

Haines Borough
Borough Assembly Meeting #275

AGENDA

August 12, 2014 - 6:30 p.m.

Location: Assembly Chambers, Public Safety Bldg.

Stephanie Scott,
Mayor

Dave Berry Jr.,
Assembly Member

Diana Lapham,
Assembly Member

Debra Schnabel, MPA
Assembly Member

Joanne Waterman,
Assembly Member

George Campbell,
Assembly Member

Jerry Lapp,
Assembly Member

David Sosa, MPA
Borough Manager

Julie Cozzi, MMC
Borough Clerk

Krista Kielsmeier
Deputy Clerk

1. CALL TO ORDER/PLEDGE TO THE FLAG

2. ROLL CALL

3. APPROVAL OF AGENDA & CONSENT AGENDA

[The following Consent Agenda items are indicated by an asterisk (*) and will be enacted by the motion to approve the agenda. There will be no separate discussion of these items unless an assembly member or other person so requests, in which event the asterisk will be removed and that item will be considered by the assembly on the regular agenda.]

Consent Agenda:

- 4 – Approve Assembly Meeting Minutes
- 8B – Fire Department Report
- 9A – PRAC Minutes
- 9B – DRC Report
- 11A2 – Resolution 14-08-581
- 11A3 – Resolution 14-08-582
- 11B1 – Ordinance 14-08-389
- 11C2 – Election Policy re. Polling Place Visitation
- 12A – ADOT Letter re. Telecommuting

* 4. APPROVAL OF MINUTES – 7/29/14 Regular

5. PUBLIC COMMENTS [Any topics not scheduled for public hearing]

6. MAYOR'S COMMENTS/REPORT

7. PUBLIC HEARINGS

A. Ordinance 14-07-384 – First hearing

An Ordinance of the Haines Borough placing a proposition on the October 7, 2014 Haines Borough General Election ballot to amend Borough Charter Section 16.04 to remove the requirement for a runoff election if a candidate does not receive at least 40% of votes cast to be elected to borough office.

*This ordinance is in response to one of the assembly's 2014 legislative priorities. It was introduced on 7/29. **Motion:** Advance Ordinance 14-07-384 to a second public hearing on 8/26/14.*

B. Ordinance 14-07-385 – First hearing

An Ordinance of the Haines Borough to amend Borough Code Section 11.48.50 to provide that candidates receiving the greatest number of votes cast shall be declared the winners of an election even if the greatest number of votes cast is less than 40% of the total votes cast and to eliminate the requirement for a runoff election.

*This ordinance amends the borough code pursuant to voter ratification of the proposition in Ordinance 14-07-384 and was introduced on 7/29. **Motion:** Advance Ordinance 14-07-385 to a second public hearing on 8/26/14.*

C. Ordinance 14-07-386 – First hearing

An Ordinance of the Haines Borough providing for the addition or amendment of specific line items to the FY14 budget.

*This ordinance is recommended by the borough manager. It was introduced on 7/29. **Motion:** Advance Ordinance 14-07-386 to a second public hearing on 8/26/14.*

7A. PUBLIC HEARINGS ---continued---

D. Ordinance 14-07-387 – First hearing

A non-code Ordinance of the Haines Borough approving the sale to Haines Brewing Company Inc. of Lot [TBD], Primary School Subdivision Plat No. 2014-[TBD], Haines Recording District, First Judicial District, State of Alaska.

*The manager has negotiated this land sale, as directed by the assembly on 6/25, and he took the sales proposal to the Planning Commission as required by code. The commission recommends it be considered by the assembly. It was introduced on 7/29. **Motion:** Advance Ordinance 14-07-387 to a second public hearing on 8/26/14.*

E. Ordinance 14-07-388 – First hearing

An Ordinance of the Haines Borough authorizing the issuance of General Obligation Bonds in an aggregate amount not to exceed \$4,722,079 to finance up to four projects for capital improvements to school facilities of the Borough; authorizing submission to the qualified voters of the Borough at the regular Election to be held on October 7, 2014, of four propositions, one for each of the capital improvement projects authorized by this ordinance; appropriating funds for those projects that are approved by the voters; and providing for an effective date.

*This ordinance was prepared by the borough's bond counsel. He advised a single ordinance could place multiple propositions on the ballot, and this draft includes a ballot question for four different school major maintenance projects. This is a result of applications made to the Alaska Department of Education (DEED) for school project funding reimbursement. The assembly and school board met jointly 3/4/14 and authorized staff to go forward with that application process, and the result is that most of the projects have been approved for 70% reimbursement. The project for pool mechanical, locker room, and ADA compliance upgrades has not as yet qualified. The ordinance was introduced on 7/29. School Superintendent Ginger Jewell will give a brief presentation on the Vocational Education Program in response to a request by the assembly. **Motion:** Advance Ordinance 14-07-388 to a second public hearing on 8/26/14.*

8. STAFF/FACILITY REPORTS

- A. Borough Manager – 8/12/14 Report
- * B. Fire Department – Report of July 2014

9. COMMITTEE/COMMISSION/BOARD REPORTS & MINUTES

- * A. Parks and Recreation Advisory Committee – Minutes of 6/18/14
- * B. Downtown Revitalization Committee – Report
This is an FYI, at this point. This is an ad hoc subcommittee to the planning commission, and the report has been submitted to them.
- C. Assembly Standing Committee Reports

10. UNFINISHED BUSINESS

11. NEW BUSINESS

A. Resolutions

1. Resolution 14-08-579

A Resolution of the Haines Borough Assembly approving the Borough's participation in a proposed refinancing by the Alaska Municipal Bond Bank of certain of the Bond Bank's general obligation bonds, which provided funds to purchase the Borough's General Obligation School Bond, 2005, under a loan agreement between the Borough and the Bond Bank; and authorizing the Borough's finance director to approve a revised schedule of principal and interest payments on the Borough's 2005 Bond, in accordance with the loan agreement, if the Bond Bank successfully refinances its bonds.

*This resolution is recommended by the borough manager. **Motion:** Adopt Resolution 14-08-579.*

* 2. Resolution 14-08-581

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to execute a purchase order with Cal Worthington Ford of Anchorage to purchase a pickup for Public Works for an amount not-to-exceed \$34,248.

*This resolution is recommended by the Director of Public Facilities. **Motion:** Adopt Resolution 14-08-581.*

11A. NEW BUSINESS/Resolutions ---continued---

* 3. Resolution 14-08-582

A Resolution of the Haines Borough Assembly requesting that the Alaska Department of Natural Resources, Division of Parks & Outdoor Recreation (DPOR), make the Chilkat State Park cabin available for public use for a nightly fee using DPOR's online cabin rental system.

*This resolution is recommended by the Parks and Recreation Advisory Committee. **Motion:** Adopt Resolution 14-08-582.*

B. Ordinances for Introduction

* 1. Ordinance 14-08-389

An Ordinance of the Haines Borough providing for the addition or amendment of specific line items to the FY15 budget.

*This ordinance is recommended by the borough manager. **Motion:** Introduce Ordinance 14-08-389 and set a first public hearing for 8/26/14.*

C. Other New Business

1. Board Appointments

*An appointment application has been received for a seat on the Museum Board. The mayor plans to make the appointment and seeks assembly confirmation. **Motion:** Confirm the mayor's appointment of Ginger Jewell to the Museum Board of Trustees for a term ending November 2017.*

* 2. Policy re. Borough Clerk Visits to Polling Places on Election Day.

*On 5/27/14, the assembly passed a motion directing "the manager to establish a written election policy that the clerk or assistant will visit each polling place on Election Day and then bring the policy to the assembly." **Motion:** Confirm the administrative policy requiring the borough clerk or assistant to visit each Borough Election Day polling place.*

12. CORRESPONDENCE/REQUESTS

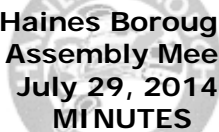
- * A. Letter from ADOT Commissioner Kemp – response to Mayor's 7/7/14 telecommuting letter

13. SET MEETING DATES

14. PUBLIC COMMENTS

15. ANNOUNCEMENTS/ASSEMBLY COMMENTS

16. ADJOURNMENT


Haines Borough
Borough Assembly Meeting #274
July 29, 2014
MINUTES

Draft

1. **CALL TO ORDER/PLEDGE TO THE FLAG:** Mayor **SCOTT** called the meeting to order at 6:30 p.m. in the Assembly Chambers and led the pledge to the flag.

2. **ROLL CALL**

Present: Mayor Stephanie **SCOTT**, and Assembly Members Jerry **LAPP**, Debra **SCHNABEL**, Joanne **WATERMAN**, Dave **BERRY**, and Diana **LAPHAM**. **Absent:** George **CAMPBELL**.

Staff Present: David **SOSA**/Borough Manager, Julie **COZZI**/Borough Clerk, Carlos **JIMENEZ**/Director of Public Facilities, Bill **MUSSER**/Chief of Police, Helen **ALTEN**/Museum Director, and Jila **STUART**/Finance Director.

Visitors Present: Karen **GARCIA**/CVN, Margaret **FRIEDENAUER**/KHNS, Ginger **JEWELL**/School District Superintendent, Bill and Libby **KURZ**, Janet **KURZ**, Mike **CASE**, Shane **HORTON**, Paul **WHEELER**, Jeanne **KITAYAMA**, Eli **FIERER**/AMG, Sean **GAFFNEY**/AMG, Thom **ELY**, Neil **EINSBRUCH**, Tim and Nicole **HOLM**, Dan **EGOLF**, Heidi **ROBICHAUD**, and others.

3. **APPROVAL OF AGENDA & CONSENT AGENDA**

The following Items were on the published consent agenda:

Consent Agenda:

- 4 – Approve Assembly Meeting Minutes
- 8B – Chilkat Center Report
- 8C – Fire Department Reports
- 9A – Planning Commission Minutes
- 9B – Tourism Advisory Board Minutes
- 11A1 – Resolution 11-07-577
- 11A2 – Resolution 11-07-578
- 11B1 – Ordinance 11-07-384
- 11B2 – Ordinance 11-07-385
- 11B3 – Ordinance 11-07-386

Motion: **BERRY** moved to “approve the agenda/consent agenda,” and it was amended to remove item 11A2 (Resolution 11-07-578) from the consent agenda. The motion, as amended, carried unanimously.

*4. **APPROVAL OF MINUTES** – 7/8/14 Regular

5. **PUBLIC COMMENTS** - None

6. **MAYOR’S COMMENTS/REPORT**

Mayor **SCOTT** distributed *Welcome to Haines* hats and name tags to the manager and assembly members and encouraged them to consider joining her and the manager in greeting cruise passengers on Wednesdays. The borough is having a booth this year at the Southeast Alaska State Fair; she asked the assembly to consider manning it along with borough staff members.

Additionally, the mayor reported on the following:

- Senator Murkowski will be visiting Haines on August 7.
- A brief update on the review of nonprofit funding requests.
- Current status of the Highway Realignment project.

Mayor **SCOTT** will be attending the Alaska Municipal League/Alaska Conference of Mayors summer meetings in Nome and will be absent from the next assembly meeting. Deputy Mayor **LAPP** will preside.

7. **PUBLIC HEARINGS**

A. **New Commercial Tours – Alaska Mountain Guides**

Note: Alaska Mountain Guides applied to add a new tour to their permitted 2014 commercial tour activities; they proposed to provide guided canoeing on Chilkoot Lake. AMG is already permitted to operate tours in the Chilkoot River Corridor. HBC Title 5 requires a public hearing before the assembly for all new tour activities.

Applicants **GAFFNEY** and **FIERER** explained the proposed tour activity and their efforts to alleviate some of the congestion. They also responded to some of the comments made during the public hearing.

T. HOLM, N. HOLM, ELY, and EGOLF spoke against approval of the new tour activity citing congestion and over-saturation of commercial activities.

B. KURZ spoke in support and noted the economic development aspect.

Motion: LAPP moved to "authorize the borough clerk to process the Alaska Mountain Guides application to add a guided canoeing tour to the company's list of permitted commercial tour activities."

Motion to Postpone to a Time Certain: SCHNABEL moved to "postpone consideration of the Alaska Mountain Guides' tour permit request pending development of a plan to address the carrying capacity and congestion in the Chilkoot River Corridor and establish a moratorium until there is a plan," and the motion carried 4-1 with LAPP opposed.

8. STAFF/FACILITY REPORTS

A. Borough Manager – 7/8/14 Report

SOSA summarized his written report. He said borough representatives will visit Excursion Inlet on August 18.

* B. Chilkat Center – Facility Report of June 2014

* C. Fire Department – Reports of May and June 2014

9. COMMITTEE/COMMISSION/BOARD REPORTS & MINUTES

* A. Planning Commission – Minutes of 6/12/14

* B. Tourism Advisory Board – Minutes of 4/29/14

C. Assembly Standing Committee Reports

10. UNFINISHED BUSINESS

A. Ordinance 13-12-358 - Postponed on 1/28/14 and 2/11/14

An Ordinance of the Haines Borough amending Borough Code Section 18.80.030 to add setback regulations to the General Use zone and to correct a typographical error to make it consistent with the Section 18.20.020 definition of setback.

Note: This was introduced on 12/10/13 and had a first hearing on 1/14/14. On 1/28/14 it had a second hearing, and then a motion was made to adopt it. Following discussion, adoption was postponed to 2/11/14 and on that date during debate, an amendment motion was made. It was then postponed, prior to dispensing with the motions, so the planning commission and assembly member Schnabel could do further work on it. The planning commission considered this matter during its June and July meetings and returned the ordinance to the assembly with a recommendation for a substitute ordinance. Debate resumed with the motion to adopt and the motion to amend already on the table.

Motions already on the table:

Main Motion: "Adopt Ordinance 13-12-358."

Primary Amendment: "Replace the word "structures" with "permanent buildings" and remove the phrase "for all uses" on Page 3, Section C." The amendment failed unanimously.

Primary Amendment #2: SCHNABEL moved to "accept the substitute ordinance and replace the previous ordinance draft in its entirety," and the motion carried 4-1 with LAPP opposed.

The main motion to adopt the ordinance, as amended, carried 4-1 in a roll call vote with LAPP opposed.

11. NEW BUSINESS

A. Resolutions

*1. Resolution 14-07-577

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to execute a contract change order with Southeast Road Builders, Inc. for the Highland Estates Water System Upgrade project for an amount not-to-exceed \$89,500 to pave Oslund Drive as approved by the Alaska Department of Environmental Conservation.

The motion adopted by approval of the consent agenda: "adopt Resolution 14-07-577."

2. Resolution 14-07-578

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to contract with Bicknell, Inc. for an amount not-to-exceed \$50,000 for the removal and disposal of 210 yards of contaminated soil.

Motion: LAPP moved to "direct the borough manager to invite sealed bids for removal and disposal of the contaminated soil by an ADEC-approved method," and the motion carried unanimously.

B. Ordinances for Introduction

* 1. **Ordinance 14-07-384**

An Ordinance of the Haines Borough placing a proposition on the October 7, 2014 Haines Borough General Election ballot to amend Borough Charter Section 16.04 to remove the requirement for a runoff election if a candidate does not receive at least 40% of votes cast to be elected to borough office.

The motion adopted by approval of the consent agenda: "Introduce Ordinance 14-07-384 and set a first public hearing for 8/12/14."

* 2. **Ordinance 14-07-385**

An Ordinance of the Haines Borough to amend Borough Code Section 11.48.50 to provide that candidates receiving the greatest number of votes cast shall be declared the winners of an election even if the greatest number of votes cast is less than 40% of the total votes cast and to eliminate the requirement for a runoff election.

The motion adopted by approval of the consent agenda: "Introduce Ordinance 14-07-385 and set a first public hearing for 8/12/14."

* 3. **Ordinance 14-07-386**

An Ordinance of the Haines Borough providing for the addition or amendment of specific line items to the FY14 budget.

The motion adopted by approval of the consent agenda: "Introduce Ordinance 14-07-386 and set a first public hearing for 8/12/14."

4. **Ordinance 14-07-387**

A non-code Ordinance of the Haines Borough approving the sale to Haines Brewing Company Inc. of Lot [TBD], Primary School Subdivision Plat No. 2014-[TBD], Haines Recording District, First Judicial District, State of Alaska.

Motion: LAPP moved to "introduce Ordinance 14-07-387 and set a first public hearing for 8/12/14," and the motion carried 4-1 with **WATERMAN** opposed.

Motion: SCHNABEL moved to "direct the manager to coordinate creation of a formal program to incentivize development and/or improvements to real estate in the downtown area for the purpose of overall economic development; that the program describe its physical boundaries; that it provide for waiver or exemption of taxes and other benefits that may be offered over time in exchange for meeting specific named criteria; that it provide for a process of application, a timeframe for program activity, and a process for evaluating an applicant's qualification for meeting criteria; that the program be presented for consideration by the assembly in the form of an ordinance by September 2, 2014; and that the proposed ordinance include a provision for appeal by the voters," and it carried unanimously.

Motion: SCHNABEL moved to "direct the manager to draft a Memorandum of Understanding between the Haines Borough and Haines Brewing Company that acknowledges qualification and preapproval of Haines Brewing Company for participation in a borough-initiated program to incentivize development and/or improvement of real property in the downtown area identified by the program," and it carried 4-1 in a roll call vote with **WATERMAN** opposed.

5. **Ordinance 14-07-388**

An Ordinance of the Haines Borough authorizing the issuance of General Obligation Bonds in an aggregate amount not to exceed \$4,722,079 to finance up to four projects for capital improvements to school facilities of the Borough; authorizing submission to the qualified voters of the Borough at the regular Election to be held on October 7, 2014, of four propositions, one for each of the capital improvement projects authorized by this ordinance; appropriating funds for those projects that are approved by the voters; and providing for an effective date.

