Mayor
Clay Koplin
Council Members
Tom Bailer
Kenneth Jones
Jeff Guard
Melina Meyer
Anne Schaefer
David Allison
David Glasen
City Manager
Helen Howarth
City Clerk
Susan Bourgeois
Deputy Clerk
Tina Hammer
Student Council
William Deaton

Regular City Council Meeting
November 6, 2019 @ 7:00 pm
Cordova Center Comm Rooms
Agenda

FALL BACK, SUNDAY
NOVEMBER 3

A. Call to order

B. Invocation and pledge of allegiance
I pledge allegiance to the Flag of the United States of America, and to the republic for which it stands, one Nation under God, indivisible with liberty and justice for all.

C. Roll call
Mayor Clay Koplin, Council members Tom Bailer, Kenneth Jones, Jeff Guard, Melina Meyer, Anne Schaefer, David Allison and David Glasen

D. Approval of Regular Agenda…….. **(voice vote)**

E. Disclosures of Conflicts of Interest and Ex Parte Communications

- conflicts as defined in 3.10.010 https://library.municode.com/ak/cordova/codes/code_of_ordinances should be declared, then Mayor rules on whether member should be recused, Council can overrule
- ex parte should be declared here, the content of the ex parte should be explained when the item comes before Council, ex parte does not recuse a member, it is required that ex parte is declared and explained

F. Communications by and Petitions from Visitors
1. Guest Speakers - none
2. Audience comments regarding agenda items…….…… **(3 minutes per speaker)**
3. Chairpersons and Representatives of Boards and Commissions **(CCMCA BoD, School Board Rep)**
4. Student Council Representative Report

G. Approval of Consent Calendar……... **(no motion required)(roll call vote)**
5. Proclamation for Native Village of Eyak's 26th Annual Sobriety Celebration…….…….…. **(page 1)**
and Memorial Potlatch
6. Council action to waive right to protest renewal of liquor license 2587 (beverage…….. **(page 3)**
dispensary-seasonal) for CR&NW Ltd., **Becky Chapek**, dba Moose Caboose
7. Council action to waive right to protest renewal of liquor license 5653 (restaurant/……..… **(page 17)**
eating place) for Baja Taco, LLC, **Andra Doll**, dba Baja Taco
8. Per Charter Section 2-8 and Cordova Municipal Code 3.12.022, recordation of excused absence of ***Mayor Clay Koplin*** from the Oct 16, 2019 Regular Meeting

H. Approval of Minutes…….. **(voice vote)**
9. Minutes of the 10-16-19 Council Regular Meeting …….…….....…..... **(page 28)**

I. Consideration of Bids - none

J. Reports of Officers
10. Mayor's Report……..…… **(page 32)**
11. Manager's Report
12. City Clerk's Report…….…… **(page 33)**
a. Email from AML re Resolutions and position statement to be considered…….. **(page 34)**
on November 22 at AML Annual Meeting
b. Class Action notice and FAQ's regarding…….. **(page 36)**
In re: National Prescription Opiate Litigation
13. Lobbyist Report, 10-21-19 John Bitney memo regarding Oil Tax Initiative…….…….. **(page 50)**

K. Correspondence

14. 10-14-19 Email from D. Collins requesting a City letter commenting…… **(page 52)**
on the Whitshed Road rockslide mitigation grant

15. 10-15-19 Notice from ADEC re public scoping on oil discharge…… **(page 53)**
prevention and contingency plan requirements

16. 10-15-19 Letter from Percy Frisby, Friends of the AMHS……..…….. **(page 54)**

17. 10-23-19 Mayor letter supporting ADOT Whitshed rockslide mitigation…..…….. **(page 55)**

18. 10-28-19 City-NVE Joint Request to MacKinnon re AMHS Service…….. **(page 56)**

19. 10-28-19 Mayor Koplin request for meeting with Governor……..…….…. **(page 57)**

L. Ordinances and Resolutions

20. Resolution 11-19-46…….. **(roll call vote)(page 58)**
A resolution of the City Council of the City of Cordova, Alaska, authorizing amendment to the FY19 budget in the amount of $18,000 for the EMPG-GY19 grant and the $18,000 City match

21. Resolution 11-19-47…….. **(roll call vote)(page 63)**
A resolution of the City Council of the City of Cordova, Alaska, authorizing amendment to the FY19 budget in the amount of $32,082 for the 2019 DPS grant for the purchase of a K-9 officer and various public safety equipment and a $10,000 NVE grant for the K-9 officer

22. Resolution 11-19-48…….. **(roll call vote)(page 66)**
A resolution of the City Council of the City of Cordova, Alaska, authorizing amendment to the FY19 budget in the amount of $32,723 for insurance reimbursement for the damage at Bob Korn Pool

23. Resolution 11-19-49…….. **(roll call vote)(page 68)**
A resolution of the City Council of the City of Cordova, Alaska, authorizing amendment to the FY19 budget in the amount of $9,000 for the City match to the EMPG-GY18 grant

M. Unfinished Business - none

N. New & Miscellaneous Business

24. City Council role in negotiations and approval of the Collective Bargaining……..…. **(page 70)**
Agreement between the City and IBEW Local Union 1547 - discussion

25. Pending Agenda, Calendar and Elected & Appointed Officials lists…..…….....…. **(page 74)**

O. Audience Participation

P. Council Comments

Q. Executive Session

City Council is permitted to enter into an executive session if an explicit motion is made to do so calling out the subject to be discussed and if that subject falls into one of the 4 categories noted below. Therefore, even if specific agenda items are not listed here, under the Executive Session header on the agenda, any item on the agenda may trigger discussion on that item that is appropriate for or legally requires an executive session. In the event executive session is appropriate or required, Council may make a motion to enter executive session right during debate on that agenda item or could move to do so later in the meeting.

R. Adjournment

Executive Sessions per Cordova Municipal Code 3.14.030

- **subjects which may be considered are:** (1) matters the immediate knowledge of which would clearly have an adverse effect upon the finances of the government; (2) subjects that tend to prejudice the reputation and character of any person; provided that the person may request a public discussion; (3) matters which by law, municipal charter or code are required to be confidential; (4) matters involving consideration of governmental records that by law are not subject to public disclosure.
- **subjects may not be considered in the executive session except those mentioned in the motion calling for the executive session, unless they are auxiliary to the main question**
- **action may not be taken in an executive session except to give direction to an attorney or labor negotiator regarding the handling of a specific legal matter or pending labor negotiations**

if you have a disability that makes it difficult to attend city-sponsored functions, you may contact 424-6200 for assistance.
full City Council agendas and packets available online at www.cityofcordova.net

Susan Bourgeois

From: Mary Babic <mary.babic@eyak-nsn.gov>
Sent: Friday, October 11, 2019 1:40 PM
To: Susan Bourgeois
Subject: NVE Sobriety Celebration Nov. 15-17, 2019
Attachments: city of cordova proclamation.pdf

Dear Mayor Clay Koplin and Cordova City Council,

I have accepted the position as the coordinator for this year's Sobriety Celebration- the 26th Annual Sobriety Celebration and Memorial Potlatch sponsored by the Native Village of Eyak.
The Celebration will be held in Cordova from November 15-17, 2019. The theme for this year's celebration is "Land of the Midnight Sun". The main event of the Sobriety Celebration will take place at the City Center. We are all so excited about the venue this year. Thank you.
I have attached a past City of Cordova proclamation recognizing the Annual Sobriety Celebration and Memorial Potlatch sponsored by the Native Village of Eyak. We would very much appreciate a proclamation from the city for this year's event.

Thank you City of Cordova!

If you have any questions for me, please contact me at mary.babic@eyak-nsn.gov or call me @424-7738 ext. 234.

Thank you for your time and assistance.

Kindest regards,

Mary Babic

City of Cordova, Alaska
Proclamation

A PROCLAMATION BY THE MAYOR OF THE CITY OF CORDOVA, ALASKA RECOGNIZING THE NATIVE VILLAGE OF EYAK's 26th ANNUAL SOBRIETY CELEBRATION & MEMORIAL POTLATCH, *"LAND OF THE MIDNIGHT SUN"*

WHEREAS, alcohol and drug abuse are serious health and social concerns that negatively impact individuals, their family members and often entire communities; and

WHEREAS, the Native Village of Eyak promotes sobriety through social gatherings and education; and

WHEREAS, the Sobriety Celebration's mission is to bring awareness of alcoholism and drug abuse to the community, and to use cultural healing to aid those suffering from dependency; and

WHEREAS, *"Land of the Midnight Sun"* is the theme of the Native Village of Eyak's 26th Annual Sobriety Celebration & Memorial Potlatch to be held at the Cordova Center on November 15, 16 and 17; and

WHEREAS, the Native Village of Eyak invites everyone to celebrate the progress that has been made in promoting and achieving sobriety through the sharing of traditional foods, an arts and crafts fair, educational workshops and inspirational speakers; and

WHEREAS, the weekend Celebration will also include the sobriety countdown, Alaskan Native dancing, 12-step meetings and an event honoring Elders, youth and Veterans.

NOW, THEREFORE BE IT PROCLAIMED THAT I, Mayor Clay Koplin, on behalf of the City Council and the community of Cordova, Alaska, do hereby declare that the Native Village of Eyak's 26th Annual Sobriety Celebration & Memorial Potlatch is an inspiration of community commitment that addresses alcohol and drug abuse using cultural connections and shared heritage.

Signed this 6th day of November 2019

_____

Clay R. Koplin, Mayor

AGENDA ITEM 6
City Council Meeting Date: 11/6/2019
CITY COUNCIL COMMUNICATION FORM

FROM: **Susan Bourgeois, City Clerk**

DATE: **10/22/2019**

ITEM: **Council option to protest renewal of Liquor License #2587**

NEXT STEP: **Motion to waive protest via approval of consent calendar**

_____	ORDINANCE	_____	RESOLUTION
__x__	MOTION	_____	INFORMATION

I. **REQUEST OR ISSUE:** A Cordova business owner, Becky Chapek (Copper River & Northwest Ltd, dba Moose Caboose) has applied for a Liquor License Renewal with the State through the AMCO (Alcohol and Marijuana Control Office).

II. **RECOMMENDED ACTION / NEXT STEP:** Council action to waive right to protest the renewal.

III. **FISCAL IMPACTS:** none, staff sees no reason to protest see background

IV. **BACKGROUND INFORMATION:** Interim Finance Director Dean Baugh and City Clerk Susan Bourgeois have determined this business to be current in all financial obligations to the City. Police Chief Mike Hicks has no public safety concerns about this business. This license was under review by AMCO last year but attached is an email that explains it is a current valid license.

V. **LEGAL ISSUES:** The local governing body's right to protest is defined in AS 04.11.480, attached.

VI. **SUMMARY AND ALTERNATIVES:** Council approval of the consent calendar would constitute approval of this motion:

Council motion to waive it's right to protest the renewal of liquor license # 2587, Moose Caboose, Beverage Dispensary-Seasonal.

THE STATE of ALASKA
GOVERNOR MICHAEL J. DUNLEAVY

Department of Commerce, Community, and Economic Development
ALCOHOL & MARIJUANA CONTROL OFFICE
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

October 4, 2019

City of Cordova
Via Email: cityclerk@cityofcordova.net

Re: Notice of 2020/2021 Liquor License Renewal Application

License Type:	Beverage Dispensary – Seasonal	**License Number:**	2587
Licensee:	Copper River & Northwest Limited, Inc.		
Doing Business As:	The Moose Caboose		

We have received a completed renewal application for the above listed license (see attached application documents) within your jurisdiction. This is the notice required under AS 04.11.480.

A local governing body may protest the approval of an application(s) pursuant to AS 04.11.480 by furnishing the director **and** the applicant with a clear and concise written statement of reasons for the protest within 60 days of receipt of this notice, and by allowing the applicant a reasonable opportunity to defend the application before a meeting of the local governing body, as required by 3 AAC 304.145(d). If a protest is filed, the board will deny the application unless the board finds that the protest is arbitrary, capricious, and unreasonable.

To protest the application referenced above, please submit your written protest within 60 days, and show proof of service upon the applicant and proof that the applicant has had a reasonable opportunity to defend the application before a meeting of the local governing body.

Sincerely,

Erika McConnell

Erika McConnell, Director
amco.localgovernmentonly@alaska.gov

Alcohol and Marijuana Control Office
550 W 7th Avenue, Suite 1600
Anchorage, AK 99501
alcohol.licensing@alaska.gov
https://www.commerce.alaska.gov/web/amco
Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board

Master Checklist: Renewal Liquor License Application

Doing Business As:	The Moose Caboose	**License Number:**	2587
License Type:	Beverage Dispensary - Seasonal		
Examiner:	Carrie	**Transaction #:**	1148299

Document	Received	Completed	Notes
AB-17: Renewal Application	9/30	9/30	
App and License Fees	9/30	9/30	

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

Names on FP Cards:	

	Yes	No
Selling alcohol in response to written order (package stores)?	☐	☑
Mailing address and contact information different than in database (if yes, update database)?	☐	☑
In "Good Standing" with CBPL (skip this and next question for sole proprietor)?	☑	☐
Officers and stockholders match CBPL and database (if "No", determine if transfer necessary)?	☑	☐

LGB 1 Response: ☐ Waive ☐ Protest ☐ Lapsed

LGB 2 Response: ☐ Waive ☐ Protest ☐ Lapsed

Alcohol and Marijuana Control Office
550 W 7th Avenue, Suite 1600
Anchorage, AK 99501
alcohol.licensing@alaska.gov
https://www.commerce.alaska.gov/web/amco
Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board

Form AB-17: 2020/2021 Renewal License Application

What is this form?

This renewal license application form is required for all individuals or entities seeking to apply for renewal of an existing liquor license that are is due to renew by December 31, 2019. All fields of this form must be complete and correct, or the application will be returned to you in the manner in which it was received, per AS 04.11.270 and 3 AAC 304.105. The Community Council field only should be verified/completed by licensees whose establishments are located within the Municipality of Anchorage or outside of city limits within the Matanuska-Susitna Borough.

This form must be completed and submitted to AMCO's main office before any license renewal application will be reviewed. Receipt and/or processing of renewal payments by AMCO staff neither indicates nor guarantees that an application will be considered complete, or that a license will be renewed.

Section 1 – Establishment and Contact Information

Enter information for the business seeking to have its license renewed. If any populated information is incorrect, please contact AMCO.

Licensee:	Copper River & Northwest Limited, Inc.	**License #:**	2587
License Type:	Beverage Dispensary - Seasonal		
Doing Business As:	The Moose Caboose		
Premises Address:	Lot 1 Block 88 Cordova Airport		
Local Governing Body:	City of Cordova		
Community Council:	None		

Mailing Address:	P.O. Box 1564				
City:	Cordova	**State:**	AK	**ZIP:**	99574

Enter information for the individual who will be designated as the primary point of contact regarding this application. This individual **must be a licensee** who is required to be listed in and authorized to sign this application.

Contact Licensee:	BECKY CHAPEK	**Contact Phone:**	(907) 424-5356
Contact Email:	beckychapek@gmail.com		

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

Name of Contact:		**Contact Phone:**	
Contact Email:			

AMCO
SEP 30 2019

Alaska Alcoholic Beverage Control Board

Form AB-17: 2020/2021 Renewal License Application

Section 2 – Entity or Community Ownership Information

Licensees who directly hold a license as an individual or individuals should skip to Section 3. General partnerships and local governments should skip to the second half of this page. All licensees that are **corporations** or **LLCs** must complete this section. Corporations and LLCs are required to be in good standing with the Alaska Division of Corporations, Business & Professional Licensing (CBPL). The CBPL Entity # below is **neither** your EIN/tax ID number, **nor** your business license number. **You may view your entity's status or find your CBPL entity number by vising the following site: https://www.commerce.alaska.gov/cbp/main/search/entities**

Alaska CBPL Entity #:	73258 D

You must ensure that you are able to certify the following statement before signing your initials in the box to the right: Initials

I certify that this entity is in good standing with CBPL and that all current entity officials and stakeholders (listed below) are also currently and accurately listed with CBPL. BC

This subsection must be completed by any **community** or **entity**, including a corporation, limited liability company, partnership, or limited partnership, that is applying for renewal. If more space is needed, please attach additional completed copies of this page.

- If the applicant is a **corporation**, the following information must be completed for each ***shareholder who owns 10% or more*** of the stock in the corporation, and for each ***president, vice-president, secretary,*** and ***managing officer***.
- If the applicant is a **limited liability organization**, the following information must be completed for each ***member with an ownership interest of 10% or more***, and for each ***manager***.
- If the applicant is a **partnership**, including a limited partnership, the following information must be completed for each ***partner with an interest of 10% or more***, and for each ***general partner***.

Important Note: The information provided in the below fields (including spelling of names, specific titles, and percentages held) must match that which is listed with CBPL. If one individual holds multiple titles mentioned in the bullets above, all titles must be listed for that individual on this application and with CBPL. Failure to list all required titles constitutes an incomplete application. **You must list ALL of your qualifying officials, additional copies of this page or a separate sheet of paper may be submitted if necessary.**

Name of Official:	REBEKAH A. CHAPEK				
Title(s):	Director, President, Sec. Treasurer → shareholder	**Phone:**	424-5356	**% Owned:**	100
Mailing Address:	P.O. Box 1564				
City:	CORDOVA	**State:**	AK	**ZIP:**	99574

Name of Official:					
Title(s):		**Phone:**		**% Owned:**	
Mailing Address:					
City:		**State:**		**ZIP:**	

Name of Official:					
Title(s):		**Phone:**		**% Owned:**	
Mailing Address:					
City:		**State:**		**ZIP:**	

AMCO SEP 30 2019

Form AB-17: 2020/2021 Renewal License Application

Section 3 – Sole Proprietor Ownership Information

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

This individual is an: ☐ applicant ☐ affiliate

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

This individual is an: ☐ applicant ☐ affiliate

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

Section 4 – Alcohol Server Education

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

Read the line below, and then sign your initials in the box to the right of the statement: Initials

I certify that all licensees, agents, and employees who sell or serve alcoholic beverages or check identification of a patron have completed an alcohol server education course approved by the ABC Board and keep current, valid copies of their course completion cards on the licensed premises during all working hours, as set forth in AS 04.21.025 and 3 AAC 304.465. BC

Section 5 – License Operation

Check a single box for each calendar year that best describes how this liquor license was operated: 2018 2019

	2018	2019
The license was regularly operated continuously throughout each year.	☐	☐
The license was regularly operated during a specific season each year.	BC	BC
The license was only operated to meet the minimum requirement of 240 total hours each calendar year. *If this box is checked, a complete copy of Form AB-30: Proof of Minimum Operation Checklist, and all necessary documentation must be provided with this application.*	☐	☐
The license was not operated at all or was not operated for at least the minimum requirement of 240 total hours each year, during one or both of the calendar years. *If this box is checked, a complete copy of Form AB-29: Waiver of Operation Application and corresponding fees must be submitted with this application for each calendar year during which the license was not operated for at least the minimum requirement, unless a complete copy of the form (including fees) has already been submitted for that year.*	☐	☐

AMCO
SEP 30 2019

Alaska Alcoholic Beverage Control Board

Form AB-17: 2020/2021 Renewal License Application

Section 6 – Violations and Convictions

Applicant violations and convictions in calendar years 2018 and 2019:	Yes	No
Have any notices of violation (NOVs) been issued for **this license** in the calendar years 2018 or 2019?	☒	☐
Has any person or entity named in this application been convicted of a violation of Title 04, of 3 AAC 304, or a local ordinance adopted under AS 04.21.010 in the calendar years 2018 or 2019?	☐	☒

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

Section 7 – Certifications

Read each line below, and then sign your initials in the box to the right of each statement:	Initials
I certify that all current licensees (as defined in AS 04.11.260) and affiliates have been listed on this application, and that in accordance with AS 04.11.450, no one other than the licensee(s) has a direct or indirect financial interest in the licensed business.	BC
I certify that I have not altered the functional floor plan or reduced or expanded the area of the licensed premises, and I have not changed the business name or the ownership (including officers, managers, general partners, or stakeholders) from what is currently approved and on file with the Alcoholic Beverage Control Board.	BC
I certify on behalf of myself or of the organized entity that I understand that providing a false statement on this form or any other form provided by AMCO is grounds for rejection or denial of this application or revocation of any license issued.	BC

As an applicant for a liquor license renewal, I declare under penalty of perjury that I have read and am familiar with AS 04 and 3 AAC 304, and that this application, including all accompanying schedules and statements, is true, correct, and complete. I agree to provide all information required by the Alcoholic Beverage Control Board or AMCO staff in support of this application and understand that failure to do so by any deadline given to me by AMCO staff will result in this application being returned to me as incomplete.

