



CITY AND BOROUGH OF SITKA

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

Meeting Agenda

City and Borough Assembly

*Mayor Gary Paxton
Deputy Mayor Steven Eisenbeisz,
Vice Deputy Mayor Valorie Nelson,
Aaron Bean, Kevin Knox, Dr. Richard Wein, Kevin Mosher*

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

Tuesday, November 27, 2018

6:00 PM

Assembly Chambers

REGULAR MEETING

I. CALL TO ORDER

II. FLAG SALUTE

III. ROLL CALL

IV. CORRESPONDENCE/AGENDA CHANGES

[18-223](#) Reminders, Calenders and General Correspondence

Attachments: [Reminders and Calendars](#)
[Congressional Letters](#)
[AMHS 2019 Summer Schedule](#)

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)

[18-217](#) Special Report: SCH/SEARCH Strategic Affiliation Process - Sarah Cave, Steve Huebner, Sandy Johnson

Attachments: [11-27 CBS Assembly Update \(FINAL 112018\)](#)

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** [18-218](#) Approve the minutes of the November 8 Assembly meeting
- Attachments:** [Consent and minutes](#)
- B** [18-219](#) Approve liquor license renewal applications for: 1) The Channel LLC dba Channel Club at 2906 Halibut Point Road, 2) Pioneer Liquor, Inc. dba Pioneer Bar and Pioneer Liquor Store at 212 Katlian Street
- Attachments:** [Motion and memos license apps](#)
 [Channel Club app](#)
 [Pioneer Bar app](#)
 [Pioneer Liquor app](#)
- C** [RES 18-24](#) Supporting the application request to name the newly formed lake created by the May 12, 2013 landslide at the head of Redoubt Lake as Luna Lake
- Attachments:** [Motion and Res 2018-24](#)
 [Luna Lake City of Sitka rev ltr](#)
 [Luna Lake application](#)
 [Geo guidelines adopted Dec15](#)
 [Comments Historic Preservation Commission](#)

X. BOARD, COMMISSION, COMMITTEE APPOINTMENTS

- D** [18-220](#) Appoint Victor Weaver to an unexpired term on the Planning Commission
- Attachments:** [Motion appointment](#)
 [Weaver Application](#)

XI. UNFINISHED BUSINESS:

- E** [ORD 18-52S](#) Amending Title 13 "Port and Harbors" of the Sitka General Code by adding Chapter 13.16 "Commercial Marine Trade Permit" and amending Chapter 13.04 "Definitions"
- Attachments:** [Motion and Ord 2018-52S](#)
 [Informational Only](#)

- F [ORD 18-53](#) Making supplemental appropriations for Fiscal Year 2019 (Sitka Community Hospital Sale)

Attachments: [Motion Memo and Ord 2018-53](#)
[Fee Proposal Huebner Advisory](#)

XII. NEW BUSINESS:

New Business First Reading

- G [ORD 18-54](#) Making supplemental appropriations for Fiscal Year 2019 (City Hall Customer Service Counter)

Attachments: [Motion Memo and Ord 2018-54](#)

Additional New Business Items

- H [18-221](#) Update / Discussion on the November 17, 2018 Assembly Visioning Session and scheduling of next Visioning Session

Attachments: [Update and Discussion November 17 Visioning Session](#)
[Calendars](#)

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

- I [18-222](#) Executive Sessions: 1) Financial / Legal Matters - Silva vs. CBS and Ferguson vs. CBS 2) Financial / Legal Matters - Phase 3b of the CBS / SCH-SEARHC Affiliation Process

Attachments: [Executive Session Motions](#)

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, MMC, Municipal Clerk
Publish: November 23*



CITY AND BOROUGH OF SITKA

Master

File Number: 18-223

File ID: 18-223

Type: Item

Status: AGENDA READY

Version: 1

Reference:

In Control: City and Borough
Assembly

File Created: 11/21/2018

File Name:

Final Action:

Title: Reminders, Calenders and General Correspondence

Notes:

Sponsors:

Enactment Date:

Attachments: Reminders and Calendars, Congressional Letters,
AMHS 2019 Summer Schedule

Enactment Number:

Contact:

Hearing Date:

Drafter:

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	City and Borough Assembly	11/27/2018					

Text of Legislative File 18-223

title
Reminders, Calenders and General Correspondence

REMINDERS

<u>DATE</u>	<u>EVENT</u>	<u>TIME</u>
Tuesday, November 27	Regular Meeting	6:00 PM
Tuesday, December 4	Work Session: Blue Lake Infrastructure & Critical Secondary Water	6:00 PM
Saturday, December 8	Tentative – Assembly Visioning Session	9:00 AM
Tuesday, December 11	Regular Meeting	6:00 PM
Thursday, December 20	Regular Meeting	6:00 PM



Assembly Calendar

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

November 2018

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
28 Oct	29	30	31	1 Nov	2	3
	4:00pm New Member Assembly Orientation - 3rd Floor Conference Room City Hall	8:00am - 5:00pm New Member Assembly Orientation - Tours 3:00pm GPIIP		Nelson 12:00pm SEDA Board Meeting 4:00pm New Member Assembly Orientation - 3rd Floor Conference Room City Hall	Eisenbeisz Nelson	Eisenbeisz Nelson
4	5	6	7	8	9	10
Eisenbeisz Nelson	Eisenbeisz	Eisenbeisz GENERAL ELECTION	Eisenbeisz 6:00pm Library Commission 7:00pm Planning Commission	Eisenbeisz 12:00pm LEPC 1:30pm Health Needs & Human Services Commission 6:00pm Regular Meeting	Eisenbeisz Knox	Eisenbeisz Knox
11	12	13	14	15	16	17
Knox Mosher Nelson Paxton	Alaska Municipal League Conference HOLIDAY Mosher Nelson Paxton	Alaska Municipal League Conference Mosher Nelson Paxton 12:00pm Parks & Rec	Alaska Municipal League Conference Mosher Nelson Paxton 6:00pm Historic Preservation 6:15pm Port & Harbors Commission	Alaska Municipal League Conference Mosher Nelson Paxton	Alaska Municipal League Conference Nelson	Nelson 9:00am - 12:00pm Assembly Visioning Session (HCH Meeting Rm 7)
18	19	20	21	22	23	24
Nelson	Nelson	Nelson 12:00pm <u>Tree/Landscape</u>	Nelson 7:00pm Planning Commission	6:00pm Hospital Board Meeting HOLIDAY Nelson	Nelson	Nelson
25	26	27	28	29	30	1 Dec
		6:00pm <u>Regular Assembly Mtg</u>	Nelson 6:00pm Police and Fire Commission	Nelson	Nelson	

Assembly Calendar

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

December 2018

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

Assembly Calendar

2018 Jan Feb Mar Apr May Jun Jul Aug Sep Oct Nov Dec 2020

January 2019

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



City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

Coast Guard City, USA

November 7, 2018

Congressman Don Young
2314 Rayburn House Office Building
Washington, DC 20515

471 W. 36th Avenue, Suite 201
Anchorage, AK 99503

Dear Congressman Young,

This letter is to introduce myself as the new Mayor of the City and Borough of Sitka. I am thrilled to have been voted into office by the citizens and look forward to furthering their interests and concerns.

I appreciate your hard work for the State of Alaska, especially Sitka. Payment In Lieu of Taxes (PILT) and Secure Rural Schools (SRS) funding are critical for Sitka as the majority of Baranof and Chicagoff Islands are part of the Tongass National Forest.

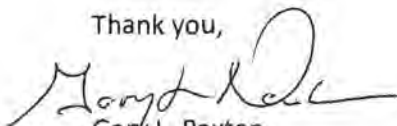
Hurdles we face in the future include securing funding for our long list of failing infrastructure and capital projects. Top of the list is a developing a secondary water source to remain in compliance with federal guidelines for water quality and protecting the Blue Lake FERC licensing which requires inspections of the penstock every five years. Both of these result in closure of our community's water source and push us to develop an additional source to ensure schools, hospitals, restaurants, etc. have potable water at all times. We request your assistance in securing federal funding for the construction of the Critical Secondary Water Source Infrastructure.

In addition, we have \$120,000,000 in bond debt from the Blue Lake Dam Hydroelectric Expansion Project, which received no federal assistance. The community now struggles to fund necessary electrical capital improvements to utilize the additional electrical capacity, as well as facing significant federal costs related to Green Lake Hydroelectric overhaul and FERC inspections. Please provide any information or updates on possible funding sources.

Sitka continues to be proud of its ongoing *Coast Guard City* status and is very supportive of the personnel and families stationed locally. We look forward to assisting the Coast Guard with increasing their presence in Southeast Alaska and are encouraged by the proposed Fast Response Cutter and the personnel to be stationed in Sitka.

During my term as Mayor, I look forward to working with you and your staff on a number of different issues essential to Sitkans. Please let me know if I can answer any questions or provide additional information.

Thank you,


Gary L. Paxton
Mayor

Providing for today...preparing for tomorrow



City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

Coast Guard City, USA

November 7, 2018

Senator Lisa Murkowski
522 Hart Senate Office Building
Washington, DC 20510

800 Glacier Ave Suite 101
Juneau, AK 99801

Dear Senator Murkowski,

This letter is to introduce myself as the new Mayor of the City and Borough of Sitka. I am thrilled to have been voted into office by the citizens and look forward to furthering their interests and concerns.

I appreciate your hard work for the State of Alaska, especially Sitka. Payment In Lieu of Taxes (PILT) and Secure Rural Schools (SRS) funding are critical for Sitka as the majority of Baranof and Chicagoff Islands are part of the Tongass National Forest.

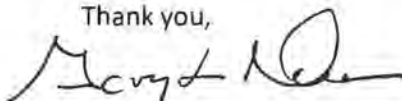
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Thank you,


Gary Paxton
Mayor

LISA, THANKS FOR ALL YOU DO FOR
OUR GREAT STATE & NATION - YOU
ARE EXACTLY WHAT OUR SENATORS
SHOULD BE. GOD BLESS

Providing for today...preparing for tomorrow





City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

Coast Guard City, USA

November 7, 2018

Senator Dan Sullivan

702 Hart Senate Office Building
Washington, DC 20510

800 Glacier Ave Suite 101
Juneau, AK 99801

Dear Senator Sullivan,

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I appreciate your hard work for the State of Alaska, especially Sitka. Payment In Lieu of Taxes (PILT) and Secure Rural Schools (SRS) funding are critical for Sitka as the majority of Baranof and Chicagoff Islands are part of the Tongass National Forest.

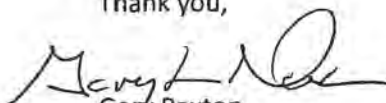
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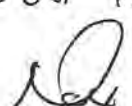
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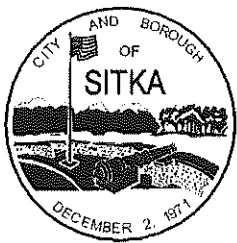
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Thank you,


Gary Paxton
Mayor

*DAN, YOU ARE OFF TO A GREAT
START AS OUR SENATOR, EXACTLY
WHAT ALASKA NEED. GOD BLESS*


Providing for today...preparing for tomorrow



City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

Coast Guard City, USA

November 20, 2018

Captain John Falvey, Jr., General Manager
Alaska Marine Highway System
7559 North Tongass Highway
Ketchikan, AK 99901-9101

RE: AMHS Proposed Summer 2019 Schedule

Dear Captain Falvey,

The proposed Summer 2019 Alaska Marine Highway schedule provides only one (1) north bound stop, one (1) south bound stop, one (1) Fairweather Fast Ferry stop per week May through Mid-September, and a decline in service to one (1) north bound stop and one (1) south bound stop mid-end of September.

As proposed, AMHS's inadequate service will be highly impactful resulting in significant economic hardship to our community. Elderly, U.S. Coast Guard, Tribal Citizens, people seeking health care, independent travelers and many others will suffer due to this unacceptable level of ferry service.

Sitka has enjoyed service provided by the Fairweather Fast Ferry in previous years and would prefer to see two stops per week as well as a stop that connects Sitka to Angoon. In addition, Southeast Conference is holding their annual membership meeting in Sitka September 17-20. Delegates will be traveling from all over Southeast to attend the session. An additional fast ferry stop could expedite accessibility for more people to attend.

Throughout the years, through repeated letters and resolutions, Sitka has requested equitable service with the rest of the region – a baseline service level of at least two (2) north and two (2) south vessels per week. In this time of budget shortfall, we look forward to working with AMHS and other Southeast communities to create a schedule that provides a parity of service. It is critical that this request and need be recognized and addressed by the State.

Thank you for your consideration and response.

Sincerely,


P. Keith Brady

Municipal Administrator

Cc: Senator Bert Stedman
Representative Jonathan Kreiss-Tomkins
CBS Assembly



CITY AND BOROUGH OF SITKA

Master

File Number: 18-217

File ID: 18-217

Type: Item

Status: AGENDA READY

Version: 1

Reference:

In Control: City and Borough
Assembly

File Created: 11/19/2018

File Name:

Final Action:

Title: Special Report: SCH/SEARCH Strategic Affiliation Process - Sarah Cave, Steve Huebner, Sandy Johnson

Notes:

Sponsors:

Enactment Date:

Attachments: 11-27 CBS Assembly Update (FINAL 112018)

Enactment Number:

Contact:

Hearing Date:

Drafter:

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	City and Borough Assembly	11/27/2018					

Text of Legislative File 18-217

title

Special Report: SCH/SEARCH Strategic Affiliation Process - Sarah Cave, Steve Huebner, Sandy Johnson



SCH-SEARHC Strategic Affiliation Process

Update for CBS Assembly

November 27, 2018

Progress Report (Activity Since 11/8 Assembly Update):

Who	What	When
CBS Negotiating Team: <ul style="list-style-type: none"> Keith Brady (Project Lead) Brian Hanson (CBS Counsel) Jay Sweeney (CBS Finance) Robert Allen (Sitka Community Hospital) Roger Golub, MD (Sitka Community Hospital Physician Leader) Sarah Cave (Project Manager/CBS Consultant) Steve Huebner (Finance & Accounting Expert/CBS Consultant) Sandy Johnson (CBS Outside Counsel) 	<u>Kick-Off Meeting (Topics):</u> <ul style="list-style-type: none"> Assign small work groups (e.g., finance, strategy, legal) for review of key provisions in draft Asset and Purchase Agreement (APA) from SEARHC Review summary of Assembly input in response to first Executive Summary, as well a preliminary Negotiating Team input on draft APA Monitor Due Diligence process and timeline Review and refine draft Due Diligence Checklist from SCH to SEARHC 	Friday, 11/9/18
Key Collaborators: <ul style="list-style-type: none"> SCH Management Team SCH Board 	<u>Regular Project Updates:</u> <ul style="list-style-type: none"> Team update to SCH Management (provided by Sarah Cave and Steve Huebner) SCH Management Team working through SEARHC Due Diligence Checklist 	Tuesday, 11/6/18 & Tuesday, 11/20/18
CBS Internal Team <ul style="list-style-type: none"> Keith Brady CBS core staff Consultants Outside Counsel 	<u>Project check-in “huddles”:</u> <ul style="list-style-type: none"> Overall project management and coordination Preparation for Assembly discussions, CBS and Joint Negotiating Team meetings 	2 meetings (11/8/18, 11/19/18)
Joint Negotiating Team: <ul style="list-style-type: none"> CBS Negotiating Team (above) SEARHC Negotiating Team (SVP, Outside Counsel, etc.) 	<u>F2F Meetings (Seattle & Sitka):</u> <ul style="list-style-type: none"> Begin to negotiate resolution of critical issues, deal points 	Kick off 12/6/18 and 12/19/18

What's on the Horizon:

- CBS Consultants and Outside Counsel will be on site 11/26-28/18 for meetings with SCH Management Team, CBS Assembly, and CBS Negotiating Team.
- November 27 Assembly meeting to discuss*:
 1. Significant issues to be addressed in negotiations
 2. Due diligence data request from SCH to SEARHC
 3. Draft Asset and Purchase Agreement (APA)**Executive Session recommended due to nature of topics as they relate to maintaining integrity of negotiations and due diligence process.*
- Planning for two upcoming Joint Negotiating Team meetings (12/6/18 and 12/19/18)

The CBS Consultants and CBS Internal Team will provide periodic Executive Summaries on the project to the Assembly to keep them informed and seek input in between meetings. Regular updates like this one will be made available to the public at Assembly meetings and on the CBS website. Joint CBS-SEARHC statements and press releases will be issued periodically to the media to keep the community informed. The first of these communications will take place following the November 27 Assembly meeting.



CITY AND BOROUGH OF SITKA

Master

File Number: 18-218

File ID: 18-218

Type: Item

Status: AGENDA READY

Version: 1

Reference:

In Control: City and Borough
Assembly

File Created: 11/19/2018

File Name:

Final Action:

Title: Approve the minutes of the November 8 Assembly meeting

Notes:

Sponsors:

Enactment Date:

Attachments: Consent and minutes

Enactment Number:

Contact:

Hearing Date:

Drafter:

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	City and Borough Assembly	11/27/2018					

Text of Legislative File 18-218

title

Approve the minutes of the November 8 Assembly meeting

CONSENT AGENDA

POSSIBLE MOTION

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

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
November 8 Assembly meeting.



CITY AND BOROUGH OF SITKA

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

Minutes - Draft

City and Borough Assembly

*Mayor Gary Paxton
Deputy Mayor Steven Eisenbeisz,
Vice Deputy Mayor Valorie Nelson,
Aaron Bean, Kevin Knox, Dr. Richard Wein, Kevin Mosher*

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

Thursday, November 8, 2018

6:00 PM

Assembly Chambers

REGULAR MEETING

I. CALL TO ORDER

II. FLAG SALUTE

III. ROLL CALL

Present: 6 - Knox, Bean, Wein, Paxton, Mosher, and Nelson

Absent: 1 - Eisenbeisz

IV. CORRESPONDENCE/AGENDA CHANGES

None.

18-214 Reminders, Calendars and General Correspondence

V. CEREMONIAL MATTERS

18-198 Proclamations - Veteran's Day and Native American Heritage Month

Service Award - Lorraine Lil

Mayor Paxton read and presented proclamations honoring Veteran's Day and recognizing November as Native American Heritage Month. Paxton also thanked Lorraine Lil for her service on the Police and Fire Commission.

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

18-209 Special Reports: 1) CBS Department Head Bryan Bertacchi and 2)

Update on the SCH / SEARHC Strategic Affiliation Process - Sarah Cave and Steve Huebner

Utility Director Bryan Bertacchi reported the GCI cell phone project was complete. The lease with GCI was expected to provide over \$100,000 per year in revenue. GCI expected the five antenna installations to be complete by the end of January at which time customers were expected to see a significant improvement in cell service. Bertacchi noted two interruptible boilers had been installed at Keet Gooshi Heen and Baranof Elementary Schools at a fraction of the original cost estimate. In closing, he reported on the drought and stated Sitka had been blessed by the Blue Lake Dam expansion. If not for the expansion project, Sitka customers would have been looking at a \$7 million cost of diesel generation for the year - a surcharge of over 33% above current rates.

Steve Huebner and Sarah Cave provided an update on the Sitka Community Hospital / SEARHC affiliation project.

VII. PERSONS TO BE HEARD

Bev Brill encouraged the Assembly to respect one another, have restraint, review and read information, and recognize others for their contributions to Sitka.

Charles Bingham spoke to the difficulty of finding cabs late at night.

Rachel Roy, Executive Director of the Chamber of Commerce, told of events scheduled for Alaska Startup week.

VIII. REPORTS

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

Mayor - Paxton told of his meeting with Gayle Young regarding the need for a homeless shelter in Sitka.

Administrator - Brady reported on the following: a meeting with Representative Jonathan Kreiss-Tomkins in which several Sitka issues and Legislative Priorities for FY2020 were discussed, a conference call with Governor Bill Walker and Lt. Governor Valerie Nurr'araaluk Davidson regarding a transition plan for the next administration, a meeting with Connie McKenzie of Senator Sullivan and Senator Murkowski's offices speaking about grant funding opportunities for various Sitka projects and FEMA mapping processes, an update on CBS personnel vacancies, and noted sales tax free days were scheduled for November 23 and November 24.

Attorney - Hanson stated the Legal Department would be attending the annual Alaska Municipal Attorney's Association conference November 12-13.

Liaison Representatives - Knox reported on the Port and Harbors Commission, Wein spoke to the recent meetings of the Library Commission and Health Needs and Human Services Commission, Bean reported the Sitka Comprehensive Plan had been nominated for an award, and Mosher reported on the recent Sitka School Board meeting.

Clerk - Peterson stated the staff of the Clerk's Office would be traveling to the annual Alaska Association of Municipal Clerk's conference November 11-13, reviewed board vacancies, and reminded of the Assembly Visioning Session on November 17.

IX. CONSENT AGENDA

A motion was made by Nelson that the Consent Agenda consisting of items A & B be APPROVED. The motion PASSED by the following vote.

Yes: 6 - Knox, Bean, Wein, Paxton, Mosher, and Nelson

Absent: 1 - Eisenbeisz

- A 18-207** Approve the minutes of the October 23 Assembly meeting

This item was APPROVED ON THE CONSENT AGENDA.

- B 18-208** Approve a liquor license renewal application for Ernie's Bar at 130 Lincoln Street

This item was APPROVED ON THE CONSENT AGENDA.

