

**Haines Borough**  
**Borough Assembly Meeting #243**  
**AGENDA**

**April 9, 2013 - 6:30 p.m.**

**Location: Assembly Chambers, Public Safety Bldg.**

**Stephanie Scott,**  
Mayor

**Dave Berry Jr.,**  
Seat A  
Assembly Member

**Steve Vick,**  
Seat B  
Assembly Member

**Debra Schnabel,**  
Seat C  
Assembly Member

**Joanne Waterman,**  
Seat D  
Assembly Member

**Norman Smith,**  
Seat E  
Assembly Member

**Jerry Lapp,**  
Seat F  
Assembly Member

**Mark Earnest,**  
Borough Manager

**Julie Cozzi,**  
Borough Clerk

**Michelle Webb,**  
Deputy Clerk

**1. CALL TO ORDER/PLEDGE TO THE FLAG**

**2. ROLL CALL**

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

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

Consent Agenda:

4 – Approve Assembly Meeting Minutes

8B – Chilkat Center Facility Report

11A1 – Adoption of Resolution 13-04-451

11A2 – Adoption of Resolution 13-04-452

11A3 – Adoption of Resolution 13-04-453

11A4 – Adoption of Resolution 13-04-454

11A5 – Adoption of Resolution 13-04-455

11B1 – Introduction of Ordinance 13-04-322

11C1 – Approve Support Letter for CIA Grant Application

**\* 4. APPROVAL OF MINUTES – March 26, 2013 Regular and March 15, 2013 Special**

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

**6. MAYOR'S COMMENTS/REPORT**

**7. PUBLIC HEARINGS**

**A. Commercial Tour Permit – New for 2013**

*Viva and David Landry, Anytime Taxi & Tours, have applied for a new 2013 Commercial Tour Permit to operate a taxi service within the Haines Borough. They propose to provide taxi service within the townsite and to/from the ferry terminal and the airport. Additionally, they would like to offer tours based on Haines history and Tlingit culture. Title 5 of the borough code requires a taxi operator to get both a commercial tour permit and a commercial passenger vehicle permit. A public hearing before the Assembly is mandatory for all new taxi or tour activities. The tourism director, police chief, and harbormaster have reviewed the application and they have no objection. **Suggested motion:** Authorize the borough clerk to process the Anytime Taxi & Tours application and, if everything is in order, issue a 2013 commercial tour permit.*

**B. Ordinance 13-03-316 – First Hearing**

**An Ordinance of the Haines Borough amending Haines Borough Code Section 3.60.160(D) to clarify the wage and bonding requirements for public construction projects and to change the project amount that is subject to minimum wage rates to match the state's increase from \$2,000 to \$25,000.**

*This is a housekeeping ordinance amending borough code to match the referenced state law. It was introduced on 3/26. **Motion:** Advance Ordinance 13-03-316 to a second public hearing on 4/23/13.*

**C. Ordinance 13-03-317 – First Hearing**

**An Ordinance of the Haines Borough amending Borough Code Title 2, Section 2.10.200(B) to remove the requirement for assembly approval in order for a member to participate by teleconference and to clarify cost responsibility.**

*This is a housekeeping ordinance amending borough code to reflect actual practice. It was introduced on 3/26. **Motion:** Advance Ordinance 13-03-317 to a second public hearing on 4/23/13.*

7. PUBLIC HEARINGS ---continued---

D. **Ordinance 13-03-318** – First Hearing

**An Ordinance of the Haines Borough amending Borough Code Title 3, Chapter 3.33 to correct the name of the Port Chilkoot Dock Enterprise Fund.**

*This is a housekeeping ordinance amending borough code to replace an incorrect name. It was introduced on 3/26. **Motion:** Advance Ordinance 13-03-318 to a second public hearing on 4/23/13.*

E. **Ordinance 13-03-319** – First Hearing

**An Ordinance of the Haines Borough amending Borough Code Title 3, Section 3.04.010 to stipulate school district budget submittal and appropriation dates.**

*The intention of this ordinance is to codify practice not to introduce new practice. AS 14.14.060(c) says unless otherwise provided by municipal ordinance, the school board shall submit the school budget for the following school year to the assembly by May 1, and within 30 days after receipt of the budget the assembly shall determine the total amount of money to be made available from local sources for school purposes. However, the assembly does not adopt the annual budget until sometime the first half of June (by the 15th at the latest), and therefore does not finally determine the school appropriation until then. It was introduced on 3/26. **Motion:** Advance Ordinance 13-03-319 to a second public hearing on 4/23/13.*

F. **Ordinance 13-03-320** – First Hearing

**An Ordinance of the Haines Borough determining whether foreclosed properties deeded to the borough shall be retained for a public purpose or sold.**

*Four properties have gone through the foreclosure process and the court has conveyed all rights, titles, and interest to the Haines Borough. HBC 3.74.220 requires the borough assembly to determine by ordinance whether foreclosed property deeded to the borough should be retained for a public purpose or sold. HBC 14.20.040 says the assembly may classify lands for sale with the advice of the planning commission. During a public meeting on 3/14/13, the planning commission considered all four properties and made the decision to recommend the properties be sold. It was introduced on 3/26. **Motion:** Advance Ordinance 13-03-320 to a second public hearing on 4/23/13.*

G. **Ordinance 13-03-321** – First Hearing

**An Ordinance of the Haines Borough amending Borough Code Title 7, Section 7.08.010 to discontinue the Fire Service Area #1 Board.**

*This ordinance is sponsored by Assembly Member Lapp and supported by the Haines Volunteer Fire Dept. It was introduced on 3/26. **Motion:** Advance Ordinance 13-03-321 to a second public hearing on 4/23/13.*

8. STAFF/FACILITY REPORTS

A. Borough Manager – 4/9/13 Report

\* B. Chilkat Center for the Arts – March 2013 Report

9. COMMITTEE/COMMISSION/BOARD REPORTS & MINUTES

A. Assembly Standing Committee Reports

10. UNFINISHED BUSINESS - none

11. NEW BUSINESS

A. Resolutions

\* 1. **Resolution 13-04-451**

**A Resolution of the Haines Borough Assembly authorizing the Borough Manager to contract with River Adventures for \$80 per hour for the operation of the 2013 Visitor Shuttle Service.**

*The visitor shuttle is primarily for cruise passengers and runs on a designated route map. Funding for the service is budgeted annually out of the Commercial Passenger Vessel Tax Fund and is currently in the FY13 budget as well as in the proposed FY14 budget. The borough issued an RFP and received one proposal from River Adventures for \$80/hour. This is the same amount paid to the previous contractor the past two seasons. **Motion:** Adopt Resolution 13-04-451.*

## 11. NEW BUSINESS

### A. Resolutions ---continued---

**\* 2. Resolution 13-04-452**

A Resolution of the Haines Borough Assembly in support of restoring certain components of Power Cost Equalization that existed prior to 1999 and including small-business rate payers in the program.

*This resolution is recommended by the Mayor. **Motion:** Adopt Resolution 13-04-452.*

**\* 3. Resolution 13-04-453**

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to purchase from EMP Industries a harbor pump-out system for \$15,420.94.

*This resolution is recommended by the harbormaster and the port & harbor advisory committee. This is paid for out of designated grant funds. **Motion:** Adopt Resolution 13-04-453.*

**\* 4. Resolution 13-04-454**

A Resolution of the Haines Borough Assembly supporting efforts to modify the PERS Termination Studies law to provide municipalities with the operational flexibility to effectively manage the delivery of programs and services.

*This issue is a big priority for the Alaska Municipal League, and this resolution is recommended by the manager, mayor, and finance director. **Motion:** Adopt Resolution 13-04-454.*

**\* 5. Resolution 13-04-455**

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to enter into a construction contract with Pacific Pile & Marine, L.P. for the Port Chilkoot Dock and Letnikof Cove Renovations project for an amount not-to-exceed \$5,804,340.00.

*This resolution is recommended by the Manager. **Motion:** Adopt Resolution 13-04-455.*

### B. Ordinances for Introduction

**\* 1. Ordinance 13-04-322**

An Ordinance of the Haines Borough amending Borough Code Title 3, Section 3.72.100 to change the assessment appeal deadline to be in compliance with state law.

*This is a housekeeping ordinance amending borough code to change the assessment appeal deadline to be in compliance with state law. The borough is required to follow the thirty-day deadline set forth in AS 29.45.190(b) rather than the May 1st deadline in HBC 3.72.100(b). **Motion:** Introduce Ordinance 13-04-322 and set a first public hearing for 4/23/13.*

### C. Other New Business

**\* 1. Support Letter for USDA Grant for Pellet Facility – Chilkoot Indian Association**

*The borough was asked for a support letter for a CIA application to the USDA for a grant for engineering regarding a wood pellet production facility in Haines. Mayor Scott drafted a letter and seeks assembly approval. **Motion:** Approve the borough letter of support for the CIA application to the USDA for grant funding for engineering of a wood pellet production facility in Haines.*

**2. Reconsideration of 3/26/13 Motion – Great Bear Foundation (GBF) Commercial Tour**

*The following motion failed during the 3/26/13 assembly meeting: "authorize the borough clerk to process the Great Bear Foundation application and, if everything is in order, issue a 2013 commercial tour permit." Vick, Waterman, and Lapp voted yes, and Schnabel, Smith, and Berry voted no. The mayor broke the tie in the negative, so the motion failed 3-4.*

*A member of the prevailing side, assembly member Berry, intends to ask for reconsideration. HBC 2.10.170 says, "[A] motion to reconsider requires a majority of affirmative votes and, if it prevails, the subject shall be open to debate and amendment in the same manner as the original question. Debates on motions to reconsider shall be limited to 25 minutes and no member shall speak for more than five minutes."*

**3. Matters Concerning the Chief of Police**

## 12. SET MEETING DATES

## 13. PUBLIC COMMENTS

## 14. ANNOUNCEMENTS/ASSEMBLY COMMENTS

## 15. ADJOURNMENT

  
**Haines Borough**  
**Borough Assembly Meeting #242**  
**March 26, 2013**  
**MINUTES**

**Draft**

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

2. **ROLL CALL**

**Present:** Mayor Stephanie **SCOTT**, and Assembly Members Debra **SCHNABEL**, Dave **BERRY**, Joanne **WATERMAN**, Jerry **LAPP**, Norman **SMITH**, and Steve **VICK**.

**Staff Present:** Mark **EARNEST**/Borough Manager, Julie **COZZI**/Borough Clerk, Jila **STUART**/Finance Director, Michelle **WEBB**/Deputy Clerk, Gary **LOWE**/Chief of Police, Carlos **JIMENEZ**/Director of Public Facilities, Darsie **CULBECK**/Executive Assistant to the Manager, Simon **FORD**/Police Sergeant, and Jerrie **CLARKE**/Museum Director.

**Visitors Present:** Karen **GARCIA**/CVN, Margaret **FRIEDENAUER**/KHNS, Bill **KURZ**, Dave **KAMMERER**, Dean **LARI**, Bill and Michelle **DIGGENS**, Ronnie **HAUSER**, Daniel **HAUSER**, John **WINGE**, Don **TURNER III**, Leonard **DUBBER**, Michele **WING**, Shannon **DONAHUE**, Linda **KERSTEAD**, Jerry **ERNY**, Michael **ERNY**, John **FLORESKE**, Bill **ROSTAD**, Jackie **MAZEIKAS**, Kelly **LOWE**, Jim **SHOOK**, Dave **DISBROW**, Pam **RANDLES**, Dan **EGOLF**, and others.

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

The following Items were on the published consent agenda:

- 4 – Approve Assembly Meeting Minutes
- 8B – Finance Director Report
- 8C – Museum Staff Report
- 8D – Library Staff Report
- 9B – Historic Dalton Trail RMSA Board Minutes
- 9C – Museum Board Minutes
- 9D – KVVFD/FSA3 Board Minutes
- 9E – FSA1 Board Minutes
- 9F – Riverview RMSA Board Minutes
- 9G – Library Board Minutes
- 11A1 – Adoption of Resolution 13-03-449
- 11A2 – Adoption of Resolution 13-03-450
- 11B1 – Introduction of Ordinance 13-03-316
- 11B2 – Introduction of Ordinance 13-03-317
- 11B3 – Introduction of Ordinance 13-03-318
- 11B4 – Introduction of Ordinance 13-03-319
- 11B5 – Introduction of Ordinance 13-03-320
- 11C1 – Advisory Board Appointment
- 11C3 – Amend Previously Adopted Resolution 11-11-317

**Motion:** **LAPP** moved to “approve the agenda/consent agenda,” and it was amended to remove items 11B2 and 11B3 from the consent agenda and to move item 11C6 up in the meeting to follow public hearings. The agenda, as amended, was approved 4-2 with **VICK** and **SCHNABEL** opposed.

\* 4. **APPROVAL OF MINUTES** – 3/12/13 Regular

5. **PUBLIC COMMENTS**

**MAZEIKAS** extended an invitation for people to participate in the upcoming *Choose Respect* march. This annual event brings awareness of domestic violence and sexual assault.

**TURNER III** said he was shocked with the increases to his tax assessment. He questioned the value the borough has gotten in return for the amount of the assessment contract. He acknowledged there are many who saw decreases in valuations, as well. The borough needs a staff assessor who keeps up with the assessments so people aren't put in this position again.

**SHOOK** said his assessment on his land went up 141% and he will feel it because he is on a fixed income. His main issue is how this was done. There is a lot of upset in the community now. The lack of communication is a sign of disrespect for the citizens.

**J.ERNY** speaking for **M.ERNY**, **J.FLORESKE**, and **B.ROSTAD** and himself, read a written statement

expressing concern about the assessments. The statement was given to the clerk for the record. They believe the assessments were capricious and haphazard. Communication and transparency matter a lot. Many would have appreciated a warning. He suggested a solution could be to roll the existing tax assessment back to the 2012 values. The residents should not have to fight to be treated fairly.

Regarding the police department, **ERNY** said the chief does not rule with his ego and is approachable.

**LARI** said you cannot deal with dishonesty behind the badge. Everything else is workable, but lying is unacceptable. Performance within the department is not the issue. It's the dishonesty.

**KERSTEAD** said it's hard for a group of people to agree on anything but the most reasonable people would agree the assembly's actions should not be based on emotion. At the special meeting, she observed a lot of emotion and not a lot of thoughtful discussion. She believes the chief was treated unfairly. Right now, Haines has a police department that is the best in the past decade. Haines has a chief with integrity who is willing to do what is right even at great personal cost. She asked the assembly to please not treat this with personal emotions. This assembly should move to offer the chief and family a public apology.

**KAMMERER** disagreed the chief has integrity. The evidence to the contrary is there; it is verifiable.

**WINGE** said the whole community has been emotional and upset about the police department and assessments. He thinks the chief has integrity even though there have been mistakes made. It's up to the elected officials to take care of these problems.

**R.HAUSER** said the chief works around the community. He cleans driveways, takes people firewood, etc. after work. The chief shouldn't be beat on and beat on. He said the Election is coming. If the assembly can't do the job, he will vote for someone else.

**D.HAUSER** attended the special meeting on the 15<sup>th</sup> and still doesn't know what's going on. During that meeting, the assembly directed the manager to take corrective action, not punitive.

**B.KURZ** said during the special meeting the great discussion was about whether the chief should have made comments about an employee during a public meeting yet the assembly made comments about their employee in public. He wondered if that means they are guilty, too.

**WING** spoke in support of the chief. He has helped her when she was in a very tough spot. That is what a public servant should do. There's not one person in this assembly chambers who would want to be treated unfairly. She asked the assembly to keep that in mind in whatever it does.

## 6. MAYOR'S COMMENTS/REPORT

The mayor assured the proper procedures have been followed by the administration in regards to the police department. The government has an interesting relationship with the employees. All of the employees are supervised by the borough manager and he has the authority to make personnel decisions. The only things the assembly can do is fire and hire certain employees. That's all.

Marge Ward and Lola Vogel both recently turned 90 and she was honored to attend both celebrations.

## 7. PUBLIC HEARINGS

### A. Commercial Tour Permit – New for 2013

*Note: Shannon Donahue, Executive Director of Great Bear Foundation, applied for a new 2013 Commercial Tour Permit. This tour proposed to offer small group, low-impact, custom wildlife-viewing and natural history tours, bear ecology field courses, guided nature walks, and educational workshops on bear safety in the Haines area, primarily along the Chilkoot River Corridor.*

Mayor **SCOTT** opened the public hearing at 7:10pm.

**DONAHUE** explained her organization and the proposed tours. Minimizing impacts of tourism on the wildlife and habitat is one of the goals. The organization has an ecologically sensitive and low impact approach. She shares concern about the congestion in the Chilkoot River Corridor. She has no intention of competing for business and her plan is to charge comparable tour fees. Her proposal should enhance existing tours rather than add additional problems.

**DISBROW** wondered why additional bear-watching is necessary.

**RANGLES**, President of the Alaska Chilkoot Bear Foundation, said denying this permit application is not going to address the congestion problems. She supports this proposed operation. Code does allow the assembly to set tour permit limits and she would like to see them have that discussion.

**EGOLF** supports **DONAHUE** but cannot agree that it would help to add another operator to the situation, because that area is not being managed. Being asked to compete with out of state nonprofits is unfair.

**J.ERNY** spoke in support of the permit. The assembly should not be stifling business.

**MACKOWIAK** said this discussion is interesting. As we promote bear viewing and the commercialization, and he's not opposed to that, it's interesting those that are involved wish to limit the numbers.

**Motion:** **VICK** moved to "authorize the borough clerk to process the Great Bear Foundation application and, if everything is in order, issue a 2013 commercial tour permit," and the motion failed 3-3 in a roll call vote with **BERRY**, **SCHNABEL**, and **SMITH** opposed and Mayor **SCOTT** breaking the tie in the negative.

During the discussion, **BERRY** said he called the Eagle Foundation and Museum and, although they don't have to charge sales tax, they choose to in order to not have unfair business advantage. **SMITH** said he is sad the bears cannot speak for themselves. He asked **RANGLES** why she endorsed this but at the same time says things should be limited. **RANGLES** said one reason is the excellence **DONAHUE** brought to her work as bear monitor and second is the proposal is for a very small tour. Yes, she believes there's a lot of congestion out there and would like to see State Parks find a way to deal with it. On the other hand, **DONAHUE** helps people behave in ways out there that helps them have a better experience. **VICK** agreed that this meeting would not be the time to discuss limits, although that discussion is important. There are very successful bear viewing areas that have limits on them. With this tour, it's small impact and focused on the independent traveler. More staff out there will help monitor the area and improve it. **SCHNABEL** said State Parks is apparently coming to town soon to discuss that area. She is very respectful of the marketplace and competition. Also, in areas that have capacity limits, there has to be some type of management. She's hoping the borough can work with Parks. **RANGLES** said it is tentatively scheduled for April 30<sup>th</sup>. **SCHNABEL** asked that the carrying capacity of that area be looked at. **SMITH** said he's seen all these tours start off small. He is concerned the tour is ahead of the plan and he cannot support it at this time. **WATERMAN** asked how many permits there are out there. **COZZI** said less than 7 but it's not so much the number of permits as it is capacity...numbers of vehicles and available seats. She also noted code requires assembly approval for capacity increases of greater than 25%.

- B. Ordinance 13-01-312 – Second Hearing**  
**An Ordinance of the Haines Borough amending Borough Code Sections 2.06.035 and 2.990.010 to clarify the local financial disclosure reporting process.**

Mayor **SCOTT** opened and closed the public hearing at 7:34pm; there were no public comments.

**Motion:** **LAPP** moved to "adopt Ordinance 13-01-312," and the motion carried unanimously in a roll call vote. There was no discussion.

- C. Ordinance 13-01-313 – Second Hearing**  
**An Ordinance of the Haines Borough Assembly authorizing renewal of a lease of the Human Resources Building to Chilkat Valley Preschool for the purpose of providing educational services.**

Mayor **SCOTT** opened and closed the public hearing at 7:36pm; there were no public comments.

**Motion:** **WATERMAN** moved to "adopt Ordinance 13-01-313," and the motion carried unanimously in a roll call vote. There was no discussion.

- D. Ordinance 13-02-314 – Second Hearing**  
**An Ordinance of the Haines Borough Assembly amending Borough Code Title 10, Chapter 10.06 to require proof of vehicle insurance and Section 10.50.020 to allow for a fine of \$500.**

Mayor **SCOTT** opened and closed the public hearing at 7:39pm; there were no public comments.

**Motion:** **BERRY** moved to "adopt Ordinance 13-02-314," and the motion carried unanimously in a roll call vote. There was no discussion.

- E. Ordinance 13-02-315 – Second Hearing**  
**An Ordinance of the Haines Borough Assembly amending Borough Code Title 14, Section 14.16.160 to Clarify the Responsibility for Negotiated Leases in a Manager Form of Government.**

Mayor **SCOTT** opened and closed the public hearing at 7:42pm; there were no public comments.

**Motion:** **WATERMAN** moved to "adopt Ordinance 13-02-315," and the motion carried unanimously in a roll call vote. There was no discussion.

**11C6. Matters Concerning the Police Department** --- moved to this point during approval of the agenda.

*Note: this agenda item included a review of the manager's performance evaluation of Chief Gary Lowe.*

**Motion: WATERMAN** moved to "go into executive session as allowed by AS 44.62.310(c)(2) and Haines Borough Charter Section 18.03 to review the manager's evaluation of the police chief; this matter qualifies for executive session because this is a personnel matter and a public discussion may tend to prejudice the character and reputations of those involved; Mark Earnest and Gary Lowe are requested to attend," and the motion carried unanimously.

Chief **LOWE** exercised his right under state law to demand the discussion take place in open session. Therefore, the executive session did not take place.

**SCHNABEL** asked if the other assembly members had read the evaluation documents provided earlier in the day by the manager. **SMITH** asked if it's appropriate for the manager's letter to be read or if the assembly is just discussing the evaluation. Mayor **SCOTT** responded it is just a discussion of the evaluation. **SCHNABEL** said she hopes people realize everyone is trying to do the right thing. Sometimes it's hard to figure out what that is. She has never faced the opportunity to discuss an evaluation publicly, but if the assembly is to address the issues, they have to talk about them in as impersonal terms as possible. She wants to ensure the chief recognizes that she will do her best to characterize what the issue is. She asked her fellows to help her if she doesn't see it correctly. All evaluations are subjective and the manager has done his best to do as objective an evaluation as possible. She perceives the issues as leadership and communication and that significant improvement is needed in order to retain. Some things are more important than others. The leadership attributes are lacking and it creates problems with how to move forward. She knows the chief does not agree with that assessment. Mayor **SCOTT** cautioned the importance of not implicating staff in this discussion. The issues are in the department and not necessarily external to the department. **BERRY** said in the normal world, if there is an item lacking on a performance evaluation, the employee is given an opportunity to come up with a formal plan to make things better. **SCHNABEL** noted the assembly asked for a plan of improvement to be presented at this meeting and it was submitted. Mayor **SCOTT** said the manager's investigation lead him to put the chief on administrative leave at the present time. **VICK** said this is a difficult conversation. He agrees evaluations are subjective but there was an investigation that included different perspectives which causes this to be less subjective. The results of that investigation make it appear to be a systemic problem. **WATERMAN** appreciates the seriousness of doing a public evaluation. It makes the words more measured. She agreed the issue may be systemic. Mayor **SCOTT** said she has not been a party in this investigation but has observed it taking place and that a great deal of thought has gone into it. She has confidence in the manager's recommendation. If the assembly does not, they may authorize an independent investigation. The community deserves a full investigation in a matter of this weight. **SMITH** noted the chief has read this evaluation and signed it as of today. He doesn't like doing this, but there is unhappy staff and the pot is boiling. He doesn't believe there is much room for improvement, at this point. **BERRY** said although the chief signed the evaluation, he did note he did not agree with it. **SCHNABEL** asked if it would be appropriate to ask the chief what he doesn't agree with. Chief **LOWE** said he does not agree with the assessment that his interpersonal skills are lacking to an unrecoverable extent. During the March 15 special assembly meeting, some staff supported him. That's not an indication the entire department is in disarray. Some of the things in the evaluation are very vague. He is aware there was a complaint but he has never seen it. He was told about it and he addressed it as well as he could. The staff members have talked with him and said they appreciate his acknowledgement of his mistakes and that he wants to make corrective action on himself. There is not a great evil that he has done. Sometimes he has to tell people no and sometimes they don't like that. He recognizes he has made mistakes in communication. He loves this community and wants to be here. If it makes people comfortable to have an independent investigator, he welcomes that. He offered the consultant idea to help everyone be satisfied that he has nothing to hide.

**VICK** said the assembly has a report and recommendation from the manager and has heard from the chief. Does the assembly have confidence in the manager's recommendation? He's never known the manager to overreact. **BERRY** said the assembly has had in the last several meetings overwhelming public support for the chief. If there was ever a situation that could benefit from an independent investigation, this is it. **LAPP** said after reading the evaluation, the chief has a lot of really good attributes. There is one where he is falling behind and that's personnel. He's not sure that's enough grounds to let someone go. He's having a tough time with this. There are so many good qualities in this police chief.

**Motion: VICK** moved to "ASAP have an independent investigation into the complaints against the police chief and his abilities to perform his duties and supervise the police department," and it was amended to replace

'have an independent' with 'hire a hearing officer to facilitate an internal.' The motion, as amended, carried unanimously. Therefore, the adopted motion reads: "ASAP hire a hearing officer to facilitate an internal investigation into the complaints against the police chief and his abilities to perform his duties and supervise the police department."

During the discussion, **SCHNABEL** asked if "complaints" includes both the single formal complaint and the informal complaints that reflect the culture of the police department. Mayor **SCOTT** said an independent investigation would achieve a sense of fairness since it would be someone with no ties to this community. **SCHNABEL** said if the goal is to gain confidence and trust in the manager's evaluation and also the need for fairness, she believes the assembly can conduct their own investigation. The assembly has the right and the capability to verify it for themselves. Mayor **SCOTT** said in the interest of fairness, she will not object to either an independent investigator or an assembly investigation. The price of being fair is money well-spent if it will resolve the issue. **VICK** agreed it is money well-spent and there are still questions that need answers. This is a stressful issue. He wants at least a third-party facilitator. **WATERMAN** supports an internal hearing with a facilitator. If there's further proof needed, she's willing to support it. The last time there was a personnel-related hearing, an associate of the borough attorney facilitated.

**Motion:** **SCHNABEL** moved to extend the police chief's administrative leave until a time following the hearing," and the motion carried 5-1 with **BERRY** opposed.

#### 8. **STAFF/FACILITY REPORTS**

##### A. **Borough Manager – 3/26/13**

**EARNEST** summarized his written report.

- \* B. **Finance Director – 2009-2012 Sales Tax Report**
- \* C. **Sheldon Museum – February 2013 Staff Report**
- \* D. **Public Library – February 2013 Staff Report**
- E. **Contractor Assessor – Report of 2013 Assessment Methodology**

**EARNEST** said there is a process, and it is being followed. He recognizes that for a lot of people the assessment increase is substantial. It has been a long time coming. Following an audit by the state assessor a few years ago, the borough assembly made a decision to address deficiencies in the borough's property assessments by appropriating funds for a contract assessor. The borough entered into a three-year contract but that contract assessment firm was let go because there were serious problems. The state assessor recommended this current contractor, Jim Canary. The main goal is to get it right. Taxpayers can file an appeal and bring their questions. Mr. Canary will sit down with each and every person. He is enthusiastic to meet with everyone. **EARNEST** went on to ask people to please work with the borough to go through this process. At the end of the day, the borough has to be at the level state law requires.

#### 9. **COMMITTEE/COMMISSION/BOARD REPORTS & MINUTES**

##### A. **Planning Commission – Minutes of 2/14/13 and Request re. Downtown Revitalization Committee**

**Motion:** **VICK** moved to "create the ad hoc Downtown Revitalization Committee as described by the planning commission," and the motion carried unanimously.

**SCHNABEL** believes this is a step in the right direction. However, in the final analysis, the appropriate way to do this would be a local improvement district (LID) so that those in that area are the ones responsible for the projects. The clerk's office will advertise for letters of interest.

- \* B. **Historic Dalton Trail RMSA Board – Minutes of 3/9/13**
- \* C. **Museum Board of Trustees – Minutes of 2/20/13**
- \* D. **KVVFD/Fire Service Area #3 Board – Minutes of 3/2/13**
- \* E. **Fire Service Area #1 Board – Minutes of 2/18/13**
- \* F. **Riverview Dr. RMSA Board – Minutes of 3/9/13**
- \* G. **Library Board of Trustees – Minutes of 1/25/13**
- H. **Assembly Standing Committee Reports**

**WATERMAN** said the personnel committee met on 3/20/13. The manager was asked to keep the assembly informed as personnel matters and complaints arise by setting up a system for notifying the assembly and reminding them of the protocol---the guidelines that complaints are under. They also talked about having future discussions involving borough officers---clarifying procedures for dealing with situations that come up with officers---and researching a possible change to the charter to clarify the overseeing of those by the manager rather than the assembly.

10. **UNFINISHED BUSINESS** - None

11. **NEW BUSINESS**

A. Resolutions

\* 1. **Resolution 13-03-449**

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to contract with Wolverine Ready Mix, Inc. in the amount of \$16,800 for concrete barriers at Lutak Dock.

*The motion adopted by approval of the consent agenda: "adopt Resolution 13-03-449."*

\* 2. **Resolution 13-03-450**

A Resolution of the Haines Borough Assembly requesting the restoration of a specific funding source for Revenue Sharing.

*The motion adopted by approval of the consent agenda: "adopt Resolution 13-03-450."*

B. Ordinances for Introduction

\* 1. **Ordinance 13-03-316**

An Ordinance of the Haines Borough amending Haines Borough Code Section 3.60.160(D) to clarify the wage and bonding requirements for public construction projects and to change the project amount that is subject to minimum wage rates to match the state's increase from \$2,000 to \$25,000.

*The motion adopted by approval of the consent agenda: "introduce Ordinance 13-03-316 and set a first public hearing for 4/9/13."*

2. **Ordinance 13-03-317**

An Ordinance of the Haines Borough amending Borough Code Title 2, Section 2.10.200(B) to remove the requirement for assembly approval in order for a member to participate by teleconference.

**Motion:** SCHNABEL moved to "introduce Ordinance 13-03-317 and set a first public hearing for 4/9/13," and it was amended to insert 'unless prior arrangements are made' at the end of section B. The motion as amended carried unanimously.

During the discussion, SCHNABEL wondered how absolute the cost responsibility is. Sometimes, an assembly member is out of town on borough business. Mayor SCOTT said if the travel is for pleasure, then the participant should probably pay the cost to phone in. SCHNABEL believes it's in the borough's best interest to ensure a quorum. EARNEST said the administration wants to get this resolved. There are various scenarios to consider. Mayor SCOTT said her preference is that everyone attends in person but understands there are times when that cannot happen.

3. **Ordinance 13-03-318**

An Ordinance of the Haines Borough amending Borough Code Title 3, Chapter 3.33 to correct the name of the Port Chilkoot Dock Enterprise Fund.

**Motion:** SCHNABEL moved to "introduce Ordinance 13-03-318 and set a first public hearing for 4/9/13," and it was amended to change 'boat harbor' to 'Port Chilkoot Dock' in section 3.33.030. The motion as amended carried unanimously.

\* 4. **Ordinance 13-03-319**

An Ordinance of the Haines Borough amending Borough Code Title 3, Section 3.04.010 to stipulate school district budget submittal and appropriation dates.

*The motion adopted by approval of the consent agenda: "introduce Ordinance 13-03-319 and set a first public hearing for 4/9/13."*

\* 5. **Ordinance 13-03-320**

An Ordinance of the Haines Borough determining whether foreclosed properties deeded to the borough shall be retained for a public purpose or sold.

*The motion adopted by approval of the consent agenda: "introduce Ordinance 13-03-320 and set a first public hearing for 4/9/13."*

6. **Ordinance 13-03-321**

An Ordinance of the Haines Borough amending Borough Code Title 7, Section 7.08.010 to discontinue the Fire Service Area #1 Board.

**Motion:** WATERMAN moved to "introduce Ordinance 13-03-321 and set a first public hearing for 4/9/13," and the motion carried unanimously.

AHRENS explained it has never been necessary to have an active Fire Service Area (FSA) #1 Board. The Haines Volunteer Fire Department works directly under the borough manager. They present a budget to the manager who then presents it to the assembly. The FSA #1 Board has been struggling to understand their agenda because it really duplicates what the fire department does. Mayor SCOTT said she delivered this ordinance to the board members. She also met with Alan Heinrich, chair of the board, and he supports this action.

### C. Other New Business

#### \* 1. Board Appointments

*Note: an application was received for a seat on the Museum Board of Trustees, and that board recommended the appointment. The mayor planned to appoint the applicant and sought assembly confirmation. Motion adopted by approval of the consent agenda: "confirm the mayor's appointment of Jan Hill to the Museum Board of Trustees for an initial term ending 11/30/2013."*

#### 2. Sales Tax Exemption Request – Great Bear Foundation

*Note: Great Bear Foundation, a 501(c)3 organization, 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.*

**Motion:** VICK moved to "approve the request from Great Bear Foundation for sales tax exemption status, and authorize the borough clerk to issue an exemption certificate," and the motion carried unanimously.

SCHNABEL brought up the question of revenue-generating commercial sales by a tax-exempt nonprofit. She doesn't believe that is allowed by the IRS, and sales tax has to be charged on those sales. STUART said she would like to look into the matter of ancillary sales and report back to the assembly.

**Motion to Postpone:** LAPP moved to "postpone the motion to the April 23 meeting pending a report from the finance director," and the motion carried unanimously.

#### \* 3. Amend a Previously Adopted Resolution – 11-11-317 re. HPDSC

*Note: on 11/15/2011, the assembly adopted Resolution 11-11-317 establishing an eight-member Haines Port Development Steering Committee (HPDSC). On 3/6/13, the HPDSC voted to ask the assembly to create a ninth committee seat, increasing the number of seats for persons with a working knowledge of port facilities to five. If created, they requested appointment of Larry Beck to the newly created seat on the board. Robert's Rules of Order allows a motion to amend something previously adopted. The motion adopted by approval of the consent agenda: "Amend Resolution 11-11-317 adopted at the 11/15/11 meeting by replacing the number "4" with the number "5" in Section 1 and appointing Larry Beck to the newly created seat."*

#### 4. Borough Land Negotiated Sale: Human Resources Building Property - CIA

*Note: Chilkoot Indian Association (CIA) expressed interest in acquiring the Human Resources Building (HRB) for renovations and/or restoration of the structure. CIA indicated they may have access to federal and perhaps other funding sources for this purpose. First constructed in 1905, with major renovations in 1955 and 1976, the HRB currently houses the Chilkat Valley Preschool. HBC 14.20.100 says upon direction of the assembly by motion, the land manager may commence negotiations for the sale, or exchange or other disposal of borough land.*

**Motion:** LAPP moved to "direct the Manager to commence negotiations with the Chilkoot Indian Association for the sale, or exchange or other disposal of the Human Resources Building and land," and the motion carried unanimously.

Mayor SCOTT ruled BERRY had no conflict of interest even though he is CIA tribal administrator because this would not mean personal gain to him. There was no objection to that ruling.

#### 5. AMHS Parking Policy

**Motion:** VICK moved to "authorize the mayor and manager to work with AMHS officials to provide options for overnight & long-term parking at the Haines ferry terminal," and the motion carried unanimously.

#### 6. Matters Concerning the Police Department

*Note: During approval of the agenda, this item was moved up to follow Item 7 public hearings.*

#### 7. Police Department Draft Plan of Improvement

*Note: on 3/5/12, the assembly passed a motion directing that by March 26, 2013 the police chief*

*would provide to the assembly through the manager a schedule of staff meetings and team building activities for all police department employees and any other plans for improvement within the department.*

**Motion:** **VICK** moved to "postpone the topic indefinitely," and the motion carried unanimously.

Mayor **SCOTT** clarified the subject can still come back to the assembly at some point in the future.

12. **CORRESPONDENCE/REQUESTS** - None

13. **SET MEETING DATES**

A. **Finance Committee Meeting** – Monday, 4/8, 5:30pm – Topics: 1) funding for Mosquito Lake School Fire Suppression Repair and 2) review proposed FY13 Budget Amendments.

14. **PUBLIC COMMENTS**

**DONAHUE** said she welcomes assembly input on her tour permit application. **BERRY** said his only issue is sales tax. **DONAHUE** reiterated there is no problem with paying sales tax to the borough; she's more than willing to charge her customers sales tax.

15. **ANNOUNCEMENTS/ASSEMBLY COMMENTS** - None

16. **ADJOURNMENT** – 9:29pm

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

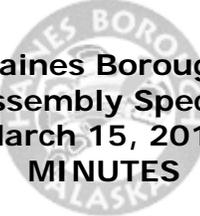
---

Stephanie Scott, Mayor

ATTEST:

---

Julie Cozzi, MMC, Borough Clerk

  
**Haines Borough**  
**Borough Assembly Special Meeting**  
**March 15, 2013**  
**MINUTES**

**Draft**

**THIS SPECIAL MEETING WAS HELD SOLELY FOR CONSIDERING THE ITEMS LISTED ON THE PUBLISHED AGENDA. NO ADDITIONAL ISSUES WERE CONSIDERED AT THIS MEETING.**

**1. CALL TO ORDER/PLEDGE TO THE FLAG**

Mayor **SCOTT** called the meeting to order at 5:32pm in Assembly Chambers and led the pledge to the flag.

**2. ROLL CALL**

**Present:** Mayor **SCOTT** and Assembly Members Debra **SCHNABEL**, Jerry **LAPP**, Norm **SMITH**, Steve **VICK**, Joanne **WATERMAN** and Dave **BERRY**.

**Staff Present:** Mark **EARNEST**/Borough Manager, Julie **COZZI**/Borough Clerk, Gary **LOWE**/Chief of Police, and Jane **CLARK**/Dispatcher, Rosalie **LOEWEN**/Dispatcher, Jila **STUART**/Finance Director, and Joe **PARNELL**/Assistant Harbormaster.

**Visitors Present:** Karen **GARCIA**/CVN, Margaret **FRIEDENAUER**/KHNS, Bill **KURZ**, Dave **KAMMERER**, Mike **CASE**, Rebecca **MALONE**, Bob **DUIS**, Sue **WATERHOUSE**, Shelina **TURNER**, Jim **GREEN**, Bill **ROSTAD**, Linda **KERSTEAD**, Dan **HAUSER**, Teresa **DEROSA**, Victoria **MOORE**, John and Suzanne **NEWTON**, Jennifer **FORD**, Leo **SMITH**, Kelly **LOWE**, Dan and Katie **NORTHROP**, and others.

**3. APPROVAL OF SPECIAL MEETING AGENDA**

**Motion:** **LAPP** moved to "approve the special meeting agenda," and the motion carried unanimously.

**4. PUBLIC COMMENTS**

**CASE** supports good governance. He hasn't seen minutes, but if it's not about a threat, evil, damage, or injury, this is moot. The assembly should not consider taking action this evening.

**MALONE** does not read the newspaper, and she supports the chief. Professionally he is respectful and compassionate, including toward those in his custody. The chief and staff have non-aggressive behavior. Dynamics are not always understood by the public. Internal education and conversation should be done before going out to the public.

**KAMMERER** said there should be no room for tolerance when it comes to the public trust.

**TURNER** was a dispatcher from February 2010 to December 2011. She believes terminating the chief's employment would be a mistake. She never had any issues with working with him. She is currently a university student pursuing a degree in criminal justice and without him she does not believe she would be pursuing this career. He was supportive, and she 100-percent supports him.

**GREEN** has tried to keep up with this issue in the paper and doesn't know all of the details. Through the fog, he sees what happens to the town a lot, and believes this is politically motivated. He doesn't want to see a revolving door in a high-level position. From what he sees, the chief has done a good job for the community. People are concerned about this. Don't just sweep people out with political winds. Give him a chance to make it right.

**CLARK**, dispatcher since 2006, has worked under the both Chief Lowe and former Chief Goodman. She has never felt intimidated or threatened. She was approached by an assembly member after the last meeting and she felt that was very wrong. She is also offended that the newspaper reported that the whole department was upset.

**ROSTAD** lives on Lutak Road. All he knows is what has been in the newspaper. He would like to know what happened with the employee's complaint. He is concerned that this is an effort to railroad somebody out of town.

Mayor **SCOTT** reminded that tonight's meeting is solely about the March 5<sup>th</sup> comments by the chief.

**KERSTEAD** has tried to stay out of politics but feels it's important to give voice to her opinion when she feels strongly. Chief Lowe has always been ethical and honest. He meets those qualities to the highest bar. She finds that any perceptions or accusations of deliberate misleading are highly out of character for him. She would suspect that to be a misperception. She has experience with the police department and believes she knows the chief well, and he meets the highest standards of ethical behavior.

**LOEWEN** has been a dispatcher for the past 15 months. Chief Lowe is a great boss and has been nothing but fair. He is always accepting of comments and suggestions of which she has many. He's always receptive and accepting. The department is headed in the right direction, and she hopes for continued support.

**HAUSER** has known the chief for a few years, and he is an honest and charitable man. Most of what he knows has been hearsay. Being harshly spoken to is not necessarily unprofessional. If there is something to this, he would appreciate seeing actual facts.

**KURZ** said he met Chief Lowe 4-1/2 years ago and had a short discussion about this town's history with police chiefs. The assembly needs to be very careful, because it's not just the chief's credibility on the line. As far as harshness, sometimes things are misunderstood. A little understanding should be taken into account.

**DEROSA** has always known the chief to be an honest and good man, and she agrees with every good comment made this evening. She would love to know the facts from March 5<sup>th</sup>. From what's she's seen and heard he's being treated unfairly.

Mayor **SCOTT** said the assembly is concerned and the only way they can come to a conclusion is to come together and discuss this.

**MOORE** supports the chief. She appreciates what he has done for this community. His door is always open and he is very honest. He's always willing to educate in safety. All she knows is what the paper has said, and it concerns her that internal issues have been brought to the public with missed steps. Some procedures were missed. Individual assembly members should not be doing their own investigation. This is putting doubt and fear in the community.

**S.NEWTON** is not a political person. She was a borough employee when the chief was hired. Like everyone else, she has not been privy to meeting transcripts. A threat is the perception of the person receiving the threat, and Chief Lowe felt it was a threat. The paper said this was a meeting to terminate him. Whoa! She thought it was a conversation. There is a problem with an employee. The chief was told to make a plan and he hasn't had a chance to present or implement it. She agrees that it seems like an attempt to railroad him out of town. That's not cool. That's why she left the borough.

**FORD**, wife of Sergeant Ford, said if this meeting is in regard to what the chief said at the last meeting. If he really felt threatened by Tom Morphet and he was asked about it, doesn't he have a right to say that? What message does that give to the other employees? If you feel threatened and then have a comment be used as grounds for termination, then that's very troubling. She asked the assembly to consider the ramifications of terminating someone because they said they felt threatened.

A citizen named **Beverly** said the chief and his family help this town. The assembly needs to know more and termination efforts are moving too fast.

**SMITH** has seen a lot of police officers come and go---some good, some bad. Also, assembly members both good and bad. He supports the chief. It's not an easy job in this town.

**K.LOWE** thanked the supporters and said she cannot believe they are even in this situation. She's so proud of her husband's integrity. She's confused about why this is happening. If the individual assembly members are not allowed to conduct investigations then why was Assembly Member Schnabel allowed to go to the chief and encourage him to resign. How is that right?

**STUART** reminded that the Charter says the officers are under the direct supervision of the borough manager. **SCOTT** said correct. The assembly can only give direction to the manager regarding an officer as a collective body.

**J.NEWTON** said the mayor and assembly keep saying the chief works for the assembly, but they need to remember the mayor and assembly work for the public.

## 5. **BUSINESS**

### **A. Matter Concerning the Chief of Police**

*Note: this meeting was called at the request of three assembly members for the purpose of discussing the actions of Police Chief Gary Lowe during the March 5, 2013 borough assembly meeting.*

**Motion: BERRY** moved to "suspend the rules to allow discussion of the issue prior to making a motion," and the motion carried unanimously.

**SCOTT** noted at any time during the discussion, a motion can be made.

**SCHNABEL** said at the March 5<sup>th</sup> meeting, the mayor asked the chief to give comments. As he spoke, she became concerned about his recollection of a meeting he had attended. He characterized it as a meeting where he felt threatened by Tom Morphet, but Mr. Morphet remembers it differently. That's why she asked the chief if he felt personally threatened and he said he did. Her confidence in the chief's appreciation of the importance of exchanges with the media was shaken. She called to question his motivation in telling the story he told. She has not had an opportunity to discuss with the other members of the assembly whether that characterization concerned them, as well.

**WATERMAN** said in reference to the statements the chief made, she felt he spoke about two things--- his meeting with Mr. Morphet and a personnel matter. The personnel matter was more of a concern to her. It allowed easy identification of the employee and in some ways was a breach of confidentiality. This is the assembly's way to talk with the chief. She feels strongly that there is a responsibility to protect the employees and the borough through the personnel policies. That responsibility is very important to her. As one of the ones calling for this special meeting, she felt this conversation with the chief needed to happen quickly.