This ordinance was prepared by the borough's bond counsel who advised a single ordinance to place multiple propositions on the ballot. This draft was a result of applications made to the Alaska Department of Education (DEED) for school project funding reimbursement. The assembly and school board met jointly 3/4/14 and authorized staff to go forward with that

application process, and the result was that most of the projects were approved for 70% reimbursement.

Motion: WATERMAN moved to "introduce Ordinance 14-07-388 and set a first public hearing for 8/12/14," and the motion carried 4-1 with LAPP opposed.

C. Other New Business

1. Resolution 14-07-580

A Resolution of the Haines Borough Assembly opposing the passage of the initiative to legalize recreational marijuana in Alaska and urging voters to defeat ballot measure 2.

This draft resolution was submitted by Assembly Member Berry. Mayor Scott recommended a public hearing be held before this went to an assembly vote, and Mr. Berry concurred.

Motion: BERRY moved to "schedule Resolution 14-07-580 for a public hearing to be held on 8/26/14," and the motion carried 4-1 with SCHNABEL opposed.

2. Executive Session – UPDATE ON CUP LAWSUIT

Motion: WATERMAN moved to "go into executive session as allowed by AS 44.62.310(c)(1) and Haines Borough Charter Section 18.03 to receive a update on the heliport CUP lawsuit; this matter qualifies for executive session because a public discussion may adversely affect the finances of the borough and/or the borough's legal position; the borough manager is requested to attend," and the motion carried unanimously.

Present: Mayor Scott; Assembly Members Lapp, Waterman, Lapham, Schnabel, and Campbell; and Borough Manager Dave Sosa. The executive session convened at 8:56pm and ended at 9:19pm.

Motion: WATERMAN moved to "direct the manager to continue negotiation through the borough attorney with the appellants in the heliport CUP lawsuit," and the motion carried unanimously.

12. CORRESPONDENCE/REQUESTS - None

13. SET MEETING DATES

A. Ad hoc Nonprofit Funding Committee – Wednesday, 8/6, 5:30pm.

B. Commerce Committee – Topic: signage, Monday, 8/4, 4:00pm.

14. PUBLIC COMMENTS

FRIEDENAUR noted there are other major state ballot propositions the assembly may wish to consider weighing in on.

15. ANNOUNCEMENTS/ASSEMBLY COMMENTS

WATERMAN said she was pleased with this meeting; it made her feel like the assembly is moving forward on things. LAPHAM agreed.

LAPP thanked the manager and director of public facilities for grading the roads.

16. ADJOURNMENT – 9:31 p.m.

Motion: LAPP moved to "adjourn the meeting," and the motion carried unanimously.

ATTEST:

Stephanie Scott, Mayor

Julie Cozzi, MMC, Borough Clerk



Haines Borough
Assembly Agenda Bill

Agenda Bill No.: 14-488
Assembly Meeting Date: 8/12/14

Business Item Description:	Attachments:
Subject: Put Question on the October 7, 2014 ballot to amend the charter to remove requirement for 40% of the vote	1. Ordinance 14-07-384 2. 2014 Local Legislative Priorities
Originator: Borough Clerk	
Originating Department: Administration	
Date Submitted: 7/14/14	

Full Title/Motion:
Motion: Advance Ordinance 14-07-384 to a second public hearing for 8/26/14.

Administrative Recommendation:

Fiscal Impact:		
Expenditure Required	Amount Budgeted	Appropriation Required
\$ n/a	\$	\$

Comprehensive Plan Consistency Review:	
Comp Plan Policy Nos.:	Consistent: <input type="checkbox"/> Yes <input type="checkbox"/> No

Summary Statement:
The assembly met as a Committee of the Whole on 5/6/14 and developed local legislative priorities for FY15. One of the priorities is "retirement" of the charter and code requirement for a candidate to have at least 40% of votes cast in order to be elected to office. Ordinance 14-07-384 is in response to this and adoption would put the charter amendment question on the 10/7/14 ballot because amending the charter requires voter ratification.

An ordinance to amend code does not require voter approval, so Ordinance 14-07-385 is being introduced separately (see Agenda Bill 14-489). If adopted, that ordinance will only become effective if the charter is amended.

Referral:			
Sent to:		Date:	
Recommendation:	Refer to:	Meeting Date:	

Assembly Action:	
Workshop Date(s):	Public Hearing Date(s): 8/12/14
Meeting Date(s): 7/29, 8/12/14	Tabled to Date:

An ordinance of the Haines Borough placing a proposition on the October 7, 2014 Haines Borough General Election ballot to amend Borough Charter Section 16.04 to remove the requirement for a runoff election if a candidate does not receive at least 40% of votes cast to be elected to borough office.

BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:

Section 1. Classification. This ordinance is a non-code ordinance authorizing placing a proposed amendment to the Haines Borough Charter on the ballot for the 2014 general municipal election.

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

Section 3. Proposed Amendment of Charter Section 16.04. It is hereby determined to be for a public purpose and in the public interest of the Haines Borough to place a question on the October 7, 2014 regular Haines Borough General Election ballot that would amend the Haines Borough Charter, to delete the requirement to hold a runoff election if no candidate receives at least 40 percent of the votes cast as follows:

NOTE: STRIKETHROUGH ITEMS ARE DELETED

Charter Section 16.04 Election Procedures

All borough elections shall be nonpartisan. The assembly by ordinance shall establish procedures for regular and special borough elections, including provisions for absentee voting.

~~If no candidate receives more than 40 percent of the votes, the seat will be filled by the winner of a runoff election between the two candidates receiving the most votes.~~

In case of a tie vote for borough office, the assembly shall determine the successful candidate by lot.

Section 4. The Borough shall submit the following proposition to the qualified voters of the Haines Borough at the October 7, 2014 Haines Borough General Election:

PROPOSITION No. 1

AMEND CHARTER 16.04 TO DELETE REQUIREMENT FOR A RUNOFF ELECTION WHEN
NO CANDIDATE RECEIVES FORTY PERCENT OF VOTES CAST

Shall Section 16.04 of the Haines Borough Charter be amended to remove the requirement for a runoff election if no candidate receives 40% of the votes cast, as follows?

Charter Section 16.04 Election Procedures

All borough elections shall be nonpartisan. The assembly by ordinance shall establish procedures for regular and special borough elections, including provisions for absentee voting.

~~If no candidate receives more than 40 percent of the votes, the seat will be filled by the winner of a runoff election between the two candidates receiving the most votes.~~

In case of a tie vote for borough office, the assembly shall determine the successful candidate by lot.

Section 5. Section 3 of this ordinance shall become effective only if the proposition described in Section 4 is approved by a majority of the qualified voters voting on the proposition at the October 7, 2014 Haines Borough General Election and shall take effect thirty days after certification of the results of the election. The remaining sections of this ordinance shall become effective immediately upon adoption by the Haines Borough Assembly.

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS
____ DAY OF _____, 2014.

Stephanie Scott, Mayor

Attest:

Julie Cozzi, MMC, Borough Clerk

Date Introduced: 07/29/14
Date of First Public Hearing: 08/12/14
Date of Second Public Hearing: ___/___/___

Memorandum

Haines Borough
Office of the Mayor
103 Third Avenue S.
Haines, Alaska 99827
sscott@haines.ak.us

May 14, 2014

To: Haines Borough Assembly

Cc: Dave Sosa, Borough Manager
Julie Cozzi, Clerk
Jila Stuart, Finance Director

From: Stephanie Scott, Mayor, Haines Borough

Subject: FY15 Local Legislative Priorities – updated as a result of May 13, 2014
Assembly meeting

The Haines Borough Assembly met as a Committee of the Whole May 6 to develop local legislative priorities for FY15. The Assembly agreed that the list is fluid; is not yet prioritized, and will be re-visited to formalize and adopt.

During the May 13, 2014, Assembly meeting, Lutak Dock repair was added to the list.

I have emphasized (bold) the items can impact on the FY15 budget, either as an amendment (added expense which could result in an increase in mill rate) prior to adoption, or as an adjustment to allocation of revenue to meet added expense as a budget amendment after adoption.

The “working” list follows:

- Solid Waste management – establish borough wide regulation
- **Sewer Treatment Plant....go beyond design, get structure stabilized**
- **Borough’s participation in utility extension**
- Retirement of 40% requirement for election of Assembly and Mayor in Charter and code
- Modification of requirements to provide for water/sewer hookup
- Modification of notification for zoning changes and conditional use permits to capture more of the neighborhood (present requirement is to notify property owners within 200 feet of activity)
- Resolution of water delivery measurement perceived inequity: residential meter vs. flat rate

- **Provide training for Assembly members and staff with respect to engaging state legislators and agencies to address local issues**
- Provide oversight for septic system owners to prevent contamination of ground water and wells
- **Examine pros and cons of engaging a professional lobbyist to represent the Haines Borough in Juneau**
- Examine our regulations and practices with the goal of achieving a “business friendly” reputation
- **Redesign the Capital Improvement Fund to distinguish between CIP and operating expense that is maintenance**
- **Lutak Dock repair**



Agenda Bill No.: 14-489
 Assembly Meeting Date: 8/12/14

Business Item Description:	Attachments:
Subject: Amend Borough Code to remove requirement for 40% of the vote (pursuant to voter ratification of Ord 14-07-385)	1. Ordinance 14-07-385
Originator: Borough Clerk	
Originating Department: Administration	
Date Submitted: 7/14/14	

Full Title/Motion:
 Motion: Advance Ordinance 14-07-385 to a second public hearing on 8/26/14.

Administrative Recommendation:

Fiscal Impact:

Expenditure Required	Amount Budgeted	Appropriation Required
\$ n/a	\$	\$

Comprehensive Plan Consistency Review:

Comp Plan Policy Nos.:	Consistent: <input type="checkbox"/> Yes <input type="checkbox"/> No
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Summary Statement:

The assembly met as a Committee of the Whole on 5/6/14 and developed local legislative priorities for FY15. One of the priorities is "retirement" of the charter and code requirement for a candidate to have at least 40% of votes cast in order to be elected to office. That change first requires a charter amendment that involves voter approval. That part is being handled with Ordinance 14-07-384 (see Agenda Bill 14-488) that would put the question on the 10/7/14 ballot.

An ordinance to amend code does not require voter approval, so Ordinance 14-07-385 is being introduced separately. If adopted, this ordinance will only become effective if the charter is amended.

Referral:

Sent to:	Date:
Recommendation:	Meeting Date:
Refer to:	

Assembly Action:

Workshop Date(s):	Public Hearing Date(s): 8/12/14
Meeting Date(s): 7/29, 8/12/14	Tabled to Date:

An ordinance of the Haines Borough to amend Borough Code Section 11.48.50 to provide that candidates receiving the greatest number of votes cast shall be declared the winners of an election even if the greatest number of votes cast is less than 40% of the total votes cast and to eliminate the requirement for a runoff election.

BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:

Section 1. Classification. This ordinance is of a general and permanent nature and the adopted amendment shall become a part of the Haines Borough Charter.

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

Section 3. Amendment of Code Section 11.48.050. Section 11.48.050 of the Haines Borough Code is amended, as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE TO BE ADDED
STRIKETHROUGH ITEMS ARE DELETED

11.48.050 Votes required to elect —~~Runoff elections~~.

A. Votes Required to Elect. ~~To be elected to office, a candidate must receive at least 40 percent a simple majority of the votes cast for the office, determined by dividing the total number of legal votes cast for the office by the number of vacancies being filled.~~ **The candidate for mayor receiving the most votes shall be elected. The candidates receiving the most votes for borough assembly or school board shall be elected based on the number of votes received starting with the candidate receiving the most votes until all seats to be filled at any election have been filled.**

~~B. Runoff Elections. If in a borough election an office is not filled because candidates received fewer than 40 percent of the votes cast, the borough shall hold a runoff election between the top two unseated candidates on the first Tuesday in November following the canvass and certification as in HBC 11.48.040. There shall be two runoff candidates for each office to be filled. Notice of the runoff election shall be published at least 10 days before the election date. The person(s) receiving the highest number of votes shall be elected following canvass and certification of the election as provided in HBC 11.48.040.~~

Section 4. Effective Date. This ordinance shall become effective only if the proposition described in Ordinance No. 14-07-384 is approved by a majority of the qualified voters voting on the proposition at the October 7, 2014 Haines Borough General Election in which case this ordinance shall take effect thirty days after certification of the results of the 2014 election.

Haines Borough
Ordinance No. 14-07-385
Page 2 of 2

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS
____ DAY OF _____, 2014.

Stephanie Scott, Mayor

Attest:

Julie Cozzi, MMC, Borough Clerk

Date Introduced:	07/29/14
Date of First Public Hearing:	08/12/14
Date of Second Public Hearing:	___/___/___



Haines Borough
Assembly Agenda Bill

Agenda Bill No.: 14-492

Assembly Meeting Date: 8/12/14

Business Item Description:	Attachments:
Subject: FY14 Budget Amendment	1. Ordinance #14-07-386
Originator: Jila Stuart	
Originating Department: Finance	
Date Submitted: July 24, 2014	

Full Title/Motion:

Motion: Advance Ordinance 14-07-386 to a second public hearing on 8/26/14.

Administrative Recommendation:

The borough manager recommends adoption.

Fiscal Impact:

Expenditure Required	Amount Budgeted	Appropriation Required	Projected Impact to Future Operating Budgets
\$0	\$0	\$0	n/a

Comprehensive Plan Consistency Review:Comp Plan Goals/Objectives:
n/aConsistent: Yes No n/a**Summary Statement:**

During the 2013 legislative session, House Bill 65 passed providing "on-behalf" funding for Public Employees Retirement System (PERS) employers for the FY14 fiscal year. Through on-behalf funding the State of Alaska provides funding which reduces the PERS rate paid by employers from the actuarially determined rate of 35.68% of gross wages (in FY14) to the "effective rate" of 22%. This Haines Borough budget amendment reflects the anticipated revenue received from the State of Alaska in the form of reduced PERS payments.

Referral:

Referred to:

Referral Date:

Recommendation:

Meeting Date:

Assembly Action:

Meeting Date(s): 7/29, 8/12/14

Public Hearing Date(s): 8/12/14

Postponed to Date:

HAINES BOROUGH, ALASKA
ORDINANCE # 14-07-386

AN ORDINANCE OF THE HAINES BOROUGH, PROVIDING FOR THE ADDITION OR AMENDMENT OF SPECIFIC LINE ITEMS TO THE FY14 BUDGET.

BE IT ORDAINED BY THE ASSEMBLY OF THE HAINES BOROUGH, ALASKA:

Section 1. Classification. This ordinance is a non-code ordinance.

Section 2. Effective Date. This ordinance shall become effective immediately upon adoption.

Section 3. Appropriation. This appropriation is hereby authorized as part of the budget for the fiscal year July 1, 2013 through June 30, 2014.

Section 4. Purpose. To provide for the addition or amendment of specific line items to the FY14 budget as follows:

During the 2013 legislative session, House Bill 65 passed providing “on-behalf” funding for Public Employees Retirement System (PERS) employers for the FY14 fiscal year. Through on-behalf funding the State of Alaska provides funding which reduces the PERS rate paid by employers from the actuarially determined rate of 35.68% of gross wages (in FY14) to the “effective rate” of 22%. This Haines Borough budget amendment reflects the anticipated revenue received from the State of Alaska in the form of reduced PERS payments.				
		Current FY14 Budget	Proposed FY14 Budget	Fund Balance Increase / (Decrease)*
01-01-09-4341	State Revenue – Other	\$0	\$313,000	\$313,000
01-01-10-6116	PERS on-behalf – Pd by State	\$0	(\$313,000)	(\$313,000)
			Total	\$0

* A positive amount in this column is favorable. A negative amount is unfavorable.

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS _____ DAY OF _____, 2014.

ATTEST:

Stephanie Scott, Mayor

Julie Cozzi, MMC, Borough Clerk

Date Introduced: 07/29/14
Date of First Public Hearing: 08/12/14
Date of Second Public Hearing: __/__/__



Haines Borough
Assembly Agenda Bill

Agenda Bill No.: 14-479Assembly Meeting Date: 8/12/14

Business Item Description:	Attachments:
Subject: Sale of Portion of Lot 8, Primary School Subdivision to Haines Brewing Co.	1. Ordinance 14-07-387 - DRAFT 2. Negotiated Sale Agreement - DRAFT 3. PC Recommendation to Consider the Proposal
Originator: Borough Manager	
Originating Department: Administration	
Date Submitted: 6/20/14	

Full Title/Motion:

Motion: Advance Ordinance 14-07-387 to a second public hearing on 8/26/14.

Administrative Recommendation:

This resolution is recommended by the borough manager.

Fiscal Impact:

Expenditure Required	Amount Budgeted	Appropriation Required	Projected Impact to Future Operating Budgets
\$ 0	\$ 0	\$ 0	Property will be on the Tax Roll

Comprehensive Plan Consistency Review:

Comp Plan Goals/Objectives: Objective 3E, p. 107-8
"acceptable incentives to encourage businesses" (see below)

Consistent: Yes No

Summary Statement:

The borough received an application from Haines Brewing Company for purchase of borough-owned real property, specifically a portion of Lot 8, Primary School Subdivision. On 6/12, the planning commission passed a motion recommending this portion be classified for sale as proposed. On 6/24, the assembly passed the following motion: "classify a portion of Lot 8, Primary School Subdivision for sale, as recommended by the planning commission; direct the borough manager to proceed with the process of subdividing the lot; and authorize the manager to dispose of the classified area by the negotiated sale method." The manager has conducted the negotiations, as directed, and took the sales proposal to the Planning Commission as required by borough code. The commission recommends it be considered by the assembly. Note: once the survey is completed, the existing Lot 8 will become two separate lots, and the lot being sold will have its own number to be added to the sale agreement with a new plat #.