X. BOARD, COMMISSION, COMMITTEE APPOINTMENTS

- C 18-210** Reappoint Gayle Hammons to a three-year term on the Local Emergency Planning Commission and Appoint: 1) Neil Akana to a three-year term on the Police and Fire Commission, 2) David Birky to a three-year term on the Local Emergency Planning Commission, and, 3) Joseph Younack to a three-year term on the Local Emergency Planning Commission

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

Yes: 6 - Knox, Bean, Wein, Paxton, Mosher, and Nelson

Absent: 1 - Eisenbeisz

XI. UNFINISHED BUSINESS:

- D ORD 18-51** Making supplemental appropriations for Fiscal Year 2019 (State of Alaska Grants)

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

Yes: 6 - Knox, Bean, Wein, Paxton, Mosher, and Nelson

Absent: 1 - Eisenbeisz

E ORD 18-52S Amending Title 13 "Port and Harbors" of the Sitka General Code by adding Chapter 13.16 "Commercial Marine Trade Permit" and amending Chapter 13.04 "Definitions"

Members of the public Matt Donohoe and Gerald Gangle testified. Donohoe noted the harbor system and work completed at the drive down dock was essential. Gangle spoke in opposition to the proposed cost of a permit.

Assembly members Mosher, Nelson, Wein, Bean and Paxton disapproved of a fee. Knox reminded the Port and Harbors Commission had worked on the concept of this ordinance for over a year. The Commission and staff believed the permit would create efficiencies.

Speaking to an amendment to eliminate permit fees, Matt Donohoe and Bonnie Richards spoke in opposition. Chris Ystad voiced support for creating greater efficiencies at the drive down dock. Keith Nyitray spoke in opposition to removing fees.

A motion was made by Mosher to AMEND the ordinance to eliminate fees entirely. The AMENDMENT PASSED by the following vote.

Yes: 5 - Bean, Wein, Paxton, Mosher, and Nelson

No: 1 - Knox

Absent: 1 - Eisenbeisz

A motion was made by Knox that this Ordinance be APPROVED on SECOND READING AS AMENDED. The motion PASSED by the following vote.

Yes: 5 - Knox, Bean, Wein, Paxton, and Mosher

No: 1 - Nelson

Absent: 1 - Eisenbeisz

XII. NEW BUSINESS:

New Business First Reading

F ORD 18-53 Making supplemental appropriations for Fiscal Year 2019 (Sitka Community Hospital Sale)

Administrator Brady reviewed the purpose of the ordinance. Brady reported from the initial engagement, through the selection process on August 28, the consultants had

billed the City \$72,349.60. Work through the Letter of Intent was an additional \$8,615.78. Phase 3 had an estimated cost of \$90,000. Municipal Attorney Hanson reminded the original appropriation was for \$100,000 and the consultants had come in below that estimate. Hanson stated the consultants had served the City well and strongly recommended continuing with their contract.

Paxton reminded the Sitka Community Hospital / SEARHC affiliation process was a historical time for Sitka and it was important the current consultants remain on the project.

A motion was made by Knox that this Ordinance be APPROVED on FIRST READING. The motion PASSED by the following vote.

Yes: 4 - Knox, Bean, Paxton, and Mosher

No: 2 - Wein, and Nelson

Absent: 1 - Eisenbeisz

Additional New Business Items

G 18-212 Discussion / Direction on the reimplementation of the Senior Sales Tax Exemption Program

A motion was made by Nelson to SUSPEND THE RULES and allow for public comment. The motion FAILED by the following vote (super majority required).

Yes: 4 - Knox, Mosher, Wein, Nelson

No: 2 - Paxton, Bean

Absent: 1 - Eisenbeisz

Public comment was taken after a motion was made by Assembly member Bean. Matt Donohoe believed a rebate should be offered for the three months the senior sales tax exemption was not in effect. Bev Brill, Mary Todd Anderson, and Shirley Robards spoke in support of reinstating the program that was in effect prior to April 24, 2018. Kim Elliott noted the City needed the revenue and was not in favor of a senior sales tax exemption.

A discussion of the Assembly ensued. Brady noted while there were some issues with the previous program it could be reimplemented.

A motion was made by Bean to direct the Administrator to reimplement the senior sales tax program that was in place prior to the rebate program adopted by the Assembly in April 2018. The motion PASSED by the following vote.

Yes: 6 - Knox, Bean, Wein, Paxton, Mosher, and Nelson

Absent: 1 - Eisenbeisz

H 18-213 Discussion / Direction on the Senior Citizen Property Tax Exemption Program

Assembly member Nelson relayed she was power of attorney for her mother and asked the Assembly to rule on any potential conflict of interest. Municipal Attorney Hanson

noted any potential conflict of interest would depend on whether or not she would sign an audit application on behalf of her mother. Nelson said her mother would sign an application, if applicable. Mayor Paxton ruled there was no conflict.

State Assessor Marty McGee participated telephonically.

Nelson stated she and Mosher wished to bring this discussion before the Assembly. Nelson noted her mother had received a letter from the City Assessor notifying of the need to reapply for the senior citizen property tax exemption by December 1. Nelson stated the letter was dated October 5, three days after the senior sales tax exemption was voted on by the citizens to be reinstated and looked to be retaliation against seniors for reinstatement of the senior sales tax exemption program. Nelson said her mother did not receive the letter until October 19 and didn't feel there was enough response time to comply. Mosher felt similarly and wondered what accommodations were available for those seniors who may be traveling or ill.

Administrator Brady spoke to the auditing requirements. He noted the audit was a requirement of the State and was to be completed every 4 years. He noted in 2014 all seniors had to reapply. Brady clarified that while the timing may be unfortunate it was not a retaliation against senior citizens. He assured the Assembly the Assessor had made accommodations when needed.

A motion was made by Nelson to SUSPEND THE RULES and allow for public testimony. The motion FAILED by the following vote.

Yes: 4 - Wein, Nelson, Knox and Mosher

No: 2 - Bean, Paxton

Absent: 1 - Eisenbeisz

Assessor Wendy Lawrence came forward to explain the audit program and answer questions of the Assembly. Lawrence assured the Assembly she had made exceptions for those seniors who were homebound or had not received materials. She noted her office contacted individuals who had not responded to help ensure those individuals who qualify, did not lose the exemption. Lawrence explained the four year audit schedule had been arranged with the State Assessor and due to a software conversion last year, she was unable to complete the audit. She reiterated the audit was implemented previously regardless of political agenda. Lawrence stated an audit was a natural part of property tax administration. She noted 75% of the household audits (over 600 applicants yielding \$500,000 in exemptions) were complete.

In response to a motion made by Assembly member Nelson to delay the process, public testimony was taken. Mary Todd Anderson noted the timeline was tight and the audit was intrusive.

Lawrence explained she would not be able to complete the audit if delayed and a determination was required as of January 1. State Assessor Marty McGee spoke in support of Lawrence's actions. Failure to comply with the audit would result in a letter of "major error" from the State.

A motion was made by Nelson to direct the Administrator to delay the audit process to the end of the current calendar year. The motion FAILED by the following vote.

Yes: 1 - Nelson

No: 5 - Knox, Bean, Wein, Paxton, and Mosher

Absent: 1 - Eisenbeisz

I 18-211 Reschedule December 25 regular meeting to December 20

The Assembly agreed to reschedule the December 25 meeting to December 20.

XIII. PERSONS TO BE HEARD:

Mary Ferguson and Ryan Silva, police officers who had filed separate lawsuits against the City, requested the Assembly, as their elected officials, to read and discuss their complaints. Wein made a motion to have the Gearity report released to Assembly members. Municipal Attorney Hanson reminded only motions could be made on items that were publicly noticed. The topic of the lawsuits had not been publicly noticed and therefore no motions should be made. If the Assembly chose to do so, a decision made under those circumstances may be overturned. In addition, Hanson reminded the Assembly did not have the authority to act upon personnel matters. He concluded by saying, if Assembly members wished to look at the report they were welcome to do so in his office.

XIV. EXECUTIVE SESSION

None.

XV. ADJOURNMENT

A motion was made by Knox to ADJOURN. Hearing no objections the meeting ADJOURNED at 8:55pm.

ATTEST: _____
Sara Peterson, MMC
Municipal Clerk



CITY AND BOROUGH OF SITKA

Master

File Number: 18-219

File ID: 18-219

Type: Item

Status: AGENDA READY

Version: 1

Reference:

In Control: City and Borough
Assembly

File Created: 11/19/2018

File Name:

Final Action:

Title: Approve liquor license renewal applications for: 1) The Channel LLC dba Channel Club at 2906 Halibut Point Road, 2) Pioneer Liquor, Inc. dba Pioneer Bar and Pioneer Liquor Store at 212 Katlian Street

Notes:

Sponsors:

Enactment Date:

Attachments: Motion and memos license apps, Channel Club app,
Pioneer Bar app, Pioneer Liquor app

Enactment Number:

Contact:

Hearing Date:

Drafter:

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	City and Borough Assembly	11/27/2018					

Text of Legislative File 18-219

title

Approve liquor license renewal applications for: 1) The Channel LLC dba Channel Club at 2906 Halibut Point Road, 2) Pioneer Liquor, Inc. dba Pioneer Bar and Pioneer Liquor Store at 212 Katlian Street

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

POSSIBLE MOTION

I MOVE TO approve the liquor license renewal applications for 1) The Channel LLC dba Channel Club at 2906 Halibut Point Road, 2) Pioneer Liquor, Inc. dba Pioneer Bar and Pioneer Liquor Store at 212 Katlian 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 Paxton and Assembly Members
Keith Brady, Municipal Administrator

From: Sara Peterson, Municipal Clerk *SP*

Date: November 20, 2018

Subject: Approve liquor license renewal applications for the Channel Club, Pioneer Bar and Pioneer Liquor Store

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

Lic #: 212
DBA: Channel Club
License Type: Beverage Dispensary
Licensee: The Channel LLC
Premises Address: 2906 Halibut Point Road

Lic #: 872
DBA: Pioneer Liquor Store
License Type: Package Store
Licensee: Pioneer Liquor, Inc.
Premises Address: 212 Katlian Street

Lic #: 865
DBA: Pioneer Bar
License Type: Beverage Dispensary
Licensee: Pioneer Liquor, Inc.
Premises Address: 212 Katlian Street

Memos were circulated to the various departments who may have a reason to protest the renewal of these licenses. No departmental objections were received.

Recommendation:

Approve the liquor license renewal applications for 1) The Channel LLC dba Channel Club at 2906 Halibut Point Road, 2) Pioneer Liquor, Inc. dba Pioneer Bar and Pioneer Liquor Store at 212 Katlian 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 - Laurie
Fire Department
Police Department
Building Official(s)

From: Sara Peterson, Municipal Clerk

Date: November 5, 2018

Subject: Liquor License Renewal Application – Channel Club

The Municipal Clerk's Office has been notified by the Alcohol and Marijuana Control Office of the following liquor license renewal application submitted by:

Lic #: 212
DBA: Channel Club
License Type: Beverage Dispensary
Licensee: The Channel LLC
Premises Address: 2906 Halibut Point Road

Please notify no later than **noon on Friday, November 16** of any reason to protest this renewal request. This request is scheduled to go before the Assembly on November 27.

Thank you.



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 - Laurie
Fire Department
Police Department
Building Official(s)

From: Sara Peterson, Municipal Clerk

Date: November 6, 2018

Subject: Liquor License Renewal Application – Pioneer Bar

The Municipal Clerk's Office has been notified by the Alcohol and Marijuana Control Office of the following liquor license renewal application submitted by:

Lic #: 865
DBA: Pioneer Bar
License Type: Beverage Dispensary
Licensee: Pioneer Liquor, Inc.
Premises Address: 212 Katlian Street

Please notify no later than **noon on Friday, November 16** of any reason to protest this renewal request. This request is scheduled to go before the Assembly on November 27.

Thank you.



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 - Laurie
Fire Department
Police Department
Building Official(s)

From: Sara Peterson, Municipal Clerk

Date: November 6, 2018

Subject: Liquor License Renewal Application – Pioneer Liquor Store

The Municipal Clerk's Office has been notified by the Alcohol and Marijuana Control Office of the following liquor license renewal application submitted by:

Lic #: 872
DBA: Pioneer Liquor Store
License Type: Package Store
Licensee: Pioneer Liquor, Inc.
Premises Address: 212 Katlian Street

Please notify no later than **noon on Friday, November 16** of any reason to protest this renewal request. This request is scheduled to go before the Assembly on November 27.

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

November 5, 2018

City and Borough of Sitka

Attn: Sara Peterson, Municipal Clerk

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

Re: Notice of 2019/2020 Liquor License Renewal Application

License Type:	Beverage Dispensary	License Number:	212
Licensee:	The Channel LLC		
Doing Business As:	Channel Club		

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

Doing Business As:	Channel Club	License Number:	212
License Type:	Beverage Dispensary		
Examiner:	<i>Gavie</i>	Transaction #:	-935615

Document	Received	Completed	Notes
AB-17: Renewal Application	10/04/2018	11/3	
App and License Fees	10/04/2018	10/8	

Supplemental Document	Received	Completed	Notes
Tourism/Rec Site Statement			
AB-25: Supplier Cert (WS)			
AB-29: Waiver of Operation			
AB-30: Minimum Operation			
AB-33: Restaurant Affidavit			
COI / COC / 5 Star			
FP Cards & Fees / AB-08a			
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 and contact information different than in database (if yes, update database)?	<input checked="" type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" type="checkbox"/>

LGB 1 Response:

☐ Waive ☐ Protest ☐ Lapsed

LGB 2 Response:

☐ Waive ☐ Protest ☐ Lapsed



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

Form AB-17: 2019/2020 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 liquor license that will expire on December 31, 2018. 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. Receipt and/or processing of renewal payments by AMCO staff neither indicates nor guarantees that an application will be considered complete, or that a license will be renewed.

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:	The Channel LLC	License #:	212
License Type:	Beverage Dispensary	Legal Ref.:	AS 04.11.090
Doing Business As:	Channel Club		
Premises Address:	2906 Halibut Point Road		
Local Governing Body:	City & Borough of Sitka		
Community Council:	None		
Mailing Address:	2906 HALIBUT POINT RD		
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.

Contact Licensee:	SIDNEY KINNEY	Contact Phone:	907-738-1614
Contact Email:	Sidneyj410@hotmail.com		

Optional: If you wish for AMCO staff to communicate with individual who is not a licensee named on this form (eg: legal counsel) about this application and other matters pertaining to the license, please provide that person's contact information in the fields below.

Name of Contact:		Contact Phone:	
Contact Email:			



Alaska Alcoholic Beverage Control Board

Form AB-17: 2019/2020 Renewal License Application

Section 2: Entity or Ownership Information

This top 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). This number is neither your EIN/tax ID number, nor your business license number. You may view your entity's status or find your CBPL entity number by using the following site: <https://www.commerce.alaska.gov/web/main/search/entities>
General partnerships and local governments should skip to the second half of this page. Licensees who directly hold a license as an individual or individuals should skip to Section 3.

The Channel LLC #104003
Alaska CBPL Entity #: 201900032 Business License # 21388112

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 corporation, 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.

Important Note: The information provided in the below fields (including spelling of names, specific titles, and percentages held) must match that which is listed with CBPL. If one individual holds multiple titles mentioned in the bullets above, all titles must be listed for that individual on this application and with CBPL. Failure to list all required titles constitutes an incomplete application.

Name of Official:	<u>Sidney Kinney</u>			
Title(s):	<u>Co-Owner Member</u>	Phone:	<u>907 738 1614</u>	% Owned: <u>33.3</u>
Mailing Address:	<u>103 Krames Ave</u>			
City:	<u>Sitka</u>	State:	<u>AK</u>	ZIP: <u>99835</u>

Name of Official:	<u>Charles Olson</u>			
Title(s):	<u>Co-Owner Member</u>	Phone:	<u>907 738 3947</u>	% Owned: <u>33.3</u>
Mailing Address:	<u>3029 HPR</u>			
City:	<u>Sitka</u>	State:	<u>AK</u>	ZIP: <u>99835</u>

Name of Official:	<u>Patrick O'Donnell</u>			
Title(s):	<u>Co-Owner Member</u>	Phone:	<u>907 738 7440</u>	% Owned: <u>33.3</u>
Mailing Address:	<u>2906 HPR</u>			
City:	<u>Sitka</u>	State:	<u>AK</u>	ZIP: <u>99835</u>

Form AB-17 (rev 08/17/2018)
License 6212 DBA Channel Club



OCT 04 2018
ALCOHOL BEVERAGE
DIVISION





Alaska Alcoholic Beverage Control Board

Form AB-17: 2019/2020 Renewal License Application

This section must be completed by any licensee who directly holds the license as an individual or multiple individuals and is applying for license renewal. If more space is needed, please attach a separate sheet that includes all of the required information. Entities should skip to Section 4. The following information must be completed for each licensee and each affiliate (spouse).

This individual is an: ☐ applicant ☐ affiliate (spouse)

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

This individual is an: ☐ applicant ☐ affiliate (spouse)

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

This section must be completed only by the holder of a bar/nightclub, club, or pub license or conditional contractor's permit. The holders of all other license types should skip to Section 5.

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 set forth in AS 04.21.025 and 3 AAC 804.463.

SK

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

2017 2018

The license was regularly operated continuously throughout each year.

☒ ☐ **SK**

The license was regularly operated during a specific season each year.

☐ ☒

The license was only operated to meet the minimum requirement of 240 total hours each calendar year. 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 240 total hours each year, during one or both of the calendar years.

☐ ☐

If this box is checked, a complete copy of Form AB-28: 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, unless a complete copy of the form (including fees) has already been submitted for that year.

[Form AB-17] (rev 08/17/2018)
License #212 OBA Channel Club

Page 3 of 4

OCT 04 2018

RECIVED
NOV - 3 2018

ALCOHOL MARIJUANA CONTROL OFFICE
STATE OF ALASKA



Alaska Alcoholic Beverage Control Board

Form AB-17: 2019/2020 Renewal License Application

Section 6 - Violations and Convictions

Applicant violations and convictions in calendar years 2017 and 2018:

Yes No

Have any notices of violation (NOVs) been issued to this licensee in the calendar years 2017 or 2018?

☐ Yes ☒ No

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 2017 or 2018?

☐ Yes ☒ No

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

Section 7 - 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, and 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.

☒

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 approved and on file with the Alcoholic Beverage Control Board.

☒

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.

☒

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 or AMCO staff 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.

Sidney Kinney
Signature of licensee

Ruth M. Joens
Signature of Notary Public

Sidney Kinney
Printed name of licensee

RUTH M. JOENS
Notary Public
State of Alaska
My Commission Expires Jan 26, 2020
My commission expires: Jan 26, 2020

Subscribed and sworn to before me this 2 day of October, 2018.

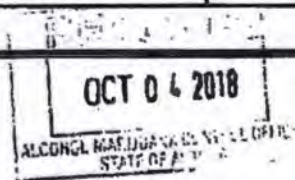
Seasonal License?

Yes ☒ No ☐

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

Jan - Dec 2018
April 2018 - Sept 2018

License Fee:	\$ 2500.00	Application Fee:	\$ 300.00	TOTAL:	\$ 2800.00
Miscellaneous Fees:					
GRAND TOTAL (if different than TOTAL):					



Details

ENTITY DETAILS

Name(s)

Type	Name
Legal Name	The Channel Limited Liability Company

Entity Type: Limited Liability Company

Entity #: 104003

Status: Good Standing

AK Formed Date: 10/17/2006

Duration/Expiration: Perpetual

Home State: ALASKA

Next Biennial Report Due: 1/2/2020

Entity Mailing Address: 103 KRAMER AVE, SITKA, AK 99835

Entity Physical Address: 103 KRAMER AVE, SITKA, AK 99835

Registered Agent

Agent Name: SIDNEY J. WYMAN

Registered Mailing Address: 3009 HALIBUT PT RD, SITKA, AK 99835

Registered Physical Address: 3009 HALIBUT PT RD, SITKA, AK 99835

Officials

AK Entity #	Name	Titles	<input type="checkbox"/> Show Former Owned
	Charles Olson	Member	33.33
	PATRICK O'DONNELL	Member	33.33
	SIDNEY WYMAN	Member	33.33

Filed Documents

Date Filed	Type	Filing	Certificate
10/17/2006	Creation Filing	Click to View	
6/11/2007	Initial Report	Click to View	
2/02/2010	Biennial Report	Click to View	

Date Filed	Type	Filing	Certificate
2/02/2010	Biennial Report	Click to View	
1/13/2012	Agent Change	Click to View	
1/13/2012	Biennial Report	Click to View	
1/20/2014	Biennial Report	Click to View	
1/10/2016	Biennial Report	Click to View	
10/05/2017	Biennial Report	Click to View	

[Close Details](#)[Print Friendly Version](#)



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

November 5, 2018

City and Borough of Sitka

Attn: Sara Peterson, Municipal Clerk

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

Re: Notice of 2019/2020 Liquor License Renewal Application

License Type:	Beverage Dispensary	License Number:	865
Licensee:	Pioneer Liquor, LLC		
Doing Business As:	Pioneer Bar		

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,

Handwritten signature of Erika McConnell in cursive.