Becky Chapek
Signature of licensee

BECKY CHAPEK
Printed name of licensee

ALYCE GALERA
My Commission Expires
NOTARY PUBLIC
Jul 14, 2020
STATE OF ALASKA

Signature of Notary Public

Notary Public in and for the State of ALASKA.

My commission expires: 7.14.20

Subscribed and sworn to before me this 24 day of September, 2019.

Seasonal License? Yes ☒ No ☐ **If "Yes", write your six-month operating period:** April 15 - October 15

License Fee:	$ 1250.00	Application Fee:	$ 300.00	TOTAL:	$ 1550.00
Miscellaneous Fees:					
GRAND TOTAL (if different than TOTAL):					

AMCO
SEP 30 2019

Notice of Violation

(3AAC 304.525)

This form, all information provided and responses are public documents per Alaska Public Records ACT AS 40.25

Date: 5-7-18

License #/Type: #2587 / Beverage Dispensary

Licensee: Copper River & Northwest Limited

Address: Lot 1 Block 88 Cordova Airport

DBA: The Gandy Dancer Bar

AMCO Case #: AB18-00519

This is a notice to you as licensee that an alleged violation has occurred. If the Alcoholic Beverage Control Board decides to act against your license, under the provisions of AS 44.62.330 - AS 44.62.630 (Administrative Procedures Act) you will receive an Accusation and Notice of your right to an Administrative Hearing.

Note: This is not an accusation or a criminal complaint.

On 4-20-18, a formal request for documents was given to Licensee. A deadline of 5-4-18 was given to provide these documents for a minimum operating investigation. On 5-4-18, Amanda Shawcross, with the Law Offices of Ernouf & Coffey, P.C., contacted Director McConnell requesting an extension because the licensee's attorney was out of town. Shawcross requested the deadline be extended to 5-7-18 which Director McConnell approved. As of the end of business on 5-7-18, no documents have been provided. This is a violation.

Your attention is referred to 3 AAC 304.515(b): Inspection

You are directed to respond in writing to this Notice of Violation within 10 days of receipt to explain what action you have taken to prevent a re-occurrence of this violation. FAILURE TO RESPOND TO THIS NOTICE OF VIOLATION WITHIN 10 DAYS WILL RESULT IN YOUR APPREARANCE, EITHER IN PERSON OR TELEPHONICALLY, BEFORE THE ABC BOARD AT THEIR NEXT REGULARLY SCHEDULED BOARD MEETING.

*Please send your response to the address below and include your alcohol license number in your response.

3 AAC 304.525 (B) provides that upon receipt of a Notice of Violation, a licensee may request to appear before the Director and be heard regarding the Notice of Violation. The request must be made within ten days after receipt of the Notice and the Director must grant an appearance within ten days after receipt of a request. A Licensee shall respond, either orally or in writing, to the Notice.

Alcohol & Marijuana Control Office
ATTN: Enforcement
550 W. 7th Ave, Suite 1600
Anchorage, Alaska 99501
amco.enforcement@alaska.gov

Issuing Investigator: J. Hamilton

Received by:

SIGNATURE:

SIGNATURE:

Delivered VIA: Mail

Date:

AMCO
SEP 30 2019

TAP®
Training for Alcohol Professionals
(not valid for use as identification)

CHARR

800-478-2427 or
907-274-8133
www.alaskacharr.com

CERTIFICATE # 151641

Name: Julia Zingale

Birthdate: 3·1·1965

Signature: onfile

Instructor: online

EXPIRES ON: 2 / 2 /2020

AMCO
SEP 30 2019

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

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

ENTITY DETAILS

Name(s)

Type	Name
Legal Name	COPPER RIVER & NORTHWEST LIMITED

Entity Type: Business Corporation

Entity #: 73258D

Status: Good Standing

AK Formed Date: 5/21/2001

Duration/Expiration: Perpetual

Home State: ALASKA

Next Biennial Report Due: 1/2/2021

Entity Mailing Address: PO BOX 1564, CORDOVA, AK 99574

Entity Physical Address: MILE POST 13 COPPER RIVER HI-WAY, 500 THIRD STREET, CORDOVA, AK 99574-1564

Registered Agent

Agent Name: REBEKAH CHAPEK

Registered Mailing Address: PO BOX 1564, CORDOVA, AK 99574

Registered Physical Address: 500 3RD ST, CORDOVA, AK 99574

Officials

☐Show Former

AK Entity #	Name	Titles	Owned
	REBEKAH CHAPEK	Director, President, Secretary, Shareholder, Treasurer	100.00

Filed Documents

Date Filed	Type	Filing	Certificate
5/21/2001	Creation Filing	Click to View	
6/01/2001	Biennial Report		
5/27/2003	Biennial Report	Click to View	
1/24/2005	Biennial Report	Click to View	
1/31/2007	Biennial Report	Click to View	
12/07/2010	Biennial Report	Click to View	
10/07/2011	Biennial Report	Click to View	
12/05/2011	Change of Officials	Click to View	
2/09/2012	Amendment	Click to View	Click to View
11/01/2012	Biennial Report	Click to View	
10/19/2014	Biennial Report	Click to View	
3/13/2017	Biennial Report	Click to View	
10/12/2018	Biennial Report	Click to View	

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License Detail

LICENSE DETAILS

Print Business License

License #: 1075176

Business Name: THE MOOSE CABOOSE

Status: Active

Issue Date: 06/29/2018

Expiration Date: 12/31/2019

Mailing Address: P.O. BOX 1564
CORDOVA, AK 99574

Physical Address: M.P. 13 COPPER RIVER HWY
AT THE MERLE K. "MUDHOLE" SMITH AIRPORT
CORDOVA, AK 99574

Owners

COPPER RIVER & NORTHWEST LIMITED

Activities

Line of Business	NAICS	Professional License #
72 - Accommodation and Food Services	722410 - DRINKING PLACES (ALCOHOLIC BEVERAGES)	

Endorsements

No Endorsements Found

Close License Detail | Print Friendly Version

Susan Bourgeois

From: AMCO Local Government Only (CED sponsored) <amco.localgovernmentonly@alaska.gov>
Sent: Wednesday, October 23, 2019 8:03 AM
To: Susan Bourgeois
Cc: AMCO Local Government Only (CED sponsored)
Subject: RE: #2587 dba The Moose Caboose License Renewal

Good morning,

The above mentioned license is valid and will expire at the end of 2019. The 2020/2021 renewal application is pending local government's response and approval by the ABC Board.

Thank you for asking & have a good day!

Carrie Craig

Occupational Licensing Examiner
Alcohol & Marijuana Control Office
550 West 7th Avenue, Suite 1600
Anchorage, AK 99502
alcohol.licensing@alaska.gov

From: Susan Bourgeois [mailto:cityclerk@cityofcordova.net]
Sent: Tuesday, October 22, 2019 3:26 PM
To: AMCO Local Government Only (CED sponsored) <amco.localgovernmentonly@alaska.gov>
Subject: RE: #2587 dba The Moose Caboose License Renewal

I believe there was an investigation into this license last year. Can you please tell me the status at this time.

From: AMCO Local Government Only (CED sponsored) <amco.localgovernmentonly@alaska.gov>
Sent: Friday, October 4, 2019 1:18 PM
To: Susan Bourgeois <cityclerk@cityofcordova.net>
Cc: AMCO Local Government Only (CED sponsored) <amco.localgovernmentonly@alaska.gov>
Subject: #2587 dba The Moose Caboose License Renewal

Good afternoon,

Please see the attached notification for a completed liquor license application for your consideration.

Thank you,

Carrie Craig
Occupational Licensing Examiner
State of Alaska DCCED
Alcohol & Marijuana Control Office
550 W 7th Ave, Ste. 1600
Anchorage, AK 99501

reasons for the objection. The board shall consider the objections and testimony received at a hearing conducted under AS 04.11.510(b)(2) when it considers the application. An objection and the record of a hearing conducted under AS 04.11.510(b)(2) shall be retained as part of the board's permanent record of its review of the application.

Sec. 04.11.480. Protest.

(a) A local governing body may protest the issuance, renewal, relocation, or transfer to another person of a license by sending the board and the applicant a protest and the reasons for the protest within 60 days of receipt from the board of notice of filing of the application. A protest received after the 60-day period may not be accepted by the board, and in no event may a protest cause the board to reconsider an approved renewal, relocation, or transfer. The local governing body may protest the continued operation of a license during the second year of the biennial license period by sending the board and the licensee a protest and the reasons for the protest by January 31 of the second year of the license. The procedures for action on a protest of continued operation of a license are the same as the procedures for action on a protest of a renewal application. The board shall consider a protest and testimony received at a hearing conducted under AS 04.11.510(b)(2) or (4) when it considers the application or continued operation, and the protest and the record of the hearing conducted under AS 04.11.510(b)(2) or (4) shall be kept as part of the board's permanent record of its review. If an application or continued operation is protested, the board shall deny the application or continued operation unless the board finds that the protest is arbitrary, capricious, and unreasonable.

(b) If the permanent residents residing outside of but within two miles of an incorporated city or an established village wish to protest the issuance, renewal, or transfer of a license within the city or village, they shall file with the board a petition meeting the requirements of AS 04.11.510(b)(3) requesting a public hearing within 30 days of the posting of notice required under AS 04.11.310, or by December 31 of the year application is made for renewal of a license. The board shall consider testimony received at a hearing conducted under AS 04.11.510(b)(3) when it considers the application, and the record of a hearing conducted under AS 04.11.510(b)(3) shall be retained as part of the board's permanent record of its review of the application.

(c) A local governing body may recommend that a license be issued, renewed, relocated, or transferred with conditions. The board shall consider recommended conditions and testimony received at a hearing conducted under AS 04.11.510(b)(2) or (4) when it considers the application or continued operation, and the recommended conditions and the record of the hearing conducted under AS 04.11.510(b)(2) or (4) shall be kept as part of the board's permanent record of its review. If the local governing body recommends conditions, the board shall impose the recommended conditions unless the board finds that the recommended conditions are arbitrary, capricious, or unreasonable. If a condition recommended by a local governing body is imposed on a licensee, the local governing body shall assume responsibility for monitoring compliance with the condition, except as otherwise provided by the board.

(d) In addition to the right to protest under (a) of this section, a local governing body may notify the board that the local governing body has determined that a licensee has violated a provision of this title or a condition imposed on the licensee by the board. Unless the board finds that the local governing body's determination is arbitrary, capricious, or unreasonable, the board shall prepare the determination as an accusation against the licensee under AS 44.62.360 and conduct proceedings to resolve the matter as described under AS 04.11.510(c).

AGENDA ITEM 7
City Council Meeting Date: 11/6/2019
CITY COUNCIL COMMUNICATION FORM

FROM: **Susan Bourgeois, City Clerk**

DATE: **10/22/2019**

ITEM: **Council option to protest renewal of Liquor License #5653**

NEXT STEP: **Motion to waive protest via approval of consent calendar**

_____	ORDINANCE	_____	RESOLUTION
__x__	MOTION	_____	INFORMATION

I. **REQUEST OR ISSUE:** A Cordova business owner, Andra Doll (Baja Taco, LLC, dba Baja Taco) has applied for a Liquor License Renewal with the State through the AMCO (Alcohol and Marijuana Control Office).

II. **RECOMMENDED ACTION / NEXT STEP:** Council action to waive right to protest the renewal.

III. **FISCAL IMPACTS:** none, staff sees no reason to protest see background

IV. **BACKGROUND INFORMATION:** Interim Finance Director Dean Baugh and City Clerk Susan Bourgeois have determined this business to be current in all financial obligations to the City. Police Chief Mike Hicks has no public safety concerns about this business.

V. **LEGAL ISSUES:** The local governing body's right to protest is defined in AS 04.11.480, attached.

VI. **SUMMARY AND ALTERNATIVES:** Council approval of the consent calendar would constitute approval of this motion:

Council motion to waive it's right to protest the renewal of liquor license # 5653, Baja Taco, Restaurant/Eating Place.

THE STATE of ALASKA
GOVERNOR MICHAEL J. DUNLEAVY

Department of Commerce, Community, and Economic Development
ALCOHOL & MARIJUANA CONTROL OFFICE
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

October 21, 2019

City of Cordova
Via Email: cityclerk@cityofcordova.net

Re: Notice of 2020/2021 Liquor License Renewal Application

License Type:	Restaurant/Eating Place	**License Number:**	5653
Licensee:	Baja Tacos LLC		
Doing Business As:	Baja Tacos		

We have received a completed renewal application for the above listed license (see attached application documents) within your jurisdiction. This is the notice required under AS 04.11.480.

A local governing body may protest the approval of an application(s) pursuant to AS 04.11.480 by furnishing the director **and** the applicant with a clear and concise written statement of reasons for the protest within 60 days of receipt of this notice, and by allowing the applicant a reasonable opportunity to defend the application before a meeting of the local governing body, as required by 3 AAC 304.145(d). If a protest is filed, the board will deny the application unless the board finds that the protest is arbitrary, capricious, and unreasonable.

To protest the application referenced above, please submit your written protest within 60 days, and show proof of service upon the applicant and proof that the applicant has had a reasonable opportunity to defend the application before a meeting of the local governing body.

Sincerely,

Erika McConnell

Erika McConnell, Director
amco.localgovernmentonly@alaska.gov

Alcohol and Marijuana Control Office
550 W 7th Avenue, Suite 1600
Anchorage, AK 99501
alcohol.licensing@alaska.gov
https://www.commerce.alaska.gov/web/amco
Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board

Form AB-14: Licensed Premises Diagram Change

What is this form?

This licensed premises diagram change form is required for all liquor licensees seeking to alter the functional floor plan or reduce or expand the area of the establishment's existing licensed premises, under 3 AAC 304.185. **The required $250 licensed premises diagram change fee may be made by check, cashier's check, money order, or credit card (VISA or MasterCard).**

Your diagram must include dimensions and must show all entrances and boundaries of the premises, walls, bars, fixtures, and areas of storage, service, and consumption. If your proposed premises is located within a building or building complex that contains multiple businesses and/or tenants, please provide an additional page that clearly shows the location of your proposed premises within the building or building complex, along with the addresses and/or suite numbers of the other businesses and/or tenants within the building or building complex.

If approved, this form will replace the existing licensed premises diagram on file. All sections of the currently licensed area that you wish to remain licensed must be included in the outlined area, as described on Page 2 of this form. Blueprints, CAD drawings, or other clearly drawn and marked diagrams may be submitted in lieu of the second page of this form, as long as it meets the requirements listed on this form. The first and third pages must still be completed, attached to, and submitted with any supplemental diagrams. An AMCO employee may require you to complete the second page of this form if additional documentation for your premises diagram is needed.

This form must be completed and submitted to AMCO's main office prior to altering the existing floor plan. The licensed premises may not be altered unless and until the AMCO director has given written approval on this form. Please note that licensees seeking to change licensed premises diagrams for multiple licenses must submit a separate completed copy of this form and pay a separate fee for each license.

Section 1 – Establishment Information

Enter information for the licensed establishment.

Licensee:	BAJA TACO LLC	License Number:	5653		
License Type:	RESTAURANT / EATING PLACE				
Doing Business As:	BAJA TACO				
Premises Address:	137 HARBOR LOOP Rd				
City:	Cordova	State:	AK	ZIP:	99574

Section 2 – Summary of Changes

Provide a summary of the changes for which you are requesting approval.

I AM REQUESTING APPROVAL to REPLACE MY CONTAINER VAN with A SMALL INDOOR STORAGE AREA. ALSO, I would BE ENCLOSING A portion OF MY deck AND EXPANDING MY INDOOR SEATING FROM 21 to 40 PEOPLE. MY SALES, STORAGE, SERVICE, AND CONSUMPTION REMAIN THE SAME.

AMCO
OCT 07 2019

Trans#1152735

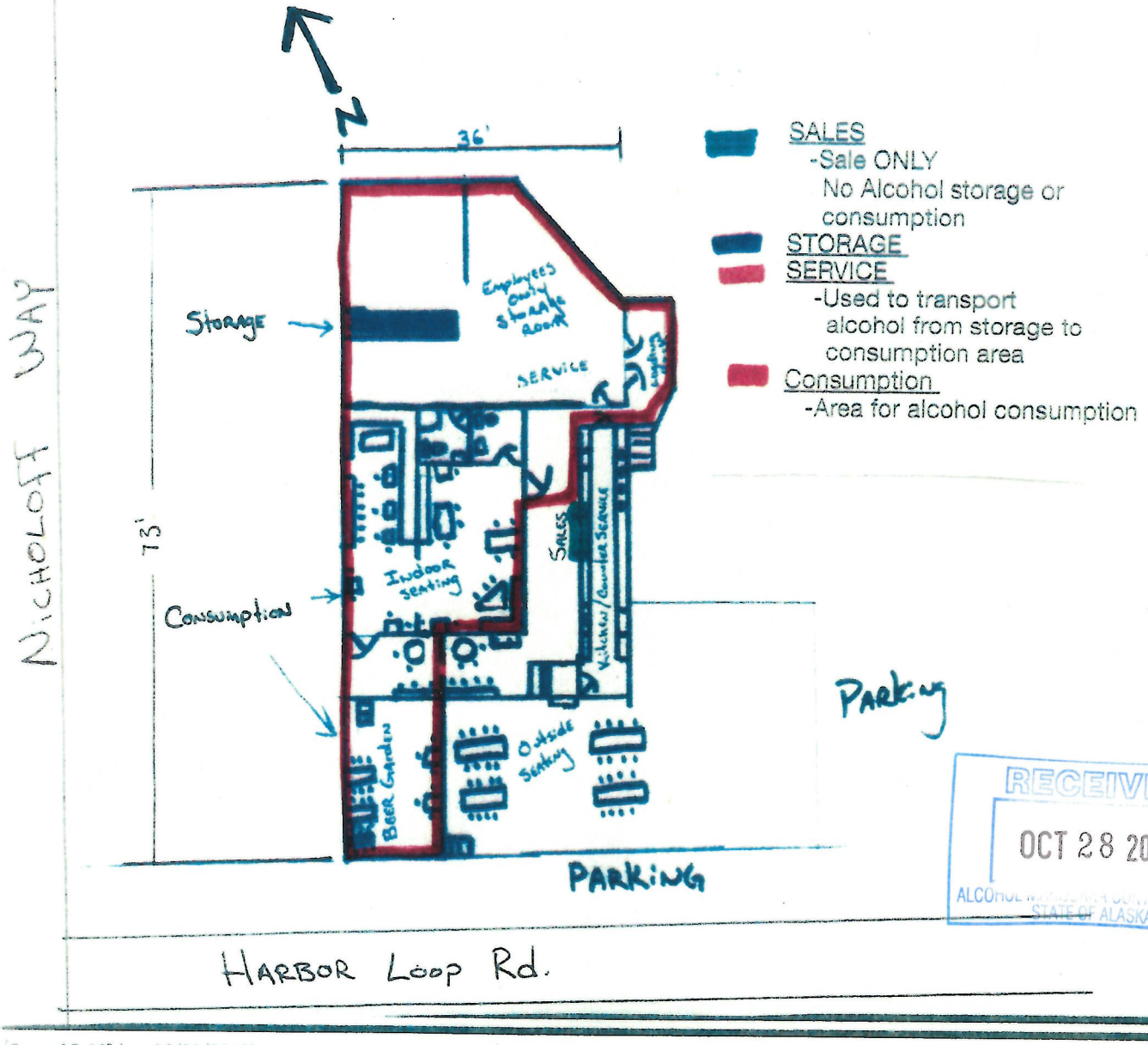
Alcohol and Marijuana Control Office
550 W 7th Avenue, Suite 1600
Anchorage, AK 99501
alcohol.licensing@alaska.gov
https://www.commerce.alaska.gov/web/amco
Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board

Form AB-14: Licensed Premises Diagram Change

Section 3 – Detailed Premises Diagram

Clearly indicate the boundaries of the premises and the proposed licensed area within that property. Clearly indicate the interior layout of any enclosed areas on the proposed premises. Clearly identify all entrances and exits, walls, bars, and fixtures, and outline in red the perimeter of the areas designated for alcohol storage, service, and consumption. Include dimensions, cross-streets, and points of reference in your drawing. You may attach blueprints or other detailed drawings that meet the requirements of this form.



