

CITY OF SELDOVIA

PO Box B, 245 Dock Street
Seldovia, Alaska 99663
Phone 907-234-7643
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Regular City Council Meeting

Monday, December 09, 2019

6:00PM

Council Chambers
Multi-Purpose Room
260 Seldovia Street
Seldovia, AK 99663

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**AGENDA FOR A REGULAR MEETING
OF SELDOVIA CITY COUNCIL
COUNCIL CHAMBERS**

**Monday
December 09, 2019
6:00pm**

SWEATT COLBERG CAMPBELL MORRISON ROJAS NATHAN
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- A. Call to Order & Roll Call:
- B. Pledge of Allegiance:
- C. Excused Absences:
- D. Agenda Approval:
- E. Consent Agenda: *(All items under the Consent Agenda are approved with a single motion, no discussion, and one vote. A Council Member may request to remove an item(s) for discussion and a separate vote.)*
 - 1. Approval of Minutes: Minutes of the Regular Meeting, November 25, 2019
 - 2. Payment Approval Report:
 - 3. Ordinance Introduction:
- F. Mayoral Proclamations:
- G. Public Presentation for Items not on Agenda: (public has 3 min each)
- H. Committee and Advisory Board Reports: (each member has 5 min)
- I. Public Hearings:
 - 1. ORDINANCE 20-05 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SELDOVIA, ALASKA, AMENDING TITLE 18.52 COMMERCIAL MARINE, CHAPTER 18.20 DEFINITIONS, AND TITLE 1 GENERAL PROVISIONS SECTION 1.08.040 TO INCLUDE 18.52.120 VIOLATION—PENALTIES
 - a. Presentation by Staff or Council
 - b. Council Discussion
 - c. Public Presentation or Hearing (public has 3 min each)
 - d. Action/Disposition
 - 2. RESOLUTION 20-17 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELDOVIA ADOPTING AN ALTERNATIVE ALLOCATION METHOD FOR THE FY20 SHARED FISHERIES BUSINESS TAX PROGRAM AND CERTIFYING THAT THIS ALLOCATION METHOD FAIRLY REPRESENTS THE DISTRIBUTION OF SIGNIFICANT EFFECTS OF FISHERIES BUSINESS ACTIVITY IN FMA 14: COOK INLET
 - a. Presentation by Staff or Council
 - b. Council Discussion
 - c. Public Presentation or Hearing (public has 3 min each)
 - d. Action/Disposition
- J. Unfinished Business:
 - 1. Discussion- Pavilion Electricity
 - a. Presentation by Staff or Council
 - b. Council Discussion
 - c. Public Presentation or Hearing (public has 3 min each)
 - d. Action/Disposition
- K. New Business:
 - 1. Discussion- Requesting monthly board reports from Seldovia's HEA Board Representative- NATHAN
 - a. Presentation by Staff or Council
 - b. Council Discussion
 - c. Public Presentation or Hearing (public has 3 min each)
 - d. Action/Disposition
- L. Administration Reports:
 - 1. Treasurer's Report: See Laydown
 - 2. City Manager's Report: See Laydown
 - 3. Chief of Police Report: None
 - 4. Harbormaster's Report: None
 - 5. Public Works Report: None
- M. Informational Items Not Requiring Action:
 - 1. The City Office will be closed December 25th in observance of Christmas Day.
- N. Executive Session:
 - 1. Seldovia Fuel and Lube Lease Negotiation Update- To receive privileged legal advice from the City Attorney.
- O. Council and Mayor Comments Concerning Items Not on the Agenda:
- P. Next Meeting: The next Regular Meeting will be held on Monday, January 13, 2020 at 6:00 pm
- Q. Adjournment:

* IF YOU REQUIRE SPECIAL ASSISTANCE TO ATTEND THE MEETING, PLEASE NOTIFY THE CITY OFFICE 24 HOURS IN ADVANCE AND ARRANGEMENTS WILL BE MADE *

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Seldovia City Council Regular Meeting December 09, 2019

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Page 20	Resolution 20-17 Shared Fisheries Tax- DRAFT
Page 21- 39	Shared Fisheries Tax Program

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**MINUTES FROM A REGULAR MEETING
OF SELDOVIA CITY COUNCIL
COUNCIL CHAMBERS
Monday
November 25, 2019
6:00pm**

COLBERG CAMPBELL MORRISON ROJAS NATHAN SWEATT
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A. Call to Order & Roll Call: PRESENT: COUNCIL MEMBERS: MORRISON, ROJAS, NATHAN, and SWEATT

STAFF: CITY MANAGER CAMERON
FINANCE OFFICER TAYLOR
POLICE CHIEF CUSHMAN
CITY CLERK GEAGEL

B. Pledge of Allegiance: Held

C. Excused Absences: None

D. Agenda Approval:

COLBERG/SWEATT MOVED TO APPROVE THE AGENDA
VOICE VOTE/UNANIMOUS/MOTION PASSED

ROJAS/COLBERG MOVED TO AMEND THE AGENDA TO INCLUDE ITEM K1.
DISCUSSION ON PAVILION ELECTRICITY
VOICE VOTE/UNANIMOUS/MOTION PASSED

ROJAS/COLBERG MOVED TO APPROVE TONIGHTS AMENDED AGENDA
VOICE VOTE/UNANIMOUS/MOTION PASSED

E. Consent Agenda: *(All items under the Consent Agenda are approved with a single motion, no discussion, and one vote. A Council Member may request to remove an item(s) for discussion and a separate vote.)*

1. Approval of Minutes: Minutes of the Regular Meeting, October 28, 2019

2. Payment Approval Report:

3. Ordinance Introduction:

1. ORDINANCE 20-05 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SELDOVIA, ALASKA, AMENDING TITLE 18.52 COMMERCIAL MARINE, CHAPTER 18.20 DEFINITIONS, AND TITLE 1 GENERAL PROVISIONS SECTION 1.08.040 TO INCLUDE 18.52.120 VIOLATION—PENALTIES

ROJAS/COLBERG MOVED TO APPROVE THE CONSENT AGENDA
VOICE VOTE/UNANIMOUS/MOTION PASSED

F. Mayoral Proclamations: None

G. Public Presentation for Items not on Agenda: (public has 3 min each)

LAUREL HILTS, resident- Presented a calendar of activities coming up in the end of November and through December and discussed the craft bazaar on Friday.

H. Committee and Advisory Board Reports: (each member has 5 min)

LAUREL HILTS, Lollipop Park Work Committee- Reported the committee to upgrade the Lollipop Park equipment was comprised of herself, Dianne Gruber, Kate Holman, and Shannon Custer. The committee met the previous week and the history of the park and its original creation in the 1980's as a memorial to Jack English, then the migration of it the Main Street location along the harbor. They determined to set goals to establish what equipment needed repair to take a look at the park itself as a whole and what might be done to better it aesthetically and for accessibility. The park was not accessible right now for anyone who could not walk on the gravel. She discussed that they were on a set

budget so they were reaching out to resources of individuals who had worked on parks like this in Anchorage and looking at designs even that carried a theme reflective of the community. They would also like to look into an informative sign similar to what Valisa did at the pavilion that talks about baby critters and things that grow around Seldovia. A lot was discussed at the first meeting and each person was tasked with things to do and bring back to the next meeting. She discussed that accessibility was an issue for children in a wheelchair and that they were discussing a pathway or nice surface for children. They were also discussing recommendations on repair and maintenance for equipment as they move forward.

MAYOR LENT- Inquired about the issue of accessibility.

