



**City of Gustavus**  
P.O. Box 1  
Gustavus, AK 99826  
Phone: (907) 697-2451

**COUNCIL PACKET**  
**June 14, 2012 GENERAL MEETING**



# **CITY COUNCIL MEETING AGENDA**

## **GENERAL MEETING**

### **JUNE 14, 2012 - THURSDAY**

### **7:00PM @ CITY HALL**

**Karen Taylor**

**Mayor**

**mayor@gustavus-ak.gov**

**Mayor Term Expires 2012**

**Council Seat Term Expires 2012**

**Lou Cacioppo**

**Vice Mayor**

**lou.cacioppo@gustavus-ak.gov**

**Vice Mayor Term Expires 2012**

**Council Seat Term Expires 2013**

**Noël Farevaag**

**Council Member**

**noel.farevaag@gustavus-ak.gov**

**Term Expires 2014**

**Melanie Lesh**

**Council Member**

**melanie.lesh@gustavus-ak.gov**

**Term Expires 2012**

**Jim Mackovjak**

**Council Member**

**jim.mackovjak@gustavus-ak.gov**

**Term Expires 2013**

**Sandi Marchbanks**

**Council Member**

**sandi.marchbanks@gustavus-ak.gov**

**Appointed Until October 2012**

**Term Expires 2014**

**Tim Sunday**

**Council Member**

**tim.sunday@gustavus-ak.gov**

**Term Expires 2012**

#### **COUNCIL MEETINGS:**

**Work Sessions:**

**1st & 3rd Thursdays**

**General Meeting:**

1. Call to Order
2. Roll Call
3. Approval of Minutes:
  - A. May 3, 2012 City Council Special Meeting
  - B. May 10, 2012 City Council General Meeting
  - C. May 30, 2012 City Council Special Meeting
  - D. May 31, 2012 City Council Special Meeting
4. Mayor's Request for Agenda Changes:
5. Committee Reports:
  - A. GCN
  - B. Library
6. Public Comment on Non-Agenda Items
7. Consent Agenda:
  - A. FY12-23NCO GVFD—Publish
  - B. Resolution 2012-18—Bypass Competitive Bid GVFD
  - C. Award FY13 Road Maintenance Contract
  - D. Approve MOA—ABSN
  - E. Approve Labor Reim. Agreement—ABSN Weatherization
  - F. Approve Labor Reim. Agreement—ABSN Lighting
  - G. Award FY13 GCN System Manager Contract
  - H. Approval of Mt. View Drainage Fish Passage Design & Authorize Mayor to Sign.
  - I. Authorize Mayor to Sign Application for Federal Assistance SF-424 and Proceed With US Fish & Wildlife Application Process —Mt. View Fish Passage
  - J. Authorize Mayor to Sign Assurance—Non Construction Programs— Mt. View Fish Passage
8. Ordinance for Public Hearing:
  - A. FY12-21NCO FY13 Budget
  - B. FY12-22NCO Amending Admin Budget
9. Unfinished business:
10. New Business:
  - A. Public Comment on Seaport Airlines/Wings Alcoholic Beverage Control Board Application
  - B. Issue RFQ—Road Sign—Materials
  - C. Resolution 2012-19 - Establishing a Deferred Comp. Plan
  - D. Authorize Mayor to Sign Lincoln Financial Services Agreement
  - E. Approval of Retention of Attorney for Supplementary Legal Services
11. Staff Reports:
12. City Council Reports
  - A. Mayor's report
  - B. City Clerk report
13. City Council Questions and Comments
14. Public Comments on Non-Agenda Items
15. Executive Session
16. Adjournment

**NOT YET APPROVED  
City Council Minutes  
City of Gustavus, Alaska**

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**City Council Special Meeting  
May 3, 2012**

**1. Call to Order:** A Special Meeting of the Gustavus City Council was held on May 3, 2012 at 6:15PM.  
Mayor Taylor called the meeting to order at 6:17PM.

**2. Roll Call:**

Comprising a quorum of the Council the following were present:

Mayor Taylor  
Vice Mayor Cacioppo  
Council Member Farevaag  
Council Member Lesh                      -Via Teleconference  
Council Member Mackovjak              -Via Teleconference  
Council Member Marchbanks

Council Members not in attendance:

Council Member Sunday                      -Absent

**3. Approval of Minutes:** None

**4. Mayor's Request For Agenda Changes:** None

**5. Committee Reports:** None

**6. Public Comment On Non-Agenda Items:** None

**7. Consent Agenda:** None

**8. Ordinances for Public Hearing:** None

**9. Unfinished Business:** None

**10. New Business:**

**A.** FY12-20NCO Amending the GVFD Budget - Publish

Public Comment: None

Motion:	Council Member Farevaag moved to publish FY12-20NCO for the Gustavus Volunteer Fire Department.
Seconded by:	Council Member Marchbanks

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**City of Gustavus, Alaska**

ROLL CALL VOTE ON MOTION:

Yes: Cacioppo, Farevaag, Lesh, Mackovjak, Marchbanks, Taylor

No: None

Motion Passes 6/0

**11. Staff Reports:** None

**12. City Council Reports**

**A. Mayor's Report:** None

**B. City Clerk's Report:** None

**13. City Council Questions & Comments:** None

**14. Public Comment on Non-Agenda Items:** None

**15. Executive Session**

**A.** Discussion of Pending or Threatened Lawsuits In Which The City Has An Interest – Regarding Protection of City Property.

Motion:	Council Member Marchbanks moved that we enter an executive session to discuss a pending or threatened lawsuit in which the city has an interest which in this case would be protection of city property.
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Seconded by:	Council Member Farevaag
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ROLL CALL VOTE ON MOTION:

Yes: Cacioppo, Farevaag, Mackovjak, Marchbanks, Taylor

No: Lesh

Motion Passes 5/1

*(Clerk's Note: The Council entered into executive session at 6:24PM.)*

Motion:	Council Member Marchbanks moved to reconvene back into the special meeting.
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Seconded by:	Council Member Farevaag
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ROLL CALL VOTE ON MOTION:

Yes: Cacioppo, Farevaag, Lesh, Mackovjak, Marchbanks, Taylor

No: None

Motion Passes 6/0

*(Clerk's Note: The Council reconvened back into the special meeting at 7:08PM.)*

**16. Adjournment:**

With no further business before the Council the meeting was adjourned at 7:09PM.

**NOT YET APPROVED  
City Council Minutes  
City of Gustavus, Alaska**

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**City Council General Meeting  
May 10, 2012**

**1. Call to Order:** A General Meeting of the Gustavus City Council was held on May 10, 2012 at 7:00PM.  
Mayor Taylor called the meeting to order at 7:00PM

**2. Roll Call:**

Comprising a quorum of the Council the following were present:

Mayor Taylor  
Council Member Farevaag  
Council Member Lesh  
Council Member Mackovjak  
Council Member Marchbanks -Via Teleconference  
Council Member Sunday

Council Members not in attendance:

Vice Mayor Cacioppo                      -Absent

**3. Approval of Minutes**

A. April 12, 2012 General Meeting Minutes

Minutes of the April 12, 2012 General Meeting were approved by unanimous consent with the addition of 7:01PM.

**4. Mayor's Request For Agenda Changes:** None

**5. Committee Reports:**

A. Beach Committee report given by Morgan DeBoer.

**6. Public Comment on Non-Agenda Items:**

1. Kim Ney

**7. Consent Agenda:**

A. ~~FY12-21NCO FY13 Budget Publish~~  
B. Approval of Regular Position Application  
C. FY12-22NCO Admin.—Publish

*(Clerk's Note: Consent Agenda Item A was moved to New Business 10I.)*

Motion:	Council Member Sunday moved to adopt the Consent Agenda as amended.
Seconded by:	Council Member Farevaag

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**City of Gustavus, Alaska**

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**ROLL CALL VOTE ON MOTION:**

Yes: Farevaag, Lesh, Mackovjak, Marchbanks, Sunday, Taylor

No: None

Motion Passes 6/0

**8. Ordinances for Public Hearing:**

A. FY12-16 – Amending Title 5.80 & 5.90

Public Hearing:

1. Paul Berry

2. Kim Ney

Motion: Council Member Mackovjak moved that the City Council adopt FY12-16 that amends Title 5.80 and 5.90.

Seconded by: Council Member Sunday

**ROLL CALL VOTE ON MOTION:**

Yes: Farevaag, Mackovjak, Marchbanks, Sunday, Taylor

No: Lesh

Motion Passes 5/1

B. FY12-14NCO Amending GCN Budget

Public Hearing: With no one who wished to be heard the public hearing was closed.

Motion: Council Member Mackovjak moved the Council adopt FY12-14NCO amending the GCN budget.

Seconded by: Council Member Farevaag

**ROLL CALL VOTE ON MOTION:**

Yes: Farevaag, Lesh, Mackovjak, Marchbanks, Sunday, Taylor

No: None

Motion Passes 6/0

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**City of Gustavus, Alaska**

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C. FY12-15NCO Amending DRC Budget

Public Hearing: With no one who wished to be heard the public hearing was closed.

Motion:	Council Member Mackovjak moved the Council adopt FY12-15NCO amending the DRC budget.
Seconded by:	Council Member Farevaag

ROLL CALL VOTE ON MOTION:
Yes: Farevaag, Lesh, Mackovjak, Marchbanks, Sunday, Taylor
No: None
Motion Passes 6/0

D. FY12-17NCO Amending GVFD Budget

Public Hearing: With no one who wished to be heard the public hearing was closed.

Motion:	Council Member Mackovjak moved the Council adopt FY12-17NCO amending the Gustavus Volunteer Fire Department budget.
Seconded by:	Council Member Farevaag

ROLL CALL VOTE ON MOTION:
Yes: Farevaag, Lesh, Mackovjak, Marchbanks, Sunday, Taylor
No: None
Motion Passes 6/0

E. FY12-18NCO Amending Library Budget

Public Hearing: With no one who wished to be heard the public hearing was closed.

Motion:	Council Member Mackovjak moved the Council adopt FY12-18NCO amending the Library budget.
Seconded by:	Council Member Sunday

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**City of Gustavus, Alaska**

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**ROLL CALL VOTE ON MOTION:**

Yes: Farevaag, Lesh, Mackovjak, Marchbanks, Sunday, Taylor

No: None

Motion Passes 6/0

**F. FY12-20NCO Amending GVFD Budget**

Public Hearing: With no one who wished to be heard the public hearing was closed.

Motion: Council Member Mackovjak moved the Council adopt FY12-20NCO amending the GVFD budget.

Seconded by: Council Member Farevaag

**ROLL CALL VOTE ON MOTION:**

Yes: Farevaag, Lesh, Mackovjak, Marchbanks, Sunday, Taylor

No: None

Motion Passes 6/0

**9. Unfinished Business:** None

**10. New Business:**

**A. Resolution 2012-11 Private Users**

*(Clerk's Note: Council Member Mackovjak read Resolution 2012-11.)*

**Public Comment:**

1. Morgan DeBoer
2. Kim Ney

Motion: Council Member Mackovjak moved that the City Council adopt Resolution 2012-11 Private users at the Harbor Facilities with the following amendment: Under B strike the four words "Private User Vessel Registration" and reletter, and strike EDA and insert Federal Economic Development Administration.

Seconded by: Council Member Lesh

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**ROLL CALL VOTE ON MOTION:**

Yes: Farevaag, Lesh, Mackovjak, Marchbanks, Sunday, Taylor

No: None

Motion Passes 6/0

**B. Resolution 2012-12 Commercial/Charter**

*(Clerk's Note: Resolution 2012-12 was read by Council Member Sunday.)*

**Public Comment:**

1. Hayden Kaden
2. Morgan DeBoer

**Motion:** Council Member Mackovjak moved that the City Council adopt Resolution 2012-12 a resolution of the City of Gustavus setting fees for use of the Gustavus Harbor Facilities by commercial/charter operators with the proper verbiage for EDA and Alaska Fish and Game.