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

Doing Business As:	Pioneer Bar	License Number:	865
License Type:	Beverage Dispensary		
Examiner:	JOHN CHURCH	Transaction #:	948049 ✓

Document	Received	Completed	Notes
AB-17: Renewal Application	10/29/18	10/29/18	
App and License Fees	10/29/18	10/29/18	

Supplemental Document	Received	Completed	Notes
Tourism/Rec Site Statement			
AB-25: Supplier Cert (WS)			
AB-29: Waiver of Operation			
AB-30: Minimum Operation			
AB-33: Restaurant Affidavit			
COI / COC / 5 Star			
FP Cards & Fees / AB-08a			
Late Fee			

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

	Yes	No
Selling alcohol in response to written order (package stores)?	<input type="checkbox"/>	<input type="checkbox"/>
Mailing address and contact information different than in database (if yes, update 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"/>

LGB 1 Response:

☐ Waive ☐ Protest ☐ Lapsed

LGB 2 Response:

☐ Waive ☐ Protest ☐ Lapsed



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

Form AB-17: 2019/2020 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 liquor license that will expire on December 31, 2018. 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. Receipt and/or processing of renewal payments by AMCO staff neither indicates nor guarantees that an application will be considered complete, or that a license will be renewed.

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:	Pioneer Liquor, Inc.	License #:	865
License Type:	Beverage Dispensary	Legal Ref.:	AS 04.11.090
Doing Business As:	Pioneer Bar		
Premises Address:	212 Katlian Street		
Local Governing Body:	City & Borough of Sitka		
Community Council:	None		
Mailing Address:	P.O. Box 599		
City:	Sitka	State:	Alaska
		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.

Contact Licensee:	Richard D Heim	Contact Phone:	907.747.3456
Contact Email:	rlheim@gcl.net		

Optional: If you wish for AMCO staff to communicate with individual who is not a licensee named on this form (eg: legal counsel) about this application and other matters pertaining to the license, please provide that person's contact information in the fields below.

Name of Contact:		Contact Phone:	
Contact Email:			



**Form AB-17: 2019/2020 Renewal License Application****Section 2 – Entity or Community Ownership Information**

This top 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). This number is neither your EIN/tax ID number, nor your business license number. 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>

General partnerships and local governments should skip to the second half of this page. Licensees who directly hold a license as an individual or individuals should skip to Section 3.

Alaska CBPL Entity #:	38415D
-----------------------	--------

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*.

Important Note: The information provided in the below fields (including spelling of names, specific titles, and percentages held) must match that which is listed with CBPL. If one individual holds multiple titles mentioned in the bullets above, all titles must be listed for that individual on this application and with CBPL. Failure to list all required titles constitutes an incomplete application.

Name of Official:	Richard D Heim				
Title(s):	President	Phone:	907.747.3456	% Owned:	
Mailing Address:	P.O. Box 599				
City:	Sitka	State:	Alaska	ZIP:	99835

Name of Official:	Linda D Heim				
Title(s):	Secretary	Phone:	907-747-6114	% Owned:	49
Mailing Address:	P.O. Box 599				
City:	Sitka	State:	Alaska	ZIP:	99835

Name of Official:	Katherine Sulsor				
Title(s):	Vice President	Phone:	907.747.8845	% Owned:	51
Mailing Address:	P.O. Box 455				
City:	Sitka	State:	Alaska	ZIP:	99835





Alaska Alcoholic Beverage Control Board

Form AB-17: 2019/2020 Renewal License Application

Section 3 – Sole Proprietor Ownership Information

This section must be completed by any licensee who directly holds the license as an individual or multiple individuals and is applying for license renewal. If more space is needed, please attach a separate sheet that includes all of the required information. Entities should skip to Section 4. The following information must be completed for each licensee and each affiliate (spouse).

This individual is an: ☐ applicant ☐ affiliate (spouse)

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

This individual is an: ☐ applicant ☐ affiliate (spouse)

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

Section 4 – Alcohol Server Education

This section must be completed only by the holder of a beverage dispensary, club, or pub license or conditional contractor's permit. The holders of all other license types should skip to Section 5.

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 set forth in AS 04.21.025 and 3 AAC 304.465.

Section 5 – License Operation

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

2017 2018

The license was regularly operated continuously throughout each year.

☒ ☒

The license was regularly operated during a specific season each year.

☐ ☐

The license was only operated to meet the minimum requirement of 240 total hours each calendar year.

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 240 total hours each year, 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, unless a complete copy of the form (including fees) has already been submitted for that year.

☐ ☐





Alaska Alcoholic Beverage Control Board

Form AB-17: 2019/2020 Renewal License Application

Section 6 – Violations and Convictions

Applicant violations and convictions in calendar years 2017 and 2018:

Yes No

Have any notices of violation (NOVs) been issued to this licensee in the calendar years 2017 or 2018?

☐ ☒

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 2017 or 2018?

☐ ☒

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

Section 7 – 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, and 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.

☒

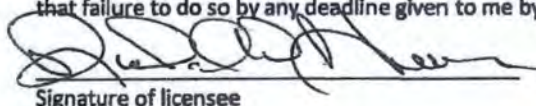
I certify that I have not altered the functional floor plan or reduced or expanded the area of the licensed premises, and I have not changed the business name or the ownership (including officers, managers, general partners, or stakeholders) from what is currently approved and on file with the Alcoholic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

☒

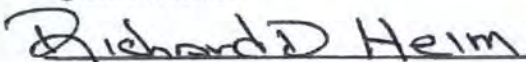
I certify on behalf of myself or of the organized entity that I understand that providing a false statement on this form or any other form provided by AMCO is grounds for rejection or denial of this application or revocation of any license issued.

☒

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 or AMCO staff 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.

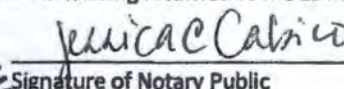


Signature of licensee



Printed name of licensee





Signature of Notary Public

Notary Public in and for the State of Sitka, Alaska

My commission expires: 08-29-2020

Subscribed and sworn to before me this October day of 2018

Seasonal License? ☐ Yes ☒ No

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

License Fee:	\$ 2500.00	Application Fee:	\$ 300.00	TOTAL:	\$ 2800.00
Miscellaneous Fees:					
GRAND TOTAL (if different than TOTAL):					



Department of Commerce, Community, and Economic Development
**CORPORATIONS, BUSINESS &
PROFESSIONAL LICENSING**

State of Alaska / Commerce / Corporations, Business, and Professional Licensing / Search & Database
Download / Corporations / Entity Details

ENTITY DETAILS

Name(s)

Type	Name
Legal Name	PIONEER LIQUOR, INC.

Entity Type: Business Corporation

Entity #: 38415D

Status: Good Standing

AK Formed Date: 6/20/1986

Duration/Expiration: Perpetual

Home State: ALASKA

Next Biennial Report Due: 1/2/2020

Entity Mailing Address: PO BOX 599, SITKA, AK 99835

Entity Physical Address: 212 KATLIAN ST, SITKA, AK 99835

Registered Agent

Agent Name: RICHARD HEIM

Registered Mailing Address: 212 KATLIAN ST, SITKA, AK 99835

Registered Physical Address: 212 KATLIAN ST, SITKA, AK 99835

Officials

AK Entity #	Name	Titles	<input type="checkbox"/> Show Former Owned
	Kathrine Sulser	Director, Shareholder, Vice President	51
	Linda D Heim	Director, Shareholder, Secretary, Treasurer	49
	Richard D Heim	Director, President	



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

November 6, 2018

City and Borough of Sitka

Attn: Sara Peterson, Municipal Clerk

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

Re: Notice of 2019/2020 Liquor License Renewal Application

License Type:	Package Store	License Number:	872
Licensee:	Pioneer Liquor, LLC		
Doing Business As:	Pioneer Bar		

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

Doing Business As:	Pioneer Liquor Store	License Number:	872
License Type:	Package Store		
Examiner:	JOHN CHURCH	Transaction #:	948049✓

Document	Received	Completed	Notes
AB-17: Renewal Application	10/29/18	10/29/18	
App and License Fees	10/29/18	10/29/18	

Supplemental Document	Received	Completed	Notes
Tourism/Rec Site Statement			
AB-25: Supplier Cert (WS)			
AB-29: Waiver of Operation			
AB-30: Minimum Operation			
AB-33: Restaurant Affidavit			
COI / COC / 5 Star			
FP Cards & Fees / AB-08a			
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 and contact information different than in database (if yes, update 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"/>

LGB 1 Response:

☐ Waive ☐ Protest ☐ Lapsed

LGB 2 Response:

☐ Waive ☐ Protest ☐ Lapsed



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

Package Store License

Form AB-17b: 2019/2020 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 package store liquor license that will expire on December 31, 2018. 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. Receipt and/or processing of renewal payments by AMCO staff neither indicates nor guarantees that an application will be considered complete, or that a license will be renewed.

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:	Pioneer Liquor, Inc.	License #:	872
License Type:	Package Store	Statute:	AS 04.11.150
Doing Business As:	Pioneer Liquor Store		
Premises Address:	212 Katlian Street		
Local Governing Body:	City & Borough of Sitka		
Community Council:	None		

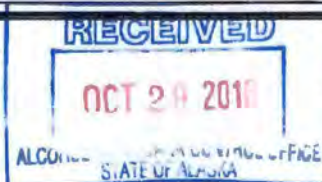
Mailing Address:	P.O. Box 599		
City:	Sitka	State:	Alaska
		ZIP:	99835

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.

Contact Licensee:	Richard D. Heim	Contact Phone:	907.747.3456
Contact Email:	rheim@gcl.net		

Optional: If you wish for AMCO staff to communicate with individual who is not a licensee named on this form (eg: legal counsel) about this application and other matters pertaining to the license, please provide that person's contact information in the fields below.

Name of Contact:		Contact Phone:	
Contact Email:			





Alaska Alcoholic Beverage Control Board

Form AB-17b: 2019/2020 Package Store Renewal License Application

Section 2 – Entity or Community Ownership Information

This top 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). This number is neither your EIN/tax ID number, nor your business license number. 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>
General partnerships and local governments should skip to the second half of this page. Licensees who directly hold a license as an individual or individuals should skip to Section 3.

Alaska CBPL Entity #:	38415D
-----------------------	--------

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.

Important Note: The information provided in the below fields (including spelling of names, specific titles, and percentages held) must match that which is listed with CBPL. If one individual holds multiple titles mentioned in the bullets above, all titles must be listed for that individual on this application and with CBPL. Failure to list all required titles constitutes an incomplete application.

Name of Official:	Richard D. Heim				
Title(s):	President	Phone:	907.747.3456	% Owned:	
Mailing Address:	P.O. Box 599				
City:	Sitka	State:	Alaska	ZIP:	99835

Name of Official:	Linda D Heim				
Title(s):	Secretary	Phone:	907.747.6114	% Owned:	49
Mailing Address:	P.O. Box 599				
City:	Sitka	State:	Alaska	ZIP:	99835

Name of Official:	Katherine Sulzer				
Title(s):	Vice President	Phone:	907.747.8345	% Owned:	51
Mailing Address:	P.O. Box 455				
City:	Sitka	State:	Alaska	ZIP:	99835





Alaska Alcoholic Beverage Control Board

Form AB-17b: 2019/2020 Package Store Renewal License Application

Section 3 – Sole Proprietor Ownership Information

This section must be completed by any licensee who directly holds the license as an **individual or multiple individuals** and is applying for license renewal. If more space is needed, please attach a separate sheet that includes all of the required information. Entities should skip to Section 4. The following information must be completed for each licensee and each affiliate (spouse).

This individual is an: ☐ applicant ☐ affiliate (spouse)

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

This individual is an: ☐ applicant ☐ affiliate (spouse)

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

Section 4 – 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 set forth in AS 04.21.025 and 3 AAC 304.465.

Section 5 – License Operation

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

2017 2018

The license was regularly operated continuously throughout each year.

<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
-------------------------------------	-------------------------------------

The license was regularly operated during a specific season each year.

<input type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------

The license was only operated to meet the minimum requirement of 240 total hours each calendar year.

<input type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------

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 240 total hours each year, during one or both of the calendar years.

<input type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------

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, unless a complete copy of the form (including fees) has already been submitted for that year.





Alaska Alcoholic Beverage Control Board

Form AB-17b: 2019/2020 Package Store Renewal License Application

Section 6 – Written Orders

Written orders in calendar years 2019 and 2020:

Yes No

Do you intend to sell alcoholic beverages and ship them to another location in response to written solicitation in calendar years 2019 and/or 2020?

☐ ☒

Section 7 – Violations and Convictions

Applicant violations and convictions in calendar years 2017 and 2018:

Yes No

Have any notices of violation (NOVs) been issued to this licensee in the calendar years 2017 or 2018?

☐ ☒

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 2017 or 2018?

☐ ☒

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

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, and 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.

☒

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 approved and on file with the Alcoholic Beverage Control (ABC) Board.

☒

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.

☒

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 or AMCO staff 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

Printed name of licensee

Signature of Notary Public

Notary Public and for the State of Sitka, Alaska

My commission expires: 08-29-2020

Subscribed and sworn to before me this October day of 2018

Seasonal License?

Yes

No

☐

☒

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

License Fee:	\$ 1500.00	Application Fee:	\$ 300.00	TOTAL:	\$ 1800.00
Miscellaneous Fees:					
GRAND TOTAL (if different than TOTAL):					



Department of Commerce, Community, and Economic Development
**CORPORATIONS, BUSINESS &
PROFESSIONAL LICENSING**

[State of Alaska / Commerce / Corporations, Business, and Professional Licensing / Search & Database](#)
[Download / Corporations / Entity Details](#)

ENTITY DETAILS

Name(s)

Type	Name
Legal Name	PIONEER LIQUOR, INC.

Entity Type: Business Corporation

Entity #: 38415D

Status: Good Standing

AK Formed Date: 6/20/1986

Duration/Expiration: Perpetual

Home State: ALASKA

Next Biennial Report Due: 1/2/2020

Entity Mailing Address: PO BOX 599, SITKA, AK 99835

Entity Physical Address: 212 KATLIAN ST, SITKA, AK 99835

Registered Agent

Agent Name: RICHARD HEIM

Registered Mailing Address: 212 KATLIAN ST, SITKA, AK 99835

Registered Physical Address: 212 KATLIAN ST, SITKA, AK 99835

Officials

AK Entity #	Name	Titles	<input type="checkbox"/> Show Former Owned
	Kathrine Sulser	Director, Shareholder, Vice President	51
	Linda D Heim	Director, Shareholder, Secretary, Treasurer	49
	Richard D Heim	Director, President	



CITY AND BOROUGH OF SITKA

Master

File Number: RES 18-24

File ID: RES 18-24

Type: Resolution

Status: AGENDA READY

Version: 1

Reference:

In Control: City and Borough
Assembly

File Created: 11/19/2018

File Name:

Final Action:

Title: Supporting the application request to name the newly formed lake created by the May 12, 2013 landslide at the head of Redoubt Lake as Luna Lake

Notes:

Sponsors:

Enactment Date:

Attachments: Motion and Res 2018-24, Luna Lake City of Sitka rev
ltr, Luna Lake application, Geo guidelines adopted
Dec15, Comments Historic Preservation Commission

Enactment Number:

Contact:

Hearing Date:

Drafter:

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	City and Borough Assembly	11/27/2018					

Text of Legislative File RES 18-24

title

Supporting the application request to name the newly formed lake created by the May 12, 2013 landslide at the head of Redoubt Lake as Luna Lake

Should this item be pulled from the consent agenda the following motion is suggested:

POSSIBLE MOTION

I MOVE TO approve Resolution 2018-24 on first and final reading.

CITY AND BOROUGH OF SITKA

RESOLUTION NO. 2018-24

**A RESOLUTION OF THE CITY AND BOROUGH OF SITKA SUPPORTING THE APPLICATION
REQUEST TO NAME THE NEWLY FORMED LAKE CREATED BY THE MAY 12, 2013
LANDSLIDE AT THE HEAD OF REDOUBT LAKE AS LUNA LAKE**

WHEREAS, the landscape and environment is in constant change, as Sitkans can bear witness to in the landslide events of May 12, 2013 and August 18, 2015; and

WHEREAS, the landslide of May 12, 2013 in which Kevin Knox and Margaret Gallin narrowly escaped with their lives, however their dog Luna was never found; and

WHEREAS, the effects of the landslide created a dam in which a lake rapidly formed behind to cover the south valley and headwaters of Redoubt Lake, now at about an acre in size; and

WHEREAS, since the occurrence of the May 12 slide at the head of Redoubt Lake, 12 miles southwest of the city of Sitka a growing number of local residents refer to the newly created lake as Luna Lake; and

WHEREAS, it is important to recognize the cultural, traditional, and ecological history when attributing a name to a new formation in the community's landscape, the applicant and the City and Borough of Sitka will actively work with other interested parties including the Sitka Tribe of Alaska to ensure that the name appropriately reflects significance of place across the wider community.

NOW, THEREFORE, BE IT RESOLVED that the Assembly of the City and Borough of Sitka supports the application to name the lake created by the May 12, 2013 Redoubt Lake landslide as Luna Lake.

PASSED, APPROVED, AND ADOPTED by the Assembly of the City and Borough of Sitka, Alaska on this 27th day of November, 2018.

Gary L Paxton, Mayor

ATTEST:

Sara Peterson, MMC
Municipal Clerk

1st and final reading 11/27/18
Sponsor: Administrator



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

Department of Natural Resources

DIVISION OF PARKS & OUTDOOR RECREATION
ALASKA HISTORICAL COMMISSION

550 West 7th Avenue, Suite 1310
Anchorage, Alaska 99501
Main: 907.269.8721
<http://dnr.alaska.gov/parks/oha/>

November 1, 2018

Re: 3050-3 Luna Lake

Gary Paxton, Mayor
City and Borough of Sitka
100 Lincoln St.
Sitka, Alaska 99835

assembly@cityofsitka.org

Dear Mr. Paxton:

The Alaska Historical Commission has received a geographic name proposal to make official the name Luna Lake for an unnamed lake at the head of Redoubt Lake, about 12 miles south of the City of Sitka in Southeast Alaska. A landslide on May 13, 1983, created the lake which is about an acre in size. Enclosed is a copy of the proposal for your review, maps showing the lake's location, and the guidelines for geographic names the Alaska Historical Commission members have established. The lake is within Tongass National Forest.

The commission would appreciate your comments on the proposed name. To object or to endorse the proposed name, you must respond in writing. Your comments need to be received by November 30, 2018. You can respond with a letter or by writing your comments in the space provided below. Please send your comments by mail to the address above or by email to dnr.oha@alaska.gov.

If you have any questions about the state geographic names program, please contact me at email jo.antonson@alaska.gov or by phone at 907.269.8714.

Sincerely,

A handwritten signature in blue ink that reads "Joan M. Antonson".

Joan M. Antonson
Deputy State Historic Preservation Officer

enclosures

I _____ object / _____ endorse the proposed name because: _____

Signed: _____ Date: _____

Domestic Geographic Name Report

1 Use this form to recommend a feature name or to suggest a name change.

2. For features on Federal lands, coordinate requests with the agency (U.S. Forest Service, National Park Service, Bureau of Land Management, etc.) For the administrative area in which the land is located.

3. On the reverse side of this form give information on the local usage and authority for recommended name.

4. For more information about the Geographic Names Information System or the National Gazetteer Program, contact the U.S. Board on Geographic Names at 703-648-4544..

5. Return this form to:

Executive Secretary for Domestic Geographic Names
U.S. Geological Survey
523 National Center
Reston, VA 22092

Action Requested:

Proposed New Name:	X
Application Change:	
Name Change:	
Other:	

Recommended Name:	Luna Lake
State:	Alaska
County or Equivalent:	City and Borough of Sitka
Administrative Area:	Tongass National Forest

Specific Area Covered:

Latitude:	56	°	55	'	21	"	N	Longitude:	135	°	08	'	04	"	W
Latitude:		°		'		"		Longitude:		°		'		"	
Center:								Heading End							
Section(s)	14	Township(s)		57S	Range(s)		65E	Meridian	Copper River		Elevation				

Type of Feature (stream, mountain, populated place, etc.):								Lake							
Is the feature identified (including other names) in the Geographic Names Information System (GNIS)?															
Yes		No	X	Unknown		If Yes, how is it listed?									
Description of Feature (physical shape, length, width, direction of flow, etc.):															

The lake is about 12 miles south of the City of Sitka on the west coast of Baranof Island in southeast Alaska. It is 4.2 miles northwest of Lake Diana, and at the head of Redoubt Lake, popular for subsistence fishing. The unnamed lake is approximately one acre in size. It is separated from Redoubt Lake by a debris field approximately 50 yards wide from a landslide on May 12, 2013, that led to creation of the lake. Mountains about 4,000 feet high rise above the lake.

Maps and other sources using recommended name (include scale and date).	Other name (variants)	Maps and other sources using other name or application (include scale and date).

Name information such as origin, meaning of the recommended name, historical significance, biographic data (if commemorative), nature of usage or application, and any other pertinent information:

Debris from a landslide on May 12, 2013, created the lake. The landslide destroyed the U.S. Forest Service cabin where the proposer, Kevin Knox, girlfriend Maggie Calin, and his dog were staying. The dog, Luna, an 11-year old Border Collie went missing after the landslide and was never found. The proposer notes five years have passed since the landslide, the lake has been created, and several U.S. Forest Service crews in the area refer to the feature as Luna Lake.

