INCOME	137.37	6,119.66	16,000.00	(9,880.34)	(61.75)%
5592	MISCELLANEOUS INCOME-YPI OLD OS ACCTS	0.00	4,453.33	2,000.00	2,453.33	122.67%
	Total Revenue	103,406.16	3,030,977.58	3,166,222.00	(135,244.42)	(4.27)%
	Excess Revenue over (under) Expenditures	103,406.16	3,030,977.58	3,166,222.00	(135,244.42)	(4.27)%

City & Borough of Yakutat
Statement of Revenues and Expenditures
10 - GENERAL FUND
100 - ADMINISTRATION
From 5/1/2020 Through 5/31/2020

	Current Period Actual	Current Year Actual	Total Budget - Original	Total Budget Variance - Original	Percent Total Budget Remaining - Original	
Expenditures						
6000	SALARIES	30,082.34	339,318.42	362,320.00	23,001.58	6.35%
6003	OPT-OUT - SILOHI	1,200.00	13,200.00	14,400.00	1,200.00	8.33%
6100	FICA EXPENSE	2,360.88	26,490.37	28,819.00	2,328.63	8.08%
6110	ESC EXPENSE	289.03	2,235.39	2,337.00	101.61	4.35%
6140	WORKERS COMP INSURANCE	168.47	1,898.24	2,599.00	700.76	26.96%
6150	HEALTH & LIFE INSURANCE	5,254.80	69,115.98	79,793.00	10,677.02	13.38%
6160	EMP RETIREMENT	6,192.98	62,073.85	81,361.00	19,287.15	23.71%
6400	TRAVEL - PER DIEM	0.00	2,370.00	7,240.00	4,870.00	67.27%
6401	TRAVEL - LODGING	0.00	2,551.71	8,640.00	6,088.29	70.47%
6402	TRAVEL - AIRFARE	0.00	6,804.80	10,120.00	3,315.20	32.76%
6403	TRAVEL-MAYOR	0.00	3,246.46	1,500.00	(1,746.46)	(116.43)%
6405	TRAVEL - EDC	(278.10)	3,322.19	7,695.00	4,372.81	56.83%
6500	MISCELLANEOUS	5.01	7,187.20	7,000.00	(187.20)	(2.67)%
6610	MATERIALS & SUPPLIES	843.48	21,353.98	20,575.00	(778.98)	(3.79)%
6620	COPIER-LEASE	181.41	2,176.92	2,221.00	44.08	1.98%
6654	TRAINING	0.00	5,094.37	10,000.00	4,905.63	49.06%
6810	UTILITIES - LIGHTS	188.62	2,481.70	1,700.00	(781.70)	(45.98)%
6820	UTILITIES - HEATING FUEL	295.81	4,541.69	3,700.00	(841.69)	(22.75)%
6830	UTILITIES - GARBAGE DISPOSAL	60.00	655.00	960.00	305.00	31.77%
6860	GASOLINE/OIL-AUTO	0.86	259.97	350.00	90.03	25.72%
6910	TELEPHONE	622.22	5,272.26	5,000.00	(272.26)	(5.45)%
6920	POSTAGE	252.20	2,309.84	3,000.00	690.16	23.01%
7000	INSURANCE	0.00	14,619.00	14,620.00	1.00	0.01%
7100	DUES & SUBSCRIPTIONS	645.00	3,193.75	4,700.00	1,506.25	32.05%
7200	ADVERTISING & PRINTING	0.00	1,608.00	1,500.00	(108.00)	(7.20)%
7210	REGULAR & SPECIAL ELECTIONS	0.00	1,386.00	1,535.00	149.00	9.71%
7310	CONTRACT SERVICES	0.00	3,400.00	3,360.00	(40.00)	(1.19)%
7330	CONTRACT SERVICES - ASSESSMENT	0.00	12,000.00	12,000.00	0.00	0.00%
7340	CONTRACT SERVICES - LEGAL	5,512.41	87,756.51	60,000.00	(27,756.51)	(46.26)%
7350	CONTRACT SERVICES - AUDIT	0.00	81,467.91	72,500.00	(8,967.91)	(12.37)%
7355	CONTRACT SERVICES - computer	0.00	0.00	14,537.00	14,537.00	100.00%
7400	REPAIRS & MAINTENANCE	0.00	276.69	3,500.00	3,223.31	92.09%
8500	CAPITAL OUTLAY	0.00	0.00	5,000.00	5,000.00	100.00%
	Total Expenditures	<u>53,877.42</u>	<u>789,668.20</u>	<u>854,582.00</u>	<u>64,913.80</u>	<u>7.60%</u>
	Excess Revenue over (under) Expenditures	<u>(53,877.42)</u>	<u>(789,668.20)</u>	<u>(854,582.00)</u>	<u>64,913.80</u>	<u>(7.60)%</u>

City & Borough of Yakutat
Statement of Revenues and Expenditures
10 - GENERAL FUND
121 - PUBLIC WORKS
From 5/1/2020 Through 5/31/2020

	Current Period Actual	Current Year Actual	Total Budget - Original	Total Budget Variance - Original	Percent Total Budget Remaining - Original	
Expenditures						
6000	SALARIES	9,096.69	90,861.05	95,000.00	4,138.95	4.36%
6001	PART TIME SALARIES	2,499.29	30,214.49	37,376.00	7,161.51	19.16%
6003	OPT-OUT - SILOHI	250.00	750.00	0.00	(750.00)	0.00%
6100	FICA EXPENSE	897.41	9,238.73	10,127.00	888.27	8.77%
6110	ESC EXPENSE	109.84	870.99	988.00	117.01	11.84%
6140	WORKERS COMP INSURANCE	1,024.82	10,760.38	12,956.00	2,195.62	16.95%
6150	HEALTH & LIFE INSURANCE	5,022.88	55,291.90	76,956.00	21,664.10	28.15%
6160	EMP RETIREMENT	2,872.40	27,219.70	20,900.00	(6,319.70)	(30.24)%
6400	TRAVEL - PER DIEM	0.00	0.00	1,200.00	1,200.00	100.00%
6401	TRAVEL - LODGING	0.00	0.00	1,000.00	1,000.00	100.00%
6402	TRAVEL - AIRFARE	0.00	0.00	1,000.00	1,000.00	100.00%
6610	MATERIALS & SUPPLIES	47.66	17,431.85	18,000.00	568.15	3.16%
6612	JANITORIAL SUPPLIES	337.71	3,264.72	3,500.00	235.28	6.72%
6654	TRAINING	0.00	40.00	6,000.00	5,960.00	99.33%
6700	RENTAL FACILITIES	1,452.67	22,508.87	30,000.00	7,491.13	24.97%
6810	UTILITIES - LIGHTS	69.01	904.86	1,670.00	765.14	45.82%
6820	UTILITIES - HEATING FUEL	538.00	5,127.73	4,500.00	(627.73)	(13.95)%
6840	FUEL-EQUIPMENT	0.00	226.55	800.00	573.45	71.68%
6860	GASOLINE/OIL-AUTO	416.72	6,734.89	6,000.00	(734.89)	(12.25)%
6910	TELEPHONE	127.36	1,521.37	1,600.00	78.63	4.91%
6920	POSTAGE	0.00	4.50	50.00	45.50	91.00%
7000	INSURANCE	0.00	10,666.23	10,091.00	(575.23)	(5.70)%
7310	CONTRACT SERVICES	0.00	1,195.54	1,200.00	4.46	0.37%
7400	REPAIRS & MAINTENANCE	3,139.19	19,548.81	22,500.00	2,951.19	13.12%
7440	EQUIPMENT REPAIR & MAINTENANCE	0.00	4,101.93	15,000.00	10,898.07	72.65%
8400	EQUIPMENT REPLACEMENT RESERVE	0.00	0.00	10,000.00	10,000.00	100.00%
8500	CAPITAL OUTLAY	27,318.00	96,673.72	140,000.00	43,326.28	30.95%
	Total Expenditures	55,219.65	415,158.81	528,414.00	113,255.19	21.43%
	Excess Revenue over (under) Expenditures	(55,219.65)	(415,158.81)	(528,414.00)	113,255.19	(21.43)%

City & Borough of Yakutat
Statement of Revenues and Expenditures
10 - GENERAL FUND
122 - LANDFILL
From 5/1/2020 Through 5/31/2020

	Current Period Actual	Current Year Actual	Total Budget - Original	Total Budget Variance - Original	Percent Total Budget Remaining - Original	
Expenditures						
6000	SALARIES	4,714.85	57,671.28	62,815.00	5,143.72	8.19%
6001	PART TIME SALARIES	1,700.00	11,432.00	16,000.00	4,568.00	28.55%
6050	OVERTIME	0.00	704.27	1,439.00	734.73	51.06%
6100	FICA EXPENSE	486.21	5,282.98	6,139.00	856.02	13.94%
6110	ESC EXPENSE	59.78	576.27	677.00	100.73	14.88%
6140	WORKERS COMP INSURANCE	632.45	7,131.34	8,600.00	1,468.66	17.08%
6150	HEALTH & LIFE INSURANCE	1,026.58	11,292.38	13,060.00	1,767.62	13.53%
6160	EMP RETIREMENT	964.60	11,689.82	14,136.00	2,446.18	17.30%
6610	MATERIALS & SUPPLIES	47.75	1,778.49	5,000.00	3,221.51	64.43%
6810	UTILITIES - LIGHTS	41.93	623.36	850.00	226.64	26.66%
6820	UTILITIES - HEATING FUEL	0.00	701.18	1,200.00	498.82	41.57%
6840	FUEL-EQUIPMENT	994.38	12,694.34	9,000.00	(3,694.34)	(41.05)%
6860	GASOLINE/OIL-AUTO	194.15	1,647.34	1,800.00	152.66	8.48%
7000	INSURANCE	0.00	4,006.00	4,006.00	0.00	0.00%
7400	REPAIRS & MAINTENANCE	0.00	52.34	1,500.00	1,447.66	96.51%
7440	EQUIPMENT REPAIR & MAINTENANCE	0.00	373.15	6,000.00	5,626.85	93.78%
8500	CAPITAL OUTLAY	<u>47,820.00</u>	<u>48,320.00</u>	<u>80,000.00</u>	<u>31,680.00</u>	<u>39.60%</u>
	Total Expenditures	<u>58,682.68</u>	<u>175,976.54</u>	<u>232,222.00</u>	<u>56,245.46</u>	<u>24.22%</u>
	Excess Revenue over (under) Expenditures	<u>(58,682.68)</u>	<u>(175,976.54)</u>	<u>(232,222.00)</u>	<u>56,245.46</u>	<u>(24.22)%</u>