Referral:

Referred to: Planning Commission
Recommendation: Recommend the Sales Proposal

Referral Date:
Meeting Date: 6/12 and 7/10/14

Assembly Action:

Meeting Date(s): 6/24, 7/29, 8/12/14
Public Hearing Date(s): 8/12/14
Postponed to Date:

A NON CODE ORDINANCE OF THE HAINES BOROUGH APPROVING THE SALE TO HAINES BREWING COMPANY INC. OF LOT [TBD], PRIMARY SCHOOL SUBDIVISION PLAT NO. 2014-[TBD], HAINES RECORDING DISTRICT, FIRST JUDICIAL DISTRICT, STATE OF ALASKA.

LEGISLATIVE FINDINGS

WHEREAS, Lot [TBD], Primary School Subdivision Plat No. 2014-[TBD], Haines Recording District, First Judicial District, State of Alaska (“the Property”) has previously been classified for sale by the Assembly with the advice of the Planning Commission; and

WHEREAS, the Assembly has previously directed the Borough Manager to commence negotiations for the sale of the Property; and

WHEREAS, negotiations have been substantially completed and an agreement on most terms regarding the sale of the Property has been drafted for review and approval by the Assembly and has been reviewed by the Planning Commission;

NOW, THEREFORE, BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:

Section 1. Classification. This ordinance is for the specific purpose of approving a sale of Lot [TBD], Primary School Subdivision, Plat No. 2014-[TBD] Haines Recording District, State of Alaska (“the Property”) and shall not become a part of the Haines Borough Code.

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

Section 3. Effective Date. This ordinance is effective upon adoption.

Section 4. Purpose. This ordinance authorizes the sale of the Property to Haines Brewing Company Inc. upon the terms and conditions of a negotiated purchase and sale agreement.

Section 5. Authority. This ordinance is adopted under the authority granted the Assembly by HBC 14.20.010, HBC 14.20.020 and HBC 14.20.100 to approve the disposal of real property by negotiation.

Section 6. Authorization and Approval. The Borough Manager is hereby authorized to complete the process of sale of the Property upon the terms and conditions set forth in the Agreement for Sale and Purchase of Real Estate attached hereto.

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS _____ DAY OF _____, 2014.

ATTEST:

Stephanie Scott, Mayor

Julie Cozzi, MMC, Borough Clerk

Date Introduced: 07/29/14
Date of First Public Hearing: 08/12/14
Date of Second Public Hearing: ___/___/___

AGREEMENT FOR SALE AND PURCHASE OF REAL ESTATE

For good and valuable consideration the receipt whereof is hereby acknowledged, the Haines Borough, an Alaska municipal corporation (“**Haines**” or “**Borough**” or “**Seller**”) and Wheeler & Kitayama, LLC, (“**Buyer**”), an Alaskan company, hereby agree as follows:

1. Property to Be Sold.

(a) Seller hereby agrees to sell to Buyer and Buyer hereby agrees to purchase from Seller, subject to the terms and conditions set forth herein, the following-described real property and improvements:

Lot X, Primary School Subdivision, Plat No. 2014-XX, Haines Recording District, First Judicial District, State of Alaska.

A 20,000 square feet area containing approximately 0.459 acres (the “**Property**”).

(b) At the Closing, Seller shall convey to Buyer all of the Property by Limited Warranty Deed in the form attached as Exhibit A subject to the following:

(i) Rights-of-way and easements of record acquired by any person or entity, public or private, including, but not limited to, public rights-of-way.

(ii) All restrictions, regulations, requirements, laws, ordinances, resolutions and orders of all boards, bureaus, commissions, departments and bodies of any municipal, state or federal authority.

(iii) Provisions and reservations as made applicable by terms of the U.S. Patent or by law.

(iv) A right for reversion whereby the Property will be reconveyed to Seller if the Improvements required by this Agreement have not been substantially completed within three (3) years of Closing.

(c) Buyer shall execute a Reverter Agreement as set forth in Exhibit B.

2. Price.

Property Purchase Price. Buyer shall pay Seller eighty-six thousand six hundred dollars (\$86,600) (“Purchase Price”). The Purchase Price shall be paid by Buyer at closing in cash, by a bank cashier’s check, or by wire transfer, in readily available funds into escrow with First American Title Company (The “Title Company”) (Attention: _____, 8251 Glacier Highway, Juneau, AK 99801. Within ten (10) days after the Effective Date of this Agreement, Buyer shall deposit with the Title Company the sum of eight thousand six hundred and sixty dollars (\$8,660) to be held as a nonrefundable earnest

money payment (Earnest Money). At Closing, this earnest money shall be disbursed to Seller and credited to the Buyer.

3. Title Insurance.

(a) Seller, at Buyer's cost, shall provide to Buyer within fourteen (14) days of mutual execution of this Agreement a Preliminary Commitment to Issue Title Insurance for the Property. In the event that Buyer gives notice of a valid Material Title Defect within seven (7) days of receipt of said Preliminary Commitment, this Agreement shall terminate without further obligation on the part of either party. "Material Title Defect" shall include any matter affecting title which a reasonable person would consider to be a serious defect.

(b) Nothing in this Agreement shall be construed to require Seller to expend funds to eliminate or clear any matter affecting title.

(c) Buyer may, at Buyer's sole option and expense, purchase Buyer's title insurance. Likewise if Seller wishes to purchase a Title Insurance policy for itself, it may do so at its own expense.

4. Conditions Precedent to Closing. The following matters shall be completed prior to or coincident with Closing or waived in writing by the parties ("Conditions Precedents to Closing"):

(a) At BUYER's expense, as required by HBC 14.20.100(D), a survey must be completed and a new plat created that subdivides the existing Lot 8 into two new lots and establishes a legal description for the parcel being purchased; and

(b) Seller and Buyer have complied with their respective obligations as set forth in Sections 5 and 6.

5. Seller's Obligations. Provided that (i) all Conditions Precedent to Closing set forth in Section 4 have been satisfied, (ii) this Agreement has not been cancelled, and (iii) Buyer has delivered (or will deliver) all items required to be delivered, then Seller shall deposit with Title Company at or before the Closing the following:

(a) The original Deed, duly executed by Seller, substantially in the form attached as Exhibit A;

(b) An original Reverter Agreement, duly executed by Seller, substantially in the form attached as Exhibit B; and

(c) Documents reasonably required by the Title Company such as an executed settlement statement or evidence of Seller's authority.

6. Buyer's Obligations. Provided that (i) all Conditions Precedent to Closing set forth in

Section 4 have been satisfied, (ii) this Agreement has not been cancelled, and (iii) Seller has delivered (or will deliver) all items required to be delivered, then Buyer shall deposit with Title Company prior to the Closing date:

- (a) The Purchase Price in cash or by wire transfer.
- (b) An original Reverter Agreement, duly executed by Buyer, substantially in the form attached as Exhibit B; and
- (c) Documents reasonably required by the Title Company such as an executed settlement statement or evidence of Buyer's authority.

7. Closing.

(a) The closing ("Closing") shall be held and delivery of all items to be made at the Closing under the terms of this Agreement shall be made at the offices of First American Title Company at 8251 Glacier Highway, Juneau, AK 99801. The delivery of all sums due Seller pursuant to Section 2 above and the recording of documents by Title Company shall occur not later than _____ (the "Closing Date"). All funds and documents shall be deemed simultaneously delivered on and as of the Closing Date. The Closing may occur on such earlier date as Buyer and Seller may agree but the Closing Date may not be extended without the written approval of both Seller and Buyer.

(b) In the event the Closing does not occur on or before the Closing Date, Title Company shall, unless it is notified in writing by both parties to the contrary within five (5) days after such date, return to the depositor thereof all items which may have been deposited with Title Company hereunder except the Earnest Money which shall be disbursed to Seller. Any such return shall not, however, relieve either party hereto of any liability it may have for its wrongful failure to close.

(c) Possession. Possession of the Property shall be delivered to Buyer on the Closing Date.

8. Remedies for Breach. Seller and Buyer shall have all remedies available by law and equity for any breach of this Agreement, including, but not limited to, the remedy of specific performance and the exercise of Seller's right of reverter.

9. Construction of Improvements. On or before three (3) years from the date of Closing, Buyer shall complete the construction of a Brewery on the Property ("the Improvements"). Upon completion of the Improvements Buyer shall promptly give Seller an appropriate notice of completion.

10. Hazardous Substances. Buyer acknowledges and agrees that there may be spilled, leaked or discharged Hazardous Substances (as defined below), or other substances on or in the groundwater or surface water of the Property which may contain oil, petroleum, hydrocarbons,

asbestos, solvents, paints, thinners or other materials, substances or waste which are, or may, become regulated as hazardous or toxic under federal, state or local law, and the release or discharge of which is, or may become, prohibited by law, that Buyer has knowingly and voluntarily determined that its obligations under this Agreement need not be contingent upon the results of any assessment or inspection of the Property for any such substances by an engineer, contractor or other consultant.

11. As Is, Where Is Sale, Release and Indemnification.

Seller sells and buyer buys the property hereunder “as is” and “where is.” Seller shall have no liability or responsibility to buyer whatsoever for any violations of any law, regulation, building code, ordinance or other legal requirement of any kind whatsoever applicable to the property as may be discovered at any time, including but not limited to material (or non-material) hazardous substances contamination, violations of building or safety codes, latent defects, deterioration or problems or liabilities of any kind. Buyer hereby releases seller from and shall indemnify, defend and hold seller harmless from any and all liabilities, costs, expenses or claims of any kind whatsoever arising out of or in connection with the property, including but not limited to any that may date to or originate during the time of ownership of all or any of the property by seller or its predecessors in interest; **provided, however**, that buyer does not hereby release seller from and shall have no responsibility to indemnify, defend and hold seller harmless from liabilities, costs, expenses or claims,

If any; (1) for damages to land other than the property sold hereunder as shall directly and entirely result from and be caused by acts of seller, its agents or employees which were performed on land other than the property sold hereunder. The intent of the parties is that buyer has had already and shall continue to have a thorough opportunity to inspect and study the property before the closing, but that once such closing occurs, seller walks away from the property so conveyed and from any and all legal liability or responsibility of any kind whatsoever arising out of or in connection with such property, except as expressly stated herein, and that seller shall have, after the closing, no further responsibility or liability to buyer or any other person or entity for any claims of any kind that may arise as to or in connection with the property.

Neither seller, nor any of its officers, directors, employees, agents, attorneys, or representatives have previously nor does under this agreement make any representations or warranties, and none of the persons or entities described above shall in any way be liable for or with respect to:

- (A) The condition of the property or the suitability of the property for buyer’s intended use, or for any use whatsoever;
- (B) The presence or existence of any hazardous substances, asbestos, oil or other petroleum product contamination or any other material as to which the discharge, leakage, spillage or presence on the property would be regulated by applicable state or federal law. Buyer purchases the property “as is” and “where is” and

assumes the responsibility and risks of all defects and conditions of the property including the prior contamination (and releases and agrees to indemnify, defend and hold seller harmless from the same), including but not limited to environmental hazards and deterioration from age, weather, disuse, limited maintenance or other causes. Buyer acknowledges that buyer has had the opportunity and will have the opportunity to inspect the property and will be relying entirely thereon.

Buyer acknowledges that notwithstanding any prior or contemporaneous oral or written representations, statements, documents or understandings, this agreement constitutes the entire understanding of the parties with respect to the subject matter hereof, and supersedes all such prior or contemporaneous oral or written representations, statements, documents or written agreement and shall remain unaffected by any representations, statements or understandings subsequent to the date hereof which shall not be represented by a mutually executed amendment to this agreement.

The terms of this Paragraph shall survive the Closing.

12. Notices. All notices, waivers, elections, approvals and demands required or permitted to be given hereunder shall be in writing and shall be personally delivered, mailed by certified mail with postage prepaid, or transmitted by facsimile to the location for each party designated herein. Either party may, by proper notice to the other, designate a different address for the giving of notice. Any notice shall be effective when personally delivered, or, if mailed as provided herein, five (5) business days after deposit, postage pre-paid in the U.S. Mails, or in the case of facsimile notice when sent, if answer back or confirmation received:

SELLER:

Haines Borough
P.O. Box 1201
Haines, AK 99827

BUYER:

Wheeler & Kitayama, LLC
P.O. Box 911
Haines, AK 99827

With a courtesy copy to:

Brooks W. Chandler
Boyd, Chandler & Falconer, LLP 911 W. 8th Avenue, Suite 302
Anchorage, AK 99501 Facsimile No. 907/274-3698

13. Costs. Each party shall bear its own costs and attorney fees, except as expressly provided herein. Unless specifically made the responsibility of one party elsewhere in the Agreement, all other fees and closing costs in connection with the Closing shall be paid by Buyer as required by HBC 14.20.060(A). Any and all prepaid expenses or income of any kind and all taxes and assessments shall be prorated.

14. Brokers. Seller represents to Buyer that Seller has not dealt with any broker or real estate agent regarding the Property of this transaction. Buyer represents to Seller that Buyer has not dealt Agreement for Sale and Purchase of Real Estate

with any broker or real estate agent regarding the Property of this transaction. Each party shall be responsible to defend, indemnify and hold harmless the other as to any claim made by any person or entity for a commission claimed due as a consequence of the indemnifying party's acts or conduct.

15. Access to Premises. At all times during normal business hours prior to the Closing, Buyer shall, upon reasonable notice to Seller, have reasonable access to the Property for the purpose of making such inspections, examinations, tests or surveys of the Property as Buyer may reasonably desire.

16. Survival of Terms and Waiver. The terms and condition of this Agreement shall survive the Closing and are expressly intended to bind the parties notwithstanding any statute of limitations.

17. Merger. This Agreement expresses and embodies all understandings and agreements between the parties and is entered into after full investigation, neither party relying upon any statements or representations not embodied in this Agreement.

18. Binding Effect. This Agreement shall be binding upon and inure to the benefit of the parties hereto, their successors and assigns, and may be modified only by a written instrument signed by both parties.

19. Relationship of the Parties. This Agreement shall not authorize either party to act as an agent for the other.

20. Law and Venue. This Agreement shall not be governed by and construed under the laws of the State of Alaska. Venue of any dispute shall be the Superior Court of the State of Alaska in Juneau, Alaska.

21. No Waiver. The failure of any party to insist upon the strict performance of any provision of this Agreement, or the failure to exercise any right, power or remedy available hereunder, shall not constitute a waiver by said party of any such provision as to any other breach or subsequent breach of the same or any other provision.

22. Warranties of Authority. Each party and each natural person who executes this Agreement on behalf of such party acknowledges, warrants, and represents for the benefit of the other party to this Agreement: (a) that such person is duly authorized and empowered to execute this Agreement on behalf of such party; (b) that such party has been duly formed and organized and is in good standing; (c) that all necessary and appropriate resolutions and actions by such party's managers or ordinances by such party's governing body authorizing such party to enter into, execute, and perform this Agreement and the transactions contemplated by this Agreement have been obtained; and (d) that all steps have been taken and acts performed that are conditions precedent to making this Agreement valid, enforceable, and binding against such party in accordance with its terms and conditions.

23. Counterparts. This Agreement may be executed in counterparts, each of which shall be deemed an original and which, taken together, shall constitute a single Agreement. This Agreement shall not become binding upon any Party unless and until at least one counterpart of this Agreement shall have been fully executed by each party hereto. Facsimile signatures shall be valid so long as an original signature shall be promptly delivered to the other party.

DATED: _____

SELLER:

HAINES BOROUGH

By: _____
David Sosa

Its: Borough Manager

DATED: _____

BUYER:

WHEELER & KITAYAMA, LLC

By: _____
Paul Wheeler

Jeanne Kitayama

Its: Principals

STATE OF ALASKA)
)
ss. FIRST JUDICIAL DISTRICT)

The foregoing instrument was acknowledge before me this _____ day of _____, 2014, by David Sosa, Borough Manager of the Haines Borough, a municipal corporation, on behalf of the municipality.

NOTARY PUBLIC FOR ALASKA
My Commission Expires: _____

STATE OF ALASKA)
) ss.
FIRST JUDICIAL DISTRICT)

The foregoing instrument was acknowledge before me this _____ day of _____, 2014, by Paul Wheeler and Jeanne Kitayama, the principals of Wheeler and Kitayama, LLC, an Alaskan limited liability company.

NOTARY PUBLIC FOR WASHINGTON
My Commission Expires: _____

REVERTER AGREEMENT

This REVERTER AGREEMENT is dated as of this ____ day of _____, 2014, by and between the Haines Borough, having and address of P.O. Box 1209, Haines, AK 99827 (“Seller), and Wheeler and Kitayama, LLC, having an address of P.O. Box 911, Haines, AK 99827 (“Buyer”).

RECITALS

- A. The Seller has conveyed to the Buyer that certain real estate described on Exhibit “A” (the “Property”) pursuant to a Deed of even date herewith between the Seller and Buyer.
- B. Pursuant to paragraph nine (9) of that certain Agreement for Sale and Purchase of the Property, the Buyer has agreed to construct certain Improvements on the Property (the “Improvements”).
- C. The Deed provides that if the Buyer does not construct the Improvements then the Property shall revert to the Seller.

