



CITY AND BOROUGH OF SITKA

ASSEMBLY CHAMBERS
330 Harbor Drive
Sitka, AK
(907)747-1811

Meeting Agenda

City and Borough Assembly

*Mayor Matthew Hunter
Deputy Mayor Steven Eisenbeisz,
Vice Deputy Mayor Bob Potrzuski,
Aaron Bean, Kevin Knox, Dr. Richard Wein,
Benjamin Miyasato*

*Municipal Administrator: Keith Brady
Municipal Attorney: Brian Hanson
Municipal Clerk: Sara Peterson*

Tuesday, January 9, 2018

6:00 PM

Assembly Chambers

REGULAR MEETING

I. CALL TO ORDER

II. FLAG SALUTE

III. ROLL CALL

IV. CORRESPONDENCE/AGENDA CHANGES

[18-005](#) Reminders, Calendars and General Correspondence

Attachments: [Reminders and Calendars.pdf](#)
[December_Director_Report.pdf](#)
[Nisbet certificate.pdf](#)

V. CEREMONIAL MATTERS

none anticipated

VI. SPECIAL REPORTS: Government to Government, Municipal Boards/Commissions/Committees, Sitka Community Hospital, Municipal Departments, School District, Students and Guests (five minute time limit)

[18-002](#) The Rand Corporation - Katie Whipkey

Attachments: [The Rand Corporation.pdf](#)

VII. PERSONS TO BE HEARD

Public participation on any item off the agenda. All public testimony is not to exceed 3 minutes for any individual, unless the mayor imposes other time constraints at the beginning of the agenda item.

VIII. REPORTS

a. Mayor, b. Administrator, c. Attorney, d. Liaison Representatives, e. Clerk, f. Other

IX. CONSENT AGENDA

All matters under Item IX Consent Agenda are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

A [18-003](#) Approve the minutes of the December 26 Assembly meeting

Attachments: [Consent and Minutes.pdf](#)

B [18-004](#) Liquor license applications: 1) Approve a liquor license renewal for Ludvig's Bistro Inc. dba Ludvig's Bistro at 256 Katlian Street, 2) Approve a liquor license renewal for Alejandro Vazquez dba Agave Mexican Restaurant at 236 Lincoln Street Suite 107, and, 3) Approve a liquor license renewal for Sitka Jet Center, Inc. dba Sitka Hotel at 118 Lincoln Street

Attachments: [Motion and Memos liquor license renewals.pdf](#)

[Ludvig's app.pdf](#)

[Agave app.pdf](#)

[Sitka Hotel app.pdf](#)

X. BOARD, COMMISSION, COMMITTEE APPOINTMENTS

C [18-006](#) Appoint Cindy Litman to an unexpired term on the Library Commission

Attachments: [Litman application.pdf](#)

XI. UNFINISHED BUSINESS:

None.

XII. NEW BUSINESS:

- D** [RES 18-01](#) Adopting an alternative allocation method for the FY18 Shared Fisheries Business Tax Program and certifying that this allocation method fairly represents the distribution of significant effects of fisheries business activity in FMA 18: Central Southeast Area

Attachments: [Motion and Memo Res 2018-01.pdf](#)
[Res 2018-01.pdf](#)
[application.pdf](#)

- E** [RES 18-02](#) Supporting the Sitka Tribe of Alaska and the 2018 Board of Fisheries discussion on subsistence herring egg harvest in Sitka Sound

Attachments: [Motion and Res 2018-02.pdf](#)
[Proposal 94.pdf](#)
[Proposal 104.pdf](#)
[Sitka Tribe of Alaska Subsistence Zone.pdf](#)
[Sitka Tribe of Alaska Subsistence Zone new areas \(003\).pdf](#)
[Sitka Tribe of Alaska 10% Harvest Cap \(003\).pdf](#)
[STA MOU.pdf](#)

XIII. PERSONS TO BE HEARD:

Public participation on any item on or off the agenda. Not to exceed 3 minutes for any individual.

XIV. EXECUTIVE SESSION

- F** [18-001](#) Update from legal counsel regarding the defense of the litigation arising out of the August 18, 2015 landslide events

Attachments: [Motion Executive Session.pdf](#)

XV. ADJOURNMENT

Note: Detailed information on these agenda items can be found on the City website at <https://sitka.legistar.com/Calendar.aspx> or by contacting the Municipal Clerk's Office at City Hall, 100 Lincoln Street or 747-1811. A hard copy of the Assembly packet is available at the Sitka Public Library. Assembly meetings are aired live on KCAW FM 104.7 and via video streaming from the City's website. To receive Assembly agenda notifications, sign up with GovDelivery on the City website.

*Sara Peterson, CMC, Municipal Clerk
Publish: January 5*



CITY AND BOROUGH OF SITKA

Legislation Details

File #: 18-005 **Version:** 1 **Name:**

Type: Item **Status:** AGENDA READY

File created: 1/3/2018 **In control:** City and Borough Assembly

On agenda: 1/9/2018 **Final action:**

Title: Reminders, Calendars and General Correspondence

Sponsors:

Indexes:

Code sections:

Attachments: [Reminders and Calendars.pdf](#)
[December_Director_Report.pdf](#)
[Nisbet_certificate.pdf](#)

Date	Ver.	Action By	Action	Result
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REMINDERS

<u>DATE</u>	<u>EVENT</u>	<u>TIME</u>
Tuesday, January 9	Regular Meeting	6:00 PM
Wednesday, January 17	Joint Work Session <i>with the Sitka School Board at the Sitka High School Library</i>	6:00 PM
Tuesday, January 23	Regular Meeting	6:00 PM
Tuesday, January 30	Work Session: Tax Exemptions	6:00 PM



Assembly Calendar

2017 Jan Feb Mar Apr May Jun Jul Aug Sep Oct Nov Dec 2019

January 2018

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
31 <u>Dec</u>	1 <u>Jan</u>	2	3	4	5	6
	HOLIDAY	Eisenbeisz	Eisenbeisz 6:30pm Library Commission	Eisenbeisz	Eisenbeisz	Eisenbeisz
7	8	9	10	11	12	13
Eisenbeisz	Eisenbeisz	Eisenbeisz 12:00pm Parks & Rec 6:00pm <u>Regular Assembly Mtg</u>	Eisenbeisz 12:00pm Health Needs & Human Services Commission 6:00pm Historic Preservation 6:15pm Port & Harbors Commission	Eisenbeisz 12:00pm LEPC 7:00pm Planning	Eisenbeisz 3:00pm Investment Committee	Eisenbeisz
14	15	16	17	18	19	20
		12:00pm <u>Tree/Landscape</u> 7:00pm <u>Planning</u>	6:00pm <u>Joint Work Session: Assembly and School Board - at Sitka High School Library</u>	12:00pm SEDA Board		
21	22	23	24	25	26	27
		6:00pm <u>Regular Assembly Mtg</u>	6:00pm Police and Fire Commission	Knox 6:00pm Hospital Board Meeting	Knox	Knox
28	29	30	31	1 <u>Feb</u>	2	3
Knox	Knox	6:00pm <u>Work Session: Tax Exemptions</u>				

Assembly Calendar

2017 Jan Feb Mar Apr May Jun Jul Aug Sep Oct Nov Dec 2019

February 2018

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
28 <u>Jan</u>	29	30	31	1 <u>Feb</u>	2	3
Knox	Knox	6:00pm Work Session: Tax Exemptions				
4	5	6	7	8	9	10
		7:00pm Planning	6:30pm Library Commission	12:00pm LEPC		
11	12	13	14	15	16	17
		12:00pm Parks & Rec 6:00pm <u>Regular Assembly Mtg</u>	12:00pm Health Needs & Human Services Commission 6:00pm Historic Preservation 6:15pm Port & Harbors Commission	Knox	Knox	Knox
18	19	20	21	22	23	24
Knox	Knox HOLIDAY	12:00pm Tree/Landscape 6:00pm Work Session: Fiscal Plan 7:00pm Planning		6:00pm Hospital Board Meeting		
25	26	27	28	1 <u>Mar</u>	2	3
		6:00pm <u>Regular Assembly Mtg</u>	6:00pm Police and Fire Commission	12:00pm SEDA Board Meeting		



City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

Library Director Report: December 2017

Highlights: The Film Noir Club event attracted over 40 attendees for the second consecutive month. SPL's Reading Wonderland event on 12/16 provided free books to children and raised money for the hurricane relief effort in the Caribbean Islands, Mexico and Puerto Rico. The donations are being sent to the American Library Association Disaster Relief fund.

Facility Update: The floor tiling work has been completed. A new strike plate was installed on the rear door of the building to address security concerns. Rewiring of the light system in the Children's Room is still pending. The door latch separating the Children's Room from the Multi-purpose Room is not catching.

Stats:

8,842 people visited the Library in December
8,632 physical materials checked out
707 digital materials checked out
695 renewed items, 830 in-house used items
147 attendees at 5 Adult Programs
213 Attendees at 9 Youth Programs
334 total public computer sessions
73 combined hours of public computer time usage
29 Meeting Room uses
38 Study Room uses
24 Teen Lab uses
5 tests proctored
4 policy infractions

Notes: Print Management software is scheduled to be installed for the public computers in January 2018.

Service Award

On behalf of the City and Borough of Sitka is hereby awarded to

Cora Nisbet

*this expression of grateful acknowledgment for your three years of
valued service rendered in the public interest while serving on the
Tree and Landscape Committee. Thank you!*

Signed and sealed this 9th day of January, 2018



Matthew

Mayor, Matthew Hunter

Sara Peterson

ATTEST: Municipal Clerk, Sara Peterson



CITY AND BOROUGH OF SITKA

Legislation Details

File #: 18-002 Version: 1 Name:
Type: Item Status: AGENDA READY
File created: 1/3/2018 In control: City and Borough Assembly
On agenda: 1/9/2018 Final action:
Title: The Rand Corporation - Katie Whipkey
Sponsors:
Indexes:
Code sections:
Attachments: [The Rand Corporation.pdf](#)

Date	Ver.	Action By	Action	Result
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Special Report

The Rand Corporation - Katie Whipkey



www.rand.org



In Sitka, landslides represent a rare, sometimes catastrophic, and difficult-to-predict hazard affecting safety and security of lives and properties. Despite significant dangers associated with landslides, current landslide warning systems do not provide adequate risk reduction for most communities worldwide, and Sitka is no exception.

A collaborative research team of RAND Corporation, the Sitka Sound Science Center, the City and Borough of Sitka, and other partners is working to deepen the scientific shared understanding of the natural science of landslide prediction and the social science of warning and response systems. This network and shared understanding will define a tightly integrated scientific approach to collaboratively build a smart and connected predictive warning system that increases community safety. The research team has been [awarded](#) a planning grant from the National Science Foundation (NSF) to prepare to submit a [proposal](#) for a full-scale, multi-year research effort. If awarded, this full-scale grant will support creating this network and establishing meaningful connections with Sitka with the purpose of leaving behind sustaining and useful capabilities.

The first step to creating such a system is empowering the community to reflect on their own social connectedness and resilience. Through a series of conversations, the research team is seeking to build an understanding of the issues at the heart of a community, particularly those identified by citizens and governments, and taking the time to figure out how to come to the best solution for landslide forecasting and warning. As a result, the community will help define and co-produce the research plan for the grant. These community conversations will cover key topics including: (1) assessing gaps in landslide hazard prediction and forecasting in Sitka and Southeast Alaska; (2) collecting needs and concerns of community members for a warning and prediction system; (3) determining research and decision support needs of local government decisionmakers and homeowners; and (4) identifying and clarifying priority topics for the full proposal to NSF.

Public meetings for discussion will be held on the following days at the **Sitka Sound Science Center** in the Karsh Classroom:

Wednesday, January 10 from 6:00-7:00pm

Friday, January 12 from 8:00-9:00am

About RAND

The RAND Corporation (www.rand.org) is an independent, not-for-profit organization guided by a commitment to use objective analysis to make a positive difference in the way the world works. Since its founding in 1948, RAND has been a defining force in the field of policy research and analysis.

For questions or comments, contact Katie Whipkey, Policy Analyst, RAND Corporation: kwhipkey@rand.org or (412) 683-2300 extension 4684.



CITY AND BOROUGH OF SITKA

Legislation Details

File #: 18-003 Version: 1 Name:

Type: Item Status: AGENDA READY

File created: 1/3/2018 In control: City and Borough Assembly

On agenda: 1/9/2018 Final action:

Title: Approve the minutes of the December 26 Assembly meeting

Sponsors:

Indexes:

Code sections:

Attachments: [Consent and Minutes.pdf](#)

Date	Ver.	Action By	Action	Result
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CONSENT AGENDA

POSSIBLE MOTION

**I MOVE TO APPROVE THE CONSENT AGENDA
CONSISTING OF ITEMS A & B**

I wish to remove Item(s) _____

**REMINDER – Read aloud a portion of each item being
voted on that is included in the consent vote.**

Should this item be pulled from the Consent Agenda the following motion is suggested:

POSSIBLE MOTION

I MOVE TO approve the minutes of the
December 26th Assembly meeting.



CITY AND BOROUGH OF SITKA

ASSEMBLY CHAMBERS
330 Harbor Drive
Sitka, AK
(907)747-1811

Minutes - Draft

City and Borough Assembly

*Mayor Matthew Hunter
Deputy Mayor Steven Eisenbeisz,
Vice Deputy Mayor Bob Potrzuski,
Aaron Bean, Kevin Knox, Dr. Richard Wein,
Benjamin Miyasato*

*Municipal Administrator: Keith Brady
Municipal Attorney: Brian Hanson
Municipal Clerk: Sara Peterson*

Tuesday, December 26, 2017

6:00 PM

Assembly Chambers

REGULAR MEETING

I. CALL TO ORDER

II. FLAG SALUTE

III. ROLL CALL

Present: 7 - Miyasato, Eisenbeisz, Potrzuski, Hunter, Knox, Bean, and Wein

IV. CORRESPONDENCE/AGENDA CHANGES

17-202 Reminders, Calendars and General Correspondence

No agenda changes.

V. CEREMONIAL MATTERS

None.

VI. SPECIAL REPORTS: Government to Government, Municipal Boards/Commissions/Committees, Sitka Community Hospital, Municipal Departments, School District, Students and Guests (five minute time limit)

None.

VII. PERSONS TO BE HEARD

Jennifer Herrera, Sitka Against Family Violence (SAFV) Director introduced herself and thanked the Assembly for their support. Christopher Brewton encouraged the

Assembly to market the previously passed ordinance 2017-39S that added Commercial Electric Rate Temporary Incentive Program to the Sitka General Code. He suggested public education, offered an alternate incentive rate proposal, and told of options. Doug Osborne mentioned a petition for raising the minimum legal age to purchase tobacco from 19 to 21, told of other national and local supporting groups, and gave history of the policy.

VIII. REPORTS

a. Mayor, b. Administrator, c. Attorney, d. Liaison Representatives, e. Clerk, f. Other

Mayor - Hunter mentioned he watched the boat parade and encouraged boats to participate next year.

Administrator - Brady clarified that most of the city's projects were either at budget or under budget. He asked the Assembly rather than have a work session prior to Assembly meetings to hold them on the third Tuesday of the month. He stated there were sales tax collection and exemptions, building capital improvements including the school and hospital, and fiscal/debt policy work sessions impending.

Liaisons - Potrzuski reported on the Gary Paxton Industrial Park Board of Directors. Wein reported on the Health Needs and Human Services Commission meeting. Bean spoke of the Port and Harbors Commission meeting and the Historic Preservation Commission meeting.

Other - Wein told of upcoming Hospital Board vacancies.

IX. CONSENT AGENDA

- A 17-200** Approve the minutes of the December 5 and December 12 Assembly meetings

A motion was made by Potrzuski that the Consent Agenda consisting of Item A be APPROVED. The motion PASSED by a unanimous voice vote.

X. BOARD, COMMISSION, COMMITTEE APPOINTMENTS

- B 17-201** Reappoint Dan Littlefield to a three-year term on the Building Department Appeals Board

A motion was made by Knox that this Item be APPROVED. The motion PASSED by the following vote.

Yes: 7 - Miyasato, Eisenbeisz, Potrzuski, Hunter, Knox, Bean, and Wein

XI. UNFINISHED BUSINESS:

- C ORD 17-37S** Adjusting the FY18 Budget (*Donation to St. Michael's Cathedral renovation project*) - possible executive session

Potrzuski was in support of the ordinance stating it was an iconic building that drew

visitors by the thousands. Municipal Attorney Hanson mentioned a letter received from a Madison, Wisconsin, non-profit organization called the Freedom from Religion Foundation. He was unsuccessful in contacting the attorney who wrote the letter. He stated it contradicts his opinion. Wein stated that there was a lot of case law in favor, and his opinion to support this ordinance had not changed. Mayor Hunter told of the funding for visitors, was in support of this, and thought that the structure was needed for people to continue to visit Sitka. He had concerns of a lawsuit although did not feel this action would be unconstitutional after reviewing the cases cited in the letter because the funds were strictly going to the outside of the building. Knox inquired of any potential legal issues and would like an open discussion. Hanson answered there was not a threat of lawsuit from the letter received, however there was risk of a lawsuit. Mayor Hunter said he was told by a citizen that they would sue if this passed. Bean stated although this was a historic, iconic building, he was not in support of this ordinance, told of comments from citizens also stating they would take action if this was passed, and felt this was an act of congregation. Potrzuski stated the Russian Bishop's house was an active church and that he did not have concerns with the ordinance.