City & Borough of Yakutat
Statement of Revenues and Expenditures
10 - GENERAL FUND
123 - REGULAR ROAD MAINTENANCE
From 5/1/2020 Through 5/31/2020

	Current Period Actual	Current Year Actual	Total Budget - Original	Total Budget Variance - Original	Percent Total Budget Remaining - Original	
Expenditures						
6000	SALARIES	3,806.48	12,129.00	14,408.00	2,279.00	15.82%
6001	PART TIME SALARIES	100.00	5,672.33	21,475.00	15,802.67	73.59%
6050	OVERTIME	0.00	43.62	200.00	156.38	78.19%
6100	FICA EXPENSE	292.84	1,345.23	2,760.00	1,414.77	51.26%
6110	ESC EXPENSE	35.23	165.33	336.00	170.67	50.79%
6140	WORKERS COMP INSURANCE	318.02	1,426.51	3,107.00	1,680.49	54.09%
6160	EMP RETIREMENT	414.94	1,419.42	3,170.00	1,750.58	55.22%
6610	MATERIALS & SUPPLIES	0.00	2,930.00	5,000.00	2,070.00	41.40%
6840	FUEL-EQUIPMENT	442.10	1,707.90	1,800.00	92.10	5.12%
7000	INSURANCE	0.00	914.00	1,018.00	104.00	10.22%
7310	CONTRACT SERVICES	0.00	23,551.14	25,000.00	1,448.86	5.80%
7322	SAND	0.00	3,330.00	2,000.00	(1,330.00)	(66.50)%
7440	EQUIPMENT REPAIR & MAINTENANCE	0.00	131.49	4,000.00	3,868.51	96.71%
8500	CAPITAL OUTLAY	0.00	0.00	5,000.00	5,000.00	100.00%
	Total Expenditures	<u>5,409.61</u>	<u>54,765.97</u>	<u>89,274.00</u>	<u>34,508.03</u>	<u>38.65%</u>
	Excess Revenue over (under) Expenditures	<u>(5,409.61)</u>	<u>(54,765.97)</u>	<u>(89,274.00)</u>	<u>34,508.03</u>	<u>(38.65)%</u>

City & Borough of Yakutat
Statement of Revenues and Expenditures
10 - GENERAL FUND
125 - PARKS AND RECREATION
From 5/1/2020 Through 5/31/2020

	Current Period Actual	Current Year Actual	Total Budget - Original	Total Budget Variance - Original	Percent Total Budget Remaining - Original
Expenditures					
6000 SALARIES	3,533.00	15,917.25	26,876.00	10,958.75	40.78%
6050 OVERTIME	0.00	87.24	600.00	512.76	85.46%
6100 FICA EXPENSE	269.62	1,223.39	2,102.00	878.61	41.80%
6110 ESC EXPENSE	34.86	159.31	275.00	115.69	42.07%
6140 WORKERS COMP INSURANCE	288.32	1,310.47	2,399.00	1,088.53	45.37%
6160 EMP RETIREMENT	57.08	85.02	5,045.00	4,959.98	98.31%
6610 MATERIALS & SUPPLIES	317.79	3,501.67	5,000.00	1,498.33	29.97%
6613 FIREWORKS	0.00	2,430.29	5,500.00	3,069.71	55.81%
6810 UTILITIES - LIGHTS	0.00	28.03	0.00	(28.03)	0.00%
6860 GASOLINE/OIL-AUTO	22.82	470.50	1,235.00	764.50	61.90%
7000 INSURANCE	0.00	2,381.00	2,381.00	0.00	0.00%
7310 CONTRACT SERVICES	0.00	1,500.00	1,500.00	0.00	0.00%
Total Expenditures	4,523.49	29,094.17	52,913.00	23,818.83	45.02%
Excess Revenue over (under) Expenditures	(4,523.49)	(29,094.17)	(52,913.00)	23,818.83	(45.02)%

City & Borough of Yakutat
Statement of Revenues and Expenditures
10 - GENERAL FUND
130 - PLANNING & ZONING
From 5/1/2020 Through 5/31/2020

	Current Period Actual	Current Year Actual	Total Budget - Original	Total Budget Variance - Original	Percent Total Budget Remaining - Original	
Expenditures						
6000	SALARIES	2,498.48	32,212.46	58,439.00	26,226.54	44.88%
6003	OPT-OUT - SILOHI	0.00	1,200.00	7,200.00	6,000.00	83.33%
6100	FICA EXPENSE	178.05	2,442.08	5,021.00	2,578.92	51.36%
6110	ESC EXPENSE	21.59	219.63	399.00	179.37	44.95%
6140	WORKERS COMP INSURANCE	14.00	199.07	403.00	203.93	50.60%
6150	HEALTH & LIFE INSURANCE	2.60	13.00	31.00	18.00	58.06%
6160	EMP RETIREMENT	549.66	6,466.14	14,441.00	7,974.86	55.22%
6400	TRAVEL - PER DIEM	0.00	145.00	2,000.00	1,855.00	92.75%
6401	TRAVEL - LODGING	0.00	202.68	3,000.00	2,797.32	93.24%
6402	TRAVEL - AIRFARE	0.00	1,126.61	3,500.00	2,373.39	67.81%
6610	MATERIALS & SUPPLIES	482.25	6,055.52	10,000.00	3,944.48	39.44%
6654	TRAINING	0.00	158.61	1,500.00	1,341.39	89.43%
6860	GASOLINE/OIL-AUTO	188.56	2,262.90	1,000.00	(1,262.90)	(126.29)%
6910	TELEPHONE	32.87	1,204.28	1,651.00	446.72	27.06%
6920	POSTAGE	13.40	65.80	200.00	134.20	67.10%
7310	CONTRACT SERVICES	0.00	61,890.16	187,300.00	125,409.84	66.96%
8500	CAPITAL OUTLAY	<u>3,731.00</u>	<u>15,000.00</u>	<u>15,000.00</u>	<u>0.00</u>	<u>0.00%</u>
	Total Expenditures	<u>7,712.46</u>	<u>130,863.94</u>	<u>311,085.00</u>	<u>180,221.06</u>	<u>57.93%</u>
	Excess Revenue over (under) Expenditures	<u>(7,712.46)</u>	<u>(130,863.94)</u>	<u>(311,085.00)</u>	<u>180,221.06</u>	<u>(57.93)%</u>

City & Borough of Yakutat
Statement of Revenues and Expenditures
10 - GENERAL FUND
151 - DPS-POLICE
From 5/1/2020 Through 5/31/2020

	Current Period Actual	Current Year Actual	Total Budget - Original	Total Budget Variance - Original	Percent Total Budget Remaining - Original	
Expenditures						
6000	SALARIES	16,047.63	201,552.77	296,098.00	94,545.23	31.93%
6001	PART TIME SALARIES	1,550.00	2,062.50	0.00	(2,062.50)	0.00%
6002	ON CALL	3,594.00	34,528.50	30,576.00	(3,952.50)	(12.93)%
6003	OPT-OUT - SILOHI	600.00	10,400.00	13,800.00	3,400.00	24.64%
6050	OVERTIME	4,168.78	54,099.68	25,000.00	(29,099.68)	(116.40)%
6100	FICA EXPENSE	1,910.44	22,923.31	27,959.00	5,035.69	18.01%
6110	ESC EXPENSE	234.56	2,179.07	2,195.00	15.93	0.73%
6140	WORKERS COMP INSURANCE	1,325.90	15,993.81	21,561.00	5,567.19	25.82%
6150	HEALTH & LIFE INSURANCE	5,876.21	64,638.21	100,850.00	36,211.79	35.91%
6160	EMP RETIREMENT	4,393.49	60,070.75	62,804.00	2,733.25	4.35%
6400	TRAVEL - PER DIEM	1,050.00	7,965.00	3,000.00	(4,965.00)	(165.50)%
6401	TRAVEL - LODGING	477.00	7,114.24	6,000.00	(1,114.24)	(18.57)%
6402	TRAVEL - AIRFARE	1,225.86	9,127.64	6,000.00	(3,127.64)	(52.13)%
6404	TRAVEL-CRIMINAL INVESTIGATIONS	0.00	(300.00)	1,000.00	1,300.00	130.00%
6500	MISCELLANEOUS	0.00	195.00	10,000.00	9,805.00	98.05%
6501	MISC - PRISONER MEALS	0.00	39.81	350.00	310.19	88.63%
6610	MATERIALS & SUPPLIES	548.66	14,650.19	12,000.00	(2,650.19)	(22.08)%
6611	SUPPLIES-AMMO,BATT,VE... EQ	0.00	238.40	2,500.00	2,261.60	90.46%
6612	JANITORIAL SUPPLIES	0.00	102.00	300.00	198.00	66.00%
6614	UNIFORMS & ACCESSORIES	36.75	1,809.07	5,000.00	3,190.93	63.82%
6615	CORRECTIONS SUPPLIES	0.00	254.94	250.00	(4.94)	(1.98)%
6640	DMV - MATERIALS & SUPPLIES	21.00	204.05	250.00	45.95	18.38%
6654	TRAINING	(2,807.55)	26,400.24	13,500.00	(12,900.24)	(95.56)%
6810	UTILITIES - LIGHTS	280.56	4,413.87	4,400.00	(13.87)	(0.32)%
6820	UTILITIES - HEATING FUEL	0.00	185.79	300.00	114.21	38.07%
6860	GASOLINE/OIL-AUTO	209.65	10,292.87	12,000.00	1,707.13	14.23%
6910	TELEPHONE	1,046.65	9,024.73	8,539.00	(485.73)	(5.69)%
6920	POSTAGE	172.51	578.56	208.00	(370.56)	(178.15)%
7000	INSURANCE	0.00	34,913.00	34,913.00	0.00	0.00%
7100	DUES & SUBSCRIPTIONS	0.00	0.00	650.00	650.00	100.00%
7200	ADVERTISING & PRINTING	0.00	425.00	400.00	(25.00)	(6.25)%
7310	CONTRACT SERVICES	474.88	7,398.58	20,957.00	13,558.42	64.70%
7400	REPAIRS & MAINTENANCE	749.23	8,778.26	4,000.00	(4,778.26)	(119.46)%
8500	CAPITAL OUTLAY	34,392.55	46,490.04	58,000.00	11,509.96	19.84%
8550	CAPITAL OUTLAY-TSIU OFFICER;CABIN	0.00	13,642.76	14,000.00	357.24	2.55%
	Total Expenditures	<u>77,578.76</u>	<u>672,392.64</u>	<u>799,360.00</u>	<u>126,967.36</u>	<u>15.88%</u>
	Excess Revenue over (under) Expenditures	<u>(77,578.76)</u>	<u>(672,392.64)</u>	<u>(799,360.00)</u>	<u>126,967.36</u>	<u>(15.88)%</u>