RECEIVED
OCT 28 2019
ALCOHOL & MARIJUANA CONTROL OFFICE
STATE OF ALASKA

October 28, 2019

To whom this may concern,

The purpose of this letter is to explain the alcohol plan for Baja Taco #5653. The proposed plan on Form AB-14 is based off a plan that has been successfully working at Baja Taco for 20 years. Although, the license has changed hands, the plan has remained the same.

The purpose of having a Restaurant/Eating Place License is to allow customers to consume a glass of beer or wine with their meal. We have never used it to over serve our customers. Baja Taco is a family restaurant and we have always had strict rules about alcohol.

The restaurant consist of the original school bus kitchen. Over the years, indoor seating has been added. The bus is no longer mobile and is considered a counter service restaurant. Because of Baja Taco's passion for families, we've had to create a strong alcohol plan and enforce it.

The small restaurant is divided into sections. The bus (kitchen/ordering counter/sales), storage area, indoor seating (consumption), outdoor seating (beer garden/consumption), outdoor seating for minors (with play ground). All customers order and pick up orders at the bus/ counter/sales . There is NO alcohol in the bus/counter/sales. If a customer wants a alcoholic beverage, a trained alcohol server takes the order. The server, then, goes to the alcohol storage (in storage area), gets what the customer has ordered and brings it to the customer, at their table. The customer must be seated in the alcohol consumption area. The customer is informed, verbally, that they must consume their drink in the area. Minors are not allowed to sit in the alcohol consumption area unless they are with a parent or guardian. Minors are allowed to order at the bus/counter/sales and then sit outside in the minor area. Minors enjoy the minor area because it has a play ground. In case of rain, there is a small minor seating on a covered deck. This area is shared with an alcohol consumption area, but is divided by a fence. All alcohol consumption areas have signs at exits, reading "No alcohol beyond this point" and signs at the entrance reading "beer garden no minors without parents "

Due to the small nature of Baja Taco, employees can watch the customers at all times. Due to the family style of this restaurant, customers aren't looking to get over served. Most customers have 1 or 2 alcoholic beverages with their meal. We have a drink limit of 3 and refuse the sale of alcoholic beverages to anyone who seems like they have been drinking before arriving at Baja Taco.

The proposed premises diagram change, is almost identical to the diagram that has been in place. I would like to replace the container van, that has been used as storage, with an expansion of the existing building. This would create indoor storage. The storage of alcohol would remain, geographically, the same. The addition of the building for storage, would also include, the addition of indoor seating for alcohol consumption. This area would be treated the same as previous indoor seating for alcohol consumption. The indoor seating would double in size from 21 people to 40 people.

This letter is to explain the alcohol plan for the proposed Premises Diagram Change.

Sincerely,

Andra Doll
Managing Member
Baja Taco LLC

RECEIVED
OCT 28 2019
ALCOHOL MARIJUANA CONTROL OFFICE
STATE OF ALASKA

Alcohol and Marijuana Control Office
550 W 7th Avenue, Suite 1600
Anchorage, AK 99501
alcohol.licensing@alaska.gov
https://www.commerce.alaska.gov/web/amco
Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board

Form AB-14: Licensed Premises Diagram Change

Section 4 – Declarations

Read the statement below, and then sign your initials in the box to the right: Initials

The proposed changes conform to all applicable public health, fire, and safety laws. [AD]

As a liquor licensee, I declare under penalty of perjury that this form, including all attachments, is true, correct, and complete.

Signature of licensee

Andra Doll
Printed name of licensee

Notary Public in and for the State of Alaska.

My commission expires: 5/18/22

Subscribed and sworn to before me this 3 day of October, 2019.

CULLY WOODEN
My Commission Expires
NOTARY PUBLIC
May 18, 2022
STATE OF ALASKA

Section 5 – Local Government & AMCO Review

Local Government Review (to be completed by an appropriate local government official):

	Yes	No	Pending
The proposed changes shown on this form conform to all local restrictions and laws.	☒	☐	☐
A local building permit is required for the proposed changes.	☒	☐	

Signature of local government official

19-2018
Building Permit #

10/3/19
Date

Leif J. Staving
Printed name of local government official

City Planner
Title

AMCO Review:

	Approved	Disapproved
	☐	☐

Signature of AMCO Enforcement Supervisor

Signature of Director

Printed name of AMCO Enforcement Supervisor

Printed name of Director

Date

AMCO Comments:

Alcohol and Marijuana Control Office
550 W 7th Avenue, Suite 1600
Anchorage, AK 99501
alcohol.licensing@alaska.gov
https://www.commerce.alaska.gov/web/amco
Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board

Restaurant or Eating Place License

Form AB-17a: 2020/2021 Renewal License Application

What is this form?

This renewal license application form is required for all individuals or entities seeking to apply for renewal of an existing restaurant or eating place liquor license that is due to renew by December 31, 2019. All fields of this form must be complete and correct, or the application will be returned to you in the manner in which it was received, per AS 04.11.270 and 3 AAC 304.105. The Community Council field only should be verified/completed by licensees whose establishments are located within the Municipality of Anchorage or outside of city limits within the Matanuska-Susitna Borough.

This form must be completed and submitted to AMCO's main office before any license renewal application will be reviewed. Receipt and/or processing of renewal payments by AMCO staff neither indicates nor guarantees that an application will be considered complete, or that a license will be renewed.

Section 1 – Establishment and Contact Information

Enter information for the business seeking to have its license renewed. If any populated information is incorrect, please contact AMCO.

Licensee:	Baja Taco LLC	**License #:**	5653
License Type:	Restaurant/Eating Place		
Doing Business As:	Baja Taco		
Premises Address:	137 Harbor Loop Rd		
Local Governing Body:	City of Cordova		
Community Council:	None		

Mailing Address:	PO Box 23				
City:	Cordova	**State:**	AK	**ZIP:**	99574

Enter information for the individual who will be designated as the primary point of contact regarding this application. This individual must be a licensee who is required to be listed in and authorized to sign this application.

Contact Licensee:	Andra Doll AD	**Contact Phone:**	907-253-5599
Contact Email:	Andradoll23@yahoo.com		

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

AD

Name of Contact:		**Contact Phone:**	
Contact Email:			

RECEIVED
OCT 17 2019
ALCOHOL ... OFFICE
STATE OF ALASKA

Alaska Alcoholic Beverage Control Board

Form AB-17a: 2020/2021 Restaurant Renewal License Application

Section 2 – Entity or Community Ownership Information

Licensees who directly hold a license as an individual or individuals should skip to Section 3. General partnerships and local governments should skip to the second half of this page. All licensees that are **corporations** or **LLCs** must complete this section. Corporations and LLCs are required to be in good standing with the Alaska Division of Corporations, Business & Professional Licensing (CBPL). The CBPL Entity # below is **neither** your EIN/tax ID number, **nor** your business license number. **You may view your entity's status or find your CBPL entity number by vising the following site:** https://www.commerce.alaska.gov/cbp/main/search/entities

Alaska CBPL Entity #:	10018779

You must ensure that you are able to certify the following statement before signing your initials in the box to the right: Initials

I certify that this entity is in good standing with CBPL and that all current entity officials and stakeholders (listed below) are also currently and accurately listed with CBPL. AD

This subsection must be completed by any **community** or **entity**, including a corporation, limited liability company, partnership, or limited partnership, that is applying for renewal. If more space is needed, please attach additional completed copies of this page.

- If the applicant is a **corporation**, the following information must be completed for each ***shareholder who owns 10% or more*** of the stock in the corporation, and for each ***president, vice-president, secretary,*** and ***managing officer***.
- If the applicant is a **limited liability organization**, the following information must be completed for each ***member with an ownership interest of 10% or more***, and for each ***manager***.
- If the applicant is a **partnership**, including a limited partnership, the following information must be completed for each ***partner with an interest of 10% or more***, and for each ***general partner***.

Important Note: The information provided in the below fields (including spelling of names, specific titles, and percentages held) must match that which is listed with CBPL. If one individual holds multiple titles mentioned in the bullets above, all titles must be listed for that individual on this application and with CBPL. Failure to list all required titles constitutes an incomplete application. **You must list ALL of your qualifying officials, additional copies of this page or a separate sheet of paper may be submitted if necessary.**

Name of Official:	Andra Doll				
Title(s):	Managing Member	**Phone:**	907-253-5599	**% Owned:**	100%
Mailing Address:	Po Box 23				
City:	Cordova	**State:**	AK	**ZIP:**	99574

Name of Official:					
Title(s):		**Phone:**		**% Owned:**	
Mailing Address:					
City:		**State:**		**ZIP:**	

Name of Official:					
Title(s):		**Phone:**		**% Owned:**	
Mailing Address:					
City:		**State:**		**ZIP:**	

AMCO
OCT 07 2019

Form AB-17a: 2020/2021 Restaurant Renewal License Application

Section 3 – Sole Proprietor Ownership Information

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

This individual is an: ☐ applicant ☐ affiliate

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

This individual is an: ☐ applicant ☐ affiliate

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

Section 4 – Alcohol Server Education

Read the line below, and then sign your initials in the box to the right of the statement: Initials

I certify that all licensees, agents, and employees who sell or serve alcoholic beverages or check identification of a patron have completed an alcohol server education course approved by the ABC Board and keep current, valid copies of their course completion cards on the licensed premises during all working hours, as set forth in AS 04.21.025 and 3 AAC 304.465. AD

Section 5 – License Operation

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

	2018	2019
The license was regularly operated continuously throughout each year.	☐	☐
The license was regularly operated during a specific season each year.	☒	☒
The license was only operated to meet the minimum requirement of 240 total hours each calendar year. *If this box is checked, a complete copy of Form AB-30: Proof of Minimum Operation Checklist, and all necessary documentation must be provided with this application.*	☐	☐
The license was not operated at all or was not operated for at least the minimum requirement of 240 total hours each year, during one or both of the calendar years. *If this box is checked, a complete copy of Form AB-29: Waiver of Operation Application and corresponding fees must be submitted with this application for each calendar year during which the license was not operated for at least the minimum requirement, unless a complete copy of the form (including fees) has already been submitted for that year.*	☐	☐

AMCO
OCT 07 2019

Alaska Alcoholic Beverage Control Board

Form AB-17a: 2020/2021 Restaurant Renewal License Application

Section 6 – Violations and Convictions

Applicant violations and convictions in calendar years 2018 and 2019:

	Yes	No
Have any notices of violation (NOVs) been issued for **this license** in the calendar years 2018 or 2019?	☐	☒
Has any person or entity named in this application been convicted of a violation of Title 04, of 3 AAC 304, or a local ordinance adopted under AS 04.21.010 in the calendar years 2018 or 2019?	☐	☒

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

Section 7 – Certifications

Read each line below, and then sign your initials in the box to the right of each statement: Initials

I certify that all current licensees (as defined in AS 04.11.260) and affiliates have been listed on this application, and that in accordance with AS 04.11.450, no one other than the licensee(s) has a direct or indirect financial interest in the licensed business. AD

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

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

I am submitting as part of this application a completed copy of Form AB-33: Restaurant Receipts Affidavit, to provide evidence to the ABC Board that this establishment met the food sales requirement set forth in AS 04.11.100(e). AD

As an applicant for a liquor license renewal, I declare under penalty of perjury that I have read and am familiar with AS 04 and 3 AAC 304, and that this application, including all accompanying schedules and statements, is true, correct, and complete. I agree to provide all information required by the Alcoholic Beverage Control Board or AMCO staff in support of this application and understand that failure to do so by any deadline given to me by AMCO staff will result in this application being returned to me as incomplete.

Signature of licensee

Signature of Notary Public

Andrt Doll

Printed name of licensee

CULLY WOODEN
My Commission Expires
NOTARY PUBLIC
May 18, 2022
STATE OF ALASKA

Notary Public in and for the State of Alaska.

My commission expires: 5/18/22

Subscribed and sworn to before me this 4th day of October, 2019.

Seasonal License? Yes ☐ No ☒ **If "Yes", write your six-month operating period:** _____

License Fee:	$ 600.00	**Application Fee:**	$ 300.00	**TOTAL:**	**$ 900.00**
Miscellaneous Fees:					
GRAND TOTAL (if different than TOTAL):					

AMCO
OCT 07 2019

reasons for the objection. The board shall consider the objections and testimony received at a hearing conducted under AS 04.11.510(b)(2) when it considers the application. An objection and the record of a hearing conducted under AS 04.11.510(b)(2) shall be retained as part of the board's permanent record of its review of the application.

Sec. 04.11.480. Protest.

(a) A local governing body may protest the issuance, renewal, relocation, or transfer to another person of a license by sending the board and the applicant a protest and the reasons for the protest within 60 days of receipt from the board of notice of filing of the application. A protest received after the 60-day period may not be accepted by the board, and in no event may a protest cause the board to reconsider an approved renewal, relocation, or transfer. The local governing body may protest the continued operation of a license during the second year of the biennial license period by sending the board and the licensee a protest and the reasons for the protest by January 31 of the second year of the license. The procedures for action on a protest of continued operation of a license are the same as the procedures for action on a protest of a renewal application. The board shall consider a protest and testimony received at a hearing conducted under AS 04.11.510(b)(2) or (4) when it considers the application or continued operation, and the protest and the record of the hearing conducted under AS 04.11.510(b)(2) or (4) shall be kept as part of the board's permanent record of its review. If an application or continued operation is protested, the board shall deny the application or continued operation unless the board finds that the protest is arbitrary, capricious, and unreasonable.

(b) If the permanent residents residing outside of but within two miles of an incorporated city or an established village wish to protest the issuance, renewal, or transfer of a license within the city or village, they shall file with the board a petition meeting the requirements of AS 04.11.510(b)(3) requesting a public hearing within 30 days of the posting of notice required under AS 04.11.310, or by December 31 of the year application is made for renewal of a license. The board shall consider testimony received at a hearing conducted under AS 04.11.510(b)(3) when it considers the application, and the record of a hearing conducted under AS 04.11.510(b)(3) shall be retained as part of the board's permanent record of its review of the application.

(c) A local governing body may recommend that a license be issued, renewed, relocated, or transferred with conditions. The board shall consider recommended conditions and testimony received at a hearing conducted under AS 04.11.510(b)(2) or (4) when it considers the application or continued operation, and the recommended conditions and the record of the hearing conducted under AS 04.11.510(b)(2) or (4) shall be kept as part of the board's permanent record of its review. If the local governing body recommends conditions, the board shall impose the recommended conditions unless the board finds that the recommended conditions are arbitrary, capricious, or unreasonable. If a condition recommended by a local governing body is imposed on a licensee, the local governing body shall assume responsibility for monitoring compliance with the condition, except as otherwise provided by the board.

(d) In addition to the right to protest under (a) of this section, a local governing body may notify the board that the local governing body has determined that a licensee has violated a provision of this title or a condition imposed on the licensee by the board. Unless the board finds that the local governing body's determination is arbitrary, capricious, or unreasonable, the board shall prepare the determination as an accusation against the licensee under AS 44.62.360 and conduct proceedings to resolve the matter as described under AS 04.11.510(c).

Regular City Council Meeting
October 16, 2019 @ 7:00 pm
Cordova Center Community Rooms A & B
Minutes

A. Call to order
Vice Mayor Melina Meyer called the Council Regular Meeting to order at 7:00 pm on October 16, 2019, in the Cordova Center Community Rooms.

B. Invocation and pledge of allegiance
Vice Mayor Meyer led the audience in the Pledge of Allegiance.

C. Roll call
Present for roll call were Council members ***Tom Bailer***, ***Ken Jones***, ***Jeff Guard***, ***Melina Meyer***, ***Anne Schaefer***, ***David Allison*** and ***David Glasen***. ***Mayor Clay Koplin*** was absent. Also present were Student Council Representative ***William Deaton***, City Manager ***Alan Lanning*** and City Clerk ***Susan Bourgeois***.

D. Approval of Regular Agenda
M/Allison S/Bailer to approve the Regular Agenda.
Vote on the motion: 7 yeas, 0 nays. Motion was approved.

E. Disclosures of Conflicts of Interest and ex parte communications - none

F. Communications by and Petitions from Visitors
1. Guest speakers – Interim Finance Director ***Dean Baugh*** reported on City Finances: he had a handout which was an 8-page current financial report for the council to look over. He basically stated that you are better off than last year at this time, but it's still not good. Last year, all City funds were almost $1 million down at this point of the year and currently, it's about $95,000 down which isn't bad. General fund, he continued, is right about where it usually is this time, he reminded them that in the past they weren't as aware of it because it was spread out all over, but this is consistent with the past. Available cash balances show the general fund at negative $700 thousand and last year is was at negative $800 thousand, so that is better.
Lanning wanted to clarify for Council that this is through September, but expenses are consistent monthly, whereas revenues are not. ***Baugh*** agreed and said that 3Q sales tax and second half property tax will both be in by end of October, those are 2 big revenues, so this is not where you will be at year-end. Also, Fish tax should be in any day now, another large revenue for the general fund. ***Baugh*** said in December we should have a goal of a healthy fund balance because the beginning of the year we don't see any revenue for a while, July, August, September.
Bailer asked ***Baugh*** if he has an answer about the City switching to Alaska Airlines credit cards. ***Baugh*** said an employee's name would be needed and their mileage plan number. Council members suggested he ask the school district how they do theirs.
2. Audience comments regarding agenda items
Barb Jewell of 2.2-mile Whitshed Rd. spoke about the minutes from the last meeting. Specifically, about the CCMC report about the meeting at the hospital between CCMC Board members and hospital employees. She said the hospital staff at that meeting were very much concerned about other things, more than just whether or not they would have their jobs.
3. Chairpersons and Representatives of Boards and Commissions
CCMCA Board – Chairman ***Greg Meyer*** wasn't able to attend and left a report for the Vice Mayor to give: ***Vice Mayor Meyer*** reported that 1) they have flu shots available; 2) communication with NVE is going well, we are responding to information requests so they can get their assessment done; 3) they are conducting a community health needs assessment currently; 4) are hiring a CFO to assist ***Randall*** – they do not want to get behind on their books.
School Board – President ***Barb Jewell*** reported they met last week to establish board and district goals for the upcoming year – they had a good discussion about what they had accomplished over the year, their strengths and weaknesses and what they perceived as opportunities and threats this next upcoming year. Goals: 1) more outreach and communication to the community; 2) focus on advocacy – within the community and the state and not just with the legislature but with other regulatory bodies that impact our functioning, perhaps including ASAA; 3) expressing in intentional communication what or needs are and why; 4) focus on our curriculum, ensure it is strong and appropriate and well-reviewed; 5) come to an understanding about our facility needs.

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Fundraising campaign is underway in earnest – the intent is to support all activities at the school; particularly because it looks like our costs have increased by about $100,000 because of the ferry schedule. The district will be bearing some of the cost of that increase with efficiencies and the rest will be covered by the fundraising. She also said that School Board is interested in a joint work session, they would like to hear from Council what it is they want to discuss with the School Board so they can be prepared.

4. Student Council Representative Report – ***William Deaton*** reported that ***Chris*** from the PWSSC gave student council a presentation yesterday about vaping – he brought in 2 sets of pig lungs to show the difference between the healthy lungs and lungs of a pig addicted to nicotine either through tobacco use or through vaping. November 4 – 8 there will be a vaping awareness campaign and they will show the video of the pig lung presentation, along with flyers in the bathrooms and the halls.

Tom Bailer reported as the City representative on the PWSAC Board of Directors. He stated that PWSAC had the fall meeting here, they've hired ***Tommy Sheridan*** as the new executive director and there have been more locals (Cordovans) elected to the executive committee.

G. Approval of Consent Calendar

5. Per Charter Section 2-8 and Cordova Municipal Code 3.12.022, recordation of excused absence of Council member ***Jeff Guard*** and recordation of unexcused absence of Council member ***Ken Jones*** from the Oct 2, 2019 Regular Meeting

Vote on the approval of the consent calendar: 7 yeas, 0 nays. Glasen-yes; Jones-yes; Meyer-yes; Schaefer-yes; Allison-yes; Bailer-yes and Guard-yes. Consent calendar was approved.

H. Approval of Minutes

M/Bailer S/Schaefer to approve the minutes.

6. Minutes of the 10-02-19 Council Public Hearing

7. Minutes of the 10-02-19 Council Regular Meeting

Vote on the motion: 7 yeas, 0 nays. Motion was approved.