Is the recommended name in local usage?	Yes	X	No		If Yes, approximately how many years?	<5
--	-----	---	----	--	--	----

Is there local opposition to, or conflict with the recommended name (as located)?

None known.

For proposed new name, please provide evidence that feature is unnamed:

No name for the lake is shown on the USGS 1:63,360 Port Alexander D-4 map.

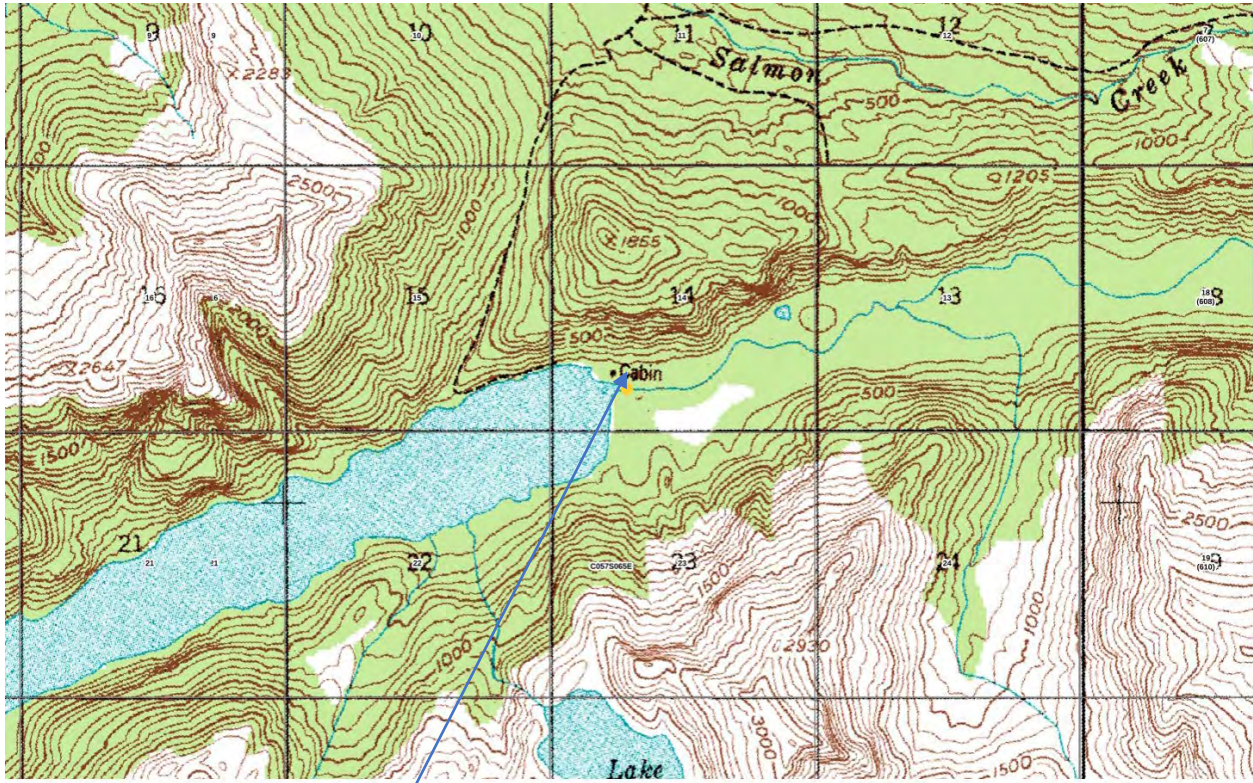
Additional information:

Proposal sent for review with a letter, indicating objection or endorsement of the proposed name must be made in writing, to:

U.S. Forest Service, Sitka Ranger District
U.S. Forest Service, Alaska Region
U.S. Forest Service, Betsy Kanalley, USBGN representative
Sitka Tribe of Alaska
Sealaska Corporation
Sealaska Heritage Institute
City and Borough of Sitka
Daily Sitka Sentinel

The Alaska Historical Commission is expected to review this proposed name at their next meeting.

Copy submitted by: Name (first, M.I., last)		Title	Phone (day)	Date
Kevin Knox			907.738.4664	5.14.18
Company or Agency		Address (city, State, and Zip)		
324 Wachusetts St., kevin@bluesteel.org		Sitka, Alaska 99835		
Copy Prepared by (if other than above)		Title	Phone (day)	Date
Joan M. Antonson		Deputy SHPO	907. 269.8721	10.30.18
Company or Agency		Address (city, State, and Zip)		
Alaska Department of Natural Resources/Office of History and Archaeology		550 West 7 th Ave., Suite 1310, Anchorage, AK 99501-3565		
Authority for Recommended Name:	Mailing Address and Telephone	Occupation	Years in Area	



Proposed Luna Lake, Sitka vicinity.



Proposed Luna Lake

Department of Natural Resources

ALASKA HISTORICAL COMMISSION

550 West 7th Avenue, Suite 1310

Anchorage, Alaska 99501

: 907.269.8721

<http://dnr.alaska.gov/parks/oha>

ALASKA'S GEOGRAPHIC NAMES

a program of the

ALASKA HISTORICAL COMMISSION

The Alaska Historical Commission serves as the geographic names board for the State of Alaska (AS 41.35.350). The citizen board, chaired by the Lt. Governor, reviews names proposed for lakes, streams, mountains, and other physical features in the state. The commission coordinates its program with the U.S. Board on Geographic Names. The commission has established a process to consider proposals, as has the federal board. It takes at least a year to name a geographic feature.

In 1982 the State of Alaska enacted a law urging the state geographic names board to consider Alaska Native place names for geographic features in the state that have not previously been named, using Native language writing systems accepted by the Alaska Native Language Center, University of Alaska Fairbanks.

The U.S. Board on Geographic Names has a policy to identify a single official name and spelling for each geographic feature. One or more **variant** names can be identified if needed for clarity or reference. A variant is any current or historic name or spelling for a geographic feature other than the official name. It might appear on maps in parentheses following the official name.

To propose an official name for a geographic feature, an application is made to the Alaska Historical Commission. The form is available at <http://dnr.alaska.gov/parks/oha/designations/geographicnamesrpt.pdf> or from the Office of History & Archaeology, 550 West 7th Ave., Suite 1310, Anchorage, AK 99501, 907.269.8721. The complete application and supporting material should be mailed, delivered to the office, or sent by email to oha@alaska.net.

All proposals must be accompanied by a **map** showing U.S. Geological Survey information and identifying clearly the feature to be named. Additional maps are encouraged that show the immediate area around the feature to be named, or show the feature in relation to major geographic features, communities, and roads as appropriate. Photographs and other identifying aids are useful but are not required.

Evidence of local support is encouraged. These might be letters, petitions, newspaper articles, and letters to the editor, showing public awareness and endorsement of the proposed name. The proposer must establish that property owners of the feature or close to it have been made aware of the name proposal and given a chance to comment.

GUIDELINES

In the review of a proposed name, the Alaska Historical Commission uses the following guidelines and the policies of the U.S. Board on Geographic Names (*Principles, Policies, and Procedures for Domestic Geographic Names*, <http://genames.usgs.gov/domestic/policies.htm>). A proposal must identify the type of proposed name from the categories below, address the special conditions, and establish why the feature needs an official name.

Local usage

Active local use is the single, best reason to name a geographic feature. Local usage refers to a name for a geographic feature that has evolved over a period of years, is called that name by the community or area as a whole, and is supported by local petitions, oral histories, documents, or other publications. A feature named by the applicant is not considered local usage, even when the applicant has called the feature by that name for a number of years.

The Alaska Historical Commission encourages the proposer to:

- include evidence of common verbal or written usage of the proposed name, such as petitions signed by local residents, resolutions, or letters of support for the proposed name from local government entities and community groups

Descriptive names (includes features named by applicant)

The Alaska Historical Commission asks the proposer to establish that:

- the name is relevant and descriptive of the feature
- the name is not in use elsewhere in the region (unless for a related feature)
- the name is in good taste and not frivolous
- the name has been used for a minimum of five years and evidence is provided of the use
- the property owners of the feature and those living adjacent to it have been notified of the proposed name and given a chance to comment on it

Alaska Native names

The Alaska Historical Commission asks the proposer to establish that:

- the name is or was in common local use and that use is documented
- the name is linguistically appropriate to the area in which it is to be applied
- the land owner has been notified of the proposed name and given a chance to comment on it
- there has been consultation on the spelling and use of diacritical marks (special marks not normally used in the English alphabet) with all Native groups in the area and with the Alaska Native Language Center, University of Alaska Fairbanks

Commemorative names *(please read the special section)*

The Alaska Historical Commission asks the proposer to establish that:

- . the individual has been deceased for five (5) years and evidence of this (such as an obituary and biography) is provided
- . the individual made a significant, acknowledged contribution over time to the community or state
- . the individual had a direct association with the feature for a period of years
- . there is local support by residents and local authorities as evidenced by including letters, petitions, and resolutions

Historical names

The Alaska Historical Commission asks the proposer to establish that:

- . the proposed name was in common local use and that use is documented
- . the name is clearly associated with the area

Name changes

The Alaska Historical Commission is reluctant to change existing names, but will consider doing so if the proposer demonstrates a compelling reason and if there is local support for the change. It has been shown that changing long-standing names can cause confusion and unforeseen costs.

The Alaska Historical Commission asks the proposer to establish, as appropriate, that:

- . the current official name is derogatory to a racial, ethnic, gender, or religious group
- . the current official name is duplicative and causing confusion
- . the current official name is not spelled correctly
- . there is extensive local support by local authorities and residents for the name proposed and the name change as evidenced by letters, local petitions, and resolutions from local government entities and organizations
- . the property owners of the feature and adjacent to it have been notified of the proposed name and given a chance to comment

Names in wilderness areas (including wilderness study areas)

The Alaska Historical Commission does not approve names for natural features in federally designated wilderness areas or study areas unless the proposer demonstrates that an exception is warranted.

The Alaska Historical Commission asks the proposer to establish that:

- there is an overriding need to name the feature (such as for purposes of safety, education, or area administration)

the land manager has been consulted and provided the opportunity to comment on the proposed name

Associative names

The Alaska Historical Commission accepts, in fact encourages, using the same name for features related to each other, such as forks of a river or a creek that comes from a glacier.

The Alaska Historical Commission asks to proposer to establish:

- the relationship between the two features using maps
- the property owners of the features and those adjacent to them have been notified of the proposed name and given a chance to comment
- the provisions for descriptive, commemorative, Alaska Native, wilderness and other categories are addressed as well

COMMEMORATIVE NAMES

A commemorative name of a geographic feature is to honor and recognize an individual who has made an outstanding or noteworthy contribution to an area or the state, or is a national or international figure. A commemorative name might be for an event. A commemorative place name is not intended to memorialize a family member, friend, pet or animal.

Proposals containing a given name (first or last) or nickname of an individual are considered commemorative. The full name of a person as part of a geographic name normally is not approved unless surname use alone would be ambiguous.

The person must have been deceased *for at least five (5) years* before the Alaska Historical Commission will consider a commemorative name proposal. An obituary or biography of the individual must be part of the proposal. The information should establish the individual's *direct association* with the feature, and that the individual made a *significant contribution* to the area in which the feature is located.

Direct association. To commemorate an event, it should have occurred at or near the feature or have had an impact on the region or state. To commemorate a person, the individual should have been physically present at or near the feature for a number of years, or engaged in some activity that affected the feature. A person's death on or at a feature, such as a mountaineering accident or plane crash, or the ownership of land adjacent to or of the feature, and recreational use or visits to a feature do not normally meet this criterion.

Significance. The proposer must establish why the event or individual is particularly worthy of recognition. The importance of an event can be in the social, political, economic, scientific, or cultural areas. The contribution of an individual must be notable, of consequence, and have had an impact on the community,

region or state. A significant contribution is an extraordinary effort, achievement, or impact. It may come from the individual's work, professional or civic activities, and can be in the social, political, economic, scientific, or cultural areas. The contribution should have benefitted Alaskans beyond the individual's immediate circle of family and friends. Generally, these individuals will have been recognized through a letter of thanks from the Governor or Legislature, certificates of appreciation from an agency or group, awards, newspaper articles featuring the contribution made, dedication of local man-made features (park, street, garden, building), and the like. The individual might be a historical figure.

Features in Alaska can be named for events of significance nationally or internationally. Features also can be named for persons who made a significant contribution nationally or internationally, especially if the contribution was exceptional and unique. In such instances, the requirement of direct association does not need to be met, but the other requirements for commemorative names must be met.

Commemorative name proposals must demonstrate local residents have been advised of the proposal. Proposals should include evidence of local support by local authorities and residents attesting to the individual's association with the feature and significant contribution locally, to the state or nation, or internationally.

GEOGRAPHIC NAMING PROCESS

Upon receipt, a name proposal is reviewed for completeness. If necessary, the applicant is asked for additional information. Of particular concern is that adjacent land owners have been advised of the proposed name and had a chance to comment on it.

A Domestic Geographic Name Report (a U.S. Board on Geographic Names form) is prepared and sent with a map and supporting information to relevant Native groups, public land managers, local governments, and other interested parties and local media for comment on the proposed name. For proposed Native names, the Alaska Native Language Center at the University of Alaska Fairbanks is consulted. Interested parties might include local civic groups, historical organizations, pilot associations, and outdoor groups.

The Alaska Historical Commission members receive the report, map, and all public input before discussing and acting to approve or not approve a proposed name. The nine-member commission meets at least two times a year. Commission members reference these guidelines in their formal action. The applicant is notified of the meeting at which the commission will consider their proposed name and provided with copies of comments received from reviewers. Every meeting has a public comment period when an applicant and others interested in the proposed name can address commission members. Place names approved by the Alaska Historical Commission are official for the State of Alaska.

Following the meeting, applicants are notified in writing of the Alaska Historical Commission's action on their proposal. Unless tabled, the Domestic Geographic Name Report, all comments received, and record of the commission's action are sent to the U.S. Board on Geographic Names. Staff there also have a review process before the board considers and votes on a proposed name. The USBGN is the final word on choice, spelling, and official use of the place names in the U.S. Its approval makes a name official nationally. The name is entered in the Geographic Name Information System (GNIS), <http://geonames.usgs.gov/domestic/>. When a

federal map is revised and updated an effort is made to add the name, but approval does not guarantee a name will appear on USGS and other federal maps.

The Alaska Office of History & Archaeology has a program manager for geographic names who can answer questions or provide additional information.

[AHC adopted 12.8.2015]

***Sitka Historic
Preservation
Commission***

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*City and Borough of  
Sitka  
100 Lincoln Street  
Sitka, AK 99835*

