Haines Borough Borough Assembly Meeting #313 AGENDA

April 26, 2016 - 6:30 p.m.

Location: Assembly Chambers, Public Safety Bldg.

Jan Hill, Mavor

Margaret Friedenauer, Assembly Member

Diana Lapham, Assembly Member

Mike Case Assembly Member

Tresham Gregg, Assembly Member

George Campbell, Assembly Member

Ron Jackson, Assembly Member

Brad Ryan Interim 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 <u>asterisk</u> (*) 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

9A - Accept TAB Minutes

9B - Accept PHAC Minutes

9C - Accept MO Committee Minutes

9D - Accept PC Minutes

11A1 - Adopt Resolution 16-04-668

11A2 - Adopt Resolution 16-04-669

11A3 - Adopt Resolution 16-04-670

11A4 - Adopt Resolution 16-04-671

11B1 – Introduce and Schedule Hearings for Ordinance 16-04-433

*4. APPROVAL OF MINUTES - 4/12/16 Regular

5. PUBLIC COMMENTS - Sign-up is NOT required

[This is for any topics not scheduled for public hearing.]

6. MAYOR'S COMMENTS/REPORT

7. PUBLIC HEARINGS

A. Ordinance 16-03-431 - Second Hearing

An Ordinance of the Haines Borough amending Haines Borough Code Section 18.20.020 and Sub-Section 18.80.030(B) to clarify the method of calculating building height.

This ordinance is recommended by the planning commission and was introduced on 3/29/16. The first hearing was on 4/12/16. **Motion**: Adopt Ordinance 16-03-431.

B. Ordinance 16-03-432 - Second Hearing

An Ordinance of the Haines Borough, providing for the addition or amendment of specific line items to the FY16 budget.

This ordinance is recommended by the planning commission and was introduced on 3/29/16. The first hearing was on 4/12/16. The finance committee reviewed this on 4/20 and recommends adoption. Motion: Adopt Ordinance 16-03-432.

8. STAFF/FACILITY REPORTS

- A. Interim Borough Manager 4/26/16 Report
- B. State Lobbyist Status Report (Mr. Thomas will provide an update)

9. COMMITTEE/COMMISSION/BOARD REPORTS & APPROVED MINUTES

- *A. Tourism Advisory Board Minutes of 2/24/16
- *B. Port & Harbor Advisory Committee Minutes of 3/18/16
- *C. Minor Offenses Committee Minutes of 3/30/16
- *D. Planning Commission Minutes of 3/10/16 & Summary of 4/14/16 Meeting
 - E. Assembly Board Liaison Reports
 - F. Assembly Standing Committee Reports

Haines Borough, Alaska Agenda: April 26, 2016

10. UNFINISHED BUSINESS

A. Sales Tax Exemption Request - St. Vincent de Paul Diocesan Council of SE Alaska

The St. Vincent de Paul Diocesan Council of Southeast Alaska, a 501(c)3 organization, has applied for sales tax exemption status as allowed by HBC 3.80.050(13). The borough has granted sales tax exemption certificates to other non-profit organizations. On 3/29/16, the assembly postponed this item to this meeting to give the applicant an opportunity to provide information regarding Haines activities. The applicant provided additional details.

<u>Motion already on the table</u>: Approve the request from the St. Vincent de Paul Diocesan Council of Southeast Alaska for sales tax exemption status, and authorize the borough clerk to issue an exemption certificate.

B. Ordinance 15-06-413

An Ordinance of the Haines Borough amending various provisions of the Haines Borough Code to designate certain violations of Borough law as minor offenses and to establish a fine schedule for certain offenses and to provide for other penalties for violations.

On 10/13/15, the assembly postponed adoption of the ordinance to this meeting. The purpose was to allow the ordinance to stay in the public process and return later for further action. An appointed ad hoc committee has been meeting to review this ordinance and to make recommendations for the assembly's consideration. With borough attorney assistance, the committee has been working to prepare a substitute ordinance. The goal for returning this to the assembly was 4/26/16. However, it is not quite ready, so rather than rush it, the group has delayed submittal of the committee's recommendations until the 5/10/16 meeting.

Motion already on the table: Adopt Ordinance 15-06-413.

This is NOT a public hearing and, since there is a motion already on the table, the assembly may resume debate. However, there really is not much to discuss until the committee's recommendations come forward. This agenda item will appear on the 5/10/16 agenda under Unfinished Business.

11. NEW BUSINESS

A. Resolutions

*1. Resolution 16-04-668

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to enter into a "special use agreement" with Haines-Skagway Fast Ferry, LLC for routine use of the Port Chilkoot Dock Lightering Float for the 2016 summer tourism season.

This is recommended by the harbormaster. Motion: Adopt Resolution 16-04-668.

*2. Resolution 16-04-669

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to enter into a "special use agreement" with Alaska Fjordlines Inc. for routine use of the Port Chilkoot Dock Lightering Float for the 2016 summer tourism season.

This is recommended by the harbormaster. Motion: Adopt Resolution 16-04-669.

*3. Resolution 16-04-670

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to enter into a "special use agreement" with Alaska Excursions Inc. for routine use of the Port Chilkoot Dock Lightering Float for the 2016 summer tourism season.

This is recommended by the harbormaster. Motion: Adopt Resolution 16-04-670.

*4. Resolution 16-04-672

A Resolution of the Haines Borough Assembly approving certain unincorporated communities and their respective nonprofit entity for participation in the FY17 Community Revenue Sharing Program.

This resolution is recommended by the finance director and is something that is adopted annually by the assembly. **Motion:** Adopt Resolution 16-04-672.

Agenda: April 26, 2016

Haines Borough, Alaska Page 2

11B. NEW BUSINESS --- continued---

B. Ordinances for Introduction

Ordinance 16-04-433

An Ordinance of the Haines Borough amending Haines Borough Code Section 3.60.180 to allow the borough manager to enter into contracts up to \$50,000 in emergencies or extenuating circumstances without following the customary competitive bidding procedures if the manager determines it is in the public interest.

This ordinance is recommended by Brad Ryan from the perspective of both his interim manager and public facilities director positions. Motion: Introduce Ordinance 16-04-433 and set a first public hearing for 5/10/16 and a second public hearing for 5/24/16.

Ordinance 16-04-434

An Ordinance of the Haines Borough, Alaska, providing for the establishment and adoption of the operating budget, capital budget, and capital improvement plan of the Haines Borough for the period July 1, 2016 through June 30, 2017.

This ordinance is recommended by the interim manager. Motion: Introduce Ordinance 16-04-434 and set a first public hearing for 5/10/16 and a second public hearing for 5/24/16.

- C. Other New Business None
- 12. CORRESPONDENCE/REQUESTS
- 13. SET MEETING DATES
- 14. PUBLIC COMMENTS
- 15. ANNOUNCEMENTS/ASSEMBLY COMMENTS
- 16. ADJOURNMENT

Haines Borough, Alaska

Page 3

Haines Borough Borough Assembly Meeting #312 April 12, 2016 MINUTES Draft

1. <u>CALL TO ORDER/PLEDGE TO THE FLAG</u>: Mayor **HILL** 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 Jan **HILL**, and Assembly Members Diana **LAPHAM**, Mike **CASE**, Margaret **FRIEDENAUER**, Ron **JACKSON**, George **CAMPBELL**, and Tresham **GREGG**.

Staff Present: Brad **RYAN**/Interim Borough Manager, Julie **COZZI**/Borough Clerk, Dean **OLSEN**/Assessor, Shawn **BELL**/Harbormaster, and Helen **ALTEN**/Museum Director.

Visitors Present: Karen GARCIA/CVN, Jillian ROGERS/KHNS, Paul NELSON, Brenda JOSEPHSON, Carol TUYNMAN, Leonard DUBBER, Debra SCHNABEL, Bill MCCORD, Sally ANDERSON, Burl SHELDON, Jeanne KITAYAMA, Norm HUGHES, and others.

3. APPROVAL OF AGENDA & CONSENT AGENDA

The following Items were on the published consent agenda indicated by an asterisk (*):

4 – Approve Assembly Meeting Minutes

8B – Accept Lobbyist Report

8C - Accept Chilkat Center Report

8D - Accept Fire Department Report

9A - Accept MO Committee Minutes

11A1 – Adopt Resolution 16-04-665

11A2 - Adopt Resolution 16-04-666

11A3 – Adopt Resolution 16-04-667

11A4 – Adopt Resolution 16-04-668

Motion: LAPHAM moved to "approve the agenda/consent agenda," and it was amended to 1) add under Item 10, a discussion of final settlement of Nelson court costs and 2) remove Item 11A3 from the Consent Agenda. The motion as amended carried unanimously.

*4. APPROVAL OF MINUTES - 3/29/16 Regular

The motion adopted by approval of the consent agenda: "approve minutes of the 3/9/16 borough assembly regular meeting."

5. PUBLIC COMMENTS

SCHNABEL – Said that when the assembly considers an application for community purpose exemption, she would appreciate a statement of property value and potential tax revenue that would be waived. Also she would like a community discussion about developing a Payment in Lieu of Taxes program that would help to pay for services that are ordinarily pay for with property tax receipts.

NELSON – When the Minor Offenses Committee brings its recommendations forward, he believes public hearings should be held, especially for the benefit of seasonal residents now returning to town.

JOSEPHSON – Thanked the assembly for establishing an ad hoc Minor Offenses Committee, and she is supportive of the creation of a code revision committee. It will be important to have additional public hearings when the ordinance comes to the assembly.

TUYNMAN – Thanked the assembly for establishing the Minor Offenses Committee, and that committee has worked hard. This will be a major milestone for the borough.

HUGHES – Strongly supports the efforts of the Pacific Salmon Treaty Coalition to lobby in Washington DC. The local fishermen support it, as well. He hoped the borough would express support.

ANDERSON – Urged the assembly to adopt the resolution approving Takshanuk Watershed Council's application for Community Purpose Exemption for the Sawmill Creek property.

DUBBER – Asked the assembly to give strong consideration to the recommendations the Minor Offenses Committee brings forward. He noted there are still many people concerned there are too many laws.

6. MAYOR'S COMMENTS/REPORT

Mayor **HILL**: 1) provided an update on the legislative work on the state budget;

2) asked people to consider serving on a food trailer committee. The Planning Commission will have two representatives, and she is looking for three additional members. Please send an email or letter of interest. She hopes to make the appointments at the next assembly meeting; and

3) stated she would like the Government Affairs & Services Committee (GASC) to begin the work of going section by section through the code rather than forming a separate code review committee. **FRIEDENAUER** said the Minor Offenses Committee will be recommending formation of a separate committee, and she suggested the assembly consider whether it should be that or the GASC.

7. PUBLIC HEARINGS

A. Ordinance 16-03-431 - First Hearing

An Ordinance of the Haines Borough amending Haines Borough Code Section 18.20.020 and Sub-Section 18.80.030(B) to clarify the method of calculating building height.

Mayor HILL opened and closed the public hearing at 6:48 pm; there were no comments.

The assembly already scheduled the second hearing for 4/26/16. No motion was needed now unless the second hearing date needed to change or some other action was desired. No motion was made.

B. Ordinance 16-03-432 - First Hearing

An Ordinance of the Haines Borough, providing for the addition or amendment of specific line items to the FY16 budget.

Mayor HILL opened the public hearing at 6:50 pm.

SCHNABEL – Said she is concerned about taxing property owners to pay for operating costs and then transferring to capital costs. She doesn't like to see them mixed and believes it is unfair.

Hearing no further comments, the mayor closed the public hearing at 6:52pm.

The finance committee will review the ordinance prior to the second public hearing.

8. STAFF/FACILITY REPORTS

A. Interim Manager - 4/12/16 Report

The manager summarized his written report and responded to a few questions from the assembly.

- *B. State Lobbyist -Reports of March 21-31, 2016
- *C. Chilkat Center Facility Report of March 2016
- *D. Fire Department Staff Report of March 2016

9. COMMITTEE/COMMISSION/BOARD REPORTS & APPROVED MINUTES

- *A. Ad Hoc Minor Offenses Committee Minutes of 3/14/16 & 3/21/16
 - B. Assembly Board Liaison Reports

FRIEDENAUER – Port and Harbor Advisory Committee, Public Safety Commission **LAPHAM** –Tourism Advisory Board

C. Assembly Standing Committee Reports

LAPHAM – Finance Committee – The committee will take up the sales tax exemption issue as soon as the budget meetings are finished.

JACKSON – Minor Offenses Committee. They are close to wrapping up the work. The committee will be asking for public hearings and a code revision committee.

CASE – Personnel Committee – Thanked the assembly members for taking part in the interim manager's evaluation.

10. UNFINISHED BUSINESS

DISCUSSION OF NELSON SETTLEMENT OF COURT COSTS (added during approval of the agenda)

<u>Motion</u>: **JACKSON** moved to "reimburse Paul Nelson the remaining 50% of court costs that were not part of the settlement," and the motion failed 1-5 with **GREGG**, **JACKSON**, **LAPHAM**, **CASE**, and **FRIEDENAUER** opposed.

11. NEW BUSINESS

A. Resolutions

*1. Resolution 16-04-665

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to dispose of a 2007 Ford Five Hundred sedan; electric, six-passenger golf cart; and

two 50-kilowatt generators by public sealed bid auction to the highest bidder as specified in Haines Borough Code 14.24.010 (Disposal of personal property).

The motion adopted by approval of the consent agenda: "adopt Resolution 16-04-665."

*2. Resolution 16-04-666

A Resolution of the Haines Borough Assembly approving in response to an application from the Chilkat Valley Historical Society, as recommended by the borough assessor, a community purpose property tax exemption for the Anway property located at approximately 1-mile Haines Highway.

The motion adopted by approval of the consent agenda: "adopt Resolution 16-04-666."

3. Resolution 16-04-667

A Resolution of the Haines Borough Assembly approving in response to an application from Takshanuk Watershed Council, as recommended by the borough assessor, a community purpose property tax exemption for the Sawmill Creek property at the corner of 6th and Dalton.

<u>Motion</u>: **LAPHAM** moved to "adopt Resolution 16-04-667," and the motion carried 5-1 in a roll call vote with **CAMPBELL** opposed.

*4. Resolution 16-04-668

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to execute a purchase order with Red Truck Sales, Inc. to purchase a tanker truck for the Klehini Valley Volunteer Fire Department for an amount not-to-exceed \$95,000.

The motion adopted by approval of the consent agenda: "adopt Resolution 16-04-668."

B. Ordinances for Introduction - None

C. Other New Business

1. Board Appointments

Note: Appointment applications were received for seats on the Library Advisory Board. The mayor planned to make the appointments and sought assembly confirmation.

<u>Motion</u>: **CASE** moved to "confirm the mayor's appointment of Meghan Elliott and Jenty Fowler to the Library Advisory Board for terms ending 11/30/16," and the motion carried unanimously.

2. Harbor 95% Design

Note: The Interim Borough Manager, Harbormaster, and Port & Harbor Advisory Committee requested assembly approval of the 95% Portage Cove Harbor Design. On 9/10/15, the Planning Commission conducted a public hearing and reviewed the 95% design. The commission determined the project design meets the goals of the Comprehensive Plan and is consistent with the current planning & zoning requirements. More information was included as part of the agenda bill in the meeting packet.

<u>Motion</u>: **FRIEDENAUER** moved to "approve the 95% Portage Cove Harbor Design," and the motion carried 4-2 in a roll call vote with **CAMPBELL** and **GREGG** opposed.

3. Tax Incentive Phase-in Proposal Draft

Note: Since 2014, the Commerce Committee was working on a possible tax incentive program. Committee chair, Assembly Member Campbell, requested this agenda item. His suggested motion was "for three public hearings, allowing two for tweaks, final attorney review, third and final public hearing for passage." Per HBC 3.70.020, an ordinance is required (to amend HBC 3.70.040). The manager recommended the assembly instead refer this to the Finance Committee for further review and development of the necessary ordinance

Motion: CASE moved to "refer this to the Finance Committee," and the motion carried unanimously.

<u>Motion</u>: **FRIEDENAUER** moved "in recognition of the assembly's 7/29/14 motion that shows a willingness to offer some type of property tax incentive to Haines Brewing Company, to direct the manager to work with the owners to come up with a feasible tax incentive option or alternative prior to July 1, 2016," and the motion carried unanimously.

12. CORRESPONDENCE/REQUESTS

A. Letter from Pacific Salmon Treaty Coalition

Mayor **HILL** offered to send a letter of support and there was no objection.

B. Letter from Parks & Recreation Advisory Committee – Recommendation to Create a Downtown Recreation Area

13. <u>SET MEETING DATES</u>

- A. BOE Training Wednesday, 4/20, 6-7pm
- **B. Finance Committee** Wednesday, 4/20, 4pm, Purpose: FY16 Budget Amendment Ordinance 16-03-432.

14. PUBLIC COMMENTS

NELSON – Urged the assembly to consider carefully the Public Safety Commission's police chief hire recommendations.

15. ANNOUNCEMENTS/ASSEMBLY COMMENTS

CAMPBELL – Thanked **RYAN** for his efforts with the budget. Regarding an evaluation of the clerk, he believes the interim manager needs to do a formal evaluation before he steps down.

16. ADJOURNMENT – 8:31 p.m.

| Motion: LAPHAM moved to "adjourn the meeting," and the motion carried unanimous | Motion: | LAPHAM | moved to | "adiourn | n the meeting," | and the | motion | carried | unanimous |
|---|---------|--------|----------|----------|-----------------|---------|--------|---------|-----------|
|---|---------|--------|----------|----------|-----------------|---------|--------|---------|-----------|

| ATTEST: | Janice Hill, Mayor | |
|---------------------------------|--------------------|--|
| Julie Cozzi, MMC, Borough Clerk | | |

Haines Borough Assembly Agenda Bill

Agenda Bill No.: 16-631
Assembly Meeting Date: 4/26/16

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|--|---------------------------|----------|--|---------------------------------------|--|
| Business Item Des | | | Attachments: | | |
| Subject: Title 18 Revision | n to Clarify the Method f | or | 1. Ordinance 16-03-431 | | |
| Calculating Building Heigh | nt | | Email string explaining planning commission recommendation | | |
| Originator: | | | | | |
| Planning Commission Originating Department | <u> </u> | | | | |
| originating Department | ι. | | | | |
| Date Submitted: | | | | | |
| 3/9/16 | | | | | |
| Full Title/Motion: | | | | | |
| Motion: Adopt Ordinance | 16-03-431. | | | | |
| motion / taopt oramanos | 10 00 1011 | | | | |
| | | | | | |
| | | | | | |
| Administrative Rec | commendation: | | | | |
| | | | | | |
| Fiscal Impact: | | | | | |
| Expenditure Required | Amount Budgeted | Appr | opriation Required | Projected Impact to Future | |
| Experiantare Required | Amount Budgeted | Аррі | opriation Required | Operating Budgets | |
| \$ none | \$ n/a | \$ n/a | | n/a | |
| Comprehensive Pla | n Consistency Re | eview | · | | |
| Comp Plan Goals/Object | | JV1041 | • | | |
| Page 60; Goal 5 Page 199 | | | Consistent: ■Yes | No | |
| | | | | | |
| Summary Statemer | nt: | | | | |
| This ordinance is recomme | anded by the planning o | ommiss | sion (PC). It calls for ad | ljustments to Title 18 to clarify the | |
| | | | | height is calculated does not match | |
| | | | | ree different meetings, 12/10/15, | |
| 1/14/16, and 2/9/16. They | request assembly adop | otion of | this code change. | | |
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| | | | | | |
| | | | | | |
| Referral: | | | | | |
| Referred to: | | | Referral Date: | | |
| Recommendation: | | | N | Meeting Date: | |
| | | | | | |
| Assembly Action: | | | | | |
| Meeting Date(s): 3/29 4 | 1/12 4/26/16 | | Public Hearing Dat | P(S): 1/10 1/06/16 | |

Postponed to Date:

HAINES BOROUGH, ALASKA ORDINANCE No. 16-03-431



An Ordinance of the Haines Borough amending Haines Borough Code Section 18.20.020 and Sub-Section 18.80.030(B) to clarify the method of calculating building height.

BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:

- Section 1. <u>Classification</u>. This ordinance is of a general and permanent nature and the adopted amendment shall become a part of the Haines Borough Code.
- Section 2. <u>Severability</u>. 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. <u>Effective Date</u>. This ordinance is effective upon adoption.
- Section 4. <u>Amendment of Section 18.20.020</u> Section 18.20.020 of the Haines Borough Code is hereby amended as follows:

NOTE: **Bolded**/<u>UNDERLINED</u> ITEMS ARE TO BE ADDED. STRIKETHROUGH ITEMS ARE DELETED

18.20.020 Definitions – Regulatory.

The definitions in this section are intended to be specific to this title. Any word or term not defined shall be used with the meaning of common or standard usage as determined by a current edition of Webster's Unabridged Dictionary. The following words shall have the following meanings for the purpose of this title:

. . .

- "Building" means any structure intended or used for the support, shelter or enclosure of persons, animals, or property of any kind.
- "Building height" means the maximum vertical dimension distance from grade plane to the highest point on of a building which is measured from a horizontal plane intersecting the mean building grade and measured at the center of each of the four exterior walls, but not including chimneys, radio antennas, water towers, church spires, structures or enclosures constructed primarily for mechanical equipment and similar building mechanical features.

. . .

- "Existing use" means a lawful structure, use or uses in existence as of the effective date of this title.
- <u>"Exterior Wall"</u> means a wall, bearing or nonbearing, that is used as an enclosing wall for a building.

. . .

- "Grade" means the degree of the slope of the land.
- "Grade Plane" means a reference plane representing the average of finished ground level adjoining the building at exterior walls. Where the finished ground level slopes away from the exterior walls, the reference plane shall be established as the average of the finished ground level measured at the lot line or, where the lot line is more than 6

feet from the building, measured at a point 6 feet from the building. Window wells, stairwells and garage ramps intended solely to provide below-ground access to the structure need not be included in the average when calculating grade plane. Calculations shall disregard any fill or construction which the manager finds to have no significant purpose other than elevating the grade plane. In reaching such finding, the manager shall consider only those architectural, structural, safety, aesthetic, access or other purposes claimed by the developer and supported by reasonable evidence.

Section 5. <u>Amendment of Sub-Section 18.80.030(B)</u> Sub-Section 18.80.030(B) of the Haines Borough Code is hereby amended as follows:

NOTE: **Bolded**/<u>UNDERLINED</u> ITEMS ARE TO BE ADDED.

STRIKETHROUGH ITEMS ARE DELETED

04/12/16

04/26/16

18.80.030 Setbacks and height.

Date of First Public Hearing:

Date of Second Public Hearing:

B. <u>Building</u> <u>Hh</u>eight is measured from the <u>average</u> grade <u>plane</u> of the footprint of the <u>structure</u> to the highest point on the <u>building</u>, <u>but not including chimneys</u>, <u>radio antennas</u>, <u>water towers</u>, <u>church spires</u>, <u>structures or enclosures constructed primarily for mechanical equipment and similar building mechanical features</u> <u>structure</u>, <u>measured at the center of each of the four exterior walls</u>.

| ADOPTED BY A DUL DAY OF, | | 1 OF THE HAINES BOROUGH ASSEMBLY THIS |
|-----------------------------|--------------|---------------------------------------|
| ATTEST: | | Janice Hill, Mayor |
| Julie Cozzi, MMC, Bo | prough Clerk | |
| Data Introducad: | 02/20/16 | |

Kathy Friedle

| From: | |
|---------|--|
| FIOIII. | |
| Sent: | |
| Sent. | |

Rob Goldberg [artstudioalaska@yahoo.com] Thursday, February 04, 2016 10:55 AM

To:

Kathy Friedle

Subject:

building height language

Hi Kathy,

Here is the proposed code change for building height from Rob Miller. Please include it in the packet.

For 18.20

Building Height: The vertical distance from **grade plane** to the highest point on the building, but not including chimneys, radio antennas, water towers, church spires, structures or enclosures constructed primarily for mechanical equipment and similar building mechanical features.

Grade Plane: A reference plane representing the average of finished ground level adjoining the building at exterior walls. Where the finished ground level slopes away from the exterior walls, the reference plane shall be established as the average of the finished ground level measured at the lot line or, where the lot line is more than 6 feet from the building, measured at a point 6 feet from the building. Window wells, stairwells and garage ramps intended solely to provide below-ground access to the structure need not be included in the average when calculating grade plane. Calculations shall disregard any fill or construction which the manager finds to have no significant purpose other than elevating the grade plane. In reaching such finding, the manager shall consider only those architectural, structural, safety, aesthetic, access or other purposes claimed by the developer and supported by reasonable evidence.

Exterior Wall: A wall, bearing or nonbearing, that is used as an enclosing wall for a building.

For 18.30

B. Building height is measured from the grade plane to the highest point on the building, but not including radio antennas, water towers, church spires, structures or enclosures constructed primarily for mechanical equipment and similar building mechanical features.

Thanks.

Rob

Rob Goldberg and Donna Catotti Catotti and Goldberg Art Studio PO Box 1154 Haines, AK 99827 USA 907-766-2707 artstudioalaska.com

Kathy Friedle

From:

Rob Goldberg [artstudioalaska@yahoo.com]

Sent:

Monday, January 04, 2016 11:16 AM

To: Cc: Kathy Friedle Julie Cozzi

Subject:

building height

Hi Kathy,

Here's an attempt to clarify the code language for building height.

Here is the existing language:

18.20.020 "Building height" means the maximum vertical dimension of a building which is measured from a horizontal plane intersecting the mean building grade and measured at the center of each of the four exterior walls, but not including radio antennas, water towers, church spires, structures or enclosures constructed primarily for mechanical equipment and similar building mechanical features.

18.80.030 B. Height is measured from the average grade of the footprint of the structure to the highest point on the structure, measured at the center of each of the four exterior walls.

Proposed new language:

18.20.020 "Building height" means the maximum vertical dimension of a building as measured from the mean building grade to the highest point on the structure, but not including chimneys, radio antennas, water towers, church spires, and structures or enclosures constructed primarily for mechanical equipment and similar building mechanical features. On sloped sites, building height shall be determined by averaging the height measurements of the uphill and downhill sides of the building.

18.80.030 B. Height is measured from the mean building grade to the highest point on the structure, but not including chimneys, radio antennas, water towers, church spires, and structures or enclosures constructed primarily for mechanical equipment and similar building mechanical features. On sloped sites, building height shall be determined by averaging the height measurements of the uphill and downhill sides of the building.

Thanks.