City & Borough of Yakutat
Statement of Revenues and Expenditures
10 - GENERAL FUND
152 - DPS-FIRE DEPT
From 5/1/2020 Through 5/31/2020

	Current Period Actual	Current Year Actual	Total Budget - Original	Total Budget Variance - Original	Percent Total Budget Remaining - Original	
Expenditures						
6140	WORKERS COMP INSURANCE	0.00	0.00	1,060.00	1,060.00	100.00%
6400	TRAVEL - PER DIEM	0.00	630.00	700.00	70.00	10.00%
6401	TRAVEL - LODGING	0.00	1,104.90	1,300.00	195.10	15.01%
6402	TRAVEL - AIRFARE	0.00	0.00	1,500.00	1,500.00	100.00%
6610	MATERIALS & SUPPLIES	0.00	1,395.42	3,500.00	2,104.58	60.13%
6620	COPIER-LEASE	96.81	1,064.91	1,162.00	97.09	8.36%
6654	TRAINING	0.00	32.67	1,500.00	1,467.33	97.82%
6810	UTILITIES - LIGHTS	137.78	1,894.17	1,941.00	46.83	2.41%
6820	UTILITIES - HEATING FUEL	0.00	0.00	250.00	250.00	100.00%
6840	FUEL-EQUIPMENT	0.00	248.83	500.00	251.17	50.23%
6860	GASOLINE/OIL-AUTO	0.00	0.00	500.00	500.00	100.00%
6910	TELEPHONE	29.28	303.35	300.00	(3.35)	(1.12)%
6920	POSTAGE	0.00	0.00	150.00	150.00	100.00%
7000	INSURANCE	0.00	2,562.00	2,562.00	0.00	0.00%
7400	REPAIRS & MAINTENANCE	0.00	666.51	1,000.00	333.49	33.35%
8500	CAPITAL OUTLAY	0.00	2,755.75	5,000.00	2,244.25	44.88%
	Total Expenditures	263.87	12,658.51	22,925.00	10,266.49	44.78%
	Excess Revenue over (under) Expenditures	(263.87)	(12,658.51)	(22,925.00)	10,266.49	(44.78)%

City & Borough of Yakutat
Statement of Revenues and Expenditures
10 - GENERAL FUND
153 - DPS-EMS
From 5/1/2020 Through 5/31/2020

	Current Period Actual	Current Year Actual	Total Budget - Original	Total Budget Variance - Original	Percent Total Budget Remaining - Original
Expenditures					
6140					
	0.00	0.00	1,060.00	1,060.00	100.00%
6502	0.00	1,200.00	2,500.00	1,300.00	52.00%
6810	137.79	2,091.01	1,000.00	(1,091.01)	(109.10)%
6820	0.00	66.01	0.00	(66.01)	0.00%
7000	0.00	2,343.00	2,343.00	0.00	0.00%
	<u>137.79</u>	<u>5,700.02</u>	<u>6,903.00</u>	<u>1,202.98</u>	<u>17.43%</u>
Excess Revenue over (under)	(137.79)	(5,700.02)	(6,903.00)	1,202.98	(17.43)%
Expenditures					

City & Borough of Yakutat
Statement of Revenues and Expenditures
10 - GENERAL FUND
154 - DOJ COPS GRANT
From 5/1/2020 Through 5/31/2020

	Current Period Actual	Current Year Actual	Total Budget - Original	Total Budget Variance - Original	Percent Total Budget Remaining - Original	
Expenditures						
6000	SALARIES	0.00	15,821.29	23,223.00	7,401.71	31.87%
6002	ON CALL	0.00	3,666.00	4,368.00	702.00	16.07%
6003	OPT-OUT - SILOHI	0.00	1,700.00	3,600.00	1,900.00	52.78%
6050	OVERTIME	0.00	3,109.95	1,500.00	(1,609.95)	(107.33)%
6100	FICA EXPENSE	0.00	1,858.66	2,501.00	642.34	25.68%
6110	ESC EXPENSE	0.00	159.83	200.00	40.17	20.09%
6140	WORKERS COMP INSURANCE	0.00	1,461.99	2,151.00	689.01	32.03%
6150	HEALTH & LIFE INSURANCE	0.00	12.90	19.00	6.10	32.11%
6160	EMP RETIREMENT	0.00	5,049.35	7,192.00	2,142.65	29.79%
	Total Expenditures	<u>0.00</u>	<u>32,839.97</u>	<u>44,754.00</u>	<u>11,914.03</u>	<u>26.62%</u>
	Excess Revenue over (under) Expenditures	<u>0.00</u>	<u>(32,839.97)</u>	<u>(44,754.00)</u>	<u>11,914.03</u>	<u>(26.62)%</u>

City & Borough of Yakutat
Statement of Revenues and Expenditures
10 - GENERAL FUND
155 - SOA JAG PROGRAM
From 5/1/2020 Through 5/31/2020

	Current Period Actual	Current Year Actual	Total Budget - Original	Total Budget Variance - Original	Percent Total Budget Remaining - Original
Expenditures					
6050 OVERTIME	0.00	0.00	6,340.00	6,340.00	100.00%
6100 FICA EXPENSE	0.00	0.00	485.00	485.00	100.00%
6110 ESC EXPENSE	0.00	0.00	63.00	63.00	100.00%
6140 WORKERS COMP INSURANCE	0.00	0.00	417.00	417.00	100.00%
6160 EMP RETIREMENT	0.00	0.00	1,395.00	1,395.00	100.00%
6910 TELEPHONE	<u>174.96</u>	<u>174.96</u>	<u>0.00</u>	<u>(174.96)</u>	<u>0.00%</u>
Total Expenditures	<u>174.96</u>	<u>174.96</u>	<u>8,700.00</u>	<u>8,525.04</u>	<u>97.99%</u>
Excess Revenue over (under) Expenditures	<u>(174.96)</u>	<u>(174.96)</u>	<u>(8,700.00)</u>	<u>8,525.04</u>	<u>(97.99)%</u>

City & Borough of Yakutat
Statement of Revenues and Expenditures
10 - GENERAL FUND
156 - ST OF AK MENTAL HEALTH TRUST AUTHORITY
From 5/1/2020 Through 5/31/2020

	Current Period Actual	Current Year Actual	Total Budget - Original	Total Budget Variance - Original	Percent Total Budget Remaining - Original
6610 Expenditures					
MATERIALS & SUPPLIES	217.05	441.77	0.00	(441.77)	0.00%
Total Expenditures	217.05	441.77	0.00	(441.77)	0.00%
Excess Revenue over (under) Expenditures	(217.05)	(441.77)	0.00	(441.77)	0.00%

City & Borough of Yakutat
Statement of Revenues and Expenditures
20 - SALMON ENHANCEMENT FUND
201 - FISH TAX
From 5/1/2020 Through 5/31/2020

	Current Period Actual	Current Year Actual	Total Budget - Original	Total Budget Variance - Original	Percent Total Budget Remaining - Original
Expenditures					
6000 SALARIES	0.00	657.00	6,000.00	5,343.00	89.05%
6100 FICA EXPENSE	0.00	50.27	459.00	408.73	89.05%
6110 ESC EXPENSE	0.00	6.57	60.00	53.43	89.05%
6140 WORKERS COMP INSURANCE	0.00	48.69	524.00	475.31	90.71%
6160 EMP RETIREMENT	0.00	0.00	753.00	753.00	100.00%
6610 MATERIALS & SUPPLIES	0.00	0.00	1,792.00	1,792.00	100.00%
7000 INSURANCE	0.00	0.00	169.00	169.00	100.00%
Total Expenditures	<u>0.00</u>	<u>762.53</u>	<u>9,757.00</u>	<u>8,994.47</u>	<u>92.18%</u>
Excess Revenue over (under) Expenditures	0.00	(762.53)	(9,757.00)	8,994.47	(92.18)%

City & Borough of Yakutat
Statement of Revenues and Expenditures
252 - EMS
21 - CRUIESHIP FUND
From 5/1/2020 Through 5/31/2020

	Current Period Actual	Current Year Actual	Total Budget - Original	Total Budget Variance - Original	Percent Total Budget Remaining - Original
Revenue					
4056	0.00	0.00	18,000.00	(18,000.00)	(100.00)%
	0.00	0.00	18,000.00	(18,000.00)	(100.00)%
Expenditures					
6000	0.00	0.00	1,729.00	1,729.00	100.00%
6100	0.00	0.00	132.00	132.00	100.00%
6110	0.00	0.00	17.00	17.00	100.00%
6140	0.00	0.00	23.00	23.00	100.00%
6160	0.00	0.00	35.00	35.00	100.00%
6400	0.00	270.00	1,500.00	1,230.00	82.00%
6401	0.00	440.00	1,932.00	1,492.00	77.23%
6402	0.00	347.20	2,200.00	1,852.80	84.22%
6610	0.00	1,180.14	2,270.00	1,089.86	48.01%
6616	0.00	0.00	2,000.00	2,000.00	100.00%
6620	96.81	1,064.91	1,162.00	97.09	8.36%
6622	0.00	1,593.12	0.00	(1,593.12)	0.00%
6654	500.00	1,535.00	3,500.00	1,965.00	56.14%
6840	109.24	283.03	500.00	216.97	43.39%
6860	0.00	45.69	0.00	(45.69)	0.00%
6910	29.29	303.40	300.00	(3.40)	(1.13)%
6920	0.00	0.00	200.00	200.00	100.00%
7400	0.00	500.00	500.00	0.00	0.00%
	735.34	7,562.49	18,000.00	10,437.51	57.99%
	(735.34)	(7,562.49)	0.00	(7,562.49)	0.00%