Wein said an important distinction should be made between the church's function of worshiping from other functions and that the Visitor's Enhancement Fund was open to everyone. Hanson spoke to risk, that there were considerable distinctions to be made, and felt this did not violate the establishment clause. He suggested the Assembly look at the practical and political view along with the economics of it if a lawsuit were to be filed. He gave examples of case law stating it was not case on point. He said there were risks that could be challenged in court. Mayor Hunter thought this was similar to funding that was approved by the Assembly in the past. Hanson stated the funds were to enhance and to promote visitors, and it was a one time donation. Bean thought that by giving this donation, it would advance religion. Hanson told of the divertibility defense argument. Wein gave examples of the defense. Mayor Hunter was in support although had concerns of a lawsuit and it causing attorney costs. Knox agreed stating that this was a worthy cause and thought it supported visitor industry. Miyasato was in support. Wein did not think this ordinance was promoting religious education and was in support of it.

A motion was made by Potrzuski that this Ordinance be APPROVED on SECOND AND FINAL READING. The motion FAILED by the following vote.

Yes: 3 - Miyasato, Potrzuski, and Wein

No: 4 - Eisenbeisz, Hunter, Knox, and Bean

D ORD 17-41

Adjusting the FY18 Sitka Community Hospital Budget (Electronic Health Records Project)

Wein thought the project was needed for billing, told of cost, and stated he would not be supporting the ordinance. Eisenbeisz wondered if it was possible to move forward without this system. Potrzuski thought the current system was antiquated, reminded that they were paying for the Electronic Health Record (EHR) system out of their cash flow, and reiterated the out clause. Mayor Hunter reminded that the hospital was part of the city, thought that the EHR system was needed in order for the hospital to survive, and had been told by employees of concerns with the current system. Knox stated the standard of care included an EHR system, wondered about contradicting benefits of an EHR system, but thought it was a critical step forward.

Steven Hartford, Director of Operations for Sitka Community Hospital stated that the new system would, over the span of seven years, cost \$3.8 million for Cerner with additional costs of \$1.5 million anticipated for implementation that included hardware upgrades, support, and development of system. He stated the amount was less than 2% of the annual budget and felt was critical for total operation which included: business operation, budgeting, billing, patient care, delivery of care, and managing all services. He said every hospital needed an EHR system and that the current system did not function at a level that was needed. Hartford confirmed that Medicare would offset the cost by 30% annually. Wein said that the hospital needed an EHR system, however his concern was that a survivable hospital was needed to utilize the system.

A motion was made by Miyasato that this Ordinance be APPROVED on SECOND AND FINAL READING. The motion PASSED by the following vote.

Yes: 6 - Miyasato, Eisenbeisz, Potrzuski, Hunter, Knox, and Bean

No: 1 - Wein

E ORD 17-43 Adjusting the FY18 Budget (*GPIP Site Clean Up Project*)

Potrzuski and Mayor Hunter thought it was important that the lessee be bonded. Eisenbeisz mentioned the importance of the lessee being bonded prior to occupancy.

A motion was made by Potrzuski that this Ordinance be APPROVED on SECOND AND FINAL READING. The motion PASSED by the following vote.

Yes: 7 - Miyasato, Eisenbeisz, Potrzuski, Hunter, Knox, Bean, and Wein

F ORD 17-44 Adjusting the FY18 Budget (Pass thru grants, Justice Assistance Grant - Personnel)

A motion was made by Miyasato that this Ordinance by APPROVED on SECOND AND FINAL READING. The motion PASSED by the following vote.

Yes: 7 - Miyasato, Eisenbeisz, Potrzuski, Hunter, Knox, Bean, and Wein

XII. NEW BUSINESS:

None.

XIII. PERSONS TO BE HEARD:

Tom Gamble told of the Board of Fish proposals and impacts. He requested that the city take note of the Comprehensive Plan to protect: subsistence resource, the government to government relationship with Sitka Tribe of Alaska, and the economic interest of the community. He urged the Assembly to comment on the finfish proposals to mitigate impacts on herring and other wildlife. He stated he was in support of the donation to St. Michael's Cathedral and suggested a statue of Katlian if there was still money in the fund.

XIV. EXECUTIVE SESSION

None.

XV. ADJOURNMENT

A motion was made by Miyasato to ADJOURN. Hearing no objections, the meeting ADJOURNED at 7:20 p.m.

ATTEST:

Melissa Henshaw, CMC
Acting Municipal Clerk



CITY AND BOROUGH OF SITKA

Legislation Details

File #: 18-004 Version: 1 Name:

Type: Item Status: AGENDA READY

File created: 1/3/2018 In control: City and Borough Assembly

On agenda: 1/9/2018 Final action:

Title: Liquor license applications: 1) Approve a liquor license renewal for Ludvig's Bistro Inc. dba Ludvig's Bistro at 256 Katlian Street, 2) Approve a liquor license renewal for Alejandro Vazquez dba Agave Mexican Restaurant at 236 Lincoln Street Suite 107, and, 3) Approve a liquor license renewal for Sitka Jet Center, Inc. dba Sitka Hotel at 118 Lincoln Street

Sponsors:

Indexes:

Code sections:

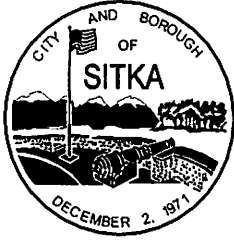
Attachments: [Motion and Memos liquor license renewals.pdf](#)
[Ludvig's app.pdf](#)
[Agave app.pdf](#)
[Sitka Hotel app.pdf](#)

Date	Ver.	Action By	Action	Result
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Should this item be pulled from the Consent Agenda the following motion is suggested:

POSSIBLE MOTION

I MOVE TO approve liquor license renewal applications for: 1) Ludvig's Bistro Inc. dba Ludvig's Bistro at 256 Katlian Street, 2) Alejandro Vazquez dba Agave Mexican Restaurant at 236 Lincoln Street Suite 107, and, 3) Sitka Jet Center, Inc. dba Sitka Hotel at 118 Lincoln Street, and forward these approvals to the Alcoholic Beverage Control Board without objection.



City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

MEMORANDUM

To: Mayor Hunter and Assembly Members
Keith Brady, Municipal Administrator

From: Sara Peterson, Municipal Clerk

Date: January 3, 2018

Subject: Approve liquor license renewal applications for Ludvig's Bistro, Agave Mexican Restaurant and Sitka Hotel

Our office has received notification of the following three liquor license renewal applications:

Lic #: 4246
DBA: Ludvig's Bistro
License Type: Restaurant/Eating Place
Licensee: Ludvig's Bistro Inc.
Premises Address: 256 Katlian Street

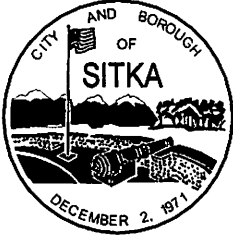
Lic #: 4854
DBA: Agave Mexican Restaurant
License Type: Restaurant/Eating Place
Licensee: Alejandro Vazquez
Premises Address: 236 Lincoln Street Suite 107

Lic #: 5442
DBA: Sitka Hotel
License Type: Beverage Dispensary - Tourism
Licensee: Sitka Jet Center, Inc.
Premises Address: 118 Lincoln Street

A memo was circulated to the various departments who may have a reason to protest. No departmental objections were received.

Recommendation:

Approve liquor license renewal applications for: 1) Ludvig's Bistro Inc. dba Ludvig's Bistro at 256 Katlian Street, 2) Alejandro Vazquez dba Agave Mexican Restaurant at 236 Lincoln Street Suite 107, and, 3) Sitka Jet Center, Inc. dba Sitka Hotel at 118 Lincoln Street, and forward these approvals to the Alcoholic Beverage Control Board without objection.



City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

MEMORANDUM

To: Utility Billing Clerk – Diana
Collections - Sunni
Municipal Billings – Lindsey
Sales Tax/Property Tax - Hannah
Fire Department
Police Department
Building Official(s)

From: Sara Peterson, Municipal Clerk

Date: December 20, 2017

Subject: Liquor License Renewal Application – Ludvig's Bistro

Our office has received notification of the following liquor license renewal application:

Lic #: 4246
DBA: Ludvig's Bistro
License Type: Restaurant/Eating Place
Licensee: Ludvig's Bistro Inc.
Premises Address: 256 Katlian Street

Please notify no later than **noon on Tuesday, January 2** of any reason to protest this renewal request.

Thank you.



City & Borough of Sitka
Municipal Clerk's Office
100 Lincoln Street, Sitka AK 99835
Telephone: 907-747-1811 Fax: 907-747-4004



Memorandum

To: Utility Billing Clerk – Diana
Collections - Sunni
Municipal Billings – Lindsey
Sales Tax/Property Tax - Hannah

Fire Department
Police Department
Building Official(s)

From: Melissa Henshaw, Acting Municipal Clerk

Date: December 28, 2017

Subject: Liquor License Renewal Application – Agave Mexican Restaurant

Our office has received notification of the following liquor license renewal application:

Lic #: 4854
DBA: Agave Mexican Restaurant
License Type: Restaurant/Eating Place
Licensee: Alejandro Vazquez
Premises Address: 236 Lincoln Street Suite 107

Please notify **no later than noon on Tuesday, January 2nd** of any reason to protest these renewal requests.

Thank you.



City & Borough of Sitka
Municipal Clerk's Office
100 Lincoln Street, Sitka AK 99835
Telephone: 907-747-1811 Fax: 907-747-4004



Memorandum

To: Utility Billing Clerk – Diana
Collections - Sunni
Municipal Billings – Lindsey
Sales Tax/Property Tax - Hannah

Fire Department
Police Department
Building Official(s)

From: Melissa Henshaw, Acting Municipal Clerk

Date: December 28, 2017

Subject: Liquor License Renewal Application – Sitka Jet Center, Inc. DBA Sitka Hotel

Our office has received notification of the following liquor license renewal application:

Lic #: 5442
DBA: Sitka Hotel
License Type: Beverage Dispensary - Tourism
Licensee: Sitka Jet Center, Inc.
Premises Address: 118 Lincoln Street

Please notify **no later than noon on Tuesday, January 2nd** of any reason to protest these renewal requests.

Thank you.



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

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

ALCOHOL & MARIJUANA CONTROL OFFICE
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

December 20, 2017

City and Borough of Sitka

Attn: Sara Peterson, Municipal Clerk

Via Email: sara.peterson@cityofsitka.org
melissa.henshaw@cityofsitka.org

Re: Notice of 2018/2019 Liquor License Renewal Application

License Type:	Restaurant/Eating Place	License Number:	4246
Licensee:	Ludvig's Bistro Inc.		
Doing Business As:	Ludvig's Bistro		

We have received a completed renewal application for the above listed license (see attached application documents) within your jurisdiction. This is the notice required under AS 04.11.480.

A local governing body may protest the approval of an application(s) pursuant to AS 04.11.480 by furnishing the director **and** the applicant with a clear and concise written statement of reasons for the protest within 60 days of receipt of this notice, and by allowing the applicant a reasonable opportunity to defend the application before a meeting of the local governing body, as required by 3 AAC 304.145(d). If a protest is filed, the board will deny the application unless the board finds that the protest is arbitrary, capricious, and unreasonable.

To protest the application referenced above, please submit your written protest within 60 days, and show proof of service upon the applicant and proof that the applicant has had a reasonable opportunity to defend the application before a meeting of the local governing body.

Sincerely,

A handwritten signature in cursive script that reads "Erika McConnell".

Erika McConnell, Director
amco.localgovernmentonly@alaska.gov



Alcohol and Marijuana Control Office
550 W 7th Avenue, Suite 1600
Anchorage, AK 99501
alcohol.licensing@alaska.gov
<https://www.commerce.alaska.gov/web/amco>
Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board

Master Checklist: Renewal Liquor License Application

License Type:	REP	License Number:	4246
Doing Business As:	Ludvig's Bistro		
Examiner:	Carrie	Transaction #:	1020520

Document	Received	Completed	Notes
AB-17: Renewal Application	12/15	12/15	
App and License Fees	12/15	12/15	

Supplemental Document	Received	Completed	Notes
Tourism/Rec Site Statement			
AB-25: Supplier Cert (WS)			
AB-29: Waiver of Operation			
AB-30: Minimum Operation			
Fingerprint Cards & Fees / AB-08a: Crim. History			
Late Fee			

Names on FP Cards:	
--------------------	--

	Yes	No
Selling alcohol in response to written order (package stores)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mailing address different than one in database?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
In "Good Standing" with CBPL (skip this and next question for sole proprietor)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Officers and stockholders match CBPL and database (if "No", determine if transfer necessary)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>



Alaska Alcoholic Beverage Control Board

Restaurant or Eating Place License

Form AB-17a: 2018/2019 Renewal License Application

Alcohol and Marijuana Control Office
550 W 7th Avenue, Suite 1600
Anchorage, AK 99501
alcohol.licensing@alaska.gov
<https://www.commerce.alaska.gov/web/amco>
Phone: 907.269.0350

What is this form?

This renewal license application form is required for all individuals or entities seeking to apply for renewal of an existing restaurant or eating place liquor license that will expire on December 31, 2017. All fields of this form must be complete and correct, or the application will be returned to you in the manner in which it was received, per AS 04.11.270 and 3 AAC 304.105. The Community Council field only should be verified/completed by licensees whose establishments are located within the Municipality of Anchorage or outside of city limits within the Matanuska-Susitna Borough.

This form must be completed correctly and submitted to the Alcohol & Marijuana Control Office (AMCO)'s main office, along with all other required documents and fees, before any renewal license application will be considered complete.

Section 1 – Establishment and Contact Information

Enter information for the business seeking to have its license renewed. If any populated information is incorrect, please contact AMCO.

Licensee:	Ludvig's Bistro Inc.	License #:	4246
License Type:	Restaurant/Eating Place	Statute:	AS 04.11.100
Doing Business As:	Ludvig's Bistro		
Premises Address:	256 Katlian Street		
Local Governing Body:	City & Borough of Sitka		
Community Council:	None		

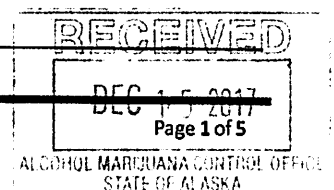
Mailing Address:	256 Katlian St.				
City:	Sitka	State:	AK.	ZIP:	99831

Enter information for the individual who will be designated as the primary point of contact regarding this application. This individual must be a licensee who is required to be listed in and authorized to sign this application.

Point of Contact:	Colette Nelson		
Contact Phone:	907-738 3603	Business Phone:	907-966-3663
Contact Email:	ludvigsbistro@hotmail.com		

Seasonal License? ☐ Yes ☒ No

If "Yes", write your six-month operating period: _____





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Alaska Alcoholic Beverage Control Board

Restaurant or Eating Place License

Form AB-17a: 2018/2019 Renewal License Application

Section 2 – Authorization

Communication with AMCO staff:

Yes No

Does any person other than a licensee named in this application have authority to discuss this license with AMCO staff?

☐☒

If "Yes", disclose the name of the individual and the reason for this authorization:

--

Section 3 – Sole Proprietor Ownership Information

N/A

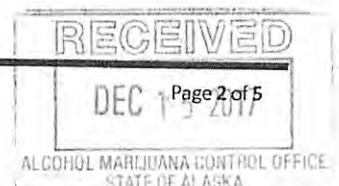
This section must be completed by any sole proprietorship who is applying for license renewal. Entities should skip to Section 4. If more space is needed, please attach a separate sheet with the required information. The following information must be completed for each licensee and each affiliate (spouse).

This individual is an: ☐ applicant ☐ affiliate

Name:					
Mailing Address:					
City:		State:		ZIP:	
Email:					
Contact Phone:					

This individual is an: ☐ applicant ☐ affiliate

Name:					
Mailing Address:					
City:		State:		ZIP:	
Email:					
Contact Phone:					





Alcohol and Marijuana Control Office
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Alaska Alcoholic Beverage Control Board

Restaurant or Eating Place License

Form AB-17a: 2018/2019 Renewal License Application

Section 4 – Entity Ownership Information

This subsection must be completed by any licensee that is a corporation or LLC. Corporations and LLCs are required to be in good standing with the Alaska Division of Corporations, Business & Professional Licensing (CBPL). You may view your entity's status or find your CBPL entity number by visiting the following site: <https://www.commerce.alaska.gov/cbp/main/search/entities>. Partnerships may skip to the second half of this page. Sole proprietorships should skip to Section 5.

Alaska CBPL Entity #:	299142 // 76667 D
-----------------------	-------------------

You must ensure that you are able to certify the following statement before signing your initials in the box to the right: Initials

I certify that this entity is in good standing with CBPL and that all current entity officials and stakeholders (listed below) are also currently and accurately listed with CBPL.