**Seconded by:** Council Member Farevaag

**Motion to Amend:** Council Member Lesh moved to amend April 1st to May 1st.

**Seconded by:** Council Member Mackovjak

**ROLL CALL VOTE ON MOTION TO AMEND:**

Yes: Lesh

No: Farevaag, Mackovjak, Marchbanks, Sunday, Taylor

Motion To Amend Defeated 1/5

**ROLL CALL VOTE ON MOTION:**

Yes: Farevaag, Mackovjak, Marchbanks, Sunday, Taylor

No: Lesh

Motion Passes 5/1

**C. Resolution 2012-13 Freight**

*(Clerk's Note: Council Member Lesh read Resolution 2012-13.)*

**Public Comment:**

1. Morgan DeBoer

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**City of Gustavus, Alaska**

Motion:	Council Member Mackovjak moved the City of Gustavus, Alaska adopt Resolution 2012-13 a resolution of the City of Gustavus setting rates and fees of the ramp facilities at the Salmon River Small Boat Harbor by cargo/freight carriers with the amendment for the proper verbiage for EDA and Alaska Fish and Game.
Seconded by:	Council Member Farevaag

Motion To Amend:	Council Member Lesh moved to amend the \$50.00 to \$10.00.
Seconded by:	None – Motion lacked a second and fell to the floor.

ROLL CALL VOTE ON MOTION:	
Yes:	Farevaag, Lesh, Mackovjak, Marchbanks, Sunday, Taylor
No:	None
Motion Passes 6/0	

D. Resolution 2012-14 Long-Term Storage

*(Clerk's Note: Council Member Farevaag read Resolution 2012-14.)*

Public Comment:

1. Morgan DeBoer
2. Hayden Kaden

Motion:	Council Member Mackovjak moved the City of Gustavus, Alaska adopt Resolution 2012-14 a resolution of the City of Gustavus setting long-term storage rates for use of facilities at the Salmon River Small Boat Harbor Facilities with the proper verbiage for EDA and Alaska Fish and Game and strike the words in (a) Salmon River Small Boat Harbor and insert City Hall.
Seconded by:	Council Member Lesh

ROLL CALL VOTE ON MOTION:	
Yes:	Farevaag, Lesh, Mackovjak, Marchbanks, Sunday, Taylor
No:	None
Motion Passes 6/0	

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**City of Gustavus, Alaska**

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E. Resolution 2012-15 Visiting Vessel

*(Clerk's Note: Council Member Sunday read Resolution 2012-15.)*

Public Comment: None

Motion:	Council Member Mackovjak moved the City of Gustavus adopt Resolution 2012-15 a resolution of the City of Gustavus setting long-term storage rates for use of facilities at the Salmon River Small Boat Harbor facilities with the proper verbiage for EDA and Alaska Fish and Game.
Seconded by:	Council Member Sunday

ROLL CALL VOTE ON MOTION:

Yes: Farevaag, Lesh, Mackovjak, Marchbanks, Sunday, Taylor

No: None

Motion Passes 6/0

F. Resolution 2012-16 DRC Rates

*(Clerk's Note: Council Member Farevaag read Resolution 2012-16.)*

Public Comment:

1. Paul Berry
2. Mike Taylor

Motion:	Council Member Farevaag moved the Gustavus City Council adopt Resolution 2012-16.
Seconded by:	Council Member Mackovjak

ROLL CALL VOTE ON MOTION:

Yes: Farevaag, Lesh, Mackovjak, Marchbanks, Sunday, Taylor

No: None

Motion Passes 6/0

G. Resolution 2012-17 Benefits Policy

*(Clerk's Note: Council Member Farevaag read Resolution 2012-17.)*



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Public Comment:

1. Mike Taylor
2. Paul Berry

Motion:	Council Member Mackovjak moved the City Council adopt Resolution 2012-17 the benefits policy.
Seconded by:	Council Member Marchbanks

ROLL CALL VOTE ON MOTION:

Yes: Farevaag, Mackovjak, Marchbanks, Sunday, Taylor  
No: Lesh

Motion Passes 5/1

H. FY13 Road Maintenance RFQ

Public Comment:

1. Mike Taylor

CONFLICT OF INTEREST HEARING:	Council Member Marchbanks declared a conflict of interest due to the fact that her family business will bid on this.
RULING:	Mayor Taylor declared a conflict of interest and that Council Member Marchbanks is recused from voting.

Motion:	Council Member Farevaag moved that we approve the FY13 Road Maintenance RFQ.
Seconded by:	Council Member Mackovjak

ROLL CALL VOTE ON MOTION:

Yes: Farevaag, Lesh, Mackovjak, Sunday, Taylor  
No: None  
Recused: Marchbanks

Motion Passes 5/0 with 1 Recused

I. FY12-21NCO FY13 Budget - Publish

Public Comment: None

Motion:	Council Member Mackovjak moved the City Council publish the FY13 Budget.
Seconded by:	Council Member Farevaag

ROLL CALL VOTE ON MOTION:

Yes: Farevaag, Lesh, Mackovjak, Marchbanks, Sunday, Taylor

No: None

Motion Passes 6/0

**11. Staff Reports:** None

**12. City Council Reports**

**A. Mayor's Report**

- Continuing to work on Title 8.

**B. City Clerk's Report:**

- The Local Boundary Commission is still working on the final annexation paperwork.
- Council attendance sheets are in Council binders.

**13. City Council Questions & Comments**

- Council Member Sunday commented on the trees that are being cut on State land and being sold for firewood and the garbage that is left behind.
- Council Member Mackovjak stated May 14th DOT individuals will be in town to look at using Denali Commission funds to pave a couple of roads and also discuss the bike path that the City submitted an engineering grant for.
- Council Member Mackovjak discussed the attachment of the Sealaska land swap bill to a current Federal bill.
- Council Member Sunday wanted to know the possibility of porta-potties at the beach.
- Council Member Marchbanks talked to Morgan DeBoer of the Beach Committee and stated she would

be willing to help him with how committees work and rewriting the Beach Committee resolution.

- Council Member Marchbanks stated the first draft of Title 8 has been given to Jim Van Altvorst.

**14. Public Comment on Non-Agenda Items:**

1. Mike Taylor

**15. Executive Session:** None

**16. Adjournment:**

With no further business before the Council the meeting was adjourned at 9:08PM.

**NOT YET APPROVED  
City Council Minutes  
City of Gustavus, Alaska**

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**City Council Special Meeting  
May 30, 2012**

**1. Call to Order:** A Special Meeting of the Gustavus City Council was held on May 30, 2012 at 10:30AM.  
Mayor Taylor called the meeting to order at 10:30AM.

**2. Roll Call:**

Comprising a quorum of the Council the following were present:

Mayor Taylor  
Vice Mayor Cacioppo  
Council Member Farevaag  
Council Member Marchbanks  
Council Member Sunday                      -Via Teleconference

Council Members not in attendance:

Council Member Lesh                      -Absent  
Council Member Mackovjak              -Absent

**3. Approval of Minutes:** None

**4. Mayor's Request For Agenda Changes:** None

**5. Committee Reports:** None

**6. Public Comment On Non-Agenda Items:** None

**7. Consent Agenda:** None

**8. Ordinances for Public Hearing:** None

**9. Unfinished Business:** None

**10. New Business:** None

**11. Staff Reports:** None

**12. City Council Reports**

**A. Mayor's Report:** None

**B. City Clerk's Report:** None

**13. City Council Questions & Comments:** None

**NOT YET APPROVED**  
**City Council Minutes**  
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**14. Public Comment on Non-Agenda Items:** None

**15. Executive Session**

- A.** Discussion of Litigation Strategy Regarding a Lawsuit Filed By the City, the Immediate Knowledge of Which Would Clearly Have an Adverse Effect On The Finances Of The City – City of Gustavus Gravel Pit

Motion:	Council Member Marchbanks moved the Council enter into executive session to discuss litigation strategy.
Seconded by:	Council Member Farevaag

ROLL CALL VOTE ON MOTION:
Yes: Farevaag, Mackovjak, Marchbanks, Sunday, Taylor
No: None
Motion Passes 5/0

*(Clerk's Note: Council Member Farevaag left at 12:02PM during the executive session.)*

Motion:	Council Member Marchbanks moved that we exit executive session at 12:05PM.
Seconded by:	Council Member Sunday

ROLL CALL VOTE ON MOTION:
Yes: Mackovjak, Marchbanks, Sunday, Taylor
No: None
Motion Passes 4/0

**16. Adjournment:**

With no further business before the Council the meeting was adjourned at 12:07PM.

**NOT YET APPROVED  
City Council Minutes  
City of Gustavus, Alaska**

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**City Council Special Meeting  
May 31, 2012**

**1. Call to Order:** A Special Meeting of the Gustavus City Council was held on May 31, 2012 at 2:00PM.

Mayor Taylor called the meeting to order at 2:00PM.

**2. Roll Call:**

Comprising a quorum of the Council the following were present:

Mayor Taylor	
Vice Mayor Cacioppo	
Council Member Farevaag	
Council Member Lesh	-Via Teleconference
Council Member Mackovjak	-Joined Meeting at 2:07PM
Council Member Marchbanks	
Council Member Sunday	-Via Teleconference

**3. Approval of Minutes:** None

**4. Mayor's Request For Agenda Changes:** None

**5. Committee Reports:** None

**6. Public Comment On Non-Agenda Items:**

1. Ken Klawunder
2. Aimee Youmans

**7. Consent Agenda:** None

**8. Ordinances for Public Hearing:** None

**9. Unfinished Business:** None

**10. New Business:**

**A.** Council Direction to Lands Committee Concerning Gravel Pit.

Motion:	Vice Mayor Cacioppo moved that the City Council direct the Lands Committee to refrain from any discussion on matters pertaining to the City Gravel Pit, among the committee or with outside agencies, until directed otherwise by the City Council.
Seconded by:	Council Member Marchbanks

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Motion:	Vice Mayor Cacioppo moved to call the question.
Seconded by:	Council Member Sunday

ROLL CALL VOTE ON MOTION TO CALL THE QUESTION: Yes: Cacioppo, Lesh, Mackovjak, Marchbanks, Sunday, Taylor No: None  Motion Passes 6/0
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ROLL CALL VOTE ON MOTION: Yes: Cacioppo, Mackovjak, Marchbanks, Sunday, Taylor No: Lesh  Motion Passes 5/1
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**11. Staff Reports:** None

**12. City Council Reports**

**A. Mayor's Report:** None

**B. City Clerk's Report:** None

**13. City Council Questions & Comments:** None

**14. Public Comment on Non-Agenda Items:** None

**15. Executive Session**

**A.** Continuation of Discussion of Litigation Strategy Regarding a Lawsuit Filed By the City, the Immediate Knowledge of Which Would Clearly Have an Adverse Effect On The Finances Of The City – City of Gustavus Gravel Pit

Motion:	Council Member Marchbanks moved that we go into executive session to continue the discussion of litigation strategy.
Seconded by:	Council Member Sunday

ROLL CALL VOTE ON MOTION:
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Yes: Cacioppo, Mackovjak, Marchbanks, Sunday, Taylor No: Lesh
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Motion Passes 5/1
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*(Clerk's Note: The Council entered into executive session at 2:20PM.  
Sometime during the executive session Council Member Lesh disconnected  
telephonic connection with the executive session.)*

Motion:	Council Member Marchbanks moved that we go out of executive session at 2:40PM.
Seconded by:	Vice Mayor Cacioppo

ROLL CALL VOTE ON MOTION: Yes: Cacioppo, Mackovjak, Marchbanks, Sunday, Taylor No: None
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Motion Passes 5/0
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**16. Adjournment:**

With no further business before the Council the meeting was adjourned  
at 2:44PM.