KIRK ZINCK, PWSRCAC Representative for Seldovia- He spoke to the memorandum that he wrote to the council and discussed that there were two major concerns that had come up for the PWSRCAC. One was the review of regulations as discussed by Jason Brune who had stated that they were burdensome and onerous. When Jason Brune was asked about who was concerned with the oil regulations, he indicated that it was coming from the industry. The oil spill regulations do merit review from time but it was at the council's discretion. There had not been an oil spill in thirty years so it appeared that the regulations were working. The second concern was the sale of BP to Hilcorp and the seismic activity being done right then. Hilcorp was a lot smaller corporation with the expertise in getting the rest of the oil out of fields that were depleted. The major concerns were doing Hilcorp have adequate funding to operate safely or to clean up a spill, who was going to clean up the slope, and Hilcorps safety record. Hilcorp had 90 various violations, one incident resulted in three deaths on the slope, one was a four-month leak in the Cook Inlet natural gas pipeline. Another concern was the loss of revenue, Hilcorp would not have the amount of taxes that BP did. The Regulatory Commission had a deadline of November 13th for comments which was extended to December 16th, people can make comments online. There was a lot of back and forth fact checking with his council before he sent the memo and his and Walt Sonen's council had been sent the resolution that the Seldovia City Council would be discussing that evening.

ROJAS- Inquired about the timeframe with DEC and spoke in support of the resolution. She spoke of concern with the way the state was going forward.

I. Public Hearings:

1. ORDINANCE 20-04 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SELDOVIA, ALASKA, REPEALING CHAPTER 2.24 CIVIL DEFENSE AND DISASTER CONTROL AND ADOPTING CHAPTER 2.26 NATIONAL INCIDENT MANAGEMENT SYSTEM

a. Presentation by Staff or Council

CLERK GEAGEL- Presented Ordinance 20-04.

b. Council Discussion

ROJAS- Spoke in support of moving forward.

c. Public Presentation or Hearing (public has 3 min each)

MAYOR LENT called for public comment and none was heard.

d. Action/Disposition

ROJAS/COLBERG MOVED TO ACCEPT ORDINANCE 20-04 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SELDOVIA, ALASKA, REPEALING CHAPTER 2.24 CIVIL DEFENSE AND DISASTER CONTROL AND ADOPTING CHAPTER 2.26 NATIONAL INCIDENT MANAGEMENT SYSTEM
VOICE VOTE/UNANIMOUS/MOTION PASSED

2. RESOLUTION 20-15 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELDOVIA, ALASKA SUPPORTING THE 2020 CENSUS

a. Presentation by Staff or Council

CLERK GEAGEL- Presented Resolution 20-15.

b. Council Discussion

ROJAS- Spoke in support of moving forward.

c. Public Presentation or Hearing (public has 3 min each)

MAYOR LENT called for public comment and none was heard.

d. Action/Disposition

SWEATT/ROJAS MOVED TO ACCEPT RESOLUTION 20-15
VOICE VOTE/UNANIMOUS/MOTION PASSED

3. RESOLUTION 20-16 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELDOVIA, ALASKA SUPPORTING SAFEGUARDING ALASKA'S OIL SPILL PREVENTION AND RESPONSE STANDARDS

a. Presentation by Staff or Council

CLERK GEAGEL- Presented Resolution 20-16.

b. Council Discussion

ROJAS- Spoke in support of Resolution 20-16.

SWEATT- Spoke in support of Resolution 20-16.

CAMPBELL- Spoke in support of Resolution 20-16.

c. Public Presentation or Hearing (public has 3 min each)

WALT SONEN, CIRCAC Representative for Seldovia- Spoke in support of Resolution 20-16, one of the RCAC's main responsibilities was to vet regulations when new oil rigs were established or new transportation systems. Those regulations had been developed and altered and were looked at all the time.

d. Action/Disposition

ROJAS/COLBERG MOVED TO ACCEPT RESOLUTION 20-16
VOICE VOTE/UNANIMOUS/MOTION PASSED

J. Unfinished Business:

1. COLE/WARBURTON VARIANCE PERMIT APPLICATION

a. Presentation by Staff or Council

CLERK GEAGEL- Spoke to the applicant that morning who spoke of asking to revoke the variance application. He stated that he would amend the deck to fit the code, amend his building permit with the new dimensions, and provide the survey, so that he would meet the requirements necessary.

b. Council Discussion

c. Public Presentation or Hearing (public has 3 min each)

d. Action/Disposition

DIED ON THE TABLE

K. New Business:

1. Discussion- Pavilion Electricity

a. Presentation by Staff or Council

ROJAS- Spoke to how great the pavilion looked lit up on Halloween and that she had discussed with Tim Dillon how great it would be if there was power to the pavilion. She spoke to events that used electricity being held in the pavilion throughout the year and that electricity was being borrowed from the Straniks. Tim Dillon would volunteer provide the cable from underground if the city would pay to dig the ditch and for the panel.

b. Council Discussion

NATHAN- Discussed the HEA bill for minimal electricity.

MORRISON- Discussed referring the cost onto the renter and spoke in support.

SWEATT- Spoke to wanting to know the cost of digging and the project.

CM CAMERON- Spoke to the HEA box.

F/O TAYLOR- Discussed it would be at least 600 a year minimum.

CAMPBELL- Spoke to having this on the next agenda with a presentation of cost from HEA.

COLBERG- Spoke in agreement with Campbell.

c. Public Presentation or Hearing (public has 3 min each)

TIM RADZYKEWYCZ, resident- Discussed that the Halloween lighting the past two years was from a generator.

LAUREL HILTS, resident- Spoke in support of the potential of having electricity in the pavilion and spoke to the HEA box near the pavilion being the Fourth of July box and was supposed to be comped by HEA.

d. Action/Disposition

CONSENSUS TO PUT THE ITEM ON THE NEXT AGENDA

L. Administration Reports:

1. Treasurer's Report: See Laydown

F/O TAYLOR- Presented the treasurer's report as written in the laydown for September 2019 and included that Rogers and Altman was \$40,000 for the FY18 and FY19 audit. The FY18 audit was complete and the FY19 audit was being completed now. A fire hose was purchased by the fire department and a grant was received. She discussed and broke down the Levesque legal fees stating they were between council, planning, and leases. With the FY18 complete the city would receive the community revenue assistance which would cover the cost of the audit. Once the FY19 audit was complete they could discontinue the contract with Caselle. Scott with Caselle had stated that he would credit back eight months of support fees.

ROJAS- Inquired about the audit expense and if there would be any kickback from Caselle.

CM CAMERON- Discussed that audits were budgeted yearly and that it had not been budgeted to do two audits that year which could be adjusted.

COLBERG- Inquired if the cost would go down with the new accounting system.