NOW THEREFORE, in consideration of the transfer of the Property to the Buyer and other consideration, the receipt and sufficiency of which are acknowledged, the parties agree as follows:

- 1. Buyer agrees at its sole cost and expense to complete the construction of the Improvements by no later than [TBD], 2017 (the “Completion Date”).
- 2. In the event the Improvements are not completed by the Completion Date, the Property shall revert to and thereafter become fee simple real estate owned by the Seller. Upon the request of the Seller, the Grantor will provide a general warranty deed to the Property in form and substance acceptable to the Seller evidencing the reconveyance of the Property.
- 3. During the construction of the Improvements, Buyer will not place any additional liens or encumbrances on the Property except as consented to by the Seller. In that regard, the Seller agrees not to unreasonably withhold its consent to any construction loan financed

with a commercial bank or similar lender intended to fund the construction and development of the Improvements. In such an event, the Seller will enter into a Subordination Agreement in form and satisfactory to such lender. Upon completion of the Improvements satisfactory to the Seller, the Seller agrees to issue a letter acknowledging the release of the reverter rights described herein.

4. This Agreement shall be binding upon the parties hereto and shall be binding upon and inure to the benefit of their successors and assigns.
5. This Agreement shall be governed by and interpreted in accordance with the laws of the State of Alaska.
6. This Agreement may only be modified or amended by a written agreement signed by authorized representatives of the parties hereto.

WITNESS the following signatures as of the year and date first above written.

DATED: _____

SELLER:

HAINES BOROUGH

By: _____

David Sosa

Its: Borough Manager

DATED: _____

BUYER:

WHEELER AND KITAYAMA, LLC

By: _____

Paul Wheeler and Jeanne Kitayama

Its: Principals

LIMITED WARRANTY DEED

The Grantor, the Haines Borough of P. O. Box 1209, Haines, AK 99827, for valuable consideration, conveys and warrants to Wheeler and Kitayama, LLC, of P.O. Box 911, Haines, AK 99827, all interests which it has in that certain real property in the Haines Recording District, First Judicial District, State of Alaska (“the Property”), described as follows:

Lot [TBD], Primary School Subdivision, Plat No. 2014-[TBD].

Subject to:

1. Rights-of-way and easements of record acquired by any person or entity, public or private, including but not limited to public rights-of-way.
2. All restrictions, regulations, requirements, laws, ordinances, resolutions and orders of all boards, bureaus, commissions, departments and bodies of any municipal, state or federal authority.
3. Provisions and reservations as contained in the U.S. Patent or made applicable by law, including, but not limited to, rights or interests under the public trust doctrine.
4. The express condition that title to the property conveyed herein shall revert to the Grantor without necessity of reentry should Grantee fail to substantially complete construction of Improvements to the Property as described in the Agreement for Sale and Purchase of the Property by [TBD], 2017.

DATED this _____ day of _____, 2014.

HAINES BOROUGH

By: _____
David B. Sosa
Its: Borough Manager

STATE OF ALASKA)
) ss.
FIRST JUDICIAL DISTRICT)

The foregoing instrument was acknowledged before me this _____ day of _____, 2014, by David B. Sosa, the Borough Manager of the Haines Borough, on behalf of the Borough.

NOTARY PUBLIC FOR ALASKA
My Commission Expires: _____

RECORD IN HAINES RECORDING DISTRICT

AFTER RECORDING, RETURN TO:

Brooks W. Chandler
Boyd, Chandler & Falconer
911 W. 8th Ave., Suite 302
Anchorage, AK 99501



Haines Borough
**PLANNING COMMISSION
RECORD OF DECISION**

DATE: July 10, 2014

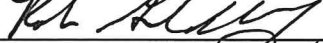
TO: Borough Assembly

FROM: The Haines Planning Commission

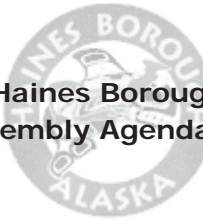
PLANNING COMMISSION DECISION:

Motion: Lende moved to “recommend the Assembly further consider the proposal from Haines Brewing Company.” The motion passed unanimously.

RATIONALE: Portion of Lot 8, Primary School Subdivision is currently zoned Commercial. The Haines Brewing Company is defined as “light industrial commercial” in the code. They propose to locate an apartment in the building, so the use of the property is classified as “Combination, residential/industrial/commercial (R/I/C)” which allows “Use-By-Right” in a commercial zone, as per HBC 18.70.040.

SUBMITTED BY  (signature)

Rob Goldberg
Planning Commission Chair



Haines Borough
Assembly Agenda Bill

Agenda Bill No.: 14-491
Assembly Meeting Date: 7/29/14

Business Item Description:	Attachments:
Subject: October 7, 2014 Election Ballot Questions re. General Obligation Bonds for School Major Maint. Projects	1. Ordinance 14-07-388 2. Estimated annual debt service requirements 3. 7/24/14 Memo from the Manager 4. 8/6/14 Memo from the Mayor
Originator: Assembly / School Board	
Originating Department:	
Date Submitted: 3/4/14 during Joint Meeting	

Full Title/Motion:
Motion: Advance Ordinance 14-07-388 to a second public hearing on 8/12/14.

Administrative Recommendation:

Fiscal Impact:

Expenditure Required	Amount Budgeted	Appropriation Required
\$ TBD - see manager's memo	\$	\$ TBD

Comprehensive Plan Consistency Review:

Comp Plan Policy Nos.: 4.5.4, Page 52; Objective 2B; Objective 17A(3)	Consistent: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
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Summary Statement:
This ordinance was prepared by the borough's bond counsel. He advised a single ordinance could place multiple propositions on the ballot, and this draft includes a ballot question for four different school major maintenance projects. This is a result of applications made to the Alaska Department of Education (DEED) for school project funding reimbursement. The assembly and school board met jointly 3/4/14 and authorized staff to go forward with that application process, and the result is that most of the projects have been approved for 70% reimbursement. The project for pool mechanical, locker room, and ADA compliance upgrades is presently not qualified for reimbursement. As with any ordinance, the assembly may choose to amend it. The school superintendent will give a brief presentation on the Vocational Education Program in response to a request by the assembly.

Referral:

Sent to:	Date:
Recommendation:	Meeting Date:
Refer to:	

Assembly Action:

Workshop Date(s):	Public Hearing Date(s): 8/12/14
Meeting Date(s): 7/29, 8/12/14	Tabled to Date:

AN ORDINANCE OF THE HAINES BOROUGH AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS IN AN AGGREGATE AMOUNT NOT TO EXCEED \$4,722,079 TO FINANCE UP TO FOUR PROJECTS FOR CAPITAL IMPROVEMENTS TO SCHOOL FACILITIES OF THE BOROUGH; AUTHORIZING SUBMISSION TO THE QUALIFIED VOTERS OF THE BOROUGH AT THE REGULAR ELECTION TO BE HELD ON OCTOBER 7, 2014, OF FOUR PROPOSITIONS, ONE FOR EACH OF THE CAPITAL IMPROVEMENT PROJECTS AUTHORIZED BY THIS ORDINANCE; APPROPRIATING FUNDS FOR THOSE PROJECTS THAT ARE APPROVED BY THE VOTERS; AND PROVIDING FOR AN EFFECTIVE DATE.

RECITALS:

WHEREAS, the Haines Borough School District (the "District") has advised the Assembly of Haines Borough (the "Borough") that it is in the best interests of the District and its students and staff, and residents of the Borough to provide for the capital improvements to facilities of the District described below (the "Projects"); and

WHEREAS, the Assembly wishes to authorize the issuance of not to exceed \$4,722,079 aggregate principal amount of general obligation bonds (the "Bonds") to pay costs of the Projects, subject to voter approval of the separate projects, as provided in this ordinance; and

WHEREAS, the District has applied for approval from the Alaska Department of Education and Early Development ("DEED") for reimbursement by the State of Alaska of a portion of the debt service on the Bonds in accordance with AS 14.11.100(a), subject to annual appropriation by the state legislature; and

WHEREAS, the constitution and laws of the State of Alaska require bond authorizations to be submitted to the qualified voters of the Borough for their ratification or rejection, and the Assembly wishes to submit four questions relating to the four capital improvement projects to the voters at the regular October 7, 2014 election;

NOW, THEREFORE, BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:

Section 1. Classification. This ordinance is not of a permanent and general nature and will not be codified.

Section 2. Findings; Capital Improvements. It is hereby found and declared that the public welfare and benefit require that the Borough undertake the following capital improvements to school facilities in the Borough (the "Projects"), each subject to a separate ballot proposition as provided in Section 4 of this ordinance:

- Haines High School: mechanical system upgrades to the Vocational Education Building.
- Haines High School: replacement of air handling unit.
- Haines High School: renovation of locker rooms and pool lobby area including ADA compliance upgrades.
- Haines High School: roof replacement.

The cost of all necessary design, architectural, engineering, legal, and other consulting services, inspection and testing, administrative and relocation expenses, on- and off-site

utilities, purchases of furnishings and equipment, and other costs incurred in connection with the Projects shall be deemed a part of the costs of the Projects. The Borough shall determine the specifications for the Projects.

The Borough will determine how to apply available funds to accomplish as nearly as may be each of the Projects approved by the voters. If proceeds of the Bonds, plus other funds of the Borough legally available for this purpose, are insufficient to accomplish all of the improvements comprising the voter-approved Projects, the Borough will use the available funds, including Bond proceeds, to pay the cost of those improvements included among the voter-approved Projects that the Borough deems most necessary and in the best interest of the Borough, subject to DEED approval, if required.

If the Assembly determines that it has become impracticable to accomplish one or more of the voter-approved Projects, or portion thereof, because of changed conditions, incompatible development or costs substantially in excess of those estimated, the Borough will not be required to undertake those improvements and may apply the Bond proceeds or any portion thereof to the payment of principal of or interest on the Bonds or to other capital improvements to District facilities, subject to DEED approval, if required.

If proceeds of the Bonds remain unexpended and unencumbered for costs of the voter-approved Project, those remaining Bond proceeds may be applied to pay the cost of other capital improvements to District facilities or to pay debt service on the Bonds, as the Assembly shall determine, subject to DEED approval, if required.

Section 3. Authorization of Bonds. To provide all or a portion of the funds necessary to pay or reimburse costs of the Projects and costs of issuance of the Bonds, the Borough will issue and sell its general obligation bonds in an aggregate principal amount not to exceed \$4,722,079 (the "Bonds"). The Bonds will be issued in an amount not exceeding the amount approved by the voters of the Borough and not exceeding the amount permitted by the constitution and laws of the State of Alaska. The balance, if any, of the cost of the voter-approved Projects will be paid out of any other legally available funds, including grants. The Bond proceeds may only be used for capital purposes.

The Bonds will be general obligations of the Borough, and the full faith, credit and resources of the Borough will be pledged to the payment of principal of and interest on the Bonds. Unless paid from other sources, both principal of and interest on the Bonds will be payable out of annual tax levies to be made upon all taxable property within the Borough without limitation as to rate or amount and in excess of any constitutional, statutory or local tax limitation.

The Bonds will be issued and sold in the amounts and at the time or times as the Assembly finds necessary and advisable and as permitted by law. The Bonds may be issued in one or more series and mature in the amounts and at the times within a maximum term of 20 years from the date of issuance of the Bonds, all as authorized by the Assembly and as provided by law. The date, form, interest rates, terms, redemption provisions, maturities, covenants and manner of sale of the Bonds shall be as hereafter provided by ordinance or resolution of the Assembly. After voter approval of one or more of the Bond propositions set forth in Section 4 of this ordinance, and in anticipation of the issuance of the Bonds, the Borough may issue short-term obligations as authorized by the laws of the State of Alaska.

Section 4. Bond Election. Four proposition to approve this ordinance and approve issuing Bonds to pay costs of the four Projects identified in Section 1 of this ordinance will be submitted to the qualified voters of the Borough for their ratification or rejection at the regular election to be held in the Borough on October 7, 2014. The bond propositions will be in substantially the following form:

HAINES BOROUGH

PROPOSITION 2

\$1,711,027 GENERAL OBLIGATION BONDS
VOC-ED BUILDING MECHANICAL UPGRADES

Shall Haines Borough incur debt and issue general obligation bonds in a principal amount not to exceed \$1,711,027, maturing within a maximum of 20 years, to pay costs of mechanical system upgrades to the vocational education building at Haines High School, as further described in Ordinance No. 14-07-388, and shall Ordinance No. 14-07-388 of the Borough authorizing the issuance of bonds for this purpose be approved?

BONDS Yes

BONDS No

* * * * *

HAINES BOROUGH

PROPOSITION 3

\$412,367 GENERAL OBLIGATION BONDS
HAINES HIGH SCHOOL AIR HANDLING UNIT REPLACEMENT

Shall Haines Borough incur debt and issue general obligation bonds in a principal amount not to exceed \$412,367, maturing within a maximum of 20 years, to pay costs of replacing the air handling unit at Haines High School, as further described in Ordinance No. 14-07-388, and shall Ordinance No. 14-07-388 of the Borough authorizing the issuance of bonds for this purpose be approved?

BONDS Yes

BONDS No

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HAINES BOROUGH

PROPOSITION 4

\$783,938 GENERAL OBLIGATION BONDS
HAINES HIGH SCHOOL LOCKER ROOM RENOVATIONS

Shall Haines Borough incur debt and issue general obligation bonds in a principal amount not to exceed \$783,938, maturing within a maximum of 20 years, to pay costs of renovating the locker rooms and pool lobby area at Haines High School, including ADA compliance upgrades, as further described in Ordinance No. 14-07-388, and shall Ordinance No. 14-07-388

of the Borough authorizing the issuance of bonds for this purpose be approved?

BONDS Yes

BONDS No

* * * * *

HAINES BOROUGH

PROPOSITION 5

\$1,814,747 GENERAL OBLIGATION BONDS
HAINES HIGH SCHOOL ROOF REPLACEMENT

Shall Haines Borough incur debt and issue general obligation bonds in a principal amount not to exceed \$1,814,747, maturing within a maximum of 20 years, to pay costs of replacing the roof at Haines High School, as further described in Ordinance No. 14-07-388, and shall Ordinance No. 14-07-388 of the Borough authorizing the issuance of bonds for this purpose be approved?

BONDS Yes

BONDS No

* * * * *

Section 5. Cooperation with DEED. Borough staff is directed to take all actions necessary and desirable to cooperate with the District to seek DEED approval for reimbursement of debt service on the voter-approved Bonds, subject to annual appropriation by the state legislature.

Section 6. Appropriation and Reimbursement. If the issuance of Bonds for one or more of the Projects is ratified at the election authorized by this ordinance, the Borough anticipates that prior to the issuance of those Bonds it may be necessary or desirable to pay certain costs of the voter-approved Projects. Therefore, the Assembly hereby appropriates from the Borough's general fund so much of the total authorization as may be necessary to carry out the provisions of this ordinance, including paying costs of the voter-approved Projects and costs of issuance of the voter-approved Bonds. The amounts expended under the appropriation made in this section will be reimbursed to the general fund from the proceeds of sale of those Bonds or short-term obligations authorized by this ordinance. The Assembly hereby declares that this section constitutes a declaration of the Borough's intent to reimburse the general fund from proceeds of tax-exempt bonds within the meaning of Treasury Regulation § 1.150-2, as promulgated under the Internal Revenue Code of 1986, as amended.

Section 7. Notice. The Borough Clerk will provide for notice, publication and posting of this ordinance and the four ballot propositions authorized by this ordinance in accordance with the provisions of the Borough Code of Ordinances and state law. The Borough Clerk will also provide for the publication of notice of the total existing bond indebtedness of the Borough, in form and content as prescribed by AS 29.47.190(b), at least once a week for three

consecutive weeks, the first such notice to be published at least 20 days before the date of the election.

Section 8. Severability. If any one or more of the provisions of this ordinance is for any reason held to be invalid, such invalidity shall not affect or invalidate any other provision of this ordinance or the Bonds, but this ordinance and the voter-approved Bonds shall be construed and enforced as if such invalid provision had not been contained herein; provided, however, that any provision that is for any reason held by reason of its extent to be invalid shall be deemed to be in effect to the extent permitted by law.

Section 9. Effective Date. This ordinance will become effective from and after the date of its passage, as provided in Section 2.12.030(B) of the Haines Borough Code of Ordinances.

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS _____ DAY OF _____, 2014.

