

**City of Palmer, Alaska**  
**City Council Meeting**  
**November 10, 2020, at 7:00 PM**  
City Council Chambers  
231 W. Evergreen Avenue, Palmer  
[www.palmerak.org](http://www.palmerak.org)

## **AGENDA**

### **A. CALL TO ORDER**

### **B. ROLL CALL**

### **C. PLEDGE OF ALLEGIANCE**

### **D. APPROVAL OF AGENDA**

- 1. Approval of Consent Agenda
  - a. Introduction and Setting a Public Hearing for November 24, 2020, for **Ordinance No. 20-015:** Amending Palmer Municipal Code Section 2.04.160 Regarding Council Community Grants ..... Page 3
  - b. **Action Memorandum No. 20-078:** Authorizing the City Manager to Purchase One Stainless Steel Sander, Belly Blade, and Hydraulic Controls with Installation from Bob’s Services, LLC, in the Amount of \$78,216.00 Under the Palmer Municipal Code Section 3.21.230 Section Governmental and Proprietary Procurements by Attaching to the State of Alaska Equipment Fleet Bid ..... Page 11
  - c. **Action Memorandum No. 20-079:** Accepting Commission Member Richard Benedetto’s Resignation from the Planning and Zoning Commission ..... Page 27
- 2. Approval of Minutes of Previous Meetings
  - a. October 12, 2020, Special Meeting..... Page 29
  - b. October 13, 2020, Regular Meeting..... Page 31

### **E. COMMUNICATION AND APPEARANCE REQUESTS**

- 1. Presentation from Rodeo Alaska Executive Director Frank Koloski Regarding the 2021 Professional Rodeo Cowboy Event at the Palmer Fairgrounds..... Page 37

### **F. REPORTS**

- 1. City Manager’s Report
- 2. City Clerk’s Report
- 3. Mayor’s Report ..... Page 43
- 4. City Attorney’s Report

### **G. AUDIENCE PARTICIPATION**

### **H. PUBLIC HEARING**

- 1. **Ordinance No. 20-014:** Amending Palmer Municipal Code Section 18.27.020 Voting Methods Relating to Absentee Voting – By Mail ..... Page 45
- 2. **Resolution No. 20-028:** Authorizing the City Manager to Apply for Both a Loan and Grant from the United States of America, Acting Through the Department of Agriculture, Rural Utility Service, to Finance Improvements to the City’s Wastewater Treatment Plant in an Aggregate Amount Not to Exceed \$8,000,000.00..... Page 49

3. **Resolution No. 20-029:** Authorizing the Sale of 12.65 Acre Parcel of Land Located at 2390 S. Glenn Highway to Alaska Frontier Fabrication, LLC, in the Amount of \$408,300.00 in Accordance with Palmer Municipal Code Section 3.20.080(M)..... Page 53
4. **Resolution No. 20-030:** Approving the Disposal of City Property by Vacation to Garic Hayes General Contractor LLC and Authorizing the Mayor to Execute All Documents Required for the Vacation of the Property to Garic Hayes General Contractor, LLC..... Page 71
5. **Resolution No. 20-031:** Authorizing Round III of the City of Palmer Coronavirus Aid, Relief, and Economic Security Act (CARES Act) CARES Grants..... Page 85

**I. NEW BUSINESS**

1. **Committee of the Whole:** Presentation of the 2021 Budget (note: action may be taken by the Council following the Committee of the Whole) ..... Page 97

**J. RECORD OF ITEMS PLACED ON THE TABLE**

**K. AUDIENCE PARTICIPATION**

**L. COUNCIL COMMENTS**

**M. ADJOURNMENT**

**Tentative Future Palmer City Council Meetings**

Meeting Date	Meeting Type	Time	Notes
<b>Nov 24</b>	Special	6 pm	Budget
<b>Nov 24</b>	Regular	7 pm	Budget Adoption
<b>Jan 9, '21</b>	Special	9 am	Saturday: Strategic Planning
<b>Jan 12, '21</b>	Regular	7 pm	

**City of Palmer  
Ordinance No. 20-015**

**Subject:** Amending Palmer Municipal Code Section 2.04.160 Regarding Council Community Grants

**Agenda of:** November 24, 2020

**Council Action:**     **Adopted**                       **Amended:** \_\_\_\_\_  
                                   **Defeated**




**Originator Information:**

**Originator:**    John Moosey, City Manager

**Department Review:**

Route to:	Department Director:	Signature:	Date:
_____	Community Development	_____	_____
_____	Finance	_____	_____
_____	Fire	_____	_____
_____	Police	_____	_____
_____	Public Works	_____	_____

**Approved for Presentation By:**

	Signature:	Remarks:
City Manager		_____
City Attorney		_____
City Clerk		_____

**Certification of Funds:**


Total amount of funds listed in this legislation:    \$ 0.00

This legislation (√):

<input type="checkbox"/>	Creates revenue in the amount of:	\$ _____
<input type="checkbox"/>	Creates expenditure in the amount of:	\$ _____
<input type="checkbox"/>	Creates a saving in the amount of:	\$ _____
<input checked="" type="checkbox"/>	Has no fiscal impact	0.00

Funds are (√):

<input type="checkbox"/>	Budgeted	Line item(s): _____
<input checked="" type="checkbox"/>	Not budgeted	Unspecified _____

Director of Finance Signature: 

**Attachment(s):**

- Ordinance No. 20-015

**Summary Statement/Background:**

Amendment of the Council Community Grant is solely to improve the efficiency and impact of the program.

**Administration's Recommendation:**

Adopt Ordinance No. 20-015

**LEGISLATIVE HISTORY**

Introduced by: City Manager John Moosey

Date: November 10, 2020

Public Hearing:

Action:

Vote:

Yes:

No:

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CITY OF PALMER, ALASKA

**Ordinance No. 20-015**

**An Ordinance of the Palmer City Council Amending Palmer Municipal Code Section 2.04.160 Regarding Council Community Grants**

WHEREAS, the city of Palmer has a long history of supporting public and private partnerships; and

WHEREAS, these partnerships allow for beneficial public activities and facility improvements; and

WHEREAS, the city of Palmer desires to have a more efficient and impactful process.

THE CITY OF PALMER, ALASKA, ORDAINS:

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

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

Section 3. Palmer Municipal Code Section 2.04.160 is hereby amended to read as follows (new language is underlined and deleted language is stricken):

**2.04.160 Council community grants.**

~~The city of Palmer recognizes the valued contributions being provided through the volunteer efforts of community organizations, agencies, and individuals on behalf of its citizens. Community grant funding demonstrates council's commitment to programs, services, projects and events (event) that are benefits to the community while at the same time recognizing the financial constraints impacting the city's ability to provide funding.~~

~~A. This policy identifies the types of funding available through this grant process, establishes eligibility requirements, and outlines application and monitoring requirements.~~

~~B. Council shall retain the right to make the final decision on both the overall grant allocation and individual grants.~~

~~1. Preference will be given to organizations and groups that demonstrate Palmer community support and that propose programs, services, projects or events having the potential for positive economic and cultural impacts and that show evidence of efficient use of resources,~~

sound business practices/accountability, and describe the organization's or group's knowledge, skills and self-reliance.

2. The board of economic development will review this grant policy at least every two years and forward any recommendations for updates or revisions to the policy to city council.

C. The aim of the community grant program is to provide modest levels of support and assistance to help foster and develop community programs, services, projects and events that enhance the greater Palmer community's cultural and economic environment. The objective of this policy is to treat all organizations fairly and consistently while creating a minimal administrative process.

D. Each year, as part of its annual budget process, council will, through its annual operating budget, determine the amount of funds to be allocated to the community grant program.

E. The different types of grants eligible under the community grants program are:

1. In-kind contributions grants—based on the provision of municipal property/facilities, materials or resources to an applicant, and do not include the provision of cash funds to, or on behalf of, the applicant. While cash funds are not provided in relation to in-kind grants, it is recognized that such grants will involve either an expense or foregone revenue for the municipality.

2. Special events grant—defined as seed money funding for the start-up of a community program, service, project or event, or funds for a short-term undertaking to assist in developing a program, service, project or event that is of cultural, social, recreational or economic significance to the community. Special events grants are startup funds; therefore, these grants are limited to funding for between one to five years.

3. Community event grant—defined as a recurring program, service, project or event that council has determined provides significant benefits to the broad community as a whole; therefore there is no limit to the number of times a community event grant application may be funded.

4. Organization grant—defined as a 501(c) organization in need of a one-time appropriation for administration expenses or project money to further mission of the organization.

F. An applicant organization must meet the following general criteria in order to be eligible for a Palmer council community grant:

1. Event must primarily benefit the community and residents of Palmer.

2. Event has city-wide significance and is expected to bring economic and/or public relations benefit to the city.

3. Grant applicants should be able to demonstrate active fundraising efforts to support the continuation of the program, project or service. The city grant should not be considered as the primary source of funding for the organization.

4. Funding requests can be defined as programs, services, projects, and events that economically benefit Palmer by supporting, sustaining, promoting, informing, educating, celebrating, preserving and/or providing access to the arts, culture, environment, heritage, recreation and/or health activities.

5. To qualify for funding, the group must demonstrate its commitment to all of the following principles:

a. Event is open—accessible—to all members of the community;

b. Event must take place within the Palmer city limits or within one mile of the city limits;

c. Event is effective in providing an economic benefit to Palmer;

d. Applicant is accountable through sound management and financial practices;

e. Individuals are not eligible.

6. Grants are awarded by the type of project, not the type of organization/agency.

7. The applicant/organization, within the current fiscal year, must spend grant funding on the sole purpose for which it was awarded.

- ~~8. Members of the board of economic development are available to provide mentoring assistance to all applicants, both while preparing an application and following a grant award.~~
- ~~9. All applications shall be submitted on the grant application form together with the following information and documentation:~~
- ~~a. An outline of the economic benefits the event provides to the community as well as how this supports council's economic development strategic priorities;~~
  - ~~b. The amount of financial or in-kind assistance required;~~
  - ~~c. The degree in which the community benefits as a result of the grant;~~
  - ~~d. A detailed proposed budget for the current project, detailing expenditures and anticipated revenues, including a list of all other grants and/or donations;~~
  - ~~e. How applicant proposes to provide a post-event report with details on economic impact;~~
  - ~~f. Applicants seeking funding for consecutive years will be required to provide a multi-year financial forecast (three to five years) for the event which should include estimated revenues and expenditures;~~
  - ~~g. Completed application forms may be submitted to the city manager's office at any time during a fiscal year.~~
- ~~10. The city manager will review grant applications and forward each application to the city council with a funding recommendation and comments. The manager's comments on applications for in-kind nonfinancial assistance will include a report on the effect, if any, providing the in-kind assistance would have on the city's ability to meet its regularly scheduled work responsibilities.~~
- ~~11. Council shall retain the right to make the final decision on both the overall grant allocation and individual grants.~~
- ~~12. Grant recipients will be notified in writing of the grant amount approved. (Ord. 14-043 § 3, 2015)~~

Section 4. Palmer Municipal Code Section 2.04.160 is hereby amended to read as follows (new language is underlined and deleted language is stricken):

**2.04.160 Council community grants**

The purpose of the city of Palmer council community grant program is to recognize the valued contributions being provided through the volunteer efforts of community champions on behalf of its citizens. Community grant funding demonstrates the council's commitment to programs, services, projects, and events that are a benefit to the community while at the same time recognizing the financial constraints impacting the city's ability to provide funding. This policy identifies the types of funding available through this community grant process and establishes eligibility requirements. The goal of the community grant program is to provide modest levels of support and assistance to help foster and develop community programs, services, projects, and events that enhance greater Palmer's quality of life. The objective of this policy is to treat all organizations fairly and consistently while creating a minimal administrative process.

- A. Council shall retain the right to make the final decision on:
  - 1. Annual council community grant operating budget;
  - 2. Determining community grant recipients;
  - 3. Determining community grant amounts.

B. To be eligible to qualify for funding, the group or organization must demonstrate its commitment to all the following principles:

1. General:

- a. Event is open – accessible – to all members of the community;
- b. Event is effective in providing a community benefit to Palmer;
- c. Applicant is accountable for the grant through sound management and financial practices;
- d. Individuals are not eligible;
- e. The applicant/organization, within the current fiscal year, must spend grant funding on the sole purpose for which it was awarded;
- f. Any unspent money shall be returned to the city.

C. Community Grant Types: Defined as a program, service, project, or event that benefits Palmer by supporting, sustaining, promoting, informing, educating, celebrating, preserving, and/or providing access to the arts, culture, environment, heritage, recreation, and/or health activities;

D. Community Grant: Defined as a program, service, project, or event that the council has determined provides significant benefits to the Palmer community as a whole. The different types of grants under the community grant program are:

1. In-kind grants – based on the provision of municipal property/facilities, materials, or resources provided to an applicant, and do not include the provision of cash funds to, or on behalf of, the applicant. Cash funds are not provided in relation to in-kind grants;
2. Cash contribution grant – based on the provision of cash funds provided to, or on behalf of, the applicant; or
3. Combination grant – based on a combination of E.1. and E.2.

E. Grant Application: Completed application forms may be submitted to the city manager’s office at any time during a fiscal year. All applications shall be submitted on the grant application form together with the information/documentation listed below:

1. An outline of the benefits the grant recipient would provide to the community as well as how this supports the council’s strategic priorities;
2. The amount of financial or in-kind assistance required;
3. The degree in which the community benefits as a result of the grant;
4. A proposed budget for the current project, detailing expenditures and anticipated revenues, including a list of all other grants and/or donations; and
5. How an applicant proposes to provide a post-event report with details on economic impact.



F. Grant Compliance and Reporting:

1. The city manager will review grant applications for completeness and forward each application to the city council. The manager's comments on applications requesting in-kind nonfinancial assistance will include a report on the effect if any, providing the in-kind assistance would have on the city's ability to meet its regularly scheduled work responsibilities.
2. Council shall retain the right to make the final decision on both the overall grant allocation and individual grants.
3. Council may request community grant recipient to provide a written or oral summary report.

Section 5. Effective Date. Ordinance No. 20-015 shall take effect upon adoption by the city of Palmer City Council.

**Passed and approved** this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Edna B. DeVries, Mayor

\_\_\_\_\_  
Norma I. Alley, MMC, City Clerk



**City of Palmer  
Action Memorandum No. 20-078**

**Subject:** Authorizing the City Manager to Purchase One Stainless Steel Sander, Belly Blade, and Hydraulic Controls with Installation from Bob's Services, LLC, in the Amount of \$78,216.00 Under the Palmer Municipal Code Section 3.21.230 Section Governmental and Proprietary Procurements by Attaching to the State of Alaska Equipment Fleet Bid

**Agenda of:** November 10, 2020

**Council Action:**     **Approved**                       **Amended:** \_\_\_\_\_  
                                   **Defeated**



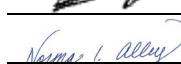
**Originator Information:**

**Originator:**    Chris Nall, Director of Public Works

**Department Review:**

Route to:	Department Director:	Signature:	Date:
_____	Community Development	_____	_____
√	Finance		10/20/2020
_____	Fire	_____	_____
_____	Police	_____	_____
√	Public Works		10/15/2020

**Approved for Presentation By:**

	Signature:	Remarks:
City Manager		_____
City Attorney		_____
City Clerk		_____

**Certification of Funds:**


Total amount of funds listed in this legislation:    \$ **78,216.00**

This legislation (√):

<input type="checkbox"/>	Creates revenue in the amount of:	\$ _____
√	Creates expenditure in the amount of:	\$ <u><b>78,216.00</b></u>
<input type="checkbox"/>	Creates a saving in the amount of:	\$ _____
<input type="checkbox"/>	Has no fiscal impact	

Funds are (√):

√	Budgeted	Line item(s): <u>09-01-10-6054 Public Works Equipment</u>
<input type="checkbox"/>	Not budgeted	_____

Director of Finance Signature: 

**Attachment(s):**

- Bob's Services Quote #007475
- State of Alaska (SEF) Waiver for Contract (SEF2151) and Supporting Documents

**Summary Statement/Background:**

In the 2020 Budget, funds were allocated for the purchase of a replacement sander and chassis for the Department of Public Works.

This action memorandum requests the authorization to purchase one Stainless Steel Sander, Belly Blade, and Hydraulic Controls with installation.

The City of Palmer Administration chose to take advantage of its ability to attach to the State of Alaska (SEF2151) contract for purchase of equipment for the following reasons:

- The City of Palmer did not bear the expense and resources of preparing and carrying out the typical bid process;
- The City of Palmer, by attaching itself to the Sourcwell that purchases many heavy-duty vehicles per year, enjoys a greater discount versus buying heavy vehicles every 10 years; and
- The City of Palmer benefits from the fact that the Sourcwell procurement is locked into fuel, freight, and production rates based on last fall's pricing that is considerably lower than the rapidly escalating fuel and steel surcharges that have increased shipping and production costs.

**3.21.230 Governmental and proprietary procurements.**

A. The purchasing officer may contract, without the use of the competitive source selection procedures of this chapter, for the following supplies, services, professional services or construction:

1. For contracts, including reimbursable agreements, with federal, state or local units of government or utility provider where the city has a financial responsibility or beneficial interest in entering into an agreement.

2. For contracts issued pursuant to any federal, state, or local government contract where the city is an authorized user, or where the resulting contractor agrees to extend the same terms, conditions, and pricing to the city as those awarded under the original contract, all in accordance with PMC 3.21.240. Such agreements shall be limited to those contracts where the award is issued pursuant to a formally advertised solicitation.

3. For contracts where the purchasing officer determines in writing that the city's requirements reasonably limit the source for the supplies, services, professional service or construction to one person.

B. All contract awards under this section, and any amendments thereto, shall be subject to the applicable approval requirements of PMC 3.21.090 prior to execution.

C. No contractor may provide supplies, services, professional services, or construction to the city before the applicable requirements of this section are first satisfied.

**Administration's Recommendation:**

To approve Action Memorandum No. 20-078

Quote



**BOB'S SERVICES, LLC**

2009 SPAR AVENUE

ANCHORAGE, ALASKA 99501

SHOP (907) 276-3221 - FAX (907) 276-1972

Order Number: 0074755

Order Date: 8/25/2020

Salesperson: 0600

Customer Number: 00-CP

**Sold To:**

City of Palmer  
231 W. Evergreen Ave.  
Palmer, AK 99645

**Ship To:**

City of Palmer  
231 W. Evergreen Ave.  
Palmer, AK 99645

(907) 863-0752

Confirm To: DOUG 745-0205 SHOP 745-3925

Customer P.O.	Ship VIA	Comment	VIN		
		scraper and sander	STOCK#		
Item Number	Description	Description	Price	Amount	
		****OSCILLATING SCRAPER****			
*12 OSC BELLY	1.00		20,357.00	20,357.00	
		12' X 15" OSCILLATING BELLY BLADE			
*SERIAL #	0.00		0.00	0.00	
		SERIAL # ____-3			
*UHMW	1.00		1,500.00	1,500.00	
		3/4" X48"X96" UHMW SHEETING MOUNTED BETWEEN FRAME RAILS AND SANDER			
*CHASSIS MT	1.00		34,391.00	34,391.00	
		CHASSIS MT SPREADER PERMANANT MOUNTED ON CHASSIS SS SANDER			
*HYDRAULICS	1.00		21,968.00	21,968.00	
		CENTRAL POWER HYD SYSTEM DANFOSS PISTON PUMP VALVING AND CAB CONTROLS TO OPPERATE CHASSIS MOUNT SANDER, SCRAPER			

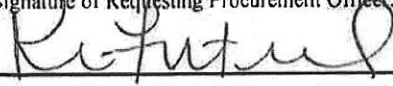
Quotes are good for 90 days

\*\* Credit Card Payment over \$5,000 is subject to a service charge of 3.0%

Net Order:	78,216.00
Less Discount:	0.00
Freight:	0.00
Sales Tax:	0.00
<b>Order Total:</b>	<b>78,216.00</b>

**State of Alaska**  
**Department of Transportation & Public Facilities**  
**WAIVER REQUEST**  
**FOR ALTERNATE PROCUREMENT METHODS**

For routing and approval of waiver requests please refer to DOT&PF Policy and Procedure 10.01.040 Alternate Procurements.

Requesting Department/Division: DOT & PF, State Equipment Fleet		Date: April 15, 2019	Bid Waiver Number (FOR HQ USE ONLY) 25-19-05-SEF
Project Number(s) IRIS/Federal: SEF2151	Estimated Price: \$7,500,000	Signature of Requesting Procurement Officer: 	
Project Name: 6x4 Plow Truck Chassis Up-fitting		Person to Contact (Project Manager & Telephone Number): Kristi Futrel, Contracting Officer III	
<b>Part 1 - Type of Procurement Method:</b> <input type="checkbox"/> Competitive Sealed Bid <input type="checkbox"/> Competitive Sealed Proposal <input type="checkbox"/> * Limited Competition <input type="checkbox"/> * Emergency <input checked="" type="checkbox"/> * Single Source <input type="checkbox"/> Small Procurement * Regardless of the contract amount, any purchase using Emergency, Single Source or Limited Competition procurement must be assigned a Bid Waiver Number and PART 6 of this form must be completed for each resulting contract.			
<b>Part 2 - Specific description of procurement requirements to be waived:</b> For example time of advertisement, public notice, selection process, record keeping, etc.  Advertisement and competitive sealed bidding			
<b>Part 3 - Project Description:</b> Provide the following information: 1) The contract requirements with attached schematics, planning documents, or narratives as appropriate. 2) A cost estimate that is linked to the contract requirements. Identify funding source: (General Fund, Bond, Federal, etc.) and if Federally funded attach copy of Federal approval. 3) A time line depicting the project schedule from inception to completion. 4) List all agency officials with oversight or supervisory responsibility for the project. Attach separate page(s) if necessary.  1) Per State Fleet Specifications. (Attachment 1) 2) SEF is requesting a 1 year contract with the option to renew for 4 additional years, not to exceed \$7.5M for the purchase of up-fitting and hydraulic packages for state owned 6x4 Plow Chassis. All purchases will be made with HEWCF Replacement Funds. Cost Estimated is attached. (Attachment 2) 3) Contract will start upon approval of RAP and continue for 1 year, with 4 optional renewals. 4) Project Oversight responsibility is Kristi Futrel, Contracting Officer III			
<b>Part 4 - Justification:</b> Provide the following information: 1) Need for construction or services. 2) Reason(s) for agency's inability to conform with standard procurement methods. 3) Statutory or Regulatory authorization (if other than budgetary process) for construction or services. 4) Impact on project if waiver is not approved -- explain in detail. 5) Any other documentation/ justification the agency feels would be helpful in evaluating the request. Attach separate page(s) if necessary.  1) The State Equipment Fleet (SEF) is delegated authority related to the procurement of equipment or services for all state agencies. Snow plow operations are a top priority and vital to success for the department to meet performance targets and meet the mission. SEF currently has 281 plow trucks statewide. The average up-fitting cost per truck is \$150K, this contract will allow SEF to replace roughly 50 trucks or 17% of the plow trucks in the fleet. 2) Conforming to the standard procurement methods would result in a low bid scenario. One requirement that is vital to the success of the fleet is having a dealer in Alaska that can support the products being sold. Bob's Services is the only business in State that can provide the up-fitting and hydraulic packages as well as support them in state. 3) Statutory Authorization: AS 36.30.005 (b) 4) Impact: If this waiver is not approved, SEF will issue an RFP with the same end result. There is not another company in Alaska that can provide the equipment as well as the required support on both the hydraulic system and the up-fitting. 5) Documentation: a. Henderson Sole Source Documentation b. Certified Power Sole Source Documentation c. Bob's Services Sole Source Documentation d. Certified Power Training e. Pricing (Complete Price List, orders will be placed per truck in a variety of configurations)			

**PART 5 - Department of Transportation and Public Facilities' comments and recommendations:**

In accordance 36.30.300, Single Source Procurements, and Article 7 of the Alaska Administrative Code, (2 AAC 12.410, Conditions For Use of Single Source Procurement), I have reviewed this single source waiver initiated by Kristi Futrel, Contracting Officer III, to establish a contract for the purchase of hydraulic packages and up-fitting for state owned 6 x 4 plow chassis.

Authority to utilize the single source procurement method without formal advertisement is provided to the Commissioner of the Department of Transportation and Public Facilities (DOT&PF) under AS 36.30.300. Procurements of this type are made on projects where, 1) *It is not practicable to award a contract by competitive sealed bidding;* and 2) *Award of the contract is in the state's best interest.*

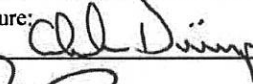
Approval of this request is necessary and in the best interests of the State for the following reasons:

- 1) It is not practical to conduct a competitive sealed bidding for this procurement as there are no other companies in Alaska authorized to provide Henderson Products and Certified Power Products.
- 2) For reasons indicated in Part 4 of this single source waiver request, award of this contract is in the best interest of the State.

This signed waiver constitutes the written determination in accordance with AS 36.30.300 that no other reasonable alternative sources exist. All equipment, parts, and services procured under this waiver are limited to that as referenced under Part 3 including Part 4 of this waiver request. Based on the information furnished within Parts 1 through 4 of this form, it is my recommendation that the waiver be signed as approved.

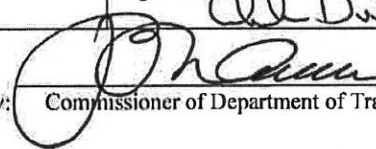
Recommended:  Approval  Disapproval  Other  Return for other/further action as noted above.

Reviewed by:  
Charles Deininger, Chief Contracts Officer

Signature: 

Date: 4/22/19

Approved

by:  Commissioner of Department of Transportation and Public Facilities

Date: 4.22.19

Approved with conditions

Disapproved

Title if executed by other than the Commissioner of Department of Transportation and Public Facilities

**Part 6 - Record of procurement: submit a completed copy of this entire form to the Chief Contracts Officer within 15 days of executing the contract.** When multiple contracts are awarded under an emergency procurement, information pertaining to all contracts must be reported. Under such circumstances, attach additional information in the format below - for each contract.

Complete all of the following:

- (1) Name of Supplier or Contractor: \_\_\_\_\_ (2) Their Zip Code: \_\_\_\_\_
- (3) Contract Amount: \$ \_\_\_\_\_ (4) Contract Identification Number: \_\_\_\_\_ (5) Commodity Code: \_\_\_\_\_
- (6) Type (i.e. Professional Service, Construction, Supplies, etc.): \_\_\_\_\_
- (7) Listing of services, products, construction (etc.) obtained: \_\_\_\_\_
- (8) If other vendors, suppliers or contractors submitted bids or proposals, list the number of these that were:

Alaskan Bidders # \_\_\_\_\_

"Out-of-State" Bidders # \_\_\_\_\_

This PART 6 prepared by: \_\_\_\_\_

Date: \_\_\_\_\_



THE STATE  
of **ALASKA**  
GOVERNOR MIKE DUNLEAVY

## Department of Transportation and Public Facilities

State Equipment Fleet  
Headquarters

2200 E 42<sup>nd</sup> Avenue  
Anchorage, AK 99508  
Mail: 907.269.0793  
Fax: 907.269.0801  
dol.state.ak.us

April 15, 2019

Charles Deininger  
Chief Contracts Officer  
Transportation & Public Facilities

Mr. Deininger,

State Equipment Fleet (SEF) is requesting an alternative procurement to issue a single source contract to purchase Henderson Products and Certified Power Products through Bob's Services as a single source provider. Allowing a single source will realize efficiencies and standardization within DOT&PF.

Per 2 AAC 12.410 and AS 36.30.300(a). Procurements of this type are made on projects where, 1) "it is not practicable to award a contract by competitive sealed bidding..." and, 2) "award of the contract... is in the State's best interest".

SEF issued an RFP in May of 2013 for a 5 year contract in which Bob's Services was the successful bidder. Bob's Services has held the contract to up-fit snow plow trucks for the past 5 years. Bob's Services represents both Henderson Products and Certified Power Products. Henderson produces the dump boxes, wings, front plows and sanders. Certified Power provides the hydraulic package to make the Henderson products move.

During the prior contract with Bob's Services there has been an incredible amount of time and resources utilized to build a snow plow truck that works for the fleet statewide. Changes in truck chassis, federal emissions requirements, and the up-fitting of equipment has been a work in progress for the past 5 years and created many challenges. By continuing with the same up-fitter and suppliers, the state will realize efficiencies in the knowledge and experience gained over the previous contract period.

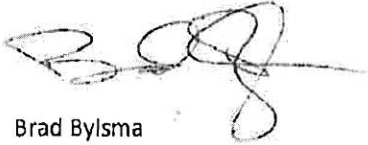
Bob's Services is the only authorized dealer for Henderson Products and Certified Power in Alaska. There are other manufacturer's that can provide the product but there are no other dealers in Alaska with the capability to actually service the products. Bob's Services is fully equipped, trained and capable of repairing, modifying and maintaining the up-fitting and hydraulic systems provided. An in-state up-fitting facility is an important component to producing and maintaining reliable plow trucks for the Maintenance & Operations plow truck fleet.

Bob's Services and Certified Power have traveled to most camps statewide to provide operator and mechanic training on the system. Since 2013, roughly 300 people statewide have had hands on training with Bob's Services on the Certified Power Product hydraulics as well as the Henderson products.

*"Keep Alaska moving through the toughest conditions."*



Thank you for your consideration.

A handwritten signature in black ink, appearing to read 'Brad Bylsma', with a long horizontal stroke extending to the right.

Brad Bylsma  
Fleet Manager  
State Equipment Fleet



April 16, 2019

Alaska DOT  
Attn: Kristi Futrel

Subject: Dealer Service and Parts

Dear Kristi,

The authorized Henderson Products dealer in your market area is

Bob's Services Inc.  
2009 Spar Avenue  
Anchorage, AK 99501

They are your sole source for Henderson equipment, replacement parts and warranty service.

Sincerely,

A handwritten signature in cursive script that reads "Glenn Beck".

Glenn Beck  
Vice President of Sales  
Henderson Products, Inc.

**HENDERSON PRODUCTS, INC.**

---

1085 S. Third Street • Manchester, IA 52057 • PH: 800-359-4970 • FX: 563-927-2521 • [www.hendersonproducts.com](http://www.hendersonproducts.com)



Bob's Service, Inc.  
2009 Spar Avenue  
Anchorage, AK 99501

is a  
FACTORY CERTIFIED DEALER with  
TRAINED PERSONNEL  
for

Henderson Products, Inc.

A handwritten signature in cursive script, appearing to read "Jon Sievert".

---

Jon Sievert  
President

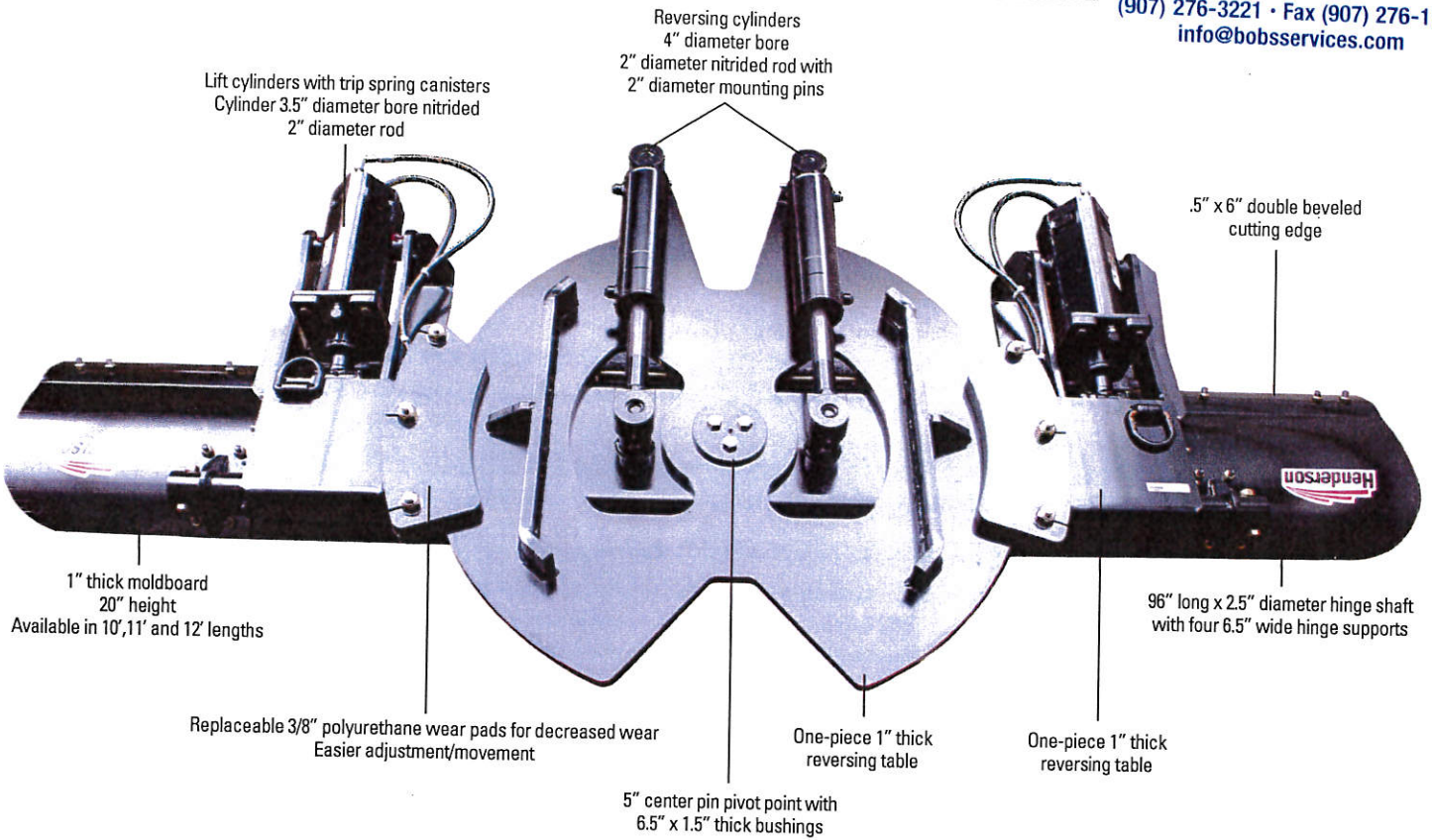
A handwritten signature in cursive script, appearing to read "Glenn Beck".