City & Borough of Yakutat
Statement of Revenues and Expenditures
253 - OIL RESPONSE
21 - CRUISESHIP FUND
From 5/1/2020 Through 5/31/2020

	<u>Current Period Actual</u>	<u>Current Year Actual</u>	<u>Total Budget - Original</u>	<u>Total Budget Variance - Original</u>	<u>Percent Total Budget Remaining - Original</u>
Revenue					
4057	0.00	0.00	10,000.00	(10,000.00)	(100.00)%
	<u>0.00</u>	<u>0.00</u>	<u>10,000.00</u>	<u>(10,000.00)</u>	<u>(100.00)%</u>
Expenditures					
6000	0.00	0.00	1,217.00	1,217.00	100.00%
6100	0.00	0.00	93.00	93.00	100.00%
6110	0.00	0.00	12.00	12.00	100.00%
6140	0.00	0.00	8.00	8.00	100.00%
6160	0.00	0.00	268.00	268.00	100.00%
6654	<u>0.00</u>	<u>0.00</u>	<u>3,500.00</u>	<u>3,500.00</u>	<u>100.00%</u>
	<u>0.00</u>	<u>0.00</u>	<u>5,098.00</u>	<u>5,098.00</u>	<u>100.00%</u>
	0.00	0.00	4,902.00	(4,902.00)	(100.00)%

City & Borough of Yakutat
Statement of Revenues and Expenditures
22 - NATIONAL FOREST RECEIPTS FUND
000 - NONE
From 5/1/2020 Through 5/31/2020

	<u>Current Period Actual</u>	<u>Current Year Actual</u>	<u>Total Budget - Original</u>	<u>Total Budget Variance - Original</u>	<u>Percent Total Budget Remaining - Original</u>
Revenue					
4570 NATIONAL FOREST RECEIPTS	0.00	439,965.33	0.00	439,965.33	0.00%
Total Revenue	<u>0.00</u>	<u>439,965.33</u>	<u>0.00</u>	<u>439,965.33</u>	<u>0.00%</u>
Expenditures					
6551 SCHOOL SUPPORT	<u>0.00</u>	<u>500,974.72</u>	<u>489,042.00</u>	<u>(11,932.72)</u>	<u>(2.44)%</u>
Total Expenditures	<u>0.00</u>	<u>500,974.72</u>	<u>489,042.00</u>	<u>(11,932.72)</u>	<u>(2.44)%</u>
Excess Revenue over (under) Expenditures	<u>0.00</u>	<u>(61,009.39)</u>	<u>(489,042.00)</u>	<u>428,032.61</u>	<u>(87.52)%</u>

City & Borough of Yakutat
Statement of Revenues and Expenditures
41 - OCEAN CAPE FUND
000 - NONE
From 5/1/2020 Through 5/31/2020

	Current Period Actual	Current Year Actual	Total Budget - Original	Total Budget Variance - Original	Percent Total Budget Remaining - Original
Revenue					
4155	1,536.25	16,122.48	27,000.00	(10,877.52)	(40.29)%
4160	8,239.10	66,451.49	50,000.00	16,451.49	32.90%
4470	7,450.00	81,350.00	87,600.00	(6,250.00)	(7.13)%
	<u>17,225.35</u>	<u>163,923.97</u>	<u>164,600.00</u>	<u>(676.03)</u>	<u>(0.41)%</u>
Expenditures					
7000	0.00	19,005.00	17,852.00	(1,153.00)	(6.46)%
7340	0.00	0.00	1,000.00	1,000.00	100.00%
7450	5.00	141,150.58	75,000.00	(66,150.58)	(88.20)%
8601	0.00	14,000.00	14,000.00	0.00	0.00%
8906	0.00	23,002.00	23,002.00	0.00	0.00%
	<u>5.00</u>	<u>197,157.58</u>	<u>130,854.00</u>	<u>(66,303.58)</u>	<u>(50.67)%</u>
	<u>17,220.35</u>	<u>(33,233.61)</u>	<u>33,746.00</u>	<u>(66,979.61)</u>	<u>(198.48)%</u>

City & Borough of Yakutat
Statement of Revenues and Expenditures
42 - WATER AND SEWER FUND
000 - NONE
From 5/1/2020 Through 5/31/2020

	Current Period Actual	Current Year Actual	Total Budget - Original	Total Budget Variance - Original	Percent Total Budget Remaining - Original
Revenue					
4460	27,003.55	302,918.49	319,323.00	(16,404.51)	(5.14)%
4462	(347.80)	(3,423.60)	(17,528.00)	14,104.40	(80.47)%
5590	80.00	80.00	0.00	80.00	0.00%
	<u>26,735.75</u>	<u>299,574.89</u>	<u>301,795.00</u>	<u>(2,220.11)</u>	<u>(0.74)%</u>
Expenditures					
6000	4,353.92	58,523.21	66,987.00	8,463.79	12.63%
6001	2,604.00	19,037.00	15,288.00	(3,749.00)	(24.52)%
6003	250.00	2,750.00	3,000.00	250.00	8.33%
6050	0.00	557.81	0.00	(557.81)	0.00%
6100	546.50	6,151.84	5,672.00	(479.84)	(8.46)%
6110	65.73	674.50	719.00	44.50	6.19%
6140	450.44	4,741.70	5,310.00	568.30	10.70%
6150	286.02	2,863.19	36.00	(2,827.19)	(7,853.31)%
6160	1,313.92	13,840.25	18,100.00	4,259.75	23.53%
6400	0.00	435.00	1,680.00	1,245.00	74.11%
6401	0.00	1,121.01	1,980.00	858.99	43.38%
6402	0.00	479.29	1,700.00	1,220.71	71.81%
6610	175.14	19,302.41	24,941.00	5,638.59	22.61%
6618	134.00	7,230.09	18,000.00	10,769.91	59.83%
6654	0.00	1,025.00	2,000.00	975.00	48.75%
6810	3,026.38	45,057.42	39,153.00	(5,904.42)	(15.08)%
6820	287.32	2,676.58	4,000.00	1,323.42	33.09%
6840	373.48	1,912.84	2,500.00	587.16	23.49%
6860	429.20	4,203.38	3,500.00	(703.38)	(20.10)%
6920	85.65	948.95	1,000.00	51.05	5.11%
7000	0.00	11,239.00	13,924.00	2,685.00	19.28%
7100	0.00	0.00	305.00	305.00	100.00%
7310	0.00	3,287.00	5,000.00	1,713.00	34.26%
7400	352.84	8,622.19	32,000.00	23,377.81	73.06%
7440	0.00	927.63	35,000.00	34,072.37	97.35%
	<u>14,734.54</u>	<u>217,607.29</u>	<u>301,795.00</u>	<u>84,187.71</u>	<u>27.90%</u>
Excess Revenue over (under) Expenditures	12,001.21	81,967.60	0.00	81,967.60	0.00%

City & Borough of Yakutat
Statement of Revenues and Expenditures
43 - BOAT HARBOR FUND
000 - NONE
From 5/1/2020 Through 5/31/2020

	Current Period Actual	Current Year Actual	Total Budget - Original	Total Budget Variance - Original	Percent Total Budget Remaining - Original
Revenue					
4063	0.00	23,002.00	23,002.00	0.00	0.00%
4110	0.00	41,194.95	44,745.00	(3,550.05)	(7.93)%
4120	0.00	9,900.59	5,494.00	4,406.59	80.21%
4130	52.20	8,490.45	16,324.00	(7,833.55)	(47.99)%
4462	0.00	(61.05)	0.00	(61.05)	0.00%
5598	250.00	12,411.61	10,572.00	1,839.61	17.40%
Total Revenue	302.20	94,938.55	100,137.00	(5,198.45)	(5.19)%
Expenditures					
6000	539.60	8,168.29	9,292.00	1,123.71	12.09%
6001	1,806.70	26,140.85	35,027.00	8,886.15	25.37%
6100	178.34	2,608.61	3,390.00	781.39	23.05%
6110	22.94	329.90	391.00	61.10	15.63%
6140	129.31	2,049.19	2,803.00	753.81	26.89%
6150	283.42	3,400.65	5.00	(3,395.65)	(67,913.00)%
6160	118.71	1,554.18	2,044.00	489.82	23.96%
6610	0.00	5,564.77	4,486.00	(1,078.77)	(24.05)%
6810	458.22	12,432.20	10,000.00	(2,432.20)	(24.32)%
6820	688.92	1,374.19	1,500.00	125.81	8.39%
6830	450.00	2,020.00	2,040.00	20.00	0.98%
6840	97.10	339.97	0.00	(339.97)	0.00%
6860	0.00	555.28	750.00	194.72	25.96%
6910	92.09	920.87	984.00	63.13	6.42%
6920	0.50	312.00	394.00	82.00	20.81%
7000	0.00	19,531.00	19,531.00	0.00	0.00%
7400	0.00	2,473.06	5,000.00	2,526.94	50.54%
7800	0.00	2,444.18	0.00	(2,444.18)	0.00%
8500	0.00	6,846.32	2,500.00	(4,346.32)	(173.85)%
Total Expenditures	4,865.85	99,065.51	100,137.00	1,071.49	1.07%
Excess Revenue over (under) Expenditures	(4,563.65)	(4,126.96)	0.00	(4,126.96)	0.00%

10.2

Report to Assembly on Proposed Direct Sale of Borough-Owned Property (CCBY 7.16.065)

7.16.065 Direct sales of borough properties.

A. Notwithstanding the provisions of 7.16.040 and where the Assembly considers it advantageous to the Borough, the Assembly may dispose of borough-owned real property not held for a public purpose by direct sale to a qualified buyer, without a bidding process, where 1) a property has an assessed or appraised value which does not exceed Fifteen Thousand Dollars (\$15,000); or 2) the Assembly finds that the potential buyers of a property are limited to owners of directly adjacent properties due to access, topography or like matters which otherwise restrict development or sale of the borough-owned property, provided that all directly adjacent owners shall be provided written notice of a potential sale.