**BERRY** was not at the March 5<sup>th</sup> meeting. Perception is everything. Mr. Morphet and Chief Lowe each walked away with a different impression. Reading the transcript, he doesn't know how the employee can be identified from the words that were spoken, and that's his perception.

**VICK** responded that in small towns with small departments, it can be easy to identify who the employee is, and it's important to be aware of that. The assembly members and borough officers need to be very careful of public comments.

**LAPP** said he signed on for the special meeting to get everything out in the open. After reading the transcript, it was partly the assembly's and mayor's fault that evening. The officials should have called for an executive session. He does not see this as a job-threatening thing here.

**SMITH** was out of town during this. He has listened to the audio recording and has read the written transcript. This seems rather trite to him. He has a hard time supporting this without all players on deck. If he was in charge, he would be interviewing everyone in the police department. He doesn't see anything on the paper that's glaringly in error.

**SCHNABEL** said the heart of the matter for her is that we have a police department that calls for a high professional standard. It's inappropriate for a chief of police to say in public that stories in the newspaper are the first of a series of attacks on the police department. The community cannot afford to have its government accusing the media of having a vendetta against it for whatever reason. That's an important thing for her. That's the zinger. It's not appropriate to think that the reporting of what we do is a vendetta against us.

**VICK** said after that meeting, there was a level of discomfort. He agrees that the some of the talk was most likely inappropriate, and the chief should be aware of that. The standard of communication for a borough officer should be higher.

**WATERMAN** said she was uncomfortable. Her expectations of a public officer are very high. She was taken aback by the words that the chief used. She believes as a professional, especially in the police department, he should be able to be calm and strong and authoritative but come out of the situation clear. A borough officer's job is to protect the citizenry, employees, and the borough. She has a higher expectation of the chief's role as chief of police and as an officer of the borough.

**BERRY** asked where the Charter states the chief of police is an officer of the borough. **COZZI** explained the Charter does not say it. Several years ago, the assembly adopted an ordinance making the chief of police a borough officer.

**SCHNABEL** asked Chief **LOWE** if he can appreciate her concern about the statements regarding the media. Mayor **SCOTT** clarified that this question is from an individual member and not the collective group. **SCHNABEL** withdrew her question.

Chief **LOWE** appreciates the comments. He wants to be as open and honest, as possible. When asked to speak on March 5<sup>th</sup>, he wanted to take ownership of what he did and apologize for his actions. He felt it was important to try to give the entire story without identifying the people involved. His intention was never to have that happen, and if he did he's sorry. There is a course of corrective action and he is proceeding through it. The media issue is a matter of perception. He gave his honest opinion that he felt threatened by words, voice inflection, and body language. He offered his interpretation of that. Perhaps it should have been in a closed session.

Mayor **SCOTT** asked if the concerns have been allayed since this meeting was called out of concern. The matter will be on the March 26<sup>th</sup> agenda when the improvement plan will be brought to the assembly along with the performance evaluation. She expects that to be reviewed in executive session.

**VICK** asked if the chief understands the concerns of some assembly members about the words used. **WATERMAN** echoed that. Her expectations of that position are high. The chief needs to be able to come out of a contentious meeting and have a calm accounting of it.

**SCHNABEL** moved to direct the manager to administer the appropriate reprimand to the chief of police for his statements on March 5<sup>th</sup> about the media and personnel, but following some discussion that included concerns about the word *reprimand*, she withdrew the motion with no objection.

**SCHNABEL** said she has the faith that the manager can weigh the degree of harm that may have been done and that he can find an appropriate consequence. Verbal, something in the file, whatever the administration believes is appropriate to the charge. **WATERMAN** agreed. The manager is the chief's supervisor. The chief has heard what the assembly has to say. **VICK** said his concern is more that the chief be educated. **SMITH** said the idea of reprimanding anyone for feeling threatened is ridiculous. He doesn't like this. **WATERMAN** said she has strong feelings about what happened on the 5<sup>th</sup> and wants to correct the problem and create an environment of learning. That would be her goal.

**Motion:** **VICK** moved to "direct manager to apply corrective action to ensure that the concerns of the assembly in relation to the statements made by the chief of police made during the March 5<sup>th</sup> meeting are addressed," and it was amended to include appreciation for a respectful relationship between law enforcement and the media as well as appropriate public comments in dealing with personnel matters. The amended motion carried 4-2 with **BERRY** and **SMITH** opposed.

**Final Amended Main Motion:**

Direct the manager to apply corrective action to ensure that the following concerns of the assembly in relation to the statements made by the chief of police made during the March 5<sup>th</sup> meeting are addressed:

- appreciation for a respectful relationship between law enforcement and the media,
- as well as appropriate public comments in dealing with personnel matters.

**LAPP** asked the manager if this sounds alright to him. **EARNEST** said there is a sincere willingness to address these issues. He has confidence that this can be accomplished. He will be bringing the borough officer evaluations to the assembly and they will be able to comment on them. This is good. It respects the process.

**6. ADJOURNMENT – 7:02pm**

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

ATTEST:

\_\_\_\_\_  
Stephanie Scott, Mayor

\_\_\_\_\_  
Julie Cozzi, MMC, Borough Clerk



Haines Borough  
Assembly Agenda Bill

Agenda Bill No.: 13-266  
Assembly Meeting Date: 4/9/13

Business Item Description:	Attachments:
Subject: New Commercial Tour Permit - Anytime Taxi & Tours	1. Tour Information 2. Comments from Tourism Director, Police Sergeant, and Assistant Harbormaster 3. Public Notice
Originator: Borough Clerk	
Originating Department: Administration	
Date Submitted: 4/1/2013	

**Full Title/Motion:**  
Motion: Authorize the borough clerk to process the Anytime Taxi & Tours application and, if everything is in order, issue a 2013 commercial tour permit.

**Administrative Recommendation:**

**Fiscal Impact:**

Expenditure Required	Amount Budgeted	Appropriation Required
\$	\$	\$

**Comprehensive Plan Consistency Review:**

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

**Summary Statement:**  
Viva and David Landry, Anytime Taxi & Tours, have applied for a new 2013 Commercial Tour Permit to operate a taxi service within the Haines Borough. They propose to provide taxi service within the townsite and to/from the ferry terminal and the airport. Additionally, they would like to offer tours based on Haines history and Tlingit culture. Title 5 of the borough code requires a taxi operator to get both a commercial tour permit and a commercial passenger vehicle permit. A public hearing before the assembly is mandatory for all new taxi or tour activities. The tourism director, police sergeant, and assistant harbormaster have reviewed the tour application and have no objection to this permit.

**Referral:**

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

**Assembly Action:**

Workshop Date(s):	Public Hearing Date(s): 4/9/13
Meeting Date(s): 4/9/13	Tabled to Date:

March 29, 2013

Dear Haines Borough,

Hello my name is Viva Landry and my husband David Landry are writing to you today to express our views on why we feel that Anytime Taxi and Tours would be a great transportation to our community. We would be the only taxi services and we would offer 24/7 365 days a year service we would live up to our name 24/7 anytime anywhere, we would offer city limit rates for one way would be \$6 round-trip \$10 and each additional person would be \$ 3 if going to the same destination other wise it would be \$ 6 per person if going to different destinations.

Ferry terminal \$12 and round trip \$20 and \$6 per additional person. Klukwan \$45 and \$75 round-trip and \$15 per additional person. We well be offering punch cards for city limits would be ten round trips and get the 11<sup>th</sup> ride one way for free and klukwan would be half off.

Tours would be to Chilkoot Lake and we would offer group rates we are able to hold seven people and we would allow the seventh person to go for free. Chilkoot Lake rates are \$ 35 per person, Haines Highway \$75 we would stop at 4 mile, 21 miles for picture taking restroom brake, and 26 mile for more pictures and viewing. Our tour would be based on Haines history and tlighnet culture. We would like to offer our tourists that great Alaskan experience and to have them happy customers at the end and to refer us to others.

Would like to start out small and then grow as we get known, to follow all guide lines and laws both borough and state.

Thank you for your time and consideration for allowing us to express a little of how we feel about getting this small business stated and all of the support from the community, we hope to be up and running soon once again thank you for your time and support. Letting us be your 24/7 anytime taxi and Tour Company of Haines.

Sincerely,  
Viva & David Landry

A handwritten signature in cursive script that reads "Viva & David Landry". The signature is written in black ink and is positioned below the typed name.

*All day, Everyday*

*24/7*

Anytime taxi & tour Punch  
card

City limits:  
10 round-trips Get the 11th  
one free &  
Klukwan ½ off

Contact Us:

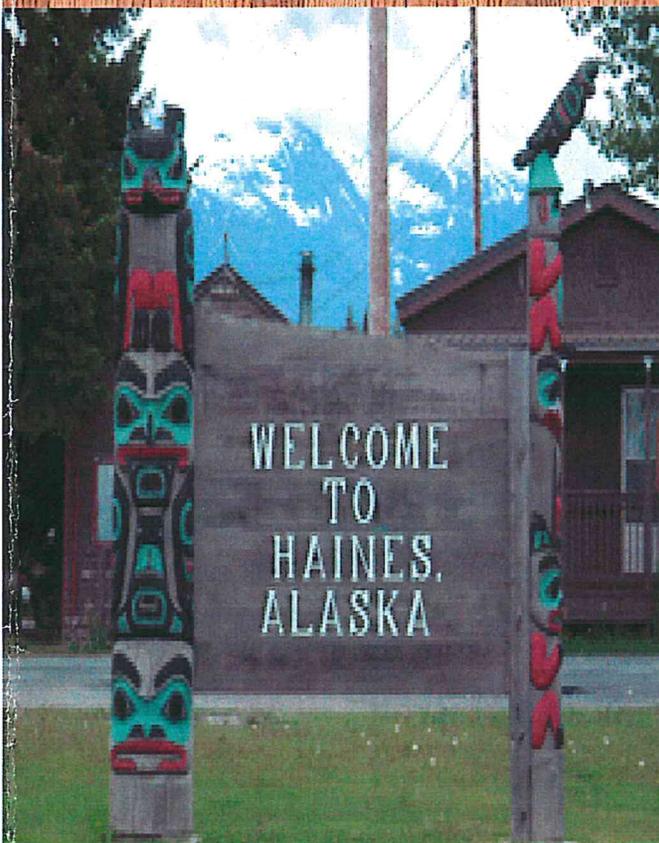
Mobile 1: 1(907) 303-9246

Mobile 2: 1(907) 303-8984

Email:

[Anytimetaxi247@gmail.com](mailto:Anytimetaxi247@gmail.com)

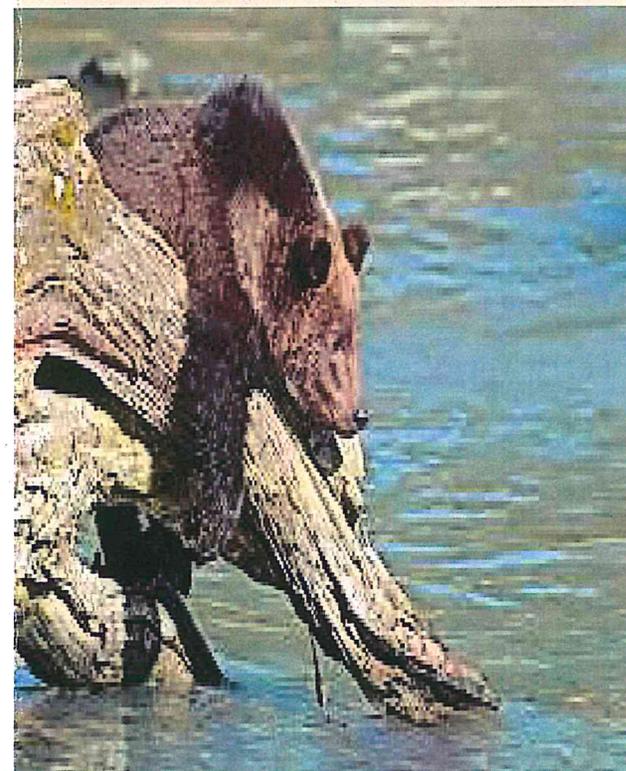
Thank You For Choosing  
Anytime Taxi & Tours



ANYTIME TAXI & TOURS

28 Dei-shu Drive  
Haines, AK 99827

Anytime Taxi &  
Tours



All Day, Everyday 24/7

Viva & David Landry

# Fares

## City Limits & Airport:

\$6.00 One way  
\$3.00 Per Extra Person  
\$10.00 Round-trip

## Ferry Terminal:

\$12.00 One way  
\$6.00 Per Extra Person  
\$20.00 Round-trip

## Klukwan:

\$45.00 One Way  
\$15.00 Per Extra Person  
\$75.00 Round-trip

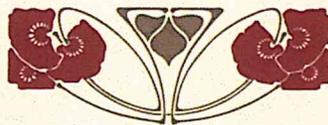
# Tours

## Chilkoot Lake:

\$35 Per Person

## State Park:

\$35 Per person

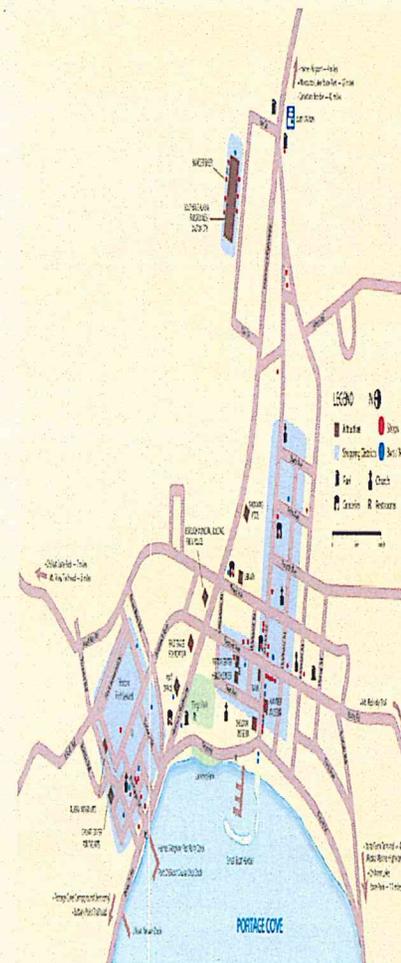


## 26 Mile:

\$75 Per Person

## **Group Rates**

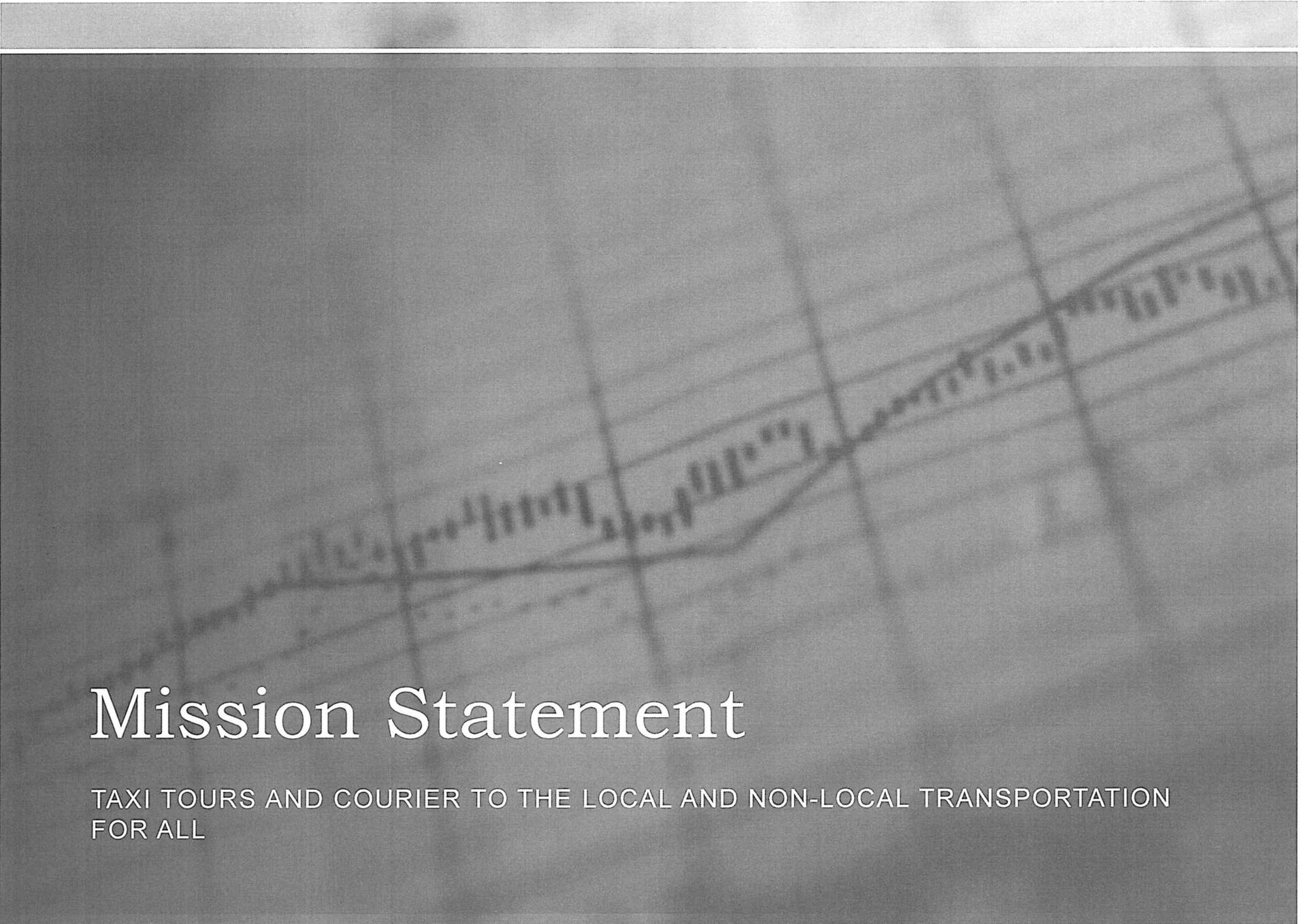
**Available**





# Anytime Taxi & Tours

BUSINESS PLAN



# Mission Statement

TAXI TOURS AND COURIER TO THE LOCAL AND NON-LOCAL TRANSPORTATION  
FOR ALL

# Competition

- 24/7 Taxi Service.
- Only Taxi Service in Town.
- Decant Prices

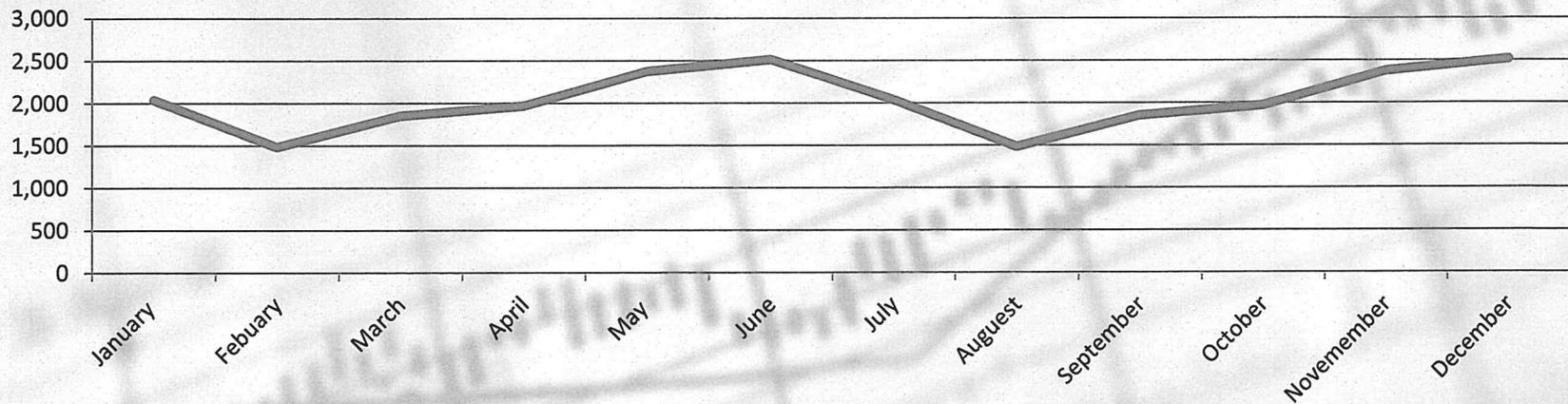
# The Team

Viva A. Landry (Owner, Manager)

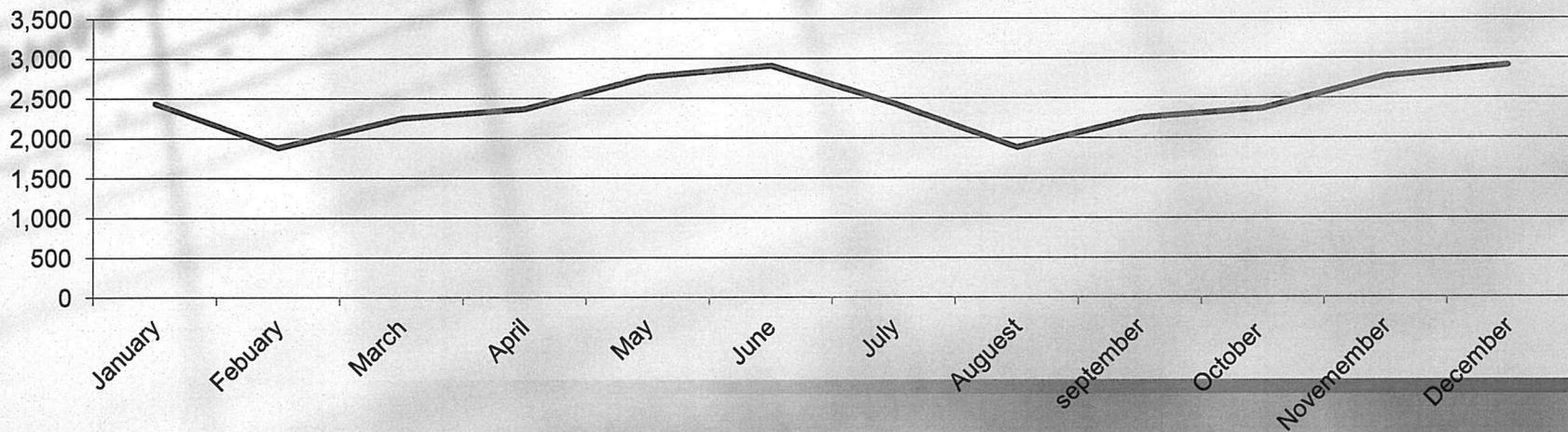
- Managed:
- Bars
- Restaurants
- 20 years of experience

# Market Summary

## 2012 Monthly Log



## 2013 Monthly Log



# Opportunities

## Product:

- Taxi & Tour

## Services

- Transportation
- Offer wild life an awe feeling on tours
- No competition with taxi services
- We will try our best to give your moneys worth experience

# Business Concept

- Using QuickBooks for management
- Tlingit- Women Owned, knows history of Haines, Native danced and drummed, Knows Best Fishing Spots
- Commercial tours permit, commercial passenger vehicle permit & commercial Pc dock permit

# Goals and Objectives

- We expect to start small and become bigger
- Big demands for service(Dependable taxi service)
- Charge with reasonable rates making our customers return for our service again
- Get our business Known around town

# MEMORANDUM



## Haines Convention & Visitors Bureau

**PO Box 530**

**Haines, AK 99827**

(907) 766-2234 / (907) 766-3155 fax

[www.haines.ak.us](http://www.haines.ak.us) email: [hcvb@haines.ak.us](mailto:hcvb@haines.ak.us)

---

To: Julie Cozzi, Borough Clerk; Michelle Webb, Deputy Clerk

From: Tanya Carlson, Tourism Director

Date: 4/3/13

RE: New Tour Permit Application – Anytime Taxi & Tours

I have looked through all the information attached with the New Tour Permit Application for Anytime Taxi & Tours and see no reason not to award a Tour Permit as long as they receive all necessary permits from agencies involved.

I would, however, like to see a discrepancy corrected in their letter compared to their brochure. Although pricing of their services falls with them I would like to make sure their printed information matches what may verbally be told to guests. Their letter mentions offering punch cards with 10 round-trips and get the 11<sup>th</sup> ride free one-way (in city limits). Their brochure states 10 round-trips get the 11<sup>th</sup> free, which alludes to a round-trip.

I also want to make sure they are aware that they are not the only taxi tour in town as Ms. Lucy has been offering their services for about three years. I do think it's good that there will be a couple of options for visitors to utilize as that means more independent visitors can be accommodated at one time.



**HAINES BOROUGH  
POLICE DEPARTMENT**

**PO BOX 1209  
HAINES, AK 99827**

Phone (907) 766-2121, Fax (907) 766-2190

*Chief of Police Gary Lowe*

April 3, 2013

TO: Haines Borough Assembly Members

FROM: Sergeant Simon Ford  
Haines Borough Police Department

RE: Request for new Taxi/Tour Permit  
Viva and David Landry, DBA Anytime Taxi & Tours

Ladies and Gentlemen of the Haines Borough Assembly,

I have personally reviewed Mrs. Landry's letter requesting a tour operator permit for Anytime Taxi and Tours. From the perspective of the police department, public transportation is a valuable asset to the community of Haines. One of the greatest threats to public safety that our department has identified in Haines is drivers who are impaired by alcohol or other controlled substances. In the process of apprehending impaired drivers, our officers routinely ask the question, "Why were you driving?" A common response that we hear is, "Because I didn't have any other way home." The option of hiring a taxi for a ride home from a bar or a party is something that has the potential to keep all of our citizens safer. This business would also fill a need for tourists and visitors to our town, as well as local members of the community that choose alternate methods of transportation rather than owning their own private vehicle. The impact on other tour operators in the area and the impact of another tour in sensitive areas that have been the subject of recent discussions should be considered by the assembly, but from the view of the police department, this local business would be beneficial to the community and it is my pleasure to recommend their permit be awarded.

Respectfully,

A handwritten signature in cursive script that reads "Simon Ford".

Sgt. Simon Ford

**From:** J Parnell  
**Sent:** Thursday, April 04, 2013 4:18 PM  
**To:** Julie Cozzi  
**Subject:** RE: New Tour Permit Application....

I would have no objections to this taxi and tour being granted a permit. Joe Parnell, Assistant Harbormaster.

**From:** Julie Cozzi  
**Sent:** Tuesday, April 02, 2013 6:19 PM  
**To:** Phil Benner; Simon Ford; Tanya Carlson  
**Cc:** J Parnell  
**Subject:** New Tour Permit Application....

Hi,

Please review the attached taxi/tour permit information and provide a written recommendation to me ASAP. I apologize for the quick turnaround. I need something from you no later than early Thursday afternoon. Thank you for your time.

*Julie Cozzi, MMC*

Borough Clerk  
Haines Borough  
P.O. Box 1209  
Haines, AK 99827  
907-766-2231, ext.31  
907-766-2716 (fax)  
[www.hainesalaska.gov](http://www.hainesalaska.gov)

"The most wasted day of all is that in which we have not laughed."

HAINES BOROUGH  
HAINES, ALASKA  
**PUBLIC NOTICE**

AT **6:30 p.m.**, April 9, in the Assembly Chambers of the Public Safety Building, a public hearing will be held on the following:

**APPLICATION FOR NEW COMMERCIAL TAXI/TOURS**

Viva and David Landry, Anytime Taxi & Tours, have applied for a new 2013 Commercial Tour Permit to operate a taxi service within the Haines Borough. They propose to provide taxi service within the townsite and to/from the ferry terminal and the airport. Additionally, they would like to offer tours based on Haines history and Tlingit culture. Title 5 of the borough code requires a taxi operator to get both a commercial tour permit and a commercial passenger vehicle permit. A public hearing before the Assembly is mandatory for all new taxi or tour activities. More information is attached to this notice (descriptions & maps) and is also available in the borough clerk's office and on the website: <http://www.hainesalaska.gov/boroughassembly> (click on "Public Hearings").



Comments may be made at the public hearing or sent to P.O. Box 1209, Haines, AK 99827 or emailed to: [jcozzi@haines.ak.us](mailto:jcozzi@haines.ak.us).

Posted 4/1/13  
Julie Cozzi, MMC, Borough Clerk



Agenda Bill No.: 13-255  
 Assembly Meeting Date: 4/9/13

Business Item Description:	Attachments:
Subject: Amend Title 3 re. Public Improvement Projects that Require Minimum Wage Rates	1. Ordinance 13-03-316
Originator: Borough Clerk	
Originating Department: Administration	
Date Submitted: 3-18-13	

**Full Title/Motion:**  
 Motion: Advance Ordinance 13-03-316 to a second public hearing on April 23, 2013.

**Administrative Recommendation:**  
 The borough manager recommends this.

**Fiscal Impact:**

Expenditure Required	Amount Budgeted	Appropriation Required
\$	\$	\$

**Comprehensive Plan Consistency Review:**

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

**Summary Statement:**  
 In 2011, HB 155 was signed into law. It increased the amount of a public improvement project requiring Davis Bacon wages (minimum wage rates) from \$2,000 to \$25,000. This is a housekeeping ordinance to amend borough code to match the new state law.

**Referral:**

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

**Assembly Action:**

Workshop Date(s):	Public Hearing Date(s): 4/9/13
Meeting Date(s): 3/26, 4/9/13	Tabled to Date:

**An Ordinance of the Haines Borough amending Haines Borough Code Section 3.60.160(D) to clarify the wage and bonding requirements for public construction projects and to change the project amount that is subject to minimum wage rates to match the state's increase from \$2,000 to \$25,000.**

BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:

Section 1. Classification. Section 4 of 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 3.60.160(D). Section 3.60.160(D) of the Haines Borough Code is hereby amended to read as follows:

NOTE: BOLDED/UNDERLINED ITEMS ARE ADDED  
STRIKETHROUGHS ARE DELETED

**3.60.160 Award of contract – Lowest bidder – Evaluation and exception – Negotiation.**

...

D. State Contract Requirements. ~~If the eContracts amount for a construction projects is over \$2,000,~~ **\$25,000 are subject to the** AS 36.05 applies **minimum wage rate requirement and**. ~~For construction projects over \$100,000,~~ **are subject to the** AS 36.25.010 **payment and performance bond requirements** ~~also applies.~~

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2013.

\_\_\_\_\_  
Stephanie Scott, Mayor

ATTEST:

\_\_\_\_\_  
Julie Cozzi, MMC, Borough Clerk

Date Introduced: 03/26/13  
Date of First Public Hearing: 04/09/13  
Date of Second Public Hearing: \_\_\_/\_\_\_/\_\_\_



Haines Borough  
Assembly Agenda Bill

Agenda Bill No.: 13-256  
Assembly Meeting Date: 4/9/13

Business Item Description:	Attachments:
Subject: Amend Title 2 re. Assembly Attendance by Teleconference	1. Ordinance 13-03-317
Originator: Mayor	
Originating Department: Mayor's Office	
Date Submitted: 3-18-13	

Full Title/Motion:
Motion: Advance Ordinance 13-03-317 to a second public hearing on April 23, 2013.

Administrative Recommendation:

Fiscal Impact:		
Expenditure Required	Amount Budgeted	Appropriation Required
\$	\$	\$

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

Summary Statement:
HBC 2.10.200(B)(1) states that assembly members meeting in person actually have to "approve" a member's attendance via teleconference. In actual practice, an assembly has never formally "approved" a member's participation via teleconference. It has most likely always been assumed that it is acceptable in every case. The mayor suggests this section of code might be amended to reflect actual practice. Additionally, on 3/26/13, the ordinance was amended to include a phrase to clarify responsibility for paying the cost of the call.

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

Assembly Action:	
Workshop Date(s):	Public Hearing Date(s): 4/9/13
Meeting Date(s): 3/26, 4/9/13	Tabled to Date:

**AN ORDINANCE OF THE HAINES BOROUGH AMENDING BOROUGH CODE TITLE 2, SECTION 2.10.200(B) TO REMOVE THE REQUIREMENT FOR ASSEMBLY APPROVAL IN ORDER FOR A MEMBER TO PARTICIPATE BY TELECONFERENCE AND TO CLARIFY COST RESPONSIBILITY.**

BE IT ORDAINED BY THE HAINES BOROUGH ASSEMBLY:

Section 1. Classification. Section 4 of 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 2.10.200(B). Section 2.10.200(B) of the Haines Borough Code of Ordinances is amended to read as follows:

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

**2.10.200 Quorum – Voting.**

A. Four assembly members constitute a quorum. Four affirmative votes, by either four assembly members or three assembly members on a tie vote, plus the vote of the mayor, are required for the passage of an ordinance, resolution, or motion, excepting the provisions for filling of vacancy and emergency ordinances provided for in this title.

B. Except when adopted as part of a consent agenda, the final vote on each ordinance, resolution, or substantive motion is a recorded roll call vote. All assembly members present shall vote unless the presiding officer, for special reasons, permits a member to abstain. (See HBC 2.10.190(C).) A member of the assembly is considered present for the purposes of a quorum if the member is disqualified from voting or is allowed to abstain by law. Attendance at regular and special assembly meetings by long-distance teleconferencing may be utilized to establish a quorum for voting or to allow attendance by an absent assembly member at the member's request, providing-

~~1. The assembly members meeting in-person approve the attendance by members who participate by long-distance teleconference; and~~

~~2. Costs of long-distance teleconference are borne by the assembly member~~ **unless prior arrangements are made.**

Assembly members participating by long-distance teleconferencing shall be considered present and shall have all rights and privileges of any other member.

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2013.

ATTEST:

\_\_\_\_\_  
Stephanie Scott, Mayor

\_\_\_\_\_  
Julie Cozzi, MMC, Borough Clerk

Date Introduced: 03/26/13  
Date of First Public Hearing: 04/09/13  
Date of Second Public Hearing: \_\_/\_\_/\_\_



Haines Borough  
Assembly Agenda Bill

Agenda Bill No.: 13-257  
Assembly Meeting Date: 4/9/13

Business Item Description:	Attachments:
Subject: Amend Title 3 to Correct Name of PC Dock Enterprise Fund	1. Ordinance 13-03-318
Originator: Borough Manager	
Originating Department: Administration	
Date Submitted: 3-18-13	

**Full Title/Motion:**  
Motion: Advance Ordinance 13-03-318 to a second public hearing on April 23, 2013.

**Administrative Recommendation:**

**Fiscal Impact:**

Expenditure Required	Amount Budgeted	Appropriation Required
\$	\$	\$

**Comprehensive Plan Consistency Review:**

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

**Summary Statement:**  
This is a housekeeping ordinance amending borough code to correct the name of the Port Chilkoot Dock Enterprise Fund.

**Referral:**

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

**Assembly Action:**

Workshop Date(s):	Public Hearing Date(s): 4/9/13
Meeting Date(s): 3/26, 4/9/13	Tabled to Date:

**AN ORDINANCE OF THE HAINES BOROUGH AMENDING BOROUGH CODE TITLE 3, CHAPTER 3.33 TO CORRECT THE NAME OF THE PORT CHILKOOT DOCK ENTERPRISE FUND.**

BE IT ORDAINED BY THE HAINES BOROUGH ASSEMBLY:

Section 1. Classification. Section 4 of 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 Chapter 3.33. Chapter 3.33 of the Haines Borough Code of Ordinances is amended to read as follows:

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

**Chapter 3.33**

**~~PORTAGE COVE~~ PORT CHILKOOT DOCK ENTERPRISE FUND**

Sections:

- 3.33.010 Policy and intent.
- 3.33.020 Purpose.
- 3.33.030 Management.
- 3.33.040 Investment policy.

**3.33.010 Policy and intent.**

The intent of this chapter is to provide for the proper accounting and management of public funds derived from charges for service for utilization of the ~~Portage Cove~~ **Port Chilkoot** Dock facility, including a lighterage dock. The Port Tariff should establish fees, charges and rates of use for the ~~Portage Cove~~ **Port Chilkoot** Dock.

**3.33.020 Purpose.**

There is established a separate fund entitled the "~~Portage Cove~~ **Port Chilkoot** Dock enterprise fund." This fund shall be used to account separately for the provision of the ~~Portage Cove~~ **Port Chilkoot** Dock services. Activities necessary to provide such services include, but are not limited to, administration, operations, maintenance, billings and collections.

**3.33.030 Management.**

The borough chief fiscal officer is designated as the official with the responsibility for managing the moneys received and disbursed within the ~~boat harbor~~ **Port Chilkoot Dock** enterprise fund and as directed by the assembly.

**3.33.040 Investment policy.**

Investment policy is set forth in Chapter [3.08](#) HBC.

Haines Borough  
Ordinance No. 13-03-318  
Page 2 of 2

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS \_\_\_\_  
DAY OF \_\_\_\_\_, 2013.

\_\_\_\_\_  
Stephanie Scott, Mayor

ATTEST:

\_\_\_\_\_  
Julie Cozzi, MMC, Borough Clerk

Date Introduced: 03/26/13  
Date of First Public Hearing: 04/09/13  
Date of Second Public Hearing: \_\_/\_\_/\_\_



Haines Borough  
Assembly Agenda Bill

Agenda Bill No.: 13-248  
Assembly Meeting Date: 4/9/13

Business Item Description:	Attachments:
Subject: School District Budget Dates	1. Ordinance 13-03-319 2. Explanatory Emails
Originator: Borough Manager	
Originating Department: Administration	
Date Submitted: 3/18/13	

**Full Title/Motion:**  
Motion: Advance Ordinance 13-03-319 to a second public hearing on April 23, 2013.

**Administrative Recommendation:**  
The borough manager recommends this.

**Fiscal Impact:**

Expenditure Required	Amount Budgeted	Appropriation Required
\$	\$	\$

**Comprehensive Plan Consistency Review:**

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

**Summary Statement:**  
The intention of this ordinance is to codify practice not to introduce new practice.

AK Statute 14.14.060(c) says unless otherwise provided by municipal ordinance, the school board shall submit the school budget for the following school year to the assembly by May 1, and within 30 days after receipt of the budget the assembly shall determine the total amount of money to be made available from local sources for school purposes. The assembly does not adopt the annual budget until sometime the first half of June (by the 15th at the latest), and therefore does not finally determine the school appropriation until then.

Borough Charter 9.01(D) provides that the assembly by ordinance may provide for additional procedures regarding submission during the annual budget process.

**Referral:**

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

**Assembly Action:**

Workshop Date(s):	Public Hearing Date(s): 4/9/13
Meeting Date(s): 3/26, 4/9/13	Tabled to Date:

**AN ORDINANCE OF THE HAINES BOROUGH AMENDING BOROUGH CODE TITLE 3, SECTION 3.04.010 TO STIPULATE SCHOOL DISTRICT BUDGET SUBMITTAL AND APPROPRIATION DATES.**

BE IT ORDAINED BY THE HAINES BOROUGH ASSEMBLY:

Section 1. Classification. Section 4 of 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 3.04.010. Section 3.04.010 of the Haines Borough Code of Ordinances is amended to read as follows:

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

**3.04.010 Budget.**

**A.** The dates of the borough fiscal year and the manner for preparation and submission of the budget and capital program by the manager shall be as prescribed in the borough charter.

**B.** The budget message submitted by the manager to the assembly shall be explanatory of the budget, shall contain an outline of the proposed financial policies of the borough for the budget year, and shall describe in connection therewith the most important features of the budget plan. It shall set forth the reasons for salient changes from the previous year in appropriation and revenue items and it shall explain any major changes in policy.

**C.** **The borough school board shall submit the school budget for the following school year to the borough assembly by May 1 for approval of the total amount. The assembly shall determine the total amount of money to be made available from local sources for school purposes and shall no later than June 15 furnish the school board with a statement of the sum to be made available.**

**D.** The assembly shall hold at least two public hearings on the proposed budget and capital program.

**E.** After such public hearings, the assembly may adopt, with or without amendment, the annual budget as proposed by the manager.

**F.** No payment may be authorized or made and no obligation incurred against the borough except in accordance with appropriations duly made by the assembly. No budget appropriations can be encumbered without certification by the chief fiscal officer that there is an unencumbered appropriation and available funds.

**G.** Nothing contained in this section or other provisions of this title is intended to prevent the authorizing of payment or making of contracts for capital improvements to be financed wholly or partly by the issuance of bonds; nor is it intended to prevent the making, when permitted by law, of any contract or any lease providing for the payment of funds at a time beyond the end of the fiscal year in which the contract or lease is made. But any contract, lease or other obligation requiring the payment of funds from the appropriations of a later fiscal year or of more than one fiscal year shall be made or approved by ordinance.

Haines Borough  
Ordinance No. 13-03-319  
Page 2 of 2

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS \_\_\_\_  
DAY OF \_\_\_\_\_, 2013.

\_\_\_\_\_  
Stephanie Scott, Mayor

ATTEST:

\_\_\_\_\_  
Julie Cozzi, MMC, Borough Clerk

Date Introduced: 03/26/13  
Date of First Public Hearing: 04/09/13  
Date of Second Public Hearing: \_\_/\_\_/\_\_

**From:** Stephanie Scott  
**Sent:** Friday, January 11, 2013 6:02 PM  
**To:** Jila Stuart  
**Cc:** Julie Cozzi; Mark Earnest  
**Subject:** Re: More explanation for my school district question

It seems like we need an ordinance that says when the School Board will submit its request (May 1?) and when the Assembly will appropriate an amount of money for the school district (June 15). Does that make sense and basically codified what has been historically the practice? Perhaps you ask the school district for its budget before May 1?

We need to take care of this now before we are in the throes of budgeting, don't you think? The ordinance should be regarded more as "housekeeping" than the making of a particular statement about policy. I think the intention is to codify practice not to introduce new practice.

Stephanie Scott  
Mayor, Haines Borough  
907-766-2231 ext.30

On Jan 11, 2013, at 2:56 PM, "Jila Stuart" <[jstuart@haines.ak.us](mailto:jstuart@haines.ak.us)> wrote:

It sounds like we need to either make a change to our procedure or our code based on Brook's response.

*Jila Stuart*

Haines Borough  
Finance Director

**From:** Brooks Chandler [<mailto:BChandler@bcf.us.com>]  
**Sent:** Friday, January 11, 2013 8:49 AM  
**To:** Jila Stuart  
**Cc:** Mark Earnest  
**Subject:** RE: More explanation for my school district question

The procedure has not been altered by charter of Code with one exception. The deadline under state law for formally adopting the budget thereby making appropriations for the District (June 30) has been moved UP to June 15.

So per charter and Code the process is:

April 1- Manager presents budget without School Board funding (assuming it has not been received)- most likely this budget just uses last year's number with a footnote indicating we are waiting for this year's funding request OR inserts the minimum required local contribution per state law.

May 1- Last day to receive request from School Board.

May 30 (or earlier depending on when School Board submits funding request)- Last day for Assembly to act on School Board funding request.

June 15- Last day to adopt budget.

There are some relevant charter provisions regarding giving the District lots of financial autonomy- VII, Sec. 7.04(B) and budgeting IX, Sec. 9.01 and the Borough Code provision is consistent with the Charter. HBC 3.04.010.

Brooks Chandler  
Boyd, Chandler & Falconer LLP

Brooks,

Mark asked me to forward this question to you. It seems maybe the Borough doesn't have anything in ordinance excepting us from the following:

AS Sec. 14.14.060.

(c) Except as otherwise provided by municipal ordinance, the borough school board shall submit the school budget for the following school year to the borough assembly by May 1 for approval of the total amount. Within 30 days after receipt of the budget the assembly shall determine the total amount of money to be made available from local sources for school purposes and shall furnish the school board with a statement of the sum to be made available. If the assembly does not, within 30 days, furnish the school board with a statement of the sum to be made available, the amount requested in the budget is automatically approved. Except as otherwise provided by municipal ordinance, by June 30, the assembly shall appropriate the amount to be made available from local sources from money available for the purpose.

Could you verify?

Thanks,

Jila

From: Stephanie Scott [<mailto:sscott@aptalaska.net>]  
Sent: Wednesday, January 02, 2013 1:39 PM  
To: Jila Stuart  
Cc: Julie Cozzi; Mark Earnest  
Subject: More explanation for my school district question

Hi Jila,

Here are the dates in State Statute re the school district, that I am wondering if we have adjusted through ordinance:

Key dates stipulated in our own Charter and Code are:

April 1: Manager presents the Budget and Six-Year CIP Plan to the Assembly (Charter Article IX, Section 9.01 (B))

June 15: Assembly adopts budget by ordinance; if not, the Manager's budget is adopted. (Charter Article IX, Section 9.01 (D))

Three key dates related to the School District stipulated in State Statute are:

May 1: State Statute requires the School Board to submit the school district budget to the Borough Assembly for approval - unless provided for otherwise by municipal ordinance (AK 14.14.060 (c))

May 30: State Statute (AK 14.14.060 (c)) requires the Assembly to "furnish the school board with a statement of the sum to be made available" or the amount requested is automatically approved

June 30: State Statute (AK 14.14.060 (c)) requires the Assembly to appropriate the amount to be made available from local sources to the school board.

These state stipulated dates can be changed if "otherwise provided for by municipal ordinance." So my question is, have we? I bet we have and I just can't find it.

Thanks!