CW

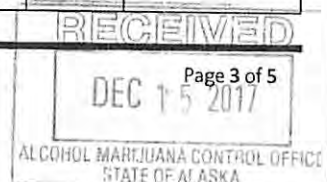
This subsection must be completed by any community or entity, including a corporation, limited liability company, partnership, or limited partnership, that is applying for renewal. If more space is needed, please attach additional completed copies of this page.

- If the applicant is a corporation, the following information must be completed for each *stockholder who owns 10% or more* of the stock in the corporation, and for each *president, vice-president, secretary, and managing officer*.
- If the applicant is a limited liability organization, the following information must be completed for each *member with an ownership interest of 10% or more*, and for each *manager*.
- If the applicant is a partnership, including a limited partnership, the following information must be completed for each *partner with an interest of 10% or more*, and for each *general partner*.

Entity Official Name:	Colette Nelson				
Title(s):	President, Secretary	Phone:	907.738.3603	% Owned:	100
Mailing Address:	256 Kathleen St.				
City:	Sitka	State:	AK.	ZIP:	99835

Entity Official Name:					
Title(s):		Phone:		% Owned:	
Mailing Address:					
City:		State:		ZIP:	

Entity Official Name:					
Title(s):		Phone:		% Owned:	
Mailing Address:					
City:		State:		ZIP:	





Alcohol and Marijuana Control Office
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Anchorage, AK 99501
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Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board

Restaurant or Eating Place License

Form AB-17a: 2018/2019 Renewal License Application

Section 5 – License Operation

Check a single box for each calendar year that best describes how this liquor license was operated:

2016 2017

The license was regularly operated continuously throughout each year, for 8 or more hours each day.

☒ ☒

The license was regularly operated during a specific season each year, for 8 or more hours each day.

☐ ☐

The license was only operated to meet the minimum requirement of 30 days each year, 8 hours each day.

☐ ☐

If this box is checked, a complete copy of Form AB-30: Proof of Minimum Operation Checklist, and all necessary documentation must be provided with this application.

The license was not operated at all or was not operated for at least the minimum requirement of 30 days each year, 8 hours each day, during one or both of the calendar years.

☐ ☐

If this box is checked, a complete copy of Form AB-29: Waiver of Operation Application and corresponding fees must be submitted with this application for each calendar year during which the license was not operated for at least the minimum requirement.

Section 6 – Violations and Convictions

Applicant violations and convictions in calendar years 2016 and 2017:

Yes No

Have any notices of violation (NOVs) been issued to this licensee in the calendar years 2016 or 2017?

☐ ☒

Has any person or entity named in this application been convicted of a violation of Title 04, of 3 AAC 304, or a local ordinance adopted under AS 04.21.010 in the calendar years 2016 or 2017?

☐ ☒

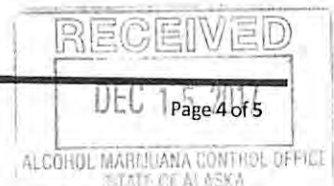
If "Yes" to either of the previous two questions, attach a separate page to this application listing all NOVs and/or convictions.

Section 7 – Alcohol Server Education

Read the line below, and then sign your initials in the box to the right of the statement:

Initials

I certify that all licensees, agents, and employees who sell or serve alcoholic beverages or check identification of a patron have completed an alcohol server education course approved by the ABC Board and keep current, valid copies of their course completion cards on the licensed premises during all working hours, as required under AS 04.21.025 and 3 AAC 304.465.





Alaska Alcoholic Beverage Control Board

Restaurant or Eating Place License

Form AB-17a: 2018/2019 Renewal License Application

Alcohol and Marijuana Control Office

550 W 7th Avenue, Suite 1600

Anchorage, AK 99501

alcohol.licensing@alaska.gov

<https://www.commerce.alaska.gov/web/amco>

Phone: 907.269.0350

Section 8 – Gross Receipts

Enter the dollar amounts of the food and gross (food + alcohol) receipts on the licensed premises, and calculate the percentage of gross receipts that are from food sales on the licensed premises for each calendar year. (Food Receipts ÷ Gross Receipts x 100 = %)

2016 Food Receipts:	\$ 419,212	2016 Gross Receipts:	\$ 598,875	% From Food:	70 %
2017 Food Receipts:	\$ 362,043	2017 Gross Receipts:	\$ 603,405	% From Food:	60 %

Section 9 – Certifications

Read each line below, and then sign your initials in the box to the right of each statement:

I certify that all current licensees (as defined in AS 04.11.260) and affiliates have been listed on this application.

Initials

CN

I certify that in accordance with AS 04.11.450, no one other than the licensee(s) has a direct or indirect financial interest in the licensed business.

CN

I certify that I have not altered the functional floor plan or reduced or expanded the area of the licensed premises, and I have not changed the business name or the ownership (including officers, managers, general partners, or stakeholders) from what is currently on file with the Alcoholic Beverage Control Board.

CN

I certify on behalf of myself or of the organized entity that I understand that providing a false statement on this form or any other form provided by AMCO is grounds for rejection or denial of this application or revocation of any license issued.

CN

As an applicant for a liquor license renewal, I declare under penalty of perjury that I have read and am familiar with AS 04 and 3 AAC 304, and that this application, including all accompanying schedules and statements, is true, correct, and complete. I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application and understand that failure to do so by any deadline given to me by AMCO staff will result in this application being returned to me as incomplete.

Signature of licensee

Colette N. Nelson

Printed name of licensee

Notary Public

State of Washington

Alexandra L. Nelson

Commission Expires 01-05-2020

Signature of Notary Public

Washington

My commission expires: 01-05-2020

Subscribed and sworn to before me this 11th day of December, 2017.

License Fee:	\$ 600.00	Application Fee:	\$ 200.00	TOTAL:	\$ 800.00
Late Fee of \$500.00 – if received or postmarked after 01/02/2018:					
Miscellaneous Fees:					
GRAND TOTAL (if different than TOTAL):					

RECEIVED

DEC 15 2017

Page 5 of 5

Department of Commerce, Community, and Economic Development
Division of Corporations, Business and Professional
Licensing

State of Alaska > Commerce > Corporations, Business, & Professional Licensing > Search & Database Download > Corp. > Corporation Details

NAME(S)

Type	Name
Legal Name	LUDVIG'S BISTRO, INC.

ENTITY DETAILS

Entity Type: Business Corporation
 Entity #: 76667D
 Status: Non-Compliant
 AK Formed Date: 6/4/2002
 Duration/Expiration: Perpetual
 Home State: ALASKA
 Next Biennial Report Due: 1/2/2018 [File Biennial Report](#)
 Entity Mailing Address:
 Entity Physical Address: 256 KATLIAN, SITKA, AK 99835

REGISTERED AGENT

Agent Name: Colette Nelson
 Registered Mailing Address:
 Registered Physical Address:

OFFICIALS

AK Entity #	Name	Titles	<input type="checkbox"/> Show Former Owned
	COLETTE NELSON	Director, President, Shareholder, Secretary, Treasurer	100

FILED DOCUMENTS

Date Filed	Type	Filing	Certificate
6/04/2002	Creation Filing	Click to View	
12/11/2003	Biennial Report	Click to View	
1/10/2006	Biennial Report	Click to View	
12/06/2011	Biennial Report	Click to View	
12/06/2011	Biennial Report	Click to View	
12/06/2011	Biennial Report	Click to View	
5/08/2014	Biennial Report	Click to View	
11/23/2015	Biennial Report	Click to View	

Juneau Mailing Address

P.O. Box 110808
 Juneau, AK 99811-0806

Physical Address

333 Willoughby Avenue
 8th Floor
 Juneau, AK 99801-1770

Phone Numbers

Main Phone: (907) 465-2550
 FAX: (907) 465-2974

Anchorage Mailing/Physical Address

550 West Seventh Avenue
 Suite 1500
 Anchorage, AK 99501-3567

Phone Numbers

Main Phone: (907) 269-8160
 FAX: (907) 269-8156



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

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

ALCOHOL & MARIJUANA CONTROL OFFICE

550 West 7th Avenue, Suite 1600

Anchorage, AK 99501

Main: 907.269.0350

December 28, 2017

City and Borough of Sitka

Attn: Sara Peterson, Municipal Clerk

Via Email: sara.peterson@cityofsitka.org

melissa.henshaw@cityofsitka.org

Re: Notice of 2018/2019 Liquor License Renewal Application

License Type:	Restaurant/Eating Place	License Number:	4854
Licensee:	Alejandro Vazquez		
Doing Business As:	Agave Mexican Restaurant		

We have received a completed renewal application for the above listed license (see attached application documents) within your jurisdiction. This is the notice required under AS 04.11.480.

A local governing body may protest the approval of an application(s) pursuant to AS 04.11.480 by furnishing the director and the applicant with a clear and concise written statement of reasons for the protest within 60 days of receipt of this notice, and by allowing the applicant a reasonable opportunity to defend the application before a meeting of the local governing body, as required by 3 AAC 304.145(d). If a protest is filed, the board will deny the application unless the board finds that the protest is arbitrary, capricious, and unreasonable.

To protest the application referenced above, please submit your written protest within 60 days, and show proof of service upon the applicant and proof that the applicant has had a reasonable opportunity to defend the application before a meeting of the local governing body.

Sincerely,

A handwritten signature in cursive script that reads "Erika McConnell".

Erika McConnell, Director

amco.localgovernmentonly@alaska.gov



Alcohol and Marijuana Control Office
550 W 7th Avenue, Suite 1600
Anchorage, AK 99501
alcohol.licensing@alaska.gov
<https://www.commerce.alaska.gov/web/amco>
Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board

Restaurant or Eating Place License

Form AB-17a: 2018/2019 Renewal License Application

What is this form?

This renewal license application form is required for all individuals or entities seeking to apply for renewal of an existing restaurant or eating place liquor license that will expire on December 31, 2017. All fields of this form must be complete and correct, or the application will be returned to you in the manner in which it was received, per AS 04.11.270 and 3 AAC 304.105. The Community Council field only should be verified/completed by licensees whose establishments are located within the Municipality of Anchorage or outside of city limits within the Matanuska-Susitna Borough.

This form must be completed correctly and submitted to the Alcohol & Marijuana Control Office (AMCO)'s main office, along with all other required documents and fees, before any renewal license application will be considered complete.

Section 1 – Establishment and Contact Information

Enter information for the business seeking to have its license renewed. If any populated information is incorrect, please contact AMCO.

Licensee:	Alejandro Vazquez	License #:	4854
License Type:	Restaurant/Eating Place	Statute:	AS 04.11.100
Doing Business As:	Agave Mexican Restaurant		
Premises Address:	236 Lincoln Street Ste. 106 107		
Local Governing Body:	City & Borough of Sitka		
Community Council:	None		

Mailing Address:	236 LINCOLN ST STE #107				
City:	SITKA	State:	AK	ZIP:	99835

Enter information for the individual who will be designated as the primary point of contact regarding this application. This individual must be a licensee who is required to be listed in and authorized to sign this application.

Point of Contact:	ALEJANDRO M VAZQUEZ		
Contact Phone:	907 738 2550	Business Phone:	907 466 3333
Contact Email:	HERMANCSITKA@YAHOO.COM		

Seasonal License? ☐ Yes ☒ No If "Yes", write your six-month operating period: _____



Alcohol and Marijuana Control Office
550 W 7th Avenue, Suite 1600
Anchorage, AK 99501
alcohol.licensing@alaska.gov
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Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board

Restaurant or Eating Place License

Form AB-17a: 2018/2019 Renewal License Application

Section 2 – Authorization

Communication with AMCO staff:

Yes No

Does any person other than a licensee named in this application have authority to discuss this license with AMCO staff?

☐ ☒

If "Yes", disclose the name of the individual and the reason for this authorization:

Section 3 – Sole Proprietor Ownership Information

This section must be completed by any sole proprietorship who is applying for license renewal. Entities should skip to Section 4.
If more space is needed, please attach a separate sheet with the required information.
The following information must be completed for each licensee and each affiliate (spouse).

This individual is an: ☒ applicant ☐ affiliate

Name:	ALEJANDRO N VAZQUEZ				
Mailing Address:	236 LINCOLN ST STE #107				
City:	SITKA	State:	AK	ZIP:	99835
Email:	HERNANDESITKA@YAHOO.COM				
Contact Phone:	907 966 3333				

This individual is an: ☐ applicant ☐ affiliate

Name:					
Mailing Address:					
City:		State:		ZIP:	
Email:					
Contact Phone:					



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Alaska Alcoholic Beverage Control Board

Restaurant or Eating Place License

Form AB-17a: 2018/2019 Renewal License Application

Section 4 – Entity Ownership Information

This subsection must be completed by any licensee that is a corporation or LLC. Corporations and LLCs are required to be in good standing with the Alaska Division of Corporations, Business & Professional Licensing (CBPL). You may view your entity's status or find your CBPL entity number by using the following site: <https://www.commerce.alaska.gov/cbp/main/search/entities>
Partnerships may skip to the second half of this page. Sole proprietorships should skip to Section 5.

Alaska CBPL Entity #:	
-----------------------	--

You must ensure that you are able to certify the following statement before signing your initials in the box to the right: Initials

I certify that this entity is in good standing with CBPL and that all current entity officials and stakeholders (listed below) are also currently and accurately listed with CBPL.

--

This subsection must be completed by any community or entity, including a corporation, limited liability company, partnership, or limited partnership, that is applying for renewal. If more space is needed, please attach additional completed copies of this page.

- If the applicant is a corporation, the following information must be completed for each *stockholder who owns 10% or more* of the stock in the corporation, and for each *president, vice-president, secretary, and managing officer*.
- If the applicant is a limited liability organization, the following information must be completed for each *member with an ownership interest of 10% or more*, and for each *manager*.
- If the applicant is a partnership, including a limited partnership, the following information must be completed for each *partner with an interest of 10% or more*, and for each *general partner*.

Entity Official Name:					
Title(s):		Phone:		% Owned:	
Mailing Address:					
City:		State:		ZIP:	

Entity Official Name:					
Title(s):		Phone:		% Owned:	
Mailing Address:					
City:		State:		ZIP:	

Entity Official Name:					
Title(s):		Phone:		% Owned:	
Mailing Address:					
City:		State:		ZIP:	



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Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board

Restaurant or Eating Place License

Form AB-17a: 2018/2019 Renewal License Application

Section 5 – License Operation

Check a single box for each calendar year that best describes how this liquor license was operated:	2016	2017
The license was regularly operated continuously throughout each year, for 8 or more hours each day.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
The license was regularly operated during a specific season each year, for 8 or more hours each day.	<input type="checkbox"/>	<input type="checkbox"/>
The license was only operated to meet the minimum requirement of 30 days each year, 8 hours each day. <i>If this box is checked, a complete copy of Form AB-30: Proof of Minimum Operation Checklist, and all necessary documentation must be provided with this application.</i>	<input type="checkbox"/>	<input type="checkbox"/>
The license was not operated at all or was not operated for at least the minimum requirement of 30 days each year, 8 hours each day, during one or both of the calendar years. <i>If this box is checked, a complete copy of Form AB-29: Waiver of Operation Application and corresponding fees must be submitted with this application for each calendar year during which the license was not operated for at least the minimum requirement.</i>	<input type="checkbox"/>	<input type="checkbox"/>

Section 6 – Violations and Convictions

Applicant violations and convictions in calendar years 2016 and 2017:	Yes	No
Have any notices of violation (NOVs) been issued to this licensee in the calendar years 2016 or 2017?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Has any person or entity named in this application been convicted of a violation of Title 04, of 3 AAC 304, or a local ordinance adopted under AS 04.21.010 in the calendar years 2016 or 2017?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

If "Yes" to either of the previous two questions, attach a separate page to this application listing all NOVs and/or convictions.

Section 7 – Alcohol Server Education

Read the line below, and then sign your initials in the box to the right of the statement:	Initials
I certify that all licensees, agents, and employees who sell or serve alcoholic beverages or check identification of a patron have completed an alcohol server education course approved by the ABC Board and keep current, valid copies of their course completion cards on the licensed premises during all working hours, as required under AS 04.21.025 and 3 AAC 304.465.	<div style="border: 1px solid black; padding: 5px; display: inline-block;">A M V</div>



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alcohol.licensing@alaska.gov
<https://www.commerce.alaska.gov/web/amco>
Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board

Restaurant or Eating Place License

Form AB-17a: 2018/2019 Renewal License Application

Section 8 – Gross Receipts

Enter the dollar amounts of the food and gross (food + alcohol) receipts on the licensed premises, and calculate the percentage of gross receipts that are from food sales on the licensed premises for each calendar year. (Food Receipts ÷ Gross Receipts x 100 = %)

2016 Food Receipts:	\$ 609,415.63	2016 Gross Receipts:	\$ 631,452.53	% From Food:	96.5 %
2017 Food Receipts:	\$ 533,077.15	2017 Gross Receipts:	\$ 555,465.62	% From Food:	96 %

Section 9 – Certifications

Read each line below, and then sign your initials in the box to the right of each statement:

Initials

I certify that all current licensees (as defined in AS 04.11.260) and affiliates have been listed on this application.