---

Glenn Beck  
VP Sales

# FEATURES & SPECIFICATIONS

**BOB'S SERVICES, INC.**  
 2009 Spar Avenue  
 Anchorage, AK 99501  
 (907) 276-3221 • Fax (907) 276-1972  
 info@bobsservices.com



1" thick moldboard  
 20" height  
 Available in 10', 11' and 12' lengths

Replaceable 3/8" polyurethane wear pads for decreased wear  
 Easier adjustment/movement

5" center pin pivot point with  
 6.5" x 1.5" thick bushings

.5" x 6" double beveled  
 cutting edge

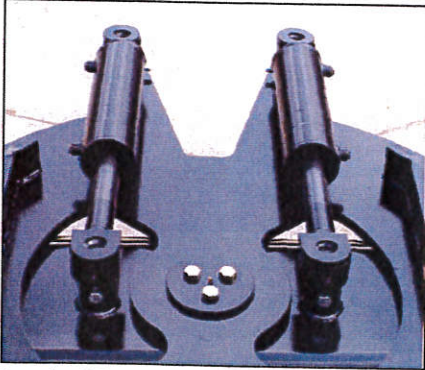
96" long x 2.5" diameter hinge shaft  
 with four 6.5" wide hinge supports

## REVERSIBLE UNDERBODY SCRAPER

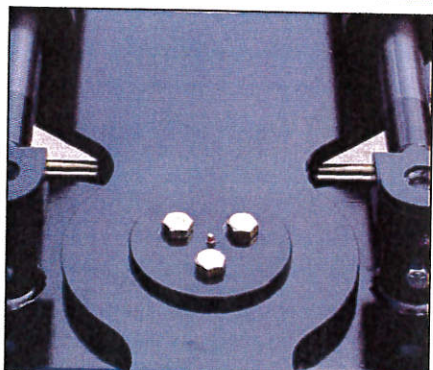
	H-UBS 10'	H-UBS 11'	H-UBS 12'
MOLDBOARD LENGTH	10"	11"	12"
OVERALL HEIGHT	20"	20"	20"
CUTTING WIDTH @ 45° ANGLE	84"	93"	102"
APPROX. WEIGHT	2,370 lb.	2,430 lb.	2,500 lb.
MOLDBOARD THICKNESS	1"	1"	1"

## MOLDBOARD CONSTRUCTION

- Steel: grade 50, or 201 stainless
- Shape: straight or tapered
- Height (lead edge): 27" (6' to 8' lengths) or 32" (8' to 13' lengths)
- Discharge: 6" or 12" flare with bead
- Bottom angle: 4" x 4" x 3/4", other options may be available
- Bottom angle gussets: standard
- Trip type: non-trip, trip edge or full trip
- Paint: moldboard standard orange (all else black), all black or special paint
- Moldboard extras: lift eye standard



Reversing Cylinders: (2) provides a 45° working angle



Center Pin: the main reversing point, uses a 5" dia. pin

## OPTIONS

- Cushion Valve
- Relief Valve
- Wrap Around Curb Guard
- 5/8" x 8" Cutting Edge
- 3/4" x 6" Carbide Cutting Edge

*Consult your local Henderson Distributor for all available options.*



© Henderson Products, Inc., a division of Douglas Dynamics, L.L.C., reserves the right in pursuit of continuous product improvement to change specifications used herein. As a custom manufacturer of truck bodies, truck equipment and brine systems, additional product options may be available that are not shown here.



1085 S. Third St., P.O. Box 40, Manchester, IA 52057  
 Toll Free: (800) 359-4970  
 www.hendersonproducts.com



HP-126 2.5M 01/16

# Henderson® SNOWFOE®

## REVERSIBLE UNDERBODY SCRAPER

### A Road Maintenance Solution that Works All Year.

As municipal and state agencies continue to demand more from their work trucks and equipment, Henderson once again answers the bell. The Henderson Reversible Underbody Scraper is another great example of our ongoing effort to eliminate the dependency on seasonal equipment. Redefining year round performance for underbody scrapers, the Reversible Underbody Scraper is poised for double duty.

The Reversible Underbody Scraper features two double-acting, power reversing cylinders for plowing angles up to 45°. The 1" thick moldboard is available in 10', 11' and 12' lengths and is designed to provide superior

winter snow and ice removal as well as summer road and shoulder grading capabilities.

The Reversible Underbody Scraper easily removes snow and ice from road surfaces. It was designed with two key functions: lift and reverse. When you're ready for top quality truck equipment that consistently performs at the highest levels, turn to...

*The Dependable Ones™*



### Heavy-duty Precision Spreaders to Match Any Need or Budget

The legendary Henderson **FSH** sand and salt spreader is now available in three versions. The **FSH-I, II** and **III**, each having subtle differences to better meet customer needs and varying specification requirements.

The core features of the **FSH** are retained "across the board" on all three models: rugged construction, precision delivery of material to the road surface and low maintenance design. All models come in a wide variety of sizes to accommodate length, height and capacity requirements.

The **FSH** can be powered hydraulically, using an electric motor or through the use of a stand alone diesel engine. Multiple control, conveyor and pre-wet options are also available.

Henderson has a heavy-duty spreader that's perfect for any operation or budget. When you're ready for top quality truck equipment that consistently performs at the highest levels, turn to...

*The Dependable Ones™*



- Inside seams are continuously welded for extreme duty. Sides and ends are 10-gauge and floor is 7-gauge steel.
- Top edge of hopper is a formed "J" channel for added rigidity and strength.
- Conveyor is 24" wide, all steel pintle-type chain. The FSH-I and II have 1/4" x 1-1/2" crossbars while the FSH-III has 3/8" x 1-1/2" crossbars. Crossbars are spaced on 4-1/2" centers. Sprockets are cast iron and are keyed to the drive and idler shafts to prevent slippage and maintain chain alignment.
- Conveyor chain is protected by a formed 10-gauge shield in the FSH-I and II. A replaceable bolt-in shield is standard on the FSH-III and optional on the FSH-II.
- Two 5/8" stainless steel chain adjusters with 4" of idler adjustment provide optimum chain tension.
- **OPTIONAL** - single or dual augers for reduced maintenance and a consistent material flow.
- **OPTIONAL** - conveyor gearbox has thru-shaft for electronic control system speed sensor hook-up.
- **OPTIONAL** - 3/4 hp electric motor and high efficiency helical bevel gearbox. Multiple control options available.
- The hydraulic or electric motor is mounted directly to the gear case to eliminate sprockets, chains and couplers for reduced maintenance.
- The telescopic chute assembly is 10-gauge steel and is totally enclosed with two internal adjustable baffles. Three external adjustable deflectors and one front fixed deflector with overlapping corners also contribute to precise control of material spread pattern. A quick latching bypass chute diverts material behind the spinner chute for fast unloading.
- The 20" dia. spinner disk with replaceable hub and six (6) vanes are constructed of 10-gauge stainless steel. Poly disk is optional.
- All surfaces are high-pressure cleaned and degreased with a phosphate solution before being primed and finish painted with Highway Orange paint.

# FEATURES & SPECIFICATIONS

## FSH DIMENSIONS & CAPACITY CHART

LENGTH	CUBIC YARD CAPACITY (struck / rounded)			WEIGHTS (Approx.)			TRUCK CHASSIS
	SIDE HEIGHT			SIDE HEIGHT			
	48" or 50"	54" or 56"	60" or 62"	50"	56"	62"	
8'	4.5 / 5.6	5.5 / 5.6	6.5 / 7.6	1760	1845	1930	60" CA
9'	5.1 / 6.3	6.2 / 7.3	7.4 / 8.5	1905	1995	2085	72" CA
10'	5.6 / 6.9	6.9 / 8.2	8.3 / 9.6	2070	2166	2262	84" CA
11'	6.2 / 7.6	7.6 / 9.0	9.0 / 10.4	2225	2327	2429	96" CA
12'	6.8 / 8.3	8.4 / 9.9	9.9 / 11.4	2380	2488	2596	108" CA
13'	7.3 / 9.0	9.0 / 10.7	10.7 / 12.4	2535	2649	2763	96" CT
14'	7.9 / 9.8	9.7 / 11.4	11.6 / 13.3	2690	2810	2930	108" CT
15'	8.4 / 10.3	10.3 / 12.2	12.2 / 14.1	2845	2971	3097	120" CT
16'	8.9 / 10.9	11.0 / 13.0	13.0 / 15.0	3001	3132	3264	132" CT

FEATURE	FSH-I	FSH-II	FSH-III
Lengths	8' - 16'	8' - 16'	8' - 16'
Outside Width	84"	84"	84"
Overall Height	48", 54", 60" or 66"	50", 56", 62" or 68"	50", 56", 62" or 68"
Conveyor Style	<ul style="list-style-type: none"> <li>6-tooth sprockets</li> <li>1-1/2" dia. drive shaft with roller bearings</li> <li>Pintle type conveyor chain with 1/4" x 1-1/2" crossbars on 4-1/2" centers</li> </ul>	<ul style="list-style-type: none"> <li>8-tooth sprockets</li> <li>1-1/2" dia. drive shaft with roller bearings</li> <li>Pintle type conveyor chain with 1/4" x 1-1/2" crossbars on 4-1/2" centers</li> </ul>	<ul style="list-style-type: none"> <li>8-tooth sprockets</li> <li>2" dia. drive shaft with roller bearings</li> <li>Pintle type conveyor chain with 3/8" x 1-1/2" crossbars on 4-1/2" centers</li> </ul>
Idler Type	<ul style="list-style-type: none"> <li>1-1/4" dia. shaft with roller bearings</li> <li>4" idler adjustment spring loaded optional</li> </ul>	<ul style="list-style-type: none"> <li>1-1/2" dia. shaft with roller bearings</li> <li>4" spring loaded idler adjustment</li> </ul>	<ul style="list-style-type: none"> <li>2" dia. shaft with roller bearings</li> <li>4" spring loaded idler adjustment</li> </ul>
Conveyor Gearbox Drive	50:1 worm gear 25:1 worm gear Electric - high efficiency helical bevel	50:1 worm gear 25:1 worm gear Electric - high efficiency helical bevel	6:1 spur gearbox 50:1 or 25:1 worm gear Electric - high efficiency helical bevel
Chain Shields	Standard: formed	Standard: formed Option: bolt-in (replaceable)	Standard: bolt-in (replaceable)

### BODY

Sides, ends and side supports are of 10-gauge steel and are continuous-seam welded from the inside. Side slope is 45° with front slope at 18° and rear slope at 9°. Floor is replaceable 7-gauge steel. Longsills are 7-gauge steel continuous-seam welded to the sides on mild steel units. Top edge of hopper is formed "J" channel, 1-5/8" x 3/4". Feedgate is 10-gauge 10" x 18", screwjack adjustable from curb side. Download pressure is reduced by an adjustable inverted vee (optional) to reduce material compaction.

### CONVEYOR

Rear discharge pintle chain conveyor is 24" wide. Chain tension adjusting rod is 5/8" stainless steel. Idler adjustment is 4" and spring-loaded.

### SPINNER CHUTE ASSEMBLY

Completely enclosed telescopic design is of 10-gauge steel. Top-mounted hydraulic spinner motor is enclosed in the chute to maximize material flow to the spinner disk, improving spread pattern. It is mounted directly to the spinner for elimination of shaft and bearings. Two (2) internal baffles direct material flow onto the spinner disk for directional spread control. Three (3) external adjustable

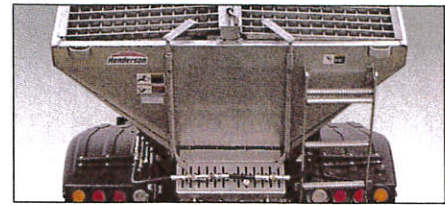
deflectors and one front fixed deflector with overlapping corners contribute to precise control of material spread pattern. The adjustable spinner deflectors are easily replaceable without tools for easy servicing. A quick latching spreader bypass chute diverts material behind the spinner chute for fast unloading. Spinner disk is 20" dia., 10-gauge steel with replaceable hub. Six (6) 10-gauge stainless steel vanes are bolt-on and replaceable.

### PAINT

All metal surfaces are high pressure cleaned with a phosphate solution to remove slag, spatter, oxide and oil residue. The entire body is primed with high quality catalyzed primer and then finished with Highway Orange grade enamel. The 201 & 304 stainless steel units are unpainted.

### CONTROL VALVE - OPTIONAL

Speed of conveyor and spinner motors is controlled by a dual pressure compensated control valve with a relief pre-set at 1,500 PSI. Valve has twelve (12) detent settings for each circuit and an independent on/off valve to allow start/stop without changing application rate.



### SAFETY INTERLOCK

Required with optional single or dual augers. For safety, auger motors must be disabled before operator can open top grate screens.

### OPTIONS

- 201 or 304 stainless steel
- Top grate screens
- Inverted vee
- Extended front idler adjusters
- Extended front idler grease tubes
- Hold down kits
- 18 HP engine group
- Rubber side spill shields
- Roller chain
- Chain oiler
- Cab shields
- Spacer bars
- Ladders
- Bumpers
- Centerline diverter chute
- Catwalks and frame mount kit
- Side tubes and rear hoses
- Short hose kit with quick couplers
- Automatic control systems
- Tilt-Up Spinner Chute
- Conveyor motor sensor
- 20" poly spinner disk
- Tailgate trunnion latch
- Spinner chute extension
- Quick couplers
- Body guides



### OPTIONAL SINGLE AUGER CONVEYOR

Seven-inch (7") auger conveyor provides a more even flow than a standard chain conveyor with less maintenance. A patented safety interlock feature helps prevent personal injury from the auger.

### OPTIONAL DUAL AUGER CONVEYOR

Two counter-rotating augers create a smooth spread, breaking up clumps and prevents bridging of material. Auger shafts utilize a polyurethane bushing at both ends of each auger to eliminate seizing and ensure ease of maintenance.



### OPTIONAL - ELECTRIC MOTOR & DRIVE

The 3/4 hp electric motor can be used with the basic electric control panel or the Charge System.

© Henderson Products, Inc., a division of Douglas Dynamics, L.L.C., reserves the right in pursuit of continuous product improvement to change specifications used herein. As a custom manufacturer of truck bodies, truck equipment and brine systems, additional product options may be available that are not shown here.



1085 S. Third St., P.O. Box 40, Manchester, IA 52057  
Toll Free: (800) 359-4970  
www.hendersonproducts.com



HP-072 7.5M 06/15



7165 Boone Ave. N., Suite 190  
Minneapolis, MN 55428  
763-493-9380  
info@certifiedcirrus.com  
www.certifiedcirrus.com

---

April, 2018

Mr. Bill Brown  
Bob's Services Inc.  
2009 Spar Ave.  
Anchorage, AK 99501

Dear Mr. Brown,

This letter is to confirm that Bob's Services is Certified Cirrus' sole representative providing sales and service support for the State of Alaska and specifically Alaska DOT. Both parties agree that the representative agreement is reviewable for extension at 5 years from the date of this letter or at a time agreeable to both parties, whichever is earlier.

We look forward to continuing our long-standing partnership supporting Bob's Services and customers in the State of Alaska.

Sincerely,

A handwritten signature in black ink, appearing to read 'Dave Austin', with a long horizontal flourish extending to the right.

Dave Austin  
Director of Sales  
Certified Cirrus Control Systems



Office: (907) 276-3221  
Fax: (907) 276-1972  
www.bobservices.com



2009 SPAR AVENUE  
ANCHORAGE, ALASKA 99501

September 26, 2018

State Equipment Fleet  
State of Alaska Fleet Services  
Anchorage Alaska

Subject: Sole Source

Dear Kristi Futrel,

Bob's Services Inc. is the authorized sole source provider for Henderson snow/ice equipment and Certified Power hydraulic controls and products. We are certified to perform all warranty service for both providers. Our employees are certified to install and service all Henderson and Certified Power products and we carry a large inventory of each product line. Bob's services will be responsible for all product training for end users.

Sincerely,

A handwritten signature in cursive script that reads "Bill Brown".

Bill Brown  
President  
Bob's Services Inc.

**AKDot System Training Log**

Date	Location	Tech/Ops/Parts	Hours	Notes	MH
2/20,21/2019	Anchorage BSI	11 Tech 4 Part	13	InDepth 2 day	195
9/19/2018	Skagway	5 T/O	3		15
9/18/2018	Haines	3 T/O	3		9
3/16/2018	Ketchikan	3 T/O	3		9
10/26,27/2017	Anchorage	7 Tech	14	In Depth 2 day	98
10/23,24/2017	Fairbanks	10 Tech	14	In Depth 2 day	140
8/28-30/2017	Anchorage	12 Tech	20	In depth 3 day	240
2/9/2017	Jim River	6 T/O	4		24
2/8/2017	Chandalar	5 T/O	3	Weather shortend	15
2/7/2017	Jim River	10 T/O	4		40
2/6/2017	Livingood	8 T/O	4		32
2/6/2017	Fairbanks	7 Tech	4		28
2/6/2017	Fairbanks	18 Ops	2		36
2/5/2017	Fairbanks	12 Ops	3	Sunday	36
1/26/2017	Anchorage	8 Tech	4		32
1/25/2017	Anchorage	12 Tech	5		60
1/24/2017	Petersburg	3 Tech	3		9
1/23/2017	Petersburg	3 Tech	3	Night	9
9/2/2016	Fairbanks	9 Tech	4		36
9/1/2016	Tazlina		0	No Show	0
8/31/2016	Anchorage	10 Tech	4		40
8/30/2016	Soldotna	6 Tech	4		24
4/15/2016	Anchorage	3 Parts	2	BSI Parts	6
4/14/2016	Anchorage	30 Ops	3		90
4/14/2016	Anchorage	18 Tech	7		126
4/12/2016	Fairbanks	30 Ops	3		90
4/12/2016	Fairbanks	15 Tech	7		105
8/27/2015	Kenai	2 Tech	4		8
3/25/2015	Fairbanks	19 Ops	3		57
3/24/2015	Fairbanks	6 Tech	7		42
10/30/2014	Fairbanks	6 Tech	7		42
10/29/2014	Fairbanks	6 Tech	4		24
10/27/2014	Soldotna	3 Tech	7		21
10/27/2014	Soldotna	20 Ops	3		60
			300	178 TTL	1798 TTL MH

**City of Palmer  
Action Memorandum No. 20-079**

**Subject:** Accepting Board Member Richard Benedetto's Resignation from the Planning and Zoning Commission



**Agenda of:** November 10, 2020

**Council Action:**     **Approved**                       **Amended:** \_\_\_\_\_  
                                   **Defeated**




**Originator Information:**

**Originator:**    Mayor DeVries via City Manager's Office

**Department Review:**

Route to:	Department Director:	Signature:	Date:
✓	Community Development		November 3, 2020
✓	Finance		11/3/2020
_____	Fire	_____	_____
_____	Police	_____	_____
_____	Public Works	_____	_____

**Approved for Presentation By:**

	Signature:	Remarks:
City Manager		_____
City Attorney		_____
City Clerk		_____

**Certification of Funds:**


Total amount of funds listed in this legislation:    \$ **0.00**

This legislation (✓):

- Creates revenue in the amount of:                      \$ \_\_\_\_\_
- Creates expenditure in the amount of:                      \$ \_\_\_\_\_
- Creates a saving in the amount of:                      \$ \_\_\_\_\_
- Has no fiscal impact

Funds are (✓):

- Budgeted                      Line item(s): \_\_\_\_\_
- Not budgeted

Director of Finance Signature:    

**Attachment(s):**

- Email correspondence

**Summary Statement/Background:**

Palmer Charter Chapter II Section 2.9 requires the City Council to approve resignations by members of boards and commissions.

Richard Benedetto submitted his resignation on October 30, 2020, effective November 20, 2020.

The City Manager's Office will begin the advertising process to fill the vacancy created by the resignation, will forward applications to the Mayor for nomination, and then to the council for confirmation.

**A. CALL TO ORDER**

A special meeting of the Palmer City Council was held on October 12, 2020, at 6:00 p.m. in the Council Chambers, Palmer, Alaska. Mayor DeVries called the meeting to order at 6:00 p.m.

**B. ROLL CALL**

Comprising a quorum of the Council, the following were present:

Edna DeVries, Mayor	Linda Combs, Deputy Mayor
Julie Berberich	Sabrena Combs (participated by teleconference)
Richard W. Best (participated by teleconference)	Jill Valerius
Steve Carrington	

Staff in attendance were the following:

John Moosey, City Manager	Michael Gatti, City Attorney (participated by teleconference)
Norma I. Alley, MMC, City Clerk	Kara Johnson, Deputy City Clerk

**C. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was performed.

**D. APPROVAL OF AGENDA**

**Main Motion: To Approve the Agenda**

Moved by:	Valerius
Seconded by:	Berberich
Vote:	Unanimous
Action:	Motion Carried

**E. AUDIENCE PARTICIPATION**

Ms. Ailis Vann thanked all the candidates and wished all incoming and outgoing Council members well.

Mr. Eugene Carl Haberman testified on the public process, rights for the public to address policies, and city's election process.

City Clerk Alley read written testimony into the record (see official meeting packet for written testimony).

**F. ELECTION CERTIFICATION**

1. **Resolution No. 20-027:** Accepting the Certificate of Canvass Board Results and Certifying the October 6, 2020, Regular City Election

**Main Motion: To Approve Resolution No. 20-027**

Moved by:	S. Combs
Seconded by:	Valerius
Vote:	Unanimous
Action:	Motion Carried

## **G. COUNCIL MEMBER COMMENTS**

All welcomed incoming and expressed appreciation for the service of outgoing Council Members.

## **H. ADMINISTRATION OF NEWLEY ELECTED OFFICIAL'S OATH OF OFFICES**

City Clerk Alley administered the Oath of Office for Council Member Sabrena Combs and Council Member Brian Daniels. Sworn in members took their seats and constituted a quorum of the new Council.

## **I. ORGANIZATION OF COUNCIL**

### **1. Election of Deputy Mayor**

Mayor DeVries opened the floor for nominations for Deputy Mayor.

Council Member Valerius nominated Council Member S. Combs and Council Member Best nominated Council Member Carrington to serve as Deputy Mayor.

Hearing no further nominations, Mayor DeVries closed the nominations and called for a vote.

Council Member S. Combs received the greatest number of votes; therefore, she was elected to the office of Deputy Mayor.

### **2. Election of Alternate Deputy Mayor**

Mayor DeVries opened the floor for nominations for Alternate Deputy Mayor.

Council Member Best nominated Council Member Carrington and Council Member Valerius nominated Council Member Berberich to serve as Alternate Deputy Mayor.

Hearing no further nominations, Mayor DeVries closed the nominations and called for a vote.

Council Member Berberich received the greatest number of votes; therefore, she was elected to the office of Alternate Deputy Mayor.

## **J. RECORD OF ITEMS PLACED ON THE TABLE**

City Clerk Alley reported written testimony and Resolution No. 20-027 were the Items Placed on the Table.

## **K. COUNCIL MEMBER COMMENTS**

No direction given to staff for legislation to be placed on a future agenda.

## **L. ADJOURNMENT**

With no further business before the Council, the meeting adjourned at 6:44 p.m.

**Approved this \_\_\_\_ day of \_\_\_\_\_, 2020.**

\_\_\_\_\_  
Edna B. DeVries, Mayor

\_\_\_\_\_  
Norma I. Alley, MMC, City Clerk

## A. CALL TO ORDER

A regular meeting of the Palmer City Council was held on October 13, 2020, at 7:00 p.m. in the Council Chambers, Palmer, Alaska. Mayor DeVries called the meeting to order at 7:00 p.m.

## B. ROLL CALL

Comprising a quorum of the Council, the following were present:

Edna DeVries, Mayor  
Julie Berberich (participated telephonically)  
Richard W. Best (participated telephonically)  
Steve Carrington

Sabrena Combs, Deputy Mayor (participated telephonically)  
Brian Daniels  
Jill Valerius (participated telephonically)

Staff in attendance were the following:

John Moosey, City Manager  
Norma I. Alley, MMC, City Clerk

Michael Gatti, City Attorney (participated telephonically)  
Kara Johnson, Deputy City Clerk

## C. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was performed.

## D. APPROVAL OF AGENDA

1. Approval of Consent Agenda
  - a. Introduction and Setting a Public Hearing for October 27, 2020, for **Ordinance No. 20-013:** Amending the Palmer Municipal Code Chapter 17.24, R-2 Low Residential District, Chapter 17.26, R-3 Medium Density Multifamily Residential District, and Chapter 17.27, R-4 High Density Residential District
  - b. ~~**Action Memorandum No. 20-071:** Authorizing the City Manager to Negotiate and Enter into a Sole Source Contract with The Chariot Group, Inc. for the Purchase and Installation of the Audio Visual Recording and Voting Equipment at the Palmer City Council Chambers in an Amount Not to Exceed \$120,000.00 Using Governmental and Proprietary Procurements Section of Palmer Municipal Code 3.21.230~~
  - c. ~~**Action Memorandum No. 20-072:** Authorizing the City Manager to Negotiate and Execute a Three Year Contract with First National Bank Alaska to Provide Banking Services~~
  - d. ~~**Action Memorandum No. 20-073:** Amending Action Memorandum No. 20-065 Authorizing the City Manager to Purchase the Fire Department Fit Testing Unit Using Cares Act Funds~~
  - e. ~~**Action Memorandum No. 20-074:** Amending Action Memorandum No. 20-067 Authorizing the City Manager to Purchase the Fire Department Washers Using Cares Act Funds~~
2. Approval of Minutes of Previous Meetings
  - a. September 8, 2020, Special Meeting
  - b. September 8, 2020, Regular Meeting

### Main Motion: To Approve the Agenda, Consent Agenda, and Minutes

Moved by:	Valerius
Seconded by:	Combs

**Primary Amendment #1: To Move D.1.b, D.1.c, D.1.d, and D.1.e on the Consent Agenda to New Business I.3, I.4., I.5, and I.6**

Moved by:	Best
Seconded by:	Carrington
Vote:	Unanimous
Action:	Motion Carried

**Vote on Motion: To Approve the Agenda, Consent Agenda, and Minutes, as Amended**

Vote:	Unanimous
Action:	Motion Carried

**E. COMMUNICATION AND APPEARANCE REQUESTS**

1. Presentation from Palmer Museum of History and Art and Visitor Center Executive Director Sam Dinges

Mr. Sam Dinges, Palmer Museum of History and Art and Visitor Center Executive Director, reported on recent activity, future projects, and 2021 Budget.

**F. REPORTS**

1. City Manager’s Report

City Manager Moosey reported on the following:

- Second round of CARES Act grant applications;
- Council Strategic Planning Meeting;
- Monthly City Building Reports including Golf Course; and
- Boards and Commissions Appointments update.

2. City Clerk’s Report

City Clerk Alley reported on the City’s Election 2020 number’s and change in Alaska Municipal League Annual conference from in person to virtual.

3. Mayor’s Report

Mayor DeVries highlighted her written report.

4. City Attorney’s Report - None.

**G. AUDIENCE PARTICIPATION**

Ms. Ailis Vann, Palmer Chamber of Commerce Executive Director, provided an update on Chamber activities.

Mr. Stu Graham, Alaska Municipal League (AML) 1<sup>st</sup> Vice President, provided an update on AML activities.

Mr. Mike Chmielewski thanked Bruce Axtell for his years of service with Palmer Fire Department.

**H. PUBLIC HEARINGS**

1. **Ordinance No. 20-012:** Enacting Palmer Municipal Code Chapter 3.21 Suspension and Debarment of Public Contractors

Mayor DeVries opened the public hearing on Ordinance No. 20-012. Seeing no one come forward and hearing no objection from the Council, Mayor Devries closed the public hearing.



City Manager Moosey provided the staff report and fielded questions from Council.

**Main Motion: To Approve Ordinance No. 20-012**

Moved by:	Combs
Seconded by:	Berberich

**Primary Amendment #1: To Move "Notice of a debarment hearing shall be provided in writing at least seven calendar days before the hearing" From 3.21.360(A) to 3.21.400(A)(1);**

**Add "by the city manager" After the Word "Written" in the First Sentence in 3.21.380(A);**

**Replace "City Manager" with "City Clerk" in 3.21.380(B);**

**Remove "subsection (F) of the" and "and any regulations adopted by the city manager" and Add "3.21.400" After the Word "Section" In 3.21.380(B);**

**Replace "Hearing Officer" with "City Clerk" in 3.21.400(A)(1); and**

**Remove the Last Sentence in 3.21.400(C)**

Moved by:	Combs
Seconded by:	Carrington
Vote:	Unanimous
Action:	Motion Carried

**Vote on Motion: To Approve Ordinance No. 20-012, as Amended**

Vote:	Unanimous
Action:	Motion Carried

**Motion to Postpone: To Postpone to October 27, 2020, and Hold a Second Public Hearing**

Moved by:	Carrington
Seconded by:	Combs
Vote:	Unanimous
Action:	Motion Carried

**I. NEW BUSINESS**

1. **Action Memorandum No. 20-075:** Directing the City Manager to Notify the State of Alaska of the City Council's Statement of Non-Objection for Alaska State Fair, Inc Liquor License No. 39 of Adding an Outside Area to the Garden for Alcohol Consumption and Raven Hall for an Interior Alcohol Storage

**Main Motion: To Approve Action Memorandum No. 20-075**

Moved by:	S. Combs
Seconded by:	Berberich
Vote:	Unanimous
Action:	Motion Carried

2. **Action Memorandum No. 20-076:** Approval of a City Council Member to Serve on the Alaska

**Main Motion: To Approve Action Memorandum No. 20-076 Supporting Deputy Mayor Combs to Run for Treasurer and Council Member Richard W. Best to Run for Director 4 Seat, if Houston or Wasilla Do Not Put a Candidate Forward**

Moved by:	Valerius
Seconded by:	Combs
Vote:	Unanimous
Action:	Motion Carried

- Action Memorandum No. 20-071:** Authorizing the City Manager to Negotiate and Enter into a Sole Source Contract with The Chariot Group, Inc. for the Purchase and Installation of the Audio-Visual Recording and Voting Equipment at the Palmer City Council Chambers in an Amount Not to Exceed \$120,000.00 Using Governmental and Proprietary Procurements Section of Palmer Municipal Code 3.21.230

*Action Memorandum No. 20-071 was moved from the Consent Agenda to New Business.*

City Manager Moosey provided the staff report and fielded questions from Council.

**Main Motion: To Approve Action Memorandum No. 20-071**

Moved by:	Carrington
Seconded by:	Combs

**Primary Amendment #1: Specifying the Use of Cares Act Funds**

Moved by:	Best
Seconded by:	Berberich
Vote:	Unanimous
Action:	Motion Carried

**Vote on Motion: To Approve Action Memorandum No. 20-071, as Amended**

Vote:	Unanimous
Action:	Motion Carried

- Action Memorandum No. 20-072:** Authorizing the City Manager to Negotiate and Execute a Three-Year Contract with First National Bank Alaska to Provide Banking Services

*Action Memorandum No. 20-072 was moved from the Consent Agenda to New Business.*

City Manager Moosey provided the staff report and fielded questions from Council.

**Main Motion: To Approve Action Memorandum No. 20-072**

Moved by:	Combs
Seconded by:	Valerius
Vote:	Unanimous
Action:	Motion Carried

- Action Memorandum No. 20-073:** Amending Action Memorandum No. 20-065 Authorizing the City Manager to Purchase the Fire Department Fit Testing Unit Using Cares Act Funds

*Action Memorandum No. 20-073 was moved from the Consent Agenda to New Business.*

**Main Motion: To Approve Action Memorandum No. 20-073**

Moved by:	Valerius
Seconded by:	Combs
Vote:	Unanimous
Action:	Motion Carried

6. **Action Memorandum No. 20-074:** Amending Action Memorandum No. 20-067 Authorizing the City Manager to Purchase the Fire Department Washers Using Cares Act Funds

*Action Memorandum No. 20-074 was moved from the Consent Agenda to New Business.*

City Manager Moosey provided the staff report and fielded questions from Council.

**Main Motion: To Approve Action Memorandum No. 20-074**

Moved by:	Valerius
Seconded by:	Combs
Vote:	Unanimous
Action:	Motion Carried

**J. RECORD OF ITEMS PLACED ON THE TABLE**

City Clerk Alley reported there were no Items Placed on the Table.

**K. AUDIENCE PARTICIPATION**

Mr. Mike Chmielewski testified on the new sound system in Chambers positively impacting the community.

**L. COUNCIL MEMBER COMMENTS**

No direction given to staff for legislation to be placed on a future agenda.

**M. ADJOURNMENT**

With no further business before the Council, the meeting adjourned at 9:13 p.m.

**Approved this \_\_\_\_ day of \_\_\_\_\_, 2020.**

\_\_\_\_\_  
Norma I. Alley, MMC, City Clerk

\_\_\_\_\_  
Edna B. DeVries, Mayor



Since 2010 Rodeo Alaska has continued to host the famous **Northernmost Rodeo in America...** Since 2010 our Rodeo Alaska Junior Rodeo program is one of the fastest growing youth equestrian/rodeo sports in Alaska and continuing to give Alaskan youths the opportunity to compete on the Nation's highest level.

It is the Mission of Rodeo Alaska to bring to this great community of Palmer Alaska and beyond, an event that has NEVER taken place here in the Last Frontier. The Professional Rodeo Cowboy Association (PRCA) and Rodeo Alaska are working hard to bring Alaska this historical professional event.

**Planned dates for this event include:**

- The Alaska State Fairgrounds will host this 4-day structured event including a kick off welcome reception dinner/fundraiser and guest speaker held on Thursday evening May 27<sup>th</sup>.
- Rodeo Alaska Memorial Day weekend rodeo will kick-off on Friday evening May 28<sup>th</sup>.
- The Professional Rodeo Cowboy Association (PRCA) Xtreme Bulls and Live entertainment Saturday May 29<sup>th</sup>.
- Rodeo Alaska Championship Sunday will conclude and crown our rodeo weekend Champions May 29<sup>th</sup>.

**Planned structure for this event include:**

- Inviting the top professional rodeo contestants in the world to have an **opportunity of a life time** to compete in a historical event and to witness the beauty of our great state of Alaska!
- Provide discount travel vouchers to contestants and spectators from across our country to allow them the opportunity to witness this historical event.
- Provide our Alaskan community a Family Fun Grassroot event filled with powerful positive energy!
- Give our Alaskan spectators the opportunity to camp on a safe premise and enjoy a fun filled weekend in Palmer.
- Provide opportunity to support our local businesses to provide services to thousands of people and their families that will be here to celebrate this historical event.
- Provide a marketing strategy that will encompass the entire country including a break-out announcement at the National Finals Rodeo in Ft. Worth Texas.

Rodeo Alaska without Question believes that The City of Palmer deserves this historical opportunity simply because of its **History**. Palmer through its amazing history and agricultural community show documented rodeo style events took place here as far back as the mid-late 1930's.

With Large planned events comes with large costs of expenses. We are kindly asking for the City of Palmer to help with funding support and make this historical event successful for our Alaskan community and our businesses.

**Your Funding Partnership Support will help with costs including:**

- Rental usage for the fairgrounds, operational supplies that is not inclusive with facility rental.
- Advertising expenses including TV, Radio, Newspaper and other print.
- Onsite-Traffic Control and EMT presence.
- Other major set up operating costs for the event.

***(approx. needs for above support \$15,000)***

We need the City of Palmers support to make this successful. With your generous partnership consideration Rodeo Alaska will/would be honored to have The City of Palmer Alaska the Presenting Title Partner of this Historical event. Please feel free to ask questions if you'd like?

Thank you again for giving me the opportunity to present this opportunity to all of you representing The City of Palmer.

God Bless you all,

Frank Koloski

Rodeo Alaska

*Hey... Palmer Alaska*

*Lets Make*

**HISTORY**

*Together !!*

**MAY**

**27<sup>th</sup> - 30<sup>th</sup>**

**2021**

*at  
The Alaska State Fairgrounds Palmer AK*



# Lets Make History Together...

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*ain't NO FEAR in the Last Frontier !!*



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- Other major set up operating costs for the event.  
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Thank you again for giving me the opportunity to present this opportunity to all of you representing The City of Palmer.