2. City Manager's Report: See Laydown

CM CAMERON- Presented the city manager's report as written in the laydown and included that Kevin Schoneman with ARWA had visited Seldovia at the beginning of November and had audited the water system in its entirety. Two water leaks were found, one right there by Harborview and one by the fire hydrant on Dock Street. There was history with the maintenance department with the leak on Dock Street. DOT permitting was at least a three-month process and then they would be getting a plan together to break open the ground and repair the leaks. Kevin would like to return five times before April to continue to pinpoint leaks. Kevin was not able to perform leak detection on the line from the reservoir to the dam without three points to listen and the line was too long. Water running by the McCord's was a spring and had been tested multiple times. The online sales tax commission had its inaugural board meeting last week at the AML Conference, they nominated a board and organized their bylaws, the next piece was the legislation and code development, which was coming along nicely, then communities would adopt that code and ensure the pieces were consistent with the laws that govern the commission. There were 17 communities on the commission so far and once the majority founding members adopted the code, then there would be a thirty day period to notify online retailers who was collecting and how. This was the first commission of its kind in the union. She stated that she received a sales tax report from the borough with Amazon, Home Depot, and other online retailers volunteering sales tax to the borough already and it was significant. The software the commission would be using would be able to decipher two tax types in one zip code like Seldovia and "out the road". It was very important to make sure the taxes collected and remitted were for the correct jurisdictions. The SVFD Fire Chief had just returned and was in touch with BHVFD about completing the MOU. She spoke with DOT while attending AML and got to some agreement on her proposal to combine the multiple MOA's currently with DOT into one. Currently the city removes snow on all streets in city limits including state highways and the state was responsible for all the sanding. There had been a little bit of heaviness with the agreement and the lack of snow the last couple years. The water utility would be part of the agreement and they have been billed and would pay for the bulk water used. She stated that she needed to touch base with Layla on the LED light conversion and that she was still waiting to hear from the state on the public safety contract. Right now, they were still receiving \$5000 per quarter for that contract. The land use and harbor parking lot development plans were still coming along. She presented a draft of the water shortage management plan in the laydown that would be discussed on a coming agenda, it was based on something the City of Wrangell put together. She spoke to the highlights of the AML conference and stated that it was a very busy week and every year she gets more out of it. It was great to get together with the other managers and municipal officers for round table discussions. The Alaska Municipal Managers Association (AMMA) was at the beginning of the week, that year she was nominated for a position on the board. The board was entirely female that year, with Katie Koester, the City Manager from Homer, being the president. There were two cities off road system being represented, and members from Juneau, Wasilla, Homer, and Seldovia were on the board. She discussed that she attended the Alaska Marine Highway ferry panel and round table, it was a packed room and the deputy commissioner attended along with another representative

and were sent back with a list of questions and solutions offered. One suggestion was to stop segregating the ferry system it was for the entire state and was a lifeline not a convenience. AML would be writing a resolution to put before the governor. AML was looking into creating a new health association plan for municipalities, she stated that she would be a part of the process. She discussed that she had a great meeting with VSW and the wastewater PER should be hearing something in January, they are writing the RFP for competitive bids. She had a meeting with the AMLJIA director and meetings with DOT. She stated that she saw George a couple of times and would love to hear his take. She included then annual report from AML, of which the city was a member. AML was a voice for the city, especially down in Juneau. She discussed that the airport belonged to the state and that the council had voted to do the permitting for the fireworks. She discussed that AML put a resolution to the state to amend or revise the requirements for audits for community assistance because the audits were an expensive chunk of that assistance. She spoke to the continuing education for the city employees and it being an important part of managing Seldovia responsibly.

ROJAS- Spoke to the water leak detection and inquired if they were able to detect a leak on the line from the dam.

MORRISON- Spoke to water running by the McCord's.

CAMPBELL- Discussed including the street permitting process in the DOT MOA's.

NATHAN- Spoke to the mock meeting at the end of the conference being excellent.

LAUREL HILTS, resident- Inquired about the fireworks DOT permit, the airport's land ownership and the city's involvement.

CLERK GEAGEL- Discussed she had received an encouraging email from DOT about the fireworks permit. The permit was in review with the airport leasing department.

3. Chief of Police Report: See Laydown

ROJAS- Inquired about the bear guard and discussed that the roads were icy and someone hit the bridge.

CHIEF CUSHMAN- Discussed his involvement with standing guard for bears.

4. Harbormaster's Report: See Laydown

ROJAS- Inquired if someone was being brought in for boiler repairs.

CM CAMERON- Discussed that no one was being brought in for the boiler repairs, they were cleaning the filters and maintaining them. She discussed that the Seldovia Space Renovations were going well, but they ran into water damage in the purple room, which the harbormaster, her husband, and Radzy were able to repair. There had been an individual who needed community service and he helped reroute and clean out the rain gutters. They hoped to have the purple room finished by January for the new tenant and would probably do the stairs in the spring.

SWEATT- Inquired about the Seldovia Space renovations and when they were planning to put stairs in front of building.

5. Public Works Report: See Laydown

MAYOR LENT- Spoke to Charles having done a great job on the report and that Jonathan had a strong background with equipment maintenance.

ROJAS- Discussed that there were still rocks at the beach that they may want to put where tree with the buoy was. When the tree goes it would take the road section out.

M. Informational Items Not Requiring Action:

1. The City Office will be closed November 28th and 29th in observance of the Thanksgiving Holiday.

N. Executive Session: None

O. Council and Mayor Comments Concerning Items Not on the Agenda:

COLBERG- Thanked everybody for coming, and the staff, you guys do great work.

CAMPBELL- Stated thanks for the community input and a special thanks to Kirk and Walt for the information and presentation.

MORRISON- Thanked everyone for showing up and great job staff.

ROJAS- Thanked Walt and Kirk for coming that evening and keeping them informed. She thanked the staff for their desire to learn and do a better job and for a great city manager who was leading the flock.

NATHAN- Stated that he was impressed with city manager in the last couple of days, it was kind of tough to try and follow her around and he spoke in appreciation.

SWEATT- Thanked everybody for coming and thanked the staff for all their hard work.

MAYOR LENT- Thanked the people that worked on the old clinic, they did a great job and he was glad to see some income on the expenses in that building, he thanked the staff.

P. Next Meeting: The next Regular Meeting will be held on Monday, December 09, 2019 at 6:00 pm

Q. Adjournment:

ROJAS/SWEATT MOVED TO ADJOURN AT 7:32PM
NO OBJECTION/MOTION PASSED

I certify the above represents accurate minutes of City of Seldovia Council meeting of November 25, 2019.

Heidi Geagel, City Clerk

Approved by Council _____

DRAFT

CITY OF SELDOVIA

ORDINANCE 20-05

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SELDOVIA, ALASKA,
AMENDING TITLE 18.52 COMMERCIAL MARINE, CHAPTER 18.20 DEFINITIONS, AND
TITLE 1 GENERAL PROVISIONS SECTION 1.08.040 TO INCLUDE 18.52.120 VIOLATION—
PENALTIES**

SECTION 1. CLASSIFICATION. This ordinance is permanent in nature and shall become a part of the Municipal Code of the City of Seldovia.

SECTION 2. AMENDING TITLE 18.52 CM—COMMERCIAL MARINE BY REMOVING LANGUAGE IN STRIKEOUT AND ADDING LANGUAGE IN HIGHLIGHT TO READ AS FOLLOWS:

Chapter 18.52
CM—Commercial Marine
CB- COMMERCIAL BUSINESS

Sections:

- 18.52.010 Purpose ~~Intent~~.
- 18.52.020 Permitted Uses.
- 18.52.025 Incidental Secondary Uses.**
- 18.52.030 Prohibited Uses.
- 18.52.035 Long-term Residential Rentals—Administrative Permit.**
- 18.52.040 Performance Standards.
- 18.52.050 Minimum Lot Area and Width.
- 18.52.060 Parking Area and Off-Street Loading Space.
- 18.52.070 Building Setback.
- 18.52.080 Visibility at Access Points and Intersections.
- 18.52.090 Building Height.
- 18.52.100 Conditional Uses.
- 18.52.110 Signage.
- 18.52.120 Violation—Penalties.**

18.52.010 Purpose Intent. This ~~district provides an area for the service and commercial activities which support water dependent activities related to commercial and sport fishing, tourism, recreation and transportation.~~ **The CB District is established to**

provide an area for convenient, attractive and concentrated commercial development. Regulations applying to this zone are designed to encourage a compact group of business of the type which are mutually beneficial and located close enough together to encourage walk-in trade.

18.52.020 Permitted Uses. In the CM CB District, permitted uses constitute the principal "primary use" for commercial purposes and are as follows:

- A. Retail and wholesale businesses
- B. Service
- ~~C. Incidental Secondary Uses~~
 - ~~1. Attached residential dwelling unit.~~
 - ~~2. Attached multi-residential dwelling unit.~~
 - ~~3. Business-specific office. (Ord. 06-10)~~
- C. Business Specific Offices
- D. Restaurants, taverns, and entertainment establishments.
- E. Hotels and motels
- F. Hospitals, medical and dental clinics

18.52.025 Incidental Secondary Uses. A. Incidental secondary uses are uses that occur after the primary permitted use is met. The following uses shall be permitted as incidental secondary uses and shall not exceed forty-nine percent of the building:

- 1. Attached residential dwelling unit.
- 2. Attached multi-residential dwelling unit.