B. The sale price of any borough-owned property sold hereunder must equal or exceed the most current assessed or appraised value for the property, and the sale price must be paid in full to the Borough at the time of conveyance.

C. Application for a direct sale shall be made to the Borough Planner on forms provided by the Borough. An application shall be reviewed first by the Borough Planning and Zoning Commission, and the Commission's recommendation conveyed to the Assembly.

Copies of the following should be attached to this Report:

- Application for Direct Sale of Borough-Owned Property
 - Deed or Patent by which the Borough obtained the Property
 - Most current Deed of property directly adjacent to Borough Property (if applicable)
 - Affidavit of Service to all owners of directly-adjacent property of Notice of Planning Commission Meeting
- Not Applicable, adjacent properties are Yakutat Tlingit Tribe and State of Alaska/CBY only.*
- Last appraisal of property (if property has been appraised)

None

1. Legal Description of Borough-Owned property proposed for direct sale:

Portion of ASLS 97-39 as shown in green on the attachment, subject to survey, consisting of approximately 1,300 +/- square feet.

2. Current assessed value of property, per the Borough Assessor: \$1,300.00

3. Has the property ever been appraised by the Borough or a prior owner?

Yes

No

If Yes, appraised value of property: _____

4. Date of Planning Commission Meeting: June 11, 2020

5. Summary of any comments received by the Planning Commission on the proposed direct sale: *None*

6. Planning Commission action on proposed Direct Sale (check one):

Recommend Direct Sale to Applicant

Do Not Recommend Direct Sale to Applicant

7. Basis for Planning Commission recommendation, including, if applicable, discussion of whether the characteristics of the borough-owned property regarding size, access, topography, and or other factors restrict development or sale of the property:

The Planning Commission agrees that the sale of the property meets the criteria per CCBY 7.16.065(A), (B), and (C)

Kathy Jacobson

Kathy Jacobson, Planning Commission Chair

Dated: 6/11/2020

Martha Indreland

Martha Indreland, Borough Planner

Dated: 6/11/2020



CITY & BOROUGH of YAKUTAT
 P.O. Box 160
 Yakutat, Alaska 99689
 Phone (907) 784-3323
 Fax (907) 784-3281

RECEIVED

MAY 20 2020

CITY & BOROUGH
 YAKUTAT

Application for Direct Sale of Borough-Owned Property (CCBY 7.16.065)

Applicant Information:

Name: Yakutat Tlingit Tribe

Mailing Address, with City, State and Zip Code: Box 418 Yakutat AK 99689

Physical Address, with City, State and Zip Code: 606 Forest Hwy 10
 Yakutat, AK 99689

Email address: cong502@mc.com

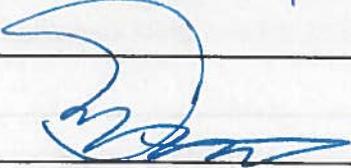
() 907 784 3238 ()
 Home Phone Work Phone Cell Phone

1. Legal description of borough-owned property proposed for direct sale:
ASLS
 portion of 97-39 as shown in green on the attachment,
 subject to survey

2. Assessed or Appraised Value of property proposed for direct sale, if direct sale to be made under CCBY 7.16.065(A)(1) (value must be under \$15,000):
 \$ 1,300.00. If appraised value, copy of appraisal must be attached.

3. Description of access, topography or other like matters which restrict development or sale of the property, if direct sale to be made under CCBY 7.16.065(A)(2). Copy of applicant's deed for directly adjacent property must be attached:

adjacent public road and public trail. Only access via lot 3.


 Signature of Applicant:
 Printed Name of Applicant: Nathan Moulton
 Dated: 5/20/2020

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K
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2020-000050-0

Recording Dist: 101 - Juneau
1/6/2020 10:52 AM Pages: 1 of 2



File for Record at Request of:
First American Title Insurance Company

AFTER RECORDING MAIL TO:

Name: Yakutat Tlingit Tribe
Address: PO Box 418
Yakutat, AK 99689
File No.: 0231-3374282 (IK)

STATUTORY WARRANTY DEED

THE GRANTOR, Adam Kohne and Cassidy Kohne, husband and wife, whose mailing address is **PO Box 161, Yakutat, AK 99689**, for and in consideration of **TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION**, in hand paid, conveys and warrants to **Yakutat Tlingit Tribe, a federally recognized Indian tribe**, residing at **PO Box 418, Yakutat, AK 99689**, the following described real estate, situated in the Juneau Recording District, **First Judicial District, State of Alaska**:

Lot 3, WOLFGANG SUBDIVISION, according to the Plat Number 2001-30, Records of the Juneau Recording District, First Judicial District, State of Alaska.

SUBJECT TO reservations, exceptions, easements, covenants, conditions and restrictions of record, if any.

0231-3374282 (IK)

Statutory Warranty Deed-continued

December 27, 2019

Dated: January 3, 2020.

[Signature]
Adam Kohne

[Signature]
Cassidy Kohne

STATE OF Alaska)
) ss.
First Judicial District)

THIS IS TO CERTIFY that on this 3rd day of ~~December, 2019~~ January, 2020, before me the undersigned Notary Public, personally appeared Adam Kohne and Cassidy Kohne, known to me and to me known to be the individual(s) described in and who executed the foregoing instrument and ~~he/she/they~~ acknowledged to me that he/she/they signed the same freely and voluntarily for the uses and purposes therein mentioned.

WITNESS my hand and official seal.



[Signature]
Notary Public in and for Alaska
My commission expires 1/1



ASLS 87-257

Lot 2-B1

1991-25

ASLS 87-258

Lot 1-B

1991-25

USS 179

Lot

USS-179

1,070
Sq Ft

Wolfgang Subdivision

Lot 1

2001-30

6,593
Sq Ft

Wolfgang Subdivision

Lot 2

2001-30

Wolfgang Subdivision

Lot 3

2001-30

ASLS 84-89

Lot

1,304
Sq Ft

98-59
Lot 1-C1
1998-59

ASLS 84-89

Lot 4

1985-003

USS 5630

Lot 5

USS-5630

ASLS 84-89

Lot

Fax
(907) 563-1368

Telephone
(907) 562-2424

Appraisal Company of Alaska LLC

341 W. TUDOR RD. SUITE 202
ANCHORAGE, ALASKA 99503
office@appraisalalaska.com
EIN#26-2071908

May 21, 2020

Sara Heideman
Heideman Law Office
500 L Street, Suite 200
Anchorage, AK 99501

RE: Two small parcels Yakutat, Alaska

Dear Ms. Heideman:

In reference to the two, remainder parcels described in your email.

1) ASLS No. 2018-04 Remainder is 7500 +/- square feet and is assessed at \$7500.00

2) ASLS No. 97-39, Plat 99-33 Remainder is 1300 +/- square feet and valued at \$1300.00

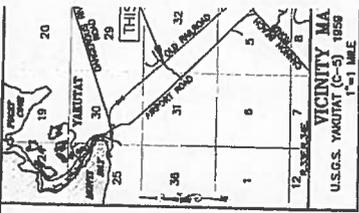
These values are consistent with the assessed values of surrounding property in Yakutat.

If you have any questions please call or email.

Sincerely,



Michael C. Renfro
Assessor
City and Borough of Yakutat



CERTIFICATE OF OWNERSHIP AND DEDICATION
 I, THE UNDERSIGNED, HEREBY CERTIFY THAT I AM THE DIRECTOR OF DIVISION OF LAND SURVEYING AND MAPPING OF THE STATE OF ALASKA AND I HEREBY APPROVE THIS SURVEY AND THE MONUMENTS SHOWN THEREON FOR PUBLIC OR PRIVATE USE, AS NOTED, ALL EASEMENTS, PUBLIC UTILITY ARE RIGHT-OF-WAY AS SHOWN AND DESCRIBED HEREON.

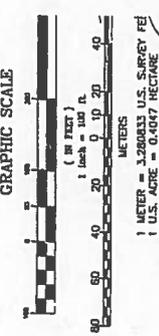
[Signature]
 DIRECTOR DIVISION OF LAND SURVEYING AND MAPPING
 DATED: 27 JUL 89

NOTARY'S ACKNOWLEDGEMENT
 SUBSCRIBED AND SWORN TO BEFORE ME THIS 27TH DAY OF July 1989
 FOR: *[Signature]*
 NOTARY PUBLIC FOR ALASKA
 19.10-20
 MY COMMISSION EXPIRES

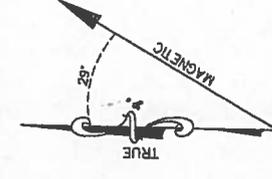
CERTIFICATE OF APPLICANT
 I HEREBY CERTIFY THAT I AM THE APPLICANT AS SHOWN HEREON, I HEREBY / THIS SURVEY AND PLAN.