Stephanie



Haines Borough  
Assembly Agenda Bill

Agenda Bill No.: 13-252  
Assembly Meeting Date: 4/9/13

Business Item Description:	Attachments:
Subject: Foreclosed Properties Deeded Back to Haines Borough	1. Ordinance 13-03-320 2. Substitute Ordinance recommended by Clerk 3. Planning Commission Recommendation 4. Maps Showing Location of Properties 5. HBC 3.74.220
Originator: Finance Director	
Originating Department: Finance Department	
Date Submitted: 3-18-13	

**Full Title/Motion:**  
Motion: Advance Ordinance 13-03-320 to a second public hearing on April 23, 2013.

**Administrative Recommendation:**  
The borough manager recommends this.

Fiscal Impact:		
Expenditure Required	Amount Budgeted	Appropriation Required
\$ Cost of Advertising	\$	\$

**Comprehensive Plan Consistency Review:**

Comp Plan Policy Nos.: Goal 5, page 199	Consistent: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
--	---

**Summary Statement:**

Four properties have gone through the foreclosure process and the court has conveyed all rights, titles, and interest to the Haines Borough. HBC 3.74.220 requires the borough assembly to determine by ordinance whether foreclosed property deeded to the borough should be retained for a public purpose or sold. HBC 14.20.040 says the assembly may classify lands for sale with the advice of the planning commission. During a public meeting on 3/14/13, the planning commission considered all four properties and made the decision to recommend the properties be sold.

Since introduction, the borough clerk discovered code requires the resolution to include the names of the last property owners of records. These names were omitted, and a substitute ordinance has been prepared that includes them. The clerk recommends this.

**Referral:**

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

**Assembly Action:**

Workshop Date(s):	Public Hearing Date(s): 4/9/13
Meeting Date(s): 3/26, 4/9/13	Tabled to Date:

**An ordinance of the Haines Borough determining whether foreclosed properties deeded to the borough shall be retained for a public purpose or sold.**

**WHEREAS**, delinquent property tax liens resulted in foreclosure of the following three parcels within the Haines Borough (First Judicial District, State of Alaska):

- B-EXS-OB-0700 – Excursion Inlet South 81-90, BLK B, Lot 7, Juneau Recording District (3.82 Acres)
- 3-MVE-00-1300 – Moose Valley Estates Subdivision, Lots 13 & 18, Haines Recording District (10 Acres)
- B-EXS-OC-0400 – Excursion Inlet South Subdivision, Lot 4, BLK C, Juneau Recording District (3.73 Acres); and

**WHEREAS**, on November 14, 2012, the Court of the State of Alaska issued judgments finalizing the foreclosures and conveying all rights, titles, and interest in the real property by “clerk’s deed” to the Haines Borough; and

**WHEREAS**, a land sale default on the following parcel resulted in foreclosure and the return of the deed to the Haines Borough:

- B-CKL-05-1400 – Chilkat Lake Sub, BLK 5, Lot 14, Haines Recording District, First Judicial District, State of Alaska (1.16 Acres); and

**WHEREAS**, all four parcels are now Haines Borough property, and HBC 14.20.040 provides that borough lands may be classified for sale by the assembly with the advice of the planning commission and that public meetings shall be held by the planning commission to discuss any such classification and designation before making any recommendation to the assembly, and

**WHEREAS**, following discussion of the four properties during a public meeting on March 14 the planning commission decided to recommend that all four parcels be sold, and

**WHEREAS**, HBC 3.74.220 requires that the borough assembly determine by ordinance whether foreclosed property deeded to the borough shall be retained for a public purpose; and

**WHEREAS**, foreclosed properties conveyed to the borough and not required for a public purpose may be sold provided the borough assembly, by ordinance, determines that a public need for the properties does not exist,

**NOW THEREFORE BE IT ENACTED** by the Haines Borough Assembly that the four aforementioned parcels are not required for a public purpose and may be sold according to HBC 14.20.

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

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

Section 3. Purpose. To determine whether foreclosed properties deeded to the borough shall be retained for a public purpose.

Haines Borough  
Ordinance No. 13-03-320  
Page 2 of 2

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS \_\_\_\_  
DAY OF \_\_\_\_\_, 2013.

ATTEST:

\_\_\_\_\_  
Stephanie Scott, Mayor

\_\_\_\_\_  
Julie Cozzi, MMC, Borough Clerk

Date Introduced:	03/26/13
Date of First Public Hearing:	04/09/13
Date of Second Public Hearing:	___/___/___

HAINES BOROUGH  
ORDINANCE No. 13-03-320 **Draft**

**An ordinance of the Haines Borough determining whether foreclosed properties deeded to the borough shall be retained for a public purpose or sold.**

**WHEREAS**, delinquent property tax liens resulted in foreclosure of the following three parcels within the Haines Borough (First Judicial District, State of Alaska):

- B-EXS-OB-0700 – Excursion Inlet South 81-90, BLK B, Lot 7, Juneau Recording District (3.82 Acres) **(William Middleton, last owner of record)**
- 3-MVE-00-1300 – Moose Valley Estates Subdivision, Lots 13 & 18, Haines Recording District (10 Acres) **(Troy Brown, last owner of record)**
- B-EXS-OC-0400 – Excursion Inlet South Subdivision, Lot 4, BLK C, Juneau Recording District (3.73 Acres) **(Lisa Esparza, last owner of record)**; and

**WHEREAS**, on November 14, 2012, the Court of the State of Alaska issued judgments finalizing the foreclosures and conveying all rights, titles, and interest in the real property by “clerk’s deed” to the Haines Borough; and

**WHEREAS**, a land sale default on the following parcel resulted in foreclosure and the return of the deed to the Haines Borough:

- B-CKL-05-1400 – Chilkat Lake Sub, BLK 5, Lot 14, Haines Recording District, First Judicial District, State of Alaska (1.16 Acres) **(Marcia Carlisle, last owner of record)**; and

**WHEREAS**, all four parcels are now Haines Borough property, and HBC 14.20.040 provides that borough lands may be classified for sale by the assembly with the advice of the planning commission and that public meetings shall be held by the planning commission to discuss any such classification and designation before making any recommendation to the assembly, and

**WHEREAS**, following discussion of the four properties during a public meeting on March 14 the planning commission decided to recommend that all four parcels be sold, and

**WHEREAS**, HBC 3.74.220 requires that the borough assembly determine by ordinance whether foreclosed property deeded to the borough shall be retained for a public purpose; and

**WHEREAS**, foreclosed properties conveyed to the borough and not required for a public purpose may be sold provided the borough assembly, by ordinance, determines that a public need for the properties does not exist,

**NOW THEREFORE BE IT ENACTED** by the Haines Borough Assembly that the four aforementioned parcels are not required for a public purpose and may be sold according to HBC 14.20.

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

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

Section 3. Purpose. To determine whether foreclosed properties deeded to the borough shall be retained for a public purpose.

Haines Borough  
Ordinance No. 13-03-320  
Page 2 of 2

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS \_\_\_\_  
DAY OF \_\_\_\_\_, 2013.

\_\_\_\_\_  
Stephanie Scott, Mayor

ATTEST:

\_\_\_\_\_  
Julie Cozzi, MMC, Borough Clerk

Date Introduced: 03/26/13  
Date of First Public Hearing: 04/09/13  
Date of Second Public Hearing: \_\_\_/\_\_\_/\_\_\_



Haines Borough  
**BOROUGH ASSEMBLY  
ACTION REQUEST**

DATE: March 15, 2013

TO: Borough Assembly

FROM: The Haines Planning Commission

PLANNING COMMISSION ACTION:

**Motion:** Venables moved to “classify for sale the four foreclosed properties that have returned to Borough ownership”. The motion passed unanimously.

RATIONALE:

NO land which the Borough owns or has an interest shall be sold until it has been classified for sale.

PLANNING COMMISSION REQUEST: To classify the four foreclosed property for sale.

SUBMITTED BY \_\_\_\_\_

A handwritten signature in black ink, appearing to read "Rob Goldberg", is written over a horizontal line.

(signature)

Rob Goldberg  
Planning Commission Chair



*Excursion Inlet*

*Neva Lake*

**B-EXS-0B-0700 - Excursion Inlet South 81-90  
Block B, Lot 7, 3.82 Acres**





**3-MVE-00-1300 - Moose Valley Estates Lots 13 & 18, 10 Acres**



Valley Ct

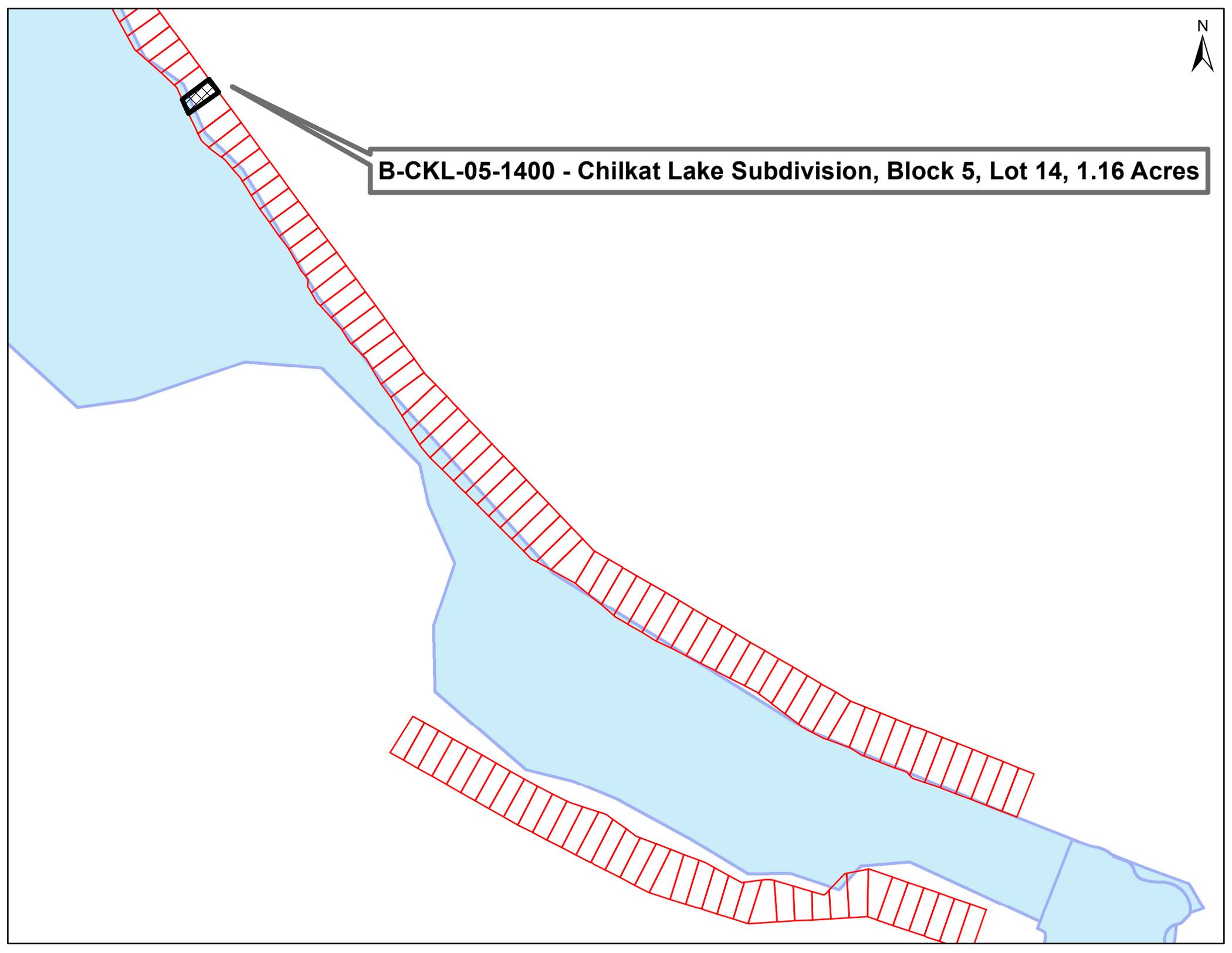
Cottonwood Dr

Swan Ct

Eagle Bluff Dr



**B-CKL-05-1400 - Chilkat Lake Subdivision, Block 5, Lot 14, 1.16 Acres**

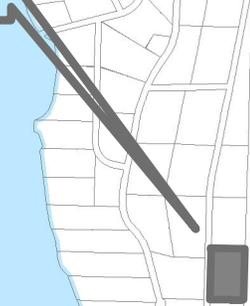




*Excursion Inlet*

*Neva  
Lake*

**B-EXS-0C-0400 - Excursion Inlet South 81-90  
Block C, Lot 4, 3.73 Acres**



### **HBC 3.74.220 Disposition and sale of foreclosed property.**

A. The borough shall determine by ordinance whether foreclosed property deeded to the borough shall be retained for a public purpose. The ordinance shall contain the legal description of the property, the address or a general description of the property sufficient to provide the public with notice of its location, and the name of the last record owner of the property as the name appears on the assessment rolls.

B. Tax-foreclosed property conveyed to the borough by tax foreclosure and not required for a public purpose may be sold. Before the sale of tax-foreclosed property held for a public purpose, the borough, by ordinance, shall determine that a public need does not exist. The ordinance shall contain the information required under subsection (A) of this section.

C. The assessor shall send a copy of the published notice of hearing of an ordinance to consider a determination required under subsections (A) or (B) of this section by certified mail to the former record owner of the property that is the subject of the ordinance. The notice shall be mailed within five days after its first publication and shall be sufficient if mailed to the last record owner of the property as the name appears on the assessment rolls.

D. The provisions of subsection (C) of this section do not apply with respect to property that has been held by the borough for a period of more than 10 years after the close of the redemption period.

### **3.74.230 Repurchase by record owner.**

A. The record owner at the time of tax foreclosure of property acquired by the borough, or the assigns of that record owner, may, within 10 years and before the sale or contract of sale of the tax-foreclosed property by the borough, repurchase the property. The borough shall sell the property to the record owner or assigns for the full amount applicable to the property under the judgment and decree, plus:

1. Interest at the rate established in HBC [3.74.040\(A\)](#), from the date of entry of the judgment of foreclosure to the date of repurchase;
2. Delinquent taxes assessed and levied as though it had continued in private ownership; and
3. Costs of foreclosure and sale.

B. After adoption of an ordinance providing for the retention of tax-foreclosed property by the borough for a public purpose, the right of the former record owner under subsection (A) of this section to repurchase the property ceases.

### **3.74.240 Proceeds of tax sale.**

A. If foreclosed property lies within the townsite service area, on the sale of such property, the borough shall divide the proceeds less cost of collection between the borough general fund and

the townsite service area fund having unpaid taxes against the property. The division shall be in proportion to the respective municipal taxes against the property at the time of foreclosure.

B. If tax-foreclosed property that has been held by the borough for less than 10 years after the close of the redemption period and never designated for a public purpose is sold at a tax-foreclosure sale, the former record owner is entitled to the portion of the proceeds of the sale that exceeds the amount of unpaid taxes, penalties, interest, and costs to the borough of foreclosing and selling the property, and the amount equal to taxes that would have been assessed and levied after foreclosure if the property had continued in private ownership. If the proceeds of the sale of tax-foreclosed property exceed the total of unpaid and delinquent taxes, penalty, interest, and costs, the borough shall provide the former owner of the property written notice advising of the amount of the excess and the manner in which a claim for the balance of the proceeds may be submitted. Notice is sufficient under this subsection if mailed to the former record owner at the last address of record of the former record owner. On presentation of a proper claim, the borough shall remit the excess to the former record owner. A claim for the excess filed after six months of the date of sale is forever barred.



Haines Borough  
Assembly Agenda Bill

Agenda Bill No.: 13-258  
Assembly Meeting Date: 4/9/13

Business Item Description:	Attachments:
Subject: Amend Title 7 to Discontinue the Fire Service Area #1 Board	1. Ordinance 13-03-321 2. Letter from the Haines Volunteer Fire Department 3. Email from VHansen
Originator: Assembly Member Lapp	
Originating Department:	
Date Submitted: 3-12-13	

**Full Title/Motion:**  
Motion: Introduce Ordinance 13-03-321 and set a first public hearing for April 9, 2013.

**Administrative Recommendation:**

**Fiscal Impact:**

Expenditure Required	Amount Budgeted	Appropriation Required
\$	\$	\$

**Comprehensive Plan Consistency Review:**

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

**Summary Statement:**  
This ordinance is sponsored by Assembly Member Lapp and supported by the Haines Volunteer Fire Department (HVFD). The HVFD believes a separate board for Fire Service Area #1 is redundant and therefore unnecessary. The assembly is asked to consider discontinuing this board by amending code. The ordinance was introduced on 3/26/13.

**Referral:**

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

**Assembly Action:**

Workshop Date(s):	Public Hearing Date(s): 4/9/13
Meeting Date(s): 3/26, 4/9/13	Tabled to Date:

**AN ORDINANCE OF THE HAINES BOROUGH AMENDING BOROUGH CODE  
TITLE 7, SECTION 7.08.010 TO DISCONTINUE THE FIRE SERVICE AREA #1  
BOARD.**

BE IT ORDAINED BY THE HAINES BOROUGH ASSEMBLY:

Section 1. Classification. Section 4 of 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 7.08.010. Section 7.08.010 of the Haines Borough Code of Ordinances is amended to read as follows:

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

**7.08.010 Fire service area No. 1.**

A. Establishment of Fire Service Area No. 1. Borough fire service area No. 1 is established with area and boundaries as set forth on a plat. ~~{See Figure 7-1.}~~ The boundaries of fire service area No. 1 are described as that portion of the borough along and accessible from the following roads and outside the townsite service area boundaries:

Area A – All land between the Chilkat River on the west and the 2,000-foot elevation level on the east, starting at the townsite service area boundary and continuing to approximately Mile 15, Haines Highway.

Area B – All land between the townsite service area southern boundary on Mud Bay Road and the east/west line created by the southern boundary of Lot 5, Section 13, T31S, R59E.

Area C – Beginning at the N.W. corner of Section 9, Township 30 South, Range 59 East, C.R.M.; thence due south to the 2,000-foot elevation line; thence along said line in a northerly direction to its intersection with the north boundary line of Section 27, Township 29 South, Range 58 East, C.R.M.; thence due east along said section line to the N.E. corner of Section 30, Township 29 South, Range 59 East, C.R.M.; thence due south along the eastern boundary of said section to its intersection with the mean high tide line of Lutak Inlet; thence along said line in a northerly direction gradually becoming southerly around the northern end of Lutak Inlet to the true point of beginning. ~~(This description contains all property on Lutak Inlet currently owned by Chilkoot Lumber Co.)~~

Area D – All property on the Chilkat Peninsula south of the existing townsite service area and Fire District #1 boundaries, excluding all property on the east side of Flat Bay (east and south of the Nelson Sub-Division).

~~The prior maps illustrating the approximate boundaries of fire service areas No. 1, No. 2, No. 3, and No. 4 are repealed and replaced by the map attached to the ordinance codified by this section and labeled as Appendix A. If the mapped boundaries differ in any respect from those in the above narrative text describing the boundaries, the narrative text shall prevail.~~

B. Services Provided. The services provided within fire service area No. 1 shall be fire protection, prevention, and safety, including, but not limited to, construction of facilities and purchase of real and personal property as required.

~~C. Board of Directors.~~

~~1. The board of directors for fire service area No. 1 shall be composed of five members. Four of the members shall be residents of the service area, of whom one, and only one, shall be a member of the Haines volunteer fire department. The chief of the Haines volunteer fire department shall serve ex officio as the fifth member on the board. The term of office for appointed members shall be two years, except that two members of the first board appointed under this section shall each serve for only one year. All appointments shall be made in accordance with HBC 7.04.080.~~

~~2. The board shall recommend to the assembly the annual tax for the residents and conduct any other business necessary to manage the affairs of the service area including annual reports and audits. The assembly shall act promptly on board recommendations.~~

D. Borough Service Area Tax Levy.

1. The assembly shall levy and collect an annual tax from each property owner within fire service area No. 1, which will be deposited in a special borough service area fund. The borough shall allocate on behalf of the Haines volunteer fire department a sum equivalent to the total taxes levied, no later than October 31st of each year. Delinquent service area taxes shall be collected by the borough in the same manner as other delinquent real property taxes within the borough, as set forth in the code and statutes.

2. Differential taxation is applicable to properties within the fire service area, with the objective of approximating the relationship between cost borne and level of service which can be provided.

3. A differential rate of taxation is applicable at a 25 percent reduction for properties within the fire service area based on a response time greater than 40 minutes. "Response time" is defined as the arrival of a hose from a fire truck to the property as referenced in the pre-fire plan developed by the Haines volunteer fire department. The property owner seeking an exemption shall file a written application to the ~~fire service area board~~ **borough manager** prior to January 1st of the year the exemption will apply. The ~~service area board~~ **borough manager** shall review exemptions periodically.

E. State Revenue Sharing Funds. The borough shall apply for state revenue sharing funds, if available, on behalf of fire service area No. 1.

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2013.

ATTEST:

\_\_\_\_\_  
Stephanie Scott, Mayor

\_\_\_\_\_  
Julie Cozzi, MMC, Borough Clerk

Date Introduced: 03/26/13  
Date of First Public Hearing: 04/09/13  
Date of Second Public Hearing: \_\_\_/\_\_\_/\_\_\_



**Haines Volunteer Fire Department**  
P.O. Box 849 Haines, AK 99827 907 766-2115

To whom it may concern,

At a regularly scheduled Officers Meeting of the Haines Volunteer Fire Department (HVFD), the following recommendation for the future of Fire District #1 Advisory Board was made:

- A. First & foremost - With FD-1 being the old "town core area" of the Haines Borough, the duties, regarding the HVFD, are fully covered and being done on a regular basis by the Haines Borough Assembly. (Including all taxing and budget issues)
- B. The tax differential requests for any property owner beyond the "time & distance" guidelines are dealt with on an annual basis. (Without problems or issues)
- C. Since the only "duty" for FD-1 advisory board as currently written in the code ("The board shall recommend to the assembly the annual tax for the residents and conduct any other business necessary to manage the affairs of the service area including annual reports and audits. The assembly shall act promptly on board recommendations.") to determine the residents annual tax rate, seems to be in error and should be removed from code. This would only leave annual reports and audits.
- D. The HVFD is a Department of the Borough, directly under and answering to the Manager. Making all reports and audits (which The Haines Borough conducts annually, including the Fire Department)

THEREFORE:

It is a natural conclusion of the undersigned officers of the HVFD that an Advisory Board for Fire District #1 is not necessary, and should be dissolved.

HVFD Officers,

*Scott Craft*  
*Sammy Walter*  
*Thomas Anderson*  
*Roe Hansen*  
*D.K.*

**From:** Roc Ahrens <[roc.ahrens@gmail.com](mailto:roc.ahrens@gmail.com)>  
**Date:** March 11, 2013, 9:31:12 PM AKDT  
**To:** [jlapp@haines.ak.us](mailto:jlapp@haines.ak.us)  
**Subject:** Fwd: Supporting Jerry Lapp's Ordinance

**From:** Vince Hansen <[halincn@aptalaska.net](mailto:halincn@aptalaska.net)>  
**Subject:** Re: Supporting Jerry Lapp's Ordinance

Hello Roc, Sorry I won't be able to make the meeting. Without looking at the specific boundaries and other related fire district code, the most obvious factor is redundancy. The Haines Borough Assembly, and prior to that, the Haines City Council, have performed all of these functions. This is logical, since one fire department serves the entire area, except Klehini. All fire district oversight, other than Klehini, should be overseen (as they have been) by one body - the Borough Assembly. I agree that the code should be revised to reflect this. If there weren't so many other issues to address when the Borough and City code were consolidated, this probably would have been addressed better then. Vince



**Haines Borough Administration**  
**Mark Earnest, Borough Manager**  
 (907)766-2231 • Fax(907)766-2716  
 mearnest@haines.ak.us

April 9, 2013

### **FY 2014 Operating and Capital Budget and 6-Year Capital Improvement Program**

As you are aware, the Manager's proposed FY 2014 Operating and Capital Budget and 6-Year Capital Improvement Program was published on April 1. I would like to thank all of the employees and others who provided input into the process, with a special recognition of appreciation to the Finance Department staff under the leadership of Finance Officer Jila Stuart. There were many challenges and difficult decisions involved in the process. As always, Borough staff and I look forward to working with you in finalizing and implementing the Haines Borough FY 2014 Budget.

### **Safe Routes to School**

The Haines Borough had received grant funding in the amount of \$9,000 to finalize the Haines Safe Routes to School Action Plan. Part of that effort has included creation of a 2013 cluster map detailing the residences of students in the Haines Borough School District. Members of the task force are meeting this week to outline the safest routes for these students to walk/bike to school. The goal is to create bike lanes on the high priority routes. This will include road stripping, signage, and stencils. It is hoped the work can be completed this summer. The plan will also look at possible road diets.

The sidewalk from Third Avenue to Fair Drive is scheduled for construction this summer. This project will include a crosswalk over the Old Haines Highway to Fair Drive. It is hoped the flashing light on the West Side of the Third Avenue crosswalk will move to the West side of the Fair Drive crosswalk, so that both crosswalks and then entire school entrance are bracketed.

### **Borough Facilities Master Plan**

We have received the final report on the Borough Facilities Master Plan from McCool, Carlson, Green. The report is on the website and has been sent to members of the steering committee. A meeting will be scheduled in April to discuss next steps.

### **Biomass Mini Summit**

On March 27, 2013, the Haines Borough hosted biomass experts from the Coast Guard, USFS, The National Renewable Energy Lab, the Yukon as well as local DNR, CIA, Southeast Conference representatives to discuss the Haines State Forest and biomass supply and demand. Everyone was impressed with the pellet boiler at the Senior Center. It is hoped that these efforts will result in a pellet or chip mill in the region.

### **Port Development Update**

On May 22, 2013 the Port Development Steering Committee will host Mike Catsi from the Alaska Industrial Development Export Authority (AIDEA). He will be here to tour the Lutak port facilities and will host a public meeting in Assembly Chambers at 5:30. As part of the trip, the steering committee and AIDEA will travel to Skagway to tour the ore transshipment facility. Representatives from Prophecy Platinum, Constantine Metal Resources, and Southeast Stevedoring have also been invited.

### **Heliskiing**

As outlined in Borough Heliski policy, the Haines Borough has asked for random samples of GPS data from the operators to test for compliance.

### **Towing RFP**

The Borough received one response to the RFP for towing services. The response was unresponsive, details and a recommendation for the Borough to provide this service in house, have been sent to the Commerce Committee for review.

## **Uplands Acquisition**

Borough staff is working with the Alaska Department of Transportation and Public Facilities (ADOT&PF) and Alaska Department of Natural Resources (ADNR) regarding possible acquisition of uplands property (the old ADOT&PF gravel pit) across from the Lutak Dock.

## **Port Chilkoot Dock / Letnikof Harbor Projects**

The Port Chilkoot Dock / Letnikof Harbor Projects bid opening was held on Tuesday, April 2, 2013. The Borough received three bids which been reviewed by PND Engineers. This item is the subject of an Assembly action item at the April 9 meeting.

## **Borough Radio Communication System**

Ongoing work is being done by Begenyi Engineering to complete the design and bid documents for the Borough's Radio Project. Bid documents are still expected in early May.

## **Lutak Dock Security Fence**

The Lutak Dock Security Fence project will resume as soon as ground conditions will allow. The project is approximately 85% complete. All work will be completed by April 30, 2013. Contractors are scheduled to be in Haines to continue work April 15.

## **Mosquito Lake School Fire Suppression**

Pacific Rim Mechanical is currently working on the fire suppression system. The demolition is complete and construction has begun.

## **E-911 System**

Proposals have been received for the Borough E-911 system replacement project. The review committee is reviewing and evaluating the submittals.

## **Portage Cove Small Boat Harbor**

An RFP has been advertised for are card lock fuel delivery system to be installed at Haines' Small Boat Harbor. Review of the proposals will begin May 2, 2013.

## **Barnett Tank Demolition**

The Borough completed the demolition of the Barnett Water Tank in late March. The tank was constructed of clear Redwood. Some of the wood will be donated to the School Voc-Ed program; some of that wood will be used by the shop class for producing benches and possibly other similar improvements for installation in town. We are currently looking into a disposal plan for making the remainder of the wood available to Borough residents.

## **Public Safety Building**

On April 2, in response to an employee who reported hazardous working conditions, OSHA conducted an unannounced inspection of the Public Safety Building. Present during the inspection were acting Police Chief Simon Ford, Fire Chief Scott Bradford, and Public Facilities Director Carlos Jimenez. During the inspection, the OSHA representative pointed out some violations, most of which were rectified by the end of the day by Borough Employees. The inspection did not reveal any substantial hazardous violations. The Borough is awaiting a formal written report detailing any violations that will be addressed.

## **Visitor Information Kiosk**

An RFP has been issued for the construction of a new Visitor Information Kiosk which will be located at the PC Dock. Construction is scheduled to be complete by May 13.

## **Personnel**

I am pleased to announce that Christopher Downer has been hired as the new Equipment Operator/Maintenance Worker for the Public Works Department. Christopher began his employment with the Borough on April 2.

To: The Honorable Stephanie Scott  
The Haines Borough Assembly  
Mark Earnest, Borough Manager

From: Brad Gilman & Sebastian O'Kelly

Re: Washington Update

Date: April 3, 2013

**1. FY 2014 Community Priorities:** We have submitted the following community requests in order of priority to the Alaska Senators (Senator Murkowski only asked for the top three, while Rep. Young did not ask for submissions this year). They included support for – Port Lutak; Haines Harbor; Secure Rural Schools/PILT; Shakwak Funds; Scenic Byways Program; and easing EPA's ECA Rule on the cruise ship industry. At the Borough's request, we submitted on behalf of the Chilkoot Indian Association, a request to restore prior formula funding for the Tribal Transportation Roads Program.

**2. FY 2013 Federal Budget/Sequestration:** The Congress enacted a Continuing Resolution to keep the Federal government operating for the remaining months of this fiscal year but it did not overturn the mandated sequestration cuts. Federal employees may face furloughs up to one day a week and some Federal operations will be reduced. Implementation will start in April and while the details are not fully known at this point, here is a preliminary assessment of impacts that might affect Haines—

- PILT: 5 percent. This is a cut to the amount the Borough is projected to receive in its June payment.
- SRS: The Forest Service has indicated that it will seek a refund from communities of Title I SRS funds but we believe that such an effort rests on questionable legal grounds. SRS Title I payments, while paid in calendar year 2013, came from fiscal year 2012 funds. RAC meetings/deliberations are likely to be effected as they occur in the current fiscal year. Reauthorization is still needed for the program to continue next year.
- Army Corps: 5 percent.
- BLM: 5 percent. Furloughs likely as well as reduced operations and activities.
- Federal aid in highways: Highway formula programs are exempt. This includes formula funds for AMHS service.
- EDA & RDA: 5 percent. Likely implemented by a combination of furloughs of Federal employees and slowed or reduced grant/loan award amounts.

**3. Haines Harbor Project:** Debate on WRDA reauthorization has begun with hearings and a mark up of a bill in the Senate Environment And Public Works Committee. We have re-initiated advocacy for bill language which funds the rural navigation projects separately from the larger navigation and flood control projects for the Lower 48. The proposal would waive the National Economic Determination for rural Alaska projects, making future Haines Harbor expansion projects feasible in spite of the presence of clay sediment within the basin. Early indications are positive from the Alaska Delegation, and the Southeast Conference has endorsed the proposal.

**4. Deepwater Ports Legislation:** Senator Begich has introduced a bill that authorizes the Army Corps to enter into partnerships with private sector entities, including Alaska Native Corporations, for the purpose of constructing deepwater ports. The bill also sets up a fund within the Treasury to permit the Corps to undertake loan financing to fund such projects.

**5. Secure Rural Schools/PILT Reauthorization:** The House and Senate have taken early steps in the reauthorization of these programs. The recently-passed House and Senate Budget Resolutions include non-binding language recommending extension of both programs. The Senate Energy & Natural Resources Committee, of which Senator Murkowski is the Ranking Member, held an initial hearing in March. Members of the Committee on both sides of the aisle spoke in favor of reauthorization. Major issues included – a multi-year reauthorization versus another one year emergency extension; determining an appropriate offset to pay for the programs; and expansion of natural resource and timber management and development on Federal lands. Senator Baucus (D-MT), Chairman of Senate Finance Committee, pledged to find an appropriate offset in the upcoming debate on tax reform. In its testimony, the head of the Forest Service indicated as part of the sequester that the Service will seek a partial “refund” from communities of their FY 2012 SRS Title I payments. This issue is not yet settled and we recommend holding off on any Forest Service request at this point.

**6. Ring Of Fire Area Amendment:** The public comment period on the draft EIS alternatives closed in mid-March.

**7. Shakwak Project – North Alaska Highway:** We have passed along media stories to the Delegation on the elimination of the U.S. share of Shawak Project funding and what it means for commerce and transportation into Haines. The debate on Highway Bill reauthorization will get underway later this year.

**8. Fisheries:** There has been early activity this year on fisheries matters in the new Congress, as follows--

- **Genetically-Modified (GM) Salmon:** The Alaska Delegation continues to press forward to halt or control the introduction of Aqua Bounty’s GM Salmon in U.S. markets. Senators Begich and Murkowski have introduced two bills – one would make GM salmon sale illegal in the U.S. unless NOAA has determined that there

would no harmful impact on the environment, and the second would require the FDA to clearly label GM salmon on consumer packaging. Rep. Young has introduced the counterpart labeling bill in the House.

- **Maritime Lien Reform:** Senators Murkowski and Begich, along with Representative Young in the House, have reintroduced legislation that prohibits maritime liens from being imposed on commercial fishing permits.
- **Aquaculture In Federal Waters:** Rep. Young has reintroduced legislation that would prohibit aquaculture operations in U.S. waters until such time as Congress passes legislation that sets up procedures and permit requirements for its approval.
- **J-1 Visas For Seafood Processing Workers:** Senator Begich has introduced a bill to create a separate category (“H2O Visas”) for processing workers in an effort to resolve the difficulties in recent years with the State Department approval of J-1 visas.
- **Capital Construction Fund:** A bipartisan group of Senators from coastal states, including the two Alaska Senators, have reintroduced a bill that would allow commercial fishermen to withdraw their CCF funds without incurring a significant tax penalty for the purposes of retirement or expand their businesses. Alaska permit holders have over \$27 million sitting in the CCF.
- **Illegal International Fishing And Fraudulent Foreign Seafood Labeling:** The Alaska Senators have also introduced legislation that would tighten U.S. sanctions and enforcement against illegal fishing by foreign vessels, including barring them from entering U.S. ports. Separately, Senator Begich has introduced a bill that would tighten enforcement and traceability of fraudulent seafood labeling, most of which is coming from importers.
- **Magnuson-Stevens Act Reauthorization:** The House and Senate held kick-off hearings on reauthorizing the MSA. Issues discussed included: the cost to communities of ending overfishing; the need for improved science and more timely stock assessments; and the impacts of global climate change on fisheries. These were the first of what will be several hearings on reauthorization.

**9. Sealaska Withdrawal Legislation:** Bills have been reintroduced in the House and Senate to permit Sealaska to withdraw ANSCA entitled lands. The Senate bill has been revised to focus on withdrawals in timber areas with both old and second growth timber. It includes stream buffers and other protections as well permitting public access for recreation, fishing and hunting. Maps of the withdrawal areas can be found here -- <http://www.murkowski.senate.gov/public/?p=SealaskaLandBill>. The House bill is the same bill that passed the House in the last Congress. The major difference with the Senate version is that it does not include any conservation management areas.

**10. Essential Air Service:** The Washington Post recently ran a weekend editorial calling for terminating the EAS Program. There will be sequester cuts to the program. Also as result of the sequester, the FAA has announced it will close a large number of air traffic control towers at small, rural airports across the country.

**11. Energy Issues:** There is much discussion in this Congress about passing a comprehensive energy bill. The following are recent developments--

- **Hydropower:** Senator Murkowski has introduced legislation to promote the development of small hydropower projects and to streamline the FERC licensing process for such projects. Senator Begich is a cosponsor.
- **LNG:** Senator Murkowski met with the Prime Minister of Japan in February to encourage greater export of Alaskan LNG to Japan. After the tsunami/earthquake and meltdown of the Fukushima nuclear reactor, the Government of Japan has made natural gas a centerpiece of future electrical power generation. Separately, legislation has been introduced that would expedite Department of Energy approval of LNG exports to Japan and NATO allies. Senator Begich is a cosponsor.
- **ANWR:** Rep. Young has reintroduced legislation to open up ANWR to oil and gas exploration.
- **Energy 20/20:** Senator Murkowski has issued a comprehensive report recommending a balanced energy strategy that focuses on both production and conservation. The full report can be found here --  
[http://www.energy.senate.gov/public/index.cfm/files/serve?File\\_id=099962a5-b523-4551-b979-c5bac6d45698](http://www.energy.senate.gov/public/index.cfm/files/serve?File_id=099962a5-b523-4551-b979-c5bac6d45698).
- **OCS Revenue Sharing:** Senator Murkowski has introduced bipartisan legislation that would allocate 27.5 percent of OCS lease revenues to affected States (this amount would be increased to 37.5 percent if a State establishes a clean energy fund) , with 25 percent of that amount going to local governments that are closest to the lease areas or serve as significant staging areas and the rest going to the State. Should the bill become law, it would generate substantial funding to the State and eligible communities as oil and gas development in the Beaufort and Chukchi Seas proceeds. Senator Begich is a cosponsor and earlier introduced his own bill.

## **12. Miscellaneous**

- **Congressional Oceans Caucus:** Rep. Young has been named co-chair of the Congressional Oceans Caucus. The bi-partisan group has over 75 Members.

- **Prince of Wales Mining Access Roads:** The Delegation has sponsored legislation to direct the Forest Service to construct an access road to the Niblock and Bokan Mountain mining claim areas on Prince of Wales Island.
- **Roadless Area Rule:** Senators Begich and Murkowski have reintroduced legislation that would roll back the Roadless Area Rule as it applies to national forest land in Alaska.
- **Tax-Exempt Status For Municipal Bonds:** NACO has begun a major lobbying push to protect the tax-exempt status for municipal bonds during the upcoming debate on tax reform. Loss of that exemption, while bringing in significant funds to the Federal treasury, would raise interest rates on municipal bonds and increase the cost of bond financing for localities across the country. Senator Begich is circulating a letter to send to the President urging him to protect this tax-exempt status during negotiations.
- **Bypass Mail/Postal Service Reform:** Postal Reform legislation did not pass in the last Congress and will be brought back up again in this session. In the interim, the Postal Service has announced a decision to end Saturday mail (but not package) delivery nationwide later this year. The FY 2013 CR includes language that overturns that decision.
- **Arctic Policy Bills:** Senator Begich has introduced three bills to strengthen Alaska's involvement in future Federal scientific, trade, military, and other policy decisions concerning the Arctic region.



# Chilkat Center for the Arts

*A Community Facility Operated by the Haines Borough*

**(907) 766-3573**

**facsimile (907) 766-3574**

**E-mail [business@khns.org](mailto:business@khns.org)**

# 8B

## **Facility Administration Report**

**March 2013**

### **Usage**

Chili Dinners, Chamber of Commerce Luncheon, Miss Tess and the Talkbacks, a last minute wedding reception (bride and groom resplendent in camo) and the Puppet Magic of Byrne Power and Paulette Caron are some of the key events that the Chilkat Center for the Arts hosted in March. SAIL hosted their second annual moose chili community dinner and gave out awards in gratitude for community organizations that have worked diligently to better independent living in Haines. Miss Tess and the Talkbacks were a great band brought to town by the Haines Arts Council. Good sports all, they missed their ferry and had to wait patiently for a weather window to fly to Haines but got in at the last minute and made the magic happen. And speaking of magic, there is nothing quite like a live puppet show and this year, Parisian Paulette Caron joined with local Byrne Power to perform theater with their hand-made puppets.

- Yoga is growing exponentially and may be moving from the dance studio to the lobby if numbers remain steady at the high attendance rates they have been registering.
- Jujutsu scaling back classes for the summer and resuming in August.
- Students from the school, along with their teacher Mario Benassi, are still using the basement to work on their assembly of an Orca whale infant that was found and claimed a couple of years ago. They have all the requisite permits for this and are using the basement for their zoology class continuing thru March into April.
- Sarah Jaymot has started cooking and baking steadily in the kitchen, torturing upstairs tenants with the savory and sweet smells that waft up the stairways.

April showers promise to bring more parties, events, plays and classes as the CCA moves into the spring and summer months. Mark your calendars for the KHNS Wine Tasting on Friday, April 12<sup>th</sup>, 7-9pm, "Dinner with Friends" on April 19, 20 and 21, directed by Tod Sebens and a Yoga 2 week spring cleansing workshop.

### **Maintenance**

- The Borough Guys created a cover for one of the heating units in the dance studio and true to my predictions, the users of the dance studio are impressed and grateful. Slowly but surely, we hope to see the all the units be graced by these covers in the dance studio.
- Much of the water damage to walls and lighting fixtures has been addressed, allowing new and better painting opportunities and less chance of being startled when hitting the light switch.
- The Green Room is currently being painted a fresh and minty green by volunteer Jim Lampkins w/assistance by Melina Shields.
- We have a tremendous amount of paint in the scene shop that could be assessed by LCCP to see what is worth keeping
- The main upstairs hallway is also ready for painting

*Submitted by Facilities Manager, Kay Clements, March 2013*

<b>Chilkat Center for the Arts</b>			
<b>Mar-13</b>			
<b>Contact</b>	<b>Function</b>	<b>Participants</b>	<b>Amount</b>
<b>Dance Studio</b>			
SEARHC	Yoga Tuesday and Thursday 5:15-6:30, Sun 9:30am	322	300
Chorus Bishop	Seibukan Jujitsu --	168	300
Michelle Webb	Private Class 3/16	5	25
<b>Lobby</b>			
SEARHC	Morning Muscles	106	120
St Michael's	Sunday Services	80	375
St. Michael's	Weekday Services 3/28,3/29,3/30	65	225
SEARHC	Strongwoman	48	120
SAIL	Chili Dinner 3/15	70	100
Chamber of Commerce	Luncheon	40	75
CCA	Grants meeting for theater 3/6	10	n/c
Jessica Rettinger	Wedding Reception 3/31	25	100
<b>Basement</b>			
Byrne Power	Puppet Show 3/29 and 3/30	90	150
Haines School	Whale Assembly w/ Mario Benassi Sr.	10	n/c
<b>Conference Room</b>			
FCCA	Board Meeting	8	n/c
<b>Auditorium</b>			
Kim Sundberg	Ballet Recital 3/1	200	400
Haines Arts Council	Miss Tess and the Talkbacks 3/22	55	325
<b>Kitchen</b>			
Sarah J		1	250
<b>March Totals</b>			
		1303	2,865.00



**Haines Borough  
Assembly Agenda Bill**

**Agenda Bill No.:** 13-261  
**Assembly Meeting Date:** 4/9/13

<b>Business Item Description:</b>		<b>Attachments:</b>
Subject: Award Visitor Shuttle Services Contract for 2013	Originator: Borough Clerk	1. Resolution 13-04-451 2. Request for Proposals 3. River Adventures Proposal 4. Tourism Director Recommendation 5. Citizen Recommendation
Originating Department: Administration	Date Submitted: 3/29/13	

**Full Title/Motion:**  
Motion: Adopt Resolution 13-04-451.

**Administrative Recommendation:**

**Fiscal Impact:**

Expenditure Required	Amount Budgeted	Appropriation Required
\$	\$ See summary below	\$

**Comprehensive Plan Consistency Review:**

Comp Plan Policy Nos.: Page 142	Consistent: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
------------------------------------	---

**Summary Statement:**

The visitor shuttle runs on a designated route map, stopping at various points of interest in the community and is primarily for cruise ship visitors. Funding for the service is budgeted annually out of the Commercial Passenger Vessel Tax Fund and is currently in the FY13 budget as well as in the proposed FY14 budget.

The borough issued an RFP for 2013 visitor shuttle services and received one proposal from River Adventures for \$80 per hour. This is the same amount paid to the previous contractor the past two seasons. The tourism director recommends award.

**Referral:**

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

**Assembly Action:**

Workshop Date(s):	Public Hearing Date(s):
Meeting Date(s): 4/9/13	Tabled to Date:

**A Resolution of the Haines Borough Assembly authorizing the Borough Manager to contract with River Adventures for \$80 per hour for the operation of the 2013 Visitor Shuttle Service.**

**WHEREAS**, the Visitor Shuttle runs on a designated route map, stopping at various points of interest in the community; and

**WHEREAS**, the Haines Borough (Borough) issued a Request for Proposals (RFP) from qualified individuals or firms; and

**WHEREAS**, the Borough received one proposal: River Adventures for \$80 per hour; and

**WHEREAS**, the Tourism Director has reviewed the proposal and recommends award; and

**WHEREAS**, funding for the service is budgeted annually out of the Commercial Passenger Vessel Tax Fund and is currently in the FY13 budget as well as in the proposed FY14 budget;

**NOW, THEREFORE, BE IT RESOLVED** that the Haines Borough Assembly authorizes the Borough Manager to contract with River Adventures for \$80 per hour for the operation of the 2013 Visitor Shuttle Service.