Rob

Rob Goldberg and Donna Catotti Catotti and Goldberg Art Studio PO Box 1154 Haines, AK 99827 USA 907-766-2707 artstudioalaska.com

Haines Borough Assembly Agenda Bill

Agenda Bill No.: 16-637
Assembly Meeting Date: 4/26/16

| Business Item Des | cription: | | Attachments: | |
|---|----------------------------|----------|---|--|
| Subject: FY16 Budget Ar | | 3 | 1. Ordinance 16-03-4 2. Budget Amendme | |
| Originator: | | | | |
| Borough Manager | | | | |
| Originating Department Administration | ι: | | | |
| Date Submitted: | | | | |
| 3/14/16 | | | | |
| Full Title/Motion: | | | | |
| Motion: Adopt Ordinance | 16-03-432. | | | |
| | | | | |
| | | | | |
| Administrative Rec | commondation: | | | |
| The borough manager red | | t amen | dments | |
| The borough manager rec | commends these budge | tamen | umento. | |
| Fiscal Impact: | | | | |
| Expenditure Required | Amount Budgeted | | | Projected Impact to Future Operating Budgets |
| \$ see ordinance | \$ see ordinance | \$ see | e ordinance | Operating Baagets |
| | | • | | |
| Comprehensive Pla Comp Plan Goals/Object | ,— | eview | /: | |
| Comp i lan doals/objec | tives. | | Consistent: Yes | □No |
| | | | | |
| Summary Statemer | nt: | | | |
| Proposed amendments to | the FY16 Budget: 1) Inc | rease r | orofessional services fo | r manager recruitment, 2) increase |
| | | | | essional services for police chief |
| | | | | ng expense, 7) purchase public works |
| pickup truck, 8) purchase 9 appropriations. | 950IVI wheel loader, 9) re | eauce 18 | and management payro | bii, and 10) modify CIP |
| | | | | |
| See the ordinance for more | e detail. | | | |
| The finance committee will | review the ordinance of | n 4/20/ | 16 and will provide reco | ommendations during the assembly |
| meeting prior to an adoptio | n vote. | | | |
| Referral: | | | | |
| Referred to: | | | Referral Date: | |
| Recommendation: | | | N | leeting Date: |
| <u> </u> | | | | |
| Assembly Action: | | | | |
| Meeting Date(s): 3/29, 4 | 1/12, 4/26/16 | | Public Hearing Dat | e(s): 4/12, 4/26/16 |

Postponed to Date:

Draft

AN ORDINANCE OF THE HAINES BOROUGH, PROVIDING FOR THE ADDITION OR AMENDMENT OF SPECIFIC LINE ITEMS TO THE FY16 BUDGET.

BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:

- Section 1. <u>Classification</u>. This ordinance is a non-code ordinance.
- Section 2. <u>Effective Date</u>. This ordinance shall become effective immediately upon adoption.
- Section 3. <u>Appropriation</u>. This appropriation is hereby authorized as part of the budget for the fiscal year July 1, 2015 through June 30, 2016.
- Section 4. <u>Purpose</u>. To provide for the addition or amendment of specific line items to the FY16 budget as follows:

| (1) To appropr Manager recruit | riate \$18,750 of areawide general fu | inds for profes | ssional service | es for Borough | |
|---|---------------------------------------|------------------------|----------------------------|---|--|
| | | Current FY16 Budget | Proposed FY16 Budget | Fund Balance Increase / (Decrease)* | |
| 01-01-10-7312 | Professional Services - Admin | \$92,335 | \$111,085 | (\$18,750) | |
| (2) To appropriate an additional \$5,000 areawide general funds for Borough Manager recruitment and hire candidate travel. | | | | | |
| | | Current FY16 Budget | Proposed FY16 Budget | Fund Balance Increase / (Decrease)* | |
| 01-01-10-7334 | Travel & per Diem - Admin | \$4,400 | \$9,400 | (\$5,000) | |
| (3) To reduce the payroll appropriation for the public facilities department due to the director being placed as Interim Borough Manager. | | | | | |
| | | Current FY16 Budget | Proposed FY16 Budget | Fund Balance Increase / (Decrease)* | |
| 01-04-20-61XX | Payroll Expense -Public Facilities | \$330,710 | \$308,110 | \$22,600 | |
| (4) To appropri | ate \$18,750 of townsite general fund | ls for profession | onal services f | or Police Chief | |
| | | Current FY16 Budget | Proposed FY16 Budget | Fund Balance Increase / (Decrease)* | |
| 02-02-00-7312 | Professional Services - Police | \$9,650 | \$28,400 | (\$18,750) | |
| (5) To reduce t during the year. | he appropriation for Police Departme | nt salary & wag | ges due to ong | joing vacancies | |
| | | Current FY16 Budget | Proposed FY16 Budget | Fund Balance Increase / (Decrease)* | |
| 02-02-00-61XX | Payroll Expense – Police | \$414,818 | \$399,818 | \$15,000 | |

Haines Borough Ordinance No. 16-03-432 Page 2 of 4

| (6) To reduce by | udgeted operating expense for Public \ | Works. Low die | sel prices and l | ow snow levels |
|--|--|------------------------|----------------------------|---|
| | reduced expenditures. | | | |
| | | Current FY16 Budget | Proposed FY16 Budget | Fund Balance Increase / (Decrease)* |
| 02-04-00-6110 | Salary & Wages – Public Works | \$217,907 | \$210,907 | \$7,000 |
| 02-04-00-6115 | Employee Burden – Public Works | 77,134 | 73,134 | 4,000 |
| 02-04-00-7230 | Material & Equipment - PW | 99,000 | 94,000 | 5,000 |
| 02-04-00-7312 | Professional & Contractual | 38,200 | 33,200 | 5,000 |
| 02-04-00-7355 | Vehicle Expense - PW | 71,350 | 53,350 | 18,000 |
| | Total reduction to | Public Works Op | erating Budget | \$39,000 |
| | for an operating transfer of \$38,500 f | | | |
| | ement Project Fund for purchase of a by the Public Works department. | new F250 pick | up truck with a | a pipe rack and |
| tool box for use | by the Fublic Works department. | | Proposed | Fund Balance |
| | | Current FY16 Budget | FY16 FY16 Budget | Increase / (Decrease)* |
| 50-01-00-7392 | Project Expense – Purchase Truck | \$0 | \$38,500 | (\$38,500) |
| 02-98-00-8228 | Operating Xfer – OUT From TSA | \$0 | \$38,500 | (\$38,500) |
| 50-98-00-8228 | Operating Xfer – IN to CIP | \$0 | \$38,500 | \$38,500 |
| Total expenditure for Truck Purchase (\$38,500 | | | | |
| | \$225,000 from the Equipment Sinking | | | |
| Area Fund for P Public Works de | Purchase of a new \$298,000 Caterpillar | 2016 Model 950 | M Wheel Loade | r for use by the |
| T UDIIC WORKS U | epartinent. | Current | Proposed FY16 | Fund Balance Increase / |
| | | FY16 Budget | Budget | (Decrease)* |
| 50-01-00-7392 | Project Expense – 950M Loader | \$0 | \$298,000 | (\$298,000) |
| 02-98-00-8228 | Operating Xfer – OUT From TSA | \$0 | 73,000 | (73,000) |
| 50-98-00-8228 | Operating Xfer – IN to CIP | \$0 | 73,000 | 73,000 |
| 61-98-00-8258 | Operating Xfer – OUT From Sinking | \$0 | 225,000 | (225,000) |
| 50-98-00-8258 | Operating Xfer – IN to CIP | \$0 | 225,000 | 225,000 |
| | Total expenditure for | 950M Wheel Lo | ader Purchase | (\$298,000) |
| (9) To reduce the to staff leave wi | ne payroll appropriation for the Assessithout pay. | sment and Land | Management of | department due |
| | | Current FY16 Budget | Proposed FY16 Budget | Fund Balance Increase / (Decrease)* |
| 01-01-17-61XX | Payroll Expense –Land Mgmt | \$240,206 | \$214,206 | \$26,000 |

 $^{^{\}star}$ A positive amount in this column is favorable. A negative amount is unfavorable.

Haines Borough Ordinance No. 16-03-432 Page 3 of 4

| <u>Source</u> | <u>Project</u> | Current Budget | Expended | Remaining | Proposed Budget | Increase/ (Decrease) Budgeted Expense |
|---------------|--|-------------------|-------------|--------------|--------------------|--|
| FY16CIP | Addition to Public Wks Shop for Facilities | 150,000 | 0 | 150,000 | 0 | (150,000) |
| Proposed NEW | Rehabilitate old PW Shop for Facilities | 0 | 0 | 0 | 150,000 | 150,000 |
| FY14CIP | Road Improvements - Excursion Inlet | \$20,000 | - | \$20,000 | - | (\$20,000) |
| Proposed NEW | Excursion Inlet Community Improvements | - | - | - | 20,000 | 20,000 |
| FY15CIP | Pool Safety/Code Improvements | 25,000 | 1,001 | 23,999 | - | (23,999) |
| Proposed NEW | Pool Repairs & Improvements | - | - | - | 23,999 | 23,999 |
| FY16CIP | IT Thin Client Assessment | 7,500 | 4,000 | 3,500 | - | (3,500) |
| Proposed NEW | IT Wireless Bridge Connections | - | - | - | 3,500 | 3,500 |
| FY14CIP | Phone/Electrical Upgrades PS Building | 50,000 | 19,272 | 30,728 | 25,000 | (25,000) |
| Proposed NEW | IP Based Borough Phone System | - | - | - | 25,000 | 25,000 |
| 10/11CIP | Areawide Road Improvements | 65,000 | 65,866 | (866) | 65,866 | 866 |
| FY14CIP | CYD Storage Building at Track Area | 10,000 | 13,116 | (3,116) | 13,116 | 3,116 |
| FY14CIP | Air Handling Units - High School | 110,000 | - | 110,000 | - | (110,000) |
| FY15CIP | Admin Building Replace Roof | 99,729 | 78,500 | 21,229 | 78,500 | (21,229) |
| FY15CIP | CYD Soccer Goal Posts | 4,500 | 3,554 | 946 | 3,554 | (946) |
| FY15CIP | Office Furniture | 15,650 | 14,458 | 1,192 | 14,458 | (1,192) |
| FY15CIP | Fire Dept Thermal Imaging Camera | 15,000 | 11,188 | 3,812 | 11,188 | (3,812) |
| FY15CIP | Picture Point Signage | 28,000 | - | 28,000 | - | (28,000) |
| FY16CIP | Copier - Admin Building | 15,000 | 9,733 | 5,267 | 9,733 | (5,267) |
| Proposed NEW | FAA Water Plant Siding | - | - | - | 47,000 | 47,000 |
| Proposed NEW | Sewer Lift Stations & Controls | - | - | - | 120,000 | 120,000 |
| | | | Net Increas | e to CIP App | ropriations | (\$536) |

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS _____ DAY OF ______, 2016.

Haines Borough Ordinance No. 16-03-432 Page 4 of 4

| ATTEST: | | Janice Hill, Mayor |
|---|----------------------------------|--------------------|
| Julie Cozzi, MMC, Borough C | Clerk | |
| Date Introduced: Date of First Public Hearing: Date of Second Public Hearing: | 03/29/16 04/12/16 04/26/16 | |

HAINES BOROUGH

Proposed Amendments to the FY16 Budget - Ordinance #16-03-432



| TIASKA TIASKA | | S. S | Se la | The state of the s | Sierio |
|--|-----------|--|---|--|-----------|
| FUND | 01 | 02 | 50 | 61 | |
| FundBalance as of 06/30/2015 \$ | 2,827,849 | 1,486,459 | 1,552,456 | 323,791 | |
| FY16 Current BUDGET Excess Revenue Over (Under) Expense | 11,945 | (16,104) | (271,138) | 181,966 | Totals |
| Proposed Amendments: | | | | | 0 |
| Increase Prof Svcs for Manager Recruitment | (18,750) | | | | (18,750) |
| 2. Increase Treavel for Manager Candidates | (5,000) | | | | (5,000) |
| Reduce Public Facilities Payroll | 22,600 | | | | 22,600 |
| 4. Increase Prof Svcs for Chief Recruitment | | (18,750) | | | (18,750) |
| 5. Reduce Police Payroll | | 15,000 | | | 15,000 |
| 6. Reduce Public Works Op. Expense | | 39,000 | | | 39,000 |
| 7. Purchase PW Pickup Truck | | (38,500) | 0 | | (38,500) |
| 8. Purchase 950M Wheel Loader | | (73,000) | 0 | (225,000) | (298,000) |
| Reduce Land Management Payroll | 26,000 | | | | 26,000 |
| 10. Modify CIP Appropriations | | | (536) | | (536) |
| PROPOSED Excess Revenue Over (Under) CASH Expense | 36,795 | (92,354) | (271,674) | (43,034) | (276,936) |
| Proposed Fund Balance 06/30/2016 \$ | 2,864,644 | 1,394,105 | 1,280,782 | 280,757 | (276,936) |
| Annual Operating Budget | 4,844,429 | 1,080,462 | | | |
| Projected Fund Balance as % of Operating Budget | 59% | 129% | | | |
| Amount in excess of 6 months of operating budget | 442,430 | 853,874 | | | |



Report

from the **Borough Manager**

Date: 4/26/16

To: Mayor and Borough Assembly

From: Brad Ryan, Interim Borough Manager

Re: Manager's Report

LANDS

Haines Brewery: As directed by the Assembly, I worked with the owners of the Haines Brewery and came up with an alternative to satisfy the earlier commitment for an incentive to invest in the downtown corridor. The alternative resulted in dirt work behind their building, which helped tidy up the area, and we improved a small social trail on Haines Borough property to improve foot traffic passage between the school, Aspen Hotel, brewery, and library.

FINANCE

Budget: We continue to work through the budget process.

POLICE

Chief of Police: Based on a review of the candidates and recommendations from the Public Safety Commission, I selected three finalists for in-person interviews. William "Dave" McKillican from Hoonah; Christian Carelli from the University of Michigan; and Timothy P. O'Neill from La Crosse, Wisconsin.

POOL

Jared from ACS was in April 14th and the Backtalk system is up and running. Ed, Warren, and I attended training on the system that afternoon. We received some complaints regarding the shower temperature in the men's room. I contacted Gary and he's keeping an eye on it. Chatham School District and Chilkat Valley Preschool are using the pool for the next few weeks for lessons and water safety.

FACILITIES/PUBLIC WORKS

Facilities Maintenance:

- Drywall repairs at Public Safety (still in works)
- Replaced damaged plumbing and interior paneling at Tlingit Park restroom
- The state boiler inspector visited Haines and all the Borough boilers passed state inspection with flying colors

• Developing a plan and ordering materials for several spring/summer projects: Chilkat Center doors and siding, Oslund Park quonset, water plant doors, and pool roof exhaust fans

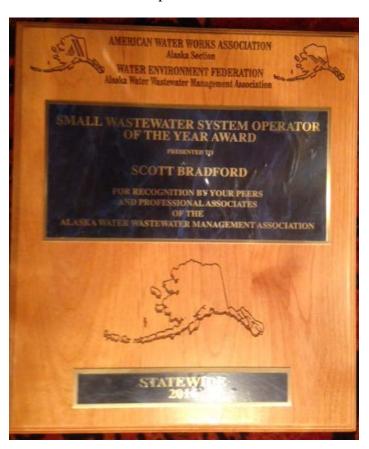
Public Works:

- Graded gravel roads for the first time
- Used one ton of cold patch and 75 cubic yds. D-1 to repair potholes
- Installed new culvert on McPhetres Lane
- Replaced culvert on Sunshine
- Replaced two culverts on Totem
- Assisted the Harbor department with floats and gangways
- Parks hire (Kyle Klinger) will be starting April 25th; he will be mowing, opening restrooms, putting out trash cans and picnic tables

WATER&SEWER

WWTP: We are working with Jim Dorn to get final bid documents for the building replacement.

Scott Bradford: A big congratulations goes out to Scott Bradford, who received "Small Wastewater System Operator of the Year Award" from his peers.



Bill Thomas 4 – 8 April 2016

April 4th Monday- Went to Senate Finance for hearing on SB-207(Teachers Retirement), SB-209 (Public Employee's Retirement) SB-210 Community Revenue Sharing) only to have them announce that they would not hear the bills.

April 5th Tuesday- Went to House Fisheries to hear HB 251 (Fisheries Tax Bill), watching to see if they would change Raw Fish Tax Sharing Formula with municipalities but they didn't, increased taxes on processers for fish, this was one of the Governor's Tax Bills. Bill was moved from committee.

April 6th Wednesday-House Finance had a hearing on HB 47 (PERS Contribution) but bill was to help a community that lost 25% of their population and allows them to pay less, because the loss of population. Didn't stay, went to Senate Finance in case they bring up a bill that was previously heard. The House and Senate went to their floor session and didn't adopt changes in Operating Budgets each body made and so a Conference Committee was appointed from each body. This action allows Committee's to go to the 24hour rule which means that committees only have to announce a hearing with a 24 notice instead of the weekly notice. This will speed up the meeting process, but doesn't give much time for public to be informed with short notices. Especially with the language that is put on bottom of committee notices "Bills Previously Heard" a bill can be brought up all the call of the Chairman. Good to note that some Committees have closed down and will not hear anymore bill in that Committee.

April 7th Thursday-Senate Finance had invited public testimony on SB 207(Teacher Retirement Contribution) and SB 210 (Revenue Sharing) and then held each bill for another day.

April 8th Friday- Waited for Senate Finance to start at 1 pm, then delayed to 3:15 pm and then 4pm. The Capital Bill was to be heard but then pulled of the calendar. A Committee Substitute was to be introduced but wasn't introduced since bill was removed. Session will be confused till it adjourns with new rules in play.

April 9th, Saturday-Senate Finance. Public testimony on SB 210(Revenue Assistance, formally Revenue Assistance) most testimony didn't like the amount of money (\$30 million) or the formula, the floor was increased from \$220 thousand to \$380 thousand, comments were that smaller communities were the winners by the increased base and bigger communities were the losers. Will see if a spread sheet comes out on who gets what. The Senior Citizens local option by election was removed and the vehicle exemption.

April 11th, Monday-SB 196Power Cost Equalization Committee was introduced, a portion of PCE earning is proposed to fund Revenue Assistance, Renewable Energy Fund and if anything was left it would go back into the fund. The fund is around \$980 million and had returns that may be able to pay out enough to cover the idea. SB 210(Revenue Assistance) was discussed and a CS (committee substitute) was introduced and adopted. The excess earning from PCE will help pay for Revenue Assistance. SB 135(Capital Budget) was to be brought out but wasn't.

April 12th, Tuesday-SB 210(Revenue Assistance) and SB196(PCE) were on the Senate floor but held over for third reading, to be heard the next day.

April 13th, Wednesday-SB196(PCE) was on the Senate floor and was passed. SB 210(Revenue Assistance) was up also, this bill was amended to make sure there were no gainers, so the Senate went back to the lower base, which was the original way to compute assistance. Bill then was sent to the House where it was sent to House Finance.

April 14th, Thursday-SB196(PCE) and SB 210(Revenue Assistance) are in House Finance for introduction. Rumors of amending SB 196.

April 15th, Friday- Nothing calendared.

April 16th Saturday-SB196 and SB210 are up in House Finance. SB210 is not amended but SB196 is. The amendment changes the allocation of earning from fixed allocation to a percentage. So instead of \$30 million for assistance the amount may go up if earnings are higher. This may impact the Renewable Energy Fund, which builds hydro and wind projects where energy costs are high.

April 17th, Sunday-SB196 and SB210 were up on the House Floor. Both bills are passed but SB 196 may not have a concurrence vote on the Senate. It is heard that the Senate Sponsor doesn't like the change from, fixed to a percentage of the fund. But will have to wait and see.

All week both Finance Committees were hearing plans on how to use Revenue from the Permanent Fund Earnings to offset the \$4 billion deficit. And oil tax credits and many other tax increases. Fuel tax, fish tax and mining tax. Operating budget has been in Conference Committee and public radio money intact and Marine Highway had no more loses, yet. The University lost \$50 million in the Conference. Still have some issues left.

9A

Tourism Advisory Board

Tourism Director: Leslie Ross

MINUTES-APPROVED

Members:
Sean Gaffney
Karen Hess
Allison Jacobson
Scott Sundberg
Barbara Mulford

Rhonda Hinson Michael Marks

Assembly Liaison: Diana Lapham

Meeting Date: Wednesday, February 24, 2016

Date of Approval:

<u>Call to Order:</u> A meeting of the Haines Borough Tourism Advisory Board was held at Assembly Chambers on February 24, 2016. The meeting convened at 11:10 a.m. with Sean Gaffney presiding.

<u>Members in Attendance:</u> Sean Gaffney, Michael Marks, Allison Jacobson, Rhonda Hinson, Barbara Mulford, Karen Hess, Tourism Director and Assembly Liaison.

Members Not in Attendance: Scott Sundberg

Motion by Michael Marks to excuse absence. Second - Barbara Mulford. Motion was opposed by all - It was determine to allow Mr. Sundberg more time to arrive or call in.

Others in Attendance: Duck Hess

<u>Approval of Agenda:</u> Motion was made by Karen Hess to approve the Agenda. Second - Barbara Mulford. Approval: Unanimous.

Public Comments: None

Chair Report: Sean Gaffney

- Haines Borough Assembly approved to restore the funds that were transferred to Economic
 Development back to the Tourism Budget. The Assembly realized the importance these funds were
 for the Tourism advertising budget.
- Diana Lapham inserted that the Tourism Advisory Board has done an excellent job tackling the Title V revisions and Leslie Ross have done a fine job of working with the Borough Clerk on this topic.

Tourism Director Update:

Year in review and stats

- Printed year in review and stats were circulated to Board Members/Assembly Liaison and discussion followed.
- This year the Tourism office will conduct a "Town Hall" style public meeting and present tourism and visitor information.

Conference/Event Challenges

• Information was shared about the challenges of conferences in Haines with limited spaces available for 100-150 people conferences.

New Business:

Officer Appointments - Rhonda Hinson

 Motion was made by Michael Marks to re-appoint Rhonda Hinson to the TAB. Second - Karen Hess. Approval: Unanimous.

Consider Cindy Smith from Aspen for a non-voting member

Motion was made by Barbara Mulford to appoint Cindy Smith as a non-voting TAB member.
 Second - Rhonda Hinson. Approval: Unanimous.

Budget Amendment and Online Marketing audit overview

 Was approved by the Borough Assembly and staff will move forward on gathering quotes and selecting an Audit company.

Business Retention and Expansion Program - Vista Volunteer

- Haines Chamber of Commerce is working towards developing a plan for economic growth in the community.
- The State and Federal Government has sponsored a program designed to bring jobs to the community, capture base line information and gather statistics.
- The BRE program offers a free software program to monitor your base line and assist business that are in need of help in improving their business practice. The Tourism office was one of the first to sign up for this program.
- The Vista Volunteer will be asked to talk about the program at an upcoming TAB meeting.

Old Business:

Budget Priorities - overview of current marketing plan and focuses on future

• It was determined to begin the audit process prior to making marketing decisions in order to gain audit recommendations.

Title V Committee updates - meeting dates

• A Title V Revisions meeting was set for March 15, 2016 at 9:00 a.m. in the Assembly Chambers.

Freeride Update

 Progress is going smoothly and there will be a Welcoming Reception at the Sheldon Museum on March 16, 2016 from 5:00 p.m. - 7:00 p.m. with beer and wine being sold.

Board Comments:

- Rhonda Hinson pointed out this year is the 100th anniversary of the Chisel Building and it would be
 a good idea to do some type of program to increase the public's awareness.
- Diana Lapham shared that the Borough Manager and Chief of Police should be hired simultaneously by the second week of June. The Vehicle Tax was reviewed by GAS and it was recommended that the Vehicle Tax should stay in place for two years before making a final decision on it.
- Karen Hess requested if there was any new information on 2017 cruise ships and it was stated that Seabourne and National Geographic have added dockings in Haines.
- Motion by Karen Hess to excuse Scott Sundbergs absence. Second Sean Gaffney. Approval: Unanimous.

<u>Adjournment:</u> Motion was made by Barbara Mulford to adjourn. Second - Karen Hess. Approval: Unanimous. The meeting adjourned at 12:45 p.m.

PHAC Meeting Minutes (Approved):

18Mar16

Members Present:

Terrance Pardee, Don Turner Jr., Bill Rostad, & Brad Badger

Assembly Liaison: Margaret Friedenauer

Harbormaster: Shawn Bell

Borough Manager: Brad Ryan

Members Absent:

Fred Gray, Norm Hughes, and Glen Jacobson

Audience Present:

Jeremy Stephens, Ron Jackson, Diana Lapham, Mike Case, Tresham Gregg, & Richard Buck

Meeting Details:

- Agenda Approved.
- 25Feb16 meeting minutes approved. Turner moved, Pardee seconded, and all approved.
- Public Comment:
 - o Richard Buck asked the committee to discuss annual launch ramp fees.
 - Committee asked for the topic to be on the next meeting agenda.
- Harbormaster Report :
 - o None
- Old Business:
 - o None
- New Business:
 - Harbormaster discussed new PND documents that were forwarded to the USACE as part of 408 review.
 - Motion: Turner made motion that the gap in the breakwater (between existing rubble mound and proposed breakwater) remains open.
 - Pardee seconded
 - Vote in Favor: Turner, Pardee, Rostad, & Badger
 - Opposed: None
- Next meeting 7Apr16.

Minor offenses March 30 6:00 p.m. - Assembly Chambers

Minutes - approved 4-11

Committee present: Don Turner, Ron Jackson (acting chair), Mike Denker,

Margaret Friedenauer, Deb Vogt, **Committee absent:** Bill Thomas

Staff: Josh Dryden

Public: Brenda Josephson, Diana Lapham, Mayor Hill, Paul Nelson, Bill McCord, Mike

Ward, Carol Tuynman

CALL TO ORDER

APPROVE AGENDA

Add Purpose and Intent discussion No objection

APPROVE MINUTES from March 14 and March 21 meeting (with corrections)

PUBLIC COMMENT

Nelson – Committee's intent still not clear on striking Chapter 10.

Josephson – Still has concerns with Title 16 if non-credentialed officials making citations

OLD BUSINESS:

• Training for Harbormaster and Assistant Harbormaster in issuing citations

Recommendations from Shawn and Josh regarding training.

Lapham – two years ago it was brought to assembly under Phil Benner that harbormasters can carry weapons.

Dryden – Can make IDs at PD. Is getting a quote from company called Verbal Judo for training on conflict resolution. Can be used with other staff as well.

Vogt – It's not a bad idea to include some dispute resolution training for government and people enforcing borough rules.

Denker – Committee should reserve a section in Title 16 for training and highlight points – in Title 16 specifically.

Nelson – Pointed out Alaska is a right to carry state; anyone who is writing tickets should be made aware of that as part of conflict resolution.

Josephson – Concerns that the training wouldn't mention constitutional rights.

Case - We haven't developed the training yet so we should have in our recommendation that the harbormaster will develop elements of training and include constitutional law and presented to manager.

Dryden – Any training would automatically include training on constitutional rights.

Denker – Purpose and intent also mentions constitutional rights. With a training program I would think there are already programs out there like village public safety officers, that could be used as guidance.

Turner - Believes training section is being blown out of proportion.

MOTION:

Case – moves to recommend Title 16 include wording: "Harbormaster will develop and document and with approval by manager implement a training and certification process for harbor personnel that will enforce harbor regulations. Policy will include training in conflict resolution and constitutional rights and responsibilities, visible identification, and oath of office."

Friedenauer second.

AMENDMENT:

Denker – move to remove oath of office from last part of second sentence and make separate section to say "All Harbor staff with enforcement authority shall be administered an oath of office."

Case second.

Vote on amendment:

Case, Jackson, Vogt, Friedenauer – yes Turner - no

Vote main motion as amended to read: "Moves to recommend Title 16 include wording: "Harbormaster will develop and document and with approval by manager implement a training and certification process for harbor personnel that will enforce harbor regulations. Policy will include training in conflict resolution and constitutional rights and responsibilities and visible identification. All Harbor staff with enforcement authority shall be administered an oath of office."

Unanimous yes.

Check borough policy about carrying guns.