I. Consideration of Bids - none

J. Reports of Officers

8. Mayor's Report – ***Mayor Koplin*** was not present, no report.

9. Manager's Report - City Manager ***Alan Lanning*** said he was truly thankful for the opportunity and wished them luck moving forward.

10. City Clerk's Report – ***Bourgeois*** said she had a schedule that ***Helen Howarth*** has left her to give to Council about the next few meetings and the plan she had laid out for budget work and budget approval.

11. Staff Reports – 3Q 2019

a. Cordova Library – Director ***Debbie Carlson***

b. Museum & Cordova Center – Director ***Mimi Briggs***

c. Information Services/Technology – Director ***Jason Gabrielson***

d. City Investments – UBS Financial, ***Chad Adams*** and ***Buck Adams***

e. Parks & Recreation – Director ***Susie Herschleb***

f. Harbor & Port – Harbormaster ***Tony Schinella***

Bailer commented on the UBS report – he said after budget he'd like council to take a good look at this. He learned that PWSAC has it in their bylaws to automatically go out to RFP every 5 years for investments and they had been with UBS and are now with Merrill Lynch. ***Bailer*** wanted staff to know that these reports get read and he appreciates them; he knows staff is doing a great job, the best they can. As far as Harbor – he thinks the rates should go up on people like him who don't have a slip but use the ramp and 3-stage, boom, that's $80/year – he thinks that should be more.

K. Correspondence

12. 09-30-19 Cordova's Full Value Determination by the Office of the State Assessor

13. 10-01-19 Chamber of Commerce update and request for quarterly funding

14. 10-04-19 Bob Smith letter re City Manager application including response from City HR

15. 10-23-19 Comment period closes for Whitshed Rockslide Mitigation

15a. 10-11-19 Mayor letter of Support for NVE JVCP Grant application

Schaefer commented on item 15 – she would be in favor of the City commenting in support of this. Council concurred that the Mayor or Vice Mayor should write a letter in support. ***Allison*** and ***Bailer*** thanked ***Bob Smith*** for applying for the City Manager job. It does look like he got his letter, the two may have crossed in the mail. ***Allison*** also thanked the

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Chamber of Commerce for the update they provided in their letter. ***Vice Mayor Meyer*** mentioned the last-minute letter that NVE had asked for in support of a grant, it is on page 52, she discussed it with ***Mayor Koplin***, he was out of town, so she signed it.

L. Ordinances and Resolutions

16. Resolution 10-19-44 A resolution of the City Council of the City of Cordova, Alaska, authorizing amendment to the FY19 budget in the amount of $269,000 to purchase a refuse vehicle

M/Glasen S/Allison to approve Resolution 10-19-44 a resolution of the City Council of the City of Cordova, Alaska, authorizing amendment to the FY19 budget in the amount of $269,000 to purchase a refuse vehicle

Glasen said he is in favor because the permanent fund is being paid back on this purchase. ***Allison*** said to clarify for the record, essentially, this has been approved but it wasn't expended in 2018 when it was approved, so all we are doing here is moving it into the correct budget year, 2019.

Vote on the motion: 7 yeas, 0 nays. Meyer-yes; Jones-yes; Schaefer-yes; Guard-yes; Allison-yes; Glasen-yes and Bailer-yes. Motion was approved.

M. Unfinished Business – none

N. New & Miscellaneous Business

17. Council action on disposal and method of disposal of Parcels 2, 3, 4 & 6 along Orca Road

M/Schaefer S/Allison to dispose of Parcels 2, 3, 4 and 6 as indicated in the Letter of Interest submitted by the Alaska Department of Transportation with attached drawings as outlined in Cordova Municipal Code 5.22.060 B by negotiating an agreement with the Alaska Department of Transportation to purchase the property for less than fair market value

Schaefer said she is in favor – this is a huge project that DOT has been working on with the City, the CRWP – it is a benefit to the City for the culvert replacement, will be an improvement to the infrastructure there, a very collaborative process. ***Allison*** said he would echo those comments and added that the Planning Commission looked at this and unanimously voted to support it as well.

Vote on the motion: 7 yeas, 0 nays. Motion was approved.

18. Council action on disposal and method of disposal of Lots 3 & 4 Block 8, Original Townsite

M/Schaefer S/Jones to dispose of Lots 3 and 4, Block 8, Original Townsite and the improvements thereon as outlined in Cordova Municipal Code 5.22.060 B by negotiating an agreement with the Chamber of Commerce to lease OR purchase the property.

Schaefer said the chamber is a good partner, they are doing great work and she is supportive of them staying in that building, she asked if the lease would again be at $1/year and the actual lease rate to be counted as an in-kind contribution. Planner ***Leif Stavig*** said that would be a Council decision that could be made when the lease comes before them again after negotiations, he said it would probably come in the same form unless he hears something different. ***Jones*** also spoke in support. ***Meyer*** said she will support this, but she would like to see the City move away from owning buildings and leasing them in this way and also bearing the utility and maintenance costs of those buildings.

Vote on the motion: 7 yeas, 0 nays. Motion was approved.

19. Pending Agenda, Calendar and Elected & Appointed Officials lists

Council asked for a work session with law enforcement in the community (Chief Hicks, USFS reps and State Trooper reps) to be held on October 30 at 6pm. ***Bourgeois*** said we have Nov 13 scheduled for a work session with the School Board. Also, the incoming manager has a plan for budget work session Nov 6, then Dec 4 and ultimate budget and fee schedule approval on Dec 18. Council discussed the need for maybe more budget work sessions and ***Bourgeois*** and Council agreed that they could have others if it seemed as though they were needed, they could be scheduled later if necessary. ***Vice Mayor Meyer*** said she'd like to see a resolution on the next agenda showing Council support of CCMC Authority Board working with NVE – ***Jones*** agreed and said this is a good step that maybe should have been taken already but will be a good opportunity for the community to come give Council their ideas/opinions. After lengthy debate over the merits of the resolution and the content of a proposed resolution, ***City Clerk Bourgeois*** reminded Council that this was pending agenda and if 2 council members were willing to agree to putting a resolution on an agenda, then they should do so and when the resolution was before council, that would be the appropriate time to debate the merits and language of the resolution.

O. Audience Participation

Cathy Renfeldt of the Cordova Chamber of Commerce thanked Council for the decision regarding allowing the Chamber to stay in their current location. She, ***Robert Venables*** from Southeast Conference and ***Anthony Mallott*** from Sea Alaska

DRAFT

Corporation are co-sponsoring a policy proposition before the State Chamber of Commerce about support for AMHS and ferry reform. The fall forum is October 28-30 in Girdwood.
Barb Jewell of mile 2.2 Whitshed Rd said she does encourage City Council to put something on an agenda about CCMC and health services in Cordova and where Council stands on that, on working with NVE. She thinks it's a great idea and will give people the opportunity to come speak about it. She said even though Council member ***Allison*** said its clear that CCMCA Board is in control there, she said she disagrees that it is clear, she says it's a very complex structure that is not easily understood. She thinks there are outstanding questions about how a City asset, a public asset such as the hospital can have ownership transfer without a very public process.
Cathy Renfeldt citizen of 308 Railroad Row was very impressed with the search and rescue efforts of last week. She said even if the outcome was not what everyone hoped for, she thinks it was miraculous that he was found, and she thinks that the efforts were a success. She wanted to thank the community, it gave her great pride in this community to watch everyone support the search and rescue and his family.

P. Council Comments
Bailer wanted to know why the trashed vehicles that were in recent accidents are right out in front of the police Department for everyone to see, it seems like they could be in a better spot. He also reported that there was an expensive snafu with the sale of the Coho building – he thinks employees need to be held accountable and this was an expensive mistake that was just a matter of getting a signature. He said he is very confident that if we wind up switching over to Native health that we would continue to have quality healthcare, maybe even improved healthcare – he has no doubt about that. He thanked ***Lanning*** for his work here.
Guard also thanked the outgoing City Manager for the work he's done for us and he wished him the best of luck.
Schaefer also thanked ***Alan*** for his work, she said she learned a lot from him, he was very patient. She also thanked all of those who volunteered with the search and rescue effort.
Glasen also thanked ***Alan*** and thanked the volunteer fire department.
Allison thanked ***Alan*** also and on behalf of Council he bought a little Cordova care package to give Alan as he left.
Jones also thanked the outgoing manager.

Q. Executive Session

R. Adjournment
M/Allison S/Guard to adjourn the meeting.
Hearing no objection Vice Mayor Meyer adjourned the meeting at 8:27 pm.

Approved: November 6, 2019

Attest: _____
Susan Bourgeois, CMC, City Clerk

DRAFT

City of Cordova
Mayor's Report
November 6, 2019

Harbor Renovations: The US House of Representatives passed a harbor funding bill this week.

Fisheries Development Committee I will be in Juneau next Wednesday to meet with ADF&G Commercial Fisheries Division Operations Manager Forrest Bowers. Several Cordova Fisheries Development committee members will be meeting in person or by telephone to discuss crab and other fisheries in Prince William Sound. Unfortunately, this will cause me to call in to the regular council meeting. The committee has been working on development or restoration of several fisheries that can deliver to Cordova.

Cordova Winter AMHS Service: I will be meeting with Deputy Commissioner Mary Siroky of AMHS in Juneau Wednesday, November 6, to discuss 2 options for winter service to commence in January. I will be in Anchorage for personal leave on Thursday and Friday and will meet with AMHS Commissioner John MacKinnon to have the same conversation. I am pushing for a yes or no answer, so we know where we stand.

Alaska Airlines Freight Service: Just a reminder that for the next month the 737-800 class filling in for the freighter will have a per-piece weight limitation.

Ravn Air Alaska: I have not heard an update on whether Ravn is still contemplating adding Cordova as a route.

There is correspondence in the packet reflecting some of my recent engagement with the State administration.

I will be travelling on business the week of November 18th and will miss that regular council meeting, and will not be in a location I can call in from.

Have a safe week Cordova and remember to drive carefully with school in session and our dark mornings.

Mayor Clay Koplin

Susan Bourgeois, CMC
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CITY CLERK'S REPORT TO COUNCIL

November 6, 2019 Regular Council Meeting

Date of Report: Oct 10 – Oct 31, 2019

Clerk's Office needs Council Feedback on:

- City Clerk, Deputy Clerk will be at Clerk's conference and AML out of the office Nov 18 & 19

Clerk's Office activities:

- Prepared agenda and packet for Work Session and Regular Meeting of November 6, 2019
- Prepared 2 liquor license renewal items on agenda tonight
- Prepared Sobriety Celebration Proclamation for tonight's agenda
- Compiling board & commission applications for upcoming vacancies – there will be appointments made at November 20 meeting
- Made travel arrangements for AML for City Manager, Vice Mayor and Clerk and Deputy Clerk
- Scheduled/noticed Fisheries Development Committee meeting of October 24
- Assisted Finance Department with CCMC PERS payment wire transfer on October 30
- Agenda meeting with City Manager and Mayor on October 31
- Conferred with City Attorney on Class Action Lawsuit regarding prescription opiates under my report tonight
- Worked more on Clerk, Mayor, Council budgets
- Looked over fee schedule and made suggestions and edits
- Received and evaluated a records request concerning litigation
- Re-worked Council agenda format to include new language under executive sessions
- Deputy Clerk analyzing Senior Citizen Property Tax exemption applications and looking into new language for 2020 applications
- Completed Deputy Clerk annual evaluation document
- Completed third quarter APOC report for Employer of Lobbyist

Susan Bourgeois

From: Nils Andreassen <nils@akml.org>
Sent: Tuesday, October 15, 2019 11:20 AM
To: Susan Bourgeois
Subject: Draft 2020 Resolutions and Position Statement

ALASKA MUNICIPAL LEAGUE

AML's 2020 Draft Resolutions and Positions Statement

Please review prior to November 22nd's Annual Meeting

At AML's Annual Meeting on Friday, November 22, at the conclusion of our **Annual Local Government Conference**, members will be asked to vote on their 2020 Resolutions and Position Statement.

The Alaska Municipal League has drafted and/or received 21 resolutions for 2020. Additionally, we propose bringing forward 10 resolutions from 2019. At the same time, we have the 2020 Position Statement - which includes legislative positions - developed. These documents are hyperlinked below:

- **2019 Resolutions** - of those produced last year, these remain relevant
- **2020 Draft Resolutions** - these address current priorities and/or provide an opportunity for members to give guidance where clarity is needed
- **2020 Position Statement** - new this year is a list of current legislation on which we are suggesting the body take a position

Some of the topics addressed by resolution are more challenging than others, and we're looking forward to member feedback. We also understand that the number of resolutions may seem daunting, but the reality is that there are so many areas of decision-making that impact members that we want to be fully prepared to engage in conversations with policy makers as issues come up.

The Resolutions Committee will meet on the afternoon of November 20, to which you are invited if you want to introduce any other resolution or believe that current

resolutions do not meet the criteria for which the Resolution Committee is responsible. Resolutions should:

- Address specific issues
- Address regional issues as well as statewide concerns
- Address timely issues
- Align with AML principles and positions
- Not allow conflict between one community against another
- Not benefit only one community - edit to make statewide or broadly applicable
- Address different topics - allowed to be combined if similar

If you have feedback on these prior to November 20, please do feel free to send it to me at nils@akml.org and I can compile to share with the Resolutions Committee.

On Friday, November 22, we'll address the Position Statement first, followed by 2019 and then 2020 Resolutions. For the Position Statement, we will vote individually on support or opposition to legislation. For Resolutions, these will each be taken up as a package, and members can ask to pull resolutions for discussion. *Remember: pulling a resolution for discussion is different than voting in opposition.*

We'll use handheld voting devices, which should speed things up and give us clean tallies. Each member will be allocated one device per authorized representative.

Please let me know if you have any questions, and we'll send out a reminder about the process as we get closer.

We're looking forward to working together to make a difference!

RESOLUTION GUIDELINES

AML | One Sealaska Plaza, Suite 200, Juneau, AK 99801

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UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OHIO

CLASS ACTION NOTICE AND FREQUENTLY ASKED QUESTIONS ("FAQs")

To: All U.S. Counties, Cities, and Local Governments as listed at www.OpioidsNegotiationClass.info

A court authorized this notice. This is not a solicitation from a lawyer.

- Counties and cities across the country have sued manufacturers, distributors, and retailers of prescription opiate drugs seeking, among other things, reimbursement for monies spent addressing the opioid crisis. All federal actions have been centralized into one court in Ohio and are entitled, In re: National Prescription Opiate Litigation, MDL No. 2804 (N.D. Ohio). Additional cases are pending in state courts.

- The Court in In re: National Prescription Opiate Litigation has certified a voluntary "Negotiation Class" ("Class"). The Class is defined as: **all counties, parishes, and boroughs (collectively, "counties"); and all incorporated places, including without limitation cities, towns, townships, villages, and municipalities (collectively "cities").** The Class includes all counties and cities, whether they have filed a lawsuit or not. The complete current list of Class Members is available at the Class website: www.OpioidsNegotiationClass.info. This list may be updated as the Court may order.

- **NO SETTLEMENT HAS BEEN REACHED. HOWEVER, IF YOUR COUNTY OR CITY STAYS IN THE CLASS**, it will be bound if a Class settlement is approved in the future. Your county or city will likely **NOT** be provided another opportunity to be excluded from this Class action, so you should read this notice carefully and consult with your counsel regarding your county or city's rights.

- The Court has certified two Racketeer Influenced and Corrupt Organizations Act ("RICO") claims under Rule 23(b)(3) and two Controlled Substances Act ("CSA") issues under Rule 23(c)(4). (see FAQ 7). The Class is certified solely to consider and vote on any future settlement offers made to the Class by one or more of 13 defendants (see FAQ 5). The purposes of the Class are (a) to unify cities and counties into a single negotiating entity to maximize their bargaining power and (b) to provide finality to opioids litigation for any settling Defendant.

- This Negotiation Class will not decide any claims or defenses in opioids litigation on the merits. It is certified as a Negotiation Class only, to facilitate Class Members' approval or rejection of proposed settlements. There are no proposed settlements at this time, and no guarantee that there will be in the future. **However, your legal rights are affected and it is recommended that you consult with counsel regarding the choice you have to make now.**

YOUR LEGAL RIGHTS AND OPTIONS IN THIS LAWSUIT	
STAY IN THE CLASS **REQUIRES NO ACTION**	**Stay in the Class. Await the negotiation outcome, but retain the right to pursue your own lawsuit in the meantime. Give up certain rights if a Class settlement is reached and approved by the Class and Court, but get a share of any Class settlement.** By taking no action in response to this Notice, you remain in the Class. As a Class Member, you will still retain your right to pursue your own case unless and until any possible Class settlement is approved by the Court. As a Class Member, you have the right to vote on any settlement proposed to the Negotiation Class. A settlement will not be accepted unless supported by 75% of the voting Class Members, counted by number, population, and allocation, for both litigating and non-litigating entities, and approved by the Court. Settlement funds will be distributed at the county level and each county's share – and city's suggested share – can be viewed now by utilizing the Allocation Map at the Class website, **www.OpioidsNegotiationClass.info**. If the Court approves any settlement, that judgment will prohibit Class Members from suing the settling Defendant(s) about the claims and issues in the litigation.
REMOVE YOURSELF FROM THE CLASS **REQUIRES ACTION BY NOVEMBER 22, 2019**	**Get out of the Class. Get no portion of any settlement. Keep rights.** Those who exclude themselves from the Class cannot vote on, will not have the right to be paid under, and will not be bound by, any Class settlement. You keep any rights to negotiate separately about the same legal claims in this lawsuit, even if the Court approves a settlement for the Class. Class Members may exclude themselves from ("opt out" of) the Class by having an authorized officer or employee complete and sign the Exclusion Request Form enclosed here and submit it on or before **November 22, 2019** by email or mail in accordance with the instructions in FAQ 26 below.

- Class representatives and Class counsel will represent the Class in negotiations with Defendants who choose to do so. You may enter an appearance through an attorney (at your own expense) if you desire, but it is not required. Class Membership does not eliminate existing agreements with individual counsel. The procedure for payment of Class/common benefit attorneys' fees/costs in connection with any Class settlement must be approved by the Court. Details of the proposed options and procedures for fees and costs are posted on the Class website.

- For complete information on the Class, the settlement allocation formulas, the Class certification motion and Order, the list of included Class Members, the voting process to be used by the Class in accepting or rejecting any Class settlement offer, and an Allocation Map determining your allocation of any proposed settlement, go to **www.OpioidsNegotiationClass.info**. Important information on the Opioids-related litigation, including all pertinent Orders and Schedules, and Frequently Asked Questions, will be available on the Class website on an ongoing and current basis.

Your rights and options are further explained below.
Any questions? Read on and visit www.OpioidsNegotiationClass.info.

DO NOT WRITE OR CALL THE COURT OR THE CLERK'S OFFICE FOR INFORMATION

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BASIC INFORMATION

1. Why is a Negotiation Class being formed? What is its purpose?

The purpose of the Negotiation Class is to create a cohesive group of cities and counties to negotiate Classwide settlements, on a voluntary basis, with Defendants who make, distribute, or sell opioids nationwide. Class Representatives and Class Counsel will represent the Negotiation Class. Class Members will vote on any Class settlement proposal. If 75% of those Class Members who vote (as described in FAQ 18 and 19 below) support a proposed Settlement, Class Counsel will ask the Court to approve it. The ultimate purpose of the Negotiation Class is to make settlement easier to obtain.

2. Is this the first Negotiation Class Action?

Yes. This is a new use of the Class action mechanism under Federal Rule of Civil Procedure 23, reflecting the unique nature of the national opioids litigation. Unlike any mass litigation before, thousands of cities and counties nationwide are pursuing claims against major defendants. The goal is to recover money to help fight the opioids epidemic, provide prevention and treatment services going forward, and change Defendants' practices.

3. Why use a Class mechanism?

Joining all cities and counties together as a Negotiation Class gives them maximum negotiating power, makes the negotiation of comprehensive settlements a more practical process, enables Defendants to know the group with which they are negotiating, and enables Class Members to vote on resulting settlement offers.