God Bless you all,

Frank Koloski

Rodeo Alaska

Contact: Rodeo Alaska at [rodeoalaska@gmail.com](mailto:rodeoalaska@gmail.com) or feel free call us at 907-748-7336





**Mayor's Memo**  
**Council Meeting report for council Meeting**  
**on November 10, 2020**

**Events**

**Basic Needs – zoom meeting – November 5, December 3**

**Agenda setting – November 11**

**9-1-1 Task force meeting – November 12, November 17 – report due by December 1 to Governor.**

**Alaska Municipal League Mayor's meeting – November 12 and 13**

**Mayor/Manger's meeting – November 18**

**We want and value your input and participation.**

*Edna DeVries Mayor*

*u/t 907-355-9933*

**[edevries@palmerak.org](mailto:edevries@palmerak.org)**



**City of Palmer  
Ordinance No. 20-014**

**Subject:** Amending Palmer Municipal Code Section 18.27.020 Voting Methods Relating to Absentee Voting – By Mail

**Agenda of:** October 27, 2020 - Introduction

**Council Action:**     **Adopted**                       **Amended:** \_\_\_\_\_  
                                   **Defeated**




**Originator Information:**

**Originator:**    City Clerk

**Department Review:**

Route to:	Department Director:	Signature:	Date:
_____	Community Development	_____	_____
_____	Finance	_____	_____
_____	Fire	_____	_____
_____	Police	_____	_____
_____	Public Works	_____	_____

**Approved for Presentation By:**

	Signature:	Remarks:
City Manager		_____
City Attorney		_____
City Clerk		_____

**Certification of Funds:**


Total amount of funds listed in this legislation:    \$ 0.00

This legislation (√):

- Creates revenue in the amount of:                      \$ \_\_\_\_\_
- Creates expenditure in the amount of:                      \$ \_\_\_\_\_
- Creates a saving in the amount of:                      \$ \_\_\_\_\_
- Has no fiscal impact

Funds are (√):

- Budgeted                      Line item(s): \_\_\_\_\_
- Not budgeted

Director of Finance Signature: 

**Attachment(s):**

- Ordinance No. 20-014

**Summary Statement/Background:**

After the 2020 elections, there are a few code amendments identified which would support voter ease in the absentee by mail process. This ordinance authorizes those amendments.

**Administration's Recommendation:**

Adopt Ordinance No. 20-014

**LEGISLATIVE HISTORY**

Introduced by: City Clerk Alley  
Date: October 27, 2020  
Public Hearing:  
Action:  
Vote:

Yes:	No:

CITY OF PALMER, ALASKA

**Ordinance No. 20-014**

**An Ordinance of the Palmer City Council Amending Palmer Municipal Code Section 18.27.020 Voting Methods Relating to Absentee Voting – By Mail**

WHEREAS, the City of Palmer, Alaska (“City”) is a home rule city and, under Section 11 of Article X of the Alaska Constitution, may exercise all legislative power not prohibited by law or the Charter of the City, and the City has determined that the matter set forth in this ordinance is not prohibited by law or the Charter; and

WHEREAS, there is a need to provide clarification and better timeliness in the absentee by mail process for ease of voting for the electorate.

THE CITY OF PALMER, ALASKA, ORDAINS:

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

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

Section 3. Palmer Municipal Code 18.27.020 is hereby amended to read as follows (new language is underlined and deleted language is stricken):

**18.27.020 Absentee voting – By mail.**

A. A registered voter may apply to the clerk for an absentee by mail ballot ~~to be mailed to the voter not~~ earlier than the first of the year in which the election is to be held; and no later than 4:00 p.m. Alaska Standard Time ~~nor less than seven~~ 11 calendar days before an election. ~~A request may be made by facsimile.~~

B. All applications for an absentee by mail ballot shall be in writing ~~either~~ on a form provided by the clerk’s office ~~or in a letter~~ containing the following information:

1. The applicant’s first and last name;
- ~~2.~~ 1. The applicant’s place of residence;
- ~~3.~~ 2. The address the applicant desires the absentee by mail ballot to be mailed;

~~2.3.~~The applicant's signature; and

~~3.4.~~A voter identifier such as voter number, a Social Security number, or date of birth.

C. Once ballots are in the clerk's possession and ready for distribution ~~and upon timely receipt of an application for absentee by mail ballot,~~ the clerk shall mail an official ballot, and other absentee by mail voting material, to the applicant, at the mailing address given on the application. A return envelope, marked with the words "official election mailballot," shall be included with the voting materials and addressed to the clerk.

D. At any time on or before the day of the election, any voter receiving an absentee by mail ballot may vote the ballot. The voted ballot ~~shall then~~ should be placed in the secrecy sleeve, which is then placed in the return envelope, ~~and the~~ voter shall sign the certification on the return envelope ~~and have it witnessed in the presence of one of the following authorized officials such as in the presence of either of the following, who shall attest to the voter's signature by signing the certification:~~

1. A notary public, ~~U.S. postmaster or authorized postal clerk,~~ commissioned military officer, judge, justice, magistrate, clerk of the court, a duly appointed voter registrar, or election official as defined in PMC 18.05.010; or
2. One witness who is at least 18 years of age ~~may witness the voter's signature if an authorized official is not reasonably accessible.~~

E. After witnessing the absentee by mail voter's signature, ~~the official or witness shall return the voted ballot to the voter who shall mail or otherwise deliver the ballot to an election official or the clerk. The voted absentee ballot shall be received by mail as defined in PMC 18.35.080 or returned to an election official no later than 8:00 p.m. on election day. A precinct~~ Election officials shall deliver ~~the voted~~ absentee by mail ballots to the clerk. The clerk shall deliver ~~the voted~~ absentee by mail ballots to the canvass board for canvassing.

F. Prior to the election, the clerk shall give to the election officials ~~board~~ a list of voters from the city who have been issued absentee by mail ballots.

G. If a voter who was issued an absentee by mail ballot returns to the voter's precinct on election day, the voter may not vote a regular ballot at the polling place unless the voter first surrenders ~~to the election board the absentee by mail ballot, ballot envelope and return envelope issued to the voter. If the absentee by mail voter does not have the absentee by mail ballot to surrender,~~ the voter may vote a questioned ballot. Surrendered absentee by mail ballots, ballot envelopes and return envelopes collected by the election official ~~board~~ shall be returned to the clerk.

Section 4. Effective Date. Ordinance No. 20-014 shall take effect upon adoption by the City of Palmer City Council.

**Passed and approved** this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Edna B. DeVries, Mayor

\_\_\_\_\_  
Norma I. Alley, MMC, City Clerk



**City of Palmer  
Resolution No. 20-028**

**Subject:** Authorizing the City Manager to Apply for Both a Loan and Grant from the United States of America, Acting Through the Department of Agriculture, Rural Utility Service, to Finance Improvements to the City's Wastewater Treatment Plant in an Aggregate Amount Not to Exceed \$8,000,000.00


**Agenda of:** November 10, 2020

**Council Action:**     **Approved**                       **Amended:** \_\_\_\_\_  
                                   **Defeated**




**Originator Information:**

**Originator:**    Chris Nall, Director of Public Works

**Department Review:**

Route to:	Department Director:	Signature:	Date:
_____	Community Development	_____	_____
_____	Finance	_____	_____
_____	Fire	_____	_____
_____	Police	_____	_____
X	Public Works		10/20/2020

**Approved for Presentation By:**

	Signature:	Remarks:
City Manager		_____
City Attorney		_____
City Clerk		_____

**Certification of Funds:**


Total amount of funds listed in this legislation:    \$ **Not to Exceed \$8,000,000.00**

This legislation (√):

- Creates revenue in the amount of:                      \$ \_\_\_\_\_
- Creates expenditure in the amount of:                      \$ Loan/grant amounts are unknown until after application approval from USDA
- Creates a saving in the amount of:                      \$ \_\_\_\_\_
- Has no fiscal impact

Funds are (√):

- Budgeted                      Line item(s):    \$8,000,000.00 bond approved on Oct 6, 2020
- Not budgeted

Director of Finance Signature:    

**Attachment(s):**

- Resolution No. 20-028

**Summary Statement/Background:**

In accordance with the City of Palmer's Federal Consent Decree (Civil Action No: 3:16-cv-00204-TMB), the City is required to install and operate two Secondary Clarifiers units at the Palmer Wastewater Treatment Plant (Phase II Wastewater Treatment Plant Improvements).

The United States Department of Agriculture, Rural Utilities Service, administers both loan and grant funding (USDA Funding Program), which may serve as an effective means to acquire funding for the Wastewater Treatment Plant.

The USDA Funding Program was previously used to acquire funding for Phase I of Wastewater Treatment Plant Improvements. The USDA Funding Program allowed the City to access low cost funding through a deliberate process.

Submitting an application under the USDA Funding Program does not obligate the City to accept funds.

**Administration's Recommendation:**

Approve Resolution No. 20-028 authorizing the City Manager to apply for both loan and grant funding under and pursuant to the USDA Funding Program to finance Phase II Wastewater Treatment Plant Improvements.

**LEGISLATIVE HISTORY**

Introduced by: City Manager Moosey

Date: November 10, 2020

Action:

Vote:

Yes:

No:

--	--

CITY OF PALMER, ALASKA

**Resolution No. 20-028**

**A Resolution of the Palmer City Council Authorizing the City Manager to Apply for Both a Loan and Grant from the United States of America, Acting Through the Department of Agriculture, Rural Utility Service, to Finance Improvements to the City's Wastewater Treatment Plant in an Aggregate Amount Not to Exceed \$8,000,000.00**

WHEREAS, the city of Palmer's Wastewater Treatment Plant requires necessary improvements and upgrades; and

WHEREAS, the United States Department of Agriculture, Rural Utilities Service, administers both loan and grant funding (USDA Funding Program), which may serve as an effective means to acquire low cost funding for the Wastewater Treatment Plant improvements and upgrades.

NOW, THEREFORE, BE IT RESOLVED that the Palmer City Council hereby authorizes the City Manager to apply for both loan and grant funding under ad pursuant to the USDA Funding Program, in an aggregate principal amount of not to exceed \$8,000,000.00, to finance improvements and upgrades to the City's Wastewater Treatment Plant

**Approved** by the Palmer City Council this \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Edna B. DeVries, Mayor

\_\_\_\_\_  
Norma I. Alley, MMC, City Clerk



**City of Palmer  
Resolution No. 20-029**

**Subject:** Authorizing the Sale of 12.65 Acre Parcel of Land Located at 2390 S. Glenn Highway to Alaska Frontier Fabrication, LLC, in the Amount of \$408,300.00 in Accordance with Palmer Municipal Code Section 3.20.080(M)


**Agenda of:** November 10, 2020

**Council Action:**     **Approved**                       **Amended:** \_\_\_\_\_  
                                   **Defeated**


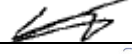

**Originator Information:**

**Originator:**    Brad Hanson, Community Development Director

**Department Review:**

<b>Route to:</b>	<b>Department Director:</b>	<b>Signature:</b>	<b>Date:</b>
<u>X</u>	Community Development		<u>10/22/2020</u>
_____	Finance	_____	_____
_____	Fire	_____	_____
_____	Police	_____	_____
_____	Public Works	_____	_____

**Approved for Presentation By:**

	<b>Signature:</b>	<b>Remarks:</b>
City Manager		_____
City Attorney		_____
City Clerk		_____

**Certification of Funds:**


Total amount of funds listed in this legislation:    \$ **408,300.00**

This legislation (√):

<input checked="" type="checkbox"/>	Creates revenue in the amount of:	\$ <u>408,300.00</u>
<input type="checkbox"/>	Creates expenditure in the amount of:	\$ _____
<input type="checkbox"/>	Creates a saving in the amount of:	\$ _____
<input type="checkbox"/>	Has no fiscal impact	

Funds are (√):

<input type="checkbox"/>	Budgeted	Line item(s): _____
<input checked="" type="checkbox"/>	Not budgeted	<u>04-00-00-3661</u>

Director of Finance Signature: 

**Attachment(s):**

- Resolution No. 20-029
- 2017 Appraisal by Bethard & Carlson LLC
- Matanuska-Susitna Borough Real Property Detail
- Purchase and Sale Agreement

**Summary Statement/Background:**

The City Manager was directed to explore selling the property located at 2390 S. Glenn Highway known as the Church Property. The City of Palmer owns the property after a series of land exchanges with Wilder Construction and Granite Construction (Granite).

The property was originally deeded to the City as a donation for a future public purpose. That property was located at Mile 38.5 of the Glenn Highway. The property was approximately 5.56 acres of unimproved vacant land and was a portion of Section 18, Township 17 North, Range 2 East Seward Meridian and bordered a 107-acre tract owned by Wilder Construction d/b/a Central Paving Products (CPP). At the City Council meeting of July 11, 2006, the City Manager was authorized to negotiate a land exchange and development agreement with CPP. The agreement required CPP to pay the City \$0.60 per cubic yard of material excavated from the site. On October 3, 2006, the City received a royalty payment of \$152,298.60. In addition, the City received a parcel of property in 2006 that was 5.56 acres to match the size of the original donated property.

In 2009 during discussion with the City, Alaska Department of Transportation and Public Facilities (DOT&PF) and the Matanuska Susitna Borough platting it was agreed there would be significant access impacts when expansion of the Glenn Highway occurred to the City's new property. In 2010 negotiations began to trade the newly acquired property with the Church Property. On May 1, 2012, a Real Estate Exchange Agreement and Escrow instructions were executed to receive the Church Property. Included in the agreement was the requirement for Granite Construction Company (who purchased Wilder Construction) to install public utilities to the Church Property. On September 26, 2017, the City settled with Granite for \$150,000 releasing them from the performance obligation for installation of public utilities.

On May 23, 2017, City Council approved the sale of right-of-way to DOT&PF for the expansion of the Glenn Highway for \$64,600.00.

A determination was made to sell the property on a fair market value basis, Palmer Municipal Code (PMC) 3.20.080(M), rather than a PMC 3.20.080(K) public sale. With the DOT&PF acquisition in 2017 an appraisal was performed by Black-Smith, Bethard & Carlson LLC. The value of the parcel after the DOT&PF acquisition of necessary right-of-way was determined to be \$408,300.00. Borough assessment places a value in 2020 of \$335,200.00. The City had Valley Appraisal perform an appraisal in 2016. The appraised value of the property was determined to be \$375,000.00. Prospective buyers were told the price was a minimum of \$408,300.00. If buyers considered this appraisal too high they, at their expense, could commission a new appraisal. On October 20, 2020, the city received an offer and earnest money from Alaska Frontier Fabricators, LLC, for \$408,300.00.

This legislation authorizes the sale under the authority of the PMC 3.20.080(C).

**Administration's Recommendation:**

Approve Resolution No. 20-029 for the sale of property located at 2390 S. Glenn Highway.

**LEGISLATIVE HISTORY**

Introduced by: City Manager Moosey

Date: November 20, 2020

Action:

Vote:

Yes:

No:

--	--

CITY OF PALMER, ALASKA

**Resolution No. 20-029**

**A Resolution of the Palmer City Council Authorizing the Sale of 12.65 Acre Parcel of Land Located at 2390 S. Glenn Highway to Alaska Frontier Fabrication, LLC, in the Amount of \$408,300.00 in Accordance with Palmer Municipal Code Section 3.20.080(M)**

WHEREAS, In April 2012, the city of Palmer received ownership of land located at 2930 S. Glenn Highway, described as Lot D2, Section 18, Township 17 North, Range 2 East, Seward Meridian, located in the Palmer Recording District, Third Judicial District, State of Alaska; and

WHEREAS, Palmer Municipal Code 3.20.080(C) allows the city to sell or dispose of any real property, including property held for public use, when in the judgement of the City Council it is no longer required for municipal purpose; and

WHEREAS, Palmer Municipal Code 3.20.080(M) real property shall be sold for not less than fair market value. Where fair market value means the price determined in terms of money at which real property is appraised by a qualified appraiser or the value assessed by the borough tax assessor; and

WHEREAS, in 2017, an appraisal was performed with the expansion of the Glenn Highway by Black-Smith, Bethard & Carlson for \$408,300.00; and

WHEREAS, Alaska Frontier Fabrication, LLC, has submitted a signed purchase agreement offer of \$408,300.00.

NOW, THEREFORE, BE IT RESOLVED by the Palmer City Council hereby authorizes the sale of property located at 2390 S. Glenn Highway to Alaska Frontier Fabrication, LLC, in accordance with Palmer Municipal Code 3.20.080(M) in the amount of \$408,300.00.

**Approved** by the Palmer City Council this \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Edna B. DeVries, Mayor

\_\_\_\_\_  
Norma I. Alley, MMC, City Clerk

Appraisers  
1199 E. Dimond Blvd. Ste. 200  
Anchorage, Alaska 99515  
Phone: 907-274-4654  
Fax: 907-274-0889  
E-mail: bsr@ak.net

# BLACK-SMITH, BETHARD & CARLSON, LLC

March 30, 2017

Client: State of Alaska Department of Transportation and Public Facilities  
Statewide Design & Engineering Division  
Central Region - Right of Way Section  
4111 Aviation Avenue  
Anchorage, Alaska 99519-6900

Attention: Ms. Lorraine Kastner, Acquisitions Supervisor

Re: Glenn Highway Reconstruction Project; MP 34-42; Parks Highway to Old  
Glenn Highway  
Project Number: 58104/NH-0A1-5(24)  
Parcel Number: 74, TCP 74  
TCE Number: N/A  
Property Owner: City of Palmer  
Property Location: 2390 S. Glenn Highway, in Palmer, Alaska  
Legal Description: Lot D2, Section 18, T17N, R2E, S.M., AK<sup>1</sup>  
Tax ID #: 17N02E18D002

Dear Ms. Kastner:

The attached *appraisal report* summarizes our appraisal of the proposed acquisition as of February 9, 2017 at:

**\$64,600**

The value opinion is stated in terms of cash and is qualified by certain definitions, assumptions, limiting conditions and certifications.

The appraisal and report are intended to comply with the requirements of the *Uniform Standards of Professional Appraisal Practice* (USPAP), the Uniform Appraisal Standards for Federal Land Acquisitions (UASFLA), and the procedures and guidelines of the Alaska Right-of-Way Manual.<sup>2</sup>

Sincerely,  
BLACK-SMITH, BETHARD & CARLSON, LLC



Steve Carlson, MAI  
General Real Estate Appraiser (Cert. #231)

March 30, 2017

Date

<sup>1</sup> The parcel is identified by a lengthy aliquot parts description found in the Title Report. The MSB assessor recognizes an abbreviated description: Lot D2, Section 18, T17N, R2E, S.M., AK

<sup>2</sup> State of Alaska Department of Transportation and Public Facilities



**NARRATIVE APPRAISAL SUMMARY**

**PROJECT INFORMATION**

PROJECT NAME:	Glenn Highway Reconstruction Project; MP 34-42; Parks Highway to Old Glenn Highway
STATE PROJECT #:	58104
FEDERAL-AID PROJECT #:	NH-0A1-5(24)
PARCEL #:	74, TCP 74
TCE #:	N/A

**OWNER INFORMATION**

OWNER:	City of Palmer
ADDRESS:	645 E. Cope Industrial Way, Palmer, Alaska 99645-6748
TELEPHONE NUMBER:	907-761-1304 (Nathan Wallace, City Manager, City of Palmer)
PARCEL LOCATION:	2390 S. Glenn Highway, Palmer, Alaska
LEGAL DESCRIPTION:	Lot D2, Section 18, T17N, R2E, S.M., AK <sup>3</sup>
ZONING:	Un-zoned
CURRENT USE:	Under-Improved Mixed-Use Parcel
HIGHEST AND BEST USE:	Mixed-use development; could include residential & comm-indus elements Removal in favor of mixed-use development
As Vacant	
As Improved	
RIGHTS APPRAISED:	Fee Simple
INSPECTION DATE:	February 9, 2017
DATE OF VALUE:	February 9, 2017

**Note:** The area shown on the Project Parcel Plat (14.368 AC<sup>4</sup>) includes submerged land. For the purpose of measuring compensation, I recognize an allocation to the uplands as the larger parcel.

<u>Larger Parcel Reconstruction and Allocation</u>	<u>AC</u>	<u>SF</u>
Gross Area Per Parcel Plat	14.368	±625,870
<u>Less: allocation to submerged land</u>	<u>±31%</u> (4.500)	<u>(±196,020)</u>
<b>Allocation to Larger Parcel (uplands)</b>	9.868	±429,850
<u>Less: Net Take</u>	<u>(1.347)</u>	<u>(±58,675)</u>
Remainder (uplands)	8.521	±371,175

**PARCEL DESCRIPTION SUMMARY**

PARCEL AREA:	Gross: 429,850 SF (9.868 AC) Net: 429,850 SF (9.868 AC)	EASEMENT ACQUIRED:	0 SF (0.00 AC)
AREA OF ACQUISITION:	Gross: 58,675 SF (1.347 AC) Net: 58,675 SF (1.347 AC)	PERMIT ACQUIRED:	0 SF (0.00 AC)
REMAINDER:	371,175 SF (8.521 AC)		
AREA OF LARGER PARCEL SUBJECT TO PLO OR SECTION LINE EASEMENT:			0 SF (0.00 AC)

<sup>3</sup> The parcel is identified by a lengthy aliquot parts description found in the Title Report. The MSB assessor recognizes an abbreviated description: Lot D2, Section 18, T17N, R2E, S.M., AK

<sup>4</sup> The MSB assessor reports size of 14.00 AC (609,840 SF); slightly less than shown in the project plans. I relied on the project materials provided.

**ACQUISITION SUMMARY**

1. MARKET VALUE BEFORE ACQUISITION:	See Note 1	LAND	\$472,900		
	See Note 2	IMPROVEMENTS	\$0	=	\$472,900
2. LESS ACQUISITION VALUE AS PART OF THE WHOLE:		LAND	\$64,600		
		IMPROVEMENTS	\$0	-	\$64,600
3. REMAINDER VALUE AS PART OF THE WHOLE:				=	\$408,300
4. ESTIMATED MARKET VALUE OF REMAINDER:		LAND	\$408,300		
		IMPROVEMENTS	N/A		\$408,300
5. DAMAGES (if any)			\$0		
6. LESS SPECIAL BENEFITS (if any)			\$0	*	\$0
7. ACQUISITION VALUE as PART of the WHOLE				+	\$64,600
8. NET DAMAGES				+	\$0
9. COST-to-CURE				+	\$0
10. PERMITS:				+	\$0
11. EASEMENTS:				+	\$0
12. PLO OR SECTION LINE EASEMENTS:				+	\$0
13. OTHER: Temporary Construction Easements (TCEs)				+	\$0
14. MARKET VALUE OF ACQUISITION: See Note 1				=	\$64,600

1. The indicated value of the whole (and the value of the acquisition) reflects the fee value – unallocated for rights previously reserved or conveyed, if any (e.g. subsurface rights, utility easements, leaseholds, etc.).
2. The existing improvements are not affected by the acquisition; there are no incurable damages to the remainder. Given these conditions, their contribution (if any) is not essential to the measure of compensation. For the purpose of the analysis, the value of the whole is recognized as the land value plus the contribution of site improvements in the acquisition area that can't be relocated, if any.

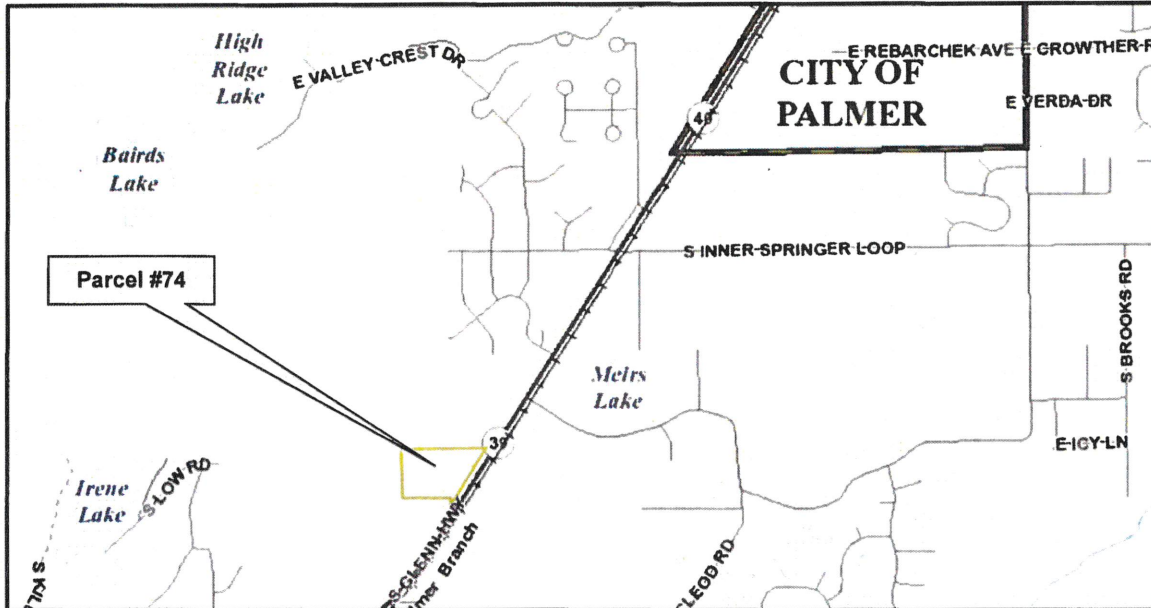
Date: March 30, 2017

Prepared By: Steve Carlson, MAI

**IDENTIFICATION OF THE PROPERTY**

**LOCATION**

The property is located at 2390 S. Glenn Highway in Palmer, Alaska (±MP 38.9).



**LEGAL DESCRIPTION**

Lot D2, Section 18, T17N, R2E, S.M., AK<sup>7</sup>

**MOA TAX ID #**

17N02E18D002

**OWNERSHIP**

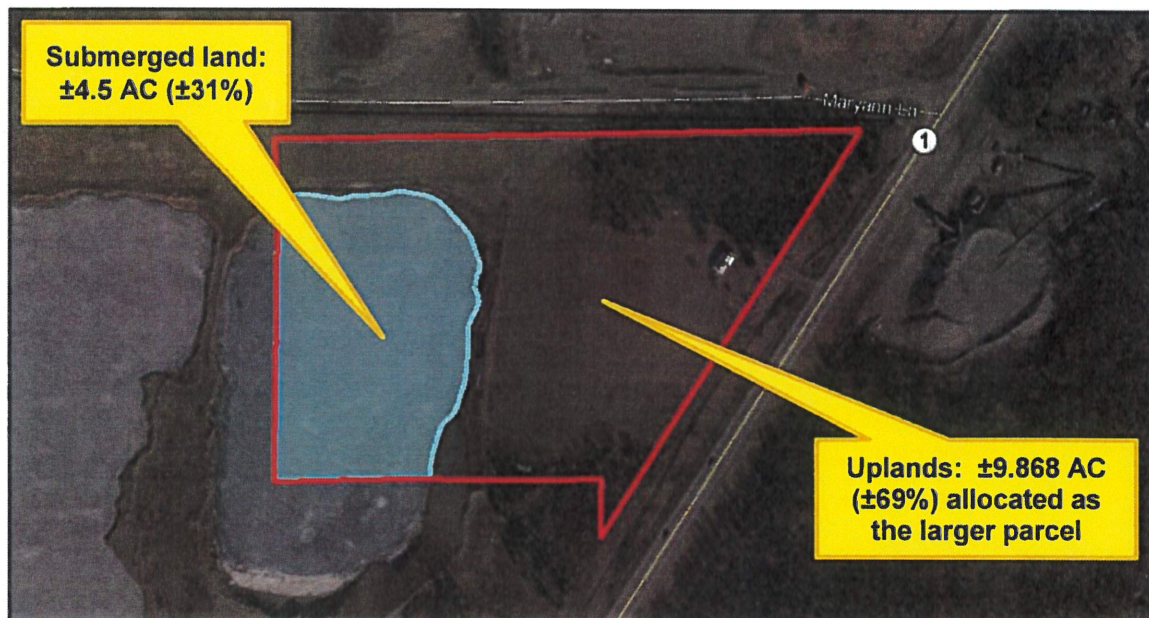
City of Palmer  
645 E. Cope Industrial Way  
Palmer, Alaska 99645-6748

907-761-1304 (Nathan Wallace, City Manager, City of Palmer)

<sup>7</sup> The parcel is identified by a lengthy aliquot parts description found in the Title Report. The MSB assessor recognizes an abbreviated description: Lot D2, Section 18, T17N, R2E, S.M., AK

**Utilities:** The site is served by electricity, a drilled well and septic system. Gas is on site. Public water and sewer mains extending south from Palmer are across the highway.

**Topography:** Approximately 4.5 acres are submerged by a gravel-pit pond.<sup>13</sup> The uplands allocated as the larger parcel include a steep shoreline bluff but most of it is cleared and leveled at/near highway grade.



**Soils / Wetlands:** The soils appear to be suitable for improved uses including on-site well and septic systems. The subject is located outside classified wetlands. (Source: Google Earth image overlay).

**Flood Plain:** The subject site is outside the Matanuska River flood zone depicted on the MSB interactive parcel viewer.

**Seismic:** Most of south-central Alaska is classified in “seismic zone 4”. Permitting agencies typically recognize this zone in its application of the uniform building code.

**Easements/ Encumbrances:** Title report notes a 15’ MEA easement along the west Highway ROW boundary.

A blanket easement in favor of Matanuska Telephone Association (MEA) is typical for the area.

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<sup>13</sup> Google Earth Pro reconstruction



# MATANUSKA-SUSITNA BOROUGH

## Real Property Detail for Account: 17N02E18D002

### Site Information

Account Number	17N02E18D002	Subdivision	
Parcel ID	84393	City	None
TRS	S17N02E18	Map PA12	
Abbreviated Description (Not for Conveyance)	TOWNSHIP 17N RANGE 2E SECTION 18 LOT D2		Tax Map

Site Address 2390 S GLENN HWY

### Ownership

Owners	PALMER CITY OF	Buyers	
Primary Owner's Address	645 E COPE INDUSTRIAL WAY PALMER AK 99645-6748	Primary Buyer's Address	

### Appraisal Information

Appraisal				Assessment			
Year	Land Appraised	Bldg. Appraised	Total Appraised	Year	Land Assessed	Bldg. Assessed	Total Assessed <sup>1</sup>
2020	\$330,600.00	\$4,600.00	\$335,200.00	2020	\$0.00	\$0.00	\$0.00
2019	\$330,600.00	\$5,700.00	\$336,300.00	2019	\$0.00	\$0.00	\$0.00
2018	\$330,600.00	\$3,900.00	\$334,500.00	2018	\$0.00	\$0.00	\$0.00

### Building Information

Structure 1 of 1

Residential Units	1	Use	Residential Building
Condition	Sub-Standard	Design	One Story
Basement	Full	Construction Type	Frame
Year Built		Grade	03.6
Foundation	Poured Concrete	Building Appraisal	\$45900
Well	Well 1 - Drilled Well	Septic	Septic - 1 - Septic Tank

### Building Item Details

Building Number	Description	Area	Percent Complete
1	Fireplace Heatilator - 8N		100%
1	Unfinished Basement - 2A	810 Sq. Ft.	100%
1	Fin. Basement Living - 2C	300 Sq. Ft.	100%
1	First Story	852 Sq. Ft.	100%
1	Oil Heat	1 Sq. Ft.	100%

### Tax/Billing Information

Year	Certified	Zone	Mill	Tax Billed
2020	Yes	0003	13.293	\$0.00
2019	Yes	0003	13.419	\$0.00
2018	Yes	0003	13.339	\$0.00

### Recorded Documents

Date	Type	Recording Info (offsite link to DNR)
8/2/2012	WARRANTY DEED (ALL TYPES)	<a href="#">Palmer 2012-016338-0</a>
8/29/2008	WARRANTY DEED (ALL TYPES)	<a href="#">Palmer 2008-019455-0</a>
6/27/2003	QUITCLAIM DEED (ALL TYPE)	<a href="#">Palmer 2003-017548-0</a>

### Tax Account Status <sup>2</sup>

Status	Tax Balance	Farm	Disabled Veteran	Senior	Total	LID Exists
Current	\$0.00		\$0.00	\$0.00	\$0.00	\$0.00No

### Land and Miscellaneous

Gross Acreage	Taxable Acreage	Assembly District	Precinct	Fire Service Area	Road Service Area
12.65	12.65	Assembly District 002	<a href="#">11-065</a>	132 Greater Palmer Consol	016 South Colony RSA

<sup>1</sup> Total Assessed is net of exemptions and deferrals, rest, penalties, and other charges posted after Last Update Date are not reflected in balances.

Last Updated: 9/11/2020 12:00:10 AM

<sup>2</sup> If account is in foreclosure, payment must be in certified funds.