ATTEST:

Stephanie Scott, Mayor

Julie Cozzi, MMC, Borough Clerk

Date Introduced: 07/22/14
Date of First Public Hearing: 08/12/14
Date of Second Public Hearing: __/__/__

Estimated annual debt service requirements in dollars and mills if school projects are funding using DEED bond debt reimbursement program

July 16, 2014 version

In 2005 the Haines Borough bonded to construct the new K-12 facility which incorporated the existing high school building. The Borough qualified with the State of AK DEED for 70% debt reimbursement. The Borough uses roughly 1.33 mills of property tax levy each year to generate the needed local 30% payment on the debt. That debt will be paid off in 2025. If the Borough were to bond to finance current school capital needs the the impact would be as follows depending on which projects took place:

	Estimated Project Cost	Estimated Annual Debt Pmt*	DEED 60% Debt Reimbursement		DEED 70% Debt Reimbursement		
			Annual Amt Needed with 60% reimbursement	Mills** needed at 2014 Values	Annual Amt Needed with 70% reimbursement	Mills needed at 2014 Values	
School Projects							
High School and Vocation Ed. Buildings							
High School Air Handling Unit	\$ 412,367	\$ 30,510	\$ 12,204	0.04	\$ 9,153	0.03	
Vocational Ed. Mechanical Upgrades	1,711,027	126,596	50,639	0.17	37,979	0.13	
High School Locker Room	783,938	58,002	23,201	0.08	17,401	0.06	
High School Roof Repairs	1,814,747	134,270	53,708	0.18	40,281	0.14	
	<u>4,722,079</u>	<u>349,379</u>	<u>139,752</u>	<u>0.48</u>	<u>104,814</u>	<u>0.36</u>	
Non School Projects							
Swimming Pool Facility Repairs & Upgrades	975,000	72,139	n/a	0.25	n/a	0.25	

* Assumes a 20-year repayment schedule at 4.2% interest rate

**0.36 mills represents \$36 per year in taxes on a \$100,000 home.



July 24, 2014

From: Borough Manager
To: Borough Assembly

SUBJ: General Obligation Bonds to Finance a Plan for Capital Improvements to School Facilities of the Borough

Assembly Members,

On this month's agenda there is an ordinance related to financing a plan for capital improvements to school facilities. This letter provides background and history of the issues leading to the ordinance and identifies some impacts to potential reimbursement of costs as a result of information received from Department of Education and Early Development over the past several weeks.

Background: On 4 March 2014 a Joint Assembly-School Board meeting was held during which the Assembly and School District Voted on the Major Maintenance Projects Status and Action Plan. Two motions were introduced and adopted:

Motion #1: Adopt a resolution to request the legislature to fund the Department of Education and Early Development (DEED) Capital Improvement Projects (CIP) funding through the Department of Education.

Motion #2: Authorize the staff to proceed with the application process to place bond measures on the 2014 ballot.

List of Projects: The following CIP items were identified for action:

- High School Air Handling Unit (Project 1)*
- Vocational Education Mechanical Upgrades (Project 2)*
- **High School Locker Room (Project 3)***
 - The high school locker room is located below the pool locker room. Leakage from the pool locker room and mechanical systems has damaged the High School locker room.
- **Pool Locker Room (Project 6)**
 - The pool locker room project includes upgrades to the locker rooms, mechanical upgrades to the pool, and ADA compliance upgrades primarily focused on the pool building. This project is about much more than the locker room and is actually very focused on essential mechanical upgrades

Bundled
Projects

SUBJ: General Obligation Bonds to Finance a Plan for Capital Improvements to School Facilities of the Borough

and ADA compliance. It would be helpful to change the name to something that more accurately reflects the goals of the project such as: ***“Haines Pool Mechanical Systems Upgrade and ADA Compliance Project”***

- Mosquito Lake Mechanical Systems Upgrade (Project 5)
- High School Roof Replacement (Project 7)*

Projects denoted with an asterisk () were approved at 70% funding in a letter from DEED received on Wednesday 23 July via e-mail initiated by Ms. Lori Weed, School Finance Specialist II, Division of School Finance, Facilities, Department of Education and Early Development.

For more information on the specifics of the pool mechanical status and proposed projects see **Figures 1 & 2** below and the 2011 Jensen, Yorba, Lott Locker pool conceptual design study. This is a compendium of all reports on this facility since 2001 and is available on the Borough website at: \\Fileprint\File Cabinet\#PROJECTS\#OPEN PROJECTS\School & Pool Locker Rooms Renovation

<p>POOL LOCKER ROOM MECHANICAL SYSTEMS Existing Condition and Analysis <i>Mechanical Systems:</i> The mechanical systems were installed during the original construction of 1982. Hydronic hot water heating is also provided from the High School heating plant via heating piping routed through the underground tunnel entering the space in the northwest corner of the first floor Storage room adjacent to under pool/gym storage area. A tempering valve station is located in the first floor storage room that serves the hot water system.</p> <p>Ventilation unit VU-2 supplies heating and ventilation air to the locker room areas with roof mounted exhaust fan EF-5 exhausting air out of the toilet and shower areas. VU-2 unit is located in the mezzanine area above the pool lobby adjacent to pool ventilation VU-2.</p> <p>Exhaust fan EF-5 may have been replaced within the last 10 years but overall the ventilation/exhaust system nearing 30 years old is reaching its useful service life. The ventilation volumes are sufficient for delivering heating air and exhausting air but the system being full outside air/full exhaust is not efficient with no waste heat captured. The interior of the</p>	<p>Haines School/Pool Locker Rooms Haines, Alaska</p>	<p>DRAFT</p>	<p>Mechanical System Condition Survey Page 2 of 4</p>
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Figure 1

SUBJ: General Obligation Bonds to Finance a Plan for Capital Improvements to School Facilities of the Borough

Murray & Associates, P. C. Consulting Engineers

SURVEY REPORT

PO Box 21081, Juneau, Alaska 99802-1081 (907) 780-6151 Fax: (907) 780-6182

ductwork is dirty and needs cleaning. The fans need thorough cleaning. The automatic controls of the system were upgraded recently but cover basic functions only.

Ventilation unit VU-1 serves the pool area and consists of a VU-2 with economizer section, EF-1 returning air to VU-1 or exhausting it out through a separate cross flow heat exchanger. Recent major maintenance work was done by owner recently within 2 years but the system has reached its useful life also, is in a poor location for ease of maintenance and expensive for repairs, and does not have the proper controls for managing its energy efficiency parameters.

Locker Room Architectural: Similar to locker rooms below. Ceilings and floors are old, worn looking with many locations of leakage and small repairs. Major maintenance of ceilings and floors will be required within 5-10 years. Lighting in area works but is from old inefficient fixtures and lamps with little diversity in control of lights. Hazardous materials such as asbestos pipe fittings or asbestos in wall board/joints are unknown at this time; however given the age of construction it is less likely that some hazardous materials are present compared to the school locker rooms.

Figure 2

Updates from DEED & SERRC: Since the authorization by the Assembly and the School Board the staff has coordinated with DEED and the Southeast Regional Resource Center (SERRC) to move the identified projects forward. A key benefit of obtaining funding through DEED is that there is a reimbursement of up to 70% on approved projects. Essentially, if full state funding were obtained the cost would be split with the Borough funding 30% and the State (DEED) funding 70%.

During the course of the staff's conversations with DEED and SERRC those organizations noted that the pool employees are Borough employees not School District Employees, the equipment and facilities are wholly owned and operated by the Borough, and the Borough charges the school for use of the facility. Based on this assessment DEED considers the Pool Building a Borough Building and not a school building. This disqualifies the pool from any level of debt reimbursement through DEED.

SUBJ: General Obligation Bonds to Finance a Plan for Capital Improvements to School Facilities of the Borough

After communications with both SERRC and DEED, and especially in light of the school/Borough MOU, the pool was removed from DEED's school inventory list. In light of this development we have submitted an application to DEED for high school locker room renovations for \$783,938 without inclusion of the previously proposed pool renovations. The Borough staff continues to coordinate with DEED and SERRC for alternatives to fund the Pool Locker Room project. An option to consider is adjusting the MOU with the School so that the school would not have to pay the Borough for use of the facility. This might make the facility and the project eligible for partial funding (below 70%) but would mean a loss of payment for the school to the Borough of the percent not funded through grants. In a phone call with DEED on Monday 21 July, The Manager and the CFO discussed options. One of the key criteria that DEED looks at is inclusion of pool related activities in the academic curriculum and in this area we are deficient. We also requested information on those communities whose pools receive partial funding so that we can see if we have similar usage. We await input from DEED on this request.

Bottom Line: A GO bond for the Pool Locker room would not receive any reimbursement and would be wholly funded by the Borough. The architects' revised estimate for just the pool locker room and mechanical remodel without the new elevator and stair (to reduce costs) is about \$975,000. It would cost approximately an additional \$400,000 to fund the project as originally envisioned.

Additional Note: If the school bond passes for upgrades to the school locker rooms, the pool work should be done concurrently as any work completed on the school locker rooms is likely to be damaged by leakage from the Pool Locker Room and associated mechanical equipment.

Current Status: Debt reimbursement applications were prepared, submitted, and approved to DEED for the following projects:

Haines Voc Ed Building Mechanical Upgrades:	\$1,711,027.00
Haines High School Air Handler Replacement:	\$412,367.00
Haines High School Locker Room Renovation:	\$783,938.00
Haines High School Roof Replacement:	\$1,814,747.00

Anticipated Mil Rates & Debt Service: The following assessment in **Figure 3** was produced by the Borough Finance Officer on 24 July 2014:

SUBJ: General Obligation Bonds to Finance a Plan for Capital Improvements to School Facilities of the Borough

Estimated annual debt service requirements in dollars and mills for school and non-school projects

July 24, 2014 version

The Borough has been approved for 70% debt reimbursement by the State of Alaska DEED for the four school projects listed below. The following chart shows an estimate of the annual debt service required to finance these projects and the estimated property tax mills needed to levy the Borough's required 30% payment. The lower half of the table shows estimated debt service and mills for other projects which may require bond funding in the next 3-5 years if other sources of funding cannot be identified. Note that although a mill equivalent is given for enterprise fund projects debt service for these projects would more likely be repaid with user fees to the extent that is possible.

	Estimated Project Cost	Estimated Annual Debt Pmt*	DEED 70% Debt Reimbursement	
			Annual Amt Needed with 70% reimbursement	Mills needed at 2014 Values
School Projects (30% paid by Haines Taxpayers / 70% Paid by State of AK)				
High School and Vocation Ed. Buildings				
High School Air Handling Unit	\$ 412,367	\$ 30,510	\$ 9,153	0.03
Vocational Ed. Mechanical Upgrades	1,711,027	126,596	37,979	0.13
High School Locker Room	783,938	58,002	17,401	0.06
High School Roof Repairs	1,814,747	134,270	40,281	0.14
	<u>4,722,079</u>	<u>349,379</u>	<u>104,814</u>	<u>0.36 **</u>
Non-School Projects (100% paid by Haines Taxpayers)				
Swimming Pool Facility Repairs & Upgrades	975,000	72,139	n/a	0.25
Completion of Harbor Expansion	11,000,000	813,873	n/a	2.81
Lutak Dock Repairs	6,000,000	443,931	n/a	1.53
Wastewater Treatment Plant Upgrades	3,000,000	221,965	n/a	0.77
	<u>20,975,000</u>	<u>1,551,908</u>		<u>5.35 **</u>

* Assumes a 20-year repayment schedule at 4.2% interest rate

**0.36 mills represents \$36 per year in taxes on a \$100,000 home.

5.35 mills represents \$535 per year in taxes on a \$100,000 home.

Figure 3

Ordinance Structure: The borough's bond counsel advised that a single ordinance could authorize multiple ballot measures to be placed on the ballot, and he has drafted a proposed ordinance containing a ballot question for each of the above four projects. As with any ordinance, the assembly may choose to amend it. Staff requests an assembly discussion of whether to submit an ordinance including the pool locker room outlining the following options:

Option 1: Propose 5 projects (1,2,3,5,6) as separate bond measures.

- Advantages: Each measure is voted on individual merits. 4 of five projects funded at 70% grant level.
- Disadvantages: De-links projects 3 and 6. Project 6 must be completed if Project 3 is approved or else Project 3 will continue to incur damage from mechanical systems related to project 6. Additionally, there is no grant funding anticipated for Project 6.

SUBJ: General Obligation Bonds to Finance a Plan for Capital Improvements to School Facilities of the Borough

Option 2: Propose 5 projects (1,2,3,5,6) as 4 bond measures with two projects (3 & 6) linked.

- Advantages: Links Projects 3 and 6 to the same bond measure and ensures concurrent work on linked projects. 4 of five projects funded at 70% grant level.
- Disadvantages: There is no grant funding anticipated for Project 6 and failure of the combined measures means Project 3 will be delayed

Option 3: Propose 3 projects (1,2,5) as Bond measures and delay 2 projects (3,6) until a determination on partial grant funding is made by DEED

- Advantages: Focuses bond measures on projects with approved grant funding and provides additional time to make a determination of partial funding availability for Projects 3 & 6. Retains required link between Projects 3 & 6.
- Disadvantages: Project 3 will be delayed

Additional Data: The funding requested for project at the \$1.4 million level is sufficient to address the mid-term items noted within the 2011 Jensen, Yorba, Lott condition study. In 2011 the condition study noted that 6.2 million dollars of work was required to address long term costs. Several projects have been completed since that report and others are being bid (lights for the pool). Other emergency maintenance has been accomplished that addressed some of the items noted in the 2007 condition report. I have requested that the Facilities Director make a more thorough determination of what has been accomplished, what projects are pending, and what this proposed project will accomplish and determine how far along the original condition study this will bring us. We will also need to factor in inflationary increases to the origin estimate of long-term costs. Some key questions to study are to what extent these upgrades will extend the life of the facility and to what extent does this life cycle extension justify the costs/investment.

- Current Pool Membership: 322 members
- FY 14 Usage rates: 14,428 visits
- FY 14/15 Operating Budgets: \$242,646/\$235,719
- FY 14/15 Revenue Under Expenditures: \$196,146/\$195,719

Respectfully Submitted,

David B. Sosa

Memorandum

Haines Borough
Office of the Mayor
103 Third Avenue S.
Haines, Alaska 99827
sscott@haines.ak.us
Voice (907) 766-2231 ext. 30

August 6, 2014

To: Haines Borough Assembly

Cc: Dave Sosa, Manager
Julie Cozzi, Clerk
Anne Marie Palmieri, President, Haines Borough School Board
Ginger Jewell, Superintendent Haines Borough School District

From: Stephanie Scott, Mayor, Haines Borough

Subject: High school locker room repair (Ordinance 14-07-388, Proposition 4);
pool mechanical systems upgrades and ADA compliance

I urge the Assembly to withdraw Proposition 4, High School Locker Room Repair, at this time (move to remove Proposition 4 from Ordinance 14-07-388) and work with the school district to redesign the school district's relationship to the pool.

I recommend this course of action for two reasons:

1) The pool mechanical system is in disrepair. The proposed repair costs between \$995,000 - \$1.4 million. It's disrepair impacts the high school locker room which also needs to be repaired, mainly because of leakage related to the pool mechanical system, for an estimated cost of \$783,938. Consultants and the Borough Facilities Director assert that repair to the one requires repair to the other. However, Ordinance 14-07-388 does not include the proposition to bond for repairs to the pool mechanical systems, in part because repairs to the pool do not qualify for debt reimbursement from the state. This is so because we have administratively removed the pool from the school, thus removing the opportunity for debt reimbursement. But the school buildings and the pool remain physically "one," so much so that the condition of the pool impacts the condition of the high school locker rooms. I presume that the pool was added on to the school initially to capitalize on state programs for school construction.

2) It is possible to acquire some level of debt reimbursement for pool repairs through the DEED program if we confer with the School District. According to conversations with DEED (Department of Education and Early Development), detailed in the Manager's July 29th report, repairs to the pool mechanical system will

qualify for some level of state reimbursement if pool related activities are included in the academic curriculum and if the MOU between the School District and the Borough is adjusted.

The difference between the pool as part of our school curriculum and the pool as wholly independent from the school is the difference between taxpayers funding as little as 30% of the repairs and taxpayers fully funding 100% of the project. Negotiation with the school district on behalf of savings for taxpayers seems a course of action with a probability of a positive outcome, though taking the time to have the conversation, come to an agreement, and persuade DEED to qualify the pool as part of the school will delay the needed repairs. I am willing to risk the delay in service of the possibility of capturing an outside funding source for pool repair.

I also look forward to the opportunity to highlight the goal behind the initial impetus to build a pool in Haines: water safety.



MANAGER'S REPORT

DATE: August 12 2014
 TO: Mayor and Borough Assembly
 FROM: David B. Sosa, Borough Manager

BOROUGH ADMINISTRATION MISSION

Under the guidance and direction of the Borough Assembly, the mission of the Haines Borough Administration is to deliver critical and desired services; to protect the safety and well-being of the community; and to create conditions for a vibrant, sustainable economy that enhances and safeguards quality of life

Manager's Comments:

SEAK Fair: The Borough Booth was very successful at the fair. Many residents expressed appreciation for the opportunity to meet with Staff and Assembly members in a relaxed setting and to have an opportunity to share their thoughts and concerns about the Borough. Many fair visitors from outside the Borough also engaged with staff and Assembly members and commented very favorably on the Administration and Assembly taking a proactive approach to engaging with the community. By all accounts the star of the booth was the Giant Borough Code Jenga Game which served as a tool to attract interest while also providing information on various aspects of Borough Code. The Manager would like to thank Ms. Christina Baskaya for coordinating the set-up of the booth and for the developing the Giant Jenga attraction. The manager also wants to thank all of the Staff who manned the booth or who assisted in the set-up and theme development. We will continue to seek other opportunities to engage the public.

Economic Development Incentive Program: At the direction of the Assembly the Manager has been developing a DRAFT Tax and Business Incentive Program Policy. The first DRAFT was shared with the Commerce Committee at their 4 August meeting and the Manager is making adjustments based off of feedback from that meeting. A second DRAFT will be available soon and will be provided to the Commerce Committee for review and comment.

Economic Development Director Hiring: The Manager has provided copies of resumes received by the deadline date to the Hiring Committee for review. The group will met on Friday, 8 August to discuss the applicants and select individuals for interviews

Senator Murkowski Visit: On 7 August Senator Murkowski visited the Borough and toured facilities and businesses in the company of the Mayor and the Manager.

Excursion Inlet Visit: On 18 August members of the Assembly and Borough Staff will travel to Excursion Inlet to visit with residents and to meet with representatives from Ocean Beauty.