Adopted by a duly-constituted quorum of the Haines Borough Assembly on this \_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
Stephanie Scott, Mayor

Attest:

\_\_\_\_\_  
Julie Cozzi, MMC, Borough Clerk



HAINES BOROUGH  
HAINES, ALASKA



# PUBLIC NOTICE

## REQUEST FOR PROPOSALS VISITOR SHUTTLE SERVICE

The Haines Borough seeks proposals from qualified individuals or firms to offer shopper/visitor shuttle service from the Port Chilkoot Dock to the Haines Visitor Center and other designated stops during visits of large cruise ships not currently providing this service. The contract will also include shuttle service to and from the ferry terminal and Visitor Center and other designated stops for Haines' large events. The successful respondent will be provided signage and a designated parking spot at the dock during visits of these ships, and be authorized to charge passengers the fee included in their proposal. Limited Borough funds may be available under this RFP.

The proposal deadline is: **4:00 p.m., Thursday, March 21, 2013**. Proposals must be written and submitted to the Borough Clerk's Office, Haines Borough (mailed to: P.O. Box 1209, Haines, AK 99827, or hand-delivered to: 103 Third Ave. S, or faxed to: 907-766-2716, or emailed to: jcozzi@haines.ak.us). Any submissions after the deadline will be considered only if no timely and viable proposals were received. All proposals shall include certification of the ability to meet each of the criteria in the Scope of Work below and a proposed per-passenger fee for offering the service.

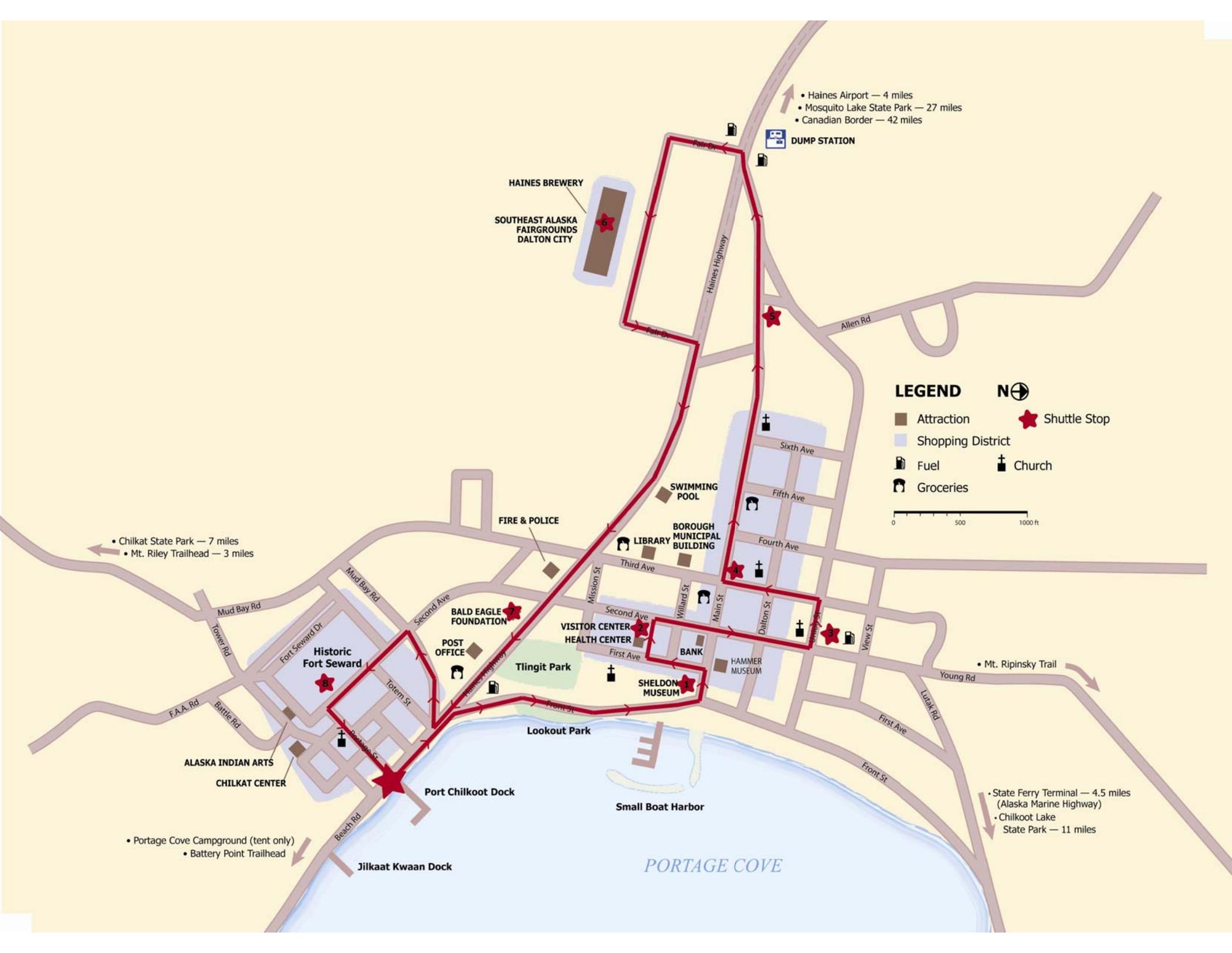
### **Scope of Work:**

**Cruise Shuttle** - The work involves operating at least one permitted vehicle with a capacity of at least 22 passengers each between the Port Chilkoot Dock and designated stops as noted on the attached official route map. [Note: the route may require alteration depending on road construction scheduled to take place throughout the season.] The vehicles must meet all dockings of the large ships (20 scheduled calls of the Statendam, Zaandam and Grand Princess) and provide consistent and continuous round-trip service until the time of the ship's boarding for departure. The service will be provided from May 22 through September 18, 2013.

**Event Shuttle** – The work involves at least one permitted vehicle with a capacity of at least 22 passengers each between the Haines Ferry Terminal and the Visitor Center / Fort Seward for the following events: Great Alaska Craft Beer & Homebrew Festival and Southeast Alaska State Fair. The vehicle(s) will also go between Fort Seward Parade Grounds and Fairgrounds for Klwane Chilkat International Bike Relay (KCIBR). Schedule for shuttles will be determined closer to events and will correlate with ferry arrival/departure times.

**Permitted Vehicles:** those with Haines Borough-approved Commercial Passenger Vehicle and Port Chilkoot Dock Parking permits. Respondent must document that the vehicle is operated by an appropriately-licensed driver. Type and quality of vehicle will weigh into contract decision. The shuttle must be maintained in a clean, safe condition on the inside and outside.

The Borough reserves the right to reject any and all proposals, to waive any informalities or technicalities, and to negotiate with the low bidder.



- Haines Airport — 4 miles
- Mosquito Lake State Park — 27 miles
- Canadian Border — 42 miles

DUMP STATION

HAINES BREWERY  
SOUTHEAST ALASKA  
FAIRGROUNDS  
DALTON CITY

**LEGEND** N

- Attraction
- Shopping District
- Fuel
- Groceries
- Shuttle Stop
- Church

0 500 1000 ft

- Chilkat State Park — 7 miles
- Mt. Riley Trailhead — 3 miles

• Mt. Ripinsky Trail

- State Ferry Terminal — 4.5 miles (Alaska Marine Highway)
- Chilkoot Lake State Park — 11 miles

- Portage Cove Campground (tent only)
- Battery Point Trailhead

PORTAGE COVE



**2013 Cruise Ship Information**

Ship	Company	Length	Passenger Capacity	Crew Capacity	Arrival in Haines	Total Passengers	Total Crew
Admiralty Dream	Alaska Dream Cruises	143 ft	66		1	66	
Alaska Dream	Alaska Dream Cruises	104 ft	42		4	168	-
American Spirit	American Cruise Lines	205 ft	100	25	11	1,100	275
Grand Princess	Princess Cruise Lines	935 ft	2,600	1,150	2	5,200	2,300
Safari Legacy	InnerSea Discoveries	192 ft	88	35	2	176	70
Statendam	Holland America Line	719 ft	1,266	580	9	11,394	5,220
Zaandam	Holland America Line	781 ft	1,440	647	9	12,960	5,823
Haines Convention & Visitors Bureau		<b>Totals</b>	<b>5,494</b>	<b>2,437</b>	<b>37</b>	<b>30,998</b>	<b>13,688</b>

**Standard Time → Military Time**

1:00 am	1:00	1:00 pm	13:00
2:00 am	2:00	2:00 pm	14:00
3:00 am	3:00	3:00 pm	15:00
4:00 am	4:00	4:00 pm	16:00
5:00 am	5:00	5:00 pm	17:00
6:00 am	6:00	6:00 pm	18:00
7:00 am	7:00	7:00 pm	19:00
8:00 am	8:00	8:00 pm	20:00
9:00 am	9:00	9:00 pm	21:00
10:00 am	10:00	10:00 pm	22:00
11:00 am	11:00	11:00 pm	23:00
12:00 pm	12:00	12:00 am	24:00

Schedule is subject to change. Haines CVB will notify businesses of changes as they are received from Cruise Line Agencies of Alaska.



May 2013

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1	2	3	4
5	6	7	8	9	10	11
12	13	14 Alaska Dream	15	16	17	18
19	20	21	22 Zaandam 6:30 – 21:00	23	24	25
26	27	28	29 Statendam 6:30 – 21:00	30	31	

Schedule is subject to change. Haines CVB will notify businesses of changes as they are received from Cruise Line Agencies of Alaska.



June 2013

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1
2	3	4 Grand Princess 7:00 – 16:00	5 Zaandam 6:30 – 21:00	6	7	8
9	10	11	12 Statendam 6:30 – 21:00	13	14	15
16	17 American Spirit 8:30 - overnight	18 American Spirit - 4:00	19 Zaandam 6:30 – 21:00	20	21	22
23	24	25	26	27	28	29
30	American Spirit 8:30 – 17:00		Statendam 6:30 – 21:00			

Schedule is subject to change. Haines CVB will notify businesses of changes as they are received from Cruise Line Agencies of Alaska.



**July 2013**

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1 American Spirit 8:30 - overnight	2 American Spirit - 4:00 Alaska Dream	3 Zaandam 6:30 – 21:00	4	5	6
7	8 American Spirit 8:30 – 17:00	9	10 Statendam 6:30 – 21:00	11	12	13
14	15 American Spirit 8:30 - overnight	16 American Spirit - 4:00 Admiralty Dream	17 Zaandam 6:30 – 21:00	18	19	20
21	22 American Spirit 8:30 – 17:00	23	24 Statendam 6:30 – 21:00	25	26	27
28	29 American Spirit 8:30 – 17:00	30	31 Zaandam 6:30 – 21:00			

Schedule is subject to change. Haines CVB will notify businesses of changes as they are received from Cruise Line Agencies of Alaska.



August 2013

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1	2	3
4 Alaska Dream	5 American Spirit 8:30 – 17:00	6	7 Statendam 6:30 – 21:00	8	9	10
11	12 American Spirit 8:30 - overnight	13 American Spirit - 4:00 Grand Princess 8:00 – 21:00	14 Zaandam 6:30 – 21:00	15	16	17
18	19	20 American Spirit 8:30 – 17:00	21 Statendam 6:30 – 21:00	22	23	24
25	26 American Spirit 8:30 - overnight	27 American Spirit - 4:00	28 Zaandam 6:30 – 21:00	29	30	31

Schedule is subject to change. Haines CVB will notify businesses of changes as they are received from Cruise Line Agencies of Alaska.



September 2013

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1	2	3	4 Statendam 6:30 – 21:00 Alaska Dream	5	6	7
8	9	10	11 Zaandam 6:30 – 21:00	12	13	14
15	16	17	18 Statendam 6:30 – 21:00	19	20	21
22	23	24	25	26	27	28
29	30					

Schedule is subject to change. Haines CVB will notify businesses of changes as they are received from Cruise Line Agencies of Alaska.

Chilkat River Adventures, Inc.  
P.O. Box 556  
Haines, Ak. 99827

Haines Borough  
ATTN: Julie Cozzi, Borough Clerk  
P.O. Box 1209  
Haines, Ak. 99827

RECEIVED Haines Borough

MAR 06 2013

Clerk's Office

March 6, 2013

RE: RFP Cruise Passenger Shuttle Service 2013

Please find attached, documentation supporting my proposal to provide a shuttle service for the 2013 summer season for cruise ship guests as well as special events, chosen by the Haines Borough.

Chilkat River Adventures, Inc. has been operating a tour company in the Haines Borough for 22 years. In 2012, Adam Patterson provided that shuttle service and his driver was Tara Bicknell. Tara has agreed to be the driver for our company, should we be awarded the contract for 2013. Tara was received very well by all the guests that she encountered, she dressed well, was clean and neat in appearance and I have full confidence that she would continue that persona.

Our buses are always kept up mechanically and they are always clean, inside and out. The buses all have chrome rims on them and people always remark at how nice our buses look. We currently have 4 buses in the fleet, with one available for the shuttle service.

I certify that our company would be able to meet all Haines cruise ships and provide service for those guests beginning May 22 through September 18, 2013. We would also provide the service for events that the Haines Borough is obligated to provide those shuttle services for.

The bus that would be used for this service is a 2000 Thomas, 43 passenger vehicle. I currently have Haines Borough listed as additional insured under our commercial vehicle policy (see attached). I have attached a copy of the registration as well as a copy of the DOT inspection that was done on 6/19/12.

The fee that we would charge the guests is \$1.00 round trip, as was done in 2012. The charge for this service would be \$80.00 per hour, which is no increase from last year. The bus would begin work at 8:00 a.m. when a cruise ship is in port and operate until the all aboard time for the guests. Our bus would operate the route that is set out in the guidelines by the Borough.

Chilkat River Adventures, Inc. obtains a Haines Borough P.C. Dock permit and a tour permit every year, just prior to the season. We would obtain this permit at the appropriate time, should we be awarded this contract.

My drivers are also enrolled in a drug & alcohol consortium through Tongass Substance Screening.



---

Karen M. Hess / Vice President  
P.O. Box 556  
Haines, Ak. 99827  
(907) 766-2050 office  
(907) 314-0037 cell



# MEMORANDUM



## Haines Convention & Visitors Bureau

**PO Box 530**

**Haines, AK 99827**

(907) 766-2234 / (907) 766-3155 fax

[www.haines.ak.us](http://www.haines.ak.us) email: [hcvb@haines.ak.us](mailto:hcvb@haines.ak.us)

---

To: Julie Cozzi, Borough Clerk; Michelle Webb, Deputy Clerk

From: Tanya Carlson, Tourism Director

Date: 4/4/13

RE: Cruise Shuttle

I have read through the proposal for a cruise shuttle from Chilkat River Adventures. Everything looks good. The bus in her proposal looks to be in good condition. I know from the company's history that they take good care of their vehicles, keeping them clean inside and out and in good working order. I consider it a bonus that they intend to hire Tara Bicknell as the shuttle driver. She has done a wonderful job in the past as the cruise shuttle driver. Guests have had very positive comments about her. Her positive attitude and ease of talking with people and explaining where everything is en-route is of great value in this position.

I support giving the cruise shuttle contract Chilkat River Adventures, Inc.

**From:** Carol Tuynman [mailto:ctuynman@gmail.com]  
**Sent:** Friday, March 22, 2013 3:08 PM  
**To:** Julie Cozzi  
**Subject:** Letter of Recommendation -Chilkat River Adventures bus driver/guide

Dear Julie,

To Whom It May Concern:

Re: Visitor Shuttle Service - Letter of Support for for proposed Chilkat River Adventures bus driver Tara Bicknell

This is to commend the choice of Tara Bicknell as the shuttle bus driver should Chilkat River Adventures win the bid for the Visitor Shuttle Service.

During her tenure as KHNS news director Ms. Bicknell demonstrated her extensive knowledge of current goings-on in Haines from town square to town hall. A seasoned journalist and wordsmith, she consistently communicated accurate, balanced and engaging information on local news, history and culture.

Ms. Bicknell stays abreast of festivals, volunteer activities, theater and other arts events, our local personalities, landmarks and landmarks. She has continued to be active in the community, most recently she serves on the board of Friends of the Chilkat Center for the Arts Foundation.

Her outstanding communication skills will be an asset to a positive image of Haines and the many wonderful qualities that characterize our vibrant community.

Ms. Bicknell knows Haines inside out. I am confident she will always share the best of all we are with our valued visitors.

Sincerely,

Carol Tuynman, president, Alaska Arts Confluence/  
Steward  
7 Echoes Homestead  
7 Mile Mud Bay Road  
Haines, Alaska 99827-0633  
907.766.3715  
<http://www.7echoes.org>



**Haines Borough  
Assembly Agenda Bill**

**Agenda Bill No.:** 13-264

**Assembly Meeting Date:** 4/9/2013

<b>Business Item Description:</b>	<b>Attachments:</b>
Subject: Support Changes to the Power Cost Equalization	1. Resolution 13-04-452 2. HB 39 with Sponsor Statement 3. D.Gonce explanation
Originator: Mayor	
Originating Department: Mayor's Office	
Date Submitted: 3/22/2013	

**Full Title/Motion:**  
Motion: Adopt Resolution 13-04-452.

**Administrative Recommendation:**

**Fiscal Impact:**

Expenditure Required	Amount Budgeted	Appropriation Required
\$	\$	\$

**Comprehensive Plan Consistency Review:**

Comp Plan Policy Nos.: Objective 15L, page 256	Consistent: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
---	---

**Summary Statement:**

There is a house bill, HB 39, that proposes to restore certain components of the Power Cost Equalization (PCE) program that existed prior to 1999. It would raise the consumption cap on residential power covered by the program from 500 kWh to 600 kWh per month, and it would include small-business rate payers in the pool of entities eligible for PCE, also at a cap of 600 kWh per month. These small commercial customers are clearly defined as only those who presently consume no more than 2,400 kWh per month. Presently, such businesses—which are important contributors to bush economies—are not eligible to receive PCE benefits.

This resolution would enable the Haines Borough Assembly to go on record in support of the changes proposed by HB 39.

**Referral:**

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

**Assembly Action:**

Workshop Date(s):	Public Hearing Date(s):
Meeting Date(s): 04/09/13	Tabled to Date:

**A Resolution of the Haines Borough Assembly support of restoring certain components of Power Cost Equalization that existed prior to 1999 and including small-business rate payers in the program.**

**WHEREAS**, the high cost of energy is one of the most significant barriers to a vibrant economy; and

**WHEREAS**, electric utility customers, residential and commercial alike, have enthusiastically embraced conservation, picking as much of this "low hanging" fruit as possible; and

**WHEREAS**, we are working diligently to supplement our source of hydro in order to address our persistent need to supplement our community's energy requirement with hydro with diesel generation; and

**WHEREAS**, the time-line for new hydro generation coming online may be as far distant as 2022; and

**WHEREAS**, small business owners are the backbone of our town; and

**WHEREAS**, the extension of the Power Cost Equalization credit to small business owners is a needed life line,

**NOW, THEREFORE, BE IT RESOLVED** that the Haines Borough Assembly supports restoration of certain components of Power Cost Equalization (PCE) that existed prior to 1999 including raising the consumption cap to residential consumers from 500 to 600 kWh per month, and including small-business rate payers into the pool of entities eligible for PCE, also at a cap of 600 kWh per month; and

**BE IT FURTHER RESOLVED** that this resolution shall be provided to members of the House Special Committee on Energy and the House Finance Committee.

Adopted by a duly-constituted quorum of the Haines Borough Assembly on this \_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
Stephanie Scott, Mayor

Attest:

\_\_\_\_\_  
Julie Cozzi, MMC, Borough Clerk

**HOUSE BILL NO. 39**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-EIGHTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES EDGMON, Herron, Kreiss-Tomkins

Introduced: 1/16/13

Referred: House Special Committee on Energy, Finance

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to the power cost equalization program."**

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 \* **Section 1.** AS 42.45.110(b) is amended to read:

4 (b) An eligible electric utility is entitled to receive power cost equalization

5 (1) for sales of power to local community facilities, calculated in the  
6 aggregate for each community served by the electric utility, for actual consumption of  
7 not more than 70 kilowatt-hours a month for each resident of the community; the  
8 number of community residents shall be determined annually by the latest figures of  
9 the United States Bureau of the Census or other population data that the Department of  
10 Commerce, Community, and Economic Development determines is reliable; and

11 (2) for actual consumption of not more than **600** [500] kilowatt-hours a  
12 month sold to each [RESIDENTIAL] customer **in all classes served by the electric**  
13 **utility except**

14 **(A) customers of the utility covered under (1) of this**  
15 **subsection;**

1                   **(B) customers that are state or federal offices or state or**  
2                   **federal facilities; and**

3                   **(C) nonresidential customers of the utility that consume**  
4                   **more than 2,400 kilowatt-hours a month.**

5 \* **Sec. 2.** AS 42.45.110(d) is amended to read:

6                   (d) An electric utility whose customers receive power cost equalization under  
7 AS 42.45.100 - 42.45.150 shall set out in its tariff the rates without the power cost  
8 equalization and the amount of power cost equalization **for each** [PER] kilowatt-hour  
9 sold. The rate charged to the customer shall be the difference between the two  
10 amounts. Power cost equalization paid under AS 42.45.100 - 42.45.150 shall be used  
11 to reduce the cost of all power sold to local community facilities, in the aggregate, to  
12 the extent of 70 kilowatt-hours **a** [PER] month **for each** [PER] resident of the  
13 community, and to reduce the cost of the first **600** [500] kilowatt-hours **for each** [PER  
14 RESIDENTIAL] customer **a month for all other classes served by the electric**  
15 **utility except state and federal offices and state and federal facilities and**  
16 **nonresidential customers of the utility that consume more than 2,400 kilowatt-**  
17 **hours a** [PER] month.



## Sponsor Statement

### HB 39 Power Cost Equalization

HB 39 proposes to restore certain components of the Power Cost Equalization (PCE) program that existed prior to 1999. It would raise the consumption cap on residential power covered by the program from 500 kWh to 600 kWh per month, and it would include small-business rate payers in the pool of entities eligible for PCE, also at a cap of 600 kWh per month. These small commercial customers are clearly defined as only those who presently consume no more than 2,400 kWh per month. Presently, such businesses—which are important contributors to bush economies—are not eligible to receive PCE benefits.

HB 39 addresses the near-term survival of our rural communities. In recent years, the state of Alaska has created and supported energy programs that in time will significantly improve the long-term sustainability of our remote towns and villages. The legislation you have before you is an important interim measure to stabilize those same communities while permanent solutions are established.

Throughout the year, rural residents strive to conserve power and remain below the present 500 kWh ceiling. In fact, on average PCE-eligible customers consume less than 400 kWh per month—more than 40 percent less electricity than the average urban Alaskan consumer. Researchers have described rural electricity consumption as survival-level—scarcely sufficient to power what in urban areas would be regarded as the most basic household functions. In winter, it is particularly difficult to maintain such extraordinary levels of conservation.

HB 39 seeks to extend a lifeline to rural Alaskans during the harsh winter months. At the same time, it will support small business owners, strengthening their viability as local job creators and enabling them to make goods and services more affordable in remote communities.

I would be grateful for your support for this bill.

**From:** "Danny Gonce" <[danny.g@aptalaska.com](mailto:danny.g@aptalaska.com)>  
**Date:** March 26, 2013 6:26:31 PM AKDT  
**To:** "Chilkat Valley News" <[cvn@chilkatvalleynews.com](mailto:cvn@chilkatvalleynews.com)>  
**Cc:** "Mayor Stephanie Scott" <[sscott@aptalaska.net](mailto:sscott@aptalaska.net)>  
**Subject:** RE: FW: HB 39

Hello-

I am out of the office this week.

This change is quite significant, mostly for businesses that don't consume large amounts of power. Currently only 2 classes of customers get PCE or Power Cost Equalization. PCE is a program to "equalize" the cost of producing power. The program takes a weighted average of the power cost on the 3 largest grids: Anchorage, Fairbanks, and Juneau. Then pays a portion of costs to producers in some communities to bring the prices closer to those baseline communities. Currently only 2 sectors of customers receive the benefit: Community Facilities, i.e., Admin building, Public Safety building, library, museum, etc. but does not include schools. The other sector is residential customers. Business or industrial customers do not get to participate. Residential customers receive the benefit on only the first 500 kWh of consumption, and only on their first account. So if the customer uses 1000 kWh, they only get the discount on 500. Community Facilities get the discount on all of their consumption. It was argued that 500 kWh was an average consumption, so that is where the limit was set.

This new bill would increase the "average" to 600 kWh. If someone uses less than 500 kWh, they will see no change. For someone that uses more than 600 kWh, their discount would increase from about \$27 per month to about \$32. The most significant change would be that commercial customers would also get the discount. I have not looked at specific language in the bill but it appears the discount only applies to those that use less than 2400 kWh. At the same rate as the residential customers, their discount would be up to almost \$130 per month. Thus, you see it is a pretty big deal to small businesses.

There are a several variables:

- The baseline utility's customer rates, as they go up or down the benefit also goes down or up. The Anchorage utilities have recently announced that their rates will increase, which means the discount will decrease unless the formula of the benefit is changed by the Legislature.
- The cost of power production by the benefitted utility.
- The percentage of funding by the Legislature. They have not always funded the program at 100%. The program is quite expensive statewide, so it will be hard to get the extra funding in years where there is not as much funding to go around.

It sounds like the Mayor Scott and others are working on putting together a Borough Resolution in support of the bill. Because of the current funding and the time issues with other things on the Legislature's agendas, it doesn't look promising that the bill will get any traction this session, at least we would be on record of supporting the bill.

Danny Gonce

Manager Power Operations - Haines  
Alaska Power and Telephone



**Haines Borough  
Assembly Agenda Bill**

**Agenda Bill No.:** 13-263

**Assembly Meeting Date:** 4/9/2013

Business Item Description:	Attachments:
Subject: Authorize a contract with EMP Industries to purchase a harbor pump-out.	1. Resolution 13-04-453 2. PHAC recommendation 3. Quotes from Vendors
Originator: Port & Harbor Advisory Committee	
Originating Department: Ports & Harbors	
Date Submitted: 3/21/2013	

**Full Title/Motion:**  
Motion: Adopt Resolution 13-04-453.

**Administrative Recommendation:**  
The Borough Manager recommends adoption of this resolution.

**Fiscal Impact:**

Expenditure Required	Amount Budgeted	Appropriation Required
\$ 15,420.94	\$ 22,500	\$

**Comprehensive Plan Consistency Review:**

Comp Plan Policy Nos.: Objective 4B, page 144	Consistent: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
--	---

**Summary Statement:**  
The Borough has an open grant with Alaska Department of Fish and Game for \$22,500 through the Clean Vessel Act (CVA). This CVA cooperative agreement (#10-125) expires in 2015 and the funds are to be used for a sewage pumpout. The borough sought quotes and the Port and Harbor Advisory Committee made a recommendation to buy the harbor pumpout from EMP Industries. They seek assembly approval through this resolution.

**Referral:**

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

**Assembly Action:**

Workshop Date(s): Meeting Date(s): 04/09/13	Public Hearing Date(s): Tabled to Date:
--	--

HAINES BOROUGH  
RESOLUTION No. 13-04-453

**Draft**

**A Resolution of the Haines Borough Assembly authorizing the Borough Manager to purchase from EMP Industries a harbor pump-out system for \$15,420.94.**

**WHEREAS**, the Haines Boat Harbor is in need of a replacement harbor pump-out system; and

**WHEREAS**, the Haines Borough has an open grant with Alaska Department of Fish and Game for \$22,500 through the Clean Vessel Act (CVA); and

**WHEREAS**, this CVA cooperative agreement (#10-125) expires in 2015 and the funds are to be used for a sewage pumpout; and

**WHEREAS**, the borough sought quotes and received at least three that were reviewed by the Port & Harbor Advisory Committee, and that committee recommends the Sanisailor system available through EMP Industries for \$15,420.94; and

**WHEREAS**, the harbormaster contacted other harbors and marinas to research pump-out systems for functionality, maintenance, winterization, and pumping ability, and the Sanisailor system was recommended over the other quoted systems; and

**NOW, THEREFORE, BE IT RESOLVED BY THE HAINES BOROUGH ASSEMBLY** that the Borough Manager is hereby authorized to purchase from EMP Industries a harbor pump-out system for \$15,420.94.

Adopted by a duly-constituted quorum of the Haines Borough Assembly on this \_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
Stephanie Scott, Mayor

Attest:

\_\_\_\_\_  
Julie Cozzi, MMC, Borough Clerk



## HAINES BOROUGH PORTS & HARBORS

P.O. Box 1209  
Haines, Alaska 99827  
Phone (907) 766-2448  
Cell Phone (907) 314-0173  
Fax (907) 766-2716  
E-mail [pbenner@haines.ak.us](mailto:pbenner@haines.ak.us)

21 March, 2013

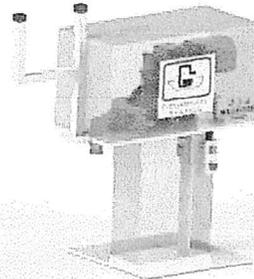
From: Port and Harbor Advisory Committee (PHAC)  
To: Mayor Stephanie Scott

Subject: Recommendation for Harbor Pump-out Grant  
CVA Cooperative Agreement (10-125) with ADF&G

1. The PHAC received five quotes for harbor pump-outs and have decided to recommend EMP Industries, quote number AK-008 for \$15,420.94.
2. The Harbormaster talked with other harbors and marinas about functionality, maintenance, winterization, and pumping ability. The Sanisailor was recommended by all who have used it, above the other pump-outs.
3. All quotes are attached.

Phil Benner  
Haines Harbormaster

Cc  
Borough Manager  
Director of Public Facilities  
Chief Financial Officer  
Borough Clerk



**Standard Unit View**

**Translucent View**

**Quantity (1) – WASTECORP. MUD SUCKER®  
PEDESTAL MARINA PUMP-OUT SYSTEM; MODEL: - 1.5FA-EC-PED-MPS**

**PEDESTAL MARINA PUMP-OUT STATION SPECIFICATIONS:**

**Wastecorp Mud Sucker® Diaphragm Pump Model: 1.5FA-EC;** Capacity: 18 GPM; Suction Lift up to 20Ft; Discharge Head up to 50Ft Vertical or 300 Ft Horizontal. Aluminum pump castings with a rubber/fabric reinforced diaphragm, reinforced Viton® flapper check valve with steel upper and lower weights and aluminum check valve seat, 1.5" dia. aluminum male camlock fitting on suction and 2" dia. aluminum male camlock fitting on discharge side, stainless steel hardware in wetted section. Pump is powered by a 1HP; 1800RPM; 1 Ph; 60Hz; 115V TEFC constant speed helical gearmotor with an output speed of approximately 60RPM. OSHA approved safety guard. Approx. Weight: 110 lbs.

**Pedestal Stand with Enclosure:** Fabricated steel support stand with removable and lockable fabricated steel pump enclosure complete with polyurethane coated steel lifting handles and padlocks, integral suction hose stand. Pump discharge through PVC pipe installed through pedestal stand with lower 2" FNPT connection at mounting plate for under dock connection. Entire pedestal stand and enclosure shall be powder coated.

**Control Panel**

Control panel is enclosed in a NEMA 4 weather proof enclosure with push ON/OFF buttons, auto shut-off timer, and key switch for added security.

**Hose Assembly Construction:**

Suction EPDM Non-Collapsible (Grn/Blk) Hose, 1.5" dia x 30 ft (std length) with aluminum male camlock fitting and male threaded connection (PN: 61946-00) with clear swing check valve (PN: 60521-00) connected to a 1.5" polypropylene 90° ball valve (PN: 60895-00) with polypro female camlock fitting (PN: 61025-00) and universal marine adapter (PN: 60709-00).

**WASTECORP'S NET UNIT SALE PRICE:** \$ 5,396.00 ea.

Shipping & Handling Charges (FOB New York): Prepaid & Add; Estimated Lead Time: 3-4 Weeks

**OPTIONAL ADD-ON ACCESSORIES:**

- PN: 61831-00 – Non-Collapsible EPDM (Grn/Blk) Hose, 1.5" dia. x 10 ft with aluminum camlock fittings (C&E) ..... \$80.60 Ea.
- PN: 61833-00 – Non-Collapsible EPDM (Grn/Blk) Hose, 1.5" dia. x 20 ft with aluminum camlock fittings (C&E) ..... \$123.75 Ea.
- PN: 60990-00 - Non-Collapsible LDPE (Ylw/Blk) Hose, 1.5" dia. x 30 ft with aluminum camlock fittings (C&K)..... \$297.00 Ea.
  
- For salt water pumping applications.** Wastecorp Mud-Sucker Diaphragm Pump model: 1.5FA-EC noted above shall be supplied with stainless steel upper and lower weights, stainless steel check valve seat and wet-section aluminum pump castings to be coated with epoxy (Add 1 week to std. lead time) ..... \$1,000.00/Pump



**Quote**

Quote Number AK-0008 (03-14-2013 @ 07:53 am)  
 Date 03-14-2013  
 Sales Person Walt Jackson

2985 44th Avenue North  
 Saint Petersburg, FL 33714, (800) 355-7867  
 www.empind.net

**Estimate For**

Haines Harbor  
 Phil Benner  
 PO Box 1209  
 Haines, AK 99827  
 USA

Part Number:	Product	Quantity	List Price	Ext. Price
1	X-400 X-400 Sanisailor Masterline Central Vacuum System	1	\$11,980.00	\$11,980.00
2	H-301-30 30' Hose Assembly (Includes 30'-1-1/2" Suction Hose & Standard Nozzle Assembly).	1	\$344.00	\$344.00
3	Warranty 5 Year Warranty EMP Industries warrants that all EMP Products are free from defects in material and workmanship for a period of 5 years from the original date of purchase. This warranty is transferable and is not pro-rated. EMP will pass on the manufacturer's warranty for items that are not manufactured by EMP.	1	\$0.00	\$0.00
4	H-302-30 Extension Hose; 30' 1 1/2" suction hose with quick connect fittings	1	\$191.00	\$191.00
5	F-302 Nozzle Assembly (Standard).	1	\$138.00	\$138.00
6	F-304 Universal Deck Fitting (Camlock & Rubber Nozzle).	2	\$17.00	\$34.00
7	IP-400 -RK IP-400 Rebuild Kit (Includes Nitrile Rubber Hose, O-Ring Set & Silicone).	1	\$995.00	\$995.00

Sub Total	\$13,682.00
Shipping	\$935.00
Tax (5.5%)	\$803.94
<b>Grand Total</b>	<b>\$15,420.94</b>

Terms: 50% Deposit, 50% COD or Prepay | State Sales tax will be collected if applicable | Shipping is an estimate only, actual shipping charges will be generated upon order placement.



# KECO Pump and Equipment

P.O Box 80308 San Diego, CA. 92138  
 Phone: 619-298-3800 Fax: 619-298-3300

[www.pumpahead.com](http://www.pumpahead.com) / [www.kecopump.com](http://www.kecopump.com)

**Sales Quotation # 12261**

**Quote Date:** 03/14/13

**Valid Until:** 04/14/13

<b>Bill To:</b> L003026
<b>Haines, City Of</b> Post Office Box 1209
Haines AK 99827 USA

<b>Ship To:</b>
<b>Haines, City Of Boat Harbor</b> 3rd & Haines Way
Haines AK 99827 USA

<b>Quote Total:</b>
<b>\$ 10,340.00</b> Prices In U.S Dollars

**Contact:** Phil Benner  
**Phone:** 907-766-2448  
**Fax:** 907-766-3010  
**Email:** [pbenner@haines.ak.us](mailto:pbenner@haines.ak.us)

**Shipping Method:** TRUCK

**Payment Terms:** Net 30  
**Prepared By:** Alex Bleier  
**Sales Rep:** House

Qty:	Item #	Description	Unit Price	Total
1.000	PER900.M40-DOC-V	900 SERIES DOCKSIDE PERISTALTIC PUMP (900D-M40): DIRECT DRIVE GEARBOX, CLEAR VIEWING WINDOW, LEAK DETECTION SHUTDOWN, STAINLESS STEEL FRAME AND 3 YEAR WARRANTY.	\$ 10,500.000	\$ 10,500.00
1.000	PERD0300.1PH	3-HP TEFC MOTOR (900R-M40).		
1.000	EP033301.02/UL	CONTROL PANEL (UL-LABELED); MOTOR STARTER, OVERLOAD, RUN TIMER, HOUR METER AND WIRING TERMINALS - UPGRADE.		
1.000	F0955.SML	FIBERGLASS PUMP ENCLOSURE WITH LIFT HANDLES.		
1.000	EC003200.07	PUSH BUTTON ACTIVATION CONTROLS (GREEN AND RED).		
1.000	H0030.015	30' SUCTION HOSE WITH SIGHT GLASS AND ADAPTER.	\$ 185.000	\$ 185.00
1.000	C6008.BNJ	ISOLATION VALVE FOR SUCTION HOSE - HEAVY DUTY.	\$ 40.000	\$ 40.00
1.000	C0010.PKG	QUICK CONNECT FITTING PACKAGE.	\$ 65.000	\$ 65.00

**Notes:** DISCHARGE ESTIMATED AT 200' LINEAR WITH 30' VERTICAL.  
 3" DISCHARGE PLUMBING IS RECOMMENDED.  
 EQUIPMENT VOLTAGE TO BE CONFIRMED.

Quote Subtotal:	\$ 10,790.00
Discount:	\$ 1,000.00
Sales Tax:	
Shipping Estimate:	\$ 550.00
<b>Quote Total:</b>	<b>\$ 10,340.00</b>





**Haines Borough  
Assembly Agenda Bill**

**Agenda Bill No.:** 13-265  
**Assembly Meeting Date:** 4/9/2013

<b>Business Item Description:</b>		<b>Attachments:</b>
Subject:	Support Changes to the PERS Termination Studies Law	1. Resolution 13-04-454 2. HB 152 with Sponsor Statement 3. Speaking Points 4. PERS Employer Salaries
Originator:		
Mayor		
Originating Department:		
Mayor's Office		
Date Submitted:		
3/22/2013		

**Full Title/Motion:**  
Motion: Adopt Resolution 13-04-454.

**Administrative Recommendation:**

**Fiscal Impact:**

Expenditure Required	Amount Budgeted	Appropriation Required
\$	\$	\$

**Comprehensive Plan Consistency Review:**

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

**Summary Statement:**

The existing termination studies law is making it difficult for employers to manage the delivery of services, discriminates against small municipalities even though their impact on the system is minimal, and is costly and nearly impossible to implement in an equitable manner. It also fails to recognize that organizational and personnel structures differ between municipalities. It inhibits the ability to shift staff around. HB 152 addresses the future financial stability of municipal PERS employers by proposing modifications that would decrease the cost burden. This issue is a big priority for the Alaska Municipal League.

This resolution would enable the Haines Borough Assembly to go on record in support of the changes proposed by HB 152.

**Referral:**

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

**Assembly Action:**

Workshop Date(s):	Public Hearing Date(s):
Meeting Date(s): 04/09/13	Tabled to Date:

**A Resolution of the Haines Borough Assembly supporting efforts to modify the PERS Termination Studies law to provide municipalities with the operational flexibility to effectively manage the delivery of programs and services.**

**WHEREAS**, in 2008, state legislation was adopted to address the PERS unfunded liability; and

**WHEREAS**, this new law established that PERS is a consolidated system, combining the defined benefit and defined contribution salary bases to pay down the unfunded obligation; and

**WHEREAS**, paying off the unfunded obligation is predicated upon a stable, reasonably growing, system-wide salary base; and

**WHEREAS**, a concern at the time the 2008 legislation was adopted was that employers might en-masse elect to convert PERS-salaried employees to contracted positions to reduce or avoid PERS costs, thus shrinking the PERS salary base needed to pay off the unfunded obligation; and

**WHEREAS**, to address this concern, a contribution minimum was set whereby employers would pay the greater of 22 percent on either their current combined defined benefit and defined contribution salary bases, or their total payroll for the period ending June 30, 2008; and

**WHEREAS**, language providing for termination studies was also added requiring an employer who terminates participation of a department, group, or other classification of employee to pay the following:

- the cost associated with obtaining a termination study from the PERS actuary,
- the actuarial cost to the employer for future benefits due employees whose coverage is terminated; and
- the past service cost, annually, on each position terminated until the unfunded obligation is paid off decades from now; and

**WHEREAS**, the termination studies law is making it difficult for employers to manage the delivery of services, discriminates against small municipalities even though their impact on the system is minimal, and is costly and nearly impossible to implement in an equitable manner; and

**WHEREAS**, the existing law also fails to recognize that organizational and personnel structures differ between municipalities and, as such, has placed an undue burden on small municipalities; and

**WHEREAS**, system-wide salaries have increased by \$325 million or 18.6%, over the salary base minimum established in 2008 and, as a result, contributions toward the unfunded liability have not been compromised but rather have increased at a rate greater than the actuarial-assumed growth rate of 4%; and

**WHEREAS**, changes in the law are needed to provide municipalities with the operational flexibility to effectively manage the delivery of programs and services while maintaining the minimum 22% contribution requirement,

**NOW, THEREFORE, BE IT RESOLVED** that the Haines Borough Assembly supports efforts to modify the PERS Termination Studies law to provide municipalities with the operational flexibility to effectively manage the delivery of programs and services; and

Haines Borough  
Resolution No. 13-04-454  
Page 2 of 2

**BE IT FURTHER RESOLVED** that this resolution shall be provided to members of the House Labor and Commerce Committee.

Adopted by a duly-constituted quorum of the Haines Borough Assembly on this \_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
Stephanie Scott, Mayor

Attest:

\_\_\_\_\_  
Julie Cozzi, MMC, Borough Clerk

**HOUSE BILL NO. 152**

IN THE LEGISLATURE OF THE STATE OF ALASKA  
TWENTY-EIGHTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE THOMPSON

Introduced: 3/4/13  
Referred:

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act requiring certain employers who terminate participation in the defined benefit**  
2 **retirement plan or the defined contribution retirement plan of the Public Employees'**  
3 **Retirement System to make contributions related to past service liability and pay**  
4 **termination costs; repealing a requirement that employers who terminate participation**  
5 **in the defined contribution retirement plan or the defined benefit retirement plan of the**  
6 **Public Employees' Retirement System pay for a termination cost study; and providing**  
7 **for an effective date."**

8 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

9 \* **Section 1.** AS 39.35.255 is amended by adding a new subsection to read:

10 (i) After an employer's participation in the plan terminates with regard to some  
11 or all of the employer's employees who are active members of the system, the  
12 employer remains obligated to make contributions under (a) of this section until the  
13 plan does not have a past service liability.

1 \* **Sec. 2.** AS 39.35.625 is repealed and reenacted to read:

2 **Sec. 39.35.625. Termination costs.** (a) An employer that terminates  
3 participation under AS 39.35.615 or 39.35.620 shall pay a termination cost for a  
4 payroll period in which the employer's salary base, if annualized, is

5 (1) \$5,000,000 or more, and is less than 80 percent of the employer's  
6 salary base for the fiscal year ending one year before the beginning of the fiscal year  
7 in which the payroll period occurs; or

8 (2) \$1,000,000 or more, but less than \$5,000,000, and is less than 50  
9 percent of the employer's salary base for the fiscal year ending one year before the  
10 beginning of the fiscal year in which the payroll period occurs.

11 (b) The requirements in (a) of this section do not apply to a payroll period in  
12 which the employer's annualized salary base is less than \$1,000,000.

13 (c) Notwithstanding AS 39.35.255, an employer is subject to the termination  
14 cost requirements in (a) of this section until the past service liability of the plan is  
15 extinguished. The amount of a termination cost payment shall be calculated by  
16 multiplying the current past service contribution rate adopted by the board by the  
17 amount, in dollars, by which

18 (1) the employer's annualized salary base is less than 80 percent of its  
19 salary base for the fiscal year ending one year before the beginning of the fiscal year  
20 in which the payroll period occurs, for employers under (a)(1) of this section; or

21 (2) the employer's annualized salary base is less than 50 percent of its  
22 salary base for the fiscal year ending one year before the beginning of the fiscal year  
23 in which the payroll period occurs, for employers under (a)(2) of this section.

24 (d) In this section, "salary base" means the total of all base salaries paid by the  
25 employer to employees who are active members of the system.

26 \* **Sec. 3.** AS 39.35.958(c) is repealed and reenacted to read:

27 (c) An employer shall pay a termination cost for a payroll period in which the  
28 employer's salary base, if annualized, is

29 (1) \$5,000,000 or more, and is less than 80 percent of the employer's  
30 salary base for the fiscal year ending one year before the beginning of the fiscal year  
31 in which the payroll period occurs; or

1 (2) \$1,000,000 or more, but less than \$5,000,000, and is less than 50  
 2 percent of the employer's salary base for the fiscal year ending one year before the  
 3 beginning of the fiscal year in which the payroll period occurs.

4 \* **Sec. 4.** AS 39.35.958(e) is repealed and reenacted to read:

5 (e) An employer that is assessed a cost under (c) of this section shall pay the  
 6 cost, or enter into a payment plan acceptable to the administrator, within 60 days after  
 7 the employer receives notice from the administrator that the cost is assessed. A cost  
 8 assessed under (c) of this section and not paid within 60 days or in accordance with a  
 9 payment plan acceptable to the administrator shall be collected by the administrator in  
 10 accordance with AS 39.35.610(b).

11 \* **Sec. 5.** AS 39.35.958 is amended by adding new subsections to read:

12 (g) The requirements in (c) of this section do not apply to a payroll period in  
 13 which the employer's annualized salary base is less than \$1,000,000.