# Matanuska-Susitna Borough



## Legend

- + Alaska Railroad
- Roads
  - Highway
  - Major
  - Medium
  - Minor
  - Primitive
  - Private
- ▭ Mat-Su Borough Boundary
- ▭ Incorporated Cities
- ▭ Parcels
- ▭ Lakes and Rivers
- ▭ Flood Zone

1: 5,983



0.2 0 0.09 0.19 Miles

THIS MAP IS NOT TO BE USED FOR NAVIGATION

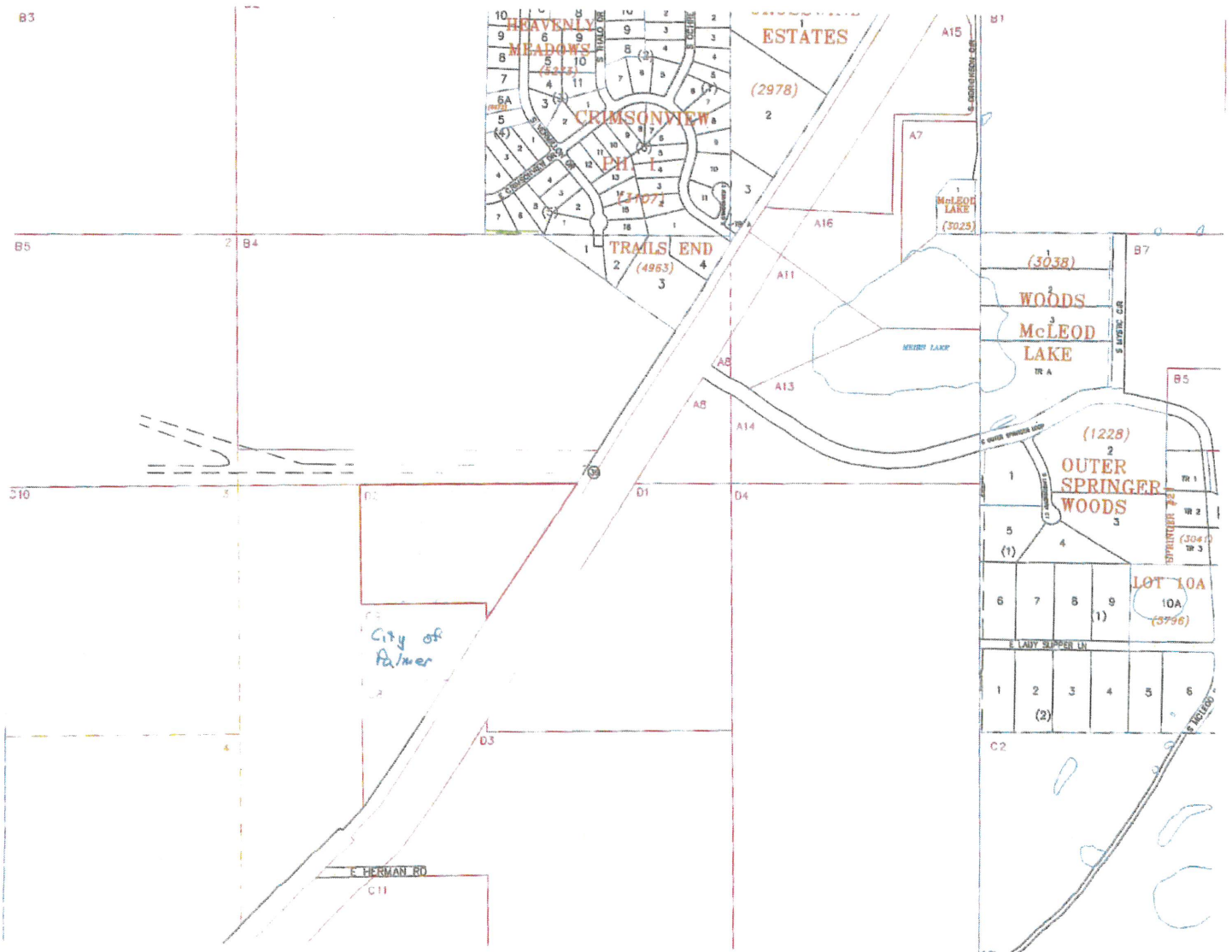
NAD\_1983\_StatePlane\_Alaska\_4\_FIPS\_5004\_Feet  
© Matanuska-Susitna Borough

Reported on 01/26/2018 05:00 PM

This map is solely for informational purposes only. The Borough makes no express or implied warranties with respect to the character, function, or capabilities of the map or the suitability of the map for any particular purpose beyond those originally intended by the Borough. For information regarding the full disclaimer and policies related to acceptable uses of this map, please contact the Matanuska-Susitna Borough GIS Division at 907-861-7858.

## Notes

This map was automatically generated using Geocortex Essentials.



**PURCHASE AND SALE AGREEMENT**

This Purchase and Sale Agreement ("Agreement") is made as of 10/20, 2020 between Alaska Frontier Fabrication LLC ("Purchaser"), and the City of Palmer, Alaska, a municipality organized and existing under the laws of the State of Alaska ("Seller").

In consideration of the mutual promises and covenants set forth below, and intending to be legally bound, Purchaser and Seller agree as follows:

**1. Description of Property:**

Subject to the terms and conditions of this Agreement, Seller agrees to sell and Purchaser agrees to purchase the property and buildings, described as follows and hereafter collectively referred to as the "Property":

The Northeast one-quarter of the Northeast one-quarter of the Southwest one-quarter (NE1/4 NE ¼ SW1/4) and all of the Northwest one-quarter of the Southeast one-quarter (NW1/ SE1/4) lying West of Alaska Railroad of Section 18, Township 17 North, Range 2 East, Seward Meridian, located in the Palmer Recording District, Third Judicial District, State of Alaska, EXCEPTING THEREFROM that portion conveyed to the State of Alaska by Warranty Deed, recorded April 14, 1967 in Book 65D at Page 121.

Physical Address: 2390 S. Glenn Highway, Palmer, Alaska 99645

Tax ID# 17N02E18D002

**2. Property to be Conveyed "As Is":**

The Property subject to this agreement is conveyed "as is," without warranty, express or implied, of merchantability or suitability for a particular purpose, or otherwise. Purchaser consents and agrees that it is relying solely on its own inspection of the premises and not on any representation of the Seller or Seller's agent or employees in making their determination to purchase the Property.

Purchaser acknowledges that it has inspected the Property and accepts the same "as-is" and without reliance on any expressed or implied representations or, warranties of Seller or agents or employees of Seller, as to the actual physical condition or characteristics thereof of the Property.

Seller expressly makes no warranties as to the physical condition of the Property and all inspection obligations rest with the Purchaser.

**3. Purchase Price and Payment Terms:**

Purchaser agrees to pay for the Property the sum of Four Hundred Eight Thousand Three Hundred and no/100 dollars (\$408,300.00), based upon the agreed price between Seller and Buyer, to be paid as follows:



- a. Five Thousand and No/100 Dollars (\$5,000) as the earnest money deposit, in the form of a check shall be held by Alyeska Title Guaranty Agency ("Alyeska Title") until closing, at which time this payment shall be credited to Buyer, or until this Agreement is otherwise terminated in accordance with the provisions of this Agreement. Earnest money shall be forfeited except upon disapproval of this Agreement by the Palmer City Council;
- b. The Principal Balance of Four Hundred Eight Thousand Three Hundred and No/100 Dollars (\$408,300) shall constitute the balance of the Purchase Price (minus the earnest money deposit under item (a) of this section) which shall be paid to the Seller at closing, and subject to all applicable provisions of the Palmer Municipal Code;
- c. Seller agrees to pay one-half of the closing costs;
- d. Buyer agrees to pay Real Property ad valorem taxes (if any) prorated from the recording date of transfer of the property;
- e. Owners Title Policy; and
- f. Other Title Company closing and recording fees.

**4. Title:**

Purchaser may provide a policy of title insurance, which indicates the condition of title subject to reservations, exceptions, easements, rights-of-way, covenants, conditions, and restrictions of record or created by operation of law; and also subject to governmental regulations including but not limited to setback, use classifications, zoning or special permit requirements, and any matters including, but not limited to, existing trails or encroachments which would be disclosed by actual inspection or survey of the property. The Purchaser shall initiate the order for the title report from the title company selected by Seller. Title shall be delivered by Quitclaim Deed ("Deed") to Purchaser as: Alaska Frontier Fabrication LLC.

**5. Deed:**

Title to the Property shall be conveyed to Purchaser by a Quitclaims Deed ("Deed") duly executed by Seller and recorded as soon as practicable after the execution of this Agreement.

**6. Defense and Indemnification:**

The Purchaser agrees that it shall defend, indemnify, and hold harmless Seller, its directors, officers, employees, contractors, assigns, and successors from any and all claims, actions, administrative proceedings (formal or informal), judgment damages, punitive damages, penalties, fines, costs, liabilities, amounts paid in settlement, interest, or losses including but not limited to attorney's fees, consultant fees, expert fees, arising out of or in any way related to any environmental claim, the existence of any hazardous substances or violation of any

environmental law, regulation, or ordinance resulting from or related to Seller's use, maintenance, ownership, or operation of the Property.

**7. Hazardous Material:**

Purchaser acknowledges that it has personally inspected the Property, and after due and diligent inquiry, found no evidence of environmental contamination on or near the Property; and that the Seller, to the best of its knowledge, is unaware of any environmental contamination on or near the Property; and that the Purchaser will maintain the Buildings in such a manner as to prevent the occurrence of any environmental contamination; and Seller makes no warranties express or implied with respect to the condition of the Property, the existence or non-existence of environmental contamination or the suitability for any purpose whatsoever. Purchaser agrees that if the presence of hazardous material in the Property is caused or permitted by the Purchaser, its agents, employees, contractors, or invitees, or of environmental contamination of the Property by hazardous materials otherwise occurs on the Property, Purchaser shall defend, indemnify and hold harmless Seller from any and all claims, judgments, damages, penalties, fines, costs, liabilities, or losses (including, but not limited to, sums paid in the settlement of claims, attorney's fees, consultant fees and expert fees) which indemnification includes, without limitations, costs incurred in connection with any investigation of site conditions or any clean-up, remedial, removal, restoration work required by any federal, state or local government in or under the Property. As used herein, the term "hazardous material" means any hazardous or toxic substance, material, or waste, which is or becomes regulated by any local government authority, the State of Alaska, or the United States government.

**8. Commissions:**

Each party represents and warrants to the other that it has not engaged the services of any real estate licensee, broker, finder or other person who would be entitled to any commission or fee in respect to the subject matter of this Agreement and each shall indemnify the other against any loss, cost, liability or expense incurred by the other as a result of any claim asserted by any such real estate licensee, broker, finder, or other person on the basis of any brokerage or similar arrangement or agreement made or alleged to have been made.

**9. Notices:**

No notice, consent, approval or other communication provided for herein or given in connection with this Agreement shall be validly given, made, delivered or served unless it is in writing and delivered personally, sent by overnight courier or sent by registered or certified United States mail, postage prepaid, with return receipt requested to:

**Seller:** City of Palmer  
231 W. Evergreen Ave.  
Palmer, Alaska 99645

**Purchaser:** Alaska Frontier Fabrication LLC

2281 E. Sun Mountain Ave., Suite B  
Wasilla, Alaska 99654

or to such other addresses as either party may from time to time designate in writing and deliver in a like manner to the other party. Notices, consent, approvals, and communications given by mail shall be deemed delivered upon the earlier of three days after deposit in the United States mail in the manner provided above or immediately upon delivery to the respective addresses set forth above, if delivered personally or sent by overnight courier.

**12. Costs and Fees:**

If either party breaches any term of this Agreement, the breaching party agrees to pay to the non-breaching party all reasonable attorney's fees and reasonable costs and expenses incurred by the non-breaching party in enforcing this Agreement or preparing for legal or other proceedings, whether or not instituted. If any legal or other proceedings are instituted, the party prevailing in any such proceeding shall be paid the reasonable costs, expenses, and fees incurred by the other party, and if any judgment is secured by such prevailing party, all such costs, expenses, and fees shall be included in such judgment, attorney's fees to be set by the court and not by the jury.

**13. Waiver:**

Excuse or waiver of the performance of the other party of any obligation under this Agreement shall only be effective if evidenced by a written statement of the party so excusing. No delay in exercising any right or remedy shall constitute a waiver thereof, and no waiver by the Seller or Purchaser of a breach of any covenant of this Agreement shall be construed as a waiver of any preceding or succeeding breach of the same or any other covenant or condition of this Agreement.

**14. Assignment:**

This Agreement is binding on the heirs, successors, and assigns of the parties, but shall not be voluntarily assigned by either party without prior written consent of the other party, which consent shall not be unreasonable withheld.

**15. Entire Agreement:**

This document contains the entire Agreement between the parties. It may not be modified except in a writing signed by all parties.

**16. Construction of Agreement:**

The captions of the paragraphs of this Agreement are for convenience only and shall not govern or influence the interpretation thereof. This Agreement is the result of negotiations

between the parties and, accordingly, shall not be construed for or against any part, regardless of which party drafted this Agreement or any portion thereof.

**17. Surviving Covenants:**

The provisions of this Agreement shall survive the delivery of the Deed.

**18. Time is of the Essence:**

Time is of the essence of this Agreement.

**19. Controlling Law and Venue:**

This Agreement shall be governed by, construed under, and enforced in accordance with the laws of the State of Alaska and the City of Palmer. Venue for actions between the parties arising out of or related to this Agreement shall be in The Third Judicial District Palmer, Alaska.

**20. Further Assurances:**

Whenever requested to do so by the other party, Seller or Purchaser promptly and expeditiously shall execute, acknowledge and deliver any and all such conveyances, assignments, confirmations, satisfactions, releases, instruments of further assurance, approvals, consents and any and all further instruments and documents as may be reasonably necessary, expedient, or proper in order to complete any and all conveyances, transfers, sales, and assignments herein provided, and to do any and all other reasonable acts and to execute, acknowledge and deliver any and all documents as so reasonably requested in order to carry out the intent and purpose of this Agreement.

**21. Miscellaneous:**

Purchaser acknowledges its responsibility to inspect the Property described herein and agrees the Seller assumes no liability for matters, which would have been disclosed to the Purchaser by an inspection of the Property. Purchaser further acknowledges that the Seller makes no warranties, either expressed or implied, nor assumes any liability whatsoever, regarding the social, economic or environmental aspects of the Property, to include without limitation, physical access, or natural or artificial hazards which may or may not exist or merchantability, suitability, or profitability of the Buildings for any use or purpose.

**22. Permit Laws and Taxes:**

Purchaser agrees that it will comply with all permits, laws, and taxes of any federal, state or local entity for any and all activities associated with the sale or use of the Property and any approvals necessary for development of the Property.

Purchaser shall acquire and maintain in good standing all permits, licenses and other entitlements necessary to its performance under this Agreement. All actions taken by the Purchaser under this Agreement shall comply with all applicable statutes, ordinances, rules and regulations. The Purchaser shall pay all taxes pertaining to its performance under this Agreement.

Nothing in this Agreement, expressed or implied, is intended or shall be construed to confer upon any person, firm or corporation other than the parties hereto and their respective successors or assigns, any remedy or claim under or by reason of this Agreement or any term, covenant or condition hereof, as third party beneficiaries or otherwise and all of the terms, covenants and conditions hereof shall be for the sole and exclusive benefit of the parties hereto and their successors and assigns.

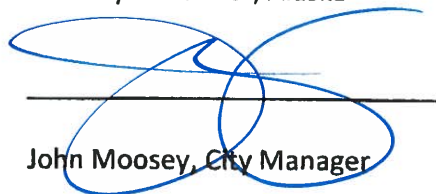
This Agreement may be executed by one or more of the parties to this Agreement on any number of separate counterparts, and all of said counterparts taken together shall be deemed to constitute one and the same instrument.

Each undersigned representative of the Purchaser and Seller certifies that he or she is fully authorized to enter into the terms and conditions of this Purchase Agreement and legally bind the Party he or she represents to this document.

Executed this 20 day of October, 2020.

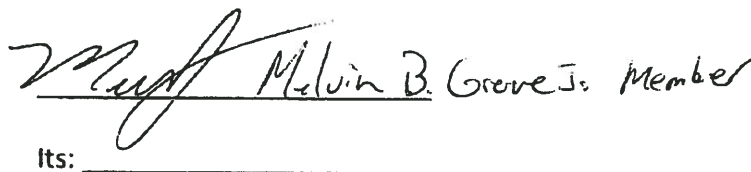
**Seller:**

The City of Palmer, Alaska

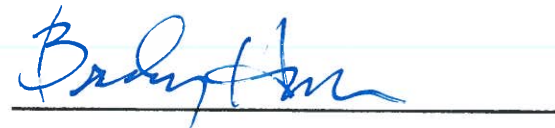
  
\_\_\_\_\_  
John Moosey, City Manager

**Purchaser:**

Alaska Frontier Fabrication LLC

  
\_\_\_\_\_  
Its: \_\_\_\_\_

ATTEST:

  
\_\_\_\_\_



**City of Palmer  
Resolution No. 20-030**

**Subject:** A Resolution Approving the Disposal of City Property by Vacation to Garic Hayes General Contractor, LLC, and Authorizing the Mayor to Execute All Documents Required for the Vacation of the Property to Garic Hayes General Contractor LLC

**Agenda of:** November 10, 2020

**Council Action:**     **Approved**                       **Amended:** \_\_\_\_\_  
                                   **Defeated**




**Originator Information:**

**Originator:**    Brad Hanson, Director Community Development

**Department Review:**

Route to:	Department Director:	Signature:	Date:
_____	Community Development	_____	_____
_____	Finance	_____	_____
_____	Fire	_____	_____
_____	Police	_____	_____
_____	Public Works	_____	_____

**Approved for Presentation By:**

	Signature:	Remarks:
City Manager	 _____	_____
City Attorney	 _____	_____
City Clerk	 _____	_____

**Certification of Funds:**


Total amount of funds listed in this legislation:    \$ 550.00

This legislation (√):

- Creates revenue in the amount of:                      \$ 550.00
- Creates expenditure in the amount of:                      \$ \_\_\_\_\_
- Creates a saving in the amount of:                              \$ \_\_\_\_\_
- Has no fiscal impact

Funds are (√):

- Budgeted                      Line item(s):    04-00-00-3661
- Not budgeted

Director of Finance Signature:     \_\_\_\_\_

**Attachment(s):**

- Resolution No. 20-030
- Mat-Su Borough Preliminary Plat Request for Comments Package
- Garic Hayes General Contractor LLC email
- As-Built Survey

**Summary Statement/Background:**

Garic Hayes General Contracting, LLC, a local contractor applied on March 10, 2020 for a building permit to construct a single-family home at 221 E. Eagle Street. On August 12, 2020, Garic Hayes requested a final inspection and the issuance of a certificate of occupancy (CO). A condition of the CO is a certified site plan. When reviewing the site plan, it was discovered the single-family home was built in the required rear yard setback of 25' in an R-1 zoning district Palmer Municipal Code (PMC) 17.20.020(C)(4). To rectify the setback violation and the have ability to issue a CO, it was determined that the alleyway behind the lot could be vacated, sold and used to satisfy the violation. PMC 3.20.080(P) requires the Council to approve the disposal of City real property by resolution.

Included in the packet is an email from Mr. Garic explaining the circumstances leading up to the violation.

The property vacation process is the responsibility of the Mat-Su Borough as the platting authority. The Borough Platting Division requested comments on this proposal by October 9, 2020. The purpose of the public hearing on the vacation request before the Borough Platting Board was on October 15, 2020.

PMC 2.20.040(B)(1) requires the Planning and Zoning Commission to make recommendation to the Borough Platting Board regarding platting and subdividing. The Commission will review the proposed vacation at its October meeting and may provide additional comments to the Platting Board.

City department comments included no objection to vacating the property as long as the vacation was retained as a utility and maintenance easement.

**Administration's Recommendation:**

Approve Resolution No. 20-030 for the disposal of City Property by Vacation to Garic Hayes General Contractor, LLC.



**LEGISLATIVE HISTORY**

Introduced by: City Manager Moosey  
Public Hearing Date: November 20, 2020  
Action:  
Vote:

Yes:	No:

CITY OF PALMER, ALASKA

**Resolution No. 20-030**

**A Resolution of the Palmer City Council Authorizing the Disposal of City Property by Vacation to Garic Hayes General Contractor LLC and Authorizing the Mayor to Execute All Documents Required for the Vacation of the Property to Garic Hayes General Contractor, LLC**

WHEREAS, the owner Lot 16, Block 1, Revised plat of Riverside Subdivision (Plat 93-97, Palmer Recording District) (property address of 211 E. Eagle Street) applied to the city of Palmer for the vacation of the following described real property:

A Four-foot strip of land located within the, Township 18 North, Range 2 East, Seward Meridian, Alaska, Third Judicial District, State of Alaska, more particularly described as follows:

Commencing at the northeast corner of Lot 16, Block 1, Riverside Subdivision, Palmer Recording District, and the True Point of Beginning, thence north a distance of 4.00 feet; then east a distance of 63 feet; thence south a distance of 4.00 feet; then W a distance of 63 feet to the True Point of Beginning; containing 252 square feet; and

WHEREAS, there is no existing or expected use of the property for public purposes that require that it remain in public ownership, and it is determined that the property is surplus to the needs of the City of Palmer; and

WHEREAS, vacation of this property will not create any hazards or dangerous traffic conditions; and

WHEREAS, vacation of this property to the adjacent owner of Lot 16, Block Revised Plat of Riverside Subdivision will not affect utilities or the ability to construct utilities; and

WHEREAS, vacation of this property will not deprive property owners of required and reasonable access; and

WHEREAS, the Palmer City Council conducted a public hearing on the requested vacation on October 27, 2020, to hear testimony regarding the vacation request; and

NOW, THEREFORE, BE IT RESOLVED by the Palmer City Council that the city of Palmer vacates the above-described public right-of-way to Garic Hayes on conditions:

1. In accordance with Alaska Statute 29.40.160, before the final act of vacation, Garic Hayes shall deposit with the city of Palmer the fair market value of the vacated public right-of-way with the platting authority to be paid to the city of Palmer upon final vacation.
2. Garic Hayes shall grant public utility access easements to those public utilities owning or developing public utility facilities within the vacated property. Such easements shall be adequate to serve the needs of the public utilities and shall restrict any construction any structure in the easement areas.
3. Garic Hayes shall pay all appraisal, survey, platting, and recording costs related to this vacation and subsequent platting and shall pay for the preparation of all property sale documents.
4. In accordance with Palmer Municipal Code Section 3.20.080(P), no action of the City Council to dispose of this property shall be final until the resolution authorizing the sale and vacation of the property has been on file in the office of the city clerk for thirty days.
5. The city attorney is hereby authorized to prepare a property vacation and sales agreement, with such costs necessary for that document preparation to be reimbursed by Garic Hayes.
6. Garic Hayes will grant a utility and maintenance easement of four feet to the city of Palmer.
7. The vacation shall be subject to approval by the Matanuska-Susitna Borough.

**Approved** by the Palmer City Council this \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Edna B. DeVries, Mayor

\_\_\_\_\_  
Norma I. Alley, MMC, City Clerk

**MATANUSKA-SUSITNA BOROUGH  
PLATTING DIVISION  
PRE-APPLICATION ROUTING SLIP**

AOB

DUE DATE: **October 9, 2020**  
 MEETING DATE: **October 14, 2020**  
 TIME: **email only**  
 PETITIONER / #: **Garic Hayes General Contractor LLC**  
 OWNER(s) / #: **Same**  
 EMAIL: [garichayeshomes@gmail.com](mailto:garichayeshomes@gmail.com)  
 SEC/TWP/RNG: **SEC 28, T18N, R02E** TAX MAP: **PA 05**  
 SUBDIVISION: **Riverside, Plat No. 7-160** RSA#: **NA**  
 TAX ID: **53031B01L016** CITY OF: **Palmer**  
 REQUEST: **To vacate 4' X 63' portion of the 20' wide alleyway to the north of Lot 16, Block 1, Riverside, Plat No. 7-160, to alleviate an structure encroachment.**

**SENT PRE-APP PACKET TO:**

ASSESSMENTS, CHARLYN SPANNAGEL  
 ATTORNEY, JOHN ASCHENBRENNER  
 PLANNING DEPARTMENT, ALEX STRAWN  
 PLANNING DIVISION, PLANNING EMAIL  
 PLATTING OFFICER, FRED WAGNER  
 PLATTING ASSISTANT, KIMBERLY MCCLURE  
 DEVELOPMENT SERVICES, THERESA TARANTO  
 JOE METZGER, ANDY DEAN, PERMIT CENTER  
 LIDS, MARCIA VONEHR

O & M DIVISION, TERRY DOLAN, JIM JENSON,  
 & JAMIE TAYLOR  
 COMMUNITY DEVELOPMENT, JILL IRSIK,  
 & ERIC PHILLIPS  
 PRE-DESIGN & ENGINEERING, CINDY COREY  
 (IF OUT CC: DEBBIE PASSMORE)  
 CAPITAL PROJECTS, JUDE BILAFER  
 EMS SERVICES, FIRE CODE

**COMMENTS:**

PA20200165

PLT-21-8-2264

PRE-APP CHECK LIST.	
TASK	COMPLETE
Collect \$50 / Receipt	√
Collect Map	√
Collect Application	√
Schedule Date	√
Summary My Property	√
*My Property	√
GIS Tax Map	√
Aerial Map	√
SOA Road?	No
Cartograph Sheet	No
CITY P/W/H?	Palmer
Cross Check	<i>KAK</i>
E-Mail for Comments	✓
Add to Platting Calendar	√

RECEIVED AD

SEP 25 2020

**Pre-Application Conference Request**

Name of Requestor: Garic Hayes General Contractor LLC  
Mailing Address: 189 E. Nelson Avenue #205  
Wasilla AK 99654  
Phone Number: 907-354-5838  
Email: garichayeshomes@gmail.com

Owner's name (if different)

PLATTING

*The pre-application conference requires preparation by both parties to maximize the benefits to everyone. The more information you provide, the better staff can assist you in achieving your goals.*

**Required Items:**

1. Fee of \$50.00. Payable to MSB. TAX MAP # PA05
2. Location of land (Township, Range, Section; Tax Account #; Subdivision Name and Lot & Block, etc.):  
30318011014, 20' alley north of the said account #.  
18N02E28
3. Provide **Basic dimensions** of the lots to be created, the road to be built, the area to be vacated, etc.
4. Show existing rights of way with road names.
5. **If eliminating lot lines or vacating easements or right-of-ways:** show the area of vacation or the lot line to be eliminated.
6. **If creating a street or road:** show proposed rights of way.
7. Please explain the purpose of the proposed action. For lot line eliminations or easement/right-of-way vacations, please explain the reason, i.e., setback violation, encroachment, topography, etc.:  
Purchasing a 4' x 63' area of the SOUTH side of the  
shown 20' Alley directly North of Lot 16 Block 1  
Riverside due to a setback violation of the  
newly built home said lot.

Optional: Provide development plans to better assist borough departments with providing appropriate comments:

PA 2020 0165 PH-21-8-2020

*For Industrial, Commercial, or multi-family development, the Subdivision standards may not meet International Fire Code requirements for access. Contact Fire Code Official at 907-861-8030 for more info.*

**Pre-application conferences are scheduled ten to 21 days after acceptance of fees.**

Provide if available:  
Easement Documentation  
As-Built Survey

**PRE-APPLICATION CONFERENCE DATE & TIME:**

10/14/2020 Wed email only

Return to: Matanuska-Susitna Borough  
Attention: Platting Division  
350 E. Dahlia Ave  
Palmer AK 99645

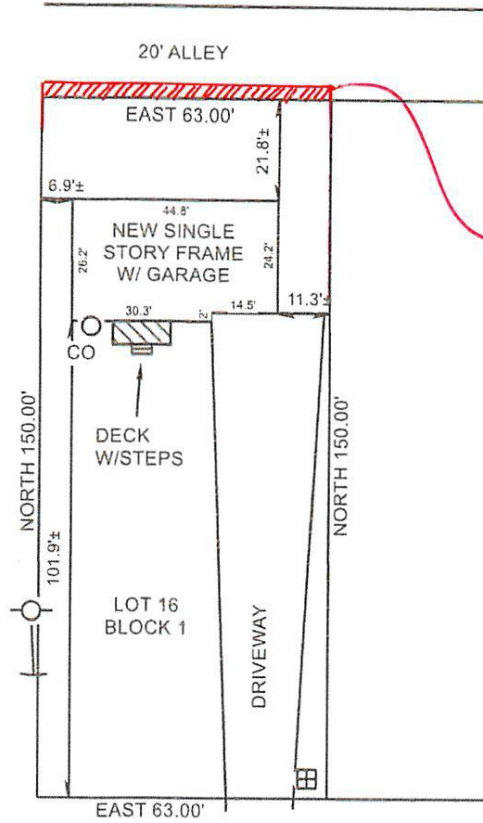
For Office Use Only	
Date Rcvd:	<u>9-25-20</u>
How Paid:	<u>CK#0504</u>
Initials:	<u>KAn</u>



N. BONANZA ST.

30'

30'



*area requested for purchase from alley*

LOT 17

LEGEND	
	POWER POLE W/ANCHOR
	H2O VALVE

E. EAGLE ST. (ACTUAL) FIRST AVE (PLATTED)

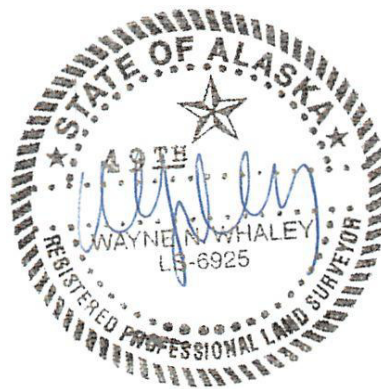
30'



- NOTES:  
 1. SEE PLAT NOTES IF APPLICABLE  
 2. THIS LOT IS SERVED BY CITY OF PALMER WATER & SEWER.

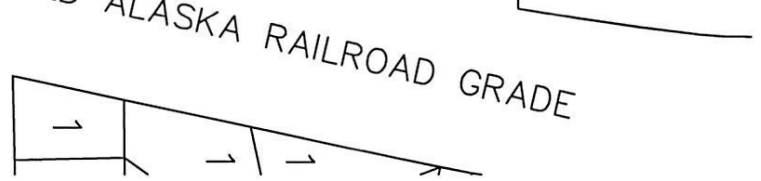
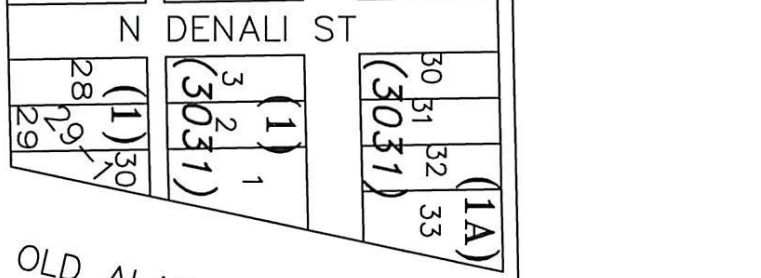
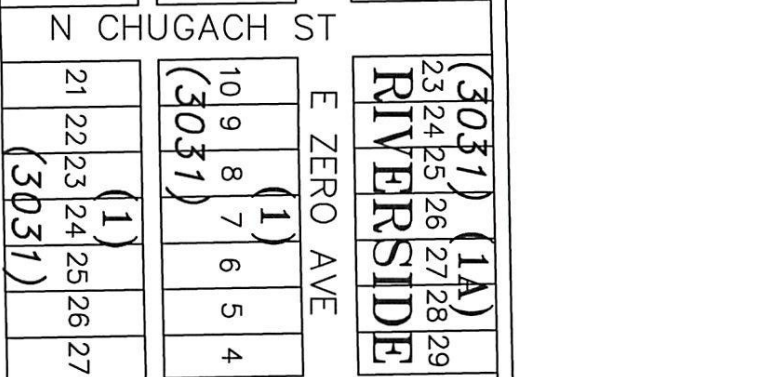
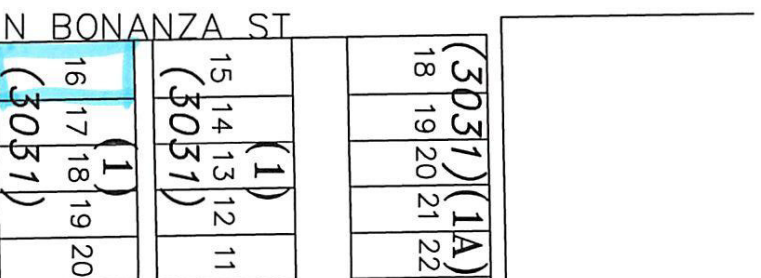
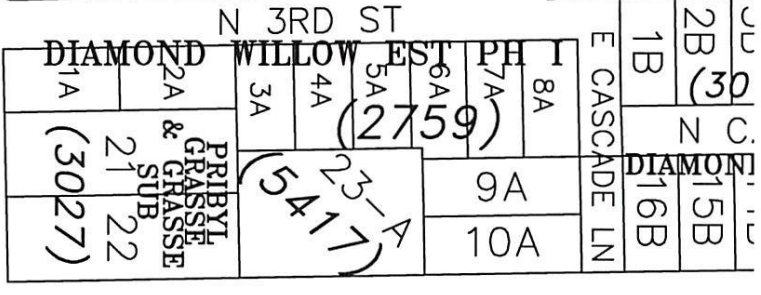
**DENALI NORTH** 847 W. Evergreen Ave. Palmer, Alaska 99645  
 Phone (907) 745-1110

I HEREBY CERTIFY THAT I HAVE SURVEYED THE FOLLOWING DESCRIBED PROPERTY: LOT 16 BLOCK 1  
REVISED RIVERSIDE SUBDIVISION VACATION  
PLAT NO. 66-48  
 PALMER RECORDING DISTRICT, AND THERE ARE NO ENCROACHMENTS VISIBLE AT THE TIME OF THIS SURVEY, EXCEPT AS INDICATED.  
 DATED THIS 5TH DAY OF AUG 20 20 AT PALMER, ALASKA.  
 IT IS THE RESPONSIBILITY OF THE OWNERS OR BUILDERS TO DETERMINE THE EXISTENCE OF ANY EASEMENTS, COVENANTS OR RESTRICTIONS WHICH DO NOT APPEAR ON THE RECORDED SUBDIVISION PLAT. UNDER NO CIRCUMSTANCES SHOULD ANY DATA HEREON BE USED FOR CONSTRUCTION OR ESTABLISHING BOUNDARY OR FENCE LINES. THIS IS NOT A LOT CORNER SURVEY.