B. Per chapter 5.35 business license no person may engage in a business in the city without first obtaining an annual business license. All requirements of chapter 5.35 must be met for the primary permitted use to be considered met for an incidental secondary use.

18.52.030 Prohibited Uses. In the CM CB District, prohibited uses are as follows:

- ~~A. Motor vehicle sales and service~~
- B. **A.** Extraction of natural resources for sale not incidental to development of the area for a permitted use.

18.52.035 Long-Term Residential Rentals—Administrative Permit. A. Long-term residential rentals are allowed as a permitted use in the CB District but shall not exceed over 10 percent of the total number of lots located within the district and must obtain an administrative permit before operating.

- 1. A waitlist will be established once 10% of the district of the total number of lots are considered a long-term residential rental.

2. Long-term residential rentals with a lapse of six months or more in tenants will no longer be considered a long-term rental and must obtain a new administrative permit in order to be considered for a long-term rental as their permitted primary use.

B. All long-term residential rentals without a primary permitted use provided in 18.52.020 must obtain an administrative permit from the City of Seldovia annually.

C. An administrative permit is not required for long-term residential rentals when the primary use is already met as provided in 18.52.020.

D. No administrative permits shall be issued above the 10% threshold of the lots in the CB district. Applying for an administrative permit does not guarantee a permit will be issued. Applications received after the permitted 10% allowable lots are approved will be placed on an established waitlist as first come first serve.

18.52.040 Performance Standards. Each permitted use shall meet the following performance standards:

A. All permits required for work done in the tidelands, and any other requirements of the CB District shall be obtained prior to granting a building permit being considered.

B. Street and utilities must be adequate to safely accommodate the proposed use presently and in the future.

18.52.050 Minimum Lot Area and Width. In the ~~€€~~ CB District, the minimum lot size and width shall be as follows:

A. 5000 square feet. (Ord. 00-08), (Ord. 06-10)

B. Lot area shall be sufficient to meet the parking and setback standards of this chapter. (Ord. 06-10)

18.52.060 Parking Area and Off-Street Loading Space. In the ~~€M~~ CB District, parking areas and off-street loading space requirements shall be as follows:

A. Residential uses, same as required in the Residential District;

B. Retail sales, one space per 200 square feet of gross usable floor area;

C. Service business and offices, one space for each 300 square feet of gross usable floor area;

D. Restaurants, bars and other entertainment establishments, one parking space for each four seats based on maximum seating capacity;

E. Transient housing, one parking space for each three rooms;

F. In addition to the above requirements, one parking space for every four employees shall be provided;

G. If the applicant adequately demonstrates that the use will serve customers who are not dependent on motor vehicles to reach the business, the parking requirements may be reduced accordingly by the City Planning Commission;

H. One off-street loading space at least 30 feet long by 10 feet wide by 16 feet high inside dimensions shall be provided for each 10,000 square foot of usable floor area.

I. Decks or Docks in this section shall be constructed to allow for the docking of water craft within the lot boundaries and in compliance with the provisions set forth in Chapter 18.52. (Ord. 00-08; Ord. 06-10; Ord. 17-06)

18.52.070 Building Setback. In the CM CB District, building setback requirements shall be as follows:

A. Ten (10) feet from all rights-of-way if the right-of-way meets existing requirements;

B. If the adjacent right-of-way is less than required by existing standards, the setback shall be equal to $\frac{1}{2}$ the required right-of-way width plus ten (10) feet measured from the right-of-way centerline. Required right-of-way shall be that required by City plans or ordinance. If no City plan or ordinance exists, the right-of-way requirements of the Borough subdivision requirements shall apply;

C. Six (6) feet from all property boundaries not bordering right-of-way, unless adequate fire-walls are provided and adequate access to the rear of the building is otherwise provided.

D. The setback for a deck or dock proposed along the shore of the Seldovia Small Boat Harbor (defined as any waterfront lot on Main St. between lots 19307917 and 19203059) shall be the mean high tide line. Any deck or dock proposed beyond the mean high tide shall be heard by the Planning and Zoning Commission under the conditional use permitting process (Ord. 00-08; Ord. 06-10; Ord. 17-06)

18.52.080 Visibility at Access Points and Intersections. A. No vehicle shall be parked within thirty feet (30') of any existing municipality street intersection;

B. To ensure that a vehicle's driver has good visibility at street intersections, on corner lots both public and privately owned, there shall not be a fence, wall, hedge, planting or structure, or other obstacle including vehicles that will impede visibility between a height

of 2-1/3 feet and 8 feet and greater than one foot wide above the centerline grades of the intersecting streets unless parked in already approved and designated parking area. (Ord. 00-08; Ord. 06-10; Ord 18-12)

18.52.090 Building Height. The maximum building height is twenty-eight (28) feet measured from the centerline of Main Street. (Ord. 06-10)

18.52.100 Conditional Uses. The following uses shall be permitted if it is determined that the requirements of Chapters 18.68 and 18.72 are met:

- A. Signage uses in excess of those specified in Section 18.52.110.
- B. Seafood processing (Ord. 17-13)
- C. Keeping of livestock may be permitted provided the provisions set forth in Chapters 18.52, 18.68, 18.72 are satisfied.
- D. Building of decks or docks within the Seldovia Small Boat Harbor (as defined by SMC 18.52.070 D) beyond the mean high tide may be permitted if the provisions set forth in Chapter 18.52, and 18.68 are met (Ord. 01-01; Ord. 17-05; Ord. 17-06)
- E. Marijuana cultivation facilities, manufacturing facilities, retail facilities, and testing facilities as defined by State law, SMC 18.78 and SMC Ord. 16-09. (Ord. 17-07)
- F. Motor vehicle sales and service within a confined specified space

18.52.110 Signage. Combined signage serving the Commercial Marine Business District shall not exceed 15% of wall surface area as viewed from any lot line. (Ord. 01-01)

18.52.120 Violation—Penalties. A. Any use of property in the Commercial Business District that is not provided in 18.52.020 or the use of any Incidental secondary use provided in 18.52.025 without a permitted use provided in 18.52.020 shall be considered a violation of this chapter. The penalty for an offense in this chapter is the fine listed in the fine schedule in SMC 1.08.040.

SECTION 3. AMENDING TITLE 18.20 DEFINITIONS BY ADDING LANGUAGE IN TO READ AS FOLLOWS:

18.20.270 Attached residential dwelling unit. A building located on a single lot containing multiple units having a common wall of which one is a dwelling unit designed for one family. (An apartment in a commercial building)

18.20.280 Attached multi-residential dwelling unit. A building located on a single lot containing multiple units having a common wall of which more than one is a dwelling unit and designed for multiple families. (Multiple apartments in a commercial building)

18.20.290 Long-Term Residential Rentals. A unit attached to a building or a single unattached building rented as a dwelling unit for more than thirty consecutive days.

SECTION 4. TITLE 1.08.040 IS AMENDED BY ADDING THE LANGUAGE TO READ AS FOLLOWS:

18.52.120 | Violation-- Penalties

| \$300 |

SECTION 5. EFFECTIVE DATE. This ordinance becomes effective upon its adoption by the City Council.

ADOPTED by a duly constituted quorum of the City Council of the City of Seldovia, Alaska this ____ day of _____, 2019.