14 (h) Notwithstanding AS 39.35.255, an employer is subject to the termination  
 15 cost requirements in (c) of this section until the past service liability of the plan is  
 16 extinguished. The amount of a termination cost payment shall be calculated by  
 17 multiplying the current past service contribution rate adopted by the board by the  
 18 amount, in dollars, by which

19 (1) the employer's annualized salary base is less than 80 percent of its  
 20 salary base for the fiscal year ending one year before the beginning of the fiscal year  
 21 in which the payroll period occurs, as calculated under (c)(1) of this section; or

22 (2) the employer's annualized salary base is less than 50 percent of its  
 23 salary base for the fiscal year ending one year before the beginning of the fiscal year  
 24 in which the payroll period occurs, as calculated under (c)(2) of this section.

25 (i) An employer that has terminated participation in the plan is barred from  
 26 future participation in the plan until all payments owed by the employer under (e) of  
 27 this section are made.

28 (j) In this section, "salary base" means the total of all base salaries paid by the  
 29 employer to employees who are active members of the system.

30 \* **Sec. 6.** AS 39.35.958(f) is repealed.

31 \* **Sec. 7. 2** AAC 35.235 is annulled.

1     \* **Sec. 8.** The uncodified law of the State of Alaska is amended by adding a new section to  
2 read:

3             **APPLICABILITY.** Notwithstanding sec. 9 of this Act, AS 39.35.625, as amended by  
4 sec. 2 of this Act, AS 39.35.958(c) and (e), as amended by secs. 3 and 4 of this Act, and  
5 AS 39.35.958(g) - (j), added by sec. 5 of this Act, apply only to termination costs paid on or  
6 after the effective date of this Act.

7     \* **Sec. 9.** The uncodified law of the State of Alaska is amended by adding a new section to  
8 read:

9             **RETROACTIVITY.** AS 39.35.625, as amended by sec. 2 of this Act, AS 39.35.958  
10 (c) and (e), as amended by secs. 3 and 4 of this Act, and AS 39.35.958(g) - (j), added by sec. 5  
11 of this Act, are retroactive to July 1, 2008.

12     \* **Sec. 10.** This Act takes effect immediately under AS 01.10.070(c).

## **SPONSOR STATEMENT**

### **HB 152 – PERS Termination Costs**

House Bill 152 addresses the future financial stability of municipal PERS employers. To address The PERS unfunded liability legislation was passed in 2008, establishing that PERS is a consolidated system, combining the defined benefit (DB) and defined contribution (DC) salary bases to pay down the unfunded obligation.

Paying off the unfunded obligation is predicated upon a stable, reasonably growing, system-wide salary base. A concern at the time the 2008 legislation was passed was that employers might en-masse elect to convert PERS salaried employees to contracted positions to reduce or avoid PERS costs, thus shrinking the PERS salary base needed to pay off the unfunded obligation. To address this concern, a contribution "floor" was set whereby employers would pay the greater of 22 percent on (1) their current combined DB and DC salary base, or (2) their total payroll for the period ending June 30, 2008.

Language providing for termination studies was also added requiring an employer who terminates participation of a department, group, or other classification of employee to pay the following:

- The cost associated with obtaining a termination study from the PERS actuary;
- The actuarial cost to the employer for future benefits due employees whose coverage is terminated; and
- The past service cost, annually, on each position terminated until the unfunded obligation is paid off decades from now.

The termination studies law is making it difficult for employers to manage the delivery of services, discriminates against small municipalities even though their impact on the system is minimal, and is costly and nearly impossible to implement in an equitable manner. It also fails to recognize that organizational and personnel structures differ between municipalities.

System-wide salaries have increased by \$325 million or 18.6%, over the salary base "floor" established in 2008. As a result, contributions toward the unfunded liability have not been compromised; rather, they have increased at a rate greater than the actuarial-assumed growth rate of 4%.

HB 152 provides municipalities with the operational flexibility to effectively manage the delivery of programs and services while maintaining the minimum 22% contribution requirement. HB 152, replaces the requirement for termination studies with formula driven termination costs, as follows:

- 20% flexibility for employers whose total payroll is greater than \$5,000,000 (93% of employers in FY12).
- 50% flexibility for employers whose total payroll is greater than \$1,000,000 (5.9% of employers in FY12).
- Not applicable for employers whose total payroll is less than \$1,000,000 (1.1% of employers in FY12).

Using readily available data, the amount by which an employer's terminated salaries are calculated to exceed the 20%/50% threshold would be applied to the current past service contribution rate (24.19 % today), and would then be paid annually until the unfunded liability is paid off.

# HB 152 - Modification to PERS Termination Costs

## Speaking Points

### I. KEY MESSAGE:

- a. System-wide salaries (DB + DC) have increased by \$325 million, or 18.6%, over the salary base "floor" established in SB125 by the 25th Legislature in 2008. As a result, contributions toward the unfunded liability have NOT been compromised or reduced; rather, they have INCREASED at a rate greater than the actuarial-assumed annual growth rate of 4%.
- b. Muni's understand the challenge associated with the unfunded liability and support the need to reduce the liability. However, the current penalty for termination costs is significant to Muni's and immaterial at the SOA level.
- c. Employers are incentivized to maintain a stable salary base and avoid termination costs, which if triggered would be due annually until the unfunded liability is paid off.
- d. Muni's must have operational flexibility during these challenging fiscal times so that they can adjust staffing levels as a result of funding changes and other mandated and/or basic changes in programs or services the public needs, i.e. reduced Federal or State funding.
- e. A \$70 million (estimated) fiscal note represents 1% of total PERS Unfunded Liability (\$6.9 B ) PERS @ 6/30/11.
- f. Muni's propose partial termination costs, sharing with the SOA, to enable efficient decision making in our communities
  1. Muni's request that 22% remain as the contribution to PERS.
  2. Muni's request the legislature to provide relief to the communities based on salary size if circumstances warrant

### II. Modification to the PERS termination language is needed due to the following:

- a. Municipal organizations need flexibility in staffing levels to operate and manage efficiently
  1. Grant funding may be reduced or eliminated due to changes beyond municipal control i.e. reduced Federal or State funding. This potentially results in need to reduce staff/classification
  2. Staff flexibility (classification changes) is required to meet changing community needs.
- b. Municipalities are working toward modernizing and standardizing job classifications. This will likely result in fewer classifications, but not necessarily fewer employees. Current language will trigger a termination study and costs unnecessarily.

### III. Bill proposes the following modifications:

Section 1: Retains the minimum requirement for employers to make contributions based on 22% of the greater of (i) their current salary base, or (ii) their salary base as of 6/30/08, regardless of terminated participation - partial or otherwise - from the DB plan.

Section 2: Regarding the DB plan, replaces the requirement for termination cost studies performed by the actuary with termination costs determined via formula incorporating the following:

- a. Establishes partial termination thresholds beyond which termination costs would apply. Employer categories based on salary base size
  1. 20% for employers whose total system-wide salary base is greater than \$5MM (~93% in FY12)
  2. 50% for employers whose total system-wide salary base is greater than \$1MM (~6% in FY12)
  3. not applicable for under \$1MM (~1% in FY12)
- b. Establishes a rolling, two-year period, over which costs from partial terminations would be determined;
- c. Using readily available data, establishes the formula for determining termination costs whereby any terminated salaries beyond the threshold (20%/50%) would be applied to the current past service contribution rate (24.19% today), and paid annually, until the debt is paid off.
- d. Formula is simple and does not require a consultant fee. For example:
  1. Amount by which an employer's salary base exceeds its salary base from two years prior (by 20% or 50% depending on current salary base level ) \* past service contribution rate \* years to pay down total unfunded liability;  $\$100,000 \times 24\% = \$24,000$  annually x 30 years = \$720,000

Sections 3, 4 & 5: Same as Section 2 described above, only pertaining to the DC plan.

Section 6: Repeals language requiring a termination study for an employer that requests termination from the plan all together. Such an employer would still be subject to the 6/30/08 salary base "floor".

Section 7: Annuls the current regulation that covers the calculation of termination costs/studies.

Sections 8 & 9: Adds applicability/retroactivity language to allow employers to discontinue any payments after the effective date of the Act where an employer would not have had to pay if the new formula were in place after 6/30/08.

Section 10: immediate effective date.

**PERS Employer Salaries  
FY08 vs. FY12**

PERS Employer	FY08			FY12		FY08 vs. FY12		FY08 vs. FY08 @ 4% CAGR		FY12 vs. FY08 @ 4% CAGR	
	Salary Base	SB @ 4% CAGR	% of Total	Salary Base	% of Total	\$ Change	% Change	\$ Change	% Change	\$ Change	% Change
101 - STATE OF ALASKA	887,341,021	1,038,063,489	50.74%	1,070,280,359	51.59%	182,939,338	20.6%	150,722,468	17.0%	32,216,870	3.1%
173 - MUNICIPALITY OF ANCHORAGE	161,180,695	188,558,615	59.95%	178,868,685	60.21%	17,687,991	11.0%	27,377,921	17.0%	(9,689,930)	-5.1%
113 - UNIVERSITY OF ALASKA	127,596,664	149,270,050	67.25%	126,179,731	66.29%	(1,416,933)	-1.1%	21,673,386	17.0%	(23,090,319)	-15.5%
111 - ANCHORAGE SD	82,043,456	95,979,239	71.94%	98,327,249	71.03%	16,283,793	19.8%	13,935,783	17.0%	2,348,010	2.4%
145 - NORTH SLOPE BOROUGH	43,970,711	51,439,512	74.45%	60,893,387	73.97%	16,922,676	38.5%	7,468,802	17.0%	9,453,874	18.4%
126 - CITY AND BOROUGH OF JUNEAU	29,921,000	35,003,338	76.16%	35,640,642	75.68%	5,719,642	19.1%	5,082,338	17.0%	637,304	1.8%
117 - FAIRBANKS NORTH STAR BOROUGH SD	27,804,144	32,526,916	77.75%	35,116,599	77.38%	7,312,455	26.3%	4,722,772	17.0%	2,589,683	8.0%
219 - BARTLETT REGIONAL HOSPITAL	22,192,148	25,961,674	79.02%	29,291,100	78.79%	7,098,952	32.0%	3,769,526	17.0%	3,329,425	12.8%
110 - MATANUSKA-SUSITNA BOROUGH SD	18,648,817	21,816,478	80.09%	27,500,336	80.11%	8,851,519	47.5%	3,167,661	17.0%	5,683,858	26.1%
116 - FAIRBANKS NORTH STAR BOROUGH	20,243,653	23,682,211	81.25%	22,824,277	81.21%	2,580,624	12.7%	3,438,558	17.0%	(857,934)	-3.6%
152 - ALASKA HOUSING FINANCE CORPORATION	17,991,324	21,047,305	82.28%	22,373,146	82.29%	4,381,822	24.4%	3,055,980	17.0%	1,325,841	6.3%
180 - KENAI PENINSULA BOROUGH	14,799,912	17,313,804	83.12%	18,424,065	83.18%	3,624,153	24.5%	2,513,892	17.0%	1,110,261	6.4%
109 - MATANUSKA-SUSITNA BOROUGH	14,252,985	16,673,977	83.94%	17,492,922	84.02%	3,239,937	22.7%	2,420,992	17.0%	818,945	4.9%
190 - KENAI PENINSULA BOROUGH SD	13,730,290	16,062,497	84.72%	17,382,542	84.86%	3,652,252	26.6%	2,332,207	17.0%	1,320,045	8.2%
157 - LOWER KUSKOKWIM SD	15,859,654	18,553,553	85.63%	16,946,250	85.68%	1,086,595	6.9%	2,693,898	17.0%	(1,607,303)	-8.7%
108 - JUNEAU BOROUGH SD	9,917,471	11,602,038	86.20%	12,473,560	86.28%	2,556,089	25.8%	1,684,567	17.0%	871,522	7.5%
161 - NORTH SLOPE BOROUGH SD	8,126,658	9,507,041	86.66%	11,604,273	86.84%	3,477,614	42.8%	1,380,382	17.0%	2,097,232	22.1%
120 - CITY AND BOROUGH OF SITKA	9,275,778	10,851,348	87.19%	10,194,159	87.33%	918,381	9.9%	1,575,570	17.0%	(657,190)	-6.1%
179 - CITY OF UNALASKA	8,743,076	10,228,162	87.69%	9,659,755	87.80%	916,679	10.5%	1,485,086	17.0%	(568,407)	-5.6%
129 - CITY OF FAIRBANKS	7,508,115	8,783,433	88.12%	8,987,992	88.23%	1,479,877	19.7%	1,275,318	17.0%	204,560	2.3%
181 - CITY OF KETCHIKAN	8,354,795	9,773,929	88.60%	8,681,184	88.65%	326,389	3.9%	1,419,133	17.0%	(1,092,745)	-11.2%
104 - BERING STRAIT SD	7,200,716	8,423,820	89.01%	8,504,179	89.06%	1,303,463	18.1%	1,223,103	17.0%	80,360	1.0%
165 - SITKA COMMUNITY HOSPITAL	6,009,856	7,030,681	89.35%	8,359,136	89.46%	2,349,280	39.1%	1,020,825	17.0%	1,328,455	18.9%
107 - CITY OF VALDEZ	5,448,143	6,373,557	89.67%	7,473,732	89.82%	2,025,589	37.2%	925,414	17.0%	1,100,175	17.3%
115 - CITY OF KENAI	5,535,102	6,475,287	89.98%	6,988,281	90.16%	1,453,179	26.3%	940,185	17.0%	512,994	7.9%
128 - CITY OF KODIAK	6,115,285	7,154,019	90.33%	6,961,252	90.49%	845,967	13.8%	1,038,734	17.0%	(192,767)	-2.7%
262 - COOK INLET HOUSING AUTHORITY	4,587,406	5,366,616	90.59%	6,787,925	90.82%	2,200,519	48.0%	779,210	17.0%	1,421,309	26.5%
131 - CITY OF WASILLA	5,657,732	6,618,747	90.92%	6,608,275	91.14%	950,543	16.8%	961,014	17.0%	(10,471)	-0.2%
136 - CITY OF BETHEL	5,950,472	6,961,211	91.26%	6,412,272	91.45%	461,800	7.8%	1,010,739	17.0%	(548,939)	-7.9%
153 - LOWER YUKON SD	5,231,344	6,119,933	91.56%	6,251,391	91.75%	1,020,047	19.5%	888,589	17.0%	131,459	2.1%
154 - NORTHWEST ARCTIC BOROUGH SD	6,535,686	7,645,828	91.93%	6,155,381	92.05%	(380,304)	-5.8%	1,110,142	17.0%	(1,490,446)	-19.5%
158 - KODIAK ISLAND BOROUGH SD	5,107,375	5,974,906	92.22%	6,076,212	92.34%	968,837	19.0%	867,531	17.0%	101,306	1.7%
215 - CITY OF HOMER	5,558,405	6,502,547	92.54%	5,878,126	92.62%	319,722	5.8%	944,143	17.0%	(624,421)	-9.6%
275 - ILISAGVIK COLLEGE	4,562,286	5,337,229	92.80%	5,322,057	92.88%	759,771	16.7%	774,943	17.0%	(15,173)	-0.3%
122 - KETCHIKAN GATEWAY BOROUGH	4,496,728	5,260,536	93.06%	5,259,715	93.13%	762,986	17.0%	763,808	17.0%	(821)	0.0%
182 - CITY OF SEWARD	4,123,414	4,823,812	93.29%	4,963,599	93.37%	840,184	20.4%	700,397	17.0%	139,787	2.9%
177 - KETCHIKAN GATEWAY BOROUGH SD	4,132,518	4,834,462	93.53%	4,951,355	93.61%	818,837	19.8%	701,944	17.0%	116,894	2.4%
143 - CITY OF PETERSBURG	4,132,112	4,833,986	93.77%	4,828,735	93.84%	696,623	16.9%	701,875	17.0%	(5,251)	-0.1%
134 - CITY OF PALMER	3,696,143	4,323,964	93.98%	4,221,134	94.05%	524,992	14.2%	627,821	17.0%	(102,830)	-2.4%
140 - CITY OF KOTZEBUE	3,681,141	4,306,414	94.19%	4,048,193	94.24%	367,052	10.0%	625,273	17.0%	(258,221)	-6.0%
187 - PETERSBURG MEDICAL CENTER	3,642,392	4,261,083	94.40%	3,930,483	94.43%	288,091	7.9%	618,691	17.0%	(330,600)	-7.8%
279 - TLINGIT-HAIDA RHA	2,811,633	3,289,213	94.56%	3,823,364	94.62%	1,011,731	36.0%	477,580	17.0%	534,151	16.2%
141 - GALENA CITY SD	3,239,489	3,789,743	94.74%	3,751,456	94.80%	511,967	15.8%	550,255	17.0%	(38,288)	-1.0%
135 - CITY AND BOROUGH OF WRANGELL	2,844,795	3,328,007	94.91%	3,588,777	94.97%	743,983	26.2%	483,213	17.0%	260,770	7.8%
123 - CITY OF SOLDOTNA	2,756,757	3,225,016	95.06%	3,244,400	95.13%	487,643	17.7%	468,259	17.0%	19,384	0.6%
296 - MUNICIPALITY OF SKAGWAY	1,821,086	2,130,413	95.17%	3,030,076	95.27%	1,208,990	66.4%	309,327	17.0%	899,663	42.2%
139 - CITY OF NOME	2,357,532	2,757,979	95.30%	2,920,341	95.41%	562,809	23.9%	400,447	17.0%	162,362	5.9%
174 - KODIAK ISLAND BOROUGH	2,431,400	2,844,395	95.44%	2,891,039	95.55%	459,639	18.9%	412,994	17.0%	46,644	1.6%
178 - CITY OF DILLINGHAM	2,253,684	2,636,491	95.57%	2,887,078	95.69%	633,394	28.1%	382,807	17.0%	250,587	9.5%
148 - CITY OF CORDOVA	2,268,455	2,653,772	95.70%	2,651,665	95.82%	383,210	16.9%	385,317	17.0%	(2,107)	-0.1%
191 - CITY OF NORTH POLE	2,027,914	2,372,372	95.82%	2,607,912	95.94%	579,998	28.6%	344,459	17.0%	235,539	9.9%
133 - SITKA BOROUGH SD	2,008,607	2,349,786	95.93%	2,579,473	96.07%	570,866	28.4%	341,179	17.0%	229,687	9.8%
102 - SOUTHWEST REGION SD	2,332,222	2,728,370	96.06%	2,371,907	96.18%	39,684	1.7%	396,148	17.0%	(356,464)	-13.1%
163 - CORDOVA COMMUNITY MEDICAL CENTER	2,451,349	2,867,731	96.20%	2,361,313	96.30%	(90,036)	-3.7%	416,383	17.0%	(506,418)	-17.7%
144 - BRISTOL BAY BOROUGH	1,539,224	1,800,674	96.29%	2,243,826	96.41%	704,603	45.8%	261,450	17.0%	443,153	24.6%

**PERS Employer Salaries  
FY08 vs. FY12**

PERS Employer	FY08			FY12		FY08 vs. FY12		FY08 vs. FY08 @ 4% CAGR		FY12 vs. FY08 @ 4% CAGR	
	Salary Base	SB @ 4% CAGR	% of Total	Salary Base	% of Total	\$ Change	% Change	\$ Change	% Change	\$ Change	% Change
220 - NORTHWEST ARCTIC BOROUGH	1,274,446	1,490,922	96.36%	2,216,215	96.51%	941,769	73.9%	216,476	17.0%	725,294	48.6%
137 - VALDEZ CITY SD	1,837,975	2,150,171	96.47%	2,198,540	96.62%	360,564	19.6%	312,196	17.0%	48,369	2.2%
189 - HAINES BOROUGH	1,767,790	2,068,064	96.57%	2,140,704	96.72%	372,914	21.1%	300,274	17.0%	72,640	3.5%
195 - YUPIIT SD	1,930,446	2,258,349	96.68%	2,136,812	96.82%	206,365	10.7%	327,903	17.0%	(121,538)	-5.4%
149 - NOME CITY SD	1,861,232	2,177,378	96.79%	1,991,581	96.92%	130,349	7.0%	316,146	17.0%	(185,797)	-8.5%
160 - YUKON / KOYUKUK SD	1,416,758	1,657,406	96.87%	1,862,342	97.01%	445,585	31.5%	240,648	17.0%	204,936	12.4%
203 - ANCHORAGE COMMUNITY DEVELOP AUTHORITY	1,563,498	1,829,072	96.96%	1,838,348	97.10%	274,850	17.6%	265,574	17.0%	9,276	0.5%
164 - LAKE AND PENINSULA BOROUGH SD	1,975,177	2,310,678	97.07%	1,797,568	97.19%	(177,609)	-9.0%	335,501	17.0%	(513,110)	-22.2%
246 - DELTA/GREELY SD	1,377,498	1,611,478	97.15%	1,767,750	97.27%	390,252	28.3%	233,980	17.0%	156,272	9.7%
125 - KUSPUK SD	1,568,014	1,834,355	97.24%	1,724,056	97.35%	156,042	10.0%	266,341	17.0%	(110,299)	-6.0%
167 - SOUTHEAST REGIONAL RESOURCE CENTER	1,595,621	1,866,651	97.33%	1,594,382	97.43%	(1,239)	-0.1%	271,030	17.0%	(272,269)	-14.6%
263 - INTERIOR RHA	1,006,171	1,177,077	97.39%	1,554,603	97.51%	548,432	54.5%	170,907	17.0%	377,526	32.1%
211 - KASHUNAMIUT SD	1,153,516	1,349,451	97.45%	1,546,957	97.58%	393,440	34.1%	195,935	17.0%	197,506	14.6%
223 - BRISTOL BAY RHA	1,280,244	1,497,705	97.53%	1,516,005	97.65%	235,761	18.4%	171,460	17.0%	18,300	1.2%
205 - DILLINGHAM CITY SD	1,399,554	1,637,280	97.61%	1,506,215	97.73%	106,661	7.6%	237,726	17.0%	(131,065)	-8.0%
170 - NORTH PACIFIC FISHERY MGMT COUNCIL	1,371,882	1,604,907	97.69%	1,426,642	97.79%	54,761	4.0%	233,026	17.0%	(178,265)	-11.1%
270 - BERING STRAITS RHA	986,844	1,154,468	97.74%	1,402,863	97.86%	416,019	42.2%	167,624	17.0%	248,395	21.5%
172 - CITY OF SAINT PAUL	1,071,249	1,253,210	97.80%	1,386,309	97.93%	315,060	29.4%	181,961	17.0%	133,100	10.6%
196 - NENANA CITY SD	1,062,751	1,243,268	97.86%	1,385,614	98.00%	322,863	30.4%	180,517	17.0%	142,345	11.4%
255 - ALASKA GATEWAY SD	1,018,524	1,191,529	97.92%	1,379,249	98.06%	360,724	35.4%	173,005	17.0%	187,719	15.8%
293 - TAGIUGMIULLU NUNAMIULLU HOUSING AUTHORIT	1,401,029	1,639,006	98.00%	1,343,763	98.13%	(57,266)	-4.1%	237,977	17.0%	(295,243)	-18.0%
288 - NORTHWEST INUPIAT HOUSING AUTHORITY	933,383	1,091,927	98.06%	1,306,494	98.19%	373,110	40.0%	158,543	17.0%	214,567	19.7%
171 - CITY OF BARROW	1,125,664	1,316,868	98.12%	1,289,533	98.25%	163,869	14.6%	191,204	17.0%	(27,335)	-2.1%
186 - CITY OF CRAIG	1,550,616	1,814,001	98.21%	1,278,463	98.31%	(272,152)	-17.6%	263,385	17.0%	(535,538)	-29.5%
267 - ALEUTIAN HOUSING AUTHORITY	977,553	1,143,598	98.26%	1,265,561	98.37%	288,009	29.5%	166,046	17.0%	121,963	10.7%
276 - NORTH PACIFIC RIM HA	1,278,073	1,495,165	98.34%	1,237,911	98.43%	(40,162)	-3.1%	217,092	17.0%	(257,254)	-17.2%
112 - COPPER RIVER SD	1,211,014	1,416,715	98.41%	1,205,801	98.49%	(5,212)	-0.4%	205,701	17.0%	(210,913)	-14.9%
159 - YUKON FLATS SD	552,707	646,589	98.44%	1,144,374	98.55%	591,668	107.0%	93,882	17.0%	497,786	77.0%
118 - DENALI BOROUGH SD	926,113	1,083,421	98.49%	1,138,156	98.60%	212,043	22.9%	157,308	17.0%	54,735	5.1%
176 - CITY OF SAND POINT	849,228	993,476	98.54%	1,122,692	98.66%	273,464	32.2%	144,249	17.0%	129,216	13.0%
151 - CITY OF KING COVE	1,011,685	1,183,528	98.60%	1,111,138	98.71%	99,454	9.8%	171,843	17.0%	(72,389)	-6.1%
209 - UNALASKA CITY SD	853,476	998,447	98.65%	1,090,538	98.76%	237,062	27.8%	144,970	17.0%	92,092	9.2%
124 - IDITAROD AREA SD	927,417	1,084,947	98.70%	1,078,227	98.81%	150,810	16.3%	157,530	17.0%	(6,720)	-0.6%
284 - INTER-ISLAND FERRY AUTHORITY	1,142,589	1,336,668	98.77%	1,036,021	98.86%	(106,568)	-9.3%	194,079	17.0%	(300,646)	-22.5%
199 - CITY OF HOONAH	764,304	894,128	98.81%	995,397	98.91%	231,092	30.2%	129,824	17.0%	101,268	11.3%
228 - PETERSBURG CITY SD	904,531	1,058,173	98.86%	978,031	98.96%	73,500	8.1%	153,642	17.0%	(80,142)	-7.6%
204 - CRAIG CITY SD	762,589	892,121	98.90%	977,304	99.01%	214,715	28.2%	129,532	17.0%	85,183	9.5%
175 - NOME JOINT UTILITY SYSTEM	906,897	1,060,941	98.96%	933,539	99.05%	26,642	2.9%	154,044	17.0%	(127,402)	-12.0%
146 - WRANGELL PUBLIC SD	677,140	792,158	98.99%	913,025	99.10%	235,885	34.8%	115,018	17.0%	120,867	15.3%
202 - CITY OF WHITTIER	906,468	1,060,440	99.05%	911,914	99.14%	5,445	0.6%	153,971	17.0%	(148,526)	-14.0%
244 - ALEUTIANS EAST BOROUGH SD	695,838	814,032	99.09%	890,968	99.18%	195,130	28.0%	118,194	17.0%	76,936	9.5%
240 - HAINES BOROUGH SD	662,597	775,145	99.12%	824,938	99.22%	162,340	24.5%	112,548	17.0%	49,792	6.4%
248 - CITY AND BOROUGH OF YAKUTAT	700,300	819,252	99.16%	795,752	99.26%	95,452	13.6%	118,952	17.0%	(23,500)	-2.9%
192 - CITY OF GALENA	1,513,365	1,770,423	99.25%	765,776	99.30%	(747,589)	-49.4%	257,058	17.0%	(1,004,647)	-56.7%
103 - ANNETTE ISLAND SD	536,830	628,015	99.28%	723,078	99.33%	186,248	34.7%	91,185	17.0%	95,062	15.1%
230 - ALEUTIANS EAST BOROUGH	1,083,905	1,268,015	99.34%	696,057	99.37%	(387,848)	-35.8%	184,111	17.0%	(571,959)	-45.1%
185 - CORDOVA CITY SD	661,560	773,932	99.38%	676,829	99.40%	15,269	2.3%	112,372	17.0%	(97,103)	-12.5%
227 - CITY OF KLAUOCK	563,057	658,697	99.41%	664,829	99.43%	101,772	18.1%	95,640	17.0%	6,132	0.9%
281 - BARANOF ISLAND HA	479,327	560,745	99.44%	662,388	99.46%	183,061	38.2%	81,418	17.0%	101,643	18.1%
138 - HOONAH CITY SD	420,844	492,328	99.47%	628,531	99.49%	207,687	49.4%	71,484	17.0%	136,203	27.7%
155 - SOUTHEAST ISLAND SD	658,382	770,214	99.50%	627,938	99.52%	(30,444)	-4.6%	111,832	17.0%	(142,276)	-18.5%
224 - COPPER RIVER BASIN RHA	362,711	424,320	99.52%	626,495	99.55%	263,784	72.7%	61,609	17.0%	202,175	47.6%
251 - KLAUOCK CITY SD	423,405	495,324	99.55%	540,007	99.58%	116,602	27.5%	71,919	17.0%	44,683	9.0%
258 - DENALI BOROUGH	361,669	423,102	99.57%	520,784	99.60%	159,114	44.0%	61,433	17.0%	97,682	23.1%
184 - BRISTOL BAY BOROUGH SD	486,359	568,972	99.60%	501,006	99.63%	14,647	3.0%	82,612	17.0%	(67,965)	-11.9%

**PERS Employer Salaries  
FY08 vs. FY12**

PERS Employer	FY08			FY12		FY08 vs. FY12		FY08 vs. FY08 @ 4% CAGR		FY12 vs. FY08 @ 4% CAGR	
	Salary Base	SB @ 4% CAGR	% of Total	Salary Base	% of Total	\$ Change	% Change	\$ Change	% Change	\$ Change	% Change
221 - SAINT MARY'S SD	398,874	466,626	99.62%	487,969	99.65%	89,095	22.3%	67,752	17.0%	21,343	4.6%
105 - CHATHAM SD	424,591	496,711	99.64%	482,079	99.68%	57,488	13.5%	72,120	17.0%	(14,633)	-2.9%
208 - CITY OF AKUTAN	309,276	361,809	99.66%	469,790	99.70%	160,514	51.9%	52,533	17.0%	107,981	29.8%
249 - CITY OF UNALAKLEET	291,375	340,867	99.68%	466,652	99.72%	175,278	60.2%	49,493	17.0%	125,785	36.9%
183 - CITY OF FORT YUKON	292,367	342,028	99.69%	435,404	99.74%	143,037	48.9%	49,661	17.0%	93,376	27.3%
206 - CITY OF THORNE BAY	403,570	472,120	99.72%	425,503	99.76%	21,933	5.4%	68,550	17.0%	(46,617)	-9.9%
265 - KAKE CITY SD	385,444	450,915	99.74%	424,541	99.78%	39,097	10.1%	65,471	17.0%	(26,374)	-5.8%
264 - YAKUTAT SD	289,941	339,190	99.76%	369,895	99.80%	79,954	27.6%	49,249	17.0%	30,705	9.1%
218 - SPECIAL EDUCATION SERVICE AGENCY	258,711	302,655	99.77%	355,777	99.82%	97,067	37.5%	43,944	17.0%	53,122	17.6%
121 - CHUGACH SD	264,561	309,499	99.79%	352,945	99.83%	88,384	33.4%	44,938	17.0%	43,446	14.0%
156 - PRIBILOF SD	452,110	528,905	99.81%	339,180	99.85%	(112,930)	-25.0%	76,795	17.0%	(189,725)	-35.9%
193 - CITY OF NENANA	310,782	363,571	99.83%	325,798	99.87%	15,016	4.8%	52,789	17.0%	(37,773)	-10.4%
225 - SKAGWAY CITY SD	316,099	369,792	99.85%	281,335	99.88%	(34,764)	-11.0%	53,692	17.0%	(88,456)	-23.9%
247 - LAKE AND PENINSULA BOROUGH	416,171	486,861	99.87%	267,469	99.89%	(148,702)	-35.7%	70,690	17.0%	(219,392)	-45.1%
168 - HYDABURG CITY SD	111,476	130,411	99.88%	266,078	99.91%	154,602	138.7%	18,935	17.0%	135,667	104.0%
282 - CITY OF DELTA JUNCTION	239,452	280,125	99.89%	245,356	99.92%	5,904	2.5%	40,673	17.0%	(34,769)	-12.4%
106 - ALASKA MUNICIPAL LEAGUE	181,914	212,814	99.90%	243,801	99.93%	61,886	34.0%	30,900	17.0%	30,987	14.6%
162 - ALEUTIAN REGION SD	195,559	228,776	99.91%	175,804	99.94%	(19,755)	-10.1%	33,217	17.0%	(52,972)	-23.2%
198 - CITY OF SAXMAN	107,971	126,311	99.92%	132,160	99.94%	24,189	22.4%	18,340	17.0%	5,849	4.6%
169 - CITY OF TANANA	112,363	131,449	99.93%	126,450	99.95%	14,087	12.5%	19,086	17.0%	(4,999)	-3.8%
235 - CITY OF HUSLIA	138,393	161,900	99.93%	125,863	99.96%	(12,530)	-9.1%	23,507	17.0%	(36,037)	-22.3%
297 - CITY OF NULATO	9,188	10,748	99.93%	122,535	99.96%	113,347	1233.7%	1,561	17.0%	111,786	1040.0%
243 - CITY OF ATKA	50,796	59,424	99.94%	121,532	99.97%	70,737	139.3%	8,628	17.0%	62,109	104.5%
200 - CITY OF PELICAN	161,584	189,030	99.95%	109,791	99.97%	(51,793)	-32.1%	27,446	17.0%	(79,239)	-41.9%
286 - CITY OF SELDOVIA	80,578	94,265	99.95%	85,836	99.98%	5,258	6.5%	13,687	17.0%	(8,429)	-8.9%
271 - CITY OF EGEGIK	73,331	85,787	99.96%	83,341	99.98%	10,010	13.6%	12,456	17.0%	(2,446)	-2.9%
298 - CITY OF ANIAK	-	-	99.96%	76,340	99.99%	76,340	n/a	-	n/a	76,340	n/a
257 - PELICAN CITY SD	107,980	126,322	99.96%	64,483	99.99%	(43,497)	-40.3%	18,341	17.0%	(61,838)	-49.0%
166 - TANANA SD	136,510	159,697	99.97%	52,849	99.99%	(83,661)	-61.3%	23,187	17.0%	(106,849)	-66.9%
278 - SAXMAN SEAPORT	70,626	82,622	99.97%	34,776	99.99%	(35,850)	-50.8%	11,996	17.0%	(47,846)	-57.9%
237 - CITY OF KALTAG	31,137	36,426	99.97%	31,247	99.99%	110	0.4%	5,289	17.0%	(5,179)	-14.2%
290 - CITY OF UPPER KALSKAG	29,622	34,654	99.98%	29,230	100.00%	(393)	-1.3%	5,032	17.0%	(5,424)	-15.7%
291 - CITY OF SHAKTOOLIK	25,773	30,151	99.98%	28,674	100.00%	2,901	11.3%	4,378	17.0%	(1,476)	-4.9%
242 - CITY OF ELIM	3,573	4,180	99.98%	22,261	100.00%	18,688	523.0%	607	17.0%	18,081	432.5%
280 - CITY OF TOKSOOK BAY	28,491	33,330	99.98%	21,895	100.00%	(6,596)	-23.2%	4,839	17.0%	(11,435)	-34.3%
260 - CITY OF KACHEMAK	18,530	21,677	99.98%	20,890	100.00%	2,360	12.7%	3,147	17.0%	(787)	-3.6%
232 - BERING STRAITS CRSA	-	-	99.98%	1,923	100.00%	1,923	n/a	-	n/a	1,923	n/a
241 - CITY OF NOORVIK	152,358	178,238	99.99%	-	100.00%	(152,358)	-100.0%	25,879	17.0%	(178,238)	-100.0%
245 - ALEUTIANS WEST CRSA	53,648	62,760	99.99%	-	100.00%	(53,648)	-100.0%	9,113	17.0%	(62,760)	-100.0%
254 - CITY OF MEKORYUK	12,265	14,349	99.99%	-	100.00%	(12,265)	-100.0%	2,083	17.0%	(14,349)	-100.0%
256 - CITY OF SAINT GEORGE	60,793	71,119	100.00%	-	100.00%	(60,793)	-100.0%	10,326	17.0%	(71,119)	-100.0%
259 - CITY OF ALLAKAKET	6,370	7,452	100.00%	-	100.00%	(6,370)	-100.0%	1,082	17.0%	(7,452)	-100.0%
266 - CITY OF QUINHAGAK	22,331	26,124	100.00%	-	100.00%	(22,331)	-100.0%	3,793	17.0%	(26,124)	-100.0%
283 - CITY OF ANDERSON	26,705	31,241	100.00%	-	100.00%	(26,705)	-100.0%	4,536	17.0%	(31,241)	-100.0%
<b>All PERS Employers</b>	<b>1,748,905,777</b>	<b>2,045,972,394</b>	<b>100.00%</b>	<b>2,074,659,741</b>	<b>100.00%</b>	<b>325,753,964</b>	<b>18.6%</b>	<b>297,066,617</b>	<b>17.0%</b>	<b>28,687,347</b>	<b>1.4%</b>



**Haines Borough  
Assembly Agenda Bill**

**Agenda Bill No.:** 13-262

**Assembly Meeting Date:** 4/9/2013

<b>Business Item Description:</b>		<b>Attachments:</b>
Subject: Authorize a contract with Pacific Pile & Marine, L.P. for Port Chilkoot Dock and Letnikof Cove Renovations		1. Resolution 13-04-455 2. Bid Solicitation 3. Bid Results 4. Contractor Bids 5. PND Engineers Letter 6. PND Eng. Bid Tabulation
Originator: Director of Public Facilities (Agenda Bill by Clerk's Office)		
Originating Department: Public Facilities		
Date Submitted: 4/2/13		

**Full Title/Motion:**  
Motion: Adopt Resolution 13-04-455.

**Administrative Recommendation:**  
The resolution is recommended by the Borough Manager

**Fiscal Impact:**

Expenditure Required	Amount Budgeted	Appropriation Required
\$ 5,804,340	\$ 6,347,000	\$

**Comprehensive Plan Consistency Review:**

Comp Plan Policy Nos.: N/A	Consistent: <input type="checkbox"/> Yes <input type="checkbox"/> No
-------------------------------	--

**Summary Statement:**

The borough has solicited bids for renovations to Port Chilkoot Dock and Letnikof Cove Harbor. Pacific Pile & Marine was the lowest responsive bidder with a total bid amount of \$5,804,340, the bid that was also recommended by PND Engineering. The amount of \$2,552,000 is remaining from the FY11 Designated Legislative Grant for PC Cruise Ship Dock Upgrades and the FY13 Designated Legislative Grant for PC Cruise Ship Dock Upgrades amount is \$2,380,000. Approximately \$465,000 is also available from the Commercial Passenger Vessel Tax funds. This totals to \$5,397,000 which will provides for the \$4,960,390 improvement to the Port Chilkoot Dock. Letnikof Cove improvements, Additive Alternate A, has \$950,000 in FY13 Designated Legislative Grant for Letnikof Cove Harbor Improvements. This totals will provides for the \$843,950 bid price.

**Referral:**

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

**Assembly Action:**

Workshop Date(s):	Public Hearing Date(s):
Meeting Date(s): 4/09/13	Tabled to Date:

HAINES BOROUGH  
RESOLUTION No. 13-04-455

**Draft**

**A Resolution of the Haines Borough Assembly authorizing the Borough Manager to enter into a construction contract with Pacific Pile & Marine, L.P. for the Port Chilkoot Dock and Letnikof Cove Renovations project for an amount not-to-exceed \$5,804,340.00.**

**WHEREAS**, the Borough owns and operates the Port Chilkoot Cruise Ship Dock and Letnikof Cove Harbor and has a phased project in place to improve these critical infrastructures; and

**WHEREAS**, the Haines Borough recently issued a request for sealed bids from qualified, licensed contractors for the Port Chilkoot Dock and Letnikof Cove Renovations project; and

**WHEREAS**, the Haines Borough obtained three sealed bids: 1) Pacific Pile & Marine for \$5,804,340, 2) Hamilton Construction, LLC for \$6,140,236 and 3) Orion Marine Contractors for \$6,058,430; and

**WHEREAS**, the Borough Manager recommends contract award to the Pacific Pile & Marine, L.P.; and

**WHEREAS**, these services will be paid for out of the Legislative grant that was awarded for this purpose, and available monies are sufficient.

**NOW, THEREFORE, BE IT RESOLVED** that the Haines Borough Assembly authorizes the Borough Manager to enter into a contract with Pacific Pile & Marine L.P. for the Port Chilkoot Dock and Letnikof Cove Renovations project for an amount not-to-exceed \$5,804,340.00.

Adopted by a duly-constituted quorum of the Haines Borough Assembly on this \_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
Stephanie Scott, Mayor

Attest:

\_\_\_\_\_  
Julie Cozzi, MMC, Borough Clerk



**Haines Borough  
Assembly Agenda Bill**

**Agenda Bill No.:** 13-262

**Assembly Meeting Date:** 4/9/2013

<b>Business Item Description:</b>		<b>Attachments:</b>
Subject: Authorize a contract with Pacific Pile & Marine, L.P. for Port Chilkoot Dock and Letnikof Cove Renovations	Originator: Director of Public Facilities (Agenda Bill by Clerk's Office)	1. Resolution 13-04-455 2. Bid Solicitation 3. Bid Results 4. Contractor Bids 5. PND Engineers Letter 6. PND Eng. Bid Tabulation
Originating Department: Public Facilities	Date Submitted: 4/2/13	

**Full Title/Motion:**  
Motion: Adopt Resolution 13-04-455.

**Administrative Recommendation:**  
The resolution is recommended by the Borough Manager

**Fiscal Impact:**

Expenditure Required	Amount Budgeted	Appropriation Required
\$ 5,804,340	\$ 6,347,000	\$

**Comprehensive Plan Consistency Review:**

Comp Plan Policy Nos. : N/A	Consistent: <input type="checkbox"/> Yes <input type="checkbox"/> No
--------------------------------	--

**Summary Statement:**  
The borough has solicited bids for renovations to Port Chilkoot Dock and Letnikof Cove Harbor. Pacific Pile & Marine was the lowest responsive bidder with a total bid amount of \$5,804,340, the bid that was also recommended by PND Engineering. The amount of \$2,552,000 is remaining from the FY11 Designated Legislative Grant for PC Cruise Ship Dock Upgrades and the FY13 Designated Legislative Grant for PC Cruise Ship Dock Upgrades amount is \$2,380,000. Approximately \$465,000 is also available from the Commercial Passenger Vessel Tax funds. This totals to \$5,397,000 which will provides for the \$4,960,390 improvement to the Port Chilkoot Dock. Letnikof Cove improvements, Additive Alternate A, has \$950,000 in FY13 Designated Legislative Grant for Letnikof Cove Harbor Improvements. This totals will provides for the \$843,950 bid price.

**Referral:**

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

**Assembly Action:**

Workshop Date(s):	Public Hearing Date(s):
Meeting Date(s): 4/09/13	Tabled to Date:

# HAINES BOROUGH, ALASKA PUBLIC NOTICE

## REQUEST FOR SEALED BIDS

### PORT CHILKOOT DOCK AND LETNIKOF COVE HARBOR RENOVATIONS



Notice is hereby given that the HAINES BOROUGH, Alaska, will receive sealed competitive BIDS from qualified contractors to perform the **Port Chilkoot Dock and Letnikof Cove Harbor Renovations** project, until **2:00 p.m.** local prevailing time, **April 2, 2013**, at the Office of the Borough Clerk, Borough Administration Building, 103 Third Ave. S, P.O. Box 1209, Haines, Alaska 99827, at which time the BIDS will be publicly opened and read aloud. Bids will not be accepted by email or fax. Clearly mark on the outside of the envelope **"Request for Bids, Port Chilkoot Dock and Letnikof Cove Harbor Renovations, Opening Date April 2, 2013"**. Proposals may not be withdrawn for thirty days following date of opening.

**Project Description:** The Project includes a Base Bid that will be performed at the Port Chilkoot Dock and generally consists of various items including demolition of an existing timber approach trestle and main dock, uplands and retaining wall modifications, concrete abutment, aluminum gangway, timber trestle, queuing deck and approach dock, re-grade of existing approach dock, moorage float modifications, steel pipe piles, water system and electrical improvements.

The project includes three Additive Alternates: Additive Alternate A work will be performed at Letnikof Cove and generally consists of renovating the Letnikof Harbor, which includes partial demolition of the existing timber trestle, new approach dock addition, gangway replacement, existing pipe float system maintenance, anchor chain replacement, seasonal timber floats, gangway landing float, and socketed steel piles. Additive Alternates B and C work will be performed at the Port Chilkoot Dock. Additive Alternate B consists of a mooring dolphin. Additive Alternate C consists of lighting and electrical power to the moorage float.

The Engineer's Estimate for all work is approximately \$6 million.

**Pre-Bid Conference:** Prospective Bidders are encouraged to attend a pre-Bid conference of the proposed WORK, which will be conducted by the OWNER, **at 2:00 p.m. on Thursday, March 14, 2013** in the Assembly Chambers, Public Safety Building 213 Haines Highway, Haines, AK. If you wish to participate via teleconference, please contact the Borough Clerk's Office at (907) 766-2231.

**Project Questions:** Questions regarding this project shall be directed to Carlos Jimenez, Director of Public Facilities (907) 766-2257.