A.V.

I certify that in accordance with AS 04.11.450, no one other than the licensee(s) has a direct or indirect financial interest in the licensed business.

A.V.

I certify that I have not altered the functional floor plan or reduced or expanded the area of the licensed premises, and I have not changed the business name or the ownership (including officers, managers, general partners, or stakeholders) from what is currently on file with the Alcoholic Beverage Control Board.

A.V.

I certify on behalf of myself or of the organized entity that I understand that providing a false statement on this form or any other form provided by AMCO is grounds for rejection or denial of this application or revocation of any license issued.

A.V.

As an applicant for a liquor license renewal, I declare under penalty of perjury that I have read and am familiar with AS 04 and 3 AAC 304, and that this application, including all accompanying schedules and statements, is true, correct, and complete. I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application and understand that failure to do so by any deadline given to me by AMCO staff will result in this application being returned to me as incomplete.

Signature of licensee

ALEJANDRO VAZQUEZ
Printed name of licensee

STATE OF ALASKA
NOTARY PUBLIC

FLORIOSE P. DAVIS

My Commission Expires

12/29/2020

Signature of Notary Public

Notary Public In and for the State of Alaska

My commission expires: 12/29/2020

Subscribed and sworn to before me this 15 day of December, 2017.

License Fee:	\$ 600.00	Application Fee:	\$ 200.00	TOTAL:	\$ 800.00
Late Fee of \$500.00 – if received or postmarked after 01/02/2018:					
Miscellaneous Fees:					
GRAND TOTAL (if different than TOTAL):					



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

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

ALCOHOL & MARIJUANA CONTROL OFFICE

550 West 7th Avenue, Suite 1600

Anchorage, AK 99501

Main: 907.269.0350

December 28, 2017

City and Borough of Sitka

Attn: Sara Peterson, Municipal Clerk

Via Email: sara.peterson@cityofsitka.org

melissa.henshaw@cityofsitka.org

Re: Notice of 2018/2019 Liquor License Renewal Application

License Type:	Beverage Dispensary – Tourism	License Number:	5442
Licensee:	Sitka Jet Center, Inc.		
Doing Business As:	Sitka Hotel		

We have received a completed renewal application for the above listed license (see attached application documents) within your jurisdiction. This is the notice required under AS 04.11.480.

A local governing body may protest the approval of an application(s) pursuant to AS 04.11.480 by furnishing the director **and** the applicant with a clear and concise written statement of reasons for the protest within 60 days of receipt of this notice, and by allowing the applicant a reasonable opportunity to defend the application before a meeting of the local governing body, as required by 3 AAC 304.145(d). If a protest is filed, the board will deny the application unless the board finds that the protest is arbitrary, capricious, and unreasonable.

To protest the application referenced above, please submit your written protest within 60 days, and show proof of service upon the applicant and proof that the applicant has had a reasonable opportunity to defend the application before a meeting of the local governing body.

Sincerely,

A handwritten signature in cursive script that reads "Erika McConnell".

Erika McConnell, Director

amco.localgovernmentonly@alaska.gov



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Anchorage, AK 99501
alcohol.licensing@alaska.gov
<https://www.commerce.alaska.gov/web/amco>
Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board

Beverage Dispensary – Tourism License

Form AB-17d: 2018/2019 Renewal License Application

What is this form?

This renewal license application form is required for all individuals or entities seeking to apply for renewal of an existing beverage dispensary – tourism liquor license that will expire on December 31, 2017. All fields of this form must be complete and correct, or the application will be returned to you in the manner in which it was received, per AS 04.11.270 and 3 AAC 304.105. The Community Council field only should be verified/completed by licensees whose establishments are located within the Municipality of Anchorage or outside of city limits within the Matanuska-Susitna Borough.

This form must be completed correctly and submitted to the Alcohol & Marijuana Control Office (AMCO)'s main office, along with all other required documents and fees, before any renewal license application will be considered complete.

Section 1 – Establishment and Contact Information

Enter information for the business seeking to have its license renewed. If any populated information is incorrect, please contact AMCO.

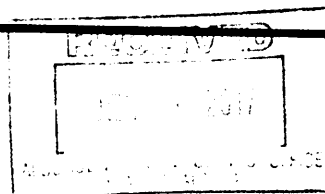
Licensee:	Sitka Jet Center, Inc.	License #:	5442
License Type:	Beverage Dispensary - Tourism	Statute:	AS 04.11.400(d)
Doing Business As:	Sitka Hotel		
Premises Address:	118 Lincoln Street		
Local Governing Body:	City & Borough of Sitka		
Community Council:	None		

Mailing Address:	118 Lincoln Street		
City:	Sitka	State:	AK
		ZIP:	99835

Enter information for the individual who will be designated as the primary point of contact regarding this application. This individual must be a licensee who is required to be listed in and authorized to sign this application.

Point of Contact:	Robert Pedrie		
Contact Phone:	(877) 401 1617	Business Phone:	
Contact Email:	RML1300@AOL.com		

Seasonal License? ☐ Yes ☒ No
If "Yes", write your six-month operating period: _____





Alcohol and Marijuana Control Office
550 W 7th Avenue, Suite 1600
Anchorage, AK 99501
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Section 2 – Authorization

Communication with AMCO staff:

Yes No

Does any person other than a licensee named in this application have authority to discuss this license with AMCO staff?

☐ ☒

If "Yes", disclose the name of the individual and the reason for this authorization:

Section 3 – Sole Proprietor Ownership Information

This section must be completed by any sole proprietorship who is applying for license renewal. Entities should skip to Section 4.

If more space is needed, please attach a separate sheet with the required information.

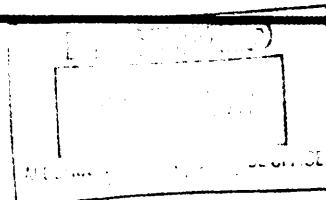
The following information must be completed for each licensee and each affiliate (spouse).

This individual is an: ☐ applicant ☐ affiliate

Name:					
Mailing Address:					
City:		State:		ZIP:	
Email:					
Contact Phone:					

This individual is an: ☐ applicant ☐ affiliate

Name:					
Mailing Address:					
City:		State:		ZIP:	
Email:					
Contact Phone:					





Alcohol and Marijuana Control Office
550 W 7th Avenue, Suite 1600
Anchorage, AK 99501
alcohol.licensing@alaska.gov
https://www.commerce.alaska.gov/main/search/entitles
Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board

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Section 4 – Entity Ownership Information

This subsection must be completed by any licensee that is a corporation or LLC. Corporations and LLCs are required to be in good standing with the Alaska Division of Corporations, Business & Professional Licensing (CBPL). You may view your entity's status or find your CBPL entity number by visiting the following site: <https://www.commerce.alaska.gov/cbp/main/search/entitles>. Partnerships may skip to the second half of this page. Sole proprietorships should skip to Section 5.

Alaska CBPL Entity #:

1227941

You must ensure that you are able to certify the following statement before signing your initials in the box to the right: Initials

I certify that this entity is in good standing with CBPL and that all current entity officials and stakeholders (listed below) are also currently and accurately listed with CBPL.

RP

This subsection must be completed by any community or entity, including a corporation, limited liability company, partnership, or limited partnership, that is applying for renewal. If more space is needed, please attach additional completed copies of this page.

- If the applicant is a corporation, the following information must be completed for each stockholder who owns 10% or more of the stock in the corporation, and for each president, vice-president, secretary, and managing officer.
- If the applicant is a limited liability organization, the following information must be completed for each member with an ownership interest of 10% or more, and for each manager.
- If the applicant is a partnership, including a limited partnership, the following information must be completed for each partner with an interest of 10% or more, and for each general partner.

Entity Official Name:	Robert Petric				
Title(s):	President	Phone:	(917) 401-1617	% Owned:	50
Mailing Address:	7217 Charlene Ct				
City:	Ariz	State:	TX	ZIP:	76020

Entity Official Name:	Deborah Petric				
Title(s):	Vice President	Phone:	(917) 829-0282	% Owned:	50
Mailing Address:	7217 Charlene Ct				
City:	Ariz	State:	TX	ZIP:	76020

Entity Official Name:	Deborah Petric				
Title(s):	Secretary	Phone:	817-829-0282	% Owned:	
Mailing Address:	7217 Charlene Ct				
City:	Ariz	State:	TX	ZIP:	76020



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Section 5 – License Operation

Check a single box for each calendar year that best describes how this liquor license was operated:	2016	2017
The license was regularly operated continuously throughout each year, for 8 or more hours each day.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
The license was regularly operated during a specific season each year, for 8 or more hours each day.	<input type="checkbox"/>	<input type="checkbox"/>
The license was only operated to meet the minimum requirement of 30 days each year, 8 hours each day. <i>If this box is checked, a complete copy of Form AB-30: Proof of Minimum Operation Checklist, and all necessary documentation must be provided with this application.</i>	<input type="checkbox"/>	<input type="checkbox"/>
The license was not operated at all or was not operated for at least the minimum requirement of 30 days each year, 8 hours each day, during one or both of the calendar years. <i>If this box is checked, a complete copy of Form AB-29: Waiver of Operation Application and corresponding fees must be submitted with this application for each calendar year during which the license was not operated for at least the minimum requirement.</i>	<input type="checkbox"/>	<input type="checkbox"/>

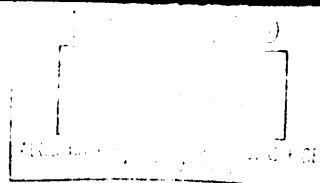
Section 6 – Violations and Convictions

Applicant violations and convictions in calendar years 2016 and 2017:	Yes	No
Have any notices of violation (NOVs) been issued to this licensee in the calendar years 2016 or 2017?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Has any person or entity named in this application been convicted of a violation of Title 04, of 3 AAC 304, or a local ordinance adopted under AS 04.21.010 in the calendar years 2016 or 2017?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

If "Yes" to either of the previous two questions, attach a separate page to this application listing all NOVs and/or convictions.

Section 7 – Alcohol Server Education

Read the line below, and then sign your initials in the box to the right of the statement:	Initials
I certify that all licensees, agents, and employees who sell or serve alcoholic beverages or check identification of a patron have completed an alcohol server education course approved by the ABC Board and keep current, valid copies of their course completion cards on the licensed premises during all working hours, as required under AS 04.21.025 and 3 AAC 304.465.	





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Section 8 – Certifications

Read each line below, and then sign your initials in the box to the right of each statement:

Initials

I certify that all current licensees (as defined in AS 04.11.260) and affiliates have been listed on this application.

DP
RL

I certify that in accordance with AS 04.11.450, no one other than the licensee(s) has a direct or indirect financial interest in the licensed business.

DP
RL

I certify that I have not altered the functional floor plan or reduced or expanded the area of the licensed premises, and I have not changed the business name or the ownership (including officers, managers, general partners, or stakeholders) from what is currently on file with the Alcoholic Beverage Control Board.

DP
RL

I certify on behalf of myself or of the organized entity that I understand that providing a false statement on this form or any other form provided by AMCO is grounds for rejection or denial of this application or revocation of any license issued.

DP
RL

I am submitting as part of this application a written statement that meets the attached Tourism Statement Guidelines, for review by the Alcoholic Beverage Control Board.

DP
RL

As an applicant for a liquor license renewal, I declare under penalty of perjury that I have read and am familiar with AS 04 and 3 AAC 304, and that this application, including all accompanying schedules and statements, is true, correct, and complete. I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application and understand that failure to do so by any deadline given to me by AMCO staff will result in this application being returned to me as incomplete.

Signature of licensee

Deborah Petre

Printed name of licensee

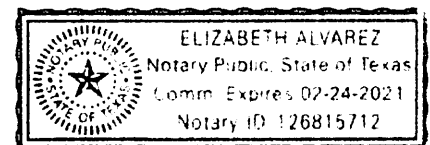
Signature of Notary Public

Notary Public in and for the State of Texas

My commission expires: 2/24/21

Subscribed and sworn to before me this 30th day of November, 2017.

License Fee:	\$ 2500.00	Application Fee:	\$ 200.00	TOTAL:	\$ 2700.00
Late Fee of \$500.00 – if received or postmarked after 01/02/2018:					
Miscellaneous Fees:					
GRAND TOTAL (if different than TOTAL):					





CITY AND BOROUGH OF SITKA

Legislation Details

File #: 18-006 Version: 1 Name:
Type: Item Status: AGENDA READY
File created: 1/3/2018 In control: City and Borough Assembly
On agenda: 1/9/2018 Final action:
Title: Appoint Cindy Litman to an unexpired term on the Library Commission
Sponsors:
Indexes:
Code sections:
Attachments: [Litman application.pdf](#)

Date	Ver.	Action By	Action	Result
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POSSIBLE MOTION

I MOVE TO appoint Cindy Litman to an unexpired term on the Library Commission.



Application for Appointment to Boards, Committees, and Commissions City and Borough of Sitka

Board/Commission/Committee: Library
Name: Cindy Litman Daytime Phone: 530 574 3468
Address: 209 Observatory St. Evening Phone: same
Email Address: cindylitman@gmail.com Fax Number: _____
Length of Residence in Sitka: _____ Registered to vote in Sitka? ☒ Yes ☐ No
Employer: WestEd

Organizations you belong to or participate in:

American Educational Research Association
Literacy Research Association
Sitka Fine Arts Camp

Explain your main reason for applying:

The Sitka Public Library is utilized by all segments of the Sitka Community and is therefore a huge asset to the city. I want to use my literacy experience to support the library staff + mission.

What background, experience or credentials will you bring to the board, commission, or committee membership?

See attached

Please disclose any potential conflicts of interest that may arise from your appointment. These may include but are not limited to:

- A substantial financial interest of \$1000 annually that could be influenced by your appointment.
- An immediate family member employed within the scope of this appointment.

Please attach a letter of interest, outline, or resume which includes your education, work, and volunteer experience that will enhance your membership.

→ (To be considered, your application must be complete AND be accompanied by one of the above supporting documents.)

Date: 1.3.2018 Signature: CL

Your complete application and resume should be returned to the Municipal Clerk's Office by noon on the Wednesday prior to an advertised Assembly meeting.

Please note: all information submitted will be made public and published online. Appointments are normally made during open session of an Assembly meeting, however, Assembly members may vote to discuss applicant(s) in closed executive session. In this case, do you wish to be present when your application is discussed? ☐ Yes ☐ No

Return to:

Melissa Henshaw, Deputy Clerk/Records Specialist, 100 Lincoln Street
Fax: 907-747-7403 Email: melissa.henshaw@cityofsitka.org

January 3, 2018

Dear Assembly Members,

I am seeking appointment to the Library Commission. As a literacy researcher, I understand the important role of libraries in general, and as a Sitkan, I understand the unique importance of Sitka Public Library in our community.

The value of Sitka Public Library was highlighted by a two-year library study conducted by the Foraker Group, an organization dedicated to creating a sustainable Alaska nonprofit and public sector, as part of the recent library expansion process. **The study found that Sitka's library compared favorably to other libraries in the state.** For example, the Noel Wien library in Fairbanks serves a population about 10 times that of Sitka. Yet Sitka has a larger collection per capita than Fairbanks, and a larger circulation. And the library in Fairbanks—10 times the size of Sitka's—gets only twice as many people as Sitka.

The Foraker study emphasized one statistic that stood out above the rest: **"Your library staff maintain 71 hours per week – open hours – and they do it with 7.9 FTEs, or full-time employee equivalents. And we compare that to Noel Wien [in Fairbanks] which is open 64 hours a week with a staff of 44 people. So I would say your library staff is giving you superb value for money."**

While library hours have been cut since the Foraker study as a city cost-saving measure, the library continues to give the city superb value for money. As a member of the library commission, it will be my goal to advocate for the library with the city and public and to support the library staff to continue to serve the city so well.

Thank you for your consideration,



Cindy Litman

CINDY LITMAN

209 Observatory Street, Sitka, AK 99835

cindylitman@gmail.com

530.574.3468

SUMMARY OF RELATED EXPERIENCE

Cindy Litman is a Senior Research Associate with WestEd's Strategic Literacy Initiative (SLI). As a member of SLI's research team, Ms. Litman has contributed to instrumentation, data collection, data analysis, and peer-reviewed publications about SLI research initiatives, including three multi-year experimental studies funded by NSF and IES. In addition, she translates research on literacy teaching and learning into print and video materials to support teachers' capacity to integrate literacy instruction in subject area teaching. Prior to joining WestEd in 2001, she was Senior Program Developer at the Developmental Studies Center, creating curricula and professional development materials for elementary-, middle-, and after-school literacy programs. She has an MS in child development from the University of California, Davis, and completed coursework there toward a PhD.