**City of Gustavus, Alaska  
Ordinance No. 2012-23NCO**

**AN ORDINANCE FOR THE CITY OF GUSTAVUS PROVIDING FOR THE AMENDMENT OF  
GVFD BUDGET FOR FISCAL YEAR 2012**

**BE IT ENACTED BY THE GUSTAVUS CITY COUNCIL AS FOLLOWS:**

**Section 1.** Classification. This is a **Non-Code Ordinance**

**Section 2.** For the Fiscal Year of 2012 estimated expenditures have changed from the estimates in the approved budget.

**Section 3.** For the current fiscal year the budget is amended to reflect the changed estimates as follows:

Budget Category	Amounts		Change
	Original Budget	Amended Budget	
INCOME			
Grants – RFA/VFA	\$ 5,750.00	\$ 14,463.00	+\$ 8,713.00
Encumbered Comm. Funds	\$ 0.00	\$ 28,000.00	+\$28,000.00
 EXPENSE			
Equipment	\$ 46,293.00	\$ 83,006.00	+\$36,713.00

**Section 4.** The budget is hereby amended as indicated and any portion of the approved budget inconsistent with this amendment is repealed.

**Section 5.** Effective Date. This ordinance becomes effective upon its adoption by the Gustavus City Council.

**DATE INTRODUCED:** June 14, 2012

**DATE OF PUBLIC HEARING:** June 21, 2012

PASSED and APPROVED by the Gustavus City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
Karen Colligan-Taylor  
Mayor

\_\_\_\_\_  
Attest: Kapryce Manchester, MMC  
City Clerk

**CITY OF GUSTAVUS, ALASKA**

**RESOLUTION NO. 2012-18**

**A RESOLUTION BY THE CITY OF GUSTAVUS IN SUPPORT OF THE  
GUSTAVUS VOLUNTEER FIRE DEPARTMENT'S SINGLE SOURCE  
PURCHASE OF A LIFEPAK 15 AND I-STAT ANALYSER**

**WHEREAS**, City of Gustavus Ordinance 4.16.020 (a) Competitive Bidding requires all purchases over \$5,000.00 to be put out to written bid and the lowest responsible bidder awarded the contract and approved by the Council before purchase and

**WHEREAS**, the Gustavus Volunteer Fire Department (GVFD) seeks to upgrade its Medical equipment with a specialized purchase from a sole source vendor;

**WHEREAS**, the GVFD Fire Chief will be responsible for finding the lowest cost, best priced equipment from the sole manufacturer;

**WHEREAS**, the Fire Chief will submit to the Mayor the lowest responsible quote on all items for her approval before purchase, but will not bring each individual item before the Council for approval in order to expedite the process and complete the purchase this month;

**WHEREAS**, the Fire Chief will follow all City published purchasing Ordinance and guidelines in this process, and

**WHEREAS**, the Fire Chief intends to use the whole \$28,000 for the purchase of two pieces of equipment if needed;

**NOW THEREFORE BE IT RESOLVED**, the Gustavus City Council supports the request by the GVFD to bypass the Council approval process on each individual item purchased and

1. The Mayor shall approve each purchase after being shown the price
2. The Fire Chief shall not spend more then the allowed amount of \$28,000.00
3. Local vendors will be used wherever possible and a 5% bidder's preference will be given to local vendors.

PASSED and APPROVED by the Gustavus City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
Karen Colligan-Taylor, Mayor

\_\_\_\_\_  
Lou Cacioppo, Vice Mayor

\_\_\_\_\_  
Jim Mackovjak, Council Member

\_\_\_\_\_  
Tim Sunday, Council Member

\_\_\_\_\_  
Melanie Lesh, Council Member

\_\_\_\_\_  
Noël Farevaag, Council Member

\_\_\_\_\_  
Sandi Marchbanks, Council Member

\_\_\_\_\_  
Attest: Kapryce Manchester, MMC  
City Clerk

**RFQ# RMFY13-Road Maintenance**

Opening Date: June 5, 2012

Bid Opening Time: 9:00AM

Number of Bids Received: 1

Contractor Name: Glacier Bay Construction Inc.

Amount of Bid: 58,230<sup>00</sup>

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

Amount of Bid: \_\_\_\_\_

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

Amount of Bid: \_\_\_\_\_

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

Amount of Bid: \_\_\_\_\_

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

Amount of Bid: \_\_\_\_\_

Signature: Harvey Manchote

Date: 6/5/12



# Memorandum of Agreement (MOA)

## For City of Gustavus, Weatherization Project

**This memorandum of agreement is between the City of Gustavus and Alaska Building Science Network (ABS-N), Service Provider for City of Gustavus's Energy Efficiency Community Block Grant.**

This MOA is written for the purpose of outlining weatherization and arriving at agreement for fulfilling these energy efficiency improvements among all parties involved. This Memorandum of Agreement (MOA) is associated with the City of Gustavus's Energy Efficiency Block Grant (EECBG), facilitated by EECBG Service Provider: Alaska Building Science Network (ABS-N).

The City of Gustavus will complete all energy efficient upgrades. ABS-N will not perform any labor, as stated in the Labor Reimbursement Agreement document. The City of Gustavus agrees to complete and be fully accountable for all aspects of labor and installation in compliance with State laws and regulations governing the installation and completion of all work and protecting worker and public safety related to this project. ABS-N will coordinate shipping the materials to the City of Gustavus. ABS-N maintains the roles of procurement, coordination and facilitation for this project and will not be involved in any labor and/or installation for this project, but will be available for technical consulting throughout the project. As with all grants, once improvements are completed a site may be inspected by an ABS-N manager, an AEA employee, a DOE employee, or all the above.

### City of Gustavus Labor:

The City of Gustavus will provide City maintenance employees qualified for the weatherization and installation of materials. The City of Gustavus will cover payroll and fringe expenses to include all necessary liability and Worker's Compensation Insurances required by the State of Alaska for all City employee labor involved in weatherization upgrades. Labor costs agreed upon are outlined in the Labor Reimbursement Agreement to be received with this MOA.

### Installation Documentation:

The City of Gustavus Field Manager will report to ABS-N on the progress of the project every 30 days, via email or phone. Digital photos of job completion must be provided to ABS-N by the City of Gustavus for project documentation and final reporting purposes within 5 days of completion of the project. The City of Gustavus will ensure that ABS-N receives these photos in an electronic format. In addition, the City of Gustavus will submit a written and signed statement to ABS-N confirming completion of the project.

### Legal Disposal of Solid Waste:

The City of Gustavus will be responsible for the safe, legal disposal of all hazardous and non-hazardous solid waste produced from the weatherization project in compliance with State and local disposal statutes and is encouraged to pursue recycling of these waste materials where possible.

### Time Frame for Completion:

All grant upgrades and grant activities associated with the City of Gustavus EECBG grant must be completed by August 20<sup>th</sup>, 2012.

The following parties represent their related organizations in agreement to proceed as outlined in this MOA in good faith and cooperation for City of Gustavus weatherization for the City of Gustavus EECBG grant:

\_\_\_\_\_, Weatherization Project Manager, ABS-N

Margaret Subers

\_\_\_\_\_, Mayor, City of Gustavus

Karen Taylor

\_\_\_\_\_, Fire Chief, Project Manager,

Steve Manchester

\_\_\_\_\_, Fire Chief, Project Manager,

City of Gustavus



# Labor Reimbursement Agreement

## The City of Gustavus and Alaska Building Science Network (ABS Network) Energy Efficient Weatherization Upgrades to the Fire Hall, City Hall, and Community Chest.

This labor agreement details arrangements between City of Gustavus and ABSN to accomplish energy efficient weatherization upgrades for **City of Gustavus**-owned community buildings listed above. The upgrades will consist of the following weatherization procedures from the Scope of Work.

Through this cooperative arrangement all parties agree the weatherization upgrades will be completed by **City of Gustavus** maintenance employees working under force account, and covered by The **City of Gustavus** workers compensation insurance. ABSN will reimburse **City of Gustavus** for 80 hours of paid labor for weatherization upgrades in the above listed buildings at \$30.00 per hour. City of Gustavus will be responsible for any hours over the allotted 80 hours. Steve Manchester will serve as acting Field Manager as In-Kind for the City of Gustavus for 80 hours. The hours allotted will be worked at schedules set by **City of Gustavus** and its available labor pool, with the commitment to complete the weatherization upgrades in the above listed buildings by the week of 8/20/2012.

Labor Cost	Unit	Hours	Labor Rate	Est. Totals
-Field Manager (IN-KIND)	hourly	80	\$50	4,000
- Local Labor (Weatherization Only)	hourly	80	\$30	2,400
- Local Labor (Weatherization Only)	hourly	80	\$30	2,400
- Local Labor (Lighting Only)	hourly	20	\$20	400
- Local Labor (IN-KIND)	hourly		\$40	

As part of a resource sharing partnership between **City of Gustavus** and ABSN, **City of Gustavus** agrees to provide costs of doing payroll, bookkeeping, Workers' Compensation Insurance, and limited oversight of maintenance personnel in support of these projects. **City of Gustavus** agrees to provide a monetary valuation of all In-kind (and non-In-kind) contributions given in association with these projects (for our reporting purposes). To receive labor reimbursement from ABSN, **City of Gustavus** agrees to provide ABSN with copies of maintenance worker time sheets, paychecks and an invoice itemizing reimbursement totals **within 5 days of the completion deadline (8/20/2012) or within 5 days of completed work, whichever comes first.** If documentation is not received within the 15 days of work completion all work will be considered as In-Kind.

With the arrangements laid out in this agreement, **City of Gustavus** agrees it is solely responsible for the safety and conduct of its maintenance personnel for work done in the above listed buildings, associated with these projects. All parties understand and agree ABSN maintains roles of coordination and training for these projects, and is held harmless for any accidents or mishaps associated with **City of Gustavus** maintenance employees working in **City of Gustavus**-owned buildings.

As a signer to this agreement, I understand and agree to the terms and conditions detailed above.

\_\_\_\_\_  
Printed Name Title City of Gustavus Date

\_\_\_\_\_  
Signature

Witnessed by:

\_\_\_\_\_  
Field Manager, Alaska Building Science Network Date

## Community Energy Efficiency Program – Gustavus 4/16/12

### Labor Reimbursement Agreement

#### **City of Gustavus and Alaska Building Science Network (ABSN) Energy Efficient Lighting Upgrades to City Hall & Community Chest Buildings**

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This labor agreement details arrangements between **City of Gustavus** and **ABSN** to accomplish energy efficient lighting upgrades for **City of Gustavus** owned community buildings listed above. The lighting upgrades will consist of the following maintenance procedures: Changing out existing magnetic ballasts and T12 lamps in linear fluorescent light fixtures and replacing these with electronic ballasts and T8 lamps. Additionally, all incandescent light bulbs in the above **City of Gustavus** owned community buildings will be replaced with compact fluorescent light bulbs (CFLs). The community buildings listed above are currently understood to contain **13** linear fluorescent light fixtures to upgrade as well as **2** incandescent light bulbs to replace with CFLs and LED bulbs. The labor reimbursement hours are based on each maintenance worker upgrading at least 1.5 light fixtures per hour, and/or replacing at least 8 incandescent light bulbs per hour. Set-up, packing, labeling and shipping out existing lamps and ballasts are figured into reimbursement estimates. **ABSN** will provide a lighting plan spreadsheet for local maintenance staff that details numbers, types and locations of lighting upgrades based on previous lighting assessments.