*www.cityofsitka.com  
(907) 747-1814*

~~~~~

Commission

*Roberta Littlefield, Chair
Anne Pollnow, Vice Chair
James Poulson., Secretary
Ana Dittmar, At Large
Bob Sam Sitka Tribe of
Alaska
Nancy Douglas, STA
alternate
Scott Saline, At Large
Kitty Sopow, At Large
Valorie Nelson, Assembly
Liaison
Lauren Moore, staff liaison
and secretary*

November 16, 2018

Alaska Historical Commission
c/o Office of History and Archaeology
550 West 7th Avenue, Suite 1310
Anchorage, AK 99501

Dear Commission,

The Sitka Historic Commission wishes to give comment regarding the naming of the lake that was created by the landslide of May 12, 2013. Kevin Knox, who survived the landslide, has proposed the name *Luna Lake* in memory of Luna the dog, who perished. While we recognize that the Alaska Historical Commission's naming guidelines are not intended to memorialize pets, we support the name for its local significance. *Luna Lake* has been in use since its origin.

To describe the new addition to the landscape, local employees of the State Department of Fish and Wildlife and the U.S. Forest Service adopted the name *Luna Lake* in the aftermath of the landslide. As reported by the applicant, a petition to have the name adopted is currently being circulated and signed, and Sitka Ranger Perry Edwards has also vouched for active local usage of the name.

The newly formed lake represents a significant geologic event in Sitka's recent history. The Commission supports the name *Luna Lake*, as it has become locally known.

Sincerely,

Lauren Moore
Sitka Historic Preservation Commission



City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

Coast Guard City, USA

SITKA HISTORIC PRESERVATION COMMISSION

Regular Monthly Meeting

Harrigan Centennial Hall

330 Harbor Drive

November 14, 2018 6 PM

I. CALL TO ORDER/ROLL CALL: Commissioner Poulson called the meeting to order at 6:03 PM.

Present: Douglas, Dittmar, Saline, Pollnow (by teleconference), Poulson

Absent: Littlefield (excused), Sam (excused), Assembly Liaison Nelson (excused)

Staff: Lauren Moore

Public: Kevin Knox, Pat Magnuson, Dale Dupuis, Frank Barnes, Erika Knox

II. APPROVAL OF AGENDA

Douglas moved to approve the agenda. Saline seconded the motion. The motion passed 5-0.

Saline moved to modify the agenda to review the remodel at 719 Etolin Street first. Douglas seconded the motion. The motion passed 5-0.

III. APPROVAL OF MINUTES

a) October 10, 2018 minutes with addendum regarding Item (d)

The Commission discussed necessary edits to Item (d) of the draft minutes for accuracy and suggested changes to the description of the discussion and the number of votes that carried the motion.

Pollnow moved to approve the minutes with suggested edits. Saline seconded the motion. The motion passed 5-0.

IV. GUESTS AND/OR PERSONS TO BE HEARD

V. REPORTS & CORRESPONDENCE

Chair: None.

Commissioners: Poulson reported that Chair Littlefield had been notified of Alaska DOT & PF projects on Sawmill Creek Road and that the effort to clean St. Michael's Cathedral was ongoing. Pollnow stated that she was attending the National Trust for Historic Preservation PastForward conference in San Francisco, where a local initiative has established Cultural Districts (as opposed to Historic Districts) with gentrification in mind, aiming to keep people, particularly those belonging to marginalized communities, in their homes and

neighborhoods.

Assembly Liaison: None.

Staff Liaison: Moore reported that nominations for the Secretary of the Interior Historic Preservation award would be accepted through November 30.

VI. REQUESTS FOR REVIEW

a) New Business

Dale Dupuis and Patricia Magnuson - 719 Etolin Street
Remodel

Saline moved to accept the request for review. Dittmar seconded the motion. Dupuis and Magnuson stated that they had bought the house in August and intended to make extensive repairs, including of the wiring, insulation, plumbing, front porch, and windows. Commissioners discussed the short lifespan of vinyl windows and literature in the field of historic preservation, which indicates that replacing windows tends to be costlier than repairing the existing ones. Dupuis and Magnuson stated that the existing windows were fixed, so they needed to be replaced to meet life safety standards by allowing egress. They added that the windows that do open had been painted shut, and the sills needed to be repaired.

Dittmar asked when they planned to start, and Dupuis and Magnuson replied that they would begin as soon as their permit was approved. Dittmar asked about their plans for the doors. Dupuis and Magnuson said that the frames had been broken, so they would replace the interior doors and reuse the external doors in the basement and garage.

Pollnow moved to recommend approval of the request for review for a remodel at 719 Etolin Street. The motion passed 5-0.

b) New Business

Alec McGraw and Chuck McGraw, Jr. – 730 Alice Loop
New House

Saline moved to accept the request for review. Dittmar seconded the motion. The applicants were not in attendance. Poulson stated that he had no concerns. Pollnow asked whether it was possible to draft a one-page handout with advice from the Commission to distribute to potential applicants. Poulson stated that Michael Scarcelli, the former Planning Director, had intended to write the handout. Moore offered to work with the Commission to write it during her tenure.

Douglas moved to recommend approval of the request for review for new house construction at 730 Alice Loop. The motion passed 5-0.

c) New Business

Kevin Knox – “Luna Lake” Name Request

Saline moved to discuss the request. Pollnow seconded the motion. Saline asked where

the lake was, and Knox responded that it was at the eastern end of Lake Redoubt. Saline then asked whether Knox had spoken with Commissioner Sam. Knox stated that he intended to, but had not yet received a response from Sam. Saline asked about the significance of the name, and Knox replied that it was the name of his dog who had been killed in the landslide that created the lake.

Knox offered to give a detailed history of his request. Knox had been staying at the cabin with his partner and Luna when the landslide occurred on May 12, 2013, and afterward, Luna was never found. Knox was told to wait five years before submitting his request, as is protocol for naming something after a deceased person or animal. Knox also noted that the character of the valley is changing, but the lake has been judged to be stable in size. Additionally, it gets surveyed often because of its value for sockeye habitat.

Pollnow noted that the Commission's naming protocol was to prioritize the names of historic figures, and appreciated that Knox had consulted the Commission. Further, Pollnow appreciated Knox's request to name the lake after an animal. Poulson reviewed the Alaska Historical Commission's (AHC's) guidelines for naming, which is "not intended to memorialize a family member, friend, pet, or animal," and stated that Knox could make a stronger case if he were able to document a history of local usage of the name "Luna Lake."

Knox stated that the area does not receive many visitors, especially now that the cabin is gone, but "Luna Lake" is unofficially used by weir workers and the Forest Service, and has been since the immediate aftermath of the landslide. Knox noted that Sitka District Ranger Perry Edwards had submitted a letter in support of the name. Pollnow stated that the AHC's preference is for local usage drawing on long-standing use. Poulson stated that no time period is specified, and the landslide occurred five years ago.

Knox stated that a local petition, distributed less than a week ago, had so far received 100 signatures. Knox added that, as a member of the Assembly, he was not sure whether it was within the Commission's purview to bring the issue before the Assembly. Poulson replied that the Commission could make a recommendation to the Assembly.

Pollnow acknowledged that "Luna Lake" does not draw from the list of people who have been significant in Alaska's history. Saline stated his support of the name to honor Knox's survival of the landslide. The Commission discussed factors that may bolster Knox's case, including the local significance of the event in recent Sitkan history (brought up by Pollnow), the Forest Service's history of using the name (brought up by Dittmar), and the AHC's preference for "active local use" as "the single best reason to name a local feature" (brought up by Poulson).

Poulson stated that nothing is required of the Commission beyond their comments, which can be delivered to the AHC. Douglas stated that, as chair of the STA's Cultural Resources Committee, she will ensure the issue appears on the November 26 meeting

agenda. Knox stated that he would be willing to speak at the meeting, if invited. Frank Barnes, a member of the public attending the meeting, voiced his support for "Luna Lake."

No motion was made.

- d) Section 106 Review
AK Army National Guard – 1508 Sawmill Creek Road
Remodel

Saline moved to accept the request for review. Dittmar seconded the motion. Saline stated that this building is more closely tied to the State of Alaska than the National Guard. Poulson approved of the decision to renovate rather than demolish the building and stated that it is less than 50 years old, so not eligible for listing in the National Register of Historic Places. This was confirmed by Dittmar. Pollnow confirmed that materials in the packet referenced the evaluation of the building for eligibility. Poulson stated that he had no concerns about interior remodels. Dittmar noted the request to excavate the perimeter to a depth of two feet, which Poulson confirmed was to replace insulation.

Douglas moved to recommend approval of the request for review of a remodel at 1508 Sawmill Creek Road. The motion passed 5-0.

- e) Section 106 Review
AT&T – 1330 Seward Avenue
Generator Installation

Dittmar moved to accept the request for review. Saline seconded the motion. Poulson stated his confusion about the precise location proposed for the generator, since the documents seemed to variably depict it adjacent to the UAS gym (as shown in the map) and next to the old air control tower (as shown in the elevation). Pollnow brought up the dimensions of the generator, approximately nine feet by five feet.

Dittmar echoed Poulson's statement that the exact location was difficult to discern. Pollnow stated that the generator seemed to take up a significant amount of space behind the building, with implications for the national landmark and the landscape, and suggested recommending mitigation. Poulson added that the effects on the façade should be considered.

Dittmar quoted from the letter to the HPC of September 26, 2018, that AT&T only sought comments "regarding potential effects on historic properties." Poulson noted that there was no statement from the State of Alaska on the project, but the Commission could still make their concerns known. Pollnow reiterated the adverse impact to historic properties. Dittmar noted that, per the same letter, AT&T had sought comment within 30 days of September 26, 2018. Poulson stated that the Commission could still go on record if construction had already begun.

Douglas moved to recommend approval of the request for review of generator installation at 1330 Seward Avenue. The motion passed 5-0.

VII. COMMISSIONER DISCUSSION – No Motions May be Made

Poulson stated that he had been surprised by Pollnow's email to KathyHope Erickson following the meeting of October 10, and that his intention was not to influence the Commission's vote but to be transparent about Chair Littlefield's son's role in the project under discussion. Pollnow stated that she appreciated Poulson's clarification.

Pollnow stated that CLG grants are open to applicants. Moore reported that the Planning Department had tentatively set December 14 as the submittal deadline and added that she would publish notice on the City's website as soon as possible.

VIII. SET NEXT MEETING DATE(S):

(2nd Wednesday of the Month, 6 PM Harrigan Centennial Hall)

Wednesday, December 12, 2018 – Regular Monthly Meeting

IX. ADJOURNMENT

Dittmar moved to adjourn the meeting at 7:05 PM. Douglas seconded the motion. The motion passed 5-0.



CITY AND BOROUGH OF SITKA

Master

File Number: 18-220

File ID: 18-220

Type: Item

Status: AGENDA READY

Version: 1

Reference:

In Control: City and Borough
Assembly

File Created: 11/19/2018

File Name:

Final Action:

Title: Appoint Victor Weaver to an unexpired term on the Planning Commission

Notes:

Sponsors:

Enactment Date:

Attachments: Motion appointment, Weaver Application

Enactment Number:

Contact:

Hearing Date:

Drafter:

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	City and Borough Assembly	11/27/2018					

Text of Legislative File 18-220

title

Appoint Victor Weaver to an unexpired term on the Planning Commission

POSSIBLE MOTION

I MOVE TO appoint Victor Weaver to an unexpired term on the Planning Commission.



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

Board/Commission/Committee: Planning Commission

Name: Victor Weaver Preferred Phone: [REDACTED]

Address: [REDACTED] Alternate Phone: _____

Email Address: [REDACTED] Fax Number: _____

Length of Residence in Sitka: 8 months Registered to vote in Sitka? ☒ Yes ☐ No

Employer: SEARHC

Organizations you belong to or participate in: None currently

Explain your main reason for applying:

I was on the Planning and Zoning Commission in Valdez prior to moving to Sitka and I enjoyed it very much. I was a very active member of the commission and I believe it is my civic duty to be involved in Sitka and utilize the experience I have on this commission

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

Valdez Planning and Zoning Commissioner

SEARHC Assistant Director of Facilities for SE Alaska

Numerous years as an Engineer and Projects Manager working with large building projects.

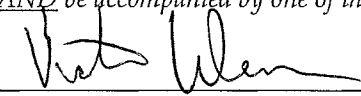
Please disclose any potential conflicts of interest that may arise from your appointment. These may include but are not limited to:

- 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.

None

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: 11/2/2018 Signature: 

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

Date: November 2, 2018

Subject: Planning Commission Seat for the City of Sitka

I would like to apply for a seat on the Planning Commission for the City of Sitka. I moved to Sitka 8 months ago from the City of Valdez. I am currently the Assistant Director of Facilities for SE Alaska at SEARHC. I served on the Planning and Zoning Commission for 1 term, up until I left Valdez earlier this year to take my current position with SEARHC. I was very involved with the Planning and Zoning Commission in Valdez and thoroughly enjoyed my time on the Commission. I would like to get more involved with Sitka and learn more about the Sitka Comprehensive plan and all of the challenges Sitka faces within Planning and Zoning.

I was involved with many rezoning challenges Valdez faced as a city. I attended the Planning Conference each year in Anchorage and learned about many topics relating to the planning and zoning laws throughout Alaska.

I have a Bachelor of Science in Engineering and have over 29 years of experience in my field including numerous building projects in which I have worked with various City's Planning and Zoning departments.

Please consider my experience and knowledge of Planning and Zoning as I would like to continue my civic duty within the current city I live.

Thank You,

A handwritten signature in black ink, appearing to read "Victor Weaver". The signature is fluid and cursive, with the first name "Victor" and last name "Weaver" clearly distinguishable.

Victor Weaver

Victor Weaver



EDUCATION

Bachelor of Science - Manufacturing Engineering – Graduated 1989
Oregon Institute of Technology, Klamath Falls, OR

BACKGROUND

26 years of experience working in various industries in Engineering, Project Management, and Maintenance Management roles. Successfully managed numerous high profile engineering and construction projects throughout my career, from design to completion within tight scheduling restraints.

Highly effective communicator at all levels and in very culturally diverse atmospheres

Highly effective field construction coordinator, managing construction crews insuring project budgets are met and timelines are strictly followed.

Very experienced with scheduling materials, equipment, and subcontractors as well as with estimates and setting up a jobsite

Hands-on” problem solver who enjoys working in the field and making challenging decisions in challenging environments.

Experience in taking technical, complex, projects from inception to completion

Enjoys working in a hands-on, fast paced environment resolving production challenges with a goal to achieve no production downtime.

Familiar with National Building, Fire, Electric, Codes, and OSHA regulations.

Area of Expertise:

- Project Management
- Project Planning
- Building Codes and Permitting (City, State, Corp of Engineers)
- Pre-construction – Submittal review/approval, RFI's, Change Orders, Shop Drawing Reviews
- Contract Management – Bidding/Bid Review, Pre-Bid Conference, Notice of Award, Notice to Proceed
- Field/Site Construction Management
- Coordinating and supervising all construction activities on-site from Notice to Proceed (NTP) to completion
- Developing Project Schedules and Budget
- Remote Construction
- Project Execution
- Management of Skilled Trade Teams (union and non-union)
- Strategic Planning & Implementation
- Organization & Time Management
- High Performance Team Building & Coaching
- Coordinating/directing independent testing and inspections
- Lean Manufacturing
- Planning and Zoning – Valdez Planning and Zoning Commissioner

EXPERIENCE

Assistant Director of Facilities SE Alaska SEARHC

3/2018 – Present

Manage all SEARHC facilities outside of Sitka, ranging from Haines to Wrangell Alaska. Manage all new construction for clinics and hospital within the consortium. Manage all facilities and maintenance crews including the Facility Managers for each of the locations. Manage all maintenance and construction contracts for each location. Oversee construction and renovation of medical, dental and behavioral health clinics throughout the consortium.

Hatchery Projects ManagerValdez Fisheries Development Association

8/2014 – 3/2018

The Hatchery Projects Manager serves as the lead coordinator for all special projects relating to the development, renovation and major maintenance of all hatchery facilities and equipment. The primary function of this position is to provide technical expertise, design, development, oversight and execution of all projects relating to the expansion and operations of Valdez Fisheries Development Association's (VFDA) hatchery and fisheries programs. Managed a successful \$2 million water expansion project and currently a \$1.8 million high pressure water upgrade project. Responsible for all phases of projects, developing scope of work, working with engineering firm on initial design, planning, bidding, award of contracts, and inspections. Coordinates and supervise all construction activities on-site from Notice to Proceed (NTP) to completion. Managed construction contracts insuring budgets are met and projects are completed within restricted time constraints. Coordinated all field design and construction changes between the construction crews, the design engineer and Valdez Fisheries Management personnel to include board members.

Planner/Scheduler Alyeska Pipeline Service Company – Valdez, AK

6/2010 – 8/2014

The Planner/Scheduler supports execution of maintenance work by receiving, planning, estimating, scheduling, and coordinating maintenance work ensuring that all required materials, equipment, and personnel are identified and available when needed for all of operations. Plan and coordinate all major projects and shutdowns for marine and utility operations at the Valdez Marine Terminal. The primary objective of the role is to improve workforce efficiency by eliminating potential delays and obstacles to efficient work execution, provide coordinated identification and availability of resources for Marine, Ballast Water, SERVS, the VMT, and Pipeline work sites with a goal to reduce operational impacts due to maintenance activities. On a regular basis, review and scrub backlog of work that may be redundant or that has been completed and not closed out. Follow-up on backlog work ensuring work gets scheduled on a regular and timely basis. Work closely with Operations ensuring work in their areas are planned and scheduled on a timely basis. Work closely with Projects and Engineering teams to plan and schedule construction projects. Train new Planner/Scheduler personnel in the use of Passport Planning/Scheduling software. Advanced skills using Passport CMMS software for maintenance planning and scheduling. Additional duties included Air Operations Branch Manager for the Incident Management Team for oil spill prevention and response management.

Facilities/Operations ManagerCarlton Winemakers Studio – Carlton, OR

3/2009 to 12/2009

Manage all winery operations for a large cooperative winery in Carlton, Oregon. Responsible for training all personnel in cellar operations for making Pinot Noir, Chardonnay, and Pinot Gris wines. Cellar operations trained included: safety training, cleaning and sanitizing barrels, tanks, wine presses, grape processing line, moving barrels, pumping over wine, punching down wines during fermentation. The main focus during harvest is to teach new employees during production operations the importance of cleaning and sanitation. Duties also included all maintenance and preventative maintenance of winery equipment, planning of harvest operations, hiring and training new employees, creating an annual budget for maintenance and production. Created new maintenance work order system for winery, including writing preventative maintenance procedures and standard operating procedures. Created a confined entry space program for the winery as well as a lockout tag-out program. Spent a lot of time working with various winemakers making sure their production needs

were met on a daily basis. Maintained and managed all facility operations and capital projects for the winery. Performed various safety training classes and set up various new safety programs throughout the winery. Acted as the source of contact for all OSHA safety inspections and implementations of OSHA recommended programs. Provided MSDS and hazardous materials training for all new employees.

Maintenance ManagerUnisea Corporation – Dutch Harbor, AK

4/08 to 12/2008

Manage, motivate, and train a team of 85 highly skilled maintenance personnel in various skill trade positions including 2 supervisors. Ensure that all internal customers of maintenance receive timely, efficient and quality service. Responsible for short and long term planning and scheduling of all maintenance activities. Analyze workload schedules, balance against employee availability, prioritize activities, prepare workload schedules, assure availability of required repair parts and review schedules to meet changing priorities. Participate in the development and application of data processing technology to assist in maintenance planning, scheduling and budgeting. Analyze workloads, availability of skilled employees, work-space and technical requirements; select and prioritize maintenance activities. Maintain capital project list with a priority rating system for approval of all capital project work. Prepare requests for parts and coordinates repair work with supply and employees. Prepare and monitor workload schedules including projections on available technicians for major repairs and overhauls and reviews compliance with projected target dates, revising schedules as required. Monitor work progress by comparing completion rates with schedules and provide reports of all active and pending jobs to Director. Plan, review, implement and monitor preventative maintenance programs on all plant equipment and buildings. Assist maintenance supervisors with short term scheduling for effective day-to-day shop management. Implement and maintain Every Day Focus culture throughout all maintenance departments. Review work records for reporting accuracy, supervise the updating and maintenance of such records in Maintenance Data Management System. Organize capital projects from inception to completion including all coordination with other internal departments as well as coordination with outside vendors and contractors. Develop clear and concise scope of work plan for proposed projects. Ensure that all capital projects and implemented processes are in strict compliance with Company, State and Federal Regulations regarding Health and Safety.

Maintenance ManagerStimson Lumber Company – Forest Grove, OR

7/06 to 7/07 – Received severance package for voluntary layoff due to decline in timber industry

Manage maintenance and engineering operations for a 7 day per week lumber mill manufacturing operation that produces over 320 million board feet of lumber annually.

Managed a highly skilled, high performance maintenance team consisting of 67 union, skilled labor personnel.

Managed and organized preventative maintenance program within the various mills to assure preventative maintenance (mechanical and electrical) of production equipment, breakdown repair, safety awareness, and new project implementation within a strict timeline schedule.

The lumber operation consists of a stud mill, dimension mill, 2 barkers, a stud planer, a dimension planer, 6 dry kilns, and a log yard, on a 300+ acre facility site.

Design and modify equipment, jigs, fixtures, safety and manufacturing processes for lumber manufacturing operations.

Successfully managed and coordinated several capital projects, including a major restructure of the Stud Mill to implement a new 3 dimensional sawing process that increased production by 35%.

Successfully managed a 5000 square foot building/construction expansion project for the Stud Mill.

Received, reviewed and investigated Occupational Safety and Health Agency (OSHA) reports of violation. Designed several safety devices to protect employees from dangerous equipment and processes. Acted as the source of contact for all OSHA safety inspections.

Maintenance Manager - ContractLand O Lakes Purina Feed, LLC, Portland, OR

7/05 to 7/06 Contract Completed

Manage day to day maintenance activities for a 24 hour a day 5 days a week feed mill, including hiring, discipline, and performance review of employees. Provided daily safety training to all employees prior to start of shift and on a regular basis for newly implemented safety programs. Manage 8 union maintenance millwrights and electricians.