EDUCATION

- 1990 Coursework toward Ph.D., Interdisciplinary: Human Development, Anthropology, Sociology, and Psychology, University of California, Davis
- 1989 Teaching Credential, Preschool, K-12, Adult Classes, University of California, Davis
- 1984 M.S., Child Development, University of California, Davis
- 1978 B.A., Human Development, Pacific Oaks College, Pasadena, CA

PROFESSIONAL EXPERIENCE

- 2000–
Present *Senior Research Associate*, Strategic Literacy Initiative
WestEd, Oakland, CA

Contributes to instrumentation, data collection, data analysis, and peer-reviewed publications for SLI research initiatives, including three multi-year experimental studies funded by NSF and IES.
- 1989–
2000 *Senior Program Developer*
Developmental Studies Center, Oakland, CA

Performed multiple research, development, and service roles for educational nonprofit organization dedicated to promoting children's academic, social, and ethical development.
- 1985–
1990 *Teaching Assistant*, Departments of Human Development and Anthropology
University of California, Davis, CA

Assisted professors in all aspects of undergraduate instruction.

1988– *Post-Graduate Researcher*, Department of Human Development
1989 University of California, Davis, CA

Assisted principle investigator in collection, analysis, and interpretation of data for studies of maternal and child behavior.

1983– *Research Assistant*, Department of Human Development
1985 University of California, Davis, CA

Assisted principle investigator in collection, analysis, and interpretation of data for studies of maternal and child behavior.

SELECTED PUBLICATIONS AND PRESENTATIONS

Greenleaf, C., **Litman, C.**, & Marple, S. (in press). The impact of inquiry-based professional development on teachers' capacity to integrate literacy instruction in secondary subject areas. *Teaching and Teacher Education*.

Litman, C., & Greenleaf, C. (2018). Argumentation Tasks in Secondary English Language Arts, History, and Science: Variations in Instructional Focus and Inquiry Space. *Reading Research Quarterly*, 53(1), 107-126.

Litman, C., Marple, S., Greenleaf, C., Charney-Sirott, I., Bolz, M. J., Richardson, L. K., ... & Goldman, S. R. (2017). Text-Based Argumentation With Multiple Sources: A Descriptive Study of Opportunity to Learn in Secondary English Language Arts, History, and Science. *Journal of the Learning Sciences*, 26(1), 79-130.

Litman, C., Marple, S., & Greenleaf, C. (2016, April). Argumentation in the presence and absence of text close reading. Paper presented at the meeting of the American Educational Research Association, Washington, DC.

Litman, C., Marple, S. A., Greenleaf, C. (2015, April). The enduring impact of highly-designed teacher PD on literacy opportunity to learn in English language arts, history, and science. Paper presented at the meeting of the American Educational Research Association, Chicago, IL.

Litman, C., & Greenleaf, C. (2014). Traveling together over difficult ground. In K. A. Hinchman & H. K. Sheridan-Thomas (Eds.), *Best practices in adolescent literacy instruction* (2nd Edition) (pp. 308-392). New York, NY: Guilford.

Litman, C., Marple S. A., Greenleaf, C.L., Charney-Sirott, I., Richardson, L., Bolz, M. J., Hall, A. H. (2014, December) Argumentation opportunity to learn in ELA, history and science. In George, M. (Chair) *Creating the Dialogic Spaces for Argumentation to Flourish in Professional Development and Classrooms*. Symposium conducted at the meetings of the Literacy Research Association, Marco Island, FL.

- Litman, C., & Marple, S. A.** (2013, December). Instruction in evidenced-based argumentation as equitable access to advanced literacy learning. In C. Greenleaf (Chair), *Getting to the bottom of things cooperatively: Inquiries into argumentation practice and theory in a teacher network*. Symposium conducted at the meeting of the Literacy Research Association, Dallas, TX.
- Litman, C., George, M., Greenleaf, C., Charney-Sirott, I., & Sexton, U.** (2012, November). Evidenced-based argumentation as a scaffolding for advanced reading comprehension. Paper presented at the meetings of the Literacy Research Association Conference. San Diego, CA.
- Litman, C., & Greenleaf, C.** (2011). Traveling together over difficult ground: Negotiating success with a profoundly inexperienced reader in an Introduction to Chemistry class. In K. Hinchman & H. Sheridan-Thomas (Eds.), *Best practices in adolescent literacy* (Second Edition). New York: Guilford Press.
- Greenleaf, C., **Litman, C.** (2011, December). *Negotiating identity and achievement in the eleventh hour: Designing inclusive spaces for literacy growth in secondary classrooms*. Paper presented to the annual meeting of the Literacy Research Association, Jacksonville, FL.
- Greenleaf, C., **Litman, C.**, Hanson, T. L., Rosen, R., Boscardin, C. K., Herman, J., et al. (2011). Integrating Literacy and Science in Biology: Teaching and Learning Impacts of Reading Apprenticeship Professional Development, *American Educational Research Journal*, 48(3), 647-717.
- Litman, C., & Greenleaf, C.** (2008). Traveling together over difficult ground: Negotiating success with a profoundly inexperienced reader in an Introduction to Chemistry class. In K. Hinchman & H. Sheridan-Thomas (Eds.), *Best practices in adolescent literacy* (1st Edition) (pp. 262-275). New York: Guilford Press.
- Greenleaf, C. & **Litman, C.** (2007). *Metacognitive inquiry for science reading and professional development: Measuring complex teaching and learning*. Paper presentation to National Reading Association, Austin, TX.
- Greenleaf, C., & **Litman, C.** (2006). *Integrating literacy and science instruction in high school biology: Impact on teacher practice, student engagement, and student achievement*. Paper presentation to National Reading Association, Los Angeles.
- Greenleaf, C., Brown, W., & **Litman, C.** (2004). Apprenticing urban youth to science literacy. In D.S. Strickland & D.E. Alvermann (Eds.), *Bridging the gap: Improving literacy learning for preadolescent and adolescent learners in grades 4-12* (pp.200-226). Newark, NJ: International Reading Association.
- Schoenbach, R., Braunger, J., Greenleaf, C., & **Litman, C.** (2003, October). Apprenticing adolescents to reading in subject-area classrooms. *Phi Delta Kappan*, 85(2), 133-138.

- Braunger, J., Greenleaf, C., & **Litman, C.** (2003). *The language and literacy practices of Reading Apprenticeship classrooms: A study of teacher and student learning in professional and classroom communities*. Paper presented at the meeting of the American Educational Research Association, Chicago. IL.
- Shefelbine, J., **Litman, C.**, & Watson, M. (2000). Reading, writing, talking, thinking, and caring in the kindergarten classroom. *Kindergarten Education: Theory, Research, and Practice*, 5(1), 43-71.
- Shefelbine, J., **Litman, C.**, & Hollingsworth, S. (1999, November). *Automaticity, constructivism and ethics: A K-5 program's second year results*. Paper and workshop presented at the California Reading Association Research Institute, Long Beach, CA.
- Litman, C.** (Developmental Studies Center). (1998, 1993, 1992). *Teacher Guides for Reading for Real and Reading, Thinking, and Caring*. Oakland, CA: Developmental Studies Center.
- Litman, C.** & Goddard, A. (Developmental Studies Center). (1997). *Blueprints for a collaborative classroom*. Oakland, CA: Developmental Studies Center.
- Litman, C.** (1996). Integrated curriculum—integrated child. *The California Reader*, 29(3), 25-26.
- Litman, C.**, Goddard, A. (Developmental Studies Center). (1996). *Ways we want our class to be*. Oakland, CA: Developmental Studies Center.
- Litman, C.** (Developmental Studies Center). (1995). *Homeside activities (Volumes K–5)*. Oakland, CA: Developmental Studies Center.
- Litman, C.** (1995, March). *Integrated curriculum—integrated child*. Paper presented to the Research Conversations Sessions of the 1995 California Department of Education English-Language Arts Symposium, Asilomar, CA.
- Litman, C.** (1995, May). *Reading, thinking, caring*. Paper presented to the Literacy and Social Responsibility Special Interest Group of the International Reading Association, Anaheim, CA.
- Crockenberg, S., & **Litman, C.** (1991). Effects of maternal employment on maternal and two-year-old child behavior. *Child Development*, 62, 930-953.
- Crockenberg, S., & **Litman, C.** (1990). Autonomy as competence in two-year-olds: Maternal correlates of child compliance, non-compliance and self-assertion. *Developmental Psychology*, 26, 961-971.
- Crockenberg, S., & **Litman, C.** (1989, April). *Effects of maternal employment on maternal and child behavior*. Paper presented to the biennial meeting of the Society for Research in Child Development, Kansas City, MO.
- Bryant, B. K., & **Litman, C.** (1987). Siblings as teachers and therapists. *Journal of Children in Contemporary Society*, 19(3, 4), 185-205.

- Crockenberg, S., & **Litman, C.** (1987, March). *Autonomy as competence in two-year-olds: Maternal correlates of child compliance, non-compliance and self-assertion*. Paper presented to the Society for Research in Child Development, Baltimore.
- Bryant, B. K., & **Litman, C.** (1986). Instructor's manual to accompany S. Scarr, R. Weinberg, & A. Levine, *Understanding Development*. San Diego: Harcourt-Brace Jovanovich.
- Litman, C.**, & Bryant, B. K. (1984, March). *Extent of same and mixed age contact and social competency in preschool aged boys*. Paper presented to the biennial meeting of the Southwest Society for Research in Child Development, Denver.

SELECTED EXTRACURRICULAR AND VOLUNTEER ACTIVITIES

- Costumer, Young Performers Theater, Sitka Fine Arts Camp, Sitka, AK, 2014-2016
- Library Commission for the City of Sitka, AK, 2013-2016
- Board Member, Friends of Sheldon Jackson Museum, Sitka, AK, 2008-2011
- Evaluation Team Member, 2007 NEA Program Report, Sitka Fine Arts Camp, Sitka, AK, 2007
- Columnist, Davis Enterprise, Davis, CA, 2002-2007
- Coordinator, "Trick-or-Treat for UNICEF," Davis, CA, 1999-2008
- Recipient, City of Davis Thong H. Huynh Community Education and Awareness Award, Davis, CA 2005
- Young Performers Theater Advisory Committee, Davis, CA, 1999-2006
- Human Relations Committee, Davis Joint Unified School District, Davis, CA, 1995-1996

PROFESSIONAL AFFILIATIONS

- American Educational Research Association
- Literacy Research Association



LIBRARY COMMISSION

NAME	CONTACT NUMBERS	TERM STARTS	EXPIRES	CATEGORY
JOSHUA THOMAS PO Box 473	817-471-6054 Josh0417@att.net	9/13/16	9/13/19	Chair
BARBARA BINGHAM PO Box 6112	738-3557 bbingham23@gmail.com	9/12/06 9/8/09 10/23/12 1/26/16	9/12/09 9/8/12 10/23/15 1/26/19	Vice Chair
NICOLE FILIPEK PO Box 251	206-769-3685 nicolefilipek@gmail.com	2/14/17	2/14/20	Secretary
ALICE JOHNSTONE 213 Shotgun Alley	747-3931 johnstone@ak.net	7/22/03 7/11/06 7/14/09 7/24/12 7/14/15	7/22/06 7/11/09 7/14/12 7/24/15 7/14/18	
DARRYL REHKOPF 210 Observatory Street	738-5629 darrylrehkopf@hotmail.com	8/22/17	4/12/19	<i>Lil's term</i>
JOHN SILVER PO Box 1873	738-5629 johnsilver@cityofsitka.org	8/22/17	4/12/19	
ELIZABETH O'DONNELL 214 Observatory Street	747-8014 elizabethodonnell@cityofsitka.org	8/22/17	4/12/19	
Matthew Hunter 102 Remington Way	738-6851 assemblyhunter@cityofsitka.org			Assembly Liaison
Elizabeth O'Donnell 214 Observatory	747-8014			Emeritus Member

7 Members from Public 3-year terms

Established by Ordinance 72-50, Ord. 03-1730 added 2 more members

First Wednesday of the Month, 6:30 p.m. at the Sitka Public Library, 320 Harbor Drive

OATH OF OFFICE REQUIRED

Revised: September 25, 2017



CITY AND BOROUGH OF SITKA

Legislation Details

File #: RES 18-01 Version: 1 Name:

Type: Resolution Status: AGENDA READY

File created: 1/3/2018 In control: City and Borough Assembly

On agenda: 1/9/2018 Final action:

Title: Adopting an alternative allocation method for the FY18 Shared Fisheries Business Tax Program and certifying that this allocation method fairly represents the distribution of significant effects of fisheries business activity in FMA 18: Central Southeast Area

Sponsors:

Indexes:

Code sections:

Attachments: [Motion and Memo Res 2018-01.pdf](#)
[Res 2018-01.pdf](#)
[application.pdf](#)

Date	Ver.	Action By	Action	Result
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POSSIBLE MOTION

I MOVE TO approve Resolution 2018-01 on
first and final reading.




City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

MEMORANDUM

To: Mayor Hunter and Assembly Members
Keith Brady, Municipal Administrator

From: Jay Sweeney, Chief Finance and Administrative Officer 

Date: December 19, 2017

Subject: Approval of Shared Business Fisheries Tax Alternative Method Resolution

Issue: The City and Borough of Sitka must, by Resolution of the Assembly, adopt one of two methods for applying for shared business fisheries taxes collected from processing activities outside the limits of incorporated cities or organized boroughs within a fisheries management area. The Assembly is asked to support Staff's recommendation of adopting the Alternate method.

Facts:

1. Alaska levies a fisheries business tax (also known as the "raw fish tax") on fisheries businesses and persons who process fishery resources in, or export unprocessed fishery resources from Alaska. The tax is based on the price paid to commercial fishermen for the raw resource, or fair market value when there is no arms-length transaction prior to processing or export. The State of Alaska, Department of Revenue collects fisheries business taxes from processors and persons who export unprocessed fishery resources from Alaska.

Rate

Fisheries business tax rates are based on the location and type of processing activity and whether a fishery resource is classified as "established" or "developing" by the Alaska Department of Fish and Game. Rates are as follows:

Processing Activity

Established	Rate
Floating	5.0%
Salmon Cannery	4.5%
Shore Based	3.0%

Developing	Rate
Floating	3.0%
Shore Based	1.0%

Disposition of revenue

The Alaska Department of Revenue deposits all revenue derived from the fisheries business tax into the Alaska State General Fund. The Alaska State Legislature then appropriates revenue from the tax for revenue sharing with Municipalities, as follows:

A. Processing activities within municipal boundaries

The Department shares 50% of tax collected with the incorporated city or organized borough in which the processing took place. If an incorporated city is within an organized borough, the Department divides the 50% shareable amount equally between the incorporated city and the organized borough equally.

B. Processing activities outside of municipal boundaries

The Department shares 50% of tax collected from processing activities outside an incorporated city or an organized borough through an allocation program administered by the Department of Commerce, Community and Economic Development.

2. Fisheries business tax revenue sharing for processing activities within municipal boundaries is automatically sent to Municipalities every year; no application is required to receive such revenue.
3. Fisheries business tax revenue sharing for processing activities outside of municipal boundaries is allocated to all Municipalities within specific fisheries management area boundaries, utilizing an allocation formula and must be applied for annually.
4. The annual application process for shared fisheries business tax revenue sharing processing activities outside of municipal boundaries consists of (1) completing an written application form, and (2) passage of a Resolution by the Assembly.
5. The written application form for shared fisheries business tax revenue sharing processing activities outside of municipal boundaries requires municipalities to choose either a standard application method or an alternative application method.
 - a. The standard application method requires a municipality to determine and document the cost to the municipality of fisheries industry "significant effects" suffered in the previous year. "Significant effects" is defined as municipal expenditures demonstrated by the Municipality to the Department of Revenue to be reasonable and necessary that are the result of fisheries business activities of the municipality. Every municipal expenditure determined to be necessary as the result of fisheries business activities must be supported by documentation that clearly demonstrates

the procedures and methods by which the cost of the expenditure was determined.

- b. The alternative application method allows all municipalities within a fisheries management area to work together to develop an alternative formula for distributing the available funding among municipalities in the fisheries management area.
6. Sitka lies within Fisheries Management Area (FMA) 18, Central Southeast Area. Other municipalities within FMA 18 include Wrangell, Petersburg, Kake, and 5 other smaller towns.
7. The total amount of funding available for FMA 18 is \$82,639.
8. Sitka, along with all other municipalities within FMA, has historically chosen the alternative application method in the past. The historic methodology adopted by municipalities within FMA 18 has been to divide available funding by the following formula: 50% of available funding is divided equally among the 9 municipalities in FMA 18, and, the other 50% is divided on a per capita basis, with receiving 57.3% of the per capita share. The total of both portions results in Sitka receiving 34.2% of all available funding in the program.

Discussion

1. Sitka has historically opted to utilize to alternative method for the following reasons:
 - a. Utilizing the standard method requires documentation of the costs of significant effects on the municipality by the fishing industry. Capturing and properly documenting such costs would require cost accounting capabilities within the Municipal Finance Department which are currently not resourced. While such cost accounting capabilities could be developed, through the hiring of additional employees (or external contracting) and development of internal cost accounting processes, the amount of additional funding to be obtained through the standard application method would not justify the additional cost. Even if Sitka obtained 100% of all available funding in the program (which is so unlikely as to almost be impossible), the amount of additional funding over what is received in the alternate method would be another \$54,367, approximately the cost on one half-time accountant.
 - b. Utilizing the standard method also means that the alternative application method historically utilized by the 9 communities in FMA 18 would be upended. It is unclear what would happen if one municipality chose the standard method and all other chose the alternative method. It is likely that all municipalities would still receive some share, even if

one municipality claimed more in significant effects cost that there was available funding. This makes it likely that the amount of additional funding to be gained through the standard method would be small, again calling into question whether the additional amount would justify cost of gathering the data for the standard method.