Through this cooperative arrangement all parties agree the lighting upgrades will be completed by an electrical contractor hired by **City of Gustavus** working under force account. The **City of Gustavus** agrees to complete and be fully accountable for all aspects of labor and installation in compliance with State laws and regulations governing electrical code work and protecting worker and public safety related to this project. **Alaska Building Science Network** will reimburse the **City of Gustavus** up to an estimated **8** hours of paid contractual labor for lighting upgrades in the above listed buildings at **\$65.00 / hr**. The hours allotted will be worked at schedules set by **City of Gustavus**, with the commitment to complete the lighting upgrades in the above listed buildings by **August 20, 2012**.

As part of a resource sharing partnership between the **City of Gustavus** and **ABSN**, the **City of Gustavus** agrees to provide costs (as needed) of doing payroll, bookkeeping, Workman's Compensation Insurance/liability insurance and limited oversight of maintenance personnel/contractors in support of these projects. The **City of Gustavus** agrees to provide a monetary valuation of all In-kind (and non-In-kind) contributions given in association with these projects (for our reporting purposes). This In-kind community match contribution will be a factor in deciding how remaining budgets are spent on additional energy saving measures beyond the lighting up-grades. To receive labor reimbursement from ABSN, the **City of Gustavus** agrees to provide ABSN with copies of maintenance worker time sheets, paychecks, contractor invoices and will provide an invoice itemizing reimbursement totals within 30 days of completion of work; if not received within this timeframe, the **City of Gustavus** forfeits its right to invoice for labor reimbursement and all estimated labor costs will be reported as In-kind contributions. With the arrangements laid out in this agreement, **City of Gustavus** agrees it is solely responsible for the safety and conduct of its maintenance personnel/contractors for work done in the above listed buildings, associated with these projects. All parties understand and agree the **Alaska Building Science Network** maintains roles of procurement, shipping materials and facilitation and will not be involved in labor and installation for this project. **ABSN** is held harmless for any accidents or miss-haps associated with **City of Gustavus** maintenance employees/contractors working in **City of Gustavus** owned buildings.

#### **Installation Documentation:**

Digital photos of completed lighting installations will be provided to **ABSN** by the **City of Gustavus** for project documentation and final reporting purposes. The **City of Gustavus** will ensure that **ABSN** receives these photos in an electronic format. In addition, the **City of Gustavus** will submit a written and signed statement to **ABSN** confirming the light fixtures have been installed and that retrofit work is completed.

**Legal Disposal of Solid Waste:**

The **City of Gustavus** will be responsible for the safe, legal disposal of all hazardous and non-hazardous solid waste produced from the light retrofit project. The **City of Gustavus** agrees to provide proper disposal of all waste lamps, ballasts and old fixtures in compliance with State and local disposal statutes and is encouraged to pursue recycling of these waste materials where possible. The **City of Gustavus** agrees to screen all electrical lighting ballasts to determine contents of Polychlorinated biphenyls (PCBs), and will provide proper handling, containment and disposal in accordance to regulations required by the US Environmental Protection Agency.

As a signer to this agreement, I understand and agree to the terms and conditions detailed above.

\_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, Date: \_\_\_\_\_  
Signature, Title, Entity

\_\_\_\_\_  
Printed Name of Signer

Witnessed by:

\_\_\_\_\_  
Field Manager, Alaska Building Science Network

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



**RFP# FY12-02GCN**

Opening Date: May 4, 2012

Bid Opening Time: 9:00AM

Number of Bids Received: 1

Contractor Name: Corvid

Amount of Bid: 24% of net receipts.

\$100 per hr. for additional services.

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

Amount of Bid: \_\_\_\_\_

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

Amount of Bid: \_\_\_\_\_

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

Amount of Bid: \_\_\_\_\_

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

Amount of Bid: \_\_\_\_\_

Signature: Karyn Manchester

Date: 5/4/12

# **Mountain View Drainage Fish Passage Design**

## **Background**

The City of Gustavus is a small community on the Gustavus Forelands, a broad and flat expanse of glacial outwash deposits that are poorly drained in many areas. Extensive ditching has occurred throughout the area to facilitate road construction and land development where the water table is high. Ditches that contain water throughout the year have become important rearing habitat for resident and anadromous salmonids. On the west side of Mountain View Road in Gustavus, an anadromous stream (hereafter referred to as Mountain View Drainage) flows parallel to the road within a broad ditch created when fill material was excavated to construct the road. The 3.5-mile long stream supports juvenile coho salmon, pink salmon, cutthroat trout, and Dolly Varden char.

Field investigations in June 2010 by U.S. Fish and Wildlife Service (USFWS) biologists identified five culverts in Mountain View Drainage that appear to restrict upstream movements of juvenile fishes. The culverts are located at Good River Road, Lukes Drive, Spruce Lane, Chase Drive, and Tong Road (Figure 1). The City of Gustavus partnered with the USFWS in 2011 to collect survey data from each of the five culvert crossings and complete a new culvert design for Good River Road. The City of Gustavus has received state Capital Improvement Project funds to replace the existing culverts at Good River Road.

The purpose of this proposal is to establish a new partnership with the USFWS that will use site survey data collected in 2011 to design new stream crossing structures at Lukes Drive, Spruce Lane, Chase Drive, and Tong Road. The new structures will meet State of Alaska Tier 1 Standards (stream simulation design) to provide efficient fish passage and conveyance of debris, sediment, and stream flow.

## **Deliverables**

- 1) 65%, 95%, and final design plans, specifications, and construction cost estimates for a new crossing structure at four sites on Mountain View Drainage (Lukes Drive, Spruce Lane, Chase Drive, and Tong Road).
- 2) design study report

# Mt. View Drainage Fish Passage Improvement Project Site Map

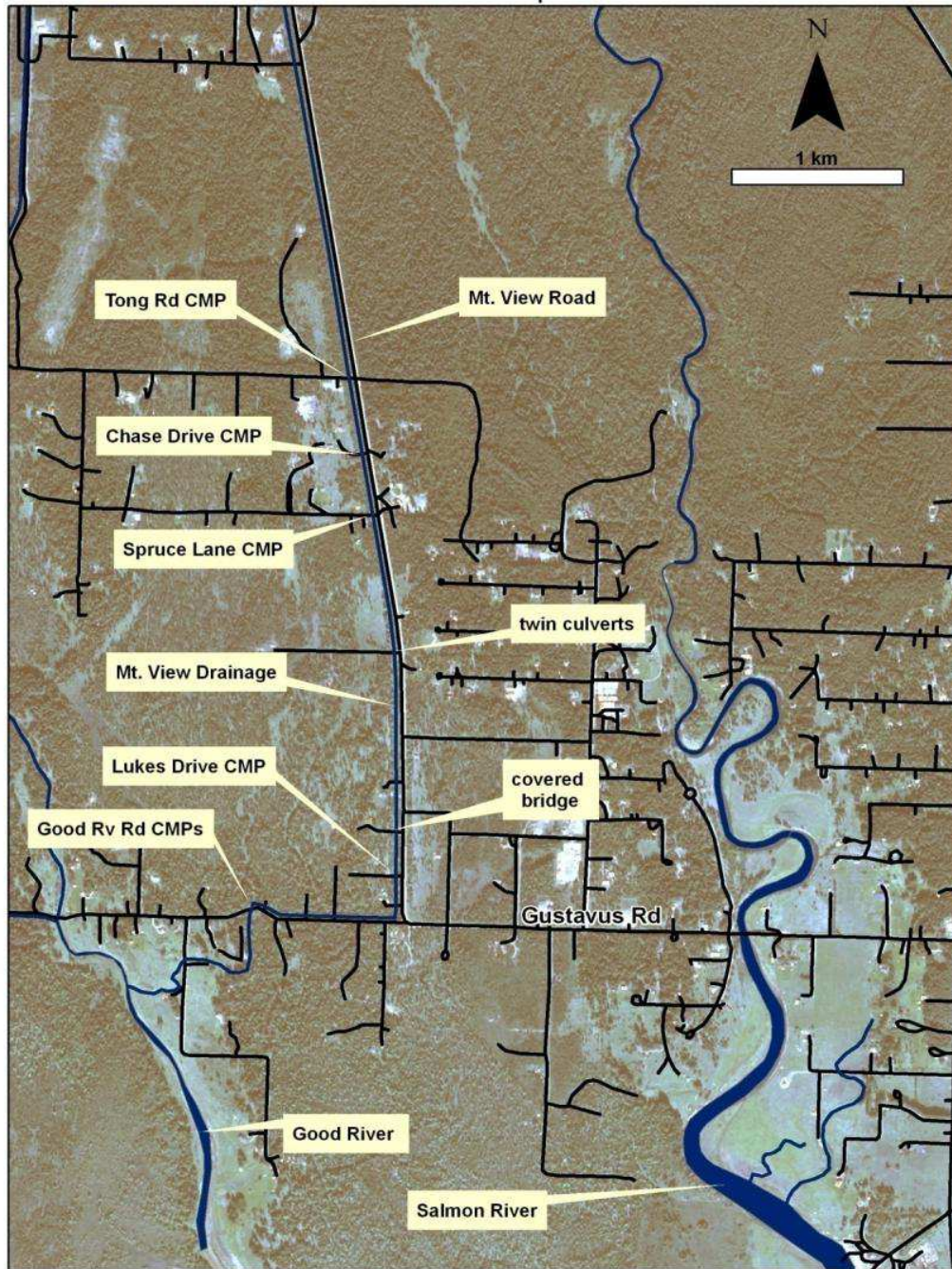


Figure 1. Aerial view of Mountain View Drainage in Gustavus, Alaska showing the location of four culvert crossings to be re-designed to improve fish passage (Tong Road, Chase Drive, Spruce Lane, and Lukes Drive).

**Budget Summary:**

The City of Gustavus requests \$55,490 from the USFWS for this project. Funds will be used to contract with a qualified engineering firm to design new culvert crossings at four sites on Mountain View Drainage. In-kind salary match (\$625) includes City of Gustavus staff time (25 hours at \$25/hr) for site visits, coordination meetings, bid request development, and general project oversight and management.

**Project Budget**

Task	Federal contribution		Non-Federal		Total Project Cost
	Cash	In-Kind	Cash	In-Kind	
Project coordination	\$0	\$0	\$0	\$625	\$56,325
Design Services	\$55,700	\$0	\$0	\$0	
<b>Total</b>	\$55,700	\$0	\$0	\$625	

**Project Schedule:**

We would like to contract with an engineering firm by July 2012 and complete designs by December 2012.

**Project Contact:**

Karen Colligan-Taylor  
Mayor, City of Gustavus  
P.O. Box 1, Gustavus, AK 99826  
907-697-2451  
mayor@gustavus-ak.gov

Thank you for your consideration of this project proposal.

Sincerely,

Karen Colligan-Taylor, Mayor, City of Gustavus

## Application for Federal Assistance SF-424

### \* 1. Type of Submission:

- ☐ Preapplication  
☒ Application  
☐ Changed/Corrected Application

### \* 2. Type of Application:

- ☒ New  
☐ Continuation  
☐ Revision

\* If Revision, select appropriate letter(s):

\* Other (Specify):

\* 3. Date Received:

Completed by Grants.gov upon submission.