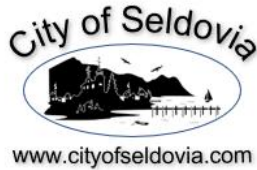
ATTEST:

Heidi Geagel, City Clerk

APPROVED:

Dean Lent, Mayor

- Vote:
- Colberg-
- Campbell-
- Morrison-
- Rojas-
- Nathin-
- Sweatt-



P.O. Drawer B Seldovia, Alaska 99663 Phone: (907) 234-7643, Fax: (907) 234-7430 email: cityclerk@cityofseldovia.com

Long-Term Residential Rental Business Permit

Commercial Business District

(18.20.290 Long-Term Residential Rentals. A unit attached to a building or a single unattached building rented as a dwelling unit for more than thirty consecutive days.)

Renewal: New Permit:

Physical/Street Address of Long-Term Rental: _____

Business Name: _____ Date: _____

Applicant Name: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Email Addresses: _____ Telephone: _____

Rentals are: Month to Month Long-term lease (6 months or more)

The Commercial Business (CB) District is established to provide an area for convenient, attractive and concentrated commercial development. Regulations applying to this zone are designed to encourage a compact group of business of the type which are mutually beneficial and located close enough together to encourage walk-in trade.

Long-term residential rentals are allowed as a permitted use in the CB District but shall not exceed over 10 percent of the district and must obtain an administrative permit before operating.

1. A waitlist will be established once 10% of the district is considered a long-term residential rental.
2. Long-term residential rentals with a lapse of six months or more in tenants will no longer be considered a long-term rental and must obtain a new administrative permit in order to be considered for a long-term rental as their permitted primary use.

Long-term residential rentals with a permitted use provided in 18.52.020 are not required to obtain an administrative permit.

Long-term Residential Rental Businesses are required to have the following:

- City of Seldovia Business License No: _____
- State Business License (or proof that you have filed) No: _____
- Borough Sales Tax Registration Card or Registration No: _____

As Applicant, I _____, certify or declare under penalty of perjury under the laws of the State of Alaska that the foregoing is true and correct.

By signing this Application, you are agreeing to the indemnification/hold harmless agreement below:

Owner/Applicant, agrees to indemnify, save, protect, hold harmless, and defend the City of Seldovia, the City Council of the City of Seldovia, individually and collectively, and the City of Seldovia representatives, officers, officials, employees, agents, and volunteers from any and all claims, demands, damages, fines, obligations, suits, judgments, penalties, causes of action, losses, liabilities, or costs at any time received, incurred, or accrued as a result of, or arising out of Owner's actions, or inaction in the operation, occupancy, use, and/or maintenance of the Property.

Applicant Signature: _____ Date: _____

**CITY OF SELDOVIA
RESOLUTION 20-17**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELDOVIA ADOPTING
AN ALTERNATIVE ALLOCATION METHOD FOR THE FY20 SHARED FISHERIES
BUSINESS TAX PROGRAM AND CERTIFYING THAT THIS ALLOCATION
METHOD FAIRLY REPRESENTS THE DISTRIBUTION OF SIGNIFICANT EFFECTS
OF FISHERIES BUSINESS ACTIVITY IN FMA 14: COOK INLET**

WHEREAS, AS 29.60.450 requires that for a municipality to participate in the FY20 Shared Fisheries Business Tax Program, the municipality must demonstrate to the Department of Commerce, Community, and Economic Development that the municipality suffered significant effects during calendar year 2018 from fisheries business activities; and

WHEREAS, 3 AAC 134.060 provides for the allocation of available program funding to eligible municipalities located within fisheries management areas specified by the Department of Commerce, Community, and Economic Development; and

WHEREAS, 3 AAC 134.070 provides for the use, at the discretion of the Department of Commerce, Community, and Economic Development, of alternative allocation methods which may be used within fisheries management areas if all eligible municipalities within the area agree to use the method, and the method incorporates some measure of the relative significant effect of fisheries business activity on the respective municipalities in the area; and

WHEREAS, the City Council of the City of Seldovia proposes to use an alternative allocation method for allocation of FY20 funding available within the FMA: 14 COOK INLET in agreement with all other municipalities in this area participating in the FY20 Shared Fisheries Business Tax Program.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SELDOVIA:

Section 1: That by this resolution the Seldovia City Council certifies that the following alternative allocation method fairly represents the distribution of significant effects during 2018 of fisheries business activity in FMA 14: COOK INLET:

All municipalities share equally 50% of allocation; all municipalities share remaining 50% on a per capita basis.

PASSED and APPROVED by a duly constituted quorum of the of the City Council of the City of Seldovia, Alaska, on this 09th day of December, 2019.

ATTEST: _____
Heidi Geagel, City Clerk

APPROVED: _____
Dean Lent, Mayor



THE STATE
of **ALASKA**
GOVERNOR MICHAEL J. DUNLEAVY

Department of Commerce, Community,
and Economic Development

DIVISION OF COMMUNITY AND REGIONAL AFFAIRS

455 Third Avenue, Suite 140
Fairbanks, AK 99701-3110
Main: 907.451.2718
Programs fax: 907.451.2742

November 15, 2019

City of Seldovia
PO Box B
Seldovia AK, 99663

Dear Municipal Official:

The Department of Commerce, Community, and Economic Development is pleased to announce availability of the **FY 2020 Shared Fisheries Business Tax Program**. The purpose of the program is to allocate a share of state fish tax collected outside municipal boundaries with municipalities affected by fishing industry activities. Municipalities around the state will share approximately \$1.6 million based on 2018 fisheries activity as reported by fish processors on their fish tax returns. Details of how the program works are included in the application under *Program Description*.

Historically, your municipality along with the other communities in your fisheries management area (FMA 14: Cook Inlet) has filed using the Alternative Method found on the last four pages of this application. A breakdown is included that details the communities in your FMA, in addition to the anticipated payment based on the agreed upon allocation method for your FMA. If this agreement is still in place with your FMA, you will only need to have your Council/Assembly pass the enclosed alternative method sample resolution in order to participate in the program.

If your FMA intends to change the alternative method of allocation, the new proposal must be submitted to our office no later than **January 15, 2020**. If an agreement cannot be made with all communities in your FMA, you will need to file using the standard method and claim your significant effects. Instructions on both of these methods are detailed in the application packet.

**DEADLINE FOR SUBMISSION OF COMPLETED APPLICATION IS
FEBRUARY 18, 2020.**

Applications can be scanned and emailed to caa@alaska.gov with the subject line "Municipality Name, FY20, SFBT". If you have any questions about the program or require assistance in completing the application, please contact me at kimberly.phillips@alaska.gov or call (907) 451-2718.

Sincerely,

Handwritten signature of Kimberly Phillips in blue ink.