2. It is estimated that the alternate method will result in revenue of \$28,272, 34.2% of the total of \$82,639 available.

Analysis of Alternatives

1. Adopting the standard method might lead to marginally more revenue, but would require a significant expenditure of time and effort to prepare. Costs of significant effects of the fishing industry on Sitka is anecdotal at this time; data necessary to document such costs is not available. Obtaining such data with existing resources and processes would involve (1) identifying expenditures, either wages or outlays for contracts or supplies, as being "a fishing industry effect" when either time cards are filled out, purchase orders prepared, or invoices coded, or (2) having accounting personnel go back and analyze previous expenditures for fishing industry effects. Identifying expenditures as having significant fishing industry effects, as they happen, is unrealistic, as it depends on employees outside of the Finance Department to consistently remember to code time cards and purchase orders for fishing industry effects, and this will not happen unless it is consistently managed and emphasized. Having Finance employees going back and analyzing prior expenditures for fishing industry effects is more realistic, but it would be time-consuming and expensive. Such activity requires judgment and critical thinking skills, and, would require a higher-level employee to effectively accomplish, making it cost-prohibitive for the minimal amount of additional possible revenue.
2. Adopting the alternate method is the most cost-efficient method. It obtains a reasonable share of the available funding for minimal additional effort, and more importantly, does not require costly additional resources to accomplish, nor does it take valuable staff time away from other more critical priorities. The alternate method would also allow the long-standing alternate methodology to remain in place and would not adversely impact the other 8 municipalities in FMA 18.

Recommendation

Staff recommends that the Assembly adopt the accompanying resolution adopting an alternative allocation method for distributing the available shared business fisheries taxes, collected from processing activities outside an incorporated city or an organized borough in the fisheries management area.

CITY AND BOROUGH OF SITKA, ALASKA

RESOLUTION NO. 2018-01

**A RESOLUTION ADOPTING AN ALTERNATIVE ALLOCATION METHOD FOR THE
FY18 SHARED FISHERIES BUSINESS TAX PROGRAM AND CERTIFYING THAT
THIS ALLOCATION METHOD FAIRLY REPRESENTS THE DISTRIBUTION OF
SIGNIFICANT EFFECTS OF FISHERIES BUSINESS ACTIVITY IN FMA 18:
CENTRAL SOUTHEAST AREA**

WHEREAS, AS29.60.450 requires that for a municipality to participate in the FY18 Shared Fisheries Business Tax Program, the municipality must demonstrate to the Department of Commerce, Community, and Economic Development that the municipality suffered significant effects during calendar year 2016 from fisheries business activities; and,

WHEREAS, 3 AAC 134.060 provides for the allocation of available program funding to eligible municipalities located within fisheries management areas specified by the Department of Commerce, Community, and Economic Development; and,

WHEREAS, 3 AAC 134.070 provides for the use, at the discretion of the Department of Commerce, Community, and Economic Development, of alternative allocation methods which may be used within fisheries management areas if all eligible municipalities within the area agree to use the method, and the method incorporates some measure of the relative significant effect of fisheries business activity on the respective municipalities in the area; and,

WHEREAS, The City and Borough of Sitka proposes to use an alternative allocation method for allocation of FY18 funding available within the FMA 18: CENTRAL SOUTHEAST AREA in agreement with all other municipalities in this area participating in the FY18 Shared Fisheries Business Tax Program.

NOW THEREFORE BE IT RESOLVED THAT: The City and Borough of Sitka by this resolution certifies that the following alternative allocation method fairly represents the distribution of significant effects during 2016 of fisheries business activity in FMA 18: CENTRAL SOUTHEAST AREA:

All municipalities share equally 50% of allocation; all municipalities share remaining 50% on a per capita basis.

PASSED, APPROVED AND ADOPTED by the Assembly of the City and Borough of Sitka, Alaska on the 9th day of January, 2018.

Matthew Hunter, Mayor

ATTEST: _____
Sara Peterson, CMC
Municipal Clerk

1st and final reading 1/9/18



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

Department of Commerce, Community,
and Economic Development

DIVISION OF COMMUNITY AND REGIONAL AFFAIRS

455 3rd Avenue, Suite 140
Fairbanks, Alaska 99701-4737
Main: 907.451.2718
Programs fax: 907.451.2742

November 13, 2017

Dear Municipal Official:

The Department of Commerce, Community, and Economic Development is pleased to announce availability of the **FFY 2018 Shared Fisheries Business Tax Program**. The purpose of the program is to allocate a share of state fish tax collected outside municipal boundaries with municipalities that have been affected by fishing industry activities. Municipalities around the state will share approximately \$1.6 million based on 2016 fisheries activity as reported by fish processors on their fish tax returns. Details of how the program works are included in the application under *Program Description*.

Historically, your municipality along with the other communities in your fisheries management area (FMA) has filed using the alternative method. I have attached a separate sheet that details the communities that are in your FMA, as well as the anticipated payment based on your agreed upon allocation method from last year. If this agreement is still in place with your FMA, you will only need to have your Council/Assembly pass the enclosed alternative method sample resolution in order to participate in the program.

If your FMA intends to change the alternative method of allocation, the new proposal must be submitted to our office no later than **January 15, 2018**. If an agreement cannot be made with all communities in your FMA, you will need to file using the standard method and claim your significant effects. Instructions on both of these methods are detailed in the application packet.

**DEADLINE FOR SUBMISSION OF COMPLETED APPLICATION IS
FEBRUARY 15, 2018.**

Applications can be scanned and emailed to caa@alaska.gov with the subject line **"Municipality Name, FY18, SFBT"**. If you have any questions about the program or require assistance in completing the application, please contact me at kimberly.phillips@alaska.gov or call (907) 451-2718.

Sincerely,

A handwritten signature in blue ink, appearing to read "Kimberly Phillips".

Kimberly Phillips
Grants Administrator II

Enclosures

FMA 18: Central Southeast Area

<i>Alternative Method*</i>	Total allocation: \$82,639.31	50% Divided \$41,319.66	50% per capita \$41,319.66	
Community	Population	50% divided share	50% per capita share	Calculated Allocation
Coffman Cove	204	\$4,591.07	\$541.58	\$5,132.66
Edna Bay	41	\$4,591.07	\$108.85	\$4,699.92
Kake	605	\$4,591.07	\$1,606.17	\$6,197.24
Kupreanof	21	\$4,591.07	\$55.75	\$4,646.82
Pelican	78	\$4,591.07	\$207.08	\$4,798.15
PB	3,179	\$4,591.07	\$8,439.68	\$13,030.75
Port Alexander	58	\$4,591.07	\$153.98	\$4,745.05
CBSitka	8,920	\$4,591.07	\$23,681.02	\$28,272.09
CBW	2,458	\$4,591.07	\$6,525.55	\$11,116.63
Totals	15,564	\$41,319.66	\$41,319.66	\$82,639.31
Community Count	9			

* All municipalities share 50% of allocation equally; share remaining 50% on a per capita basis.

DCCED
Shared Fisheries Business
Tax Program
FY 18 Long-Form Application
For
FMA 18: Central Southeast Area



APPLICATION MUST BE SUBMITTED TO DCCED
NO LATER THAN FEBRUARY 15, 2018

State of Alaska
Bill Walker, Governor
Department of Commerce, Community, and
Economic Development
Mike Navarre, Commissioner
Division of Community and Regional Affairs
Katherine Eldemar, Director

FY 18 SHARED FISHERIES BUSINESS TAX PROGRAM DESCRIPTION

The purpose of the Shared Fisheries Business Tax Program is to provide for an annual sharing of fish tax collected outside municipal boundaries to municipalities that can demonstrate they suffered significant effects from fisheries business activities. This program is administered separately from the state fish tax sharing program administered by the Department of Revenue which shares fish tax revenues collected inside municipal boundaries.

Program Eligibility

To be eligible for an allocation under this program, applicants must:

1. Be a municipality (city or borough); and
2. Demonstrate the municipality suffered significant effects as a result of fisheries business activity that occurred within its respective fisheries management area(s).

Program Funding

The funding available for the program this year is equal to half the amount of state fisheries business tax revenues collected outside of municipal boundaries during calendar year 2016.

Program funding is allocated in two stages:

1st Stage: Nineteen Fisheries Management Areas (FMAs) were established using existing commercial fishing area boundaries. The available funding is allocated among these 19 FMAs based on the pounds of fish and shellfish processed in the whole state during the 2016 calendar year. For example, if an area processed 10% of all the fish and shellfish processed in the whole state during 2016, then that area would receive 10% of the funding available for the program this year. These allocations are calculated based on Fisheries Business Tax Return information for calendar year 2016.

2nd Stage: The funding available within each FMA will be allocated among the municipalities in that area based on the level of fishing industry significant effects suffered by each municipality compared to the level of effects experienced by the other municipalities in that FMA.

Some boroughs, because of their extensive area, are included in more than one fisheries management area. In these cases, the borough must submit a separate program application for each area.

FY 18 SHARED FISHERIES BUSINESS TAX PROGRAM DESCRIPTION

There are two possible application methods: Standard and Alternative

Standard Method: In the Standard Method, established by the department, each municipality in the FMA must determine and document the cost of fisheries business impacts experienced by the community in 2016. These impacts are submitted by each municipality in their applications. The department will review the applications and determine if the impacts submitted are valid. Once the impacts have been established for each of the municipalities in the FMA, the department will calculate the allocation for each municipality using the following formula:

One half of the funding available within a FMA is divided up among participating municipalities on the basis of the relative dollar amount of impact in each municipality. The other half of the funding available to that area is divided equally among all eligible municipalities.

Alternative Method: Alternative allocation methods may be proposed by the municipalities within the FMA. The department will consider approving the use of a proposed alternative method only if all the municipalities in the area agree to use the method, and if the method includes some measure of the relative effects of the fishing industry on the respective municipalities in the area.

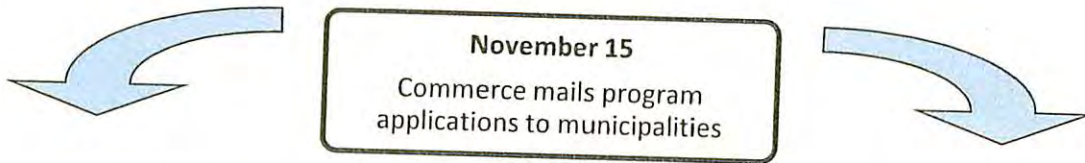
This application packet contains the instructions and forms applying under:

- STANDARD METHOD
- ALTERNATIVE METHOD

The chart on the following page summarizes the process for these two methods.

FY 18 SHARED FISHERIES BUSINESS TAX PROGRAM DESCRIPTION

PROCESS FOR METHODS



STANDARD METHOD

No later than February 15

Each municipality determines and documents the cost of fisheries impacts on the community and submits this information with their application.



No later than April 15

Commerce reviews applications, makes a determination as to the validity of the submitted impacts, and notifies the municipalities of this determination.



Within 30 days

Municipalities have 30 days in which to appeal Commerce's determinations regarding submitted impacts.



Within 20 days

Commerce will respond to appeals within 20 days after receiving them.



After all appeals are resolved

Commerce will perform the formula calculations for each FMA based on the relative impacts approved for each municipality in the FMA, and distribute the funding allocations.

ALTERNATE METHOD

No later than January 15

All municipalities in an FMA work together to develop an alternate allocation formula and submit their proposal to Commerce. Municipalities are encouraged to consult with Commerce during this effort regarding the acceptability of alternative methods.



No later than February 1

Commerce reviews alternate proposals, determines if proposals are acceptable, and notifies the municipalities of this determination. If the proposal is accepted, municipalities may then use the Alternative Method application. If the proposal is not acceptable to Commerce, the department will work with municipalities in an area to resolve problems. If the problems cannot be resolved, the municipalities in that FMA must apply using the Standard Method application.



No later than February 15

Each municipality must submit an Alternative Method application. Commerce will distribute allocations after all applications within that FMA have been received and verified.

FY 18 Shared Fisheries Business Tax Program Application Instructions

STANDARD METHOD

The Process

- In the standard method application process each municipality determines and documents the cost to the municipality of fisheries industry significant effects suffered by the community in 2016.
- Details for each of these effects are submitted by municipalities using the Declaration of Significant Effects application forms on the following pages.
- The municipality must also submit an approved resolution by the governing body certifying that the information submitted in the application is correct and complete. A sample resolution is included in this packet.
- The department will review the applications and determine if the significant effects submitted are valid.
- Once the effects have been established for each of the municipalities in a Fisheries Management Area, the department will calculate the funding allocation for each municipality using the following formula:

One half of the funding available within a FMA is divided up among participating municipalities on the basis of the relative **dollar amount of impact** in each municipality. The **other half** of the funding available to that area is divided equally among all eligible municipalities.

Guidelines for Completing the Declaration of Significant Effects Forms

Some important definitions: The Shared Fisheries Business Tax Program provides for a sharing of State Fisheries Business Tax with municipalities that can demonstrate they suffered *significant effects* during the *program base year* from *fisheries business activity* in their respective fisheries management area.

For the purposes of this program, "fisheries business activity" means:

- activity related to fishing, including but not limited to the catching and sale of fisheries resources;
- activity related to commercial vessel moorage and commercial vessel and gear maintenance;
- activity related to preparing fisheries resources for transportation; and,
- activity related to processing fisheries resources for sale by freezing, icing, cooking, salting, or other method and includes but is not limited to canneries, cold storages, freezer ships, and processing plants.

And, "significant effects" means:

- municipal expenditures during the program base year demonstrated by the municipality to the department to be reasonable and necessary that are the result of fisheries business activities on the municipality's:
 - population;
 - employment;
 - finances;
 - air and water quality;
 - fish and wildlife habitats; and,
 - ability to provide essential public services, including health care, public safety, education, transportation, marine garbage collection and disposal, solid waste disposal, utilities, and government administration.

And, "program base year" means:

- calendar year 2016.

A municipality does not need to have actual expenditures in 2016 in order to include them as significant effects in the application. If a fishing business activity impacts a municipality in a manner that will result in a cost to the municipality, then the municipality can claim that impact as a significant effect. For example, a city's pier might have been damaged by an improperly docked fish processing vessel. The city might not have the funds to repair the pier during 2016, but the city has obtained final engineering estimates for the cost of repairs. In this case, the city could declare the repair cost estimates as significant effects on their application. However, **these costs may not be claimed again** if the city subsequently expended the monies to repair the pier at a later date (this would result in a double counting of significant effects).

If a significant effect claimed in the application reflects expenditures that were determined by the municipality to be necessary, but for which the municipality was unable to make an expenditure during the program base year, the application must include a finding by the municipal governing body which documents and clearly describes the procedures and methods by which the need and the estimated cost of such expenditures were determined.

Only that part of overall community impacts which are directly attributable to fishing business activity should be included as significant effects in the application. For example, a city water supply system may be impacted by the fresh water needs of the local fishing fleet and fish processing facilities. However, a city in this situation should not claim the entire cost of operating or maintaining the water system as a "significant effect" for the purposes of this program. In this case, the city must determine and document its estimate of the share of the use, and "wear and tear," of the water system that can reasonably be attributed to fisheries business activity. A place is provided on the *Declaration of Significant Effects* forms for municipalities to explain how they arrived at such estimates.

Examples of eligible significant effects. The kinds of negative effects which a municipality might possibly claim to have suffered are many. It is the responsibility of each municipality to describe, document and justify its particular claims of negative impacts during 2016 resulting from fisheries business activities. For the purposes of this program, all significant effects must be presented in terms of

expenditures of municipal funds, either actual or determined necessary. For example, a sudden population increase of 1,000 people is not in itself a negative effect. It is the demonstrable impacts on the city budget of dealing with these extra people that may be considered as significant effects for this program. The following examples represent the kinds of community impacts which are clearly eligible for inclusion in a city's *Declaration of Significant Effects* forms.

- a municipality's expenses during 2016 in repairing a dock damaged by a fishing vessel;
- a municipality's costs of hiring extra police, teachers or medical staff to cover periods during 2016 when fish processing workers or fishing crew and their families expanded the municipality's population;
- a city 2016 loan which was used to improve the city's water system to meet increased demands for fresh water by local fish processors. Only that part of the debt service which can be directly attributable to supporting the fishing industry may be counted as a significant effect.
- special expenditures made by a city during 2016 to assist or help re-train workers who lost their jobs in the fishing industry because of a downturn in fishing activity;
- a borough's expenditures for operating and maintaining harbor facilities during 2016;
- that part of operating and maintaining a city's water and sewer system or landfill during 2016 that is directly attributable to the fishing industry.