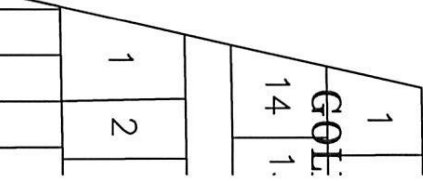
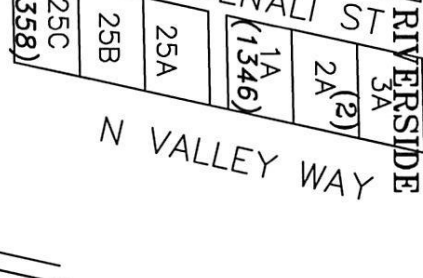
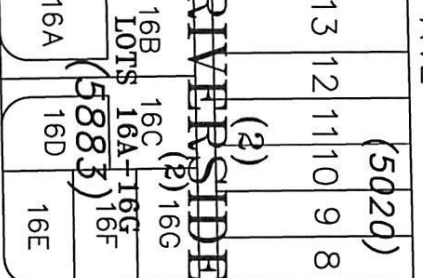
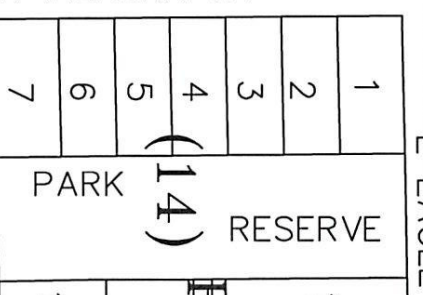


JOB NO. 19-496ASBUILT	CLIENT	FIELD BOOK/PG(S).
SCALE 40 Ft/In	PLOT PLAN	ASBUILT X MAP
		DRAWN HW CKD. WW

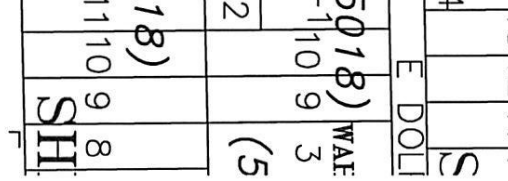
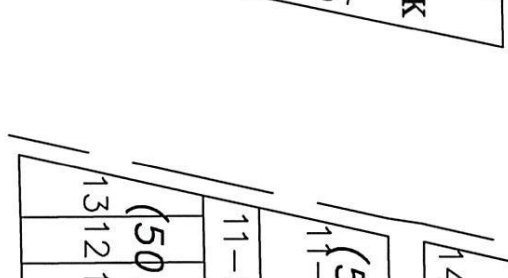
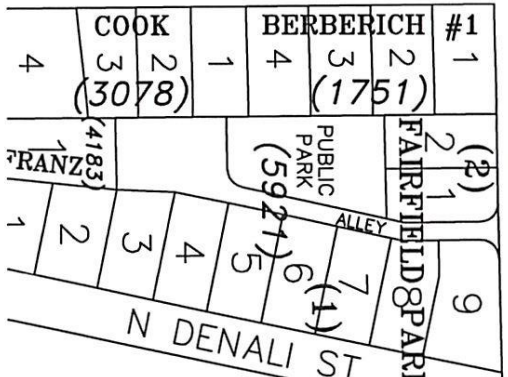
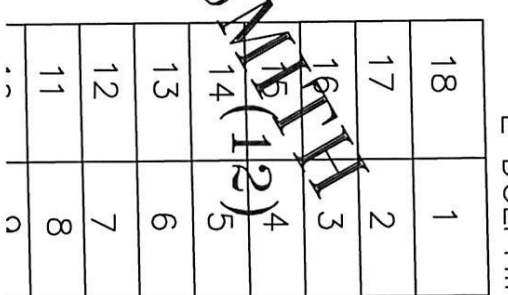
1) 5A (715) (3) 7 (3) 8 (3) 9 30 31 (5030) 32 (5030) 33 34 (150) 36



1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36



1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36



SMITH (12)

COOK (3078)

BERBERICH (1751)

FAIRFIELD PARK (5921)

COOK (4183)

RANZ (1)

WALSH (5018)

SHAW (5)



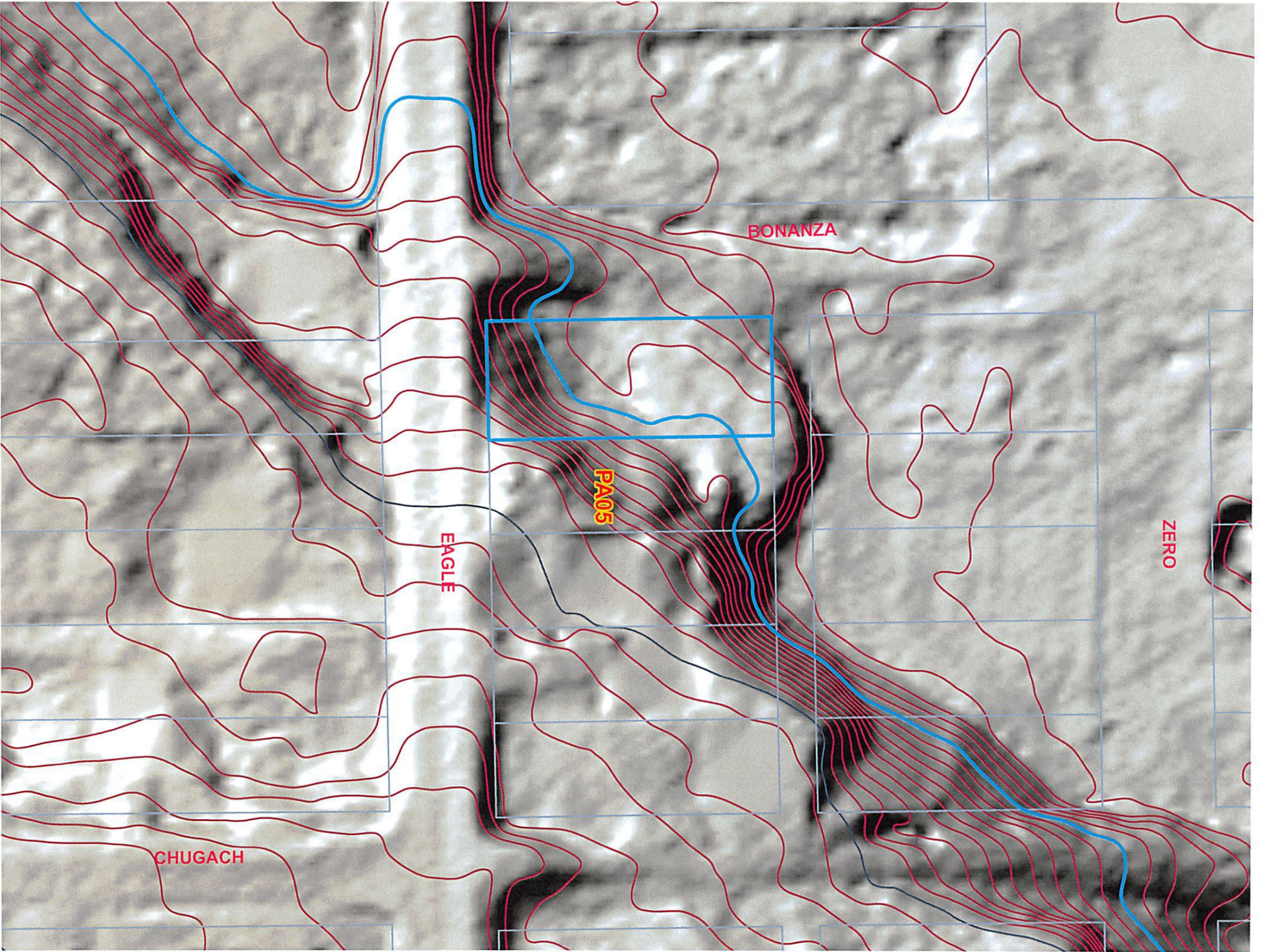
BONANZA

PA05

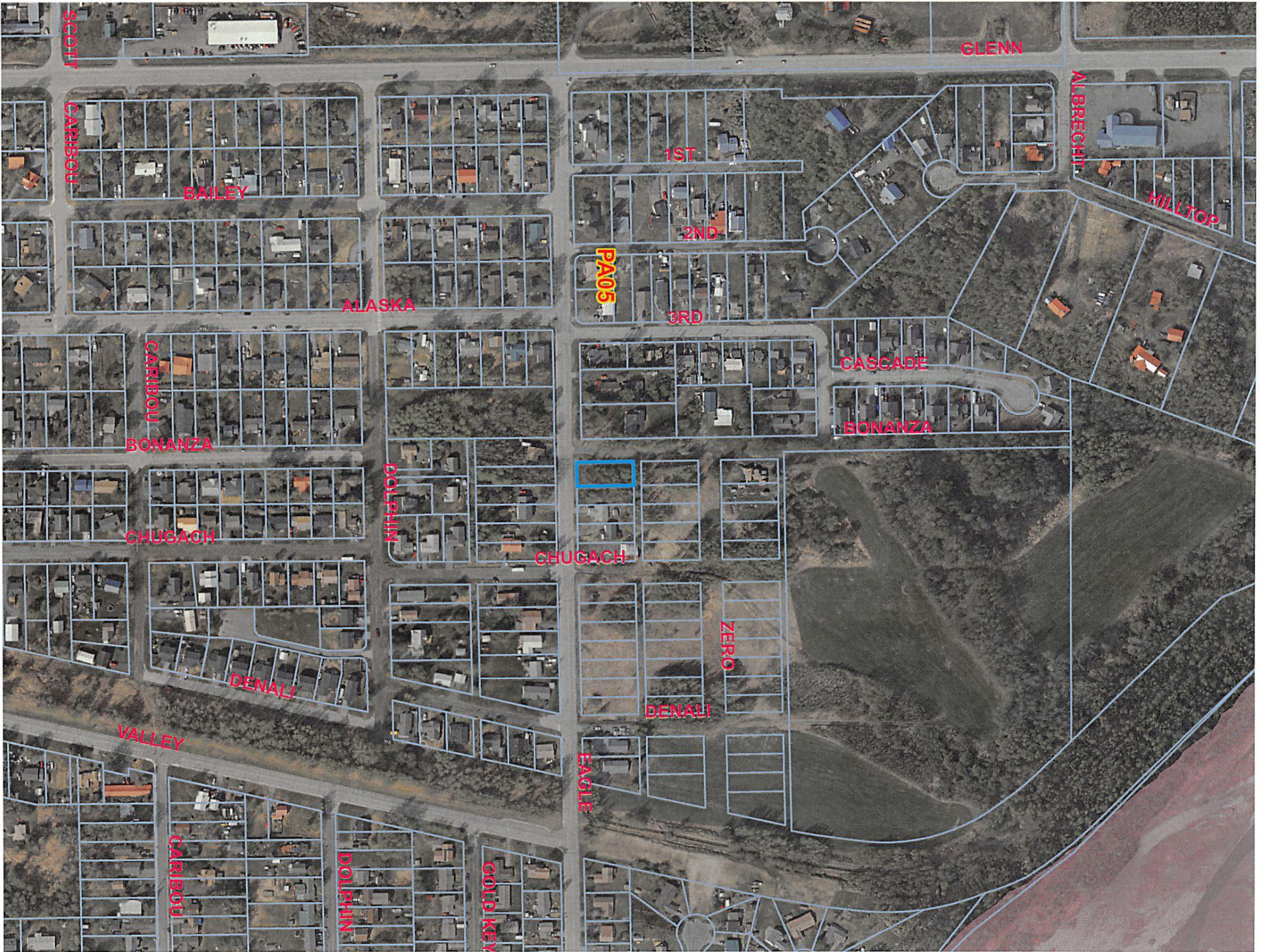
EAGLE

CHUGACH

ZERO









# MATANUSKA-SUSITNA BOROUGH

## Real Property Detail for Account: 3031B01L016

### Site Information

Account Number	3031B01L016	Subdivision	RIVERSIDE
Parcel ID	46016	City	Palmer
TRS	S18N02E28	Map PA05	Tax Map
Abbreviated Description (Not for Conveyance)	RIVERSIDE BLOCK 1 LOT 16		

Site Address 221 E EAGLE AVE

### Ownership

Owners	GARIC HAYES GENERAL CONTRACTOR LLC Buyers		
Primary Owner's Address	PMB 205 189 E NELSON AVE WASILLA AK 99654	Primary Buyer's Address	

### Appraisal Information

Year	Appraisal			Assessment			
	Land Appraised	Bldg. Appraised	Total Appraised	Year	Land Assessed	Bldg. Assessed	Total Assessed <sup>1</sup>
2020	\$25,600.00	\$0.00	\$25,600.00	2020	\$25,600.00	\$0.00	\$25,600.00
2019	\$25,600.00	\$0.00	\$25,600.00	2019	\$0.00	\$0.00	\$0.00
2018	\$25,600.00	\$0.00	\$25,600.00	2018	\$0.00	\$0.00	\$0.00

### Building Information

#### Building Item Details

Building Number	Description	Area	Percent Complete
-----------------	-------------	------	------------------

#### Tax/Billing Information

Year	Certified	Zone	Mill	Tax Billed
2020	Yes	0012	13.322	\$341.04
2019	Yes	0012	13.386	\$0.00
2018	Yes	0012	13.331	\$0.00

#### Recorded Documents

Date	Type
12/18/2019	WARRANTY DEED (ALL TYPES)

#### Recording Info (offsite link to DNR)

[Palmer 2019-029096-0](#)

#### Tax Account Status <sup>2</sup>

Status	Tax Balance	Farm	Disabled Veteran	Senior	Total	LID Exists
PLEASE CALL	\$341.04		\$0.00	\$0.00	\$0.00	No

#### Land and Miscellaneous

Gross Acreage	Taxable Acreage	Assembly District	Precinct	Fire Service Area	Road Service Area
0.17	0.17	Assembly District 002	11-070	Palmer Fire Service is under the jurisdiction of the <a href="#">City of Palmer</a>	No Borough Road Service, for City of Palmer road service info, call (907)745-3400 Last Updated: 9/25/2020 12:00:10 AM

<sup>1</sup> Total Assessed is net of exemptions and deferrals, penalties, and other charges posted after Last Update Date are not reflected in balances.

<sup>2</sup> If account is in foreclosure, payment must be in certified funds.

*No Comm Csun*

## Norma Alley

---

**From:** Garic Hayes <garichayeshomes@gmail.com>  
**Sent:** Tuesday, September 08, 2020 9:56 AM  
**To:** Brad Hanson  
**Subject:** 221 East Eagle st.

Brad,  
Thank you for taking the time to meet with me on site last week and discuss a possible solution to my delima. This email is in response to your request for me to put in writing a timeline and overview of the issue we are facing at 221 East Eagle st.

Last year my company, Garic Hayes General Contractor LLC purchased lots 16 and 17 of Block 1 Riverside subdivision with the intent of building residential dwellings on both lots. Shortly after the lots were purchased Denali North Land Surveying was contracted to locate and flag all the corners and property lines of lot 17. The property corners and lines were located with some difficulty due to the age of the original plat and a newer plat that seemed to compete and contradict the older plat. In March of 2020 construction of a 780 sq. ft two bedroom one bathroom home with an attached 348 sq. ft. one car garage began. The site plan was submitted a few separate times to allow for site conditions and side street to driveway requirements. During this time special attention was given to the stakes marking the corners and property lines, knowing that the lot was very tight. The construction of the home was completed in August and an as-built survey was ordered to meet the city requirements to receive a certificate of occupancy. When the as-built survey was completed it was discovered that the structure encroached into the North and West setbacks. Denali North Land Surveying company spent some time trying to locate the source of the problem, given that the spikes and stakes in their present locations on the lot would indicate that the structure was not in the setbacks but the GPS information indicated that it was. After some time it was determined that the only answer was that the Northeast and Northwest stakes and spikes had been tampered with sometime between the original survey and when construction commenced. The problem with the setback encroachment on the West property line has been solved through use of the newer and older plats for that area but the structure remains 3.2 ft. inside of the North property line setback. The land to the North to date is currently undeveloped and the plat for the future development shows a 20 ft. alley adjoining the North property line running from East to West. It has been suggested that the city might be willing to allow a purchase of enough property to the north from the future alley to allow the building to remain in its current location, any help from the City of Palmer would be greatly appreciated. Garic Hayes General Contractor LLC plans to build a home on Lot 17 this year, is currently building a home on Kangaroo court and is in contract to build a fourth house within the city limits later this year. It has been a pleasure working with the City. Thank you.

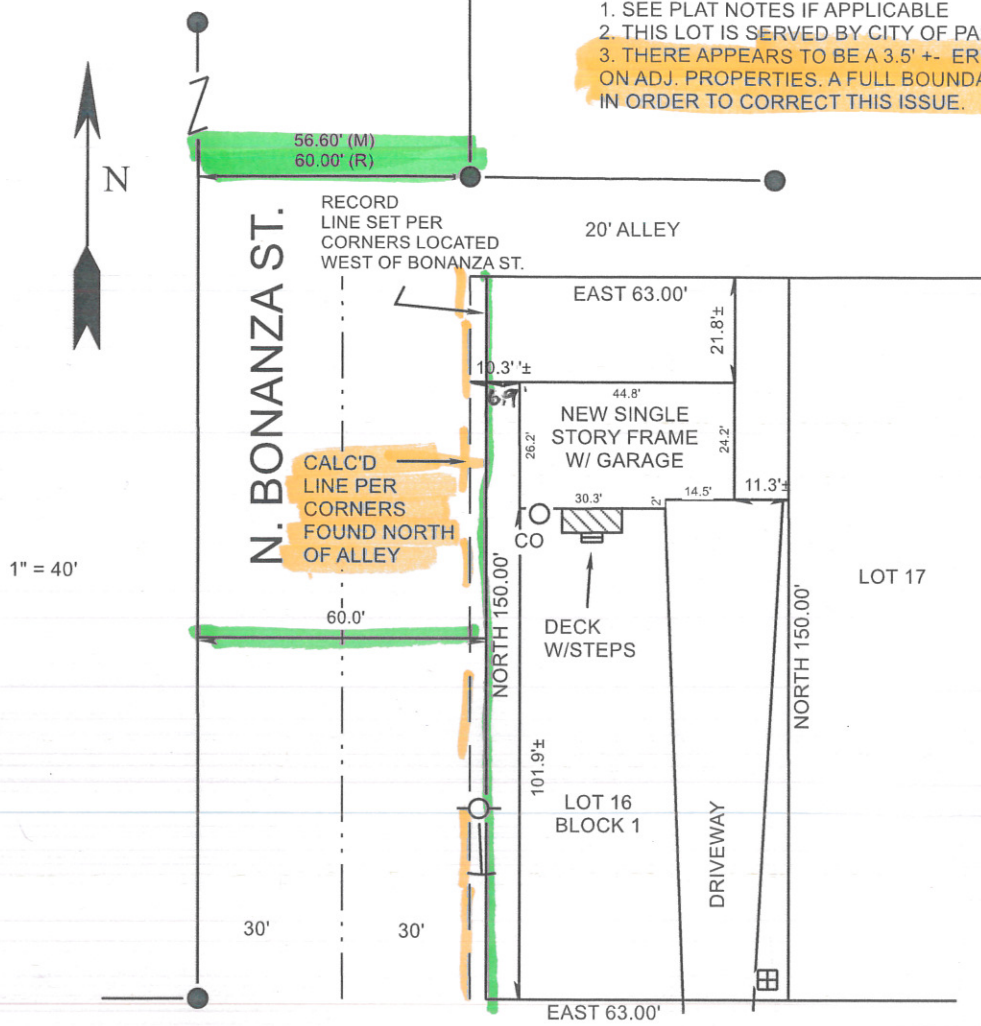
Regards,

--

Garic Hayes  
Garic Hayes General Contractor LLC  
[garichayeshomes@gmail.com](mailto:garichayeshomes@gmail.com)  
(907) 354-5838

NOTES:

1. SEE PLAT NOTES IF APPLICABLE
2. THIS LOT IS SERVED BY CITY OF PALMER WATER & SEWER.
3. THERE APPEARS TO BE A 3.5' +/- ERROR IN CORNERS FOUND ON ADJ. PROPERTIES. A FULL BOUNDARY SURVEY WOULD BE NEEDED IN ORDER TO CORRECT THIS ISSUE.



LEGEND	
	POWER POLE W/ANCHOR
	H2O VALVE
	FOUND 1/2" REBAR
	FOUND 5/8" REBAR

E. EAGLE ST. (ACTUAL) FIRST AVE (PLATTED)

**City of Palmer  
Resolution No. 20-031**

**Subject:** Authorizing Round III of the City of Palmer Coronavirus Aid, Relief, and Economic Security Act (CARES Act) CARES Grants

**Agenda of:** November 10, 2020

**Council Action:**     **Approved**                       **Amended:** \_\_\_\_\_  
                                   **Defeated**



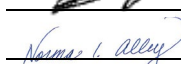
**Originator Information:**

**Originator:**      City Manager

**Department Review:**

<b>Route to:</b>	<b>Department Director:</b>	<b>Signature:</b>	<b>Date:</b>
X	Community Development		10/22/2020
X	Finance		10/22/2020
	Fire		
	Police		
	Public Works		

**Approved for Presentation By:**

	<b>Signature:</b>	<b>Remarks:</b>
City Manager		
City Attorney		
City Clerk		

**Certification of Funds:**

Total amount of funds listed in this legislation:    \$ **7,566,546.24**

This legislation (√):

- Creates revenue in the amount of:                      \$ \_\_\_\_\_
- Creates expenditure in the amount of:                      \$ 7,566,546.24
- Creates a saving in the amount of:                      \$ \_\_\_\_\_
- Has no fiscal impact

Funds are (√):

- Budgeted                      Line item(s):    56-01-10-6525 Small Business CARE Grants
- Not budgeted                      56-01-10-6530 CARES Nonprofit Grants

Director of Finance Signature:     \_\_\_\_\_

**Attachment(s):**

- Resolution No. 20-031
- Draft Business CARES Grant Application – Round 3
- Draft Nonprofit CARES Grant Application – Round 3
- Small Business & Nonprofit FAQ

**Summary Statement/Background:**

On March 27, 2020, Congress passed the Coronavirus Aid, Relief, and Economic Security Act (CARES Act). This act included numerous federal funding opportunities for the State of Alaska for response and mitigation for the COVID-19 public health crisis. The programs that the State of Alaska developed included a statewide distribution of \$562,500,000.00 to boroughs and local governments. The time frame for the use of these funds is from March 1 through December 30, 2020.

On May 26, 2020, Palmer City Council approved Resolution No. 20-015 accepting the City's share of Coronavirus Relief Funds in the amount of \$7,566,546.24 for costs that are for necessary expenditures incurred due to the public health emergency of COVID-19.

On July 14, 2020, Palmer City Council approved Resolution No. 20-017 authorizing the appropriation of expenditures for the CARES Act funds which included the following programs and budget amounts

- 1) Small Business CARES Grants - \$3,000,000.00
- 2) Nonprofit CARES Grants - \$350,000.00
- 3) Nonprofit CARES Competitive Grants - \$400,000.00
- 4) City Utility Abatement - \$1,000,000.00
- 5) City Mitigation Expenditures - \$300,000.00
- 6) City Resiliency and Recovery- \$2,516,546.24

The CARES Grants for Small Businesses and Nonprofits Round 1 had an application period of July 17 through August 14, 2020. The competitive CARES grant for Nonprofits had an application period of July 17 through July 31, 2020. The total dollar amount distributed through these programs was \$765,000.00. Small Business Grants of \$567,500.00, Nonprofit Noncompetitive Grants of \$97,500.00 and Nonprofit Competitive Grants of \$100,000.00.

On September 22, 2020, Palmer City Council approved Round 2 of the CARES Grants for Small Businesses and Nonprofits both competitive and noncompetitive. The application period is from October 12 through October 30, 2020. The first week \$420,000.00 was distributed through the Small Business and Nonprofit Noncompetitive CARES Grants program. However, the number of applications coming in has slowed down dramatically. We plan to work diligently in the next two weeks to get the word out of the availability of CARES Grant funds. The Nonprofits Competitive Grant will be awarded after the October 30, 2020, application deadline.

The administration would like to have a third round of the CARES Grants for Small Businesses and Nonprofits noncompetitive with the application period starting on November 12, 2020, through November 30, 2020, using the remaining appropriated funds.

**\$3,000,000 – Small Business CARES Grants.** This allocation includes grant awards to qualifying City of Palmer businesses affected by COVID-19 to offset impacts or to provide mitigation. The grants will be \$2,500, \$5,000, \$7,500 and \$10,000 based on annual revenues and certain criteria including a valid City of Palmer business license for 2019 and 2020, the business is physically located in Palmer City limits and had a 10% reduction in revenues from 2019 to 2020. Businesses who have applied and/or secured funding from the City of Palmer from Rounds 1 and/or 2 or other State or federal programs under the CARES Act are still eligible to apply. The Small Business Cares Grants program will be open from 8:00 am November

12, 2020, through 5:00 p.m. November 30, 2020, with weekly disbursements to qualifying businesses. This program will be on a first come first serve basis. The City will administer the grant program.

**\$350,000 – Nonprofit CARES Grants.** This allocation includes grant awards to qualifying City of Palmer nonprofits affected by COVID-19 to offset impacts or to provide mitigation. The grants will be \$2,500, \$5,000, \$7,500 and \$10,000 based on annual revenues and certain criteria including a valid City of Palmer business license for 2019 and 2020, the nonprofit is physically located in Palmer City limits and provides a service, activity or events to Palmer residents or businesses. Nonprofits who have applied and/or secured funding from the City of Palmer from Rounds 1 and/or 2 or other State or federal programs under the CARES Act are still eligible to apply. The Nonprofit CARES Grants program will be open from 8:00 am on November 12, 2020, through 5:00 p.m. on November 30, 2020, with weekly disbursements to qualifying nonprofits. This program will be on a first come first serve basis. The City will administer the grant program.

**Administration’s Recommendation:**

Approve Resolution No. 20-031 authorizing Round III of the City of Palmer CARES Grants.

**LEGISLATIVE HISTORY**

Introduced by: Manager Moosey  
Date: November 10, 2020  
Action:  
Vote:

Yes:	No:

CITY OF PALMER, ALASKA

**Resolution No. 20-031**

**A Resolution of the Palmer City Council Authorizing Round III of the City of Palmer Coronavirus Aid, Relief, and Economic Security Act (CARES Act) CARES Grants**

WHEREAS, on March 27, 2020, Congress passed the Coronavirus Aid, Relief, and Economic Security Act (CARES Act); and

WHEREAS, on May 26, 2020, Palmer City Council approved Resolution No. 20-015 accepting the Coronavirus Relief Funds in the amount of \$7,566,546.24 for Costs that are for necessary expenditures due to the Public Health Emergency due to Coronavirus Disease 2019 (COVID-19) from the Alaska Department of Commerce, Community, and Economic Development; and

WHEREAS, on July 14, 2020, Palmer City Council appropriated \$7,566,546.24 of the Coronavirus Relief Funds for necessary programs and City expenditures due to COVID-19 mitigation and economic recovery; and

WHEREAS, on July 14, 2020, Palmer City Council approved Resolution No. 20-017 authorizing the six programs for the disbursement of these funds through Small Business CARES Grants, Nonprofit Cares Grants, Nonprofit CARES Competitive Grants, City Utilities Subsidization Program, City Mitigation Expenditures and City Resiliency and Recovery Program; and

WHEREAS, on September 22, 2020, Palmer City Council approved Resolution No. 20-023 authorizing Round II of the CARES Grants for small businesses and nonprofits both competitive and noncompetitive.

NOW, THEREFORE, BE IT RESOLVED by the Palmer City Council hereby authorizes Round III of the CARES Act Grant Programs.

**Approved** by the Palmer City Council this \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Edna B. DeVries, Mayor

\_\_\_\_\_  
Norma I. Alley, MMC, City Clerk





**City of Palmer • Finance Office**  
**231 W. Evergreen Avenue, Palmer, AK 99645**

Phone: 907-745-3271 • Fax: 907-745-0930

[www.palmerak.org](http://www.palmerak.org)

**CARES Grant Application – Business  
Round III**

**Primary Contact Information:**

Name of Business: \_\_\_\_\_

Contact Name(s): \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone Number(s): \_\_\_\_\_

Email: \_\_\_\_\_

Type of business:

- Sole proprietorship
- Partnership
- Limited Liability Corporation
- S Corporation
- C Corporation
- Other, please list: \_\_\_\_\_

IRS Employer Identification #: \_\_\_\_\_

*Sole proprietors may provide a Social Security Number OR Individual Tax Identification Number*

If your organization is a business, list all individuals\* and organizations that own 50% or more:

Name: \_\_\_\_\_

Name: \_\_\_\_\_

**General Eligibility Guidelines**

Yes  No Current City of Palmer business license and had a 2019 City of Palmer business license.

Yes  No A loss of monthly revenue of 10% or more.

Yes  No Does your business have a physical location in Palmer City limits *(This could be an office, store, restaurant, home-based business including leased or owned)*

***You must have answered Yes to all three of the above questions to be eligible***

Yes  No Is your business a franchise or chain?

Were your 2019 gross annual revenues:

- \$50,000 or less
- \$50,001 to \$250,000
- \$250,001 to \$500,000
- \$500,001 or more

Income verified by:

- Sales tax return remittance forms
- 2019 Federal income tax return
- Other

Yes  No Has your business filed for bankruptcy since March 1, 2020?

How has your business been harmed by the COVID-19 pandemic? Check all that apply:

- Full or partial closure due to state emergency order.
- Forced to lay off or not pay one or more employees.
- Direct expenses associated with COVID-19 health emergency.

Yes No Are your losses related to the COVID-19 pandemic?

If Yes, please explain: \_\_\_\_\_

Businesses Ineligible for CARES Grant:

- Nationally Owned Chains
- Publicly Traded Companies

Yes No **DISCLAIMERS - Please confirm your understanding of these disclaimers**

1. Application for the grant DOES NOT GUARANTEE award of funding.
2. The total amount awarded will be based on funds available.
3. Grant applications will be processed as they arrive. Program will be first come first served.
4. All businesses receiving funding MUST complete a W-9 prior to receipt of funding.
5. It is the sole responsibility of the applicant to determine or to seek independent advice to determine the tax implications to the grant funds received by the applicant.
6. Grant recipients are required to maintain records of all eligible expended funds. The City of Palmer may require an itemized statement of grant expenditures. Use of funds must comply with allowable expenses.

**CERTIFICATION**

As an official signer for my business, I certify that all the information provided in this application is true and accurate. I also agree to assist in the verification of information provided in this application and to provide additional information, if requested.

Signature

Date

Applications must be received between 8:00 a.m. November 12, 2020 through 5:00 p.m. November 30, 2020.

Applications may be submitted by email to [grantsadmin@palmerak.org](mailto:grantsadmin@palmerak.org)  
OR hand-delivered/mailed to 231 W. Evergreen Ave., Palmer, Alaska 99645

City of Palmer reserves the right to publish the names of businesses that received grants and the amount received. Individual sales tax return information and federal income tax information is deemed proprietary and not subject to public disclosure.

**For Office Use Only**

Application is hereby:  **Approved**  **Denied**

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_ Date: \_\_\_\_\_



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[www.palmerak.org](http://www.palmerak.org)

**CARES Grant Application – Non-Profit**  
**Round III**

**Primary Contact Information:**

Name of Non-profit Organization: \_\_\_\_\_

Contact Name(s): \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone Number(s): \_\_\_\_\_

Email: \_\_\_\_\_

Type of Non-profit Corporation: \_\_\_\_\_

IRS Employer Identification #: \_\_\_\_\_

**General Eligibility Guidelines**

Yes  No Current City of Palmer business license and had a 2019 City of Palmer Business License.

Yes  No Does your non-profit have a physical location in Palmer city limits?  
*(This could be an office or store, including leased or owned)*

Were your 2019 gross annual revenues: \_\_\_\_\_ Income verified by: (include copies)

<input type="checkbox"/> \$50,000 or less	<input type="checkbox"/> Sales tax return remittance forms
<input type="checkbox"/> \$50,001 to \$250,000	<input type="checkbox"/> 2019 Federal 990 tax return
<input type="checkbox"/> \$250,001 to \$500,000	<input type="checkbox"/> Other
<input type="checkbox"/> \$500,001 or more	

How has your non-profit been harmed by the COVID-19 pandemic? Check all that apply:

- Full or partial closure due to state emergency order.
- Forced to lay off or not pay one or more employees.
- A loss of monthly revenue of 10% or more.
- Organization has had to expand to address community health, safety, social and/or economic needs related to COVID-19.
- Direct expenses associated with COVID-19 health emergency.

Yes  No Are your losses related to the COVID-19 pandemic?

Yes  No Does any officer or employee work for or serve in an official capacity for local or state government? If yes, please explain: \_\_\_\_\_

Yes  No Do you provide services, activities or events that benefit Palmer residents.

Describe services, activities or events that are eligible for CARES Act reimbursement or mitigation: \_\_\_\_\_

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**Please confirm that your non-profit organization:**

- Is directed by a volunteer board or local advisory board with a majority of members who are Alaska residents.
- Has provided aid or services in City of Palmer during 2019.
- Has been issued an IRS determination letter of non-profit status in 2019 or earlier.
- Provide a sworn statement showing the non-profit has been impacted by COVID-19 either because of the adaptation and expansion of services and expenses as the result of COVID-19, or loss of revenue from a temporary closure caused by COVID-19 (expansion, adaptation or contraction), or from loss of mission-related revenue (as determined by the IRS), charitable giving, or loss of government funding.

**Non-profit Organizations Ineligible for CARES Grant:**

Churches

- Yes  No **DISCLAIMERS - Please confirm your understanding of these disclaimers**
1. *Application for the grant DOES NOT GUARANTEE award of funding.*
  2. *The total amount awarded will be based on funds available.*
  3. *Grant applications will be processed as they arrive. Program will be first come, first served.*
  4. *All non-profit organizations receiving funding MUST complete a W-9 prior to receipt of funding.*
  5. *It is the sole responsibility of the applicant to determine or to seek independent advice to determine the tax implications to the grant funds received by the applicant.*
  6. *Grant recipients are required to maintain records of all eligible expended funds. The City of Palmer may require an itemized statement of grant expenditures. Use of funds must comply with allowable expenses.*

**CERTIFICATION**

As an official signer for my non-profit organization, I certify that all the information provided in this application is true and accurate. I also agree to assist in the verification of information provided in this application and to provide additional information, if requested.

---

Signature

Date

Applications must be received between 8:00 a.m. November 12, 2020 through 5:00 p.m. November 30, 2020.

Applications may be submitted by email to [grantsadmin@palmerak.org](mailto:grantsadmin@palmerak.org)  
OR hand-delivered/mailed to 231 W. Evergreen Ave., Palmer, Alaska 99645

City of Palmer reserves the right to publish the names of non-profit organizations that received grants and the amount received. Individual sales tax return information and federal income tax information is deemed proprietary and not subject to public disclosure.

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*For Office Use Only*

Application is hereby:  **Approved**  **Denied**

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_ Date: \_\_\_\_\_



**City of Palmer**  
**231 W Evergreen Ave, Palmer, AK 99645**  
Phone: 907-745-3271 Fax: 907-745-0930

## **Small Business & Non-Profit Relief and Recovery Grant**

### **Round III**

#### **FREQUENTLY ASKED QUESTIONS**

**If I applied for a grant in Round I and/or Round II am I eligible for another grant in Round III?**  
Yes.

#### **Who May Apply?**

- For profit or non-profit businesses with a current (2020) Palmer business license
- For profit or non-profit businesses that had a 2019 Palmer business license
- Maintain a physical location in the City of Palmer (Bricks & Mortar)
- Not a publicly traded company
- Is not a chain store or business
- Suffered a loss of income or incurred expenses as a result of the public health emergency

#### **What Can the Funds be used for?**

The funds must be solely utilized for expenditures that occur between March 1, 2020 and December 30, 2020 and fall under the following categories:

- Payroll
- Operating expenses
- Business lease or rent
- Business telework equipment cost
- Inventory acquisition or replacement
- Personal protective equipment purchases
- Facility readiness to include social distancing preparedness, business modifications, etc.

#### **Are these loans or grants?**

These are grants.

#### **How long will the program operate?**

The application period will begin November 12, 2020. It will end November 30, 2020 or until the dedicated funds have been distributed, whichever comes first. The Grant

committee will meet every Friday and send out checks on the following Tuesday for those organizations meeting grant eligibility and requirements.

**How much money is allocated to the Business and Nonprofit business non-competitive grant program?**

\$3,350,000

**What is the size of the grant for a nonprofit or small business?**

- \$2,500 for businesses or non-profits with 2019 revenues of \$50,000 or less
- \$5,000 for businesses or non-profits with 2019 revenues of \$50,001 to \$250,000
- \$7,500 for businesses or non-profits with 2019 revenues of \$250,001 to \$500,000
- \$10,000 for businesses or non-profits with 2019 revenues greater than \$500,001

**Is there a deadline for a grant recipient to spend the money?**

Yes, the grant funds received must be fully expended by Dec. 30, 2020.

**Will the names of grant recipients be public record?**

Yes, the names and amounts of the grants are public record.

**Will the City of Palmer mail checks or send the funds electronically to bank accounts?**

The City will mail checks.

**What other documentation will I need to supply with the application?**

An IRS Form W-9 must be submitted with the application.

**Are the grant funds subject to federal income taxes?**

The City advises applicants to contact their tax preparer for professional advice.

**Will receipt of this grant make me ineligible for other grant programs?**

If you are going to apply for other federal or state grant or loan programs, the City advises applicants to check the eligibility rules for those programs.