4. Applicant Identifier:

5a. Federal Entity Identifier:

71440

\* 5b. Federal Award Identifier:

### State Use Only:

6. Date Received by State:

7. State Application Identifier:

### 8. APPLICANT INFORMATION:

\* a. Legal Name:

Karen Colligan-Taylor, Mayor

\* b. Employer/Taxpayer Identification Number (EIN/TIN):

27-0085777

\* c. Organizational DUNS:

172218104

### d. Address:

\* Street1:

P.O. Box 1

Street2:

\* City:

Gustavus

County/Parish:

\* State:

AK

Province:

\* Country:

USA: UNITED STATES

\* Zip / Postal Code:

99826

### e. Organizational Unit:

Department Name:

Division Name:

### f. Name and contact information of person to be contacted on matters involving this application:

Prefix:

\* First Name:

Kapryce

Middle Name:

\* Last Name:

Manchester

Suffix:

Title: City Clerk/Finance Officer

Organizational Affiliation:

City of Gustavus

\* Telephone Number: 907-697-2451

Fax Number:

\* Email: clerk@gustavus-ak.gov

## Application for Federal Assistance SF-424

### 9. Type of Applicant 1: Select Applicant Type:

M. Nonprofit

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

\* Other (specify):

### \* 10. Name of Federal Agency:

US Fish and Wildlife Service

### 11. Catalog of Federal Domestic Assistance Number:

15.608

CFDA Title:

National Fish Passage Program

### \* 12. Funding Opportunity Number:

FWS-NFPP-FY12

\* Title:

National Fish Passage Program

### 13. Competition Identification Number:

Title:

### 14. Areas Affected by Project (Cities, Counties, States, etc.):

Gustavus, Alaska

Add Attachment

Delete Attachment

View Attachment

### \* 15. Descriptive Title of Applicant's Project:

Mountain View Drainage Fish Passage Design

Attach supporting documents as specified in agency instructions.

Add Attachments

Delete Attachments

View Attachments



## Application for Federal Assistance SF-424

### 16. Congressional Districts Of:

\* a. Applicant

\* b. Program/Project

Attach an additional list of Program/Project Congressional Districts if needed.

Add Attachment

Delete Attachment

View Attachment

### 17. Proposed Project:

\* a. Start Date:

\* b. End Date:

### 18. Estimated Funding (\$):

\* a. Federal

55,700

\* b. Applicant

625

\* c. State

\* d. Local

\* e. Other

\* f. Program Income

\* g. TOTAL

56,325

### \* 19. Is Application Subject to Review By State Under Executive Order 12372 Process?

- ☐ a. This application was made available to the State under the Executive Order 12372 Process for review on .
- ☐ b. Program is subject to E.O. 12372 but has not been selected by the State for review.
- ☒ c. Program is not covered by E.O. 12372.

### \* 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)

☐ Yes ☒ No

Add Attachment

Delete Attachment

View Attachment

21. \*By signing this application, I certify (1) to the statements contained in the list of certifications\*\* and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances\*\* and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)

☒ \*\* I AGREE

\*\* The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

### Authorized Representative:

Prefix:

\* First Name:

Karen

Middle Name:

\* Last Name:

Colligan-Taylor

Suffix:

\* Title:

Mayor, City of Gustavus

\* Telephone Number:

907-697-2273

Fax Number:

\* Email:

karen.taylor@gustavus-ak.gov

\* Signature of Authorized Representative:

\* Date Signed:

### ASSURANCES - NON-CONSTRUCTION PROGRAMS

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0040), Washington, DC 20503.

**PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.**

**NOTE:** Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee- 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and, (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
7. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply, as applicable, with provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.



9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333), regarding labor standards for federally-assisted construction subagreements.
10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).
14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. §§2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.

<p>* SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL</p> <div style="border: 1px solid black; height: 20px; width: 100%;"></div>	<p>* TITLE</p> <div style="border: 1px solid black; height: 20px; width: 100%; background-color: yellow;"></div>
<p>* APPLICANT ORGANIZATION</p> <div style="border: 1px solid black; height: 20px; width: 100%; background-color: yellow;"></div>	<p>* DATE SUBMITTED</p> <div style="border: 1px solid black; height: 20px; width: 100%;"></div>

**City of Gustavus, Alaska**  
**Ordinance No. FY12-21NCO**

**AN ORDINANCE FOR THE CITY OF GUSTAVUS PROVIDING FOR THE  
ESTABLISHMENT AND ADOPTION OF THE BUDGET FOR  
FISCAL YEAR 2013**

BE IT ENACTED BY THE CITY OF GUSTAVUS

**Section 1.** Classification. This is a **Non-Code Ordinance**.

**Section 2.** General Provisions. The attached document is the authorized budget of revenues and expenditures for the period July 1 through June 30 and is made a matter of public record.

**Section 3.** Effective Date. This ordinance becomes effective upon its adoption by the City Council.

**DATE OF PUBLICATION:** May 10, 2012

**DATE OF PUBLIC HEARING:** June 14, 2012

PASSED and APPROVED by the Gustavus City Council this  
\_\_\_\_\_ day of \_\_\_\_\_ 2012.

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Karen Colligan-Taylor  
Mayor

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Attest: Kapryce Manchester, MMC  
City Clerk

Attachment: FY13 City of Gustavus Budget

**City of Gustavus Municipal Budget FY13- DRAFT**

<b>ADMINISTRATION</b>		<b>BOROUGH</b>	
<b>Income</b>		<b>Income</b>	
Fisheries Business Tax Payment	\$ 400.00	<b>City Funds</b>	\$ -
Payment In Lieu of Taxes	\$ 75,000.00		
Municipal Energy Grant Reserve	\$ 6,000.00		
Interest Income	\$ 100.00	<b>TOTAL INCOME</b>	<b>\$ -</b>
Lease Income	\$ 10,289.00		
Sales Tax Income	\$ 290,000.00		
Tax Exempt Cards	\$ 80.00		
Grant - ABSN	\$ 5,320.00		
Legislative Grant	\$ 86,400.00		
State Revenue Sharing	\$ 167,552.00		
Business License Fees	\$ 2,500.00	<b>Expense</b>	
Fish Box Tax Sticker Income	\$ 10,000.00	Advertising	
<b>TOTAL INCOME</b>	<b>\$ 653,641.00</b>	Contractual Services	
<b>Expense</b>		Postage & Shipping	
Advertising	\$ 2,000.00	Professional Service	
Capital Expense	\$ 86,400.00	Supplies Office	
Contractual Services	\$ 11,500.00	Telephone	
Donations Expense	\$ -	Travel	
Dues/Fees	\$ 2,400.00	<b>TOTAL EXPENSE</b>	<b>\$ -</b>
Equipment	\$ 1,500.00		
Fish Box Tax Sticker Printing	\$ 1,000.00		
Freight	\$ 500.00		
GVA	\$ 18,000.00		
Insurance	\$ 3,000.00		
Maintenance & Repair	\$ 3,600.00		
Muni Energy Grant Reserve Exp.	\$ 49,280.00		
Payroll Expenses	\$ 89,280.00		
Postage & Shipping	\$ 2,000.00		
Professional Services	\$ 75,000.00		
Public Works	\$ 5,000.00		
Reserve Funds	\$ 45,044.00		
Supplies - Office	\$ 3,500.00		
Telephone	\$ 3,000.00		
Training	\$ 3,500.00		
Travel	\$ 9,000.00		
Utilities	\$ 6,000.00		
<b>TOTAL EXPENSE</b>	<b>\$420,504.00</b>		
<b>Net Income -To City Committees</b>	<b>\$233,137.00</b>		

# City of Gustavus Municipal Budget FY13

## DRC

### Income

<b>City Funds</b>	\$ 25,828.00
DRC Income	\$ 61,792.00
Encumbered Committee Funds	\$ -
Fundraising	\$ 500.00
Grants	
State CIP	
Interest Income	\$ 530.00
Municipal Energy Grant Reserve	\$ 2,300.00
<b>TOTAL INCOME</b>	<b>\$ 90,950.00</b>

### Expense

Bank Fees	\$ -
Capital Expense	
Contractual Services	\$ 3,300.00
Dues/Fees	\$ 500.00
Equipment	\$ 6,900.00
Freight	\$ 11,000.00
Fundraising Expense	\$ 500.00
Insurance	\$ 4,500.00
Landfill Closure Fund	\$ 530.00
Maintenance & Repair - Building	\$ 830.00
Payroll Expenses	\$ 54,380.00
Postage & Shipping	\$ 100.00
Professional Services	\$ -
Supplies - General	\$ 3,800.00
Telephone	\$ 1,310.00
Training	\$ 500.00
Travel	\$ 500.00
Utilities	\$ 2,300.00
<b>TOTAL EXPENSE</b>	<b>\$ 90,950.00</b>

## BEACH

### Income

<b>City Funds</b>	\$ 1,000.00
Encumbered Committee Funds	
<b>TOTAL INCOME</b>	<b>\$ -</b>
	<b>\$ 1,000.00</b>

### Expense

Contractual Services	
Supplies - General	\$ 1,000.00
<b>TOTAL EXPENSE</b>	<b>\$ -</b>
	<b>\$ 1,000.00</b>

# City of Gustavus Municipal Budget FY13

## GCN

### Income

Encumbered Committee Funds	\$ -
Grants	\$ 119,147.00
Subscriber Fees	\$ 43,491.00
<b>TOTAL INCOME</b>	<b>\$ 162,638.00</b>

### Expense

Advertising	\$ 240.00
Bank Charges	\$ 2,811.00
Capital Expense	\$ 3,700.00
Contractual Services	\$ 129,740.00
Equipment	\$ 1,000.00
Insurance	\$ -
Payroll	\$ 2,500.00
Postage & Shipping	\$ 500.00
Professional Services	\$ 1,200.00
Supplies - General	\$ -
Telephone/Broadband/Satellite	
Dial-up Lines	\$ 7,363.00
Backhaul Provider	\$ 13,584.00
Utilities	\$ -
<b>TOTAL EXPENSE</b>	<b>\$ 162,638.00</b>

## GVFD

### Income

<b>City Funds</b>	<b>\$ 122,970.00</b>
Encumbered Committee Funds	\$ -
Forest Service Receipt Money	\$ -
Fundraising	\$ 6,644.00
GVFD - ARFF Income	\$ 22,400.00
Grants	
SEREMS	
CIP Grant	
Municipal Energy Grant Reserve	\$ 7,500.00
<b>TOTAL INCOME</b>	<b>\$ 159,514.00</b>

### Expense

Capital Expense	\$ -
Contractual Services	\$ -
Dues/Fees	\$ 1,000.00
Equipment	\$ 8,000.00
Fundraising Expense	\$ 4,000.00
Freight	
Insurance	\$ 7,385.00
Maintenance & Repairs Building	\$ 1,000.00
Payroll Expense	\$ 95,235.00
Postage & Shipping	\$ 244.00
Professional Services	\$ -
Supplies - EMS	\$ 20,000.00
Supplies - General	\$ -
Supplies - Office	\$ 850.00
Supplies - Fire	\$ 1,000.00
Telephone & Internet	\$ 1,800.00
Training	
-EMS	\$ 10,000.00
-Fire	\$ 1,500.00
Travel	
Utilities	\$ 7,500.00
<b>TOTAL EXPENSE</b>	<b>\$ 159,514.00</b>

# City of Gustavus Municipal Budget FY13

## LANDS COMMITTEE

### Income

<b>City Funds</b>	\$ -
Gravel Sales Income	\$ 20,000.00
<b>TOTAL INCOME</b>	<b>\$ 20,000.00</b>

### Expense

Advertising	\$ 1,000.00
Contractual Services	
Encumbered Comm. Funds	\$ 9,000.00
Postage & Shipping	
Professional Services	\$ 10,000.00
Supplies - Office	
Telephone	
<b>TOTAL EXPENSE</b>	<b>\$ 20,000.00</b>

## LIBRARY

### Income

<b>City Funds</b>	\$ 45,610.00
Donations	\$ 1,000.00
Fundraising	\$ 1,000.00
Grants	
Public Library Assistance	\$ 6,300.00
Summer Reading	\$ 450.00
Continuing Ed	\$ 1,000.00
Library Income	
E-Rate	
General Revenue	\$ 1,350.00
Municipal Energy Grant Reserve	\$ 10,000.00
<b>TOTAL INCOME</b>	<b>\$ 66,710.00</b>