4. Who are the Class Representatives?

The Court has authorized the following 49 counties and cities to serve as the Negotiation Class's Class Representatives: (1) County of Albany, New York; (2) City of Atlanta, Georgia; (3) Bergen County, New Jersey; (4) City of Baton Rouge/East Baton Rouge Parish, Louisiana; (5) Broward County, Florida; (6) Camden County, New Jersey; (7) Cass County, North Dakota; (8) City of Chicago, Illinois; (9) Cobb County, Georgia; (10) City of Concord, New Hampshire; (11) Cumberland County, Maine; (12) City of Delray Beach, Florida; (13) Denver, Colorado; (14) Escambia County, Florida; (15) Essex County, New Jersey; (16) County of Fannin, Georgia; (17) Franklin County, Ohio; (18) Galveston County, Texas; (19) County of Gooding, Idaho; (20) City of Grand Forks, North Dakota; (21) County of Hennepin, Minnesota; (22) City of Indianapolis, Indiana; (23) County of Jefferson, Alabama; (24) Jefferson County/City of Louisville, Kentucky; (25) Jersey City, New Jersey; (26) Kanawha County, West Virginia; (27) King County, Washington; (28) City of Lakewood, Ohio; (29) City of Los Angeles, California; (30) City of Lowell, Massachusetts; (31) City of Manchester, New Hampshire; (32) Maricopa County, Arizona; (33) Mecklenburg County, North Carolina; (34) The Metropolitan Government of Nashville and Davidson County, Tennessee; (35) Milwaukee County, Wisconsin; (36) Monterey County, California; (37) City of Norwalk, Connecticut; (38) County of Palm Beach, Florida; (39) Paterson City, New Jersey; (40) City of Phoenix, Arizona; (41) Prince George's County, Maryland; (42) Riverside County, California; (43) City of Saint Paul, Minnesota; (44) City of Roanoke, Virginia; (45) County of Rockland, New York; (46) City and County of San Francisco, California; (47) County of Smith, Texas; (48) County of Tulsa, Oklahoma; and (49) Wayne County, Michigan.

5. Who are the Defendants?

The Court has authorized the Negotiation Class to negotiate with 13 Defendants (including their affiliates): (1) Purdue, (2) Cephalon, (3) Endo, (4) Mallinckrodt, (5) Actavis, (6) Janssen, (7) McKesson, (8) Cardinal, (9) AmerisourceBergen, (10) CVS Rx Services, Inc., (11) Rite-Aid Corporation, (12) Walgreens, and (13) Wal-Mart. The Negotiation Class is authorized to negotiate settlements with any of these 13 Defendants, on any of the claims or issues identified below in FAQ 7, or other claims or issues arising out of the same factual predicate. If Class Counsel seek to negotiate for the Class with any other defendants, they can file a motion asking the Court to amend the Class certification order.

6. Has a Class settlement been reached with Defendants yet?

No. No Class settlement has been reached yet with any Defendant. But the existence of a Negotiation Class makes the possibility of Class settlement more feasible because a Defendant will know the group with which it is negotiating. There is no guarantee, however, that there will be a Class settlement and it is possible that there will be settlements that do not encompass the Class, such as settlements between one or more Class Members and one or more Defendants.

THE CLASS CLAIMS AND ISSUES

7. What claims and issues are certified for the Negotiation Class?

In this Negotiation Class, the Court certified two federal Racketeer Influenced and Corrupt Organizations Act ("RICO") claims and two federal Controlled Substances Act ("CSA") issues. The RICO claims and the issues related to the CSA are similar across the country and the Class. The first RICO claim alleges that five Defendants misled physicians and the public about the need for and addictiveness of prescription opioids, all in an effort to increase sales. The second RICO claim alleges that eight Defendants ignored their responsibilities to report and halt suspicious opioid sales, all in an effort to artificially sustain and increase federally-set limits (quotas) on opioid sales. The CSA issues allege that the CSA required Defendants to create systems to identify, suspend, and report unlawful opioid sales, and that Defendants failed to meet those obligations. As noted in FAQ 5, above, the Negotiation Class is authorized to negotiate Class settlements concerning these claims and issues or other claims or issues arising out of the same factual predicate. **However, this Negotiation Class does not involve claims by State governments against the Defendants and no Class settlement will release or otherwise interfere with any State government's current or future litigation. This Negotiation Class concerns claims only of counties and cities.** You can read more about these claims and issues in the Court's Memorandum Opinion certifying this Class, which is posted at www.OpioidsNegotiationClass.info.

8. Has the Court decided any claims or issues?

No. The Court has not decided any Classwide claims or defenses on the merits and the Court will not render any Classwide decisions on the merits of any claims asserted by the Class or individual Members of it. By establishing this Negotiation Class and issuing this notice, the Court is not suggesting the Class would win or lose this case. This Class has been certified for negotiation purposes only.

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WHO IS IN THE CLASS

9. What entities are included in the Negotiation Class?

The Negotiation Class is defined as:

All counties, parishes, and boroughs (collectively, "counties"); and all incorporated places, including without limitation cities, towns, townships, villages, and municipalities (collectively "cities").

A complete current list of Class Members is available at www.OpioidsNegotiationClass.info. The list may be updated as the Court may order.

The terms "counties" and "cities" are used only as shorthand. The Class includes political subdivisions with other names, such as parishes, villages, towns, townships, etc. The list of Class Members was devised primarily from the U.S. Census Bureau lists of governmental entities that provide services to their residents. Check the Cities and Counties lists posted on the Class website to confirm whether you are a Negotiation Class Member.

10. Are counties and cities with state court-filed actions considered part of the Negotiation Class?

Yes. Counties and cities that sue in state court are Members of this Negotiation Class, with the option to opt out. However, nothing about Membership in the Negotiation Class interferes with the rights of any federal or state court plaintiffs to proceed with their own cases for litigation, trial, or individual settlement. Only if and when a Class settlement has been reached, has been approved by 75% of the voting Class Members as described in FAQ 19, and has been approved by the Court, would Class Members lose their ability to proceed on their own, in exchange for the settlement benefits that they would receive.

11. Will the Negotiation Class end the opioid litigation that my County or City has filed?

Not now and only if a Class settlement is later reached and approved. Your county's or city's Membership in the Negotiation Class will not immediately affect any opioid suit it has filed, whether in federal or state court. It also will not stop your county or city from filing or pursuing a lawsuit, and it will not affect any scheduled hearings or trials in any lawsuit. However, if there is a final Class settlement, approved by the required 75% of the voting Class Members and by the Court, the final settlement will likely end all other opioids-related litigation brought by Class Members. In the meantime, you do not need to opt out of the Class to file, continue to prosecute, or settle your own case, and you may keep any settlement or judgment you obtain. If any county or city obtains a judgment or settlement with a Defendant before the Negotiation Class does, however, it will not receive additional compensation through any later Negotiation Class settlement. But by remaining in the Class, your county or city does risk foregoing its own lawsuit (although it would obtain money from a Class settlement) if a Class settlement is reached and approved.

12. How does the Negotiation Class affect other types of opioid plaintiffs that are not counties or cities?

The Negotiation Class does not directly affect the litigation or settlement of the claims of other types of plaintiffs, such as Indian Tribes, third party payors, and others, that are proceeding in federal or state courts. These plaintiffs can organize themselves as groups or propose their own Classes, for trial or settlement purposes.

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13. Now that the Court has approved this process, what will happen next?

The creation of the Negotiation Class has these next steps:

- On **September 11, 2019**, Judge Polster, the federal judge overseeing all of the national opioids litigation, certified the Negotiation Class to go forward.
- On or before **September 20, 2019**, Class Action Notice will be sent via First-Class mail and posted to the Class website **www.OpioidsNegotiationClass.info** to all Class Members.
- Class Members have until **November 22, 2019** to decide whether to participate or to opt out of the Class. This is the "opt-out period." All Class Members are automatically included in the Class. If a Class Member wants to participate, it does not need to do anything at this point. Only Class Members that wish to exclude themselves ("opt out") and not participate in the Class must act: they must submit a copy of the enclosed Exclusion Request Form on or before **November 22, 2019**, using the instructions in FAQ 26.
- After the close of the opt-out period, the Court will enter an order confirming the Membership of the Class, saying who is in and who is out of the Class.
- After that, the Class will operate if, and only if, one or more of the Defendants wishes to negotiate with the Class as a whole through the Negotiation Class mechanism.
- If a proposed Class settlement is reached, the proposal will be submitted to the entire Class Membership for its approval or rejection in accordance with the voting formula (described in FAQ 18 and 19 below). If no proposed settlement is reached, the Class will not vote and will have no other role.

14. If my County or City chooses to participate in the Negotiation Class, how will it know when there is a proposed Class settlement?

All Negotiation Class Members will be given advance notice of any Class settlement offer, including details on its terms and conditions, and they will have an opportunity to vote on each settlement offer. Class Members will be able to cast their vote securely, through the Class website, which will establish a voting identity and portal for each Class Member. Only Class settlements achieving 75% approval votes, by number, by allocation, and by population, of the litigating and non-litigating Class Members that vote (as described in FAQ 19) will be submitted to the Court, which will make the final determination of whether to approve the settlement.

15. If there is a proposed Class settlement, does the Court still have to approve it?

Yes. If there is a proposed settlement that is approved by 75% of the voting Class Members, as described in FAQ 18 and 19, the Court will review and decide whether to approve it, under the Class action settlement approval process set forth in Federal Rule of Civil Procedure 23(e). Generally, the Court will assess whether any settlement is fair, reasonable, and adequate. All applications for fees and costs also require court approval under Rule 23 procedures. (See https://www.law.cornell.edu/rules/frcp/rule_23.)

16. If there is a proposed settlement and my County or City is included in the Negotiation Class, but it disapproves of the settlement terms, can my County or City object to the settlement?

Yes. As a Negotiation Class Member, you will be entitled under Rule 23(e) to object to any settlement, even if it has received approval from the Class. However, as described in FAQ 27, you

will likely not be able to exclude yourself from the Class at that time. An objection explains your concerns to the Court for its consideration but does not remove you from the Class.

17. How long will the Negotiation Class last?

The Negotiation Class will last for 5 years from the date it is certified by the Court. The Court certified the Class on September 11, 2019 and the Negotiation Class will last until September 11, 2024. After that date, the Class will not exist as an entity with which a Defendant can negotiate. However, the Negotiation Class will continue to exist with regard to: (1) any Class settlements presented to the Negotiation Class for a vote before that date, to carry out the voting and approval process; and (2) any Class settlements reached before that date, to complete settlement administration and enforcement.

VOTING

18. If there is a proposed Class settlement, how will the voting be done?

Each Class Member will vote only once on any particular Class settlement proposal. The vote will simply be yes-or-no, in favor of or against the proposed settlement. Class Members that do not vote will not be counted as either yes or no votes; as with an election for government office in the United States, the only votes that are counted are those of the voters who actually cast votes. Class Members' votes will be tabulated mechanically within each applicable voting pool, to make sure that 75% of each pool is in favor of the proposed settlement before it is presented to the Court. The voting pools are described in FAQ 19. Voting tabulation does not require any effort by the Class Members. The requirement of 75% support of voting Class Members across the different voting pools ensures that no settlement will go forward without a wide cross-section of support from cities and counties of all sizes and interests.

19. If there is a proposed Class settlement, how many votes are needed to approve it?

The agreement to be bound by a supermajority vote means that no settlement can be reached that would bind the Negotiation Class without the approval of 75% of the voting Class Members, defined in several ways. To be binding, 75% of those voting in each of the following six categories must approve a proposed settlement:

- 75% of the total number of voting Class Members that had filed suit as of June 14, 2019 ("litigating entities"). This number is based on all individual Class Members who had suits on file regardless of size, so that each voting entity has one vote;
- 75% of the total number of voting Class Members that had not filed suit as of June 14, 2019 ("non-litigating entities"). This number is based on all individual Class Members who had not filed suit, regardless of size, so that each voting entity has one vote;
- 75% of the total population of all voting Class Members that had filed suit as of June 14, 2019. For this computation, the vote of the county or city is weighted according to its population, with each person in a voting city and each person in a voting county equal to one vote. Thus, by way of example, if a county votes yes and has a population of 20,000, and a city within the county votes yes and has a population of 10,000, the county's vote is weighted as 20,000 votes in favor, and the city's vote is recorded as 10,000 votes in favor. The population for each County or City will be based on current census data. The current data is presented on the Class website, **www.OpioidsNegotiationClass.info**. Individual residents in this category may be counted twice, once as a resident of a municipality, and once as a resident of a county;

- 75% of the total population of all voting Class Members that had not filed suit as of June 14, 2019. For this computation, the vote of the county or city is weighted according to its population, with each person in a voting city and each person in a voting county equal to one vote. Thus, by way of example, if a county votes and has a population of 20,000, and a city within the county votes yes and has a population of 10,000, the county's vote is weighted as 20,000 votes in favor, and the city's vote is recorded as 10,000 votes in favor. Again, the population for each County or City will be based on current census data. The current data is presented on the Class website, **www.OpioidsNegotiationClass.info**. Individual residents in this category may be counted twice, once as a resident of a municipality, and once as a resident of a county;
- 75% of the litigating Class Members casting votes, weighted by their settlement fund allocations as shown at the Allocation Map posted at opioidsnegotiationclass.info; and
- 75% of the non-litigating Class Members casting votes, weighted by their settlement fund allocations as shown at the Allocation Map posted at opioidsnegotiationclass.info.

For purposes of counting votes, only votes cast will be considered. In order for a proposed settlement to be binding on the Negotiation Class, 75% of those Class Members who cast votes in **each** of these six categories must be in favor. No settlement will be submitted to the Court for final approval unless 75% of those voting in **each** of the six categories are in favor. No county or city that is not a Class Member as of the deadline for a vote on a proposal will be allowed to vote on that proposal.

ALLOCATION OF CLASS SETTLEMENT FUNDS

20. If there is a Class settlement, how will my County or City's share of the settlement be determined?

Any Class settlement funds will be distributed in three steps:

Step 1: Each county's share of the settlement will be distributed in accordance with an "allocation model." The allocation model uses three factors, based on reliable, detailed, and objective national data, to determine the share of a settlement fund that each ***county*** will receive. These factors address the most critical causes and effects of the opioids crisis, and are each weighted equally (1/3-1/3-1/3): (1) the amount of opioids distributed within the county, (2) the number of opioid deaths that occurred in the county; and (3) the number of people who suffer opioid use disorder in the county. This model is designed not to favor either small or large counties based solely on population. Ultimately, the model allocates settlement funds in proportion to where the opioid crisis has caused actual harm.

Step 2: Counties and their constituent cities, towns, and boroughs may distribute the funds allocated to the county among all of the jurisdictions in any manner they choose. If the county and cities cannot agree on how to allocate the funds, the Class website reflects a default allocation that will apply. The default allocation formula uses historical federal data showing how the specific county and the cities within it have made opioids-related expenditures in the past. Any of the affected jurisdictions may ask a Special Master to apply a different formula.

Step 3: If the default allocation is used and a city's share is less than $500, then that amount will instead be distributed to the county in which the city lies to allow practical application of the abatement remedy. Affected cities could seek recovery through intra-county allocation described in Step 2, or from the Class Members' Special Needs Fund (see FAQ 24). In the rare circumstance that a city with a share of less than $500 lies in a county that does not have a county government, the amount would instead go to the Class Members' Special Needs Fund, and Class members could seek recovery from that Fund.

Further information about the allocation formulas and their data sources are available at the Class website.

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21. What happens if a county and its constituent cities make different decisions about staying in the Class?

- If a county and all of its constituent cities remain in the Class, each entity's share will be determined as explained in FAQ 20.
- If a county remains in the Class, but one or more cities within the County are not in the Class, there are a variety of ways that a Class settlement might address that situation, but it is possible that a Class settlement would require that the County's allocation be reduced.
- If a county is not in the Class, but cities within that county remain in the Class, there are a variety of ways a Class settlement might address that situation. One possibility is that a city would receive no direct monetary allocation because its county has opted out, but that it could seek monetary relief through the Special Needs Fund (see FAQ 24). If a settlement provides a city no possibility of monetary relief because its county has opted out, Class Counsel anticipates the city would not be required to release its claims against the settling Defendant.

22. If there is a settlement between a Defendant and a State or States, what impact will this Negotiation Class have on the division of monies between a State and the cities and counties within the State?

The Negotiation Class process does not interfere with a Defendant's ability to settle directly with one or more States. If a Defendant reaches a settlement directly with a State, nothing about this Negotiation Class process would affect the distribution of those settlement funds between the State and its own cities or counties. The Court has explicitly ordered that the Class's lawyers not involve themselves or the Class in the process of allocating monies secured by States between themselves and their counties and cities.

23. Will Negotiation Class Representatives receive anything more than other Class Members?

Negotiation Class Representatives do not receive preferential treatment under any settlement simply for serving as Class Representatives. Their allocation will be calculated in precisely the same manner as every other Class Member's. However, they can apply to the Court for reimbursement of costs and expenses incurred by reason of serving as Class Representatives. Also, courts often award a modest amount to Class Representatives, called an incentive or service award, so as to encourage Class Representatives to step forward on behalf of others. Any such awards are subject to Class notice and Court approval.

24. What is the Special Needs Fund?

Fifteen percent (15%) of any Class settlement fund will be put into the "Special Needs Fund." Any Class Member may apply for a distribution from the Special Needs Fund: (1) to recover its costs of litigating its own opioids lawsuit, if that case was filed before June 14, 2019; and/or (2) to obtain additional relief for any local impact of the opioids crisis that is not captured by the Class Member's allocation. Applications will be made to and approved by a court-appointed Special Master, on a case-by-case basis. Any unawarded amount remaining in this Special Needs Fund would revert to the Class.

YOUR RIGHTS AND OPTIONS

25. Can my county or city exclude itself from the Negotiation Class?

Yes. You have a **one-time** opportunity to exclude your county or city from the Class and you must do so before November 22, 2019. You must follow the procedure set forth in FAQ 26 below to

exclude your county or city. As explained in FAQ 27, you will likely **not** be given a second opportunity to exclude your county or city from the Class if a settlement is later reached and you should not count on such an opportunity being available at that time.

26. How does my county or city exclude itself from the Negotiation Class?

You may exclude your county or city ("opt out") by signing and sending, either by email or by first-class U.S. mail, the enclosed Exclusion Request Form.

- If submitted by email, the form must be sent to info@OpioidsNegotiationClass.info on or before **November 22, 2019**.
- If submitted by mail, the form must be postmarked on or before **November 22, 2019** and sent by first-class U.S. mail to:

NPO Litigation
P.O. Box 6727
Portland, OR 97228-6727

The Exclusion Request Form must be signed by an **authorized** official or employee of the county or city itself, under penalty of perjury pursuant to 28 U.S.C. § 1746, and is subject to verification by the Court. If you exclude your county or city from the Negotiation Class, your county or city will not be bound by any Orders or Judgments regarding the Class, and it will have no right to share in any settlement reached by the Class.

27. If my county or city stays in the Negotiation Class, can it exclude itself later if it doesn't like a proposed settlement?

Not under the current Court Order. The Court's Order certifying the Negotiation Class provides only one opportunity for a county or city to exclude itself from the Class. The exclusion deadline ends on November 22, 2019. If a settlement is reached and proposed to the Class for its approval, Class Members who do not support the settlement may (1) vote against it and/or, (2) if the settlement is nonetheless approved by the Class votes, file objections with the Court. Rule 23 permits a court to offer a second opportunity for Class Members to opt out when a settlement is proposed, but the Rule does not require the Court to give Class Members a second opportunity to opt out. In this case, it is anticipated that the Court will not give Class Members a second opportunity to opt out. Therefore, Class Members should not rely on that possibility. Class Members should expect that there will be no opportunity to opt out of the Class after **November 22, 2019**.

THE LAWYERS REPRESENTING THE CLASS

28. Who are the Class Counsel?

The Court has authorized the following six lawyers to jointly represent the Negotiation Class: Jayne Conroy and Christopher A. Seeger are Co-Lead Negotiation Class Counsel and Gerard Stranch, Louise Renne, Mark Flessner, and Zachary Carter are Negotiation Class Counsel. Each of these six lawyers represents only cities or counties in Opioids-related litigation.

29. How do Class Counsel get paid?

Class Counsel will apply to the Court for approval of fees and costs under Rule 23(h). As a Class Member, you will receive notice and have an opportunity to object to any such application. The Court may appoint fee committees to make recommendations of any fee awards, to avoid duplication of payment, and to ensure appropriate compensation of those whose efforts provided a common benefit. The Court will make the final decision about all fees paid out of the Class's recovery to any lawyer.

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30. Under this proposal, what happens to my County or City's current fee agreement with outside counsel?