Kimberly Phillips
Grants Administrator II

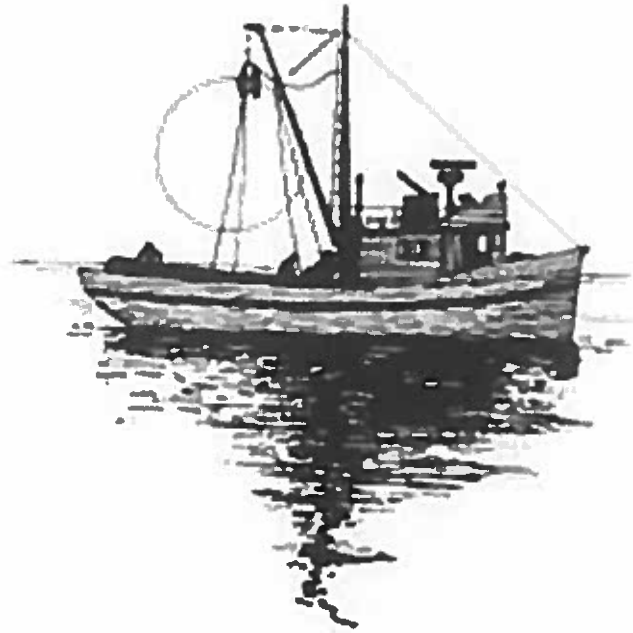
Enclosures

FMA 14: Cook Inlet Area

FMA 14: Cook Inlet Area				FY 18 Landing Tax Allocation		Reference	Total
Community	Population	50% divided share	50% per capita share	Calculated Allocation	Calculated Allocation	Number	Distribution
Total allocation:					\$4,993.79		
		\$5,641.68	\$5,641.68				
Municipality of Anchorage	295,365	\$470.14	\$3,354.27	\$3,824.41	\$1,692.61	20-SF14-01	\$ 5,517.01
City of Homer	5,443	\$470.14	\$61.81	\$531.95	\$235.43	20-SF14-02	\$ 767.38
City of Kachemak	511	\$470.14	\$5.80	\$475.94	\$210.64	20-SF14-03	\$ 686.59
City of Kenai	6,999	\$470.14	\$79.48	\$549.62	\$243.25	20-SF14-04	\$ 792.88
Kenai Peninsula Borough	58,471	\$470.14	\$664.02	\$1,134.16	\$501.96	20-SF14-05	\$ 1,636.11
City of Seward	220	\$470.14	\$2.50	\$472.64	\$209.18	20-SF14-06	\$ 681.82
City of Soldotna	2,584	\$470.14	\$29.34	\$499.49	\$221.06	20-SF14-07	\$ 720.55
Matanuska-Susitna Borough	4,327	\$470.14	\$49.14	\$519.28	\$229.82	20-SF14-08	\$ 749.10
City of Houston	105,743	\$470.14	\$1,200.85	\$1,670.99	\$739.55	20-SF14-09	\$ 2,410.54
City of Palmer	2,100	\$470.14	\$23.85	\$493.99	\$218.63	20-SF14-10	\$ 712.62
City of Wasilla	6,223	\$470.14	\$70.67	\$540.81	\$239.35	20-SF14-11	\$ 780.16
Totals	496,787	\$5,641.68	\$5,641.68	\$11,283.37	\$252.31	20-SF14-12	\$ 822.40
Community Count	12				\$4,993.79		\$ 16,277.16

* All municipalities share 50% of allocation equally; share remaining 50% on a per capita basis.

DCCED
Shared Fisheries Business Tax Program
FY 20 Long-Form Application
For
FMA 14: Cook Inlet Area



**APPLICATION MUST BE SUBMITTED TO DCCED
NO LATER THAN FEBRUARY 18, 2020**

State of Alaska
Michael J. Dunleavy, Governor

**Department of Commerce, Community, and
Economic Development**
Julie Anderson, Commissioner

Division of Community and Regional Affairs
Sandra Moller, Director

FY 20 SHARED FISHERIES BUSINESS TAX PROGRAM DESCRIPTION

The purpose of the Shared Fisheries Business Tax Program is to provide for an annual sharing of fish tax collected outside municipal boundaries to municipalities that can demonstrate they suffered significant effects from fisheries business activities. This program is administered separately from the state fish tax sharing program administered by the Department of Revenue which shares fish tax revenues collected inside municipal boundaries.

Program Eligibility

To be eligible for an allocation under this program, applicants must:

1. Be a municipality (city or borough); and
2. Demonstrate the municipality suffered significant effects as a result of fisheries business activity that occurred within its respective fisheries management area(s).

Program Funding

The funding available for the program this year is equal to half the amount of state fisheries business tax revenues collected outside of municipal boundaries during calendar year 2018.

Program funding is allocated in two stages:

1st Stage: Nineteen Fisheries Management Areas (FMAs) were established using existing commercial fishing area boundaries. The available funding is allocated among these 19 FMAs based on the pounds of fish and shellfish processed in the whole state during the 2018 calendar year. For example, if an area processed 10% of all the fish and shellfish processed in the whole state during 2018, then that area would receive 10% of the funding available for the program this year. These allocations are calculated based on Fisheries Business Tax Return information for calendar year 2018.

2nd Stage: The funding available within each FMA will be allocated among the municipalities in that area based on the level of fishing industry significant effects suffered by each municipality compared to the level of effects experienced by the other municipalities in that FMA.

Some boroughs, because of their extensive area, are included in more than one fisheries management area. In these cases, the borough must submit a separate program application for each area.

FY 20 SHARED FISHERIES BUSINESS TAX PROGRAM DESCRIPTION

There are two possible application methods: Standard and Alternative

Standard Method: In the Standard Method, established by the department, each municipality in the FMA must determine and document the cost of fisheries business impacts experienced by the community in 2018. These impacts are submitted by each municipality in their applications. The department will review the applications and determine if the impacts submitted are valid. Once the impacts have been established for each of the municipalities in the FMA, the department will calculate the allocation for each municipality using the following formula:

One half of the funding available within a FMA is divided up among participating municipalities on the basis of the relative dollar amount of impact in each municipality. The other half of the funding available to that area is divided equally among all eligible municipalities.

Alternative Method: Alternative allocation methods may be proposed by the municipalities within the FMA. The department will consider approving the use of a proposed alternative method only if all the municipalities in the area agree to use the method, and if the method includes some measure of the relative effects of the fishing industry on the respective municipalities in the area.

This application packet contains the instructions and forms applying under:

- STANDARD METHOD
- ALTERNATIVE METHOD

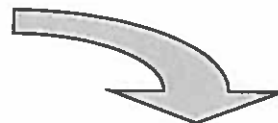
The chart on the following page summarizes the process for these two methods.

FY 20 SHARED FISHERIES BUSINESS TAX PROGRAM DESCRIPTION

PROCESS FOR METHODS



November 15
Commerce mails program applications to municipalities



STANDARD METHOD

No later than February 18

Each municipality determines and documents the cost of fisheries impacts on the community and submits this information with their application.



No later than April 15

Department of Commerce reviews applications, makes a determination as to the validity of the submitted impacts, and notifies the municipalities of this determination.



Within 30 days

Municipalities have 30 days in which to appeal Commerce's determinations regarding submitted impacts.



Within 20 days

Commerce will respond to appeals within 20 days after receiving them.



After all appeals are resolved

Commerce will perform the formula calculations for each FMA based on the relative impacts approved for each municipality in the FMA, and distribute the funding allocations.

ALTERNATE METHOD

No later than January 15

All municipalities in an FMA work together to develop an alternate allocation formula and submit their proposal to the Department of Commerce. Municipalities are encouraged to consult with Commerce during this effort regarding the acceptability of alternative methods.



No later than February 1

Commerce reviews alternate proposals, determines if proposals are acceptable, and notifies the municipalities of this determination. If the proposal is accepted, municipalities may then use the Alternative Method application. If the proposal is not acceptable to Commerce, they will work with municipalities in an area to resolve problems. If the problems cannot be resolved, the municipalities in that FMA must apply using the Standard Method application.



No later than February 18

Each municipality must submit an Alternative Method application. Commerce will distribute allocations after all applications within that FMA have been received and verified.

FY 20 Shared Fisheries Business Tax Program Application Instructions

STANDARD METHOD

- In the standard method application process each municipality determines and documents the cost to the municipality of fisheries industry significant effects suffered by the community in 2018.
- Details for each of these effects are submitted by municipalities using the Declaration of Significant Effects application forms provided on the following pages.
- The municipality must also submit an approved resolution by the governing body certifying that the information submitted in the application is correct and complete. A sample resolution is included in this packet.
- The department will review the applications and determine if the significant effects submitted are valid.
- Once the effects have been established for each of the municipalities in a Fisheries Management Area, the department will calculate the funding allocation for each municipality using the following formula:

One half of the funding available within a FMA is divided up among participating municipalities on the basis of the relative **dollar amount of impact** in each municipality. The **other half** of the funding available to that area is divided equally among all eligible municipalities.