### Expense

Contractual Services	\$ 3,808.00
Dues/Fees	\$ 168.00
Equipment	\$ 250.00
Freight	\$ 100.00
Fundraising Expenses	\$ 150.00
Insurance	\$ 2,400.00
Library Materials	\$ 5,281.00
Maintenance & Repair Building	\$ 1,500.00
Payroll Expense	\$ 37,773.00
Postage & Shipping	\$ 400.00
Supplies - General	\$ 1,650.00
Telephone	\$ 1,540.00
Training	\$ 320.00
Travel	\$ 1,370.00
Utilities	\$ 10,000.00
<b>TOTAL EXPENSE</b>	<b>\$ 66,710.00</b>

# City of Gustavus Municipal Budget FY13

## MARINE FACILITIES

### Income

<b>City Funds</b>	\$	37,329.00
Grants		
City Reserve		
Facilities Usage Fees	\$	7,500.00
<b>TOTAL INCOME</b>	<b>\$</b>	<b>44,829.00</b>

### Expense

Contractual Services	\$	200.00
Encumbered Committee Funds	\$	4,609.00
Equipment	\$	1,000.00
Insurance	\$	-
Maintenance & Operation	\$	5,000.00
Payroll	\$	28,000.00
Professional Services		
Postage	\$	300.00
Supplies - General	\$	5,000.00
Supplies - Office		
Telephone	\$	720.00
<b>TOTAL EXPENSE</b>	<b>\$</b>	<b>44,829.00</b>

## PLANNING

### Income

<b>City Funds</b>	\$	-
Grant		
EDA		
<b>TOTAL INCOME</b>	<b>\$</b>	<b>-</b>

### Expense

Supplies - General		
Constructual Services		
Postage & Shipping		
<b>TOTAL EXPENSE</b>	<b>\$</b>	<b>-</b>

# City of Gustavus Municipal Budget FY13

## ROAD MAINTENANCE

## Septage

### Income

<b>City Funds</b>	\$ -
Encumbered Committee Funds	\$ 110,100.00
Grant	\$ 55,490.00
<b>TOTAL INCOME</b>	<b>\$ 165,590.00</b>

### Income

<b>City Funds</b>	\$ 400.00
<b>TOTAL INCOME</b>	<b>\$ 400.00</b>

### Expense

Contractual Services	\$ 55,490.00
Equipment Maintenance & Repair	\$ 5,000.00
Freight	\$ -
Professional Services	\$ -
Road Maintenance	\$ 65,000.00
Snow Plowing	\$ 40,000.00
Supplies - General	\$ -
Telephone	\$ 100.00
<b>TOTAL EXPENSE</b>	<b>\$ 165,590.00</b>

### Expense

Dues/Fees	
Postage & Shipping	\$ 400.00
Supplies - General	
Supplies - Office	
Telephone	
Training	
Travel	
<b>TOTAL EXPENSE</b>	<b>\$ 400.00</b>



CITY FUNDS

TO COMMITTIES

\$ 233,137.00

TOTAL CITY INCOME	\$1,132,135.00
TOTAL CITY EXPENSE	\$1,132,135.00

**City of Gustavus, Alaska  
Ordinance No. FY12-22NCO**

**AN ORDINANCE FOR THE CITY OF GUSTAVUS PROVIDING FOR THE AMENDMENT OF  
ADMINISTRATION BUDGET FOR FISCAL YEAR 2012**

**BE IT ENACTED BY THE GUSTAVUS CITY COUNCIL AS FOLLOWS:**

**Section 1.** Classification. This is a **Non-Code Ordinance**

**Section 2.** For the Fiscal Year of 2012 estimated expenditures have changed from the estimates in the approved budget.

**Section 3.** For the current fiscal year the budget is amended to reflect the changed estimates as follows:

Budget Category	Amounts		
	Original Budget	Amended Budget	Change
INCOME			
Municipal Energy Grant Res.	\$ 4,000.00	\$ 5,500.00	+\$ 1,500.00
EXPENSE			
Utilities	\$ 4,000.00	\$ 5,500.00	+\$ 1,500.00

**Section 4.** The budget is hereby amended as indicated and any portion of the approved budget inconsistent with this amendment is repealed.

**Section 5.** Effective Date. This ordinance becomes effective upon its adoption by the Gustavus City Council.

**DATE INTRODUCED:** May 10, 2012

**DATE OF PUBLIC HEARING:** June 14, 2012

PASSED and APPROVED by the Gustavus City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
Karen Colligan-Taylor  
Mayor

\_\_\_\_\_  
Attest: Kapryce Manchester, MMC  
City Clerk

STATE OF ALASKA  
ALCOHOLIC BEVERAGE CONTROL BOARD  
APPLICATION FOR RESTAURANT DESIGNATION PERMIT - AS 04.16.049 & 13 AAC 104.715-794  
FEE: \$50.00

The granting of this permit allows access of persons under 21 years of age to designated licensed premises for purposes of dining, and persons under the age of 20 for employment. If for employment, please state in detail, how the person will be employed, duties, etc.

This application is for designation of premises where : (please mark desired items).

5166

- 1 ☒ Under 13 AAC 104.305 Bona fide restaurant/eating place.  
2 ☒ Persons age 16 to 20 may dine unaccompanied.  
3 ☒ Persons under 16 may dine accompanied by a person 21 years or older.  
4 ☒ Persons between 16 and 20 years of age may be employed. \*(See note below).

License Number \_\_\_\_\_

LICENSEE: Seafort Airlines

D/B/A: Wings of Alaska

ADDRESS: #5 Airport Rd, Gustavus, AK 99826

1. Hours of Operation: 6:00 am to 9:00pm Telephone # (907) 697-2201

2. Have police ever been called to your premises by you or anyone else for any reason: adjust seasonally due to flight schedule  
[ ] Yes ☒ No  
If yes, date(s) and explanation(s).

3. \* Duties of employment: Food service, prepare coffee, Airline ticket sales, load/unload planes

4. Are video games available to the public on your premises? No

5. Do you provide entertainment: [ ] Yes ☒ No If yes, describe.

6. How is food served? \_\_\_\_\_ Table Service \_\_\_\_\_ Buffet Service ☒ Counter Service \_\_\_\_\_ Other\*

7. Is the owner, manager, or assistant manager always present during business hours? [ ] Yes ☒ No

\*\*\* A MENU AND A DETAILED LICENSED PREMISE DIAGRAM MUST ACCOMPANY THIS APPLICATION \*\*\*

I have read and am familiar with Title 4 of the Alaska statutes and its regulations.

[Signature]  
Applicant signature

Local Governing Body Approval

Subscribed and sworn to before me this  
10<sup>th</sup> day of May 2012  
[Signature]  
Notary Public in and for Alaska

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

My Commission expires 1-29-14

Director, ABC Board

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

\*Employees 16 and 17 years of age must have a valid work permit and a letter maintained in your files from a parent or guardian authorizing employment at your establishment.

\*\* If more space is required, to explain food service, entertainment, etc., please add on back or attach additional page(s).



STATE OF ALASKA  
ALCOHOL BEVERAGE CONTROL BOARD  
Licensed Premises Diagram

**INSTRUCTIONS:** Draw a detailed floor plan of your present or proposed licensed premises on the graph below; show all entrances and exits, and all fixtures such as tables, booths, games, counters, bars, coolers, stages, etc.

DBA: Wings of Alaska

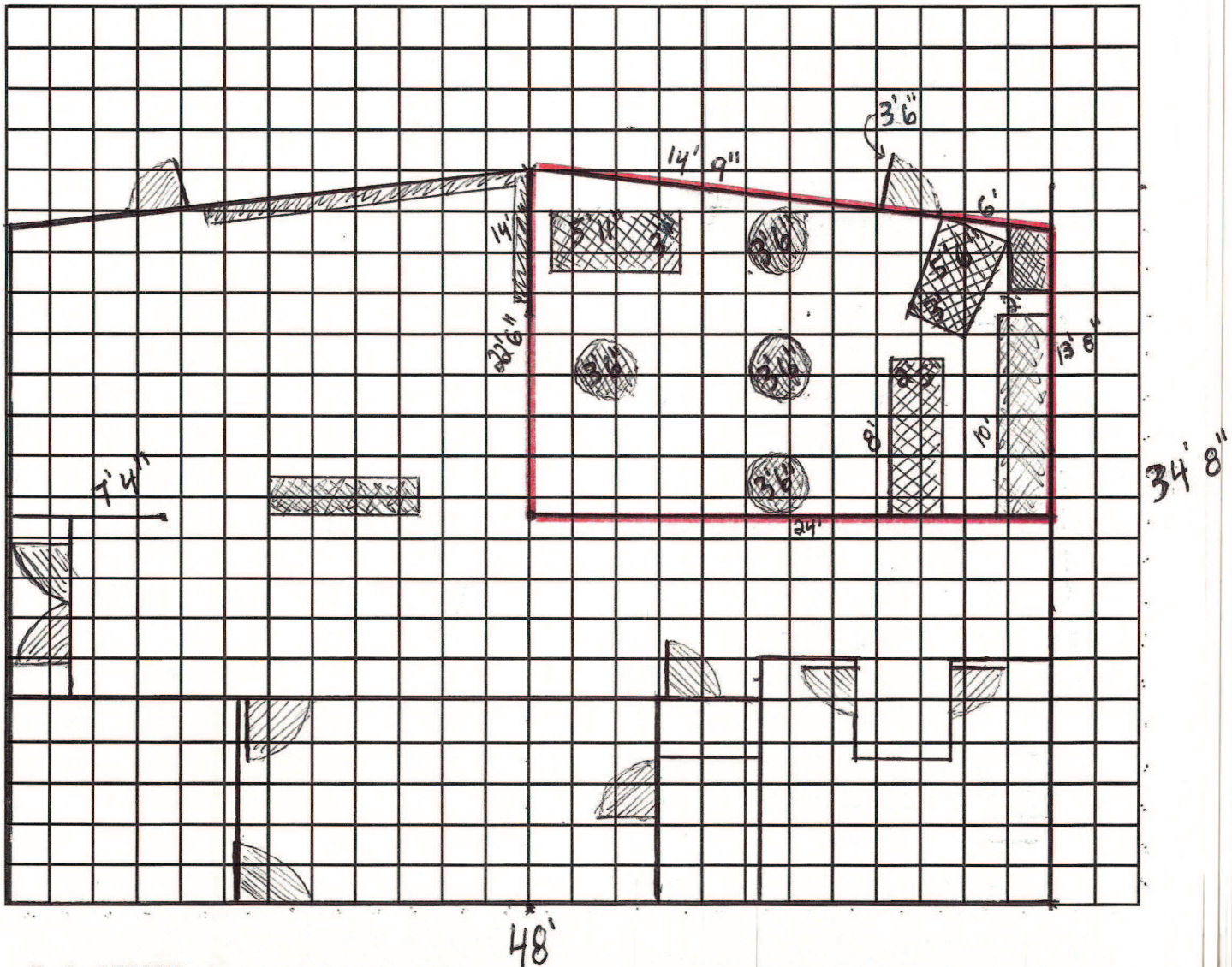
PREMISES LOCATION: #5 Airport Rd, Gustavus Alaska 99826

Indicate scale by x after appropriate statement or show length and width of premises.

SCALE A: \_\_\_\_\_ 1 SQ. = 4 FT.      SCALE B: \_\_\_\_\_ 1 SQ. = 1 FT.