Daily Fines

Vogt – first provision – I don't think we should have a daily fines provision in the general provision that applies to all the code. If we need a daily fines section in certain places we should put it there. I'm not sure in any case you can't just go write a ticket in any case in any violation. I think it should come out of 1.24.010(D)

Denker - It should be removed from general and put where appropriate.

MOTION:

Vogt moves to remove section d from 1.24.010 that says...." And be cited according.

Denker second.

No objection

Ask attorney where else daily fine provision exists and if it belongs someplace it isn't already.

• Title 8

Vogt suggests new section - 8.05 – general provisions

MOTION:

Vogt moves to add an additional chapter 05 to chapter 8 titled general provisions **Denker** seconds

No objection

MOTION:

Vogt moves "to add 'any enforcement officer granted enforcement discretion in this title – shall exercise that discretion according to the principals of the purpose and intent in this section."

Case second.

No objection

MOTION:

Denker - Add section 020 in Title 8 – definitions.

Second?

No objection

Friedenauer – I think we've addressed the overarching concerns of Title 8 without going line by line.

Case – We are trying to make the ordinance as smooth as we can.

Vogt – in code right now I think people should be given a reasonable time to correct an offense, but that is discretionary. I don't think we're going to do any better than that to keep constitutional rights in here, in purpose and intent.

Denker – I think a definition is critical. There's a lot of vague stuff in here. We can say we want to add that. We could come up with words and direct attorney that this needs to be defined.

Vogt - There are volumes and volumes of law of what constitutes "reasonable"

Denker – We do have the opportunity in this venue here and at assembly to put constraints on those violations.

Josephson – Right now the minor offense table doesn't allow anything to be correctable. The way we have this is the judge has no discretion in allowing correctable violations.

MOTION:

Vogt – Moves to add 030 to Title 8 – correctable offense – "any offense under this chapter taking place on private property is correctable."

Denker - second

Denker – Are there instances in other communities where this is used? Juneau cited as example.

Turner - I disagree with this - we allowed for a warning - so this is unnecessary.

Vote

All opposed - unanimous

But intent is to highlight this issue to assembly

MOTION:

Case moves to recommend to include Chapter 10 (reverse previous vote on Chapter 10)

Jackson seconds

Vote - No objection

• Prep for Town Hall meeting

Vogt suggests Denker and Friedenauer make presentation and then committee act as panel.

Turner – this committee is supposed to be working for the public and borough and I feel we're being steered by a few members of the public. I don't think we

represented the public as well as we could have. I am personally not happy the way some of this went. I just want to make that statement.

Denker – Some of the times we look to members of the public because they have been engaged and I ask questions for them and I think it's appropriate because of their engagement. I don't necessarily agree with Turner's comments.

PUBLIC COMMENT:

Tuynman – it might only look like a few people have attended meetings but last fall there were hundreds of people that were concerned and we have an ad in the paper that reminds people what we were concerned about. And I'm grateful that Brenda has taken on this huge task of keeping the conversations going.

Nelson – I want to address the correctable offenses – I wonder if you would have worded that offenses on private property are correctable prior to a citation is written. One thing to watch out for is the issue of the minor offense and civil penalty and whether or not they're double jeopardy.

Josephson – I really appreciate all the effort. The motion was made that only a police officer can issue citations but Title 8 still mentions an abatement officer and needs to be addressed. The document says you can be cited for a minor offense and you can be given a civil offense for same amount.

COMMITTEE COMMENTS:

NEXT MEETING DATE/AGENDA:

Case makes motion to adjourn. **Turner** second. Adjourn at 8:15 p.m.



Haines Borough Planning Commission Meeting March 10, 2016 MINUTES Approved

- 1. <u>CALL TO ORDER/PLEDGE TO THE FLAG</u> Chairman **Goldberg** called the meeting to order at 6:30 p.m. in Assembly Chambers and led the pledge to the flag.
- 2. <u>ROLL CALL</u> Present: Chairman Rob Goldberg, and Commissioners Lee Heinmiller, Brenda Josephson, Rob Miller, Don Turner III, Heather Lende (via telephone) and. Larry Geise (via telephone).

Staff Present: Brad Ryan, Interim Manager and Julie Cozzi, Borough Clerk.

Also Present: Diana Lapham, Emily Files/KHNS, Karen Garcia/CVN, Mike Wilson, Jan Hill/Mayor, Meredith Pochardt, Thomas and Patricia Faverty, and Sean Copeland.

3. APPROVAL OF AGENDA

<u>Motion</u>: **Turner** moved to "approve the agenda as amended." **Heinmiller** seconded it. The motion carried unanimously.

4. APPROVAL OF MINUTES – February 11, 2016 Regular Meeting Minutes.

Two corrections were needed: 1) Item 8A, Pilothouse should be Pilotlight and 2) Item 9A, should state that the permit is specific to heliskiing rather than year round use not being allowed.

<u>Motion</u>: Turner moved to "approve the February 11, 2016 minutes," and **Miller** seconded. The motion carried unanimously.

5. PUBLIC COMMENTS

Pochardt – Takshanuk Watershed Council (TWC) requested a letter of support from the planning commission for a grant application to conduct a watershed assessment. TWC perceives the commission participating in the stakeholder meetings and then reviewing the results...time that would be used as an in kind match. She said she drafted a letter for the commission's use, and the grant application is due on Monday. The commissioners objected to having no prior notice and being asked to support a draft letter they have not seen. There was no move to take action. **Goldberg** noted the agenda packet deadlines.

6. CHAIRMAN'S REPORT

Goldberg encouraged everyone to get their financial disclosure documents in by the 15th.

He briefly talked about the assembly's action concerning the ordinance for planning commission review of borough projects. The manager's substitute ordinance will be coming to the commission for consideration.

7. STAFF REPORTS

A. Planning & Zoning Staff Report

Cozzi said there was no additional information to add to the report in the packet.

8. PUBLIC HEARINGS

A. Vacation Rental Conditional Use Proposal

Note: Property owners Thomas & Patricia Faverty applied for a conditional use permit to operate a vacation rental from May through September at their property on 209 Front Street.

Goldberg opened the public hearing at 6:47 p.m.

T.Faverty explained they plan to rent it only during the spring and summer months, and there should be no impact on the neighborhood.

Goldberg closed the public hearing at 6:48 p.m.

The commissioners expressed support for the proposed use.

<u>Motion:</u> Miller moved to "grant the conditional use permit for the vacation rental with no conditions," and **Heinmiller** seconded. The motion carried unanimously.

9. UNFINISHED BUSINESS

A. Appeal of Manager's Decision - Nonconforming Heliport Use at 35-mile.

Note: Property owner Michael Wilson appealed the Haines Borough Manager's December 28, 2015 decision pertaining to historical use of AA35 (35-mile heliport). The text below is a synopsis of the appeal and deliberation. The full account can be heard by requesting a recording from the borough administration.

APPEAL

Wilson presented his appeal. He assured the commissioners his business plan does not include helicopter flight-seeing tours. Rather, it is for more transient industrial helicopter use such as mining, Coast Guard, Forest Service, etc. The heliport would also provide Industrial support when the road is still closed or during other adverse conditions. He conceives of an average of 10 landings per year for the first couple of years, but anticipates there may be times when it is more. He does not believe the manager's limit of 10 per year allows for the business to grow. He clarified this operation is not associated with Coastal Helicopters and is not meant to be a base of operations for Coastal. He explained only one to two helicopters would land there. The basis for his appeal is there is no borough code that establishes frequency of use. He took the initiative to bring forward what he has been doing up there. This seems inequitable to him.

DELIBERATION

The commissioners deliberated. **Turner** said the decision to be made is whether it is a nonconforming use. **Miller** believes the essence of the argument is what limitation there should be on that use. **Lende** said she is uncomfortable overturning the manager's decision in this. There is still an avenue for the appellant to pursue what he is talking about---he could apply for a conditional use permit (CUP) for increased use. **Josephson** said there could not have been a better record establishing historic use than what was provided by the appellant. Clearly, the heliport use began in 2009, and the code to limit heliports was put in place in 2011. The use did not cease for more than two years. **Turner** agreed and noted the borough code guarantees a person will be able to continue using their property under the zoning conditions that existed at the time the property was purchased or the use initiated. **Miller** said 10 flights a year is not the same as a thousand flights a year. He believes there is a difference in the historic use level and the desired future level. **Josephson** said the questions presented to the attorney were not provided to the planning commission. The context of the attorney's memo was

heliskiing, and that is no longer applicable to this question since the appellant now has a CUP for that particular use. Nonconforming use is not tied to number of times it was used, so to limit in this case is arbitrary and capricious. Lende said heliports are something a lot of citizens are concerned with. Geise has a problem with what he believes is an arbitrary number. It's not a change in use even though it would be a change in the number of landings. **Heinmiller** observed the FAA decision to permit the heliport was in 2012---after the code was amended in 2011 to require a CUP for a heliport in the General Use zone. In his opinion, having a CUP to increase the use would be better than overturning the manager's decision. Miller said the number of landings is not arbitrary but rather based on a historical average. Goldberg reminded the planning commission is charged with upholding or overturning the manager's decision. He explained if the commission upholds the manager's decision, the property can still be used as historically demonstrated, and the property owner can apply for a CUP to increase the use. If the manager's decision is overturned, the property can be used as a heliport without use limits. Goldberg said he is personally reluctant to open it up for year-round use. Heinmiller said a CUP can provide the planning commission an opportunity for review and the public a chance to weigh in. Turner reiterated the nonconforming part of the code is to protect the property owner. There is nothing in the code that limits the amount of business a person is allowed. The code is to protect the property owner from just exactly what's happening in this situation. Josephson read aloud from the nonconforming use section of code. She said there seems to be a fear that it will open up a can of worms related to tour activities, but that would require separate permitting. Lende noted the planning commission did grant the CUP for heliskiing. Geise has a problem with the borough telling someone how much business volume they are allowed for their property.

DECISION

<u>Motion</u>: **Miller** moved to "uphold the manager's decision," and **Lende** seconded. The motion carried 4-3 with **Geise**, **Josephson**, and **Turner** opposed.

10. NEW BUSINESS

- A. Historic District/Building Review—None
- B. Haines Borough Code Amendments—None
- C. Project Updates
 - 1. Chilkat Valley Preschool/Senior Center Construction Project

Some concerns were expressed about parking and certain design elements of the addition. **Cozzi** explained it is just a concept. An actual design will come to the planning commission when ready.

2. Chilkoot Distillery – Land Use Permit, Significant Structures Area

Note: Property owner Sean Copeland requested approval to construct a covered deck addition on the Chilkoot Distillery property at 34 Blacksmith Street.

Copeland explained the desire to build a roof that will resemble the other roofs on Officer's Row at the fort. He wants the building to fit in and look historic. In a brief discussion, the commission recognized they will likely need to look at parking and traffic patterns in the future, especially with the Fireweed Restaurant expanding.

<u>Motion</u>: Turner moved to "approve the requested land use permit," and it was seconded by **Heinmiller**. The motion carried unanimously.

D. Other New Business—None

11. COMMISSION COMMENTS

Goldberg asked about the planning commission's request for an ad hoc committee to work on the issue of food carts and trailers. Mayor **Hill** said she will get with **Goldberg** to work on establishing a committee. **Lende** and **Heinmiller** both said they would like to sit on it. There was some talk about the Chamber of Commerce having a seat, as well. **Heinmiller** said he heard a food truck in the Anchorage area was recently granted an alcohol license. He suggested the committee consider that aspect, as well. **Lende** said perhaps a condition could be placed on food carts requiring them to be open for longer than just a few months in the year. **Josephson** said the borough needs to start supporting businesses more if there are going to be limitations.

12. CORRESPONDENCE - None

13. <u>SET MEETING DATES</u>

- A. Regular Meeting Thursday, April 14, 2016 6:30 p.m.
- **14. ADJOURNMENT** 7:40 p.m.



| O SPECIAL MEETING |
|-------------------|

| ○ TAB ○ PHAC ○ LIBRARY ○ PSC ○ PRAC |
|--|
| \bigcirc CCAB \bigcirc MUSEUM \bigotimes PLANNING COM. |
| Other |
| Please Check Appropriate Box |

Committee Meeting Summary

| Date 4/14/16 Time of Meeting 6',30 fin. Location ASSEMBLY Chambers |
|---|
| Committee Members Present: Chair Person: Lob Goldberg |
| Brenda Josephson, Heather Lende, Lee Heinmiller, Rob Goldberg, Donnie Turnen, Rob Miller Person Filling out form: Kathnyn Eriedle |
| 8A. Greg Bigsby Vacation Rental CUP 8B. Steve & Ann Marie Fossman Vacation Rental CUP 10C1. Chilkat Valley Preschool Construction Project |
| • |
| Action Taken: (Include any motions made and the vote) |
| 81. Quarym! Approve Bigs by Vac. Rental CUP with conditions: DEC approval & business licenses |
| 8 D. Quarum: Approve Fossman Vac. Rental CUP |
| 1001. Come up with plan to protect CUP Kids and Compromise with SE Road builders. |
| Next Meeting Date: 5/12/16 * NOTE: This Summary should NOT replace Minutes or Requests for Assembly Action |

Haines Borough Assembly Agenda Bill

Agenda Bill No.: 16-629 Assembly Meeting Date: 4/26/16

| Business Item Description: | Attachments: |
|---|---|
| Subject: Sales Tax Exemption Application from | Additional Information about Haines Activities |
| St Vincent dePaul Society Diocesan Council of SE AK | 2. Application for sales tax exemption from St. Vincent |
| Originator: | dePaul Society Diocesan Council of Southeast Alaska |
| Sales Tax Accountant | |
| Originating Department: | 3. List of sales tax exempt non-profit organizations, as of |
| Finance | 3/15/16 |
| Date Submitted: | |
| 3/10/16 | |
| Full Title /Metion | |

Full little/Motion:

Motion: Approve the request from St. Vincent dePaul Society Diocesan Council of Southeast Alaska for sales tax exemption status, and authorize the borough clerk to issue an exemption certificate.

Administrative Recommendation:

| Fiscal Impact: | | | |
|----------------------|-----------------|------------------------|--|
| Expenditure Required | Amount Budgeted | Appropriation Required | Projected Impact to Future Operating Budgets |
| \$0 | \$0 | \$ 0 | Loss of Sales Tax Revenue |

| Comprehensive Plan Consistency Review: | | | |
|--|-----|-----|--|
| | | | |
| Consistent: | Yes | □No | |
| | | | |

Summary Statement:

St. Vincent dePaul Society Diocesan Council of Southeast Alaska, a 501(c)3 organization, has applied for sales tax exemption status as allowed by HBC 3.80.050(13). This organization is dedicated to offering person-to-person service to the needy and suffering and collaborating with other people of goodwill in relieving need. The reason for the tax-exemption request: they purchase services from Haines vendors, and they provide assistance (food and clothing vouchers, etc.) to Haines residents. On 3/29/16, the assembly postponed this item to this meeting to give the applicant an opportunity to provide information regarding Haines activities. The applicant provided additional details that are attached to this agenda bill.

The borough has granted sales tax exemption certificates to other non-profit organizations. A current list is attached to this agenda bill.

| Referral: | |
|-----------------|----------------|
| Referred to: | Referral Date: |
| Recommendation: | Meeting Date: |

| Assembly Action: | |
|--------------------------------|-------------------------|
| Meeting Date(s): 3/29, 4/26/16 | Public Hearing Date(s): |
| | Postponed to Date: |

From: <u>Dan Austin</u>
To: <u>Julie Cozzi</u>

Subject: St. Vincent de Paul, Juneau

Date: Tuesday, April 05, 2016 3:09:53 PM

Importance: High

Hello Ms. Cozzi...

You asked for additional information on the plans of the St. Vincent de Paul Society for expenditures in Haines that would justify a sales tax exemption for our 501(c)(3) charitable organization.

We are officially incorporated as The St. Vincent de Paul Society Diocesan Council of Southeast Alaska, Inc. You can appreciate why we just call ourselves the St. Vincent de Paul Society, Juneau. The point being, our area of activity is all of Southeast. In fact, Haines is the one community where we are most active. Though most of our purchases are related to direct assistance for individuals—food, clothing, medical, rent, utilities—over the last 10 years we have built a strong relationship with Haines Assisted Living. The beginning of that relationship goes back a decade when St. Vincent de Paul helped get HAL started through a local affiliate of ours called the St. Lucy Conference.

Now, as HAL is completing its most recent construction phase, the Haines Wellness Center, both St. Vincent de Paul and the St. Lucy Conference are prepared to strengthen our efforts to ease the suffering of the poor. To that end, we expect to dramatically increase direct assistance to the most vulnerable in the Haines Borough—the elderly, the homeless, the disabled and the working poor. This will be accomplished most frequently through the purchase of groceries, medicine, and household supply vouchers at local Haines stores. Rental assistance and utility payments will be made directly to Haines vendors. All processing of requests for help will be done by Haines representatives of the St. Lucy Conference.

It is difficult to estimate the exact amounts we expect to expend. In Juneau alone, the St. Vincent de Paul Society regularly expends over \$100,000 in direct Aid to needy individuals and households. Based on per capita calculations, it would be fair to expect at least \$10,000 per year to be expended by The St. Lucy Conference.

Please contact me if I can offer any additional information.

Dan Austin, General Manager St. Vincent de Paul Society, Juneau (907) 321-5222



Rev: 6/4/07

RECEIVED

MAR 1 0 2016

Haines Borough

HAINES BOROUGH, ALASKA

P.O. BOX 1209 HAINES, AK 99827

(907) 766-2231 * FAX (907) 766-2716

APPLICATION FOR SALES TAX EXEMPTION CERTIFICATE HAINES BOROUGH

| THE FOLLOWING ORGANIZATION: | |
|--|--|
| St. VINCENT de Paul Societ | 1 Diocesan Council of Southeast |
| Haska IN | |
| a non-profit corporation, organized under the | laws of the State of Alaska, |
| of the organization, I hereby certify that I an | ertificate in the Haines Borough. As a representative in familiar with said corporation, that it is organized able purposes, and that the following information is |
| Local Address of Organization: 8617 St. Lucy's conference @ 219 | Tax (St. Juneau, All 9980/ UNION ST, HAINES, AK, 99827 Federal Employer I.D. #: 92-0125695 |
| Date of Incorporation: 1988, My 15 | Federal Employer I.D. #: 92-0125675 |
| | nt and/or Proposed Activity in the Borough: |
| We purchase Senices for | rom Haines wendows AND WR |
| Provide assistance (Food Vois HAINES ROSIDENTS | non Haines Lendows AND WR uchers, Clothing Voucloss etc) 10 |
| Attach a copy of the Bylaws or Articles of | Incorporation. Also attach a copy of your letter |
| of 501(c) 3, 501(c) 4, 501(c) 8 or 501(c) 1 | 9 exemption from the Internal Revenue Service. |
| | De Cu |
| | Organization Representative |
| | Print Name: DAN AUSTIN Title: GENEVAL MANAGER |
| | Phone: 907 321-S222 |
| | Email: ST-UINCENT SE Paul, Juneau @6-CI, Net |
| ***************** | *************** |
| DECLINED BY THE ASSEMBLY ON _ | |
| Reason: | |
| APPROVED BY THE ASSEMBLY ON _ | |
| Haines Borough Mayor Date: | Assigned Sales Tax Exemption Number |

INTERNAL REVENUE SERVICE P. O. BOX 2508 CINCINNATI, OH 45201

Date: SEP 2 4 2010

ST VINCENT DE PAUL SOCIETY DIOCESAN COUNCIL SOUTHEAST ALASKA INC. 8617 TEAL ST JUNEAU, AK 99801 Employer Identification Number: 92-0125695 DLN:

600264057 Contact Person:

EUGENIA P ASCENCIO-MADRIGAL ID# 95133

Contact Telephone Number:

(877) 829-5500

Accounting Period Ending:

June 31

Public Charity Status:

509 (a) (2)

Form 990 Required:

Yes

Effective Date of Exemption:

December 23, 2009

Contribution Deductibility:

Yes

Addendum Applies:

No

Dear Applicant:

We are pleased to inform you that upon review of your application for tax exempt status we have determined that you are exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code. Contributions to you are deductible under section 170 of the Code. You are also qualified to receive tax deductible bequests, devises, transfers or gifts under section 2055, 2106 or 2522 of the Code. Because this letter could help resolve any questions regarding your exempt status, you should keep it in your permanent records.

Organizations exempt under section 501(c)(3) of the Code are further classified as either public charities or private foundations. We determined that you are a public charity under the Code section(s) listed in the heading of this letter.

Please see enclosed Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities, for some helpful information about your responsibilities as an exempt organization.

ST VINCENT DE PAUL SOCIETY DIOCESAN

Sincerely,

Robert Choi

Director, Exempt Organizations

Rulings and Agreements

Enclosure: Publication 4221-PC

St. Vincent de Paul Society Diocesan Council Southeast Alaska

Resolution 2011- 00 1

| A resolution to adopt the bylaws for St. Vincent de Paul Society Diocesan Council Southeast Alaska | | |
|--|--|--|
| Whereas, the organization has revised its articles of incorporation effective August 16, 2010 and, | | |
| Whereas, the by-laws of the organization require revision to reflect changes in the organization's governance and, | | |
| Whereas, the board has reviewed the attached by-laws. | | |
| Now Therefore, it is resolved that the board has voted to approve and accept the By- Laws. | | |
| Adopted at a regular meeting of the Board on the 15 th day of February, 2010 | | |
| | | |
| Thank Sitterer 2/15/11 | | |
| President // Date / | | |
| Theresa Harris 2/15/11 Secretary Date | | |

By-laws of St. Vincent de Paul Diocesan Council of S.E. Alaska Approved by the Board February 15, 2011

Article 1 – OFFICIAL NAME OF ORGANIZATION

The name of the Corporation is: St. Vincent de Paul Society, Diocesan Council of Southeast Alaska (subsequently referred to as the "District Council"). This corporation is affiliated with the National Council of the United States, Society of St. Vincent de Paul, Inc. (subsequently referred to as the "National Council").

Article 2 – LOCATION OF PRINCIPAL OFFICE AND CORPORATE SEAL

Offices

The statutory office of the District Council of the Diocesan Council of S.E. Alaska, Society of St. Vincent de Paul, Inc., shall be in the City of Juneau, State of Alaska, and at such other locations as determined by the District Council. The District Council shall determine the name of the agent for service of process.

The executive office of the Corporation shall be in the City of Juneau, State of Alaska. Other offices may be established at such other places as the District Council may from time to time determine.

The business of the Corporation shall be transacted at the executive office of the Corporation unless otherwise directed by the District Council.

Seal

The District Council may adopt, use and alter the Corporate Seal.

The Corporate Seal shall have inscribed thereon the:

Name of the corporation, the year of its organization and, the state in which it is incorporated.

Said seal may be used by causing it, or a facsimile thereof, to be impressed or affixed to any paper, writing or other document.

Article 3 - STATEMENT OF PURPOSE AND MISSION

The corporation is organized and operated exclusively for charitable, religious, educational, and scientific purposes, including, for such purposes, the making of distributions to organizations that qualify as exempt organizations under section 501(c)(3) of the Internal Revenue Code.

Inspired by Gospel values, the Society of St. Vincent de Paul, a Catholic lay organization, leads women and men to join together to grow spiritually by offering person-to-person service to the needy and suffering in the tradition of its founder, Frédéric Ozanam, and patron, Vincent de Paul.

As a reflection of the whole family of God, members, who are known as Vincentians, are drawn from every ethnic and cultural background, age group, and economic level. Vincentians are united in an international society of charity by their spirit of poverty, humility and sharing, which is nourished by prayer and reflection, mutually supportive gatherings and adherence of a basic Rule.

Organized locally, Vincentians witness God's love by embracing all works of charity and justice. The Society collaborates with other people of good will in relieving need and addressing its causes, making no distinction in those served, because in them Vincentians see the face of Christ.

Article 4 – TAX EXEMPTION

This corporation is organized under the Nonprofit Benefit Corporation Law for the State of Alaska for charitable purposes.

The District Council will ensure that its tax-exempt status is maintained by complying with all applicable Federal and State requirements, including IRS policies.

As a 501 (c) (3) organization, if the District Council chooses to lobby it shall not exceed the allowable 501 (c) (3) limits.

Article 5 – PARLIAMENTARY AUTHORITY

Agreed upon forms of consensus building shall govern the Council/Board in all cases in which they are applicable and in which they are not inconsistent with these Bylaws and any special rules of order the Council/Board may adopt. "Robert's Rules of Order, Newly Revised" may also be used.

Article 6 – AMENDING THE BYLAWS

Bylaws may be amended, altered or repealed at any regular or special meeting with concurrence of the majority of the membership present, provided however, that 60 days written notice of the meeting at which proposed amendments, alterations or repeals of any article be sent to all members prior to the meeting.

Article 7 - MEMBERSHIP, NON DISCRIMINATION POLICY, AND COMPENSATION

Membership of the District Council

The Society is a Catholic lay organization open to all Catholics and non-Catholics who wish to live their faith by loving and serving their neighbor. However non-Catholics are precluded from serving as officers of the organization.

Non-Discrimination Policy

The Council actively seeks to recruit and retain volunteers without regard to race, creed, color, gender, sexual orientation, disability, marital status, veteran status, national origin, age or physical handicap.

Compensation

No part of the property belonging to this entity nor its net earnings or income shall ever inure to the benefit of any member or individual, or any person having a personal or private interest in the activities of the Council. There shall be no fee or honorarium for Council service beyond reimbursement of expenses.

No one who receives a salary or other remuneration from the Society or any of its branches shall serve on the District Council as a voting member or proxy.

Article 8 – MEMBERSHIP OF COUNCIL/BOARD AND TERMS OF OFFICE

This District Council/Board, the Diocesan Council of S.E Alaska shall be composed of:

- A duly elected President who must be an active member
- The Presidents of affiliated Conferences
- Members appointed by the President
- Officers of the District Council/Board (Vice-president, secretary and treasurer)
- Spiritual Advisor (non-voting)
- General Manager (non-voting)

All Presidential appointments to the District Council/Board require District Council/Board approval.

All appointments by a District Council/Board President are for that President's term of office unless other wise noted.

The Diocesan Council of S.E. Alaska often is without participating Conferences. Therefore, the Diocesan Council of S.E. Alaska board will be no larger than 9 members or smaller than 5.

Board members will be appointed for a 3 year term.

Missing 3 consecutive board meetings without being excused could result in being ask to resign from the Board.

Article 9 – ADMISSION PROCEDURES AND ELECTION PROCESS

Election Process for President of the District Council/Board

The District Council/Board is directed by a President elected through a process that culminates in a secret ballot for a three year term which may be renewed once. A retiring President, who has just served two consecutive terms, is not eligible for re-election as President until a further period of three years has elapsed.

The President of the District Council/Board convenes a Nominating Committee whose duty it will be to initiate and conclude the election process for the position of President of the Council/Board.

Extraordinary Circumstance

Should the President resign, become permanently incapacitated, be removed from the office under Article 17, or die during the term of office, the Vice President of the Council/Board shall serve as President until the election of a new President.

If the President, because of illness or any other reason, were unable to attend and preside at any meeting of the District Council/Board or conduct Council business, this privilege and duty may be delegated to the Vice President.

Article 10 – MEETING FREQUENCY AND NOTICE REQUIREMENTS

Meetings of the District Council/Board

Regular or special meetings of the District Council/Board, which may be conducted face to face or by electronic means, may be called at any time and place, as follows:

- 1. As noted in the approved annual calendar of meetings;
- 2. By the President, upon at least a minimum of 48 hours notice;
- 3. By a simple majority of District Council members, upon at least a minimum of 48 hours notice.