Identify, write, and manage all capital projects for new equipment.

Fill in for Production Supervisor as needed. Implemented formal preventative maintenance written program for plant.

Design and modify various jigs, fixtures and carts to aid in bag and bulk feed manufacturing operations using AutoCAD LT.

Facilities and Maintenance Engineering Manager - ContractMilk Specialties Corporation, Adell, WI

6/04 to 7/05 Contract Completed

Manage all maintenance operations and capital projects in a Dairy Whey processing facility. Whey is processed and used for animal feed ingredients.

Reduced maintenance staff overtime hours from 80 hours/week to 20 hours/week with increased productivity.

Converted maintenance Work Order system from informal to formal requests and implemented preventative maintenance scheduling;

Completed daily safety inspections of facility, equipment, and employee safety programs to insure compliance to all OSHA regulations.

Designed safety devices to reduce hazards to employees. Acted as the main resource for all OSHA safety and compliance inspections. Design jigs, fixtures, machinery based on needs of manufacturing and process changes.

A Hands-on position requiring daily balance of many tasks, projects and emergencies

Responsible for planning, scheduling and managing the activities of a highly skilled maintenance department based on production requirements, sales and company goals

Control strict departmental budget while ensuring activities are completed efficiently

Coordinated procurement and installation of new and used operation equipment with minimal downtime

Established inventory control system that includes spare parts and materials required for safe and efficient operations

Interact with Production, Quality, R&D, Environmental, Safety, and Office staff to ensure all their maintenance needs are met

Improved skills and understanding of pump and pipe dynamics

Managed construction projects for the facility including managing timelines for outside contractors.

Designed and modified any new equipment, fixtures, or racking as needed using AutoCAD LT.

Corporate Facilities Engineering Manager Oshkosh Truck Corporation, Oshkosh, WI

2/02 to 3/04

Managed a 50,000 square foot manufacturing facility expansion project from design to final construction.

Plan, implement and direct preventive maintenance and facilities engineering programs

Analyze, evaluate and negotiate fee proposals with contractors and consultants

Review technical specifications for construction and maintenance contracts to ensure strict adherence to contractual obligations

Evaluate submitted design/engineering drawings for code compliance specifications

Interact and correspond with contractors and procurement services regarding specifications and contractual aspects of projects.

Manage building personnel activities; including hiring, performance review and training

Oversee five maintenance/service personnel under union contract.

Analyze cost and operational data for development, submission and administration of facilities management budgets

Administer and manage buildings and grounds for all Oshkosh facilities including satellite locations

Team member for the development and implementation for the incident management program.

Sr. Manufacturing Engineer - Contract Schlumberger, Bartlesville, OK

7/00 to 1/02 – Contract Completed

Develop new processes for submersible pump and motor manufacturing operations for the oil industry.

Assists in providing input to design, manufacturing processes and manufacturing technologies to meet cost and delivery schedules.

Assists in developing and coordinating specification and delivery requirements with internal and external suppliers

Introduce and implement lean manufacturing processes (Kaizen) into the rotor manufacturing process

Justify and purchase capital equipment for assembly operations

Design and detail jigs and fixtures for assembly operations using CATIA and AutoCAD LT.

Prepare, layout and implement plant rearrangement for manufacturing operations

Communicate with product design to ensure feasibility of new products

Project Manager- 6 month Contract Boydston Metalworks, Portland, OR

1/00 to 7/00 - Contract Completed

Managed project to consolidate three manufacturing facilities into one, within a targeted \$7 million dollar budget. Responsible for contractor selection and writing construction contracts. Managed all phases of project from design to final construction. Work with various city departments for construction permitting. Project included various facilities upgrades, building construction, electrical work, equipment design, new equipment research and purchase. Designed new layout of production lines for manufacturing and material flow. Managed onsite construction crews insuring timelines and budgets were met. Coordinated all design and construction changes in the field between construction crews, engineers and Boydston Metalworks Management.

Senior Manufacturing Engineer/ Facilities Engineer Freightliner Truck, Portland, OR

05/95 to 12/99

Responsible for all capital planning and project implementation of latest truck manufacturing equipment using lean manufacturing techniques

Designed process improvements for pre-paint cab, finish cab, and chassis manufacturing

Prepare, layout and implement plant/process rearrangement for operations.

Manage numerous construction projects for plant expansions

Concept and design jigs and fixtures which included carts, assembly jigs, holding jigs, locating jigs and any other type of fixtures needed for the assembly of large trucks using CATIA

Prepare time and work sequence studies and recommend changes to manufacturing

Coordinate with corporate design and manufacturing engineering to implement changeovers for new products and custom built products

Tooling Engineer - Contract Consolidated Metco, Portland, OR

04/94 to 05/95

Design various jigs and fixtures for the manufacture of truck parts in an aluminum foundry. Jigs and fixtures designed consisted of CNC holding fixtures, assembly jigs, drill jigs for gang drills, and locating jigs for various truck parts. Responsibilities also included working with outside vendors to build and test the jigs/fixtures. All jigs and fixtures were designed using CATIA

Tooling Engineer - Contract Boeing Aerospace, Huntsville, AL

05/93 to 05/94 Contract completed

Designed assembly tooling, composite tooling, machine tooling, handling equipment, and scaffolding for the NASA managed Space Station Freedom program. Successfully designed a complex living module assembly fixture within a \$3 million dollar budget approved by NASA personnel. Worked with Boeing jig builders and outside vendors to build, test and buyoff the fixtures prior to use in the Boeing facility.

Tooling Engineer - Contract Cessna Aircraft, Wichita, KS

04/92 to 04/93 - Contract completed

Designed and rework assembly tooling and composite tooling for the Citation Jet program. Worked closely with Cessna fabricators and machinists to build and test jigs prior to use in the manufacturing build. All tooling was designed using CATIA V4, utilizing solid modeling. Taught various CATIA 3D modeling classes to contract personnel.

Tooling Engineer Boeing Aircraft Company, Everett, WA

06/89 to 04/92

Design and rework assembly tooling, composite tooling and machine tooling, and soft tooling for the 747 and the 767 aircraft. Fixtures included locating jigs, assembly jigs, drill jigs, etc, which included all concept, investigation, layout, rework, and design using CATIA. Develop plans and recommendations for equipment needed and correct methods of manufacturing, including sequence of operations and detailed methodology of complex assemblies and installations as well as detail components. While in the aircraft tooling group, I worked in interiors, body, interior liaison, aircraft controls, pulley brackets, and the paint group

CONTINUING EDUCATION AND TRAINING

- Numerous IMT Training Courses
- Timber Operators Conference comprehensive management training certification program
- Boiler Training for Managers
- 8 Week Jigs and Fixture Design Course
- Kaizen for Lean Manufacturing Operations
- CATIA 3-D Cad Training – Basic –Advanced Solid Modeling
- Over 1000 hours of various safety training
- Various management training courses for union and non-union personnel
- ETT – Emergency Medical Technician
- Advanced CPR – Basic Life Support
- TWIC Card Holder (Expires April 26, 2018)
- Annual Planning Conference Anchorage – 2016 & 2017

SOFTWARE SKILLS

Passport	Business Objects
Microsoft Project	Microsoft Excel
AutoCAD	CATIA V4
Microsoft	PowerPoint
Microsoft Access	Microsoft Word
Dynastar	Mainsaver
Internet Explorer	

PERSONAL:

Planning and Zoning omission – City of Valdez
Society of Manufacturing Engineers
Shriners of North America, Shrine Clown
Freemasons

REFERENCES:

Available upon request



PLANNING COMMISSION

NAME	CONTACT NUMBERS	TERM STARTS	EXPIRES	CATEGORY
CHRIS SPIVEY 109 Lillian Drive	738-2524 c spi3050@yahoo.com	12/11/12	2/8/14 1/28/17 1/24/20	CHAIR
DARRELL WINDSOR PO Box 1973	738-4046 c dwindsor@gci.net	6/28/11	6/28/14 6/24/17 7/25/20	VICE CHAIR
RANDY HUGHEY 220 Lakeview Drive	738-2999 c randywhughey@gmail.com	2/24/15	10/23/15 10/13/18 10/23/21	
<i>RICHARD PARMELEE 405 Hemlock Street</i>	<i>738-0606 c rjparmelee@hotmail.com</i>	<i>9/27/16</i>	<i>4/26/19</i>	<i>Parker Song's term RESIGNED 6/15/18</i>
TAYLOR COLVIN 1308 Sawmill Creek Rd	970-485-4891 taycolvin@gmail.com	7/11/17	6/14/19	<i>Pohlman's term</i>
Planning Director	747-1815			Staff Liaison
Planner I	747-1814			Secretary
Aaron Bean 103 Toivo Circle	738-8923 assemblybean@cityofsitka.org			Assembly Liaison
Kevin Knox PO Box 6415	738-4664 assemblyknox@cityofsitka.org			Alternate Assembly Liaison

5 members from public, 3-year terms

Established by Ordinance 74-118/SGC2.18 & Charter Article VIII

Must be registered to vote

First and Third Wednesday at 7:00 p.m. – Harrigan Centennial Hall, 330 Harbor Drive

CONFLICT OF INTEREST FORMS OATHS OF OFFICE

Revised: October 24, 2018



CITY AND BOROUGH OF SITKA

Master

File Number: ORD 18-52S

File ID: ORD 18-52S

Type: Ordinance

Status: AGENDA READY

Version: 1

Reference:

In Control: City and Borough Assembly

File Created: 10/16/2018

File Name:

Final Action:

Title: Amending Title 13 "Port and Harbors" of the Sitka General Code by adding Chapter 13.16 "Commercial Marine Trade Permit" and amending Chapter 13.04 "Definitions"

Notes:

Sponsors:

Enactment Date:

Attachments: Motion and Ord 2018-52S, Informational Only

Enactment Number:

Contact:

Hearing Date:

Drafter:

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	City and Borough Assembly	10/23/2018	PASSED ON FIRST READING				Pass
Notes: Deputy Harbormaster Chuck Hackett explained the original intent of the drive down facility at Eliason Harbor was for loading and unloading. Over the years, however, commercial work had become an allowable use. To ensure a safe and efficient work environment, the Harbor staff and Port and Harbors Commission were recommending a commercial marine trades permit be adopted.							
Some Assembly members voiced concern over the \$500 annual permit fee. Hackett noted a weekly permit for \$50 was an option. Knox spoke in support and reminded the topic of a commercial marine trades permit had been discussed by staff and the Commission for the last year.							
1	City and Borough Assembly	11/08/2018	AMENDED				Pass
Notes: Members of the public Matt Donohoe and Gerald Gangle testified. Donohoe noted the harbor system and work completed at the drive down dock was essential. Gangle spoke in opposition to the proposed cost of a permit.							
Assembly members Mosher, Nelson, Wein, Bean and Paxton disapproved of a fee. Knox reminded the Port and Harbors Commission had worked on the concept of this ordinance for over a year. The Commission and staff believed the permit would create efficiencies.							

Speaking to an amendment to eliminate permit fees, Matt Donohoe and Bonnie Richards spoke in opposition. Chris Ystad voiced support for creating greater efficiencies at the drive down dock. Keith Nyitray spoke in opposition to removing fees.

1	City and Borough Assembly	11/08/2018	APPROVED	Pass
1	City and Borough Assembly	11/27/2018		

Text of Legislative File ORD 18-52S

title

Amending Title 13 "Port and Harbors" of the Sitka General Code by adding Chapter 13.16 "Commercial Marine Trade Permit" and amending Chapter 13.04 "Definitions"

POSSIBLE MOTION

I MOVE TO approve Ordinance 2018-52S
on first reading.

Note: This is a substitute ordinance. The original ordinance was amended at the November 8 Assembly meeting to remove permit fees entirely.

CITY AND BOROUGH OF SITKA

ORDINANCE NO. 2018-52S

AN ORDINANCE OF THE CITY AND BOROUGH OF SITKA AMENDING TITLE 13 "PORT
AND HARBORS" OF THE SITKA GENERAL CODE BY ADDING CHAPTER 13.16
"COMMERCIAL MARINE TRADE PERMIT" AND AMENDING CHAPTER 13.04
"DEFINITIONS"

1. CLASSIFICATION. This ordinance is of a permanent nature and is intended to become a part of the Sitka General Code.

2. SEVERABILITY. If any provision of this ordinance or any application to any person or circumstance is held invalid, the remainder of this ordinance and application to any person or circumstance shall not be affected.

3. PURPOSE. The purpose of this ordinance is to add a new chapter 13.16 Commercial Marine Trade Permit and amend chapter 13.04 to add applicable definitions to Title 13. This ordinance will implement a permit for business, commercial entities, or for profit enterprises engaged in offering services, to commercial, charter or private marine users on city and borough owned marine infrastructure at designated harbor work areas. This permit will assist in creating a safe and productive work environment for these services and fines will be imposed when a permit has not been obtained prior to these services being offered in the designated work areas.

4. ENACTMENT. NOW, THEREFORE, BE IT ENACTED by the Assembly of the City and Borough of Sitka that the Sitka General Code Title 13, be amended by adding chapter 13.16, entitled "Commercial Marine Trade Permit", and updating chapter 13.04, entitled "Definitions" to read as follows (deleted language stricken, new language underlined):

**Title 13
PORT AND HARBORS**

Chapters:

- 13.02 General Provisions**
- 13.04 Definitions**
- 13.06 Charges/Fees**
- 13.07 Harbor Use Privileges and Prohibitions**
- 13.08 Reserved Mooring Stalls**
- 13.09 Anchoring**
- 13.10 Float Regulations**
- 13.12 Enforcement**
- 13.13 Nuisances**
- 13.14 Vessel Impoundment and Disposition**
- 13.15 Float Homes**
- 13.16 Commercial Marine Trade Permits**

**Chapter 13.04
DEFINITIONS**

Sections:

- 13.04.010 Anchor.**

13.04.020	Charter/vessel for hire.
<u>13.04.030</u>	<u>Commercial marine trade.</u>
<u>13.04.040</u>	<u>Designated harbors.</u>
<u>13.04.050</u>	<u>Designated harbor work areas.</u>
13.05.04060	Dinghy/lighter.
<u>13.04.05070</u>	<u>Distress.</u>
<u>13.04.06080</u>	<u>Emergency.</u>
<u>13.04.07090</u>	<u>Float homes.</u>
<u>13.04.080-100</u>	<u>Harbor.</u>
<u>13.04.090110</u>	<u>Harbormaster.</u>
<u>13.04.100120</u>	<u>Hot berth.</u>
<u>13.04.110130</u>	<u>Liveaboard.</u>
<u>13.04.120140</u>	<u>Moor.</u>
<u>13.04.130150</u>	<u>Permanent transient.</u>
<u>13.04.140160</u>	<u>Person.</u>
<u>13.04.150170</u>	<u>Qualifying interest.</u>
<u>13.04.160180</u>	<u>Stall.</u>
<u>13.04.170190</u>	<u>Transient vessel.</u>
<u>13.04.180200</u>	<u>Transfer of cargo.</u>
<u>13.04.190210</u>	<u>Traffic lanes.</u>
<u>13.04.200220</u>	<u>Vessel.</u>
<u>13.04.210230</u>	<u>Vessel length.</u>
<u>13.04.220240</u>	<u>Waterborne structures.</u>

13.04.010 Anchor.

"Anchor" means to secure a vessel to a bed or body of water by dropping a weighted ground line or tackle or by use of a buoy or other means to prevent more than a measurable movement of the vessel.

13.04.020 Charter/vessel for hire.

"Charter/vessel for hire" means any vessel licensed to carry passengers for hire; "bare boat" is a boat rented with or without crew or operator.

13.04.030 Commercial marine trade.

"Commercial marine trade" means any business, commercial entity, or for-profit enterprise engaged in offering services for the commercial or charter marine industry or private marine users in the designated harbors and designated harbor work areas. This can include, but is not exclusive to, welding, fabrication, electrical, and plumbing services, offered by a business operating within the city and borough.

13.04.040 Designated harbors.

"Designated harbors" means any of the city and borough owned harbors listed below where the city and borough infrastructure is used. These areas include; Sealing Cove harbor, Crescent Harbor, ANB harbor, Thompson harbor, and Eliason harbor.

13.04.050 Designated harbor work areas.

"Designated harbor work areas" means any of the areas listed below which the city and borough infrastructure is used. These areas include; Community port wall, Eliason harbor work float, Fishermen's work float, Crescent harbor high load dock, Crescent harbor pole float and the GPIP dock.

13.04.04060 Dinghy/lighter.

"Dinghy/lighter" means a small vessel normally carried aboard a larger vessel or towed as a life boat or tender.

13.04.06070 Distress.

"Distress" means a state of disability or a present or obvious imminent danger which if unduly prolonged could endanger life or property.

13.04.06080 Emergency.

"Emergency" means a state of immediate danger to life or property in which time is of the essence.

13.04.07090 Float homes.

"Float homes" or "float houses" means a floating structure used wholly as a dwelling unit, which is not designed to travel on water and which is otherwise not a vessel, as defined herein, and meets construction requirements as provided in Chapters 13.15, 19.15, 19.16 and 19.17.

13.04.080100 Harbor.

"Harbor" means the Sitka harbor system or all waters, tidal areas and adjacent uplands areas, together with all facilities of a port or maritime nature publicly owned that are primarily used by or for the service of vessels, including docks, pilings, ramps, hoists, parking areas, leased water areas, concessions and/or service facilities located within.

13.04.090110 Harbormaster.

"Harbormaster" means the individual described in Section 13.02.020 and any assistant harbormaster or other person designated to act in the harbormaster's place.

13.04.100120 Hot berth.

"Hot berth" means the practice of allowing a vessel to temporarily occupy a stall or space not reserved to said vessel.

13.04.110130 Liveaboard.

"Liveaboard" means any vessel used by one or more persons as a primary residence while moored in the Sitka harbor system, which meets the following requirements. A liveaboard vessel must comply with all requirements imposed on any vessel moored in the harbor system including the requirement that the vessel be powered by an engine of sufficient size to propel the vessel at a speed allowing normal steerage and to maneuver out of and into the harbor. A liveaboard vessel must be registered as such with the harbor department. A liveaboard vessel must have a safe heating system, and food preparation system, and berthing accommodations for all occupants.

13.04.120140 Moor.

"Moor" means to secure a vessel by the use of lines to a dock, pier or other object providing a more secure fastening to a particular location than by anchoring.

13.04.130150 Permanent transient.

"Permanent transient" means a vessel which is on the wait list (Section 13.08.040). The vessel will not have a permanent stall assignment but will be provided moorage and be billed for permanent moorage under Section 13.06.010.

13.04.440160 Person.

"Person" means any natural person, individual, partnership, corporation or governmental agency. A corporation and natural person or individual will be considered the same if the natural person has control over the former.

13.04.460170 Qualifying interest.

"Qualifying interest" in a vessel means the interest of a person who owns the vessel or, under provisions of written charter or lease, has exclusive control over the operation and navigation of the vessel. A person who transfers title to a vessel or enters into a charter or lease of the vessel to another, seasonally or permanently, thereby relinquishes exclusive control over the use and operation of said vessel and ceases to have a qualifying interest in said vessel.

13.04.460180 Stall.

"Stall" means a place to moor individual vessels in the harbor.

13.04.470190 Transient vessel.

"Transient vessel" means any vessel occupying space in the Sitka harbor system for which a regular reserved stall has not been assigned.

13.04.480200 Transfer of cargo.

"Transfer of cargo" means all types of loading, unloading, transfer and/or containerization of any type of cargo including, but not limited to, fish, shellfish and other seafood products thereof.

13.04.490210 Traffic lanes.

"Traffic lanes" (navigation lanes) means those areas specifically set aside for movement to and from other locations and which will be kept open, free of obstructions and not for use for anchoring or mooring.

13.04.200220 Vessel.

"Vessel" means any ship, boat, skiff, barge, dredge and craft of every kind or description, whether used for commercial or pleasure purposes, which is on the water and is capable of being used as a means of transportation on or through the water, excluding seaplanes.

13.04.240230 Vessel length.

The method of determining vessel length within the harbor system: Vessel length will be computed as the actual overall length of any vessel, including bow sprits, outboards (in down position) or other extensions.

13.04.220240 Waterborne structures

"Waterborne structures" means other than a vessel. Examples include but are not limited to barges, float houses, or other, usually unpowered, structures.

Chapter 13.16

COMMERICAL MARINE TRADE PERMITS

Sections:

13.16.010 Introduction.

13.16.020 Permit required.

- 13.16.030 Rules and regulation.
- 13.16.040 Enforcement and penalties.
- 13.16.050 Use of funds.

* * *

13.16.010 Introduction.

The city and borough owns and operates the harbor system which is under the authority of the harbormaster. This chapter intends to capture all locations where a commercial marine trade permit will be required for operation at designated harbors and designated harbor work areas, as defined in chapter 13.04. In adopting this chapter, the city and borough is exercising its proprietary interests as an owner and operator of all city and borough owned property. Nothing in this chapter, however, limits the city and borough's ability to further exercise its proprietary powers as it deems necessary to protect its interests or those of the public.

13.16.020 Permit required.

A. General. No person shall conduct, offer to conduct, solicit to conduct, or take orders to conduct commercial marine trade services in designated harbors or designated harbor work areas, except as authorized by a valid permit obtained from the city and borough pursuant to this chapter. A permit issued pursuant to this chapter shall be called a "commercial marine trade permit."

B. Terms. An annual commercial marine trade permit shall be valid for the period from January 1st of each calendar year through December 31st of the same calendar year, unless sooner revoked or terminated. A commercial marine trade permit, or any rights or privileges thereunder, may not be assigned or transferred. Acceptance of a permit by the permittee shall constitute an agreement and acknowledgment by such permittee that the permittee has no property right in the permit. Acceptance of a permit by the permittee shall constitute an agreement and acknowledgment by such permittee that the permittee shall indemnify and hold the city and borough, its elected and appointed officers, its employees, and its agents, harmless from and against any and all loss, damage or expense for any injury to or death of any person or persons, or for damage to property, resulting from or arising out of any act or omission of such permittee, or any of the permittees' employees, agents, representatives, customers, or contractors. The city and borough, its elected and appointed officers, its employees, and its agents, make no representations concerning and assume no responsibility for or regarding any services sold or activities by any permittee, or any of permittee's employees, agents, representatives, customers, or contractors.

C. Application. A person or entity seeking a permit shall file a written application on a form provided by the city and borough. The application shall contain the following information:

1. Name, mailing address, and telephone number of the applicant and all principals;
2. Name, mailing address and telephone number of the operations manager;
3. Type of commercial marine trade services to be provided; and
4. An acknowledgment by the applicant that applicant agrees to be bound by all of the terms, conditions and provisions set forth in this chapter, and such additional rules and regulations established by the harbormaster.

D. Insurance. Each permittee shall at all times during the period of operations maintain a current commercial general liability insurance policy in the amount of not less than one million dollars combined single limit, which policy shall name the city and borough, its elected and appointed officers, its employees, and its agents, as additional insured. The policy shall not contain any self-insured retention, and shall include a provision requiring written notification to be given to the city and borough by the insurance company not less than thirty days before the policy is canceled, modified, or terminated for any reason. Permittees shall submit a copy of the policy, or, at the option of the city and borough, other satisfactory proof of insurance, prior to operations under the permit.

E. Issuance of Permit. The harbormaster shall grant the application upon finding that the applicant is fit, willing, and able to comply with the law. The permit shall state the name and address of the permittee, the date of issuance and such additional terms, conditions, provisions and limitations. A decision to deny an application for a permit may be appealed by the applicant to the city and borough administrator no later than seven days after such denial is delivered to the applicant. A letter sent to the applicant's mailing address by first class mail shall constitute delivery. An appeal from the decision of the city and borough administrator may be taken to the superior court for the state of Alaska no later than thirty days after the administrator sends notice of such denial to the applicant.