Supervisor Training: From 27-29 August Department Heads will participate in a Supervisors Training Course offered by Ms. Mila Cosgrove, the Human Resources Director for the City and Borough of Juneau. Availability for these key individuals will be limited during that time but the additional skill sets and knowledge gained will enable Department Heads to more effectively carry out their responsibilities translating to more effective service for the community.

Community & Economic Development

Picture Point: Contract initiated with PND Engineers for parking area grading. They will try to have a basic map to us soon to start the permitting process. Quote has been requested from AIA for a "Welcome to Haines" sign using a totem they have already carved. The design of this sign should have already been approved by the Picture Point Design Committee. Research on restroom options is being finalized.

Wood Pellet Heating: The Haines Borough is being awarded an Alaska Energy Authority grant for installing wood heating systems in several Borough buildings. To start the process, a Request for Qualifications/Proposal for a wood pellet supplier has been posted on the Haines Borough website and emailed to several known suppliers or potential suppliers. The objective is to identify a practical, reliable wood pellet supply and delivery before moving forward with the wood heating installation. The grant funding is available for 5 years.

State Senator Murkowski: The Mayor and Borough Manager provided transportation and served as guides for Sen. Murkowski and her staff during their visit to Haines on Thursday, August 7th.

Parks and Recreation Committee: PARC members met on July 24th to decide on the purchase of trail markers that were previously approved by the Assembly. The trail markers are in the process of being ordered and will be installed by a group of volunteers organized by PARC members. PARC interviewed and voted for Haines Borough School Superintendent, Ginger Jewell, to fill an open seat on the committee.

Downtown Revitalization Committee: The committee met on Monday, August 4th. Chair, Lenise Henderson, presented a vision and goal for the group to focus their decisions for the Downtown Business District. The committee also moved forward with some recommendations on subjects, such as waste management and snow removal, for the Planning Commission to consider to bring to the Assembly.

Clerk's Office:

Elections - The borough candidate filing period started on August 1 and continues through August 20. Candidates for borough office must meet residency and other requirements. Candidacy forms are available on the borough's website, www.hainesalaska.gov/, or at the Clerk's Office. The Borough Administration Building is serving as the polling place for early voting for the August 19 State Primary Election. The early voting goes through August 18.

Audio Upgrades - As part of the Assembly Chambers technical upgrades project, the borough clerk continues to test software that will bookmark the recordings and also embed audio snippets within the electronic minutes for the website. The basic audio system is ready for trial during the August 12 assembly meeting with the recording features to follow in the very near future. Adding video capabilities is a second phase that would need to be included in a future budget.

Finance: NSTR

Fire & Emergency Services: NSTR

IT: NSTR

Land Assessment-Planning & Zoning:

Public Utility & Road Mapping – P&Z Tech Tracy Cui has been working with Public Works Superintendent Ralph Borders, Public Facility Director Carlos Jimenez, and Water-Sewer Plant Operator Scott Bradford to develop public water & sewer and road maps by using ArcGIS, which is an organized collection of computer software, geographic data to efficiently capture, store, update, manipulate, analyze and display all forms of geographically referenced information. The Borough will benefit from this data management when planning and coordinating utility and road improvement projects and repairs. For example, the data contains locations of water & sewer mains, fire hydrants, manholes, cleanouts, pump stations, valves, also type and size of the service lines and so on. Those maps will help the Borough to improve its productivity and efficiency when maintaining the Borough road and utility network.

Aspen Hotel – The site plan has been reviewed and determined it meets the Borough code. The developer is estimating to commence the site work on August 18, and foundation on August 25th. Currently the State Fire Marshal is reviewing the plans. Deputy Fire Marshal Robert Plumb expects that planning on the site work starting on the 18th is reasonable.

Legal: NSTR

Library: NSTR

Police:

Completed SEAK Fair – Police activities during the fair were successful and all patrol officers and dispatchers are commended for a job well done.

Staffing: The Department will be working on staffing with Officer Dryden on leave from Aug. 6th to 19th to bring his family to Haines, we wish him and his family well in their travels across the states, Canada, to a safe arrival here in Haines. Dispatch Supervisor Grimes will be heading out on a 90 day Leave of Absence as of August 14th. The Chief I working on review of applications for open police positions

Ports & Harbors:

The staff has been providing over 5,000 gallons of fuel and 20 tons of ice a week for commercial and boating community completed installation of net floats with net hangers, installed hand water pump on Letnikoff fish cleaning station for water on that station, and installed 16 safety ladders throughout harbor with Richard Boyce Memorial Fund and the Haines Borough Harbor matching money. Busiest harbor weekend on record for moorage 31 July-4 Aug.

Harbor Expansion: Drilling and sampling to begin on 15 August for bedrock and environmental sampling for Portage Cove Harbor expansion.

Sheldon Museum & Cultural Center : NSTR

Tourism:

WACVB Conference Tourism Director attended the Western Association of Convention and Visitor Bureau's annual CEO conference in Solvang, CA. This conference has been touted as one of the most helpful conferences to Bureau leaders. I found it very helpful as far as making needed connections with other Alaska directors as well as other directors from towns similar in size and culture to ours. It is a time to share advertising ideas, brochures, networking, budgets, boards, etc. It was very inspiring and I came home with many ideas and new peers.

Ship Day Study The Tourism Department with help from businesses and tour operators is putting together an informal study to help understand the revenue of a ship day in Haines. I am meeting with business owners asking them to share their numbers from last year's ship season to this years daily average. These numbers will be very helpful when negotiating moorage fees, and understanding the financial impact of a ship day in Haines.

Chilkoot Corridor Working with the Manager, State Parks and local tour operators to tackle the issues at Chilkoot State Park and the recent moratorium on tours in the park. More information on this coming.

Regatta The cruise ship Regatta was in port on Monday, August 4th. Many businesses and tour operators reported this to be a very lucrative ship. The visitor center was swarmed with guests, they seem to be a younger, more active crowd ready to experience Haines. Reports from the ship were that about 430 passengers of 600+ were scheduled on Shore Excursions. I do not know how many of these tours were going to Skagway.

July 2014 Haines Vol. Fire Dept. Monthly Report

The Haines Vol. Fire Dept. had four fire callouts in July. The first call was for a controlled burn that became out of control for the user. A second controlled burn was left unattended and was extinguished. There were also two motor vehicle accident responses. One was an all terrain vehicle accident. Fire callouts for 2014 total 16. The Haines Vol. Fire Dept. responded to 19 ambulance callouts in July. Calls included four with chest pain, two falls, an altered level of consciousness, three patients involved in motor vehicle accidents, one with a migraine, one with severe cramps, a back pain, a facial laceration, a recall, and 4 medivacs/transport. Ambulance callouts for 2014 total 140. There were no SAR callouts in July. SAR callouts for 2014 total 1.

The first joint meeting for July was a business meeting followed by our annual drivers training course. Many that were unable to attend participated later in the week. The ambulance training was multiple practical scenarios including IV setup procedures, using caonography (end tidal Carbon Dioxide), 12 lead ECG setup, using a nebulizer, and attachments to the MRX monitor. The fire training was forward lay fire attack using tanker 5 & 3 for water sources at the vocational education building at the school. We practiced Positive Pressure Ventilation prior to entry as the room was filled with artificial smoke.

We had our fundraiser B-B-Q. on July 5th. This was our 26th year. We served over 650. It takes many volunteers to make this happen. We had a good turnout for setup, cleanup and take down. For those that make potato salad (200 lbs), cook beans (75 lbs), butter garlic bread (48 loaves), and cook/slice brisket (650 lbs) before hand THANKS!!!!

We had 4 fire trucks and an ambulance participate in the 4th of July parade, appreciation for the drivers that made this happen. The hose battle had no one show up so it was cancelled, as the rainy day was not that inviting.

Medic 1 has a mechanical problem. We tried to get it fixed locally, but it will have to go to Juneau for repairs.

A work party came in on a Saturday to remove shelves and drawers in our training classroom to make room for the new EOC (Emergency Operation Center) desks & cabinets. Roc Ahrens started it out with a sourdough pancake breakfast and about 7 members came out to help. Good job folks.

Volunteer Hours for July 2014

HVFD Fire	157	HVFD Ambulance	163	SAR
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Volunteer Hours for 2014

HVFD Fire	1029	HVFD Ambulance	2235	SAR	341
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Total volunteer hours HVFD for 2014 3605 Hours

Respectfully submitted,



Al Badgley
HVFD Training Officer

PARC June 18, 2014 Minutes

Agenda:

Approval of last meeting minutes

Old business:

Trail markers...when, how, with what type, Ripinski

Cabin resolution....Rich's State Parks, and a general support.

New business

Brushing 7 mile

Ski club and trail money

Memorial trail at 25 mile

Next meeting

Present:

Daymond Hoffman, Ron Jackson, Jon Geillings [voted new on board last meeting), Rich Chapel , Meredith Pochard, and Jon Hirsh.

Others present:

Leslie Ross, David Sosa, and Christina Baskaya

Approval of 5/22 meeting minutes, voted unanimously with the agreement to include Jon Geillings comments.

David Sosa talked about relationship with advisory board and borough. He gave us an inspirational talk on finding guidance. He talked about setting up meetings with borough staff so the advisory committees can know the operation better. Also how we need to start thinking earlier on budget items....He reminded us that money is getting tighter, and we might have training sessions on grant writing , lay ground work for the future Park and Rec Dept, help bring these small non- profit groups together, find out what their needs are and figure ways to help....Learn about how to establish more parks in Haines, look at other Park and rec advisory boards..

Dealing with the ski club, establish a MOU dealing with grooming trails, doing maintenance, insurance, and storage.

Trail Markers: Ask hiking club to come up with ideas on types of markers., assign Susan to the task of deciding trail markers. Have certain colors mark certain trails.

State Parks Cabin Resolution: M/S Jon H./Daymond.

Passed unanimously. For use on the cabin need to bring your own firewood to cabin....state will not provide firewood.....cabin use will start just in the winter at first...see how it works..

Next meeting 3rd Thurs, July 17th.

Downtown Revitalization Committee Report:

Vision Statement:

A downtown core that is clean, well maintained, vibrant, and provides a variety of services, retail choices, and housing.

Goal Statement:

Economic development, increase in foot traffic, and infrastructure development in the downtown improvement district.

Defined Downtown Improvement District Phase 1:

Main Street from the harbor to 6th Avenue and a block east & west.

Current Recommendation to the Planning Commission:

1. Trash Management:

Motion: Committee moved to recommend that the Borough instigate a comprehensive waste management program for the Downtown Business District.

2. Signing:

Motion: Committee moved to recommend to the Manager the investigation of "Downtown Business District" directional signs from all the ports of entry.

3. Brewery on Main Street:

Motion: Committee moved that the DRC recommend to the Assembly the borough sale of downtown property to the Haines Brewing Company.

4. Year round access:

Motion: Committee moved to recommend the Borough to make the downtown business district walk able and friendly to foot traffic year-round. (Including researching feasibility of sidewalk snow removal)

More discussion will take place on the feasibility of downtown businesses being open year-round and strategies to support that.

Ideas that will be up for discussion in the next few meetings:

Well Maintained:

- ❖ A regular maintenance schedule for downtown borough assets.
- ❖ A garbage can and pet waste disposal center every two blocks.
- ❖ Litter and lack of garbage management fine enforcement.
- ❖ An ordinance to fine for lack of maintenance of vacant buildings.
- ❖ An ordinance to fine for buildings remaining vacant for more than one year.
- ❖ Tax incentive program for new paint, trim or façade improvement in the downtown improvement district.
- ❖ Tax incentive program for flowers and landscaping improvement in the downtown improvement district.

Retail Choices & Housing:

- ❖ Tax incentive program for new construction of approved multi-family housing within the downtown improvement district.
- ❖ Tax incentive or grant program for development of approved new or unique retail businesses within the downtown improvement district.
- ❖ Tax incentive or energy grant program for retail businesses remaining open year round in the downtown improvement district.

Signing:

- ❖ Design for simple directional signs to be developed leading to **Downtown Business District** from ports of entry:
 - Ferry
 - Cruise ship dock
 - Small boat harbor
 - Highway
 - Airport

8/5/14
Lenise Henderson Fontenot
Chair



**Haines Borough
Assembly Agenda Bill**

Agenda Bill No.: 14-495
Assembly Meeting Date: 8/12/14

Business Item Description:	Attachments:
Subject: Refinance 2005 School Bond	1. Resolution 14-08-579 - DRAFT 2. Refinancing Analysis
Originator: Finance Director	
Originating Department: Finance	
Date Submitted: 7/29/14	

Full Title/Motion:
Motion: Adopt Resolution 14-08-579.

Administrative Recommendation:
The borough manager recommends adoption

Fiscal Impact:

Expenditure Required	Amount Budgeted	Appropriation Required	Projected Impact to Future Operating Budgets
\$---	\$---	\$---	See Summary Statement Below

Comprehensive Plan Consistency Review:
Comp Plan Goals/Objectives: _____
Consistent: Yes No

Summary Statement:
Recently the Borough was contacted by the Alaska Municipal Bond Bank Authority regarding refinancing our 2005 school construction bond. Because the State of Alaska pays 70% of the annual principal and interest payments on the bond, they have charged the bond bank with monitoring the bonds to determine an advantageous time to refinance. The attached refinancing analysis prepared for the Bond Bank by RBC Capital estimates a refinancing will save a total of \$876,000 on the Haines Borough bonds over the next 11 years. Of course, 70% of the savings (~\$613,000) would be realized by the State of Alaska and 30% of the savings (~\$263,000) would be realized by the Haines Borough. Page 4 of the attached analysis provides a summary of the savings. If the proposed refinancing does not provide a reasonable savings it will not move forward.

Referral:
Referred to: _____ Referral Date: _____
Recommendation: _____ Meeting Date: _____

Assembly Action:
Meeting Date(s): 8/12/14 Public Hearing Date(s): _____
Postponed to Date: _____

A Resolution of the Haines Borough Assembly approving the Borough's participation in a proposed refinancing by the Alaska Municipal Bond Bank of certain of the Bond Bank's general obligation bonds, which provided funds to purchase the Borough's General Obligation School Bond, 2005, under a loan agreement between the Borough and the Bond Bank; and authorizing the Borough's finance director to approve a revised schedule of principal and interest payments on the Borough's 2005 Bond, in accordance with the loan agreement, if the Bond Bank successfully refinances its bonds.

WHEREAS, the Haines Borough (the "Borough"), issued and sold its General Obligation School Bond, 2005, in the original principal amount of \$17,500,000 (the "Bond") to the Alaska Municipal Bond Bank (the "Bond Bank"), as authorized by Ordinance No. 05-07-116 of the Borough (the "Bond Ordinance"), on the terms and conditions set forth in the Bond Ordinance and in a loan agreement between the Borough and the Bond Bank dated as of October 1, 2005 (the "Loan Agreement"); and

WHEREAS, the Bond Bank issued and sold its General Obligation Bonds, 2005 Series C (the "Bond Bank Bonds"), to provide funds to purchase the Bond, as provided in the Loan Agreement; and

WHEREAS, Section 6 of the Loan Agreement provides that payments of principal of and interest on the Bond may be adjusted to reduce debt service on the Bond if the Bond Bank is able to achieve debt service savings by refunding the Bond Bank Bonds; and

WHEREAS, the Bond Bank now intends to issue a series of its general obligation refunding bonds (the "Bond Bank Refunding Bonds") for the purpose, among others, of refunding the Bond Bank Bonds and achieving debt service savings; and

WHEREAS, the Assembly wishes to approve the Borough's participation in this refinancing and to authorize the Borough's finance director to accept a revised debt service schedule for the Bond if the Bond Bank successfully refinances the Bond Bank Bonds;

NOW, THEREFORE, BE IT RESOLVED by the Assembly of the Haines Borough, as follows:

Section 1. Definitions. Except as otherwise defined herein, capitalized terms used in this resolution have the meanings set forth in the Bond Ordinance.

Section 2. Approval of Refinancing. The Assembly hereby approves the Borough's participation in the Bond Bank's refinancing of the Bond Bank Bonds and authorizes the Finance Director to approve a revised schedule of principal payment amounts and interest rates for the Bond, in accordance with Section 6 of the Loan Agreement, so long as the revised schedule provides reasonable debt service savings to the Borough. The revised schedule of debt service on the Bond and other provisions as may be required by the Bond Bank will be set forth in an Amendatory Loan Agreement and an amended Bond. The Borough Manager or Finance Director is authorized to execute and deliver the Amendatory Loan Agreement on behalf of the Borough and to deliver the amended Bond, executed in accordance with the provisions of the Bond Ordinance, to the Bond Bank in exchange for the original Bond. The Finance Director and other appropriate officers and

Haines Borough
Resolution No. 14-08-579
Page 2 of 3

employees of the Borough are also hereby authorized to provide financial information about the Borough that the Bond Bank may require for the official statement for the Bond Bank Refunding Bonds.

Section 3. Tax Covenants; Special Designation. The Borough covenants to undertake all actions required to maintain the tax-exempt status of interest on the amended Bond under Section 103 of the Code.

Section 4. General Authorization. The Mayor, Borough Manager, Finance Director, Borough Clerk, Borough Attorney, and any other appropriate officers, agents, attorneys and employees of the Borough are each hereby authorized and directed to cooperate with the Bond Bank and to take such steps, do such other acts and things, and execute such letters, certificates, agreements, papers, financing statements, assignments or instruments as in their judgment may be necessary, appropriate or desirable to carry out the terms and provisions of, and complete the transactions contemplated by, this resolution.