Notices may be given by mail, fax, email or telephone.

Waiver of Notice

Meetings held without notice as provided in these Bylaws shall be valid if each Council/Board member entitled to notice (i) attends the meeting without protesting lack of notice either before or when such meeting convenes; or (ii) signs a written waiver of notice or a written consent to (a) the action being taken, (b) convening of the meeting, or (c) approval of the minutes of the meeting, either before or after the meeting; and (iii) such written consents or approvals are filed with the minutes of the meeting.

Article 11 – QUORUM REQUIREMENTS, PROXIES, AND OPEN MEETINGS

Quorum

A simple majority of members of the District Council/Board shall constitute a quorum. For amending the Bylaws (Article 6) or termination of the General Manager's employment (Article 20), these actions require a two-thirds majority of the Board.

Proxies

Each District Council/Board member shall be entitled to one vote which must be cast in person. Council/Board members may not designate an alternate or proxy if they are unable to attend a meeting.

Open Meetings

All meetings of the District/Council Board shall always be open to members. This does not preclude the District Council/Board going into Executive (closed) Session during a meeting.

Article 12 - COUNCIL/BOARD MEETING

Meeting procedures may include: a punctual call to order, roll call; opening prayer led by the Spiritual Advisor, approval of minutes of previous meeting; general managers report; Treasurer's report; any other reports by officers or directors; old business; new business; time and place of next meeting; secret collection; closing prayer; adjournment.

Article 13 – VOTING PROCEDURES, RESOLUTIONS, AND GOVERNANCE RESPONSIBLITIES

Voting Procedures

Each District Council/Board member has one vote. Once a quorum is present at a meeting, a simple majority of those eligible to vote is required to approve or disapprove a resolution.

Resolutions

The Council initiates action by adoption of resolutions. Resolutions can relate to approval of specific items or indicate continuing approval, e.g. spending limits. The Council may from time to time adopt a standing operating procedure-governing submission of resolutions. Outside of a meeting a simple majority of all Council members may adopt a resolution by electronic or unanimous (if required by state law) written consent, unless prohibited by law.

Governance Responsibilities

The government and power of the District Council/Board shall be vested in its President, appointees, and the Conference Presidents and members who constitute the District Council/Board. Their Governance responsibilities include but are not limited to:

- 1. Electing the District Council President;
- Approving the Organizational Structure, including Officers and any Auxiliary Boards;
- 3. Approving the Annual budget and any amendments to the Annual Budget;

- Approving policies or standing operating procedures that may be established to exceed budgeted expenditures or non-budgeted financial commitments up to certain dollar limits;
- 5. Recommending dissolution or the sale of all the corporation's assets;
- 6. Reviewing the Annual Audit and Audit review and ensuring that an Annual Report of the corporation is compiled in a timely manner;
- 7. Recommending to the (Arch)Diocesan Council (in accordance with the approved National procedures) amendments to The Rule of the Society and the National Council's governance policies;
- 8. Approving reports from auxiliary Boards, if applicable;
- 9. Approving Presidential appointments, if applicable;
- 10. Approving policies as required by the Rule, Articles of Incorporation, Bylaws or Federal or State laws; and addressing other issues as requested by the President;
- 11. Reviewing and evaluating the leadership, mission and planning of the District Council.

Article 14 – CIRCUMSTANCES UNDER WHICH COUNCIL/BOARD MEMBERS, OFFICERS AND THE PRESIDENT MAY RESIGN OR BE SUSPENDED

A Council/Board member may resign under the following conditions:

- Voluntary resignation of the part of the member.
- Cessation of effective membership; e.g. through protracted non-attendance at Council/Board meetings without excused absence.

For reasons prompted by the seriousness of a particular situation, the President may be removed from office by a two-thirds vote of the Council/Board.

For reasons prompted by the seriousness of a particular situation, a Council/Board member may be removed by a two-thirds vote of the Council/Board provided that the Board member may have the opportunity for a hearing.

Article 15 – POWERS OF THE EXECUTIVE COMMITTEE

The Council/Board may have an executive committee of a minimum of members sufficient to perform the duties.

The executive Committee may consist of the President, Vice-president, Secretary, Treasurer, and the Executive Director (non-voting).

The executive committee may act in place and stead of the Council/Board between meetings on all matters, except those specifically reserved to the Council/Board by these Bylaws or by federal or state law. The executive committee shall report its actions to the Council/Board at the next meeting. The President calls meetings of the executive

committee. The Executive Committee may elect to hold meetings face to face or by other means agreed to in advance of the meeting.

Article 16 – DESCRIPTIONS AND POWERS OF STANDING AND AD HOC COMMITTEES OR SPECIAL PRESIDENTIAL APPOINTMENTS

If the District Council President deems it necessary and appropriate one or more Standing Committees or Ad Hoc Committees can be formed and disbanded as the need arises. The district Council/Board establishes the charges for such committees through resolutions.

Article 17 - DUTIES OF OFFICERS

Officers

Role and responsibilities of President

The President attends to the progress of the Council/Board. The President supports the Council members in their Vincentian action, helping and assisting them as circumstances require.

The President ensures that links and communication are effectively maintained between the Conferences and Councils for which it has responsibility or to which it is attached. The President attends National Council meetings and represents the District Council/Board.

The President shall, in general supervise all affairs of the Council/Board. The President shall preside at all meetings of the Council/Board or its Executive Committee (if any) and shall be an ex-officio member of all other committees.

The President shall have responsibility for governance of the Council/Board and shall see that all orders and resolutions of the Council/Board or its Executive Committee are carried into effect. The President, or duly authorized agent shall execute all deeds, mortgages, bonds, contracts and other documents requiring a seal, under the seal of the corporation and shall have the general powers and duties of the supervision and management usually vested in the office of President of a corporation.

The President will advise the Council/Board of the requisite financial support that is to be provided to higher Council(s) and the Region annually.

Vice President

Role and responsibilities of the Vice President

There must be at least one Vice President. The Vice President shall perform the duties of the President in the event of the President's temporary absence, and shall have such other duties as the President or Council/Board may assign. The Vice President will collaborate

with the President in all matters affecting the Council/Board. The Vice President shall attend the Council meetings.

Secretary

Role and Responsibilities of Secretary

The secretary shall attend meetings of the Council/Board and Executive Committee and ensure that all votes are recorded and minutes kept of all proceedings. The Secretary shall give or cause to be given notice of all meetings of the Council/Board and Executive Committee and shall perform such other duties as may be prescribed by the President, Council/Board or Executive Committee.

The Secretary shall see that the seal of the corporation is kept in safe custody and that same is affixed to any instrument requiring it, and when so affixed, it shall be attested to by his/her signature or by the signature of the Treasurer. The Secretary is responsible for ensuring that records are kept of formal documents, meeting attendance and that the annual reports are collated.

Treasurer

Role and Responsibilities of Treasurer

The Treasurer shall coordinate the Board's financial oversight responsibilities of the District Council of S.E. Alaska. He/she will provide an overview of the finances of the District Council at Board meetings. In conjunction with the General Manager, the Treasurer will review the annual budget and recommend action to the full Board as well as monitor its implementation and financial policies.

The Treasurer shall be a member of the Finance Committee and attend meetings of the Council/Board and Executive Committee.

The Treasurer or any other designated officer shall be able to sign checks providing the General Manager is not available.

Article 18 – SELECTING AND APPOINTING OFFICERS AND A SPIRITUAL ADVISOR

Vice President Secretary and Treasure are appointed by the president and approved by the District Council. The Spiritual Advisor of the Diocesan Council of S.E Alaska has traditionally been appointed by the Bishop of the Diocese of Juneau.

Spiritual Advisor

Role and responsibilities of the Spiritual Advisor: The Spiritual Advisor must be Catholic. Traditionally, within the St. Vincent de Paul Society Diocesan Council of SE Alaska the spiritual advisor has been appointed by the Bishop. If for some reason the Bishop cannot designate a spiritual advisor, he/she may be appointed by the President in compliance with the National Council Guidelines set forth in the Handbook for Spiritual Advisors dated March 1999 and any amendments thereto. The Spiritual Advisor serves at

the pleasure of the President, attends the meetings, participates in the discussions and provides the necessary guidance to the Council and its members on spiritual matters. An ordained (e.g. Bishop, Priest or Deacon) Spiritual Advisor does not vote, however, a lay spiritual advisor (e.g. a Religious sister, brother, lay person) may vote.

Article 19 – TERMS OF OFFICE AND TERM LIMITS

President

The term of office of the President (excluding extraordinary circumstances) is three years, once renewable (ending at the end of the fiscal year). Once a President has served for two three-year terms, that person will not be eligible for re-election as President until a three-year term has elapsed under a different President.

Officers and the Spiritual Advisor

All Officers named by the President serve at the pleasure of the President. Such appointments terminate automatically when a new President takes office.

Reappointment – An incoming President may reappoint an Officer and others who served under the previous President.

Article 20 - PROVISION FOR A GENERAL MANAGER

The Society of St. Vincent de Paul S.E. Alaska has a General Manager, hired by the Council/Board and supervised by the President, and accountable to and evaluated by the Council/Board. The General Manager shall have general and active management responsibilities for the Council, implementing the policies and governance directives of the Council/Board and implementing the policy governance directives of the President and shall administer the day-to-day affairs of the District Council/Board including having responsibility for the supervision and management of the staff.

The Council/Board shall review the General Manager at least annually. The General Manager shall serve as an ex officio member of the Council/Board without vote and shall not be counted in determining the quorum.

Resignation or Removal

The General Manager may resign at any time by giving written notice to the President of the Council/Board. Such resignation shall take effect at the time specified therein, or, if no time is specified, at the time of acceptance by the President of the Council/Board.

The President may remove the General Manager from the employment of the Council/Board with the concurrence of two-thirds of the Council/Board. The Personnel Policies of the Council/Board and such other policy governance directives as may be adopted or implemented by the Council/Board may outline other terms and conditions of employment and termination.

Article 21 – ANNUAL REPORT, AUDITS AND ORGANIZATION ACCOUNTABILITY

The Board/Councils will use good stewardship in maintaining the Society's assets. The Society uses money and property to help relieve the suffering of those in need and these funds must be handled with the utmost care, prudence, and generosity.

The General Manager after consultation with the President and Council/Board may employ a qualified, independent accounting firm to perform an annual audit or audit review of the financial books and records of the Council/Board. If required by federal or state law, an Audit Review Committee will be appointed

Article 22 – DIVERSION OF FUNDS

The funds of the society shall be used for the works of the Society, including Vincentian, meetings, formation, training, twinning and collaboration (purchasing front line services) in payments for clients. However, funds shall not be diverted in the form of donations or contributions to other organizations or charities except occasionally for other organizations sharing our Vincentian values. Donations to other organizations must be approved by the Council/Board. The Treasurer is charged as the responsible Officer to ensure adherence after consultation with the Council/Board.

Article 23 – INDEMNIFICATION, INSURANCE AND CONFLICT OF INTEREST

Indemnification

The private property of the Council/Board, Officers and Auxiliary Board Members shall not be subject to the payment of the corporate debts of the Council.

The corporation shall, by resolution of the Council/Board, provide for indemnification by the corporation of any and all of its Council/Board and Officers (including Auxiliary Board Members) against expenses actually and necessarily incurred by them in connection with the defense of any action, suit, or proceeding in which they or any of them are made parties or a party by reason of having been directors or Officers of the corporation, except in relation to matters as to which such director or Officer or former director or Officer shall be adjudged in such action, suit, or proceeding to be liable for negligence or misconduct in the performance of his or her duty and to such matters as shall be settled by agreement predicated on the existence of such liability for negligence or misconduct.

Insurance

The Council/Board develops policies that clearly define types and amounts of coverage it will provide and ensures that within those guidelines insurance is purchased, if appropriate, to cover, among other things, volunteers, property, general liability, directors and Officers and workers compensation.

Conflict of Interest Purpose

The purpose of the conflict of interest policy is to protect this tax-exempt organization's interest when it is contemplating entering into a transaction or arrangement that might benefit the private interest of an officer or director of the Organization or might result in a possible excess benefit transaction. This policy is intended to supplement but not replace any applicable state and federal laws governing conflict of interest applicable to nonprofit and charitable organizations.

Definitions

1. Interested Person

Any director, principal officer, or member of a committee with governing board delegated powers, who has a direct or indirect financial interest, as defined below, is an interested person.

2. Financial Interest

A person has a financial interest if the person has, directly or indirectly, through business, investment, or family:

- **a.** An ownership or investment interest in any entity with which the Organization has a transaction or arrangement,
- **b.** A compensation arrangement with the Organization or with any entity or individual with which the Organization has a transaction or arrangement, or
- **c.** A potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which the Organization is negotiating a transaction or arrangement. Compensation includes direct and indirect remuneration as well as gifts or favors that are not insubstantial. A financial interest is not necessarily a conflict of interest. Below, number 2 under procedures, a person who has a financial interest may have a conflict of interest only if the appropriate governing board or committee decides that a conflict of interest exists.

Procedures

1. Duty to Disclose

In connection with any actual or possible conflict of interest, an interested person must disclose the existence of the financial interest and be given the opportunity to disclose all material facts to the directors and members of committees with governing board delegated powers considering the proposed transaction or arrangement.

2. Determining Whether a Conflict of Interest Exists

After disclosure of the financial interest and all material facts, and after any discussion with the interested person, he/she shall leave the governing board or committee meeting while the determination of a conflict of interest is discussed and voted upon. The remaining board or committee members shall decide if a conflict of interest exists.

3. Procedures for Addressing the Conflict of Interest

- a. An interested person may make a presentation at the governing board or committee meeting, but after the presentation, he/she shall leave the meeting during the discussion of, and the vote on, the transaction or arrangement involving the possible conflict of interest.
- **b.** The chairperson of the governing board or committee shall, if appropriate, appoint a disinterested person or committee to investigate alternatives to the proposed transaction or arrangement.
- **c.** After exercising due diligence, the governing board or committee shall determine whether the Organization can obtain with reasonable efforts a more advantageous transaction or arrangement from a person or entity that would not give rise to a conflict of interest.
- **d.** If a more advantageous transaction or arrangement is not reasonably possible under circumstances not producing a conflict of interest, the governing board or committee shall determine by a majority vote of the disinterested directors whether the transaction or arrangement is in the Organization's best interest, for its own benefit, and whether it is fair and reasonable. In conformity with the above determination it shall make its decision as to whether to enter into the transaction or arrangement.

Violations of the Conflicts of Interest Policy

- **a.** If the governing board or committee has reasonable cause to believe a member has failed to disclose actual or possible conflicts of interest, it shall inform the member of the basis for such belief and afford the member an opportunity to explain the alleged failure to disclose.
- **b.** If, after hearing the member's response and after making further investigation as warranted by the circumstances, the governing board or committee determines the member has failed to disclose an actual or possible conflict of interest, it shall take appropriate disciplinary and corrective action.

Records of Proceedings

The minutes of the governing board and all committees with board delegated powers shall contain:

- **a.** The names of the persons who disclosed or otherwise were found to have a financial interest in connection with an actual or possible conflict of interest, the nature of the financial interest, any action taken to determine whether a conflict of interest was present, and the governing board's or committee's decision as to whether a conflict of interest in fact existed.
- **b.** The names of the persons who were present for discussions and votes relating to the transaction or arrangement, the content of the discussion, including any alternatives to the proposed transaction or arrangement, and a record of any votes taken in connection with the proceedings.

Compensation

- **a.** A voting member of the governing board who receives compensation, directly or indirectly, from the Organization for services is precluded from voting on matters pertaining to that member's compensation.
- **b.** A voting member of any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from the Organization for services is precluded from voting on matters pertaining to that member's compensation.
- **c.** No voting member of the governing board or any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from the Organization, either individually or collectively, is prohibited from providing information to any committee regarding compensation.

Annual Statement

Each director, principal officer and member of a committee with governing board delegated powers shall annually sign a statement which affirms such person:

- a. Has received a copy of the conflicts of interest policy,
- b. Has read and understands the policy,
- c. Has agreed to comply with the policy, and
- **d.** Understands the Organization is charitable and in order to maintain its federal tax exemption it must engage primarily in activities which accomplish one or more of its tax-exempt purposes.

Periodic Review

To ensure the Organization operates in a manner consistent with charitable purposes and does not engage in activities that could jeopardize its tax exempt status, periodic reviews shall be conducted. The periodic reviews shall, at a minimum, include the following subjects:

- **a.** Whether compensation arrangements and benefits are reasonable, based on competent survey information and the result of arm's length bargaining.
- **b.** Whether partnerships, joint ventures, and arrangements with management organizations conform to the Organization's written policies, are properly recorded, reflect reasonable investment or payments for goods and services, further charitable purposes and do not result in increment, impermissible private benefit or in an excess benefit transaction.

Use of Outside Experts

When conducting the periodic reviews, the Organization may, but need not, use outside advisors. If outside experts are used, their use shall not relieve the governing board of its responsibility for ensuring periodic reviews are conducted.

Approved by the Board February 15, 2011

AMENDED AND RESTATED ARTICLES OF INCORPORATION OF

ST. VINCENT de PAUL SOCIETY

DIOCESAN COUNCIL OF SOUTHEAST ALASKA, INC.

We, the undersigned, being resident, adult persons residing in the State of Alaska, have agreed to and do hereby associate ourselves for the purpose of incorporating as a benevolent, educational and charitable corporation under and pursuant to the laws of the State of Alaska, and to this end do hereby adopt and subscribe the following Amended and Restated Articles of Incorporation.

These Amended and Restated Articles of Incorporation correctly set out the provisions of the Articles of Incorporation as amended, they have been adopted as required by law and they supersede the original Articles of Incorporation and all amendments thereto.

ARTICLE I

The name of the corporation is "ST. VINCENT de PAUL SOCIETY DIOCESAN COUNCIL OF SOUTHEAST ALASKA, INC.

ARTICLE II

The corporation is to have perpetual existence.

ARTICLE III

The corporation is organized and operated exclusively for charitable, religious, educational, and scientific purposes, including, for such purposes, (a) to make distributions to organizations that qualify as exempt organizations under section 501(c)(3) of the Internal Revenue Code; (b) to construct; own and manage low income housing; and (c) to foster affordable housing opportunities for those in need in Southeast Alaska.

No part of the net earnings of the corporation shall inure to the benefit of, or be distributable to its members, trustees, officers, or other private persons, except that the corporation shall be authorized and empowered to pay reasonable compensation for service rendered and to make payments and distributions in furtherance of the purposes set forth in this Article III.

No substantial part of the activities of the corporation shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the corporation shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of or in opposition to any candidate for public office.

Notwithstanding any other provision of these Articles, the corporation shall not carry on any other activities not permitted to be carried on (a) by a charitable organization exempt from Federal income tax under section 501 (c) (3) of the Internal Revenue Code of 1986 or the corresponding provision of any future United States Internal Revenue Law) or (b) by a charitable organization contributions to which are deductible under section 170(c)(2) of the Internal Revenue Code of 1986 (or corresponding provision of any future United States Internal Revenue Law).

ARTICLE IV

The mailing address of the registered office of the corporation is P.O. Box 32819, Juneau, Alaska 99803. The physical address of the registered office of the corporation is 9309 Glacier Highway, Suite A201, Juneau, Alaska 99801, and the name of its registered agent at such address is Baxter Bruce & Sullivan P.C.

ARTICLE V

The corporation shall have no capital stock and the private property of the incorporators and members shall not be liable for the debts of the corporation.

ARTICLE VI

The management of this corporation shall be vested in a Board of Directors whose initial members shall consist of no less than three (3) nor more than nine (9) members. The exact number of subsequent members shall be fixed by the bylaws of this said corporation, as shall the qualifications, terms of office, manner of appointment, time and place of meetings, and powers and duties of such board of Directors. Board members shall receive no compensation for their services to the corporation; however, they may, if approved by the board prior to expenditure, be compensated for out-of-pocket expenses such as travel expenses incurred on behalf of the corporation.

ARTICLE VII

The president will appoint other directors after consultation with the council, and fill any vacancies caused by death, resignation or other causes, and should, for any reason, the

corporation ever be without directors, the then Roman Catholic Bishop of the Diocese of Juneau, Alaska, shall appoint three directors who will elect their new president. The newly elected president may then appoint other directors, to complete the Board of Directors.

ARTICLE VIII

Upon the dissolution or winding up of the corporation, its assets remaining after payment, or provision for payment, of all debts and liabilities of this corporation shall be distributed to a nonprofit fund, foundation or corporation which is organized and operated exclusively for charitable purposes and which has established its tax exempt status under Section 501(c) (3) of the Internal Revenue Code.

Any such assets not so disposed of shall be disposed of by a court of competent jurisdiction of the county in which the principal office of the corporation is then located, exclusively for such purposes or to such organization(s), as the court shall determine, which are organized and operated exclusively for such purposes.

ARTICLE IX

A ddwaga

The names and addresses of the corporation's Incorporators are as follows:

| Name | Address | |
|-----------------------|------------------------|------------------|
| Joseph M. Smith | P.O. Box 020409 | Juneau, AK 99802 |
| Paul E. Paradis | P.O. Box 32400 | Juneau, AK 99803 |
| Jacqueline D. Paradis | P.O. Box 32400 | Juneau, AK 99803 |
| Joan Heidersdorf | P.O. Box 020658 | Juneau, AK 99802 |
| Robert Crabtree | P.O. Box 021746 | Juneau, AK 99802 |
| Larry Welp | P.O. Box 020254 | Juneau, AK 99802 |
| Leroy Messing | 2780 Engineers Cut-off | Juneau, AK 99802 |
| Homer Beedle | 9435 Glacier Highway | Juneau, AK 99801 |
| Helen Bonnett | P.O. Box 34936 | Juneau, AK 99803 |
| | | |

The names and addresses of the corporation's present directors are as follows:

| Charles Van Kirk | P.O. Box 33883 | Juneau, AK 99802 |
|------------------|-------------------------|-------------------|
| Bob Rehfeld | 9309 Glacier Hwy. #B200 | Juneau, AK 99801 |
| Theresa Harris | P.O. Box 23194 | Juneau, AK 99802 |
| Ida Barnack | 8292 Garnet Street | Juneau, AK 99801 |
| Thomas Smith | 8617 Teal Street, #107 | Juneau, AK 99801 |
| Alan Rogers | P.O. Box 34401 | Juneau, AK 99803 |
| Anna Marg Rear | P.O. Box 240497 | Douglas, AK 99824 |

Amended and Restated Articles of Incorporation of St. Vincent De Paul Society Diocesan Council of Southeast Alaska, Inc. Page 3 of 4

Mama

Mindy Voigt 3264 Mendenhall Loop R. #3 Juneau, AK 99801

Barbara Bechtold 2564 Meadow Lane Juneau, AK 99801
Dan Austin 8617 Teal Street Juneau, AK 99801
Father Patrick Travers 9055 Atlin Drive Juneau, AK 99801

ARTICLE X

The seal of the corporation shall be two concentric circles with the words "ST. VINCENT de PAUL SOCIETY" and "DIOCESAN COUNCIL OF SOUTHEAST ALASKA, INC." inscribed thereon.

IN WITNESS WHEREOF, the undersigned have executed these Restated and Amended Articles of Incorporation this ____ day of January 2013.

updated 5-15-15 Numerical

SALES TAX EXEMPT NON-PROFIT ORGANIZATIONS

The following non-profit organizations are registered and approved to be exempt from paying sales tax in the Haines Borough. ANY NON-PROFIT ORGANIZATION THAT IS NOT LISTED SHALL BE CHARGED SALES TAX FOR THEIR PURCHASES. Please encourage those who insist they are exempt and not on this list, to stop by the Haines Borough office for further information. For questions and updates, please call 766-2231. Thank you.

| , | |
|----------|--|
| EXEMPT # | NAME OF ORGANIZATION |
| 101 | Lynn Canal Community Players Box 118, Haines, AK |
| 103 | Sheldon Museum & Cultural Center Chilkat Valley Historical Society Box 269, Haines, AK 99827 |
| 104 | Ak. Chilkat Bald Eagle Preserve Foundation, Box 213, Haines, AK 99827 |
| 105 | S.E. Alaska State Fair Box 385, Haines, AK 99827 |
| 106 | Ak. Community Develop. Corp. 6250 Tuttle Place #5, Anchorage, AK 99507 |
| 107 | Haines Headstart Box 192, Haines, AK 99827 |
| 108 | Haines Chamber of Commerce Box 1449, Haines, AK 99827 |
| 109 | Echo Ranch Bible Camp Box 156, Haines, AK 99827 |
| 110 | Chilkat Center for the Arts Box 1004, Haines, AK 99827 |
| 111 | Lynn Canal Counseling Services Box 90, Haines, AK 99827 |
| 112 | Lynn Canal Broadcasting Box 1109, Haines, AK 99827 |
| 113 | Chilkat Valley Pre-School Box 1165, Haines, AK 99827 |
| 114 | Salvation Army Box 550, Haines, AK 99827 |
| 115 | Klukwan Assembly of God Church Box 422, Haines, AK 99827 |
| 116 | Tlingit-Haida Regional Housing Box 32237, Juneau, AK 99803 |
| 119 | S.E. Ak. Area Council, Boy Scouts 9220 Lee Smith Drive Juneau, Alaska 99801 |

| EXEMPT # 120 | NAME OF ORGANIZATION Sacred Heart Catholic Church |
|---------------------|--|
| 121 | Box 673, Haines, AK 99827 Tongass Alaska Girl Scouts Troops #98, #99, #100, #101, #104 |
| 122 | Covenant Life Center HC 60, Box 2665, Haines, AK 99827 |
| 123 | Covenant Life College HC 60, Box 2665, Haines, AK 99827 |
| 125 | Friends of Recycling Box 822, Haines, AK 99827 |
| 127 | Port Chilkoot Bible Church Box 156, Haines, AK 99827 |
| 128 | Haines Presbyterian Church Box 264, Haines, AK 99827 |
| 129 | Haines Christian Center/Assembly of God Box 730, Haines, AK 99827 |
| 132 | Alaska Indian Arts, Inc. Box 271, Haines, AK 99827 |
| 133 | American Bald Eagle Foundation Box 49, Haines, AK 99827 |
| 134 | Hospice of Haines Box 1034, Haines, AK 99827 |
| 136 | Haines Senior Citizen Center Inc. Box 801, Haines, AK 99827 |
| 136.1 | Haines Senior Village Box 835, Haines, AK 99827 |
| 138 | Haines Animal Rescue Kennel Box 1533, Haines, AK 99827 |
| 139 | Tlingit-Haida Central Council 320 W. Willoughby, Suite 300 Juneau, AK 99801 |
| 140 | Duck's Unlimited Haines Chapter Box 628, Haines, AK 99827 |
| 141 | Friends of the Library Box 1089, Haines, AK 99827 |
| 142 | Haines Arts Council Box 505, Haines, AK 99827 |
| 143 | Church of Jesus Christ LDS Box 916, Haines, AK 99827 |
| 144 | Rural Ak. Comm. Action Program (RURAL CAP) |

| Non-Profit Organizations | |
|--------------------------|--|
| EXEMPT # | NAME OF ORGANIZATION P.O. Box 200908, Anchorage, AK 99510 |
| 146 | Haines Sportmans Assoc. Inc. Box 677, Haines, AK 99827 |
| 147 | American Legion Post #12 Box 452, Haines,AK 99827 |
| 148 | Lynn Canal Conservation, Inc. Box 964, Haines, AK 99827 |
| 150 | Northern S.E. Regional Aquaculture Assoc. (NSRAA) Box 1263, Haines, AK 99827 |
| 151 | REACH, Inc. Box 1484, Haines, AK 99827 |
| 153 | S.E. Ak. Regional Health Consortium (SEARHC), Box 1549, Haines, AK 99827 |
| 155 | Rainbow Glacier Camp Box 432, Haines, AK 99827 |
| 160 | AWARE, Inc. P.O. Box 20809, Juneau, AK 99802 |
| 161 | Nenana Ice Classic Box 00272, Nenana, AK 99760 |
| 162 | Big Brother Big Sister Box 148, Haines, AK 99827 |
| 163 | Haines Dolphins Swim Team Box 1367, Haines, AK 99827 |
| 164 | Tlingit Haida Regional Electrical Authority P.O. Box 210149 Auke Bay, AK 99821 |
| 165 | Chilkoot Indian Association Box 490, Haines, AK 99827 |
| 166 | Alaska Native Brotherhood & Sisterhood Box 749, Haines, Alaska 99827 |
| 167 | The Hammer Museum Box 702, Haines, Alaska 99827 |
| 169 | Catholic Community Services Haines Senior Center Box 801, Haines, AK 99827 |
| 170 | Haines Assisted Living, Inc. (HAL) c/o Box 916, Haines, AK 99827 (formerly St. Vincent de Paul, St. Lucy Conference) |
| 171 | Takshanuk Watershed Council Box 1029, Haines, Alaska 99827 |
| 172 | Haines Baptist Church Box 1245, Haines, Alaska 99827 |

| EXEMPT # | NAME OF ORGANIZATION |
|----------|---|
| 173 | American Red Cross of Alaska 3200 Hospital Dr., Suite 203 Juneau, AK 99801 |
| 174 | Alaska Arts Confluence Box 1664, Haines, AK 99827 |
| 175 | Impact Counseling Services, Inc. Box 631, Haines, AK 99827 |
| 176 | The Alaska Community Foundation 400 L Street, Ste 100, Anchorage, AK 99501 |
| 177 | S.E. Alaska Independent Living (SAIL) Box 183, Haines, AK 99827 |
| 178 | Alaska Chilkoot Bear Foundation, Inc. Box 1188, Haines, AK 99827 |
| 179 | St. Lucy's Senior Living Box 916, Haines, AK 99827 |
| 180 | Uglys of Haines Box 698, Haines, AK 99827 |
| 181 | Great Alaska Council, BSA 3117 Patterson St., Anchorage, AK 99504 |
| 182 | New Hope Fellowship HC60 Box 3161, Haines, AK 99827 |
| 183 | Great Bear Foundation of Montana Box 1616, Haines, AK 99827 |
| 184 | Foundation for the Chilkat Center for the Arts Box 464, Haines, AK 99827 |
| 185 | Becky's Place Haven of Hope Box 1506, Haines, AK 99827 |
| 186 | Breast Cancer Detection Center of Alaska 1905 Cowles Street Fairbanks, AK 99701 |
| 187 | Haines Hot Shots Box 250, Haines, AK 99827 |
| 188 | NRA and Friends of NRA Box 1519 Fritz Cove, AK 99603 |