Length and width of premises in feet: 48' X 35'

**Outline the area to be designated for sale, service, storage, and consumption of alcoholic beverages in red.**  
**DO NOT USE BLUE INK OR PENCIL ON THIS DIAGRAM.**



## Price list for the coffee shop in Gustavus.....(wings)

Regular bagels.....	\$1.75
Sandwich bagels.....	\$5.00
Burritos, Chimichangas.....	\$1.75
Corn dogs.....	\$1.50
Chips ,candy bars.....	\$ .75
Can sodas.....	\$1.25
Bottle sodas , Lipton tea, double shot and Redbull.....	\$2.00
SoBE drinks.....	\$3.00
Energy double shot , Rock star.....	\$2.50
Vitamin water.....	\$2.00
Gum.....	\$1.25
Peanuts,crackers, gummies.....	\$.50
Epresso drinks.....	\$3.25,\$4.00
Hot chocolat.....	\$2.00 \$2.50 \$3.25
Donuts,.....	\$1.25 \$ 1.50 \$2.00 \$2.50
Lunch special.....bagel sandwich, soda & chips....	\$6.75



Alcoholic Beverage Control Board  
5848 E Tudor Rd  
Anchorage, AK 99507

## New Liquor License

(907) 269-0350  
Fax: (907) 272-9412  
www.dps.state.ak.us/abc

License is: ☒ Full Year OR ☐ Seasonal List Dates of Operation: \_\_\_\_\_

SECTION A - LICENSE INFORMATION			FEES
Office Use: License Year: <u>2012/2013</u>	License Type: <u>Beverage Dispensary Tourism License</u>	Statute Reference Sec. 04.11. <u>400(d)</u>	License Fee: \$ <u>2500-</u>
Office Use: License #: <u>51666</u>			Filing Fee: \$100.00
Local Governing Body: (City, Borough or Unorganized) <u>City of Gustavus</u>	Community Council Name(s) & Mailing Address: <u>Gustavus City Council</u> <u>1802 Gustavus Rd.</u> <u>PO Box 1</u> <u>Gustavus AK 99826</u>		Rest. Desig. Permit Fee: \$ <u>50-</u>
Name of Applicant (Corp/LLC/LP/LLP/Individual/Partnership): <u>SeaPort Airlines Inc.</u>	Doing Business As (Business Name): <u>Wings of Alaska</u>	Business Telephone Number: <u>(907) 789-0790</u>	Fingerprint: <u>x3</u> \$ <u>154.50</u> <u>(\$54.25 per person)</u> <u>51.50</u> TOTAL <u>2804.50</u>
Mailing Address: <u>2421 Livingston Way</u>	Street Address or Location of Premise: <u>#5 Airport Rd.</u> <u>Gustavus, AK 99826</u>	Fax Number: <u>(907) 789-2021</u>	Email Address: <u>info@wingsofalaska.com</u> or <u>richard@wingsofalaska.com</u>
City, State, Zip: <u>Juneau, AK 99801</u>			
SECTION B - PREMISES TO BE LICENSED			
Distance to closest school grounds: <u>0.4 miles</u>	Distance measured under: <input checked="" type="checkbox"/> AS 04.11.410 OR <input type="checkbox"/> Local ordinance No. _____	<input type="checkbox"/> Premises is GREATER than 50 miles from the boundaries of an incorporated city, borough, or unified municipality. <input type="checkbox"/> Premises is LESS than 50 miles from the boundaries of an incorporated city, borough, or unified municipality. <input checked="" type="checkbox"/> Not applicable	
Distance to closest church: <u>more than a mile</u>	Distance measured under: <input checked="" type="checkbox"/> AS 04.11.410 OR <input type="checkbox"/> Local ordinance No. _____		
Premises to be licensed is: <input type="checkbox"/> Proposed building <input checked="" type="checkbox"/> Existing facility <input type="checkbox"/> New building		<input type="checkbox"/> Plans submitted to Fire Marshall (required for new & proposed buildings) <input checked="" type="checkbox"/> Diagram of premises attached	

Alcoholic Beverage Control Board  
5848 E Tudor Rd  
Anchorage, AK 99507

## New Liquor License

(907) 269-0350  
Fax: (907) 272-9412  
www.dps.state.ak.us/abc

### SECTION C – LICENSEE INFORMATION

1. Does any individual, corporate officer, director, limited liability organization member, manager or partner named in this application have any direct or indirect interest in any other alcoholic beverage business licensed in Alaska or any other state?

☐ Yes ☒ No If Yes, complete the following. Attach additional sheets if necessary.

Name	Name of Business	Type of License	Business Street Address	State
/	/	/	/	/
/	/	/	/	/
/	/	/	/	/
/	/	/	/	/
/	/	/	/	/

2. Has any individual, corporate officer, director, limited liability organization member, manager or partner named in this application been convicted of a felony, a violation of AS 04, or been convicted as a licensee or manager of licensed premises in another state of the liquor laws of that state?

☐ Yes ☒ No If Yes, attach written explanation.

### SECTION D – OWNERSHIP INFORMATION - CORPORATION

*Corporations, LLCs, LLPs and LPs must be registered with the Dept. of Community and Economic Development.*

Name of Entity (Corporation/LLC/LLP/LP) (or N/A if an Individual ownership): SeaPort Airlines Inc.		Telephone Number: (971) 340 1700	Fax Number:
Corporate Mailing Address: 7505 NE Airport Way	City: Portland	State: Oregon	Zip Code: 97218
Name, Mailing Address and Telephone Number of Registered Agent:		Date of Incorporation OR Certification with DCED: 11/10/1982	State of Incorporation: Alaska
Is the Entity in "Good Standing" with the Alaska Division of Corporations? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If no, attach written explanation. Your entity <b>must</b> be in compliance with Title 10 of the Alaska Statutes to be a valid liquor licensee.			

Entity Members (Must include President, Secretary, Treasurer, Vice-President, Manager and Shareholder/Member with at least 10%)					
Name	Title	%	Home Address & Telephone Number	Work Telephone Number	Date of Birth
John Beardsley	Majority Shareholder	70+	64 NANSEN SUMMIT Lake Oswego OR 97035	(503) 227-3278	9/23/1990
21-11 M.V.	President		9502 NE 144th Court Vancouver, WA 98682	(971) 340-1711	6/23/1969

NOTE: If you need additional space, please attach a separate sheet.



Alcoholic Beverage Control Board  
5848 E Tudor Rd  
Anchorage, AK 99507

## New Liquor License

(907) 269-0350  
Fax: (907) 272-9412  
www.dps.state.ak.us/abc

### SECTION E – OWNERSHIP INFORMATION – SOLE PROPRIETORSHIP (INDIVIDUAL OWNER & SPOUSE)

**Individual Licensees/Affiliates** (The ABC Board defines an "Affiliate" as the spouse or significant other of a licensee. Each Affiliate must be listed.)

Name: <u>Richard Cole</u> Address: <u>8721 North Loop Way</u> Home Phone: <u>907 957 6068</u> Work Phone: <u>Same</u>	Applicant <input type="checkbox"/> Affiliate <input checked="" type="checkbox"/>  Date of Birth: <u>7/13/72</u>	Name: Address:  Home Phone: Work Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/>  Date of Birth:
Name: Address:  Home Phone: Work Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/>  Date of Birth:	Name: Address:  Home Phone: Work Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/>  Date of Birth:

#### Declaration

- I declare under penalty of perjury that I have examined this application, including the accompanying schedules and statements, and to the best of my knowledge and belief it is true, correct and complete, and this application is not in violation of any security interest or other contracted obligations.
- I hereby certify that there have been no changes in officers or stockholders that have not been reported to the Alcoholic Beverage Control Board. The undersigned certifies on behalf of the organized entity, it is understood that a misrepresentation of fact is cause for rejection of this application or revocation of any license issued.
- I further certify that I have read and am familiar with Title 4 of the Alaska statutes and its regulations, and that in accordance with AS 04.11.450, no person other than the licensee(s) has any direct or indirect financial interest in the licensed business.
- I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application.

<b>Signature of Licensee(s)</b> Signature <u>[Signature]</u> Signature _____ Name & Title (Please Print) <u>Regional Manager Wings of Alaska/Seaport Airlines</u> Subscribed and sworn to before me this <u>4</u> day of <u>May</u> , 2012. Notary Public in and for the State of Alaska My commission expires: <u>1/29/14</u>	<b>Signature of Licensee(s)</b> Signature _____ Signature _____ Name & Title (Please Print) _____ Subscribed and sworn to before me this _____ day of _____, _____ Notary Public in and for the State of Alaska My commission expires: _____
--	--





**State of Alaska**  
Department of Public Safety  
**Alcoholic Beverage Control Board**

Sean Parnell, Governor  
Joseph A. Masters, Commissioner

May 22, 2012

City of Gustavus  
Attn: Kapryce Manchester, City Clerk  
VIA Email: [clerk@gustavus-ak.gov](mailto:clerk@gustavus-ak.gov)

**SeaPort Airlines, Inc.: Beverage Dispensary – Tourism License #5166 DBA Wings of Alaska**

- ☒ **New Application**      ☐ **Transfer of Ownership**      ☐ **Transfer of Location**  
☒ **Restaurant Designation Permit**      ☐ **DBA Name Change**

We have received an application for the above listed licenses (see attached application documents) within your jurisdiction. This is the notice as required under AS 04.11.520. Additional information concerning filing a "protest" by a local governing body under AS 04.11.480 is included in this letter.

A local governing body as defined under AS 04.21.080(11) may protest the approval of an application(s) pursuant to AS 04.11.480 by furnishing the board **and** the applicant with a clear and concise written statement of reasons in support of a protest within 60 days of receipt of this notice. If a protest is filed, the board will not approve the application unless it finds that the protest is "arbitrary, capricious and unreasonable". Instead, in accordance with AS 04.11.510(b), the board will notify the applicant that the application is denied for reasons stated in the protest. The applicant is entitled to an informal conference with either the director or the board and, if not satisfied by the informal conference, is entitled to a formal hearing in accordance with AS 44.62.330-44.62-630. **IF THE APPLICANT REQUESTS A HEARING, THE LOCAL GOVERNING BODY MUST ASSIST IN OR UNDERTAKE THE DEFENSE OF ITS PROTEST.**

Under AS 04.11.420(a), the board may not issue a license or permit for premises in a municipality where a zoning regulation or ordinance prohibits the sale or consumption of alcoholic beverages, unless a variance of the regulation or ordinance has been approved. Under AS 04.11.420(b) municipalities must inform the board of zoning regulations or ordinances which prohibit the sale or consumption of alcoholic beverages. If a municipal zoning regulation or ordinance prohibits the sale or consumption of alcoholic beverages at the proposed premises and no variance of the regulation or ordinance has been approved, please notify us and provide a certified copy of the regulation or ordinance if you have not previously done so.

Protest under AS 04.11.480 and the prohibition of sale or consumption of alcoholic beverages as required by zoning regulation or ordinance under AS 04.11.420(a) are two separate and distinct subjects. Please bear that in mind in responding to this notice.

**Alcoholic Beverage Control Board**  
5848 E Tudor Rd - Anchorage, AK 99507 - Voice (907) 269-0350 - Fax (907) 272-9412

AS 04.21.010(d), if applicable, requires the municipality to provide written notice to the appropriate community council(s).

If you wish to protest the application referenced above, please do so in the prescribed manner and within the prescribed time. Please show proof of service upon the applicant. For additional information please refer to 13 AAC 104.145, Local Governing Body Protest.

**Note:** Applications applied for under AS 04.11.400(g), 13 AAC 104.335(a)(3), AS 04.11.090(e), and 13 AAC 104.660(e) must be approved by the governing body.