Section 5. Prior Acts. Any and all acts heretofore taken by officers, agents, attorneys and employees of the Borough in connection with refinancing the Bond are hereby ratified and confirmed.

Section 6. Effective Date. This resolution will take effect immediately upon its adoption.

Adopted by a duly-constituted quorum of the Haines Borough Assembly on this ____ day of _____, 2014.

By _____
Stephanie Scott, Mayor

ATTEST:

Julie Cozzi, MMC, Borough Clerk

CLERK'S CERTIFICATE

I, the undersigned, Borough Clerk of the Haines Borough (the "Borough"), and keeper of the records of the Borough Assembly (the "Assembly"), DO HEREBY CERTIFY:

1. That the attached Resolution (the "Resolution") is a true and correct copy of Resolution No. _____ of the Borough, as adopted at a meeting of the Assembly held on August 12, 2014, and duly recorded in my office.

2. That said meeting was duly convened and held in all respects in accordance with law, and to the extent required by law, due and proper notice of such meeting was given; that a quorum was present throughout the meeting and a legally sufficient number of members of the Assembly voted in the proper manner for the adoption of the Resolution; that all other requirements and proceedings incident to the proper adoption of the Resolution have been fully fulfilled, carried out and otherwise observed, and that I am authorized to execute this certificate.

IN WITNESS WHEREOF, I have hereunto set my hand this August ____, 2014.

Borough Clerk
Haines Borough

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Refunding Opportunities
Market Conditions as of May 28, 2014

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SOURCES AND USES OF FUNDS

Haines Borough (Refund GO 2005C)
Alaska Municipal Bond Bank
Refunding Opportunities
Market Conditions as of May 28, 2014

Dated Date 10/01/2014
Delivery Date 10/01/2014

Sources:

Bond Proceeds:

Par Amount	9,530,000.00
Premium	1,539,879.05

11,069,879.05

Uses:

Refunding Escrow Deposits:

Cash Deposit	0.03
SLGS Purchases	10,989,013.00

10,989,013.03

Cost of Issuance:

Costs of Issuance -- Bond Bank	35,908.06
Costs of Issuance -- Local	15,000.00

50,908.06

Delivery Date Expenses:

Underwriter's Discount	28,590.00
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Other Uses of Funds:

Additional Proceeds	1,367.96
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11,069,879.05

SUMMARY OF BONDS REFUNDED

Haines Borough (Refund GO 2005C)
Alaska Municipal Bond Bank
Refunding Opportunities
Market Conditions as of May 28, 2014

Bond	Maturity Date	Interest Rate	Par Amount	Call Date	Call Price
GO 2005C (Haines Borough):					
SERIALS	10/01/2016	4.000%	875,000.00	10/01/2015	100.000
	10/01/2017	4.000%	910,000.00	10/01/2015	100.000
	10/01/2018	4.000%	950,000.00	10/01/2015	100.000
	10/01/2019	4.000%	985,000.00	10/01/2015	100.000
	10/01/2020	4.125%	1,025,000.00	10/01/2015	100.000
	10/01/2021	4.200%	1,070,000.00	10/01/2015	100.000
	10/01/2022	4.250%	1,115,000.00	10/01/2015	100.000
	10/01/2023	4.250%	1,160,000.00	10/01/2015	100.000
	10/01/2024	4.250%	1,210,000.00	10/01/2015	100.000
	10/01/2025	4.250%	1,260,000.00	10/01/2015	100.000
			10,560,000.00		

SUMMARY OF REFUNDING RESULTS

Haines Borough (Refund GO 2005C)
Alaska Municipal Bond Bank
Refunding Opportunities
Market Conditions as of May 28, 2014

Dated Date	10/01/2014
Delivery Date	10/01/2014
Arbitrage yield	2.144539%
Escrow yield	0.079681%
Value of Negative Arbitrage	221,141.90
Bond Par Amount	9,530,000.00
True Interest Cost	2.132312%
Net Interest Cost	2.361725%
Average Coupon	4.675572%
Average Life	6.854
Par amount of refunded bonds	10,560,000.00
Average coupon of refunded bonds	4.188412%
Average life of refunded bonds	6.834
PV of prior debt to 10/01/2014 @ 2.132312%	11,916,179.12
Net PV Savings	876,258.03
Percentage savings of refunded bonds	8.297898%
Percentage savings of refunding bonds	9.194733%

SAVINGS

Haines Borough (Refund GO 2005C)
Alaska Municipal Bond Bank
Refunding Opportunities
Market Conditions as of May 28, 2014

Date	Prior Debt Service	Refunding Debt Service	Savings	Present Value to 10/01/2014 @ 2.1323118%
06/30/2015	218,841.88	208,950.00	9,891.88	9,787.53
06/30/2016	437,683.76	417,900.00	19,783.76	19,266.40
06/30/2017	1,295,183.76	1,200,975.00	94,208.76	90,252.31
06/30/2018	1,294,483.76	1,197,650.00	96,833.76	90,839.18
06/30/2019	1,297,283.76	1,198,500.00	98,783.76	90,784.70
06/30/2020	1,293,583.76	1,197,625.00	95,958.76	86,401.05
06/30/2021	1,292,743.13	1,196,750.00	95,993.13	84,603.07
06/30/2022	1,294,132.50	1,195,125.00	99,007.50	85,413.20
06/30/2023	1,292,968.75	1,196,125.00	96,843.75	81,781.84
06/30/2024	1,289,625.00	1,194,625.00	95,000.00	78,527.11
06/30/2025	1,289,262.50	1,190,625.00	98,637.50	79,805.06
06/30/2026	1,286,775.00	1,189,000.00	97,775.00	77,428.60
	13,582,567.56	12,583,850.00	998,717.56	874,890.07

Savings Summary

PV of savings from cash flow		874,890.07
Plus: Refunding funds on hand		1,367.96
		876,258.03
Net PV Savings		876,258.03



PRIOR BOND DEBT SERVICE

Haines Borough (Refund GO 2005C)
 Alaska Municipal Bond Bank
 Refunding Opportunities
 Market Conditions as of May 28, 2014

Period Ending	Principal	Coupon	Interest	Debt Service	Annual Debt Service
10/01/2014					
04/01/2015			218,841.88	218,841.88	
06/30/2015					218,841.88
10/01/2015			218,841.88	218,841.88	
04/01/2016			218,841.88	218,841.88	
06/30/2016					437,683.76
10/01/2016	875,000.00	4.000%	218,841.88	1,093,841.88	
04/01/2017			201,341.88	201,341.88	
06/30/2017					1,295,183.76
10/01/2017	910,000.00	4.000%	201,341.88	1,111,341.88	
04/01/2018			183,141.88	183,141.88	
06/30/2018					1,294,483.76
10/01/2018	950,000.00	4.000%	183,141.88	1,133,141.88	
04/01/2019			164,141.88	164,141.88	
06/30/2019					1,297,283.76
10/01/2019	985,000.00	4.000%	164,141.88	1,149,141.88	
04/01/2020			144,441.88	144,441.88	
06/30/2020					1,293,583.76
10/01/2020	1,025,000.00	4.125%	144,441.88	1,169,441.88	
04/01/2021			123,301.25	123,301.25	
06/30/2021					1,292,743.13
10/01/2021	1,070,000.00	4.200%	123,301.25	1,193,301.25	
04/01/2022			100,831.25	100,831.25	
06/30/2022					1,294,132.50
10/01/2022	1,115,000.00	4.250%	100,831.25	1,215,831.25	
04/01/2023			77,137.50	77,137.50	
06/30/2023					1,292,968.75
10/01/2023	1,160,000.00	4.250%	77,137.50	1,237,137.50	
04/01/2024			52,487.50	52,487.50	
06/30/2024					1,289,625.00
10/01/2024	1,210,000.00	4.250%	52,487.50	1,262,487.50	
04/01/2025			26,775.00	26,775.00	
06/30/2025					1,289,262.50
10/01/2025	1,260,000.00	4.250%	26,775.00	1,286,775.00	
06/30/2026					1,286,775.00
	10,560,000.00		3,022,567.56	13,582,567.56	13,582,567.56

BOND DEBT SERVICE

Haines Borough (Refund GO 2005C)
 Alaska Municipal Bond Bank
 Refunding Opportunities
 Market Conditions as of May 28, 2014

Dated Date 10/01/2014
 Delivery Date 10/01/2014

Period Ending	Principal	Coupon	Interest	Debt Service	Annual Debt Service
10/01/2014					
04/01/2015			208,950.00	208,950.00	
06/30/2015					208,950.00
10/01/2015			208,950.00	208,950.00	
04/01/2016			208,950.00	208,950.00	
06/30/2016					417,900.00
10/01/2016	795,000.00	3.000%	208,950.00	1,003,950.00	
04/01/2017			197,025.00	197,025.00	
06/30/2017					1,200,975.00
10/01/2017	820,000.00	4.000%	197,025.00	1,017,025.00	
04/01/2018			180,625.00	180,625.00	
06/30/2018					1,197,650.00
10/01/2018	850,000.00	3.000%	180,625.00	1,030,625.00	
04/01/2019			167,875.00	167,875.00	
06/30/2019					1,198,500.00
10/01/2019	875,000.00	3.000%	167,875.00	1,042,875.00	
04/01/2020			154,750.00	154,750.00	
06/30/2020					1,197,625.00
10/01/2020	910,000.00	5.000%	154,750.00	1,064,750.00	
04/01/2021			132,000.00	132,000.00	
06/30/2021					1,196,750.00
10/01/2021	955,000.00	5.000%	132,000.00	1,087,000.00	
04/01/2022			108,125.00	108,125.00	
06/30/2022					1,195,125.00
10/01/2022	1,005,000.00	5.000%	108,125.00	1,113,125.00	
04/01/2023			83,000.00	83,000.00	
06/30/2023					1,196,125.00
10/01/2023	1,055,000.00	5.000%	83,000.00	1,138,000.00	
04/01/2024			56,625.00	56,625.00	
06/30/2024					1,194,625.00
10/01/2024	1,105,000.00	5.000%	56,625.00	1,161,625.00	
04/01/2025			29,000.00	29,000.00	
06/30/2025					1,190,625.00
10/01/2025	1,160,000.00	5.000%	29,000.00	1,189,000.00	
06/30/2026					1,189,000.00
	9,530,000.00		3,053,850.00	12,583,850.00	12,583,850.00

UNREFUNDED BOND DEBT SERVICE

Haines Borough (Refund GO 2005C)
Alaska Municipal Bond Bank
Refunding Opportunities
Market Conditions as of May 28, 2014

Period Ending	Principal	Coupon	Interest	Debt Service	Annual Debt Service
10/01/2014					
04/01/2015			20,875.00	20,875.00	
06/30/2015					20,875.00
10/01/2015	835,000.00	5.000%	20,875.00	855,875.00	
06/30/2016					855,875.00
	835,000.00		41,750.00	876,750.00	876,750.00



**Haines Borough
Assembly Agenda Bill**

Agenda Bill No.: 14-496

Assembly Meeting Date: 8/12/14

Business Item Description:	Attachments:
Subject: Authorize Purchase Order with Cal Worthington Ford for Public Works Pickup	1. Resolution 14-08-581 2. Truck Quotes 3. Service Body Quote
Originator: Director of Public Facilities	
Originating Department: Public Facilities	
Date Submitted: 8/7/14	

Full Title/Motion:
Motion: Adopt Resolution 14-08-581.

Administrative Recommendation:
This resolution is recommended by the Director of Public Facilities.

Fiscal Impact:			
Expenditure Required	Amount Budgeted	Appropriation Required	Projected Impact to Future Operating Budgets
\$ 34,248	\$ 34,248	\$ 0	Reduced Maintenance Costs

Comprehensive Plan Consistency Review:	
Comp Plan Goals/Objectives:	Consistent: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Summary Statement:
<p>A pickup assigned to Public Works has been identified for replacement. The State of Alaska, Department of Transportation and Public Facilities, State Equipment Fleet (SEF) maintains contracts with several light duty vendors in Alaska. Cooperative Purchasing is authorized on these contracts for qualified political subdivisions. The Public Works Superintendent has entered the minimum requirements into the database provided by SEF and has identified Cal Worthington Ford of Anchorage as the vendor that can provide the desired vehicle at the lowest price (\$23,596). The purchase order with Cal Worthington Ford also will include \$10,651.52 for a utility box and pipe rack, to be installed by their outfitter Bob's Services of Anchorage, bringing the total cost to \$34,247.52. The Haines Borough Assembly appropriated \$32,000 in the FY15 budget's Capital Improvement Projects (CIP) fund for a Ford F-250 4x4 with a utility box for Public Works. The Borough has sufficient funding in the Public Works operating budget to cover the remainder of this purchase order, plus the cost of delivering the vehicle from Anchorage.</p>

Referral:	
Referred to:	Referral Date:
Recommendation:	Meeting Date:

Assembly Action:	
Meeting Date(s): 8/12/14	Public Hearing Date(s):
	Postponed to Date:

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to execute a purchase order with Cal Worthington Ford of Anchorage to purchase a pickup for Public Works for an amount not-to-exceed \$34,248.

WHEREAS, a pickup assigned to Public Works has been identified for replacement; and

WHEREAS, the State of Alaska, Department of Transportation and Public Facilities, State Equipment Fleet (SEF) maintains contracts with several light duty vendors in Alaska; and

WHEREAS, Cooperative Purchasing is authorized on these contracts for qualified political subdivisions; and

WHEREAS, the Public Works Superintendent has entered the minimum requirements into the database provided by SEF and has identified Cal Worthington Ford of Anchorage as the vendor that can provide the desired vehicle at the lowest price (\$23,596); and

WHEREAS, the purchase order with Cal Worthington Ford also will include \$10,651.52 for a utility box and pipe rack, to be installed by their outfitter Bob's Services of Anchorage, bringing the total cost to \$34,247.52; and

WHEREAS, the Haines Borough Assembly appropriated \$32,000 in the FY15 budget's Capital Improvement Projects (CIP) fund for a Ford F-250 4x4 with a utility box for Public Works; and

WHEREAS, the Borough has sufficient funding in the Public Works operating budget to cover the remainder of this purchase order, plus the cost of delivering the vehicle from Anchorage,

NOW, THEREFORE, BE IT RESOLVED that the Haines Borough Assembly authorizes the Borough Manager to execute a purchase order with Cal Worthington Ford of Anchorage to purchase a pickup for Public Works for an amount not-to-exceed \$34,248.

Adopted by a duly-constituted quorum of the Haines Borough Assembly on this ____ day of _____, 2014.

Stephanie Scott, Mayor

Attest:

Julie Cozzi, MMC, Borough Clerk

CLASS 154
REGULAR CAB
3/4 TON 4X4

Standard Equipment: Class 154 3/4 Ton Regular Cab 4x4

Color: OEM White (Any other color requires prior authorization)
 Darkest of OEM Manufactures Standard Cloth Upholstery
 Interior, (cloth or cloth with vinyl trim)
 Seating for three (3) including driver
 8-Foot Bed (Long Box)
 GVWR: Minimum 9,200 Pounds
 Four Wheel Drive (4x4)
 Engine: Gas, V8
 40/20/40 Split Bench Cloth Front Seat
 Rubberized Vinyl Flooring
 Air Conditioning
 Cruise Control/Tilt Wheel
 Power Windows/Power Door Locks
 Keyless Remote Entry w/ 2 Fobs
 Mirrors: Outside - Trailer Tow Power/Heated mirrors left and
 right, driver adjustable
 OEM Up-Fitter Switches
 Snow Plow Prep Package
 Spray in Bed Liner
 OEM Trailer Hitch Package

Model: Silverado 1 WT	Model: F250 XL	Model: F250 XL	Model: Ram 2500 ST
Model: CK25903	Model: F2B	Model: F2B	Model: DJ7L62
Engine: 6.0 V-8	Engine: 6.2 V-8	Engine: 6.2 V-8	Engine: 6.4 V-8
\$ 26,731.00	\$ 23,596.00	\$ 23,825.00	\$ 27,347.00
AK Sales/Chevy	Ford/Cal	Kendall/Ford	Anch. Chrysler

	AVAILABLE OPTIONS
0	Turbo Diesel Engine
0	OEM Stereo with CD and Hands Free Communication System
0	OEM Backup Camera system
0	OEM Trailer Brake Controller
0	OEM or Dealer Installed Auto Start
0	Anti-Freeze-Long Life Coolant to a minimum -50 degree protection
0	Shipping to Fairbanks
0	Shipping to Juneau

1=yes
0=no

\$ 26,731.00	\$ 23,596.00	\$ 23,825.00	\$ 27,347.00
Don't Purchase	Purchase	Don't Purchase	Don't Purchase

Sales Order



2009 SPAR AVENUE
ANCHORAGE, ALASKA 99501

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

Order Number: 0045848
Order Date: 8/5/2014

Salesperson: 0000
Customer Number: 00-COH2

Sold To:
City of Haines
P.O. Box 1049
Haines, AK 99827

Ship To:
City of Haines
P.O. Box 1049
Haines, AK 99827

(907) 766-2282 **Confirm To:** Louie

Customer P.O. **Ship VIA** **Comment**
696 SERVICE BODY

Item Number	Description	Description	Price	Amount
KN696J	1.00	STD SERVICE BODIES 56" CA SRW	7,036.00	7,036.00
KN26050195	1.00	TREADPLATE BUMPER	422.00	422.00
KN20048435	1.00	KIT, ALUM. FUEL FILL CUP FORD	86.00	86.00
KN26103515	1.00	FLUSH MOUNT LIGHT KIT	322.00	322.00
KN26103556	1.00	DODGE WIRE HARNESS ADAPERS	80.00	80.00
KN77000156	1.00	LIGHT HOLES	40.00	40.00
BSISWSRVBDPNT	1.00	Labor/Mtrl Paint SW Serv Body	1,400.00	1,400.00
BPMFW1975	1.00	MUDFLAP WASHER BRACKET,ZINC	10.54	10.54
BPMFBH1975F	1.00	MUD FLAP BRACKET HANGER-FLAT	28.15	28.15
BPB2024LS-C	1.00	BSI MUD FLAPS 20 X 24	26.83	26.83
ADSLR-8FE	1.00	LOAD RUNNER 8' BED EXTENDED CA	1,200.00	1,200.00
		THANK YOU, KEVIN		

Net Order: 10,651.52
Less Discount: 0.00
Freight: 0.00
Sales Tax: 0.00
Order Total: 10,651.52



**Haines Borough
Assembly Agenda Bill**

Agenda Bill No.: 14-497

Assembly Meeting Date: 8/12/14

Business Item Description:	Attachments:
Subject: Request Chilkat State Park Cabin Be Made Available For Public Use For Nightly Fee	1. Resolution 14-08-582 2. Picture and Map of Cabin Area
Originator: Parks and Recreation Advisory Committee	
Originating Department: Parks and Recreation	
Date Submitted: 6/18/14	

Full Title/Motion:
Motion: Adopt Resolution 14-08-582.