Contract Documents may be obtained from the Borough Clerk's Office, 103 Third Ave., Haines, Alaska 99827, upon payment of a non-refundable **\$75.00** fee for each set (includes reduced-scale drawings). Additional charges will be required for special handling or delivery of the documents by means other than first class mail. Checks should be made payable to the Haines Borough. The Contract Documents will also be available in electronic format as a downloadable pdf file on the following web site: [www.hainesalaska.gov](http://www.hainesalaska.gov).

Each bid shall be accompanied by a bid bond, cashier's check or certified check made payable to the Haines Borough in the amount of five percent of the total bid price. Please see the bid documents for more information.



# Haines Borough Bid Opening Record

Project: Port Chilkoot Dock & Letnikof Cove Harbor Renovations

Location: Borough Administration Conference Room

Project No: 13-03-02

Bid Deadline: 2:00pm ADT, 4/2/13

Bid Opening: 2:15pm, 4/2/13

Bidder	Bid Rcvd by Deadline	Bid on Req. Form & Signed in Ink	Addenda Noted	All Blanks filled in w/ink or typed	Proof of Business Licensing & Regist.	Bid Bond or certified check of at least 5% of bid	Base BID	Additive Alternate	Additive Alternate	Additive Alternate	Combined Bid (Base + Alts)	Comments
								A	B	C		
Pacific Pile & Marine, LP	✓	✓	✓	✓	✓✓	✓	Bid: \$4,162,400	Bid: \$1,142,000	Bid: \$130,000	Bid: \$425,000	Bid: \$5,859,400	Apparent Low Bid
							Mod: ADD \$623,940	Mod: DEDUCT \$298,050	Mod: DEDUCT \$8,450	Mod: DEDUCT \$372,500		
							Net: \$4,786,340	Net: \$843,950	Net: \$121,550	Net: \$52,500	Net: <b>\$5,804,340</b>	
Hamilton Construction, LLC	✓	✓	✓	✓	✓✓	✓	Bid: \$5,017,788	Bid: \$882,860	Bid: \$122,088	Bid: \$95,000	Bid: \$6,117,736	
							Mod: PLUS \$70,000			Mod: MINUS \$47,500		
							Net: \$5,087,788	Net: \$882,860	Net: \$122,088	Net: \$47,500	Net: <b>\$6,140,236</b>	
Orion Marine Contractors	✓	✓	✓	✓	NO	✓	Bid: \$8,261,000	Bid: \$1,145,000	Bid: \$150,000	Bid: \$400,000	Bid: \$9,956,000	
							Mod: MINUS \$3,186,845	Mod: MINUS \$362,500	Mod: MINUS \$13,500	Mod: MINUS \$334,725		
							Net: \$5,074,155	Net: \$782,500	Net: \$136,500	Net: \$65,275	Net: <b>\$6,058,430</b>	

Present: Carlos Jimenez, Director of Public Facilities  
Michelle Webb, Deputy Clerk  
Darcie Culbeck, Executive Assistant

Jeff Hamilton & Andrea (representing Hamilton Construction)

SECTION 00300 - BID

**BID TO: HAINES BOROUGH**

1. The undersigned Bidder proposes and agrees, if this Bid is accepted, to enter into an Agreement with the OWNER on the form included in the Contract Documents (as defined in Article 7 of Section 00500 - Agreement) to perform the WORK as specified or indicated in said Contract Documents entitled

**PORT CHILKOOT DOCK AND LETNIKOF COVE HARBOR RENOVATIONS**

- 2. Bidder accepts all of the terms and conditions of the Contract Documents, including without limitation those in the "Notice Inviting Bids" and "Instructions to Bidders," dealing with the disposition of the Bid Security.
- 3. This Bid will remain open for the period stated in the "Notice Inviting Bids" unless otherwise required by law. Bidder will enter into an Agreement within the time and in the manner required in the "Notice Inviting Bids" and the "Instructions to Bidders," and will furnish insurance certificates, Payment Bond, Performance Bond, and any other documents as may be required by the Contract Documents.
- 4. Bidder has familiarized itself with the nature and extent of the Contract Documents, WORK, site, locality where the WORK is to be performed, the legal requirements (federal, state and local laws, ordinances, rules, and regulations), and the conditions affecting cost, progress or performance of the WORK and has made such independent investigations as Bidder deems necessary.
- 5. This Bid is genuine and not made in the interest of or on behalf of any undisclosed person, firm or corporation and is not submitted in conformity with any agreement or rules of any group, association, organization or corporation; Bidder has not directly or indirectly induced or solicited any other Bidder to submit a false or sham Bid; Bidder has not solicited or induced any person, firm or corporation to refrain from bidding; and Bidder has not sought by collusion to obtain for itself any advantage over any other Bidder or over OWNER.
- 6. To all the foregoing, and including all Bid Schedule and information required of Bidder contained in this Bid Form, said Bidder further agrees to complete the WORK required under the Contract Documents within the Contract Time stipulated in said Contract Documents, and to accept in full payment therefor the Contract Price based on the total bid price(s) named in the aforementioned Bid Schedule.
- 7. Bidder has examined copies of all the Contract Documents including the following Addenda (receipt of all of which is hereby acknowledged by the Undersigned):

Addenda No.	Date Issued	Addenda No.	Date Issued
1	3/20/13		
2	3/27/13		

**Give number and date of each Addendum above. Failure to acknowledge receipt of all Addenda will cause the Bid to be non-responsive and shall cause its rejection.**

SECTION 00300 - BID

8. The Bidder has read this Bid and agrees to the conditions as stated herein by signing its signature in the space provided below.

Dated:	<u>3/28/2013</u>	Bidder:	<u>Pacific Pile &amp; Marine, LP</u>
Contractor's License No.:	<u>33893</u>	By:	 (Company Name)
Telephone No.:	<u>206-331-3873</u>	Printed Name:	<u>Christopher Willis</u> (Signature in Ink)
Facsimile No.:	<u>206-774-5958</u>	Title:	<u>VP of the Gen Ptr</u>
		Address:	<u>700 S Riverside Dr</u> (Street or P.O. Box)
			<u>Seattle, WA 98108</u> (City, State, Zip)

9. TO BE CONSIDERED, ALL BIDDERS MUST COMPLETE AND INCLUDE THE FOLLOWING AT THE TIME OF THE BID OPENING:

- Signed Bid, Section 00300 (includes Addenda receipt statement)
- Completed Bid Schedule, Section 00310
- Bid Security (Bid Bond, Section 00320, or by a certified or cashier's check as stipulated in the Notice Inviting Bids, Section 00030)

10. Unless otherwise notified by the City Administrator, the apparent low Bidder is required to complete and submit the following documents:

- Subcontractor Report, Section 00360

The apparent low Bidder who fails to submit a completed Subcontractor Report within the time specified in Section 00360 – Subcontractor Report will be found to be not a responsible Bidder and may be required to forfeit the Bid security. The OWNER will then consider the next lowest Bidder for award of the contract.

11. The successful Bidder will be required to submit, within ten Days after the date stated in the “Notice of Intent to Award” letter, the following executed documents:

- Agreement Forms, Section 00500
- Performance Bond, Section 00610
- Payment Bond, Section 00620
- Certificates of Contractor Insurance, Section 00700 and 00800

12. The successful Bidder will be required to submit, within ten Days after the date stated in the “Notice to Proceed”, the following executed documents:

- Certificates of Subcontractor Insurance, Section 00700 and Section 00800
- One executed copy of each subcontract for WORK that exceeds one half of one percent of the intended contract award amount.

END OF SECTION

**SECTION 00310 - BID SCHEDULE**

**BASE BID - PORT CHILKOOT DOCK RENOVATION**

Pay Item No.	Pay Item Description	Pay Unit	Approximate Quantity	Unit Price		Amount	
				Dollars	Cents	Dollars	Cents
1505.1	Mobilization	LS	All Req'd	750,000	00	750,000	00
2060.1	Demolition, Salvage and Disposal	LS	All Req'd	600,000	00	600,000	00
2601.1	Water System	LS	All Req'd	200,000	00	200,000	00
2702.1	Construction Survey Measurement	LS	All Req'd	50,000	00	50,000	00
2726.1	Retaining Wall and Upland Modifications	LS	All Req'd	60,000	00	60,000	00
2727.1	Trestle, Queuing Deck and Approach Dock	LS	All Req'd	650,000	00	650,000	00
2727.2	Re-grade Existing Approach Dock	LS	All Req'd	150,000	00	150,000	00
2810.1	Moorage Float Modifications	LS	All Req'd	85,000	00	85,000	00
2894.1	Covered Aluminum Gangway	LS	All Req'd	105,000	00	105,000	00
2896.1	Furnish Steel Pipe Pile, 24" Dia. x 0.500" Thick	LF	5,670	120	00	680,400	00
2896.2	Install 24" Dia. Vertical Pile	EA	28	6,500	00	182,000	00
2896.3	Install 24" Dia. Batter Pile	EA	17	6,000	00	102,000	00
2896.4	Spin Fin Pile Tip	EA	6	3,000	00	18,000	00
2896.5	Furnish and Install Float Mooring Pile, 16" Dia. x 0.500" Thick	EA	3	18,000	00	54,000	00
2896.6	Gangway Support Pile Frame	LS	All Req'd	65,000	00	65,000	00
2896.7	Pile Splice	EA	5	1,200	00	6,000	00
3304.1	Concrete Abutment	LS	All Req'd	30,000	00	30,000	00
16000.1	Electrical Power to Existing Cruise Ship Dock Lights	LS	All Req'd	350,000	00	350,000	00
16000.2	Install (8) All-Weather 120V Duplex Power Receptacles	LS	All Req'd	25,000	00	25,000	00

**TOTAL BASE BID AMOUNT IN FIGURES: \$** 4,162,400.00

**TOTAL BASE BID AMOUNT IN WORDS:** Four Million One Hundred Sixty Two Thousand Four Hundred Dollars & No Cents

**COMPANY NAME:** Pacific Pile & Marine, L.P.

**SECTION 00310 - BID SCHEDULE**

**ADDITIVE ALTERNATE A – LETNIKOF COVE HARBOR RENOVATION**

Pay Item No.	Pay Item Description	Pay Unit	Approximate Quantity	Unit Price		Amount	
				Dollars	Cents	Dollars	Cents
1505.1A	Mobilization	LS	All Req'd	300,000	00	300,000	00
2060.1A	Demolition, Salvage and Disposal	LS	All Req'd	100,000	00	100,000	00
2702.1A	Construction Survey Measurement	LS	All Req'd	25,000	00	25,000	00
2727.3A	Approach Dock Addition	LS	All Req'd	30,000	00	30,000	00
2885.1A	Replace Float Grating	LS	All Req'd	65,000	00	65,000	00
2885.2A	Replace Float Rubboard	LS	All Req'd	12,000	00	12,000	00
2885.3A	Replace Broken Cleats	LS	All Req'd	10,000	00	10,000	00
2885.4A	Replace Anchor Chains	LS	All Req'd	150,000	00	150,000	00
2894.2A	Modify & Install Salvaged Gangway	LS	All Req'd	10,000	00	10,000	00
2895.1A	16'x20' Gangway Landing Float	LS	All Req'd	40,000	00	40,000	00
2895.2A	8'x100' Segmental Float	LS	All Req'd	100,000	00	100,000	00
2896.5A	Furnish and Install Float Mooring Pile, 16" Dia. x 0.500" Thick	EA	6	13,000	00	78,000	00
2896.8A	Furnish and Install Dock Support Pile, 16" Dia. x 0.500" Thick	EA	4	8,000	00	32,000	00
2896.9A	Steel Pipe Pile Cross Beam	LS	All Req'd	25,000	00	25,000	00
2896.10A	Pile Socket	EA	10	10,000	00	100,000	00
2897.1A	Float Transition Plates	LS	All Req'd	10,000	00	10,000	00
2996.1A	Anode	LS	All Req'd	55,000	00	55,000	00

**TOTAL ADDITIVE ALTERNATE A AMOUNT IN FIGURES:** \$ 1,142,000.00

**TOTAL ADDITIVE ALTERNATE A AMOUNT IN WORDS:** One Million One Hundred Forty Two Thousand Dollars and No Cents

**COMPANY NAME:** Pacific Pile & Marine, L.P.

**SECTION 00310 - BID SCHEDULE**

**ADDITIVE ALTERNATE B – MOORING DOLPHIN AT PORT CHILKOOT DOCK**

Pay Item No.	Pay Item Description	Pay Unit	Approximate Quantity	Unit Price		Amount	
				Dollars	Cents	Dollars	Cents
2896.11B	Furnish and Install Mooring Dolphin Batter Pile, 20" Dia. x 0.500" Thick With Spin Fin Tip	EA	3	30,000	00	90,000	00
2896.12B	Mooring Dolphin Pile Cap & Bollard	LS	All Reqd	40,000	00	40,000	00

**TOTAL ADDITIVE ALTERNATE B AMOUNT IN FIGURES:** \$ 130,000.00

**TOTAL ADDITIVE ALTERNATE B AMOUNT IN WORDS:** One Hundred Thirty Thousand Dollars and No Cents

**COMPANY NAME:** Pacific Pile & Marine, L.P.

**ADDITIVE ALTERNATE C – ELECTRICAL AND LIGHTING AT PORT CHILKOOT DOCK**

Pay Item No.	Pay Item Description	Pay Unit	Approximate Quantity	Unit Price		Amount	
				Dollars	Cents	Dollars	Cents
16000.3C	Dock Lighting	LS	All Reqd	175,000	00	175,000	00
16000.4C	Electrical Power to Float and Gangway Lighting	LS	All Reqd	250,000	00	250,000	00

**TOTAL ADDITIVE ALTERNATE C AMOUNT IN FIGURES:** \$ 425,000.00

**TOTAL ADDITIVE ALTERNATE C AMOUNT IN WORDS:** Four Hundred Twenty Five Thousand Dollars and No Cents

**COMPANY NAME:** Pacific Pile & Marine, L.P.

# Fax



To: CITY CLERK From: CARRIE

Fax: 907.766 2716 Pages: 2

Re: PORT CHILKOOT Date: 4/2/13  
BID MOD

- Urgent
- For Review
- Please Comment
- Please Reply
- Please recycle

Comments:

**\* BID MODIFICATION  
ATTACHED \***

**FOR: PORT CHILKOOT DOCK  
& LETNIKOF COVE HARBOR  
RENOVATIONS**

**DUE: 4/2/13 2PM**

RECEIVED Haines Boroug  
APR 02 2013  
Clerk's Office  
1:41 pm

Pacific Pile and Marine, L.P.

Haines Borough

Port Chilkoot and Letnikof Cove Harbor Renovations

Bld Modifications

4/2/2013  
  
 Christopher Willis

BASE BID - Port Chilkoot Renovation

Item No.	Pay Item Description	Pay Unit	Approx. Quantity	Modified Unit Price		Modified Total	
1505.1	Mobilization	LS	All Req'd	DEDUCT	\$ (151,500.00)	DEDUCT	\$ (151,500.00)
2060.1	Demolition, Salvage and Disposal	LS	All Req'd	DEDUCT	\$ (146,500.00)	DEDUCT	\$ (146,500.00)
2601.1	Water System	LS	All Req'd	DEDUCT	\$ (7,000.00)	DEDUCT	\$ (7,000.00)
2702.1	Construction Survey Measurement	LS	All Req'd	ADD	\$ 25,000.00	ADD	\$ 25,000.00
2726.1	Retaining Wall & Upland Modifications	LS	All Req'd	ADD	\$ 12,000.00	ADD	\$ 12,000.00
2727.1	Trestle, Queing Deck and Approach Dock	LS	All Req'd	ADD	\$ 1,025,000.00	ADD	\$ 1,025,000.00
2727.2	Re-grade Existing Approach Dock	LS	All Req'd		NO CHANGE		NO CHANGE
2810.1	Moorage Float Modifications	LS	All Req'd	ADD	\$ 5,000.00	ADD	\$ 5,000.00
2984.1	Covered Aluminum Gangway	LS	All Req'd	ADD	\$ 135,000.00	ADD	\$ 135,000.00
2896.1	Furnish Steel Pipe Pile, 24" Dia. X 0.500" Thich	LF	5,670	DEDUCT	\$ (28.00)	DEDUCT	\$ (158,760.00)
2896.2	Install 24" Dia. Vertical Pile	EA	28	ADD	\$ 1,500.00	ADD	\$ 42,000.00
2896.3	Install 24" Dia. Batter Pile	EA	17	ADD	\$ 2,500.00	ADD	\$ 42,500.00
2896.4	Spin Fin Pile Tip	EA	6	DEDUCT	\$ (500.00)	DEDUCT	\$ (3,000.00)
2896.5	Furnish and Install Float Mooring Pile, 16" Dia. X 0.500"	EA	3	DEDUCT	\$ (1,100.00)	DEDUCT	\$ (3,300.00)
2896.6	Gangway Support Pile Frame	LS	All Req'd	DEDUCT	\$ (27,000.00)	DEDUCT	\$ (27,000.00)
2896.7	Pile Splice	EA	5	DEDUCT	\$ (100.00)	DEDUCT	\$ (500.00)
3304.1	Concrete Abutment	LS	All Req'd	ADD	\$ 5,000.00	ADD	\$ 5,000.00
16000.1	Electrical Power to Existing Cruise Ship Dock	LS	All Req'd	DEDUCT	\$ (160,000.00)	DEDUCT	\$ (160,000.00)
16000.2	Install (8) All-Wather 120V Duplex Power Recepticals	LS	All Req'd	DEDUCT	\$ (10,000.00)	DEDUCT	\$ (10,000.00)
<b>TOTAL CHANGE TO BASE BID</b>					<b>ADD</b>		<b>\$ 623,940.00</b>

Additive Alternate A - Letnikof Cove Harbor Renovation

Item No.	Pay Item Description	Pay Unit	Approx. Quantity	Modified Unit Price		Modified Total	
1505.1A	Mobilization	LS	All Req'd	DEDUCT	\$ (139,000.00)	DEDUCT	\$ (139,000.00)
2060.1A	Demolition, Salvage and Disposal	LS	All Req'd	DEDUCT	\$ (47,700.00)	DEDUCT	\$ (47,700.00)
2702.1A	Construction Survey Measurement	LS	All Req'd	DEDUCT	\$ (1,900.00)	DEDUCT	\$ (1,900.00)
2727.3A	Approach Dock Addition	LS	All Req'd	DEDUCT	\$ (3,800.00)	DEDUCT	\$ (3,800.00)
2885.1A	Replace Floor Grating	LS	All Req'd	DEDUCT	\$ (42,300.00)	DEDUCT	\$ (42,300.00)
2885.2A	Replace Float Rubboard	LS	All Req'd	ADD	\$ 2,500.00	ADD	\$ 2,500.00
2885.3A	Replace Broken Cleats	LS	All Req'd	DEDUCT	\$ (1,000.00)	DEDUCT	\$ (1,000.00)
2885.4A	Replace Anchor Chains	LS	All Req'd	DEDUCT	\$ (66,650.00)	DEDUCT	\$ (66,650.00)
2894.2A	Modify & Install Salvaged Gangway	LS	All Req'd	ADD	\$ 800.00	ADD	\$ 800.00
2895.1A	16' x 20' Gangway Landing Float	LS	All Req'd	DEDUCT	\$ (2,400.00)	DEDUCT	\$ (2,400.00)
2895.2A	8' x 100' Segmental Float	LS	All Req'd	ADD	\$ 1,800.00	ADD	\$ 1,800.00
2896.5A	Furnish and Install Float Mooring Pile, 16" Dia. X 0.500"	EA	6	DEDUCT	\$ (2,500.00)	DEDUCT	\$ (15,000.00)
2896.8A	Furnish and Install Dock Support Pile, 16" Dia. X 0.500"	EA	4	DEDUCT	\$ (1,000.00)	DEDUCT	\$ (4,000.00)
2896.9A	Steel pipe Pile Cross Beam	LS	All Req'd	DEDUCT	\$ (16,300.00)	DEDUCT	\$ (16,300.00)
2896.10A	Pile Socket	EA	10	ADD	\$ 6,200.00	ADD	\$ 62,000.00
2897.1A	Float Transltion Plates	LS	All Req'd	DEDUCT	\$ (2,700.00)	DEDUCT	\$ (2,700.00)
2996.1A	Anode	LS	All Req'd	DEDUCT	\$ (22,400.00)	DEDUCT	\$ (22,400.00)
<b>TOTAL CHANGE TO ADDITIVE ALTERNATE A</b>					<b>DEDUCT</b>		<b>\$ (298,050.00)</b>

Additive Alternate B - Mooring Dolphin at Port Chilkoot Dock

Item No.	Pay Item Description	Pay Unit	Approx. Quantity	Modified Unit Price		Modified Total	
2896.11B	Furnish & Install Mooring Dolphin Batter Pile 20" Dia.	EA	3	DEDUCT	\$ (6,600.00)	DEDUCT	\$ (19,800.00)
2896.12B	Mooring Dolphin Pile Cap & Bollard	LS	All Req'd	ADD	\$ 11,350.00	ADD	\$ 11,350.00
<b>TOTAL CHANGE TO ADDITIVE ALTERNATE B</b>					<b>DEDUCT</b>		<b>\$ (8,450.00)</b>

Additive Alternate C - Electrical and Lighting at Port Chilkoot Dock

Item No.	Pay Item Description	Pay Unit	Approx. Quantity	Modified Unit Price		Modified Total	
16000.3C	Dock Lighting	LS	All Req'd	DEDUCT	\$ (162,200.00)	DEDUCT	\$ (162,200.00)
16000.4C	Electrical Power to Float & Gangway Lighting	LS	All Req'd	DEDUCT	\$ (210,300.00)	DEDUCT	\$ (210,300.00)
<b>TOTAL CHANGE TO ADDITIVE ALTERNATE C</b>					<b>DEDUCT</b>		<b>\$ (372,500.00)</b>

Clerk's Office

SECTION 00300 - BID

BID TO: HAINES BOROUGH

1. The undersigned Bidder proposes and agrees, if this Bid is accepted, to enter into an Agreement with the OWNER on the form included in the Contract Documents (as defined in Article 7 of Section 00500 - Agreement) to perform the WORK as specified or indicated in said Contract Documents entitled

**PORT CHILKOOT DOCK AND LETNIKOF COVE HARBOR RENOVATIONS**

2. Bidder accepts all of the terms and conditions of the Contract Documents, including without limitation those in the "Notice Inviting Bids" and "Instructions to Bidders," dealing with the disposition of the Bid Security.
3. This Bid will remain open for the period stated in the "Notice Inviting Bids" unless otherwise required by law. Bidder will enter into an Agreement within the time and in the manner required in the "Notice Inviting Bids" and the "Instructions to Bidders," and will furnish insurance certificates, Payment Bond, Performance Bond, and any other documents as may be required by the Contract Documents.
4. Bidder has familiarized itself with the nature and extent of the Contract Documents, WORK, site, locality where the WORK is to be performed, the legal requirements (federal, state and local laws, ordinances, rules, and regulations), and the conditions affecting cost, progress or performance of the WORK and has made such independent investigations as Bidder deems necessary.
5. This Bid is genuine and not made in the interest of or on behalf of any undisclosed person, firm or corporation and is not submitted in conformity with any agreement or rules of any group, association, organization or corporation; Bidder has not directly or indirectly induced or solicited any other Bidder to submit a false or sham Bid; Bidder has not solicited or induced any person, firm or corporation to refrain from bidding; and Bidder has not sought by collusion to obtain for itself any advantage over any other Bidder or over OWNER.
6. To all the foregoing, and including all Bid Schedule and information required of Bidder contained in this Bid Form, said Bidder further agrees to complete the WORK required under the Contract Documents within the Contract Time stipulated in said Contract Documents, and to accept in full payment therefor the Contract Price based on the total bid price(s) named in the aforementioned Bid Schedule.
7. Bidder has examined copies of all the Contract Documents including the following Addenda (receipt of all of which is hereby acknowledged by the Undersigned):

Addenda No.	Date Issued	Addenda No.	Date Issued
One	3/20/13		
Two	3/27/13		

**Give number and date of each Addendum above. Failure to acknowledge receipt of all Addenda will cause the Bid to be non-responsive and shall cause its rejection.**

SECTION 00300 - BID

8. The Bidder has read this Bid and agrees to the conditions as stated herein by signing its signature in the space provided below.

Dated:	<u>4/2/2013</u>	Bidder:	<u>Hamilton Construction, LLC</u> (Company Name)
Contractor's License No.:	<u>30862</u>	By:	<u>[Signature]</u> (Signature in Ink)
Telephone No.:	<u>907-983-2702</u>	Printed Name:	<u>Jeff Hamilton</u>
Facsimile No.:	<u>907-983-2649</u>	Title:	<u>Managing Member</u>
		Address:	<u>PO Box 648</u> (Street or P.O. Box)
			<u>Skagway, AK 99840</u> (City, State, Zip)

9. TO BE CONSIDERED, ALL BIDDERS MUST COMPLETE AND INCLUDE THE FOLLOWING AT THE TIME OF THE BID OPENING:

- Signed Bid, Section 00300 (includes Addenda receipt statement)
- Completed Bid Schedule, Section 00310
- Bid Security (Bid Bond, Section 00320, or by a certified or cashier's check as stipulated in the Notice Inviting Bids, Section 00030)

10. Unless otherwise notified by the City Administrator, the apparent low Bidder is required to complete and submit the following documents:

- Subcontractor Report, Section 00360

The apparent low Bidder who fails to submit a completed Subcontractor Report within the time specified in Section 00360 – Subcontractor Report will be found to be not a responsible Bidder and may be required to forfeit the Bid security. The OWNER will then consider the next lowest Bidder for award of the contract.

11. The successful Bidder will be required to submit, within ten Days after the date stated in the “Notice of Intent to Award” letter, the following executed documents:

- Agreement Forms, Section 00500
- Performance Bond, Section 00610
- Payment Bond, Section 00620
- Certificates of Contractor Insurance, Section 00700 and 00800

12. The successful Bidder will be required to submit, within ten Days after the date stated in the “Notice to Proceed”, the following executed documents:

- Certificates of Subcontractor Insurance, Section 00700 and Section 00800
- One executed copy of each subcontract for WORK that exceeds one half of one percent of the intended contract award amount.

END OF SECTION

**SECTION 00310 - BID SCHEDULE**

**BASE BID - PORT CHILKOOT DOCK RENOVATION**

Pay Item No.	Pay Item Description	Pay Unit	Approximate Quantity	Unit Price		Amount	
				Dollars	Cents	Dollars	Cents
1505.1	Mobilization	LS	All Req'd	633,000	00	633,000	00
2060.1	Demolition, Salvage and Disposal	LS	All Req'd	654,000	00	654,000	00
2601.1	Water System	LS	All Req'd	102,500	00	102,500	00
2702.1	Construction Survey Measurement	LS	All Req'd	50,000	00	50,000	00
2726.1	Retaining Wall and Upland Modifications	LS	All Req'd	55,800	00	55,800	00
2727.1	Trestle, Queuing Deck and Approach Dock	LS	All Req'd	1,715,500	00	1,715,000	00
2727.2	Re-grade Existing Approach Dock	LS	All Req'd	289,000	00	289,000	00
2810.1	Moorage Float Modifications	LS	All Req'd	126,500	00	126,500	00
2894.1	Covered Aluminum Gangway	LS	All Req'd	252,414	00	252,414	00
2896.1	Furnish Steel Pipe Pile, 24" Dia. x 0.500" Thick	LF	5,670	112	90	640,143	00
2896.2	Install 24" Dia. Vertical Pile	EA	28	7,000	00	196,000	00
2896.3	Install 24" Dia. Batter Pile	EA	17	7,200	00	122,400	00
2896.4	Spin Fin Pile Tip	EA	6	4,500	00	27,000	00
2896.5	Furnish and Install Float Mooring Pile, 16" Dia. x 0.500" Thick	EA	3	16,896	00	50,688	00
2896.6	Gangway Support Pile Frame	LS	All Req'd	18,843	00	18,843	00
2896.7	Pile Splice	EA	5	1,500	00	7,500	00
3304.1	Concrete Abutment	LS	All Req'd	45,000	00	45,000	00
16000.1	Electrical Power to Existing Cruise Ship Dock Lights	LS	All Req'd	30,000	00	30,000	00
16000.2	Install (8) All-Weather 120V Duplex Power Receptacles	LS	All Req'd	2,000	00	2,000	00

\$ 5,017,788.00

**TOTAL BASE BID AMOUNT IN FIGURES: \$** \_\_\_\_\_

**TOTAL BASE BID AMOUNT**

**IN WORDS:** five million and Seventeen thousand Seven Hundred Eighty Eight and <sup>00</sup>/<sub>100</sub>

**COMPANY NAME:** Hamilton Construction, LLC

**SECTION 00310 - BID SCHEDULE**

**ADDITIVE ALTERNATE A – LETNIKOF COVE HARBOR RENOVATION**

Pay Item No.	Pay Item Description	Pay Unit	Approximate Quantity	Unit Price		Amount	
				Dollars	Cents	Dollars	Cents
1505.1A	Mobilization	LS	All Req'd	75,000	00	75,000	00
2060.1A	Demolition, Salvage and Disposal	LS	All Req'd	57,000	00	57,000	00
2702.1A	Construction Survey Measurement	LS	All Req'd	20,000	00	20,000	00
2727.3A	Approach Dock Addition	LS	All Req'd	18,500	00	18,500	00
2885.1A	Replace Float Grating	LS	All Req'd	8,500	00	8,500	00
2885.2A	Replace Float Rubboard	LS	All Req'd	14,500	00	14,500	00
2885.3A	Replace Broken Cleats	LS	All Req'd	3,500	00	3,500	00
2885.4A	Replace Anchor Chains	LS	All Req'd	155,000	00	155,000	00
2894.2A	Modify & Install Salvaged Gangway	LS	All Req'd	18,500	00	18,500	00
2895.1A	16'x20' Gangway Landing Float	LS	All Req'd	41,500	00	41,500	00
2895.2A	8'x100' Segmental Float	LS	All Req'd	117,900	00	117,900	00
2896.5A	Furnish and Install Float Mooring Pile, 16" Dia. x 0.500" Thick	EA	6	13,896	00	83,376	00
2896.8A	Furnish and Install Dock Support Pile, 16" Dia. x 0.500" Thick	EA	4	13,896	00	55,584	00
2896.9A	Steel Pipe Pile Cross Beam	LS	All Req'd	14,000	00	14,000	00
2896.10A	Pile Socket	EA	10	13,000	00	130,000	00
2897.1A	Float Transition Plates	LS	All Req'd	5,000	00	5,000	00
2996.1A	Anode	LS	All Req'd	63,000	00	63,000	00

TOTAL ADDITIVE ALTERNATE A AMOUNT IN FIGURES: \$

\$ 882,860.00

TOTAL ADDITIVE ALTERNATE A AMOUNT

IN WORDS: Eight Hundred Eighty Two Thousand Eight Hundred Sixty and <sup>dollars</sup> <sup>00</sup>/<sub>100</sub>

COMPANY NAME: Hamilton Construction, LLC

**SECTION 00310 - BID SCHEDULE**

**ADDITIVE ALTERNATE B – MOORING DOLPHIN AT PORT CHILKOOT DOCK**

Pay Item No.	Pay Item Description	Pay Unit	Approximate Quantity	Unit Price		Amount	
				Dollars	Cents	Dollars	Cents
2896.11B	Furnish and Install Mooring Dolphin Batter Pile, 20" Dia. x 0.500" Thick With Spin Fin Tip	EA	3	25,946	00	77,838	00
2896.12B	Mooring Dolphin Pile Cap & Bollard	LS	All Req'd	44,250	00	44,250	00

TOTAL ADDITIVE ALTERNATE B AMOUNT IN FIGURES: \$ 122,088.00

TOTAL ADDITIVE ALTERNATE B AMOUNT IN WORDS: One Hundred Twenty Two Thousand and Eighty Eight Dollars <sup>00</sup>/<sub>100</sub>

COMPANY NAME: Hamilton Construction, LLC

**ADDITIVE ALTERNATE C – ELECTRICAL AND LIGHTING AT PORT CHILKOOT DOCK**

Pay Item No.	Pay Item Description	Pay Unit	Approximate Quantity	Unit Price		Amount	
				Dollars	Cents	Dollars	Cents
16000.3C	Dock Lighting	LS	All Req'd	85,000	00	85,000	00
16000.4C	Electrical Power to Float and Gangway Lighting	LS	All Req'd	10,000	00	10,000	00

TOTAL ADDITIVE ALTERNATE C AMOUNT IN FIGURES: \$ 95,000.00

TOTAL ADDITIVE ALTERNATE C AMOUNT IN WORDS: Ninety Five Thousand Dollars and <sup>00</sup>/<sub>100</sub>

COMPANY NAME: Hamilton Construction, LLC



**BID MODIFICATION ONE (1)**

**From:**

**Hamilton Construction, LLC**

**PO Box 648**

**Skagway, Alaska 99840**

**FOR: Port Chilkoot Dock Renovation**

Pay Item No.	Pay Item Description	Pay Unit	Approximate Quantity	Unit Price	Amount
16000.1	Electrical Power to Existing Cruise Ship Dock Lights	LS	All Req'd	+50,000.00	+ 50,000.00
16000.2	Install (8) All-Weather 120V Duplex Power Receptacles	LS	All Req'd	+20,000.00	+ 20,000.00

**Total Bid Modification**

Plus Seventy Thousand Dollars

+ \$70,000.00

**BID MODIFICATION ONE (1)**

**From:**

**Hamilton Construction, LLC**

**PO Box 648**

**Skagway, Alaska 99840**

**FOR: Additive Alternate C - Electrical & Lighting at PC Dock**

Pay Item No.	Pay Item Description	Pay Unit	Approximate Quantity	Unit Price	Amount
16000.3C	Dock Lighting	LS	All Req'd	-42,500.00	-42,500.00
16000.4C	Electrical Power to Float and Ganway Lighting	LS	All Req'd	-5,000.00	- 5,000.00

**Total Bid Modification**

Minus forty seven thousand five hundred Dollars.

- \$47,500.00

*J Hamilton*  
 Jeff Hamilton  
 4/2/13

RECEIVED HAMILTON

APR 02 2013

Clerk's office

1:23 pm MW

Page 2

SECTION 00300 - BID

BID TO: HAINES BOROUGH

1. The undersigned Bidder proposes and agrees, if this Bid is accepted, to enter into an Agreement with the OWNER on the form included in the Contract Documents (as defined in Article 7 of Section 00500 - Agreement) to perform the WORK as specified or indicated in said Contract Documents entitled

**PORT CHILKOOT DOCK AND LETNIKOF COVE HARBOR RENOVATIONS**

2. Bidder accepts all of the terms and conditions of the Contract Documents, including without limitation those in the "Notice Inviting Bids" and "Instructions to Bidders," dealing with the disposition of the Bid Security.
3. This Bid will remain open for the period stated in the "Notice Inviting Bids" unless otherwise required by law. Bidder will enter into an Agreement within the time and in the manner required in the "Notice Inviting Bids" and the "Instructions to Bidders," and will furnish insurance certificates, Payment Bond, Performance Bond, and any other documents as may be required by the Contract Documents.
4. Bidder has familiarized itself with the nature and extent of the Contract Documents, WORK, site, locality where the WORK is to be performed, the legal requirements (federal, state and local laws, ordinances, rules, and regulations), and the conditions affecting cost, progress or performance of the WORK and has made such independent investigations as Bidder deems necessary.
5. This Bid is genuine and not made in the interest of or on behalf of any undisclosed person, firm or corporation and is not submitted in conformity with any agreement or rules of any group, association, organization or corporation; Bidder has not directly or indirectly induced or solicited any other Bidder to submit a false or sham Bid; Bidder has not solicited or induced any person, firm or corporation to refrain from bidding; and Bidder has not sought by collusion to obtain for itself any advantage over any other Bidder or over OWNER.
6. To all the foregoing, and including all Bid Schedule and information required of Bidder contained in this Bid Form, said Bidder further agrees to complete the WORK required under the Contract Documents within the Contract Time stipulated in said Contract Documents, and to accept in full payment therefor the Contract Price based on the total bid price(s) named in the aforementioned Bid Schedule.
7. Bidder has examined copies of all the Contract Documents including the following Addenda (receipt of all of which is hereby acknowledged by the Undersigned):

Addenda No.	Date Issued	Addenda No.	Date Issued
1	March 20, 2012		
2	March 27, 2012		

**Give number and date of each Addendum above. Failure to acknowledge receipt of all Addenda will cause the Bid to be non-responsive and shall cause its rejection.**

SECTION 00300 - BID

8. The Bidder has read this Bid and agrees to the conditions as stated herein by signing its signature in the space provided below.

Dated:	<u>March 28, 2013</u>	Bidder:	<u>Opion Marine Contractors</u> (Company Name)
Contractor's License No.:	<u>37547</u>	By:	<u>Bj</u> (Signature in Ink)
Telephone No.:	<u>907-561-9811</u>	Printed Name:	<u>Bryce Erickson</u>
Facsimile No.:	<u>907-561-9844</u>	Title:	<u>Vice President</u>
		Address:	<u>6120 A Street</u> (Street or P.O. Box)
			<u>Anchorage AK 99518</u> (City, State, Zip)

9. TO BE CONSIDERED, ALL BIDDERS MUST COMPLETE AND INCLUDE THE FOLLOWING AT THE TIME OF THE BID OPENING:

- Signed Bid, Section 00300 (includes Addenda receipt statement)
- Completed Bid Schedule, Section 00310
- Bid Security (Bid Bond, Section 00320, or by a certified or cashier's check as stipulated in the Notice Inviting Bids, Section 00030)

10. Unless otherwise notified by the City Administrator, the apparent low Bidder is required to complete and submit the following documents:

- Subcontractor Report, Section 00360

The apparent low Bidder who fails to submit a completed Subcontractor Report within the time specified in Section 00360 – Subcontractor Report will be found to be not a responsible Bidder and may be required to forfeit the Bid security. The OWNER will then consider the next lowest Bidder for award of the contract.

11. The successful Bidder will be required to submit, within ten Days after the date stated in the “Notice of Intent to Award” letter, the following executed documents:

- Agreement Forms, Section 00500
- Performance Bond, Section 00610
- Payment Bond, Section 00620
- Certificates of Contractor Insurance, Section 00700 and 00800

12. The successful Bidder will be required to submit, within ten Days after the date stated in the “Notice to Proceed”, the following executed documents:

- Certificates of Subcontractor Insurance, Section 00700 and Section 00800
- One executed copy of each subcontract for WORK that exceeds one half of one percent of the intended contract award amount.

END OF SECTION

**SECTION 00310 - BID SCHEDULE**

**BASE BID - PORT CHILKOOT DOCK RENOVATION**

Pay Item No.	Pay Item Description	Pay Unit	Approximate Quantity	Unit Price		Amount	
				Dollars	Cents	Dollars	Cents
1505.1	Mobilization	LS	All Req'd	4,000,000	00	4,000,000	00
2060.1	Demolition, Salvage and Disposal	LS	All Req'd	500,000	00	500,000	00
2601.1	Water System	LS	All Req'd	100,000	00	100,000	00
2702.1	Construction Survey Measurement	LS	All Req'd	40,000	00	40,000	00
2726.1	Retaining Wall and Upland Modifications	LS	All Req'd	50,000	00	50,000	00
2727.1	Trestle, Queuing Deck and Approach Dock	LS	All Req'd	1,500,000	00	1,500,000	00
2727.2	Re-grade Existing Approach Dock	LS	All Req'd	50,000	00	50,000	00
2810.1	Moorage Float Modifications	LS	All Req'd	40,000	00	40,000	00
2894.1	Covered Aluminum Gangway	LS	All Req'd	60,000	00	60,000	00
2896.1	Furnish Steel Pipe Pile, 24" Dia. x 0.500" Thick	LF	5,670	200	00	1,134,000	00
2896.2	Install 24" Dia. Vertical Pile	EA	28	8,000	00	224,000	00
2896.3	Install 24" Dia. Batter Pile	EA	17	9,000	00	153,000	00
2896.4	Spin Fin Pile Tip	EA	6	4,000	00	24,000	00
2896.5	Furnish and Install Float Mooring Pile, 16" Dia. x 0.500" Thick	EA	3	12,000	00	36,000	00
2896.6	Gangway Support Pile Frame	LS	All Req'd	40,000	00	40,000	00
2896.7	Pile Splice	EA	5	5,000	00	25,000	00
3304.1	Concrete Abutment	LS	All Req'd	35,000	00	35,000	00
16000.1	Electrical Power to Existing Cruise Ship Dock Lights	LS	All Req'd	200,000	00	200,000	00
16000.2	Install (8) All-Weather 120V Duplex Power Receptacles	LS	All Req'd	50,000	00	50,000	00

**TOTAL BASE BID AMOUNT IN FIGURES: \$** 8,261,000<sup>00</sup>

**TOTAL BASE BID AMOUNT IN WORDS:** Eight Million Two Hundred Sixty One Thousand Dollars

**COMPANY NAME:** Orion Marine Contractors

**SECTION 00310 - BID SCHEDULE**

**ADDITIVE ALTERNATE A – LETNIKOF COVE HARBOR RENOVATION**

Pay Item No.	Pay Item Description	Pay Unit	Approximate Quantity	Unit Price		Amount	
				Dollars	Cents	Dollars	Cents
1505.1A	Mobilization	LS	All Req'd	200,000	00	200,000	00
2060.1A	Demolition, Salvage and Disposal	LS	All Req'd	100,000	00	100,000	00
2702.1A	Construction Survey Measurement	LS	All Req'd	20,000	00	20,000	00
2727.3A	Approach Dock Addition	LS	All Req'd	50,000	00	50,000	00
2885.1A	Replace Float Grating	LS	All Req'd	50,000	00	50,000	00
2885.2A	Replace Float Rubboard	LS	All Req'd	20,000	00	20,000	00
2885.3A	Replace Broken Cleats	LS	All Req'd	10,000	00	10,000	00
2885.4A	Replace Anchor Chains	LS	All Req'd	100,000	00	100,000	00
2894.2A	Modify & Install Salvaged Gangway	LS	All Req'd	20,000	00	20,000	00
2895.1A	16'x20' Gangway Landing Float	LS	All Req'd	50,000	00	50,000	00
2895.2A	8'x100' Segmental Float	LS	All Req'd	200,000	00	200,000	00
2896.5A	Furnish and Install Float Mooring Pile, 16" Dia. x 0.500" Thick	EA	6	15,000	00	90,000	00
2896.8A	Furnish and Install Dock Support Pile, 16" Dia. x 0.500" Thick	EA	4	15,000	00	60,000	00
2896.9A	Steel Pipe Pile Cross Beam	LS	All Req'd	15,000	00	15,000	00
2896.10A	Pile Socket	EA	10	10,000	00	100,000	00
2897.1A	Float Transition Plates	LS	All Req'd	10,000	00	10,000	00
2996.1A	Anode	LS	All Req'd	50,000	00	50,000	00

**TOTAL ADDITIVE ALTERNATE A AMOUNT IN FIGURES:** \$ 1,145,000<sup>00</sup>

**TOTAL ADDITIVE ALTERNATE A AMOUNT IN WORDS:** One Million One Hundred Forty Five Thousand Dollars

**COMPANY NAME:** Orion Marine Contractors

SECTION 00310 - BID SCHEDULE

ADDITIVE ALTERNATE B – MOORING DOLPHIN AT PORT CHILKOOT DOCK

Pay Item No.	Pay Item Description	Pay Unit	Approximate Quantity	Unit Price		Amount	
				Dollars	Cents	Dollars	Cents
2896.11B	Furnish and Install Mooring Dolphin Batter Pile, 20" Dia. x 0.500" Thick With Spin Fin Tip	EA	3	30,000	00	90,000	00
2896.12B	Mooring Dolphin Pile Cap & Bollard	LS	All Reqd	60,000	00	60,000	00

TOTAL ADDITIVE ALTERNATE B AMOUNT IN FIGURES: \$ 150,000<sup>00</sup>

TOTAL ADDITIVE ALTERNATE B AMOUNT IN WORDS: One Hundred Fifty thousand Dollars

COMPANY NAME: Orion Marine Contractors

ADDITIVE ALTERNATE C – ELECTRICAL AND LIGHTING AT PORT CHILKOOT DOCK

Pay Item No.	Pay Item Description	Pay Unit	Approximate Quantity	Unit Price		Amount	
				Dollars	Cents	Dollars	Cents
16000.3C	Dock Lighting	LS	All Reqd	300,000	00	300,000	00
16000.4C	Electrical Power to Float and Gangway Lighting	LS	All Reqd	100,000	00	100,000	00

TOTAL ADDITIVE ALTERNATE C AMOUNT IN FIGURES: \$ 400,000<sup>00</sup>

TOTAL ADDITIVE ALTERNATE C AMOUNT IN WORDS: Four Hundred Thousand Dollars

COMPANY NAME: Orion Marine Contractors



**WEST CONSTRUCTION COMPANY**  
CONSTRUCTION GROUP

**Orion Marine Contractors, Inc.**  
**BID MODIFICATION**

**SECTION 00310 - BID SCHEDULE**

**Base Bid - Port Chilkoot Dock Renovation**

Pay Item No.		Pay Item description	Pay Unit	Approx. Quantity	Unit Change	Extended Change
1505.1	10	MOBILIZATION	LS	1	-\$3,559,000.00	-\$3,559,000.00
2060.1	20	DEMOLITION, SALVAGE AND DISPOSAL	LS	1	\$90,000.00	\$90,000.00
2601.1	30	WATER SYSTEM	LS	1	\$110,000.00	\$110,000.00
2702.1	40	CONSTRUCTION SURVEY MEASUREMENT	LS	1	\$60,000.00	\$60,000.00
2726.1	50	RETAINING WALL & UPLAND MODIFICATION	LS	1	\$0.00	\$0.00
2727.1	60	TRESTLE, QUEUING DECK & APPROACH DOCK	LS	1	\$215,000.00	\$215,000.00
2727.2	70	RE-GRADE EXISTING APPROACH DOCK	LS	1	\$105,000.00	\$105,000.00
2810.1	80	MOORAGE FLOAT MODIFICATIONS	LS	1	\$83,000.00	\$83,000.00
2894.1	90	COVERED ALUMINUM GANGWAY	LS	1	\$178,000.00	\$178,000.00
2896.1	100	FURNISH STEEL PIPE PILE, 24" DIA. X 0.5" THICK	LF	5,670	-\$103.50	-\$586,845.00
2896.2	110	INSTALL 24" DIA. VERTICAL PILE	EA	28	\$5,000.00	\$140,000.00
2896.3	120	INSTALL 24" DIA. BATTER PILE	EA	17	\$0.00	\$0.00
2896.4	130	SPIN FIN PILE TIP	EA	6	-\$700.00	-\$4,200.00
2896.5	140	FURN & INSTALL FLOAT MOORING PILE 16" DIA. X 0.5"	EA	3	\$11,000.00	\$33,000.00
2896.6	150	GANGWAY SUPPORT PILE FRAME	LS	1	-\$6,300.00	-\$6,300.00
2896.7	160	PILE SPLICE	EA	5	-\$3,700.00	-\$18,500.00
3304.1	170	CONCRETE ABUTMENT	LS	1	-\$9,000.00	-\$9,000.00
16000.1	180	ELECT. POWER TO EXISTING CRUISE SHIP DOCK LIGHTS	LS	1	\$18,000.00	\$18,000.00
16000.2	190	INSTALL (8) ALL-WEATHER 120V DUPLEX POWER RECEPTAC	LS	1	-\$35,000.00	-\$35,000.00

TOTAL BASE BID MODIFICATION AMOUNT IN FIGURES

-\$3,186,845.00

MINUS THREE MILLION ONE HUNDRED EIGHTY-SIX THOUSAND  
TOTAL BASE BID MODIFICATION AMOUNT IN WORDS EIGHT HUNDRED FORTY-FIVE

COMPANY NAME ORION MARINE CONTRACTORS INC.