[Signature]
 DIRECTOR, SOUTHEAST REGION OFFICE

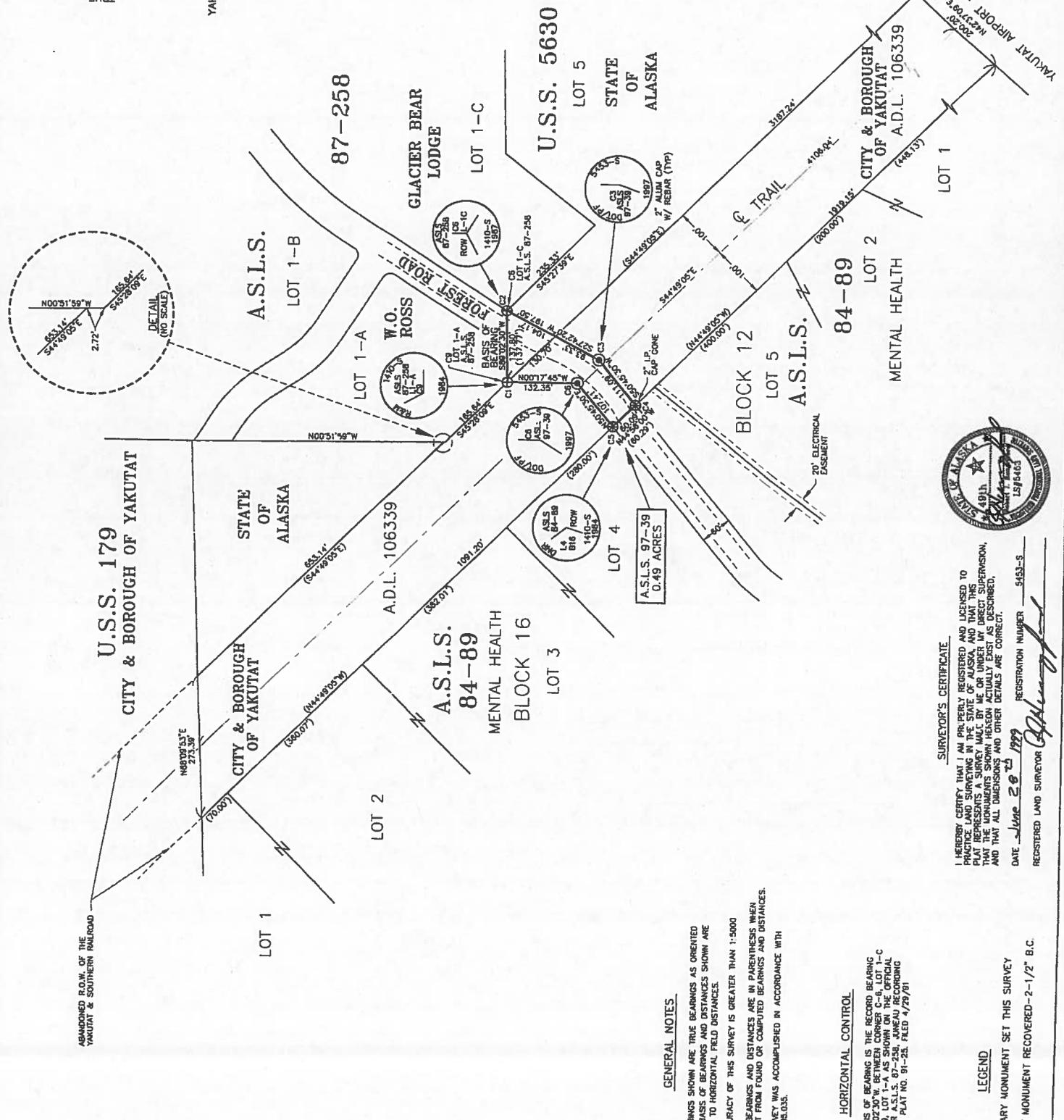
NOTARY'S ACKNOWLEDGEMENT
 SUBSCRIBED AND SWORN TO BEFORE ME THIS 1ST DAY OF June 1989
 FOR: *[Signature]*
 NOTARY PUBLIC FOR ALASKA
 19.10-20
 MY COMMISSION EXPIRES



DATE OF SURVEY: 4/78	NAME OF SURVEY: DOOT/PE SOUTH
Beginning: 7.87	8660 G. LACER HI
Ending:	STATE OF ALASKA
DEPARTMENT OF NATURAL RESOURCES	
DIVISION OF LAND SURVEYING AND MAPPING	
ALASKA STATE LAND SURVEY NO.	
WITHIN PROTRACTED SECTION:	
JUNEAU RECORDING DISTRICT	
DRAWN BY: ROW	
APPROVAL RECOMMENDED BY: <i>[Signature]</i>	
DATE: 9/98	
STATISTICAL SECTION	
CHECKED BY: FILE NO. ASI	
SCALE: 1" = 100'	



YAKUTAT (C-5)
1959



GENERAL NOTES

RINGS SHOWN ARE TRUE BEARINGS AS ORIENTED BASIS OF BEARINGS AND DISTANCES SHOWN ARE TO HORIZONTAL FIELD DISTANCES.
 ACCURACY OF THIS SURVEY IS GREATER THAN 1:5000 BEARINGS AND DISTANCES ARE IN PARENTHESES WHEN IT FROM FOUND OR COMPUTED BEARINGS AND DISTANCES. SURVEY WAS ACCOMPLISHED IN ACCORDANCE WITH D.L.03.05.

HORIZONTAL CONTROL

SS OF BEARING IS THE RECORD BEARING 02°30'W BETWEEN CORNER C-5 AND LOT 1-A AS SHOWN ON THE OFFICIAL A.S.L.S. 87-258, JUNEAU RECORDING DISTRICT, PLAT NO. 91-25, FILED 4/29/81

LEGEND

MONUMENT SET THIS SURVEY
 MONUMENT RECOVERED-2-1/2" B.C.

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I AM PROPERLY REGISTERED AND LICENSED TO PRACTICE LAND SURVEYING IN THE STATE OF ALASKA AND THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION, AND THAT ALL DIMENSIONS AND OTHER DETAILS ARE CORRECT.

DATE: June 20 1989
 REGISTERED LAND SURVEYOR: *[Signature]*
 REGISTRATION NUMBER: 5453-3



the Assembly it is advantageous to the Borough to make the property exchange.

7.16.060 Grants to Governmental Units and for Federal and State Programs. Notwithstanding the provisions of 7.16.040, the Assembly may grant or devote real property no longer held for public purpose to the United States, the State of Alaska, a local subdivision or an agency of any of these governments (and including a tribal government) for a consideration agreed upon between the Borough and the grantee (including for an amount less than current assessed or appraised value) and without a bidding process, if the grant or devotion is for a public purpose and the Assembly determines it is advantageous to the Borough. Any Assembly approval of a federal or state program providing for the participation or cooperation of the Borough by grant or devotion of the real property is a sale of that real property for the consideration stated in the program.

7.16.065 Direct sales of borough properties.

A. Notwithstanding the provisions of 7.16.040 and where the Assembly considers it advantageous to the Borough, the Assembly may dispose of borough-owned real property not held for a public purpose by direct sale to a qualified buyer, without a bidding process, where 1) a property has an assessed or appraised value which does not exceed Fifteen Thousand Dollars (\$15,000); or 2) the Assembly finds that the potential buyers of a property are limited to owners of directly adjacent properties due to access, topography or like matters which otherwise restrict development or sale of the borough-owned property, provided that all directly adjacent owners shall be provided written notice of a potential sale.

B. The sale price of any borough-owned property sold hereunder must equal or exceed the most current assessed or appraised value for the property, and the sale price must be paid in full to the Borough at the time of conveyance.

C. Application for a direct sale shall be made to the Borough Planner on forms provided by the Borough. An application shall be reviewed first by the Borough Planning and Zoning Commission, and the Commission's recommendation conveyed to the Assembly.

7.16.070 Sale or Disposal of Industrial Sites. Notwithstanding the provisions of 7.16.040, the Borough may sell, lease or dispose of sites acquired for new industries benefiting the Borough without a bidding process upon the terms and conditions as the Borough Assembly considers advantageous to

10.3

8.3 Consideration to entertain proposal for parking area for subsistence and recreation near Ophir Creek, on the south side of Coast Guard Road, South Addition, Block A, Lot 2& 3, CBY owned parcels.

Move to approve recommendation to pursue the subsistence and recreational parking project on Coast Guard Road, South Addition, Block A, Lot 2 and 3 and that Borough Planner bring the request to the Assembly as required by per CCBY 8.04.100 (F&G) Report on the location and design of certain public recreation facilities and CCBY 7.16.080 Change of Use.

M/S K Jacobson, M Porter ALL AYES, **Motion Carried.**

This is a true representation of the approval of the Yakutat Planning Commission recommendation to the Borough Assembly at the June 11, 2020 Planning Commission meeting.

ATTEST:



Kathy Jacobson
Planning Commission Chair



Martha Indreland
Borough Planner

REPORT TO ASSEMBLY PER CCBY 8.04.100 (F&G) and REQUEST PER CCBY 7.16.080

On June 11, 2020, at a duly noticed meeting, the Planning Commission approved a recommendation to the Assembly to pursue the subsistence and recreational parking project on Coast Guard Road, South Addition, Block A, Lot 2 and 3 and that Borough Planner bring the request to the Assembly as required by per CCBY 8.04.100 (F&G) Report on the location and design of certain public recreation facilities and CCBY 7.16.080 Change of Use.

The recreational parking area is within the proposed utility access clearing area on CBY owned lot 2 and 3 (Block A) in the south addition. The lots are designated "Holding", there are no restrictions, however, at time there is no use on the specified lots, adding subsistence and recreational parking is a change of what the lots are currently being used for, so that is why the Planning Commission requests approval of the change of use per CCBY 7.16.080.

Yak Timber has offered to help with their equipment already in the area, to clear trees and remove stumps (up to one acre) to develop the subsistence and recreational parking area which would be approximately 100 feet wide or the width of utility access clearing or wider, if it utility project ends up being wider than 100 feet, and run up to the length of the parcels, approximately 360 feet. (Any contract for services would be handled by the Borough Manager under the guidance of CCBY 6.24).

The attached drawing/plat of South Addition, Block A, Lot 2 and 3, the grey shaded area as a minimum 100' width to develop the area for the recreational parking this year.

The tree clearing would also support AVEC's goal of clearing trees on CBY property that threaten power lines.

There is an opportunity to take advantage of equipment currently in the area to develop the area to create parking and remove trees to mitigate power outages to the airport area.

The utility clear project may extend into lot 2 and that would expand the area so that's why lot 2 was included for subsistence and recreational area so Planning would be able to develop any residual cleared area of proposed utility project for subsistence and recreation instead of leaving CBY lots 2 and 3 unusable and/or with unsightly slash and stumps.