Administrative Recommendation:
This resolution is recommended by the Parks and Recreation Advisory Committee.

Fiscal Impact:

Expenditure Required	Amount Budgeted	Appropriation Required	Projected Impact to Future Operating Budgets
\$ 0	\$ 0	\$ 0	N/A

Comprehensive Plan Consistency Review:

Comp Plan Goals/Objectives: Goal 14, Page 227	Consistent: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
--	---

Summary Statement:

This resolution would authorize the Borough Manager to work with the Parks and Recreation Advisory Committee to draft a letter to ADNR/Division of Parks and Outdoor Recreation requesting that the Chilkat State Park cabin be made available as a public use cabin. The Parks and Recreation Advisory Committee unanimously supported the resolution at its 6/18/14 meeting. The minutes from that meeting are included in the packet (9A). As stated in those minutes, cabin users would have to bring their own firewood, and "cabin use will start just in the winter at first ... see how it works."

The resolution is consistent with Goal 14 of the Haines Borough's Comprehensive Plan, to "[p]rovide a diversity of parks, recreation facilities, trails, and open spaces to foster the health and wellness of Haines residents. Focus on recreation facilities that capitalize on the unique setting and natural beauty of Haines, create economic development opportunities, and benefit residents and visitors."

Referral:

Referred to:	Referral Date:
Recommendation:	Meeting Date:

Assembly Action:

Meeting Date(s): 8/12/14	Public Hearing Date(s):
	Postponed to Date:

A Resolution of the Haines Borough Assembly requesting that the Alaska Department of Natural Resources, Division of Parks & Outdoor Recreation (DPOR), make the Chilkat State Park cabin available for public use for a nightly fee using DPOR's online cabin rental system.

WHEREAS, increased outdoor recreation opportunities in the borough will improve the quality of life for Haines Borough residents; and

WHEREAS, outdoor recreation opportunities attract visitors to the Haines Borough; and

WHEREAS, Chilkat State Park offers outstanding access to Chilkat Inlet shoreline, a boat ramp, hiking trails, and mountain scenery; and

WHEREAS, the cabin at Chilkat State Park is vacant for 8 months per year; and

WHEREAS, the cabin at Chilkat State Park's construction and access is suitable for public use; and

WHEREAS, the ADNR/Division of Parks and Outdoor Recreation's website <http://dnr.alaska.gov/parks/cabins/south.htm> offers an efficient means of administering public use cabin rentals in Southeast Alaska,

NOW, THEREFORE, BE IT RESOLVED that the Haines Borough Assembly authorizes the Borough Manager to work with the Parks and Recreation Advisory Committee to draft a letter to ADNR/Division of Parks and Outdoor Recreation requesting that the Chilkat State Park cabin be made available as a public use cabin.

Adopted by a duly-constituted quorum of the Haines Borough Assembly on this ____ day of _____, 2014.

Stephanie Scott, Mayor

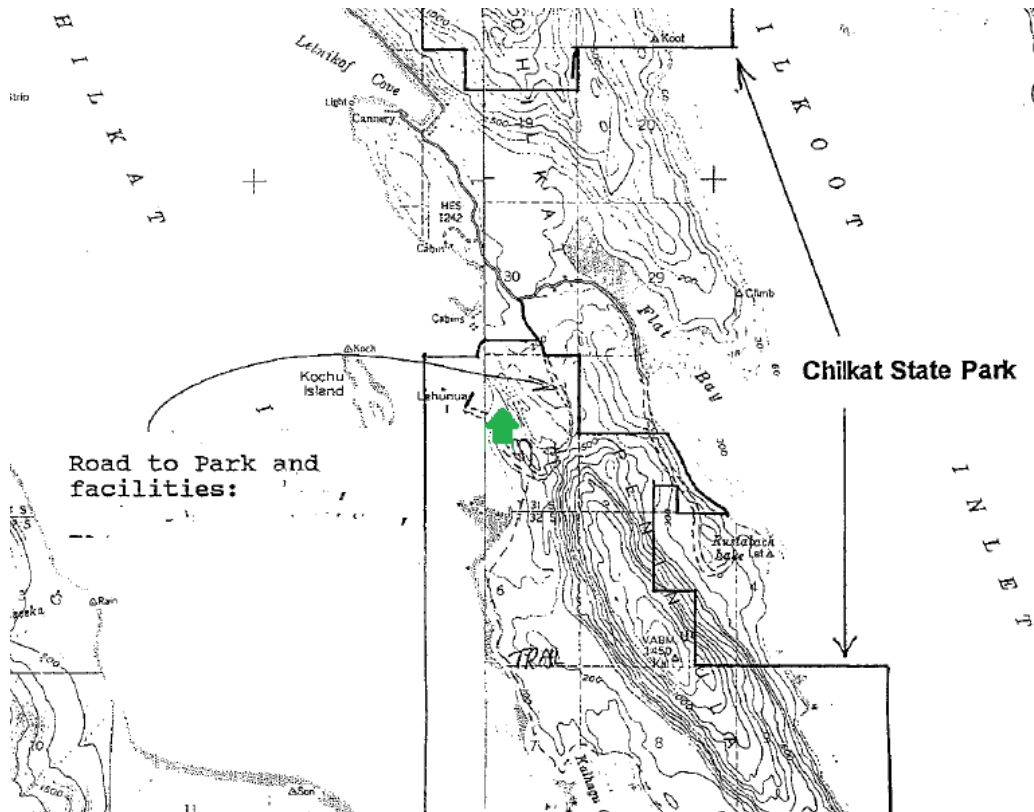
Attest:

Julie Cozzi, MMC, Borough Clerk

Chilkat State Park Cabin



(Fig. 1) – Chilkat Hosts providing information to tourists



(Fig. 2) – Cabin location along Chilkat State Park Road within State Park



**Haines Borough
Assembly Agenda Bill**

Agenda Bill No.: 14-498
Assembly Meeting Date: 8/12/14

Business Item Description:	Attachments:
Subject: FY15 Budget Amendment Ordinance	1. Ordinance 14-08-389 - DRAFT 2. Budget Amendment Worksheet 3. Memo from the Clerk re. Funds for Promotional Campaign
Originator: Finance Director	
Originating Department: Finance	
Date Submitted: 8/4/14	

Full Title/Motion:
Motion: Introduce Ordinance 14-08-389 and set a first public hearing for 8/26/14.

Administrative Recommendation:
The borough manager recommends adoption.

Fiscal Impact:

Expenditure Required	Amount Budgeted	Appropriation Required	Projected Impact to Future Operating Budgets
\$ see ordinance	\$ see ordinance	\$ see ordinance	

Comprehensive Plan Consistency Review:
Comp Plan Goals/Objectives: _____
Consistent: Yes No

Summary Statement:
This provides for the addition or amendment of the FY 14 budget. Revisions include: 1) reduce projections for FY15 property tax receipts; 2) appropriate Sewer Fund user fees to reroute and repair the main on Mathias; 3) budget for a grant from the State of Alaska for fish waste disposal; and 4) appropriate areawide general funds to conduct a promotional campaign for ballot initiatives sponsored by the Haines Borough.

Referral:
Referred to: _____ Referral Date: _____
Recommendation: _____ Meeting Date: _____

Assembly Action:
Meeting Date(s): 8/12/14 Public Hearing Date(s): _____
Postponed to Date: _____

HAINES BOROUGH

Proposed Amendments to the FY15 Budget - Ordinance #14-08-389



	Area-wide General	Townsite General	Fire Service Areas	Library Bond	School Bond	Sewer Enterprise Fund*	
FUND	01	02	25	75	76	91	
Projected Fund/Cash Balance as of 06/30/2014 \$	2,478,403	1,498,858	48,954	1,271	2,755	852,995	
FY15 Adopted BUDGET Excess Revenue Over (Under) CASH Expense	(19,694)	(279,708)	(8,903)	(48)	107	(5,275)	Totals
Proposed Amendments:							-
1. Adjustments to property tax revenues	(37,500)	(8,500)	(4,500)	(315)	(8,685)		(59,500)
2. Mathias sewer main project						(20,000)	(20,000)
3. Fish waste disposal grant							-
4. Ballot initiative promotion	(3,000)						(3,000)
PROPOSED Excess Revenue Over (Under) CASH Expense	(60,194)	(288,208)	(13,403)	(363)	(8,578)	(25,275)	(82,500)
Proposed Fund/Cash Balance 06/30/2015 \$	2,418,209	1,210,650	35,551	908	(5,823)	827,720	(82,500)
Annual Operating Budget	4,833,694	1,219,088					
Projected Fund Balance as % of Operating Budget	50%	99%					
Amount in excess of 6 months of operating budget	1,362	601,106					

* The cash balance is shown instead of the fund balance and the cash budget is shown which does not include depreciation expense



Memo from the Clerk

Date: August 12, 2014
To: Mayor and Assembly
Cc: Borough Manager
From: Julie Cozzi, MMC, Borough Clerk
Re: Assembly Promotion of Ballot Measures

FY15 budget amendment Ordinance 14-08-389 is offered for introduction on the 8/12 assembly agenda. One of the amendments appropriates funds to conduct a promotional campaign for the propositions anticipated to be on the Haines Borough Election ballot in October.

A municipality may use public funds to influence the outcome of an election concerning a ballot proposition or question, but only if the funds have been specifically appropriated. [AS 15.13.145\(b\)](#) and [2 AAC 50.356\(a\)](#).

So, assuming the assembly wishes to conduct a promotional campaign, the questions are:

- 1. How much to appropriate** (\$3,000 was placed in the draft ordinance as a starting point for discussion, and there is no requirement to use all that is appropriated),
- 2. What promotional methods to use**, and
- 3. Who will design the materials** (past efforts have involved the mayor and a couple of assembly members).

The last time the assembly promoted a ballot proposition was 2012 when the borough opted out of the state's financial disclosure requirements. \$1,500 was appropriated, and \$882 was ultimately expended. The expenses included printing and postage for a mass box-holder mailing and two CVN display ads.

Since Proposition #1 (40% election percentage) and the bond measures are quite dissimilar, it would be very difficult to promote them within the same ads. Each message should be very clear, and trying to have everything together would tend to muddle things for the voter. Therefore, I recommend separate promotional campaigns.

In my opinion, a box-holder mailing is the least effective means for getting the word out; a large number of the mailers seem to end up in the recycle bins at the post office, for one thing. In this age of technology, I would recommend the assembly consider the following methods, some of which would have little to no cost:

- CVN display ads, paid commentaries, and letters to the editor
- KHNS advertising, news-spots, and interviews such as *Talk Around Town*
- Colorful posters on bulletin boards all over the area
- Mailings to those on the permanent absentee voter list and those who have applied for an absentee ballot
- Prominent information on the borough's website
- Community Website advertising
- School Board helping to promote the bond measures
- Officials speaking to various groups/organizations, e.g. Chamber of Commerce
- Other Ideas?

Memorandum

Haines Borough
Office of the Mayor
103 Third Avenue S.
Haines, Alaska 99827
sscott@haines.ak.us
Voice (907) 766-2231 ext. 30

August 5, 2014

To: Haines Borough Assembly

Cc: Dave Sosa, Manager
Julie Cozzi, Clerk
Jim Heaton, President, Sheldon Museum Board of Trustees

From: Stephanie Scott, Mayor, Haines Borough

Subject: Appointment of Ginger Jewell to the Sheldon Museum Board of Trustees

The Sheldon Museum Board of Trustees, July 31, moved unanimously to recommend Ginger Jewell, Haines Borough School District Superintendent, be appointed to the Board. Ms. Jewell comes to Haines with museum experience and is keen to help establish the museum as one of our educational institutions. I enjoyed interviewing Ms. Jewell with respect to this appointment. Her enthusiasm is infectious! It is my pleasure to recommend Ms. Jewell to you and I urge you to confirm her appointment to the Sheldon Museum Board of Trustees.

From: Jim Heaton <jimheaton29@gmail.com>

Date: August 4, 2014, 6:06:50 PM AKDT

To: Stephanie Scott <sscott@haines.ak.us>

Subject: Fwd: Minutes from Last Meeting

Forwarding minutes from last board meeting where we wholeheartedly accepted Ginger Jewels application to join the museum board.

We feel she would be an excellent addition to our board. As school superintendent she helps to bring our educational component to the school. Her expertise in technology is an added bonus. This should help our organization with collaborative efforts with the children in our borough.

Please put her approval on the next assembly meeting agenda.

Thanks

Jim Heaton
SMCC board president

Haines Borough Application for Board Appointment

- Appointment** (I am not currently on the board)
- Reappointment** (I am currently a member of the board)

Check the board, commission, or committee for which you are applying :

	Planning Commission		Port and Harbor Advisory Committee
	Tourism Advisory Board		Fire Service Area Board #1
	Chilkat Center Advisory Board		Fire Service Area Board #3 (Klehini)
✓	Parks and Recreation Advisory Board		Letnikof Estates Road Maintenance Service Area Board
✓	Museum Board of Trustees		Riverview Road Maintenance Service Area Board
	Library Board of Trustees		Historic Dalton Trail Road Maintenance Service Area Board
	Public Safety Commission		Four Winds Road Maintenance Service Area Board
	Temporary (Ad-hoc) Board/Committee _____		

OR

Name: Virginia Jewell
 Residence Address: 203 Piedad
 Mailing Address: Box 234
 Business Phone: 766 6725 Home Phone: 766 2408
 Fax: - Email: gina.jewell@gmail.com (P)

I declare that I am willing to serve as a member of the designated board, commission, or committee. Please enter my name for consideration of appointment by the mayor, subject to confirmation by the assembly. I am a registered voter of the State of Alaska and have resided within the Haines Borough for at least thirty (30) days preceding this date or the date of appointment.*

Virginia K Jewell Signature of Applicant 7-24-14 Date

PLEASE BRIEFLY DESCRIBE YOUR QUALIFICATIONS (You may attach a resume):

Strong background in education and services related to education

* HBC 2.60.020 - A member of a committee, board or commission shall be a resident of the borough as defined below... a person qualifying as a borough resident shall: A) Continue to maintain the person's principal place of residence within the corporate boundaries of the borough and have done so for at least 30 days immediately preceding the date of the person's appointment by the mayor; and B) Physically occupy said residence for at least 30 days immediately preceding the date of the person's appointment by the mayor.



Haines Borough
Administrative Policy

Borough Election Day Polling Place Visitation Policy

Applicable to: *Borough Clerk/Election Supervisor or Assistant*

Confirmed by Borough Assembly: *August 12, 2014*

Requested by Borough Assembly: *May 27, 2014*

Effective Date: *August 13, 2014*

BOROUGH POLLING PLACE VISITATION

It is the policy of the Haines Borough that each polling place will be visited at least one time on any Borough Election Day. The visitation will be conducted by either the Borough Clerk/Election Supervisor or an assistant the clerk has authorized to assist with the supervisory functions of the election (HBC 11.40.010(A)).

David Sosa
Borough Manager

Signature Date



THE STATE
of **ALASKA**
GOVERNOR SEAN PARNELL

Department of Transportation and
Public Facilities

OFFICE OF THE COMMISSIONER
Patrick J. Kemp, P.E., Commissioner

3132 Channel Drive
P.O. Box 112500
Juneau, Alaska 99811-2500
Main: 907.465.3900
Fax: 907.586.8365
dot.state.ak.us

August 6, 2014

Stephanie Scott
Haines Borough
P.O. Box 1209
Haines, AK 99827

Dear Mayor Scott:

In response to your July 7 letter regarding telecommuting, it is the state's policy that these arrangements are to be the exception and not the norm. They are also meant to accommodate compelling business reasons that are of limited duration.

Every state agency has been reviewing their agreements with this criteria and making decisions that are in the best interest of the state.

Sincerely,

Handwritten signature of Patrick J. Kemp, consisting of a large 'P' followed by a stylized 'Kemp'.

Patrick J. Kemp, P.E.
Commissioner
Department of Transportation and Public Facilities

cc: Members, Haines Borough Assembly
Dave Sosa, Manager, Haines Borough
Julie Cozzi, Clerk, Haines Borough