F. Terms of Renewal. Each permit issued under this chapter shall expire on the last day of December following its issuance. Permits once issued and approved prior to start up of operations may be renewed and reissued by the city and borough upon application to the city and borough. Permits will not be renewed unless the finance department certifies that all sales taxes have been paid.

13.16.030 Rules and regulation.

The harbormaster may establish rules and regulations necessary for the safe and orderly operation of the commercial marine trade services authorized by a commercial marine trade permit. The harbormaster shall provide prior written notice to all permittees of such rules and regulations, before they may be enforced.

13.16.040 Enforcement and penalties.

A. The harbormaster has the authority to enforce this chapter and the rules and regulations established under this chapter. The harbormaster shall issue a written notice of violation to the permittee or offender, which includes the fine imposed and/or action taken. Within seven days after the date of delivery of written notice of such fine and/ or action, the permittee may appeal the decision of the harbormaster to the city and borough administrator or his/her designee. Appeal from the administrator's decision may be made no later than thirty days after such decision to the superior court for the state of Alaska in Sitka.

B. The permittee is responsible for all violations of this chapter and the rules and regulations established under this chapter committed by the permittee, its employees, agents, representatives, customers, or contractors. The maximum penalty for violation of this chapter is five hundred dollars.

C. Conducting commercial marine trade services in violation of a permit is punishable by a fifty dollar fine for the first offense, a one hundred dollar fine for the second offense, and a fine of up to five hundred dollars for any subsequent offenses as determined by the harbormaster in

his/her sole discretion. Such fines are separate from any revocation imposed pursuant to Section 13.16.040.E. For the purposes of this section, prior offenses must be within the previous five years.

D. Conducting commercial marine trade services without a permit is punishable by a one hundred dollar fine for the first offense, a two hundred dollar fine for the second offense, and a fine of up to five hundred dollars for any subsequent offenses as determined by the harbormaster in his/her sole discretion. For the purposes of this section, prior offenses must be within the previous five years.

E. Revocation. The harbormaster may at any time revoke a permit issued under this chapter for noncompliance with any term, condition, or provision of the permit, or violation of any provision of this chapter or other applicable local, state, or federal law, ordinance, rule, or regulation. The harbormaster may also revoke such a permit upon a determination that the operation of the permittee is causing a hazard, or a disruption of pedestrian, vehicular, or watercraft traffic, or that the area affected by the permit is required for another public purpose. The permittee shall be given written notice of the proposed revocation of the permit. Within seven days after the date of delivery of written notice of proposed revocation, the permittee may appeal the decision of the harbormaster to the city and borough administrator or his/her designee. Appeal from the administrator's decision may be made no later than thirty days after such decision to the superior court for the state of Alaska in Sitka.

13.16.050 Use of funds.

All fines collected under the terms of this chapter shall be deposited into the Harbor Fund.

* * *

5. EFFECTIVE DATE. This ordinance shall become effective January 1, 2019.

PASSED, APPROVED, AND ADOPTED by the Assembly of the City and Borough of Sitka, Alaska, this 11th day of December, 2018.

Gary L. Paxton, Mayor

ATTEST:

Sara Peterson, MMC
Municipal Clerk

Substitute ordinance
1st reading 11/27/18
2nd and final reading 12/11/18

POSSIBLE MOTION

I MOVE TO approve Ordinance 2018-52
on second and final reading.

Note: The Port and Harbors Commission, at their meeting of October 10, approved motions in support of Ordinance 2018-52 with an amended term date of January 1 through December 31 – see lines 231 and 232 of the ordinance.

Note:

Previous ordinance
& packet materials.

* Informational Only *



City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

MEMORANDUM

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

From: Chuck Hackett, Deputy Harbormaster

Date: 10/16/2018

Subject: Approval of Ordinance No. 2018-52 "Commercial Marine Trades Permit"

Background

Eliason Harbor drive down dock built back in 1996, which was intended only as load/unload dock, has morphed over the years to allow commercial work to be done, due to being the only drive down dock in the City for 30 years. The Harbormaster, with the Port and Harbors Commission, drafted an ordinance to be able to provide a permit that would allow commercial business to do work on city infrastructure.

Analysis

The Marine Trades Permit will allow commercial business to be conducted in the designated work areas throughout the harbors. The permit will assist Harbor staff in creating a safe and efficient environment for both boat owner and commercial business to complete projects in a timely manner by collecting fees for the Harbor fund to help maintain infrastructure damaged in the course of these services being offered in the designated work areas.

Recommendation

Approve Ordinance 2018-52.

From: Stan Eliason
To: Sara Peterson
Subject: Addendum to Marine Trades Permit memo
Date: Thursday, November 1, 2018 9:29:49 AM

Sara,

The Harbor Department conducted interviews with 2 welding fabricators. One fabricator has multiple employees, while the other is self-employed.

Both fabricators have been conducting business on the Eliason Harbor load zone dock since its inception.

The fabricators have no issues with the \$500.00 permit fee. The only concern that they had was that everyone should be charged, not just welders. Anyone trades conducting business on the designated work zones will need a permit. We cleared the air on that.

They also supported scheduling through the Harbor Department. Often they (welders/boat owners) have to wait for a location on the dock to proceed with their projects, simply because of the abuse of other users. The trades will now be able to conduct their business in a timely fashion

and this will also allow their clients to get back to fishing. Time is money. This is being business, customer friendly.

Stan Eliason, Harbormaster
City and Borough of Sitka
Coast Guard City, USA
907-747-3439

CITY AND BOROUGH OF SITKA

ORDINANCE NO. 2018-52

AN ORDINANCE OF THE CITY AND BOROUGH OF SITKA AMENDING TITLE 13 "PORT AND HARBORS" OF THE SITKA GENERAL CODE BY ADDING CHAPTER 13.16 "COMMERCIAL MARINE TRADE PERMIT" AND AMENDING CHAPTER 13.04 "DEFINITIONS"

1. CLASSIFICATION. This ordinance is of a permanent nature and is intended to become a part of the Sitka General Code.

2. SEVERABILITY. If any provision of this ordinance or any application to any person or circumstance is held invalid, the remainder of this ordinance and application to any person or circumstance shall not be affected.

3. PURPOSE. The purpose of this ordinance is to add a new chapter 13.16 Commercial Marine Trade Permit and amend chapter 13.04 to add applicable definitions to Title 13. This ordinance will implement a for fee permit for business, commercial entities, or for profit enterprises engaged in offering services, work conducted, to commercial, charter or private marine users on city and borough owned marine infrastructure at designated harbor work areas. This permit will assist in creating a safe and productive work environment for these services as well as collect fees for the Harbor Fund to help maintain infrastructure damaged in the course of these services being offered in the designated work areas.

4. ENACTMENT. NOW, THEREFORE, BE IT ENACTED by the Assembly of the City and Borough of Sitka that the Sitka General Code Title 13, be amended by adding chapter 13.16, entitled "Commercial Marine Trade Permit", and updating chapter 13.04, entitled "Definitions" to read as follows (deleted language stricken, new language underlined):

**Title 13
PORT AND HARBORS**

Chapters:

- 13.02 General Provisions**
- 13.04 Definitions**
- 13.06 Charges/Fees**
- 13.07 Harbor Use Privileges and Prohibitions**
- 13.08 Reserved Mooring Stalls**
- 13.09 Anchoring**
- 13.10 Float Regulations**
- 13.12 Enforcement**
- 13.13 Nuisances**
- 13.14 Vessel Impoundment and Disposition**
- 13.15 Float Homes**
- 13.16 Commercial Marine Trade Permits**

**Chapter 13.04
DEFINITIONS**

Sections:

13.04.010	Anchor.
13.04.020	Charter/vessel for hire.
13.04.030	Commercial marine trade.
13.04.040	Designated harbors.
13.04.050	Designated harbor work areas.
13.05.040	Dinghy/lighter.
13.04.060	Distress.
13.04.070	Emergency.
13.04.080	Float homes.
13.04.090-100	Harbor.
13.04.110	Harbormaster.
13.04.120	Hot berth.
13.04.130	Liveaboard.
13.04.140	Moor.
13.04.150	Permanent transient.
13.04.160	Person.
13.04.170	Qualifying interest.
13.04.180	Stall.
13.04.190	Transient vessel.
13.04.200	Transfer of cargo.
13.04.210	Traffic lanes.
13.04.220	Vessel.
13.04.230	Vessel length.
13.04.240	Waterborne structures.

13.04.010 Anchor.

"Anchor" means to secure a vessel to a bed or body of water by dropping a weighted ground line or tackle or by use of a buoy or other means to prevent more than a measurable movement of the vessel.

13.04.020 Charter/vessel for hire.

"Charter/vessel for hire" means any vessel licensed to carry passengers for hire; "bare boat" is a boat rented with or without crew or operator.

13.04.030 Commercial marine trade.

"Commercial marine trade" means any business, commercial entity, or for-profit enterprise engaged in offering services for the commercial or charter marine industry or private marine users in the designated harbors and designated harbor work areas. This can include, but is not exclusive to, welding, fabrication, electrical, and plumbing services, offered by a business operating within the city and borough.

13.04.040 Designated harbors.

"Designated harbors" means any of the city and borough owned harbors listed below where the city and borough infrastructure is used. These areas include: Sealing Cove harbor, Crescent Harbor, ANB harbor, Thompson harbor, and Eliason harbor.

13.04.050 Designated harbor work areas.

"Designated harbor work areas" means any of the areas listed below which the city and borough infrastructure is used. These areas include: Community port wall, Eliason harbor work float, Fishermen's work float, Crescent harbor high load dock, Crescent harbor pole float and the GPIIP dock.

13.04.04060 Dinghy/lighter.

"Dinghy/lighter" means a small vessel normally carried aboard a larger vessel or towed as a life boat or tender.

13.04.06070 Distress.

"Distress" means a state of disability or a present or obvious imminent danger which if unduly prolonged could endanger life or property.

13.04.06080 Emergency.

"Emergency" means a state of immediate danger to life or property in which time is of the essence.

13.04.07090 Float homes.

"Float homes" or "float houses" means a floating structure used wholly as a dwelling unit, which is not designed to travel on water and which is otherwise not a vessel, as defined herein, and meets construction requirements as provided in Chapters 13.15, 19.15, 19.16 and 19.17.

13.04.080100 Harbor.

"Harbor" means the Sitka harbor system or all waters, tidal areas and adjacent uplands areas, together with all facilities of a port or maritime nature publicly owned that are primarily used by or for the service of vessels, including docks, pilings, ramps, hoists, parking areas, leased water areas, concessions and/or service facilities located within.

13.04.090110 Harbormaster.

"Harbormaster" means the individual described in Section 13.02.020 and any assistant harbormaster or other person designated to act in the harbormaster's place.

13.04.400120 Hot berth.

"Hot berth" means the practice of allowing a vessel to temporarily occupy a stall or space not reserved to said vessel.

13.04.440130 Liveaboard.

"Liveaboard" means any vessel used by one or more persons as a primary residence while moored in the Sitka harbor system, which meets the following requirements. A liveaboard vessel must comply with all requirements imposed on any vessel moored in the harbor system including the requirement that the vessel be powered by an engine of sufficient size to propel the vessel at a speed allowing normal steerage and to maneuver out of and into the harbor. A liveaboard vessel must be registered as such with the harbor department. A liveaboard vessel must have a safe heating system, and food preparation system, and berthing accommodations for all occupants.

13.04.420140 Moor.

"Moor" means to secure a vessel by the use of lines to a dock, pier or other object providing a more secure fastening to a particular location than by anchoring.

13.04.130150 Permanent transient.

"Permanent transient" means a vessel which is on the wait list (Section 13.08.040). The vessel will not have a permanent stall assignment but will be provided moorage and be billed for permanent moorage under Section 13.06.010.

13.04.140160 Person.

"Person" means any natural person, individual, partnership, corporation or governmental agency. A corporation and natural person or individual will be considered the same if the natural person has control over the former.

13.04.150170 Qualifying interest.

"Qualifying interest" in a vessel means the interest of a person who owns the vessel or, under provisions of written charter or lease, has exclusive control over the operation and navigation of the vessel. A person who transfers title to a vessel or enters into a charter or lease of the vessel to another, seasonally or permanently, thereby relinquishes exclusive control over the use and operation of said vessel and ceases to have a qualifying interest in said vessel.

13.04.160180 Stall.

"Stall" means a place to moor individual vessels in the harbor.

13.04.170190 Transient vessel.

"Transient vessel" means any vessel occupying space in the Sitka harbor system for which a regular reserved stall has not been assigned.

13.04.180200 Transfer of cargo.

"Transfer of cargo" means all types of loading, unloading, transfer and/or containerization of any type of cargo including, but not limited to, fish, shellfish and other seafood products thereof.

13.04.190210 Traffic lanes.

"Traffic lanes" (navigation lanes) means those areas specifically set aside for movement to and from other locations and which will be kept open, free of obstructions and not for use for anchoring or mooring.

13.04.200220 Vessel.

"Vessel" means any ship, boat, skiff, barge, dredge and craft of every kind or description, whether used for commercial or pleasure purposes, which is on the water and is capable of being used as a means of transportation on or through the water, excluding seaplanes.

13.04.240230 Vessel length.

The method of determining vessel length within the harbor system: Vessel length will be computed as the actual overall length of any vessel, including bow sprits, outboards (in down position) or other extensions.

13.04.220240 Waterborne structures

"Waterborne structures" means other than a vessel. Examples include but are not limited to barges, float houses, or other, usually unpowered, structures.

Chapter 13.16
COMMERICAL MARINE TRADE PERMITS

Sections:

- 13.16.010 Introduction.
- 13.16.020 Permit required.
- 13.16.030 Rules and regulation.
- 13.16.040 Enforcement and penalties.
- 13.16.050 Use of funds.

* * *

13.16.010 Introduction.

The city and borough owns and operates the harbor system which is under the authority of the harbormaster. This chapter intends to capture all locations where a commercial marine trade permit will be required for operation at designated harbors and designated harbor work areas, as defined in chapter 13.04. In adopting this chapter, the city and borough is exercising its proprietary interests as an owner and operator of all city and borough owned property. Nothing in this chapter, however, limits the city and borough's ability to further exercise its proprietary powers as it deems necessary to protect its interests or those of the public.

13.16.020 Permit required.

A. General. No person shall conduct, offer to conduct, solicit to conduct, or take orders to conduct commercial marine trade services in designated harbors or designated harbor work areas, except as authorized by a valid permit obtained from the city and borough pursuant to this chapter. A permit issued pursuant to this chapter shall be called a "commercial marine trade permit."

B. Terms.

1. An annual commercial marine trade permit shall be valid for the period from January 1st of each calendar year through December 31st of the same calendar year, unless sooner revoked or terminated. A commercial marine trade permit, or any rights or privileges thereunder, may not be assigned or transferred. Acceptance of a permit by the permittee shall constitute an agreement and acknowledgment by such permittee that the permittee has no property right in the permit. Acceptance of a permit by the permittee shall constitute an agreement and acknowledgment by such permittee that the permittee shall indemnify and hold the city and borough, its elected and appointed officers, its employees, and its agents, harmless from and against any and all loss, damage or expense for any injury to or death of any person or persons, or for damage to property, resulting from or arising out of any act or omission of such permittee, or any of the permittees' employees, agents, representatives, customers, or contractors. The city and borough, its elected and appointed officers, its employees, and its agents, make no representations concerning and assume no responsibility for or regarding any services sold or activities by any permittee, or any of permittee's employees, agents, representatives, customers, or contractors.

2. A weekly commercial marine trade permit shall be valid for the period of one week, starting on the day the permit is issued and continuing for an additional six days after the day of issuance.

C. Application. A person or entity seeking a permit shall file a written application on a form provided by the city and borough. The application shall contain the following information:

1. Name, mailing address, and telephone number of the applicant and all principals;
2. Name, mailing address and telephone number of the operations manager;
3. Type of commercial marine trade services to be provided; and
4. An acknowledgment by the applicant that applicant agrees to be bound by all of the terms, conditions and provisions set forth in this chapter, and such additional rules and regulations established by the harbormaster.

D. Fees. Each applicant for a permit issued under this chapter shall pay a nonrefundable permit fee of five hundred dollars for the annual permit or fifty dollars for the weekly permit. The permit fee must be paid before issuance of the permit. The annual permit fee shall not be prorated, regardless of when application is made and permit issued.

E. Insurance. Each permittee shall at all times during the period of operations maintain a current commercial general liability insurance policy in the amount of not less than one million dollars combined single limit, which policy shall name the city and borough, its elected and appointed officers, its employees, and its agents, as additional insured. The policy shall not contain any self-insured retention, and shall include a provision requiring written notification to be given to the city and borough by the insurance company not less than thirty days before the policy is canceled, modified, or terminated for any reason. Permittees shall submit a copy of the policy, or, at the option of the city and borough, other satisfactory proof of insurance, prior to operations under the permit.

F. Issuance of Permit. The harbormaster shall grant the application upon finding that the applicant is fit, willing, and able to comply with the law. The permit shall state the name and address of the permittee, the date of issuance and such additional terms, conditions, provisions and limitations. A decision to deny an application for a permit may be appealed by the applicant to the city and borough administrator no later than seven days after such denial is delivered to the applicant. A letter sent to the applicant's mailing address by first class mail shall constitute delivery. An appeal from the decision of the city and borough administrator may be taken to the superior court for the state of Alaska no later than thirty days after the administrator sends notice of such denial to the applicant.

G. Terms of Renewal. Each permit issued under this chapter shall expire on the last day of December following its issuance. Permits once issued and approved prior to start up of operations may be renewed and reissued by the city and borough upon application to the city and borough. All fees must be paid at or before time of permit issuance. Permits will not be renewed unless the finance department certifies that all sales taxes have been paid.

13.16.030 Rules and regulation.

The harbormaster may establish rules and regulations necessary for the safe and orderly operation of the commercial marine trade services authorized by a commercial marine trade permit. The harbormaster shall provide prior written notice to all permittees of such rules and regulations, before they may be enforced.

13.16.040 Enforcement and penalties.

A. The harbormaster has the authority to enforce this chapter and the rules and regulations established under this chapter. The harbormaster shall issue a written notice of violation to the permittee or offender, which includes the fine imposed and/or action taken. Within seven days after the date of delivery of written notice of such fine and/ or action, the permittee may appeal the decision of the harbormaster to the city and borough administrator or his/her designee. Appeal from the administrator's decision may be made no later than thirty days after such decision to the superior court for the state of Alaska in Sitka.

B. The permittee is responsible for all violations of this chapter and the rules and regulations established under this chapter committed by the permittee, its employees, agents, representatives, customers, or contractors. The maximum penalty for violation of this chapter is five hundred dollars.

C. Conducting commercial marine trade services in violation of a permit is punishable by a fifty dollar fine for the first offense, a one hundred dollar fine for the second offense, and a fine of up to five hundred dollars for any subsequent offenses as determined by the harbormaster in his/her sole discretion. Such fines are separate from any revocation imposed pursuant to Section 13.16.040.E. For the purposes of this section, prior offenses must be within the previous five years.

D. Conducting commercial marine trade services without a permit is punishable by a one hundred dollar fine for the first offense, a two hundred dollar fine for the second offense, and a fine of up to five hundred dollars for any subsequent offenses as determined by the harbormaster in his/her sole discretion. For the purposes of this section, prior offenses must be within the previous five years.

E. Revocation. The harbormaster may at any time revoke a permit issued under this chapter for noncompliance with any term, condition, or provision of the permit, or violation of any provision of this chapter or other applicable local, state, or federal law, ordinance, rule, or regulation. The harbormaster may also revoke such a permit upon a determination that the operation of the permittee is causing a hazard, or a disruption of pedestrian, vehicular, or watercraft traffic, or that the area affected by the permit is required for another public purpose. The permittee shall be given written notice of the proposed revocation of the permit. Within seven days after the date of delivery of written notice of proposed revocation, the permittee may appeal the decision of the harbormaster to the city and borough administrator or his/her designee. Appeal from the administrator's decision may be made no later than thirty days after such decision to the superior court for the state of Alaska in Sitka.

13.16.050 Use of funds.

All fees collected under the terms of this chapter shall be deposited into the Harbor Fund.

* * *

5. **EFFECTIVE DATE.** This ordinance shall become effective January 1, 2019.

PASSED, APPROVED, AND ADOPTED by the Assembly of the City and Borough of
Sitka, Alaska, this 8th day of November, 2018.

Gary L. Paxton, Mayor

ATTEST:

Sara Peterson, MMC
Municipal Clerk

1st reading 10/23/18
2nd and final reading 11/8/18



CITY AND BOROUGH OF SITKA

Master

File Number: ORD 18-53

File ID: ORD 18-53

Type: Ordinance

Status: AGENDA READY

Version: 1

Reference:

In Control: City and Borough Assembly

File Created: 10/31/2018

File Name:

Final Action:

Title: Making supplemental appropriations for Fiscal Year 2019 (Sitka Community Hospital Sale)

Notes:

Sponsors:

Enactment Date:

Attachments: Motion Memo and Ord 2018-53, Fee Proposal
Huebner Advisory

Enactment Number:

Contact:

Hearing Date:

Drafter:

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	City and Borough Assembly	11/08/2018	PASSED ON FIRST READING				Pass
	Notes: Administrator Brady reviewed the purpose of the ordinance. Brady reported from the initial engagement, through the selection process on August 28, the consultants had billed the City \$72,349.60. Work through the Letter of Intent was an additional \$8,615.78. Phase 3 had an estimated cost of \$90,000. Municipal Attorney Hanson reminded the original appropriation was for \$100,000 and the consultants had come in below that estimate. Hanson stated the consultants had served the City well and strongly recommended continuing with their contract. Paxton reminded the Sitka Community Hospital / SEARHC affiliation process was a historical time for Sitka and it was important the current consultants remain on the project.						
1	City and Borough Assembly	11/27/2018					

Text of Legislative File ORD 18-53

title

Making supplemental appropriations for Fiscal Year 2019 (Sitka Community Hospital Sale)

POSSIBLE MOTION

I MOVE TO approve Ordinance 2018-53
on second and final reading.



City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

MEMORANDUM