The Planning Commission may further discuss getting these lots designated "public use" during the zoning map update process to compliment the adjacent planned subdivision of the Alaska Mental Health Trust.

Attached are copies of CCBY 6.24, 7.16.080 and 8.04.100(F&G) and portion of South Addition plat showing lot 2 and 3 with proposed 100 foot x 360 foot area as well as 200 feet for reference to show that a larger width of utility clear would extend into lot 2.


Martha Indreland, Borough Planner

6/15/20
Date

7.16.080 Change of Use. Real property acquired or purchased for one Borough purpose may be appropriated, transferred, assigned or directed without public sale to another Borough purpose, whenever the Borough Assembly determines that the purpose for which the property was acquired or purchased no longer exists, or the property is no longer used or useful for the purpose. No formal conveyance is necessary to dispose of the real property to another Borough purpose, and the disposition may be made to another purpose with or without legal consideration for the disposition.

8.04.100(F). Report on the location and design of certain public recreation facilities. To investigate and prepare reports on the location and establishment of:

1. Outdoor public recreation,
2. Trap, skeet, rifle and pistol ranges, and
3. Public campgrounds;

G. To investigate and report upon the location and design of any public building, dock, beach, ski ground, statue, memorial, park, parkway, boulevard, street or alley, playground, public street, alley or grade thereof before final action is taken by the Borough or any department, office, or agency.

Chapter 6.24

PURCHASING

Sections:

- 6.24.010 Purchasing Agent.
- 6.24.020 Purchasing Agent -- Scope of Authority.
- 6.24.030 Purchasing Agent -- Other Powers and Duties.
- 6.24.040 Inspection and Testing.
- 6.24.050 Authority of Borough Manager.
- 6.24.060 Public Improvement Contracts.
- 6.24.070 When Prior Approval by the Assembly is Required.
- 6.24.080 Requisitions and Estimates.
- 6.24.090 Contracts over Fifteen Thousand Dollars.
- 6.24.100 Bids -- Notice Inviting.
- 6.24.110 Changes and Addenda in Contract Documents.
- 6.24.120 Pre-bid Conference.
- 6.24.130 Bids -- Opening Procedure.
- 6.24.140 Bids -- Rejection.
- 6.24.150 Bids -- Waiver of Irregularities.
- 6.24.160 Award of Contract to Lowest Bidder -- Exception.
- 6.24.170 Exceptions to Competitive Sealed Bidding and Submission of Quotations.
- 6.24.175 Competitive Sealed Proposals.
- 6.24.180 Contracts for Five Thousand Dollars or Less.
- 6.24.190 Contracts Between Five and Fifteen Thousand Dollars.

- 6.24.200 Insurance Policies.
- 6.24.210 Subdivision of Specifications Prohibited.
- 6.24.220 Emergency Contracts.
- 6.24.230 Encumbrance of Funds.
- 6.24.240 State Procurement Code.

6.24.010 Purchasing Agent. The Borough Manager or his designee shall be the Borough Purchasing Agent.

6.24.020 Purchasing Agent -- Scope of Authority.

A. The purchasing agent shall have the power, and it shall be his duty, to purchase or contract for supplies and contractual services needed by any using agency of the Borough and to sell surplus personal property of such using agencies in accordance with the ordinances of the Borough and such rules and regulations as shall be prescribed by the Mayor and approved by the Assembly.

B. The purchasing agent shall have the authority to join with other units of governments in cooperative purchasing ventures when the best interests of the Borough would be served thereby, and same is in accordance with Borough and state law.

6.24.030 Purchasing Agent -- Other Powers and Duties. The purchasing agent shall:

A. Act to procure for the Borough the highest quality in supplies and contractual services at least expense to the Borough;

B. Recommend the establishment, and amendment when necessary, of all rules and regulations relating to purchasing;

C. Prescribe and maintain such forms as he shall find reasonably necessary; and

D. Act so as to procure for the Borough all state and federal tax exemptions to which it is entitled.

6.24.040 Inspection and testing.

A. The purchasing agent may designate each department head to inspect, as far as possible, and/or supervise the inspection of all deliveries of supplies or contractual services to determine their conformance with the specifications set forth in the order or contract as it pertains to that department.

B. The purchasing agent shall have the authority to authorize using agencies having the staff and facilities for adequate inspection to inspect all deliveries made to such using agencies, under rules and regulations which the purchasing agent shall prescribe.

C. The purchasing agent shall have the authority to require chemical and physical tests of samples submitted with bids and samples of deliveries which are necessary to determine their quality and conformance with the specifications. In the performance of such tests, the purchasing agent shall have the authority to make use of laboratory facilities of any agency of the Borough government or of any outside laboratory.

6.24.050 Authority of Borough Manager. The Borough Manager may transfer supplies, materials and equipment to or between agencies, offices and departments.

6.24.060 Public Improvement Contracts. Contracts for public improvements shall be by competitive, sealed bid and shall be awarded to the lowest qualified bidder.

6.24.070 When Prior Approval by the Assembly is Required. Every contract for, or purchase of, supplies, materials, equipment, or contractual services for more than fifteen thousand dollars shall require the prior approval of the Assembly, and under no circumstances may such contract or purchase be made without first obtaining the approval of the Assembly.

6.24.080 Requisitions and Estimates.

A. All agencies of the Borough which use supplies or services shall, either by or with the authorization of the department head under which the using agency operates, file with the purchasing agent requisitions or estimates of their

requirements in supplies and contractual services in such manner, at such times, and for such future periods as the purchasing agent shall prescribe.

B. A using agency shall not be prevented from filing, in the same manner, with the purchasing agent at any time a requisition or estimate for any supplies and contractual services, the need for which was not foreseen when the detailed estimates were filed.

C. The purchasing agent shall examine each requisition or estimate and shall have the authority to recommend revisions as to quantity, quality or estimated cost.

6.24.090 Contracts Over Fifteen Thousand Dollars. Unless otherwise prohibited or exempted by the ordinances of the Borough, all contracts and purchases for an amount estimated to exceed fifteen thousand dollars shall be by competitive, sealed bid.

6.24.100 Bids -- Notice Inviting.

A. Notice inviting competitive, sealed bids shall be published once in a newspaper of general circulation published in the Borough, or if there is no such newspaper by posting in three separate places in the Borough at least fourteen days preceding the last day set for the receipt of bids. The notice required herein shall state a general description of the work, materials or services, where bid forms and specifications may be secured, the closing time for submission of bids, the place of submission of bids and the time and place for opening bids. Bid deposits, if required, shall be prescribed in the public notices inviting bids.

B. The Borough shall also invite sealed bids from all responsible prospective contractors who have requested their names be added to a "bidders' list" which the Borough shall maintain, by sending such contractors a copy of such notice or such other notice as will acquaint them with the proposed contract. In any case, invitations sent to the contractors on the bidders' list shall be limited to work that is similar in character and ordinarily performed by the contractors. Failure of any person on the "bidders' list" to receive such invitation to bid shall not invalidate the bidding procedures.

6.24.110 Changes and Addenda in Contract Documents. No official or officer shall make any oral interpretations which may affect the substance of the contract documents, nor shall make any oral change in the contract documents. The bid documents shall so state this. Addenda shall be issued when questions arise which might affect the bids. The purchasing agent shall be certain that all bidders receive the addenda, which should be delivered by certified mail (receipt requested), telegraph, or hand. When delivered by hand, receipt of the addenda should be obtained. When an addendum is issued less than four working days before the time for receipt of bids, the addendum shall contain a new bid date which shall be at least four working days after the normal receipt of the addendum by the prospective bidder. Receipt of addenda should be acknowledged as part of the bid submitted.

6.24.120 Pre-bid Conference. Department heads or the purchasing agent, upon their own initiative or at the request of a bidder, may provide for a pre-bid conference at least seven days prior to the time for submission of bids. All points of clarification and questions answered at the conference which may affect the bid shall be issued in the form of addenda.

6.24.130 Bids -- Opening Procedure.

A. Sealed bids shall be submitted personally or by mail to the officer designated in the notice inviting bids and shall be identified as bids on the envelope.

B. Bids shall be opened in public at the time and place stated in the public notices, which shall be immediately after the closing time for submission of bids. The time of closing should preferably be on a Tuesday, Wednesday, Thursday or Friday afternoon. Bids not received by the Borough prior to the bid opening shall not be opened and considered. Any bidder may review all bids immediately after opening and prior to tabulation or summary.

C. A tabulation of all bids received shall be forwarded to the Assembly by the purchasing agent with appropriate recommendations for acceptance or rejection of bids. A copy of the tabulation shall be furnished to each bidder.

6.24.140 Bids -- Rejection.

A. Upon receipt of the bids, the Borough Assembly or its delegate shall have the authority to:

1. Reject defective or nonresponsive bids;
2. Reject all bids;
3. Negotiate with the three lowest responsible bidders, if bid prices are in excess of the money available; and/or
4. Readvertise the project for bidding, after making substantial changes in the project plans to bring the cost within the limit of the money available.

B. If the lowest and best bid exceeds the budgeted amount and the Borough Assembly does not make additional funds available, the proposed contract for purchase or sale or for services or for a construction project shall be reduced in scope sufficiently to bring the estimate of cost within the fund available.

6.24.150 Bids -- Waiver of Irregularities. The Borough Assembly shall have the authority to waive any and all irregularities on any or all bids.

6.24.160 Award of Contract to Lowest Bidder -- Exception.

A. Contracts shall be awarded to the lowest responsible bidder. In determining the "lowest responsible bidder," in addition to price, there shall be considered:

1. The ability, capacity and skill of the bidder to perform the contract;
2. Whether the bidder can perform the contract within the time specified, without delay or interference;
3. The character, integrity, reputation, judgment, experience and efficiency of the bidder;
4. The quality of performance of previous contracts;
5. The previous and existing compliance by the bidder with laws and ordinances relating to the contract;

6. The sufficiency of the financial resources and ability of the bidder to perform the contract;

7. The number and scope of conditions attached to the bid; and

8. If some bids are approximately equal, some preference may be given to local bidders.

B. When the award is given to other than the lowest bidder, a full and complete written statement of the reasons therefor shall be delivered to the unsuccessful low bidder or bidders and filed with the other papers relating to the transaction. The minutes of the Assembly relating to the matter may be used as the required written statement.