Examples of events which are not eligible to be significant effects

The following are examples of municipal expenditures or events which are **not eligible** for inclusion in a municipality's *Declaration of Significant Effects* forms:

- Municipal expenditures that occurred before or after 2016 which are the result of fishing business activities;
- Revenues which a city did not receive during 2016 because of a downturn in local fishing business activity.

If you're not sure whether an event is a valid "significant effect" or not, contact DCCED.

Instructions for Completing the Standard Method Application

The completed standard method application submitted by each municipality will contain three elements:

- a set of *Declaration of Significant Effects* forms (one separate form for each significant effect claimed by the municipality). **Three copies of this form are included in the application- please make as many additional copies of this form as you need.**
- a *Cover Page* that provides the total number and cost of the significant effects claimed by the municipality.
- an *approved resolution* by the governing body adopting the application as true and correct. A sample resolution is included in the application.

Instructions for the Cover Page/Summary

The *Cover Page* must be completed and submitted as part of the application. This form summarizes the information found in the application. The number of significant effects claimed should be equal to the number of *Declarations of Significant Effects* forms submitted with the application and the total dollar amount should equal the sum of all the dollar amounts stated in Part 2 on the *Declarations of Significant Effects* forms.

Instruction for the *Resolution* form

Municipalities may use this form, or a similar form, to comply with the requirement that the submitted application be certified by the municipality's governing body.

**Submit completed application
no later than February 15, 2018, to:**

E-mail

caa@alaska.gov

Subject Line

"Municipality Name, FY18, SFBT"

Or

Mail

State of Alaska DCCED

Shared Fisheries Business Tax Program

455 3rd Avenue, Suite 140

Fairbanks, Alaska 99701-4737

**If you have any questions regarding this program, contact
Kimberly Phillips at 451-2718**

FY 18 SHARED FISHERIES BUSINESS TAX PROGRAM

**STANDARD METHOD APPLICATION
for FMA 18: Central Southeast Area**

Name of Municipality: _____

Address: _____

Contact Person: _____

Phone Number: _____

Total # of Significant Effects Claimed: _____

Total \$ of Significant Effects Claimed: \$ _____

Return cover page, Declaration of Significant Effects forms, and resolution

E-mail

caa@alaska.gov

Subject Line

"Municipality Name, FY18, SFBT"

Or

Mail

State of Alaska DCCED

Shared Fisheries Business Tax Program

455 3rd Avenue, Suite 140

Fairbanks, Alaska 99701-4737

FY 18 Shared Fisheries Business Tax Program
DECLARATION OF
SIGNIFICANT EFFECTS FORM
(One Separate Form for Each Significant Effect Claimed)

1. Provide a description of the fisheries business activity which resulted in the significant effect:

2. Total significant effect (municipal expenditure) made necessary during 2016 by the fisheries business activity listed in #1: \$ _____

3. Municipal expenditure is: ☐ actual ☐ determined necessary
(Every municipal expenditure marked "determined necessary" must be supported by a resolution)

4. Describe how the municipal expenditure figure listed under Part 2 was determined:

5. Is the fisheries business activity part of a larger fiscal impact on the municipality?
☐ yes ☐ no

If yes, describe how the fisheries business-related part of the overall fiscal impact was determined.

6. Describe the documentation that supports the municipality's claim of this significant effect (this documentation must be readily available to the department upon request):

FY 18 Shared Fisheries Business Tax Program
DECLARATION OF
SIGNIFICANT EFFECTS FORM
(One Separate Form for Each Significant Effect Claimed)

1. Provide a description of the fisheries business activity which resulted in the significant effect:

2. Total significant effect (municipal expenditure) made necessary during 2016 by the fisheries business activity listed in #1: \$ _____

3. Municipal expenditure is: ☐ actual ☐ determined necessary
(Every municipal expenditure marked "determined necessary" must be supported by a resolution)

4. Describe how the municipal expenditure figure listed under Part 2 was determined:

5. Is the fisheries business activity part of a larger fiscal impact on the municipality?
☐ yes ☐ no

If yes, describe how the fisheries business-related part of the overall fiscal impact was determined.

6. Describe the documentation that supports the municipality's claim of this significant effect (this documentation must be readily available to the department upon request):

FY 18 Shared Fisheries Business Tax Program
DECLARATION OF
SIGNIFICANT EFFECTS FORM
(One Separate Form for Each Significant Effect Claimed)

1. Provide a description of the fisheries business activity which resulted in the significant effect:

2. Total significant effect (municipal expenditure) made necessary during 2016 by the fisheries business activity listed in #1: \$ _____

3. Municipal expenditure is: ☐ actual ☐ determined necessary
(Every municipal expenditure marked "determined necessary" must be supported by a resolution)

4. Describe how the municipal expenditure figure listed under Part 2 was determined:

5. Is the fisheries business activity part of a larger fiscal impact on the municipality?
☐ yes ☐ no

If yes, describe how the fisheries business-related part of the overall fiscal impact was determined.

6. Describe the documentation that supports the municipality's claim of this significant effect (this documentation must be readily available to the department upon request):

FY 18 Shared Fisheries Business Tax Program
Standard Method Resolution

(City or Borough)

RESOLUTION NO. _____

A RESOLUTION CERTIFYING THE FY 18 SHARED FISHERIES BUSINESS TAX PROGRAM APPLICATION TO BE TRUE AND CORRECT

WHEREAS, AS 29.60.450 requires that for a municipality to participate in the FY 18 Shared Fisheries Business Tax Program, the municipality must demonstrate to the Department of Commerce, Community, and Economic Development that the municipality suffered significant effects during calendar year 2016 from fisheries business activities; and

WHEREAS, the Department of Commerce, Community, and Economic Development has prepared specific application forms for the purpose of presenting the municipality's claims as to the significant effects suffered by the municipality during calendar year 2016; and

WHEREAS, 3 AAC 134.100 requires the governing body of the municipality to include with the municipality's FY 18 program application an approved resolution certifying the information contained in the application to be true and correct;

NOW THEREFORE BE IT RESOLVED THAT:

The _____ by this resolution certifies the information contained in
(Governing Body)
the _____
(City or Borough)

FY18 Shared Fisheries Business Tax Program Application to be true and correct to the best of our knowledge.

PASSED AND APPROVED by a duly constituted quorum of the _____ this _____
day of _____, 20 _____.
(Governing Body)

SIGNED _____
Mayor

ATTEST _____
Clerk

FY 18 Shared Fisheries Business Tax Program Application Instructions

ALTERNATE METHOD

The Process

- In the alternate method application process all municipalities in a fisheries management area may work together to develop an alternative allocation formula for distributing the available program funding among municipalities in the area. It is advised that the department be consulted during this process if the municipalities have questions or concerns about what constitutes an acceptable alternative to the standard allocation method.
- All the municipalities in an area must reach an agreement in writing on an alternative allocation formula.
- By January 15, the department must receive the proposed alternative method. If the alternative method is not acceptable, the department will work with the municipalities to resolve the problems.
- If the municipalities in an area fail to satisfy the department regarding the acceptability of the alternative allocation method proposed, then each municipality in the region must return to the standard application process and submit separate applications as required by that process.
- If the department finds the alternative allocation method satisfactory, each municipality must then complete an alternative method application consisting of a cover page and resolution. The resolution must be adopted by the governing body and it must clearly describe the approved alternative allocation method within that area. After all alternative method applications within an area have been received and approved; the department will perform the allocations and distribute program funds.

Instructions for Alternative Method Application

In the alternative method application, an approved resolution constitutes the application. No other forms need to be submitted. A sample resolution has been attached for your use.

General Guidelines for Developing an Alternative Allocation Method

All municipalities in a fisheries management area must agree on the alternative method: There must be unanimous agreement among all eligible municipalities in a fisheries management area with regard to alternative allocation methods. It is the responsibility of community leaders in the area to work together to negotiate an alternative which is acceptable to all municipalities. The department may be consulted at any time regarding what kinds of formula approaches are considered acceptable by the department.

Alternative methods must incorporate some measure of the relative significant effects experienced by the respective municipalities in the area. The measure of significant effects may take many forms. One area might agree to use the number of commercial fishing boat visits-per-year per community as a measure of significant effects. Another area might use the linear foot-length of public docks as a measure. Another area might use community population figures as an indication of the significant effects of fisheries business activity. Another area might share one half of the funding equally between the respective municipalities and share the other half based upon community population figures. Areas may decide to use one measure, or may use a combination of measures.

**Submit your completed application
no later than
February 15, 2018 to:**

E-mail

caa@alaska.gov

Subject Line

"Municipality Name, FY18, SFBT"

Or

Mail

State of Alaska DCCED

Shared Fisheries Business Tax Program

455 3rd Avenue, Suite 140

Fairbanks, Alaska 99701-4737

**If you require assistance in completing this application, contact
Kimberly Phillips at 451-2718.**

FY 18 Shared Fisheries Business Tax Program
Alternative Method Resolution

(City or Borough)

RESOLUTION NO. _____

A RESOLUTION ADOPTING AN ALTERNATIVE ALLOCATION METHOD FOR THE FY18
SHARED FISHERIES BUSINESS TAX PROGRAM AND CERTIFYING THAT THIS
ALLOCATION METHOD FAIRLY REPRESENTS THE DISTRIBUTION OF SIGNIFICANT
EFFECTS OF FISHERIES BUSINESS ACTIVITY IN FMA 18: Central Southeast Area

WHEREAS, AS 29.60.450 requires that for a municipality to participate in the FY 18 Shared Fisheries Business Tax Program, the municipality must demonstrate to the Department of Commerce, Community, and Economic Development that the municipality suffered significant effects during calendar year 2016 from fisheries business activities; and,

WHEREAS, 3 AAC 134.060 provides for the allocation of available program funding to eligible municipalities located within fisheries management areas specified by the Department of Commerce, Community, and Economic Development; and,

WHEREAS, 3 AAC 134.070 provides for the use, at the discretion of the Department of Commerce, Community, and Economic Development, of alternative allocation methods which may be used within fisheries management areas if all eligible municipalities within the area agree to use the method, and the method incorporates some measure of the relative significant effect of fisheries business activity on the respective municipalities in the area; and,

WHEREAS, The _____
(Governing Body) proposes to use an alternative allocation method for allocation of FY18 funding available within the FMA 18: Central Southeast Area in agreement with all other municipalities in this area participating in the FY18 Shared Fisheries Business Tax Program;

NOW THEREFORE BE IT RESOLVED THAT: The _____
(Governing Body) by this resolution certifies that the following alternative allocation method fairly represents the distribution of significant effects during 2016 of fisheries business activity in FMA 18: Central Southeast Area:

All municipalities share equally 50% of allocation; all municipalities share remaining 50% on a per capita basis.

PASSED and APPROVED by a duly constituted quorum of the _____ this _____ day
of _____ 20____.
(Governing Body)

SIGNED _____
Mayor

ATTEST _____
Clerk



CITY AND BOROUGH OF SITKA

Legislation Details

File #: RES 18-02 Version: 1 Name:

Type: Resolution Status: AGENDA READY

File created: 1/3/2018 In control: City and Borough Assembly

On agenda: 1/9/2018 Final action:

Title: Supporting the Sitka Tribe of Alaska and the 2018 Board of Fisheries discussion on subsistence herring egg harvest in Sitka Sound

Sponsors:

Indexes:

Code sections:

Attachments: [Motion and Res 2018-02.pdf](#)
[Proposal 94.pdf](#)
[Proposal 104.pdf](#)
[Sitka Tribe of Alaska Subsistence Zone.pdf](#)
[Sitka Tribe of Alaska Subsistence Zone new areas \(003\).pdf](#)
[Sitka Tribe of Alaska 10% Harvest Cap \(003\).pdf](#)
[STA MOU.pdf](#)

Date	Ver.	Action By	Action	Result
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POSSIBLE MOTION

I MOVE TO approve Resolution 2018-02 on
first and final reading.

CITY AND BOROUGH OF SITKA

RESOLUTION NO. 2018-02

**A RESOLUTION BY THE CITY AND BOROUGH OF SITKA
SUPPORTING THE SITKA TRIBE OF ALASKA AND THE 2018 BOARD OF FISHERIES
DISCUSSION ON SUBSISTENCE HERRING EGG HARVEST IN SITKA SOUND**

- WHEREAS,** the Sitka Tribe of Alaska is the federally recognized tribal government for the Sitka area and is responsible for the health, safety, and culture for its more than 4,400 tribal citizens; and
- WHEREAS,** the City and Borough of Sitka and the Sitka Tribe of Alaska have entered in to a Memorandum of Understanding "to recognize areas of mutual concern and support, establish a framework for cooperative relations and promote government-to-government communications for the benefit of the community of Sitka as a whole"; and
- WHEREAS,** the effects of changing ocean conditions brought about by climate change and the significant increase in the humpback whale population on herring stocks are not fully understood nor adequately addressed in the management of the Sitka Sound herring stock; and
- WHEREAS,** the amount necessary for subsistence (5AAC 01.716 (b)) for the Sitka Sound subsistence herring egg harvest has not been met in five of the last seven years (2010-2016); and
- WHEREAS,** it is important to recognize the cultural and traditional ecological knowledge in the ongoing discussions and management of the Sitka Sound and all Southeast Alaska herring stocks; and
- WHEREAS,** the Sitka Tribe of Alaska has submitted three Board of Fisheries proposals that are aimed at conserving the Sitka Sound herring stock and protecting a viable subsistence harvest of herring eggs in Sitka Sound; and
- WHEREAS,** the Alaska Department of Fish & Game's local Advisory Committee (AC) recognized the need for herring conservation and the concerns of subsistence harvesters; and
- WHEREAS,** the AC unanimously supported an amended version of Board of Fisheries Proposal 99 to change the Sitka Guideline Harvest Level (GHL) Rate, and the Sitka Tribe of Alaska finds this a reasonable compromise; and
- WHEREAS,** the Sitka Tribe of Alaska's 2018 Board of Fisheries proposal 106 would close waters adjacent to the core subsistence herring egg harvest area and contiguous with existing waters that are closed to commercial herring fishing for the purposes of establishing a herring conservation zone and protecting the subsistence herring egg harvest; and

52 **WHEREAS,** the Sitka Tribe of Alaska opposes 2018 Board of Fisheries Proposals 94 and 104
53 that are aimed at rescinding existing regulations, which are in place to protect the
54 subsistence harvest of herring eggs in Sitka Sound and to provide a reasonable
55 opportunity for the amount necessary for subsistence to be met.
56

57 **NOW, THEREFORE, BE IT RESOLVED** that the Assembly of the City and Borough of Sitka
58 hereby shares the Sitka Tribe of Alaska's concerns about conserving the Sitka Sound herring
59 stock and protecting the subsistence harvest of herring eggs in Sitka Sound.
60

61 **PASSED, APPROVED, AND ADOPTED** by the Assembly of the City and Borough of Sitka,
62 Alaska this 9th day of January, 2018.
63
64

65 _____
66 Matthew Hunter, Mayor
67

68 ATTEST:
69

70 _____
71 Sara Peterson, CMC
72 Municipal Clerk
73

74 1st and final reading 1/9/2018
75

PROPOSAL 94

5 AAC 01.716. Customary and traditional subsistence uses of fish stocks and amount necessary for subsistence uses.

Reduce the amount of herring spawn reasonably necessary for subsistence in Sitka Sound, as follows:

The amounts reasonably necessary for subsistence (ANS) should be based on good data which is available. Lower the ANS to 60,000 to 120,000 pounds or recommend a program for further study to corroborate Southeast Herring Conservation Alliance (SHCA) harvest numbers.

What is the issue you would like the board to address and why?

The ANS for Section 13-A and 13-B is based on anecdotal information. There is better information upon which to base the ANS.

Herring eggs on branch harvest has not been well documented by weights and measures during the period from 1970 to 2008. However, in 2009 and 2010, SHCA conducted a herring eggs on branch harvest program with a strict protocols for weights, measures, and mapping. No data are available for 2011. In 2012 through 2017, the program was continued utilizing the same methodology for weighing, measuring, and mapping herring eggs on branches.

During the study period from 2009 to 2017, it is evident that variation in the herring egg branch harvest is not due to the sac roe fishery, but rather timing of spawn, spawn duration, weather, and participation effort. According to the Alaska Department of Fish and Game Subsistence Division, participation in herring egg branch harvest has declined over time. SHCA observations confirm low participation. The SHCA egg harvest program has demonstrated that a harvest of 30,000 to 40,000 pounds saturates the gifting of eggs in Sitka. Additional eggs are certainly harvested by individuals, whom we have also monitored, but there is insufficient effort to harvest more than 50,000 pounds.

SHCA's work provides a basis for the ANS numbers in regulation. The ANS was established decades ago based on anecdotal estimates, yet when SHCA had some of the same harvesters who helped establish those numbers on the subsistence harvest boat, the estimated weights compared to certified scale weights repeatedly demonstrated a factor of 1 to 3.5. For example, the 2009 data show estimated weights were 3 to 4 times higher than the true certified weights. SHCA harvesters found certified scale weights of 3,000 pounds of herring eggs were consistently judged to be 9,000 to 12,000 lbs., an over-estimate of 6 to 9,000 lbs.