To: Mayor Paxton and Assembly Members

From: Keith Brady, Municipal Administrator

Date: 11-2-18

Subject: Approval the appropriation for due diligence and continued work of the consultants

Summary

Phase 3 of the RFP process of the SCH affiliation with SEARHC requires an appropriation for costs associated with due diligence and the additional services of the consultants. The consultants have been instrumental with their experience, expertise, and insight in the healthcare industry. A recommendation to continue to use them through Phase 3 comes very highly. Their continued service is crucial for a positive outcome. The city is receiving great value for the services the consultants are providing.

Fiscal Note

\$150,000 from the General Fund Balance.

Recommendation

Approval \$150,000 appropriation for due diligence cost of the SCH RFP affiliation with SEARHC and continued work of the consultants.

Details

There are costs associated for our part of due diligence. Generally, the buyer's primary question is "How much risk am I taking on?" and the sellers question is "Can the Buyer carry out the arrangement described in the RFP Response?" Part of the due diligence cost is going to cover the PERS termination valuation, additional financial audits for transaction date audit requirements and possible regulatory and appraisal services.

The original appropriation requested was \$100,000 to cover the consultant costs. It was mentioned then that if we went into Phase 3 we would need another appropriation for continued services. They have been very conservative in their time and billing of the city. From the initial engagement through to the selection process on August 28, they have billed the city \$72,349.60. The work through the Letter of Intent was an additional 8,615.78. During Phase 2 they also took on additional duties that were outside their scope of work of the original agreement with the town hall and additional reports to the Assembly. (With this memo is an updated proposal for Phase 3 consultant services.)

The consultants have estimated the proposed fees and expenses for these services to be \$90,000, of which \$20,000 is left from the previous appropriation. The remainder is \$70,000 for additional services from the consultants and \$80,000 for the due diligence. The identified costs are estimated at \$55,000 for the PERS termination valuation, additional financial audits for transaction date audit requirements and possible regulatory and appraisal services, as stated above. The request for an additional \$25,000 are for the unidentified due diligence needs that are likely to occur. The aim is not to come back for an additional appropriation.

CITY AND BOROUGH OF SITKA

ORDINANCE NO. 2018-53
AN ORDINANCE OF THE CITY AND BOROUGH OF SITKA
MAKING SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2019
(SITKA COMMUNITY HOSPITAL SALE)

BE IT ENACTED by the Assembly of the City and Borough of Sitka, Alaska as follows:

1. **CLASSIFICATION.** This ordinance is not of a permanent nature and is not intended to be a part of the Sitka General Code of the City and Borough of Sitka, Alaska.

2. **SEVERABILITY.** If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and application thereof to any person and circumstances shall not be affected thereby.

3. **PURPOSE.** The purpose of this ordinance is to make a supplemental capital appropriation for Fiscal Year 2019.

4. **ENACTMENT.** In accordance with Section 11.10(a) of the Charter of the City and Borough of Sitka, Alaska, the Assembly hereby makes the following supplemental appropriations for the budget period beginning July 1, 2018 and ending June 30, 2019.

<u>FISCAL YEAR 2019 EXPENDITURE BUDGETS</u>
GENERAL FUND
Administration – Operations: Increase appropriations in the amount of \$150,000 in contracted/purchased services for additional consulting services regarding negotiation/due diligence on the sale of Sitka Community Hospital.

EXPLANATION

Necessary revisions in the FY2019 budget were identified. These changes involve the increase of expenditure accounts. A short explanation is included.

5. **EFFECTIVE DATE.** This ordinance shall become effective on the day after the date of its passage.

PASSED, APPROVED, AND ADOPTED by the Assembly of the City and Borough of Sitka, Alaska this 27th Day of November, 2018.

ATTEST:

Gary L Paxton, Mayor

Sara Peterson, MMC
Municipal Clerk

1st reading 11/8/18
2nd and final reading 11/27/18

Fee Proposal for City and Borough of Sitka, Alaska:

Consultative Services in support of City and Borough of Sitka's (CBS) Affiliation Strategy

October 15, 2018

Scope of Work:

City and Borough of Sitka (CBS or the Client)—and Steve Huebner of Huebner Advisory (Consultant)—are referenced in this agreement. Consultant has entered into a subcontract with Sarah Cave of Sarah Cave Consulting and Sarah's participation under the terms of that subcontract is an integral part of this engagement. Steve Huebner and Sarah Cave are jointly referred to as "Consultants."

This fee proposal is for the Consultants to provide overall project management—as well as financial and healthcare expertise—for Phase 3b of the CBS/SCH-SEARHC Affiliation process. It encompasses the following scope of work:

- Work closely with the City Administrator and legal counsel to develop and execute a schedule and timeline for Negotiations and Due Diligence process
- Serve as the conduit for information among, and ensure coordination between, team members and parties (CBS staff, CBS Negotiating Team, SEARHC Negotiating Team, Joint Negotiating Team)
- Ensure appropriate level of engagement and input from the CBS Assembly
- Facilitate and actively participate in negotiation sessions with CBS Negotiating Team and Joint Negotiating Team
- Work closely with legal counsel, SEARHC, and SCH Management to ensure coordination and responsiveness throughout the due diligence process
- Work with legal counsel to ensure that Assembly goals, SEARHC commitments, and critical issues are addressed and reflected in terms of Definitive Agreements
- Facilitate affiliation discussions at Assembly meetings and Special Sessions
- Other activities:
 - Develop a communication plan for both internal and external stakeholders
 - Assist CBS and SCH management teams and legal counsel in assessing related federal and state regulatory requirements
 - Assist management in assessing the accounting and financial implications of potential liabilities and commitments
 - Identify other contracted professional services requirements, as necessary

Success Factors:

The following are success factors the consultants have identified to be successful in this phase of the project:

- Commitment to public access to the greatest extent possible.
- Regular access to CBS staff and Internal Team.
- Regular interaction (email, phone, and F2F) with CBS Assembly members.
- Semi-monthly (or monthly at a minimum) F2F visits with key project stakeholders and collaborators (CBS staff and Internal Team, SCH Management, SCH Board, CBS Assembly) for purposes of relationship-/trust-building, work sessions with key collaborators, and negotiation sessions.
- Adherence to defined team approach, project roles, and communication protocol: Keith (Administrator); Sarah (Project Manager/Content Expert); Steve (Finance/Transaction Expert); Sandy (Primary Legal Resource); Brian (Legal Oversight); Coral (Project Coordinator/Data-Sharing); Sara (Assembly Interface). *Refer to Communication Protocol.*

- Desire and motivation of CBS staff, SCH Management, and CBS Assembly to embrace concepts set forth in the Letter of Intent entered into with SEARHC and engage in due diligence activities and support good faith negotiations of transaction agreements.

Consultant Deliverables and Fees:

The following table outlines the estimated fees and expenses for Phase 3b of the engagement. Scope and fees assume conclusion of Phase 3b by the end of the CBS fiscal year (June 30, 2019).

Scope of Activities/Deliverables (from previous page):		Hourly Rates:	
<ul style="list-style-type: none"> • Develop, implement, and manage to schedule and timeline for Negotiations and Due Diligence process • "Air Traffic Control" for overall project components (negotiations, due diligence, coordination of project stakeholders and collaborators) • Ensure appropriate level of engagement and input from the CBS Assembly • Facilitate and actively participate in negotiation sessions with CBS Negotiating Team and Joint Negotiating Team • Work closely with legal counsel, SEARHC, and SCH Management to ensure coordination and responsiveness throughout the due diligence process • Ensure that Assembly goals, SEARHC commitments, and critical issues are addressed and reflected in terms of Definitive Agreements • Facilitate affiliation discussions at Assembly meetings and Special Sessions • Other activities as outlined on previous page 		Sarah Cave	\$175
		Steve Huebner	\$250
Anticipated Hours (Phase 3.b):			
		Sarah Cave	225 hours
		Steve Huebner	144 hours
		Proposed Fees (Phase 3b.)	\$75,375
		Est. Out-of-Pocket Expenses	\$14,625
		Proposed Fees and Expenses	\$90,000*
		Fees Previously Appropriated	\$23,035
		Balance of New Engagement	\$66,965

The above table outlines anticipated hours for this phase of the project, including roughly \$23,000 previously appropriated for our original RFP process engagement. We will monitor progress against these estimates and communicate with management to the extent that actual effort is greater or less than estimated. Fees will be adjusted accordingly. Should the scope expand beyond that outlined above or the timeframe extend beyond June of 2019, Consultants will discuss the potential of extending the engagement via an addendum.

Fees do not include legal services rendered by any third-party law firm nor any consultation necessary by other consulting firms to perform specialty services or due diligence activities. Consultants will bill monthly for project fees and expenses, with expenses related to travel, per diems, meals or other costs directly associated with the project outlined separately. Out-of-pocket expenses for Phase 3b. are estimated to be \$14,600 to ensure adequate face-to-face

engagement with project stakeholders.

Additional Terms:

As previously agreed, the laws of the State of Alaska will govern this agreement and that, in the event a dispute arises between the Client and Consultants, the matter will be submitted to the Superior Court for the State of Alaska, First Judicial District of Sitka, which shall be the sole and exclusive venue for any such dispute. Consultants agree to and will submit to the personal jurisdiction of those courts.

In addition, the following terms are incorporated into this agreement:

1. Consultants anticipate that CBS management and (as necessary) the SCH Board and management, will actively participate in this engagement, providing the data/information necessary for the consultants to complete an organizational, financial, and market assessment, and making themselves available to answer questions, test assumptions, and validate information with Consultants.
2. Consultants will rely on the accuracy and reliability of information provided by CBS and SCH management.
3. Consultants will complete the scope of work outlined in the proposal. The CBS Assembly and management will be responsible for ownership and implementation of adopted plans.
4. Consultants will invoice monthly, with payment due within 15 days of receipt.
5. To the extent that additional work outside the scope of this proposal is necessary, Consultants will proceed with addendum based on mutual agreement with Client.
6. Confidentiality Consultants shall not, during the term of this Agreement and any time after its expiration, disclose any proprietary or confidential information relating to the services, this Agreement, or Consultant's business or operations without the prior written consent of the Client.
7. Ownership of Material. Any data, information, documents, reports, or other material, graphic, software or otherwise, prepared by Consultants for the Client under this Agreement, shall belong to and remain the property of Client. The data, information, documents, reports, etc., shall not be disclosed by Consultants to anyone other than Client without prior written consent of Client.
8. Insurance. Before the execution of the Agreement, Consultants shall obtain all insurance required under this section. Consultants shall maintain insurance throughout the term of this Agreement. Proof of the required insurance shall be provided to the Client in the form of a Certificate of Insurance, showing the type and the amounts of insurance, the policy number, expiration date and signed by an authorized representative of the insurance company. Each Certificate of Insurance shall state that the policy or policies have been endorsed whereby the insurance company will provide not less than thirty (30) days written notice to the Client of any material change, cancellation, or non-renewal of the insurance policies. The Commercial General Liability insurance required under this section shall name Client as an additional insured for the purposes of this Agreement. Consultants shall provide the following types of insurance: Professional Liability insurance, single limit of \$1M, general aggregate limit of \$1M; Worker's Compensation insurance, if applicable, including Employer's Liability and Worker's Compensation, at minimum limits required by Alaska law; Commercial General Liability, single limit of \$1M, general aggregate limit if \$1M; All other types of coverage are exempt.
9. Indemnification. Consultants shall defend, indemnify, and save Client harmless for any loss, injury or damage to Client arising out of the performance by Consultants of the services provided under this Agreement insofar as such loss, damage or injury results solely from Consultants negligence, or reckless or willful act or omission of Consultants

as judicially determined. This indemnity does not include claims that arise from any negligence, or willful or reckless act or omission of Client as judicially determined.

In accordance with the terms and conditions of this Agreement, Client shall be responsible for the accuracy and completeness of all data, information and representations provided to Consultants for purposes of this engagement. Because of the importance of oral and written management representations to the effective performance of Consultants services, Client releases and indemnifies Consultants and its personnel from any and all claims, liabilities, costs and expenses attributable to any misrepresentation by management and its representatives.

10. Consultants agree to perform the Services hereunder solely as independent contractors. The Parties agree that nothing in this Agreement shall be construed as creating a joint venture, partnership, franchise, agency, employer/employee, or similar relationship between the Parties, or as authorizing either Party to act as the agent of the other. Consultants are and will remain independent contractors in its relationship to the Client. Client shall not be responsible for withholding taxes with respect to the Consultants compensation hereunder. Consultants shall have no claim against the CBS hereunder or otherwise for vacation pay, sick leave, retirement benefits, social security, worker's compensation, health or disability benefits, unemployment insurance benefits, or employee benefits of any kind. Nothing in this Agreement shall create any obligation between either Party and a third party. Consultants shall not assign this Agreement or sub-contract any portion of it without Client's prior written consent. This Agreement cannot be amended or modified except by agreement in writing executed by both Parties. This Agreement constitutes the entire agreement between the Parties.
11. This Agreement shall become effective when fully executed and will continue for a period of (12) twelve months or until the services have been satisfactorily completed and Consultants have been paid in full for such services. This Agreement may be terminated by either Party on provision of thirty (30) days written notice to the other Party, with or without cause.

Signatures:

By signing below, both Parties agree to the terms of this Agreement.

City and Borough of Sitka, Alaska

P. Keith Brady
Municipal Administrator

Date

Huebner Advisory, LLC:

Signature

Date



CITY AND BOROUGH OF SITKA

Master

File Number: ORD 18-54

File ID: ORD 18-54

Type: Ordinance

Status: AGENDA READY

Version: 1

Reference:

In Control: City and Borough
Assembly

File Created: 11/19/2018

File Name:

Final Action:

Title: Making supplemental appropriations for Fiscal Year 2019 (City Hall Customer Service Counter)

Notes:

Sponsors:

Enactment Date:

Attachments: Motion Memo and Ord 2018-54

Enactment Number:

Contact:

Hearing Date:

Drafter:

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	City and Borough Assembly	11/27/2018					

Text of Legislative File ORD 18-54

title

Making supplemental appropriations for Fiscal Year 2019 (City Hall Customer Service Counter)

POSSIBLE MOTION

I MOVE TO approve Ordinance 2018-54
on first reading.



City and Borough of Sitka

Lincoln Street • Sitka, Alaska 99835

MEMORANDUM

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

From: Melissa Haley, Controller

Date: November 16, 2018

Subject: FY2019 budget adjustment 2018-54

Background:

In recent months the City and Borough of Sitka staff working in the Utility Office on the first floor of City Hall have reported multiple instances of feeling threatened by members of the public. Unfortunately, when members of the public are dissatisfied with actions taken by the Assembly and/or administration, they often take out these feelings on staff in the utility office. This, combines with the increase in workplace/public area violence across the nation, has staff very concerned for their safety. The changes being proposed are the bare minimum suggested by the police department, and include:

1. Closing off the open end of the utility counter
2. Adding security to employee door
3. Installation of security camera
4. Ensure ADA accessibility

Fiscal Note:

Including staff time, the total cost of these upgrades will not exceed \$8,500.

Recommendation:

Approve Ordinance 2018-54 to increase capital appropriations in the General Fund by a total of \$8,500

CITY AND BOROUGH OF SITKA

ORDINANCE NO. 2018-54

**AN ORDINANCE OF THE CITY AND BOROUGH OF SITKA
MAKING SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2019
(CITY HALL CUSTOMER SERVICE COUNTER)**

BE IT ENACTED by the Assembly of the City and Borough of Sitka, Alaska as follows:

1. **CLASSIFICATION.** This ordinance is not of a permanent nature and is not intended to be a part of the Sitka General Code of the City and Borough of Sitka, Alaska.

2. **SEVERABILITY.** If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and application thereof to any person and circumstances shall not be affected thereby.

3. **PURPOSE.** The purpose of this ordinance is to make a supplemental capital appropriation for Fiscal Year 2019.

4. **ENACTMENT.** In accordance with Section 11.10(a) of the Charter of the City and Borough of Sitka, Alaska, the Assembly hereby makes the following supplemental appropriations for the budget period beginning July 1, 2018 and ending June 30, 2019.

<u>FISCAL YEAR 2019 EXPENDITURE BUDGETS</u>
CAPITAL PROJECTS
Fund 700 – Utility Office Security/ADA Accessibility Project: Increase appropriations in the amount of \$8,500 to enhance security and ensure ADA accessibility at the front counter in the utility office.

EXPLANATION

Necessary revisions in the FY2019 budget were identified. These changes involve the increase of expenditure accounts. A short explanation is included.

5. **EFFECTIVE DATE.** This ordinance shall become effective on the day after the date of its passage.

PASSED, APPROVED, AND ADOPTED by the Assembly of the City and Borough of Sitka, Alaska this 11th Day of December, 2018.

ATTEST:

Gary L Paxton, Mayor

Sara Peterson, MMC
Municipal Clerk

1st reading 11/27/18

2nd and final reading 12/11/18



CITY AND BOROUGH OF SITKA

Master

File Number: 18-221

File ID: 18-221

Type: Item

Status: AGENDA READY

Version: 1

Reference:

In Control: City and Borough
Assembly

File Created: 11/19/2018

File Name:

Final Action:

Title: Update / Discussion on the November 17, 2018 Assembly Visioning Session and scheduling of next Visioning Session

Notes:

Sponsors:

Enactment Date:

Attachments: Update and Discussion November 17 Visioning
Session, Calendars

Enactment Number:

Contact:

Hearing Date:

Drafter:

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	City and Borough Assembly	11/27/2018					

Text of Legislative File 18-221

title

Update / Discussion on the November 17, 2018 Assembly Visioning Session and scheduling of next Visioning Session

**Update / Discussion on the November 17,
2018 Assembly Visioning Session and
scheduling of next Visioning Session**

Assembly Visioning

November 17, 2018

Agenda

- | | |
|----------------|---|
| 9:00 am | Opening Remarks – Pax |
| 9:10 | Expectations for the day (Goal line) |
| 9:15 | List Potential Priorities of the Assembly & Manager |
| 9:45 | Begin to Prioritize |
| 9:55 | Members Share Top 2; Each Member Defends Choices |
| 10:15 | Complete the List of Top 3 Priorities |
| 10:30 | How to Implement? Time Frames?
Benchmarks to Measure Success
Action Plan Framework |
| 11:00 | Role Definitions |
| 11:45 | Key Word Definitions
(e.g., “Affordable Housing”) |
| 12:00 | Closing Remarks by Pax and Anyone Else Wishing to Comment |

Assembly Visioning Session – November 17, 2018

Exercise #1

Members Present: Gary Paxton, Steven Eisenbeisz, Kevin Knox, Kevin Mosher, Richard Wein

Instructions: Each member list top two or three priorities for next two to three years

- Ensure successful negotiations with SEARHC and SCH
- Zone HPR Granite Creek North/Master Plan (2)
- Pursue economic development (2)
- Reduce cost of City government
- Continue to maintain public infrastructure and needed replacement
- Public health and safety enhancements
- Review and adjust long range master plans
- Addition of grant writer position
- Branding and marketing of City Hall
- Simplify City government (e.g. public utility district, port authority)
- Infrastructure – deferred maintenance
- Controlling City finances (e.g. projects)
- Transparency
- Amend City Charter to allow revenue from sale of city land to go to a special fund for sole purpose of capital projects
- Earmark City land for affordable housing
- Special election after definitive agreement is complete

Assembly Visioning Session – November 17, 2018

Exercise #2 – top two priorities

Members Present: Gary Paxton, Steven Eisenbeisz, Kevin Knox, Kevin Mosher, Richard Wein

Instructions: Group consensus on top two priorities for next two to three years

- Sustainable infrastructure plan
 - Review and update master plans
 - Master plan – public health and safety (e.g. police department)
 - Identify revenue sources – e.g. contract grant writer
 - Lobbying efforts for secondary water/electric department
 - SCH building
- Economic development – identify development and preservation opportunities
 - Private sector job growth
 - Year round business
 - Incentives
 - Partner with BIHA
 - Development of City owned property – e.g. No Name/Granite Creek
 - Solid waste disposal – e.g. incinerator
 - Resource development – e.g. bulk water
 - Seaplane base

Assembly Calendar

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

November 2018

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
28 Oct	29	30	31	1 Nov	2	3
	4:00pm New Member Assembly Orientation - 3rd Floor Conference Room City Hall	8:00am - 5:00pm New Member Assembly Orientation - Tours 3:00pm GPIIP		Nelson 12:00pm SEDA Board Meeting 4:00pm New Member Assembly Orientation - 3rd Floor Conference Room City Hall	Eisenbeisz Nelson	Eisenbeisz Nelson
4	5	6	7	8	9	10
Eisenbeisz Nelson	Eisenbeisz	Eisenbeisz GENERAL ELECTION	Eisenbeisz 6:00pm Library Commission 7:00pm Planning Commission	Eisenbeisz 12:00pm LEPC 1:30pm Health Needs & Human Services Commission 6:00pm Regular Meeting	Eisenbeisz Knox	Eisenbeisz Knox
11	12	13	14	15	16	17
Knox Mosher Nelson Paxton	Alaska Municipal League Conference HOLIDAY Mosher Nelson Paxton	Alaska Municipal League Conference Mosher Nelson Paxton 12:00pm Parks & Rec	Alaska Municipal League Conference Mosher Nelson Paxton 6:00pm Historic Preservation 6:15pm Port & Harbors Commission	Alaska Municipal League Conference Mosher Nelson Paxton	Alaska Municipal League Conference Nelson	Nelson 9:00am - 12:00pm Assembly Visioning Session (HCH Meeting Rm 7)
18	19	20	21	22	23	24
Nelson	Nelson	Nelson 12:00pm <u>Tree/Landscape</u>	Nelson 7:00pm Planning Commission	6:00pm Hospital Board Meeting HOLIDAY Nelson	Nelson	Nelson
25	26	27	28	29	30	1 Dec
		6:00pm <u>Regular Assembly Mtg</u>	Nelson 6:00pm Police and Fire Commission	Nelson	Nelson	

Assembly Calendar

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

December 2018

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



CITY AND BOROUGH OF SITKA

Master

File Number: 18-222

File ID: 18-222

Type: Item

Status: AGENDA READY

Version: 1

Reference:

In Control: City and Borough
Assembly

File Created: 11/19/2018

File Name:

Final Action:

Title: Executive Sessions: 1) Financial / Legal Matters - Silva vs. CBS and Ferguson vs. CBS 2) Financial / Legal Matters - Phase 3b of the CBS / SCH-SEARHC Affiliation Process

Notes:

Sponsors:

Enactment Date:

Attachments: Executive Session Motions

Enactment Number:

Contact:

Hearing Date:

Drafter:

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	City and Borough Assembly	11/27/2018					

Text of Legislative File 18-222

title

Executive Sessions: 1) Financial / Legal Matters - Silva vs. CBS and Ferguson vs. CBS 2) Financial / Legal Matters - Phase 3b of the CBS / SCH-SEARHC Affiliation Process

POSSIBLE MOTIONS

Step 1:

I MOVE to go into Executive Session to:

- 1) Receive and discuss an update from Municipal Attorney and outside legal counsel, Michael Gatti and Megan Sandone, regarding financial and legal matters affecting the Municipality as a result of the lawsuits filed by Ryan Silva on August 23, 2018 and Mary Ferguson on October 11, 2018, and,
- 2) To discuss communications with the Municipal Attorney and Municipal Administrator regarding phase 3b of the CBS/SCH-SEARHC affiliation process, matters the immediate knowledge of which would adversely affect the finances of the municipality and invite in outside legal counsel Sandy Johnson, consultants Sarah Cave and Steve Huebner and Chief Finance and Administrative Officer, Jay Sweeney.

Step 2:

I MOVE to reconvene as the Assembly in regular session.