**Business applicants' 2019 gross sales will be used to determine eligibility and the amount of grant funds awarded. What if a business did not report sales for every quarter in 2019?**

For a newly established business, the City will take whatever gross sales were reported for 2019 and the first quarter 2020 and estimate an annual total.

**What if my business is not required to file sales tax returns with the city?**

The City will accept a copy of the most recent federal income tax return. The applicant can choose to request that a review committee member come to their office to review the documents rather than submit them to the City.

**Can a business that is behind in its sales taxes qualify for the City grant?**

Yes, so long as the business is not under a tax lien issued by the City. Businesses that have entered a payment plan with the city and are adhering to that plan would be eligible for a grant.

**Is a franchisee eligible for this grant?**

Yes. The business must be locally owned, have a bricks and mortar location of operation in City limits, meet the employment criteria, and expend the dollars in accordance with the grant.

**What Businesses are ineligible for a CARES Grant?**

Churches and publicly traded companies.

**What is a Church?**

A non-profit organization principally engaged in teaching, instructing, counseling or indoctrinating religion or religious beliefs, whether in a religious or secular setting.

**Who can I contact for assistance with the application?**

If you need assistance with assessing your eligibility or compiling the needed documents for your application, we advise that you consult with your financial or legal advisors. For general questions about the program, please contact us at 907-745-3271.

**What reporting requirements do I have?**

Grant recipients are required to maintain records of all eligible expended funds. The City of Palmer may require an itemized statement of grant expenditures.

**If I have multiple locations in the City of Palmer, can I apply for each location?**

Yes. If each location has a separate City of Palmer business license and is considered a separate legal entity.

**Is my application or financials public records?**

It is the City's intent, to the extent allowed by law, that the review committee's work and discussions, and the applications themselves, will not be available to the public. The names of businesses that receive the grants and the amount each received will be considered a public record.

**If I consign in another retail shop am I eligible for a grant?**

No. To be eligible to receive a grant you must own or lease a physical location in the City of Palmer.





# 2021 PROPOSED BUDGET

IS AVAILABLE ON THE CITY'S WEBSITE AT  
[HTTPS://WWW.PALMERA.K.ORG/CITY-PALMER-  
BUDGET-DOCUMENTS](https://www.palmerak.org/city-palmer-budget-documents)  
WITH HARD COPIES PROVIDED AT THE  
MEETING.

# Regular Meeting

## Mayor's Report Handout





**Alaska Municipal League  
Annual Business Meeting Packet  
Held Virtually, via Zoom**

Business Meeting Agendas & Information

Bylaws & Articles of Incorporation

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# **AML Business Meeting Agenda**

November 18<sup>th</sup>, 2020

9:00 AM via Zoom

- I. Call to order**
  - Pete Petersen, AML President
- II. Roll Call**
  - Nils Andreassen, AML Executive Director
- III. Approval of the Minutes**
  - November 22, 2019
- IV. Directors Reports**
  - a. **Alaska Municipal League**, Nils Andreassen, Executive Director
  - b. **Alaska Municipal League Investment Pool**, Peggy MacDonald, President
  - c. **AML Joint Insurance Association**, Brennan Hickok, Deputy Director
  - d. **Alaska Remote Sellers Sales Tax Commissions**, Jeff Rogers, President
- V. Nominating Committee and Candidate Statements**, Pat Branson, Chair
- VI. Position Committee and Resolutions Committee**, Pete Petersen, Chair
- VII. New Business**
- VIII. Announcements**
- IX. Adjournment**

# **AML Business Meeting Agenda**

November 20<sup>th</sup>, 2020

2:00 PM, via Zoom

**I. Call to order**

Pete Petersen, AML President

**II. Roll Call**

Nils Andreassen, AML Executive Director

**III. Elections of Officers and Directors**

**Resolutions Results**, Pete Petersen, Chair

**Election Results**, Pat Branson, Chair

**IV. Announcements**

**Presentation of Gavel**, Nils Andreassen, AML Executive Director

**V. Adjournment**

**DRAFT**  
**ALASKA MUNICIPAL LEAGUE**  
**69<sup>TH</sup> ANNUAL BUSINESS MEETING**  
**NOVEMBER 19, 2019**  
**HOTEL CAPTAIN COOK**  
**ANCHORAGE, ALASKA**

**I. Call to Order:**

Alaska Municipal League President Stu Graham called the 69<sup>th</sup> Annual Alaska Municipal League Local Government Business meeting to order at 9:07 a.m.

**II. Roll Call:**

Executive Director Nils Andreassen called the roll. There was a quorum.

**III. Approval of Minutes (November 18, 2018):**

President Stu Graham asked for a motion to approve the November 18, 2018 minutes. M/S: Kodiak/Anchorage. Motion passed.

**Position Statement:**

There were no changes. Position statement stays as read.

**IV. Reports of Committees:**

There were no committee reports.

**V. Old Business:**

There was no old business.

**VI. New Business:**

**President Stu Graham went through the legislative positions:**

Legislative Position 64/62 – M/S: Smalley/Branson. Motion Passed.

Legislative Position 52 – M/S: Cottle/Combs. Motion Passed.

Legislative Position 50 – Motion Passed.

Legislative Position 75/74 – M/S: Smalley/Aleknagik. Motion Passed.

Legislative Position 79 – M/S: Anchorage/Palmer. Motion Passed.

Legislative Position 131 – M/S: Nome/Juneau. Motion Passed.

Legislative Position 65/63 – M/S: Wrangell/Aleutians East Borough. Motion Passed.

Legislative Position 59/57 – M/S: Kenai/North Star Borough. Motion Passed.

Legislative Position 66/64 – M/S: Kodiak/Anchorage. Motion Passed.

Legislative Position 84/30 – M/S: Denali Borough. Motion Passed.

Legislative Position 115 – M/S: Wasilla/Juneau. Motion Passed.

Legislative Position 130/110 – M/S: Palmer/Kodiak. Motion Passed.

Legislative Position 126 – M/S: Palmer/Valdez. Motion Passed.

Legislative Position 17 – M/S: Juneau/Unalaska. Motion Passed.

Legislative Position 5/4 – M/S: Soldotna/Wrangell. Motion Passed.

Legislative Position 73/69 – M/S: Toksook Bay/Kotzebue. Motion Passed.



Legislative Position 156 – M/S: Wasilla/Egegik. Motion Passed.  
Legislative Position 69/67 – M/S: Fairbanks/Unalaska. Motion Passed.  
Legislative Position 61/59 – M/S: Aleutians East Borough/Valdez. Motion Passed.  
Legislative Position 76 – M/S: Unalaska/Wrangell. Motion Passed.  
Legislative Position 60/58 – M/S: Kodiak/Unalaska. Motion Passed.

**President Stu Graham then went through the resolutions.**

Resolution #2020-01-10 - M/S: Juneau/Palmer without 6. Motion passed.  
Remove 2020-6 – M/S: Sitka/Aleutians East Borough. Motion Passed.  
Resolution #2020-02- M/S: Juneau/Palmer.  
Resolution #2020-03 - M/S: Denali/Fairbanks North Star Borough. Motion Passed.  
Resolution #2020-04 - M/S: Northwest Arctic Borough/Angoon. Motion Passed.  
Resolution #2020-05 - M/S: City of Fairbanks/Kodiak. Motion Passed.  
Resolution #2020-06 - M/S: City of Fairbanks/Palmer. Motion Passed.  
Resolution #2020-07 - M/S: Aleutians East Borough. Motion Passed.  
Resolution #2020-08 - M/S: Palmer/Haines. Motion Passed.  
Resolution #2020-09 - M/S: Nome/Palmer. Motion Passed.  
Resolution #2020-10 - M/S: Aleutians East Borough/Valdez. Motion Passed.  
Resolution #2020-11 - M/S: Denali Borough/City of Fairbanks. Motion Passed.  
Resolution #2020-12 - M/S: Valdez/Northwest Arctic Borough. Motion Passed.  
Resolution #2020-13 - M/S: Wrangell/Kenai Peninsula Borough. Motion Passed.  
Resolution #2020-14 - M/S: Kenai Peninsula Borough/Kenai. Motion Passed.  
Resolution #2020-15 - M/S: Palmer/Kodiak. Motion Passed.  
Resolution #2020-16 - M/S: Kotzebue/Northwest Arctic Borough. Motion Passed.  
Resolution #2020-17 - M/S: Haines/North Slope Borough. Motion Passed.  
Resolution #2020-18 - M/S: Ketchikan/Cordova. Motion Passed.  
Resolution #2020-19 - M/S: Kenai Peninsula Borough/Kodiak – Denali Borough/Kodiak to amend to read and in support “of a veto or” same language at end. Amendment passed. Motion passed with amendment.  
Resolution #2020-20 - M/S: Cordova/Ketchikan. Motion Passed.  
Resolution #2020-21 - M/S: Fairbanks/Fairbanks North Star Borough. Motion Passed.  
Resolution #2020-22 - M/S: Anchorage/Kodiak Island Borough. Motion Passed.  
Resolution #2020-23 - M/S: Kodiak Island Borough/Kodiak. Motion Passed.

**Election of 2019 Officers and Directors:**

Second Vice President – Jim Matherly

District – 1 Jan Hill

District – 3 Lisa Parker

District – 5 Suzanne LaFrance

District 7 – Liz Lyke

District 9 – Fred Watson

District 10 Dennis Robertson

At-Large – Michelle Hale

NLC - Terry Haines

Motion to destroy ballots. M/S: Kenai Peninsula Borough/City of Soldotna. Motion passed.

**Adjournment:**

President Stu Graham Adjourned the November 19, 2019 Annual Business Meeting at 11:30a.m.

Signed: \_\_\_\_\_  
Nils Andreassen, Executive Director, Alaska Municipal League



**Alaska Municipal League  
70<sup>th</sup> Annual Local Government Conference  
Legislative Strategy Packet**

**Draft 2021 Principles and Policy Statements**

**Carry Forward Resolutions – 2019-2020**

**Guidelines and Procedures**

**Draft 2021 Resolutions**

## Principles

- Support the Alaska Constitution's mandate "to provide for maximum local self-government"
- Support policies that reduce tax burdens and reimburse for State-mandated exemptions
- Support State revenue assistance as an investment in and support for municipal governance
- Support adequate State funding for basic public services and infrastructure
- Oppose unfunded and underfunded State or Federal legislative and administrative mandates
- Oppose any efforts to reduce local revenues and local revenue authorities
- Oppose State or Federal policies that shift responsibilities to local governments without a negotiated agreement that includes adequate and full annual funding

## Policy Statements

### **MUNICIPAL GOVERNANCE (TITLE 29)**

- Support increased capacity within and professionalization of State tax assessment.
- Support improvements to records retention, public records access, and public notice.
- Support issuance of a municipal impact fiscal note within proposed legislation.

### **COMMUNITY ASSISTANCE AND REVENUE SHARING**

- Support a baseline floor of \$60 million annually, and encourage a long-term, sustainable solution.
- Support a method to waive debt, forgive loans, or otherwise bolster "stressed" communities.

### **PERS/TRS CHANGES**

- Support amendments to termination studies and penalties for leaving PERS/TRS.
- Support the development of a pathway to decrease overall unfunded liability.
- Oppose any cost shift of the State "on behalf" payment over 22%, or any other changes that haven't been negotiated and agreed to by municipalities.

### **FISCAL POLICY**

- Support agency and programmatic efficiency and right-sizing, but oppose cost-shifting to municipalities and eliminating essential services.
- Support the development of a broad-based tax to increase state revenue.
- Interest rate penalties found in AS 26.45.500(b) should be consistent with market rates.

### **PUBLIC SAFETY**

- Increase tools available for public safety official recruitment and retention.
- Support and strengthen the VPSO program.
- Support state efforts to decrease access to and impacts from opioids.
- Increase state funding of community jails.
- Fund the administrative costs of municipal hosting of E911 systems.

*Continued on next page*

## **ECONOMIC DEVELOPMENT**

- Support increased investment in infrastructure development, which facilitates economic growth.
- Support increased investment in training and workforce development.
- Support state responsiveness to local economic development planning, including local economic diversification and small business development strategies.

## **EDUCATION**

- Support early childhood education, career and technical education, and preparing, attracting and retaining qualified educators.
- Support for accountability and assessment that meets federal requirements and maximizes local control.
- Oppose any reduction in school funding and support investment in infrastructure and deferred maintenance.
- Support amendments to the funding formula removing penalties for consolidation of school facilities within a district.
- Oppose forced consolidation of school districts.
- Oppose the elimination of the school bond debt reimbursement program, and any reductions to previous reimbursement commitments.
- Support a sustainable university system capable of delivering educational opportunities, workforce development, and credible research.

## **FISHERIES**

- Support for appropriately funded DF&G and increased investment in fisheries monitoring, research and outreach.
- Support continued investment in port and harbor infrastructure.
- Support reinstatement of the Harbor Matching Grant program, partially fulfilling the state's obligation for maintenance of harbors transferred into municipal ownership.
- Support an active role in federal fisheries management, and clean water, as well as transboundary negotiations.

## **ENERGY**

- Support for vetting of and investing in energy projects, processes and programs that decrease energy costs and reimburse municipal debt or investments corresponding to and by utilizing PCE savings.

## **TRANSPORTATION**

- Support State investment that can be used to match or supplement federal funding.
- Support increases to the State capital budget, including a statewide transportation infrastructure bond.
- Support a sustainable ferry system that continues basic, year-round, ferry service to coastal communities.

## **MINERALS**

- Support responsible resource development and the reduction of investment barriers alongside improved environmental risk management.

## **WATER, WASTEWATER AND SANITATION**

- Support increased State investment in maintenance and infrastructure upgrades.
- Support reinstatement of the Municipal Matching Grant program to help municipalities match or supplement local and federal funding.

1 **Carry Forward Resolutions, with Technical Edits**

2

3 Resolution #2019-01: A resolution in support of the development of a Community Dividend.

4 Resolution #2019-02: A resolution requesting that the Alaska State Legislature fund  
5 the Senior Citizen’s/Disabled Veteran’s property tax exemption as required in AS  
6 29.45.030(g).

- 7 • Updated – total property tax exemption valued now at \$93 million, from \$77 million

8 Resolution #2019-03: A resolution in support of full funding from the State of Alaska for  
9 school bond debt reimbursement and State aid for construction in Regional Education  
10 Attendance Areas

- 11 • Third to last Whereas, updated 2016 to 2020, and struck, “as well as major  
12 maintenance funding for schools in REAAs” since this was not included this last year  
13 • Second to last Whereas, struck “in 2016”, “line item”, “25”, and “both” – updated  
14 to indicate that the Governor vetoed 100% of school bond debt reimbursement

15 Resolution #2019-04: A resolution supporting legislation adopting real property sales  
16 disclosure in Alaska.

17 Resolution #2019-05: A resolution supporting increased investment in the Alaska  
18 Renewable Energy Fund, and continued support for existing State energy and energy  
19 efficiency programs.

20 Resolution #2019-06: A resolution supporting the State’s implementation of a broad-based tax.

21 Resolution #2019-07: A resolution requesting that Title 29 be amended to remove the  
22 audit requirement for Community Assistance, and provide a one-time waiver of past audit  
23 requirements, thereby releasing all outstanding Community Revenue Sharing/Assistance  
24 funds.

25 ~~Resolution #2019-08: A resolution encouraging the Governor and Legislature to increase~~  
26 ~~capacity within the Office of Management and Budget to evaluate costs to communities of~~  
27 ~~State and Legislative budget and legislative actions, and to include a municipal impact fiscal~~  
28 ~~note in all relevant legislation.~~

29 Resolution #2019-09: A resolution requesting that the Governor and Alaska State  
30 Legislature provide a one-time payoff of PERS arrearages.

31 ~~Resolution #2019-10: A resolution in support of changing the transferability of limited-~~  
32 ~~entry salmon permits by allowing an additional name on the permit.~~

33 Resolution #2020-02: Encouraging the Legislature to meet as the Assembly of the

- 1 Unorganized Borough, and to take up its governance as required by the Constitution.
- 2 Resolution #2020-03: Opposing decisions by DOT&PF to increase their indirect rates;  
3 supporting increased funding for the Community Transportation Program; and encouraging  
4 policy to enable local- delivered projects and locally managed federal funds.
- 5 Resolution #2020-04: Expressing support for rural law enforcement efforts such as the  
6 VPO and VPSO program, while recognizing the need for increased investment and the  
7 potential for reform to ensure both public safety and the sustainability of law enforcement  
8 efforts in rural Alaska.
- 9 Resolution #2020-05: Opposing any increase to the required minimum local contribution or  
10 decreases to State funding levels; removing the maximum local contribution allowable; and  
11 considering Impact Aid as part of the local contribution.
- 12 ~~Resolution #2020-06 Expressing appreciation of DEC’s policy to test for and analyze a full  
13 suite of PFAS compounds; requesting that State and Federal action on PFAS continue,  
14 including to establish PFAS compounds as eligible for funding, and set allowable limits and  
15 standards for cleanup.~~
- 16 Resolution #2020-07: Expressing support for reform to PERS that includes a complete pay-  
17 down of the unfunded liability; conditionally, requesting that the State also conduct  
18 termination studies, small or struggling employers be allowed to opt out of the system, and  
19 that the high interest rate on non- payment be eliminated.
- 20 Resolution #2020-08: In support of economic, resource and infrastructure development that  
21 benefits local governments, the State of Alaska, and Alaska residents.
- 22 ~~Resolution #2020-09: Supporting all and diverse efforts that contribute to a complete count  
23 during the U.S. Census.~~
- 24 Resolution #2020-10: Supporting full payment of currently obligated school bond debt  
25 reimbursement; opposing an extension to the school bond debt reimbursement moratorium;  
26 and supporting a careful and deliberate reform of State support of school construction and  
27 maintenance.
- 28 Resolution #2020-11: Encouraging the State of Alaska to develop a plan to transfer authority  
29 to accept federal funds from the State directly to local governments or their designee.
- 30 Resolution #2020-12: Supporting the effort to maximize local self-government, respect local  
31 control, and encourage the State to provide funding for the adoption of powers and  
32 incorporation, including borough formation where feasible.



- 1 Resolution #2020-13: Supporting reform of the USDA Forest Service Secure Rural  
2 Schools program to include long-term certainty and sustainability of funding.
- 3 Resolution #2020-14: In support of reform of the PILT funding formula to extend  
4 multipliers to smaller population counties (boroughs), and permanently authorizing the  
5 program.
- 6 Resolution #2020-15: Supporting the Legislature’s efforts toward consensus on the  
7 Permanent Fund Dividend.
- 8 Resolution #2020-16: Supporting the sustainability of the Alaska Universal Service Fund  
9 (AUSF) and increased investment in rural infrastructure and affordability.
- 10 Resolution #2020-17: Opposing any State action that would diminish the ability of local  
11 governments to tax or receive a share of State tax on local economic activity.
- 12 Resolution #2020-18: Considering unacceptable the reductions to funding for the Alaska  
13 Marine Highway System in FY21 and the changes to the winter schedule; opposing any  
14 further reduction to the System’s budget and supporting reform that is sustainable and  
15 responsive to the needs of coastal communities.
- 16
  - Updated from FY20 to FY21
- 17 Resolution #2020-19: Opposing any further reductions to Community Assistance and in  
18 support of an appropriation to the Community Assistance Fund that would bring the Fund total  
19 back up to \$90 million.
- 20
  - Updated to reflect that the reduction did occur and payments were reduced in FY21;  
21 removed support for an override since that wouldn’t be applicable at this point
- 22 ~~Resolution #2020-20: Supporting full funding (\$12,145,312) for the State of Alaska-~~  
23 ~~Municipal Harbor Facility Grant Program in the FY21 budget.~~
- 24 Resolution #2020-21: Supporting Amendments to AS 29.45.500 to Require  
25 Municipalities to Pay Reasonable Interest on Tax Refunds.
- 26 Resolution #2020-22: Requesting the Alaska State Legislature approve a coastal  
27 infrastructure general obligation bond.
- 28
  - Removed for the 2020 election to make more general.
  - Members suggested that a broader infrastructure GO bond be considered, and this  
29 could be updated or another introduced  
30
- 31 ~~Resolution #2020-23: Urging the Alaska Legislature to Override \$5 Million Veto of~~  
32 ~~Alaska Marine Highway System Funding for FY2020.~~

# Resolution Guidelines and Submission

A resolution is a statement of the Alaska Municipal League's intent to support a specific action on a significant issue or legislation affecting municipalities. Resolutions are introduced, debated, and adopted by AML members each year during the Business Meeting at the Annual Local Government Conference. To be considered during the conference, resolutions must conform to the following policy, procedural and format guidelines that have been adopted by the AML Board of Directors.

## RESOLUTION GUIDELINES

1. Resolutions shall concern shared policy and program needs, state or federal legislation, issues, or problems of Alaska municipalities and shall state the problem and action sought.
  - A. Resolutions may not conflict with any adopted AML positions.
  - B. Resolutions that allow conflict between one community against another will be eliminated.
  - C. Resolutions will be revised to make a general application instead of one seeking to benefit a specific community only; especially if the benefit to that one community would be at the expense of another community (i.e. support relocating a state office from city to city).
  - D. Resolutions with the same topic will be combined.
  
2. Resolutions shall be restricted to action-specific issues and issues of some immediacy and shall be directed to the Governor, Legislature, State Agency, President and/or the Congress.
  
3. Resolutions differ from priorities in that:
  - A. Resolutions shall address specific issues rather than general policy.
  - B. Resolutions may address regional issues as well as statewide concerns.
  - C. Resolutions are intended to address timely issues such as current legislative proposals.

## HOW TO SUBMIT

1. Only councils and assemblies of member municipalities, affiliated municipal associations, affiliated regional municipal organizations (comprised of municipal officials), the AML Board and the Alaska Conference of Mayors are eligible to submit resolutions for consideration. Each resolution submitted must have been approved by a formal action of the sponsoring body and by at least one member municipality, if not a local government.
  
2. Resolutions should be mailed, faxed or emailed to the AML office by September 30, after which they will be presented to the Resolution Committee for consideration. Resolutions must follow format guidelines.
  
3. A final Resolutions packet will be distributed to members by October 12.

4. The First Vice-President shall serve as Chair of the Resolutions Committee and shall appoint eight (8) additional elected and appointed municipal officials from the AML Board.
5. The Resolutions Committee will meet on Monday, November 9 – the membership is invited to attend.
6. Resolutions not submitted by October 12 may be offered to the Resolution Committee on November 6th at 5:00 p.m., for consideration during the Resolution Committee meeting. However, the sponsor of any resolution presented directly to the Resolution Committee must have the support of representatives of five (5) member municipalities and be in proper format.
7. The Resolutions Committee shall review prior year resolutions to develop as part of a consent agenda for the business meeting.
8. The Resolutions Committee shall, based on the above guidelines, review and act upon each resolution for final recommendation to the membership. The Resolutions Committee shall approve, amend, or reject each resolution submitted, note its action, and, if the resolution is approved, send it to the business meeting for consideration. If a resolution is rejected, the committee shall prepare a brief written justification of its action and forward that information to the business meeting.
9. Resolutions will be reviewed, debated and acted upon by the AML Membership at the Annual Business Meeting. Sponsors of properly submitted resolutions will be given an opportunity to discuss and support their resolutions at the meeting.
10. A resolution rejected by the Resolution Committee may be brought to the floor of the business meeting on November 18 only if it is signed by representatives from twenty (20) member municipalities. No new resolutions may be submitted to the business meeting without first going to the Resolution Committee.
11. The virtual format of the 2020 Annual Conference will necessitate some additional considerations. Resolutions will be up for discussion during a business meeting on November 18, sent to one representative from each member to vote on, and final tallies announced on November 20 during the concluding business meeting. This process may evolve as circumstance and technology demands.

#### **RESOLUTIONS FORMAT**

The resolution must be in the proper format. The name of the sponsoring member municipality or association and the date of submission must be indicated on the bottom of the resolution. Each resolution submitted must indicate that it is a “Resolution of the Alaska Municipal League, Resolution #2021-xx and have a title, beginning, “A Resolution ...” that describes the issue and intent of the resolution. Throughout the text, the resolution should indicate that the League is taking the position advocated, not a given municipality or organization. At least one “Whereas” clause should identify the policies in the AML Position Statement that the resolution addresses (i.e., expands or supplements), if applicable.

1 **ALASKA MUNICIPAL LEAGUE**

2  
3 **RESOLUTION NO. 2021-01**

4  
5 **IN SUPPORT OF A LEGISLATIVE PROCESS THAT RECOGNIZES LOCAL**  
6 **GOVERNMENTS AS INHERENT PARTNERS IN THE DELIVERY OF STATE**  
7 **OBJECTIVES.**

8  
9 WHEREAS, there are 165 incorporated city and borough governments in Alaska, acting as  
10 political subdivisions of the State; and

11  
12 WHEREAS, through Constitutional and statutory authority, local governments have the State’s  
13 powers and responsibility to tax and deliver services in the public interest; and

14  
15 WHEREAS, there is no formal mechanism for local governments to contribute to the  
16 development of the Governor’s budget, wherein agencies, OMB, and the Governor develop  
17 budgets that directly impact local governments but without their input; and

18  
19 WHEREAS, throughout a legislative session, local government officials are directed to provide  
20 input as part of the “public” comment process; and

21  
22 WHEREAS, the Legislature has committees in the Senate and House that are dedicated to  
23 Community and Regional Affairs, but are potentially underutilized in developing an agenda that  
24 helps the Legislature understand the condition of communities; and

25  
26 WHEREAS, the Governor’s office often has a dedicated staff member acting as their lead for  
27 local governments relations, but the equivalent does not exist within the Legislature; and

28  
29 WHEREAS, local government leaders are in a good position to contribute meaningfully to policy  
30 development and budget decisions, understanding both impact and local variation.

31  
32 NOW, THEREFORE BE IT RESOLVED that AML recommends that:

- 33
- 34 • Legislative leadership name Committee members or staff that will serve as local  
35 government liaisons, assisting in sharing local government information with legislators  
36 as appropriate; and
  - 37 • A joint session of the Legislature be called to have addressed each year the Condition of  
38 Communities; and
  - 39
  - 40
  - 41 • In cooperation with AML, the House and Senate Community and Regional Affairs  
42 committee chairs, and other Committee chairs as appropriate, establish a session and/or  
43 interim agenda that provides legislators, agencies, and the public with greater awareness  
44 of local government issues; and
  - 45

- 46           • The Legislature establish a dedicated opportunity for local government contributions as  
47           part of all committee processes, prior to and outside the public comment process,  
48           including as a more formal component of invited testimony.  
49

50

51   SUBMITTED THIS 9<sup>TH</sup> DAY OF OCTOBER BY THE ALASKA MUNICIPAL LEAGUE  
52   BOARD OF DIRECTORS.

1 **ALASKA MUNICIPAL LEAGUE**

2  
3 **RESOLUTION NO. 2021-02**

4  
5 **REQUESTING THAT THE LEGISLATURE REVIEW AND MAKE OPTIONAL**  
6 **EXEMPTIONS THAT ARE MORE APPROPRIATELY DECIDED AT THE LOCAL**  
7 **LEVEL.**

8  
9 WHEREAS, increasingly, local governments are expected to fulfill State responsibilities that the  
10 State can no longer afford; and

11  
12 WHEREAS, in order to meet these obligations, local governments must have the tools at their  
13 disposal necessary to deliver essential services and ensure that the corresponding tax burden does  
14 not fall disproportionately on the rest of the tax base; and

15  
16 WHEREAS, the State’s exemptions of certain types of property affect the ability of local  
17 governments to deliver essential services; and

18  
19 WHEREAS, mandatory exemptions result in a more limited tax base, and the tax rate more  
20 heavily burdening only certain portions of a city or borough’s residents; and

21  
22 WHEREAS, in particular, an exemption of household furniture and personal effects  
23 (29.45.030(a)(2)) is better determined at the local level; and

24  
25 WHEREAS, in particular, the undeveloped value of natural resources in place is reserved to  
26 taxation by the State, even as the impact and benefit may be managed also at the local level, and  
27 local control of taxation may increase the viability of a project; and

28  
29 WHEREAS, in particular, the exemption (29.45.030(a)) of AIDEA land and the Alaska Railroad  
30 (42.40.910) – two public corporations that maintain a business model similar to that of any  
31 private corporation – are inconsistent with a public purpose; and

32  
33 WHEREAS, broad age-based exemptions do not take into account the need or lack thereof of  
34 those residents, which runs counter to best practices, and in the development of mandatory age-  
35 based exemptions the State committed to reimbursement and has not since 1985, now valued at  
36 more than \$90 million.

37  
38 NOW, THEREFORE BE IT RESOLVED that AML requests that the Governor and Legislature  
39 review all mandatory exemptions affecting local governments and where found to be beneficial  
40 pass legislation that makes optional those accounted for above, which together increase taxes for  
41 the remaining taxpayers and diminish the ability of local governments to provide continued and  
42 new essential services.

43  
44  
45 SUBMITTED THIS 9<sup>TH</sup> DAY OF OCTOBER BY THE ALASKA MUNICIPAL LEAGUE  
46 BOARD OF DIRECTORS.

1 **ALASKA MUNICIPAL LEAGUE**

2  
3 **RESOLUTION NO. 2021-03**

4  
5 **IN SUPPORT FOR STATE POLICY AND BUDGET DEVELOPMENT THAT**  
6 **REFLECTS A SUSTAINABLE DRAW FROM THE PERMANENT FUND’S EARNINGS**  
7 **RESERVE.**

8  
9 WHEREAS, the State has undergone significant and continuing fiscal challenges for at least the  
10 last five years; and

11  
12 WHEREAS, deficit spending has contributed to loss of emergency reserves once found within  
13 the Constitutional Budget Reserve and Statutory Budget Reserve, both of which are at this point  
14 depleted; and

15  
16 WHEREAS, of general fund revenues, competing priorities result in increased potential for the  
17 State to incur reductions to core programs that local governments and residents depend on; and

18  
19 WHEREAS, those same budgetary pressures increase the likelihood the State may choose to  
20 shift costs to local governments, hoping that they will pick up the State’s obligations; and

21  
22 WHEREAS, lawmakers have a range of appropriation powers and tools at their disposal to meet  
23 this fiscal challenge; and

24  
25 WHEREAS, one of the available options to lawmakers are the funds held within the Earning  
26 Reserve Account (ERA), estimated to be approximately \$6 billion (realized, vs. \$12 billion  
27 unrealized); and

28  
29 WHEREAS, the funds are accessible to lawmakers through a simple majority vote, though we  
30 understand that for every \$1 billion in funds drawn down today, the result is \$50 million less  
31 available in future years; and

32  
33 WHEREAS, it may be tempting to utilize these funds for short-term needs, outside the current  
34 structure of a 5% POMV draw that makes available sustainable revenue to fund the State’s  
35 obligations; and

36  
37 WHEREAS, an unstructured draw has the potential to destabilize future budgets, pushes  
38 challenges to and impacts future generations, and leaves unresolved the many critical needs  
39 related to public health and welfare, public safety and education, and infrastructure; and

40  
41 WHEREAS, while conditions have continued to deteriorate such that the State’s fiscal situation  
42 is increasingly dire and additional solutions need to be presented as viable options, it remains  
43 critical that the State identify the means by which it addresses these issues; and

44

45 WHEREAS, a sustainable draw is a component of a sustainable State fiscal policy that includes  
46 revenues and expenditures that have been balanced, emergency reserves replenished, and a fund  
47 balance established.

48

49 NOW, THEREFORE BE IT RESOLVED THAT AML commends to the Governor and  
50 Legislature support for State policy and budget development that reflects a sustainable draw  
51 from the Permanent Fund's Earnings Reserve.

52

53

54 SUBMITTED THIS 9<sup>TH</sup> DAY OF OCTOBER BY THE ALASKA MUNICIPAL LEAGUE  
55 BOARD OF DIRECTORS.



1 **ALASKA MUNICIPAL LEAGUE**

2  
3 **RESOLUTION NO. 2021-04**

4  
5 **RECOMMENDING THE TRANSFER OF PCE ENDOWMENT ASSETS AND**  
6 **DISTRIBUTION RESPONSIBILITIES OUTSIDE THE STATE’S MANAGEMENT AND**  
7 **THE LEGISLATURE’S APPROPRIATING AUTHORITY.**

8  
9  
10 WHEREAS, the Power Cost Equalization (PCE) fund and program is a recognition that the State  
11 has made significant investment in Railbelt and urban energy infrastructure, including the  
12 subsidy of Cook Inlet natural gas prices; and

13 WHEREAS, similar and equitable investments have not been made to address high energy costs  
14 across much of the rest of Alaska, even as State programs have made uneven attempts to produce  
15 solutions; and

16 WHEREAS, high energy costs are one of the most significant features of high transaction costs,  
17 which compound business development and the cost of living; lower energy costs spur  
18 development and investment, and require less in the form of State subsidies for other types of  
19 programs or offsets; and

20 WHEREAS, the State’s fiscal condition is now in its sixth year facing a budget deficit, and the  
21 State has not significantly adjusted revenues to expenditures; and

22 WHEREAS, the result is increasing pressure to utilize existing assets and to renegotiate or  
23 renege on past commitments; and the PCE Endowment Fund may be facing its greatest threat  
24 ever, as the State is left with just a few options; and

25 WHEREAS, traditionally it has been left to political compromise to hold the line on use of the  
26 PCE; and

27 WHEREAS, even in just the last few years, PCE’s earnings have been tied to Community  
28 Assistance and renewable energy, in the hopes that these priorities may be preserved; and

29 WHEREAS, it is time to remove the temptation from legislative appropriation and ensure that  
30 the State can achieve its support of lower cost energy across Alaska; and

31 WHEREAS, reform of the PCE program should also be considered, such that if any community  
32 make an investment in, or incur debt as it relates to, energy infrastructure that achieves lower  
33 cost energy, that PCE provides for debt relief or investment match; and

34 WHEREAS, the relationship with Community Assistance should remain, with a level amount of  
35 funding available to provide needs-based support for local governments in their delivery of  
36 essential State services.

37 NOW, THEREFORE BE IT RESOLVED that AML first and foremost expects that the State  
38 respect and preserve the integrity of the PCE endowment, avoiding its diminishment to meet

39 short-term budgetary demands; but that the State also begin a process to evaluate the process for  
40 an appropriate steward to assume management of the endowment and distribution based on  
41 statutory investment policy and formula; and

42 FURTHER, BE IT RESOLVED THAT as part of this process PCE funds become available to  
43 reimburse communities for making investments in lower cost energy infrastructure, and a set  
44 aside and distribution occur each year for distribution to the local governments that demonstrate  
45 relevant need as part of the Community Assistance program.