By

[Signature]  
(Signature) BRUCE ERICKSON

4/2/2013



## BID MODIFICATION

### Additive Alternate A - Letnikof Cove Harbor Renovation

Pay Item No.		Pay Item description	Pay Unit	Approx. Quantity	Unit Change	Extended Change
1505.1A	200	MOBILIZATION	LS	1	-\$145,000.00	-\$145,000.00
2060.1A	210	DEMOLITION, SALVAGE AND DISPOSAL	LS	1	-\$47,000.00	-\$47,000.00
2702.1A	220	CONSTRUCTION SURVEY MEASUREMENT	LS	1	\$4,000.00	\$4,000.00
2727.3A	230	APPROACH DOCK ADDITION	LS	1	-\$4,000.00	-\$4,000.00
2885.1A	240	REPLACE FLOAT GRATING	LS	1	-\$32,000.00	-\$32,000.00
2885.2A	250	REPLACE FLOAT RUBBOARD	LS	1	-\$4,000.00	-\$4,000.00
2885.3A	260	REPLACE BROKEN CLEATS	LS	1	-\$7,500.00	-\$7,500.00
2885.4A	270	REPLACE ANCHOR CHAINS	LS	1	-\$22,000.00	-\$22,000.00
2894.2A	280	MODIFY & INSTALL SALVAGED GANGWAY	LS	1	-\$5,000.00	-\$5,000.00
2895.1A	290	16'X20' GABGWAY LANDING FLOAT	LS	1	-\$13,000.00	-\$13,000.00
2895.2A	300	8'X10' SEGMENTAL FLOAT	LS	1	-\$100,000.00	-\$100,000.00
2896.5A	310	FURN & INSTALL FLOAT MOORING PILE, 16" X0.5" THICK	EA	6	-\$1,000.00	-\$6,000.00
2896.8A	320	FURN & INSTALL DOCK SUPPORT PILE 16" X 0.5" THICK	EA	4	-\$12,500.00	-\$50,000.00
2896.9A	330	STEEL PIPE PILE CROSS BEAM	LS	1	-\$2,000.00	-\$2,000.00
2896.10A	340	PILE SOCKET	EA	10	\$8,000.00	\$80,000.00
2897.1A	350	FLOAT TRANSITION PLATES	LS	1	-\$5,000.00	-\$5,000.00
2996.1A	360	ANODE	LS	1	-\$4,000.00	-\$4,000.00

380 Additive Alternate A

TOTAL ALTERNATE A BID MODIFICATION AMOUNT IN FIGURES

-\$362,500.00

MINUS THREE HUNDRED SIXTY-TWO THOUSAND FIVE HUNDRED  
TOTAL ALTERNATE A BID MODIFICATION AMOUNT IN WORDS

COMPANY NAME DRAGON MARINE CONTRACTORS, INC.

By

(Signature)

BRUCE ERICKSON



# Orion Marine Contractors, Inc. BID MODIFICATION

## Additive Alternate B - Mooring Dolphin At Port Chilkoot Dock

Pay Item No.	Pay Item description	Pay Unit	Approx. Quantity	Unit Change	Extended Change
2896.11B	400 F & I MOOR DOLPH BATTERS, 20" 0.5" W/ SPIIN FINS	EA	3	-\$3,500.00	-\$10,500.00
2896.12B	410 MORRING DOLPHIN PILE CAP & BOLLARD	LS	1	-\$3,000.00	-\$3,000.00

455 Additive Alternate B

TOTAL ALTERNATE B BID MODIFICATION AMOUNT IN FIGURES -\$13,500.00

TOTAL ALTERNATE B BID MODIFICATION AMOUNT IN WORDS MINUS THIRTEEN THOUSAND FIVE HUNDRED

COMPANY NAME ORION MARINE CONTRACTORS, INC.

By [Signature]  
(Signature)  
BRUCE KRICKSON

## Additive Alternate C - Electrical And Lighting At Port Chilkoot Dock

Pay Item No.	Pay item description	Pay Unit	Approx. Quantity	Unit Change	Extended Change
16000.3C	500 DOCK LIGHTING	LS	1	-\$276,225.00	-\$276,225.00
16000.4C	510 ELECT POWER TO FLOAT & GANGWAY LIGHTING	LS	1	-\$58,500.00	-\$58,500.00

3755 Additive Alternate C

TOTAL ALTERNATE C BID MODIFICATION AMOUNT IN FIGURES -\$334,725.00

TOTAL ALTERNATE C BID MODIFICATION AMOUNT IN WORDS MINUS THREE HUNDRED THIRTY-FOUR THOUSAND SEVEN HUNDRED TWENTY-FIVE

COMPANY NAME ORION MARINE CONTRACTORS, INC

By [Signature]  
(Signature)  
BRUCE KRICKSON



April 3, 2013

PND 112048.08/112091.02

Mark Earnest  
Haines Borough  
PO Box 1209  
Haines, Alaska 99827

Re: Port Chilkoot Dock Renovation & Letnikof Cove Harbor Renovation-  
Bid Results

Dear Mr. Earnest:

PND Engineers, Inc. (PND) has reviewed the bid results from yesterday's bid opening on the referenced project. Responsive bids were received from three contractors as follows:

Bidder	Base Bid	Add Alt A	Add Alt B	Add Alt C	Total
Engineer's Estimate	\$4,958,400	\$831,500	\$125,000	\$100,000	\$6,014,900
Pacific Pile & Marine	\$4,786,340	\$843,950	\$121,550	\$52,500	\$5,804,340
Hamilton Construction	\$5,088,288	\$882,860	\$122,088	\$47,500	\$6,140,736
Orion Marine Contractors	\$5,074,155	\$782,500	\$136,500	\$65,275	\$6,058,430

Attached please find a detailed breakdown of the bids. The lowest responsive bid for the Base Bid only was received from Pacific Pile & Marine. The lowest responsive bid for the Base Bid plus any combination of the Additive Alternatives was received from Pacific Pile & Marine. PND recommends the Borough proceed with the Intent to Award to lowest responsive bidder within your funding limitations for the project. In the event that available funds allow the Borough to award any of the Additive Alternates, then Pacific Pile & Marine would be considered the lowest responsive bidder.

Feel free to contact me should you have any further questions regarding this matter.

Sincerely,  
PND Incorporated | Juneau Office

A handwritten signature in cursive script that reads 'Misty Butler'.

Misty Butler, P.E.  
Senior Engineer

Enclosure

**PORT CHILKOOT DOCK & LETNIKOF COVE HARBOR RENOVATIONS  
BID TABULATION**

Prepared By: PND Engineers, Inc. on April 2, 2013

**BASE BID**

Item	Item Description	Units	Quantity	Engineers Estimate		Pacific Pile & Marine		Hamilton Construction		Orion Marine Contractors	
				Unit Cost	Amount	Unit Cost	Amount	Unit Cost	Amount	Unit Cost	Amount
1505.1	Mobilization	LS	All Req'd	\$425,000	\$425,000	\$598,500	\$598,500	\$633,000	\$633,000	\$441,000	\$441,000
2060.1	Demolition, Salvage and Disposal	LS	All Req'd	\$500,000	\$500,000	\$453,500	\$453,500	\$654,000	\$654,000	\$590,000	\$590,000
2601.1	Water System	LS	All Req'd	\$80,000	\$80,000	\$193,000	\$193,000	\$102,500	\$102,500	\$210,000	\$210,000
2702.1	Construction Survey Measurement	LS	All Req'd	\$20,000	\$20,000	\$75,000	\$75,000	\$50,000	\$50,000	\$100,000	\$100,000
2726.1	Retaining Wall and Upland Modifications	LS	All Req'd	\$35,000	\$35,000	\$72,000	\$72,000	\$55,800	\$55,800	\$50,000	\$50,000
2727.1	Trestle, Queuing Deck and Approach Dock	LS	All Req'd	\$2,100,000	\$2,100,000	\$1,675,000	\$1,675,000	\$1,715,500	\$1,715,500	\$1,715,000	\$1,715,000
2727.2	Re-grade Existing Approach Dock	LS	All Req'd	\$275,000	\$275,000	\$150,000	\$150,000	\$289,000	\$289,000	\$155,000	\$155,000
2810.1	Moorage Float Modifications	LS	All Req'd	\$100,000	\$100,000	\$90,000	\$90,000	\$126,500	\$126,500	\$123,000	\$123,000
2894.1	Covered Aluminum Gangway	LS	All Req'd	\$250,000	\$250,000	\$240,000	\$240,000	\$252,414	\$252,414	\$238,000	\$238,000
2896.1	Furnish Steel Pipe Pile, 24" Dia. x 0.500" Thick	LF	5,670	\$120	\$680,400	\$92	\$521,640	\$113	\$640,143	\$97	\$547,155
2896.2	Install 24" Dia. Vertical Pile	EA	28	\$6,000	\$168,000	\$8,000	\$224,000	\$7,000	\$196,000	\$13,000	\$364,000
2896.3	Install 24" Dia. Batter Pile	EA	17	\$8,000	\$136,000	\$8,500	\$144,500	\$7,200	\$122,400	\$9,000	\$153,000
2896.4	Spin Fin Pile Tip	EA	6	\$5,000	\$30,000	\$2,500	\$15,000	\$4,500	\$27,000	\$3,300	\$19,800
2896.5	Furnish and Install Float Mooring Pile, 16" Dia. x 0.500" Thick	EA	3	\$13,000	\$39,000	\$16,900	\$50,700	\$16,896	\$50,688	\$23,000	\$69,000
2896.6	Gangway Support Pile Frame	LS	All Req'd	\$30,000	\$30,000	\$38,000	\$38,000	\$18,843	\$18,843	\$33,700	\$33,700
2896.7	Pile Splice	EA	5	\$4,000	\$20,000	\$1,100	\$5,500	\$1,500	\$7,500	\$1,300	\$6,500
3304.1	Concrete Abutment	LS	All Req'd	\$30,000	\$30,000	\$35,000	\$35,000	\$45,000	\$45,000	\$26,000	\$26,000
16000.1	Electrical Power to Existing Cruise Ship Dock Lights	LS	All Req'd	\$35,000	\$35,000	\$190,000	\$190,000	\$80,000	\$80,000	\$218,000	\$218,000
16000.2	Install (8) All-Weather 120V Duplex Power Receptacles	LS	All Req'd	\$5,000	\$5,000	\$15,000	\$15,000	\$22,000	\$22,000	\$15,000	\$15,000
<b>BASE BID PRICE</b>					<b>\$4,958,400.00</b>		<b>\$4,786,340</b>		<b>\$5,088,288</b>		<b>\$5,074,155</b>

**ADDITIVE ALTERNATE A - LETNIKOF COVE RENOVATION**

Item	Item Description	Units	Quantity	Unit Cost	Amount						
1505.1A	Mobilization	LS	All Req'd	\$70,000	\$70,000	\$161,000	\$161,000	\$75,000	\$75,000	\$55,000	\$55,000
2060.1A	Demolition, Salvage and Disposal	LS	All Req'd	\$50,000	\$50,000	\$52,300	\$52,300	\$57,000	\$57,000	\$53,000	\$53,000
2702.1A	Construction Survey Measurement	LS	All Req'd	\$10,000	\$10,000	\$23,100	\$23,100	\$20,000	\$20,000	\$24,000	\$24,000
2727.3A	Approach Dock Addition	LS	All Req'd	\$40,000	\$40,000	\$26,200	\$26,200	\$18,500	\$18,500	\$46,000	\$46,000
2885.1A	Replace Float Grating	LS	All Req'd	\$10,000	\$10,000	\$22,700	\$22,700	\$8,500	\$8,500	\$18,000	\$18,000
2885.2A	Replace Float Rubboard	LS	All Req'd	\$15,000	\$15,000	\$14,500	\$14,500	\$14,500	\$14,500	\$16,000	\$16,000
2885.3A	Replace Broken Cleats	LS	All Req'd	\$3,500	\$3,500	\$9,000	\$9,000	\$3,500	\$3,500	\$2,500	\$2,500
2885.4A	Replace Anchor Chains	LS	All Req'd	\$180,000	\$180,000	\$83,350	\$83,350	\$155,000	\$155,000	\$78,000	\$78,000
2894.2A	Relocate & Install Salvaged Gangway	LS	All Req'd	\$10,000	\$10,000	\$10,800	\$10,800	\$18,500	\$18,500	\$15,000	\$15,000
2895.1A	16'x20' Gangway Landing Float	LS	All Req'd	\$48,000	\$48,000	\$37,600	\$37,600	\$41,500	\$41,500	\$37,000	\$37,000
2895.2A	8'x100' Segmental Float	LS	All Req'd	\$120,000	\$120,000	\$101,800	\$101,800	\$117,900	\$117,900	\$100,000	\$100,000
2896.5A	Furnish and Install Float Mooring Pile, 16" Dia. x 0.500" Thick	EA	6	\$10,000	\$60,000	\$10,500	\$63,000	\$13,896	\$83,376	\$14,000	\$84,000
2896.8A	Furnish and Install Dock Support Pile, 16" Dia. x 0.500" Thick	EA	4	\$7,500	\$30,000	\$7,000	\$28,000	\$13,896	\$55,584	\$2,500	\$10,000
2896.9A	Steel Pipe Pile Cross Beam	LS	All Req'd	\$10,000	\$10,000	\$8,700	\$8,700	\$16,000	\$16,000	\$13,000	\$13,000
2896.10A	Pile Socket	EA	10	\$8,000	\$80,000	\$16,200	\$162,000	\$13,000	\$130,000	\$18,000	\$180,000
2897.1A	Float Transition Plates	LS	All Req'd	\$10,000	\$10,000	\$7,300	\$7,300	\$5,000	\$5,000	\$5,000	\$5,000
2996.1A	Anode	LS	All Req'd	\$85,000	\$85,000	\$32,600	\$32,600	\$63,000	\$63,000	\$46,000	\$46,000
<b>ADDITIVE ALTERNATE A CONSTRUCTION BID PRICE</b>					<b>\$831,500</b>		<b>\$843,950</b>		<b>\$882,860</b>		<b>\$782,500</b>

**ADDITIVE ALTERNATE B - MOORING DOLPHIN AT PORT CHILKOOT DOCK**

Item	Item Description	Units	Quantity	Unit Cost	Amount						
2896.11B	Supply and Install 20" dia. Mooring Dolphin Batter Pile With Spin Fin Tip	EA	3	\$25,000	\$75,000	\$23,400	\$70,200	\$25,946	\$77,838	\$26,500	\$79,500
2896.12B	Supply and Install Mooring Dolphin Platform, Guardrail, Bollard, etc.	LS	All Req'd	\$50,000	\$50,000	\$51,350	\$51,350	\$44,250	\$44,250	\$57,000	\$57,000
<b>ADDITIVE ALTERNATE B CONSTRUCTION BID PRICE</b>					<b>\$125,000</b>		<b>\$121,550</b>		<b>\$122,088</b>		<b>\$136,500</b>

**ADDITIVE ALTERNATE C - ELECTRICAL AND LIGHTING AT PORT CHILKOOT DOCK**

Item	Item Description	Units	Quantity	Unit Cost	Amount	Unit Cost	Amount	Unit Cost	Amount	Unit Cost	Amount
16000.3C	Dock Lighting	LS	All Req'd	\$90,000	\$90,000	\$12,800	\$12,800	\$42,500	\$42,500	\$23,775	\$23,775
16000.4C	Electrical Power to Float and Gangway Lighting	LS	All Req'd	\$10,000	\$10,000	\$39,700	\$39,700	\$5,000	\$5,000	\$41,500	\$41,500
<b>ADDITIVE ALTERNATE C CONSTRUCTION BID PRICE</b>					<b>\$100,000</b>		<b>\$52,500</b>		<b>\$47,500</b>		<b>\$65,275</b>

<b>TOTAL BASE BID &amp; ADDITIVE ALTERNATES A, B &amp; C BID PRICE</b>					<b>\$6,014,900</b>		<b>\$5,804,340</b>		<b>\$6,140,736</b>		<b>\$6,058,430</b>
--	--	--	--	--	--------------------	--	--------------------	--	--------------------	--	--------------------



**Haines Borough  
Assembly Agenda Bill**

**Agenda Bill No.:** 13-259  
**Assembly Meeting Date:** 4/9/13

Business Item Description:	Attachments:
Subject: Amend Title 3 to Change the Assessment Appeal Deadline in Borough Code to Comply with State Law <hr/> Originator: Borough Clerk <hr/> Originating Department: Administration <hr/> Date Submitted: 3-27-13	1. Ordinance 13-04-322 2. Borough Attorney Opinion

**Full Title/Motion:**  
 Motion: Introduce Ordinance 13-04-322 and schedule a first public hearing for April 23, 2013.

**Administrative Recommendation:**

**Fiscal Impact:**

Expenditure Required	Amount Budgeted	Appropriation Required
\$	\$	\$

**Comprehensive Plan Consistency Review:**

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

**Summary Statement:**

This is a housekeeping ordinance amending borough code to change the assessment appeal deadline to be in compliance with state law.

The borough attorney has advised the borough is required to follow the thirty-day deadline set forth in AS 29.45.190 (b) rather than the May 1st deadline in HBC 3.72.100(b).

**Referral:**

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

**Assembly Action:**

Workshop Date(s):	Public Hearing Date(s):
Meeting Date(s): 4/9/13	Tabled to Date:

**AN ORDINANCE OF THE HAINES BOROUGH AMENDING BOROUGH CODE  
TITLE 3, SECTION 3.72.100 TO CHANGE THE ASSESSMENT APPEAL  
DEADLINE TO BE IN COMPLIANCE WITH STATE LAW.**

BE IT ORDAINED BY THE HAINES BOROUGH ASSEMBLY:

Section 1. Classification. Section 4 of 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 3.72.100. Section 3.72.100 of the Haines Borough Code of Ordinances is amended to read as follows:

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

**3.72.100 Appeal.**

A. A person who receives notice or whose name appears on the assessment roll or the agent or assigns of that person may appeal to the board of equalization for relief from any alleged error in valuation not adjusted by the assessor to the taxpayer's satisfaction.

B. The appellant shall, no later than ~~May 1<sup>st</sup>~~ **thirty days from the date of mailing of the assessment notices**, submit to the assessor a written appeal specifying grounds in the form that the board of equalization may require. Otherwise, the right of appeal ceases unless the board of equalization finds that the taxpayer was unable to comply.

C. The assessor shall notify an appellant by mail of the time and place of hearing.

D. Upon receipt of a copy of the notice of appeal, the assessor shall make a record of the appeal in such form as the board of equalization may direct. The record shall contain all the information shown on the assessment roll with respect to the subject matter of the appeal, and the assessor shall place the record before the board of equalization prior to the time for hearing the appeal.

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS  
\_\_\_\_ DAY OF \_\_\_\_\_, 2013.

\_\_\_\_\_  
Stephanie Scott, Mayor

ATTEST:

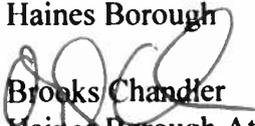
\_\_\_\_\_  
Julie Cozzi, MMC, Borough Clerk

Date Introduced: 04/09/13  
Date of First Public Hearing: \_\_\_/\_\_\_/\_\_\_  
Date of Second Public Hearing: \_\_\_/\_\_\_/\_\_\_

**BOYD, CHANDLER & FALCONER, LLP**  
ATTORNEYS AT LAW  
SUITE 302  
911 WEST EIGHTH AVENUE  
ANCHORAGE, ALASKA 99501  
TELEPHONE: (907) 272-8401  
FACSIMILE: (907) 274-3698  
bcf@bcf.us.com

**MEMORANDUM**

TO: Jila Stuart  
Finance Director  
Haines Borough

FROM:   
Brooks Chandler  
Haines Borough Attorney

RE: Appeal Date for 2013 Property Tax Appeals

DATE: March 26, 2013

---

A question has arisen regarding whether the April 15 deadline for filing an appeal from the 2013 assessment notice set out in this year's assessment notices is contrary to HBC 3.72.100(B) which provides written appeals must be submitted "no later than May 1st".

Based on our review of Borough Charter, Borough Code and relevant provisions of Title 29, in our opinion state law prohibits the May 1 deadline set out in HBC 3.72.100(B). Instead, a "thirty day from the date of mailing of the assessment notices" deadline established by state law applies. The BOE's ability to extend this deadline is limited to situations in which a taxpayer is "unable to comply". The BOE could adopt rules by ordinance which flesh out the circumstances which will meet the "unable to comply" standard.

The reasons for these conclusions are set forth in greater detail below.

**FACTS**

The Borough Assembly passed a resolution on March 5, 2013 (Resolution No. 13-02-440) scheduling a Board of Equalization hearing for April 29, 2013. This was done to accommodate schedules of BOE members. The 2013 property tax assessment notices were mailed to taxpayers on March 13, 2013. The deadline for filing appeals set out in the assessment notices is April 15, 2013.

**LAW**

A. Borough Charter

Section 10.04 of the Charter states in part, “[t]he assembly by ordinance shall prescribe the procedures for tax assessment, levy, and collection”.

B. Borough Code

HBC 3.72.100 states in part:

- A. A person who receives notice or whose name appears on the assessment roll or the agent or assigns of that person may appeal to the board of equalization for relief from any alleged error in valuation not adjusted by the assessor to the taxpayer’s satisfaction.
- B. The appellant shall, no later than May 1st, submit to the assessor a written appeal specifying grounds in the form that the board of equalization may require. Otherwise, the right of appeal ceases unless the board of equalization finds that the taxpayer was unable to comply.
- C. The assessor shall notify an appellant by mail of the time and place of hearing.

HBC 3.72.110(B) states:

The board of equalization shall meet on the second Monday in May unless otherwise changed by resolution. The board shall adjourn over and continue its session as business requires.

C. State Law

AS 29.45.190(b) states:

The appellant shall, within 30 days after the date of mailing of notice of assessment, submit to the assessor a written appeal specifying grounds in the form that the board of equalization may require. Otherwise, the right of appeal ceases unless the board of equalization finds that the taxpayer was unable to comply.

AS 29.10.200(51) states:

Only the following provisions of this title apply to home rule municipalities as prohibitions on acting otherwise than as provided. These provisions supersede existing and prohibit future home rule enactments that provide otherwise:

(51) AS 29.45.010 - 29.45.560 and 29.45.800 (property taxes);

AS 29.45.200(b) states in part: “[t]he board of equalization is governed in its proceedings by rules adopted by ordinance that are consistent with general rules of administrative procedure.” No specific rules allowing for extensions of otherwise applicable deadlines have been adopted by the Borough.

#### ANALYSIS

The May 1 deadline established by HBC 3.72.100(b) is “otherwise than as provided” in AS 29.45.190(b) which establishes a thirty day deadline for filing property tax appeals. In our opinion, the May 1 deadline is specifically prohibited by AS 29.10.200(51). The Borough is required to follow the thirty day deadline set forth in AS 29.45.190(b) rather than the May 1 deadline of HBC 3.72.100(b).

In our opinion, the BOE cannot adopt a rule that changes the appeal deadline established by AS 29.45.190(b). The BOE could, however, adopt rules regarding what circumstances will be deemed to meet the “unable to comply” standard allowing for an extension of the appeal deadline. Such rules would need to be adopted by ordinance.

Let me know if there are any additional questions on this topic. Since a public request to extend the appeal deadline has been received we suggest this memorandum be considered a public document.



**Haines Borough  
Assembly Agenda Bill**

**Agenda Bill No.:** 13-260  
**Assembly Meeting Date:** 4/9/13

Business Item Description:	Attachments:
Subject: Support CIA Application for Grant Funding for Engineering of a Wood Pellet Production Facility	1. Letter of Support drafted by Mayor Scott 2. Explanatory Emails
Originator: Mayor	
Originating Department: Mayor's Office	
Date Submitted: 3/29/13	

**Full Title/Motion:**  
 Motion: Approve the borough letter of support for the CIA application to the USDA for grant funding for engineering of a wood pellet production facility in Haines.

**Administrative Recommendation:**

**Fiscal Impact:**

Expenditure Required	Amount Budgeted	Appropriation Required
\$	\$	\$ 0

**Comprehensive Plan Consistency Review:**

Comp Plan Policy Nos.: Objective 15M(1), Page 257	Consistent: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
--	---

**Summary Statement:**  
 Chilkoot Indian Association requested borough support for a CIA application to the USDA for a grant for engineering services regarding a wood pellet production facility in Haines. Mayor Scott drafted a letter and seeks assembly approval.

**Referral:**

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

**Assembly Action:**

Workshop Date(s):	Public Hearing Date(s):
Meeting Date(s): 4/9/13	Tabled to Date:

April 1, 2013

Harriet Brouillette, Tribal Council President  
Chilkoot Indian Association  
Box 490  
Haines, Alaska 99827

Re: Proposed local Wood Pellet Production Facility

Dear President Brouillette,

The Haines Borough is pleased to offer its support for your application to the USDA for a grant for engineering services regarding a wood pellet production facility in Haines. We applaud your persistence to build this local business, using Haines State Forest wood to produce a premium wood pellet for sale locally, regionally, and beyond.

We agree with your need statements:

1. rising fuel costs for residential and commercial heating;
2. rising living costs without change in local income levels; and
3. biomass industry struggling since sawmill shut down.

And concur with your assessment of the advantages:

1. open the market for alternative heating fuel;
2. create local businesses around production, delivery, and marketing of wood pellets and heating appliances;
3. reduce dependence on petroleum fuel sources and the corresponding reduction of associated pollutants;
4. access and use underutilized local state forest resources; and
5. reduce the impact on small community impacted by rising food and fuel costs.

We look forward to continuing to support your efforts to expand the woody biomass heating market.

Sincerely,

Stephanie Scott  
Mayor, Haines Borough

**From:** Scott Hansen <[shansen@chilkoot-nsn.gov](mailto:shansen@chilkoot-nsn.gov)>  
**Date:** April 1, 2013 10:43:41 AM AKDT  
**To:** Stephanie Scott <[sscott@aptalaska.net](mailto:sscott@aptalaska.net)>  
**Cc:** Dave Berry <[dberry@chilkoot-nsn.gov](mailto:dberry@chilkoot-nsn.gov)>  
**Subject:** RE: CIA wood pellet production project support

Stephanie –

A scanned letter from the Mayor would suffice for a “collaborative partners’ letter of support”. Just like the other time, and we appreciated that letter, too, though we didn’t get the grant.

This latest opportunity is a USDA grant for engineering services, not the whole project. Darsie was kind enough to forward the opportunity to us. When that time comes a resolution of support from the Assembly will be wonderful.

Our feasibility study and materials assessment are what are propelling us forward on this one. We discussed the opportunity with USDA and DOE last week and received encouragement.

Needs:

1. rising fuel costs for residential and commercial heating
2. rising living costs without change in local income levels
3. biomass industry struggling since sawmill shut down

Advantages:

1. open market for alternative heating fuel
2. create local businesses around production, delivery, and marketing of wood pellets and heating appliances
3. reduce dependence on petroleum fuel sources and the corresponding reduction of associated pollutants
4. access and use underutilized local state forest resources
5. significant impact on small community impacted by rising food and fuel costs

Hope this helps.

scott

---

Scott Hansen  
Tribal Transportation Coordinator  
Chilkoot Indian Association  
P.O. Box 490  
Haines, AK 99827  
(907) 766-2323  
(907) 314-0014 cell  
(907) 766-2365 fax

**From:** Stephanie Scott [<mailto:sscott@aptalaska.net>]  
**Sent:** Monday, April 01, 2013 10:27 AM  
**To:** Scott Hansen

**Cc:** Dave Berry

**Subject:** Re: CIA wood pellet production project support

Would a resolution be more appropriate or is a letter OK? I could put it on the agenda for the April 9 meeting. Is that too soon? You can help me by talking about the advantages as well as the need. Have you performed a needs assessment by any chance?

S

On Apr 1, 2013, at 9:49 AM, Scott Hansen wrote:

Stephanie –

As we pursue funding for a wood pellet production facility we are interested in a letter of support from the Borough for a wood pellet production facility in Haines. The overall result is a local business, initiated by CIA, that uses Haines State Forest wood to produce a premium wood pellet product for sale locally, regionally, and beyond. We intend to expand the woody biomass heating market.

Feel free to call me with questions. Thanks.

scott

---

Scott Hansen  
Tribal Transportation Coordinator  
Chilkoot Indian Association  
P.O. Box 490  
Haines, AK 99827  
(907) 766-2323  
(907) 314-0014 cell  
(907) 766-2365 fax



**Haines Borough  
Assembly Agenda Bill**

Agenda Bill No.: 13-246

Assembly Meeting Date: 4/9/13

Business Item Description:	Attachments:
Subject: New Commercial Tour Permit - Great Bear Foundation	1. 4/5/13 Letter to the Assembly from Ms. Donahue with promotional materials for GBF's field courses 2. 4/3/13 clarification memo from Ms. Donahue 3. Tour Information and Maps
Originator: Agenda Bill prepared by Clerk's Office	
Originating Department: Administration	
Date Submitted: 3/5/2013	

**Full Title/Motion:**  
 To reconsider the vote of 3/26/13 to "authorize the borough clerk to process the Great Bear Foundation application and, if everything is in order, issue a 2013 commercial tour permit." The motion failed, and a member of the prevailing side wishes to reconsider his vote.

**Administrative Recommendation:**  
 \_\_\_\_\_

**Fiscal Impact:**

Expenditure Required	Amount Budgeted	Appropriation Required
\$ N/A	\$	\$

**Comprehensive Plan Consistency Review:**

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

**Summary Statement:**  
 Shannon Donahue, Executive Director of Great Bear Foundation (GBF), applied for a new 2013 Commercial Tour Permit. The proposal is to offer small group, low-impact, custom wildlife-viewing and natural history tours, bear ecology field courses, guided nature walks, and educational workshops on bear safety in the Haines area, primarily along the Chilkoot River Corridor. Following a public hearing on 3/26/13, a motion to approve the tour failed 3-4. Vick, Waterman, and Lapp voted yes, and Schnabel, Smith, and Berry voted no. The mayor broke the tie in the negative. A member of the prevailing side, assembly member Berry, intends to ask for reconsideration. HBC 2.10.170 says, "[A] motion to reconsider requires a majority of affirmative votes and, if it prevails, the subject shall be open to debate and amendment in the same manner as the original question. Debates on motions to reconsider shall be limited to 25 minutes and no member shall speak for more than five minutes."

**Referral:**

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

**Assembly Action:**

Workshop Date(s):	Public Hearing Date(s): 3/26/13
Meeting Date(s): 3/26, 4/9/13	Tabled to Date:

Montana Office:  
PO Box 9383, Missoula, MT 59807

Northern Office:  
P.O. Box 1616, Haines, AK 99827



Montana: (406) 829-9378  
Fax: (406) 829-9379  
Alaska: (907) 303-2327

Web: [www.greatbear.org](http://www.greatbear.org)  
Email: [gbf@greatbear.org](mailto:gbf@greatbear.org)

April 5, 2013

Haines Borough Assembly

Dear Assembly Members:

After talking with Mayor Scott about my commercial tour permit proposal, the mayor asked me to share with you the promotional materials associated with the Great Bear Foundation's field courses, to give the Borough a better idea of the philosophy and practices of our wildlife field courses, and what we propose to do in the Haines area. I have not yet developed promotional materials for Haines area activities, so I am submitting promotional materials from our Polar Bear Ecology Field Course in Churchill, Manitoba, an annual field course that is in its 30<sup>th</sup> year, and that I have been involved with since 2007.

The Churchill field course differs logistically, because conditions in Churchill differ from those in the Haines area, and the field course is a once-a-year large group event, but the spirit and philosophy represented in our promotional materials will give you a better idea of the philosophy behind the much smaller-scale activities we propose in Haines. In Churchill, we are able to keep our impact low by using a bus to explore the road system there—all other operations in Churchill use tundra vehicles or helicopters, both impacting the bears and their habitats significantly. In Churchill, the bears are spread out across a large area, rather than concentrated in one small place, like the Chilkoot River, so using a bus there does not contribute to the kinds of problems that it would on the Chilkoot. With circumstances there, we can bring a large group and tour the area by bus without significantly impacting the wildlife, habitat or the community, but it would not make sense to bring large groups here to Haines, and we do not intend to do so.

In Haines, our operations will be very small scale, because of the very different circumstances and conditions here, and we will be limited to a small passenger vehicle, and infrequent tours and field courses. Our proposed activities would be better described as workshops, educational field trips, or field courses than a commercial tour, but under Borough Code, because we would charge a fee for our services, it falls under the label of a commercial tour, requiring a permit.

I hope this helps to shed more light on our proposed activities. Thank you for taking the time to reconsider our proposal. Please feel free to contact me with questions or concerns.

Sincerely,

Shannon Donahue  
Executive Director



## Great Bear Foundation

P.O. Box 9383 • Missoula, MT 59807 • Tel: (406)829-9378

P.O. Box 1616 • Haines, AK 99827 • Tel: (907)303-2327

Fax: (406)829-9379 • [gbf@greatbear.org](mailto:gbf@greatbear.org) • [www.greatbear.org](http://www.greatbear.org)

### ARCTIC ECOLOGY

Polar bears, igloos, tundra and ice walks, tracking, caribou craters, northern lights, and much more.

**Dates: November 9-19 (in Churchill Nov 12-16), 2013 from Montana; Nov 10-18 from**

**Winnipeg**

#### **Background:**

Each year, in mid to late October, polar bears move to the Cape Churchill area on the west coast of Hudson Bay. Some of the bears walk northward along the Manitoba Coast, some head northeast from the Owl River Denning Area, and some even move south and cross the Churchill River to get to the Cape. The bears somehow "know" that fresh water ice floes will be coming down the large rivers and be packed against Cape Churchill by the "wagnertok", or northwest winds. This process forms harder ice, which becomes the first ice shelf from which the bears can hunt ringed seals. And so the bears come and they wait, walking up and down the coast, watching the sea, and sniffing the winds, sleeping in kelp beds, or play-fighting until they can go out onto this ice.

Usually in early November, the shelf forms, and the bears move onto the ice and begin to hunt. Some years the shelf freezes earlier and some years it freezes later. Occasionally, it does not freeze until the first week in December. The longer the ice is delayed, the larger the bear concentration around Churchill. Therefore, we try to time our visit to Churchill to coincide with this freeze-up. However, over the last ten years, freeze-up has become more and more difficult to predict, with changing weather patterns and currents in Hudson Bay.

#### **The Course:**

Participants may choose to travel to Churchill from Missoula with GBF staff, or begin the journey by train in Winnipeg. The Montana group will be boarding the same train further north. Those who leave from Missoula will follow Montana's river systems through the Northern Rockies and into Canada, all the way to Hudson Bay: Beginning with the St. Mary River in Glacier National Park, we follow Montana water as it flows into the Belly River, from the Belly into the Waterton, into the South Saskatchewan, the Nelson and finally into Hudson Bay, where it nourishes the polar bears. As we travel north, we cross the Hudson Bay Divide, observing steady changes in the land and vegetation--passing through long grass prairie, montane forest, short grass prairie, three forest zones, and extending down to the sea. From the train we will explore the natural history of the area and meet new friends. In the past we have met Cree trappers, fishermen, hunters, and their families.

While in Churchill, we spend our time exploring the Cape Churchill area by bus, taking nature walks, walking around on the tundra, and beachcombing until we see the first ice. With some luck, we will see a lot of bears and other wildlife, including arctic and red fox, snowy, grey, and northern hawk owls, ptarmigan, arctic hare, snow buntings, and maybe gyrfalcons. We've even seen the occasional wolf. We may also build igloos, check out sea ice, learn about arctic plants, pick berries under the snow, explore the boreal forest, and visit historic and cultural sites. Without any luck, we could get weathered in for a few days, see a lot of fog and drifting snow, visit museums, enjoy lectures on wildlife and arctic ecology, and get a true arctic experience. In any case, we will learn a lot, have adventures, and truly experience the North!

For an additional fee, we can arrange for participants to take a dog sled or Tundra Buggy tour. Due to the impact on the bears and the habitat, GBF does not support the use of Tundra Buggies, but we will help to make arrangements with advance notice. There are also opportunities to visit the Eskimo Museum and the Town Centre art. **Please note that you cannot bring marine mammal or polar bear parts into the US. You WILL get in A LOT of trouble!!! With us and with international authorities!!**

### **Ethics and Impact**

An important part of this field course is learning how to minimize one's impact on wildlife and habitat. Wildlife tourism has grown rapidly over the last two decades, faster than natural resource policy has been able to keep up with, in many cases. Many operations that label themselves "ecotourism" companies are actually in the business of exploiting wildlife, and their practices can cause major ecological disruptions, and even long term behavioral changes in wild animals that can lead to their demise. In the case of the bear, an intelligent species vulnerable to conflict with humans, poor wildlife-viewing practices can lead to bears getting killed, especially when they learn to associate humans with a food source. The polar bears in Churchill are extremely vulnerable to negative influences from humans, and because the entire Western Hudson Bay population congregates there in October and November, bad habits learned in Churchill can carry over to other villages on Hudson Bay. The community of Arviat has seen a rise in human-bear conflict in recent years that can be directly traced to certain unethical tourism-related activities in Churchill, according to wildlife biologists. We will witness some of these unethical practices, and we will learn from them by putting the incidents in a larger conservation context. Over the years, we have helped to monitor these practices, by documenting activities like bear baiting and wildlife harassment when we've encountered them, and turning that in to Manitoba Conservation. You will learn things in this field course that you can take with you when you encounter wildlife in your travels elsewhere, to national parks, wildlands, and even in your own community. The concepts you learn will improve your safety, your wildlife-viewing experiences, and the well-being of the animals.

As part of this course, you will learn about wildlife behavior and body language, and how to recognize signs that an animal is uncomfortable with your presence or behavior, so that you can alter your behavior accordingly, if necessary. In addition to reducing your impact on the wildlife, learning how to do so enhances your wildlife-viewing experience by increasing the likelihood of the animal to stick around and allow you to watch or photograph it. You'll get better photographs of an animal that is not on guard because of your presence. We encourage putting your camera down from time to time, just to quietly watch the wildlife. You might be surprised at the profound experience of quietly watching, rather than photographing!

### **Cost:**

- The cost of this unique course is \$2450.00. This cost covers accommodations at the Churchill Northern Studies Centre, meals in Churchill, and travel roundtrip from Missoula or Winnipeg to Churchill (includes 5 full days and 4 nights at the Churchill Northern Studies Centre.)
- A \$250 deposit is due in order to reserve a place on this unique trip (refundable upon trip cancellation up until September 1). The balance is due by Oct. 1<sup>st</sup>.

**Registration:** Please send us your deposit and registration form to reserve a spot on the trip.

### **Transportation:**

- This course will convene at the Great Bear Foundation office at 802 E. Front Street in Missoula, Montana on Saturday, **November 9<sup>th</sup>**. We will leave Missoula at around **7AM** and caravan to Pablo, MT (about an hour north). In Pablo, we will board the Salish Kootenai College bus, which we will take 800 miles to Canora, Saskatchewan. We will stop and spend

the night in a motel in Swift Current, SK, and the price is included in the cost of the trip. ***If anyone would like to meet us in Pablo, please let us know in advance.*** We will leave Pablo between 9AM and 10AM, and drive all day. We will spend the night in Swift Current, Saskatchewan, on the way up, and in Taber, Alberta on the way back. We will be sharing rooms along the way, but if you prefer your own room, let us know, and we will reserve a private room for an extra charge. The next day, we will drive the rest of the way to Canora, where we will board the train on the night of November 10<sup>th</sup> and arrive in Churchill the morning of November 12<sup>th</sup>. **Those traveling from Winnipeg will board the train on November 10<sup>th</sup>. We will all be riding the same train.**

- There will be limited parking available at the GBF office. However, there will be ample free, gated parking in Pablo, so we would recommend caravanning with us to SKC. This will also help us to get everyone up to Pablo. Anyone interested in driving a personal vehicle to Canora, or meeting us somewhere along the way should let us know prior to the departure date, in order to receive a rebate. If you can help drive from Missoula to Pablo, please let us know.
- People who are traveling from the East may board the train in Winnipeg at 12:05PM, November 10<sup>th</sup> and join the rest of the group when we board the train in Canora. **You will receive an email with your e-ticket for the train. You will need this to claim your tickets at the counter in Winnipeg. Montana travelers do not need to claim their tickets, as I will pick them up when we get to Canora.**
- Anyone requesting a sleeper car will be charged an additional fee. You can reserve a sleeper prior to departure. However, the cost is *significantly* greater (usually around \$1,000 extra per person). Occasionally, sleeper cars may be available once we board the train, in which case the cost is significantly less. You may ask the train staff about that once we board the train.
- Please bring food for the bus ride to Canora. We will make frequent stops to purchase food as well. On the train we will provide ample snacks including locally grown apples, plums, and plenty of game meat. There is a dining car on the train, but meals will be at your own expense. Some years, there is a cook on board preparing meals to order, but some years, as a cost-cutting measure, food service is limited to frozen entrees. We'll try to find out ahead of time if a cook will be on board, but ViaRail sometimes makes that decision at the last minute.
- Information about plant and animal identification, geography, landforms, and etc. will be provided in informal talks during the train trip, and there will be many opportunities to interact with other passengers.
- We will depart from Churchill by train on Saturday, November 16<sup>th</sup> at 7:30PM, after a full day in the field. We will arrive in Canora around 7:00 AM on November 18<sup>th</sup>, load up and head for Missoula. We will take two days, stopping overnight on the way back. Folks traveling to Winnipeg will arrive around 4:45 PM on November 18<sup>th</sup>.
- We will rent a bus in Churchill, and spend most days viewing bears from the safety of the bus, and exploring the area on foot, when it's safe to do so.
- **Always keep in mind that train schedules are apt to change, due to weather up north, and the last few years the trains have been significantly delayed.** Please make flight plans accordingly. The train may run anywhere from **1-8 hours late** in November, but it is impossible to predict in advance!

### **Accommodations:**

Accommodations at The Churchill Northern Studies Centre are very comfortable and include dorm rooms, lounges, and a dining room. A new Centre opened up in 2011, and the new accommodations are beautiful, and much more spacious than the old Centre, for those who have

traveled with us before. We are expected to help with the dishes, fix our lunches, clean rooms, and strip our beds when we leave. The food at the Centre is great! There is even a bubble on the top of the building and open-air roof access for watching bears and northern lights. Food, blankets, and etc. will be provided, and there is a laundry facility onsite (\$5 for guests). However, the Studies Centre hauls all of their water from town, so they ask that we only do laundry if absolutely necessary. **Please note on your registration form any special needs you may have with regard to accommodations, such as a bottom bunk, whether or not you are comfortable with co-ed rooms, or any other needs. If you let us know ahead of time, we will try to put couples together in the same room, but this is not always possible. We will do our best to accommodate your needs. Couples might be split up, so please plan accordingly.**

We all need to take great care regarding bear safety while we are in Churchill. You must peek both ways before going out the door and take wide corners around buildings and cars. We will have lectures on bear safety.