SALES, SERVICES AND RENTALS TO OR BY A FOREIGN GOVERNMENT, THE U.S. GOVERNMENT, THE STATE OF ALASKA AND ITS POLITICAL SUBDIVISIONS AND MUNICIPALITIES AND THEIR POLITICAL SUBDIVISIONS ARE EXEMPT FROM SALES TAX. PAYMENT MUST BE MADE BY PURCHASE ORDER, GOVERNMENT CHECK, GOVERNMENT CHARGE CARDS OR THE SALE MUST BE BILLED TO THE GOVERNMENTAL ENTITY. CASH, PERSONAL CHECKS OR PERSONAL CHARGE CARDS FROM GOVERNMENT EMPLOYEES AT THE TIME OF THE SALE ARE NOT TAX-EXEMPT SALES. IF A CUSTOMER IS PERSONALLY KNOWN BY THE MERCHANT AND THE MERCHANT IS ASSURED THAT A PARTICULAR CASH SALE WOULD BE EXEMPT (SUCH AS A SCHOOL TEACHER PURCHASING A FEW SUPPLIES FOR HIS/HER CLASS FROM PETTY CASH FUNDS), THAT TYPE OF CASH SALE COULD BE SALES TAX EXEMPT

April 19, 2016

Memo: RE: Minor Offenses ordinance

TO: Assemblymembers, Mayor Jan Hill, Interim Manager Brad Ryan

The Minor Offenses ad hoc committee has met a dozen times since forming in November. We have worked on several aspects of the minor offense ordinance and worked hard to finalize our work by the assembly's April 26th deadline. In submitting our final list of recommendations to the borough attorney recently, he responded with several questions that need clarification from the committee. Instead of finalizing our draft ordinance to present to the assembly on April 26, we respectfully request an extension to complete our work. We are confident we can resolve our last round of recommendations and have them presented in a final draft to the assembly for the May 10th meeting.

Thank you for your consideration,
Margaret Friedenauer, secretary
and Committee members:
Bill Thomas, chair
Ron Jackson, acting chair
Mike Denker
Mike Case
Don Turner
Debra Vogt

Haines Borough Assembly Agenda Bill

Agenda Bill No.: 16-645
Assembly Meeting Date: 4/26/16

| Business Item Des | cription: | | Attachments: | | |
|-------------------------------------|--|----------------|--|--|--|
| Subject: Special Use Agr | eement for Routine Use | e of | 1. Resolution 16-04-668 | | |
| the PC Dock Lightering FI | C Dock Lightering Float - Hns-Skg Fast Ferry | | Proposed Special Use Agreement with schedule of dockings Harbormaster Recommendation | | |
| Originator: | | | | | |
| Harbormaster Originating Department | · | | 4. Page 15B, Port Tariff | | |
| Ports and Harbors | | | | | |
| Date Submitted: 4/15/16 | | | | | |
| | | | | | |
| Full Title/Motion: | 6.04.669 | | | | |
| Motion: Adopt Resolution | 6-04-668. | | | | |
| | | | | | |
| Administrative Rec | ommendation: | | | | |
| The Interim Manager reco | | | | | |
| Fiscal Impact: | | | | | |
| Expenditure Required | Amount Budgeted | Appr | opriation Required | Projected Impact to Future Operating Budgets | |
| \$ N/A | \$ | \$ | | | |
| Comprehensive Pla | n Consistency Re | eview | ': | | |
| Comp Plan Goals/Object | | | | _ | |
| Goal 3, Objective 3D | | | Consistent: Yes | □No | |
| Summary Stateme | nt· | | | | |
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| | | | | ering Float during the 2016 summer provides that a special use | |
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| Assembly Action: | | | | | |
| Meeting Date(s): 4/26/1 | 6 | | Public Hearing Dat | e(s): | |
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HAINES BOROUGH, ALASKA RESOLUTION No. 16-04-668

Draft

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to enter into a "special use agreement" with Haines-Skagway Fast Ferry, LLC for routine use of the Port Chilkoot Dock Lightering Float for the 2016 summer tourism season.

WHEREAS, the Haines-Skagway Fast Ferry, LLC (Fast Ferry) provides important visitor transportation between Haines and Skagway during the summer tourism and cruise ship season; and

WHEREAS, the Fast Ferry has requested a special docking and moorage services agreement for the 2016 summer tourism season for vessels known as the "Rachel Marie" and the "Fairweather Express";

WHEREAS, Rule 34.306 (page 15B) of the Port of Haines Terminal Tariff #3 provides that a special use agreement (SUA) for use on a permanent or routine basis may be approved by the Borough Assembly where per-docking fees shall apply as well as other charges for moorage extending beyond three hours and unmetered power use; and

WHEREAS the Haines Borough is willing to provide for dockings for two Fast Ferry vessels at the facility known as the "lightering float" at the Port Chilkoot Dock per a schedule attached to the agreement; and

WHEREAS, this agreement establishes special terms and conditions for docking and moorage for the 2016 summer tourism season,

NOW THEREFORE BE IT RESOLVED that the Haines Borough Assembly authorizes the borough manager to enter into a special use agreement (SUA) with Haines-Skagway Fast Ferry, LLC for the 2016 summer tourism season.

| Adopted | by a 2016 | • | quorum | of the | Haines | Borough | Assembly | this day of |
|-----------|--------------|------------------|--------|--------|--------|------------|------------|-------------|
| | | | | | | Janice | Hill, Mayo | or |
| Attest: | | | | | | | | |
| Julie Coz | zzi, MN | MC, Borough Cler | ·k | | | | | |

Haines Borough

SPECIAL USE AGREEMENT – 2016 Port Chilkoot Dock Lightering Facility

This Agreement is made and entered into this <u>day of</u>, <u>2016</u>, by and between the <u>Haines Borough</u>, a municipal corporation organized under the laws of the State of Alaska with its principal place of business at 103 Third Avenue S., Haines, Alaska 99827 ("the Borough") and <u>Haines-Skagway Fast Ferry, LLC</u>, a corporation with its principal place of business at P.O. Box 1488, Haines, Alaska 99827 ("the Customer"). Borough and the Customer are sometimes collectively referred to as "Parties."

The Parties agree as set forth below.

Article I - Purpose

This Agreement is entered into for the purpose of establishing terms and conditions of docking and moorage services provided by the Borough to the Customer during the 2016 summer tourism season for either of the Customer's vessels known as the "Rachel Marie" and the "Fairweather Express."

Article II - Site of Service Provided

The Borough will provide for dockings throughout the contract period, at the facility known as the "lightering float" at the Port Chilkoot Dock, Haines, Alaska.

Article III - Time of Commencement and Agreement Term

The services to be performed under this Agreement shall commence May 3, 2016. The Agreement shall end no later than September 27, 2016, or on any earlier date chosen by the Customer provided that 10-day advanced notification is given to the Borough in writing.

Article IV -Cost of the Dockage and Moorage

The Customer agrees to pay \$22.05 per landing at the lightering float. The lightering float is not intended to be used for extended moorage. The Customer agrees to use this facility to load and unload passengers in a timely manner. If the Customer wishes to remain moored longer than what is required for normal operations, an agreement must be made with the Harbormaster. If moorage continues for more than <u>3</u> consecutive hours, normal transient moorage rates shall apply. If the Customer wishes to use 30 amps unmetered electrical power, a fee of \$10 per day shall apply.

Article V- Non-Exclusive Use of the Lightering Float

The Customer shall not have exclusive use of the Lightering Float although this Agreement documents the Customer's priority use of it, according to the schedule provided. The Harbormaster may accommodate other vessels at the remaining unoccupied space, as appropriate, in his or her judgment.

Article VI – Billing by the Borough and Remittance of Payment

The Customer shall submit a monthly report of all Lightering Float activity, no later than the 4th day of each month to the Haines Harbormaster. Following this report, the Haines Harbormaster will then issue a monthly invoice to the Customer. The Customer shall remit payment to the Borough Administration office no later than the due date which the invoice reflects.

Article VIII- Insurance

The Customer shall maintain appropriate and required Insurance as may be required by regulatory agencies during the term of the Agreement.

<u>HAINES BOROUGH – PREFERENTIAL USE AGREEMENT</u> <u>Page 2 of 2</u>

Article IX - Termination of Contract

The Customer may terminate the Agreement at any time with 10 days advance written notice. The Borough may, in the judgment of the Harbormaster, terminate the Agreement at any time for cause, such as violation of provisions of Title 16 of the Haines Borough Code.

Article VII - Prohibition of Sublease

The Customer shall not sublease the space at the Lightering Dock as provided by the Borough under this Agreement.

Article X - Miscellaneous Provisions

The Borough's representative under this agreement shall be the Haines Borough Harbormaster or his designee.

This Agreement entered into as of the day and year first written above.

| BOROUGH | CUSTOMER |
|---|-------------------------------|
| Brad Ryan, Interim Borough Manager | Karen Hess, President |
| Haines Borough | Haines Skagway Fast Ferry LLC |
| Attest: | |
| Julie Cozzi, MMC, Borough Clerk Haines Borough | |

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| | Tuesday | 3:45 PM | 4:30 PM | S-H | |
| | Tuesday | 5:45 PM | 6:30 PM | S-H | |

| DEPART HAINES | | | | | |
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| | | DEPT | ARRIVAL | | |
| DATE | DAY | TIME | TIME | PORT | |
| | | | | | |
| 06/12/16 | Sunday | 1:00 PM | 1:45 PM | H-S | |
| | Sunday | 7:00 PM | 7:45 PM | H-S | |
| | , | | | | |
| 06/13/16 | Monday | 2:00 PM | 2:45 PM | H-S | |
| | Monday | 6:00 PM | 6:45 PM | H-S | |
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| 06/14/16 | Tuesday | 8:45 AM | 9:30 AM | H-S | |
| | Tuesday | 10:45 AM | 11:30 AM | H-S | |
| | Tuesday | 12:45 PM | 1:30 PM | H-S | |
| | Tuesday | 2:45 PM | 3:30 PM | H-S | |
| | Tuesday | 4:45 PM | 5:30 PM | H-S | |
| | Tuesday | 6:45 PM | 7:30 PM | H-S | |
| | | | | | |
| 06/15/16 | Wednesday | 6:45 AM | 7:30 AM | H-S | |
| | Wednesday | 9:15 AM | 10:00 AM | H-S | |
| | Wednesday | 11:15 AM | 12:00 PM | H-S | |
| | Wednesday | 1:15 PM | 2:00 PM | H-S | |
| | Wednesday | 3:15 PM | 4:00 PM | H-S | |
| | Wednesday | 5:15 PM | 6:00 PM | H-S | |
| | Wednesday | 7:05 PM | 7:50 PM | H-S | |
| | , | | | | |
| 06/16/15 | Thursday | 9:00 AM | 9:45 AM | H-S | |
| | Thursday | 11:00 AM | 11:45 AM | H-S | |
| | Thursday | 1:00 PM | 1:45 PM | H-S | |
| | Thursday | 3:00 PM | 3:45 PM | H-S | |
| | Thursday | 5:00 PM | 5:45 PM | H-S | |
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| 06/17/16 | Friday | 1:00 PM | 1:45 PM | H-S | |
| | Friday | 7:00 PM | 7:45 PM | H-S | |
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| 06/18/16 | Saturday | 1:00 PM | 1:45 PM | H-S | |
| | Saturday | 7:00 PM | 7:45 PM | H-S | |
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| 06/19/16 | Sunday | 1:00 PM | 1:45 PM | H-S | |
| 22/22/12 | | | | | |
| 06/20/16 | Monday | 1:00 PM | 1:45 PM | H-S | |
| | Monday | 7:00 PM | 7:45 PM | H-S | |
| 00/04/40 | T | 0.45 444 | 0.00 414 | 11.0 | |
| 06/21/16 | Tuesday | 8:45 AM | 9:30 AM | H-S | |
| | Tuesday | 10:45 AM | 11:30 AM | H-S | |
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| DEPART SKAGWAY | | | | |
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| | | DEPT | ARRIVAL | |
| DATE | DAY | TIME | TIME | PORT |
| 06/22/16 | Wednesday | 5:45 AM | 6:30 AM | S-H |
| | Wednesday | 8:15 AM | 9:00 AM | S-H |
| | Wednesday | 10:15 AM | 11:00 AM | S-H |
| | Wednesday | 12:15 PM | 1:00 PM | S-H |
| | Wednesday | 2:05 PM | 2:50 PM | S-H |
| | Wednesday | 4:15 PM | 5:00 PM | S-H |
| | Wednesday | 6:05 PM | 6:50 PM | S-H |
| | • | | | |
| 06/23/16 | Thursday | 8:00 AM | 8:45 AM | S-H |
| | Thursday | 10:00 AM | 10:45 AM | S-H |
| | Thursday | 12:00 PM | 12:45 PM | S-H |
| | Thursday | 2:00 PM | 2:45 PM | S-H |
| | Thursday | 4:00 PM | 4:45 PM | S-H |
| | , | | | |
| 06/24/16 | Friday | 8:00 AM | 8:45 AM | S-H |
| | Friday | 10:00 AM | 10:45 AM | S-H |
| | Friday | 2:00 PM | 2:45 PM | S-H |
| | Friday | 4:00 PM | 4:45 PM | S-H |
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| 06/25/16 | Saturday | 8:00 AM | 8:45 AM | S-H |
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| 06/26/16 | Sunday | 8:00 AM | 8:45 AM | S-H |
| | Sunday | 2:00 PM | 2:45 PM | S-H |
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| 06/27/16 | Monday | 9:00 AM | 9:45 AM | S-H |
| | Monday | 1:00 PM | 1:45 PM | S-H |
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| 06/28/16 | Tuesday | 7:45 AM | 8:30 AM | S-H |
| | Tuesday | 9:45 AM | 10:30 AM | S-H |
| | Tuesday | 11:45 AM | 12:30 PM | S-H |
| | Tuesday | 1:45 PM | 2:30 PM | S-H |
| | Tuesday | 3:45 PM | 4:30 PM | S-H |
| | Tuesday | 5:45 PM | 6:30 PM | S-H |
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| 06/29/16 | Wednesday | 5:45 AM | 6:30 AM | S-H |
| | Wednesday | 8:15 AM | 9:00 AM | S-H |
| | Wednesday | 10:15 AM | 11:00 AM | S-H |
| | Wednesday | 12:15 PM | 1:00 PM | S-H |
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| | | DEPT | ARRIVAL | | | |
| DATE | DAY | TIME | TIME | PORT | | |
| 06/22/16 | Wednesday | 6:45 AM | 7:30 AM | H-S | | |
| | Wednesday | 9:15 AM | 10:00 AM | H-S | | |
| | Wednesday | 11:15 AM | 12:00 PM | H-S | | |
| | Wednesday | 1:15 PM | 2:00 PM | H-S | | |
| | Wednesday | 3:15 PM | 4:00 PM | H-S | | |
| | Wednesday | 5:15 PM | 6:00 PM | H-S | | |
| | Wednesday | 7:05 PM | 7:50 PM | H-S | | |
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| 06/23/15 | Thursday | 9:00 AM | 9:45 AM | H-S | | |
| | Thursday | 11:00 AM | 11:45 AM | H-S | | |
| | Thursday | 1:00 PM | 1:45 PM | H-S | | |
| | Thursday | 3:00 PM | 3:45 PM | H-S | | |
| | Thursday | 5:00 PM | 5:45 PM | H-S | | |
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| 06/24/16 | Friday | 9:00 AM | 9:45 AM | H-S | | |
| | Friday | 1:00 PM | 1:45 PM | H-S | | |
| | Friday | 3:00 PM | 3:45 PM | H-S | | |
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| 06/25/16 | Saturday | 1:00 PM | 1:45 PM | H-S | | |
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| 06/26/16 | Sunday | 1:00 PM | 1:45 PM | H-S | | |
| | Sunday | 7:00 PM | 7:45 PM | H-S | | |
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| 06/27/16 | Monday | 2:00 PM | 2:45 PM | H-S | | |
| | Monday | 6:00 PM | 6:45 PM | H-S | | |
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| 06/28/16 | Tuesday | 8:45 AM | 9:30 AM | H-S | | |
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| | Tuesday | 12:45 PM | 1:45 PM | H-S | | |
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| 06/29/16 | Wednesday | 6:45 AM | 7:30 AM | H-S | | |
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| | Wednesday | 5:15 PM | 6:00 PM | H-S | | |
| | Wednesday | 7:05 PM | 7:50 PM | H-S | | |

| DEPART SKAGWAY | | | | | | | |
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| DEPT ARRIVAL | | | | | | | |
| DATE | DAY | TIME | TIME | PORT | | | |
| 06/30/16 | Thursday | 8:00 AM | 8:45 AM | S-H | | | |
| | Thursday | 10:00 AM | 10:45 AM | S-H | | | |
| | Thursday | 12:00 PM | 12:45 PM | S-H | | | |
| | Thursday | 2:00 PM | 2:45 PM | S-H | | | |
| | Thursday | 4:00 PM | 4:45 PM | S-H | | | |
| | | | | | | | |
| 07/01/16 | Friday | 8:00 AM | 8:45 AM | S-H | | | |
| | Friday | 2:00 PM | 2:45 PM | S-H | | | |
| 07/02/16 | Saturday | 8:00 AM | 8:45 AM | S-H | | | |
| 01702710 | Saturday | 2:00 PM | 2:45 PM | S-H | | | |
| | Cataraay | 2.001111 | 2.101111 | <u> </u> | | | |
| 07/03/16 | Sunday | 8:00 AM | 8:45 AM | S-H | | | |
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| 07/04/16 | Monday | 8:00 AM | 8:45 PM | S-H | | | |
| | Monday | 10:00 AM | 10:45 AM | S-H | | | |
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| 07/05/16 | Tuesday | 7:45 AM | 8:30 AM | S-H | | | |
| | Tuesday | 9:45 AM | 10:30 AM | S-H | | | |
| | Tuesday | 11:45 AM | 12:30 PM | S-H | | | |
| | Tuesday | 1:45 PM | 2:30 PM | S-H | | | |
| | Tuesday | 3:45 PM | 4:30 PM | S-H | | | |
| | Tuesday | 5:45 PM | 6:30 PM | S-H | | | |
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| 07/06/16 | Wednesday | 5:45 AM | 6:30 AM | S-H | | | |
| | Wednesday | 8:15 AM | 9:00 AM | S-H | | | |
| | Wednesday | 10:15 AM | 11:00 AM | S-H | | | |
| | Wednesday | 12:15 PM | 1:00 PM | S-H | | | |
| | Wednesday | 2:05 PM | 2:50 PM | S-H | | | |
| | Wednesday | 4:15 PM | 5:00 PM | S-H | | | |
| | Wednesday | 6:05 PM | 6:50 PM | S-H | | | |
| 07/07/16 | Thursday | 8:00 AM | 8:45 AM | S-H | | | |
| 01/01/10 | Thursday | 10:00 AM | 10:45 AM | S-H | | | |
| | Thursday | 12:00 PM | 12:45 PM | S-H | | | |
| | Thursday | 2:00 PM | 2:45 PM | S-H | | | |
| | Thursday | 4:00 PM | 4:45 PM | S-H | | | |
| | arcaay | | 10 1 111 | J | | | |
| 07/08/16 | Friday | 8:00 AM | 8:45 AM | S-H | | | |
| | Friday | 2:00 PM | 2:45 PM | S-H | | | |
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| 07/09/16 | Saturday | 8:00 AM | 8:45 AM | S-H | | | |
| 07/10/16 | Sunday | 8:00 AM | 8:45 AM | S-H | | | |
| 01/10/10 | Sunday | 2:00 PM | 2:45 PM | S-H | | | |
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| 06/30/15 | Thursday | 9:00 AM | 9:45 AM | H-S | | | |
| | Thursday | 11:00 AM | 11:45 AM | H-S | | | |
| | Thursday | 1:00 PM | 1:45 PM | H-S | | | |
| | Thursday | 3:00 PM | 3:45 PM | H-S | | | |
| | Thursday | 5:00 PM | 5:45 PM | H-S | | | |
| 07/01/16 | Friday | 1:00 PM | 1:45 PM | H-S | | | |
| 01/01/10 | Friday | 7:00 PM | 7:45 PM | H-S | | | |
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| 07/02/16 | Saturday | 1:00 PM | 1:45 PM | H-S | | | |
| | Saturday | 7:00 PM | 7:45 PM | H-S | | | |
| 07/03/16 | Sunday | 1:00 PM | 1:45 PM | H-S | | | |
| 01/03/10 | Odriday | 1.00 1 101 | 1.401 W | 11.0 | | | |
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| 07/05/16 | Tuesday | 8:45 AM | 9:30 AM | H-S | | | |
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| 07/06/46 | Wadaaaday | C:4E AM | 7:20 11 | ЦС | | | |
| 07/06/16 | Wednesday | 6:45 AM | 7:30 AM | H-S | | | |
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| 07/07/15 | Thursday | 9:00 AM | 9:45 AM | H-S | | | |
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| 07/08/16 | Friday | 1:00 PM | 1:45 PM | H-S | | | |
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| 07/09/16 | Saturday | 1:00 PM | 1:45 PM | H-S | | | |
| 07/10/16 | Sunday | 1:00 PM | 1:45 PM | H-S | | | |
| 37,10,10 | Sunday | 7:00 PM | 7:45 PM | H-S | | | |

| DEPART SKAGWAY | | | | | | | |
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| | | DEPT | ARRIVAL | | | | |
| DATE | DAY | TIME | TIME | PORT | | | |
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| 07/11/16 | Monday | 9:00 AM | 9:45 AM | S-H | | | |
| | Monday | 1:00 PM | 1:45 PM | S-H | | | |
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| 07/12/16 | Tuesday | 7:45 AM | 8:30 AM | S-H | | | |
| | Tuesday | 9:45 AM | 10:30 AM | S-H | | | |
| | Tuesday | 11:45 AM | 12:30 PM | S-H | | | |
| | Tuesday | 1:45 PM | 2:30 PM | S-H | | | |
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| 07/13/16 | Wednesday | 5:45 AM | 6:30 AM | S-H | | | |
| | Wednesday | 8:15 AM | 9:00 AM | S-H | | | |
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| 07/14/16 | Thursday | 8:00 AM | 8:45 AM | S-H | | | |
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| 07/16/16 | Saturday | 8:00 AM | 8:45 AM | S-H | | | |
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| 07/17/16 | Sunday | 8:00 AM | 8:45 AM | S-H | | | |
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| 07/18/16 | Monday | 8:00 AM | 8:45 AM | S-H | | | |
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| 07/19/16 | Tuesday | 7:45 AM | 8:30 AM | S-H | | | |
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| DEPART HAINES | | | | | | | |
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| | | DEPT | ARRIVAL | | | | |
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| 07/11/16 | Monday | 2:00 PM | 2:45 PM | H-S | | | |
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| 07/12/16 | Tuesday | 8:45 AM | 9:30 AM | H-S | | | |
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| DEPART SKAGWAY | | | | | | | | |
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| DEPT ARRIVAL | | | | | | | | |
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| 07/20/16 | Wednesday | 5:45 AM | 6:30 AM | S-H | | | | |
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| 07/21/16 | Thursday | 8:00 AM | 8:45 AM | S-H | | | | |
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| 07/22/16 | Friday | 8:00 AM | 8:45 AM | S-H | | | | |
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| 07/24/16 | Sunday | 8:00 AM | 8:45 AM | S-H | | | | |
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| DATE | DAY | TIME | TIME | PORT | | | |
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| 07/20/16 | Wednesday | 6:45 AM | 7:30 AM | H-S | | | |
| | Wednesday | 9:15 AM | 10:00 AM | H-S | | | |
| | Wednesday | 11:15 AM | 12:00 PM | H-S | | | |
| | Wednesday | 1:15 PM | 2:00 PM | H-S | | | |
| | Wednesday | 3:15 PM | 4:00 PM | H-S | | | |
| | Wednesday | 5:15 PM | 6:00 PM | H-S | | | |
| | Wednesday | 7:05 PM | 7:50 PM | H-S | | | |
| | | | | | | | |
| 07/21/16 | Thursday | 9:00 AM | 9:45 AM | H-S | | | |
| | Thursday | 11:00 AM | 11:45 AM | H-S | | | |
| | Thursday | 1:00 PM | 1:45 PM | H-S | | | |
| | Thursday | 3:00 PM | 3:45 PM | H-S | | | |
| | Thursday | 5:00 PM | 5:45 PM | H-S | | | |
| | | | | | | | |
| 07/22/16 | Friday | 1:00 PM | 1:45 PM | H-S | | | |
| | Friday | 7:00 PM | 7:45 PM | H-S | | | |
| | | | | | | | |
| 07/23/16 | Saturday | 1:00 PM | 1:45 PM | H-S | | | |
| 07/24/16 | Sunday | 1:00 PM | 1:45 PM | H-S | | | |
| 01721710 | Sunday | 7:00 PM | 7:45 PM | H-S | | | |
| | <u> </u> | | | | | | |
| 07/25/16 | Monday | 1:00 PM | 1:45 PM | H-S | | | |
| | Monday | 3:00 PM | 3:45 PM | H-S | | | |
| | Monday | 6:45 PM | 6:30 PM | H-S | | | |
| | • | | | | | | |
| 07/26/16 | Tuesday | 8:45 AM | 9:30 AM | H-S | | | |
| | Tuesday | 10:45 AM | 11:30 AM | H-S | | | |
| | Tuesday | 12:45 PM | 1:30 PM | H-S | | | |
| | Tuesday | 2:45 PM | 3:30 PM | H-S | | | |
| | Tuesday | 4:45 PM | 5:30 PM | H-S | | | |
| | Tuesday | 6:45 PM | 7:30 PM | H-S | | | |
| | | | | | | | |
| 07/27/16 | Wednesday | 6:45 AM | 7:30 AM | H-S | | | |
| | Wednesday | 9:15 AM | 10:00 AM | H-S | | | |
| | Wednesday | 11:15 AM | 12:00 PM | H-S | | | |
| | Wednesday | 1:15 PM | 2:00 PM | H-S | | | |
| | Wednesday | 3:15 PM | 4:00 PM | H-S | | | |
| | Wednesday | 5:15 PM | 6:00 PM | H-S | | | |
| | Wednesday | 7:05 PM | 8:50 PM | H-S | | | |