46

47

48 SUBMITTED THIS 9<sup>TH</sup> DAY OF OCTOBER BY THE ALASKA MUNICIPAL LEAGUE  
49 BOARD OF DIRECTORS.

1 **ALASKA MUNICIPAL LEAGUE**

2  
3 **RESOLUTION NO. 2021-05**

4  
5 **ENCOURAGING COLLABORATION THAT FOSTERS NEW APPROACHES TO**  
6 **PUBLIC EDUCATION, AND SUFFICIENT AND CONSISTENT FUNDING.**

7  
8  
9 WHEREAS, it is the State’s constitutional obligation to establish and maintain a system of  
10 public education; and

11  
12 WHEREAS, the State currently provides more than half of overall education funding, local  
13 government contributions and local impact aid makes up the remainder; and  
14 Whereas, school districts are challenged to recruit and retain teachers, and meet the needs of  
15 students, without strong and stable budgets; and

16  
17 WHEREAS, the State appropriates funds for school construction and major maintenance as  
18 available, and school construction and major maintenance funding has diminished over the years,  
19 and generally not fully funded the entirety of the need; and

20  
21 WHEREAS, school bond debt reimbursement has increasingly been unfunded and that cost  
22 shifted to local governments; and

23  
24 WHEREAS, 39 of 56 school districts are municipal, corresponding to home rule or first class  
25 boroughs or cities responsibilities, and the remainder are Regional Educational Attainment Areas  
26 (REAs); and

27  
28 WHEREAS, the boundaries of REAs are inconsistent with current statute, 2<sup>nd</sup> class cities  
29 within the unorganized borough do not contribute directly to education funding, and without  
30 taxing authority those school districts are reliant on the State; and

31  
32 WHEREAS, the State’s fiscal challenges increases the potential for additional costs to fall on  
33 boroughs, and home rule or first class cities in the unorganized borough; and  
34 Whereas, the total contribution made by the State, federal and local governments is insufficient  
35 to meet the needs of Alaska’s public education system; and

36  
37 WHEREAS, new approaches may be necessary to consider as part of addressing these issues.  
38 Now, therefore be it resolved that AML communicates its interest in working with AASB,  
39 ACSA, ALASBO and others to address the following issues, and others, and in support of  
40 negotiated solutions:

- 41 1. Review of potential statewide revenue development to meet public education funding needs,  
42 including removing mandatory, dedicated taxation at the local level to allow for maximum  
43 local control.  
44 2. Evaluation of the equalization formula as it relates to district costs, local contributions,  
45 mandated expenses, and the needs of public education.

46  
47 3. Processes that reflect the State's commitment to school construction and major maintenance,  
48 including to meet current obligations and the needs of maintaining a public education system

49  
50 4. District boundaries consistent with statute and regional needs, as well as the effective and  
51 efficient delivery of public education

52  
53 SUBMITTED THIS 9<sup>TH</sup> DAY OF OCTOBER BY THE ALASKA MUNICIPAL LEAGUE  
54 BOARD OF DIRECTORS.

1 **ALASKA MUNICIPAL LEAGUE**

2  
3 **RESOLUTION NO. 2021-06**

4  
5 **SUPPORTING A STATEWIDE COMPREHENSIVE ALASKA HEALTH INITIATIVE**

6  
7 WHEREAS, the State of Alaska is facing a billion-dollar budget deficit and is examining ways to  
8 balance the State’s budget and reduce state spending; and

9 WHEREAS, the State of Alaska faces a public health crisis, which is requiring extensive scaling  
10 up of the public health infrastructure in response; and

11 WHEREAS, there is the potential for leveraging increased public health capacity to meet  
12 additional needs of Alaskans, which may contribute as well to addressing State and local  
13 government costs; and

14 WHEREAS, the State of Alaska currently has some of the highest per capita rates of substance  
15 abuse and tobacco use in the nation; and

16 WHEREAS, the State of Alaska has some of the highest rates of domestic violence, sexual  
17 assault, suicide, child abuse and neglect, accidental death rates, obesity and sexually transmitted  
18 diseases in the nation; and

19 WHEREAS, data from the 2019 Alaska Kids Count Report ranks Alaska 45<sup>th</sup> in the nation for  
20 children’s well-being based on 16 benchmarks related to quality of life, 50<sup>th</sup> in the nation for  
21 health, 49<sup>th</sup> in the nation for education, and 33<sup>rd</sup> in the nation for economic well-being; and

22 WHEREAS, children who experience abuse or neglect are approximately nine times more likely  
23 to become involved in criminal activity, thus burdening the legal and prison systems than  
24 children who do not experience child abuse or neglect; and

25 WHEREAS, Alaska’s public health crisis impacts almost all state department operations and  
26 budgets, costs the State of Alaska millions of dollars every year, and damages the state’s  
27 economy by limiting productive contributions that healthier citizens could have made; and

28 WHEREAS, the State of Alaska has made attempts to combat some of these public health  
29 challenges but success may depend on a more coordinated and intensive approach; and

30 WHEREAS, the State of Alaska should identify ways in which a comprehensive state-wide  
31 public health initiative could be paid for, with an appropriate return on that investment; and

32 WHEREAS, substantially reducing the State of Alaska’s public health issues will reduce the  
33 need for programs and services and result in significant cost savings to the State.

34 NOW, THEREFORE BE IT RESOLVED, that the Alaska Municipal League supports a  
35 comprehensive statewide healthy Alaska initiative that aims to leverage current investments in  
36 the public health infrastructure to substantially reduce our public health issues and reduce the

37 state's operating budget as programs and services are no longer needed to address preventable  
38 problems.

39  
40 SUBMITTED THIS 9<sup>TH</sup> DAY OF OCTOBER BY THE ALASKA MUNICIPAL LEAGUE  
41 BOARD OF DIRECTORS.

1 **ALASKA MUNICIPAL LEAGUE**

2  
3 **RESOLUTION NO. 2021-07**

4  
5 **REQUESTING RENEWED STATE SUPPORT AND INCREASED FUNDING FOR**  
6 **LOCAL EMERGENCY PLANNING COMMITTEES AND PREPAREDNESS.**

7  
8 WHEREAS, the State has a long history of providing support for local emergency preparedness;  
9 and

10  
11 WHEREAS, local preparedness contributes to the ability of the State to respond effectively in  
12 the case of a crisis; and

13  
14 WHEREAS, State support has come in the form of technical resources, as well as financial aid  
15 that helps local governments form and sustain local emergency planning committees; and

16  
17 WHEREAS, the State had conducted some of this collaboration through DMVA’s Local  
18 Emergency Planning Committees; and

19  
20 WHEREAS, in FY19 the State funded LEPCs at \$298,500, in FY20 all of the LEPC funding of  
21 \$225,000 was vetoed from the State’s budget, and in FY20 eliminated from the budget entirely;  
22 and

23  
24 WHEREAS, the justification for those reductions note that “communities can apply for grants  
25 through other sources including DCCED and the federal government” and that “the State’s fiscal  
26 reality dictates a reduction in expenditures;” and

27  
28 WHEREAS, many local governments were unable to sustain LEPCs on their own, and were not  
29 able to identify grants corresponding to this need, while others saw their preparedness reduced  
30 dramatically; and

31  
32 WHEREAS, the current COVID-19 public health emergency highlighted challenges related to  
33 these gaps, wherein lack of funding has resulted in a less effective response than could otherwise  
34 have been in place; and

35  
36 WHEREAS, Alaska’s public safety and health are dependent on strong public institutions that  
37 are able to 1) communicate local, on the ground information to state and federal decision makers,  
38 2) engage with and partner at the State and federal level; and 3) assist in implementing state and  
39 federal guidance; and

40  
41 WHEREAS, an FY21 supplemental appropriation would ensure that local governments have the  
42 ability to sustain the systems that were developed in response to COVID-19, especially if no  
43 further federal funding is available and CARES Act funding remains restricted; and

45 WHEREAS, while recognizing the State’s fiscal reality, the public health emergency and  
46 economic crisis, 2019 earthquakes and fire season, and future emergencies necessitate capacity at  
47 the local level that assists in the State response; and

48  
49 WHEREAS, the State investment in local planning efforts saves the State time and funding later  
50 during an actual emergency, as systems are in place to coordinate response.

51  
52 NOW, THEREFORE BE IT RESOLVED that AML requests renewed State support and  
53 increasing funding for local emergency planning committees and preparedness.

54  
55 SUBMITTED THIS 9<sup>TH</sup> DAY OF OCTOBER BY THE ALASKA MUNICIPAL LEAGUE  
56 BOARD OF DIRECTORS.



1 **ALASKA MUNICIPAL LEAGUE**

2  
3 **RESOLUTION NO. 2021-08**

4  
5 **IN SUPPORT OF A BALANCED APPROACH TO ADDRESSING THE STATE OF**  
6 **ALASKA’S DEFICIT AND CONTINUING FISCAL CHALLENGES.**

7  
8 WHEREAS, in 2016 AML presented a Sustainability Plan as the result of a year’s worth of  
9 Committee work, and carefully evaluating the options at the time; and

10  
11 WHEREAS, the Plan included creation of the POMV, changes to the PFD formula, broad based  
12 taxes, and additional revenue measures; and since then, the POMV has been implemented and  
13 some small reductions have been made to expenditures; and

14  
15 WHEREAS, while the level of State spending on State government has remained about the same,  
16 much of its savings have been achieved by cost-shifting to local governments; and

17  
18 WHEREAS, since 2016 the State has spent down almost the entirety of its savings accounts and  
19 there are few options remaining that don’t include broad based revenue measures, use of the  
20 remaining funds that have been held within the Earnings Reserve account, additional cost-  
21 shifting, or dramatic reductions to spending; and

22  
23 WHEREAS, as local government officials who similarly have to make hard choices in balancing  
24 local budgets, our members recognize the inherent challenges, fraught politics, and social and  
25 economic impacts; and

26  
27 WHEREAS, Alaska’s cities and boroughs – as political subdivisions of the State – depend on a  
28 State government that has the resources available to deliver its Constitutional and statutory  
29 obligations, including in partnership with local governments; and

30  
31 WHEREAS, the deterioration of the State’s fiscal condition materially threatens the  
32 sustainability of local governments in Alaska; and

33  
34 WHEREAS, Alaska’s residents, businesses, and local governments expect action by the  
35 Governor and Legislature that balance the State’s budget using the myriad tools of government –  
36 right-sizing programs, broad-based taxation, and strategic spending; and a balanced approach is  
37 crucial and will require reexamination of current approaches.

38  
39 NOW, THEREFORE BE IT RESOLVED that AML supports a balanced approach to addressing  
40 the State of Alaska’s deficit and continuing fiscal challenges, including by addressing the  
41 following:

- 42
- 43 • Broad-based taxation (personal and corporate income, sales, and property)
  - 44 • Additional revenue measures tied to use (motor fuel, marijuana, tobacco, alcohol) or  
45 resource
  - 46 • A stable PFD formula consistent with a sustainable draw from the Earnings Reserve.

- 47 • Potential reductions to the State budget irrespective of fund source  
48 • Negotiating solutions to devolve responsibilities, and foster public-private partnerships  
49

50 BE IT FURTHER RESOLVED that AML suggests the following criteria be used in evaluating  
51 the efficacy of these options:

- 52  
53 • The effective date of broad-based taxation should be consistent with economic recovery,  
54 including to phase in over time – these programs take time to implement  
55 • Social and economic modeling should accompany individual options and the combination  
56 of options, with consideration given to the impact on the tax base, equity, and distribution  
57 • Local governments are diverse in their ability to sustain cost-shifting or cuts, and that  
58 variability will need to be taken into account  
59 • Negotiated solutions are different than unfunded mandates, and must include a level of  
60 funding that can be leveraged at the local level

61  
62 SUBMITTED THIS 9<sup>TH</sup> DAY OF OCTOBER BY THE ALASKA MUNICIPAL LEAGUE  
63 BOARD OF DIRECTORS.

1 **ALASKA MUNICIPAL LEAGUE**

2  
3 **RESOLUTION NO. 2021-09**

4  
5 **IN SUPPORT OF INCREASED FUNDING FOR COMMUNITY AND REGIONAL**  
6 **JAILS, AND A BASE LEVEL OF FUNDING FOR VILLAGE POLICE OFFICERS.**

7  
8 WHEREAS, Alaska has a unified court system and the criminal justice system is the obligation  
9 of the State; and

10  
11 WHEREAS, local governments have the option to adopt police powers, with more than 70  
12 having done so; and local law enforcement enforces State and municipal law; and

13  
14 WHEREAS, the State has separated local law enforcement into two classes, one of which is  
15 Village Police Officers (VPOs), who have different training requirements than other public  
16 safety professionals in the state, but very similar responsibilities to other local law enforcement,  
17 and more responsibility than Village Public Safety Officers (VPSOs) who received more  
18 training; and

19  
20 WHEREAS, the State invests \$10 million in the VPSO program, a necessary component of the  
21 overall public safety system in Alaska, for about the same number of officers as VPOs, which it  
22 contributes nothing to; and

23  
24 WHEREAS, increasing public attention on public safety, including recruitment and retention,  
25 hiring practices and training, performance and outcomes, and operations, necessitates an  
26 increased level of commitment to and investment in these systems; and

27  
28 WHEREAS, at the same time, 15 local governments provide community and regional jails on  
29 behalf of the State's criminal justice system; and these jails are an integral part of local and state  
30 law enforcement; and

31  
32 WHEREAS, State funding for community and regional jails has been static for the last three  
33 years, and if adjusted for inflation represents pre-2002 levels of State investment; and in many  
34 cases, State funding is only 50% of the full cost of managing the jail on the State's behalf, and in  
35 all cases deficient; and

36  
37 WHEREAS, if local governments are to effectively deliver public safety in Alaska then the State  
38 must better contribute to their ability to do so; and

39  
40 WHEREAS, additional State investment is needed to improve and adjust to the demands of these  
41 roles, to attract and retain qualified officers, and to expand training and preparedness.

42  
43 NOW, THEREFORE BE IT RESOLVED that AML calls on the Governor and Legislature to  
44 fully fund community and regional jails, requiring at least an additional \$5 million more than the  
45 \$7 million currently budgeted; and

47 BE IT FURTHER RESOLVED that funding should be appropriated in support of Village Police  
48 Officers, to include at least coverage of police professional liability insurance, travel for training  
49 and training expenses, and a base level of pay, the estimated total of which will represent half of  
50 what the State invests in the VPSO program.

51

52

53 SUBMITTED THIS 9<sup>TH</sup> DAY OF OCTOBER BY THE ALASKA MUNICIPAL LEAGUE  
54 BOARD OF DIRECTORS.

1 **ALASKA MUNICIPAL LEAGUE**

2  
3 **RESOLUTION NO. 2021-10**

4  
5 **IN APPRECIATION FOR THE STATE’S RESPONSE TO COVID-19, THE PUBLIC**  
6 **HEALTH EMERGENCY AND ECONOMIC CRISIS.**

7  
8  
9 WHEREAS, COVID-19 threatened the health and well-being of Alaskans, even as it  
10 dramatically affected the same across the world; and

11 WHEREAS, the State’s early and robust action early resulted in effectively managing the spread,  
12 flattening the curve, and giving the public health and medical community the time necessary to  
13 prepare; and

14 WHEREAS, Alaska continues to have some of the most testing, and the lowest number of deaths  
15 per capita and total deaths in the nation; and

16 WHEREAS, Governor Mike Dunleavy, Commissioner Adam Crum, and Dr. Anne Zink are to be  
17 commended for their high level of leadership throughout this crisis; and

18 WHEREAS, local government officials actively worked with State officials throughout, with  
19 emergency operations centers established, incident commanders and public information officers  
20 named; and

21 WHEREAS, together we learned that there needs to be better systems for communication and  
22 coordination between the State and local governments; and

23 WHEREAS, together we learned that for local officials to effectively implement State mandates,  
24 a certain level of information must be shared and the earlier local officials are brought into and  
25 kept apprised within the process, the better; and

26 WHEREAS, together we learned that additional work will need to be done to clarify the existing  
27 and necessary powers of local governments to act in a public health emergency; and

28 WHEREAS, together we learned that the capacity of local governments varies significantly  
29 across the State, such that the demands of response are met differently and need different levels  
30 of State support; and

31 WHEREAS, together we learned that collaboration with tribal governments and the tribal health  
32 system are essential for the overall implementation of public health mitigations measures and the  
33 needs of local governments and the State; and

34 WHEREAS, the Governor’s and Legislature’s distribution of a sufficient level of CARES Act  
35 funding was critical to ensuring that local governments were able to manage through this  
36 process, to respond both to public health and economic crisis; and

37 WHEREAS, our approach to CARES Act funding must continue to be done in partnership, such  
38 that as we near the deadline for expenditure, and then through the reporting period, the State and

39 local governments are able to fully justify and account for the costs associated with the  
40 pandemic.

41 NOW, THEREFORE BE IT RESOLVED that AML appreciates the State's response to the  
42 public health emergency and continued collaboration in support of economic recovery.

43

44

45 SUBMITTED THIS 9<sup>TH</sup> DAY OF OCTOBER BY THE ALASKA MUNICIPAL LEAGUE  
46 BOARD OF DIRECTORS.

1 **ALASKA MUNICIPAL LEAGUE RESOLUTION**  
2 **#2020- 11**

3  
4 **A RESOLUTION IN SUPPORT OF FULL FUNDING (\$14,049,988) FOR THE STATE**  
5 **OF ALASKA MUNICIPAL HARBOR FACILITY GRANT PROGRAM IN THE FY**  
6 **2022 STATE CAPITAL BUDGET.**

7  
8 **Whereas,** the Alaska Municipal League recognizes the majority of the public boat harbors in  
9 Alaska where constructed by the State during the 1960s and 1970s; and

10  
11 **Whereas,** these harbor facilities represent critical transportation links and are the transportation  
12 hubs for waterfront commerce and economic development in Alaskan coastal communities; and

13  
14 **Whereas,** these harbor facilities are ports of refuge and areas for protection for ocean-going  
15 vessels and fishermen throughout the State of Alaska, especially in coastal Alaskan  
16 communities; and

17  
18 **Whereas,** the State of Alaska over the past nearly 30 years has transferred ownership of most  
19 of these State-owned harbors, many of which were at or near the end of their service life at the  
20 time of transfer, to local municipalities; and

21  
22 **Whereas,** the municipalities took over this important responsibility even though they knew that  
23 these same harbor facilities were in poor condition at the time of transfer due to the state's  
24 failure to keep up with deferred maintenance; and

25  
26 **Whereas,** consequently, when local municipal harbormasters formulated their annual harbor  
27 facility budgets, they inherited a major financial burden that their local municipal governments  
28 could not afford; and

29  
30 **Whereas,** in response to this financial burden, the Governor and the Alaska Legislature passed  
31 legislation in 2006, supported by the Alaska Association of Harbormasters and Port  
32 Administrators, to create the Municipal Harbor Facility Grant program, AS 29.60.800; and

33  
34 **Whereas,** the Alaska Municipal League is pleased with the Department of Transportation and  
35 Public Facilities administrative process to review, score and rank applicants to the Municipal  
36 Harbor Facility Grant Program, since state funds may be limited; and

37  
38 **Whereas,** for each harbor facility grant application, these municipalities have committed to  
39 invest 100% of the design and permitting costs and 50% of the construction cost; and

40  
41 **Whereas,** the municipalities of the City of Cordova, City and Borough of Sitka, City and Borough  
42 of Juneau, City of Seward, and City of Sand Point have offered to contribute \$14,049,988 in local  
43 match funding for FY2022 towards harbor projects of significant importance locally as required in  
44 the Harbor Facility Grant Program; and

45 **Whereas**, completion of these harbor facility projects is all dependent on the 50% match from  
46 the State of Alaska’s Municipal Harbor Facility Grant Program; and

47  
48 **Whereas**, during the last ten years the backlog of projects necessary to repair and replace these  
49 former State-owned harbors has increased to over \$100,000,000; and

50  
51 **Whereas**, over the past five years, municipal harbors have submitted \$58 million in capital  
52 project match requests, representing over \$116 million in shovel-ready capital projects that  
53 have received only \$16.6 million in funding through the Municipal Harbor Facility Grant  
54 program with zero funding in FY21.

55  
56 **Now therefore be it resolved** that the Alaska Municipal League urges full funding by the  
57 Governor and the Alaska Legislature for the State of Alaska’s Municipal Harbor Facility Grant  
58 Program in the FY 2022 State Capital Budget in order to ensure enhanced safety and economic  
59 prosperity among Alaskan coastal communities.

60  
61 **PASSED AND APPROVED BY THE ALASKA MUNICIPAL LEAGUE ON THE \_\_\_\_\_**  
62 **DAY OF \_\_\_\_\_, 2020.**

63  
64  
65 **Signed:** \_\_\_\_\_  
66 **President, Alaska Municipal League**

67  
68  
69 **Attest:** \_\_\_\_\_  
70 **Executive Director, Alaska Municipal League**

71  
72  
73 Submitted by: Alaska Assoc. of Harbormasters & Port Administrators Contact: Rachel Lord,  
74 Executive Secretary  
75 Phone: 907-435-7209 (cell)



1 ALASKA MUNICIPAL LEAGUE

2  
3 RESOLUTION NO. 2021 – 12

4  
5 A RESOLUTION OF THE ALASKA MUNICIPAL LEAGUE IN SUPPORT OF AN ALASKA  
6 MULTI-MODAL TRANSPORTATION PROGRAM

7  
8 WHEREAS, The Alaska Municipal League supports adequate State funding  
9 for basic public services and infrastructure including transportation projects that can be  
10 used to match or supplement federal funding; and

11  
12 WHEREAS, An Alaska Multi-Modal Transportation Program would be a single  
13 over-arching program to facilitate the funding of all transportation-related projects in the  
14 State of Alaska with the objective of ensuring that all transportation related projects were  
15 vetted in one program which would reduce redundancies and enhance modal coordination  
16 through a transparent and objective process; and

17  
18 WHEREAS, The modes addressed would include highways, marine, rail and  
19 aviation and would include all federal and non-federal funding; and

20  
21 WHEREAS, The program would be established under the Department of  
22 Transportation with a structure akin to that of a metropolitan planning organization with a  
23 Policy Board and a Technical Committee; and


24  
25 WHEREAS, The make-up of the Policy Board and Technical Committee  
26 would be representative of all regions and modes and technical modal experts and  
27 planners, with representation from state employees, non-state workers, and expert  
28 citizens of the state encouraged to participate; and

29  
30 WHEREAS, the Program would establish long-term and short-term multi-  
31 modal transportation plans at least every four years through an objective nomination and  
32 evaluation process and create transparency and stability over the current planning  
33 process to ensure that the best mode is funded to satisfy an identified transportation  
34 deficiency.

35  
36 NOW THEREFORE BE IT RESOLVED that the Alaska Municipal League  
37 supports the creation of the Alaska Multi-Modal Transportation Program.

38 SUBMITTED THIS 8<sup>TH</sup> DAY OF OCTOBER BY THE FAIRBANKS NORTH STAR  
39 BOROUGH ASSEMBLY.

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Christopher Quist  
Presiding Officer

ATTEST:



April Trickey, CMC  
Borough Clerk

April Trickey, CMC  
Borough Clerk

1 ALASKA MUNICIPAL LEAGUE

2  
3 RESOLUTION NO. 2021 – 13

4  
5 A RESOLUTION OF THE ALASKA MUNICIPAL LEAGUE IN SUPPORT OF ESTABLISHING  
6 STANDARDS AND REGULATIONS FOR UNORGANIZED BOROUGHES

7  
8 WHEREAS, The Alaska Municipal League supports the idea of “maximum  
9 local self-government”; and


10  
11 WHEREAS, Article 10, Section 3 of the Alaska Constitution requires the  
12 Legislature set policy for the establishment, alteration and nature of Boroughs; and

13  
14 WHEREAS, The legislature has not yet enacted standards and procedures  
15 for the establishment of unorganized boroughs and the lack of such standards and  
16 procedures precludes a meaningful determination of whether an unorganized area has  
17 attained the fiscal and administrative capacity to support areawide functions; and

18  
19 WHEREAS, if such standards existed, an unorganized area could be signaled  
20 to form an organized borough when it achieved the administrative and fiscal capacity to  
21 support areawide functions.

22  
23 NOW THEREFORE BE IT RESOLVED that the Alaska Municipal League  
24 supports establishing standards and regulations for unorganized boroughs.

25  
26 SUBMITTED THIS 8<sup>TH</sup> DAY OF OCTOBER BY THE FAIRBANKS NORTH STAR  
27 BOROUGH ASSEMBLY.

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Christopher Quist  
Presiding Officer

ATTEST:

  
April Trickey, CMC  
Borough Clerk

April Trickey, CMC  
Borough Clerk

## **Elections Process**

This year's business will be conducted differently than in past years, as we accommodate the move to an online platform. Most importantly, we feel confident in the process to ensure vetting of candidates and resolutions, allow for discussion, and provide an opportunity for members to vote.

Each participating member – registered to attend the conference – should be sure to name a representative able to vote on behalf of the city or borough. Each member will have one vote, and the representative will receive voting instructions for using the online ballot at [simplyvoting.com](http://simplyvoting.com).

As you know, AML has implemented bylaw changes and a restructuring of districts as a result of board action to maximize member participation. We're excited about a robust and active board and thank all the candidates. The board's Nominating Committee received nominations up through November 1 and met on November 10<sup>th</sup> to vet candidates. They produced a final slate for member considerations, to be announced at the November 18<sup>th</sup> business meeting. Candidates will be able to make brief statements at the meeting, after which ballots will be distributed to voting delegates. These online ballots should be completed by 5pm on November 19<sup>th</sup>. The Nominating Committee will announce the results on Friday, November 20<sup>th</sup>, at the final business meeting.

We know that this will feel different, but we believe it meets our goals to provide an opportunity for member discussion, the ability to offer amendments, and a voting process that reflects member's interests. We encourage your patience and consideration through this process and appreciate your continued engagement in our active policy development. Remember, if you are interested in contributing to AML's policy and resolutions' development, join our Legislative Committee! That's the best way to be a part of the stance that AML takes on upcoming legislation and policy.

## BYLAWS

### ALASKA MUNICIPAL LEAGUE

*Adopted: November 12, 1991  
Amended: August 3, 1994  
Amended: November 20, 2005  
Amended: August 12, 2009  
Amended: August 15, 2019  
Amended: August 14, 2020*

#### ARTICLE I Purposes and Objectives

The purpose of the Alaska Municipal League is as follows:

- a. To safeguard the interests, rights, and privileges of Alaskan municipalities as they may be affected by Federal and State governmental actions.
- b. To secure cooperation among municipalities of the State in a thorough study of local problems and in the application of efficient methods of local government.
- c. To provide means whereby municipal officials may interchange ideas, experiences, and obtain expert advice.

The objectives of the Alaska Municipal League are as follows:

- a. To perpetuate and develop the League as an agency for the cooperation of municipalities in the state of Alaska for the practical study of municipal affairs.
- b. To promote application of the best methods in all branches of municipal service by holding at least one conference annually for the discussion of problems of administration.
- c. To gather and circulate information and experience concerning the most approved methods of municipal administration.
- d. To secure general and municipal legislation at the state and federal levels which will be beneficial to the municipalities and inhabitants thereof, and to oppose legislation injurious thereto.
- e. To engage in the study and preparation of uniform ordinances, resolutions, and practices; and to do any and all other things necessary and proper for the benefit of the municipalities of Alaska.
- f. To develop appropriate membership services and programs that strengthen Alaskan local governments' ability to govern their own affairs and improve the well-being and quality of life of their constituents.

#### ARTICLE II Associate and Affiliate Membership

**Section 1.** Any unincorporated community, commercial or civic club, educational or government agency, organization, or commercial firm, or individual, interested in the improvement and welfare of municipal government, may be accepted by the Board as an Associate of the League. Associates shall not have a vote.

**Section 2.** Any non-profit association of municipal officials, whose membership may include non-municipal officials, but whose bylaws give majority control of the governing body of the organization to municipal officials within the organization, or any municipal or Rural Education Attendance Area school district (REAA), may be accepted by the Board as an Affiliate.

**Section 3.** Annual fees and dues for each associate and affiliate, respectively, shall be established by the Board of Directors. Failure to pay Affiliate dues or Associate fees shall be cause for cancellation of membership.

### **ARTICLE III Board of Directors**

**Section 1.** The director districts shall include the municipalities listed in Annex I, below. In the case of formation of a new municipality, it shall be included in the district of its closest neighboring municipality.

**Section 2.** A quorum shall consist of a majority of the Board of Directors. More than one-half (1/2) of the votes, excluding blanks, cast where a quorum is present, shall constitute a majority vote.

**Section 3.** Unless inconsistent with these bylaws or with the Articles of Incorporation, all questions of parliamentary procedure shall be decided according to Roberts' Rules of Order.

**Section 4.** A vacancy on the Board of Directors shall occur when the person holding the office resigns, ceases to hold an elective position in a member municipality, or otherwise becomes unable to perform his or her duties as a Board member.

**Section 5.** The Board may declare an office vacant if the person holding that office fails to attend two (2) consecutive board meetings without receiving prior approval from the President.

**Section 6.** The adoption of any amendment to these bylaws shall not operate to shorten the term of any person previously elected to the board.

**Section 7.** Recognizing and expanding on those organizations explicitly enjoying ex-officio non-voting status under Article VI, Section 1 and 2 of the Articles of Incorporation (Restated), that status includes the following organizations, represented by municipal employees thereof:

Alaska Association of Municipal Attorneys  
Alaska Association of Municipal Clerks  
Alaska Municipal Management Association

Alaska Government Finance Officers Association  
Alaska Association of Assessing Officers  
Alaska Fire Chiefs Association  
Chair(s) of the AML Legislative Committee  
Alaska representative to National Association of Counties  
Alaska representative to National League of Cities

#### **ARTICLE IV Officers and Delegates**

- Section 1.** The President presides at all board meetings and at the annual business meeting, represents the Alaska Municipal League in all official capacities, and appoints committees, as provided in these bylaws. The President must have served on the AML board of directors; no president may be eligible to serve more than two (2) consecutive, full terms.
- Section 2.** The Vice-President chairs the Resolutions Committee, is the Secretary, and performs the duties of the President in the President's absence. The Vice-President shall fill a vacancy in the office of President for the unexpired term. That succession shall not prohibit service for the subsequent full term as President.
- Section 3.** The Treasurer shall serve as an officer of the board and shall chair the Finance Committee. A vacancy in the office of Vice-President shall be filled by succession of the Treasurer to that office.
- Section 4.** All officers shall be elected annually during the Annual Business Meeting.
- Section 5.** A vacancy in the office of Treasurer or a delegate to a regional or national organization shall be filled by appointment by the President, subject to the approval of the Board of Directors. The appointee shall serve until the next annual meeting.

#### **ARTICLE V Committees**

- Section 1.** The President shall appoint all special and standing committees, except for the Resolutions committee, which shall be appointed by the Vice-President. The President and Executive Director shall serve as non-voting, ex-officio members of all committees.
- Section 2.** There shall be a standing Legislative Committee with at least one representative from each director district to develop AML's legislative policies, positions, priorities. The composition, organization and duties of the Committee shall be established by the Board of Directors. However, to be appointed to the

Legislative Committee, the candidate must first provide a written commitment of financial support, as may be required by the Board of Directors.

**Section 3.** The President shall appoint a Nominations and Credentials Committee each year, prior to the annual meeting. The Vice-President shall appoint a Resolutions Committee each year, prior to the annual meeting.

**A.** The Nominations and Credentials Committee shall consist of not more than five (5) delegates, at least one of whom shall be a Past President. The committee shall review nominations for each expired or vacant office to determine the qualifications of each nominee for the office for which nominated. The committee shall prepare a slate of candidates consisting of all nominees who meet the qualifications for the office for which the committee shall attempt to obtain sufficient additional qualified nominees to provide a slate of candidates with at least two nominees per office; provided only one nominee need be provided for the office of director of a district that is a single municipality district. Nominees must have a written commitment of financial support from their municipality to qualify as a candidate for office. The Board of Directors may prescribe the type and extent of commitment required. The committee's slate of candidates shall be presented to the President prior to the annual meeting for balloting by the member municipalities voting at the business meeting.

**B.** The Resolutions Committee shall consist of eight (8) elected or appointed municipal officials. Each policy statement and resolution accepted by the committee shall be presented at the annual meeting for ratification by a majority vote of the member municipalities voting at the business meeting.

**Section 4.** The President may appoint an Articles and Bylaws Committee. The Committee shall consist of not more than five (5) members appointed at large, to provide for statewide representation. The Committee shall review the Articles of Incorporation and Bylaws at the direction of the President and submit its recommended amendments to the Board of Directors at least ninety (90) days prior to the annual meeting.

**Section 5.** There shall exist an Executive Committee, to be comprised of two past presidents, the current president, vice president, and treasurer. In the case of a vacancy in past presidents, the president shall appoint from other past presidents currently serving on the Board of Directors. The Executive Committee shall serve to consult regularly with the Executive Director, serve in official capacities as needed, and assist in the health and direction of the organization. No formal action can be taken by the Executive Committee.

**Section 6.** No committee may create financial liability unless approved by the Board of Directors.



**ARTICLE VI**  
**Executive Director**

**Section 1.** The Executive Director shall be employed by the Board of Directors and shall serve at the pleasure of said board. The Board shall establish the salary and qualifications of the office. The Executive Director shall serve as manager and be in charge of the League office, shall have custody of, and be responsible for, all records, papers, and documents of the League, serve as a non-voting, ex-officio member of all committees, serve notice of meetings, and keep an accurate record of all proceedings of League activities at the annual meeting. The Executive Director may fill other League positions, as established by the Board.

**ARTICLE VII**  
**Annual and Special Meetings of the League**

**Section 1.** The Executive Director shall send a sixty (60) day notice of the time and place of the annual meeting.

**Section 2.** A quorum for the annual meeting shall be established at the opening session. A simple majority of the member municipalities which have registered by the beginning of the Opening Session shall constitute a quorum for the annual meeting.

**Section 3.** There shall be no limit upon the number of delegates to be sent by any member municipality to the meeting of the League. All delegates may be heard in debate. Questions shall be decided by vote, unless any member municipality shall require a roll call vote. When a roll call vote is taken, each member municipality is entitled to only one (1) vote. Each delegation shall select one of its registered delegates as chairman to express or record its vote. Any delegate attending a meeting may vote. No member may vote by proxy.

**Section 4.** The order of business at the business session of the annual meeting shall be:

1. Roll Call
2. Approval of the minutes of the last meeting
3. Annual report of the President
4. Annual report of the Executive Director
5. Reports of committees
6. Unfinished business
7. New business
8. Election of officers and board of directors

**Section 5.** Nominations for officers, directors and delegates to regional and national organizations shall be made by a nomination and credentials committee of five (5) elected municipal officials of member chosen by the President by the end of the first day of the annual conference. Elections shall be on the last day of the session. The President, Vice-President, Treasurer, and Immediate Past Presidents shall be chosen from different director districts as those districts are set out in the bylaws.

**Section 6.** Unless inconsistent with these Bylaws or with the Articles of Incorporation, all questions of parliamentary procedure shall be decided according to Roberts' Rules of Order.

**Section 7.** Special meetings of the League may be called by the President or the majority of the Board of Directors at any given time by giving notice to the city clerk of each member municipality at least fifteen (15) days prior to the date of the meeting. The notice shall state the purpose of the meeting.

## **ARTICLE VIII Finances**

**Section 1.** The fiscal year of the League shall be from July 1 to June 30.

**Section 2.** The Executive Director shall prepare and submit to the Board of Directors for approval, an annual budget at least two (2) weeks prior to the last regular meeting of the board, prior to the current fiscal year. The Executive Director shall collect and disburse all monies of the League, keep its accounts which shall at all times be open to the inspection of the Board of Directors. The Executive Director shall have the authority to sign all checks, drafts, notes, warrants, and all orders for the payment of money, consistent with the approved budget.