The current ANS numbers for herring eggs are not founded on good information. If the current ANS 136,000–237,000 were not being used as a tool to shut down the sac roe herring fishery it would be immaterial, however, the ANS has been artificially inflated for that very reason. The fact is, it is possible to harvest this amount of eggs, although 186,000 pounds, the mid-point of the ANS, based on SHCA's work it would require 300 four inch+ diameter hemlock tree sets, and five or six forty-foot boats with hydraulics to harvest the eggs in the 10 day spawn period.

PROPOSED BY: Southeast Herring Conservation Alliance

(EF-F17-083)

PROPOSAL 104

5 AAC 27.150. Waters closed to herring fishing in Southeastern Alaska Area.

Repeal closed waters in the District 13 commercial herring fishery, as follows:

5 AAC 27.150 (a) would end at (6). (7) District 13, in the waters north and west of the Eliason Harbor....etc would be deleted from regulation as a closed area.

5 AAC 27.150. Waters closed to herring fishing in Southeastern Alaska Area Herring may not be taken in:

~~(7) District 13, in the waters north and west of the Eliason Harbor breakwater and Makhnati Island Causeway from the westernmost tip of Makhnati Island to the easternmost point on Bieli Rock to the southernmost tip of Gagarin Island to a point on the eastern shore of Crow Island at 57_06.43' N. lat., 135_28.27' W. long. to a point on the western shore of Middle Island at 57_06.41' N. lat., 135_28.11' W. long. to a point on the southeastern shore of Middle Island at 57_05.56' N. lat., 135_26.23' W. long. to the green navigation marker northeast of Kasiana Island, to the Baranof Island shore at 57_05.26' N. lat., 135_22.95' W. long.~~

What is the issue you would like the board to address and why? The closed waters described in 27.150 (a)(7) locally referred to as the Core Area is not necessary for successful herring egg gathering, and should be rescinded. Established in 2012, the Core Area with major islands Middle, Kasiana, and Crow has had good quality spawn deposition since the 1970s and is well documented in ADF&G historical data, spawn maps and spawn assessment surveys. However, the harvest of herring eggs on branches has not been well documented by certified weights and measures during the same period. In 2009, 2010, 2012-2017 SHCA conducted a 'herring eggs on branch' harvest program with methodologies for weights, measures, and mapping of harvest areas; these were years when the Core Area was open (2009-2010) and closed (2012-2017) to commercial herring harvest. No data is available for 2011 due to a local group opposing the boat operator of the herring egg on branch program. In 2012 through 2017, years when the Core Area was closed as per 27.150 (a) (7), the herring eggs on branch program was conducted with identical methodologies as the 2009 to 2010 period to determine weights and measures of subsistence harvested eggs. These data are supplied to ADF&G Subsistence Division annually.

During the years 2009 to 2017, it is evident that variation in the herring egg branch harvest is not due to the sac roe fishery, but rather the timing of the spawn, spawn duration, weather, and, participation effort. One important factor is the overall biomass, which, according to department stock assessment, has been on an increasing trend since the mid-1970's. Subsistence Division data also corroborates these factors and trends.

Nevertheless, SHCA has always obtained sufficient eggs to satisfy all comers to the local dock for distribution. In fact, we often return unused eggs to the ocean. The sac roe fishery has been prosecuted in the Core Area during the study period, and frequently adjacent to the Core Area with no ill effect on our herring egg on branch harvest program. The proponents of the Core Area closure stated it needed to be closed in order to obtain herring eggs on branches; yet in the years before the closure, SHCA was able to harvest 70,000 lbs from the core area shortly after the fishery was prosecuted.

SHCA's herring egg harvest has established accurate information on weights harvested and local demand for the product.. Lacking accurate information, the ANS was established decades ago based on anecdotal estimates. When SHCA had some of the same harvesters who helped establish those numbers on the SHCA subsistence harvest boat, the estimated weights compared to certified scale weights repeatedly demonstrated an error factor of 1 to 3.5. For example, the 2009 data show estimated weights were 3 to 4 times higher than the true certified weights. SHCA harvesters found certified scale weights of 3,000 pounds of herring eggs were consistently judged to be 9,000 to 12,000 lbs., an over-estimate of 6 to 9,000 lbs.

It is evident that successful harvest of herring eggs requires sustained effort, a large volume of trees/branches, and significant human power or horse power to collect the branches with egg deposition. All SHCA eggs are provided to the community of Sitka over a period of 5 to 7 days.

PROPOSED BY: Southeast Herring Conservation Alliance

(EF-F17-082)

1) **5 AAC 27.150. Waters closed to herring fishing in Southeastern Alaska Area**

2) **ISSUE**

In the last 15 years, subsistence needs (amount necessary for subsistence) have been met 8 times, with needs only being met three in the last 7 years (2010-2016). The harvest of herring by the sac roe fishery in or adjacent to the core subsistence herring egg harvest area disrupts prespawn and spawning herring and has a negative impact on the quantity and quality of the subsistence harvest. In 2012 the Board modified a similar proposal and approved a closure area approximately half the size of what was requested. The closure of this approved area was adhered to in 2012 and 2013, and although the ANS was not met in either of those years the closure of these waters protected the harvest that did occur. Closure of the full area requested will increase the opportunity for the ANS to be met.

WHAT WOULD HAPPEN IF NOTHING IS DONE?

The commercial herring sac-roë fishery will continue to disturb prespawning and spawning herring in this area, thus negatively affecting the subsistence fishery.

OTHER SOLUTIONS CONSIDERED

Closure of the fishery or a significant reduction in the harvest rate.

3) **RECOMMENDED SOLUTION**

Exclude commercial sac roe herring fishing within a defined core spawning and subsistence area within Sitka Sound, to allow for a more reasonable opportunity for subsistence needs to be met, as follows:

(7) District 13, in the waters **encompassed by a line extending from the western most tip of Makhnati Island, to the northern most tip Aleutski Island, to the Baranof Island shore at the O'Connell Bridge, north along the Baranof Island shoreline, to Harbor Point, to the northern most point of Big Gavanski Island, from the western most point of Big Gavanski Island, to northwestern tip of Crow Island, to Bieli Rocks, and ending at western most tip of Makhnati Island.** [NORTH AND WEST OF THE ELIASON HARBOR BREAKWATER AND MAKHNATI ISLAND CAUSEWAY FROM THE WESTERNMOST TIP OF MAKHNATI ISLAND TO THE EASTERNMOST POINT ON BIELI ROCK TO THE SOUTHERNMOST TIP OF GAGARIN ISLAND TO A POINT ON THE EASTERN SHORE OF CROW ISLAND AT 57° 06.43' N. LAT., 135° 28.27' W. LONG. TO A POINT ON THE WESTERN SHORE OF MIDDLE ISLAND AT 57° 06.41' N. LAT., 135° 28.11' W. LONG. TO A POINT ON THE SOUTHEASTERN SHORE OF MIDDLE ISLAND AT 57° 05.56' N. LAT., 135° 26.23' W. LONG. TO THE GREEN NAVIGATION MARKER NORTHEAST OF KASIANA ISLAND, TO THE BARANOF ISLAND SHORE AT 57° 05.26' N. LAT., 135° 22.95' W. LONG.]

1) **5 AAC 27.150. Waters closed to herring fishing in Southeastern Alaska Area**

2) **ISSUE**

In the last 15 years, subsistence needs (amount necessary for subsistence) have been met 8 times, with needs only being met three in the last 7 years (2010-2016). The harvest of herring by the sac roe fishery in or adjacent to the core subsistence herring egg harvest area disrupts prespawn and spawning herring and has a negative impact on the quantity and quality of the subsistence harvest. In 2012 the Board modified a similar proposal and approved a closure area approximately half the size of what was requested. The closure of this approved area was adhered to in 2012 and 2013, and although the ANS was not met in either of those years the closure of these waters protected the harvest that did occur. Closure of additional areas requested will increase the opportunity for the ANS to be met.

WHAT WOULD HAPPEN IF NOTHING IS DONE?

The commercial herring sac-roe fishery will continue to disturb prespawning and spawning herring in this area, thus negatively affecting the subsistence fishery.

OTHER SOLUTIONS CONSIDERED

MOA between Sitka Tribe of Alaska and ADF&G was not able to remedy negative impacts to traditional subsistence herring roe harvesting.

3) **RECOMMENDED SOLUTION**

Exclude commercial sac roe herring fishing within a defined core spawning and subsistence area within Sitka Sound, to allow for a more reasonable opportunity for subsistence needs to be met, as follows:

(7) District 13, in the waters NORTH AND WEST OF THE ELIASON HARBOR BREAKWATER AND MAKHNATI ISLAND CAUSEWAY FROM THE WESTERNMOST TIP OF MAKHNATI ISLAND TO THE EASTERNMOST POINT ON BIELI ROCK TO THE SOUTHERNMOST TIP OF GAGARIN ISLAND TO A POINT ON THE EASTERN SHORE OF CROW ISLAND AT 57° 06.43' N. LAT., 135° 28.27' W. LONG. TO A POINT ON THE WESTERN SHORE OF MIDDLE ISLAND AT 57° 06.41' N. LAT., 135° 28.11' W. LONG. TO A POINT ON THE SOUTHEASTERN SHORE OF MIDDLE ISLAND AT 57° 05.56' N. LAT., 135° 26.23' W. LONG. TO THE GREEN NAVIGATION MARKER NORTHEAST OF KASIANA ISLAND, TO THE BARANOF ISLAND SHORE AT 57° 05.26' N. LAT., 135° 22.95' W. LONG. NAKWASINA SOUND FROM DOG POINT TO KRUGLOI POINT AND FROM ALLEN POINT TO THE BARANOF ISLAND SHORE AT 57° 25' 20.66", KATLIAN BAY FROM MOSQUITO COVE TO LISIANSKI POINT, ALEUTKINA BAY FROM THE NORTHWEST TIP OF SILVER POINT AT 57° 00' 47.016" N. LAT., 135° 18' 4.9674" W. LONG. TO THE NORTHWEST TIP OF LUCE ISLAND AT 57° 00' 42.318" N. LAT., 135° 19' 27.0762" W. LONG. TO THE WESTERNMOST POINT ON ERROR ISLAND AT 57° 00' 32.8566" N. LAT., 135° 19' 30.3558" W. LONG. TO THE NORTHEAST ENTRANCE TO DEEP INLET AT 56° 59' 34.8858" N. LAT., 135° 18' 41.3928" W. LONG.

1) **5 AAC 27.160. Quotas and guideline harvest levels for Southeastern Alaska Area**

2) **ISSUE**

The current guideline harvest level (GHL) for the Sitka Sound sac roe fishery is exceeding market demand and is one of the variables affecting subsistence herring egg harvester's ability to meet their needs or the amount necessary for subsistence.

ADF&G data suggest that the Sitka Sound herring biomass was on an upward trend starting 1995 and peaked in 2009. This reported increase in biomass combined with the Board approved maximum harvest rate of 20% has significantly increased the annual GHLs. The length, duration, and intensity of the fishery have increased substantially in an attempt to harvest these excessive GHLs. The Sitka Tribe of Alaska firmly believes that this increased fishing effort is disrupting the spawning patterns of herring in the Sound and is causing a high frequency of subsistence herring egg harvester needs not being met.

WHAT WOULD HAPPEN IF NOTHING IS DONE?

There will continue to be a high frequency of subsistence herring egg harvester's needs not being met.

OTHER SOLUTIONS CONSIDERED

Closing the fishery.

3) **RECOMMENDED SOLUTION**

(g) The guideline harvest level for the herring sac roe fishery in Sections 13-A and 13-B **will** [SHALL] be established [BY THE DEPARTMENT AND WILL BE] **using a maximum** harvest rate **of 10 percent of the spawning biomass.** [PERCENTAGE THAT IS NOT LESS THAN 12 PERCENT, NOT MORE THAN 20 PERCENT, AND WITHIN THAT RANGE SHALL BE DETERMINED BY THE FOLLOWING FORMULA:

$$\text{HARVEST RATE PERCENTAGE} = 2 + 8 [\text{SPAWNING BIOMASS (IN TONS)}] / 20,000]$$

The fishery will not be conducted if the spawning biomass is less than 25,000 tons.

MEMORANDUM OF UNDERSTANDING

between the

SITKA TRIBE OF ALASKA

and the

CITY AND BOROUGH OF SITKA

ARTICLE I. PURPOSE

This Memorandum of Understanding is made and entered into by and between the Sitka Tribe of Alaska (Tribe) and the City and Borough of Sitka (City) to recognize areas of mutual concern and support, establish a framework for cooperative relations and promote government-to-government communication for the benefit of the community of Sitka as a whole.

Both the Tribe and the City have responsibilities and interests in the establishment of cooperative relationships that meet the needs of both Tribal and City governments. The Tribe, in managing tribal affairs, has information and resources beneficial to the City. The City, in managing municipal affairs, has information and resources beneficial to the Tribe. It is the desire of both parties to cooperate concerning the legal and political matters inherent in a government-to-government relationship.

ARTICLE II. STATEMENT OF WORK

In consideration of the above declaration of purpose, the parties agree to the following:

A. THE TRIBE SHALL:

- 1.** Make Tribal resources, lands and professional expertise available for the furtherance of cooperative relationships envisioned by this agreement, subject to the applicable tribal and federal laws and regulations, as well as the approval of the Sitka Tribal Council.
- 2.** Cooperate in the planning, implementation and monitoring of project work undertaken pursuant and supplemental to this agreement.
- 3.** Assign a Tribal liaison officer who shall be responsible for routine activities between the Tribe and the City.

B. THE CITY SHALL:

1. Make Municipal resources, lands and professional expertise available for the furtherance of cooperative relationships envisioned by this agreement, subject to the applicable municipal, state and federal laws, as well as the approval of the Assembly for the City & Borough of Sitka.
2. Cooperate in the planning, implementation and monitoring of project work undertaken pursuant and supplemental to this agreement.
3. Assign a Municipal liaison officer who shall be responsible for routine activities between the City and the Tribe.

C. IT IS MUTUALLY AGREED AND UNDERSTOOD:

1. The parties will meet at least annually to develop guidelines for cooperative relationships and proposals to meet the purposes of this agreement, including, but not limited to:
 - a. Taxes and agreements for payments in lieu of taxes, if any;
 - b. Zoning and development of areas important to the respective governments;
 - c. Economic development;
 - d. Protection of the environment and customary and traditional hunting, fishing, and gathering;
 - e. Educational and social advancement;
 - f. Administration of justice and enforcement;
 - g. Cultural and historic preservation.
2. This agreement in no way restricts the parties from participating with other public and private agencies, organizations, and individuals, or from accepting contributions and donations for other similar agreements or projects.
3. Nothing in this agreement shall obligate either the Tribe or the City in expenditure for funds, or by future payments of money, in excess of appropriations authorized by law and administratively allocated by the respective governments.

4. The Tribe and City agree, at a minimum, that each government will be responsible for its own acts and the results thereof; shall not be responsible for the actions of the other party; and each party agrees it will assume to itself the risk and liability resulting in any manner under the terms of this agreement.

ARTICLE III. TERMS OF AGREEMENT

A. DURATION OF AGREEMENT

The duration of this agreement is perpetual, until and unless revised or terminated pursuant to the terms of this agreement.

B. REVISION OF AGREEMENT

This agreement may be revised as necessary, by mutual consent of both parties, by issuance of a written amendment, signed and dated by the proper representative of each government.

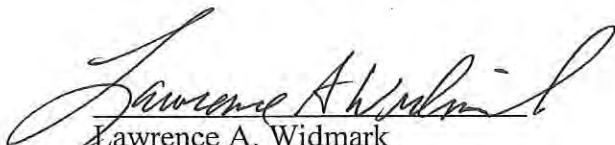
C. TERMINATION OF AGREEMENT

This agreement may be terminated by either government by providing 30 days written notice.

ARTICLE VI. EFFECTIVE DATE


In witness of whereof, the Tribe and the City have executed this agreement as of the last written date below.

FOR THE SITKA TRIBE OF ALASKA


Lawrence A. Widmark
Tribal Council Chairman
Sitka Tribe of Alaska

7/16/98
Date

FOR THE CITY AND BOROUGH OF SITKA


Stan Filler
Mayor
City and Borough of Sitka

7/11/98
Date



CITY AND BOROUGH OF SITKA

Legislation Details

File #: 18-001 Version: 1 Name:

Type: Item Status: AGENDA READY

File created: 1/3/2018 In control: City and Borough Assembly

On agenda: 1/9/2018 Final action:

Title: Update from legal counsel regarding the defense of the litigation arising out of the August 18, 2015 landslide events

Sponsors:

Indexes:

Code sections:

Attachments: [Motion Executive Session.pdf](#)

Date	Ver.	Action By	Action	Result
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POSSIBLE MOTIONS

Step 1:

I MOVE to go into Executive Session to receive and discuss an update from legal counsel, David Bruce*, regarding the defense of the litigation arising out of the August 18, 2015 landslide events.

**Note: David Bruce will attend telephonically.*

Step 2:

I MOVE to reconvene as the Assembly in regular session.