| DEPART SKAGWAY | | | | | | |
|----------------|-----------|----------|----------|------|--|--|
| DEPT ARRIVAL | | | | | | |
| DATE | DAY | TIME | TIME | PORT | | |
| | | | | | | |
| 07/28/16 | Thursday | 8:00 AM | 8:45 AM | S-H | | |
| | Thursday | 10:00 AM | 10:45 AM | S-H | | |
| | Thursday | 12:00 PM | 12:45 PM | S-H | | |
| | Thursday | 2:00 PM | 2:45 PM | S-H | | |
| | Thursday | 4:00 PM | 4:45 PM | S-H | | |
| | - | | | | | |
| 07/29/16 | Friday | 8:00 AM | 8:45 AM | S-H | | |
| | Friday | 2:00 PM | 2:45 PM | S-H | | |
| | | | | | | |
| 07/30/16 | Saturday | 8:00 AM | 8:45 AM | S-H | | |
| | Saturday | 2:00 PM | 2:45 PM | S-H | | |
| | | | | | | |
| 07/31/16 | Sunday | 10:00 AM | 10:45 AM | S-H | | |
| | - | | | | | |
| 08/01/16 | Monday | 8:00 AM | 8:45 AM | S-H | | |
| | Monday | 2:00 PM | 2:45 PM | S-H | | |
| | | | | | | |
| 08/02/16 | Tuesday | 7:45 AM | 8:30 AM | S-H | | |
| | Tuesday | 9:45 AM | 10:30 AM | S-H | | |
| | Tuesday | 11:45 AM | 12:30 PM | S-H | | |
| | Tuesday | 1:45 PM | 2:30 PM | S-H | | |
| | Tuesday | 3:45 PM | 4:30 PM | S-H | | |
| | Tuesday | 5:45 PM | 6:30 PM | S-H | | |
| • | - | | | | | |
| 08/03/16 | Wednesday | 5:45 AM | 6:30 AM | S-H | | |
| | Wednesday | 8:15 AM | 9:00 AM | S-H | | |
| | Wednesday | 10:15 AM | 11:00 AM | S-H | | |
| | Wednesday | 12:15 PM | 1:00 PM | S-H | | |
| | Wednesday | 2:05 PM | 2:50 PM | S-H | | |
| | Wednesday | 4:15 PM | 5:00 PM | S-H | | |
| | Wednesday | 6:05 PM | 6:50 PM | S-H | | |
| | | | | | | |
| 08/04/16 | Thursday | 8:00 AM | 8:45 AM | S-H | | |
| | Thursday | 10:00 AM | 10:45 AM | S-H | | |
| | Thursday | 12:00 PM | 2:45 PM | S-H | | |
| | Thursday | 1:30 PM | 2:15 PM | S-H | | |
| | Thursday | 2:00 PM | 2:45 PM | S-H | | |
| | Thursday | 4:00 PM | 4:45 PM | S-H | | |
| | | | | | | |
| 08/05/16 | Friday | 8:00 AM | 8:45 AM | S-H | | |
| | Friday | 2:00 PM | 2:45 PM | S-H | | |
| | | | | | | |
| 08/06/16 | Saturday | 8:00 AM | 8:45 AM | S-H | | |

| DEPART HAINES | | | | | | |
|---------------|-----------|-------------|------------------------|------|--|--|
| | | DEPT | ARRIVAL | | | |
| DATE | DAY | TIME | TIME | PORT | | |
| | | | | | | |
| 07/28/16 | Thursday | 9:00 AM | 9:45 AM | H-S | | |
| | Thursday | 11:00 AM | 11:45 AM | H-S | | |
| | Thursday | 1:00 PM | 1:45 PM | H-S | | |
| | Thursday | 3:00 PM | 3:45 PM | H-S | | |
| | Thursday | 5:00 PM | 5:45 PM | H-S | | |
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| 07/29/16 | Friday | 1:00 PM | 1:45 PM | H-S | | |
| | Friday | 7:00 PM | 7:45 PM | H-S | | |
| | | | | | | |
| 07/30/16 | Saturday | 1:00 PM | 1:45 PM | H-S | | |
| | Saturday | 7:00 PM | 7:45 PM | H-S | | |
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| 07/31/16 | Sunday | 3:00 PM | 3:45 PM | H-S | | |
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| 08/01/16 | Monday | 1:00 PM | 1:45 PM | H-S | | |
| | Monday | 7:00 PM | 7:45 PM | H-S | | |
| | y | | | | | |
| 08/02/16 | Tuesday | 8:45 AM | 9:30 AM | H-S | | |
| 00,00,00 | Tuesday | 10:45 AM | 11:30 AM | H-S | | |
| | Tuesday | 12:45 PM | 1:30 PM | H-S | | |
| | Tuesday | 2:45 PM | 3:30 PM | | | |
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| 08/03/16 | Wednesday | 6:45 AM | 7:30 AM | H-S | | |
| 00,00,10 | Wednesday | 9:15 AM | 10:00 AM | H-S | | |
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| | Wednesday | 5:15 PM | 6:00 PM | H-S | | |
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| 08/04/16 | Thursday | 9:00 AM | 9:45 AM | H-S | | |
| 00/01/10 | Thursday | 11:00 AM | 11:45 AM | H-S | | |
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| 08/05/16 | Friday | 1:00 PM | 1:45 PM | H-S | | |
| 30/00/10 | Friday | 7:00 PM | 7:45 PM | H-S | | |
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| 08/06/16 | Saturday | 1:00 PM | 1:45 PM | H-S | | |
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| | DEPART SKAGWAY | | | | | | | |
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| | | DEPT | ARRIVAL | | | | | |
| DATE | DAY | TIME | TIME | PORT | | | | |
| | | | | | | | | |
| 08/07/16 | Sunday | 8:00 AM | 8:45 AM | S-H | | | | |
| | Sunday | 2:00 PM | 2:45 PM | S-H | | | | |
| | | | | | | | | |
| 08/08/16 | Monday | 9:00 AM | 9:45 AM | S-H | | | | |
| | Monday | 1:00 PM | 1:45 PM | S-H | | | | |
| | , | | | | | | | |
| 08/09/16 | Tuesday | 7:45 AM | 8:30 AM | S-H | | | | |
| | Tuesday | 9:45 AM | 10:30 AM | S-H | | | | |
| | Tuesday | 11:45 AM | 12:30 PM | S-H | | | | |
| | Tuesday | 1:45 PM | 2:30 PM | S-H | | | | |
| | Tuesday | 3:45 PM | 4:30 PM | S-H | | | | |
| | Tuesday | 5:45 PM | 6:30 PM | S-H | | | | |
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| 08/10/16 | Wednesday | 5:45 AM | 6:30 AM | S-H | | | | |
| | Wednesday | 8:15 AM | 9:00 AM | S-H | | | | |
| | Wednesday | 10:15 AM | 11:00 AM | S-H | | | | |
| | Wednesday | 12:15 PM | 1:00 PM | S-H | | | | |
| | Wednesday | 2:05 PM | 2:50 PM | S-H | | | | |
| | Wednesday | 4:15 PM | 5:00 PM | S-H | | | | |
| | Wednesday | 6:05 PM | 6:50 PM | S-H | | | | |
| | | | | | | | | |
| 08/11/16 | Thursday | 8:00 AM | 8:45 AM | S-H | | | | |
| | Thursday | 10:00 AM | 10:45 AM | S-H | | | | |
| | Thursday | 1:30 PM | 2:15 PM | S-H | | | | |
| | Thursday | 2:00 PM | 2:45 PM | S-H | | | | |
| | | | | | | | | |
| 08/12/16 | Friday | 8:00 AM | 8:45 AM | S-H | | | | |
| | Friday | 2:00 PM | 2:45 PM | S-H | | | | |
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| 08/13/16 | Saturday | 8:00 AM | 8:45 AM | S-H | | | | |
| | Saturday | 10:00 AM | 10:45 AM | S-H | | | | |
| | Saturday | 2:00 PM | 2:45 PM | S-H | | | | |
| | Saturday | 4:00 PM | 4:45 PM | S-H | | | | |
| | | | | | | | | |
| 08/14/16 | Sunday | 8:00 AM | 8:45 AM | S-H | | | | |
| | | | | | | | | |
| 08/15/16 | Monday | 8:00 AM | 8:45 AM | S-H | | | | |
| | Monday | 10:00 PM | 10:45 PM | S-H | | | | |

| DEPART HAINES | | | | | | | |
|---------------|-----------|----------|----------|-------------|--|--|--|
| | | DEPT | ARRIVAL | | | | |
| DATE | DAY | TIME | TIME | PORT | | | |
| | | | | | | | |
| 08/07/16 | Sunday | 1:00 PM | 1:45 PM | H-S | | | |
| | Sunday | 7:00 PM | 7:45 PM | H-S | | | |
| | , | | | | | | |
| 08/08/16 | Monday | 2:00 PM | 2:45 PM | H-S | | | |
| | Monday | 6:00 PM | 6:45 PM | H-S | | | |
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| 08/09/16 | Tuesday | 8:45 AM | 9:30 AM | H-S | | | |
| | Tuesday | 10:45 AM | 11:30 AM | H-S | | | |
| | Tuesday | 12:45 PM | 1:30 PM | H-S | | | |
| | Tuesday | 2:45 PM | 3:30 PM | | | | |
| | Tuesday | 4:45 PM | 5:30 PM | H-S | | | |
| | Tuesday | 6:45 PM | 7:30 PM | H-S | | | |
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| 08/10/16 | Wednesday | 6:45 AM | 7:30 AM | H-S | | | |
| | Wednesday | 9:15 AM | 10:00 AM | H-S | | | |
| | Wednesday | 11:15 AM | 12:00 PM | H-S | | | |
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| | Wednesday | 5:15 PM | 6:00 PM | H-S | | | |
| | Wednesday | 7:05 PM | 7:50 PM | H-S | | | |
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| 08/11/16 | Thursday | 9:00 AM | 9:45 AM | H-S | | | |
| | Thursday | 1:00 PM | 1:45 PM | H-S | | | |
| | Thursday | 3:00 PM | 3:45 PM | H-S | | | |
| | Thursday | 6:30 PM | 7:15 PM | H-S | | | |
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| 08/12/16 | Friday | 1:00 PM | 1:45 PM | H-S | | | |
| | Friday | 7:00 PM | 7:45 PM | H-S | | | |
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| 08/13/16 | Saturday | 9:00 AM | 9:45 AM | H-S | | | |
| | Saturday | 1:00 PM | 1:45 PM | H-S | | | |
| | Saturday | 3:00 PM | 3:45 PM | H-S | | | |
| | Saturday | 7:00 PM | 7:45 PM | H-S | | | |
| | | | | | | | |
| 08/14/16 | Sunday | 1:00 PM | 1:45 PM | H-S | | | |
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| 08/15/16 | Monday | 1:00 PM | 1:45 PM | H-S | | | |
| | Monday | 3:00 PM | 3:45 PM | H-S | | | |

| | DEPAR | T SKAGW | 'AY | | DEPART HAINES | | | | | |
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| | 22.7.00 | DEPT | ARRIVAL | | | | 52. / | DEPT | ARRIVAL | |
| DATE | DAY | TIME | TIME | PORT | | DATE | DAY | TIME | TIME | PORT |
| DITTE | Ditti | THVIL | 1 11111 | TORT | | DATE | Ditti | 1 11111 | 111112 | 1 01(1 |
| 08/16/16 | Tuesday | 7:45 AM | 8:30 AM | S-H | | 08/16/16 | Tuesday | 8:45 AM | 9:30 AM | H-S |
| | Tuesday | 9:45 AM | 10:30 AM | S-H | | | Tuesday | 10:45 AM | 11:30 AM | H-S |
| | Tuesday | 11:45 AM | 12:30 PM | S-H | | | Tuesday | 12:45 PM | 1:30 PM | H-S |
| | Tuesday | 1:45 PM | 2:30 PM | S-H | | | Tuesday | 2:45 PM | 3:30 PM | |
| | Tuesday | 3:45 PM | 4:30 PM | S-H | | | Tuesday | 4:45 PM | 5:30 PM | H-S |
| | Tuesday | 5:45 PM | 6:30 PM | S-H | | | Tuesday | 6:45 PM | 7:30 PM | H-S |
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| 08/17/16 | Wednesday | 5:45 AM | 6:30 AM | S-H | | 08/17/16 | Wednesday | 6:45 AM | 7:30 AM | H-S |
| | Wednesday | 8:15 AM | 9:00 AM | S-H | | | Wednesday | 9:15 AM | 10:00 AM | H-S |
| | Wednesday | 10:15 AM | 11:00 AM | S-H | | | Wednesday | 11:15 AM | 12:00 PM | H-S |
| | Wednesday | 12:15 PM | 1:00 PM | S-H | | | Wednesday | 1:15 PM | 2:00 PM | H-S |
| | Wednesday | 2:05 PM | 2:50 PM | S-H | | | Wednesday | 3:15 PM | 4:00 PM | H-S |
| | Wednesday | 4:15 PM | 5:00 PM | S-H | | | Wednesday | 5:15 PM | 6:00 PM | H-S |
| | Wednesday | 6:05 PM | 6:50 PM | S-H | | | Wednesday | 7:05 PM | 7:50 PM | H-S |
| | | | | | - | | | | | |
| 08/18/16 | Thursday | 8:00 AM | 8:45 AM | S-H | | 08/18/16 | Thursday | 9:00 AM | 9:45 AM | H-S |
| | Thursday | 10:00 AM | 10:45 AM | S-H | | | Thursday | 1:00 PM | 1:45 PM | H-S |
| | Thursday | 1:30 PM | 2:15 PM | S-H | | | Thursday | 3:00 PM | 3:45 PM | H-S |
| | Thursday | 2:00 PM | 2:45 PM | S-H | | | Thursday | 6:30 PM | 7:15 PM | H-S |
| | | | | | | | | | | |
| 08/19/16 | Friday | 8:00 AM | 8:45 AM | S-H | | 08/19/16 | Friday | 1:00 PM | 1:45 PM | H-S |
| | Friday | 2:00 PM | 2:45 PM | S-H | | | Friday | 7:00 PM | 7:45 PM | H-S |
| | | | | | | | | | | |
| 08/20/16 | Saturday | 8:00 AM | 8:45 AM | S-H | | 08/20/16 | Saturday | 1:00 PM | 1:45 PM | H-S |
| | | | | | · | | | | | |
| 08/21/16 | Sunday | 8:00 AM | 8:45 AM | S-H | | 08/21/16 | Sunday | 1:00 PM | 1:45 PM | H-S |
| | Sunday | 2:00 PM | 2:45 PM | S-H | | | Sunday | 7:00 PM | 7:45 PM | H-S |
| | · · | | | | | | j | | | |
| 08/22/16 | Monday | 9:00 AM | 9:45 AM | S-H | | 08/22/16 | Monday | 2:00 PM | 2:45 PM | H-S |
| | Monday | 1:00 PM | 1:45 PM | S-H | | | Monday | 6:00 PM | 6:45 PM | H-S |
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| 08/23/16 | Tuesday | 7:45 AM | 8:30 AM | S-H | | 08/23/16 | Tuesday | 8:45 AM | 9:30 AM | H-S |
| | Tuesday | 9:45 AM | 10:30 AM | S-H | | | Tuesday | 10:45 AM | 11:30 AM | H-S |
| | Tuesday | 11:45 AM | 12:30 PM | S-H | | | Tuesday | 12:45 PM | 1:30 PM | H-S |
| | Tuesday | 1:45 PM | 2:30 PM | S-H | | | Tuesday | 2:45 PM | 3:30 PM | |
| | Tuesday | 3:45 PM | 4:30 PM | S-H | | | Tuesday | 4:45 PM | 5:30 PM | H-S |
| | Tuesday | 5:45 PM | 6:30 PM | S-H | | | Tuesday | 6:45 PM | 7:30 PM | H-S |

| DEPART SKAGWAY | | | | | | | |
|----------------|------------------------|-----------|---------------------|------------|--|--|--|
| DEPT ARRIVAL | | | | | | | |
| DATE | DAY | TIME | TIME | PORT | | | |
| 08/24/16 | Wednesday | 5:45 AM | 6:30 AM | S-H | | | |
| | Wednesday | 8:15 AM | 9:00 AM | S-H | | | |
| | Wednesday | 10:15 AM | 11:00 AM | S-H | | | |
| | Wednesday | 12:15 PM | 1:00 PM | S-H | | | |
| | Wednesday | 2:05 PM | 2:50 PM | S-H | | | |
| | Wednesday | 4:15 PM | 5:00 PM | S-H | | | |
| | Wednesday | 6:05 PM | 6:50 PM | S-H | | | |
| | | | | | | | |
| 08/25/16 | Thursday | 8:00 AM | 8:45 AM | S-H | | | |
| 00,-0,10 | Thursday | 2:00 PM | 2:45 PM | S-H | | | |
| | | | | | | | |
| 08/26/16 | Friday | 8:00 AM | 8:45 AM | S-H | | | |
| 30,20,10 | Friday | 2:00 PM | 2:45 PM | S-H | | | |
| | . Haay | ivi | 10 i ivi | <u> </u> | | | |
| 08/27/16 | Saturday | 8:00 AM | 8:45 AM | S-H | | | |
| 00/21/10 | Saturday | 2:00 PM | 2:45 PM | S-H | | | |
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| 08/29/16 | Monday | 8:00 AM | 8:45 AM | S-H | | | |
| 00/23/10 | Monday | 2:00 PM | 2:45 PM | S-H S-H | | | |
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| 08/30/16 | Tuesday | 7:45 AM | 8:30 AM | S-H | | | |
| 00/00/10 | Tuesday | 9:45 AM | 10:30 AM | S-H | | | |
| | Tuesday | 11:45 AM | 12:30 PM | S-H | | | |
| | Tuesday | 1:45 PM | 2:30 PM | S-H | | | |
| | Tuesday | 3:45 PM | 4:30 PM | S-H | | | |
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| | Tuesuay | 5.45 F W | 0.30 F W | 3-11 | | | |
| 08/31/16 | Wednesday | 5:45 AM | 6:30 AM | S-H | | | |
| 00/31/10 | | 8:15 AM | | | | | |
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| 00/04/40 | Thurston | 0.00 484 | 0.45 ^ 8.4 | C 1 1 | | | |
| 09/01/16 | Thursday | 8:00 AM | 8:45 AM | S-H | | | |
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| 00/00/40 | ETT | 0.00 454 | 0.45.44 | 0 1 1 | | | |
| 09/02/16 | Friday | 8:00 AM | 8:45 AM | S-H | | | |
| | Friday | 10:00 AM | 10:45 AM | S-H | | | |
| | Friday | 2:00 PM | 2:45 PM | S-H | | | |
| | Friday | 4:00 PM | 4:45 PM | S-H | | | |
| | | | | | | | |
| 09/03/16 | Saturday | 8:00 AM | 8:45 AM | S-H | | | |

| DEPART HAINES | | | | | | |
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| | | DEPT | ARRIVAL | | | |
| DATE | DAY | TIME | TIME | PORT | | |
| 08/24/16 | Wednesday | 6:45 AM | 7:30 AM | H-S | | |
| 00/2 1/ 10 | Wednesday | 9:15 AM | 10:00 AM | H-S | | |
| | Wednesday | 11:15 AM | 12:00 PM | H-S | | |
| | Wednesday | 1:15 PM | 2:00 PM | H-S | | |
| | Wednesday | 3:15 PM | 4:00 PM | H-S | | |
| | Wednesday | 5:15 PM | 6:00 PM | H-S | | |
| | Wednesday | 7:05 PM | 7:50 PM | H-S | | |
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| 08/25/16 | Thursday | 1:00 PM | 1:45 PM | H-S | | |
| | Thursday | 7:00 PM | 7:45 PM | H-S | | |
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| 08/26/16 | Friday | 1:00 PM | 1:45 PM | H-S | | |
| | Friday | 7:00 PM | 7:45 PM | H-S | | |
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| 08/27/16 | Saturday | 1:00 PM | 1:45 PM | H-S | | |
| | Saturday | 7:00 PM | 7:45 PM | H-S | | |
| | | | | | | |
| 08/29/16 | Saturday Saturday | 1:00 PM | 1:45 PM | H-S | | |
| | Saturday | 7:00 PM | 7:45 PM | H-S | | |
| 22/22/12 | | | | | | |
| 08/30/16 | Tuesday | 8:45 AM | 9:30 AM | H-S | | |
| | Tuesday | 10:45 AM | 11:30 AM | H-S | | |
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| | Wednesday | 1:15 PM | 2:00 PM | H-S | | |
| | Wednesday | 3:15 PM | 4:00 PM | H-S | | |
| | Wednesday | 5:15 PM | 6:00 PM 7:50 PM | H-S H-S | | |
| | Wednesday | 7:05 PM | 1.50 PIVI | п-5 | | |
| 09/01/16 | Thursday | 1:00 PM | 1:45 PM | H-S | | |
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| | maraday | 7.00 1 101 | 7.101111 | | | |
| 09/02/16 | Friday | 9:00 AM | 9:45 AM | H-S | | |
| 20,02,10 | Friday | 1:00 PM | 1:45 PM | H-S | | |
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| | Friday | 7:00 PM | 7:45 PM | H-S | | |
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| DATE | DAY | TIME | TIME | PORT | | |
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| 09/04/16 | Sunday | 8:00 AM | 8:45 AM | S-H | | |
| | Sunday | 2:00 PM | 2:45 PM | S-H | | |
| | | | | | | |
| 09/05/16 | Monday | 9:00 AM | 9:45 AM | S-H | | |
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| 09/06/16 | Tuesday | 7:45 AM | 8:30 AM | S-H | | |
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| | Tuesday | 11:45 AM | 12:30 PM | S-H | | |
| | Tuesday | 1:45 PM | 2:30 PM | S-H | | |
| | Tuesday | 3:45 PM | 4:30 PM | S-H | | |
| | Thursday | 5:45 PM | 6:30 PM | S-H | | |
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| 09/07/16 | Wednesday | 5:45 AM | 6:30 AM | S-H | | |
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| | Wednesday | 4:15 PM | 5:00 PM | S-H | | |
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| 09/08/16 | Thursday | 8:00 AM | 8:45 AM | S-H | | |
| | Thursday | 2:00 PM | 2:45 PM | S-H | | |
| | | | | | | |
| 09/09/15 | Friday | 8:00 AM | 8:45 AM | S-H | | |
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| 09/12/16 | Monday | 9:00 AM | 9:45 AM | S-H | | |
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| DEPART HAINES | | | | | | |
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| | | DEPT | ARRIVAL | | | |
| DATE | DAY | TIME | TIME | PORT | | |
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| 09/04/16 | Sunday | 1:00 PM | 1:45 PM | H-S | | |
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| 09/07/16 | Wednesday | 6:45 AM | 7:30 AM | H-S | | |
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| | Wednesday | 11:15 AM | 12:00 PM | H-S | | |
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| 09/10/16 | Thursday | 1:00 PM | 1:45 PM | H-S | | |
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|----------|-----------|-----------|-----------|------|---|----------|-----------|------------|-----------|------|
| | DEI 7110 | DEPT | ARRIVAL | | | | <u> </u> | DEPT | ARRIVAL | |
| DATE | DAY | TIME | TIME | PORT | | DATE | DAY | TIME | TIME | PORT |
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| 09/14/16 | Wednesday | 5:45 AM | 6:30 AM | S-H | | 09/14/16 | Wednesday | 6:45 AM | 7:30 AM | H-S |
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| 09/15/16 | Thursday | 8:00 AM | 8:45 AM | S-H | · | 09/15/16 | Thursday | 1:00 PM | 1:45 PM | H-S |
| | Thursday | 2:00 PM | 2:45 PM | S-H | | | Thursday | 7:00 PM | 7:45 PM | H-S |
| | | | | | | | | | | |
| 09/16/15 | Friday | 8:00 AM | 8:45 AM | S-H | | 09/16/15 | Friday | 1:00 PM | 1:45 PM | H-S |
| 09/17/16 | Saturday | 8:00 AM | 8:45 AM | S-H | | 09/17/16 | Thursday | 1:00 PM | 1:45 PM | H-S |
| 03/11/10 | Gaturday | 0.00 AW | 0.43 AW | 011 | | 03/11/10 | Thursday | 1.00 1 101 | 1.401 101 | 110 |
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| | , | | | | | | | | | |
| 09/21/16 | Wednesday | 5:45 AM | 6:30 AM | S-H | • | 09/21/16 | Wednesday | 6:45 AM | 7:30 AM | H-S |
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| | Wednesday | 2:05 PM | 2:50 PM | S-H | | | Wednesday | 3:15 PM | 4:00 PM | H-S |
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| 09/22/16 | Thursday | 8:00 AM | 8:45 AM | S-H | · | 09/22/16 | Thursday | 1:00 PM | 1:45 PM | H-S |
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| 09/24/16 | Saturday | 8:00 AM | 8:45 AM | S-H | | 09/24/16 | Sat | 1:00 PM | 1:45 PM | П-Э |
| 09/27/16 | Tuesday | 8:00 AM | 8:45 AM | S-H | | 09/24/16 | Tuesday | 1:00 PM | 1:45 PM | H-S |
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Memo Ports & Harbors

Date: April 18, 2016

To: Brad Ryan, Haines Borough Interim Manager

From: Shawn Bell, Harbormaster

Re: Lightering Float Special Use Agreement (SUA)

Alaska Fjordlines Inc., Haines Skagway Fast Ferry (HSFF), and Alaska Excursions Inc. have formally applied for a Special Use Agreement (SUA) for the 2016 tour season. I have drafted agreements for all three companies based upon rates and regulations outlined in the Haines Borough Port Tariff Rule 34.306. The SUA's give Alaska Fjorlines, HSFF, and Alaska Excursions priority use of the Port Chilkoot Dock Lightering Float according to the schedules they have provided. There are minor conflicts in the schedules between the three parties. Representatives from all three companies have discussed these conflicts and have agreed to operate in a manner which allows them to share the space.