### **Packing:**

- We will be crossing an international border, and **passports are now required by law!**
- Expect cold, variable weather in Churchill. Plan to bring a warm parka with a good hood, warm boots, a scarf, a hat, and windproof mitts. Synthetic, silk, or wool long underwear, turtlenecks, sweaters, and warm trousers are necessities.
- A spotting scope or binoculars and a camera are essential.
- You may want to bring a blanket and travel pillow for the train ride.
- Please bring any on-the-road food like fruit, cookies, trail mix, nuts, or jerky. These things help to reduce costs and make friends! We will make frequent stops where food can be purchased. We also bring plenty of snacks to share. Nobody has ever lost weight on this trip!
- The Inuit Transient Centre can always use extra stuff that you might have lying around your house—mainly warm clothes, but some household items may be helpful too.
- Space on the bus is limited, so if you're traveling with us from Montana, please keep that in mind when you pack. When we're all packed into the bus, you'll be glad you packed light!

### **Emergency Phone Contacts:**

Great Bear Foundation: (406) 829-9378

Natural Resources, The Pas: (204) 623-6678- Dale Cross

Churchill Northern Studies Centre, Churchill: (204) 675-2307

RCMP, Churchill: (204) 675-8821

### **Faculty and Trip Facilitators:**

**Shannon Donahue** is the Executive Director of the Great Bear Foundation, and has been with the foundation since 2007, starting out as a volunteer on that year's Polar Bear Ecology Field Course. Shannon holds an M.Sc. from the University of Montana in Environmental Studies, with a focus in bear conservation and education. Shannon's main interest is in mitigating the impacts of the rapidly growing wildlife tourism industry, through management frameworks, educating the public about less invasive ways of enjoying wildlife, and providing high-quality, low-impact wildlife-viewing opportunities through field courses like this one. Shannon worked for the US Forest Service for three years at the Anan Wildlife Observatory, a black and brown bear-viewing site in Southeast Alaska, before moving on to monitor human-bear interactions on Alaska's Russian and Kenai Rivers for the US Forest Service and, later, for Alaska State Parks on the Chilkoot River Corridor in Haines. She is fascinated by the dynamics among salmon, bears, anglers, and bear-viewers, and the challenges of reconciling the many, sometimes-conflicting activities on northern salmon streams. She is currently

setting up the Northern Chapter of the Great Bear Foundation in Haines, Alaska.

Shannon is collaborating with Dr. Frank Tyro on a documentary film on the life and work of GBF President and co-founder, Charles Jonkel. She has recently published a guide to some of the best sites to observe brown bears around the world in the inaugural issue of Wild Travel Magazine, and she has written extensively on the impacts of roads on bears and other wildlife for Wildlands CPR.

Shannon and her two dogs migrate annually between their beloved homes on Paradise Cove in Haines, Alaska, and Montana's Blackfoot Valley.

**Dr. Frank Tyro** is a recurrent visitor to Churchill, Manitoba with the Great Bear Foundation Arctic Ecology field trips as a volunteer course instructor, beginning in 1984, and has traveled extensively in the Arctic and Subarctic. He has worked at Salish Kootenai College (SKC) in Pablo, Montana since 1984 teaching photography, TV production and mass communication. He brought local public television to the Flathead Reservation in 1988. Frank's background includes 40 years in broadcast media. TV production awards include Best Professional Short, International Cultural Film Symposium, Platinum Best of Show Cultural Documentary, Aurora Award, Telly and Videography Awards of Excellence, Finalist at IWFF and screenings at the American Indian Film Institute Festival, and Native Voice Festival. Frank has a B.S. in TV Production from MSU, Bozeman, an M.A. from Temple University, Philadelphia in Mass Communications and PhD from the Union Institute and University, Cincinnati in e-learning. Frank is currently directing *Walking Bear Comes Home*, a documentary film on the life and work of the Great Bear Foundation's co-founder and President, Dr. Charles Jonkel.

He received the Distinguished Service Award from SKC, was president of the Montana Public Television Association, and president, Big Brothers and Big Sisters of Lake County. He has presented on American Indian Learning Styles, Constructivist Theory and Successful Online Courses at conferences in the U.S., Norway and Canada.

Frank lives in Pablo, MT with his wife, Dr. Lori Lambert and their sled dogs.

**Bob Mires** is a retired middle school math/science educator from Alaska and Montana. In retirement, Bob has become a recurrent visitor to Churchill, Manitoba with the Great Bear Foundation Polar Bear Ecology field trips, as a volunteer and course instructor. Presently, Bob is a part-time instructor at Salish Kootenai College in Pablo, Montana. He has a BS from Eastern Montana College, a MS from Northwestern University of Louisiana, and many more credits from a variety of institutions. Over the years he has been a fishing guide, Olympic Development--soccer administrator, a radio board operator, and a field biologist for a Hantavirus study. He was recognized as Anchorage's (and Alaska's) first Environmental Educator of the year.

He lives with his wife, MaryLou, and two schnauzers, overlooking the south end of Flathead Lake.

**Please call or e-mail us at the Great Bear Foundation with any questions that you may have!**

**GBF Montana Office- phone: (406) 829-9378**

**fax: (406) 829-9379**

**Northern Office: (907) 303-2327**

**e-mail: [gbf@greatbear.org](mailto:gbf@greatbear.org)**

**website: <http://www.greatbear.org>**

## WHAT MAKES OUR JOURNEY UNIQUE

**LOW IMPACT:** We approach the arctic landscape, wildlife, and culture with respect. In doing so, we avoid negative impacts to wildlife, and we open the door to an authentic experience of the Arctic, its wildlife, and its people. GBF has been blowing the whistle on irresponsible wildlife tourism for 30 years, and we aim to set higher standards for low-impact, ecologically friendly wildlife-viewing experiences.

**SMALL FOOTPRINT:** Overland travel by bus and train minimizes the group's net carbon emissions.

**EDUCATIONAL CONTENT:** Experienced, knowledgeable, and invested course instructors provide big picture learning experiences with a conservation focus.

**CULTURAL SENSITIVITY:** We visit Hudson Bay as travelers, not tourists, respecting and learning about local cultures as well as ecology.

Questions? Please call or email us at:

The Great Bear Foundation  
Montana Office: (406) 829-9378  
Alaska Office: (907) 303-2327  
e-mail: [gbf@greatbear.org](mailto:gbf@greatbear.org)  
website: <http://www.greatbear.org>



"Everyone should experience that feeling of being a small but significant part in something much bigger. With it comes a sense of childlike wonder and appreciation, as well as a view of the consequences of our actions. – Jenny Rasche, 2005 Polar Bear Ecology Course

"This journey opened my mind to limitations and possibilities within the Arctic, our modern culture, and myself." --Beth Raboin, 2011



photo by Frank Tyro

You want to paint your face a color mixed  
with red granite and Hudson Bay water as a sign  
that you take your place at council fire  
with bear to talk of relatives, to share songs.

~Vic Charlo  
from "First Polar Bear"  
in Put Sey (Good Enough)



## POLAR BEAR ECOLOGY FIELD COURSE

AN ECOLOGICALLY SENSITIVE FIELD  
COURSE IN POLAR BEAR HABITAT  
WITH THE GREAT BEAR FOUNDATION



photo by Jeremy Patrick

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

## COURSE BACKGROUND

Each year, in mid- to late October, polar bears move to the Cape Churchill area on the west coast of Hudson Bay. There they wait for the first sea ice to form, to end their months-long fast by hunting ringed seals.

The bears somehow "know" that fresh water ice floes will be coming down the large rivers and be packed against Cape Churchill by the "wagnertok", or northwest winds. This process forms harder ice, which becomes the first ice shelf from which the bears can hunt ringed seals.

And so the bears come and they wait, walking up and down the coast, watching the sea, and sniffing the winds, sleeping in kelp beds, or play-fighting until they can return to the ice and break their fast.

We explore Cape Churchill by bus, minimizing our impact by making use of the road system. Unlike most Churchill tours, we do not use tundra vehicles, and we keep a respectful distance from wildlife, paying attention to body language and behavior. We spend our days observing wildlife, taking nature walks, and learning about Hudson Bay, its wildlife, and its cultures.

With luck, we will see plenty of bears and other wildlife, including arctic and red fox, snowy, grey, and northern hawk owls, ptarmigan, arctic hare, snow buntings, and gyrfalcons.

We may also build igloos, check out sea ice, learn about arctic plants, pick berries under the snow, explore the boreal forest, and visit historic and cultural sites.

Participants may travel to Churchill from Montana with GBF staff, or begin the journey by train in Winnipeg. The Montana group will board the same train further north. Those who leave from Montana will follow river systems through the Northern Rockies and into Canada, all the way to Hudson Bay, illustrating our ecological connection across the continent.

On the train, we will learn about the natural history of the area and meet new friends. In the past we have met Cree trappers, fishermen, hunters, and their families, spotted wildlife from the train, and taken nature walks at longer stops.

## FACULTY AND TRIP FACILITATORS

SHANNON DONAHUE is the Executive Director of GBF. She holds an M.Sc. from the University of Montana in Environmental Studies, with a focus in bear conservation and education. Shannon's main interest is in mitigating the impacts of the rapidly growing wildlife tourism industry, and she has been working on this field course since 2007.

DR. FRANK TYRO began volunteering for the GBF's Arctic Ecology Courses in 1984, and has since traveled extensively in the Arctic and Subarctic. He teaches photography, tv production, and mass communication at Salish Kootenai College, founded and directs KSKC Public-TV, and is currently directing Walking Bear Comes Home, a documentary film on the life and work of GBF's co-founder and President, Charles Jonkel.

BOB MIRES is a retired middle school math/science educator from Alaska and Montana. Bob is recurrent visitor to Churchill, Manitoba with the Great Bear Foundation Polar Bear Ecology field trips, as a volunteer course instructor.

## FIELD COURSE REGISTRATION

### TRIP DATES:

**From Montana: NOV. 9-19, 2013**  
**From Winnepeg: NOV. 8-18, 2013**

**PRICE: \$2450**

**INCLUDES: Overland travel between Missoula/ Winnepeg and Churchill; Accommodations including meals for five full days and four nights at the Churchill Northern Studies Centre, Daily wildlife-viewing excursions, Lectures on polar bear ecology, natural history, arctic geography, photography, and northern cultures, Visits to historic, cultural, and natural history sites, and Instruction on safe, respectful wildlife observation practices in the classroom and in the field.**

### ASK ABOUT STUDENT AND GROUP DISCOUNTS!

DEPOSIT: A \$250 deposit is due in order to reserve a place on this unique trip (refundable upon trip cancellation up until September 1). The balance is due by October 1st.

REGISTRATION: To reserve a spot on the trip, please send your deposit and registration to:

Great Bear Foundation

Montana Office:  
PO Box 9383 ~ Missoula, MT 59807  
Phone: (406) 829-9378  
Northern Office:  
PO Box 1616 ~ Haines, AK 99827  
Phone: (907) 303-2327  
gbf@greatbear.org  
www.greatbear.org

Montana Office:  
PO Box 9383, Missoula, MT 59807

Northern Office:  
P.O. Box 1616, Haines, AK 99827



Montana: (406) 829-9378  
Fax: (406) 829-9379  
Alaska: (907) 303-2327

Web: [www.greatbear.org](http://www.greatbear.org)  
Email: [gbf@greatbear.org](mailto:gbf@greatbear.org)

## memo

To: Haines Borough Assembly  
From: Shannon Donahue, Great Bear Foundation  
CC: Borough Clerk Julie Cozzi  
Mayor Stephanie Scott  
Exec Asst to Borough Manager Darsie Culbeck  
Date: 4/3/13  
Re: Commercial Tour Permit Application

I am writing to clarify some issues concerning the Great Bear Foundation's application for a commercial tour permit from the Haines Borough, in the event that the proposal is reconsidered.

- The Great Bear Foundation intends to collect sales tax on all proposed tour, workshop, and field course activities, should a permit be awarded.
- Our intention is to provide a safe, low-impact alternative for independent visitors to the Chilkoot River, in order to help mitigate some of the problem behavior among unguided visitors. Teaching clients how to minimize their impact on wildlife, habitat, and other user groups is a main focus of proposed activities, and has been a prominent component of all of our field courses for the last 29 years.
- As a nonprofit bear conservation organization, our interest is to help solve some of the problems associated with human behavior on the Chilkoot River Corridor. It is not our intention to compete with existing local businesses for clientele.
- We welcome communication from the Borough regarding any other concerns, and we hope to work with the Borough to address those concerns.

Sincerely,

Shannon Donahue  
Executive Director

**Explanation of tour(s): (Important: This section is not optional. This information must be provided in detail even if the tour is not new per HBC 5.18.030.)**

Include customer capacity, number of vehicles to be used, location of all phases of tour(s) and a detailed description of the tour(s) to be provided including a map showing routes to be taken.

**NOTE:** You may attach a separate document instead of completing this section, but please reference the attachment in this space.

**Background**

The Great Bear Foundation (GBF) is a 501(c)3 nonprofit wildlife conservation organization seeking to offer small group, low-impact, custom wildlife-viewing and natural history tours, bear ecology field courses, guided nature walks, and educational workshops on bear safety in the Haines area, primarily along the Chilkoot River Corridor (CRC). We have permits pending from the State of Alaska Division of Parks and Outdoor Recreation to conduct these tours, field courses, walks, and educational programs on all Haines Area State Parks, Preserves, and Recreation Sites and Areas, but our primary operations will be on the Chilkoot River Corridor during late spring, summer, and early fall months.

**Chilkoot River Corridor Wildlife Tours**

Our fleet will include one or two passenger vehicles (using one vehicle at a time), with a maximum seating capacity of seven, ensuring small groups, with the ratio of one guide to six clients. Should the demand for larger groups arise, we intend to contract with existing, permitted tour operators to meet that demand. The specific vehicle or vehicles have not yet been determined, and we will submit all relevant documentation for the vehicle(s) as soon as possible.

Tours are custom, based on clients' interests and availability, and they will be conducted during daylight hours. Tours will begin at the point of pickup—generally either in downtown Haines, the ferry terminal, airport, fast ferry terminal, or a hotel or lodge, and proceed out Lutak Road to the Chilkoot River Corridor, stopping at designated pull-outs en route for wildlife-viewing, photography, and interpretation. The primary tour will occur on the Chilkoot River Corridor and Chilkoot Lake State Recreation Site. Tours will consist of bear-viewing and photography, interpretation, and educational programming, primarily along the Chilkoot Lake Road and the Chilkoot Lake SRS Day Use Area, by vehicle, or on foot when it is safe to do so.

Field courses will operate on the model of the bear-viewing tours, with more in-depth educational content. Bear safety workshops will consist of lectures, followed by a field trip to the CRC to observe and interpret the human-bear interactions occurring there on any given day, with the purpose of learning how to avoid human-bear interactions, and how best to deal with those that do occur. Human-bear interactions will be avoided during these workshops.

The Great Bear Foundation has been offering bear-viewing tours and bear ecology field courses in Montana and Canada since 1983, and promoting ethical, low-impact bear-viewing and photography practices is one of our main goals as a wildlife conservation organization. Tours will be conducted by Executive Director, Shannon Donahue, who has worked in bear-viewing since 2005, for the US Forest Service, Alaska State Parks, and the Great Bear Foundation. She worked for two seasons as the Alaska State Parks Bear Monitor on the Chilkoot River Corridor, and has been teaching and organizing polar bear-viewing tours and field courses in Churchill, Manitoba since 2007.

All activities will be conducted with the safety of humans and wildlife the top priority. The goals are to set a positive example of low-impact, low-risk wildlife viewing practices, to teach visitors how to observe wildlife with minimal risk and impact on both wildlife and habitat, and to provide bear ecology education to visitors to the Haines area.

### **Other Tours and Services**

In addition to Chilkoot River Corridor tours, GBF seeks to offer custom guided nature walks, field courses, and wildlife-viewing tours throughout the Haines area. We seek to offer guided nature walks on Haines area trails including Seduction Point trail, Battery Point trail, designated eagle-viewing sites on the Chilkat Bald Eagle Preserve, Mt. Riley Trail, Mt. Ripinski trail system, State Park lands at Mosquito Lake, and beaches with public access. Specific routes and activities will be determined by clients' interests and abilities, and will be limited to those areas for which we hold permits to operate. Tours can be broken down into three categories: Chilkoot River Corridor Tours, Chilkat Peninsula Tours, and Chilkat Valley Tours. Please see attached tour descriptions and maps.

### **Complete contact information for all company principles:**

Shannon Donahue, Executive Director

Shannon@greatbear.org

May through October: PO Box 1616, Haines, AK 99827; (907) 303-2327

November through April: PO Box 9383, Missoula, MT 59807; (406) 829-9378

### **Explanation of missing or forthcoming permit documents:**

- **Commercial Vehicle Inventory, insurance, registration, and inspection documents:** Vehicle(s) used have not yet been determined. Relevant documentation will be submitted when vehicle(s) have been chosen, inspected, registered, and insured for commercial use.
- **Copy of contract for pre-sale tours on cruise ships:** At this time, we do not intend to pre-sell tours on cruise ships.
- **State Land-use Permits:** Permits are pending and will be submitted when approved.

## Great Bear Foundation Proposed Tour Routes

### Chilkoot River Corridor Tours—See attached maps

- Begin at point of pick-up: Downtown Haines, Fast ferry/cruise ship dock, State Ferry dock, lodge, hotel, campground, or other arranged location
- Drive out Lutak Road, stopping opportunistically at gravel pull-outs along road for photography and natural history interpretation. May include beach walk at Borough outhouses.
- Observe, photograph, and teach about bears and other wildlife on the Chilkoot River corridor, including the Chilkoot River Bridge, and the river corridor up to and including Chilkoot Lake Day Use Area. Educational components will include bear and salmon ecology, bear behavior, bear safety, conservation issues, and avoidance of human-bear encounters.
- Return clients to point of origin or other agreed upon drop-off point.

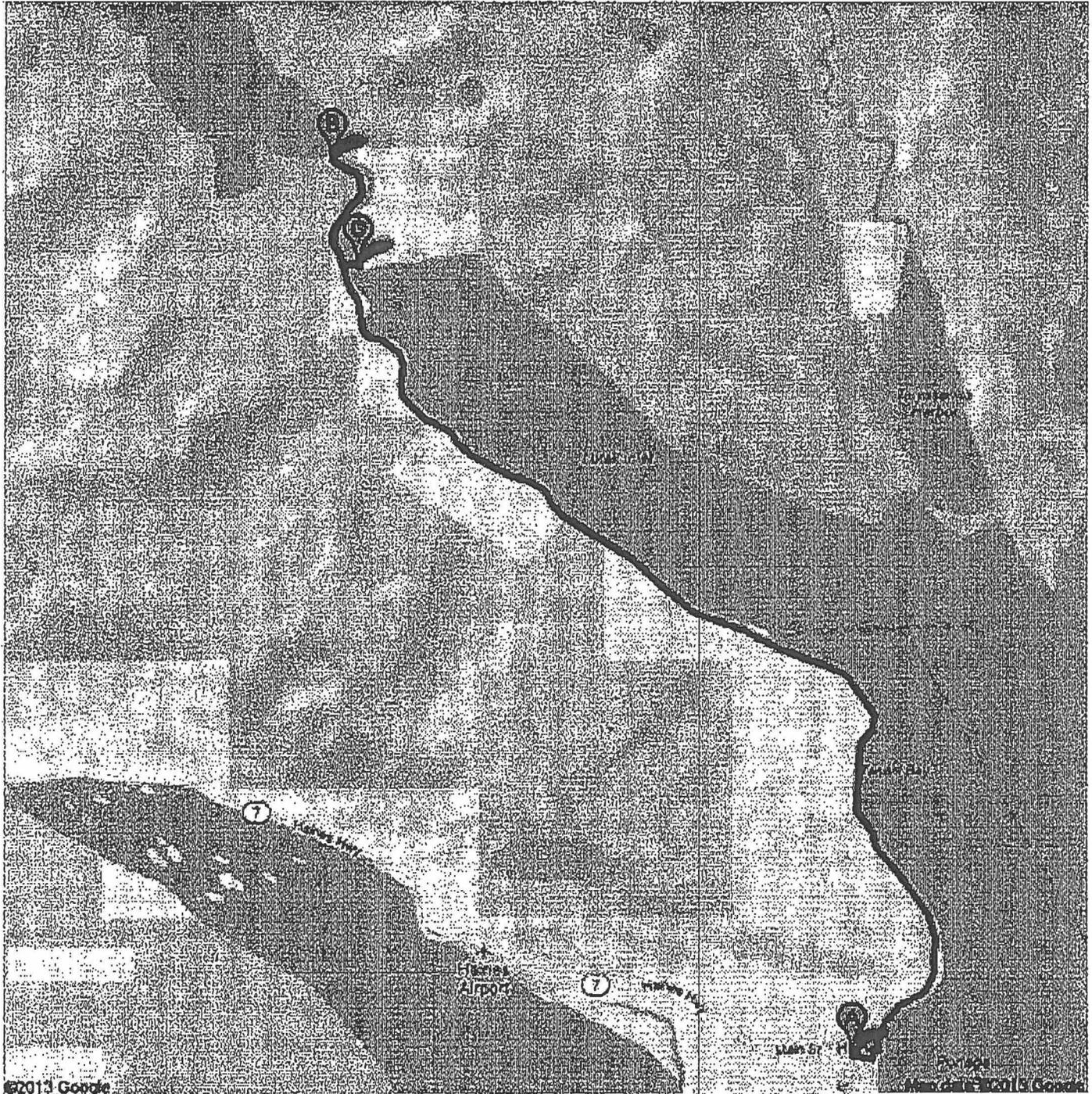
### Chilkat Peninsula Natural History Tours and Nature Walks—see attached map

- Begin at point of pick-up: Downtown Haines, Fast ferry/cruise ship dock, State Ferry dock, lodge, hotel, campground, or other arranged location
- Guide clients to any of the following sites for natural history interpretation and photography, as determined by seasonality and clients' interests: Battery Point Trail, public beaches along Mud Bay Road, Mt. Riley Trail System, Seduction Point Trail System, Chilkat State Park.
- Return clients to point of origin or other agreed upon drop-off point.

### Chilkat Valley & Bald Eagle Preserve Tours—See attached maps

- Begin at point of pick-up: Downtown Haines, Fast ferry/cruise ship dock, State Ferry dock, lodge, hotel, campground, or other arranged location
- Guide clients to any of the following sites for natural history interpretation and photography, as determined by seasonality and clients' interests: Salmon spawning channel at 10 Mile, Haines Highway, designated scenic and eagle-viewing pull-outs along Haines Highway, including Council Grounds site and boardwalk at 19 Mile, Haines Highway, Porcupine Road/Sunshine Mountain Trail system, Mt. Ripinsky Trail System, 7 Mile Saddle Trail, Mosquito Lake State Recreation Site, scenic pull-outs up to the Canadian Border.
- Return clients to point of origin or other agreed upon drop-off point.
- Maps, especially detail of Sunshine Mtn/Porcupine Trail System are approximate, based on the best maps available to me.

### Great Bear Foundation Proposed Chilkoot River Corridor Tour Route



Tours will begin at a point of origin in downtown Haines or other pick-up location, such as a hotel/lodge, ferry terminal, fast ferry terminal, airport, or residence, and will proceed out Lutak Road to the Chilkoot River Corridor, stopping at designated pull-outs along Lutak Road opportunistically for wildlife-viewing, photography, and natural history interpretation. The majority of the tour will occur along the Chilkoot River Corridor and Chilkoot Lake SRS Day Use Area. Tour will return to the point of origin, or another requested drop-off location.

MyTopo Map Print

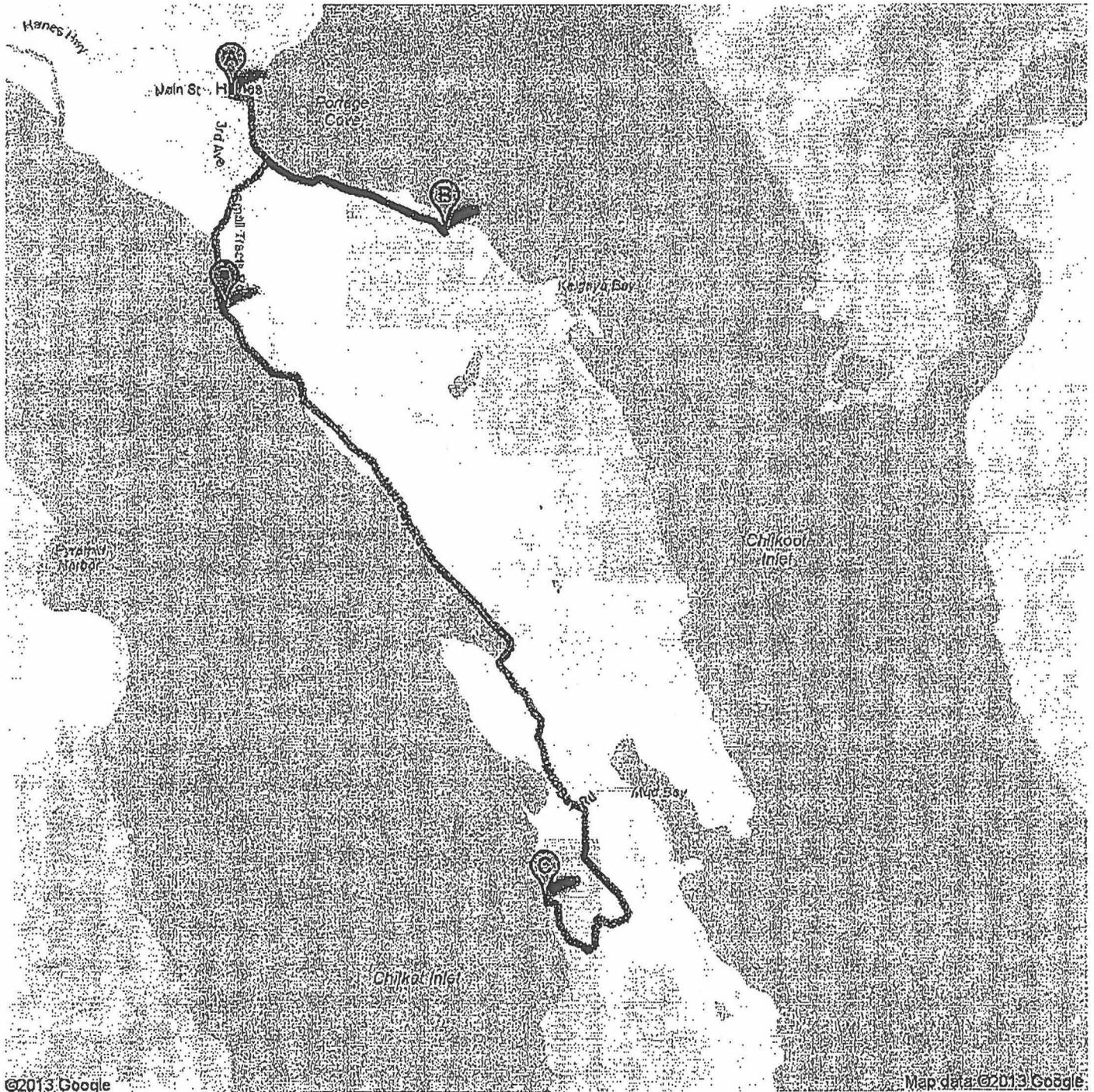
[http://map-pass.mytopo.com/maps/print\\_mytopo.asp?print=20&scale=1...](http://map-pass.mytopo.com/maps/print_mytopo.asp?print=20&scale=1...)

# Proposed Chilkoot River Corridor Tour Route - Great Bear Foundation



Map provided by MyTopo.com

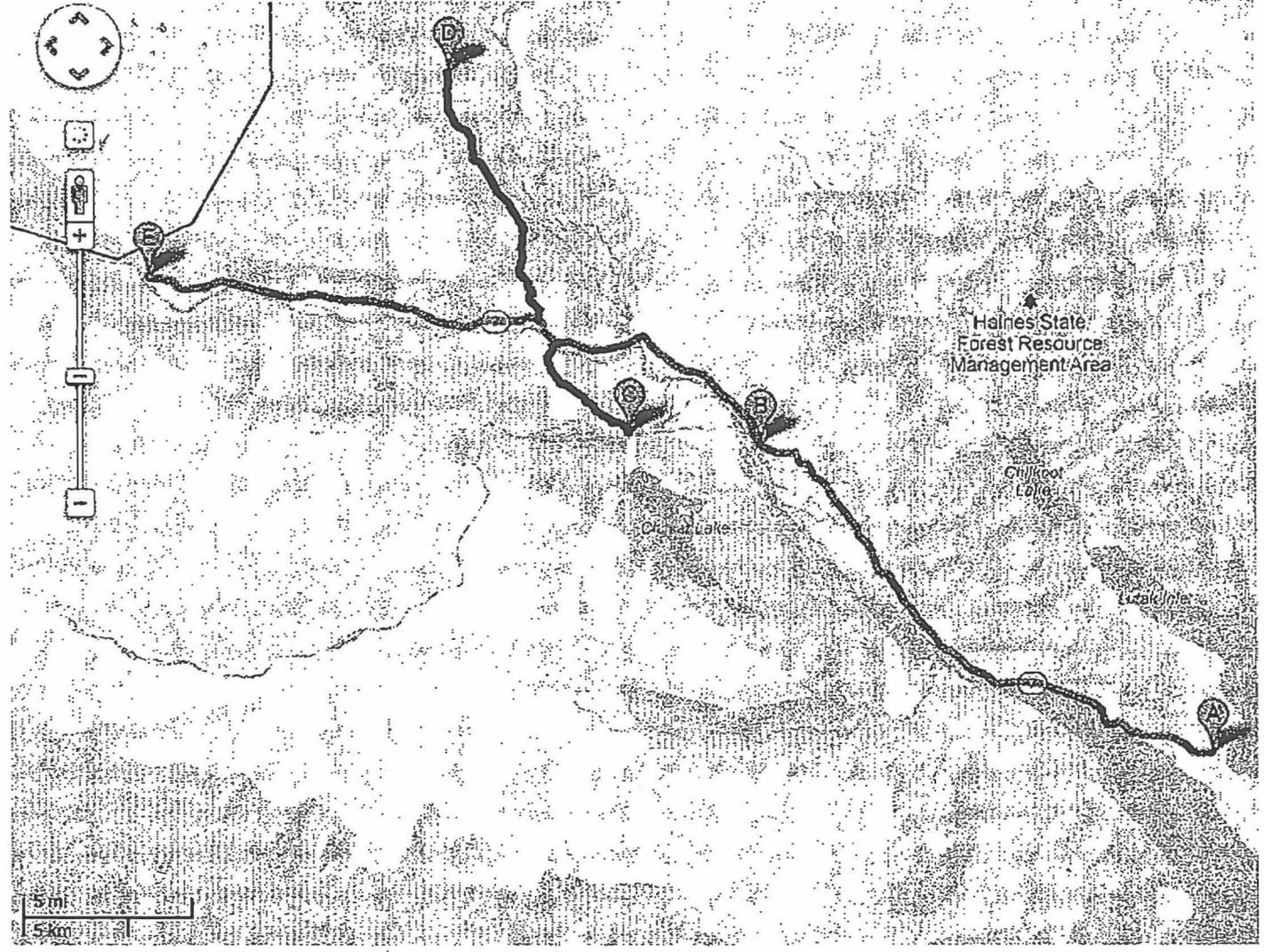
### Great Bear Foundation Proposed Chilkat Peninsula Tour Routes



Tours will begin at a point of origin in downtown Haines or other pick-up location, such as a hotel/lodge, ferry terminal, fast ferry terminal, airport, or residence, and will transport clients to any of the following sites for natural history interpretation and photography, as determined by seasonality and clients' interests: Battery Point Trail, public beaches along Mud Bay Road, Mt. Riley Trail System, Seduction Point Trail System, Chilkat State Park.

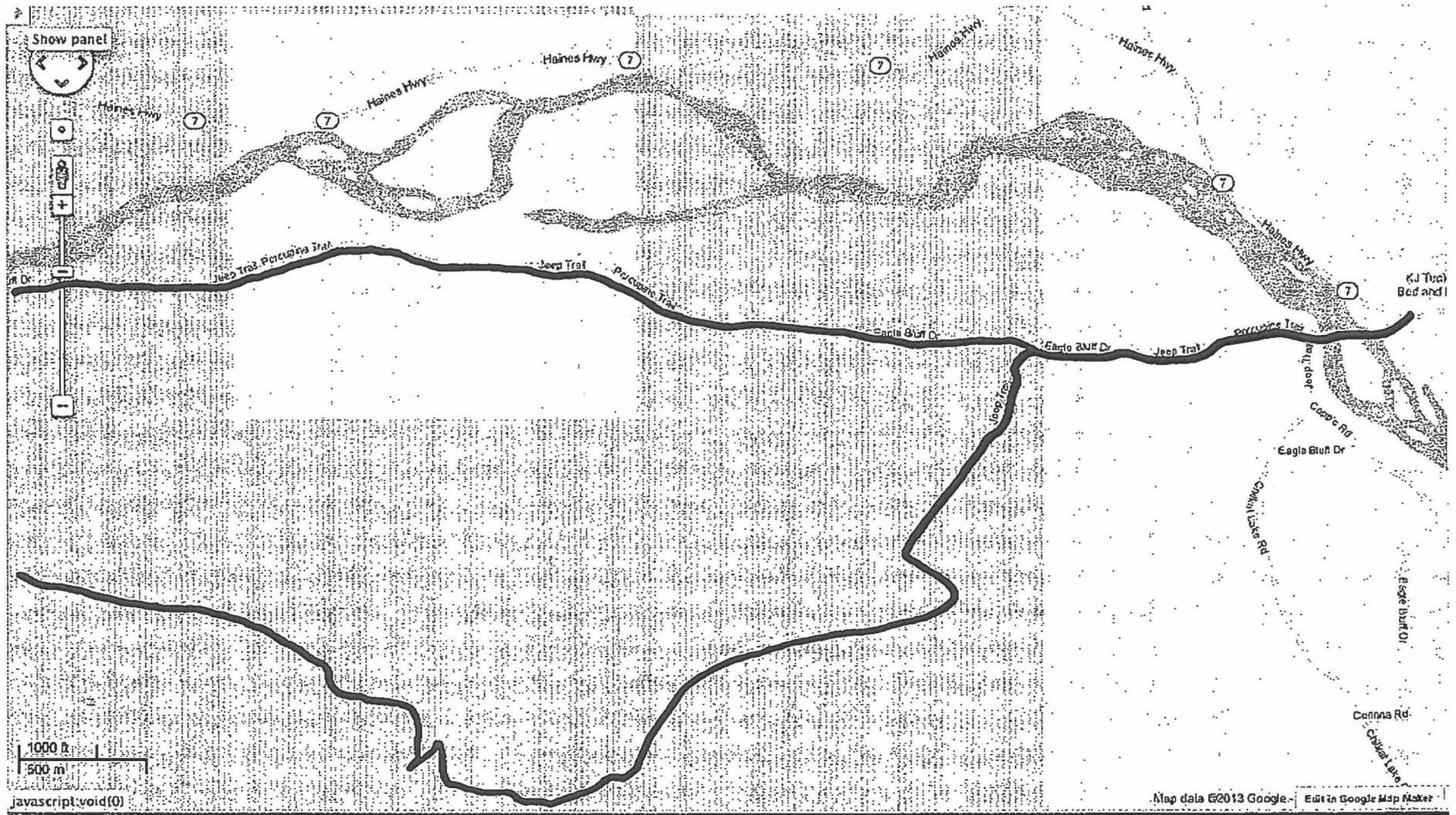
P.010  
0010/0019  
4068299379  
GREAT BEAR FOUNDATION  
13:58  
02/27/2013  
4068299379  
RX Date/Time  
02/27/2013 2:48PM FAX

### Great Bear Foundation Proposed Chilkat Valley Tour Routes



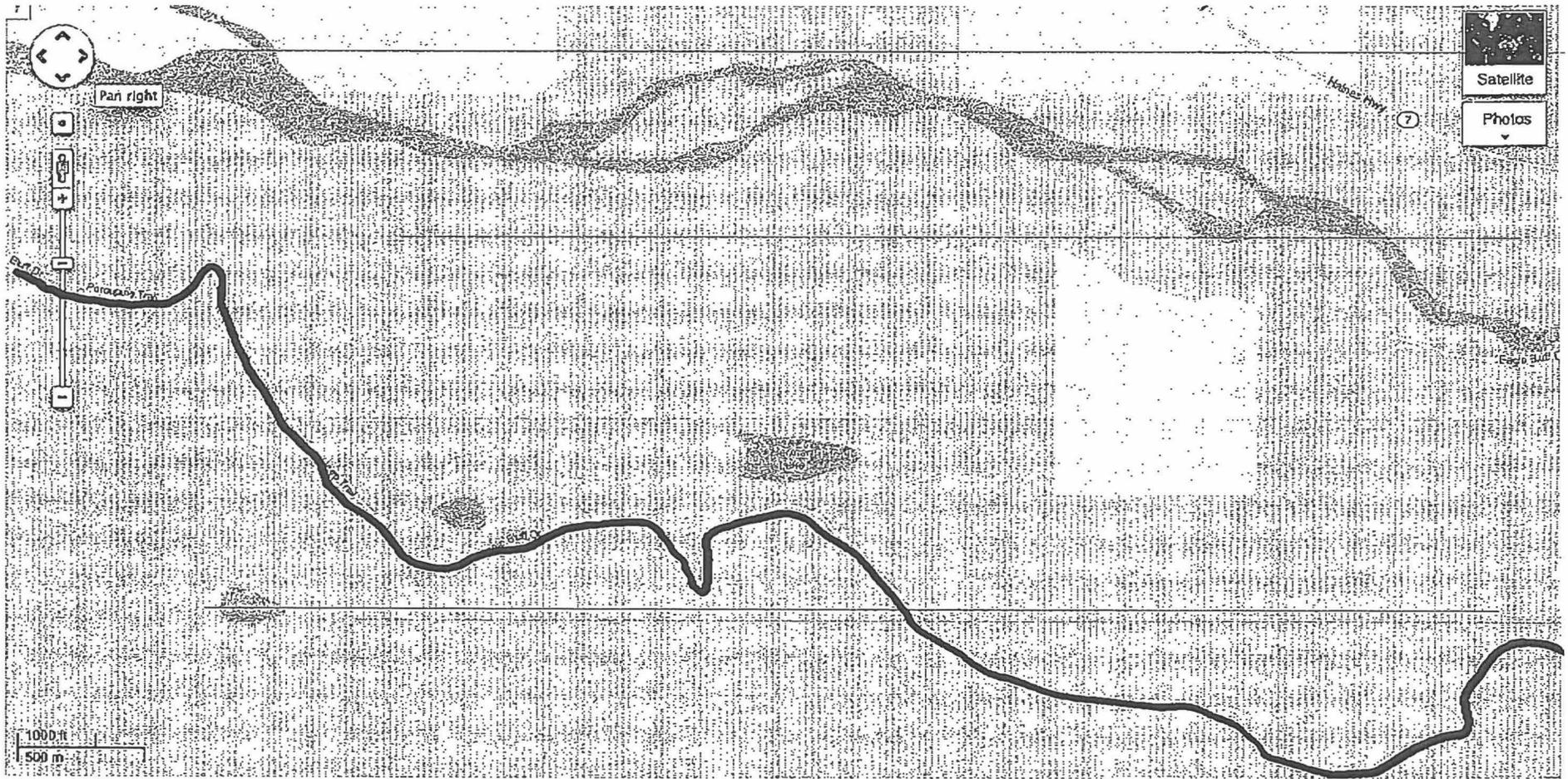
Tours will begin at a point of origin in downtown Haines (A) or other pick-up location, such as a hotel/lodge, ferry terminal, fast ferry terminal, airport, or residence, and will transport clients to any of the following sites for natural history interpretation and photography, as determined by seasonality and clients' interests: Salmon spawning channel at 10 Mile, Haines Highway (B), designated scenic and eagle-viewing pull-outs along Haines Highway, including Council Grounds site and boardwalk at 19 Mile, Haines Highway, Porcupine Road/Sunshine Mountain Trail system (C), Mt. Ripinsky Trail System, 7 Mile Saddle Trail, Mosquito Lake State Recreation Site (D), scenic pull-outs up to the Canadian Border (E).

### Detail of Great Bear Foundation Proposed Chilkat Valley Tour Routes: Sunshine Mtn/Porcupine Trail System Route, 1.A



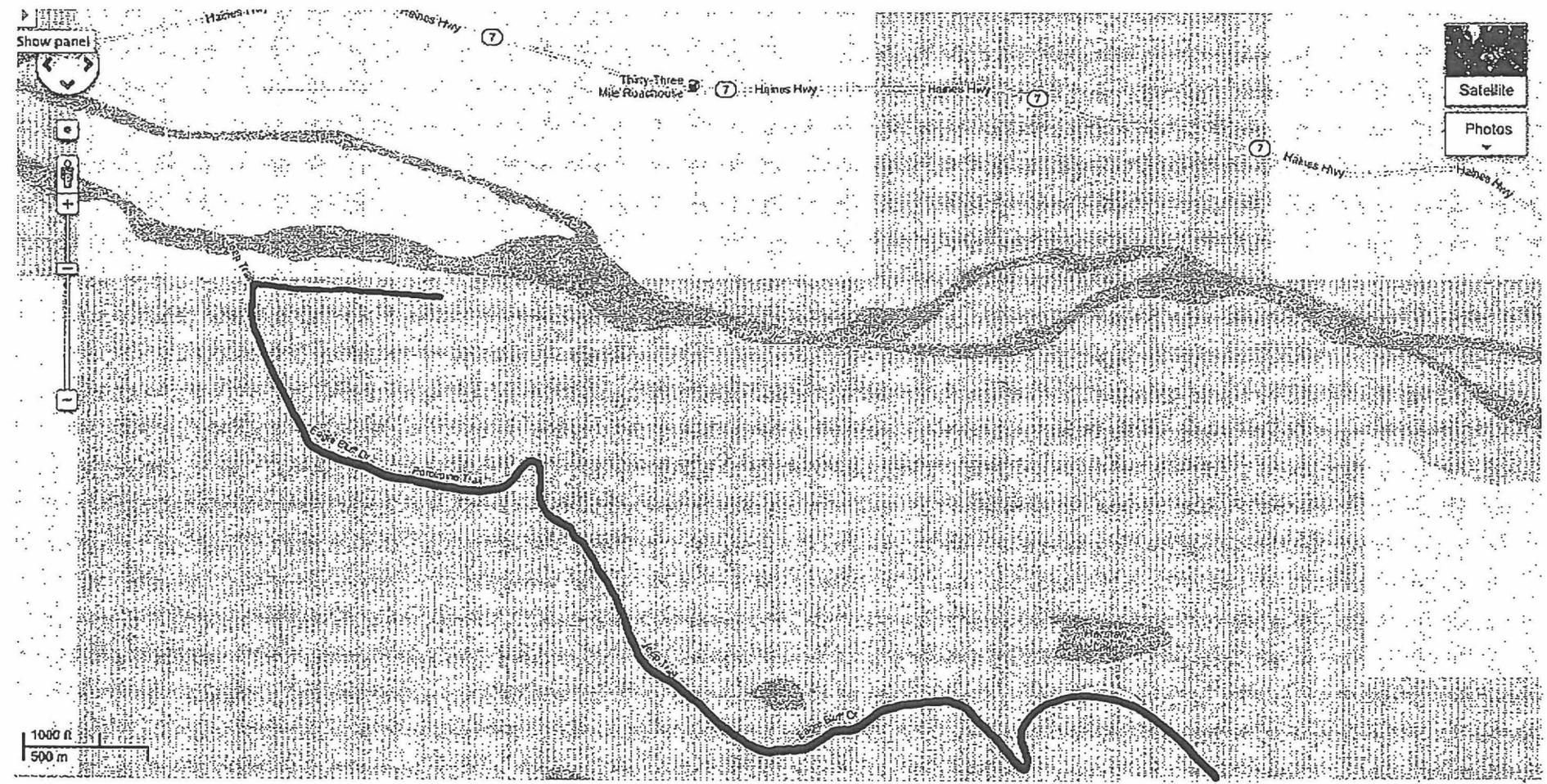
Sunshine Mountain/Porcupine Trail System Detail includes potential routes for Chilkat Valley Tours, based on seasonality, road conditions, and client interest. Route is indicated by heavy black line.

### Detail of Great Bear Foundation Proposed Chilkat Valley Tour Routes: Sunshine Mtn/Porcupine Trail System Route, 1.B



Continuation of Sunshine Mountain/Porcupine Trail System Detail. Includes potential routes for Chilkat Valley Tours, based on seasonality, road conditions, and client interest. Route is indicated by heavy black line.

### Detail of Great Bear Foundation Proposed Chilkat Valley Tour Routes: Sunshine Mtn/Porcupine Trail System Route, 1.C



Continuation of Sunshine Mountain/Porcupine Trail System Detail. Includes potential routes for Chilkat Valley Tours, based on seasonality, road conditions, and client interest. Route is indicated by heavy black line.