The current fee agreement that a county or city has with its outside counsel remains in effect. Membership in the Negotiation Class does not change that. In the event of any settlement that achieves Class and Court approval, there would be a "Private Attorneys Fund" from which outside counsel for Class Members that had signed retainer agreements for opioid epidemic-related litigation before June 14, 2019 could apply for fees and costs in lieu of any current fee agreement. That would be a voluntary decision between the county or city and its outside counsel. A total of up to 10% (maximum) of any approved Class settlement amount will be held in the Private Attorneys Fund. Any unawarded amount remaining in this Fund would revert to the Class. The Court must approve all payments from this Fund.

GETTING MORE INFORMATION

31. How can my County or City keep up with what's going on in this case?

Pertinent news and information will be posted at the Class website, **www.OpioidsNegotiationClass.info** on an ongoing basis. As a Class Member, you also will have the opportunity to sign up, through the Class website, for email notices alerting you to the fact that new information has been posted to the Class website.

DO NOT WRITE OR CALL THE COURT OR THE CLERK'S OFFICE FOR INFORMATION

DATE: September 11, 2019.

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IF YOU WANT TO EXCLUDE YOUR COUNTY OR CITY
YOU MUST ACT BY NOVEMBER 22, 2019

EXCLUSION REQUEST FORM
Read this page carefully then turn to Page 2 if you want to sign and send

Complete this form ONLY if your County or City does NOT want to remain a Class Member and does not want to share in any potential negotiated Class settlement. If your County or City does not complete and submit this form, it will be deemed to be a Class Member so long as it is a County or City in the United States as those terms are described in the Class Notice and is on the list of Class Members found at www.OpioidsNegotiationClass.info.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

In re NATIONAL PRESCRIPTION OPIATE LITIGATION	:	1:17-md-2804 (DAP)

Class Notice Administrator
NPO Litigation
P.O. Box 6727
Portland, OR 97228-6727

Dear Class Notice Administrator:

My County or City does **NOT** want to be a member of the Negotiation Class certified in the *In re National Prescription Opiate Litigation*. I understand that by completing the information requested on page 2, signing, and submitting a copy of this form by email (to the email address on page 2) sent on or before **November 22, 2019** OR by first-class U.S. mail (to the mailing address on page 2) post-marked on or before **November 22, 2019,** I am opting my County or City out of the Negotiation Class and it will **NOT** be a Class Member. I understand that by timely submitting this form, my County or City is foregoing the right to share in any Class settlement that may be obtained. I understand that my County or City is **NOT** guaranteed an opportunity to opt back in if there is a Class settlement, so this is our final decision. I also understand that by opting out, my County or City will not be bound by any judgment entered as part of any Class settlement.

I understand that if my jurisdiction is a Class Member and wants to remain a Class Member, it does not need to do anything now. I understand that I should **NOT** return this Exclusion Request Form if my jurisdiction wants to remain a Class Member.

I understand that, if I have any questions, I may contact Class Counsel at **1-877-221-7468**, or visit www.OpioidsNegotiationClass.info **BEFORE** I mail this form to you and **BEFORE November 22, 2019.**

TURN TO PAGE 2 IF YOU WANT TO SIGN EXCLUSION/OPT-OUT FORM AND FOR EMAIL AND MAILING ADDRESSES

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IF YOU WANT TO EXCLUDE YOUR COUNTY OR CITY
YOU MUST ACT BY NOVEMBER 22, 2019

EXCLUSION REQUEST FORM

Read Information on Page 1 carefully before signing

Having read and understood the information on page 1, the County or City **(circle one)** entitled _____ in the State of _____ hereby excludes itself from the Negotiation Class certified by the United States District Court in the Northern District of Ohio in *In re National Prescription Opiate Litigation*, MDL 2804. Under penalty of perjury and in accordance with 28 U.S.C. § 1746, I declare that I am an official or employee authorized to take legal action on behalf of my County or City.

Signature: _____

Print name: _____

Title: _____

City or County Represented: _____ (Circle one): City / County

Address: _____

City: _____ State: _____ Zip Code: _____

Phone: _____ Email: _____

Date: _____

BY NOVEMBER 22, 2019

EMAIL TO:

info@OpioidsNegotiationClass.info

OR

SEND BY FIRST CLASS MAIL TO:

NPO Litigation
P.O. Box 6727
Portland, OR 97228-6727

MEMORANDUM October 21, 2019

TO: Susan Bourgeois
FROM: John Bitney
SUBJECT: Oil tax initiative

At the last City Council meeting, you indicated there was some discussion about the recent approval of an oil tax initiative. Below is an effort to summarize the initiative and provide some observations how it will play out in the coming months.

Please know my analysis is meant only as an impartial summary.

On October 15, 2019, Lieutenant Governor Kevin Meyer certified an initiative application entitled "An Act relating to the oil and gas production tax, tax payments, and tax credits."

With this approval, the initiative sponsors now have one year to gather 28,501 signatures from qualified voters (10 percent of those who voted in the preceding general election).

The new oil tax initiative consists of two pages, and amends the state's existing tax structure to increase production taxes only on the three large fields that supply most of Alaska's oil and revenue – Alpine, Kuparuk and Prudhoe Bay.

The tax increase applies at all oil price levels for fields producing 400 million cumulative barrels a year. No other fields are close to meeting this benchmark. Two fields – Pikka and Willow – are about to begin producing oil within the next 2-3 years, and could possibly reach 400 million barrels by the 4th year of production.

Fields producing less than the threshold would continue to be subject to the state's existing tax structure.

The initiative would, for these larger fields:

- Maintain the hybrid gross/net tax system, with changes. As with today's system, a company would pay 'the higher of' the gross or net tax – whichever gets the state more.

- The base gross minimum tax would increase from 4% to 10%. For context, in Oklahoma the gross tax is 7%; in North Dakota, around 10% - yet these states don't have a net tax at higher prices. Also for context, recent tax bills have attempted to change the gross minimum tax from 4 to 5 or 6 percent.

- A new surcharge to the gross minimum tax would kick in at prices of $50/barrel and higher – although, the net tax would kick in close to $50, so this may be a less relevant component, depending on the field and the costs.

- The cross-over from gross to net would hit at lower prices than today's tax structure.

- In the net tax, the per-barrel credit goes away completely for these three fields. For context, the per-barrel credit (across all North Slope fields) is worth about $1.2 billion today. The initiative would repeal it only for the three fields.

- The initiative adds a progressivity surcharge to the net tax already in statute – above the 35% tax rate – when the production tax value (gross value minus lease expenditures) of a barrel is $50 or higher. That would be at about $86-$87 per barrel price – depending on lease expenditures.

- Ballpark, the initiative would mean the bigger companies operating the three fields subject to the tax increase would pay 3-4 or more times the tax they pay now, at prices between $60 and $70 per barrel. (For example, the gross minimum increase itself, going from 4% to 10%, is a 2.5 times increase.)

- The initiative calls for full public disclosure of all filings and backup/support for the taxes paid for these fields. To date, taxpayer information – no matter who you are – has been confidential in Alaska by statute. (This provision is likely to generate litigation over equal protection issues.)

- The initiative shifts from annual to monthly taxes.

OBSERVATIONS/COMMENTS

- Although initiative sponsors have one year to gather signatures, they have until January 21, 2020 (Day 1 of the next Legislative Session) in order to put the question on 2020 election ballot. If they don't' meet this deadline, the initiative could be eligible for the 2022 election once they reach the minimum number of signatures within the deadline thereafter.

- If the signatures are gathered before January 21, the legislature could remove the question from the next ballot by passing a "substantially similar" bill during the next session. Since the initiative touches multiple aspects of the tax system, any legislative measure would have to be similarly involved in all of these aspects in order to be deemed "substantially similar."

- Accompanying the Lieutenant Governor's approval of the application was an opinion by the Attorney General (see link below).

https://ltgov.alaska.gov/wp-content/uploads/sites/3/10.14.2019-19OGTX-Attorney-General-Opinion.pdf

Although the Attorney General recommended approval of the initiative on the basic premise that the application met the minimum criteria, he makes several statements indicating that the language of the initiative will likely face litigation. We will likely see a situation similar to the recent initiative on water quality standards (IE Stand for Salmon), which was amended by litigation in the courts system after it was slated for consideration in the 2018 election.

Susan Bourgeois

From: Richard and Debbie Collins <rcollins@ctcak.net>
Sent: Monday, October 14, 2019 6:00 PM
To: Susan Bourgeois
Subject: Whitshed Road

Dear Mayor Koplin and Council Members,

There is an open comment period for major work to be completed on the dangerous area at approximately 3 mile Whitshed Road. Please submit a letter from the city supporting this project and if you are able submit personal letters. This area is very dangerous and continues to erode on the bay side and there is potential for more rock slides on the opposite side. While it is a state road, the area is in city limits. We need the city to back this project for all residents of Cordova as this area is seeing an increase in building, but also a recreational area for residents and visitors alike.

Thank you for your consideration of this matter.

Debbie Collins

Notice of Public Scoping: Alaska Department of Environmental Conservation Oil Discharge Prevention and Contingency Plan Requirements

The Alaska Department of Environmental Conservation (department) is seeking input from the public on the oil discharge prevention and contingency plan regulations under 18 AAC 75 Article 4 (http://www.legis.state.ak.us/basis/aac.asp#18.75.400). The department is also accepting comments on our statutory authorities relevant to contingency planning under AS 46.04 (http://www.akleg.gov/basis/statutes.asp#46.04).

No specific regulation revisions are proposed at this time, and there are no draft regulations to review. Based upon the input received, a formal regulation drafting and review process may be initiated and would be subject to public review and comment.

The department specifically would like to hear about whether the current regulations could be made more clear and understandable without compromising environmental protection or if any portions may be outdated or duplicative. The department is also interested in new ideas that may make contingency plans more effective. As this is a scoping process, all public comments will be considered and posted on the DEC website, but the department will not be preparing a responsiveness summary.

Public Input
Written comments must be received by the department no later than 11:59 pm on January 15, 2020.

To submit your comments electronically, visit:
http://alaskadec.commentinput.com

Alternately, you may mail comments to:
Seth Robinson
Alaska Department of Environmental Conservation
Division of Spill Prevention and Response – Prevention, Preparedness, and Response Program
610 University Avenue
Fairbanks, AK 99709
dec.cpr@alaska.gov

Please Note: The full contents of all submitted comments are **considered public records** and will be posted online in full during the scoping comment period.

Following this scoping process, any proposed regulatory revisions will be released for public review and comment in a separate process consistent with AS 44.62, the Administrative Procedures Act.

The department complies with Title II of the Americans with Disabilities Act of 1990. If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Kate Orozco at (907) 465-6171 or TDD Relay Service 1-800-770-8973/TTY or dial 711 10 days prior to the end of the public scoping period.

Attachments, History, Details

Attachments
None

Revision History
Created 10/15/2019 9:00:29 AM by cfishwick

Details

Department:	Environmental Conservation
Category:	Public Notices
Sub-Category:	
Location(s):	Statewide
Project/Regulation #:	
Publish Date:	10/15/2019
Archive Date:	1/15/2020
Events/Deadlines:	Comments Due 1/15/2020 11:59pm

Friends of the Alaska Marine Highway System

Alaska Ferry Advocacy Group

October 15, 2019

Dear Friends,

Unfortunately, we now have a better idea what the Governor's cuts to the Alaska Marine Highway System will mean for our communities. It's not a pretty picture.

The Transportation Department's winter schedule shows a major reduction in service to all communities along the ferry route. Some communities will have no service at all between October 31 and April 30. Public transportation is much more than getting people from point A to point B. It's an essential part of our social fabric, moving athletic teams, cargo, entire households, medical supplies and patients – the list is almost endless. Ferry service is vital to our community and is often the only way our residents can travel.

The refusal to invest in public transportation puts a stranglehold on our future. It can't be allowed to happen.

Ferry service is our highway, and we need it all year long. State support for it represents an investment in our economy, our community, our future. Public transit is a fundamental right.

Now we have reached a critical point in this battle. Since the middle of the last session, we have been talking to the legislative leadership about restoring ferry service funding. We have had good discussions, and we are working together to develop a plan for how the AMHS will look in the future and how it will be funded.

But now is the time to show the breadth of our support. We need to create a broad, powerful coalition of citizens and organizations from the communities most affected by the Governor's cuts to ferry service. We must organize to rescue the system and reinstate the $64 million earmarked for the AMHS operating budget in the general fund.

I am asking you to be part of this group. Please let me know by telephone (907-321-9585) or email percyfrisby@gmail.com if you can join us.

I hope very much to hear from you. Together we can save our ferry system.

Percy Frisby

CITY OF CORDOVA

October 23, 2019

April Woolery, DOT&PF Planner
2301 Peger Road
Fairbanks, AK 99709

RE: Mile 3.1 Whitshed Road Rockslide Mitigation

The City of Cordova strongly supports the Alaska Department of Transportation's (ADOT) application for hazard mitigation partnership funding to FEMA for mitigation of rockslides at 3.1 Whitshed Road. Concerned citizens have brought awareness to the issue; frequently citing their safety concerns associated with driving on that tight corner.

I have personally inspected the site and noted the scouring along the ditch line that is undermining both the asphalt road surface and the rocky slope perched above it. The City has been in contact with ADOT staff requesting improvements to the site and we support the pro-active approach to stabilizing the slope to protect public safety and the nearby wetlands and watersheds that this ditch line is tributary to.

Please consider funding this necessary project to correct a functional and environmental hazard to our community, which relies on both safe roads for citizens and clean, stable watersheds for our commercial fishing economy.

Respectfully,

Clay R. Koplin

Clay Koplin, PE, Mayor
City of Cordova, Alaska
PO Box 1210
Cordova, AK 99574
(907) 253-5026 M

Native Village of Eyak

CITY OF CORDOVA

October 28, 2019

Commissioner Mackinnon
3132 Channel Dr #300
Juneau AK 99801-7898

RE: Prince William Sound 2019-2020 Winter Ferry Service

Mr. Mackinnon:

The community of Cordova has been working to find lower cost alternatives for ferry service and the IBU and other unions have agreed to consider cost-saving accommodations. We would appreciate the opportunity to meet with you to develop a path to providing winter service to Prince William Sound by placing the Aurora into service after her November 2019 layup for the months of January through April to bridge the gap until normal service resumes in May. We suggest the State convene a meeting with the unions in Anchorage or Juneau and reserve the first portion of that meeting for comments and proposals from me, Mayor Koplin, and Robert Venables for consideration. We could be excused after our remarks to allow union/state negotiations. The preferred outcome would be an engagement of the unions on our behalf to craft a solution to provide basic winter service to Prince William Sound. A workable solution here could serve as a model to other segments of the AMHS system.

Alternatively, work within your existing budget to run the Tustemena to Prince William Sound for one week a month with two or three loops that prefer Whittier and Cordova during that week. The extreme tides in Cook Inlet to Homer are arguably more dangerous than crossing the open gulf to Prince William Sound and both have been historical runs for the Tustemena; claims that there are safety issues or restrictions on the Tustemena for a Prince William Sound but not a Homer run seem distorted.

Time is of the essence in pursuing a collaborative solution for minimum marine highway service to Prince William Sound.

If you have questions, feel free to call either: Mayor Clay Koplin 907-424-5026 or Executive Director Bert Adams at 907-424-7738.

Respectfully,

Bert Adams
Executive Director
Native Village of Eyak

Clay Koplin
Mayor
City of Cordova

602 Railroad Avenue P.O. Box 1210 Cordova, Alaska 99574 Telephone (907) 424-6200 Fax (907) 424-6000

From: Clay Koplin
Sent: Monday, October 28, 2019 2:13 PM
To: Mason, Janice L (GOV) <janice.mason@alaska.gov>; julia.mesdag@alaska.gov <julia.mesdag@alaska.gov>
Cc: bertrand.adams@eyak-nsn.gov <bertrand.adams@eyak-nsn.gov>
Subject: Requested Meeting with Governor Dunleavy

Dear Governor:

For the past several months, Cordova has been occupied with many opportunities and challenges.

Cordovans have developed a new comprehensive community plan, approved local bonds for harbor upgrades, and improved the economics of healthy salmon returns by increasing their value in domestic and global markets. In June, we cut the ribbon on a new electrical battery that liberates renewable hydro energy, thus saving tens of thousands of gallons of cost of diesel generation during peak usage periods and winter months. This is one element of a larger, nationally leading grid modernization project with the US Department of Energy that showcases cutting-edge Alaskan microgrid technology. Our Fisheries Advisory Committee has appreciated working with ADF&G toward harvesting new seafood and developing new fisheries. These new fisheries dovetail perfectly with your efforts to attract investment and economic opportunities to our state.

Our community also faces state budget cuts that will increase local taxes, and isolate us further from the state's transportation network. As we face that reality, we need to make sure we take full advantage of any opportunities to keep the bright spots moving forward. This message is to request an opportunity to meet with you to discuss how we can best work with your administration on finding efficiencies in state government while maximizing private investment potential. There are opportunities to achieve a win-win for both, but it will require some communication and coordination with the state.

Thank you for considering this request. We would love to have you visit Cordova anytime and see our world-class salmon processing industry. In the event you are available to meet, we will be glad to try and coordinate a trip to Anchorage or wherever you're available. The Native Village of Eyak's Sobriety Celebration on November 15-17 is a key contributor to Cordova's status as one of the safest communities in the state and is just around the corner if that would fit your schedule.

November 6, 7, or 8 would be very opportune days for us to meet with you in Anchorage as both Bert and I will be there for unrelated business and will make ourselves available at any time during those days. Otherwise, any date before December 9th except for November 15-25 due to other commitments can be arranged for a meeting in Juneau or Anchorage.

Respectfully,

Clay Koplin, Mayor, City of Cordova
Bert Adams, Executive Director, Native Village of Eyak

AGENDA ITEM 20
City Council Meeting Date: 11/06/19
CITY COUNCIL COMMUNICATION FORM

FROM: **Dean Baugh, Interim Finance Director**

DATE: **10/23/19**

ITEM: **FY19 Budget amendment for 2019 Emergency Management Grant (EMPG-GY19)**

NEXT STEP: **Council approval of Resolution 11-19-46**

_____ ORDINANCE __X__ RESOLUTION
_____ MOTION _____ INFORMATION

I. <u>REQUEST OR ISSUE:</u> Amendment of the FY19 adopted budget by $36,000 to fund the EMPG-GY19 grant project. Grant amount $18,000, grant requires an $18,000 City Match.

II. <u>RECOMMENDED ACTION / NEXT STEP:</u> Council moves to approve resolution 11-19-46 to amend the FY19 adopted budget by $36,000, roll call vote required due to expenditure of unbudgeted funds.

III. <u>FISCAL IMPACTS:</u>

This Resolution amends the following budget line items by $36,000

Revenue#	401-390-49999	-	Transfer in from General Fund
Revenue#	401-343-59194	-	EMPG-GY19 grant
Expense#	401-443-59194	-	EMPG-GY19 grant
Revenue#	101-397-41095	-	Reserve Funds-Budgeted
Expense#	101-901-57340	-	EMPG-GY19 grant

IV. <u>BACKGROUND INFORMATION:</u> The city received the 2019 Emergency Management Grant, EMS-2019-EP-00001 (EMPG GY19) from the Department of Homeland Security. This resolution appropriates the funds for the project.

CITY OF CORDOVA, ALASKA
RESOLUTION 11-19-46

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORDOVA, ALASKA, AUTHORIZING AMENDMENT TO THE FY19 BUDGET IN THE AMOUNT OF $18,000 FOR THE EMPG-GY19 GRANT AND THE $18,000 CITY MATCH.

WHEREAS, The City Council of the City of Cordova has adopted the City Operating Budget and appropriated funds for FY 19 for the period of January 1, 2019 to December 31, 2019; and

WHEREAS, The City of Cordova had the following amendment to the FY19 budget that was unrecognized at the time of budget adoption; receipt of the 2019 Emergency Management Grant, EMS-2019-EP-00001 (EMPG GY19) from the Department of Homeland Security; and

WHEREAS, the funds will be appropriated in following line items:

Funding Source	Account	Description	Amount
General Fund	401-390-49999	Transfer in from General Fund	18,000
Grant funding	401-343-59194	EMPG-GY19 grant	18,000
Grant Expense	401-443-59194	EMPG-GY19 grant	36,000
General Fund	101-397-41095	Reserve Funds-Budgeted	18,000
General Fund	101-901-57340	Transfer to CIP #401	18,000

NOW, THERFORE, BE IT RESOLVED that the City Council of the City of Cordova, Alaska, hereby authorizes amendment of the FY19 Budget in the amount of $36,000.00 for the EMPG-GY19 grant project as listed above.