I have reviewed the agreements and schedules provided and recommend that the Assembly approve the SUA's for Alaska Fjordlines, HSFF, and Alaska Excurisons.

| PORT OF HAINES | Orig./Rev. | Page |
|---------------------------|-----------------|------------|
| TERMINAL TARIFF, FMC NO.3 | 7th Rev. | 15.B |
| | Cancels | Page |
| | 6th Rev. | 15.B |
| | Effective Date | |
| | February 9, | 2016 |
| | Ord.11-02-255; | |
| | Ord.13-08-348 § | 5 <i>;</i> |
| | Ord. 14-04-374; | |
| | Ord. 16-01-427 | §5 |

RULES AND REGULATIONS

RULE NO. 34. TERMINAL TARIFFS

306. PORT CHILKOOT DOCK LIGHTERING FACILITY RATES

For use of Port Chilkoot Dock lightering float dock, including lightering to transfer passengers to or from larger vessels; to pick up or discharge passengers for local marine tours; moorage of vessels; and moorage of vessels unable to moor in the small boat harbor.

1. Rates:

- A. Lightering or transfer of passengers to or from a larger vessel: Two hundred fifty (\$250) dollars flat rate per 24-hour period.
- B. Use of the facility by vessels with a capacity of ten passengers or more to load or unload passengers for tours or charters originating or ending in Haines (per docking):

| Per-Docking Fee | 2016 | 2017 | 2018 | 2019 | 2020 |
|--------------------|---------|---------|---------|---------|---------|
| 5% Annual Increase | \$22.05 | \$23.15 | \$24.31 | \$25.53 | \$26.80 |

- 2. Use of the Port Chilkoot Dock Facility including the Lightering Float on a permanent or routine basis must be approved by the Borough Assembly in the form of a special use agreement ("SUA").
- 3. In case of an emergency or lack of moorage space in the small boat harbor when the Port Chilkoot Dock Facility must be used for transient moorage, standard transient moorage rates shall apply for no more than seventy-two consecutive hours per vessel. Such use shall not interfere with the scheduled use of the dock by other vessels. Following expiration of the seventy-two hour period, standard dockage rates shall apply.
- 4. All other vessels shall pay standard dockage rates.

307. ITEM 307 ACCOMMODATION LADDER USE RATES

There shall be a charge of \$100 for each use by a vessel of the Port's passenger accommodation ladder.

ISSUED BY: Brad Ryan, Interim Manager, Haines Borough

Haines Borough Assembly Agenda Bill

Agenda Bill No.: 16-646
Assembly Meeting Date: 4/26/16

| Business Item Des | - | | Attachments: | | |
|--|-----------------------------|----------------------|---|---|--|
| Subject: Special Use Agr | eement for Routine Use | e of | 1. Resolution 16-04-669 | | |
| the PC Dock Lightering Float - Fjordlines Originator: | | | 2. Proposed Special Use Agreement with schedule of dockings | | |
| | | 3. Harbormaster Rec | | | |
| Harbormaster Originating Department: | | 4. Page 15B, Port Ta | riff | | |
| Originating Department: Ports and Harbors | | | | | |
| Date Submitted: | | | | | |
| 4/15/16 | | | | | |
| Full Title/Motion: | | | | | |
| Motion: Adopt Resolution | 6-04-669. | | | | |
| , | | | | | |
| | | | | | |
| Administrative Rec | ommondation | | | | |
| The Interim Manager reco | | | | | |
| The intenin wanager rece | minicias adoption. | | | | |
| Fiscal Impact: | | ı | | | |
| Expenditure Required | Amount Budgeted | Appr | opriation Required | Projected Impact to Future Operating Budgets | |
| \$ N/A | \$ | \$ | | Operating budgets | |
| \$1V/A | Ψ | Ψ | | | |
| Comprehensive Pla | | eview | ' : | | |
| Comp Plan Goals/Object | ctives: | | . | | |
| Goal 3, Objective 3D | | | Consistent: Yes | □No | |
| | | | | | |
| Summary Statemer | nt: | | | | |
| | | | | the 2016 summer tourism season. | |
| | | | | special use agreement (SUA) may be mally, for moorage longer than three | |
| hours, standard moorage r | | | | | |
| Haines-Skagway Fast Ferr | y will share the float with | h Haine | es-Škagway Fast Ferry | and Alaska Excursions, with | |
| assembly approval of all th | ree SUAs. The harborm | naster r | ecommends approval. | | |
| | | | | | |
| | | | | | |
| | | | | | |
| Referral: | | | | | |
| Referred to: | | | Referral Date: | | |
| Recommendation: | | | | leeting Date: | |
| | | | | ~ | |
| Assembly Action: | | | | | |
| Meeting Date(s): 4/26/1 | 6 | | Public Hearing Dat | re(s): | |

Postponed to Date:

HAINES BOROUGH, ALASKA RESOLUTION No. 16-04-669

Draft

dov. of

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to enter into a "special use agreement" with Alaska Fjordlines Inc. for routine use of the Port Chilkoot Dock Lightering Float for the 2016 summer tourism season.

WHEREAS, Alaska Fjordlines Inc. provides important visitor transportation during the summer tourism and cruise ship season; and

WHEREAS, Alaska Fjordlines has requested a special docking and moorage services agreement for the 2016 summer tourism season for vessels known as the "Fjordland";

WHEREAS, Rule 34.306 (page 15B) of the Port of Haines Terminal Tariff #3 provides that a special use agreement (SUA) for use on a permanent or routine basis may be approved by the Borough Assembly where per-docking fees shall apply as well as other charges for moorage extending beyond three hours and unmetered power use; and

WHEREAS, the Haines Borough is willing to provide for dockings for one Fjordlines vessel at the facility known as the "lightering float" at the Port Chilkoot Dock per a schedule attached to the agreement; and

WHEREAS, the agreement establishes special terms and conditions for docking and moorage for the 2016 summer tourism season,

NOW THEREFORE BE IT RESOLVED that the Haines Borough Assembly authorizes the borough manager to enter into a special use agreement (SUA) with Alaska Fjordlines Inc. for the 2016 summer tourism season.

Adopted by a duly constituted greening of the Heiman Denovals Accomply this

| , 2016. | Haines Borough Assembly this day of |
|---------------------------------|-------------------------------------|
| | Janice Hill, Mayor |
| Attest: | |
| Julie Cozzi, MMC, Borough Clerk | |

Haines Borough

SPECIAL USE AGREEMENT – 2016 Port Chilkoot Dock Lightering Facility

This Agreement is made and entered into this <u>day of</u>, 2016, by and between the <u>Haines Borough</u>, a municipal corporation organized under the laws of the State of Alaska with its principal place of business at 103 Third Avenue S., Haines, Alaska 99827 ("the Borough") and <u>Alaska Fjordlines Inc.</u>, a corporation with its principal place of business at P.O. Box 246, Haines, Alaska 99827 ("the Customer"). Borough and the Customer are sometimes collectively referred to as "Parties."

The Parties agree as set forth below.

Article I - Purpose

This Agreement is entered into for the purpose of establishing terms and conditions of docking and moorage services provided by the Borough to the Customer during the 2015 summer tourism season for the Customer's vessel known as the "Fjordland."

Article II – Site of Service Provided

The Borough will provide for dockings throughout the contract period, at the facility known as the "lightering float" at the Port Chilkoot Dock, Haines, Alaska.

Article III - Time of Commencement and Agreement Term

The services to be performed under this Agreement shall commence May 18, 2016. The Agreement shall end no later than June 29, 2016, or on any earlier date chosen by the Customer provided that 10-day advanced notification is given to the Borough in writing.

Article IV -Cost of the Dockage and Moorage

The Customer agrees to pay \$22.05 per landing at the lightering float. The lightering float is not intended to be used for extended moorage. The Customer agrees to use this facility to load and unload passengers in a timely manner. If the Customer wishes to remain moored longer than what is required for normal operations, an agreement must be made with the Harbormaster. If moorage continues for more than <u>3</u> consecutive hours, normal transient moorage rates shall apply. If Customer wishes to use unmetered electrical power, a fee of \$10 per day shall apply.

Article V- Non-Exclusive Use of the Lightering Float

The Customer shall not have exclusive use of the Lightering Float although this Agreement documents the Customer's priority use of it, according to the schedule provided. The Harbormaster may accommodate other vessels for the remaining unoccupied space, as appropriate, in his or her judgment.

Article VI – Billing by the Borough and Remittance of Payment

The Customer shall submit a monthly report of all Lightering Float activity, no later than the 4th day of each month to the Haines Harbormaster. Following this report, the Haines Harbormaster will then issue a monthly invoice to the Customer. The Customer shall remit payment to the Borough Administration office no later than the due date which the invoice reflects.

Article VIII- Insurance

The Customer shall maintain appropriate and required Insurance as may be required by regulatory agencies during the term of the Agreement.

HAINES BOROUGH – PREFERENTIAL USE AGREEMENT

Page 2 of 2

Article IX - Termination of Contract

The Customer may terminate the Agreement at any time with 10 days advance written notice. The Borough may, in the judgment of the Harbormaster, terminate the Agreement at any time for cause, such as violation of provisions of Title 16 of the Haines Borough Code.

Article VII - Prohibition of Sublease

The Customer shall not sublease the space at the Lightering Dock as provided by the Borough under this Agreement.

Article X - Miscellaneous Provisions

The Borough's representative under this agreement shall be the Haines Borough Harbormaster or his designee.

This Agreement entered into as of the day and year first written above.

| BOROUGH | CUSTOMER | | |
|---|------------------------|--|--|
| Brad Ryan, Interim Borough Manager | Alison Jacobson, Owner | | |
| Haines Borough | Alaska Fjordlines Inc. | | |
| Attest: | | | |
| Julie Cozzi, MMC, Borough Clerk Haines Borough | | | |

Alaska Fjordlines, Inc 2016 PC Dock

May 18, 2016

8:00am pick up-10:50am drop off

Noon pick up -2:50pm drop off

5:00pm pick up-7:50pm drop off

May 25, 2016

8:00am pick up-10:50am drop off

Noon pick up -2:50pm drop off

5:00pm pick up-7:50pm drop off

June 1

8:00am pick up-10:50am drop off

Noon pick up -2:50pm drop off

5:00pm pick up-7:50pm drop off

June 8

8:00am pick up-10:50am drop off

Noon pick up -2:50pm drop off

5:00pm pick up-7:50pm drop off

<u>June 15</u>

8:00am pick up-10:50am drop off

Noon pick up -2:50pm drop off

5:00pm pick up-7:50pm drop off

June 22

8:00am pick up-10:50am drop off

Noon pick up -2:50pm drop off

5:00pm pick up-7:50pm drop off

<u>June 29</u>

8:00am pick up-10:50am drop off

Noon pick up -2:50pm drop off

5:00pm pick up-7:50pm drop off



Memo Ports & Harbors

Date: April 18, 2016

To: Brad Ryan, Haines Borough Interim Manager

From: Shawn Bell, Harbormaster

Re: Lightering Float Special Use Agreement (SUA)

Alaska Fjordlines Inc., Haines Skagway Fast Ferry (HSFF), and Alaska Excursions Inc. have formally applied for a Special Use Agreement (SUA) for the 2016 tour season. I have drafted agreements for all three companies based upon rates and regulations outlined in the Haines Borough Port Tariff Rule 34.306. The SUA's give Alaska Fjorlines, HSFF, and Alaska Excursions priority use of the Port Chilkoot Dock Lightering Float according to the schedules they have provided. There are minor conflicts in the schedules between the three parties. Representatives from all three companies have discussed these conflicts and have agreed to operate in a manner which allows them to share the space.

I have reviewed the agreements and schedules provided and recommend that the Assembly approve the SUA's for Alaska Fjordlines, HSFF, and Alaska Excurisons.

| PORT OF HAINES | Orig./Rev. | Page |
|---------------------------|-----------------|------------|
| TERMINAL TARIFF, FMC NO.3 | 7th Rev. | 15.B |
| | Cancels | Page |
| | 6th Rev. | 15.B |
| | Effective Date | |
| | February 9, | 2016 |
| | Ord.11-02-255; | |
| | Ord.13-08-348 § | 5 <i>;</i> |
| | Ord. 14-04-374; | |
| | Ord. 16-01-427 | §5 |

RULES AND REGULATIONS

RULE NO. 34. TERMINAL TARIFFS

306. PORT CHILKOOT DOCK LIGHTERING FACILITY RATES

For use of Port Chilkoot Dock lightering float dock, including lightering to transfer passengers to or from larger vessels; to pick up or discharge passengers for local marine tours; moorage of vessels; and moorage of vessels unable to moor in the small boat harbor.

1. Rates:

- A. Lightering or transfer of passengers to or from a larger vessel: Two hundred fifty (\$250) dollars flat rate per 24-hour period.
- B. Use of the facility by vessels with a capacity of ten passengers or more to load or unload passengers for tours or charters originating or ending in Haines (per docking):

| Per-Docking Fee | 2016 | 2017 | 2018 | 2019 | 2020 |
|--------------------|---------|---------|---------|---------|---------|
| 5% Annual Increase | \$22.05 | \$23.15 | \$24.31 | \$25.53 | \$26.80 |

- 2. Use of the Port Chilkoot Dock Facility including the Lightering Float on a permanent or routine basis must be approved by the Borough Assembly in the form of a special use agreement ("SUA").
- 3. In case of an emergency or lack of moorage space in the small boat harbor when the Port Chilkoot Dock Facility must be used for transient moorage, standard transient moorage rates shall apply for no more than seventy-two consecutive hours per vessel. Such use shall not interfere with the scheduled use of the dock by other vessels. Following expiration of the seventy-two hour period, standard dockage rates shall apply.
- 4. All other vessels shall pay standard dockage rates.

307. ITEM 307 ACCOMMODATION LADDER USE RATES

There shall be a charge of \$100 for each use by a vessel of the Port's passenger accommodation ladder.

ISSUED BY: Brad Ryan, Interim Manager, Haines Borough

Haines Borough Assembly Agenda Bill

Agenda Bill No.: 16-647
Assembly Meeting Date: 4/26/16

| Business Item Des | cription: | | Attachments: | | |
|---|--|--|--|--|--|
| Subject: Special Use Agr | | e of | Resolution 16-04-670 Proposed Special Use Agreement with schedule of dockings | | |
| the PC Dock Lightering Fl | oat - Alaska Excursions | ; | | | |
| Originator: Harbormaster Originating Department: | | 3. Harbormaster Rec | | | |
| | | 4. Page 15B, Port Ta | riff | | |
| Ports and Harbors | | | | | |
| Date Submitted: 4/15/16 | | | | | |
| Full Title/Motion: | | | | | |
| Motion: Adopt Resolution | 6-04-670 | | | | |
| Woton: Adopt Resolution | 0 04 070. | | | | |
| | | | | | |
| Administrative Rec | ommendation: | | | | |
| The Interim Manager reco | mmends adoption. | | | | |
| Fiscal Impact: | | | | | |
| Expenditure Required | Amount Budgeted | Appropriation Required Projected Impact to Fu Operating Budgets | | | |
| \$ N/A | \$ | \$ | | | |
| Comprehensive Pla | n Consistency Re | eview | ': | | |
| Comp Plan Goals/Object | tives: | | | | |
| Goal 3, Objective 3D | | | Consistent: ■Yes | □No | |
| Summary Statemer | nt: | | | | |
| Fjordlines has requested so Rule 34.306 (page 15B) of approved by the Borough Ahours, standard moorage ra | cheduled use of the PC the Port of Haines Tern Assembly where per-doo ates would apply as wel y will share the float wit | ninal Ta cking ra Il as a c h Haine | ariff #3 provides that a sates shall apply. Additionally fee should unmeted s-Skagway Fast Ferry | the 2016 summer tourism season. special use agreement (SUA) may be enally, for moorage longer than three ered electricity be used. and Fjordlines, with assembly | |
| Referral: | | | | | |
| Referred to: Recommendation: | | | Referral Date: | Mooting Dato: | |
| Recommendation: | | | IV | leeting Date: | |
| Assembly Action: | | | | | |
| Meeting Date(s): 4/26/1 | 6 | | Public Hearing Dat Postponed to Date | | |

HAINES BOROUGH, ALASKA RESOLUTION No. 16-04-670

Draft

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to enter into a "special use agreement" with Alaska Excursions Inc. for routine use of the Port Chilkoot Dock Lightering Float for the 2016 summer tourism season.

WHEREAS, Alaska Excursions Inc. provides important visitor transportation between Haines and Skagway during the summer tourism and cruise ship season; and

WHEREAS, Alaska Excursions Inc. has requested a special docking and moorage services agreement for the 2016 summer tourism season for vessels known as the "Adventure", "Encounter", and the "Discover";

WHEREAS, Rule 34.306 (page 15B) of the Port of Haines Terminal Tariff #3 provides that a special use agreement (SUA) for use on a permanent or routine basis may be approved by the Borough Assembly where per-docking fees shall apply as well as other charges for moorage extending beyond three hours and unmetered power use; and

WHEREAS the Haines Borough is willing to provide for dockings for three Alaska Excursions vessels at the facility known as the "lightering float" at the Port Chilkoot Dock per a schedule attached to the agreement; and

WHEREAS, this agreement establishes special terms and conditions for docking and moorage for the 2016 summer tourism season,

NOW THEREFORE BE IT RESOLVED that the Haines Borough Assembly authorizes the borough manager to enter into a special use agreement (SUA) with Alaska Excursions Inc. for the 2016 summer tourism season.

| Adopted | by a 2016 | duly-constituted | quorum | of | the | Haines | Borough | Assembly | this day of |
|-----------|--------------|------------------|--------|----|-----|--------|---------|------------|-------------|
| | | | | | | | | | |
| | | | | | | | Janice | Hill, Mayo | or |
| Attest: | | | | | | | | | |
| Julie Coz | zi, Mi | MC, Borough Cler | ·k | | | | | | |

Haines Borough

SPECIAL USE AGREEMENT – 2016 Port Chilkoot Dock Lightering Facility

This Agreement is made and entered into this <u>day of</u>, 2016, by and between the <u>Haines Borough</u>, a municipal corporation organized under the laws of the State of Alaska with its principal place of business at 103 Third Avenue S., Haines, Alaska 99827 ("the Borough") and Alaska Excursions Inc., a corporation with its principal place of business at P.O. Box 440, Skagway, Alaska 99840 ("the Customer"). Borough and the Customer are sometimes collectively referred to as "Parties."

The Parties agree as set forth below.

Article I - Purpose

This Agreement is entered into for the purpose of establishing terms and conditions of docking and moorage services provided by the Borough to the Customer during the 2016 summer tourism season for either of the Customer's vessels known as the "Adventure", "Encounter", and the "Discover".

<u>Article II – Site of Service Provided</u>

The Borough will provide for dockings throughout the contract period, at the facility known as the "lightering float" at the Port Chilkoot Dock, Haines, Alaska.

<u>Article III - Time of Commencement and Agreement Term</u>

The services to be performed under this Agreement shall commence May 18, 2016. The Agreement shall end no later than September 21, 2016, or on any earlier date chosen by the Customer provided that 10-day advanced notification is given to the Borough in writing.

Article IV -Cost of the Dockage and Moorage

The Customer agrees to pay \$22.05 per landing at the lightering float. The lightering float is not intended to be used for extended moorage. The Customer agrees to use this facility to load and unload passengers in a timely manner. If the Customer wishes to remain moored longer than what is required for normal operations, an agreement must be made with the Harbormaster. If moorage continues for more than <u>3</u> consecutive hours, normal transient moorage rates shall apply. If Customer wishes to use unmetered electrical power, a fee of \$10 per day shall apply.

Article V- Non-Exclusive Use of the Lightering Float

The Customer shall not have exclusive use of the Lightering Float although this Agreement documents the Customer's priority use of it, according to the schedule provided. The Harbormaster may accommodate other vessels at the remaining unoccupied space, as appropriate, in his or her judgment.

Article VI – Billing by the Borough and Remittance of Payment

The Customer shall submit a monthly report of all Lightering Float activity, no later than the 4th day of each month to the Haines Harbormaster. Following this report, the Haines Harbormaster will then issue a monthly invoice to the Customer. The Customer shall remit payment to the Borough Administration office no later than the due date which the invoice reflects.

Article VIII- Insurance

The Customer shall maintain appropriate and required Insurance as may be required by regulatory agencies during the term of the Agreement.

HAINES BOROUGH – PREFERENTIAL USE AGREEMENT Page 2 of 2

Article IX - Termination of Contract

The Customer may terminate the Agreement at any time with 10 days advance written notice. The Borough may, in the judgment of the Harbormaster, terminate the Agreement at any time for cause, such as violation of provisions of Title 16 of the Haines Borough Code.

Article VII - Prohibition of Sublease

The Customer shall not sublease the space at the Lightering Dock as provided by the Borough under this Agreement.

Article X - Miscellaneous Provisions

The Borough's representative under this agreement shall be the Haines Borough Harbormaster or his designee.

This Agreement entered into as of the day and year first written above.

| BOROUGH | CUSTOMER |
|--|--|
| Brad Ryan, Interim Borough Manager Haines Borough | Erin Redington, General Manager Alaska Excursions LLC |
| Attest: | |
| Julie Cozzi, MMC, Borough Clerk Haines Borough | |

Alaska Excursions 2016 Departures

| Date | Ship | Time |
|-----------|---------|----------------|
| 5/18/2016 | Zaandam | 6:45 |
| 5/18/2016 | Zaandam | 9:30 |
| 5/18/2016 | Zaandam | 12:15 |
| 5/18/2016 | Zaandam | 15:15 |
| 5/24/2016 | Regatta | 11:00 |
| 5/25/2016 | Noordam | 6:45 |
| 5/25/2016 | Noordam | 9:30 |
| 5/25/2016 | Noordam | 12:15 |
| 5/25/2016 | Noordam | 15:15 |
| 6/8/2016 | Zaandam | 6:45 |
| 6/8/2016 | Zaandam | 9:30 |
| 6/8/2016 | Zaandam | 12:15 |
| 6/8/2016 | Zaandam | 15:15 |
| 6/15/2016 | Noordam | 6:45 |
| 6/15/2016 | Noordam | 9:30 |
| 6/15/2016 | Noordam | 12:15 |
| 6/15/2016 | Noordam | 15:15 |
| 6/21/2015 | Regatta | 11:00 |
| 6/22/2015 | Noordam | 6:45 |
| 6/22/2015 | Noordam | 9:30 |
| 6/22/2015 | Noordam | 12:15 |
| 6/22/2015 | | 15:15 |
| 6/23/2015 | | 10:30 |
| 6/26/2016 | | 10:30 |
| 6/29/2016 | | 6:45 |
| 6/29/2016 | | 9:30 |
| 6/29/2016 | | 12:15 |
| 6/29/2016 | | 15:15 |
| 7/5/2016 | | 11:00 |
| 7/5/2016 | | 14:00 |
| | Noordam | 6:45 |
| | Noordam | 9:30 |
| | Noordam | 12:15 |
| | Noordam | 15:15 |
| 7/7/2016 | | 10:30 |
| 7/13/2016 | | 6:45 |
| 7/13/2016 | | 9:30 |
| 7/13/2016 | | 12:15 |
| 7/13/2016 | | 15:15 |
| 7/20/2016 | | 6:45 |
| 7/20/2016 | | 9:30 |
| 7/20/2016 | | 12:15 15:15 |
| 7/20/2016 | | 15:15 |
| 7/21/2016 | _ | 6:45 |
| 7/27/2016 | | 9:30 |
| 7/27/2016 | ∠aa⊓ud∏ | 9:30 |

Alaska Excursions 2016 Departures

| 7/27/2016 Zaandam | 12:15 |
|-------------------|-------|
| 7/27/2016 Zaandam | 15:15 |
| 8/3/2016 Noordam | 6:45 |
| 8/3/2016 Noordam | 9:30 |
| 8/3/2016 Noordam | 12:15 |
| 8/3/2016 Noordam | 15:15 |
| 8/10/2016 Zaandam | 6:45 |
| 8/10/2016 Zaandam | 9:30 |
| 8/10/2016 Zaandam | 12:15 |
| 8/10/2016 Zaandam | 15:15 |
| 8/17/2016 Noordam | 6:45 |
| 8/17/2016 Noordam | 9:30 |
| 8/17/2016 Noordam | 12:15 |
| 8/17/2016 Noordam | 15:15 |
| 8/24/2016 Zaandam | 6:45 |
| 8/24/2016 Zaandam | 9:30 |
| 8/24/2016 Zaandam | 12:15 |
| 8/24/2016 Zaandam | 15:15 |
| 8/31/2016 Noordam | 6:45 |
| 8/31/2016 Noordam | 9:30 |
| 8/31/2016 Noordam | 12:15 |
| 8/31/2016 Noordam | 15:15 |
| 9/7/2016 Zaandam | 6:45 |
| 9/7/2016 Zaandam | 9:30 |
| 9/7/2016 Zaandam | 12:15 |
| 9/7/2016 Zaandam | 15:15 |
| 9/14/2016 Noordam | 6:45 |
| 9/14/2016 Noordam | 9:30 |
| 9/14/2016 Noordam | 12:15 |
| 9/14/2016 Noordam | 15:15 |
| 9/21/2016 Zaandam | 6:45 |
| 9/21/2016 Zaandam | 9:30 |
| 9/21/2016 Zaandam | 12:15 |
| 9/21/2016 Zaandam | 15:15 |
| | |



Memo Ports & Harbors

Date: April 18, 2016

To: Brad Ryan, Haines Borough Interim Manager

From: Shawn Bell, Harbormaster

Re: Lightering Float Special Use Agreement (SUA)

Alaska Fjordlines Inc., Haines Skagway Fast Ferry (HSFF), and Alaska Excursions Inc. have formally applied for a Special Use Agreement (SUA) for the 2016 tour season. I have drafted agreements for all three companies based upon rates and regulations outlined in the Haines Borough Port Tariff Rule 34.306. The SUA's give Alaska Fjorlines, HSFF, and Alaska Excursions priority use of the Port Chilkoot Dock Lightering Float according to the schedules they have provided. There are minor conflicts in the schedules between the three parties. Representatives from all three companies have discussed these conflicts and have agreed to operate in a manner which allows them to share the space.

I have reviewed the agreements and schedules provided and recommend that the Assembly approve the SUA's for Alaska Fjordlines, HSFF, and Alaska Excurisons.

| PORT OF HAINES | Orig./Rev. | Page |
|---------------------------|-----------------|------------|
| TERMINAL TARIFF, FMC NO.3 | 7th Rev. | 15.B |
| | Cancels | Page |
| | 6th Rev. | 15.B |
| | Effective Date | |
| | February 9, | 2016 |
| | Ord.11-02-255; | |
| | Ord.13-08-348 § | 5 <i>;</i> |
| | Ord. 14-04-374; | |
| | Ord. 16-01-427 | §5 |

RULES AND REGULATIONS

RULE NO. 34. TERMINAL TARIFFS

306. PORT CHILKOOT DOCK LIGHTERING FACILITY RATES

For use of Port Chilkoot Dock lightering float dock, including lightering to transfer passengers to or from larger vessels; to pick up or discharge passengers for local marine tours; moorage of vessels; and moorage of vessels unable to moor in the small boat harbor.