Guidelines for Completing the Declaration of Significant Effects Forms

Some important definitions: The Shared Fisheries Business Tax Program provides for a sharing of State Fisheries Business Tax with municipalities that can demonstrate they suffered *significant effects* during the *program base year* from *fisheries business activity* in their respective fisheries management area.

For the purposes of this program, "fisheries business activity" means:

- activity related to fishing, including but not limited to the catching and sale of fisheries resources;
- activity related to commercial vessel, moorage and gear maintenance;
- activity related to preparing fisheries resources for transportation; and,
- activity related to processing fisheries resources for sale by freezing, icing, cooking, salting, or other method and includes but is not limited to canneries, cold storages, freezer ships, and processing plants.

And, "significant effects" means:

- municipal expenditures during the program base year demonstrated by the municipality to the department to be reasonable and necessary that are the result of fisheries business activities on the municipality's:
 - population;
 - employment;
 - finances;
 - air and water quality;
 - fish and wildlife habitats; and,
 - ability to provide essential public services, including health care, public safety, education, transportation, marine garbage collection and disposal, solid waste disposal, utilities, and government administration.

And, "program base year" means:

- calendar year 2018.

A municipality does not need to have actual expenditures in 2018 in order to include them as significant effects in the application. If a fishing business activity impacts a municipality in a manner that will result in a cost to the municipality, then the municipality can claim that impact as a significant effect. For example, a city's pier might have been damaged by an improperly docked fish processing vessel. The city might not have the funds to repair the pier during 2018, but the city has obtained final engineering estimates for the cost of repairs. In this case, the city could declare the repair cost estimates as significant effects on their application. However, **these costs may not be claimed again** if the city subsequently expended the monies to repair the pier at a later date (this would result in a double counting of significant effects).

If a significant effect claimed in the application reflects expenditures that were determined by the municipality to be necessary, but for which the municipality was unable to make an expenditure during the program base year, the application must include a finding by the municipal governing body which documents and clearly describes the procedures and methods by which the need and the estimated cost of such expenditures were determined.

Only that part of overall community impacts which are directly attributable to fishing business activity should be included as significant effects in the application. For example, a city water supply system may be impacted by the fresh water needs of the local fishing fleet and fish processing facilities. However, a city in this situation should not claim the entire cost of operating or maintaining the water system as a "significant effect" for the purposes of this program. In this case, the city must determine and document its estimate of the share of the use, and "wear and tear," of the water system that can reasonably be attributed to fisheries business activity. A place is provided on the *Declaration of Significant Effects* forms for municipalities to explain how they arrived at such estimates.

Examples of eligible significant effects. The kinds of negative effects which a municipality might possibly claim to have suffered are many. It is the responsibility of each municipality to describe, document and justify its particular claims of negative impacts during 2018 resulting from fisheries business activities. For the purposes of this program, all significant effects must be presented in terms of expenditures of municipal funds, either actual or determined necessary. For example, a sudden population increase of 1,000 people is not in itself a negative effect. It is the demonstrable impacts on the city budget of dealing with these extra people that may be considered as significant effects for this

program. The following examples represent the kinds of community impacts which are clearly eligible for inclusion in a city's *Declaration of Significant Effects* forms.

- a municipality's expenses during 2018 in repairing a dock damaged by a fishing vessel;
- a municipality's costs of hiring extra police, teachers or medical staff to cover periods during 2018 when fish processing workers or fishing crew and their families expanded the municipality's population;
- a city 2018 loan which was used to improve the city's water system to meet increased demands for fresh water by local fish processors. Only that part of the debt service which can be directly attributable to supporting the fishing industry may be counted as a significant effect.
- special expenditures made by a city during 2018 to assist or help re-train workers who lost their jobs in the fishing industry because of a downturn in fishing activity;
- a borough's expenditures for operating and maintaining harbor facilities during 2018;
- operating and maintaining a city's water and sewer system or landfill during 2018 that is directly attributable to the fishing industry.

Examples of events which are not eligible to be significant effects

The following are examples of municipal expenditures or events which are **not eligible** for inclusion in a municipality's *Declaration of Significant Effects* forms:

- Municipal expenditures that occurred before or after 2018 which are the result of fishing business activities;
- Revenues which a city did not receive during 2018 because of a downturn in local fishing business activity.

If you're not sure whether an event is a valid "significant effect" or not, contact DCCED.

Instructions for Completing the Standard Method Application

The completed standard method application submitted by each municipality will contain three elements:

- a set of *Declaration of Significant Effects* forms (one separate form for each significant effect claimed by the municipality). **Three copies of this form are included in the application- please make as many additional copies of this form as you need.**
- a *Cover Page* that provides the total number and cost of the significant effects claimed by the municipality.
- an *approved resolution* by the governing body adopting the application as true and correct. A sample resolution is included in the application.

Instructions for the Cover Page/Summary

The *Cover Page* must be completed and submitted as part of the application. This form summarizes the information found in the application. The number of significant effects claimed should be equal to the number of *Declarations of Significant Effects* forms submitted with the application and the total dollar amount should equal the sum of all the dollar amounts stated in Part 2 on the *Declarations of Significant Effects* forms.

Instruction for the *Resolution* form

Municipalities may use this form, or a similar form, to comply with the requirement that the submitted application be certified by the municipality's governing body.

Submit completed application
no later than February 18, 2020, to:

E-mail

caa@alaska.gov

Subject Line

“Municipality Name, FY20, SFBT”

Or

Mail

**State of Alaska DCCED
Shared Fisheries Business Tax Program
455 3rd Avenue, Suite 140
Fairbanks, Alaska 99701-4737**

**If you have any questions regarding this program, contact
Kimberly Phillips at 451-2718**

FY 20 SHARED FISHERIES BUSINESS TAX PROGRAM

STANDARD METHOD APPLICATION for

FMA 14: COOK INLET AREA

Name of Municipality: _____

Address: _____

Contact Person: _____

Phone Number: _____

Total # of Significant Effects Claimed: _____

Total \$ of Significant Effects Claimed: \$ _____

Return cover page, Declaration of Significant Effects forms, and resolution

E-mail

caa@alaska.gov

Subject Line

“Municipality Name, FY20, SFBT”

Or

Mail

**State of Alaska DCCED
Shared Fisheries Business Tax Program
455 3rd Avenue, Suite 140
Fairbanks, Alaska 99701-4737**

**FY 20 Shared Fisheries Business Tax Program
DECLARATION OF
SIGNIFICANT EFFECTS FORM**
(One Separate Form for Each Significant Effect Claimed)

1. Provide a description of the fisheries business activity which resulted in the significant effect:

2. Total significant effect (municipal expenditure) made necessary during 2018 by the fisheries business activity listed in #1: \$

3. Municipal expenditure is: actual determined necessary
(Every municipal expenditure marked "determined necessary" must be supported by a resolution)

4. Describe how the municipal expenditure figure listed under Part 2 was determined:

5. Is the fisheries business activity part of a larger fiscal impact on the municipality?

yes no

If yes, describe how the fisheries business-related part of the overall fiscal impact was determined.

6. Describe the documentation that supports the municipality's claim of this significant effect (this documentation must be readily available to the department upon request):

**FY 20 Shared Fisheries Business Tax Program
DECLARATION OF
SIGNIFICANT EFFECTS FORM**
(One Separate Form for Each Significant Effect Claimed)

1. Provide a description of the fisheries business activity which resulted in the significant effect:

2. Total significant effect (municipal expenditure) made necessary during 2018 by the fisheries business activity listed in #1: \$

3. Municipal expenditure is: actual determined necessary
(Every municipal expenditure marked "determined necessary" must be supported by a resolution)

4. Describe how the municipal expenditure figure listed under Part 2 was determined:

5. Is the fisheries business activity part of a larger fiscal impact on the municipality?
 yes no

If yes, describe how the fisheries business-related part of the overall fiscal impact was determined.