**Section 3.** There shall be an annual audit, conducted by an independent firm engaged by the Board.

## **ARTICLE IX Amendments**

The Board of Directors shall adopt Bylaws and amendments thereto. Amendments to the Bylaws shall be by two-thirds (2/3) vote of all directors present at a meeting in which a quorum is present. The Bylaws may contain provisions for the regulation and management of the affairs of the League not inconsistent with law or the Articles of Incorporation. Bylaws may be amended by two-thirds (2/3) vote of all members voting at an annual or special meeting, and when so amended the Board of Directors shall take no action by way of further amendment or revocation of Bylaws or a provision thereof, that is contrary to such amendment.

**High Population (over 80,000) – Dedicated Seats**

- Municipality of Anchorage
- Mat Su Borough
- Fairbanks North Star Borough

**Boroughs – two seats (or can run in District election, if nominated)**

- Ketchikan Gateway Borough (1)
- Kodiak Island Borough (2)
- Kenai Peninsula Borough (3)
- Denali Borough (5)
- Northwest Arctic Borough (6)
- North Slope Borough (6)
- Aleutians East Borough (9)
- Lake and Peninsula Borough (9)
- Bristol Bay Borough (9)
- Petersburg Borough (1)

**City/Borough – one seat (or can run in District election, if nominated)**

- City & Borough of Sitka (1)
- City & Borough of Wrangell (1)
- Haines Borough (1)
- City & Borough of Juneau (1)
- Municipality of Skagway (1)
- City and Borough of Yakutat (2)

**District 1 – Southeast**

- City of Coffman Cove
- City of Craig
- City of Hoonah
- City of Hydaburg
- City of Kake
- City of Kasaan
- City of Ketchikan
- City of Klawock
- City of Kupreanof
- Metlakatla Indian Association
- City of Pelican
- City of Port Alexander
- City of Saxman
- City of Thorne Bay
- City of Tenakee Springs
- City of Angoon
- City of Gustavus

**District 2 – PWS/Kodiak**

- City of Akhiok
- City of Cordova
- City of Ouzinkie
- City of Old Harbor
- City of Port Lions
- City of Kodiak
- City of Valdez
- City of Whittier

**District 3 – Kenai**

- City of Homer
- City of Kachemak
- City of Kenai
- City of Seldovia
- City of Seward
- City of Soldotna

**District 4 – Mat Su**

- City of Houston
- City of Palmer
- City of Wasilla

**District 5 - Interior**

- City of Allakaket
- City of Anderson
- City of Bettles
- City of Delta Junction
- City of Eagle
- City of Fairbanks

- City of Fort Yukon
- City of Galena
- City of Hughes
- City of Huslia
- City of McGrath

- City of Nenana
- City of North Pole
- City of Ruby
- City of Tanana

**District 6 – North**

- City of Ambler
- City of Buckland
- City of Deering
- City of Kiana
- City of Kivalina
- City of Kotzebue
- City of Kobuk
- City of Noorvik
- City of Selawik

- City of Shungnak
- City of Atkasuk
- City of Anaktuvuk Pass
- City of Kaktovik
- City of Nuiqsut
- City of Point Hope
- City of Wainwright
- City of Utqiagvik

**District 7 - West**

- City of Brevig Mission
- City of Diomedea
- City of Elim
- City of Gambell
- City of Golovin
- City of Koyuk
- City of Nome
- City of Nulato

- City of Savoonga
- City of Shakttoolik
- City of Shishmaref
- City of Teller
- City of Unalakleet
- City of Wales
- City of White Mountain

**District 8 - YK**

- City of Alakanuk
- City of Aniak
- City of Anvik
- City of Bethel
- City of Chefornak
- City of Chevak
- City of Chuathbaluk
- City of Eek
- City of Emmonak
- City of Grayling
- City of Holy Cross
- City of Hooper Bay
- City of Kaltag
- City of Kotlik
- City of Koyukuk
- City of Kwethluk
- City of Lower Kalskag
- City of Marshall

- City of Mekoryuk
- City of Mountain Village
- City of Napakiak
- City of Napaskiak
- City of Nightmute
- City of Nikolai
- City of Nunam Iqua
- City of Nunapitchuk
- City of Pilot Station
- City of Platinum
- City of Quinhagak
- City of Russian Mission
- City of Saint Mary's
- City of Saint Michael
- City of Scammon Bay
- City of Shageluk
- City of Stebbins
- City of Toksook Bay

- City of Upper Kalskag

**District 9 – Aleutians/Bristol Bay**

- City of Adak
- City of Akutan
- City of Aleknagik
- City of Atka
- City of Chignik
- City of Clark’s Point
- City of Cold Bay
- City of Dillingham
- City of Egegik
- City of Ekwok
- City of False Pass
- City of Goodnews Bay
- City of King Cove
- City of Larsen Bay
- City of Manokotak
- City of Newhalen
- City of New Stuyahok
- City of Nondalton
- City of Pilot Point
- City of Point Heiden
- City of Sand Point
- City of Saint Paul
- City of Saint George
- City of Togiak
- City of Unalaska

## **RESTATED**

### **ARTICLES OF INCORPORATION Alaska Municipal League**

The undersigned hereby certify that these restated articles of incorporation correctly set out the provisions of the articles of incorporation as amended, and have been adopted as required by law. These restated articles supercede the original articles of incorporation and all amendments thereto.

#### **ARTICLE I**

##### **Name of Corporation**

The name of the corporation is the Alaska Municipal League.

#### **ARTICLE II**

##### **Purposes and Objectives**

The purpose for which the corporation is organized are as follows:

- (a) To perpetuate and develop the League as an agency for the cooperation of municipalities in the state of Alaska for the practical study of municipal affairs.
- (b) To promote application of the best methods in all branches of municipal service by holding at least one conference annually for the discussion of problems of administration.
- (c) To gather and circulate information and experience concerning the most approved methods of municipal administration.
- (d) To secure general and municipal legislation at the state and federal levels which will be beneficial to the municipalities and inhabitants thereof, and to oppose legislation injurious thereto.
- (e) To safeguard the interests, rights and privileges of Alaskan municipalities as they may be affected by Federal and State governmental actions.
- (f) To secure cooperation among municipalities of the State in a thorough study of local problems and in the application of efficient methods of local government.
- (g) To provide means whereby municipal officials may interchange ideas, experiences, and obtain expert advice.
- (h) To engage in the study and preparation of uniform ordinances, resolutions, and practices; and to do any and all other things necessary and proper for the benefit of the municipalities of Alaska.
- (i) To develop appropriate membership services and programs that strengthen Alaskan local governments' ability to govern their own affairs and improve the well being and quality of life of their constituents.

**ARTICLE III**  
Principal Office

The principal office of the corporation is in Juneau, Alaska.

**ARTICLE IV**

The period of the corporation's duration is perpetual.

**ARTICLE V**  
Membership

Any incorporated Alaska municipality or federally incorporated community shall be eligible for membership in this League. Associate membership may be provided for in the Bylaws. When any municipality becomes a member of the League, any official of such municipality may be selected by its governing body or chief executive officer (municipal manager level) as a delegate to any meeting of the League. Any member municipality which shall be in arrears for more than one year's dues shall be stricken from the roll of the League until its dues shall be paid in full. Any member City or Borough may withdraw from the League after thirty (30) days written notice thereof is given to the Executive Director.

**ARTICLE VI**  
Board of Directors and Officers

Section 1. Board of Directors: The Board of Directors shall consist of the President, First Vice President, Second Vice President, Immediate Past President, up to five (5) past presidents, and eleven (11) additional Directors elected in accordance with Article VI, Section 5 below and the President of the Alaska Conference of Mayors. If there are more than five eligible Past Presidents, the positions shall be filled by the five most recent Past Presidents who are eligible. The Board of Directors shall exercise supervision over all the affairs of the organization. Elected Board members shall be mayors or elected members of the governing body of their municipality.

Section 2. The Alaska Association of Municipal Attorneys, the Alaska Association of Municipal Clerks, the Alaska Municipal Management Association, the Alaska Government Finance Officers Association, Chair of the AML Legislative Committee, and Alaska Board of Directors members of the National Association of Counties and the National League of Cities shall enjoy ex-officio nonvoting status on the Board of Directors. Their seats shall be filled by their respective associations at the Annual Meeting of the Alaska Municipal League. Their attendance shall not count for a quorum. The Board of Directors may by motion add or remove ex-officio nonvoting members of the Board

Section 3. Officers: The officers of this organizations shall be President, First Vice-President, Second Vice-President, and Immediate Past President. The First Vice President shall be the Secretary/Treasurer

Section 4. Term of Office: The terms of office for the President and Vice Presidents shall be one (1) year. Except as provided in Section 4, the terms of a district director shall be two (2) years. The term of director elected at large shall be one (1) year. The term of office of a Past President shall continue until replaced by a more recent Past President or until no longer eligible to serve.

Section 5. Director Districts: Ten of the directors shall be elected from numbered geographic districts as set out in the Bylaws, with one director to be elected from each district and one director at large.

The terms of the directors office elected to even numbered districts shall end in even numbered years, and the terms of directors elected to odd numbered districts shall end in odd numbered years. The term of the director at large shall be one year.

Section 6. Vacancies: Any vacancy in office shall be filled by appointment by the President, subject to the approval of the Board of Directors, and any exception and any other provision for the Bylaws; however, if the vacancy occurs within forty-five (45) days before the annual meeting, the vacancy shall be filled by election. Appointments by the President shall be effective until a successor takes office at the next annual meeting the President shall fill a vacancy with a person from the same district.

Section 7. Compensation: The Board of Directors shall not receive any compensation for their services, but by Board of Directors resolution the Board members may receive reimbursement for actual and necessary expenses incurred in the performance of their duties.

Section 8. Limitation of Expenditures: The Board of Directors may not incur indebtedness in excess of the estimated revenues, including prior year fund balance, unless otherwise authorized by a majority vote of all municipalities voting in an annual or special meeting of the League. This limitation shall not necessarily apply to affiliated entities, such as the AML/JIA, that are governed by an independent Board or Directors or Trustees, and which have budgets, sources of revenue and liabilities independent of the Alaska Municipal League.



**ARTICLE VII**  
Annual Meeting

An annual meeting of the League shall be held each year at a time and place to be determined by the by the Board of Directors. The program of the annual meeting shall be arranged by or under the direction of the Board of Directors. Immediately prior to election of officers at the annual business meeting, the President shall vacate the office and succession of officers as provided for in the Bylaws shall take place. Nominations for Second Vice President and Directors shall be made by resolution by the governing body or in writing by the mayor, of a member municipality. The Board of Directors may prescribe the form and content of nominations and the date by which nominations must be received. There shall be no limit upon the number of delegates to be sent by any member municipality to a meeting of the League. All delegates may be heard in debate. Each member municipality is entitled to only one vote in the annual business meeting. No member may vote by proxy.

**ARTICLE VIII**  
Dues

The annual dues to each member municipality shall be established by the Board of Directors and shall be based on the population within the municipality as determined annually by the appropriate agency of the State of Alaska. The dues shall be payable on the first day of January for that year. The League may prorate the annual dues of municipalities that join the League for a partial year.

**ARTICLE IX**  
Dissolution

Upon the dissolution or winding up of this corporation, its assets remaining after payment of, or provision for payment of, all debts and liabilities of this corporation shall be distributed to the State of Alaska or to a local government body of the State of Alaska for use exclusively for public purposes, or to a nonprofit foundational corporation which is organized and operated exclusively for charitable purposes and which has established its tax exempt status under Section S01(c)(3) of the Internal Revenue Code, and Section 237091 -d of the Revenue and Taxation Code. Upon the dissolution of the Alaska Municipal League, the disposition of net proceeds from charitable gaming conducted under AS 05.15 will go to a permittee, other than a multiple-beneficiary permittee. If this corporation holds any assets in trust, such assets shall be disposed of in such a manner as may be directed by decree of the Superior Court of the Judicial District in which this corporation's principal office is located upon petition thereof by the Attorney General or by any person concerned in the liquidation.

**ARTICLE X**  
Nonpartisan

The League shall always be nonpartisan in its organization and in the conduct of its affairs. It shall be the duty of the presiding officer to suppress the discussion of partisan politics and to

suppress efforts to make a personal or political attack upon any official or any member of this League.

## **ARTICLE XI**

### Bylaws

The Board of Directors shall adopt Bylaws and amendments thereto. Amendments to the Bylaws shall be by two-thirds (2/3) vote of all directors present at a meeting in which a quorum is present. The Bylaws may contain provisions for the regulation and management of the affairs of the League not inconsistent with law or the Articles of Incorporation. Bylaws may be amended by two-thirds (2/3) vote of all members voting at an annual or special meeting, and when so amended the Board of Directors shall take no action by way of further amendment or revocation of Bylaws or an provision thereof, that is contrary to such amendment.

## **ARTICLE XII**

### Amendments

These Articles of Incorporation may be amended at the annual meeting or special meeting by a two thirds (2/3) vote of all municipalities voting, provided the proposed amendment shall have been submitted in writing and read to the delegates on the first day of the meeting. Any amendment approved by the membership shall become effective immediately prior to succession/election of officers at an annual meeting or upon the adjournment of a special meeting at which the amendment was approved, unless otherwise specified in the amendment. Amendments to these Articles of Incorporation proposed and approved by the Board of Directors shall be mailed to each member municipality at least (30) days prior to the annual meeting or special meeting at which the amendments are to be considered.

## **ARTICLE XIII**

### Limitation of Liability

No member of the Board of Directors shall be personally liable to the corporation for monetary damages for the breach of fiduciary duty as a director. Nothing in these Articles shall be construed as eliminating or limiting the liability of a director for a breach of a director's duty of loyalty to the corporation; for any act or omission not in good faith that involved intentional misconduct or a knowing violation of law; or for a transaction from which the director, officer or former director or officer of the League, or a person who has served at its request as a director or officer of another corporation in which it owns shares of capital stock or of which it is a creditor, against expenses actually and reasonably incurred by that person in connection with the defense of any action, suit or proceeding, civil or criminal, in which that person is made a party by reason of being or having been a director or officer, except in relation to matters in which that person was adjudged, in the action, suit or proceeding, to be liable for negligence or misconduct in the performance of corporate duties, and may make any other indemnification as may be authorized by the League pursuant to its Bylaws or resolution adopted after notice to the members entitled to vote, not inconsistent herewith, or contrary to state law. The Board of Directors may establish policies and procedures for the implementation of this Article.

**ARTICLE XIV**  
Initial Registered Agent

As originally stated.

**ARTICLE XV**  
Initial Directors

As originally stated.

**ARTICLE XVI**  
Incorporators

As originally stated.

DATED at Homer, Alaska on this 9th day of September, 1994.

DATED at Anchorage, Alaska on this 20th day of November, 2005

**DATED at Anchorage, Alaska on the 21st day of November, 2014**

John Torgerson (signature)  
President

Donald Long (Signature)  
Secretary

Acknowledgement

State of Alaska Municipal League

First Judicial District

I HEREBY CERTIFY that on this 9th day of September, 1994 personally appeared before me the foregoing people who have signed the above signatures, who being duly sworn severally declared that they are the persons who signed the foregoing document and that the statements therein contained are true.

Lejane Ferguson (signature)  
Notary Public, State of Alaska  
My Commission Expires: 1-20-95

Public  
Testimony &  
Handouts for  
Res. No.  
20-029  
Sale of Property

## Testimony for proposed Resolution 20-029

My name is Joseph Reece. I am a lawyer with Davis Wright Tremaine LLP in Anchorage, representing Anchorage Sand and Gravel with respect to the proposed sale of a 12.65 Acre Parcel of Land Located at 2390 S. Glenn Highway to Alaska Frontier Fabrication, LLC, under consideration as proposed Resolution 20-029.

Anchorage Sand and Gravel respectfully requests that the City Council table the proposed resolution for a period of time to allow consideration of two important points.

First, we believe that the proposed sale is not permitted under the current City Code. Section 3.20.080 of the Palmer Municipal Code governs the sale or disposition of property by the City. Section K provides that “property “shall be sold to the highest responsible bidder at a public sale” unless “otherwise provided in this chapter”. The proposed resolution relies on the exception in Section M for a sale at fair market value. The problem is that this exception is available only if there has first been a public sale that does not result in a bid equal to or greater than the fair market value and costs of sale. See the highlighted portion of Section M below:

*M. Fair Market Value.* Real property shall be sold for not less than the fair market value. **If a public sale does not result in a bid equal to or greater than the fair market value and costs of sale, the council may sell the real property at a private sale or may conduct another public sale.** In the event of an authorized private sale or another public sale, the council may approve the sale of the property at the highest price which may be obtained. “Fair market value” as used in this subsection means the price determined in terms of money at which the real property is appraised by a qualified appraiser, or the value assessed by the borough tax assessor.

Second, the purpose of the Code requirements is for the City of Palmer to obtain the highest price which may be obtained. Anchorage Sand and Gravel made an offer to purchase the property for \$525,000, substantially more than the proposed private sale. The proposed sale is obviously not “the highest price which may be obtained”.

The City Council has a duty to obtain the best price possible when it disposes of public assets, and has a duty to follow the procedures required by the Palmer Municipal Code. We therefore suggest that the best course of action today is to table the resolution while these issues are sorted out.

### 3.20.080 Sale or disposition of real property.

- A. *Authority to Sell or Dispose of Property.* The city may sell, convey, exchange, transfer, donate, dedicate, direct or assign to use, or otherwise dispose of city-owned real property by any lawful means or conveyances.
- B. *Form of Sale or Disposition.* The city may sell or dispose of real property by warranty or quitclaim deed, easement, grant, permit, license, deed of trust, mortgage, contract of sale of real property, plat dedication, lease, tax deed, will, or any other lawful method or mode of conveyance or grant. Any instrument requiring execution by the city shall be signed by the mayor and attested by the city clerk. The form of any instrument shall be approved by the city attorney.
- C. *Rights and Powers.* The city shall have and may exercise all rights and powers in the sale and disposal of real property as if the city were a private person; provided, however, the city shall not waive any immunities of a municipality regarding the sale or disposition of real property unless specifically provided for by resolution concerning the specific sale or disposition. The city may sell or dispose of any real property, including property acquired or held for or devoted to a public use, when in the judgment of the city council it is no longer required for municipal purposes.
- D. *Public and Charitable Conveyances.* The council may sell, donate or exchange with the United States, the state, any political subdivision, or a nonprofit organization, city-owned real property without a public sale and for less than the fair market value, whenever in the judgment of the city council it is advantageous to the city to make the conveyance.
- E. *Property Exchanges.* The council may approve, after public notice, the conveyance and exchange of a parcel of city property for an equivalent parcel of property owned by another person, subject to such conditions as the council may impose on the exchange, whenever in the judgment of the city council it is advantageous to the city to make the property exchange.
- F. *Grants for Federal and State Programs.* The council may grant or devote real property no longer held for public purpose to the United States, the state of Alaska, a local subdivision, or an agency of any of these governments, for a consideration agreed upon between the city and the grantee without a public sale if the grant or devotion is advantageous to the city. Any approval of a federal or state program providing for the participation or cooperation of the city by grant or devotion of the real property is a sale of that real property for the consideration stated in the program.
- G. *Industrial Sites.* Notwithstanding any other subsections of this section, the city may sell, lease or dispose of sites acquired for new industries benefiting the city upon the terms and conditions as the city council considers advantageous to the civic welfare of the city, to a person who agrees to install, maintain and operate a beneficial new industry.
- H. *Change of Use.* Real property acquired or purchased for one city purpose may be appropriated, transferred, assigned, or directed without public sale to another city purpose, whenever the city council determines that the

purpose for which the property was acquired or purchased no longer exists, or the property is no longer used or useful for the purpose. No formal conveyance is necessary to dispose of the real property to another city purpose, and the disposition may be made to another purpose with or without legal consideration for the disposition. The city may sell, convey or otherwise dispose of real property no longer used or useful in the operation of a city-owned utility. Real property no longer needed for the purpose for which the real property was acquired or purchased, or utility property no longer used or useful in the operation of a city-owned utility, is no longer property owned, held for or devoted to a public use, and may be sold or disposed of as provided in this chapter if the council determines the real property is not useful to the city for any other purpose.

I. *Conveyance of Public Improvement Property Interests.* The city council may at any time, without public sale, convey, quitclaim, release, cancel, or otherwise relinquish any real property easement, right-of-way, permit, or license the city may have or hold for the purpose of installing, constructing, or maintaining a public improvement, whenever the interest is no longer used or useful for that purpose.

J. *Real Property as Security.* The council may pledge, mortgage or otherwise secure city real property for the payment of city bonded or other indebtedness when required, as authorized by law.

K. *Public Sale.* Unless otherwise provided in this chapter, real property no longer used or useful for a public use or purpose shall be sold to the highest responsible bidder at a public sale. Public sale shall not be required where the real property of the city is subject to any term or condition restricting or limiting the ability of the city to obtain the fair market value of the property.

L. *Notice.* Unless otherwise provided in this chapter, notice of a proposed public sale of real property shall be published not less than two weeks prior to bid date in a newspaper of general circulation in the city. The notice shall contain a description of the real property to be sold and the time, date, place and any terms or limitations of the public sale.

M. *Fair Market Value.* Real property shall be sold for not less than the fair market value. If a public sale does not result in a bid equal to or greater than the fair market value and costs of sale, the council may sell the real property at a private sale or may conduct another public sale. In the event of an authorized private sale or another public sale, the council may approve the sale of the property at the highest price which may be obtained. "Fair market value" as used in this subsection means the price determined in terms of money at which the real property is appraised by a qualified appraiser, or the value assessed by the borough tax assessor.

N. *Procedure on Public Sale.* The council in the resolution authorizing the sale of real property shall set forth the terms and conditions of the public sale. The council may reserve the right to reject any and all bids received at the public sale, if the highest bid is below the fair market value and costs of sale or is not made by a responsible bidder. The resolution shall provide if the sale is for cash, or cash deposit and a purchase agreement. If the sale is for a cash deposit and a purchase agreement, the city manager shall prescribe the form of the purchase agreement. No sale or purchase agreement will be enforceable against the city unless and until the city council approves such sale or purchase agreement. The approval of any public sale by the council authorizes the city manager to take all steps and execute all instruments to complete and close the sale. The city manager shall conduct the sale, and shall give to the bidder at the auction a receipt for all moneys received

by the city. A purchaser at a public sale who fails to make such other cash payments within the times required by the resolution shall forfeit any cash deposit paid to the city.

O. *Appraisal.* No real property shall be sold at a public sale unless the real property to be sold has been appraised by a qualified appraiser within 180 days prior to the date of the resolution authorizing the public sale.

P. *Council Action.* No action of the council to dispose of any city interest in real property dedicated to public use shall be final until the resolution to do so has been on file in the office of the city clerk for 30 days. Prior to any council action on the sale of real property, the city manager shall make his recommendation to the city council as to any change of use or merits of the sale or disposition of the real property.

Q. *Purchase Agreement.* A purchaser of real property from the city may purchase the real property by purchase agreement if provided in the resolution for the sale. Unless otherwise provided in the resolution for the sale, a purchase agreement shall provide for a deed, note and deed of trust. The purchase agreement shall be executed by the mayor, attested by the city clerk and approved as to form by the city attorney.

R. *Broker.* The city may employ a broker for the sale of real property and may pay the broker a commission for the sale. The employment shall be in the resolution for the sale of the real property and any contract of employment shall be first approved by the city council unless the city council authorized the city manager to execute the contract without approval.

S. *Easements and Rights-of-Way.* The city may reserve any easement and right-of-way to be used for public improvements and purposes before selling or disposing of city-owned real property. The city council may make such restrictions, limitations, reservations, reversions, or other covenants the council may find advantageous to the city even if the fair market value of the property is affected. The effect of these reservations may be considered in determining the fair market value of the property.

T. *City Manager Regulations.* The city manager may provide by regulation for the procedures and forms as to applications, surveys, appraisals, auction, bidding, form or substance of purchase agreement, or any other matter involving the sale or disposition of city property not inconsistent with and to implement the intent and purpose of this chapter. The absence of a regulation or an inconsistent resolution shall not invalidate any public sale procedure, or conveyance executed or to be executed by the city, where the requirements of this chapter have been otherwise satisfied. (Ord. 544 § 3, 1999; Ord. 246 § 3, 1982)



<b>RESO 20-004</b>	To amend the 2021 CIP with the following changes:	
	<b>Solid Waste Fund Projects:</b>	<b>Not Budgeted</b>
	New Garbage Truck	\$ 352,000.00
	<b>Continuing Projects: (In CIP NOT Budgeted)</b>	<b>Not Budgeted</b>
	Police Radios	\$ 67,433.00
	Police Vehicle Annual replacement	\$ 50,000.00
	Golf Course Golf Carts	\$ 10,000.00
	Golf Course Infrastructure	\$ 15,000.00
	Roads-Dump Truck with plow blade	\$ 275,000.00
	<b>W/S Projects: (In CIP funded by W/S Fund)</b>	<b>Budgeted</b>
	Water Reservoir Repair	\$ 75,000.00
	W/S Lift Station & Pumps	\$ 50,000.00
<b>Airport Projects: (In CIP funded by Airport)</b>		
Avigation Easement Phase II (Budgeted)	\$ 15,000.00	
Tie Down Spaces with Aircraft Outlets	\$ 25,000.00	

<b>RESO 20-002</b>	To amend the 2021 Fee Schedule with the following changes:	
	Page 141: Airport Fees-All Tie Down Spaces add 3% sales tax including transient rate.	
	Page 150: Utilities- <u>Monthly</u> added to Unmetered Wastewater Service Rates	
	Page 151: Removal of: <u>Prohibited Items in Trash Warranting an unplanned Garbage Truck Cleanout (per hour)</u>	

<b>RESO 20-003</b>	To amend the 2021 Fine Schedule with the following changes:	
	Page 159: top of page (A)(1) of this section, shall be assessed the maximum surcharge allowable to Alaska Statutes 12.55.039 and <u>29.25.074</u>	
	Page 152: Chapter 8.38 Nuisance - Junk, Litter and Unsightly Premises Fine: <u>Actual Recovery Cost to the City</u>	

## 2021 *Recommended* Amendments as of Reso 21-005

Primary Amendment #1	To amend the 2021 budget for Solid Waste Fund to include purchase of new garbage truck	\$	352,000.00		
	05-01-10-6053				
Primary Amendment #2	To Amend the 2021 budget to reflect allocations in the approved 2021 CIP Additions from the General Fund to the following funds:	General Fund Surplus	\$	30,433.00	
	\$392,433 to Fund 09 General CIP Equipment \$25,000 to Fund 15 Golf Course CIP				
		\$	417,433.00	\$	(387,000.00)

Legislative Priority	Project	Funding Sources	Year of Initiation/ Execution	Cost Estimate	2020 total	2020 Remaining	2021 Addition	2021 Total	2022 Addition	2023 Addition	2024 Addition	2025 Addition
<b>Prior Years Ongoing</b>												
N	MTA Equipment Arena	COP	Annually		\$ 36,154	\$ 36,154		\$ 36,154	\$ 20,000	\$ 20,000	\$ 20,000	\$ 20,000
N	Water Reservoir Repair	COP-W/S	2017	\$ 40,000	\$ 108,265	\$ 85,765	\$ 75,000	\$ 160,765				
N	ADA Sidewalks	COP/Grant	2017	\$ 250,000	\$ 70,812	\$ 70,030	\$ -	\$ 70,030	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000
N	Police Radios	COP	2017	\$ 625,000	\$ 103,000	\$ 46,773	\$ 67,433	\$ 114,206	Complete			
N	Street Maintenance	COP	As needed	\$ 500,000	\$ 548,778	\$ 623,778	\$ -	\$ 623,778	\$ 200,000	\$ 200,000	\$ 100,000	\$ 100,000
N	Public Video	COP	2018	\$ 75,000	\$ 39,617	\$ 30,498	\$ -	\$ 30,498				
N	W/S Lift station and well pumps	COP-W/S	Annually	\$ 100,000	\$ 110,041	\$ 48,647	\$ 50,000	\$ 98,647	\$ 75,000	\$ 75,000	\$ 75,000	\$ 75,000
N	Water/Sewer Truck	COP-W/S	2018	\$ 55,000	\$ 50,000	\$ 10,655	\$ -	\$ 10,655			\$ 60,000	\$ 60,000
N	Police Vehicle Annual Replacement	COP	Annually	\$ 45,000	\$ 86,333	\$ 30,108	\$ 50,000	\$ 80,108	\$ 50,000	\$ 50,000	\$ 55,000	\$ 55,000
N	Park Improvements	COP	As needed		\$ 100,204	\$ 99,104	\$ -	\$ 99,104				
N	Public Building Maintenance	COP	As needed	\$ 500,000	\$ 88,965	\$ 88,965	\$ -	\$ 88,965	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000
N	Airport Safety - Avigation Easement Phase I	COP	2019	\$ 450,000	\$ 16,600	\$ 16,600	\$ -	\$ 16,600				
N	Golf Course-Golf Carts	COP	Annually	\$ 40,000	\$ 40,000	\$ -	\$ 10,000	\$ 10,000	\$ 20,000	\$ 20,000	\$ 20,000	\$ 20,000
N	Golf Course Infrastructure	COP	Annually	\$ 20,000	\$ 40,000	\$ 3,000	\$ 15,000	\$ 18,000	\$ 20,000	\$ 20,000	\$ 20,000	\$ 20,000
N	Depot updates-piping	COP	2019	\$ 15,000	\$ 10,000	\$ 3,262	\$ -	\$ 3,262				
N	Roads-Sander truck with plow blade	COP	2020	\$ 175,000	\$ 175,264	\$ 72,357	\$ -	\$ 72,357				
N	Traffic Safety Planning	COP	2020		\$ 135,000	\$ 116,843	\$ -	\$ 116,843				
N	Annexation Planning	COP	2020									

Prior Year Funded (Carry over) \$1,382,539

2021 Recommended additional funding \$137,901



Legislative Priority	Project	Funding Sources	Year of Initiation/ Execution	Cost Estimate	2020 total	2020 Remaining	2021 Addition	2021 Total	2022 Addition	2023 Addition	2024 Addition	2025 Addition
			<b>Unassigned</b>									
N	Emergency Generator City Hall	Grant	Undetermined	\$ 400,000								
N	Generator for Fire St36 (training center)	COP	Undetermined	\$ 50,000								
N	New Fire engine and equipment	COP	Undetermined	\$ 700,000								
N	Fire Brush truck replacement/equip	COP	Undetermined	\$ 160,000								
N	Snow Dump Lots	COP	Undetermined	\$ 100,000								
N	Roof over Fire conexas	COP	Undetermined	\$ 55,000								
N	Extend S. Industrial to Inner Springer	COP	Undetermined	\$ 400,000								
N	Design new Library buiding	COP	Undetermined	\$ 100,000								
N	Public Library Extension Ph II	Bond	Undetermined	\$ 5,000,000								
N	New Fire station	Bond	Undetermined	\$ 9,000,000								
N	Design Museum phase 2	COP	Undetermined	\$ 250,000								
Y	Downtown Road Improvements- Cobb Street		Undetermined	\$ 1,100,000								
Y	Historic Palmer Water Tower Purchase		Undetermined	\$ 100,000								
Y	Restore Railroad Tracks to Downtown Palmer		Undetermined	\$ 3,000,000								
Y	Park Project Walk to the Fair		Undetermined	\$ 300,000								
N	Babb Aboretum Restoration		Undetermined	\$ 75,000								
N	Sherrod Area Gravel to Road resurfacing		Undetermined	\$ 1,000,000								
<b>Totals</b>	<b>Totals</b>			\$ 42,363,359	\$ 2,271,088	\$ 1,382,539	\$ 934,433	\$ 2,371,222	\$ 1,655,000	\$ 1,365,000	\$ 450,000	\$ 1,410,000

Legislative Priority	Project	Funding Sources	Year of Initiation/ Execution	Cost Estimate	2020 total	2020 Remaining	2021 Addition	2021 Total	2022 Addition	2023 Addition	2024 Addition	2025 Addition
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**UPDATED**

2021 Funding Breakdown \$ 934,433 additional

General Fund	\$ 417,433	\$294,532 from annual contribution	\$122,901 from General Fund unassigned balance
Airport Fund	\$ 40,000	Enterprise Fund	
Solid Waste Fund	\$ 352,000	Enterprise Fund	
W/S	\$ 125,000	Enterprise Fund	

2022 Funding Breakdown \$ 1,655,000 additional

General Fund	\$ 1,000,000	\$290,000 from annual contribution	\$710,000 from General Fund unassigned balance
W/S	\$ 655,000	from enterprise funds	

2023 Funding Breakdown \$ 1,365,000 additional

General Fund	\$ 1,290,000	\$244,000 from annual contribution	\$1,046,000 from General Fund unassigned balance
W/S	\$ 75,000	from enterprise funds	

2024 Funding Breakdown \$ 450,000 additional

General Fund	\$ 315,000	\$244,000 from annual contribution	\$71,000 from General Fund unassigned balance
W/S	\$ 135,000	from enterprise funds	

## Testimony for proposed Resolution 20-029

My name is Joseph Reece. I am a lawyer with Davis Wright Tremaine LLP in Anchorage, representing Anchorage Sand and Gravel with respect to the proposed sale of a 12.65 Acre Parcel of Land Located at 2390 S. Glenn Highway to Alaska Frontier Fabrication, LLC, under consideration as proposed Resolution 20-029.

Anchorage Sand and Gravel respectfully requests that the City Council table the proposed resolution for a period of time to allow consideration of two important points.

First, we believe that the proposed sale is not permitted under the current City Code. Section 3.20.080 of the Palmer Municipal Code governs the sale or disposition of property by the City. Section K provides that “property “shall be sold to the highest responsible bidder at a public sale” unless “otherwise provided in this chapter”. The proposed resolution relies on the exception in Section M for a sale at fair market value. The problem is that this exception is available only if there has first been a public sale that does not result in a bid equal to or greater than the fair market value and costs of sale. See the highlighted portion of Section M below:

*M. Fair Market Value.* Real property shall be sold for not less than the fair market value. **If a public sale does not result in a bid equal to or greater than the fair market value and costs of sale, the council may sell the real property at a private sale or may conduct another public sale.** In the event of an authorized private sale or another public sale, the council may approve the sale of the property at the highest price which may be obtained. “Fair market value” as used in this subsection means the price determined in terms of money at which the real property is appraised by a qualified appraiser, or the value assessed by the borough tax assessor.

Second, the purpose of the Code requirements is for the City of Palmer to obtain the highest price which may be obtained. Anchorage Sand and Gravel made an offer to purchase the property for \$525,000, substantially more than the proposed private sale. The proposed sale is obviously not “the highest price which may be obtained”.

The City Council has a duty to obtain the best price possible when it disposes of public assets, and has a duty to follow the procedures required by the Palmer Municipal Code. We therefore suggest that the best course of action today is to table the resolution while these issues are sorted out.