1. Rates:

- A. Lightering or transfer of passengers to or from a larger vessel: Two hundred fifty (\$250) dollars flat rate per 24-hour period.
- B. Use of the facility by vessels with a capacity of ten passengers or more to load or unload passengers for tours or charters originating or ending in Haines (per docking):

| Per-Docking Fee | 2016 | 2017 | 2018 | 2019 | 2020 |
|--------------------|---------|---------|---------|---------|---------|
| 5% Annual Increase | \$22.05 | \$23.15 | \$24.31 | \$25.53 | \$26.80 |

- 2. Use of the Port Chilkoot Dock Facility including the Lightering Float on a permanent or routine basis must be approved by the Borough Assembly in the form of a special use agreement ("SUA").
- 3. In case of an emergency or lack of moorage space in the small boat harbor when the Port Chilkoot Dock Facility must be used for transient moorage, standard transient moorage rates shall apply for no more than seventy-two consecutive hours per vessel. Such use shall not interfere with the scheduled use of the dock by other vessels. Following expiration of the seventy-two hour period, standard dockage rates shall apply.
- 4. All other vessels shall pay standard dockage rates.

307. ITEM 307 ACCOMMODATION LADDER USE RATES

There shall be a charge of \$100 for each use by a vessel of the Port's passenger accommodation ladder.

ISSUED BY: Brad Ryan, Interim Manager, Haines Borough

Haines Borough Assembly Agenda Bill

Agenda Bill No.: 16-648
Assembly Meeting Date: 4/26/16

| Beerland Herry Beer | ! | | A 4.4 la 4 - | |
|---|--------------------------|----------|---------------------------|---|
| Business Item Desc | | | Attachments: | |
| Subject: FY17 Unincorpo | rated Community Reve | nue | 1. Resolution 16-04-6 | |
| Sharing | | | 2. Eligibility Requiren | nents |
| Originator: | | | | |
| Chief Fiscal Officer | <u> </u> | | | |
| Originating Department Finance | | | | |
| Date Submitted: | | | | |
| 4/15/16 | | | | |
| Full Title/Motion: | | | | |
| Motion: Adopt Resolution | 16-04-671. | | | |
| ' | | | | |
| | | | | |
| Administrative Rec | ommendation: | | | |
| This resolution is recomm | | al Offic | er. | |
| | | | | |
| Fiscal Impact: | | | | Decision of Language to Cutum |
| Expenditure Required | Amount Budgeted | Appr | opriation Required | Projected Impact to Future Operating Budgets |
| \$0 | \$0 | \$ 0 | | See Attached |
| Comprehensive Pla | n Consistency Re | view | · | |
| Comp Plan Goals/Object | | VICVV | • | |
| Objective 2C, Page 57 | | | Consistent: ■Yes | □No |
| | | | | |
| Summary Statemer | nt: | | | |
| AS 29 60 865 and 3 AAC 1 | 80 070 require the asse | embly o | of a borough or unified i | municipality to adopt a resolution |
| identifying those unincorpo | rated communities locate | ted with | nin their municipal bour | ndaries that the assembly determines |
| | | | | der AS 29.60.865, AS 29.60.879, and |
| • | | | <u> </u> | he unincorporated communities have nity Revenue Sharing payment for the |
| public benefit of the uninco | | | | |
| | | | | iding under the FY17 Community |
| Revenue Sharing Program Volunteer Fire Department | • | ies Voli | unteer Fire Departmen | t) and Klehini Valley (Klehini Valley |
| volunteer i ne Department, |)· | | | |
| | | | | |
| Referral: | | | | |
| Referred to: | | | Referral Date: | Acating Data: |
| Recommendation: | | | IV | Meeting Date: |
| Assembly Action: | | | | |
| Meeting Date(s): 4/26/1 | 6 | | Public Hearing Dat | re(s): |
| g _ ato(0)1 _20 /1 | - | | Postponed to Date | |

HAINES BOROUGH, ALASKA RESOLUTION No. 16-04-671

Draft

A Resolution of the Haines Borough Assembly approving certain unincorporated communities and their respective nonprofit entity for participation in the FY17 Community Revenue Sharing Program.

WHEREAS, AS 29.60.865 and 3 AAC 180.070 require the assembly of a borough or unified municipality to adopt a resolution identifying those unincorporated communities located within their municipal boundaries that the assembly determines meet the Community Revenue Sharing Program eligibility criteria established under AS 29.60.865, AS 29.60.879, and 3 AAC 180.110; and

WHEREAS, the unincorporated community has an incorporated nonprofit entity that will agree to receive and spend the Community Revenue Sharing payment for the public benefit of the unincorporated community; and

WHEREAS, the unincorporated community has 25 or more residents residing as a social unit; and

WHEREAS, the incorporated nonprofit entity will receive and spend the Community Revenue Sharing payment for operating or capital expenditures directly related to the provision of one or more of the services listed below; and

WHEREAS, at least three of the following services: fire protection, emergency medical, water and sewer, solid waste management, public road or ice road maintenance, public health, and search and rescue are generally available to all residents of the unincorporated community and each of the three services, in any combination, are provided by one or more qualifying incorporated nonprofit entity or are substantially paid for by the residents of the unincorporated community through taxes, charges, or assessments levied or authorized by the borough or unified municipality,

NOW, THEREFORE, BE IT RESOLVED that the Haines Borough Assembly hereby certifies that the following unincorporated communities and their respective incorporated nonprofit entity are eligible for funding under the FY17 Community Revenue Sharing Program:

| Unincorporated Community HAINES TOWNSITE | Native Village Council or Nonprofit Entity HAINES VOLUNTEER FIRE DEPARTMENT |
|---|---|
| KLEHINI VALLEY | KLEHINI VALLEY VOLUNTEER FIRE DEPARTMENT |
| Adopted by a duly-constituted quorum, 2016. | of the Haines Borough Assembly this day of |
| | |
| Attact | Janice Hill, Mayor |
| Attest: | |
| Julie Cozzi, MMC, Borough Clerk | |

Eligibility Requirements for Unincorporated Communities Located Within Boroughs and Unified Municipalities

Alaska Statutes AS 29.60.865 - .879, and

Alaska Administrative Code 3 AAC 180.070

Sec. 29.60.865. Eligibility requirements for reserves and communities.

- (a) The department, with advice from the Department of Law, shall determine whether there is in each community or reserve an incorporated nonprofit entity or a Native village council that will agree to receive and spend the community revenue sharing payment. If there is more than one qualified entity in a reserve or community in the unorganized borough, the department shall pay the money to the entity that the department finds most qualified to receive and spend the money on behalf of the reserve or community. The department may not make a community revenue sharing payment to a Native village council unless the council waives immunity from suit for claims arising out of activities of the council related to the payment. A waiver of immunity from suit under this section must be on a form provided by the Department of Law. If there is no qualified incorporated nonprofit entity or Native village council in a reserve or community that is willing to receive the community revenue sharing payment and use the payment on behalf of that reserve or community, the payment for that reserve or community may not be paid. Neither this section nor any action taken under it enlarges or diminishes the governmental authority or jurisdiction of a Native village council.
- (b) The department may make a community revenue sharing payment on behalf of a community in a borough or unified municipality only to the municipality for payment by the municipality to an incorporated nonprofit entity or Native village council that has been approved by the assembly and meets the requirements of (a) of this section. The department shall have written evidence of the assembly approval. If there is more than one qualified entity in a community in a borough or unified municipality, one of the entities may receive the entire payment, or the payment may be shared between two or more of the qualified entities, as determined by the assembly.
- (c) A community in a borough or unified municipality is eligible for a community revenue sharing payment only if at least three of the following services are generally available to all residents of the community and each of the three services, in any combination, are provided by one or more qualifying incorporated nonprofit entities or a Native village council or are substantially paid for by the residents of the community through taxes, charges, or assessments levied or authorized by the borough or unified municipality:
 - (1) fire protection;
 - (2) emergency medical;
 - (3) water and sewer;
 - (4) solid waste management;
 - (5) public road or ice road maintenance;
 - (6) public health;

(7) search and rescue.

Sec. 29.60.879. Definitions.

(1) "community" means a place in the unorganized borough, in a borough, or in a unified municipality that is not incorporated as a municipality, that is not a reserve, and in which 25 or more individuals reside as a social unit;

3 AAC 180.070. Standards for payment on behalf of communities located within boroughs and unified municipalities

A borough or unified municipality shall submit to the division a resolution adopted by the assembly that clearly identifies

- (1) the communities it has determined meet the eligibility criteria under AS 29.60.865, 29.60.879, and 3 AAC 180.110; and
- (2) the Native village council or incorporated nonprofit entity located within each community listed under (1) of this section that it has approved as the recipient of the community revenue sharing payment.

Haines Borough Assembly Agenda Bill

Agenda Bill No.: 16-644
Assembly Meeting Date: 4/26/16

| Business Item Des | cription: | | Attachments: | | | |
|---|-------------------------|----------|---------------------------|--|--|--|
| Subject: Title 3 Exception | | ting | 1. Ordinance 16-04-433 | | | |
| Authority in Emergencies | | | | | | |
| Originator: | - | | | | | |
| Interim Manager / Director Originating Department | | | | | | |
| Administration (and Public | | | | | | |
| Date Submitted: 4/15/16 | | | | | | |
| | | | | | | |
| Full Title/Motion: | | | | | | |
| Motion: Introduce Ordinan | ice 16-04-433 and sche | dule a f | first hearing for 5/10/16 | and a second hearing for 5/24/16. | | |
| | | | | | | |
| | | | | | | |
| Administrative Rec | ommendation: | | | | | |
| • | | | | | | |
| Fiscal Impact: | | | | Drainated Impact to Future | | |
| Expenditure Required | Amount Budgeted | Appr | opriation Required | Projected Impact to Future Operating Budgets | | |
| \$ none | \$ n/a | \$ n/a | l | n/a | | |
| Comprehensive Pla | n Consistency Re | eview | ': | | | |
| Comp Plan Goals/Object | | | | | | |
| | | | Consistent: Yes | □No | | |
| C. mana ama Chahamaa | - L. | | | | | |
| Summary Statemer | | | | | | |
| | | | | nterim manager and public facilities racts up to \$50,000 in emergencies | | |
| but also in extenuating circ | umstances without follo | wing th | e customary competitiv | ve bidding procedures if the manager | | |
| | | | | mergencies, but there are sometimes ave the borough considerable | | |
| resources by "striking while | | SS WITCH | ir the manager oddia se | ave the beloagh considerable | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| Referral: | | | | | | |
| Referred to: | | | Referral Date: | | | |
| Recommendation: | | | N | leeting Date: | | |
| Assambly Actions | | | | | | |
| Assembly Action: Meeting Date(s): 4/26/1 | 6 | | Public Hearing Dat | e(s): | | |
| | • | | Postponed to Date | | | |

HAINES BOROUGH, ALASKA Draft ORDINANCE No. 16-04-433

An Ordinance of the Haines Borough amending Haines Borough Code Section 3.60.180 to allow the borough manager to enter into contracts up to \$50,000 in emergencies or extenuating circumstances without following the customary competitive bidding procedures if the manager determines it is in the public interest.

BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:

- Classification. This ordinance is of a general and permanent nature and the adopted amendment shall 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. Amendment of Section 18.20.020 Section 18.20.020 of the Haines Borough Code is hereby amended as follows:

Bolded/UNDERLINED ITEMS ARE TO BE ADDED. STRIKETHROUGH ITEMS ARE DELETED

__/__/__

3.60.180 Emergency contracts Manager contracting authority exceptions.

Whenever, because of any emergency or extenuating circumstance, it is deemed necessary and in the public interest by the manager to enter into any contract without following the applicable competitive bidding procedures required by this title, the manager shall authorize such emergency exceptional contract if the estimated sum involved does not exceed \$50,000. If the estimated contract sum involved is greater than \$50,000, the manager shall refer any proposed emergency contract to the assembly for its approval and authorization to waive the competitive bid procedures.

| ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS DAY OF, 2016. | | | | | |
|--|----------|------------------------|--|--|--|
| DAT OF, 2010. | | | | | |
| ATTECT | | Tanahara 1891 Managara | | | |
| ATTEST: | | Janice Hill, Mayor | | | |
| | | | | | |
| Julie Cozzi, MMC, Boroug | h Clerk | | | | |
| Date Introduced: | 04/26/16 | | | | |
| Date of First Public Hearing: | // | | | | |
| Date of Second Public Hearing: | // | | | | |

Haines Borough Assembly Agenda Bill

Agenda Bill No.: 16-649
Assembly Meeting Date: 4/26/16

| Business Item Desc | cription: | | Attachments: | |
|--|---------------------------|----------|---------------------------|---|
| Subject: | - | | 1. Ordinance 16-04-4 | 134 |
| Adopt FY17 Haines Borou | gh Operating Budget | | | |
| Originator: | | | | |
| Borough Manager Originating Department | •• | | | |
| Administration | •• | | | |
| Date Submitted: 4/1/16 | | | | |
| | | | | |
| Full Title/Motion: | | | | |
| | ce 16-04-434 and set a | first pu | ublic hearing for 5/10/16 | and a second public hearing for |
| 5/24/16. | | | | |
| | | | | |
| Administrative Rec | ommendation: | | | |
| The borough manager rec | commends adoption. | | | |
| Fiscal Impact: | | | | |
| Expenditure Required | Amount Budgeted | Appr | opriation Required | Projected Impact to Future Operating Budgets |
| \$ See proposed budget | \$ See proposed budg | \$ Se | e proposed budget | undetermined |
| Comprehensive Pla | n Consistency Re | view | <i>'</i> : | |
| Comp Plan Goals/Objec | _ | | | |
| Pages 44-55 and Objective 2 | В | | Consistent: Yes | □No |
| | | | | |
| Summary Statemer | nt: | | | |
| | the whole. Per the Cha | | | e process of conducting budget work be adopted by 6/15. Two public |
| The FY17 manager's budge | et is available on the bo | rough v | website: http://www.hai | nesalaska gov |
| The FFF manager of badge | or io available on the be | rougir | woodio. http://www.nai | noodiaona.gov |
| | | | | |
| | | | | |
| | | | | |
| Referral: | | | | |
| Referred to: Assembly C | OW | | Referral Date: 3/29 | 9/16 |
| Recommendation: | | | | Meeting Date: 4/12, 4/18, 5/3 |
| | | | <u> </u> | |

Public Hearing Date(s): 5/10, 5/24/16

Postponed to Date:

Assembly Action:

Meeting Date(s): 4/26/16

HAINES BOROUGH, ALASKA ORDINANCE No. 16-04-434

AN ORDINANCE OF THE HAINES BOROUGH, ALASKA, PROVIDING FOR THE ESTABLISHMENT AND ADOPTION OF THE OPERATING BUDGET, CAPITAL BUDGET, AND CAPITAL IMPROVEMENT PLAN OF THE HAINES BOROUGH FOR THE PERIOD JULY 1, 2016 THROUGH JUNE 30, 2017.

BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:

- Section 1. <u>Classification</u>. This ordinance is a non-code ordinance.
- Section 2. <u>General Provisions</u>. The following FY17 budget document, listing estimated resources and expenditures is hereby adopted and established as the budget for the period of July 1, 2016 through June 30, 2017 and made a matter of record for that purpose. Except in the case of appropriations for capital improvements, all unexpended balances not otherwise encumbered or disposed of in this ordinance as of June 30, 2017, shall lapse to those appropriate funds.

Section 3. <u>Authorization and Appropriation</u>. The expenditures set forth herein are authorized and appropriations as provided for are hereby made.

01 AREAWIDE GENERAL FUND

REVENUES

| Property Tax | \$ 1,827,500 |
|-----------------------------|-----------------|
| Sales Tax | 632,000 |
| State Revenue | 525,200 |
| Federal Revenue | 339,600 |
| Interest Earnings | 110,000 |
| User Fees | 59,500 |
| License, Permits, & Fees | 74,135 |
| Penalty & Interest | 62,000 |
| Rents | 104,609 |
| Sale of Fixed Assets | 25,000 |
| TOTAL AREAWIDE REVENUES | \$ 3,759,544 |
| EXPENDITURES | |
| Administration | 515,160 |
| Borough Assembly | 108,991 |
| Elections | 5,736 |
| Finance | 420,350 |
| Assessment/Land Management | 294,145 |
| Information Technology | 88,669 |
| Dispatch | 378,327 |
| Public Facilities | 290,116 |
| Solid & Hazardous Waste | 26,755 |
| Chilkat Center for the Arts | 117,544 |
| | |

Haines Borough Ordinance No. 16-04-434 Page 2 of 7

| Road Maintenance Service Areas | 27,500 |
|-------------------------------------|--------------|
| Haines Borough School District | 1,779,500 |
| Library | 408,774 |
| Museum | 200,836 |
| Parks | 43,455 |
| Community Youth Development | 29,364 |
| Swimming Pool | 222,187 |
| Transfers | (226,865) |
| Allocated Expense | (799,471) |
| TOTAL EXPENDITURES & TRANSFERS | 3,931,073 |
| CONTRIBUTION TO (FROM) FUND BALANCE | \$ (171,529) |
| 02 TOWNSITE SERVICE AREA | |
| REVENUES | |
| Property Tax Revenue | \$ 436,000 |
| Sales Tax | 720,000 |
| State Revenue | 280,234 |
| Miscellaneous Revenues | 7,500 |
| EXPENDITURES | 1,443,734 |
| Police | 520,270 |
| Public Works | 537,462 |
| Animal Control | 28,541 |
| Transfers | 50,000 |
| Allocated Expense | 386,383 |
| TOTAL EXPENDITURES & TRANSFERS | 1,522,656 |
| CONTRIBUTION TO (FROM) FUND BALANCE | \$ (78,922) |
| 17 LAND DEVELOPMENT & SALES | |
| REVENUES | \$ 20,000 |
| EXPENDITURES | |
| Direct Expenditures | 31,900 |
| Allocated Expense | 8,990 |
| TOTAL EXPENDITURES | 40,890 |
| CONTRIBUTION TO (FROM) FUND BALANCE | \$ (20,890) |

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20 MEDICAL SERVICE AREA

| REVENUES | \$ 268,000 |
|---|-----------------|
| EXPENDITURES | |
| H.E.L.P. Committee | 8,000 |
| Other Medical Services | 15,000 |
| Ambulance | 52,473 |
| Operating Transfers | 10,000 |
| Allocated Expense | 190,176 |
| TOTAL EXPENDITURES & TRANSFERS | 275,649 |
| CONTRIBUTION TO (FROM) FUND BALANCE | \$ (7,649) |
| 23 ECONOMIC DEVELOPMENT & TOURISM PROMOTION | |
| REVENUES | \$ 536,000 |
| EXPENDITURES | |
| Tourism | 397,051 |
| Economic Development | 71,570 |
| Transfers | 104,000 |
| Allocated Expense | 72,811 |
| TOTAL EXPENDITURES & TRANSFERS | 645,432 |
| CONTRIBUTION TO (FROM) FUND BALANCE | \$ (109,432) |
| 25 FIRE SERVICE AREAS | |
| REVENUES | |
| Fire District #1 | \$ 195,500 |
| Fire District #2 | 32,408 |
| TOTAL REVENUES | 227,908 |
| EXPENDITURES | |
| Fire District #1 | 225,469 |
| Fire District #2 | 28,918 |
| Allocated Expense | (23,661) |
| TOTAL EXPENDITURES & TRANSFERS | 230,726 |
| CONTRIBUTION TO (FROM) FUND BALANCE | \$ (2,818) |

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34 COMMERCIAL PASSENGER VESSEL TAX

| REVENUES | \$ 185,000 |
|---|---|
| EXPENDITURES Direct Expenditures Operating Transfers TOTAL EXPENDITURES & TRANSFERS | 106,500 86,000 192,500 |
| CONTRIBUTION TO (FROM) FUND BALANCE | \$ (7,500) |
| 35 VEHICLE IMPOUNDMENT FUND | |
| REVENUES | \$ 26,000 |
| EXPENDITURES Direct Expenditures | 25,000 |
| CONTRIBUTION TO (FROM) FUND BALANCE | \$ 1,000 |
| 50 CAPITAL IMPROVEMENT PROJECTS | |
| REVENUES | \$ 804,000 |
| EXPENDITURES Direct Expenditures Operating Transfers Allocated Expense TOTAL EXPENDITURES & TRANSFERS | 556,503 298,900 48,597 904,000 |
| CONTRIBUTION TO (FROM) FUND BALANCE | \$ (100,000) |
| 61 EQUIPMENT SINKING FUND | |
| TRANSFERS | (182,635) |
| CONTRIBUTION TO (FROM) FUND BALANCE | \$ 182,635 |
| 75 LIBRARY BOND FUND | |
| REVENUES | \$ 14,100 |
| EXPENDITURES | 14,148 |
| CONTRIBUTION TO (FROM) FUND BALANCE | \$ (48) |

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76 SCHOOL G.O. BOND FUND

| REVENUES | \$ 1,277,894 |
|--|--|
| EXPENDITURES | 1,286,894 |
| CONTRIBUTION TO (FROM) FUND BALANCE | \$ (9,000) |
| 90 WATER REVENUE FUND | |
| REVENUES | \$ 393,750 |
| EXPENDITURES | |
| Direct Expenditures | 401,723 |
| Transfers | (18,400) |
| Allocated Expense | (1,617) |
| Depreciation Expense | 269,500 |
| TOTAL EXPENDITURES | 651,206 |
| CONTRIBUTION TO (FROM) FUND BALANCE | \$ (257,456) |
| 91 SEWER REVENUE FUND (WASTEWATER TREATMENT) | |
| REVENUES | \$ 1,778,500 |
| EXPENDITURES | |
| Direct Operating Expenditures | 364,093 |
| Birect operating Expenditures | |
| Allocated Expense | |
| Allocated Expense | 62,177 |
| Depreciation Expense | 62,177 251,500 |
| Depreciation Expense Capital Expenditures | 62,177 251,500 1,827,000 |
| Depreciation Expense | 62,177 251,500 |
| Depreciation Expense Capital Expenditures Transfers | \$ 62,177 251,500 1,827,000 (200,000) |
| Depreciation Expense Capital Expenditures Transfers TOTAL EXPENDITURES | \$ 62,177 251,500 1,827,000 (200,000) 2,304,770 |
| Depreciation Expense Capital Expenditures Transfers TOTAL EXPENDITURES CONTRIBUTION TO (FROM) FUND BALANCE | \$ 62,177 251,500 1,827,000 (200,000) 2,304,770 |
| Depreciation Expense Capital Expenditures Transfers TOTAL EXPENDITURES CONTRIBUTION TO (FROM) FUND BALANCE 92 BOAT HARBOR FUND | 62,177 251,500 1,827,000 (200,000) 2,304,770 (526,270) |
| Depreciation Expense Capital Expenditures Transfers TOTAL EXPENDITURES CONTRIBUTION TO (FROM) FUND BALANCE 92 BOAT HARBOR FUND REVENUES EXPENDITURES | 62,177 251,500 1,827,000 (200,000) 2,304,770 (526,270) 435,000 |
| Depreciation Expense Capital Expenditures Transfers TOTAL EXPENDITURES CONTRIBUTION TO (FROM) FUND BALANCE 92 BOAT HARBOR FUND REVENUES | 62,177 251,500 1,827,000 (200,000) 2,304,770 (526,270) 435,000 |
| Depreciation Expense Capital Expenditures Transfers TOTAL EXPENDITURES CONTRIBUTION TO (FROM) FUND BALANCE 92 BOAT HARBOR FUND REVENUES EXPENDITURES Direct Expenditures | 62,177 251,500 1,827,000 (200,000) 2,304,770 (526,270) 435,000 |

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| Depreciation Expense | 316,000 |
|-------------------------------------|-----------------|
| TOTAL EXPENDITURES | 745,065 |
| CONTRIBUTION TO (FROM) FUND BALANCE | \$ (310,065) |
| 93 LUTAK DOCK FUND | |
| REVENUES | \$ 350,000 |
| EXPENDITURES | |
| Direct Expenditures | 188,630 |
| Allocated Expense | 90,858 |
| Depreciation Expense | 173,000 |
| TOTAL EXPENDITURES | 452,488 |
| CONTRIBUTION TO (FROM) FUND BALANCE | \$ (102,488) |
| 94 PORT CHILKOOT DOCK FUND | |
| REVENUES | \$ 69,300 |
| EXPENDITURES | |
| Direct Expenditures | 40,950 |
| Allocated Expense | 58,153 |
| Transfers | (49,000) |
| Depreciation Expense | 370,000 |
| TOTAL EXPENDITURES | 420,103 |
| CONTRIBUTION TO (FROM) FUND BALANCE | \$ (350,803) |
| 97 PERMANENT FUND | |
| REVENUES | \$ 337,200 |
| | 557,255 |
| EXPENDITURES | |
| Direct Expenditures | 23,250 |
| Operating Transfers | 293,000 |
| TOTAL EXPENDITURES & TRANSFERS | 316,250 |
| CONTRIBUTION TO (FROM) FUND BALANCE | 20,950 |

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Section 4. <u>Rates of Levy</u>. The following are rates of levy on taxable property within the Haines Borough for the Calendar Year beginning January 1, 2016, based upon the proposed Year FY17 beginning July 1, 2016.

| | Borough Areawide | <u>Fire</u> <u>Service</u> <u>Area</u> | Road / Other Service Area | <u>Debt</u> <u>Service</u> <u>Mills</u> | FY17 Total Levy |
|---|---------------------|--|------------------------------------|---|-----------------------|
| Townsite | 5.95 | 0.04 | 2.20 | 1.30 | 10.47 |
| Fire District #1 (outside the Townsite) | 5.95 | 0.84 | 2.38 | 1.30 | 8.09 |
| Fire District #3 | 5.95 | 0.92 | - | 1.30 | 8.17 |
| Dalton Trail RMSA | 5.95 | 0.92 | 0.62 | 1.30 | 8.79 |
| Dalton Trail RMSA (no fire service) | 5.95 | - | 0.62 | 1.30 | 7.87 |
| Dalton Trail & Eagle Vista RMSA | 5.95 | 0.92 | 4.12 | 1.30 | 12.29 |
| Dalton Trail & Chilkat Lake RMSA | 5.95 | - | 0.62 | 1.30 | 7.87 |
| Riverview RMSA | 5.95 | 0.92 | 0.90 | 1.30 | 9.07 |
| Letnikof RMSA | 5.95 | 0.84 | 1.17 | 1.30 | 9.26 |
| Borough | 5.95 | - | - | 1.30 | 7.25 |

Section 5. Effective Date. This ordinance becomes effective July 1, 2016.

| ADOPTED BY A DULY CONSTITUTED QUORUM OF DAY OF, 2016 | THE HAINES BOROUGH ASSEMBLY THIS |
|--|----------------------------------|
| ATTEST: | Janice Hill, Mayor |
| Julie Cozzi, MMC, Borough Clerk | |

Date Introduced: 04/26/16
Date of First Public Hearing: 05/10/16
Date of Second Public Hearing: 05/24/16