Sincerely,

SHIRLEY A. GIFFORD  
Director




***Sarah D. Oates***

Business Registration Examiner  
sarah.oates@alaska.gov  
(907)269-0356



State of Alaska  
**Alcoholic Beverage Control Board**

Date of Notice: May 22, 2012

Application Type: **NEW** 

☐ **TRANSFER**  
☐ Ownership  
☐ Location  
☐ Name Change

Governing Body: **City of Gustavus**  
Community Councils: None

License #: 5166  
License Type: Beverage Dispensary – Tourism  
D.B.A.: Wings of Alaska  
Licensee/Applicant: SeaPort Airlines, Inc.  
Physical Location: #5 Airport Road, Gustavus, AK 99826  
Mail Address: 8421 Livingston Way, Juneau, AK 99801  
Telephone #: 907-789-0790  
EIN: 92-0099059

Corp/LLC Agent:	Address	Phone	Date and State of Incorporation	Good standing?
SeaPort Airlines, Inc.	7505 NE Airport Way Portland, OR 97218	971-340-1700	11/10/1982 Alaska	Yes

*Please note: the Members/Officers/Directors/Shareholders (principals) listed below are the principal members. There may be additional members that we are not aware of because they are not primary members. We have listed all principal members and those who hold at least 10% shares.*

Member/Officer/Director:	DOB	Address	Phone	Title/Shares (%)
John Beardsley Shareholder	09/23/1940	64 Nansen Summit Lake Oswego, OR 97035	503-227-3278	70%
Robert McKinney President	06/23/1969	9502 NE 144 <sup>th</sup> Court Vancouver, WA 98682	971-340-1711	0%

If **transfer** application, current license information:

License #:  
Current D.B.A.:  
Current Licensee:  
Current Location:

Additional comments: Restaurant Designation Permit Application attached.

A local governing body as defined under AS 04.21.080(11) may protest the approval of an application(s) pursuant to AS 04.11.480 by furnishing the board **and** the applicant with a clear and concise written statement of reasons in support of a protest within 60 days of receipt of this notice. If a protest is filed, the board will not approve the application unless it finds that the protest is "arbitrary, capricious and unreasonable". Instead, in accordance with AS 04.11.510(b), the board will notify the applicant that the application is denied for reasons stated in the protest. The applicant is entitled to an informal conference with either the director or the board and, if not satisfied by the informal conference, is entitled to a formal hearing in accordance with AS 44.62.330-44.62-630. **IF THE APPLICANT REQUESTS A HEARING, THE LOCAL GOVERNING BODY MUST ASSIST IN OR UNDERTAKE THE DEFENSE OF ITS PROTEST.**

Under AS 04.11.420(a), the board may not issue a license or permit for premises in a municipality where a zoning regulation or ordinance prohibits the sale or consumption of alcoholic beverages, unless a variance of the regulation or ordinance has been approved. Under AS 04.11.420(b) municipalities must inform the board of zoning regulations or ordinances which prohibit the sale or consumption of alcoholic beverages. If a municipal zoning regulation or ordinance prohibits the sale or consumption of alcoholic beverages at the proposed premises and no variance of the regulation or ordinance has been approved, please notify us and provide a certified copy of the regulation or ordinance if you have not previously done so.

Protest under AS 04.11.480 and the prohibition of sale or consumption of alcoholic beverages as required by zoning regulation or ordinance under AS 04.11.420(a) are two separate and distinct subjects. Please bear that in mind in responding to this notice.

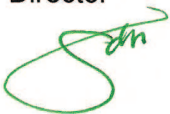
AS 04.21.010(d), if applicable, requires the municipality to provide written notice to the appropriate community council(s).

If you wish to protest the application referenced above, please do so in the prescribed manner and within the prescribed time. Please show proof of service upon the applicant. For additional information please refer to 15 AAC 104.145, Local Governing Body Protest.

**Note:** Applications applied for under AS 04.11.400(g), 15 AAC 104.335(a)(3), AS 04.11.090(e), and 15 AAC 104.660(e) must be approved by the governing body.

Sincerely,

SHIRLEY A. GIFFORD  
Director



***Sarah D. Oates***

Business Registration Examiner  
sarah.oates@alaska.gov  
(907)269-0356

**CITY OF GUSTAVUS, ALASKA  
RESOLUTION 2012-19**

**A RESOLUTION OF THE CITY OF GUSTAVUS ESTABLISHING A DEFERRED  
COMPENSATION PLAN WITH THE LINCOLN FINANCIAL GROUP**

WHEREAS the Gustavus City Council adopted by Resolution 2012-17 a City of Gustavus Benefits Policy covering all eligible Regular Position employees; and,

WHEREAS the City of Gustavus wishes to offer a 457(b) deferred-compensation retirement plan to all Regular Position employees upon their satisfactory completion of the probationary period; and,

WHEREAS Section 457 of the Internal Revenue Code (IRC) states that 457(b) deferred compensation plans are available for state or local governments;

NOW THEREFORE BE IT RESOLVED THAT:

Section 1. The City of Gustavus establishes a Deferred Compensation Plan with the Lincoln Financial Group.

Section 2. Effective Date: This resolution is effective immediately upon adoption.

PASSED and APPROVED by the Gustavus City Council, this 14<sup>th</sup> day of June, 2012.

\_\_\_\_\_  
Karen Colligan-Taylor, Mayor

\_\_\_\_\_  
Lou Cacioppo, Vice Mayor

\_\_\_\_\_  
Noel Farevaag, Council Member

\_\_\_\_\_  
Melanie Lesh, Council Member

\_\_\_\_\_  
Jim Mackovjak, Council Member

\_\_\_\_\_  
Sandi Marchbanks, Council Member

\_\_\_\_\_  
Tim Sunday, Council Member

\_\_\_\_\_  
Attest: Kapryce Manchester, MMC  
City Clerk





The Lincoln National Life Insurance Company  
PO Box 2340  
Fort Wayne IN 46802-2340

## 457(b) Plan Administration Service Agreement

Plan Name City of Gustavus 457(b) Deferred Compensation Plan Plan number \_\_\_\_\_  
Employer City of Gustavus Phone number 907-697-2451  
Plan Administrator City of Gustavus, Kapryce Manchester MMC City Clerk/Finance Officer  
Service agreement effective date June 14, 2012

While this agreement is in effect, the employer and The Lincoln National Life Insurance Company ("Lincoln") agree as follows:

### I. Responsibility of Lincoln

- (A) Lincoln will provide the services the employer elects in the 457(b) Deferred Compensation Election of Administrative Services form attached and incorporated herein by reference, contingent upon the employer meeting its obligations under Section II of this service agreement. The Election of Administrative Services will specify the services to be provided and the charge(s) applicable to the services provided.
- (B) Lincoln will bill the employer for services rendered. Payment is due upon receipt of the bill. If payment is not received within 30 days of the billing date, Lincoln reserves the right to discontinue services until payment is received.
- (C) Disclosure: Lincoln agrees not to disclose any participant data, which the employer furnishes pursuant to this agreement to others not associated with the provision of services covered by this agreement unless (1) prior written consent from the employer has been received, or (2) Lincoln acts pursuant to legal process.

### II. Responsibility of the employer

- (A) The employer will provide to Lincoln all information requested relative to the plan and its administration that Lincoln deems necessary to provide the services specified in this agreement. Lincoln assumes no responsibility for the accuracy of the information provided.
- (B) The employer will review each report furnished by Lincoln and will notify Lincoln of any errors in the report. Notification of any error must be in writing and must be received by Lincoln at the address above within 60 days of the employer's receipt of the report.

All errors caused by Lincoln will be corrected free of charge. Errors by Lincoln that are not reported within 60 days and errors caused by the employer or any other party will be corrected at the direction of the employer. The employer will be responsible for all costs associated with the corrections.

- (C) Whenever any amendment or significant change to the operation of the plan is proposed, the employer will notify Lincoln in writing at least 30 days prior to the effective date of such proposed amendment or change to the plan. Lincoln reserves the right to adjust the service fees in the event such amendment or change alters the type or quantity of the services to be performed.

### III. General Provisions

- (A) Terms of agreement: This agreement shall commence on the service agreement effective date and shall continue in force until discontinued under Section IV. This agreement will automatically be renewed as of its anniversary for each subsequent plan year unless at least 30 days prior to the anniversary either Lincoln or the employer elects to terminate this agreement.
- (B) Employer responsibility: by this agreement, Lincoln agrees to provide only the ministerial services listed in the Election of Administrative Services to the employer in connection with the plan. Decisions regarding the interpretation of plan provisions, including provisions involving benefits under the plan, shall be made by the employer. (Lincoln shall not, by the provision of services or otherwise, assume any employer responsibilities, or exercise any discretion or control over the plan.)
- (C) Calculation of Charges: The service charges due under this agreement will be the sum of the charges stated in the Election of Administrative Services. This agreement does not include any charges that may be contained in an annuity contract.

(D) Lincoln's maximum liability is the amount of service fees paid under this contract. Any action brought under this contract must be filed within three (3) years of the occurrence causing the action. If the three year period during which suit can be brought on the contract is prohibited by the state in which the contract is executed, these limitations shall be amended to agree with the minimum period of limitation permitted by the state. Nothing in this contract will make Lincoln a party to the plan or will transfer to Lincoln any authority or control regarding management of the plan. In addition, this agreement cannot cause Lincoln to have any obligation to a plan participant or beneficiary. Lincoln will rely upon information furnished by the employer, plan or plan participant and has no duty to look beyond such information.

(E) Agreement amendment: Any or all of the terms of this agreement may be changed only by a written instrument signed by an officer of Lincoln and the employer.

(F) Lincoln will have the right to review and adjust the service fees charged under this contract at any time. If adjustment in the service fees are necessary, the employer will be notified of the adjustments before Lincoln initiates further service work. Lincoln reserves the right to make additional charges for servicing if substantial review of prior years' documents is necessary. Service fees are due upon receipt of the bill. If payment is not received within 30 days of the billing date, Lincoln reserves the right to discontinue services until payment is received.

(G) Lincoln shall not be liable for any damages for failure to perform any of the terms or provisions of this

agreement from any cause not within its control.

Lincoln will not be responsible for any liability to any party other than that which may result from Lincoln's negligent performance under this contract.

#### IV. Termination

(A) Termination: This agreement will be terminated upon any of the following:

1. 30 days written notice from the employer to Lincoln,
2. 30 days written notice from Lincoln to the employer,
3. The employer's failure to make required payments for service charges billed,
4. Immediately upon discontinuance of the annuity contract issued by Lincoln for funding of the plan, or
5. Immediately upon termination of the plan.

(B) Effect of termination:

1. Upon termination of this agreement, any outstanding charges shall be payable immediately. Lincoln will provide no further services until all charges are paid in full.
2. Any service(s) provided at Lincoln's option after the actual date of termination will be provided at a rate to be determined at the time of termination and on a prepaid basis only. No services will be provided after termination unless and until all charges due have been paid. In such event, Lincoln will provide a listing of those services it is willing to provide after the date of termination.

(C) Governing Law: The agreement shall be governed and construed in accordance with the laws of the State of Indiana.

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#### 457(b) Deferred Compensation Election of Administrative Services

PLAN DOCUMENT SERVICES ☒ Yes ☐ No

##### I. Implementation Fee (initial plan set-up)

\$ 150

*The fee includes: plan design, preparation of plan document, and loan policy (if applicable).*

*Plans which require processing time in excess of five hours will be billed an additional fee of \$150 per hour. The client will be notified in advance of any additional billing.*

##### II. Maintenance Fees

*This fee will be charged for each plan amendment or restatement.*

- Plan Document Restatement (Revising Existing Document) \$ 150
- Amendment (Employer Requested Changes to the Existing Document) \$ 100

*Plans which require processing time in excess of two hours will be billed an additional fee of \$150 per hour. Amendment / restatement request received with a proposed effective date less than 30 days from date of receipt will be processed subject to Lincoln approval and will be billed an additional fee of \$150. The client will be notified in advance of any additional billing.*

In witness hereof, Lincoln and the employer have signed this agreement.

**Employer**

By:

Title:

Date:

*The Lincoln National Life Insurance Company (home office)*

By:

Title:

Date:

The above-described fees are subject to change by Lincoln with 30 days advance notice to the employer.