6.24.170 Exceptions to Competitive Sealed Bidding and Submission of Bid. The restrictions and provisions of this Chapter requiring competitive bidding shall not apply:

A. To contracts involving the obtaining of professional or specialized services, such as, but not limited to, services rendered by architects, attorneys, engineers and other specialized consultants;

B. Where calling for bids on a competitive basis is unavailing or impossible, including, but not limited to, situations where rates are set by statute or ordinance or where like items are traded in, or where used items are being purchased;

C. Where the Borough's requirements can be met solely by an article or process obtainable only from a single source;

D. To placement of insurance coverage;

E. When public work is performed by the Borough with its own employees;

F. When it is advantageous to the Borough to enter into a contract with a bidder for the same supplies or services such bidder is providing another Alaskan local government, the state of Alaska, or the United States, where such supplies or services are being provided the other governmental unit on the basis of formal bids submitted, and where the Borough contract is on substantially the same terms as those bid; or to contract with or through such other governmental unit so that the benefit of the responsible bid accrues to the Borough;

G. When competitive procedure has been followed, but no bids or quotations are received. In such a case, the purchasing agent may proceed to have the services performed or the supplies purchased without further competitive bidding;

H. To supplies, materials, equipment or contractual services purchased from another unit of government at a price deemed below that obtainable from private dealers, including war surplus; and

I. To contractual services purchased from a public utility corporation at a price or rate determined by state or other government authority.

J. To contracts which are procured by competitive sealed proposals pursuant to Section 6.24.175 of this Chapter, when the conditions for use of competitive sealed proposals under that section are met.

K. To purchases of fuel, and related container, transportation and delivery services, by the Borough's electrical utility, provided that the purchasing agent ascertains, through reasonably sufficient and commercially practicable efforts, that the fuel is being purchased by the Borough at the lowest cost available to the Borough taking into account all related expenses. Purchases made under this paragraph do not require Assembly approval under section 6.24.070 of this Chapter.

6.24.175 Competitive Sealed Proposals.

A. When the Borough Purchasing Agent determines in writing that the use of competitive sealed bidding is either not practicable or not advantageous to the Borough, a contract may be entered into by competitive sealed proposals.

B. When the purchasing agent determines that it is advantageous to the Borough, the purchasing agent may issue a request for proposals requesting the submission of offers to provide construction in accordance with a design provided by the offeror. The request for proposals shall require that each proposal submitted contain a single price that includes the design/build.

C. A request for competitive sealed proposals must contain the date, time, and place for delivering proposals, a specific description of the supplies, construction, services, or

professional services to be provided under the contract, and the terms under which the supplies, construction, services, or professional services are to be provided. The request must require the offeror, no later than five working days after the proposal that is the most advantageous to the Borough is identified, to list subcontractors the offeror proposes to use in the performance of the contract. The list must include the name and location of the place of business for each subcontractor, the work to be subcontracted to each subcontractor, and evidence of the subcontractor's valid Alaska business license. An offeror for a construction contract shall also submit evidence of the offeror's registration under AS 08.18 and evidence of registration for each listed subcontractor.

D. A request for proposals must contain that information necessary for an offeror to submit a proposal, or contain references to any information that cannot reasonably be included with the request. The request must provide a description of the factors that will be considered by the purchasing agent when evaluating the proposals received, including the relative importance of price and other evaluation factors.

E. Notice of a request for proposals shall be given in accordance with procedures under Section 6.24.100. The purchasing agent may use additional means considered appropriate to notify prospective offerors of the intent to enter into a contract through competitive sealed proposals.

F. If a subcontractor on an offeror's list did not have a valid Alaska business license and a valid certificate of registration under AS 08.18 at the time the proposal was opened, the offeror may not use the subcontractor in the performance of the contract, and shall replace the subcontractor with a subcontractor who had a valid Alaska business license and a valid certificate of registration under AS 08.18 at the time the proposal was opened.

An offeror may replace a listed subcontractor if the subcontractor

- (1) fails to comply with AS 08.18;
- (2) files for bankruptcy or becomes insolvent;
- (3) fails to execute a contract with the offeror involving performance of the work for which the subcontractor was listed and the offeror acted in good faith;

- (4) fails to obtain required bonding;
- (5) fails to obtain insurance acceptable to the Borough;
- (6) fails to perform the contract with the offeror involving work for which the subcontractor was listed;
- (7) must be substituted in order for the offeror to satisfy required state and federal affirmative action requirements;
- (8) refuses to agree or abide with the offeror's labor agreement; or
- (9) is determined by the purchasing agent not to be a responsible subcontractor.

G. A bidder who attempts to circumvent the requirements of subsection (C) hereof by listing as a subcontractor another contractor who, in turn, sublets the majority of the work required under the contract violates this section.

H. If a contract is awarded to an offeror who violates the requirements of subsection (C) hereof, the purchase agent may

- (1) cancel the contract; or
- (2) after notice and a hearing, assess a penalty on the offeror in an amount that does not exceed 10 percent of the value of the subcontract at issue.

I. The offeror must have a valid Alaska business license at the time its proposal was opened.

J. The purchasing agent shall open proposals so as to avoid disclosure of contents to competing offerors during the process of negotiation. The proposals are open for public inspection after the notice of intent to award a contract is issued. To the extent that the offeror designates and the purchasing agent concurs, trade secrets and other proprietary data contained in the proposal documents are confidential.

K. Discussions may be conducted with responsible offerors who submit proposals determined to be reasonably susceptible of being selected for award for the purpose of clarification to assure full understanding of, and responsiveness to, the solicitation requirements. Offerors reasonably susceptible of being selected for award shall be accorded fair and equal treatment with respect

to any opportunity for discussion and revision of proposals, and revisions may be permitted after submissions and before the award of the contract for the purpose of obtaining best and final offers. In conducting discussions, the purchasing agent may not disclose information derived from proposals submitted by competing offerors.

L. The purchasing agent or, if the contract is for more than fifteen thousand dollars, the Assembly, shall award a contract under competitive sealed proposals to the responsible and responsive offeror whose proposal is determined in writing to be the most advantageous to the Borough taking into consideration price and the evaluation factors set out in the request for proposals. In determining whether a proposal is advantageous to the Borough, the purchasing agent or Assembly shall take into account whether the offeror is a local bidder who has maintained a place of business within the Borough for a period of six months preceding the date of the request for proposals. For the purpose of evaluating cost factors, the proposed costs of an offeror who qualifies as a local bidder shall be reduced by five percent (5%). Factors and criteria other than those set forth in the request for proposals may not be used in the evaluation. The contract file must contain the basis on which the award is made. The minutes of the Assembly relating to the award decision may be used as the basis for the award.

M. The purchasing agent or, if the contract is for more than fifteen thousand dollars, the Assembly, may either make an award or reject all proposals and resolicit proposals.

N. A contract awarded under competitive sealed proposals must contain

- (1) the amount of the contract stated on its first page;
- (2) the date for the supplies to be delivered or the dates for construction, services, or professional services to begin and be completed; and
- (3) a description of the supplies, construction, services, or professional services to be provided.

6.24.180 Contracts of Five Thousand Dollars or Less. Unless otherwise prohibited by the ordinances of the Borough, purchases of materials, supplies, equipment or contractual services, where

the actual cost is five thousand dollars or less, may be made on the open market without competitive bidding.

6.24.190 Contracts Between Five and Fifteen Thousand Dollars.

A. All purchases of supplies, materials, equipment and contractual services of a total estimated value of more than five thousand dollars and less than fifteen thousand dollars shall be made in the open market without newspaper advertisement and without observing the procedure prescribed by this title for formal purchasing or sale procedures.

B. Open market purchases or sales made under this section shall, whenever possible, be based on at least three competitive bids and shall be awarded to the lowest responsible bidder in accordance with the standards set forth in Sections 6.24.090 through 6.24.170 of this Chapter.

C. The purchasing agent may solicit either oral or written bids for open market purchases or sales.

D. The purchasing agent shall keep a record of all open market bids submitted in competition thereon, and such records shall also be open to public inspection.

6.24.200 Insurance Policies.

A. The Borough shall purchase policies of insurance by the open market procedures provided in this Chapter.

B. Open market procedures may not be required for a policy which:

1. Has an annual premium or charge of less than two hundred fifty dollars;
2. Provides liability coverage for a single event;
3. Is for property title insurance; or
4. Has its premium or charge fixed by state statute.

C. Open market procedures may not be required for a change in an insurance policy in effect, or to acquire policies supplemental to an existing policy if the policies in effect cannot

be changed, provided that the change or supplemental policies are approved by the Assembly.

6.24.210 Subdivision of Specifications Prohibited. No project or contract specifications shall be subdivided, to avoid the requirements of this title. This provision shall not preclude the use of alternate deductible items.

6.24.220 Emergency Contracts. Whenever, because of any emergency, it is deemed necessary and in the public interest by the Mayor to enter into any contract without following the competitive bidding procedures as may be required by this title, the Mayor shall authorize such emergency contract if the estimated sum involved is less than fifteen thousand dollars. If the estimated contract sum involved is greater than fifteen thousand dollars, the Mayor shall refer any proposed emergency contract to the Assembly for its approval and authorization to waive the competitive bidding procedures.

6.24.230 Encumbrance of Funds. Except in cases of emergency declared by the Mayor or the Assembly as provided in this chapter, no contract or any change order to an existing contract shall be authorized unless there is a sufficient unencumbered balance in the budget appropriation of the using agency or sufficient bond funds available, in excess of actual expenditures or commitments, to cover such contract or change order.

6.24.240 State Procurement Code. If the bidding procedures set out in the State Procurement Code (AS 36.30.005 et seq.) are applicable to any contract to which the Borough is a party, then those procedures shall govern in the case of any inconsistency between those procedures and the procedures set out in this Code.