6. Describe the documentation that supports the municipality's claim of this significant effect (this documentation must be readily available to the department upon request):

**FY 20 Shared Fisheries Business Tax Program
DECLARATION OF
SIGNIFICANT EFFECTS FORM**
(One Separate Form for Each Significant Effect Claimed)

1. Provide a description of the fisheries business activity which resulted in the significant effect:

2. Total significant effect (municipal expenditure) made necessary during 2018 by the fisheries business activity listed in #1: \$

3. Municipal expenditure is: actual determined necessary
(Every municipal expenditure marked "determined necessary" must be supported by a resolution)

4. Describe how the municipal expenditure figure listed under Part 2 was determined:

5. Is the fisheries business activity part of a larger fiscal impact on the municipality?
 yes no

If yes, describe how the fisheries business-related part of the overall fiscal impact was determined.

6. Describe the documentation that supports the municipality's claim of this significant effect (this documentation must be readily available to the department upon request):

FY 20 Shared Fisheries Business Tax Program
Standard Method Resolution

(City or Borough)

RESOLUTION NO.

A RESOLUTION CERTIFYING THE FY 20 SHARED FISHERIES BUSINESS TAX PROGRAM APPLICATION TO BE TRUE AND CORRECT

WHEREAS, AS 29.60.450 requires that for a municipality to participate in the FY 20 Shared Fisheries Business Tax Program, the municipality must demonstrate to the Department of Commerce, Community, and Economic Development that the municipality suffered significant effects during calendar year 2018 from fisheries business activities; and

WHEREAS, the Department of Commerce, Community, and Economic Development has prepared specific application forms for the purpose of presenting the municipality's claims as to the significant effects suffered by the municipality during calendar year 2018; and

WHEREAS, 3 AAC 134.100 requires the governing body of the municipality to include with the municipality's FY 20 program application an approved resolution certifying the information contained in the application to be true and correct;

NOW THEREFORE BE IT RESOLVED THAT:

The _____ by this resolution certifies the information contained in
(Governing Body)
the _____
(City or Borough)

FY20 Shared Fisheries Business Tax Program Application to be true and correct to the best of our knowledge.

PASSED AND APPROVED by a duly constituted quorum of the _____ this _____
(Governing Body)
day of _____, 20 _____.

SIGNED _____
Mayor

ATTEST _____
Clerk

FY 20 Shared Fisheries Business Tax Program Application Instructions

ALTERNATIVE METHOD

- In the alternative method application process all municipalities in a fisheries management area may work together to develop an alternative allocation formula for distributing the available program funding among municipalities in the area. It is advised that the Department of Commerce be consulted during this process if the municipalities have questions or concerns about what constitutes an acceptable alternative to the standard allocation method.
- All the municipalities in an area must reach an agreement in writing on an alternative allocation formula.
- By January 15, the department must receive the proposed alternative method. If the alternative method is not acceptable, the department will work with the municipalities to resolve the problems.
- If the municipalities in an area fail to satisfy the department regarding the acceptability of the alternative allocation method proposed, then each municipality in the region must return to the standard application process and submit separate applications as required by that process.
- If the department finds the alternative allocation method satisfactory, each municipality must then complete an alternative method application consisting of a cover page and resolution. The resolution must be adopted by the governing body and it must clearly describe the approved alternative allocation method within that area. After all alternative method applications within an area have been received and approved; the department will perform the allocations and distribute program funds.

Instructions for Alternative Method Application

In the alternative method application, an approved resolution constitutes the application. No other forms need to be submitted. A sample resolution has been attached for your use.

General Guidelines for Developing an Alternative Allocation Method

All municipalities in a fisheries management area must agree on the alternative method: There must be unanimous agreement among all eligible municipalities in a fisheries management area with regard to alternative allocation methods. It is the responsibility of community leaders in the area to work together to negotiate an alternative which is acceptable to all municipalities. The department may be consulted at any time regarding what kinds of formula approaches are considered acceptable by the department.

Alternative methods must incorporate some measure of the relative significant effects experienced by the respective municipalities in the area. The measure of significant effects may take many forms. One area might agree to use the number of commercial fishing boat visits-per-year per community as a measure of significant effects. Another area might use the linear foot-length of public docks as a measure. Another area might use community population figures as an indication of the significant effects of fisheries business activity. Another area might share one half of the funding equally between the respective municipalities and share the other half based upon community population figures. Areas may decide to use one measure, or may use a combination of measures.

**Submit your completed application
no later than
February 18, 2020 to:**

E-mail

caa@alaska.gov

Subject Line

“Municipality Name, FY20, SFBT”

Or

Mail

**State of Alaska DCCED
Shared Fisheries Business Tax Program
455 3rd Avenue, Suite 140
Fairbanks, Alaska 99701-4737**

**If you require assistance in completing this application, contact
Kimberly Phillips at 451-2718.**

FY 20 SHARED FISHERIES BUSINESS TAX PROGRAM

ALTERNATE METHOD APPLICATION For

FMA 14: COOK INLET AREA

Name of Municipality:

Address:

Contact Person:

Phone Number:

Return cover page, and resolution

E-mail

caa@alaska.gov

Subject Line

“Municipality Name, FY20, SFBT”

Or

Mail

**State of Alaska DCCED
Shared Fisheries Business Tax Program**

**455 3rd Avenue, Suite 140
Fairbanks, Alaska 99701-4737**

FY 20 Shared Fisheries Business Tax Program
Alternative Method Resolution

(City or Borough)

RESOLUTION NO. _____

A RESOLUTION ADOPTING AN ALTERNATIVE ALLOCATION METHOD FOR THE FY20 SHARED FISHERIES BUSINESS TAX PROGRAM AND CERTIFYING THAT THIS ALLOCATION METHOD FAIRLY REPRESENTS THE DISTRIBUTION OF SIGNIFICANT EFFECTS OF FISHERIES BUSINESS ACTIVITY IN FMA 14: COOK INLET AREA

WHEREAS, AS 29.60.450 requires that for a municipality to participate in the FY 20 Shared Fisheries Business Tax Program, the municipality must demonstrate to the Department of Commerce, Community, and Economic Development that the municipality suffered significant effects during calendar year 2018 from fisheries business activities; and,

WHEREAS, 3 AAC 134.060 provides for the allocation of available program funding to eligible municipalities located within fisheries management areas specified by the Department of Commerce, Community, and Economic Development; and,

WHEREAS, 3 AAC 134.070 provides for the use, at the discretion of the Department of Commerce, Community, and Economic Development, of alternative allocation methods which may be used within fisheries management areas if all eligible municipalities within the area agree to use the method, and the method incorporates some measure of the relative significant effect of fisheries business activity on the respective municipalities in the area; and,

WHEREAS, The _____
(Governing Body) proposes to use an alternative allocation method for allocation of FY20 funding available within the FMA 14: Cook Inlet Area in agreement with all other municipalities in this area participating in the FY20 Shared Fisheries Business Tax Program;

NOW THEREFORE BE IT RESOLVED THAT: The _____
(Governing Body) by this resolution certifies that the following alternative allocation method fairly represents the distribution of significant effects during 2018 of fisheries business activity in FMA 14: Cook Inlet Area:

- All municipalities share equally 50% of allocation; all municipalities share remaining 50% on a per capita basis.

PASSED and APPROVED by a duly constituted quorum of the _____ this _____ day
of _____ 20____.
(Governing Body)

SIGNED _____
Mayor

ATTEST _____
Clerk