PASSED AND APPROVED THIS 6th DAY OF NOVEMBER 2019.

_____
Clay R. Koplin, Mayor

ATTEST:

_____
Susan Bourgeois, CMC, City Clerk

DRAFT

THE STATE of ALASKA
GOVERNOR MICHAEL J. DUNLEAVY

Department of Military and Veterans Affairs
Division of Homeland Security and Emergency Management
P.O. Box 5750
JBER, AK 99505-0800
Main: 907.428.7000
Fax: 907.428.7009
ready.alaska.gov

September 5, 2019

Alan Lanning, City Manager
City of Cordova
PO Box 1210
Cordova, AK 99574

RE: 2019 Emergency Management Performace Grant, EMS-2019-EP-00001
State Grant No.: 20EMPG-GY19

Certified Mail: 9171 9690 0935 0210 4255 53

Dear Mr. Lanning:

We received funds from the Federal Emergency Management Agency (FEMA) under the 2019 Emergency Management Performace Grant (EMPG). We are pleased to award the City of Cordova the amount of $18,000.00 under this grant.

EMPG performance includes but is not limited to the following:

- Accomplishment of activities identified in the jurisdiction's 2019 EMPG Work Plan.
- Update or completion of the Alaska Assessment.
- Required attendance at the State's multi–year Training and Exercise Plan Workshop (TEPW) to be held in conjunction with the 2020 Preparedness Conference, and development of a local jurisdiction Multi–Year Training and Exercise Plan to be submitted to us at the TEPW.
- EMPG–funded personnel should make every attempt to participate in no less than three exercises during the performance period. Exercises may be discussion–based (seminars, workshops, tabletop simulations) or operations–based (drills, functional exercises, full scale exercises). Sponsored opportunities by us may be available during the performance period. Real world events may not always count as exercise participation.
- Continued utilization and work towards adoption and implementation of the National Incident Management System (NIMS). The Alaska Assessment is the required means to report NIMS adoption and implementation.
- Complete the FEMA Independent Study Professional Development Series.
- Timely quarterly progress report submissions.
- Dollar–for–dollar, in–kind match.

EMPG funding allocations to local jurisdictions are a direct result of continued reporting on actual funds spent at the local level on emergency management activities. With that in mind, we encourage reporting all funds spent on emergency management activities even if they exceed the required match.

Enclosed are two pre–signed Obligating Award Documents (OADs). Please review the information for accuracy. Sign the obligating documents, keep one original for your records, and return the other original within 30 days of jurisdiction receipt to:

State Administrative Agency Point of Contact
PO Box 5750
JBER, AK 99505

If the OAD cannot be returned within 30 days due to local jurisdiction policies, a Notice of Intent to Accept Grant Award form must be submitted. The form and instructions are available for download on our Grants website, http://ready.alaska.gov/grants.

If signatory points of contact have changed since submittal of the application, please complete and return a Signatory Authority Form with the signed OAD. The Signatory Authority Form is available for download on our Grants website. If needed, electronic payment enrollment forms are also available upon request.

If you have any questions, please contact the Division Project Manager for this grant, Douglas Albrecht, at (907) 428-7042 or by email at douglas.albrecht@alaska.gov.

Sincerely,

Paul L. Nelson
Deputy Director

Enclosure(s): (2 originals) Obligating Award Document
Project Budget Details Report

cc: Paul Trumblee, Jurisdiction Project Manager
Dean Baugh, Jurisdiction Chief Financial Officer

State of Alaska
Division of Homeland Security and Emergency Management

Under
US Department of Homeland Security
Federal Emergency Management Agency
Grant Programs Directorate

FEDERAL AWARD DATE	August 01, 2019
FEDERAL GRANT PROGRAM	2019 Emergency Management Performace Grant
FEDERAL GRANT NUMBER	EMS-2019-EP-00001
CFDA:	97.042

OBLIGATING AWARD DOCUMENT

RECIPIENT NAME AND ADDRESS	PERFORMANCE PERIOD		AMENDMENT		AWARD AMOUNT
City of Cordova PO Box 1210 Cordova, AK 99574	FROM:	July 01, 2019	AMENDMENT #:	#	
	TO:	June 30, 2020	EFFECTIVE DATE:		$18,000.00
	STATE PROGRAM NUMBER				20EMPG-GY19

DUNS NUMBER	075739771	FUNDING ALLOCATION			
EIN	92-6000138	ORGANIZATION	$18,000.00		
METHOD OF PAYMENT	Electronic	PLANNING		EXERCISE	
		TRAINING		EQUIPMENT	

PURPOSE OF AWARD

Federal Awarded Amount, Organization Funds: **$18,000.00**
Minimum Required Local Match, Organization Funds: $18,000.00
Total Program Amount: $36,000.00

The attached Project Budget Details is the funding allocation. Grant program guidelines and federal, state, and local contracting and procurement compliance requirements apply.

GRANT TERMS AND CONDITIONS	GRANT REQUIREMENTS, ASSURANCES AND AGREEMENTS **(all previous Grant Requirements, Assurances and Agreements still apply)**
All previous Grant Terms and Conditions still apply.	The acceptance of a grant from the United States government creates a legal duty on the part of the recipient to use the funds or property made available in accordance with the conditions of the grant. [GAO Accounting Principles and Standards for Federal Agencies, Chapter 2, Section 16.8(c)]

SPECIAL CONDITIONS **(Grant funds cannot be expended until these conditions have been met. See Obligating Award for details)**

None

AGENCY INFORMATION

ADDRESS	**Division of Homeland Security and Emergency Management** **PO Box 5750** **JBER, AK 99505-5750**	WEBSITE	**http://ready.alaska.gov**
		EMAIL	**mva.grants@alaska.gov**
		PHONE	**907-428-7000**
		FAX	**907-428-7009**

STATE PROJECT MANAGER	PHONE	FAX	EMAIL
Douglas Albrecht	(907) 428-7042	(907) 428-7009	douglas.albrecht@alaska.gov

AGENCY APPROVAL		RECIPIENT ACCEPTANCE	
NAME AND TITLE OF APPROVING AGENCY OFFICIAL		NAME AND TITLE OF AUTHORIZED RECIPIENT OFFICIAL	
Paul L. Nelson, Deputy Director		Alan Lanning, City Manager	
SIGNATURE OF APPROVING AGENCY OFFICIAL		SIGNATURE OF AUTHORIZED RECIPIENT OFFICIAL	
Paul L. Nelson	DATE 8-4-19		DATE

FOR STATE USE ONLY

Division File Number:	**18 EMPG 1.6.9.2**	**Date Returned**	

Fund	Unit	AR Unit	Object	Activity	Function	Program	PPC
1004	**2001**	**09000200**	**7001**	**2012**	**19 EMPG CDVA**	**2EMPG2019**	**GYEMPG**

AGENDA ITEM 21
City Council Meeting Date: 11/06/19
CITY COUNCIL COMMUNICATION FORM

FROM: **Dean Baugh, Interim Finance Director**

DATE: **10/23/19**

ITEM: **FY19 Budget amendment for 2019 DPS grant and the NVE grant**

NEXT STEP: **Council approval of Resolution 11-19-47**

_____ ORDINANCE __X__ RESOLUTION
_____ MOTION _____ INFORMATION

I. <u>REQUEST OR ISSUE:</u> Amendment of the FY19 adopted budget by $42,082 to fund the purchase of a K-9 officer, 3 Kustom signal eagle radars and 6 patrol rifles with the 2019 DPS grant and the NVE grant. 2019 DPS grant of $32,082 and NVE grant of $10,000.

II. <u>RECOMMENDED ACTION / NEXT STEP:</u> Council moves to approve resolution 11-19-47 to amend the FY19 adopted budget by $42,082, roll call vote required due to expenditure of unbudgeted funds.

III. <u>FISCAL IMPACTS:</u>

This Resolution amends the following budget line items by $42,082

Revenue#	401-341-50090	-	2019 DPS grant
Expense#	401-441-50090	-	2019 DPS grant
Revenue #	101-304-40268	-	NVE K-9 grant
Expense #	101-441-55040	-	NVE K-9 grant

IV. <u>BACKGROUND INFORMATION:</u> The city received the 2019 Department of Public Safety (DPS) grant for the purchase of a K-9 officer, 3 Kustom signal eagle radars and 6 patrol rifles. The city received a grant from Native Village of Eyak (NVE) to assist with the purchase of the K-9 officer. This resolution amends the FY19 budget to fund these projects.

CITY OF CORDOVA, ALASKA
RESOLUTION 11-19-47

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORDOVA, ALASKA, AUTHORIZING AMENDMENT OF THE FY19 BUDGET IN THE AMOUNT OF $32,082 FOR THE 2019 DPS GRANT FOR THE PURCHASE OF A K-9 OFFICER AND VARIOUS PUBLIC SAFETY EQUIPMENTAND A $10,000 NVE GRANT FOR THE K-9 OFFICER.

WHEREAS, The City Council of the City of Cordova has adopted the City Operating Budget and appropriated funds for FY 19 for the period of January 1, 2019 to December 31, 2019; and

WHEREAS, The City of Cordova had the following amendment to the FY19 budget that was unrecognized at the time of budget adoption; the city received the 2019 Department of Public Safety (DPS) grant for the purchase of a K-9 officer, 3 Kustom signal eagle radars and 6 patrol rifles and the city received a grant from Native Village of Eyak (NVE) to assist with the purchase of the K-9 officer; and

WHEREAS, the funds will be appropriated in following line items:

Funding Source	Account	Description	Amount
Grant funding	401-341-50090	2019 DPS grant	32,082
Grant Expense	401-441-50090	2019 DPS grant	32,082
Grant funding	101-304-40268	NVE grant	10,000
Grant Expense	101-441-55040	NVE grant	10,000

NOW, THERFORE, BE IT RESOLVED that the City Council of the City of Cordova, Alaska hereby authorizes amendment of the FY19 Budget in the amount of $32,082 for the 2019 DPS grant and $10,000 for the NVE grant project as listed above.

PASSED AND APPROVED THIS 6th DAY OF NOVEMBER 2019

_____
Clay R. Koplin, Mayor

Attest:

_____
Susan Bourgeois, CMC, City Clerk

DRAFT

THE STATE of ALASKA

Department of Public Safety

5700 East Tudor Road
Anchorage, Alaska 99507-1225
Main: 907 269 5641
Fax: 907.269.5079

April 4, 2019

Chief Hicks
610 Railroad Avenue
Cordova, AK 99574

Dear Chief Hicks:

During the last legislative session and as part of SB 142 (Capital Budget) the Department of Public Safety (DPS) was allotted $2 million for Crime Prevention and Response and Equipment. The money was intended to be used to coordinate with local law enforcement agencies statewide to help local communities prevent and respond to crime in an effort to reduce drug related crimes, car thefts, and violent crimes.

DPS established a process to collect and evaluate requests from the local law enforcement agencies. The process established that the funds would be distributed as reimbursement and that upon approval your agency would have to make the purchase and DPS would reimburse the preapproved cost when an itemized receipt was provided to DPS.

Your submitted request(s) for reimbursement funding was reviewed and the following was approved for reimbursement:

1) $15,000 for the purchase of a K9
2) $8,028 for the purchase of three (3) Kustom Signal Eagle 3 Radars
3) $9,054 for the purchase of six (6) patrol rifles

$ 32,082

The approved items must be to be ordered no later than June 30, 2019.

The itemized receipts verifying purchase will need to be submitted to Lt. Sims by December 31, 2019.

If you will not be able to meet the above deadlines, please contact Lt. Sims.

Send all itemized receipts for reimbursement to Alaska State Troopers, 5700 East Tudor Road, Anchorage, AK 99507 Attention: Lt. Cornelius Sims

If you have any questions, please contact Lt. Sims (cornelius.sims@alaska.gov) or 907-375-7761.

mailed 6/27/2019
BBW

AGENDA ITEM 22
City Council Meeting Date: 11/06/19
CITY COUNCIL COMMUNICATION FORM

FROM: **Dean Baugh, Interim Finance Director**

DATE: **10/23/19**

ITEM: **FY19 Budget amendment for Bob Korn Pool Damage Repairs**

NEXT STEP: **Council approval of Resolution 11-19-48**

_____ ORDINANCE __X__ RESOLUTION
_____ MOTION _____ INFORMATION

I. <u>REQUEST OR ISSUE:</u> Amendment of the FY19 adopted budget by $32,723 to fund the Bob Korn Pool Damage Repairs.

II. <u>RECOMMENDED ACTION / NEXT STEP:</u> Council moves to approve resolution 11-19-48 to amend the FY19 adopted budget by $32,723, roll call vote required due to expenditure of unbudgeted funds.

III. <u>FISCAL IMPACTS:</u>

This Resolution amends the following budget line items by $32,723

Revenue#	401-366-55040	-	Permanent Fund Reserves
Expense#	401-702-55026	-	Transfer to Refused Fund 505
Revenue #	101-397-49745	-	Transfer in from Permanent Fund
Expense #	Various Payroll Accts	-	General Fund Payroll Accounts

IV. <u>BACKGROUND INFORMATION:</u> The city received Insurance reimbursement for a failure of the UV system in the filtration room of the Bob Korn Pool. The failure of this system caused warm, pool water to spray on and seriously damage components of the boiler, as well as electrical equipment related to the saltwater generator. City General Fund employees were used to install new equipment, this resolution reimburses the GF for those expenses. This resolution appropriates the FY19 budget to complete the repairs.

CITY OF CORDOVA, ALASKA
RESOLUTION 11-19-48

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORDOVA, ALASKA, AUTHORIZING AMENDMENT TO THE FY19 BUDGET IN THE AMOUNT OF $32,723 FOR THE INSURANCE REIMBURSEMENT FOR DAMAGE AT BOB KORN POOL.

WHEREAS, The City Council of the City of Cordova has adopted the City Operating Budget and appropriated funds for FY 19 for the period of January 1, 2019 to December 31, 2019.

WHEREAS, The City of Cordova had the following amendment to the FY19 budget that was unrecognized at the time of adoption; the city received insurance reimbursement for a failure of the UV system in the filtration room of the Bob Korn Pool which caused warm, pool water to spray on and seriously damage components of the boiler, as well as electrical equipment related to the saltwater generator; and

WHEREAS, the funds will be appropriated in following line items:

Funding Source	Account	Description	Amount
Insurance Reimbursement	401-366-55040	Insurance Reimbursement	19,654
Project Expense	401-702-55026	Pool Repairs project	19,654
Insurance Reimbursement	101-397-49745	Insurance Reimbursement	13,069
General fund Expense	Various GF payroll accts were used, no increase to the PR accounts	General fund Payroll accts	13,069

NOW, THERFORE, BE IT RESOLVED that the City Council of the City of Cordova, Alaska hereby authorizes amendment of the FY19 Budget in the amount of $32,723 for the repairs of the Bob Korn pool damage.

PASSED AND APPROVED THIS 6th DAY OF NOVEMBER 2019

_____
Clay R. Koplin, Mayor

Attest:

_____
Susan Bourgeois, CMC, City Clerk

DRAFT

AGENDA ITEM 23
City Council Meeting Date: 11/06/19
CITY COUNCIL COMMUNICATION FORM

FROM: **Dean Baugh, Interim Finance Director**

DATE: **10/23/19**

ITEM: **FY19 Budget amendment for 2018 Emergency Management Grant (EMPG-GY18)**

NEXT STEP: **Council approval of Resolution 11-19-49**

_____ ORDINANCE __X__ RESOLUTION
_____ MOTION _____ INFORMATION

I. <u>REQUEST OR ISSUE:</u> Amendment of the FY19 adopted budget by $9,000 to fund the EMPG-GY18 grant project City Match.

II. <u>RECOMMENDED ACTION / NEXT STEP:</u> Council moves to approve resolution 11-19-49 to amend the FY19 adopted budget by $9,000, roll call vote required due to expenditure of unbudgeted funds.

III. <u>FISCAL IMPACTS:</u>

This Resolution amends the following budget line items by $9,000

Revenue#	401-390-49999	-	Transfer in from General Fund
Expense#	401-443-59204	-	EMPG-GY18 grant
Revenue#	101-397-41095	-	Reserve Funds-Budgeted
Expense#	101-901-57340	-	Transfer to CIP #401

IV. <u>BACKGROUND INFORMATION:</u> The city received the 2018 Emergency Management Grant, EMS-2018-EP-00002-S01 (EMPG GY18) from the Department of Homeland Security. $9000 of the City match was not included in the FY19 budget. This resolution appropriates the funds for the project.

CITY OF CORDOVA, ALASKA
RESOLUTION 11-19-49

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORDOVA, ALASKA, AUTHORIZING AMENDMENT OF THE FY19 BUDGET IN THE AMOUNT OF $9,000 FOR THE EMPG-GY18 GRANT CITY MATCH.

WHEREAS, The City Council of the City of Cordova has adopted the City Operating Budget and appropriated funds for FY 19 for the period of January 1, 2019 to December 31, 2019; and

WHEREAS, The City of Cordova had the following amendment to the FY19 budget that was unrecognized at the time of budget adoption; the city received the 2018 Emergency Management Grant, EMS-2018-EP-00002-S01 (EMPG GY18) from the Department of Homeland Security and $9000 of the City match was not included in the FY19 budget.

WHEREAS, the funds will be appropriated in following line items:

Funding Source	Account	Description	Amount
General Fund	401-390-49999	Transfer in from General Fund	9,000
Grant Expense	401-443-59204	EMPG-GY18 grant	9,000
General Fund	101-397-41095	Reserve Funds-Budgeted	9,000
General Fund	101-901-57340	Transfer to CIP #401	9,000

NOW, THERFORE, BE IT RESOLVED that the City Council of the City of Cordova, Alaska hereby authorizes amendment of the FY19 Budget in the amount of $9,000 for the City matching funds for the EMPG-GY18 grant project as listed above.

PASSED AND APPROVED THIS 6th DAY OF NOVEMBER 2019

_____
Clay R. Koplin, Mayor

Attest:

_____
Susan Bourgeois, CMC, City Clerk

DRAFT

AGENDA ITEM 24
City Council Meeting Date: 11/06/2019
CITY COUNCIL COMMUNICATION FORM

FROM: **Susan Bourgeois, City Clerk**

DATE: **10/30/2019**

ITEM: **City Council Role in Negotiating and Approving CBA**

NEXT STEP: **Discussion**

_____	ORDINANCE	_____	RESOLUTION
_____	MOTION	__x__	DISCUSSION

I. <u>REQUEST OR ISSUE:</u> Council role in Collective Bargaining Agreement with City Employees Union (IBEW Local 1547).

II. <u>RECOMMENDED ACTION / NEXT STEP:</u> Discussion and consensus of Council to make a change to Code or Policy.

III. <u>FISCAL IMPACTS:</u> The CBA covers 41 of the 60 City employees.

IV. <u>BACKGROUND INFORMATION:</u> Council members Jones and Glasen asked for this discussion agenda item.

V. <u>LEGAL ISSUES:</u> The pertinent references to the Charter and Code are attached here, specifically, Charter 2-4 and Cordova Municipal Code 4.04.060, 070 and Cordova Municipal Code Chapter 5.12 Purchases – specifically, 5.12.010 – 5.12.050
City Attorney Holly Wells has opined:
It is appropriate for Council to approve the collective bargaining agreement and give some guidance on the policies underlying the provisions of the CBA. However, Council should avoid participating in or directing negotiations regarding specific CBA provisions. There are examples of potential collective bargaining Code provisions that would appropriately identify Council and management's role in the process.
City Attorney Holly Wells also advised that her staff should be involved in the Code draft to ensure compliance with local law and PERA (public employees relations act).

VI. <u>SUMMARY AND ALTERNATIVES:</u> Council should give specific direction to staff after discussion.

City Charter:

Section 2-4. - Council: Powers.

Except as otherwise provided in this charter, all powers of the city, including the determination of all matters of policy, shall be vested in the council. Without limitation of the foregoing, the council shall have power:

(1) to appoint and remove the city manager as provided in this charter;

(2) by ordinance to enact legislation relating to any or all subjects and matters not prohibited by law or this charter;

(3) to adopt the budget, including a wage classification and pay plan, raise revenue and make appropriations, and to regulate all other fiscal affairs of the city;

(4) to inquire into the conduct of any office, department or agency of the city, and investigate municipal affairs;

(5) to appoint and remove its own subordinates, members of all city boards and commissions, and other quasi-legislative, quasi-judicial or advisory officers and authorities, now or when and if established, or prescribe the method of appointing or electing and removing them;

(6) to create, change and abolish all offices, departments and agencies of city government other than the offices, departments and agencies created by this charter; and to assign additional powers, duties and functions to offices, departments and agencies created by this charter.

(Amended by Resolution 5-95-56, approved by the voters on July 19, 1995).

Cordova Municipal Code:

Title 4 - PERSONNEL

Chapter 4.04 - GENERAL PROVISIONS

4.04.060 - City council responsibility and authority.

The city council shall have overall responsibility and authority regarding personnel matters including, but not limited to the following:

A. Make appointments to the personnel board;

B. Assign such additional duties to the personnel board as it deems appropriate;

C. Approve the city's budget including requests for personnel management funds;

D. Approve personnel policies and procedures reviewed by the city manager and the personnel board;

E. Approve individual employment agreements for the city manager and city clerk.

(Ord. 685 (part), 1991).

4.04.070 - City manager responsibility and authority.

The city manager shall have the responsibility and authority to:

A. Administer the personnel policies and procedures adopted by the personnel board and approved by the city council;

B. Establish and maintain records of all employees in their service, which shall include the class title, pay and other pertinent data;

C. Develop and administer an affirmative action program to provide for equal opportunity in all aspects of city personnel administration;

D. Foster and develop, in cooperation with appointing authorities and others, programs for the improvement of employees' effectiveness and productivity including training, safety, health, counseling and welfare;

E. Maintain the classification and pay plans;

F. Administer recruitment and selection programs;

G. Insure uniformity in the application of discipline;

H. Authorize the appointment and dismissal of employees;

I. Prepare and adopt such forms, reports and procedures as may be necessary to carry out the city's personnel program;

J. Approve or disapprove the recommendations of the department heads in regards to the appointment and dismissal of all personnel except those appointed by the city council;

K. Ensure that each new employee, on the date of their hire, is issued a copy of the current personnel policy;

L. Approve work rules established for the efficient operation of their work force;

M. The city manager may, in writing, delegate certain authorities and responsibilities to designated department heads. That delegation shall clearly state to whom the authority is given and shall also be for a specific period of time but must have council approval if said period exceeds thirty days;

N. Unclassified Positions. Employees in the following unclassified positions serve at the pleasure of the city manager:

1. Financial director,
2. Police chief,
3. Fire marshal,
4. Information services director,
5. Parks and recreation director,
6. Public works director,
7. Water and sewer superintendent,
8. Refuse foreman,
9. Harbor master,
10. Planner,
11. Administrative assistant to the public works director,
12. Human resources/grant assistant,
13. Public works superintendent;

O. Management takes overall responsibility for the direction and leadership of the safety policy of the city of Cordova.

(Ord. 1018 § 1, 2008; Ord. 1010 § 1, 2008; Ord. 772, 1996; Ord. 712 § 3, 1993; Ord. 685 (part), 1991).

Chapter 5.12 - PURCHASES[1]

Footnotes:

--- (1) --- Cross reference— For charter provisions on purchasing, see Charter §§ 5-16, 5-17, 5-18 and 5-19.

Note— Prior history: Prior code §§ 13.401—13.405 and Ords. 662 and 768.

5.12.010 - Definitions.

As used in this chapter:

"City manager" means the city manager or any person designated in writing by the city manager to perform the duties of the city manager under this chapter.

"Construction" means the process of building, altering, repairing, maintaining, improving or demolishing a public highway, structure, building or other public improvement of any kind to real property, and includes services related to planning and design required for the construction.

"Contract" means all types of city agreements, regardless of what they may be called, for the procurement of supplies, services or construction.

"Contract amendment" means any change in the terms of a contract accomplished by agreement of the parties, including change orders.

"Services" means the furnishing of labor, time or effort by a contractor, not involving the delivery of a tangible end product other than reports that are incidental to the required performance; however, employment agreements and collective bargaining agreements are not contracts for services.

"Supplies" means any tangible personal property.

(Ord. 809 (part), 1998).

5.12.020 - Contracting and procurement authority.

The city may, pursuant to an award in accordance with this chapter, contract with any person to acquire any supplies, services or construction required by the city. The city manager shall conduct all procurements of

supplies, services and construction for the city under this chapter. All contracts for supplies, services and construction shall be awarded by the city manager, subject to council approval where required under this chapter.
(Ord. 809 (part), 1998).

5.12.030 - Execution of contracts.
All city contracts for supplies, services and construction, and any amendments thereto, shall be signed by the city manager.
(Ord. 809 (part), 1998).

5.12.040 - Council approval of contracts.
No contract for supplies, services or construction which obligates the city to pay more than twenty-five thousand dollars may be executed unless the council has approved a memorandum setting forth the following essential terms of the contract:

A. The identity of the contractor;
B. The contract price;
C. The nature and quantity of the performance that the city shall receive under the contract; and
D. The time for performance under the contract.

(Ord. 1019 § 1, 2008: Ord. 874, 2000: Ord. 809 (part), 1998).
(Ord. No. 1093, § 1, 1-4-2012)

5.12.050 - Contract amendments.
A. All amendments to contracts for supplies, services and construction, including change orders, shall be approved in writing by the city manager, subject to council approval where required under this section. Contract amendments shall not be used to avoid procurement by the competitive procedures established under this chapter.
B. No contract amendment which will cause the total price of the contract, as amended, to exceed the greater of twenty-five thousand dollars or one hundred ten percent of the original contract price may be executed unless the council has approved a memorandum setting forth any modifications to the essential terms of the contract.
(Ord. 1019 § 2, 2008: Ord. 809 (part), 1998).

(Ord. No. 1093, § 2, 1-4-2012)

City Council of the City of Cordova, Alaska

Pending Agenda November 6, 2019 Regular Council Meeting

A. Future agenda items - topics put on PA with no specific date

1) Harbor expansion Town Hall type meeting - public input
2) Strategic Planning - revisit plan - schedule the next work session for this
3) Resolution 12-18-36 re E-911, will be back when a plan has been made, referred 12/19/18
4) Work Session w/ ADF&G re fisheries management decisions and their economic impact to Cordova
5) Joint work session with Harbor Commission on Waterfront Development - **after Jan 1, 2020**
6) Renewal of health care plan including subsidiary contracts and all amendments to date
7) Council discussion about Attorney billing/staff attorney use guidelines - **fall 2019**
8) Council/board training with City Attorney - **fall/winter 2019/2020**?
9) Investment firms - UBS - switch to their "Institutional Consulting" group? Bring this up after **Jan 2020**
10) First Alaskans return trip (offer) to provide Trabal Government training to Council/Cordova
11) City Clerk evaluation - **February 2020**
12) Discussion **after Jan 1, 2020** about PF/GF where land sale proceeds go
13) Discussion item concerning City Manager's spending authority - **after Jan 1, 2020**
14) Council attendance for **11/20/19 meeting** - no mgr, no vice mayor, can/should we still have this?
    also - topic for work session - manager will not be in attendance, smething else, or no work session?

B. Upcoming Meetings, agenda items and/or events:

1) Capital Priorities List and Resolution to come before Council quarterly:
   12/4/2019 **3/4/2020** **6/17/2020** **9/2/2020**
2) Staff quarterly reports will be in the following packets:
   1/15/2020 **4/15/2020** **7/15/2020** **10/21/2020**
3) Joint City Council and School Board Meetings - twice per year, November & April
   6pm @ CHS before Sch Bd mtg **11/13/2019** 6pm before Council Mtg @ CC **4/1/2020**
4) Alaska Municipal Leage fall conference including training **November 18-22**
   http://www.akml.org/conferences/ let Clerk know if interested in attending - it's not too late
5) Final Comprehensive Plan should be ready for Council approval in November **2019**

C.

Clear direction should be given to Clerk/Manager on any proposed agenda item including who is being tasked / what the action will be / when it will be on an agenda

item for action	tasking which staff	proposed date
1) ...		
2) ...		
3) ...		

Mayor Koplin or the City Manager can either agree to such an item and that will automatically place it on an agenda, or a second Council member can concur with the sponsoring Council member.

City Council of the City of Cordova, Alaska

Pending Agenda November 6, 2019 Regular Council Meeting

D. Membership of existing advisory committees of Council formed by resolution:

1) Fisheries Advisory Committee:
authorizing resolution 04-03-45
approved Apr 16, 2003

1-Torie Baker, chair (Marine Adv Prgm) 2-Jeremy Botz (ADF&G)
3-Tim Joyce (PWSAC) 4-Jim Holley (AML)
5-Chelsea Haisman (fisherman) 6-Tommy Sheridan (processor)

Mayor Koplin is currently contacting existing members and hopes to have new appointments for Council concurrence soon

2) Cordova Trails Committee:
re-auth res 11-18-29 app 11/7/18
auth res 11-09-65 app 12/2/09

1-Elizabeth Senear 2-Toni Godes
3-Dave Zastrow 4-Ryan Schuetze
5-Wendy Ranney 6-Michelle Hahn

3) Fisheries Development Committee:
authorizing resolution 12-16-43
approved Dec 23, 2016

1-Warren Chappell 2-Andy Craig 3-Bobby Linville
4-Gus Linville 5-Tommy Sheridan 6-Bob Smith

4) Comprehensive Plan Committee:
authorizing resolution 10-18-28
approved Oct 3, 2018

1-Cathy Renfeldt 2-Kristin Carpenter 3-Tom McGann
4-Nancy Bird 5-Brooke Johnson 6-Katrina Hoffman
7-Bret Bradford 8-Dave Zastrow 9-Olivia Carroll
10- 11- 12-

E. City of Cordova appointed reps to various non-City Boards/Councils/Committees:

1) Prince William Sound Regional Citizens Advisory Council

Robert Beedle	re-appointed June 2018	2 year term until May 2020
	re-appointed March 2016	
	re-appointed March 2014	
	appointed April 2013	

2) Prince William Sound Aquaculture Corporation Board of Directors

Tom Bailer	re-appointed October 2018	3 year term until Sept 2021
	appointed February 2017-filled a vacancy	

3) Southeast Conference AMHS Reform Project Steering Committee

Mike Anderson	appointed April 2016	until completion of project
Sylvia Lange	alternate	

NOVEMBER 2019

CALENDAR MONTH	NOVEMBER
CALENDAR YEAR	2019
1ST DAY OF WEEK	SUNDAY

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
27	28	29	30	31	1 CSD inservice CHS Swim Regionals @ Kenai 11/1 -11/2 	2
3	4	5	6 6:00 Council work session 7:00 Council reg mtg CCAB	7	8	9
10	11 Veterans Day City Hall Closed	12 6:30 P&Z CCAB	13 7:00 Sch Bd HSL 7:00 Harbor Cms CCM	14	15 NVE 26th annual Sobriety Celebration and Memorial Potlatch Nov 15-16 @ CC	
17	18 AML Conference Nov 18-22 Anchorage	19	20 5:30 CTC Board Meeting 6:00 Council work session 7:00 Council reg mtg CCAB	21 AML Conference Nov 18-22 Anchorage CHS VBall Regionals @ CIA 11/21-23		23
24	25	26 6:00 P&R CCM	27 6:00 CEC Board Meeting	28 Thanksgiving City Hall & CSD Closed 6:00 CCMCAB HCR	29 Thanksgiving City Hall & CSD Closed	30
1	2					

Notes

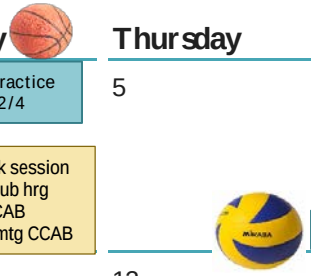
Legend:
CCAB-Community Rms A&B
HSL-High School Library
CCA-Community Rm A
CCB-Community Rm B
CCM-Mayor's Conf Rm
CCER-Education Room
LN-Library Fireplace Nook
CRG-Copper River Gallery
HCR-CCMC Conference Room

Cncl - 1st & 3rd Wed
P&Z - 2nd Tues
SchBd, Hrb Cms - 2nd Wed
CTC - 3rd Wed
P&R - last Tues
CEC - 4th Wed
CCMCA Bd - last Thurs

DECEMBER 2019

CALENDAR MONTH	DECEMBER
CALENDAR YEAR	2019
1ST DAY OF WEEK	SUNDAY

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1	2	3	4 CHS BBall practice starts 12/4	5	6	7
			6:00 Council work session 6:45 Council pub hrg (maybe) CCAB 7:00 Council reg mtg CCAB		CHS Coho Crusher Home Tournament 12/6 & 7 CHS VBall State @ Dimond 12/5-7	
8	9	10	11	12	13	14
		6:30 P&Z CCAB	7:00 Sch Bd HSL 7:00 Harbor Cms CCM		CHS Wrestling Kachemak Conference @ Redington 12/13,14	
15	16	17	18 5:30 CTC Board Meeting	19	20 CSD end of 2Q	21
			6:00 Council work session 6:45 Council pub hrg CCAB 7:00 Council reg mtg CCAB			
22	23	24	25 Christmas City Hall & CSD Closed	26	27	28
	CSD Winter Break 12/23-1/6		6:00 CEC Board Meeting	6:00 CCMCAB HCR	CSD Winter Break 12/23-1/6	
29	30	31	1	2	3	4
	CSD Winter Break 12/23-1/6	6:00 P&R CCM		CSD Winter Break 12/23-1/6		
5	6					



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Cncl - 1st & 3rd Wed
P&Z - 2nd Tues
SchBd, Hrb Cms - 2nd Wed
CTC - 3rd Wed
P&R - last Tues
CEC - 4th Wed
CCMCA Bd - last Thurs

January 2020

CALENDAR MONTH	JANUARY
CALENDAR YEAR	2020
1ST DAY OF WEEK	SUNDAY

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
29	30	31	1 New Year's Day City Hall Offices Closed	2	3	4
		CSD Winter Break 12/23-1/6	~~6:00 Council work session~~ ~~7:00 Council reg mtg CCAB~~		CSD Winter Break 12/23-1/6	
5	6	7	8	9	10	11
			7:00 Sch Bd HSL 7:00 Harbor Cms CCM			
12	13	14	15	16	17	18
		6:30 P&Z CCAB	5:30 CTC Board Meeting 6:00 Council work session 6:45 Council pub hrg CCAB 7:00 Council reg mtg CCAB		CHS Tipoff Tourney 1/16-1/18	
19	20	21	22	23	24	25
	Martin Luther King Jr. Holiday City Hall Offices Closed		6:00 CEC Board Meeting			
26	27	28	29	30	31	1
		6:00 P&R CCM		6:00 CCMCAB HCR		
2	3					

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Cncl - 1st & 3rd Wed
P&Z - 2nd Tues
SchBd, Hrb Cms - 2nd Wed
CTC - 3rd Wed
P&R - last Tues
CEC - 4th Wed
CCMCA Bd - last Thurs

City of Cordova, Alaska Elected Officials
& Appointed Members of City Boards and Commissions

Mayor and City Council - Elected

seat/length of term		email	Date Elected	Term Expires
Mayor:	**Clay Koplin**		March 5, 2019	March-22
3 years		Mayor@cityofcordova.net	March 1, 2016	
Council members:				
Seat A:	**Tom Bailer**		March 5, 2019	March-22
3 years		CouncilSeatA@cityofcordova.net		
Seat B:	**Kenneth Jones**		March 7, 2017	March-20
3 years		CouncilSeatB@cityofcordova.net		
Seat C:	**Jeff Guard**		March 7, 2017	March-20
3 years		CouncilSeatC@cityofcordova.net		
Seat D:	**Melina Meyer, Vice Mayor**		March 6, 2018	March-21
3 years		CouncilSeatD@cityofcordova.net		
Seat E:	**Anne Schaefer**	elected by cncl	March 6, 2018	March-21
3 years		CouncilSeatE@cityofcordova.net	December 6, 2017	
Seat F:	**David Allison**		March 5, 2019	March-22
3 years		CouncilSeatF@cityofcordova.net	March 1, 2016	
Seat G:	**David Glasen**		March 5, 2019	March-22
3 years		CouncilSeatG@cityofcordova.net		

Cordova School District School Board - Elected

length of term			Date Elected	Term Expires
3 years	**Barb Jewell, President**		March 5, 2019	March-22
		bjewell@cordovasd.org	March 1, 2016	
			March 5, 2013	
3 years	**Bret Bradford**	bbradford@cordovasd.org	March 6, 2018	March-21
			March 3, 2015	
3 years	**Tammy Altermott**		March 5, 2019	March-22
		taltermott@cordovasd.org	March 1, 2016	
			March 5, 2013	
3 years	**Peter Hoepfner**		March 6, 2018	March-21
			March 3, 2015	
		phoepfner@cordovasd.org	March 6, 2012	
			March 3, 2009	
			March 7, 2006	
3 years	**Sheryl Glasen**		March 7, 2017	March-20
		saglasen@cordovasd.org	March 4, 2014	
	Vacant (appointed, non-voting)			
	City Council Rep			

seat up for re-election in 2020	***vacant***
board/commission chair	
seat up for re-appt in Nov 19	

City of Cordova, Alaska Elected Officials
& Appointed Members of City Boards and Commissions

CCMC Authority - Board of Directors - Elected

length of term			Date Elected		Term Expires
3 years	**Kristin Carpenter**		March 7, 2017		March-20
3 years	**Greg Meyer, Chair**		March 5, 2019 July 19, 2018		March-22
3 years	**Chris Bolin**	elected by board to fill a vacancy due to resignation	August 28, 2019	March-20	March-22
3 years	**Linnea Ronnegard**		March 6, 2018		March-21
3 years	**Gary Graham**		March 5, 2019 May 31, 2018		March-21

Library Board - Appointed

length of term		Date Appointed	Term Expires
3 years	**Mary Anne Bishop, Chair**	November-16 November-13 November-10 November-06	November-19
3 years	**Wendy Ranney**	November-18 November-15 April-13	November-21
3years	**Sherman Powell**	June-18	November-19
3 years	**Sarah Trumblee**	February-18	November-20
3 years	**Krysta Williams**	February-18	November-20

Planning and Zoning Commission - Appointed

length of term		Date Appointed	Term Expires
3 years	**Nancy Bird**	November-16	November-19
3 years	**Allen Roemhildt**	November-16 January-14	November-19
3 years	**Scott Pegau, vice chair**	November-17 December-14 December-11	November-20
3 years	**John Baenen**	November-18 November-15 December-12	November-21
3 years	**Tom McGann, chair**	November-17 December-14 December-11 April-11	November-20
3 years	**Chris Bolin**	November-18 September-17	November-21
3 years	**Trae Lohse**	November-18	November-20

seat up for re-appt in Nov 19

seat up for re-election in 2019 | ***vacant***

board/commission chair

City of Cordova, Alaska Elected Officials
& Appointed Members of City Boards and Commissions

Harbor Commission - Appointed

length of term		Date Appointed	Term Expires
3 years	**Mike Babic**	November-17	November-20
3 years	**Andy Craig**	November-16	November-19
3 years	**Max Wiese**	November-17 January-14 March-11	November-20
3 years	**Ken Jones**	November-16 February-13	November-19
3 years	**Jacob Betts, Chair**	November-18 November-15	November-21

Parks and Recreation Commission - Appointed

length of term		Date Appointed	Term Expires
3 years	**Wendy Ranney, Chair**	November-18 November-15 August-14	November-21
3 years	**Anne Schaefer**	November-17	November-20
3 years	**Ryan Schuetze**	August-18	November-21
3 years	**Kirsti Jurica**	November-18	November-21
3 years	**Marvin VanDenBroek**	November-16 February-14	November-19
3 years	**Karen Hallquist**	November-16 November-13	November-19
3 years	**Dave Zastrow**	November-17 February-15 September-14	November-20

Historic Preservation Commission - Appointed

length of term		Date Appointed	Term Expires
3 years	**Cathy Sherman**	August-16	November-19
3 years	**Heather Hall**	August-16	November-19
3 years	**Brooke Johnson**	August-16	November-19
3 years	**John Wachtel**	November-18 August-16	November-21
3 years	**Wendy Ranney**	November-18	November-21
3 years	**Nancy Bird**	November-18 November-17	November-21
3 years	**Jim Casement, Chair**	November-17	November-20

seat up for re-election in 2019	**seat up for re-appt in Nov 19**
board/commission chair	***vacant***